

Testimony of:

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Orange County, California**

Before the

**United States House of Representatives  
Committee on Transportation and Infrastructure  
and  
The United States Senate  
Committee on Environment and Public Works**

Joint Hearing on:

**Improving and Reforming our Nation's Surface Transportation  
Programs to Support Job Creation and the Economy**



Wednesday, February 23, 2011  
8:30 a.m.  
Brentwood Theatre  
West Los Angeles Veterans Administration Campus  
11301 Wilshire Boulevard  
Los Angeles, California

Chair Boxer, Chair Mica and members of the House Transportation and Infrastructure and Senate Environmental and Public Works Committees, my name is Will Kempton and I am the Chief Executive Officer of the Orange County Transportation Authority (OCTA), located in Orange County, California. I am very pleased to be here today to share with you our ideas regarding how the future transportation reauthorization legislation can create jobs, improve our economy and improve the lives of those who reside and travel in Southern California.

OCTA is part of a larger coalition of Southern California business and public transportation entities, called Mobility 21, which I currently chair. Last week, Mobility 21 visited Washington and set out a vision for transportation reauthorization for Southern California during these difficult economic times. That vision requires doing more with less as we address some of the most stubborn congestion in the nation and creating the jobs needed to bring the economy back to health. First Mobility 21 recognizes that, in spite of the recession, investment in transportation infrastructure is essential to the creation of jobs and global competitiveness. Second, we acknowledge the benefit of innovative financing tools to stretch local investments. Finally, Mobility 21 endorses the efforts of OCTA and others to expedite and improve the delivery of federal projects to accelerate the creation of jobs.

That regional vision of transportation forms the framework for the efforts of OCTA and other transportation providers in Southern California to work in a new partnership with the federal government in these difficult times. Whether it is the Los Angeles 30-10 program, Riverside County's need for TIFIA funding, or OCTA's capital needs along with our efforts to break down existing barriers to expedited project delivery, we hope that the federal government will continue its important role in the investment of transportation by supporting the kind of regional partnership commitments which we are making here in Southern California.

At OCTA we are more than equal partners in the funding of transportation infrastructure projects. This year will mark the successful completion of \$4.1 billion in locally funded transportation improvements promised to Orange County voters in 1990, when they approved Measure M, a twenty-year half-cent local sales tax program. At the same time, we are beginning implementation of a renewed Measure M program that was approved by nearly 70 percent of our voters in 2006, and is projected to provide more than \$15 billion in new local funding for freeway, regional/local streets and roads, and transit improvements by 2041.

OCTA's six-year plan for federal capital projects has previously been shared with the Committee Chairs and is attached to these remarks. It shows a list of ten multimodal projects intended to attack regional congestion, improve the efficiency of highway, transit and goods movement in and through Orange County, and improve livability in the most populous cities within the County. Most importantly, the plan reflects OCTA's belief that a strong State and local financial commitment must lead the way to project funding. The total cost of this plan is \$3.7 billion, with \$2.61 billion, or over 70%, being provided from anticipated state or local revenues and user fees.

Several key projects in this plan demonstrate the strategic use of limited resources to provide the largest benefit for Orange County. The plan includes two new start transit projects designed to improve mobility in two of the densest parts of Orange County: the Santa government center/downtown area and the Anaheim resort/professional sports area. These two projects were developed from a region-wide OCTA planning process and Measure M commitment to increase the reach of the Metrolink commuter rail system by creating urban circulator systems.

The Santa Ana project is anticipated to be a streetcar system that would travel along a major east-west corridor providing access from the Metrolink commuter rail station through Santa Ana's downtown to the Santa Ana Civic Center, state and federal government offices and courthouses. The system would reduce traffic congestion, reduce emissions, promote livability, support economic development, improve land use and provide a more pedestrian-friendly community in central Santa Ana.

The Anaheim Rapid Connection project is envisioned to operate as a high-capacity transportation system, providing convenient and efficient transfers to Metrolink commuter rail, Amtrak, bus and future high-speed train services at the Anaheim Regional Transportation Intermodal Center (ARTIC). The 3.5 mile system will connect residents, workers and visitors to ARTIC, the Anaheim Convention Center, new mixed use office and residential development in the area and the Anaheim Resort, including Disneyland.

Another project from this plan will address the San Diego Freeway (I-405) in Orange County. This project will add new lanes to eleven miles of I-405 from the Costa Mesa Freeway (State Route 55) to the San Gabriel River Freeway (Interstate 605), generally within the existing right-of-way (ROW).

The project is currently in the environmental clearance phase and there are three build alternatives under consideration, ranging from the addition of one general purpose lane in each direction, two general purpose lanes in each direction and an express lanes alternative, which would add one general purpose lane and one express lane in each direction. Under this last alternative, the new express lane and existing high-occupancy vehicle (HOV) lane would be operated as a two-lane tolled express facility in each direction (consistent with the existing operation of the State Route 91 Corridor) and HOV's would ride free, or be discounted at peak hour. This project may provide an option for the application of innovative procurement techniques and potential private investment.

While we strongly support efforts to build high speed rail in California, we also recognize the need to continue to make improvements to existing rail corridors in order to improve system efficiency and safety. Therefore, the OCTA plan also includes grade separation projects along the LOSSAN Corridor in Orange County. The LOSSAN Corridor, connecting Los Angeles to San Diego through Orange County, is the second busiest passenger rail corridor in the nation, carrying 2.5

million passengers last year. Expanded track capacity in the LOSSAN corridor, using existing rolling stock, could significantly reduce travel times between San Diego and Los Angeles and could be completed by 2016. Continued federal support for high speed rail and federal investment in rail infrastructure will aid in the movement of goods and people in Southern California and improve the economy nationwide.

OCTA hopes that the committees will place an emphasis in reauthorization legislation on funding projects such as the ones contained in the OCTA plan, where federal goals of congestion reduction and livability are being accomplished with a strong local financial commitment and where there is consideration of innovative arrangements to leverage federal funding commitments.

As important as project funding is, OCTA also understands that an important key to creating jobs and improving the economy is efficient, expedited project implementation. It is well known that federally funded projects often take an extraordinary length of time--as much as 14 years-- from the time of funding availability to project completion. This is time wasted in processing that slows down the creation of jobs

Any infusion of construction jobs into the economy at this particular time brings an added benefit. Right now, bids on construction projects at OCTA, throughout California and around the nation are coming in at between 25 and 40 percent below engineering estimates. This means if we can get the funding and build projects now, we can receive more benefit for the public dollars spent. In the past year alone, OCTA has saved \$138 million from construction bids below engineering estimates. This savings will be put to work to pay for other unfunded projects in the county.

In early 2010, OCTA, led by Board Member Peter Buffa, began discussions with top United States Department of Transportation officials and key Congressional leaders regarding the opportunity to unlock the jobs tied up in the federal project delivery process and create jobs in Orange County and throughout the nation. This earlier creation of jobs can be accomplished without the expenditure of massive amounts of federal funds.

OCTA's discussions with Congress and the Administration over the past months have revealed that others in Washington share the view that now is the time to expedite federal funding and reduce the burdensome requirements long associated with major federal projects. The Federal Highway Administration's (FHWA) "Every Day Counts" initiative seeks to identify and deploy innovation aimed at shortening project delivery. The 437 Plan of House Transportation and Infrastructure Committee Chair John Mica (R-FL) is seeking to apply the goal which was achieved in the shortened timeframe it took to rebuild the collapsed Interstate 35W bridge in Minneapolis, to all federally funded projects. President Obama recently authored an op-ed piece in the Wall Street Journal criticizing "absurd and unnecessary paperwork requirements that waste time and money" and issuing an Executive Order to review existing rules that stifle job creation.

The Breaking Down Barriers initiative has been a process of listening and collecting the experiences of OCTA counterparts in California and across the nation. OCTA has reached out to state and local governments, as well as key transportation industry and business associations such as the American Association of State Highway Transportation Officials (AASHTO), the American Public Transportation Association (APTA), and the U. S. Chamber of Commerce for their assistance in this initiative.

OCTA has conducted over 40 confidential interviews over the past four months with project implementers and trade associations in an effort to collect the widest sampling of recommendations as to where changes in the status quo can expedite project delivery. The interviews found that delay in project delivery can be attributed to the following causes:

- a. A misplaced federal focus on **micromanaging** in the name of good project control;
- b. A misplaced reliance on **document length** in the name of **quality**;
- c. A focus on **processing** in place of **advancing** projects;
- d. A failure to adopt a federal, state, and local **partnership** effort to replace the highly **risk-averse attitude** presently associated with federal oversight,
- e. An erroneous belief that **delay** is evidence of **diligence**.
- f. A failure to **penalize delay** and **reward innovation** at the federal and state or local level.

The OCTA final report is still in development, but to date we have identified more than two dozen changes in existing federal law, regulations, or practices which could speed up the project delivery process. These recommendations are grouped into three general areas. The first set of recommendations is intended to shift the federal focus to the outcome of delivery of a transportation benefit. Actions supporting this goal include: providing for universal pre-award spending to state and local entities; clarifying the transportation improvement program amendment process; extending the NEPA delegation authority; removing redundant steps in the environmental review process; and providing for modular or scenario-based conformity determinations.

The second set of recommended actions would encourage federal and state or local project managers to team together for project performance. Actions supporting this goal include: the ability to enter into project and program delivery partnering plans; establishment of "prompt action" provisions at key decision points in the project approval process; establishment of a partnering award program to positively reinforce prompt project action; and creation and funding of liaison positions to move projects through decision chokepoints.

The third set of recommendations focus on strategies that recipients can employ internally, in conjunction with federal funding agencies, to reap time and cost savings. Actions supporting this goal would include the development of transportation program data bases and project information that can be universally accessed; the establishment of a federal grant program for innovative contract management; and investment in the internal capabilities to use innovative contracting mechanisms effectively.

OCTA has specifically reassured the environmental community in California and at the national level that none of the recommendations from the Breaking Down Barriers initiative are intended to eliminate necessary environmental protections related to federal projects. Instead, they are designed to expedite those projects in an environmentally responsible way. OCTA will continue to inform and involve the environmental community and all other interested parties as this initiative progresses.

Three specific examples of proposed process improvements will serve to show that the Breaking Down Barriers initiative is not intended to eliminate necessary environmental requirements. First, the report will recommend the expansion and continuation of the NEPA delegation which was authorized by SAFETEA-LU. California is the only state which took advantage of this program and after over three years the delegation has been an unqualified success, with statewide average time savings between 10-14 months and median time savings between 14 and 19 months.

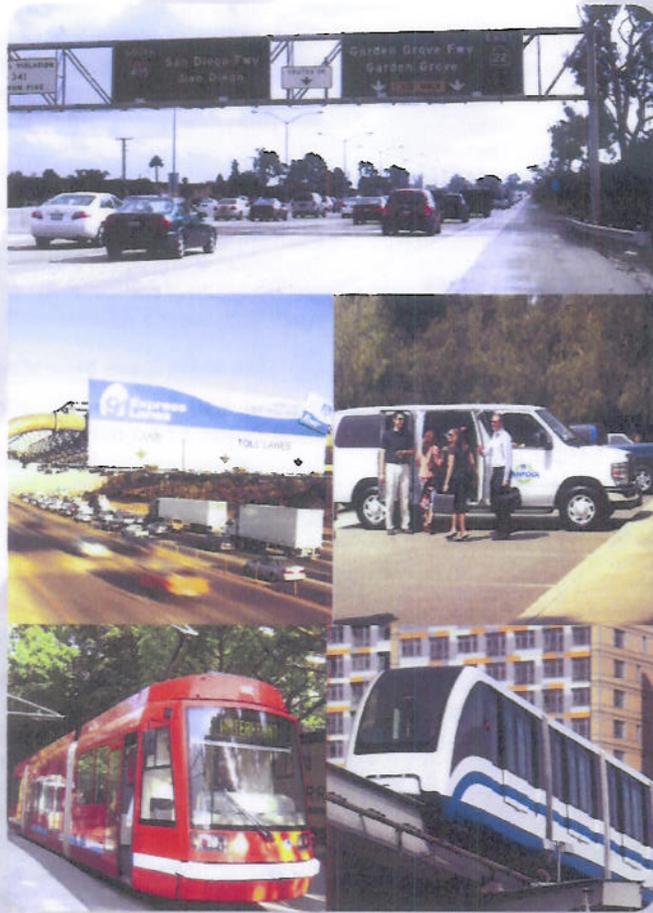
Second, the report will highlight that the planning process should not delay project implementation. Programming power should be delegated to local MPO's to amend the Transportation Improvement Program (TIP) quickly and with minimal federal delay. Once projects are in the TIP, grantees should be trusted to be able to move forward on project implementation, even before formal grants are authorized. This is already true with regard to the transit formula program, but is not the case on the highway side.

Third, the report will advocate for a "prompt action" provision in law whereby federal agencies would be required to act on project approvals within a set timeline. This provision could be coupled with a "carrot" that would waive the timeline where the grantee and the federal agency work together through a voluntary "partnership plan" which sets clear project deadlines and delegates project responsibility to the grantee.

Again, we appreciate the monumental task facing the committees as you work to enact the nation's next transportation reauthorization. We look forward to working with you on this important and critical endeavor. Thank you once again for the opportunity to testify today. I would be pleased to answer any questions from the committees.

Orange County Transportation Authority

# 6-YEAR FEDERAL CAPITAL PROJECTS



December 20, 2010



# FEDERAL REQUEST

	FEDERAL FISCAL YEAR 2012	FEDERAL FISCAL YEAR 2013	FEDERAL FISCAL YEAR 2014	FEDERAL FISCAL YEAR 2015	FEDERAL FISCAL YEAR 2016	FEDERAL FISCAL YEAR 2017	TOTAL FEDERAL REQUEST (IN MILLIONS \$)
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## New Starts

<b>A</b>	Anaheim Fixed Guideway	\$77.6	\$62.4	\$129.1	\$129.1	\$129.0	\$527.2
<b>B</b>	Santa Ana - Garden Grove Fixed Guideway	\$22.3	\$52.0	\$52.0			\$126.3

## Highways

<b>C</b>	San Diego Freeway (I-405) Improvement Project			\$16.2		\$176.0	\$192.2
<b>D</b>	Santa Ana Freeway (I-5) Improvements, Costa Mesa Freeway (SR-55) to Orange Freeway (SR-57)				\$17.5		\$17.5
<b>E</b>	San Diego Freeway (I-5), Avenida Pico to Pacific Coast Highway				\$42.1		\$42.1
<b>F</b>	SR-241/91 Express HOV/HOT Connector			\$40.0			\$40.0
<b>G</b>	Bristol Street Widening		\$13.2	\$74.8			\$88.0
<b>H</b>	State College Boulevard Grade Separation (LOSSAN Corridor)					\$28.3	\$28.3
<b>I</b>	17th Street Grade Separation (LOSSAN Corridor)					\$30.2	\$30.2

## Transit

<b>J</b>	Goldenwest Transportation Center Expansion			\$2.0			\$2.0
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**TOTAL FEDERAL REQUEST** **\$1.09 Billion**

## 6-Year Capital Projects Program \$3.70 Billion



\*The match assumption includes potential revenues from a managed express lanes facility on I-405.

## Summary of Goals and Projects

With a population of over three million, Orange County is the third most populous county in California and the fifth most populous county in the nation. OCTA continues to focus on strategic and high priority county and regional congestion relief projects that improve the efficiency of the highways, transit systems and goods movement in some of the busiest corridors in the nation. The following projects represent \$3.70 billion in investment that will ensure the federal funding is maximized and regional projects are delivered.

### New Starts

#### A Anaheim Fixed Guideway

**Request: \$527.2 million for engineering, right-of-way and construction**  
**Local match: \$148.8 million**

The city of Anaheim plans to build an east/west fixed guideway between the Anaheim Regional Transportation Intermodal Center (ARTIC), the Platinum Triangle and the Anaheim Resort. The system will provide convenient transfers to Metrolink, Amtrak, bus rapid transit, local bus, and future high-speed train services connecting at ARTIC. This connection will link Orange County's backbone Metrolink commuter rail system with the city of Anaheim's major employment and activity centers in the Platinum Triangle and the Anaheim Resort area.

#### B Santa Ana - Garden Grove Fixed Guideway

**Request: \$126.3 million for engineering, right-of-way and construction**  
**Local match: \$36.5 million**

The cities of Santa Ana and Garden Grove plan to build an east/west fixed guideway system between the Santa Ana Regional Transportation Center (SARTC) and key activity and employment centers. The first project phase will connect SARTC with the Santa Ana Civic Center that includes major city, county, state, and federal employment centers. A second phase would extend the project east to the busy Harbor Boulevard transit corridor.

### Highways

#### C San Diego Freeway (I-405) Improvement Project

**Request: \$192.2 million for right-of-way and construction**  
**Local match: Between \$600 million and \$1.8 billion depending on which alternative is selected**

The I-405 Improvement Project will add up to two lanes in each direction for a distance of approximately 11 miles from the vicinity of SR-73 to I-605. One option adds one lane in each direction; the second adds two lanes in each direction. The third option is to operate a managed express lane facility by combining one new lane with an existing carpool lane. This alternative provides additional travel options, congestion relief and generates revenue for the project. In addition, this option adds a new general purpose lane in each direction from Euclid Street to the I-605 interchange.

#### D Santa Ana Freeway (I-5) Improvements, Costa Mesa Freeway (SR-55) to Orange Freeway (SR-57)

**Request: \$17.5 million for final design**  
**Local match: \$17.5 million**

The project will add new lanes in each direction on I-5 between SR-55 and SR-57. This central segment of I-5 experiences high-levels of peak period congestion. The project may include the addition of one carpool lane in each direction to provide a four-lane HOV cross section.

#### E San Diego Freeway (I-5), Avenida Pico to Pacific Coast Highway

**Request: \$42.1 million for construction**  
**Local match: \$204.9 million**

The project will add new lanes for approximately six miles on I-5 between Pacific Coast Highway (San Juan Creek Road) and Avenida Pico interchanges to increase freeway capacity and reduce congestion in the San Clemente area. The project will add one HOV lane in each direction plus auxiliary lanes between on- and off-ramps.

#### F SR-241/91 Express HOV/HOT Connector

**Request: \$40.0 million for construction**  
**Local match: \$200.8 million (including toll revenue)**

The SR-241/91 Express HOV/HOT Connector project provides toll-to-toll connector ramps between the SR-241 and the 91 Express Lanes. The project includes a median-to-median connector that will allow a seamless transition between the two toll facilities to reduce weaving on the SR-91 as well as improve access to the SR-241.

#### G Bristol Street Widening (Phases 3 and 4)

**Request: \$88 million for engineering and construction**  
**Local match: \$12.0 million**

The project will widen Bristol Street to provide three lanes in each direction with a landscaped median from Civic Center Drive to 17th Street and from Warner Avenue to St. Andrew Place through the heart of Santa Ana. The project also includes modifications of traffic signals, 11,400 feet of soundwalls, construction of parkway and cul-de-sacs, landscaping, bus stop pads, new signing and striping and other necessary improvements.

#### H State College Boulevard Grade Separation (LOSSAN Corridor)

**Request: \$28.3 million for construction**  
**Local match: \$66.0 million**

The project will construct a vehicular overpass at State College Boulevard and the LOSSAN corridor in the city of Anaheim. The grade separation will significantly reduce vehicular traffic delays at the existing grade crossing.

#### I 17th Street Grade Separation (LOSSAN Corridor)

**Request: \$30.2 million for construction**  
**Local match: \$72.2 million**

The project will construct a vehicular overpass for 17th Street and the LOSSAN corridor in the city of Santa Ana. The grade separation will significantly reduce vehicular traffic delays at the existing grade crossing.

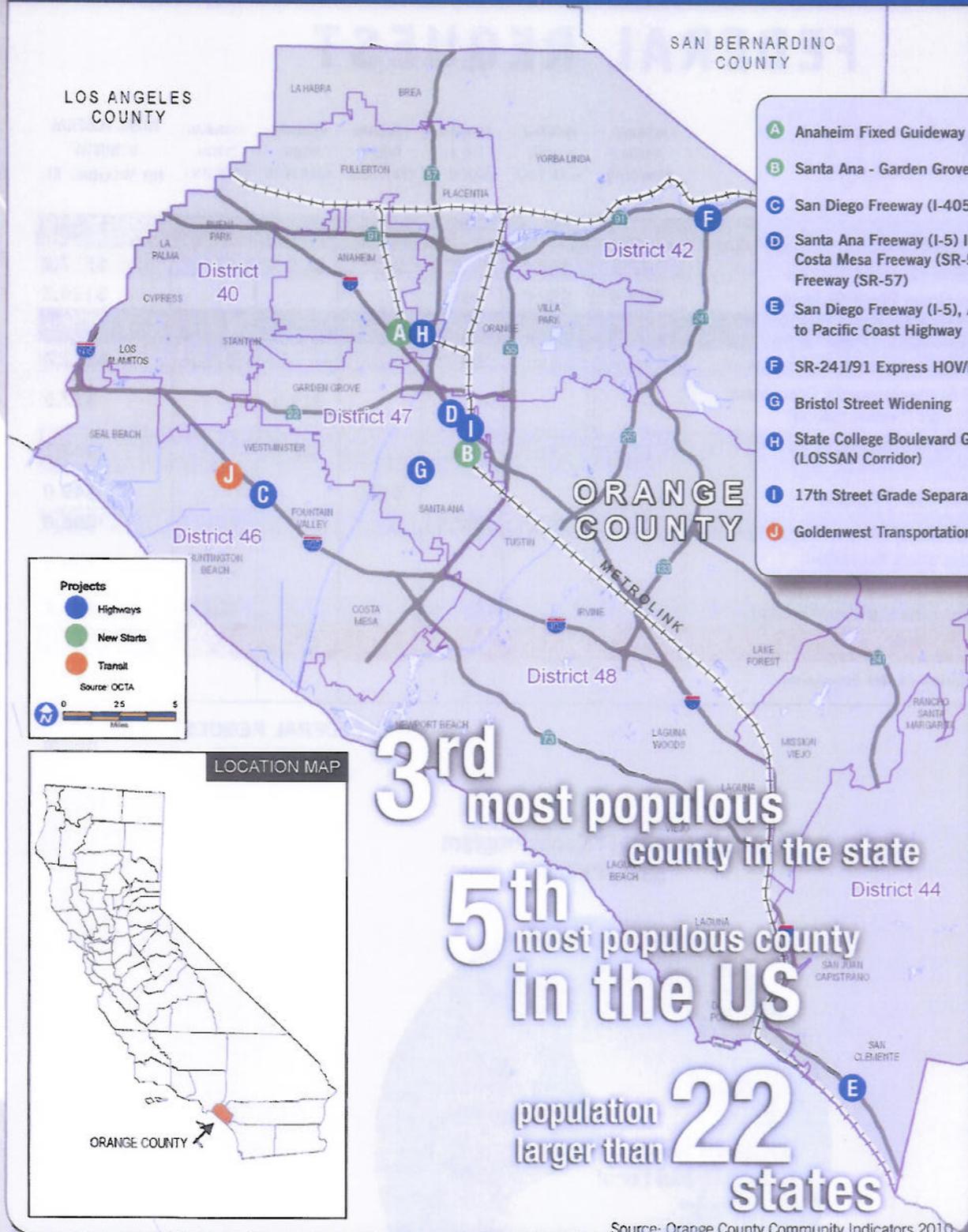
### Transit

#### J Goldenwest Transportation Center Expansion

**Request: \$2.0 million for construction**  
**Local match: \$8.6 million**

The existing OCTA transportation center, located on Center Avenue in Huntington Beach, will be reconstructed to expand park-and-ride and vanpool parking capacity. There are currently 10 bus bays (for express bus and local bus services) at the facility, including approximately 124 parking spaces for passenger vehicles. The existing parking facility operates at 100 percent capacity. The new project will construct a four-level parking garage with approximately 300 parking spaces and will continue to serve as a park-and-ride and bus transfer facility.

# ORANGE COUNTY



- A** Anaheim Fixed Guideway
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**Projects**

- Highways
- New Starts
- Transit

Source: OCTA



**3<sup>rd</sup>** most populous county in the state

**5<sup>th</sup>** most populous county in the US

population larger than **22** states

Source: Orange County Community Indicators 2010



Orange County Transportation Authority

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