

COMMONWEALTH OF PENNSYLVANIA  
HOUSE OF REPRESENTATIVE  
TRANSPORTATION COMMITTEE

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:  
Reauthorization of the Enhancements in ISTEAs :  
(Intermodal Surface Transportation Efficiency Act) :  
:  
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Pages 1 through 91                      Three Rivers Rowing Club  
   Washington's Landing  
   Pittsburgh, Pennsylvania

Thursday, March 6, 1997

Met, pursuant to notice, at 8:30 a.m.

**BEFORE:**

- REPRESENTATIVE RICHARD GEIST, Chairman
- REPRESENTATIVE DICK HESS, Vice Chairman
- REPRESENTATIVE RICHARD OLASZ
- REPRESENTATIVE ELLEN BARD
- REPRESENTATIVE ANTHONY MELIO
- REPRESENTATIVE J. JOSEPH MARKOSEK

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C O N T E N T S

	<u>Page No.</u>
1	
2	
3	3
4	
5	
6	13
7	13
8	
9	22
10	41
11	57
12	64
13	77
14	83
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	

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P R O C E E D I N G S

8:40 a.m.

1  
2  
3 REPRESENTATIVE RICHARD GEIST: Good morning ladies  
4 and gentlemen. We welcome all of you here this morning.

5 We are here to address today not only the highway  
6 interests of Pennsylvania but all transportation interest.  
7 What we wanted to do, at the suggestion of my good friend,  
8 Tom Murphy, was to have a hearing of the State House  
9 Transportation Committee and take testimony.

10 ISTEAs, as far as we are concerned has been very, very  
11 successful. It seems like yesterday we were talking about  
12 the first ISTEAs bill from Congressman Roe when we had  
13 meetings about what we could do, how we could use it, how  
14 we could work with enhancements, etcetera. There has been  
15 an awful lot of water under the bridge and bicycles over  
16 the bridge and everything else since that authorization was  
17 passed.

18 CONEG passed a position paper and resolution that we  
19 have been following pretty closely in Pennsylvania, and I  
20 think that what we are doing here today parallels that.

21 At this time I would like to introduce the House  
22 Members who are on the Committee who are here with us.  
23 Ellen Bard from Montgomery County is a very good bicyclist.  
24 She's also a very big advocate for Rails-To-Trails and is  
25 pushing me hard to raise revenues for PennDOT.

FORM 2

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1           The guy beside me is Dick Hess. He's the Vice  
2 Chairman of the Committee. I think seniority-wise, he is  
3 the second ranking member in seniority in Transportation in  
4 the Republican caucus, so we are happy Dick came over from  
5 Bedford County.

6           This guy to my left, let me do a little bit of  
7 bragging about him because I'm a Republican and fairly  
8 conservative, not as liberal as Palmer Brown, but I am  
9 trying to work on it. Tom Murphy and I went into the  
10 General Assembly together in 1970-something and served  
11 together until he decide he wanted take a demotion and come  
12 back and be Mayor of the City of Pittsburgh.

13           I can't tell you how much that means to a lot of us  
14 because you can't find a finer fellow to represent the City  
15 of Pittsburgh and do the job as Mayor. I wholeheartedly  
16 support Tom. He told me he was going to do this and  
17 although I said he was nuts, it's something that he wanted  
18 to do and I think he's done a heck of a job at it.

19           When you find very, very good people who are truly  
20 dedicated and truly care, whether you are Republican or  
21 Democrat, those people -- yes, we all make mistakes and we  
22 all try things. This guy will dare to try a lot of things  
23 and do the very best job that he can to make everybody's  
24 life a heck of a lot better. I am very, very please to  
25 have my good friend, Tom Murphy here today.

1 I think with all that said, we should get started.  
2 The first person who is scheduled to make remarks will be  
3 the Mayor of Pittsburgh Tom Murphy.

4 MAYOR MURPHY: You can tell how hard these guys work  
5 in the Legislature. Look at the color of our hair. We  
6 started out at the same time.

7 I am delighted to be here to talk about Rails-To-  
8 Trails and I am delighted you are all here. This is an  
9 important aspect of our city's opportunity to redevelop  
10 itself. For those of us who grew up in Pittsburgh, we  
11 would remember that our mothers always told us when we were  
12 going out to play as young kids, two things; be home before  
13 dark and don't go near the river.

14 Now, literally, in Pittsburgh, we have an opportunity  
15 to redevelop those rivers. You can see on Washington's  
16 landing -- for those of you not from Pittsburgh, this  
17 island used to be known as Herr's Island. It was one of  
18 the most polluted and certainly the smelliest area of the  
19 City of Pittsburgh. This was the Pittsburgh Stockyards.  
20 It was where all the cows and pigs were brought to feed  
21 Pittsburgh.

22 For years this island was heavily used by industry,  
23 and now if you look at it, you see it represents a new  
24 vision of how to use the riverfront as a place where people  
25 can literally live, there are over a hundred town houses

1 under construction, where they can work, there are four  
2 office buildings presently occupied. Two more will be  
3 under construction by this summer. There are places where  
4 people can play. There is now a complete riverfront park  
5 on the whole perimeter of this island.

6 This island represents a great partnership that  
7 existed between the city and the Commonwealth of  
8 Pennsylvania. Much of the early funding for this island,  
9 the early development of the island, the cleaning up of  
10 environmental problems on this island and the construction  
11 of a bridge to the island, was through the Department of  
12 Transportation. So, this represents a great partnership.

13 Over the last several years -- there are 35 miles of  
14 riverfronts in the City of Pittsburgh. We have been  
15 successful now at gaining control of almost 20 miles of  
16 that 35 miles of riverfront.

17 We have begun and will continue to build riverfront  
18 trails on those miles. We have -- here's where we are  
19 right here out on the island (indicating map), and we  
20 literally now have riverfront control and a trail all the  
21 way down the north shore of the island down to where Three  
22 Rivers Stadium is. We will be extending that out to  
23 Western Penitentiary.

24 Over on the other side of the Allegheny River, we  
25 have completed a riverfront park up by 40th Street where

1 there is a wonderful new development, the C.M.U. Robotics  
2 Center that offers a real opportunity for economic  
3 development in Pittsburgh. We have acquired property out  
4 about 22nd Street going up through the Strip District.

5 More recently a very exciting addition, we were able  
6 to acquire an abandoned CSX right-of-way that parallels the  
7 Parkway all the way out to what is call The Run in  
8 Greenfield. We have also recently acquired Panther Hollow,  
9 which is a 20-acre piece of park property connecting up in  
10 to Schenley Park in Oakland. This now gives us the  
11 possibility and the opportunity to develop a trail that  
12 will literally run from the nicest residential  
13 neighborhoods in Pittsburgh all the way to the downtown  
14 without ever having people to go on a road.

15 That is a wonderful opportunity for is and I believe  
16 that it will be used regularly by people to commute to  
17 work; not only for recreational purposes, but for actually  
18 commuting.

19 On the south shore of the Monogahela River, we have  
20 completed acquisition, or are in the process of acquiring,  
21 from 10th Street all the way out to the city's limit with  
22 Homestead, and this trail is the trail that we expect will  
23 continue on all the way to Washington, D.C., through  
24 Somerset and Fayette and Westmoreland Counties.

25 These are once in a lifetime opportunities. What we

1 have seen is if you don't acquire the property from the  
2 railroad, that often the right-of-ways get divided up for  
3 other uses.

4 A clear part of our strategy to move aggressively on  
5 the acquisition and development of these riverfront trails  
6 has been the importance of ISTEA funding with the  
7 enhancement money. Frankly, while we have been one of the  
8 states with one of the highest requests for ISTEA  
9 enhancement money, we probably still rank as one of the  
10 lowest states to actually use the money, to spend it.

11 In fact, Rick, I wrote you a letter in June of 1996  
12 indicating that we were number one -- actually, it was  
13 1995, indicating we were number one in enhancement projects  
14 in the country and 51st of 51 states in actual expenditures  
15 of those monies. I'm not sure if that has changed  
16 substantially since then. That's unfortunate.

17 Right at the end of the island, you will probably see  
18 a little later today, there is an old railroad bridge that  
19 will connect the island trail to the mainland trail. We  
20 have been since August of 1995, attempting to get ISTEA  
21 money released for the conversion of that old railroad  
22 bridge to a trail.

23 Because of all the paperwork that we have had to go  
24 through, we have been unsuccessful to date getting any  
25 expenditures on that railroad bridge. We are hopeful that



1 in April, we will actually begin the work on that bridge,  
2 but we will wait and see. It has taken us almost two years  
3 to proceed from when there was an approval of the money.  
4 The money in effect is in the bank and we can't spend it.

5 We have several suggestions about how the enhancement  
6 review procedures should be working. Rather than continue  
7 to be critical about it, we would like to make some  
8 suggestions about how we could move forward on this.

9 First and most important, we need to develop a set of  
10 evaluation review procedures that are specific to trails  
11 and keep most trail reviews at the local district level.

12 Henry Nutbrown is here, our District Engineer. We do  
13 have a working relationship with the district and we  
14 believe that if the decision making could be kept at the  
15 district level we could move much more quickly.

16 Keeping the environmental analysis requirements to a  
17 minimum and containing all reviews within the district  
18 would go a long way to easing the burden of the process and  
19 speeding the delivery of the trail project.

20 We propose that the elements of the review process  
21 happen concurrently rather than sequentially. Historic  
22 reviews as well as other documentation needed for  
23 categorical exclusion should be able to be process by the  
24 respective state agencies at the same time rather than each  
25 agency waiting for others to finish their review.

1 Finally, we propose establishing a task force in the  
2 local district, in our case District 11, consisting of  
3 district personnel and trail sponsors to meet once a month  
4 to review the status of pending trail projects and assign  
5 follow-up actions needed to move the project. This task  
6 force would serve to facilitate greater cooperation and  
7 awareness of how we move these things forward.

8 The enhancement money is absolutely critical to our  
9 success. To date, the acquisition of almost 20 miles of  
10 trails, the development of much of the trails that we have  
11 done has largely been financed through our own resources.  
12 We would obviously have the state as a much stronger  
13 partner in this whole thing.

14 I ask that we understand better how trails must be  
15 treated differently than highways, how we have to work more  
16 closely together to move this money forward. I think the  
17 results will be that we will offer a wonderful new amenity  
18 and area of vitality to cities that doesn't exist right now  
19 in the whole Commonwealth.

20 REPRESENTATIVE GEIST: Very well stated. We would  
21 like to show you a film gathered by the staff and I think  
22 it tells the story.

23 This is Eric Bugaile. He is the staff brain trust  
24 for the House Transportation Committee and this is his work  
25 that you are going to see.

1 (Whereupon, a video was shown.)

2 REPRESENTATIVE GEIST: Before we begin, I think we  
3 should give Eric Bugaile a big hand. This was his project.  
4 He is the writer, producer, director and this was done on  
5 an absolute shoestring. Anyone who would like to have a  
6 copy of this, contact my office and we will see that you  
7 get a copy of it. This is a wonderful television piece  
8 that I think should be shown all over western Pennsylvania,  
9 almost Congressional District by Congressional District,  
10 and anybody that wants a copy of it, just give us a call  
11 and we will provide it for you.

12 We have two more distinguished Members who have  
13 joined us, Anthony Melio from Bucks County, and the brain  
14 trust on the Democratic side of the House who has been in  
15 this business for about 15 years is Paul Parsells. He  
16 knows transportation inside and out and he knows ISTEPA  
17 inside and out.

18 This fellow beside me is a freshman Representative  
19 from Allegheny County serving his first term. Palmer, he's  
20 another one like us. Dick Olasz; Dick is the new  
21 Democratic Chairman of the House Transportation Committee.  
22 This committee, as long as I have been around, has always  
23 operated on a really bipartisan format.

24 This film that you saw, I think is a really good  
25 overall view of how far we have come in the years of

1 funding of projects. When we realize that the single  
2 modality biases that we have had -- I came out of the  
3 transportation consulting business. That's how I used to  
4 make my bread and butter before I went to the General  
5 Assembly.

6 With the competition that we have always had between  
7 modalities, finally seeing the intermodal process come  
8 together, we on this committee have been extremely  
9 supportive of that as you will see in the debate that is  
10 coming on funding of PennDOT.

11 It's not going to be a debate anymore about highway  
12 funding, airport funding or rail funding, it's going to be  
13 all-inclusive. That's what we are here today to talk  
14 about, how this all-inclusiveness works and how we can get  
15 the maximum bang for the buck.

16 We are running behind on time, so I would ask each of  
17 the presenters, if they could, to give Eric a copy of their  
18 testimony. If you want to paraphrase it, we would welcome  
19 that because I think you can do a lot more from the heart  
20 than you can from reading, so I would ask that you please  
21 do that.

22 Our first presenter is Jeremy Muller from the Steel  
23 Industry Heritage Corporation and Rick Malmstrom from the  
24 Pennsylvania Environmental Council.

25 Gentlemen, the floor is yours.

1 Whereupon,

2 JEREMY P. MULLER

3 and

4 RICK MALMSTROM

5 having been called as witnesses, testified as follows:

6 DIRECT TESTIMONY

7 WITNESS MULLER: My name is Jeremy Muller. I am from  
8 the Steel Industry Heritage Corporation in Homestead and  
9 also the past President of the Allegheny Trail Alliance.

10 What I would like to do is begin with a brief  
11 overview of the organization. If we run long, please feel  
12 free to cut us short and tell us to shut up when necessary.

13 We are pleased to have a number of the Allegheny  
14 Trail Alliance Board members here and we will get to them  
15 as we talk about their respective trails.

16 The Trail Alliance is a coalition of trails in  
17 southwestern Pennsylvania. The project area runs from  
18 downtown Pittsburgh along the Monogahela River to the City  
19 of McKeesport, along the Youghiogheny River down to  
20 Ohio and then follows the Castleman through Somerset  
21 County and on to the Maryland state line.

22 We also have partners from the State of Maryland on  
23 the Trail Alliance and are planning and have had  
24 discussions with the National Park Service to connect with  
25 the C & O Canal, therefore creating a 400-plus mile

1 recreational facility linking Pittsburgh to Washington,  
2 D.C.

3           There are a couple of things we want to talk about.  
4 One is the nature of a facility like this. This  
5 interstate, multi-use recreational trail is a facility that  
6 we don't have at this point in this state and in this part  
7 of the country. It has a lot of unique characteristics, a  
8 lot of advantages for the areas through which it passes and  
9 the region as a whole.

10           We are here talking about ISTEA and how that impacts  
11 projects such as this. If you could turn -- leaf through  
12 your handout, what this demonstrates is a couple of things.  
13 First, the amount of ISTEA money that has been granted  
14 towards these projects, and in looking at the paper, you  
15 see that the majority of these trails, and there are six of  
16 them listed, have in excess of a million dollars in ISTEA  
17 grants. That really goes a long way in developing trails,  
18 but as you can see in the second column, not a lot of that  
19 money has been actualized.

20           However, the third column points to a success of  
21 ISTEA, and that is the amount of money that these ISTEA  
22 funds have been able to act as a catalyst towards in  
23 raising.

24           If you look at it, and I apologize for not putting  
25 the totals on the page, in ball park figures, \$8 million

1 total in ISTEА grants, \$9.5 million total in private funds  
2 raised, a greater than one-to-one match, and I think that  
3 is very important to realize. These are not just federal  
4 handouts, but in fact these do realize a lot of public and  
5 private donations. That is one thing to point out.

6           What I would also like to do is in asking the A.T.A.  
7 members that are here, in the amount of money that you can  
8 see has been raised, I would just like to talk about how  
9 much trail has been built with the amount of private funds  
10 here.

11           Marshall, the rough number of miles in the Montour  
12 trail that is built?

13           MR. FAUSOLD: Twenty-one.

14           WITNESS MULLER: There's 25 and a half on the Yough  
15 trail. On Three Rivers Heritage about five and Steel  
16 Heritage trail, we have five miles to be built this spring  
17 and the Allegheny Highlands trail in Somerset County has  
18 about 20 miles.

19           If you look at that, that's a pretty good sum. If  
20 you add onto the amount of private money raised, ISTEА  
21 money, I think we could double, and then some, the amount  
22 of mileage built. This goes to show how much trail  
23 progress can be made with this money to be actualized.

24           In addition to that, it's important to point out that  
25 without ISTEА, these funds would not be going towards these

1 projects. There are state and federal grants for trails  
2 and recreational facilities, but nothing with the magnitude  
3 of ISTEA. Again, the ISTEA funds certainly help to raise  
4 this other money.

5 The other thing that we would like to talk about is  
6 what this trail can then do in effecting the communities  
7 and areas through which it goes. That ISTEA money, as an  
8 investment, has a great return. I would estimate in excess  
9 of maybe three to one as a ratio, but the towns are finding  
10 renewed vitality through economic development based on  
11 these trails, and that is tourism, that's businesses and  
12 shops opening up to support the trail users and their  
13 activities.

14 I hope that these figures don't point as much to the  
15 negatives and the problems we have had in ISTEA, and there  
16 have been some and that should be realized, but what this  
17 has done so far. We have made great progress with a new  
18 program here that needs some ironing out.

19 Rick, do you want to add something here?

20 WITNESS MALMSTROM: Yes, I would just like to add  
21 that -- I will follow the Chairman's advice and paraphrase.  
22 It's very easy to talk about these numbers till you are  
23 blue in the face, but I would encourage any of you who  
24 haven't done it already -- the best example of what a trail  
25 of this nature can do -- and I don't want to embarrass him,



1 but Bob McKinley is from West Newton, Pennsylvania, which  
2 is down near Elizabeth.

3 It's a quite, sort of sleepy town. The trail runs  
4 right through the middle of it along the river, and the  
5 trail has become the center of that town. I think if you  
6 ask anyone from West Newton, they would tell you that.  
7 Economically, that town's future is largely based on that  
8 trail and usage of that trail. Bob can tell you much more  
9 about it than that.

10 This project is unique, the A.T.A. project, in its  
11 regional perspective. The trail is very, very different  
12 from the south side of Pittsburgh through West Newton, on  
13 through Fayette County and on down to Maryland, and its  
14 effect in each of those areas is very, very different. To  
15 provide a connection on the south side of the Monogahela in  
16 downtown Pittsburgh is one thing. To provide a trail  
17 through West Newton and recreational opportunities down  
18 there is another.

19 As you can see from this, there is a list of  
20 potential costs which was developed as part of this plan  
21 done by Mackin Engineering, the last two or three pages of  
22 your handout would indicate that we are somewhere in the  
23 \$22 million range for a total cost of the Pittsburgh to  
24 Cumberland trail.

25 That sounds like a big number. There are a number of

1 expensive projects within the trail, including some  
2 railroad tunnel renovations, bridges, aqueducts and that  
3 sort of thing. None of these can occur without ISTEA. The  
4 price tag is too large.

5 I will leave you with that thought and I will end my  
6 comments.

7 WITNESS MULLER: To echo what Rick has said, but it  
8 is necessary for ISTEA. Specifically those projects will  
9 not get touched. A \$5 million tunnel renovation is not  
10 going to happen through trail councils selling and offering  
11 \$10 memberships. We need the federal ISTEA funds for the  
12 large ticket items.

13 This is an attempt through the ATA to complete this  
14 Pittsburgh to Washington, D.C., trail by the 2000. We hope  
15 to have a large percentage of it done for the national  
16 conference that is going to be in Pittsburgh, and we would  
17 just like you to think seriously about the reauthorization.

18 Yes, although you have heard the grumblings and  
19 difficulties with ISTEA, realize the progress and successes  
20 that this program can create. If there are any questions,  
21 we would be happy to entertain them.

22 REPRESENTATIVE GEIST: Thank you very much. First of  
23 all, I am going to offer the House Members an opportunity  
24 to ask questions. My counterpart here, Representative  
25 Olasz has a question.

1           REPRESENTATIVE OLASZ: On page 313 of your -- I'm  
2 curious about the high costs, as compared to others of  
3 Kennywood Park to Glenwood Bridge. What's the problem  
4 there, the high costs of land acquisition?

5           WITNESS MULLER: There's a couple reasons. Primarily  
6 the reason for the expense of the Steel Heritage Trail is,  
7 unlike the other trail projects, this doesn't follow an  
8 abandoned railroad corridor. Whereas, through a one-time  
9 acquisition fee, we are purchasing individual parcels,  
10 private property, negotiating easements and so forth, so  
11 there is a lot of difficulty there.

12           As you are well aware, the nature of the area, former  
13 steel mill sites and so forth, there are serious  
14 environmental considerations that have to be dealt with.  
15 Some of that cost is realized through that. So, it's a  
16 combination of the existing terrain and not having a  
17 secured right-of-way.

18           REPRESENTATIVE GEIST: Anybody else?

19           REPRESENTATIVE BARD: I have ridden some of these  
20 trails where the end points or the middle points, you know,  
21 I'm always thinking it would be so nice to have lunch or  
22 stay overnight there.

23           Some of the supporting facilities, and I have had  
24 this experience on other trails, that I really think could  
25 stimulate economic growth really aren't there. Is that

1 part of this ISTEAD discussion or is that really something  
2 else that needs to be dealt with by another agency.

3 WITNESS MULLER: It's really a combination of  
4 reasons, but part of the thing is we are struggling right  
5 now to raise the money to build the trail. That's the  
6 first priority. Restrooms, trail heads, parking facilities  
7 are great, but they don't serve a need if there is not a  
8 trail there.

9 The majority of the reason is on the Yough Trail,  
10 there's still some mileage to be built and so, yes, these  
11 ten miles are built and a restroom, water fountain and  
12 parking facilities would be great, that money is going  
13 toward building the two, three or four miles that are not  
14 built.

15 At this point it's sacrificing support facilities for  
16 the main facility itself, the trail, but the are planned to  
17 be developed.

18 REPRESENTATIVE GEIST: Paul?

19 REPRESENTATIVE PARSELLS: Early on in this process,  
20 we sort of had difficulty, it seems, giving the money away.  
21 How have you found the application process?

22 WITNESS MALMSTROM: I think that you are correct  
23 partially because the trail groups that are in place in  
24 southwestern Pennsylvania, the oldest ones are five or six  
25 years old, very young, and this is a relatively new set of

1 experiences, the whole application process.

2 We have learned a lot in the last couple of years,  
3 and the line for those funds is going to be much, much  
4 longer this time around for that reason.

5 REPRESENTATIVE GEIST: Any other questions?

6 (No response.)

7 Thank you very much.

8 (Witness excused.)

9 The next presenter is Lou Shultz. Lou is a man that  
10 has gotten so many new friends, and, Lou, you are going to  
11 have a lot more friends after this next round.

12 While Lou is preparing for this, Dave Bachman had a  
13 position that was created because of ISTEA, and in your  
14 district, you had a position that was created because of  
15 ISTEA. When those positions were created, I can remember  
16 that they were kind of scoffed at by old-timers in  
17 Harrisburg.

18 Today, if you want to talk about the hot jobs that  
19 are going on, you talk to the Lou Shultzes, you talk to the  
20 Mike Ryans, you talk to the group that is preserving  
21 bridges over 422 and everything else that is going on out  
22 there that didn't exist six years ago.

23 This is the guy, Lou Shultz, who is driving the bus  
24 at Pennsylvania Department of Transportation. Lou.

25

1 Whereupon,

2 LOU SHULTZ

3 having been called as a witness, testified as follows:

4 DIRECT TESTIMONY

5 WITNESS SHULTZ: My name is Lou Shultz and I am the  
6 Manager for Highway Program Development at PennDOT. You  
7 might ask why a guy from Highway here talking about rail  
8 trails, historic preservation and things of that sort.  
9 When the Transportation Enhancements program was created in  
10 ISTEA, that was just one more hat they threw my way, and  
11 it's probably been one of the more challenging and at the  
12 same time, more rewarding assignments that I have gotten  
13 over the past five years.

14 It's a pleasure to be here today to present a  
15 statement on behalf of PennDOT regarding Transportation  
16 Enhancements. We all know Enhancements was initially  
17 created in ISTEA in 1991.

18 One of the first things we acknowledged at PennDOT  
19 was we don't have the expertise in these areas. We went  
20 out and we got the expertise. We impaneled a group of  
21 people that we called the Transportation Enhancements  
22 Advisory Committee; people like Tom Sexton from  
23 Pennsylvania Rails-To-Trails Association, Leroy Erickson  
24 from the Bicycle Federation of Pennsylvania, folks from  
25 Scenic America to deal with scenic enhancements.

1 We also partnered with a lot of state agencies that  
2 at times PennDOT was at odds with; people like at the time,  
3 DER, now Department of Conservation and Natural Resources,  
4 the Pennsylvania Historical and Museum Commission. We  
5 impaneled people from public and private sectors and we put  
6 them at the table with us and we asked for help to create  
7 Pennsylvania's Enhancements program. We've got \$51 million  
8 that we have to bring in out of ISTEA.

9 These folks have done a tremendous job working with  
10 us for the past five-plus years. We have identified 153  
11 projects through two programming cycles, and only 12 of  
12 these projects have fallen by the wayside. It is a  
13 tremendous success story.

14 Normally, when we are dealing with projects that are  
15 not PennDOT sponsored, we lose about a third of them  
16 through attrition over time as the momentum for the project  
17 ceases to exist or you get local political climate changes  
18 and things like that. We have lost less than ten percent  
19 of the Enhancements projects.

20 Of the 141 active projects, 16 have been completed  
21 and another 22 are under construction as we speak. There  
22 are an additional 48 that we expect to go to construction  
23 during the current year, which will mean that we will  
24 finally, after five-plus years, have over half of the  
25 program under construction.

1 We got a long ways to go, but we do have some success  
2 stories. My testimony highlights a number of those which  
3 are nothing more than some illustrative examples of some  
4 success stories. You saw many of them on the tape that  
5 Eric ran for us earlier today; the Greensburg train  
6 station, the Ghost Town Trail. Just south of here on the  
7 National Pike, we are recreating the historic mile markers  
8 on that road and we are also going to be restoring the S  
9 Bridge.

10 My home county Tioga County, we have plowed money  
11 into the construction of the Pine Creek Trail through  
12 Pennsylvania Grand Canyon. It's an absolutely fabulous  
13 experience to walk that trail. I would encourage the  
14 Members of the Legislature, if you have some free time when  
15 you are in the Harrisburg area, if you have not taken  
16 advantage of it, go up and walk the boardwalk. That is  
17 really an experience just to walk out through there.

18 There are educational plans that the county has with  
19 schools to educate our young people to the value of  
20 wetlands and nature. It is wonderful what that project is  
21 going to be doing.

22 The Pennsylvania Railroaders Museum improvements in  
23 Altoona which will be enhanced themselves by a project that  
24 is not an enhancement funded project is consistent with the  
25 intent of the program, and that is the pedestrian overpass



1 that will link the Railroaders Museum and the mall to  
2 downtown Altoona.

3 Right here in Pittsburgh we've got a project, again  
4 near and dear to my heart, being a Pitt graduate. In the  
5 Oakland section of the city, we have installed bike lockers  
6 and bike racks in the University complex there. If you  
7 think about it, where in this country are you going to get  
8 bicycling as an alternative mode of transportation?

9 While we have had a lot of success stories, we have  
10 had a lot of not so successful stories. Jeremy was very  
11 kind in not bringing up some of the problems that we have  
12 had in implementing projects, but we have. Probably the  
13 worst thing that happened to Transportation Enhancements  
14 was putting them in ISTEA and making them therefore subject  
15 to all of the same rules and regulations that accrue from  
16 Title 23 of the United States Code.

17 Unfortunately, these projects have to meet the same  
18 stringent criteria as new highway construction and  
19 reconstruction projects. When you think about it, that  
20 really is illogical.

21 We've worked with the Federal Highway Administration  
22 to try and find relief to some of these requirements.  
23 Congress has provided us some relief in some areas, and  
24 there is still more work to be done.

25 My testimony on page 2, highlights a number of areas

1 where we have already had some successful creative ways of  
2 getting these projects implemented. The creative financing  
3 concepts that we have gotten into have helped some folks to  
4 advance some project a little more quickly than might  
5 otherwise be possible.

6       The Mayor suggested this morning that we look for  
7 ways to try to run a number of different steps of the  
8 process concurrently, and one of the creative financing  
9 techniques that we have started using with some folks is if  
10 they've got their local share in hand, rather than doing  
11 each phase of the project, 80 percent federal, 20 percent  
12 local, we encourage them to use the local funding up front  
13 to do the pre-construction phases and you can run a number  
14 of things in parallel.

15       We will come back and do the construction phase at  
16 100 percent federal, so that the bottom line on the project  
17 is 80 percent federal, 20 percent local. This is something  
18 that we didn't have available to us, say, three years ago,  
19 but we started doing it in 1994 with the help of the  
20 federal government. It has helped us to expedite a few  
21 projects that otherwise would still have been floundering.

22       The National Highway System Designation Act of 1995  
23 made it legal for sponsors to use donated materials and  
24 services as a credit towards their 20 percent share. This  
25 is another really valuable financing technique. It means

1 they don't have to generate cold, hard cash.

2 If they have an engineer who is a member of the trail  
3 group that could do the design of the project, that can  
4 clear the environment for them and would do it pro bono, we  
5 can put a dollar value on the value of his services and  
6 credit it towards their share, so it's another way you can  
7 get these things to construction quicker.

8 Probably the most -- personally the most amazing  
9 thing to me when we started these projects was that private  
10 funding wasn't an eligible source of match. That's  
11 something that is just historic with the Federal Highway  
12 Administration, that private funding, subtract that from  
13 the total and you would go 80/20 for the rest of the  
14 project. My thinking was a dollar is a dollar.

15 Fortunately again through the National Highway System  
16 Act, that money has become legitimate money and we can use  
17 private funding as a match for the projects.

18 Congress also directed the Federal Highway  
19 Administration to do a number of programmatic agreements of  
20 categorical exclusion findings. We had already taken that  
21 initiative at PennDOT working with Historic Museum  
22 Commission, our local Federal Highway Division office and  
23 with the National Trust in Washington to execute a  
24 programmatic agreement that allows us to clear the  
25 historical aspects of the projects a lot quicker.

1           We have that in place now and it probably saves us  
2 two to three months in the historic review process for  
3 projects that have positive impacts on historic features.

4           We have a lot of things that we can do yet. These  
5 are wonderful positive things that we have done, but we  
6 have a lot more things. It probably isn't a good week for  
7 me if I don't get my sleeves rolled up and talk to a  
8 sponsor and help them in one of our district offices over a  
9 hurdle that they have come to.

10           We just had one this past week where the project  
11 sponsor had state funding from the Department of  
12 Conservation and Natural Resources that does have a time  
13 limit on it. That money will be expiring June 30th. Our  
14 Enhancements funding doesn't have that kind of a time  
15 restriction on it. He was using the DCNR money as a 20  
16 percent match.

17           Well, we got real creative with him and while we were  
18 initially proceeding with the engineering phase of the  
19 project at 80 percent federal, 20 percent state DCNR money,  
20 he could not possibly have expended all the money in the  
21 time frame he had to.

22           We said we would just stop a second and go 100  
23 percent state funding for that portion, spend down that  
24 money and then we will go back to that hundred percent  
25 federal for the construction phase. At the same time he is

1 going to use that state money to go out and buy some  
2 materials so that he can provide them to his contractors  
3 later this summer.

4 Again, the challenge I think we faced is to, if you  
5 will, get outside the box in your thinking about these  
6 projects. See how creative you can be staying within the  
7 rules that we are working within.

8 As we look towards the future of reauthorization of  
9 ISTEA later this summer and fall, it's important that we  
10 generate the support that I think I am starting to see  
11 nationwide for the continuation of the Enhancements program  
12 as an eligible category of improvements for federal  
13 funding.

14 We know there are some folks out there who are  
15 opposed to the Enhancements program and have made it a  
16 major issue on their part. I fail to understand the logic  
17 of that personally, but that's neither here nor there.

18 Governor Ridge is one of 15 governors who have signed  
19 on to a position calling for the reauthorization of ISTEA  
20 without significant change. We at PennDOT have joined with  
21 our northeastern states in support of a set of ten ISTEA  
22 principles. The principles call for maintaining the basic  
23 structure of ISTEA and implicit in them is the continuation  
24 of Enhancements as an eligible category of improvements.

25 Our feeling is ISTEA ain't broke. It needs some fine

1 tuning, but it created a very good basic structure for all  
2 of us to work within for transportation. The one thing we  
3 do think ISTEA should address is the administrative process  
4 that is required of Enhancements projects.

5 One of our fellow northeastern states has floated a  
6 proposal that would exempt Enhancements from all of the  
7 requirements under Title 23 and turn this into a true grant  
8 program. With someone who has a good idea like that, I'm  
9 not shy about plagiarism. I think that's a really good  
10 idea as a way of trying to advance these projects further,  
11 and we think that ought to be discussed a lot further.

12 In conclusion, we at PennDOT stand ready to work with  
13 anyone and everyone who is interested in reauthorization of  
14 ISTEA and also the implementation of Enhancements. Like I  
15 say, we got a lot of projects that we are going to have  
16 under construction later this year. We have a lot in the  
17 pipeline that we want to see become success stories.

18 I thank you all for inviting me here today and giving  
19 me this opportunity to present this statement. If you have  
20 any questions, I will be more than glad to answer them.

21 REPRESENTATIVE GEIST: Thank you. I think in this  
22 group, you are recognized as a guy who is doing a fantastic  
23 job in something that didn't exist a while ago.

24 The first question is, have you been keeping a score  
25 sheet on these projects with all the monies that flow into

1 them that are non-programmatic with the investment that  
2 follows, etcetera?

3 WITNESS SHULTZ: No, we haven't.

4 REPRESENTATIVE GEIST: I think that you actually  
5 should do that because we get that question all the time,  
6 how much has this project brought in, what's it done? We  
7 don't have any bullets to fire back.

8 WITNESS SHULTZ: One thing we do know, and Jeremy  
9 touched on it and he was right, it's about a one-to-one  
10 match in terms of just the physical construction work, that  
11 the ISTEA money is matched about one-to-one overall.

12 Getting on to some of the economic development that  
13 has occurred as a result of these projects, we haven't even  
14 begun to tally that. We could probably work with our  
15 sponsors to do that.

16 REPRESENTATIVE GEIST: The only place that could keep  
17 something like that would be in your hands, not at DCNR and  
18 not over at the Historic Museum Commission. You are kind  
19 of the quarterback for that whole thing. We know that some  
20 of these projects have brought a lot of investment behind  
21 them, so I think it would be a really good idea if we could  
22 track that.

23 The second question is have we in Pennsylvania been  
24 very aggressive at going after monies other states have  
25 forfeited and didn't take advantage of?

1 WITNESS SHULTZ: Yes, to an extent. Let me explain.  
2 Each year the Federal Highway Administration re-allocates  
3 the...

4 REPRESENTATIVE GEIST: Right.

5 WITNESS SHULTZ: It happens in August of each year.  
6 Pennsylvania, each year, is out there asking for the re-  
7 allocation of that obligation authority. Very successful.  
8 Year in and year out we walk away with somewhere between  
9 \$15 million and \$20 million worth of authority to spend  
10 money that other states can't spend.

11 REPRESENTATIVE GEIST: I just wanted to throw you  
12 that softball. Any other questions?

13 REPRESENTATIVE BARD: What I thought I had heard was  
14 that we were number one in getting grants, but we were at  
15 the end of the line in actually actualizing and accessing  
16 the money. Is that correct; is that what I heard?

17 WITNESS SHULTZ: Well...

18 REPRESENTATIVE BARD: I'm wondering if that's the  
19 case, are the requirements that we have so different in  
20 Pennsylvania versus the other states and why is there that  
21 difference?

22 WITNESS SHULTZ: There are a lot of things.  
23 Requirements are not a whole lot different. Some states  
24 have chosen to only accept projects for the program where  
25 the environment is clear, the design is complete and people



1 are immediately ready to go to construction. We chose not  
2 to do that. We want to pick the absolute best projects  
3 regardless of your status.

4 In some cases, we pick some projects that have a  
5 great many challenges to them. They do have some  
6 environmentally sensitive areas. We have some historic  
7 features that has taken us a long while to work through  
8 that process with the Museum Commission. We are battling  
9 our way through it.

10 In some cases, admittedly, some of our folks, their  
11 matching funding wasn't there. They had some pretty good  
12 concepts of where to get it and some of them just dried up.  
13 In other case, we at PennDOT haven't had the time to be  
14 able to spend with our sponsors working them through the  
15 process.

16 It's a new process for all of these sponsors. It's a  
17 new process for us. Henry is juggling probably a couple  
18 hundred active projects in his district alone, maybe a lot  
19 more than that. To add these Enhancements projects to it,  
20 they take a lot more time than some of the other ones  
21 because you are dealing with new sponsors, new concepts,  
22 everything else.

23 It's a work load problem in some cases. Other states  
24 have that to an extent, but we just haven't gotten there as  
25 fast as some. We are currently, if I remember, somewhere

1 around 47th or 48th. That's not a great deal better that  
2 51st, but at least we are not last anymore.

3 I think, with the construction activity we are going  
4 to see this summer, we will move up into the middle of the  
5 pack in terms of expenditures.

6 REPRESENTATIVE GEIST: Any other questions here?

7 MR. BUGAILE: You have an advisory committee set up  
8 to select projects. Do you envision that committee staying  
9 under reauthorization; is that something you see?

10 WITNESS SHULTZ: If Enhancements is included in the  
11 next ISTEA legislation, then I would hope that we would  
12 continue the advisory committee and continue to operate  
13 similar to what we are doing now; probably enhance the role  
14 of the metropolitan planning organizations in the process  
15 somewhat. I do see the advisory committee continuing to  
16 play a very active role in the process.

17 MR. BUGAILE: One thing too that I have noticed, and  
18 maybe you could comment on it, it looks like even  
19 internally now in the Department, there is an attitude that  
20 you can do enhancements in existing projects without having  
21 to touch the Enhancements fund; for instance a bike trail  
22 in Lewistown or enhancements remodeling billboards on the  
23 blue route or whatever it might be. Is that something you  
24 see expanding in the Department?

25 WITNESS SHULTZ: Absolutely, absolutely. Another

1 good example, Eric, is the Rose Street extension in Indiana  
2 where we are going to be building a bikeway parallel to the  
3 highway there in close proximity to Indiana University.  
4 Eventually it will tie right in to the Ghost Town Trail  
5 through some other links that are yet to be constructed.

6 MR. BUGAILE: One last question, in your comments,  
7 you do mention about a grant program, seeing that this  
8 perhaps could become a grant program. Has PennDOT made  
9 that known to the Congressional delegation, or is that an  
10 official Department stance, or do you know?

11 WITNESS SHULTZ: I don't believe it has been made  
12 known to the Congressional delegation because it's only  
13 within the last week or so that we have been reviewing some  
14 of these different concepts. We kind of latched on to this  
15 as a way of getting out from under some of the onerous  
16 regulations that we find ourself in because of it's  
17 placement in ISTEA.

18 MR. BUGAILE: Could you explain to the panel what you  
19 mean by that because maybe they don't understand how the  
20 reimbursement works.

21 WITNESS SHULTZ: Well, the other thing with making  
22 this a federal highway program is that the funding is  
23 reimbursable. The sponsors have to go out and spend the  
24 money first and then they are reimbursed 80 percent of the  
25 invoice that they submit. They have to have working cash

1 in hand.

2 They would probably get a lot bigger bang for the  
3 buck if you could go and hand them a check and let them put  
4 it in their checking account, just draw it down, provide  
5 you invoices for the expenditures and at the end, you go  
6 out and see that they have built the trail, you see they  
7 spent the money and did everything right. It would be a  
8 lot less bookkeeping for everybody, a lot less regulation  
9 for everybody.

10 REPRESENTATIVE GEIST: Thank you.

11 MR. MULLER: Because of the past problems with ISTEPA,  
12 we have heard grumblings from project sponsors and proposed  
13 to be project sponsors that reauthorization would be great  
14 if not through PennDOT. I would like an honest answer.  
15 Does PennDOT feel that the learning curve has been  
16 conquered and that reauthorization should not pose the same  
17 problems; in other words, PennDOT is ready and desires to  
18 administer this program?

19 WITNESS SHULTZ: Yes, we are. We have come a long  
20 way. I'm not sure the learning curve has completely been  
21 conquered, but we have come an awful long way in five  
22 years. There are new projects for us, new rules for the  
23 sponsors. I think each of us has grown a great deal in the  
24 five years and I think we can move a lot faster in the next  
25 years even if we have to follow a lot of the same rules.

1 REPRESENTATIVE GEIST: Yes, ma'am.

2 MS. SKOLNICK: Something that is not well defined in  
3 PennDOT, we have engineering districts and we have highly  
4 qualified engineers that have experience in engineering  
5 highways. We need a person in each engineering district  
6 who is well versed in the funding, etcetera.

7 It is very difficult for the small groups to have to  
8 go to Harrisburg and speak to you, Mr. Shultz, who has  
9 millions of jobs and this is only one small facet.

10 There needs to be a better method of getting the  
11 people to PennDOT, and I don't know if it is the purview of  
12 this committee...

13 REPRESENTATIVE GEIST: Yes, it is. May I answer the  
14 question?

15 MS. SKOLNICK: Yes.

16 REPRESENTATIVE GEIST: Let me give you a two-part  
17 answer. The first part is that each district is developing  
18 that person or persons. That's an ongoing thing and they  
19 are trying as hard as they can to be as responsive as they  
20 can to their client market.

21 We have a little problem in Pennsylvania called the  
22 Department of Transportation that is woefully under-funded  
23 at all levels. This is something that is ongoing,  
24 something that is hard for the public to underst  
25 common parlance, we're broke.

1 This committee is probably the oversight committee  
2 over PennDOT, and I have been on this committee, other than  
3 one term, for nine terms. I can tell you that the cupboard  
4 is very bare.

5 Also, it's kind of funny that as a product of the  
6 1960s myself -- in the years that when a lot of the people  
7 were labeled as different things all the way from tree  
8 huggers to the ultimate care givers, were battling PennDOT  
9 on projects. A lot of these rules and regulations that  
10 were put in because of those days of confrontation have now  
11 come full circle.

12 People that were manning the bulwarks of  
13 confrontation are now the people who are deeply involved in  
14 the trail projects. The same folks are coming to me and  
15 saying, "Rick, we have to change these rules. We have to  
16 relax this public participation part. We've got to do  
17 this, we've got to do that."

18 I think what is finally happening after all of this  
19 is that we are finding a center ground where everybody can  
20 feel very, very comfortable in doing these projects. There  
21 is something radically wrong in the Department of  
22 Transportation when it takes seven years to go through the  
23 environmental clearances and the engineering, etcetera, and  
24 two years to build a project.

25 Something is entirely out of whack with how we do

1 business, but how we do business is dictated by the laws  
2 that are written and the court decisions that have been  
3 passed down.

4 It's a two-pronged front that we have to address. We  
5 have to have an awfully people-sensitive Department of  
6 Transportation and at the same time, the people at this  
7 table have the responsibility to adequately fund it so that  
8 they can do the job that is mandated to do. I am kind of  
9 dedicated to that process and I want to see that happen.

10 When we talk about an intermodal project, we are  
11 truly talking about an agency that can do that. I don't  
12 think that DCNR, the Public Utility Commission, the  
13 Department of Commerce, any of the hand-holding agencies  
14 that have been involved with the entitlement process can do  
15 the job. I think there is only one agency that can do it  
16 and I think that is PennDOT. I think that they are doing  
17 an absolutely wonderful job with very limited resources.

18 WITNESS SHULTZ: I would like to add that I believe  
19 if you are looking for a single point of contact here  
20 locally, I think Rich Miller would be the best place to  
21 start.

22 REPRESENTATIVE GEIST: Let me add something about  
23 policy while you are here. One of my biggest fears is that  
24 if we don't pass the Enhancements packages, that there will  
25 be a reduction in the work force at PennDOT.' This has to

1 happen based upon the kind of monies that are there.

2 Anybody that is going to take a look at reducing the  
3 force at PennDOT is going to say, "Well, this position can  
4 go and this position can go because it's not really  
5 dedicated to keeping the highway system in tact."

6 One of the things that I want to make sure of is that  
7 we provide adequate funding so that we can do the things  
8 that everyone wants to do and that he needs to do. I think  
9 that's really kind of our mission in the Generally Assembly  
10 to make that happen.

11 It's not sexy, it's not glamorous, it's nothing that  
12 goes out there and gets anybody at this table votes. I  
13 don't think it gets us a single vote in our districts, but  
14 these are the things that need to be done. It all ties  
15 into one thing, our effectiveness and our ability to get  
16 the job done with the revenue that we have.

17 This man has a terribly hard job to do in Allegheny  
18 County when you go out and -- you've been there, I'm sure,  
19 when we go around the state and we listen to the needs of  
20 this state. There are crying needs out there. There are  
21 people who have been doing it for 40 years, asking for  
22 projects, and there aren't enough monies to do them.

23 Another question?

24 MS. LIBERMAN: Are ISTEA trail projects tied to  
25 highway projects?



1 WITNESS SHULTZ: I'm not quite sure I understand the  
2 question?

3 REPRESENTATIVE GEIST: Are you talking about if we  
4 have a highway right-of-way along a rail right-of-way?

5 MS. LIBERMAN: Or a new highway or new road being  
6 considered...

7 REPRESENTATIVE GEIST: Multi-purpose right-of-ways.

8 MR. NUTBROWN: The answer is yes and no. In some  
9 cases we have explored the possibility of doing -- we have  
10 looked at building a corridor for trails and bikeways. In  
11 the airport busway, the county looked at what it would take  
12 to have a trail adjacent to the airport busway.

13 REPRESENTATIVE GEIST: Okay. Thank you, Mr. Shultz.

14 (Witness excused.)

15 Marianne Fowler, you're next.

16 Whereupon,

17 MARIANNE FOWLER

18 having been called as a witness, testified as follows:

19 DIRECT TESTIMONY

20 WITNESS FOWLER: I am Marianne Fowler. I have asked  
21 Tom Sexton, our Pennsylvania Director, to distribute copies  
22 of our testimony and then to join me, if he will at the  
23 witness table so that he can help field your questions.

24 Good morning, Mr. Chairman and Members of the  
25 Committee. I want to thank you for having me here to

1 testify. I also want to thank you for holding this  
2 hearing. To my knowledge, this is unique in America for a  
3 State Legislature approaching the reauthorization on such  
4 an influential piece of legislation to take the time to  
5 look at it and get input from the people in the community  
6 is unique, and you are to be commended and applauded for  
7 that even though it meant a rush trip here for me. I am  
8 standing in today for our Policy Vice President who is  
9 expecting a daughter at any moment.

10 My testimony this morning will focus on five points.  
11 First of all what the Transportation Enhancements  
12 provisions and how they originated legislatively. How has  
13 the Transportation Enhancements program been implemented  
14 across the country and what has it accomplished? What  
15 changes are recommended during reauthorization to  
16 strengthen and streamline the program? What does the  
17 political reauthorization landscape in Washington, D.C.,  
18 look like at this point? And, what can the members of this  
19 Committee do to help if you are so inclined?

20 The Rails-To-Trails Conservancy is a national non-  
21 profit organization with slightly over 70,000 members at  
22 this point. Our mission is to enhance America's  
23 communities and countryside by converting thousands of  
24 miles of abandoned rail corridors and connecting open space  
25 into a nationwide network of public trails.

1 With this as our goal, you can imagine how excited we  
2 were when the Enhancements program passed in ISTEA in 1991,  
3 but I have to tell you that on that December afternoon when  
4 the first copy of Public Law 102 came to our office, we had  
5 a moment of panic. We had about 30 minutes of panic  
6 because we couldn't find the Enhancements activities in  
7 this law, 294 pages. Where were we?

8 We finally found ourselves, and that's Appendix  
9 Number 1 here. Actually, out of 294 pages, the  
10 Enhancements program -- it's not even a program. It's the  
11 Enhancements Provisions of the Surface Transportation  
12 Program and it constitute 150 words and they are in three  
13 different sections.

14 First of all it says that there shall be a  
15 Transportation Enhancements program, and then in quite a  
16 few more pages, it defines what it is and then somewhere  
17 buried deeper into the bill, it tells us that we will get  
18 ten percent of the money. That's where it is to be found.  
19 We were afraid there for a while that it had been lost in  
20 committee or cut and dropped on the printing room floor.

21 We got the program, but as you can see, the law did  
22 not give us too much guidance. So, it's little wonder that  
23 the responses of the 50 states plus the other U.S.  
24 dominions that are covered by this law charged with  
25 developing and running the program range from bemusement to

1 bewilderment to denial.

2           The state DOTs, many of them were not terribly happy  
3 to have this program introduced into their very full  
4 agendas. Many DOTs said, as I sort of heard Mr. Shultz say  
5 here this morning, why us, why not put it somewhere else?

6           The reason, DOT, is because these are transportation  
7 enhancements. The philosophy of ISTEA is that the  
8 activities will some day be essentials in the  
9 transportation system. This is what philosophically  
10 Congress wants our transportation system to look like in  
11 the future.

12           It was a rough start, but with the extraordinary  
13 efforts of the Federal Highway Administration and their  
14 officials which issued this much guidance, 16 federal  
15 guidance directives over the years, and with the dedicated  
16 state officials who took it as their responsibility to make  
17 this program work, by mid-1993 all 50 states had their  
18 Enhancements programs up and running.

19           On Appendix 2, there is a list of all the federal  
20 guidance that has been issued. These are very technical  
21 wonky-type documents, but they are very important to the  
22 successful implementation of the program.

23           RTC took as our special responsibility the monitoring  
24 of the entire process, gathering detailed information on  
25 the implementation of the program, the money authorized,

1 the money apportioned, the money programmed, the money  
2 match, the money obligated, the money reimbursed, the  
3 projects funded, the projects by category, projects begun,  
4 projects stalled, projects completed, projects needing more  
5 funding and unfortunately, projects failed.

6 All of this laborious research is why I can come to  
7 you today and tell you that in the first five years of  
8 Enhancements implementation, \$2.1 billion has been  
9 available nationwide. At the end of six years, we will  
10 have \$2.6 billion. In those five years, \$1.9 billion, 94  
11 percent across the country, has been programmed. In other  
12 words, specific projects have been chosen and dollar  
13 amounts assigned to them for their implementation. That's  
14 nationally.

15 Now, \$1.3 billion, 68 percent, has been obligated and  
16 only \$5.8 has been reimbursed or spent, but the  
17 reimbursement rate is getting better and the program has  
18 been improving as we go on with a slight drop off in this  
19 last year as, quite frankly, five or six states around the  
20 country opted to wait and see if this program is  
21 reauthorized because maybe they wouldn't have to finish it  
22 because they didn't like it much in the first place.

23 Pennsylvania hasn't done that. We are very proud of  
24 Pennsylvania. You haven't taken that approach.  
25 Pennsylvania's programming rate currently places you third

1 in the nation, having dropped from number one. You are now  
2 behind Washington and New York. Your obligation rate gives  
3 you twelfth nationally.

4 That's pretty good, but your reimbursement rate falls  
5 to 49th, in the nation. As we have heard, there are other  
6 witnesses here who are better testify as to the reasons for  
7 that.

8 We have found nationally that -- if you look at  
9 Appendix 4 that has that list of states, they are the most  
10 unusual patterns. States that you would never expect have  
11 done splendidly in implementing this program; Georgia, New  
12 Mexico, Wyoming. States that you would think would be at  
13 the top of the list, good progressive states, have not done  
14 as well.

15 There are a myriad of reasons, and we have found that  
16 there are two things that are absolutely essential to a  
17 successful program. One is a state advisory committee that  
18 brings all the players to the table at some point in the  
19 process. Pennsylvania does have that.

20 The other is simply the willingness of the parties  
21 involved to be cooperative. You can get through these  
22 hoops if you are willing to go through them, and that has  
23 been proven in state after state.

24 The spending by categories is also of some interest.  
25 Nationally bike-ped facilities ran away with 38 percent of

1 the money; rail trails, 14 percent; historic  
2 transportation, 16 percent; landscaping, 15 percent;  
3 general historic preservation, six percent; and they sort  
4 of diminish after that with archeology coming in last.

5 Pennsylvania has gone its own way a little bit in  
6 divvying up the money departing from the national pattern.  
7 Rail trails, big winners, if you want to put it that way.  
8 In Pennsylvania, 40 percent of your programming has gone  
9 for rail trails; bike-ped, 13 percent; historic  
10 preservation, just seven percent.

11 Other categories get less and less and run-off  
12 mitigation gets a scant .001 percent, and that's good  
13 because so many states use run-off mitigation to do what  
14 they were doing anyway and they counted it as Enhancements.

15 All these numbers and figures after a while get  
16 sterile. What does this really mean? There are 7,500  
17 Enhancements projects out there across the country that are  
18 affecting America's communities in new and different ways.  
19 What this means is the children in Jackson Hole, Wyoming  
20 have a system of trails that converge upon their middle  
21 school, and in the fall and spring, they walk and bicycle  
22 to school and in the winter, they ski and snow shoe to  
23 school. That's how they get to school.

24 In Minnesota, a thousand people a day commute to work  
25 in Minneapolis, to and from work, on the Cedar Lake bikeway

1 which has been built on a rail corridor. It goes right to  
2 the heart of Minneapolis down to the Mississippi River. It  
3 shares a corridor with a Burlington main line trail that  
4 carries coal from Montana to Chicago.

5 In Liberty, Georgia, a trail now links the I-95 exit  
6 with a series of Pre-Revolutionary War roads that wind  
7 through their African-American community. It was viewed as  
8 a tourist incentive. It is serving that purpose. It is  
9 bringing economic revitalization to that community.

10 In Danville, Virginia, my home state, our renovated  
11 railroad depot serves not only as a pleasing station for  
12 the current Amtrak users, but has also anchored a  
13 deteriorating neighborhood and gives promise of restoring  
14 the city's downtown life.

15 ISTEA has just ushered in a change in thinking about  
16 how we do transportation in our communities. As a matter  
17 of fact, I refer you to Appendix 7. This graph shows that  
18 back when spending for bike-ped trails was an eligible  
19 option for state DOTs, during that 18-year period, all the  
20 states could spend their money that way just like they can  
21 now. Only about \$40 million was spend altogether. That's  
22 when it was eligible.

23 When it became a mandated set-aside, look what  
24 happened. Before the six years of ISTEA is over, we will  
25 top a billion dollars for trails and bike-ped facilities in



1 this country. That is having a tremendous impact on  
2 communities who have been fortunate enough thus far to have  
3 had the benefits of these projects.

4 We would never pretend that the road to these  
5 successes has been easy. There have been many bumps, and  
6 Rails-To-Trails Conservancy has developed a package of  
7 recommendations that have been delivered personally to both  
8 the Senate Environment and Public Works Committee and the  
9 House Transportation Committee.

10 The very first one is to make Enhancements a non-  
11 reimbursement program. When Congress passed NHS two years  
12 ago, they gave states the option of having it be a grant  
13 program if they had a state advisory committee that  
14 included citizen input, and all you had to do was apply to  
15 the Secretary of Transportation to be so affirmed.

16 Pennsylvania never applied. I don't know why, but  
17 this could have been a grant program in Pennsylvania for  
18 the last two years, but it's not. I think basically a lot  
19 of states had their process set up already and they didn't  
20 want to change anything at that point.

21 Increasing allowable overhead charges -- this goes to  
22 your -- what this means is that it cost a lot of money to  
23 administer this program and sometimes it cost as much money  
24 to administer a hundred thousand dollar trail project as it  
25 does to administer a million dollar highway project.

1           We know the overhead is high, we know that this is a  
2 staff-intensive program, and a lot of states have taken  
3 money from their Enhancements money and put it to  
4 administration and overhead. A lot of states have felt  
5 they couldn't do that, that they were not allowed to do  
6 that under the law. During reauthorization, we want to  
7 make it very clear that within reason and parameters,  
8 states can use Enhancements money for administrative costs  
9 to help implement the program.

10           We also want to require proportionate use of  
11 obligation authority. That's confusing and technical, but  
12 what it means is if you are spending 80 percent of your  
13 money state-wide, you have to spend 80 percent on  
14 Enhancements. You can't spend 90 percent on roads and 80  
15 percent on Enhancements. You have to sort of keep it equal  
16 across the board. Some states have been really cheating on  
17 that point. Pennsylvania has not, but we want to cut that  
18 out.

19           State advisory committees; the one key most important  
20 thing to successful Enhancements programs in a state is  
21 having all the players at the table and in some capacity,  
22 having to deal with each other because once they deal with  
23 each other, know each other and have a responsibility and a  
24 liking, they are much more likely to end up with a  
25 successful program.

1 We think also in some instances there should be  
2 allowing for sole-source contracting with non-profits. You  
3 can sole-source with corporations and what have you, but  
4 non-profit citizens groups are so intricately involved in  
5 development of some of the smaller projects that they  
6 should be able to be involved in the implementation too.

7 We are not sure Congress is going to buy that one.  
8 They are looking at that one very much with a jaundice eye  
9 as they see it as a way for us to feather our nest, but  
10 that's really now what we had in mind.

11 We think the program could be helped by the addition  
12 of a statement of policy explaining more clearly what this  
13 is all about.

14 We want to program continued at a similar level of  
15 funding. If the overall transportation budget gets cut, we  
16 are willing to take our hit. If the overall budget goes  
17 up, we want to go up too. We are just basically in there  
18 for three percent of the overall budget and we think that's  
19 fair.

20 Also very important is that we feel this program has  
21 continued to be a federally mandated, set-aside, protected  
22 program. I heard Mr. Shultz use the word "eligible" four  
23 times in his testimony and each time, I felt the chills go  
24 down my back.

25 Eligible means the state can use the money for

1 Enhancements if they want to. They don't have to if they  
2 don't want to. Flexible means the same thing. These are  
3 the buzzwords, the trendy buzzwords, in Washington,  
4 eligible, flexible.

5         What that means is the Enhancements program is gone.  
6 At the Enhancements conference that we held in June in  
7 Washington, D.C., we took a straw vote. We had 311  
8 participants, a third of whom were from state DOTs, and we  
9 asked them, if this were an eligible program in your state  
10 as opposed to a federally projected program, what would  
11 happen?

12         Three hundred to 11 they said the program in their  
13 states would be gone, most of them within the first year,  
14 all of them within the first three years, so we feel very  
15 strongly that six years has not been enough for the  
16 Enhancements philosophy for transportation to become  
17 institutionalized in transportation planning and thinking.  
18 We need additional federal leadership, we call it. Federal  
19 leadership is still needed in this area.

20         The politics of reauthorization; we are two months  
21 into the 105th Congress and definitely the ISTEA politics  
22 are crystallizing. I would all of Congress is divided into  
23 five camps where there is overlapping, and some members of  
24 Congress are signed on to multiple bills. It's a very  
25 confusing field at this point.

1           The issue of donor versus donee states is very  
2 dominant, but also the philosophical opposition to the  
3 transportation policies developed in ISTEA 1991 are really  
4 surfacing.

5           Quickly, the five camps are the total devolutionist.  
6 This is being advance by Connie Mack of Florida and John  
7 Casich of Ohio, and their idea is that the federal  
8 government should continue to collect the gas taxes but  
9 leave it all in the states except a little bit which they  
10 send up to Washington so that we could have a research  
11 facility at the U.S. DOT, but the states would keep all  
12 their money and there would be no National Transportation  
13 policies any more.

14           Their position is that now the interstate highway  
15 system is completed, there is no longer any national  
16 interest in our national transportation system, that it all  
17 becomes a local and state transportation system. Under  
18 this approach, Enhancements, as you can see, doesn't even  
19 -- I mean, it's not there, it's gone.

20           Step 21 is the moniker chosen by 21 states that would  
21 return the gas tax dollar to the states in a more closely  
22 proportional ratio of a state puts a dollar in and gets a  
23 dollar out. At the same time, they would also gut the  
24 programmatic philosophy of ISTEA. They talk more about the  
25 money, but they also want to get rid of the programmatic

1 structure.

2 On the House side, Enhancements is gone under that  
3 program. On the Senate side where the chief sponsor is my  
4 senator, Senator John Warner from Virginia, we have a  
5 little caveat in that bill that says the Enhancements  
6 program would remain intact.

7 I wish I could take credit for it. It was not the  
8 trails community, it was the history preservation  
9 communities that got Senator Warner to include that in this  
10 bill because Virginia is very busy preserving its Civil War  
11 battlefields with this federal money and getting a great  
12 kick out of doing that, and they are doing it by putting  
13 interpretive roads and trails through the battlefields and  
14 all sorts of things relating to the Civil War and using  
15 union dollars to pay for it, and they are just as happy as  
16 they can be.

17 The introduction of the Great Western States Bill is  
18 expected to hit us at any moment. It is sponsored only by  
19 Montana, Idaho, Wyoming, North and South Dakota. No one  
20 outside these states seems to know what it is in although  
21 we suspect that they want to protect their donee status.  
22 They get a lot more money back than they put in.

23 We are assured that they are going to include  
24 Enhancements. Montana built a lot of sidewalks with the  
25 Enhancements program. They never had any sidewalks in

1 Montana, I swear, before they got Enhancements. They just  
2 put in roads with no sidewalks, so that's what they have  
3 done with most of their money.

4 They discovered the people in Montana like having  
5 sidewalks, so that's -- they are saying they won't get rid  
6 of Enhancements, but we are not exactly sure what -- we  
7 would feel much more comfortable if we could see their  
8 language.

9 Congressman Bob Clement of Tennessee has just  
10 introduced the Highway Trust Fund Fairness Act. It seeks  
11 to spread the money around more proportionally based upon  
12 donor/donee states, but would keep the programmatic  
13 structure of ISTEA intact and Enhancements would remain  
14 protected under that approach.

15 Then we have my favorite approach, which is the ISTEA  
16 Works or Keep ISTEA As Is. It's a coalition of the  
17 northeastern and mid-Atlantic states. Pennsylvania is a  
18 part of that as well as the Washington, Oregon and Puerto  
19 Rico. I think they are in there because you guys wanted  
20 some travel destinations so you could have some trips out  
21 to some nice places to see their projects. That's where  
22 Pennsylvania finds itself, and we are very pleased to have  
23 you there.

24 Clearly a consensus position has not yet emerged, and  
25 Chairman Shuster is probably right when he said, "There is

1 going to be blood on the floor before we are through this  
2 reauthorization process."

3           What can this committee do to help improve and  
4 protect the Transportation Enhancements provisions of  
5 ISTEA? With Representatives John Fox and Joseph Pitts  
6 joining Frank Mascara, Bob Borski and Bud Shuster,  
7 Pennsylvania now has five members on this committee, as  
8 many as any state in the country, and with Mr. Shuster as  
9 the Chair, you emerge as the most powerful and  
10 determinative state as to what is going to happen with this  
11 Enhancements project.

12           I would venture to say that if Bud Shuster supported  
13 reauthorization of the Enhancements program, it would be as  
14 safe as the Preamble of the Constitution. But, he, himself  
15 has not been forthcoming and his committee staff is not  
16 supportive. They keep offering all manner of changes, the  
17 effect of which would be to gut the program.

18           A resolution from your committee would, of course,  
19 would be effective, but I think a more direct and personal  
20 approach might be needed.

21           I hope and I look to you for ways that we can work  
22 together to protect this program for Pennsylvania and for  
23 the nation. The key really does lie with the Keystone  
24 State. Forgive me for saying that, but I just couldn't  
25 resist it.





1 the intangible benefits of the Enhancements projects  
2 throughout the Commonwealth. The video tape that we saw at  
3 the beginning of the program demonstrated those benefits.

4         However, we find through our work that Enhancements,  
5 set-asides in the ISTEA Act have demonstrative economic  
6 impact in our region. Our agency, the Southwestern  
7 Pennsylvania Heritage Preservation Commission, was  
8 established by Congress to help spur the economy of a nine-  
9 county region in southwestern Pennsylvania by commemorating  
10 the heritage of the region and developing economic  
11 improvements through heritage tourism.

12         We are inviting visitors and residents of the region  
13 to come and hear the stories of the people who turned the  
14 country into the greatest industrial nation on earth.

15         We are also charged by Congress with improving the  
16 region's economy by promoting its heritage as an tourist  
17 attraction. We have worked in partnership with local  
18 organizations and agencies and municipalities to develop  
19 over 90 projects, small and large, where the stories of the  
20 region can be told.

21         To link those sites and those stories throughout the  
22 region, to give identify to the region, we have also  
23 developed the Path of Progress Heritage Route. That's the  
24 first national heritage tour route in the country.

25         It's a 500 mile long automobile tour route that is

1 signed through discussions with PennDOT and is also  
2 supported by a map that takes visitors to various sites  
3 around the region. The maps and the signage are part of  
4 our efforts to promote the heritage of the region and to  
5 develop heritage tourism.

6 After eight years of working at that, it's become  
7 obvious to us that the effort is paying off in the region.  
8 Penn State University has undertaken a five-year study of  
9 the impact of the expenditures in the Heritage Tourism.

10 Their study has indicated that over two million  
11 people from outside the region have visited the heritage  
12 areas. Those people have spent over \$83.5 million in  
13 lodging, food, transportation and associated heritage  
14 tourism needs.

15 The total sales impact of that direct spending is  
16 \$172.2 million. Of that figure, \$62.2 million is in wages  
17 and salaries. That translates to the support of an average  
18 of 870 job a year each year over that five-year period.  
19 Heritage tourism is real economic development. Heritage  
20 tourism is the fastest growing segment of the tourism  
21 industry, the second largest industry in the Commonwealth.

22 To continue the impact in southwestern Pennsylvania,  
23 the Commission is committed to working in partnership with  
24 local organizations and agencies, including the State  
25 Heritage Parks, a program under DCNR, to create a

1 destination area for tourists.

2 To accomplish that goal, we need to establish a  
3 critical mass of heritage attractions. Potential visitor  
4 planning a trip need to know that there are a lot of things  
5 to do and to see once they get to an area. Otherwise, they  
6 won't make plans for an extended visit and spending more  
7 money and enjoying themselves all the more for having a  
8 wide variety of experiences.

9 The continuation of ISTEA's Enhancements is essential  
10 to creating and adding to that critical mass of heritage  
11 sites in our region. The ISTEA Act provided over \$13.9  
12 dollars for 19 development projects in our region, a lot of  
13 the projects that you have heard about here this morning;  
14 the Allegheny Highlands Trail, the railroad station  
15 renovations in Greensburg, in Roaring Spring, a canal  
16 heritage project in the Borough of Hollidaysburg.

17 These projects add to the variety of attractions  
18 necessary to bring more visitors into the region for longer  
19 stays, increasing the economic impact of heritage tourism  
20 on the regional economy.

21 The 20 per cent matching requirement for the  
22 Enhancements project, as you have seen demonstrated and  
23 heard, helps build local ownership in the projects that are  
24 developed. These local funds help bring dreams to reality  
25 while turning the dreams into economic improvements in

1 local communities.

2           The continuation of those improvements and the  
3 realization of those dreams is in large part dependent on  
4 the reauthorization of the Transportation Enhancements.

5           For southwestern Pennsylvania, for the eight state  
6 heritage parks around the Commonwealth and for the  
7 enumerable municipalities and local grass roots  
8 organizations, continuation of Enhancements funding will  
9 result in development of new trails and greenways to lure  
10 outdoor enthusiasts to rural areas and provide green space  
11 to urban residents.

12           Reauthorization offers the opportunity to preserve  
13 important natural and cultural resources by adding to the  
14 critical mass of trails, greenways and other heritage  
15 attractions and thereby stimulating the economy through  
16 increased tourism.

17           The Southwestern Pennsylvania Heritage Preservation  
18 Commission wholeheartedly endorses the reauthorization of  
19 the Enhancements program as a most valuable tool for  
20 economic development. However, some changes in the  
21 administration of the program should be considered to  
22 expedite the implementation of the Enhancements projects.

23           PennDOT is to be commended for the efforts that it  
24 has made to try to improve the delivery system of the ISTEA  
25 funds. But, many of the local grass roots sponsors who

1 have received funding approval are unfamiliar with  
2 PennDOT's letting procedures. It complicates the process  
3 of moving the project to construction.

4 PennDOT itself has been placed in a nontraditional  
5 role through the program by being charged with the  
6 administration of projects not integrated into the  
7 organization structure of the Department.

8 Existing staff members, as a result, have assumed  
9 additional duties by adding the administration of ISTEA to  
10 their already heavy work loads. That, combined with the  
11 atypical requirements of historic conservation efforts, has  
12 resulted in sometimes a relatively slow delivery of  
13 Enhancements projects. Of the 19 projects approved for  
14 funding in the southwestern Pennsylvania region, just three  
15 have been completed while another seven are now under  
16 construction.

17 To expedite the implementation of future Enhancements  
18 programs which we hope are going to be coming down the  
19 line, we would recommend consideration of an alternative  
20 administrative procedure. We suggest that PennDOT consider  
21 the contracting of the administration of the program  
22 through a non-governmental organization that would be  
23 familiar with issues related to the Enhancements projects.

24 We would also recommend that the reimbursement  
25 agreement be replaced with a cooperative agreement which

1 would more closely relate to the types of projects approved  
2 through the enhancement programs. Such an agreement could  
3 be crafted to meet all the requirements of the program  
4 while avoiding provisions of the reimbursement agreements  
5 which are more suited for municipal streets and bridge  
6 projects.

7 PennDOT use of consulting firms to provide  
8 environmental clearances for Enhancements programs is very  
9 commendable. We would recommend that that be continued and  
10 even expanded.

11 We would also recommend that PennDOT consider  
12 entering into open ended contracts with teams of  
13 professionals for planning and design and construction  
14 supervision of Enhancements projects. Services of those  
15 teams, comprised of the necessary professionals from the  
16 various disciplines, could then be provided to the grantees  
17 and that would shorten the selection process.

18 Individual task orders could be negotiated for each  
19 project as needed. The quality of the planning and design  
20 firms could be ensured through a rigorous selection process  
21 which would meet all federal and state requirements for  
22 demonstrated competition.

23 These proposals would enable local organizations to  
24 develop projects more quickly freeing PennDOT staff for  
25 more traditional activities.





1 they say; if it's on a tee shirt, it's got to be for real.  
2 I don't know why I'm the only one in this room who's got a  
3 tee shirt, but I didn't really think that it was a tee  
4 shirt kind of occasion. The 1999 Rails-To-Trails  
5 conference will be here, so I want you people to get that  
6 trail going so I can ride my bicycle from Pittsburgh to  
7 Washington, D.C.

8 But, that's not why I am here. I am here to talk  
9 about my favorite trail that I can go on for hours and  
10 hours about. The Ghost Town Trail, which was  
11 Pennsylvania's first ISTEA constructed trail, extends for  
12 16 miles in the scenic Black Lick Valley in west central  
13 Pennsylvania.

14 We received \$498,500 of ISTEA funding to upgrade an  
15 abandoned railroad corridor to make a ten foot wide crushed  
16 limestone surface for non-motorized use. I never truly  
17 appreciated what that limestone was until I became involved  
18 with the process. I know more about aggregate than I ever  
19 cared to know.

20 The trail was officially opened in October of 1994,  
21 and the infrared trail counter that we have at one of the  
22 access areas in Dilltown has been registering about 75,000  
23 trail users every year since.

24 The Ghost Town Trail links heritage sites, local  
25 recreation sites and the communities in Cambria and Indiana

1 Counties. Today, with the trail in place, the residents of  
2 these communities have alternative transportation choices  
3 to connect to these communities. These communities were  
4 once linked by the Ebensburg and Black Lick Railroad and  
5 that's how these people actually got to these communities,  
6 whether it be the mines or the coke ovens along this trail.

7 The trail derived its name from several mining  
8 communities that were located along the railroad corridor.  
9 They were abandoned in 1930. The railroad properties that  
10 make up the Ghost Town Trail were donated by Kovalchick  
11 Corporation, which is a salvage corporation, and also the  
12 Cambria and Indiana Railroad.

13 An alliance was formed with Indiana County government  
14 through Indiana County Parks. They own and maintain the  
15 trail in Indiana County. NORCAM, Northern Cambria County  
16 Community Development Corporation, are the owners and  
17 maintain the trail in Cambria County, and the Cambria and  
18 Indiana, or C & I, Trail Council. We have formed an  
19 alliance to establish and develop the trail.

20 While the majority of the funding came from  
21 Enhancements money, there were several partners involved  
22 that put the money together to make up the local match.  
23 ISTEA requires that you have a 20 percent match. For the  
24 Ghost Town Trail, its local match was 33 percent.

25 Some of those funding partners were the Southwestern

1 Pennsylvania Heritage Preservation, the Indiana County  
2 government, the Penn's Corner Charitable Trust and the PCC.  
3 The PCC grant allowed us to build an access area, put in  
4 gating, signage and fencing at a cost that was  
5 significantly less than if we had used ISTEA money.

6 We creatively used the money that we got as a local  
7 match so that we could do things more cost effectively than  
8 with the ISTEA money. We saved it for the big part of the  
9 project which was surfacing the trail.

10 As one of the first Transportation Enhancements  
11 projects in the state to be successfully completed, I would  
12 like to share some comments with you as to why I feel we  
13 were successful. We have been contacted by many other  
14 Enhancements projects around the state asking for some of  
15 these comments and the comments have been the same  
16 throughout.

17 First a successful ISTEA project can only happen if  
18 there is cooperation and a strong commitment by all  
19 partners to make the project happen. For the Ghost Town  
20 Trail, these partnerships were PennDOT District 10 -- I  
21 can't say enough good things about them -- Indiana County  
22 government, the C & I Trail Council and the project  
23 engineer.

24 We were especially fortunate to work with District 10  
25 because they had the vision that this project was worth of

1 their time and effort. I know that after the first meeting  
2 when some of us trail advocates came in and stormed the  
3 room with our little manual in hand and we sat down, I know  
4 they thought "this ain't building roads."

5         However, we developed an attitude that we are  
6 partners, we all live in this community together and we can  
7 do it and that we will do whatever we can to help PennDOT  
8 make this a success.

9         It was a new idea, but they totally opened up to it  
10 and were very committed to it. They were very busy with  
11 other projects and a lot of times, it was on their own time  
12 that they helped us. We never would have made this the  
13 first successful project without them.

14         If the Enhancements program is to succeed on a state-  
15 wide basis, all PennDOT district offices must place a  
16 higher priority on working with the various Enhancements  
17 applicants in order to move these projects forward. New  
18 and creative thinking must take place and new partnerships  
19 be formed.

20         The second factor in the success of this project was  
21 there was a strong grass roots effort in support of the  
22 trail. The grass roots support was critical in urging all  
23 parties to proceed with the project in a timely and  
24 efficient manner and to work towards a successful project  
25 completion.

1 This wasn't always easy because a lot of times the  
2 project engineer would blame PennDOT and PennDOT would  
3 blame somebody else and then we would blame somebody else,  
4 but it was the grass roots that always made sure that  
5 everyone was at the table and doing everything possible.

6 A serious problem for all Enhancements projects,  
7 including ours, was meeting the engineering guidelines and  
8 the environmental regulations. These particular guidelines  
9 and regulations are designed for highway construction  
10 projects, not Enhancements projects such as these. We just  
11 don't have to accommodate the volume of traffic nor the  
12 weight. We are a different breed of cat. We need  
13 different guidelines.

14 For example, right now we are working on Ghost Town  
15 Trail Phase II, a bridge project called Red Mill Bridge.  
16 It's a 105 foot bridge that needs replaced crossing the  
17 north branch of the Black Lick Creek.

18 We have been working on this for three years, and  
19 because it's ISTEA money, the construction must follow  
20 PennDOT's guidelines for bridge construction. When all is  
21 said and done, we will be able to have heavy truck traffic  
22 across that bridge.

23 I guarantee you the heaviest traffic that will be on  
24 that bridge is me riding my horse. I don't even think we  
25 make a ton. But, we have persevered. We view this like it

1 has almost become a game and we have kept our sense of  
2 humor. That's been my number one responsibility because I  
3 am the funniest trail person in Pennsylvania.

4 The trail has received a significant amount of public  
5 interest and support. We view the Ghost Town Trail as one  
6 component of a regional effort to link communities'  
7 businesses and tourism sites by establishing a new  
8 intermodal transportation network within Indiana and  
9 Cambria County.

10 This network of region-wide transportation also fits  
11 into a document that was produced by the Southwestern  
12 Pennsylvania Heritage Preservation Commission called  
13 Heritage Trails, which looks at the infrastructure of  
14 developing regional trails within a nine-county area.

15 I must say that this is becoming an impossible task  
16 to make this a regional transportation network because  
17 recently we have been confronted with a PUC order to  
18 demolish our bridges on the Ghost Town Trail extension that  
19 will add an additional 21 miles as we continue our journey  
20 up over the Allegheny mountain.

21 PennDOT, while expressing sympathy, has done very  
22 little to help resolve this situation. With these  
23 crossings demolished, that is the end of our regional  
24 network to go up over the ridge to meet Palmer Brown and  
25 his trail.

1           The economic impact of the trail is becoming more  
2 evident every day as we see visitors from outside our  
3 region use the trail and spend their dollars within our  
4 local economy. Indian County Parks recently received a  
5 copy of a letter that was sent to the Governor stating; "I  
6 wish to congratulate you and the people of Pennsylvania for  
7 developing and maintaining the Youghhehony River Trail and  
8 the Ghost Town Trail. We recently traveled to Pennsylvania  
9 specifically to bicycle these trails and were not  
10 disappointed."

11           Several local businesses have been established  
12 because of our trail development. These include a bed and  
13 breakfast trail-side shop which at one time was a real  
14 heavy duty biker shop and I don't mean the lycra and  
15 spandex.

16           What finally closed this facility was when a nude  
17 robber came in and robbed the establishment and the owner  
18 said that was it, he was not dealing with those people any  
19 more. Today it's now a bed and breakfast and trail-side  
20 shop.

21           We have a bicycle shop and a three bicycle rentals.  
22 Existing stores and shops along the trail have noticed an  
23 increase in their business and are exploring new options to  
24 tap into this new market.

25           As a matter of fact, today in Ebensburg, NORCAM,

1 which is the Cambria County owner and maintainer of the  
2 trail, is having an economics benefit workshop. I was  
3 asked to speak there as well as here. We flipped a coin  
4 and I got to get up at 5:00 this morning and come here  
5 through a snow storm.

6 The workshop is geared to business and community  
7 leaders who are interested in making a combined effort to  
8 promote and market the trail because we feel we can do more  
9 to put a higher dollar figure on the bottom line for this  
10 trail.

11 An economic impact study was conducted at the Ghost  
12 Town Trail by Penn State from May to August of 1996. The  
13 study was designed for three things; assess the amount of  
14 trail use during the 1996 summer season, evaluate the  
15 expenditures, demographics and patterns of trail use and  
16 estimate the economic impact of trail users within the  
17 region.

18 The results of that are the Ghost Town Trail received  
19 66,000 visitors days of use during the study period between  
20 May and August. Bicycling is the dominant activity. A  
21 near equal distribution of age indicates the trail appeals  
22 to wide variety of users. Trail use is largely a day use  
23 activity. About ten percent of non-residents do extend  
24 their stay beyond a one-day period.

25 Expenditures were estimated to be \$4.33 per visitor



1 day for residents, \$9.28 a day per visitor for non-  
2 residents. The total expenditures within the region for  
3 all users was estimated at \$362,000. To date development  
4 costs for the trail have been \$750,000 with operating  
5 expenses at slightly under \$10,000.

6 Considering the project's modest cost, as  
7 transportation project, it seems clear to me that spending  
8 a small portion of transportation dollars on Enhancements  
9 projects can pay big dividends in the end.

10 On the national level, several changes have been  
11 proposed for the ISTEA, including its elimination entirely.  
12 However, we, and when I say we, I mean the partners  
13 involved in the building, developing and maintaining and  
14 being the cheerleader for the Ghost Town Trail, support the  
15 reauthorization of ISTEA with the Enhancements program  
16 intact and encourage PennDOT likewise.

17 Although there is powerful lobbying from vehicle  
18 manufacturers, truckers, the construction industry and they  
19 do not support the set-aside of Enhancements, we believe  
20 that because of the positive community values and  
21 transportation values that are generated from this program,  
22 that it should be given strong consideration.

23 Despite the outcome of the federal authorization of  
24 ISTEA, we hope that Pennsylvania will continue to plan and  
25 implement a strong intermodal transportation system

1 throughout the Commonwealth.

2 While meeting the objectives of ISTEPA legislation,  
3 the Ghost Town Trail has improved the quality of life in  
4 the Black Lick Valley by linking several communities that  
5 were once connected by a common railroad, by providing a  
6 significant tourist attraction, by stimulating economic  
7 growth and by preserving the valley's industrial heritage.

8 In addition, environmental problems from acid mine  
9 drainage that went hand in hand with the industrial  
10 development of the region have existed for too many years  
11 and has received absolutely no attention whatsoever. The  
12 day the limestone trail was put down and we started  
13 increasing the users, people started noticing the landscape  
14 and the water and there was a public outcry to do something  
15 about the water.

16 Today we have a national demonstration project that  
17 is project that is underway that is an acid mine drainage  
18 and an art mediation project. That is to be a national  
19 demonstration project. We also have a landmark partnership  
20 between the Army Corps of Engineers, state agencies and  
21 other grass roots non-profit groups in cleaning up the acid  
22 mine water. Before, this was impossible. It was not on  
23 the Army Corps' plate to do something like this.

24 One little trail brought that much attention, so it  
25 is actually doing than just everything that I listed. It's

1 cleaning up the water and it is also involving other people  
2 with ideas of using the vast open land for developing  
3 residential areas there and campgrounds and whatnot.

4 We encourage your continued support of ISTEA and the  
5 Enhancements programs. While realizing that the program  
6 may need streamlined and modified to work more efficiently,  
7 we strongly believe that this is a program that is worth  
8 having, worth saving and will have a positive impact in  
9 Pennsylvania.

10 I know that when Lou was talking, he was talking  
11 about streamlining and modifying and making the  
12 implementation of Enhancements easier. I think that  
13 perhaps if you had some teams that actually comprised  
14 people that have spent some money and built a project, it  
15 would also provide some insight on how to modify it and  
16 streamline it.

17 I know that it was a real eye opener upon reading  
18 manuals and tax rules and regulations, and if it weren't  
19 for PennDOT that was used to going through that, and even  
20 they were very frustrated -- I think you need some real  
21 people with feet on the ground in there helping to provide  
22 that information. Thank you.

23 REPRESENTATIVE GEIST: Thank you. Any questions from  
24 the panel members?

25 MR. PARSELLS: Just a comment. I just wanted to tell

1 you that Representative Sarah Steelman called me twice a  
2 week for over a year for that project. You guys did a  
3 wonderful job. I was on the trail. It's beautiful.

4 WITNESS LAFONTAINE: Thank you.

5 REPRESENTATIVE GEIST: When we first started the  
6 Lower Trail, I was this purest. We believed that you  
7 shouldn't put asphalt on any trail, that no trail should  
8 ever have asphalt. I really had this deep belief until we  
9 went out with the Governor and rode a trail. It took me  
10 all of about two minutes to have this wonderful conversion  
11 that every trail should be paved.

12 You learn as you go, just as your testimony showed.  
13 I think the thing, if you want to impact anything upon this  
14 group and others is that the number of people who actually  
15 use that trail and then seeing what is sprouting up around  
16 these trails clearly shows their success. The success is  
17 not in what we say here, but it's in the use and it's in  
18 the money that people come and spend there.

19 I was telling Palmer earlier that it's nice we get  
20 complaints, certain complaints are wonderful to have. The  
21 Lower Trail with the amount use, some people are  
22 complaining there are too many people on it. They are  
23 wonderful complaints to get.

24 When you stop at a little restaurant down in  
25 Williamsburg and the guy tells you he changed all of his

1 hours to fit the use of the trail, these kinds of things  
2 that are really nice to hear.

3 We want to thank you for your testimony.

4 (Witness excused.)

5 Our next presenter is also a man with a wonderful  
6 sense of humor. We kid around an awful lot, but this is a  
7 guy who has done it the hard way, and I think everybody  
8 knows that the Marine Corps has very few generals and if  
9 you make the rank of full Colonel in the Marines, believe  
10 me, that is some testament.

11 Palmer Brown, before he took his real challenge in  
12 life, which is Rails-To-Trails, retired from the United  
13 States Marine Corps as a full Colonel. He has been a  
14 wonderful friend of ours. He is one of the few people in  
15 this outfit that can say that they would vote for Bud  
16 Shuster also, or vote against him, whatever the case may  
17 be.

18 Palmer, since we are talking about the reinstatement  
19 of ISTEPA Enhancements, we would like to offer you the  
20 floor.

21 Whereupon,

22 PALMER BROWN

23 having been called as a witness, testified as follows:

24 DIRECT TESTIMONY

25 WITNESS BROWN: Mr. Chair and members of the panel,

1 thank you for the opportunity to be here today to discuss  
2 the Transportation Enhancements provisions of ISTEA. I am  
3 Palmer Brown and I am currently the Vice President of  
4 Rails-To-Trails of Central Pennsylvania, a private,  
5 non-profit rail-trail organization with over 500 members.

6 I think I do bring a unique perspective to this  
7 forum, not only because of my involvement with Rails-To-  
8 Trails over the last five to six years, but as Rick  
9 mentioned, because of my former career endeavor of serving  
10 over 34 years in the U. S. Marine Corps.

11 In my assignments throughout the United States and in  
12 overseas countries, I had the opportunity to see and also  
13 experience the good, the bad and the ugly of transportation  
14 policies and systems, everything from the Autobahns of  
15 Germany to the Bullet Trains of Japan, from the countries  
16 in the Far East where bicycles are the main transportation,  
17 to European countries where there is a highly developed  
18 network of trails and bikeways interlinked together with  
19 other transportation systems, modes that provide safe,  
20 convenient and efficient transportation systems for both  
21 business or work and also recreational activities.

22 My primary interest in the Rails-To-Trails is the  
23 bicycle-pedestrian portion of Enhancements, but I am also  
24 working with the Southwestern Pennsylvania Historic  
25 Preservation Commission and the heritage parks and the

1 other activities. One of my goals is to connect those  
2 heritage parks with trails to give people another way to go  
3 from one heritage area to another heritage area.

4 I was also going to -- part of my testimony -- it's  
5 in there in the summary of transportation. Why is  
6 Enhancements so important to us -- give you a lecture on  
7 transportation and how we came to be where we are and what  
8 it does for us, but in the interest of time, I'm not going  
9 to do that. It's all in there.

10 If you look at where we stood with national  
11 transportation policies prior to 1916, there was none. The  
12 states built their own highways. Many were privately  
13 funded and toll roads and so forth.

14 In 1916, we have the Federal Aid Road Act that  
15 provided federal assistance to the states in building their  
16 highways. In 1921, the Federal Highway Aid Act established  
17 a national road system. In 1956, the Interstate Highway  
18 System was authorized and that was for defense purposes.  
19 Along with that came the taxes to pay for that. It was a  
20 system of four lane limited access highways and the goal  
21 was to have it all completed by 1971.

22 Prior to 1991, the basic premise of the federal  
23 highway transportation policy was to establish that  
24 national highway system to support the national defense  
25 effort and interstate commerce. Although highways are used

1 extensively for commerce, they are also used for a variety  
2 of other purposes, personal and family trips, commuting to  
3 work or school, running errands, shopping, visiting friends  
4 and recreational trips.

5         There was a 1990 nationwide personal transportation  
6 survey that said that less than one quarter of all the  
7 daily trips made in the United States are for work  
8 purposes. Only 21.6 percent of the daily trips are for  
9 earning a living, 11.4 percent are for civic or educational  
10 purposes, 24.8 are for social or recreational purposes, and  
11 whopping 41.5 percent are for personal or family business.

12         What does ISTEA do for us? The previous  
13 transportation policies set up the four-lane highways, so  
14 nothing. ISTEA is the first federal transportation law  
15 that explicitly acknowledges bicycling and walking as a  
16 viable mode of transportation.

17         While the majority of the 1992 to 1997 ISTEA  
18 authorizations were for highway, transit and other surface  
19 transportation programs, 1.7 percent of the established  
20 funding authorizations went into Transportation  
21 Enhancements programs, other than research, five percent.  
22 Over 50 percent of the Enhancements awards nationwide went  
23 to the bicycle-pedestrian and rail-trails, so we are  
24 getting our fair share of that, but we need more of it.

25         In the interest of saving time, I am not going to go



1 through some of this. It's all in there. There are some  
2 figures in there on the transportation projects. Some are  
3 a little bit outdated. There are some graphs that show the  
4 breakdown of these funds.

5 It gets to the heart of the problem of what we need  
6 to do. We need to preserve and strengthen the ISTEA  
7 Enhancements. There are those people out there who would  
8 do away with it, including our federal Congressman, and I  
9 guess maybe it's up to you and I to assassinate him or  
10 something.

11 REPRESENTATIVE GEIST: Those are your words, not  
12 mine.

13 WITNESS BROWN: No, Congressman Shuster and I have a  
14 very good relationship as Marianne can tell you. Whenever  
15 I talk to him over there, I am recognized as a -- what is  
16 it Marianne?

17 MS. FOWLER: Prominent.

18 WITNESS BROWN: Right, a prominent constituent. I do  
19 get his attention. I do have his ear right now. He is  
20 going to be the key, he and some other Congressmen.

21 We need to look at some of the things Marianne talked  
22 about; what happened in pre-ISTEA. We need to have that  
23 federal set-aside. We cannot depend upon the states.

24 In those 18 or 20 years prior to ISTEA when the  
25 states were authorized to spend federal transportation

1 dollars in bike and pedestrian facilities, very little of  
2 that was spent. It was only after ISTEA was authorized and  
3 we had the set-asides that people started recognizing  
4 bicycling and pedestrian walkways as a form of  
5 transportation.

6 We need to pass a new bill. It must be done by  
7 October. We need to preserve the ten percent designated  
8 share for Enhancements and retain the ten Enhancements  
9 funding categories. We need to do some fine tuning. The  
10 trail that we built was not built with any ISTEA monies. I  
11 built it faster, I built it less expensively than it would  
12 have been done with ISTEA money.

13 PennDOT has made great improvements in how they are  
14 doing it, but the reason I am interested in ISTEA is  
15 because I have another 50 miles of trail I want to build to  
16 connect on both ends of that and I am going to need ISTEA  
17 because there are some big dollars there.

18 ISTEA is a viable program. It has done things more  
19 than build transportation. It enhances communities. I  
20 have seen happen on the trail where people who are  
21 neighbors who barely talk to each other when they leave  
22 their houses, when they get on the trail they are the best  
23 of friends. They sit on the benches and talk for hours.  
24 It not only builds transportation, but it builds  
25 communities. With that I will conclude.



1 BILL HOFFMAN

2 having been called as a witness, testified as follows:

3 DIRECT TESTIMONY

4 WITNESS HOFFMAN: Thank you, Mr. Chairman.

5 One way to get a great introduction is to have a  
6 great introducer, and this was even more than I expected.  
7 I appreciate it very much.

8 My statement, if you read both sides of it, take  
9 about five minutes to present. I am going to spare you  
10 that. We are running a little late and I get hungrier than  
11 anybody else. The last thing that I want to see be late is  
12 lunch, so I will just summarize what you are perfectly able  
13 to read for yourselves.

14 I am, in addition to representing the League of  
15 American Bicyclists where I am the Chairman of the  
16 Education Committee, also the Vice Chairman of the Pedal-  
17 cycle Advisory Committee. That was created by Act 72 in  
18 1995, and this is a semi-public, half public, half  
19 government advisory body. We meet about every two months  
20 to basically deal with pedestrian and bicycle issues.

21 We have quite a number of projects that we are  
22 overseeing and actively implementing. One of the important  
23 parts of our work is to implement the very ambitious  
24 statewide bike-ped master plan that was issued last year as  
25 well as PennDOT's overall master plan, which does have a

1 very strong bicycle-pedestrian component to it.

2       There are a number of task forces that have been  
3 established to carry out some of the mandates in the bike-  
4 ped master plan, but I won't go into those today because  
5 it's not relevant to what I am here to talk about.

6       The League of American Bicyclists, I will give you a  
7 brief sketch of that. We were founded as the League of  
8 American Wheelmen in 1880. We are the longest lasting,  
9 continuously operating bicycle organization in the country.

10       During part of that 117 years, we have been pretty  
11 much a one-person operation, but in the last 25 or 30  
12 years, we have been a growing organization. We have about  
13 500 bicycle clubs that are affiliated with us in addition  
14 to about 30,000 individual and family members. So, we are  
15 basically the largest advocacy for recreational bicycling  
16 in the country.

17       We work in partnership with the Rails-To-Trails  
18 Conservancy, the Bicycling Federation of Pennsylvania and  
19 other bicycling and non-motorized transportation  
20 organizations. We don't see them as adversaries. We see  
21 them as partners promoting basically common goals.

22       One of the things that is unique to LAB is our  
23 education program which I am proud to Chair. That comes  
24 under the generic title of Effective Cycling. This is a  
25 discipline where people can learn to use a bicycle for any

1 purpose they desire under virtually any conditions of  
2 weather traffic and terrain and do it safely and  
3 effectively and efficiently.

4 This program has been in existence for about 20  
5 years. It is not being modified so we can reach more  
6 people. We are adding a program for children, kids from  
7 the age of about nine or ten up to adulthood. We have a  
8 three-tiered adult level program.

9 We also have what you might call our own form of  
10 Enhancements whereby we have a motorist education course  
11 which doesn't involve any on-bike training. It basically  
12 involves teaching motorist how they can share the road with  
13 other users, primarily bicyclists.

14 We have a family cycling program which shows families  
15 how they can enjoy cycling together. We are going to have  
16 a high-end maintenance course where you basically will take  
17 a bike apart from stem to stern and put it back together  
18 and not have any pieces left over.

19 We will also have a commuting program so that people  
20 who want to use their bicycles to commute to work daily can  
21 learn all the ins and outs that they need to do so.

22 The Effective Cycling program curriculum has been so  
23 successful that people who graduate from that program have  
24 about 20 percent as many accidents as the general cycling  
25 population even though they ride many more miles under

1 difficult conditions.

2           It's already been proven to be successful, and this  
3 education is one of the things that could be an eligible  
4 Enhancements project, what I would call a soft project that  
5 could be eligible for federal money under the existing  
6 ISTEA, and certainly we would like to see that continue  
7 under the new ISTEA.

8           In a nutshell, the elements that we would like to see  
9 preserved or improved in the next version of ISTEA are to  
10 preserve the funding framework and the program structure  
11 with Enhancements for CMAQ and the National Recreation  
12 Trails Fund. We would like to see preserved the key  
13 planning provision of ISTEA that require the development of  
14 bicycling and walking facilities in the Long Range  
15 Transportation Plans that everyone has to have and update  
16 periodically and preserve the planning elements in the  
17 TIPS.

18           We would also like to see an improved transportation  
19 planning and implementation process to better accommodate  
20 pedestrians and bicycles. We would like to see that done  
21 just as a matter of course, not as a set-aside.

22           We, and I can speak better for cyclists, don't want  
23 to be treated as a special class. We want to be  
24 mainstreamed and considered as normal a way of going from  
25 point A to point B as getting in a car or riding a bus or

1 train.

2 I also want to add to the Chairman's comments about  
3 the great progress that PennDOT has made, particularly two  
4 people, Dave Bachman, PennDOT's Bike-Pedestrian  
5 Coordinator. This is a position that ISTEA requires of all  
6 states. He is full-time at this and he is one of the best  
7 in the country, and that's not just me saying that. His  
8 peers, the other 49 coordinators, feel that way also.

9 Also, Mike Ryan, who is the Deputy Secretary of  
10 Highway Administration, perhaps has almost as many people  
11 under his supervision, maybe, as the Governor has. He  
12 oversees the regions, and those are the people that  
13 actually run the road graders and lay the asphalt.

14 It takes a lot of people down there to run the day to  
15 day activities of PennDOT, and Mike Ryan heads up that part  
16 of it.

17 A lot of progress has been made, but there is a lot  
18 more to be done. It takes a lot of money, and I am no  
19 better than anyone else at finding the money. I realize  
20 the constraints that PennDOT is under. We are certainly  
21 sympathetic to that and we are trying to help them do more  
22 with less but also to find more so we can do more.

23 It is obvious that we need to reorient our thinking  
24 towards transportation. The old ways really aren't going  
25 to cut it any more. We would very much like to see the



1 inclusion of bicycle and pedestrian transportation in the  
2 transportation planning. The LAB is working at the  
3 national level to do that.

4 At this point, I am going to stop, and I point out to  
5 you, five minutes ahead of schedule. Thank you very much.

6 REPRESENTATIVE GEIST: Thank you very much.

7 Any questions?

8 (No response.)

9 Let me just say this before we wrap up this morning.  
10 First of all, I think that after all the years I have been  
11 in this business, today may have been one of those days  
12 when you finally recognize that socioeconomic impact that  
13 we all have talked about for years has been proven out  
14 there with the projects that you all are involved with.

15 The socioeconomic impact statements that we have  
16 known, and our cohorts in Europe have done for years to  
17 justify transportation projects and projects like these,  
18 are something that we have talked about doing in America,  
19 but we don't really do when it really comes to any kind of  
20 highway, rail or airport or whatever.

21 We do know that it enhances the quality of life, and  
22 we also know that it brings economic investment that comes  
23 along behind it.

24 What we are trying to do, I believe, is see that the  
25 public monies that are invested are invested very wisely in

1 making all of our lives better. I think that this does it.  
 2 We know that we have a mission to make safer highways,  
 3 highways with less killing and injury on them, highways  
 4 that bring economic development to communities and also  
 5 investments that improve the quality of life.

6 You all have gone a long way in providing us with a  
 7 lot of bullets to fire into the debate in Washington, D.C.,  
 8 and also the debate that will take place in the dome in  
 9 Harrisburg in the coming weeks.

10 I want to thank all the presenters for doing an  
 11 excellent job and taking so much time in preparing stuff  
 12 for us. We want to look forward to working with you and  
 13 working with the Department in a partnership to bring us  
 14 the very best in Transportation Enhancements projects.

15 Thank you all very much for attending.

16 (Whereupon, at 12:00 p.m., the hearing was  
 17 adjourned.)

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FORM 2

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I hereby certify, as the stenographic reporter, that the foregoing proceedings were reported by me and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.

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Barbara A. Spin

FORM 2

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