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AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS • AMERICAN RIVERS  
CENTER FOR COMMUNITY CHANGE • CENTER FOR NEIGHBORHOOD TECHNOLOGY  
ENVIRONMENTAL DEFENSE • ENVIRONMENTAL JUSTICE RESOURCE CENTER  
DEFENDERS OF WILDLIFE • FRIENDS OF THE EARTH • LEAGUE OF AMERICAN BICYCLISTS  
LEAGUE OF CONSERVATION VOTERS • NATIONAL ASSOCIATION OF RAILROAD  
PASSENGERS • NATIONAL CENTER FOR BICYCLING AND WALKING • NATIONAL  
NEIGHBORHOOD COALITION • NATIONAL PARKS CONSERVATION ASSOCIATION  
SURFACE TRANSPORTATION POLICY PROJECT • NATIONAL TRUST FOR HISTORIC  
PRESERVATION • NATIONAL WILDLIFE FEDERATION • NATURAL RESOURCES DEFENSE  
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RAILS-TO-TRAILS CONSERVANCY • SCENIC AMERICA • SIERRA CLUB  
SMART GROWTH AMERICA • UNION OF CONCERNED SCIENTISTS

March 27, 2003

Dear Governor «Governor»,

Congratulations on your election as chief executive of your state. With the prevailing economic conditions and resulting revenue shortfalls challenging your state priorities, we would like to bring your attention to the reauthorization of the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21). This national transportation law, which expires September 30<sup>th</sup>, provides an opportunity for an influx of federal dollars to stimulate economic activity in your state, while improving state and local transportation systems and advancing important community development and environmental objectives.

Since TEA-21 was enacted in 1998, Congress has invested more than \$200 billion in transportation infrastructure, and is poised to increase future commitments above this level. **As you engage in the debate on this important legislation, we want to make you aware that the renewal of TEA-21 is a top priority for the environmental, community development, public health, and faith-based communities.** It is widely understood that the investments made under this legislation will have tremendous impacts on our natural resources, built environment, and the health of our citizens and communities. We must assure that these investments respect and affirm our shared commitments to clean air, clean water, energy conservation, wildlife habitat, environmental justice, historic places, and protection of the landscape as we develop transportation projects that improve choices and mobility for all Americans. This can be achieved if we work together to ensure that this legislation adheres to three fundamental principles:

- ***Keep the current framework strong;***
- ***Make small fixes that yield big results; and***
- ***Accept no rollbacks of environmental safeguards.***

***Keep the current framework strong*** – TEA-21 and its precursor, the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), are valuable and effective laws. Among the achievements in their ten-year history are completion of the 45,000-mile interstate highway system, increased support for transportation choices, expanded eligibility of public transit projects for federal assistance, flexibility for state transportation investments, an improved process for

metropolitan planning efforts, and new targeted funding categories for environmental protection and community enhancements.

**It is especially important that we maintain strong funding for public transit.** In particular, under ISTEA and TEA-21, Congress recognized the need for more balance in our transportation system, and established a guaranteed account for transit. While transit funding is currently just one-quarter as much as our federal investments in highway and bridge facilities, the yields are impressive. Public transportation ridership has surged in recent years, reaching levels not seen since 1960. Cities are expanding rail and bus systems to respond to growing demand - nearly 1,500 miles of new light rail and heavy rail lines were in proposal, planning, design or construction phases in 2000 – and many more are waiting in line for funding. In addition, these investments provide benefits to suburban and rural areas by reducing pollution and congestion throughout metropolitan regions.

These investments reduce negative transportation sector impacts on energy consumption and the environment. In fact, according to the Federal Transit Administration, public transit saved the country upwards of 1.5 billion gallons of fuel annually in the 1990s. In order to build on this progress, at a minimum we must safeguard the integrity of the transit fund in the reauthorization of TEA-21 and maintain the transit-to-highway funding ratio. Given our energy and environmental needs, as well as booming demand across the country, we urge significant increases in transit investments. These investments are crucial for achieving cleaner air, cleaner water, and a decent quality of life for millions of Americans.

In the same way, we have seen the value of the Congestion Mitigation and Air Quality Improvement program (CMAQ), which was created in 1991 under ISTEA. Congress created this pioneering initiative to help fund state and local efforts to reduce ozone and carbon monoxide pollution and to invest in transportation plans and programs to assist compliance with the Clean Air Act. Under the program, more than \$9 billion has been invested over the past ten years, including more than \$4 billion on transit projects; in 2001, almost half of Americans lived in an area eligible for CMAQ funding to reduce air pollution. **Given the growing air pollution challenges before the nation, we urge your support during the Congressional debate for maintaining a strong CMAQ program, including significant increases in dedicated funding.**

Clean air isn't the only public health issue affected by our transportation system. With many Americans driving everywhere and living sedentary lives, obesity-related diseases have become the second leading cause of preventable death in our country. By supporting active forms of transportation – like walking and biking – the reauthorization of TEA-21 is part of the solution to this growing health crisis. **Among the ways to build more transportation choices involving physical activity is to ensure strong, dedicated funding for the Transportation Enhancements program, which has provided resources for more than 10,000 projects nationwide including many popular bike paths and walkways, historic preservation activities, and acquisition of scenic properties.**

**Another innovative and effective program deserving of support is the Jobs Access and Reverse Commute (JARC) program.** Created in TEA-21 in response to federal welfare reform, the JARC has established new transit services to help the growing workforce of welfare recipients and low-income people overcome the basic but very difficult challenge of commuting to work. The program's emphasis on flexible matching requirements and stakeholder involvement has made it a model for interagency coordination, linking transit users to jobs, job training, and childcare.

***Make small fixes that yield big results*** – The environmental community and other organizations working on TEA-21 renewal have identified a number of areas where the existing law could be improved through some relatively modest changes that could help yield improved transportation and environmental benefits.

**One of these is to include in the new law some modest targeted investments to help reduce the degradation of water quality due to polluted runoff from existing transportation networks.** Impervious surfaces like roads generate far more water pollution than the open spaces they replace – for example, a one-acre parking lot produces sixteen times more runoff than an undeveloped meadow. The Clean Water Act largely directs local governments and some of your state agencies to make water quality improvements. We are asking Congress to give States and regional transportation agencies some additional flexibility to use their TEA-21 dollars, including Surface Transportation Program (STP), National Highway System and Interstate Maintenance funds, for water quality and supply improvements that help address impacts attributable to federally-assisted transportation projects and facilities.

**Another modest but important change relates to increased resources for better planning, including higher quality public and community involvement in the process, more widespread use of cutting-edge technology and “context-sensitive solutions.”** Context-sensitive solutions entail the use of improved and flexible road design standards and practices to help state transportation departments and municipalities build smarter projects that minimize or prevent harm to environmental, scenic, historical and community resources. The Federal Highway Administration (FHWA) gave a boost to such practices with a 1997 guide, “Flexibility in Highway Design,” which showcases how innovative design can work for communities and the environment. We want to see Congress dedicate additional resources to FHWA to distribute to states and municipalities to promote context-sensitive design in all aspects of highway program delivery. Additionally, Congress should provide adequate resources for planning and public involvement, including technological tools such as transportation system computer models and Geographic Information Systems (GIS).

Finally, we believe that transportation project applicants for federal funds should be required to incorporate appropriate bicycle and pedestrian facilities into all federally-assisted projects. **Such “routine accommodation” of bicycles and pedestrians would allow the public to capture broader transportation benefits and to do so more cost-effectively, as new facilities are constructed or existing ones are rehabilitated.** In addition to supporting such changes in federal law, we would hope that you would make this a priority for your Administration in expending state transportation resources.

***Accept no rollbacks of environmental safeguards*** – We are deeply concerned about various Congressional and Administration initiatives that threaten the integrity of the landmark National Environmental Policy Act of 1969 (NEPA) as well as strong, substantive protections afforded historic sites, parks, recreations areas and wildlife refuges in the Department of Transportation Act itself. For over 30 years, NEPA has helped protect America’s natural heritage – on land and sea. NEPA has two fundamental tenets: It requires public participation in key environmental decisions, and it mandates the careful consideration of likely environmental consequences of federal actions with potentially significant impacts. In effect, NEPA’s safeguards help us make smarter transportation investments and serve the public’s mobility needs while minimizing negative effects on the environment.

Last year, some in Congress advocated action on two bills – one in each chamber – that would impose a one-size-fits-all process with arbitrary, tight deadlines on states and localities, along

with other adjustments that would effectively weaken reviews under NEPA and similar protections in place for more than a generation. These bills – “Expediting Project Delivery to Improve Transportation and the Environment Act” (ExPDITE, H.R. 5455) and “Maximum Economic Growth for America Through Environmental Streamlining Act” (the MEGA Stream Act, S.3031) – essentially limit long-honored safeguards under the banner of accelerating delivery of transportation projects. But research indicates that environmental reviews are seldom the real reason for project delays – one recent study found that lack of funding was the most frequently cited cause of delay - and that many states and localities are already making progress in improving their procedures under current law. **In reality, these bills would hinder states’ abilities to deliver timely, cost-effective transportation projects that serve communities by forcing states and localities to adhere to an inflexible, top-down review process.** Additionally, unreasonable deadlines in proposals such as these will make meaningful citizen review all but impossible. **We urge you to reject these simplistic propositions as the answer for the challenges before you and other public leaders in delivering better transportation solutions.**

Beyond NEPA, some in Congress are also talking about weakening transportation-related clean air protections, including the transportation conformity rule of the Clean Air Act that helps assure transportation plans and programs are consistent with plans to achieve cleaner air in your state. We all know that transportation emissions contribute to unhealthy air throughout America. Most recently, new health studies and other data are showing how these emissions endanger public health even more than we thought, especially for the most vulnerable segments of the population like kids, seniors, and asthmatics. In fact, evidence points to the conclusion that pollution from cars and trucks contributes to the development of asthma among children. **The transportation conformity process, coupled with important funding resources for clean air projects under the TEA-21 law, are really the only meaningful tools available to combat unhealthy air from mobile sources in regions and communities struggling with the effects of mobile source pollution.** In short, crucial environmental protections must remain intact after reauthorization. Our community has pledged to help the states and Congress find ways to improve transportation project delivery without sacrificing environmental, historic, and other resource objectives and these efforts are already underway.

We believe that this year offers tremendous opportunities for building on ten years’ worth of successful investments in and improvements to a more balanced transportation system. Thanks in part to state leadership, results thus far have included plans, programs, and projects that enhance quality of life, reduce congestion, and improve environmental quality. As a governor, we look to you to lead efforts to build on this progress, and we still have a long way to go. **Yours is a key voice in this process. Representatives of our organizations will be contacting you to encourage your support for increased social, fiscal, and environmental benefits through passage of a worthy sequel to TEA-21.**

Sincerely,

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Campaign Manager  
America Bikes

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Chief Executive Officer  
American Heart Association

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Enclosure

cc: