



Durham–Chapel Hill–Carrboro Metropolitan Planning Organization

Member Organizations: Town of Carrboro, Town of Chapel Hill, Chatham County, City of Durham, Durham County, Town of Hillsborough, NC Department of Transportation, Orange County, GoTriangle

February 17, 2017

Mr. Van Argabright
 Manager, STIP, Feasibility Studies, and Strategic Prioritization
 N.C. Department of Transportation
 1534 Mail Service Center
 Raleigh, NC 27699-1534

Dear Mr. Argabright:

The Draft FY2018-27 State Transportation Improvement Plan (Draft STIP) was released by the North Carolina Department of Transportation (NCDOT) on December 22, 2016. Over the last two months staff from the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC) and its member jurisdictions have reviewed the Draft STIP. On February 10, 2017, DCHC convened a subcommittee to review and discuss the Draft STIP and generate comments and questions for NCDOT.

DCHC and its member jurisdictions greatly appreciate the willingness of NCDOT staff to take comment and answer questions regarding the Draft STIP. Below are comments and questions that have been developed by staff in preparation for our meeting with NCDOT on March 8, 2017 in Durham. The first set of comments and questions are general and programmatic in nature, the second set regard particular projects that are programmed in the Draft STIP.

GENERAL COMMENTS AND QUESTIONS

Normalization within the Strategic Transportation Investments (STI) Process

DCHC supports a quantitative, collaborative, and transparent process for prioritizing transportation funding, and believes that the STI process generally achieves this goal. Furthermore, DCHC understands that the parameters of the STI law in large part dictate which projects are eventually funded in the STIP. However, normalization is one part of the funding formula that is set in NCDOT policy, and not within the STI law.

Normalization needs to accommodate varying shares of highway and non-highway funding across the State, and those shares will vary depending on the needs and development patterns of each MPO and RPO. DCHC's 2040 Metropolitan Transportation Plan (MTP) projects 42 percent of funding to go for highway projects and 58 percent for non-highway projects (93 percent of the non-highway budget is for transit). The outcome of the Draft STIP through the P4.0 process for DCHC is 89 percent of the funding is for highway projects and 11 percent for non-highway. While the legislative action against the Durham-Orange Light Rail Transit project is a primary contributor to this mismatch, the STI normalization process also affects DCHC's

ability to invest according to our long-range vision. DCHC remains concerned that normalization is not flexible enough to adequately address different needs across the State.

The SPOT 5.0 Working Group is currently discussing four possible methods of normalization. Of these, DCHC MPO prefers the option that would have the minimum non-highway percentage increase to six percent, and the flex percentage drop to four percent. DCHC consistently has major non-highway projects that are unable to be funded due to the current four percent cap, as the bulk of the flex funding goes to highway projects (according to the SPOT 5.0 Working Group, historically 96 percent of expenditures have been to highway projects, and for P3.0 highway expenditures were 95 percent, meaning that over 80 percent of the flex funds are to be spent on highway projects). A single, expensive highway project can absorb a very substantial portion of the flex funding, reducing the funds available for lower-cost non-highway projects. Increasing the minimum funding for non-highway projects will allow for a better chance for competitive projects of all modes to receive funding.

Flexibility in Project Phasing

While the STI law requires that funding be apportioned so projects that score the highest are prioritized to receive funding, there are times that this requirement can lead to projects being programmed contrary to their logical and most efficient sequence, particularly when there are multiple projects within a corridor.

An example in DCHC is the I-40 corridor. In the Draft STIP, a project to install managed lanes is the highest scoring project in the corridor and is therefore scheduled to be funded. However, the greatest congestion issue this corridor currently faces is the need for an improved interchange and grade separation for NC 54 so that cars can exit I-40 efficiently. Increasing the capacity of I-40 without providing a suitable outlet to exit the Interstate will only create a more difficult bottleneck in the future. Because both projects are considered Statewide Mobility, there is no option for DCHC to assign points to either project to allow the interchange improvements to score higher, and the existing ten percent corridor cap effectively halts funding for the interchange improvements.

DCHC requests that, when there is more than one project within a corridor, the MPO be able to work with Division engineers to determine which project receives the priority for funding regardless of score in order for the projects to commence a logical sequence. More specifically, DCHC feels that the interchange and corridor improvements to NC 54, as called for in the I-40/NC-54 corridor study that the MPO completed in 2012, should take precedence over managed lanes on I-40. Furthermore, improvements to NC 54 West in Carrboro and Orange County should be reevaluated after the completion of the NC 54 West corridor study, scheduled to begin in spring 2017. In both of these cases, the corridor study should be used to identify transportation improvements.

Scaling of Fixed Guideway Projects

The SPOT 4.0 process called for criteria scores in all categories that received more than ten project submissions be scaled to facilitate comparison of projects across modes. However,

although fixed guideway was not the only category that received fewer than ten submissions, it was the only mode that was not scaled. This lack of scaling made high scoring fixed guideway projects less competitive for funding than other modes. Fixed guideway projects should be scaled to make them more competitive in scoring across modes. Without assurance that fixed guideway projects will be scaled, an incentive is created to submit knowingly unworkable projects in order to get enough projects into the system to trigger scaling.

Developing a fixed guideway project is very different from a highway project. The bulk of funding is provided through the FTA New and Small Starts processes which have clear criteria that projects are required to address. The FTA criteria serve as a filter for the STI process. Transit agencies do not propose projects that are not competitive for FTA funding. As a result, fixed guideway projects submitted for STI are generally well-conceived projects.

That being said, while scaling will help differentiate the relative quality of fixed guideway projects, it still could result in good projects not being funded. Fixed guideway projects do not fit well within the STI process and more attention and consideration of a better process for competing for State funding needs to be identified. DCHC recognizes that the current STI law limits NCDOT's capability to do this and that this issue may need to be addressed through non-STI funding such as a statewide transportation bond.

Transportation Alternatives Program (TAP) Funding

In previous cycles there have been issues with TAP funds that are available to the State not being utilized. For example, there were significant TAP funds that were not allocated through the STI formula for the FY2016-25 STIP. Additionally, supplemental funding opportunities, such as use of TAP funds for ADA accessibility, were provided on an extremely short timeline that made it difficult for many communities to access the funds; NCDOT should ensure in the future that proper notice is given.

Staff of DCHC and its local jurisdictions would like more information on the amount of TAP funds the State expects to receive during the time period for the Draft STIP, the amount of funds that will be programmed through the STIP, and to which projects those funds will be programmed. If not all of the funds will be programmed, DCHC and local jurisdiction staff request an explanation of what happens to the remaining funding.

Comments Regarding Bicycle and Pedestrian Projects

The rating formula for bicycle and pedestrian projects in SPOT 4.0 overemphasized, in the opinion of DCHC and member jurisdiction staff, the connectivity criterion. By heavily weighting connectivity, it was difficult for any project that did not have two other trails as termini, such as the Duke Beltline trail, to score well. This encourages local jurisdictions to unnecessarily increase the size of a potential project in order to have termini at trails or sidewalks, thus facilitating a higher score on the connectivity criterion. Greater emphasis should be placed on whether or not a project connects residents to businesses and commercial areas.

If the municipal agreements for bicycle and pedestrian projects will require that local jurisdictions reimburse NCDOT for their administration costs, the prioritization cost estimates and STIP need to include these costs in the total cost of the project. These costs are allowed to be reimbursed 80 percent with federal funding. These fees are problematic as they require municipalities to pay for expenses for which they do not have any control or oversight. NCDOT needs to be prepared to justify these expenses should a project audit occur.

Increased Points for MPOs for Regional and Division Projects

Proposed HB 81 clarifies and increases the weight of points MPOs and RPOs can assign for Regional Impact and Division Needs projects. The DCHC Board, as the voice of the elected officials of the jurisdictions with the MPO, should have greater input into transportation decisions within their jurisdictions. NCDOT could make this change independent of HB 81 as the split of Division Engineer and MPO/RPO local input points is not set in the current STI law. DCHC recommends that NCDOT and the work group make this change for P5.0.

Potential Conflict of Highway Projects and Light Rail Transit

There are a number of locations (e.g., Garrett Road in Durham and Manning Drive in Chapel Hill) where there are potential conflicts between highway interchange improvements and construction of the Durham-Orange Light Rail Transit (D-O LRT) project. DCHC appreciates the coordination between NCDOT, local jurisdictions, and GoTriangle thus far, and requests that coordination be prioritized for highway projects that could be in conflict with the D-O LRT project.

Accommodate Future Commuter Rail in Grade Separation Projects

There are two grade separation projects currently in the Draft FY2018-27 STIP (outlined below under specific projects) along the North Carolina Railroad corridor. This corridor is shown in the DCHC and CAMPO Metropolitan Transportation Plan (MTP) as providing future commuter rail service. These grade separation projects need to be built to accommodate commuter rail as well as freight service between Durham and Raleigh. Project funding in the Draft STIP needs to be adequate for this scope.

Greater Flexibility for FAST Act Freight Program

The Fixing America's Surface Transportation (FAST) Act includes a program that specifically targets funding for freight projects. However, under the current STI system that funding is spent according to the formula and not necessarily targeted to freight projects to which it is designed. DCHC recommends that NCDOT look at ways of separating these funds from the STI formula.

Use of Design/Build Process

A number of projects in the current STIP utilize a design/build method. How does NCDOT determine which projects will be design build?

SPECIFIC PROJECT-RELATED COMMENTS AND QUESTIONS

Durham County

I-5702 I-40 Managed Lanes

- This is a very expensive project and due to the corridor cap it precludes other well-conceived, lower cost, shorter term projects from being funded. For example, the I-40/NC 54 interchange improvements, including a grade separation of Farrington Road at NC 54, should be completed before a Managed Lanes project. The City of Durham will work with DCHC and Division 5 to position the I-40/NC-54 interchange project to be funded in P5.0. While the Draft STIP may follow the STI rules for the assignment of funding, the process and legislation need to be modified to allow for more logical phasing of projects along a corridor.

U-5720 US 70 Upgrade from Lynn Rd. to TW Alexander Dr.

- DCHC is pleased to see this project accelerated and proposed as a design build project. The opening of the East End Connector will likely have a significant impact on traffic on US 70.

U-5774 NC 54 Upgrade from US 15-501 to NC 55

- It is disappointing to see that this remains an uncommitted project despite consistently scoring very well in Prioritization. The NEPA study has begun and right-of-way acquisition should be advanced to FY 2022 to make this a committed project. If two years is necessary for the right-of-way phase (as construction was moved to 2025 from 2024), then rather than move the construction phase back by one year the right-of-way phase should have been moved up to 2022 to allow for a two-year process.
- U-5774D-E-F are high priority improvements but were not funded due to the corridor cap on I-40 and the very expensive I-5702 managed lanes project. What happens if the NEPA study recommends that this project be built in conjunction with U-5774C? How will NCDOT ensure that the STI process allows for the logical phasing and combination of project segments?

U-5937 NC 147 Auxiliary Lanes and Operational Improvements from S. Duke St. to Briggs Ave.

- This project was submitted by the Division without input from DCHC or the City of Durham on the scope of the project. As it was a Statewide Mobility category project, it was able to be funded without any local input points. The City of Durham recognizes the safety and congestion issues on NC 147. However, the City has concerns about the scope of the project and cost estimate. NC 147 has historically and currently had a major impact on neighborhoods and businesses of Durham, environmental justice communities, pedestrian and bicycle connectivity, and the economic growth of the City. Any project on NC 147 needs to address these issues, have community support, and provide improvement to these historic and current impacts. We request that NCDOT work with DCHC and the City to more thoroughly study this corridor to define the scope of this project before moving forward with design.

U-6021 Fayetteville Road widening from Woodcroft Parkway to Barbee Road

- When will NCDOT be able to purchase right-of-way for this project? There is a property owner who wants to develop a site, and the City requests that NCDOT do an advance purchase. Can a City purchase of this parcel count towards the local match that will be required for sidewalk construction?

EB-4707 Old Durham-Chapel Hill Road Bicycle, Pedestrian, and Transit Improvements

- The City of Durham requests that NCDOT show the repurposed earmark from the Duke Belt Line in the STIP for U-4707B.

U-5968 City of Durham Upgrade of ITS/Signal System

- The City of Durham requests that NCDOT change the funding to a federal funding source that is able to be applied to functionally classified state and local streets to maximize the number of signals funded by the project. Upgrade of all of traffic signals, both local and state, are necessary in order to realize the congestion relief benefits of the project.
- In the future, the SPOT office should better communicate the necessary local match required for signal upgrade projects earlier in the submittal process. This would allow cities to better anticipate the needed budget for these projects. NCDOT staff also seemed unaware of the eligibility of State signals for federal funding.

U-5823 Woodcroft Parkway Extension

- The City of Durham has concerns that the awarded federal funding may not adequately fund 80 percent of this project. Does NCDOT have a process by which additional funding may be awarded to the project should the cost be higher than what NCDOT estimated in P4.0?
- The City of Durham is required to design the project. Design funds are generally not shown in the STIP for NCDOT-managed highway projects. The City has been told that it can use additional funding for design. The City requests that the Draft STIP include the PE phase and that the cost of the project be increased to accommodate this expense. Is the design funding limited to 10 percent or can it be higher if the City's costs are greater than that amount?
- The City of Durham expects that any municipal agreement for the project will require the City to pay for NCDOT's administration of the project (estimated at 10 percent). NCDOT's P4.0 cost estimate did not include this fee. The Draft STIP should be revised to increase funding so this fee is included.

Duke Belt Line Trail

- The Duke Belt Line Trail was the highest scoring bike/ped project in the State that did not receive funding in P4.0. If any additional funding becomes available through P4.0, this project should receive funding. The project requested \$6.5M in P4.0, but the City would gladly accept any available funding even if it is less than the total requested.
- The Duke Belt Line Trail is a high priority project for the City of Durham and the City has already committed \$2.5M for right-of-way in its FY 2017 budget. In the coming months, the City and DCHC will be considering applying STBG and other local funding to the project. The City requests that the project be included in the Draft STIP to facilitate the potential addition of funding.

P-5717 Cornwallis Road Grade Separation

- This grade separation project needs to be built to accommodate all potential track expansion projects including tracks that may be needed for commuter rail service between Durham and Raleigh. The Draft STIP funding needs to be adequate for this greater scope.

P-5716 Ellis Road Grade Separation

- This grade separation project needs to be built to accommodate all potential track expansion projects including tracks that may be needed for commuter rail service between Durham and Raleigh. The Draft STIP funding needs to be adequate for this greater scope.
- This rail crossing is a significant safety hazard with a fatal crash in recent years. This project scored slightly higher than P-5717 and is lower cost. Why was it scheduled significantly later than P-5717 and therefore is an uncommitted project? Right-of-way acquisition should be advanced to FY 2022.

EB-5837 Third Fork Creek Trail

- Locally delivered projects need to be programmed as committed projects in the STIP so municipalities can proceed with design and budgeting for local matches. ROW acquisition for EB-5837 needs to move into the first five years in order to make this a committed project. This would involve moving ROW acquisition from 2023 to 2022. The City is considering funding design with local funds in the FY 18 budget in the coming months. If so, we request that the current PE be reprogrammed to ROW to make this a committed project.

TD-5286 GoTriangle Transit Corridors – Roxboro Road Access, Stop Improvements, and Bus Shelters

- This project is being delivered as part of a City of Durham funded sidewalk project. The City is working with GoTriangle and GoDurham to include bus stop improvements in coordination with a sidewalk project. No FTA or FHWA funding is going to be used on this project. How can the City access the \$159,000 of State funds awarded to this project? Since no federal funding is being used, we expect that it is not subject to the same requirements as federally funded bicycle and pedestrian projects; please confirm.

Orange County***U-5847 Franklin/Merritt Mill/Brewer/Main Intersection Improvements***

- Because this project was scored as a highway project, should the PE determine that the preferred alternative only include bike/ped improvements, this project should not have to be resubmitted and reprioritized. Doing so would inordinately delay the project and increase costs.

U-5181 Jones Creek Greenway

- The amount shown in the Draft STIP (\$320,000) does not reflect the actual amount of funding (\$421,250). Please explain the discrepancy.

U-5304 US 15-501 Upgrade

- The Draft STIP supplies funding in the Developmental Program for Breaks B, D, E, and F of this project. The Town of Chapel Hill has concerns about construction of an interchange at Manning Drive (Break E), particularly since it is classified as a Statewide Mobility project and therefore was scored with no local input. Additionally, feasibility studies currently being conducted on these segments lean towards use of a superstreet design. The Town of Chapel Hill has concerns with bicycle and pedestrian accommodations within a superstreet, and feels there is a need for further evaluation of the impacts a superstreet would have on these areas.

Chatham County**R-5825 NC 751/O'Kelly Chapel Road Intersection Realignment**

- This project is scheduled for ROW and Utilities in 2019 and Construction in 2020. Is PE/Design scheduled for this project in 2018? Are there local match requirements or other local requirements for this project? Will NCDOT design and manage this project?

EB-5738 & EB-5739 Mt. Carmel Church Road and Mann's Chapel Road Bike Lanes

- These are committed projects from the current STIP and are scheduled for PE and Construction in 2017. Will the costs programmed in the draft STIP reflect either of the new cost estimates? What is the longest these projects can be delayed? If a project is altered, could it be a carryover project in P5.0? Please provide further details about the project's scheduling, NCDOT responsibilities, constraints & requirements of the county.

Thank you for your time and attention to these matters. I look forward to addressing these issues with your staff next month.

Sincerely,

Felix Nwoko, Manager
DCHC MPO

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