

# **DRAFT - MAFC observations and comments on freight components and guidance of MAP-21: Freight Planning, Freight Advisory Committees and Priority Funding**

## **State Freight Plans**

Summary: 1) Existing state freight plans and long range plans that include freight components should be considered adequate for the directives listed in for State Freight Plans in MAP-21. 2) New freight plans and long range plans should not be required beyond the normal planning cycle for the states. Freight additions to existing planning efforts should be an acceptable approach to addressing freight planning needs. 3) Rather than discrete projects, corridor planning, freight movement deficiencies, and proposed, general improvements should be considered acceptable for the requirements of listing projects for freight priority funding through the State Freight Plan. 4) Additional recommendations such as alternative analysis and prioritization lists should be emphasized less in this stage of the planning process.

### **Issue of currency of completed plans:**

The interim guidance does not account for previous/existing freight plans and gives no indication on how recent plans must be to meet the recommended criteria as a State Freight Plan in Map-21. Existing State Freight Plans should be acceptable until states are able to complete scheduled long range or freight plan updates. Where freight planning is lacking, addendums to existing documents should suffice for compliance.

### **Issues of scope, project identification and rankings, and thresholds:**

The guidance calls for State DOTs to demonstrate the consideration of alternate approaches to achieving the same project goals. Traditional planning approaches and the work characterized by state long range plans generally consider alternative approaches but do not define the solution and alternative analysis in the finalized project development terms implied by this recommendation. An analysis of modal and project alternatives should be encouraged at the appropriate stage of the planning and project development process.

The guidance recommends that different improvements should be ranked in order of priority. No approach to weighting or prioritization is provided. Safety, economic development, congestion relief, environmental benefits are all valid prioritization rationale and would result in differing lists of projects. The guidance should recognize that project prioritization is a state defined process and will vary in terms of the appropriate point in the planning and project development process where it is included. A prioritized project list should be provided at the discretion of the State DOT.

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Further, a priority ranking of specific improvements and/or projects places a preemptive burden on states to demonstrate project efficacy at early planning stage before more analytical approaches are warranted in the actual project development process.

Additionally, the identification of improvements and a prioritized list does not coincide with the ability to use the freight components of a long range plan as part of a freight plan. The identification of specific projects and their impact, as recommended in the freight guidance, is not generally provided in a long range plan.

Further, requiring a list of prioritized projects commits State DOTs to those specific projects in the eyes of stakeholders and users. This approach is more like a STIP than a long range planning document. In general, the commitment to a prioritized list of projects over a long range planning horizon may decrease the ability of State DOTs to respond to future trends and issues over the planning period.

Similarly, the potential outcome of listed projects that do not receive funding could lead to the public perception that agencies are not delivering promised projects. This threatens the credibility and trust placed in the public agency and has in the past resulted in lack of support for additional public investment.

The recommended economic analysis of improvements that fall under programmatic funding creates an additional task for projects already meeting programmatic requirements. It is reasonable to require a full economic analysis for discretionary or competitive funding but the same standard should not apply to programmatic funding once the formula constraints have been met.

Recommending an analysis to determine which improvements have the potential to generate a revenue stream and hence funded with a revenue stream does not recognize the varying state limitations on tolling, private funding and public-private partnerships. This recommendation should be eliminated until these funding mechanisms have been adopted by more states.

No minimum threshold is set for the state freight plans beyond the requirements set forth by the legislation. US DOT includes numerous recommended elements in the interim guidance but does not discuss how many of the recommendations have to be satisfied to qualify as a State Freight Plan. As none of the recommendations are provided in the legislation, the burden to complete these recommendations should not be placed on the States and should not limit program participation.

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## State freight Advisory Committees (FAC)

### Issues of Institutional Approach to Committee, Membership and Permanence of Committee:

Summary: 1) States should be allowed to constitute, manage, and sustain freight advisory groups to the benefit of the agency, the planning process and overall freight systems management.

A variety of institutional relationships exist between State DOTs and freight advisory committees/councils/advisory group and have generally proven effective. From groups that are organized and managed by the DOT, to external groups that actively champion freight and advise the DOT through development agencies, to the utilization of regional planning relationships, to transient committees and groups that are formed for special projects and freight planning activities then disbanded; freight advisory committees are structured and work in a variety of ways.

The guidance on FAC's and implementation should reflect this diversity of institutional arrangements and range of membership that participate on these groups. Existing groups external to the agency but functioning as a FAC are not defined in the guidance. Further, States should have the discretion to create and disband advisory committees for specific freight projects and planning activities rather than convene a standing advisory group when state activities and investments may not warrant the time investments of private sector advisors.

Further, existing committees should have discretion of membership based on their experiences and proven approaches. No threshold on the range of members and their background is or should be specified in the guidance.

## Prioritization of Projects to Improve Freight Movement

### Issues of Project Listing, Timing and additional requirements for Priority Funding

Summary: 1) The use of priority funding should be at the discretion of the state based on the project's inclusion in the state freight plan and demonstration of a freight benefit. 2) The 10% limit to state participation seems arbitrary and participation should be based on state priorities and freight benefits of the project. 3) The multiple approval layers to qualifying for priority funding is beyond the scope of the legislation and should be limited to inclusion in the state freight plan and providing for freight benefits. 4) Connections to all multimodal facilities should be considered eligible for priority funding based on freight benefits and inclusion in the state freight plan.

The listing of specific, prioritized projects in long range or freight plans for approval for priority funding suggests a level of detail not usually included in long range planning documents.

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Corridor deficiencies and strategic improvements to address these deficiencies can be implemented through a variety of improvements. Requiring the definition and listing of discrete projects requires additional analytical approaches beyond the planning approaches normally found at this stage of the planning process. Further, it is likely that only high dollar projects will warrant the level of analysis recommended here. This could unexpectedly sway the project focus away from more common project types that still provide significant freight benefits at lower costs.

The recommendation that approval of projects for priority funding also include the freight council and a limit to 10% of the states allotment for priority projects is beyond the scope of the legislation. This multi-tiered approach to the approval of priority funding also calls into question the length of time it may take for a project to be submitted, and then approved for priority funding. Further, the multiple layers of approval create an atmosphere more like a competitive grants program than a formula or programmatic approach. Additionally, thresholds for approval or disapproval of projects are not included in the legislation beyond the requirement that the project provide freight benefits and be included in the state freight plan.

The inclusion of four project types to receive priority of the increased federal share is beyond the scope of the legislation. Further while the freight interchange between highway and rail carriers is included as a priority project area, the interchange between ports and highways is not listed. This seems to preclude these waterway facilities from the program. States should be allowed to identify their priority projects, include them in State freight plans and become eligible for priority funding. Rather than limiting the scope of priority funding, encourage additional regional and multi-regional planning efforts to ensure that multistate efforts, integrated systems, and intermodal connectors are included, and the benefits documented in State Freight Plans.

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