Statement of Anthony R. Kane
Executive Director of the Federal Highway Administration
U.S. Department of Transportation

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Subcommittee on Railroads

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Federal Transportation Funding for Rail-to-Trail Projects

Madame Chairwoman, Members of the Committee, I thank you for the opportunity to testify on Federal transportation funding for the conversion of abandoned or unused rail corridors to pedestrian and bicyclist trails.

I. Transportation Decisionmaking

A fundamental issue we confronted as the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) was under debate was: how should we define transportation requirements, and who should determine which types of projects would best serve the varied transportation needs of the many people we serve? ISTEA helped provide a framework for addressing those issues by providing funding flexibility and by establishing planning and public involvement processes that emphasize the critical role of State and local officials in transportation decisionmaking. ISTEA's planning process is designed to improve the quality and scope of information public officials receive on transportation options and on the impacts of transportation investments on their jurisdictions' economies, environment, and overall quality of life. As a result, today we look far more closely at the needs and concerns of localities, and the ways that transportation can, in fact, help make them better communities. We recognize that communities know best how to serve their own needs and must be actively involved in deciding how and where we invest Federal transportation funds. We're moving away from a focus on just getting people

and goods from one place to another--and toward an emphasis as well on the impacts of transportation projects on the communities they traverse.

In keeping with the goal of the ISTEA legislation to develop a more balanced transportation system, the Department has supported projects that enhance the use and safety of bicycling and walking as transportation. Rail-trails are an integral part of this process, as almost every State and many metropolitan areas have chosen to fund rail-trails with their Federal transportation dollars. In very visible and measurable ways, these typically modest and creative transportation investments dramatically improve the quality of peoples' lives.

State and local agencies and private trail use organizations have acquired more than 8,000 miles of abandoned or unused corridors and converted them to public trails for use by pedestrians, cyclists, and others. In other cases, transportation funds have been used to simply preserve corridors for future rail or motorized vehicle purposes. Rail corridors can be acquired by various means, including purchase, lease, donation, or in accordance with Federal or State "railbanking" statutes. Under these statutes, rail corridors are preserved for future rail use without cost to the railroads and, as an interim use, rail-trails are established. Rail-trail funding eligibility under ISTEA is determined without regard to whether a rail-trail has been established through railbanking. (We know that a significant majority of rail-trails in the United States, approximately 94 percent of all projects and 85 percent of all miles, were <u>not</u> established under the Federal railbanking legislation.) I want to reiterate the Department's support for railbanking under the current Federal statute. Railbanking has been a very successful means of preserving valuable railroad corridors for current and future public uses, converting what might otherwise be lost opportunities into valuable intermodal transportation links.

Since my colleague from the Surface Transportation Board is here to testify on rail-trail

conversions under the Federal railbanking statute, I'd like to focus on Federal transportation funding for both railbanked and non-railbanked rail-trails.

II. Federal Transportation Funding for Rail-Trails

The growth in funding for non-motorized transportation--by all levels of government and the private sector--has been dramatic in recent years. Whereas all bicycle and pedestrian projects, not just rail-trails, consistently received about $4 to $5 million annually in Federal transportation funding through the 1970's and 1980's, ISTEA funding obligated by the States for rail-trail projects alone in the first four years of the Act totaled approximately $140 million for projects in virtually every State in the Nation.

These figures reflect how rail-trails have been embraced by States and localities as an integral part of their transportation systems. Most bicycle projects funded with ISTEA funds must serve a transportation purpose. Transportation is defined as a trip having an origin and a destination at different locations. These facilities may, of course, also provide recreational opportunities. In fact, recent studies and user surveys along urban trails show that more than one-third of weekday users utilize trails for transportation purposes.

A. Transportation Enhancement Activities

The source of the great majority of Federal funding for rail-trails is the transportation enhancement set-aside from Surface Transportation Program (STP) funds (10 percent of STP funds, approximately $400 million per year). In keeping with the spirit of ISTEA in devolving transportation decisionmaking authority to State and local leaders, the transportation enhancement provisions of ISTEA provide additional opportunities for local communities to realize their own goals for mobility, economic development, environmental improvement, and community unity and pride.

While some States were relatively slow to obligate transportation enhancement funds in fiscal years 1992 through 1994, enhancement obligations accelerated markedly in every State and in local communities around the country in fiscal year 1995. Obligation rates varied considerably among States. For example, while Iowa had committed only 7 percent of its enhancements apportionments by the end of fiscal year 1995, Washington had obligated a full 99 percent. New York has obligated more than 77 percent of its enhancement funds.

States with slower obligation rates faced a number of difficulties. The enhancements program was non-traditional and brought many new partners to the transportation arena--partners such as private trail groups that were unfamiliar with the workings of the Federal-aid highway program. Through our own administrative initiatives, and with Congress' help in the National Highway System Designation Act of 1995 (NHS Act), we have streamlined the enhancements program because we recognize that the same administrative rules and requirements that apply to a multimillion-dollar highway construction project are inappropriate for a rail-to-trail conversion costing only a few thousand dollars. We have streamlined the process for ensuring that enhancements projects meet environmental requirements. We can now advance enhancement funds to cash-strapped public agencies instead of requiring them to wait for reimbursement. And we can permit private cash or in-kind contributions of labor and materials to be counted as local matching funds, attracting greater non-Federal resources and further leveraging Federal funds spent on these projects.

Of the $887 million in total obligations of enhancements funds through fiscal year 1995, we estimate that approximately 15 percent, or $133 million, has been obligated by 47 States, the District of Columbia, and Puerto Rico for more than 380 rail-trail projects, and another 36 percent, or $319 million, has been obligated by States for other bicycle and pedestrian projects.

Many States record rail-trail projects as bicycle and pedestrian projects since these two categories are not mutually exclusive. Therefore, both of these numbers tell of the interest and commitment of States and local communities to develop and maintain rail-trails to address both transportation and recreation needs.

Rail-trails and other enhancement projects have added greatly to cities and towns all across this Nation and have fostered pride and cohesiveness in areas in danger of losing this invaluable sense of community. In central Florida for example, the West Orange Trail, a rail-trail funded with enhancement money, has been instrumental in linking local residents and visitors to town halls, a utility company, the post office, neighborhoods, and retail developments. Once a thriving citrus and railroad town, Winter Garden, Florida, had lost much of its economic base over the years. The West Orange Trail has been a key element in bringing about the revitalization of the town by attracting visitors to several restaurants, antique shops, and a sound studio. The trail has also spurred the total renovation of a nearby historic hotel.

Similarly, the Farmington Canal Linear Park in Cheshire, Connecticut, is a fine example of how residents have used a rail-trail project to help unite and enhance their community. The 3.3-mile path links the center of the town of Cheshire to the Farmington Canal Lock 12 Historic Park. This project offers a safe and convenient alternative for the transportation needs of commuters and recreational users alike. It alleviates conflicts between cars and non-motorized users of local roads, where no sidewalks exist. Children now use the trail as a safer route to go to school. In addition, the economic benefits for local merchants have been tremendous, with several indicating that their business has increased by 30 percent as a direct result of the Linear Park trail.

B. Surface Transportation Program

Apart from the transportation enhancement set-aside, other Federal-aid categories,

including general Surface Transportation Program funds--the largest single funding category in ISTEA--can be used for bicycle transportation and pedestrian walkways. Because almost all railroads were built to quickly and efficiently serve transportation needs, railroad rights-of-way often provide the most direct link between towns. To date, States have obligated approximately $29 million in STP funds for bicycle and pedestrian projects. Since ISTEA provides great flexibility to the States and MPOs in selecting STP projects and includes no requirement that States report to the FHWA on whether a project is on a railroad right-of-way, we do not have a complete picture of the amount of STP funds obligated for rail-trails. But the anecdotal information is impressive. In Minnesota, $500,000 in STP funds was matched with over a million dollars in State, local, and private funds to construct the Cedar Lake Trail, a rail-trail with separate east- and west-bound bicycle paths and a pedestrian trail connecting to downtown Minneapolis. According to the Minneapolis Public Works Department, commuters comprise nearly all morning trail users and about three-fourths of afternoon users. The trail even carried 2,000 bicyclists over snow and ice through the Minnesota winter.

C. Congestion Mitigation and Air Quality Improvement Program

To fund rail-trails, a number of States have also taken advantage of the broad funding eligibility provisions of the Congestion Mitigation and Air Quality Improvement Program (CMAQ), a significant source of ISTEA funding targeted exclusively at improving air quality. Since abandoned railroad lines in urban areas often provide excellent urban access and because cycling and walking are non-polluting forms of transportation, rail-trails are eligible for CMAQ funds if they are located in nonattainment or maintenance areas. We have identified 19 projects where six States and the District of Columbia have used $6.3 million in CMAQ funds for rail-trails, including nine projects in New York State. For example, New York used $80,000 in

CMAQ funds for a feasibility study of establishing a bicycle and pedestrian trail along the reactivated Staten Island Railroad. The study concluded that a trail alongside this freight rail line was feasible. This year, the State Department of Transportation, the Borough President, the Port Authority, and the City and Borough economic development corporations have agreed to use another $500,000 in CMAQ funds to construct a portion of this trail on a part of the rail corridor where rail service will not be reinstated at this time. New York also used more than $1.6 million in CMAQ funds for several projects to acquire right-of-way and construct a rail-trail along the old Putnam Division Railroad in Westchester and Putnam Counties.

Right here in the District of Columbia, the D.C. Department of Public Works has used $104,000 in CMAQ funds to undertake a feasibility study on establishing the Metropolitan Branch Trail, a seven-mile bicycle and pedestrian greenway that would run along an abandoned railroad corridor parallel to the Metrorail Red Line from Union Station to Silver Spring, Maryland. At Silver Spring, the trail would connect to the planned extension of the Capital Crescent Trail, forming a Washington D.C. "bicycle beltway."

Since there is no requirement for States to report to the FHWA on whether a pedestrian or bicycle path developed with CMAQ funds is on a railroad right-of-way, it is possible that other rail-trail projects have been funded with CMAQ funds. We do know that several States have also used CMAQ funds to provide bicycle and pedestrian access over or under existing railroad lines or across rivers within railroad rights-of-way.

D. National Recreational Trails Funding Program

To address a well-documented backlog of trail needs, Congress created the National Recreational Trails Funding Program in 1991 as part of ISTEA, providing funding to the States to establish and maintain recreational trails. States, not the FHWA, make project selections, based

on State priorities or after a review of projects proffered by local governments and private trail groups.

The program received $7.5 million in the fiscal year 1993 appropriations act out of the FHWA's administrative takedown, and no funding in fiscal years 1992, 1994, and 1995. The Congress provided $15 million for each of fiscal years 1996 and 1997 as part of the NHS Act, again out of our administrative takedown.

While States are still making project selections for fiscal year 1996 recreational trails funds, we know that the 1993 funds provided approximately $939,000 for 42 rail-trail projects in 23 States. With just one year of Federal funding, States have proven their commitment to rail-trails. For example, two States, Connecticut and Nebraska, used their entire recreational trails allocations on State-owned rail-trail projects for such groups as cyclists, pedestrians, equestrians, and skiers. Railroad lines have relatively level slopes and are therefore also ideal trail facilities for many people with disabilities affecting mobility. The Nebraska project provides access for people with disabilities to a prime fishing area within a State park. This same trail doubles as a snowmobile route in the winter months. One of Pennsylvania's rail-trail projects is the Three Rivers Heritage Trail, which provides off-road transportation and recreation for bicyclists and pedestrians next to Three Rivers Stadium in downtown Pittsburgh. Wakefield, New Hampshire, is the site of a unique project. There, a trail group repaired a damaged railroad bridge, retaining the tracks, and now this trail is used by recreational rail vehicles, including motorized and non-motorized railroad hand carts. A parallel trail will soon be built for use by pedestrians, bicyclists, skiers, and snowmobilers. West Virginia combined $52,000 in Recreational Trails program funds with other funds to construct the Greenbrier River Rail-Trail in Marlinton. This rail-trail has benefitted the Marlinton area economically by attracting increased tourism. West Virginia also

used $37,700 in Recreational Trails funds to provide access for people with disabilities to the Elk River Rail-Trail in Charleston.

The real power of these Federal investments is the way they provide the essential catalyst to trail projects and attract private and non-Federal public resources to these projects, making Federal dollars stretch much further. While fiscal year 1996 and 1997 Recreational Trails funds include a 50 percent match requirement, there was no Federal requirement that States supply a matching share for fiscal year 1993 funds. But some States imposed their own matching requirement. In States where there was no match requirement, trail sponsors still provided donations of labor, material, or right-of-way, sometimes in amounts greater than the Federal share. In States that did require a match, many project sponsors overmatched. Again, in some cases, the value of the non-Federal contributions, both funds and in-kind donations, exceeded the Federal trails program funding. With the Three Rivers Heritage Trail in Pittsburgh, for example, $8,000 in Federal funds was matched with $3,000 in non-Federal funds and $11,000 worth of volunteer labor, design services, and equipment.

III. Conclusion

In 1994, the Department issued The National Bicycling and Walking Study. This study showed that 8 percent of all trips are made by bicycling and walking. Secretary Peña has set a new national goal of doubling that figure by the year 2000. We recognize that the benefits of rail-trails, like other forms of non-motorized transportation, are real and can be measured in such terms as cleaner and safer travel, more lively business districts, and increased tourism. ISTEA funding and its transportation planning and public involvement processes have been crucial catalysts for this. But Federal commitments alone, even as strong as they are in this case, could not have made bicycle and pedestrian transportation as popular and successful as it is today. This

has been a true partnership, with grass roots support for rail-trails building in cities and towns across the country. With such support, we are well on our way to reaching our goal.

But at the same time, I want to emphasize that even as we pursue new ways to streamline our oversight and review of these projects, we will continue to work with the States to ensure that rail-trail projects are developed with due consideration of various and sometimes-conflicting public and private interests related to these projects.

This concludes my prepared remarks. I would be pleased to answer any questions you may have.

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