

Conservation Council of North Carolina

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Dear Friends,

During the past year, a new coalition of community, environmental, social justice, and tax payer groups has come together to reform the North Carolina Department of Transportation (NCDOT) and Board of Transportation (BOT).

This coalition -- the Transportation Roundtable -- has produced 18 principles which we believe can be the foundation of more fair, environmentally responsible transportation system in North Carolina. This framework for the 21st century departs from the old "build more roads" philosophy and looks at creative, innovative ways of moving people and goods around our state. It is a system that will more broadly benefit all North Carolinians.

Something is very wrong with the status quo. NCDOT spends more than \$2 billion annually on transportation projects with the vast majority of funds funneled into highway construction and operations. Only one penny for every dollar spent by DOT is spent on transit, rail, sidewalks and bikeways. Are we driving ourselves to ruin?

Open examination and full public debate of the issues is the *first step*. During the next several months, the Transportation Roundtable will seek input from citizens, experts and community leaders from across the state and beyond. We will incorporate what we learn into a Blueprint for Transportation Reform in North Carolina. This Blueprint will include the 18 principles that follow crafted with more precise language, substance and a rationale of their need, along with the steps needed to accomplish them. At this time, this Blueprint is a WORKING DRAFT.

While the principles are practical outcomes for a major multi-year campaign, many of these principles will not be easy to achieve, especially without a significant expenditure of time, talents and funds.

But remember, all journeys begin with a *single step*.

John Runkle
October 4, 1997 Draft

P r e f a c e

Joe McDonald, President, NC Alliance for Transportation Reform

We live in a world of constant change. We need from time to time to change our perspectives and to adjust to new as well as to anticipate circumstances. Our leaders must at times have extraordinary vision. No public sector is in more urgent need of such vision than that of transportation planning and policy making. Simply put, the future of North Carolina and the character of its countryside is at stake.

To this point, the building of new roads has been the most common solution to surface transportation problems. And, while the NC Department of Transportation (NCDOT) always looks at the impact of a road on human communities and wildlife populations, these considerations have never been placed by the NCDOT above the simple need to move a given number of motorized vehicles expeditiously from one point to another. Safety and efficiency are usually held up as the values placed above all others. The other undeniable factor is the political nature of road building in North Carolina and the powerful influences of the paving industry. When there is political power behind a project, environmental considerations and the voices of ordinary citizens will not have much effect on a road project. This is possibly the single greatest scandal in our state's history.

The current system is unsatisfactory and it is absolutely essential that it be changed as we prepare to move into the next century. Our political leaders must develop a new insight: the awareness of the finiteness of our rural land surface. Highway projects can no longer proceed as though our countryside is infinite and can be destroyed forever at the same pace. Study after study also show that the areas of the United States with the healthiest environments are also the ones with the healthiest economies. If we allow the NCDOT to continue to cut our landscape and communities to pieces with new road construction, our economy will be degraded, not enhanced. This is the real argument for transit systems.

The Board of Transportation (BOT) is supposed to represent all of the citizens of North Carolina in the formulation of transportation policies. Board members should presumably be persons of great vision and foresight, with broad expertise in transportation matters, and above all, they should have only the best interests of our citizens in mind as they conduct their business. This is obviously not what we have now. I predict that future generations will someday look back in amazement at a patronage system where monetary contributions to political campaigns are the most important criterion for a seat on a board so important to our people, or environment, and our future quality of life. Unless we bring about a change in this system, we have no right to complain when the inevitable conflict of interests arise.

The NCDOT and BOT need to be completely restructured to take the dominant influence of the paving advocates out of the center of it. We need to create a department with a true multi modal approach to transportation requirements. The BOT needs to be abolished in its present form and replaced with an entirely new policy making entity, with all remnants of the current political patronage system eradicated from it.

New values need to be introduced into the system. One would be landscape integrity protection, another land surface conservation, another preserving communities. These would require NCDOT to place a greater value on natural landscape features as well as the human and wildlife communities they impact. The goal should be to reduce the number of acres lost each year to transportation projects.

What our citizens need now from the Executive and Legislative branches of government is a commitment to making the necessary changes to NCDOT and the BOT.

Blueprint for Transportation Reform

----- NCDOT Structure and Philosophy-----

① Change the operational philosophy of NCDOT away from simply building more and more new highways.

Reform of the transportation system is impossible without leadership from the Governor and active participation by the General Assembly, local government, the media and the public. The Governor, through his appointments to the BOT and upper-level positions within the NCDOT, can clearly influence all decisions relating to highways in North Carolina. As demonstrated in his support for the recommendations of the Governor's Transit 2001 Commission, the Governor can champion sound transportation legislation in the General Assembly. Many of the final recommendations for reform will require comprehensive legislation -- a strong cadre of committed legislators will have to take the lead.

But, the bottom line is that without broad public outcry, nothing will change.

② Counter the unchecked power of the Highway Administrator.

The Highway Administrator and his staff make most transportation decisions without any public scrutiny or debate. Input from local governments and the public is often ignored. The process is long and complicated, and it is difficult for average citizens to find out what is going on, let alone sustain opposition to a project, even one that will have adverse impacts on their families and homes. There is a deeply-held suspicion by many North Carolinians that decisions are made to benefit land developers rather than the public good. Recent media stories about excessive payments by NCDOT for property have cast a revealing light on a system where the rich and powerful take care of their own.

To prevent such abuses, one important oversight body in the General Assembly, the Joint Legislative Transportation Oversight Committee, should be required to make a detailed review of all NCDOT plans. Furthermore, legislators must be held accountable for their decisions. The promises of traffic lights and pressure from NCDOT's company of 35-plus lobbyists in the General Assembly must not be allowed to influence the process. The expenditure of 2 billion dollars of the "people's money" from taxes and fees should be closely scrutinized at all levels.

③ Change the composition of the BOT membership.

Decisions about North Carolina's future growth should not be left exclusively in the hands of traditional business interests and economic development groups. A study released earlier this year by the public interest group, Democracy South, showed a direct correlation between political contributions to the Governor's campaign and appointment to the BOT. The BOT is dominated by business owners, building contractors and others with strong political fundraising credentials.

To be successful in shaping sound transportation decisions, increased transit and land use expertise is needed on the BOT, as is a diverse membership that reflects our state's population. A smaller board, more responsive to public and local government input, may be a consideration; another possibility is to eliminate the BOT altogether.

④ Limit the power of the members of the BOT for highway projects within their districts.

Ill-advised road projects often come from BOT members, and often these projects benefit them directly or their business associates. For example, recent investigations into the decisions made by BOT member, Carroll Edwards of Marshville, reveal over a million dollars was spent on new roads that directly benefited his lumber company and few others. These scandals and conflict of interests provide a strong rationale for overall restructuring of the BOT.

----- H i g h w a y C o n s t r u c t i o n -----

⑤ Repair and maintain the present highways, bridges and other infrastructure first.

Repair and maintain the present highways, bridges and other infrastructure first. Being the "Good Road State" does not mean that the majority of funds should be spent on the construction of new roads while ignoring necessary maintenance of existing roads and bridges. A recent study released by the Conservation Council of NC and the Surface Transportation Policy Project ranked NC 7th from the bottom on expenditures for maintenance versus new construction. Similar studies continue to show NC near the bottom of all the states for expenditures for new construction per capita. A re-examination of transportation priorities must address this fundamental prejudice for new roads.

⑥ Merge the Highway Trust Fund and Highway Fund into a Transportation Fund.

In 1989, the Highway Trust Fund was established to raise \$9 billion in gasoline taxes for loop roads, and upgrading intrastate and rural roads, to be completed by 2003. Current estimates are that at least \$18 billion will be needed and the construction will not be completed until 2013. Last year's Highway Bond Referendum added an additional \$950 million to highway construction projects.

The following recommendations are presented as items for discussion rather than a final prescription: (1) taxes and fees currently collected for the Highway Trust Fund and Highway Fund should be merged into one Transportation Fund; (2) all current Highway Trust Fund projects should be re-examined and prioritized by the local governments; (3) no transportation projects should be funded without full public debate, comments and hearings; and (4) the Joint Legislative Oversight Committee should remain in place and review all reports prepared by NCDOT, monitor all funds deposited and expenditures from the Transportation Fund, and report to the General Assembly at the beginning of each regular session concerning the projects proposed to be funded. This level of restructuring regarding the way NCDOT operates would need legislative action, but may be the only way to control highway spending.

7 Eliminate the outer loops from the Highway Trust Fund.

The costs of the seven proposed multi-lane highways -- Asheville Western Loop, Charlotte Outer Loop, Durham Northern Loop, Greensboro Loop, Raleigh Outer Loop, Wilmington By-pass, and Winston-Salem Northern Loop -- are rapidly escalating. Current estimates are that the seven projects will need \$3.5 billion dollars (an increase of 65% from the estimates in 1989 when the Trust Fund was created). No informed person seriously believes that the current cost estimates will not rise over the next decade. Similarly, it's highly likely these Loop projects will never be completed on schedule. NCDOT has recently projected that the Loop projects will not be completed until 2013 (original estimates were that all seven would be completed by 2003).

The concept of loop highways is recognized nationally as an outmoded transportation remedy as they lead to urban sprawl to the detriment of inner cities and the quality of life in the region. The loop highways are supported by land developers and road builders and are opposed by existing communities who are often in the path of these loops. Transit advocates and local government planners clearly see that loop funds would be better spent on projects compatible with land use plans.

8 Eliminate funds for the construction of NCDOT boondoggles.

By definition, a boondoggle is an impractical or useless project wasteful of time and money. In addition to the outer loops, there are a number of other major NCDOT

projects that fit that description. Examples are Eno Drive in Durham County, the Pamlico bridge, widening of Route 16 in Ashe County, the so-called Ram Road at the University of North Carolina at Chapel Hill, paving of all the dirt roads across the state, and widening of I-40 in Orange County. These projects should be eliminated. Unless the status quo is changed, hundreds of millions of dollars will be wasted on unnecessary, environmentally adverse and disruptive highway projects. This money would be better spent on transit projects and highway projects that fit into local government land use plans.

----- T r a n s i t -----

9 Fund transit projects.

The Governor's Transit 2001 Commission recommended that at least \$75 million be spent annually for increased state operation of, and capital assistance to, urban transit systems, improvements to the NC Railroad Corridor between Raleigh and Charlotte, development of regional transit systems, conversion of abandoned railroad beds to rail-trails and funding for bikeways and sidewalks. The General Assembly should provide local governments a menu of revenue sources -- supplementing direct appropriations and utilizing federal moneys -- to fund transit alternatives.

10 Use and preserve railroad right-of-ways for trails, greenways and future transit needs.

NCDOT has the power to condemn property to preserve rail corridors and preserve the right-of-ways through rail banking and other measures. Abandoned corridors are claimed by adjacent property owners and are lost to public transportation options. Future transit decisions, such as commuter rail, bicycle and pedestrian ways, are being limited by the loss of these rail corridors. Rail-to-trail initiatives across the state need involvement and funding from local and state governments. Recreational uses of railroad corridors are a proven benefit to local economies while preserving rail service opportunities.

----- L o c a l G o v e r n m e n t s -----

1 1 Revise the Transportation Improvement Plan (TIP) process.

The NCDOT should defer to local governments and remove unwanted projects from the State TIP unless there is an overwhelming statewide public reason for the project. Locally unwanted projects should be taken out of the local TIP by the local Transportation Advisory Committees or local governments. Too often, NCDOT moves forward on unnecessary highway projects because they have been in the planning and development stages for a number of years. As a general principle, all projects should be evaluated annually to determine if there is still a valid transportation rationale for it, and if there is not, they should be eliminated.

The process for amending the TIP needs to be clear. The removal of a project should not require protracted political struggles, such as it did to delist Duraleigh Road Connector in Wake County. At the same time, the quick inclusion of a project, such as the Ram Road in Chapel Hill, is usually not the best way to set funding priorities.

① ② Create a more open, mutually respectful working environment between local governments and NCDOT.

Many people involved in local governments believe NCDOT uses “arm twisting” tactics to push projects forward. They say that if local leaders believe a project should be taken off the TIP, NCDOT threatens to pull all funding in that jurisdiction. This “take it or leave all of it” intimidation is not the way to set funding priorities. Local governments, supported by state legislators, need to organize themselves to withstand NCDOT pressure.

① ③ Empower the Metropolitan Planning Organizations (MPOs).

Transportation planning is strongly encouraged by the Intermodal Surface Transportation Efficiency Act (ISTEA), the federal program funding transportation. Local governments should become partners with NCDOT in order to cooperate on developing transportation plans to meet the needs of both the local citizens and those of the public at large. While the MPOs are responsible for the ISTEA Surface Transportation Program and Congestion Mitigation and Air Quality program funds, NCDOT controls how those moneys will be spent. These local government committees are encouraged to become more than “rubber-stamp” authorities and are charged with developing long-term plans. Federal certification of MPOs would assure that ISTEA funds are being spent as outlined in the act.

----- Planning & Environmental Protection-----

1 4 Establish independent planning and environmental divisions within NCDOT.

By executive order, the Governor could take an immediate step for transportation reform by creating independent planning and environmental protection divisions within NCDOT. This would encourage comprehensive planning that includes all forms of transit rather than a narrowly focused thoroughfare plan. Such an approach would place compliance with environmental rules as a departmental priority. Presently, these important concerns are within the Division of Highways and often are only given token consideration as decisions are made. In the short run, this move would mandate that sprawl, land use and other secondary impacts of all transportation decisions be fully analyzed and investigated.

1 5 Review and revise the use of ISTEA funds within the state.

ISTEA has as its primary goal that our resources are used to build a transportation system that is more efficient, better maintained, and fair to everyone, while using that system to support a country made up of communities worth traveling to. Federal ISTEA funds allow communities to spend federal money on whatever makes the most sense locally. Highway beautification and flower planting are part of this, but there are many additional opportunities for environmental and urban renewal programs.

A state program modeled after ISTEA could be implemented to provide local governments funds out of the state highway fund for purely local projects. This devolution of funding allows decisions to be made by those most in touch with local needs and conditions.

1 6 Overhaul NCDOT's environmental programs.

Because of its major highway construction activities, NCDOT has an immense impact on North Carolina 's environment. Thousands of acres of farmland and woodland are being cleared and scraped every year, wetlands are routinely filled, and sediment runoff from construction affects many of our rivers. While NCDOT has recently taken a number of positive actions, one solution is for the state environmental agencies to be empowered to enforce water quality regulations against NCDOT and its contractors. Another is to make certain that environmental excellence is at the core of whatever actions NCDOT takes.

Excessive highway construction has a significant impact on air quality. Simply, more vehicles on the road driving more miles causes considerable pollution. The State's Inspection/Monitoring program to measure tailpipe emissions must be done comprehensively and fairly. Air quality impacts should be part of all environmental review of NCDOT projects; current air quality laws require drastic reduction for areas in noncompliance with standards for ozone and particulates.

17 Revamp the billboard regulation program.

The NCDOT billboard program has lost more than \$25,000 over the past three years. The 10,000-plus billboards are the only users of the right-of-way that do not pay their way. New legislative and regulatory initiatives are needed to: (1) prohibit the erection of billboards in unzoned areas; (2) designate all new highways as "billboard free;" (3) reduce the maximum allowable size, height, and spacing requirements for billboards; (4) restructure the fee schedule and institute a highway use tax on billboards; and (5) end the practice of cutting trees on the public right-of-way to open up views of billboards.

-----Join The Campaign-----

18 Join the Transportation Roundtable to reform North Carolina's highway system.

The Transportation Roundtable meets monthly. It is coordinated by Joe McDonald, President of the NC Alliance for Transportation Reform, 919-856-2173, and supported by the Conservation Council of NC and many other groups.

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