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Testimony of: **The Honorable Jacob R. Day**
Mayor
City of Salisbury, Maryland

Testimony provided before the U.S. Senate Committee on Environment and Public Works,
Subcommittee on Transportation and Infrastructure Hearing on “Implementing the Infrastructure
Investment and Jobs Act: Opportunities for Local Jurisdictions to Address Transportation Challenges”

Chairman Cardin, Ranking Member Cramer, and Members of this Committee:

Thank you on behalf of the 35,000 residents of the City of Salisbury, all 157 Maryland municipalities, and local governments across America, for the opportunity to share our story today.

My name is Jake Day. I am the Mayor of my hometown: Salisbury, Maryland. A number of factors shape my perspective: I am a trained architect and city planner. I have spent many years working with small towns and cities on their revitalization; and I have served in various leadership roles with the American Institute of Architects, Smart Growth America, and most recently as President of the Maryland Municipal League, representing the interests of Maryland’s cities, towns, and villages from Port Tobacco with it’s 18 residents to Baltimore with its 576,000 residents.

Today, I come to you as a resident and chief executive of Salisbury; a small but growing city that sits at the center of the Delmarva Peninsula. We are the principal city of the 455,000 resident Salisbury Metropolitan Statistical Area, but we are also a small city anchored in the breadbasket of the Northeast. I like to think of it as the best of both worlds. We are home to Maryland’s second busiest commercial airport and Maryland’s second busiest port. We are crisscrossed by two U.S. highways and are building a robust street, sidewalk, trail, and bike infrastructure network. We are served by a regional bus transit system and at present one micromobility company.

As a local leader, it is my job to try to solve the challenges and reduce the barriers that my citizens face to living the best life they can with the limited resources I have available. Some of those challenges and many of those barriers are simply heavier, stronger, and taller than what I can reasonably fell on my own. And for those factors, we look to our partners in State and Federal government.

The Legacy Landscape of Past Policies

Some challenges are baked into the asphalt, concrete, housing stock, and policy landscape from which we seek to build a better, safer, and more just community. Like most American cities, our city fell victim to progress of its time. Beginning in 1927, U.S. Highway 13 carved through the historic neighborhoods of our core and displaced residents. Again in 1956, U.S. Highway 50 cut through remaining historic neighborhoods, displacing residents. The well-worn tale is as true in Salisbury as anywhere: the displaced and largely erased neighborhoods were home to Black homes and Black-owned businesses, replaced with interchanges and parking lots.

As mobility investments shifted, housing policy followed, as did Civil Rights in America, housing preferences, funding sources and policies that would support and cement each. In Salisbury, federal Urban Renewal dollars were used to buy, clear, and assemble blocks. Meanwhile, local zoning codes prioritized low-density, single-use development which meant that decades of investment would further separate where workers earn their paycheck from where they lay their head at night.

These past policy decisions combined resulted in an inefficient, unjust, and unsafe landscape resembling a checkerboard of single-use development and wasted spaces, all crisscrossed with snaking moats of asphalt and speeding traffic effectively keeping a community from functioning efficiently as one organism. It is our charge to maintain, repair, and rebuild from this context.

Envisioning and Constructing a More Just, Efficient, and Safe Community

Local officials should be trusted more than we have historically been to know what is best for our cities, counties, and towns. Americans trust local government most to respond to their needs.¹ Whatever the ownership and responsibility for a given right of way, rest assured, a concerned citizen is going to call their Mayor, their Commissioner. We are often the first line of response because we are on the ground with our neighbors in feeling the effects of dysfunctional systems and crumbling infrastructure. Setting—and delivering—community priorities is the bread and butter of local government. The Bipartisan Infrastructure Law is a departure from the way things have always been done and the resultant flexibility in allowing communities the right to self-determine their transportation and infrastructure priorities is a welcome change. When infrastructure dollars pass through layers of government further removed from community-articulated priorities, investment slows, as does the returns we expect those investments to produce.

A More Just Salisbury

The distribution of investments past were inequitable and many successive decisions did little to right—or exacerbated—those wrongs. We envision an end to that practice, taking healing actions to make access to work, services, and opportunity easier, safer, and more equitable – particularly for communities put at a past disadvantage.

¹ Americans' Trust in Government Remains Low. Gallup Organization. September 30, 2021. <https://news.gallup.com/poll/355124/americans-trust-government-remains-low.aspx>

This year, I joined Mayors from 7 other cities including Richmond, Providence, Madison, Charleston SC, Duluth, Youngstown OH, College Park MD through the Just City Mayor Fellowship supported by the Harvard Graduate School of Design and the Mayors' Institute on City Design.² In the course of our fellowship, each City team and Mayor identified physical and policy barriers which contributed to the entrenched barriers to a more just community. In Salisbury, barriers to mobility – relating to the aforementioned decisions of the past – represented our most compounding factor in anchoring people to their socioeconomic present and limiting them from choice, opportunity, and freedom.

A Safer Salisbury

We envision an end to transportation system decisions that make it more likely that our citizens will die on our roads for the sake of convenience. When we know the engineering solutions that will save lives – we must fund them. Period.

In 2021 the City of Salisbury joined the Vision Zero community with an Action Plan adopted by our Council. The days of prioritizing the speed of the automobile over the safety of human beings end here. Each year, approximately 36,000 people die in traffic crashes across the United States. These crashes are preventable. Safe mobility is a basic right of every citizen of the City of Salisbury, regardless of the mode of travel or the destination.

A More Efficient Salisbury

A hallmark of the status quo is the inefficient use of limited resources. Dollars, land, energy, material are all treated as more expendable than they are. We envision a city more respectful of the rural landscape around it, the planet as a whole, and the resources it will take to achieve all of our visions.

In 2020, we empaneled an Environmental Policy Task Force that developed twenty-two recommendations on how we can operate more efficiently and sustainably. The report urges the City to lead by example in the region by prioritizing the consideration of environmental ramifications when making decisions with property it largely controls. As a result, and among other things, we have shifted to purchasing 100% of our energy from renewable sources, adopted a stormwater utility, and instituted a ban on plastic bags.

The Bipartisan Infrastructure Law Makes Vision Reality

The benefits of direct allocation of infrastructure dollars to America's cities and towns is being felt in town halls and council chambers nationwide. In Salisbury, we feel strongly that this has become a moment of opportunity where we are being treated more fully as a partner in shaping the destiny of the systems that are fundamental to the function of our community.

² Announcing the 2022 MICD Just City Mayoral Fellowship. Mayor's Institute on City Design. January 18, 2022. <https://www.micd.org/2022/01/18/2022-just-city-mayoral-fellowship/>

Just as importantly, the significant increase in the scale of funding takes a stride toward acknowledging the true scale of the problem. This historic injection of funding helps relieve the stress of what has long felt like a competition for resources completely dwarfed by the scale of the problem.

With adequate resources, and with the trust of our Federal partners, we can get about the business of delivering on our vision of a more just, efficient and safe city. Our priorities, drawn from the vision our community has adopted, includes the following projects that are eligible for funding under the Bipartisan Infrastructure Law.

Urban Greenway

First envisioned in 1960s planning documents, this greenway would traverse our city east-to-west, following the Wicomico River, and providing a non-vehicular path separated from automobile traffic. Pieces have been constructed over the years as distinct elements: our City Park, Zoo, and Riverwalk. In 2017, the City adopted a plan to connect and complete the Urban Greenway.³ Since then, 5 additional phases have been completed.

Route 13 Express Bus

The Salisbury Mobility Enhancement Project will address what has become a significant barrier to employment in Salisbury: reliable transportation between home and work for the underserved populations in Salisbury's urban core. Salisbury was developed in a north-south orientation along U.S. Highway 13.⁴ Our MoveSBY plan identified a transit solution to reduce socioeconomic inequities by connecting the labor force in disadvantaged neighborhoods to jobs. A fixed-route, low headway, express route with small electric buses that parallels the Rail-Trail will provide reliable transit. Each stop along the route will incorporate e-bike/scooter options to travel the final distance to work, home, or the adjacent Rail-Trail. Additionally, the City of Salisbury and our regional transit organization – Shore Transit – are partnering to develop a Downtown Transit Center to connect this express line to other routes in the system.

Vision Zero

2022 was the City's second full year under Vision Zero - the City's mission to end fatalities and serious injuries on the transportation network. To meet that goal, the City installed three brand new protected bikeways, provided significant upgrades to two more, calmed traffic on three streets, dramatically increased ADA accessibility in two low-moderate income neighborhoods and launched the construction of the first fully separated bikeway in the Delmarva region. The work will continue in 2023 with the traffic calming program, expansion of the bike and sidewalk networks, increased automobile safety measures and work on MovesBY - the City's first fully integrated mobility masterplan.

³ Salisbury Greenway Master Plan. City of Salisbury, Maryland. November 23, 2016. <https://salisbury.md/wp-content/uploads/2017/05/urbangreenwaymasterplan.pdf>

⁴ Just City Mayoral Fellowship Final Report. The Just City Lab, Harvard University Graduate School of Design & Mayor's Institute on City Design. October 27, 2022.

Streetlight installation along High Injury Network, corridor redesigns, a slow-zone program, speed awareness & safety program, speed camera and red light camera program, context based speed limit changes, speed humps, roundabouts, signage, pedestrian islands have all resulted in the total number of injurious crashes dropping 19% since Vision Zero was implemented. Meanwhile, the number of fatalities on City owned-streets in 2021 was 0.⁵ This is in stark contrast to the national trend. Pedestrian fatalities are up 62% since they began steadily rising in 2009.⁶ The Safe Streets for All (SS4A) Grant Program is an especially welcome opportunity for investment in these improvements and helps smaller communities like ours compete.

'The Spine' Rail Trail

In 2018, the City adopted the Rails With Trails Master Plan⁷ for 'The Spine' which would run north to south 5.75-miles through the entirety of Salisbury parallel to an existing freight rail line. This route was first included in our 2015 Downtown Master Plan. The Trail simultaneously affords our residents a backbone, off-street connection

It has received Transportation Alternatives Program (TAP) funding which has helped us complete 30% designs on the entirety of the project and 100% design on 2 sections. Construction began in October 2022 on the northernmost portions of the Trail.

Bicycle Network Plan

The City's Bicycle Network Plan⁸ was adopted in 2016 and was the result of our commitment to creating a network for the benefit of citizens and tourists designed to be compatible with bicyclists of all abilities. Funding sources including TAP and State funds have assisted in the design and construction of more than 40 miles⁹ of bike lanes, including numerous protected, separated, multi-user, shared, buffered, and conventional bike lanes and cycle tracks.

The City is now developing the MoveSBY Mobility Master Plan which merges our Bike, Route 13, Urban Greenway, Rail Trail, and other plans into a comprehensive vision of mobility citywide.

Port of Salisbury Multi-User Terminal

Port terminals in Salisbury constitute Maryland's second busiest port by tonnage, after Baltimore, and the port area plays an important role in supplying fuel, aggregate, and agricultural products to the Delmarva peninsula. The Wicomico River's navigable channel is congressionally authorized to be maintained up to a depth of 14 feet, with a width up to 150

⁵ FY 2022 Vision Zero Annual Report. City of Salisbury, Maryland. June 2022. <https://salisbury.md/wp-content/uploads/2022/06/Vision-Zero-Annual-Report-FY-2022.pdf>. Page 12.

⁶ Dangerous by Design 2022. Smart Growth America. <https://smartgrowthamerica.org/wp-content/uploads/2022/07/Dangerous-By-Design-2022-v3.pdf>. Page 4.

⁷ Salisbury Rails With Trails Master Plan. City of Salisbury, Maryland. August 2018. <https://salisbury.md/wp-content/uploads/2018/10/Compressed-Trail-Masterplan.pdf>

⁸ Salisbury Bicycle Network Plan. City of Salisbury, Maryland. December 2016. https://salisbury.md/wp-content/uploads/2020/07/SalisburyBikeNetworkPlan_Adopted_12122016.pdf

⁹ Salisbury Bike Hub. City of Salisbury, Maryland. September 2021. <https://bike-salisbury.hub.arcgis.com/apps/Salisbury::bike-network/explore>

feet. Currently, the terminals on the Wicomico River are privately owned and operated, and the cargo they handle is dedicated to their respective firms. However, thanks to the Bipartisan Infrastructure Law, the City of Salisbury, many of our local port tenants, and the U.S. Department of Transportation's Maritime Administration (MARAD) are working in collaboration to plan for the development of equipment and facilities to support a multi-user terminal. The City received a 2021 U.S. Economic Development Administration grant to complete a Cost-Benefit Analysis of the Port expansion.¹⁰

Water Resources

While not transportation related, the significant increase in funding for water and wastewater infrastructure is a welcome feature of the Bipartisan Infrastructure Law. For our growing community within the Chesapeake Bay watershed, removal of septic systems and subsequent connection to municipal sewer is a priority. We are partnering with our rural neighbors and our County government to apply for funding to remove and replace septic systems.

Additionally, polyfluoroalkyl substances (PFAS) are a significant concern for our community. As we await the outcomes of developing U.S. Environmental Protection Agency standards and the outcome of lawsuits surrounding PFAS, we wish to take action for the safety of our residents immediately. The \$4 Billion appropriation for FY22-26 is a source that we are seeking to fund PFAS treatment and removal in our drinking water.

Each of these projects represents something that would have remained a pipedream or languished due to a deficit of resources, were it not for the Bipartisan Infrastructure Law. There is finally a light at the end of the tunnel for these critical efforts.

Improving Upon the Bipartisan Infrastructure Law

While programs like the Rural Surface Transportation Grant, Safe Streets for All, INFRA, and Reconnecting Communities are all tremendous and welcome improvements over the infrastructure funding programs of the past – we can always continue to make advancements.

The principles of direct allocation, flexibility, human-focus, and increasing appropriations should be preserved in future infrastructure legislation. In particular, rural communities have more opportunity to compete when burdens on applicants are simplified.

We encourage consideration be given to continuing this trend. The SS4A's 10-page narrative and budget (reduced from the typical 25-page narrative and full Benefits-Cost Analysis) was particularly welcome, but remains a barrier that could be further reduced. A standardized portal is recommended. One example worth studying is the Maryland Department of Transportation Bikeways Program Grants portal. This standardizing of the applications amongst parties making it more likely projects can be truly evaluated on their merits, rather than having the presentation of project heavily influenced by the size

¹⁰ Port of Salisbury Multi-User Port Terminal Cost Benefit Analysis. City of Salisbury, Maryland. October 2021. <https://salisbury.md/port-of-salisbury-study>

of the staff of the party applying. In other words, larger entities can produce better application packages because of their inherent resources, regardless of the quality of their proposed projects.

Secondly, the current disbursement methods of formula funds send the vast majority of non-competitive grant funds directly to states with some going to MPOs, generally those with populations in excess of 200,000. This means that smaller urbanized areas, despite having the ability to directly manage federal dollars, will always have to compete state wide for Surface Transportation Block Grant (STBG) funds, including those for safety, against other entities. Lowering the threshold to 100,000 or even 50,000 – the threshold at which an MPO is required – will deliver funding to the points where it is needed faster. Municipalities of this size already take in CDBG funds from HUD in this manner and therefore have block grant management experience.

Lastly, as formula funding that does reach smaller municipalities must pass through the State DOT there are generally conflicts in prioritization between entities. Often municipalities are pushing for safety infrastructure whereas the State DOTs usually prioritize throughput. This leads to frequent low-grade conflicts in design that often generate a project that reflects the fact that design was a series of compromises that no one really liked but could tolerate. The result is often a facility that is *safer* than what existed before but not truly safe, efficient or sensible.

Conclusion/Summary

One year on from the adoption of the Bipartisan Infrastructure Law, the view from City Hall is an optimistic one. In my opinion, this law makes us feel like more a trusted partner than before. We were trusted as the best representatives of our communities' visions and to be accountable for delivering on them. My city will be more just, safe, and efficient as a result of you placing that trust in us and providing us additional resources with which to deliver. Thank you for your confidence, your attention to this important matter, and your hospitality today. I remain available for any questions you may have.