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U.S. Senate Date: Tuesday, November 15, 2022

Committee on Environment
and Public Works

Subcommittee on Transportation and Infrastructure

Washington, D.C.

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IMPLEMENTING IIJA: OPPORTUNITIES FOR LOCAL JURISDICTIONS TO ADDRESS TRANSPORTATION CHALLENGES

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The committee, met, pursuant to notice, at 2:40 p.m. in room 406, Dirksen Senate Office Building, the Honorable Benjamin L. Cardin [chairman of the subcommittee] presiding.

Present: Senators Cardin, Cramer

Also present: Senator Carper.

STATEMENT OF THE HONORABLE BENJAMIN L. CARDIN, A UNITED STATES SENATOR FROM THE STATE OF MARYLAND

Senator Cardin. The Subcommittee of Transportation and Infrastructure of the Environment and Public Works Committee will come to order.

Today's subject is implementing the Bipartisan Infrastructure Bill from local jurisdictions to address transportation challenges. It is a hearing that I have been looking forward to for a long time. This is the one-year anniversary of President Biden signing the Bipartisan Infrastructure Bill.

I first of all want to acknowledge and thank Senator Cramer, the Ranking Republican on the subcommittee, for his cooperation in putting together today's hearing. We both want to thank Senator Carper and Senator Capito, the Chairman and Ranking Member on the Environment and Public Works Committee, for allowing us to go forward with this hearing.

As I said, this is the one-year anniversary of President Biden's signature on the Bipartisan Infrastructure Bill. But I think we all take great pride on this committee, the Environment and Public Works Committee, because we gave the foundation for the Bipartisan Infrastructure Bill by the work of this committee.

We passed, over a year ago, the Surface Transportation Reauthorization Act, a $303 billion program for our roads and bridges. It was the largest program ever passed by Congress, and it

passed unanimously in this committee. That is no easy task, to get a unanimous vote on such an important bill. It laid the foundation for the Bipartisan Infrastructure package, so we take great pride in the work of getting that done.

A major national effort to deliver infrastructure we need to sustain our competitiveness and our economic strength for future generations, new opportunities for our workforce. This bill is a lot about jobs, creating good jobs here in America, modernizing our infrastructure.

A lot of us have traveled to other countries in Europe and Asia. We look at their infrastructure and wonder, what are we thinking? We have to do better. Well, we are doing better by the passage of this bill.

We advanced equity and we advanced safety with the bipartisan action, and we met the challenge of climate change. I will talk about this a little bit later. I just got back from COP27, which is the environmental conference that was help in Sharm El-Sheikh, Egypt. I must tell you; the Bipartisan Infrastructure package was front and center. Americans were welcomed because that bill did much to deal with our obligations in regard to climate issues.

There are opportunities for all States, so yes, I am going to talk a little bit about Maryland, because I am proud of what we are able to get done through this bill in Maryland. There are many, many examples. I am just going to give you a few concrete examples.

Our multimodal transportation hubs were dramatically helped by the passage of this bill. A grant to the Baltimore Penn Station, which is going to have a new life, for the Baltimore Metropolitan area, New Carrollton Station in Prince George's County, which is the major hub for multimodal transportation in the Washington communities, both are going to be seeing substantial funds as a result and have received substantial funds.

We have many bridges. We can mention the dozens of bridges that have already been worked on in Maryland. We have 270 that are in need of serious repair. I know Mayor Day will talk a little bit about the Eastern Shore. There are a lot of bridges and a lot of water on the Eastern Shore, so there are a lot of bridges on the Eastern Shore, and many are in need of attention. In Prince George's County, they got $560,000 to replace two bridges. That is just an example of what has already been acted on in the legislation.

Today, we are going to look at it through the eyes of local government. Why? Because local government officials know their community best. They know what is needed for quality of life. They know what is needed for economic growth. They know where the priorities are in using transportation infrastructure to improve their communities.

I am extremely proud of legislation that I originally authored with Senator Cochran of Mississippi, the Transportation Alternatives Program. In the Bipartisan Infrastructure Bill, a substantial

improvement was made in the Transportation Alternatives Program by an initiative that I initiated with Senator Wicker, again, from Mississippi. This is a bipartisan proposal.

We now have 10 percent of the surface transportation block grant programs devoted to Transportation Alternatives Programs. These are programs that are competitive but are requested by local governments. The State makes the grants, but these are local programs to help local communities. They are for sensible things that you need to get people around safely, like sidewalks, pedestrian paths, bicycle paths. These are improvements to deal with the everyday needs of your community.

Local government equity is also included in the bipartisan proposal. Reconnecting Communities is a program I am particularly proud of because, you see, we have had transportation programs in our community that have divided communities and worked against their individual interests. Come to Baltimore and see the Franklin-Mulberry Corridor. We call it the highway to nowhere, because it is a highway to nowhere. But it caused a lot of damage. It dislocated 1,500 Black residents, and those communities are still hurting today.

The Reconnecting Communities allows us to bring these together to strengthen local communities. We now have a program which local governments can help us design to look at transportation programs that were not designed to help the local community because we were trying to get people out of cities or out of areas, and it divided

communities. How can we use those funds? We need your input to deal with that.

Local governments can make a real difference on safety issues. Safety issues to me are extremely important. We had a record number of deaths in highway accidents the first six months of this year, over 20,000 fatalities.

I can mention several in my own State, but I will mention just one, a Foreign Service officer, Sarah Langenkamp, from my State of Maryland, who was biking home from her son's elementary school when she was killed. Bike safety is something that we can do much better with. The Transportation Alternatives Programs can be used for that purpose as well. We have authorized for the Safe Streets and Roads, another program, to help in regard to safety, $5 billion over the next five years.

Lastly, in advancing climate agenda. When you have sidewalks, you have safe bicycle paths where people can walk rather than taking cars, when you deal with the heated community centers, that we can cool down by having a recreational space to help the transportation programs, when we combine that with the monies we put in the Bipartisan Bill for electric vehicles and the infrastructure for electric vehicles, local governments can make a difference in meeting our needs on climate. That was one of the major things we had at our COP27 meeting.

There is a lot to talk about with our local officials: safety,

equity, climate, quality of life, economy, jobs, and how local communities can help us meet the objectives of the Bipartisan Infrastructure Package.

We have a really distinguished group of witnesses that I am looking forward to hearing from. We will give you your introductions, but first, I want to turn it over to the distinguished Ranking Member, Senator Cramer.

[The prepared statement of Senator Cardin follows:]

STATEMENT OF THE HONORABLE KEVIN CRAMER, A UNITED STATES SENATOR FROM THE STATE OF NORTH DAKOTA

Senator Cramer. Thank you, Chairman Cardin. Thank you to all of our witnesses.

Mr. Willox, I want to say right away that your Senator, Cynthia Lummis, grabbed me on my way out of lunch. I am the first person to leave what is clearly the most entertaining lunch in D.C. this week, if you are easily entertained. Anyway, she grabbed me and said, would you please apologize to Jim for me, and tell him I am so sorry, but if you carry that ball, she said, she will give me notes on the lunch. Anyway, I just wanted to express that right away.

Thank you all for being here, and thank you, Chairman Cardin, first of all, for this timely and important hearing and for your leadership. It really was, for those of you who think that we never do anything together, it is because no one really reports on the things we do together. This was a joy, it really was, to work on this bill.

It turned out to be a good bill, not just one I sort of grudgingly supported, but one that I am happy to champion. I am especially pleased with the cooperation between the two parties and the four people that lead, all whose names begin with "C," strictly coincidental.

Anyway, today's hearing is to talk about the role of local government and local leadership in implementation and to get your

feedback. Even the best strategies and the best plans in the world have to be assessed. I think one year later is a good time to do that. Thank you for that opportunity.

During the bill's negotiations, I really did put a strong emphasis on making sure that rural and local communities and their role in the funding formula was maintained, the 90-10 split that you are all familiar with, and really, I don't think, with much pushback. I don't want to imply that it was a hard, difficult thing to conclude, but it was important. It recognizes the role of rural communities as much as anything, the role of a system that recognizes the East Coast and the West Coast, the Canadian Border and the Mexican Border, can only work if it is all hard covered. We can't reserve a few hundred miles here and there for dirt.

Thank you for that. It was a joy. It really does ensure that our States and localities have consistent funding. Very important, as you know, particularly as we face these high prices we have today with inflation, that consistency and counting on consistent funding is so important.

The other things that we worked hard on and I was very pleased by was the codification of the One Federal Decision policy, hard-fought. Right now, I think people on all ends of the spectrum, of the philosophical spectrum, can see the value of that, whether you are siting, whatever it is you are trying to permit, you may be for that or you may be against it, for this and against that, having a

consistent regulatory regime that recognizes that streamlining doesn't mean compromising the integrity of the process, I think, it was a successful conclusion. I want to talk a little bit about that. I will be very interested in some of your experiences with the One Federal Decision and where we are in that.

Obviously, and I have a North Dakotan here that I will get to introduce here in a little bit, but there were a lot of wins in it for my little State of North Dakota. We are literally, there is even a monument to prove it, the center of the North American Continent, in North Dakota. We are a long way from everybody that wants the things that we produce, whether it is food or energy. Getting it to market is important. This one includes a lot of wins for North Dakota, but it is really more about the Country than just one State.

Now, the codification of the One Federal Decision was a priority item, as I said, for other committee members as well as myself, but it was a significant policy win and something that I have loudly applauded. Frankly, I think it should be duplicated in other areas of permitting reforms. But it is also one of the things that I am most concerned about. That is why I am going to be interested in what you all have to say about its enforcement.

Implementation is far from complete. In fact, a year after being signed into law, especially as the Administration still has no specific plan as to how they intend to meet the law's goal of the two-year average of project reviews. That is really unacceptable,

especially like I said, the clock is ticking; the calendar is moving; inflation is real. We need to have some certainty.

Permitting certainty and improved efficiency for infrastructure projects only comes if the agency, the United States Department of Transportation, makes it a priority. As our last hearing on this confirmed, State and local communities want and need predictable and expeditious permitting.

Similarly, the bill included language to expedite NEPA reviews for oil and gas gathering lines if it led to the reduction of reduced methane. Win-win. I am a person, as is I think Senator Cardin is, who believes that not every transaction in this town requires a loser. There can be winners on both sides of transactions, and I think this is one of those situations. If you can demonstrate a reduction in methane, then we ought to have a faster NEPA process.

I had a hearing in the Energy and Natural Resources Committee, and Secretary Van Hollen acknowledged the expediting authority by saying "we will move that forward as we can." See, as we can isn't a word that is consistent with expediting.

Responses like these don't exactly inspire confidence, not in our local communities, our States, nor in the industries that build roads. I know that Secretary Buttigieg has said he is "working on it" as well, but to anyone paying attention, it is pretty clear it is not a high priority.

Anyway, the main goal here is to hear from you all. I want to

get to that, and we will ask some questions. I hope we have some more participation by the committee members, but I wouldn't count on a lot of Republicans getting here anytime soon, Mr. Chairman.

[Laughter.]

Senator Cramer. Thank you all.

[The prepared statement of Senator Cramer follows:]

Senator Cardin. As Senator Cramer has pointed out, this is our first day back. Our two caucuses are meeting. There was some interest in debating what happened last Tuesday, so there is a lot of distraction here today. So we apologize if members are not here. Some will, I think, come and go. But I can assure you, the record of this committee hearing is going to be extremely important in our work.

I will just make one observation, Senator Cramer, on the permitting. This committee worked very well together on the permitting provisions. It could have been pretty contentious. But we listened to each other, and we learned from each other, so I just want to thank my colleagues. I came to this discussion with a different view, but it was convinced that we had to make the progress that we were able to do in the bill. I think when we work together, we can really get good things accomplished.

With that, I am going to introduce either two or three of the witnesses today, and Senator Cramer will introduce one or two. We will see how that goes along.

I want to first introduce my mayor, Mayor Jake Day. I do not live in Salisbury; I live in Baltimore. But Mayor Day is an extraordinary leader in our State and the Mayor of Salisbury, the 28th Mayor of Salisbury. He was first elected to the city council at the age of 30 and was unanimously elected president of the council at one point.

He spent his career revitalizing downtowns and making them more vibrant, living places, and that is true in Salisbury. He has worked for the Eastern Shore Land Conservancy, and was, in 2021, elected president of the Maryland Municipal League, which is not an easy political assignment. I am very proud that he is a major in the U.S. Army, a veteran of the global war on terrorism. We thank you for your service to our Country and your service to our community.

We are also joined by Michael Carroll. Michael Carroll is the Deputy Managing Director of the Office of Transportation and Infrastructure Systems and President of the National Association of City Transportation Officials. Michael is a creative and nationally respected leader with more than 25 years of experience in transportation.

Deputy Carroll coordinates and sets the policy directions for critical functions, including streets, both transportation and sanitation, the Philadelphia Water Department, as well as the newly created Office of Complete Streets. His oversights include infrastructure systems that make up more than 9,500 transit stops, 2,500 miles of streets, 320 bridges, 450 lanes of bike facilities, 1,000 Indego bikes, and 100 Indego stations, 6,500 miles of sewer and water lines. If you walk those every day, you could certainly get your exercise. It is a pleasure to have you here with us today.

I think, Mr. Willox, your introduction was supposed to be given. I am more than happy to introduce, or would you like to make the

introduction for the next two witnesses?

Senator Cramer. I kind of want to.

Senator Cardin. Okay.

Senator Cramer. Yes, I kind of want to.

Jim Willox, the reason I want to do it is because you are from a territory kind of like mine, but more importantly, because you have chosen to be a leader in an institution that, next to church councils, has got to be the hardest in the world, and that is county commissions. Honestly, that is where the rubber literally meets the road.

I know Mr. Willox is testifying on behalf of county commissioners around the Country, the National Association. He is a chairman, not only a commissioner with Converse County, but with Wyoming County Commissioners Association. He previously served as an officer, this is really amazing to me, Officer of the Converse County Stock Growers, Douglas Moose Lodge, and the Douglas Board of Realtors. Currently Chairman of the Wyoming Lottery Board, Mr. Willox and his wife, Tione, currently own and operate Willox Properties.

My only question is, what do you do in your spare time? Honestly, I know you have testified before Congress a couple of times before. Welcome. We are always glad to have a county official with us, for sure, especially on transportation issues, right?

Now, we are glad to have Jason Benson with us. Thank you,

Chairman Cardin. It is really a privilege to introduce Jason, who serves as the County Engineer for Cass County, North Dakota. For those of you not familiar with the rectangular blank spot in the middle of the North American Continent called North Dakota, Cass County is where Fargo, our largest city, resides.

Other than Fargo, it is a very rural county, as well, right on the Minnesota border. He has been an invaluable asset to my office during the development and the implementation of both the Infrastructure Investment and Jobs Act and the Water Resources Development Act. I am glad he is able to join us today so that the committee can receive his expertise as well.

I do want to say, as a side note, that he is not only in D.C. today for this hearing. Yesterday, Jason attended a graveside service at Arlington Cemetery for his great-uncle, Army Private First-Class Robert Alexander, a North Dakotan from Tolley who gave the ultimate sacrifice during World War Two in the Pacific Theater. Until recently, his remains had not been identified, but Jason and his father were able to attend the full honor service yesterday, bringing a welcome conclusion to what had been a long and open-ended saga.

I wanted to take a minute to highlight Robert Alexander's exemplary service to our Nation, Mr. Chairman. Jason himself has followed in his great-uncle's footsteps, serving 33 years in the United States Army and the Minnesota Army National Guard, including

four overseas combat or peacekeeping deployments. Jason has worked for Cass County for 22 years and manages the infrastructure of nearly 637 miles of roads, over 564 bridge structures, and an annual budget of $20 million.

I am going to skip the rest of the resume, because, I think your testimony, like the rest, will speak for itself and your expertise. Thank you all for being here.

Senator Cardin. Once again, we thank our witnesses. Your entire statements will be made part of the record. You may proceed as you wish. We ask that you try to summarize your testimony in approximately five minutes. If you go over a minute or two, we are not going to complain.

Mayor Day?

STATEMENT OF THE HONORABLE JAKE DAY, MAYOR, CITY OF SALISBURY, MARYLAND

Mr. Day. Chairman Cardin and Ranking Member Cramer and members of the subcommittee, thank you so much for your hospitality today. Thank you on behalf of my constituents and local governments across America for the opportunity to share our perspective.

My name is Jake Day. I am a trained architect and city planner. Most recently, I served, as you mentioned, Senator, as President of the Maryland Municipal League, representing the interests of Maryland's cities and towns from Port Tobacco with its 18 residents to Baltimore with its 576,000 residents.

Today, I come to you as mayor of my hometown, Salisbury, Maryland. It is a small but growing principal city of the 455,000 resident Salisbury Metropolitan Area, which sits at the center of the DelMarVa Peninsula, the breadbasket of the Northeast United States. 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. We have a robust trail network under construction. We have one regional bus transit system and even a micromobility company.

As a local leader, it is my job to try to solve the challenges that my citizens face to living the best life they can with the limited resources that I have. But some challenges are simply

stronger and taller than I can reasonably fell on my own. For those factors, we look to our partners in the Federal Government.

Many of the mobility and infrastructure challenges are baked into the asphalt, the concrete, the housing and policy landscape. Like most American cities, ours fell victim to the progress of its time. In 1927 and again in 1956, two U.S. highways were cut through our city and displaced residents.

The well-worn tale is as true in Salisbury as anywhere that most of the displaced and largely erased neighborhoods were home to Black families and Black-owned businesses and replaced with interchanges and parking lots. Federal Urban Renewal dollars were later used to clear blocks. Local zoning codes prioritized low-density and single use development, meaning decades of investment further separated where workers earn their paycheck from where they lay their heads at night.

These past policy decisions combined resulted in an inefficient, unjust, and unsafe landscape, effectively keeping a community from functioning efficiently. It is our charge now to rebuild and repair from that context.

The Bipartisan Infrastructure Law is a departure from the way things have always been done, and that is a welcome change. When infrastructure decisions are further removed from the communities where we articulate our priorities, investment and the return on investment is slowed.

In Salisbury, we articulated three such priorities: one, to build a more just city, taking healing actions to make access to work, services, and opportunity a little bit easier, safer, and more equitable, particularly for communities put at a past disadvantage.

This year, I joined mayors from seven cities from across America in the Just City Mayoral Fellowship, and we worked to identify policy barriers and physical barriers to progress in our communities. Mobility represented the single most significant challenge.

Two, a safer Salisbury. We envision an end to transportation system decisions that make it more likely that our citizens will die on our roads. When we know an engineering solution that will save lives, we must fund them, period. In 2021, Salisbury adopted Vision Zero policies prioritizing the safety of human beings over convenience.

Number three, a more efficient Salisbury. A hallmark of the status quo is the inefficient use of limited resources, whether it is dollars or land or energy, material, they are all treated as more expendable than we know they are. We envision a city more respectful of the rural landscape around us and the planet as a whole.

I believe 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 to respond to their needs. Whatever the ownership of a given right of way, you can rest assured, your county commissioner or mayor has been called about it.

Setting and delivering community priorities is our bread and butter. The benefits of direct allocation of infrastructure dollars to America's cities and towns is being felt in town halls and city 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 our destiny.

With adequate resources and through programs like Safe Streets for All and Transportation Alternatives and with the trust of our Federal partners, we can get about the business of delivering on the vision of a litany of projects, each of which would have remained a pipe dream or languished due to a deficit of resources were it not for the Bipartisan Infrastructure Law.

The principles of flexibility, human focus, direct allocation to local governments, and increased appropriations should be preserved in future infrastructure legislation. In particular, rural communities have more opportunity to compete when burdens on applicants are simplified. 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 is a powerful signal that we are a more trusted partner to our Federal representatives than ever before. 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.

I want to thank you for your confidence. I want to thank you for your attention to this critical matter for our Nation and for your time today.

[The prepared statement of Mr. Day follows:]

Senator Cardin. Thank you, Mr. Mayor.

Mr. Carroll?

STATEMENT OF MICHAEL CARROLL, P.E., DEPUTY MANAGING DIRECTOR, OFFICE OF TRANSPORTATION AND INFRASTRUCTURE SYSTEMS, CITY OF PHILADELPHIA, PENNSYLVANIA

Mr. Carroll. Good morning, Chairman Cardin, Ranking Member Cramer, and members of the subcommittee. On behalf of Mayor Jim Kenney and the City of Philadelphia, I am profoundly grateful to testify.

I am Mike Carroll, Deputy Managing Director of the Office of Transportation, Infrastructure, and Sustainability. As was mentioned, I oversee the Philadelphia Department of Streets, the Philadelphia Water Department, and the Office of Sustainability. I am also interim President of National Association of City Transportation Officials.

Philadelphia's 2018 Strategic Transportation Plan celebrates the connection between the quality of our infrastructure and the tangible benefit to people's lives. These values match those of the Bipartisan Infrastructure Law.

After decades of neglect, this is crucial if we want to ensure that world class infrastructure remains at the center of the Americans' agenda. We place every effort to align our infrastructure priorities with those of our constituents. I appreciate Senator Cardin's mention of the large inventory of assets that we manage. These assets are well-used.

Our main regional transit authority, SEPTA, carried over 100

million riders last year, after the pandemic. In some areas, nearly 20 percent of our commute trips are made by cycling.

In our center city, several corridors carry 30,000 pedestrians per day. Our historic city retains its colonial-era character with great pride, and it isn't physically possible for us to move enough people without robust options for transit, biking, and walking. The Bipartisan Infrastructure Law strengthens our hand to deliver these safe transportation alternatives.

Many Philadelphians rely on our trails and bike network to conduct their daily lives. We are eager to implement $4 million in grants from the Transportation Alternatives Program to improve walking and biking safety around schools, to add pedestrian and bike connections to the jobs at the Philadelphia Navy Yard. This funding will also help complete Philadelphia's section of the East Coast Greenway from Maine to Florida. The ways infrastructure binds our Country together are more than just symbolic.

We agree with the law's emphasis on equity as well, because addressing social inequality means more opportunity. On a section of US Route 1 in Philadelphia called Roosevelt Boulevard, we used CMAQ funds to create high quality bus stations and express transit service. People once stood in patches of dirt next to a 12-lane highway, waiting to take a circuitous bus ride to their destination.

In one year, the new service had a 17 percent increase in ridership, the highest increase in the whole system. One person told

us the shorter travel times saved her job.

We will seek more funding to extend this to other parts of Philadelphia, and this will be one key to updating the entire bus network. One neighborhood will have 65,000 more jobs accessible within a 45-minute bus ride than can be reached today.

The list of projects we need requires us to grow our talent pool aggressively. USDOT's recommitment to on-the-job training, disadvantaged business enterprises, and flexibility on local hiring sets a bar for our own local efforts. Our recently awarded $25 million RAISE grant will help us take on a host of infrastructure challenges in seven historically disinvested neighborhoods around the city. We can now make safety improvements to roads where nearly a thousand people have been involved in traffic crashes in recent years. We will be paving streets that haven't been paved in more than a quarter century.

We will also use community engagement around our projects to point people to jobs and contracting opportunities. These projects shouldn't just change the physical conditions of the neighborhoods; they should contribute to the life prospects of the people who live in these neighborhoods.

Direct aid to cities is something else we appreciate. I was thrilled to join FHWA, Amtrak, SEPTA, and the Pennsylvania Department of Transportation to celebrate the city being awarded $1.5 million in Direct Bridge Improvement Program funding. Our project will pilot

strategies to accelerate bridge rehabilitation over electrified rail lines. Although Philadelphia will immediately benefit as a community from these improvements, the model will serve our whole State and communities across the Country in the long term, as well.

We are proud to propose a project called Reconnecting Our Chinatown for the Reconnecting Communities Program. This takes up Secretary Buttigieg's direct challenge to the City of Philadelphia to fix the harm done in carving our Chinatown community in half with the Vine Street Expressway in the 1990s. We developed a CAP project to provide neighborhood space overtop of the roadway without impacting throughput on that vital artery.

In general, the mix of approaches present in the infrastructure law provides excellent alignment of resources to the infrastructure needs we experience at the local level. We are very grateful. At the end of the day, we need Congress to stay focused on infrastructure, though. Even with this historic investment, the legacy of neglect and underinvestment will still persist. Our steady attention will allow us to finally turn the page on an era of crumbling infrastructure around the United States.

Senators, I want to thank you deeply for the opportunity to share my thoughts with you all today. This ends my testimony.

[The prepared statement of Mr. Carroll follows:]

Senator Cardin. Mr. Carroll, thank you very much for your testimony.

Mr. Willox?

STATEMENT OF JIM WILLOX, CHAIRMAN, CONVERSE COUNTY COMMISSION, CONVERSE COUNTY, WYOMING

Mr. Willox. Thank you, Chairman Cardin and Ranking Member Cramer. I really appreciate the opportunity to be here.

I have been a commissioner for 16 years, and I currently serve as chairman of our local board and President of the Wyoming County Commissioners Association, and I am here today on behalf of the National Association of Counties, as well. I can assure you, roads are a top priority for commissioners.

Converse County is located in Central Wyoming, and just like two-thirds of America's counties, we are considered rural. Converse County is home to the Country's largest uranium mine, significant oil and gas reserves, five wind farms, solar potential, and sprawling cattle and sheep ranches. We are critical to the United States' natural resource and energy production.

County governments own 44 percent of public roads and 38 percent of the bridges, more than any other level of government. Counties invest annually over $60 billion into the construction, maintenance, and operation of our transportation system. To paraphrase an old saying, a road is only as good as its weakest mile. The connectivity of interstates and U.S. highways to gravel county roads and one-lane bridges is vital. If you can't get to the interstate, what good is it?

We are pleased to see that infrastructure continues to be a

bipartisan topic, not red or blue, but red, white, and blue as a topic. We want you to know that America's counties are working to deliver transformational infrastructure projects for our residents, and our counties continue to need a responsive Federal partner.

In Wyoming, the IIJA will help us repair and rehabilitate 45 local and off-system bridges. Many of these bridges are low volume and could be only one lane, but they may be the only connection to emergency services, economic operations, or schools.

The IIJA significantly increased the number of competitive funding opportunities and created new programs, such as the Bridge Investment Program, which has been vital for counties in Wyoming and across the Nation. The Rural Surface Transportation Block Grant and the new Safe Streets for All Programs are also important new opportunities.

As we look forward, Federal policymakers should eliminate obstacles and ensure the timely establishment and rollout of competitive grant awards. Counties believe that the new practice, such as using a common application for multiple funding opportunities at the U.S. Department of Transportation has implemented is a step in the right direction.

One of the best things in the bill, and you have referenced it, is the One Federal Decision. We support and applaud that effort. However, two obstacles still remain. The Buy America provisions, which we support in concept, and I think we all do, should be applied

in a commonsense, flexible way that appreciates any lack of domestic availability or grand costs inconsistent with the public interest as we balance stewardship of taxpayer dollars with the policy goal of building domestic capacity. Waivers should be issued accordingly.

Streamlining the Federal permitting process is a longstanding priority of local governments. One Federal Decision is a step in the right direction, but the NEPA process is still cumbersome and counterproductive. There is little to no reason to go through the NEPA process to work or replace a county road or bridge that has been in place for decades. The NEPA in this case only adds costs, delays, and frustration to the real goal of implementing and improving our transportation system. That is saying that we believe that the categorical exclusion needs to be expanded further and more flexibility allowed.

While county officials appreciate the creation of dozens of new opportunities in this bill, we do not believe competitive opportunities should come in lieu of the continued direct Federal funding for locally owned infrastructure.

When the national transportation system is considered, too often, only Federal highways come to mind. A fellow commissioner of mine must use gravel and paved county roads, city, State, and Federal highways when delivering his cattle to market all in a two-and-a-half-hour trip. In resource rich Northern Converse County, workers take similar trips every day to help energize our Country.

Breakdowns in the supply chain can be mitigated at the local level if we are equipped to do so, which includes having the maximum flexibility possible to use Federal grants. As proven good stewards of Federal dollars, county officials believe a direct, consistent Federal funding stream for local roads and bridges will continue to ensure a robust infrastructure for the future.

Wyoming's Governor, Mark Gordon, has noted that the debt from this bill and others passed in response to the pandemic will be carried by future generations. Therefore, we have an obligation to make generational investments with these funds. County officials live and work in our communities every day. We know the needs of our communities better than the Federal Highway Administration, and I dare say, better than Congress. Allowing more time and broad flexibility, which are a portion of this bill, and we appreciate that, offers the best opportunity to do meaningful improvements for our communities and for future generations.

Mr. Chairman, Ranking Member, thank you for this opportunity. I look forward to your questions.

[The prepared statement of Mr. Willox follows:]

Senator Cardin. Commissioner Willox, thank you very much for your testimony.

Mr. Benson?

STATEMENT OF JASON BENSON, CASS COUNTY ENGINEER, CASS COUNTY, NORTH DAKOTA

Mr. Benson. Chairman Cardin, Ranking Member Cramer, thank you for the opportunity to testify before you today.

I am Jason Benson, the County Engineer for Cass County, North Dakota. I am a member of the Legislative Committee for the North Dakota Association of County Engineers. I am an active member of the National Association of County Engineers, consisting of over 3,000 fellow county engineers and highway superintendents across the Country.

Cass County is the most populous county in North Dakota and has a population of over 180,000, which is roughly 24 percent of the State's population. Our highway system consists of 637 miles of roadway covering nearly 1,800 square miles.

In 2019, the North Dakota Legislature requested a study of the transportation infrastructure needs of all counties, townships, and Tribes in North Dakota. This study was completed by the Upper Great Plain Transportation Institute, which is headquartered in Cass County. This study determined that over the next 20 years, an estimated $10.5 billion is needed in maintaining and preserving our county roads and bridges. In Cass County alone, the estimated costs for the next 20-year span is $514 million in needs.

These significant long-term infrastructure needs are influenced by the agricultural industry across North Dakota, which requires over

1.4 million truckloads just to get the crops off the field every fall. In addition, there are over a million other truckloads needed to keep our farms producing high-quality crops.

This heavy agricultural traffic taxes the durability and safety of these local roads. These roads were designed and built for the trucks and farming equipment of the 1960s. They are not built for the way that reflects today's traffic and use, influencing the cost of construction's significant rise in North Dakota construction costs. To keep up with the construction cost increases, since 2000, our Federal Highway funds should be approximately $2 million a year instead of our $1.3 million that we currently receive.

While we collaborate closely with the North Dakota Department of Transportation to maximize our Federal funding, it is no secret to anyone that the current inflationary environment we find ourselves in only adds to the problem. With the passing of the IIJA, North Dakota counties can leverage funding from the Bridge Investment Program, or BIP. Cass County expects to replace over 41 bridge structures in the next 20 years and over 100 minor structures that are not eligible for Federal funding.

With this focus Cass County has placed on bridge replacement, we still face significant fiscal challenges. One case is the three interstate bridges over the Red River between North Dakota and Minnesota. We recently worked with three counties in Minnesota to submit an interstate bundle bridge project through the BIP Program to

replace three bridges along the State's border. The bridges are over 70 years old and are deficient in design and size and can no longer safely accommodate large trucks or agricultural equipment.

The Federal funds requested for this BIP grant is over $23 million, with the non-Federal funding coming from each co-applicant. Awarding this BIP grant to replace the three bridges will have a significant benefit to the Red River Valley region in North Dakota and Minnesota.

Secondly, the IIJA provides Federal safety funding through the Safe Streets and Roads for All Program in the Transportation Alternatives Program, which includes safe routes to schools. This Federal funding, in combination with local funding, has allowed Cass County to complete $5.3 million in safety-related projects since 2011. I want to thank Senator Cramer for his support in the Safe Route to School funding for North Dakota's rural school zones.

As the County Engineer, I also serve as the senior technical advisor on the $3.1 billion Fargo-Moorhead Metropolitan Area Flood Risk Management Project. Key to this project is that it includes the U.S. Army Corps of Engineers' first ever private-public partnership, P3, which awarded a $1.1 billion contract to build 30 miles of diversion channel, 12 county road bridges, four interstate highway bridges, four railroad bridges, and two aqueducts.

I want to thank you for your support of this historic project by providing $437 million in IIJA funding to finish the construction of

this project and provide the region with permanent flood protection by 2027.

The IIJA provides a revenue stream that is needed across the counties in North Dakota and across the U.S. Unfortunately, these funds come with some challenges. That brings me to my last point.

I am blessed to have a large staff of engineers and construction managers compared to many of my partner counties. I rely on them for design and construction of our roads, as well as research and grant opportunities.

Regrettably, most counties in North Dakota and across the Country do not have an engineering staff. Their senior-most staff member is often the road superintendent focused on road maintenance. This makes it difficult for small counties to identify grant opportunity and navigate the application process.

Since most counties do not have available technical knowledge to apply for and leverage these grant funding opportunities, I fear many counties will not even try to apply without a concerted effort to lessen the administrative burden that comes with these applications.

Thank you again for the opportunity to appear before this committee. I look forward to any questions you may have.

[The prepared statement of Mr. Benson follows:]

Senator Cardin. Mr. Benson, thank you for your testimony.

I must tell you, I was keeping track of all the different projects you all have started. The bill is working. We have a lot of activity going. It is great to see that.

I am certain there is a lot more you want to do. We are just getting started under the Bipartisan Infrastructure package. I think it is very encouraging to see the variety of transportation programs that have been started and the input that you have been able to do in your local communities.

I want to start with a general question, if I might. That is, most of the decisions on priority-setting is made at the State level. If you look at the formula funding, 90 percent goes to the States. The States have input from local government, but those decisions are generally managed at the State level.

The Transportation Alternatives Program are local applications, but the decisions are made at the State level, as well. On most of the competitive national grant programs, the State prioritizes and the State plays a critical role in which programs within a State are going to get the maximum attention at the national level.

My fundamental question, having a panel of local officials, is it working the way you want it to work for local input, or is there anything we should be considering so that local officials have a more meaningful role in the way the States are making these priority decisions?

Mayor Day, I will start with you, and we will just go down the row and the aisle.

Mr. Day. Mr. Chairman, let me start off by saying that we have benefitted from countless grants, especially Transportation Alternatives, that have passed through the State, so I want to be careful in providing you this answer, because we appreciate our friends at the State DOT.

That being said, look no further than the execution of projects within our city limits, where the priorities of a State Department of Transportation and the priorities and values of the constituents that are going to have to use that piece of infrastructure, then a perhaps safer but certainly compromised solution. Those compromised solutions are never the safest nor the most efficient nor the best solution. We have countless examples of those.

What I would like to emphasize is that, at the local level, whether it is a master planning process, and I can talk to you about our downtown master planning or our parks planning process, or whether it is a specific design project, such as our Eastern Shore Drive community corridor, or whether it is our Urban Greenway Plan, or our Rails to Trails Plan, each of those engaged the public directly in community-based planning.

Those processes, where constituents of yours and mine and all of ours, but at the local level, have had a voice in articulating visions, priorities, their values, and even the details of what they

would like to see in a project, those processes ought to be trusted. When at the local level, we hear what our constituents want out of a project, need out of a project, and then ask us to be held accountable for us, because they are going to ask us to maintain that project, I would say that we have demonstrated that we can be a trusted partner, and that direct allocation of resources to the lowest levels of government, whether that is a county or a municipality, is the best way to stay connected to those articulated values, those priorities, and again, I believe, even the design details of an infrastructure project in our communities.

Senator Cardin. Mr. Carroll?

Mr. Carroll. I certainly endorse everything Mayor Day said. I want to be careful not to take anything away from what I think Jim Willox is going to say over on my left here.

But I think what you are hearing is right. We definitely appreciate our States and the role that they play. We depend on them for a lot, including the technical expertise to make sure we are doing everything the right way, and the accountability is important.

However, if we have demonstrated over decades we know how to do something, then we should have shorter timeframes to turn around projects. Senator Cramer mentioned two years, even for low-cost paving projects, where we have been doing this decade after decade, and we may just have a few new features, it doesn't seem like even a six-month or ten-month process makes any sense.

What I think would be great is if we could incentivize States to achieve some performance standard or something like that in terms of improving local access, improving project delivery, and any creative ideas that make that an attractive thing for them to do, whether it is giving them better access to unallocated funds is an idea that I heard.

It is not necessarily like it is all stick and not carrot. I think that would be really good for us to take up federally. We will work with our States to make it make sense on the ground.

Senator Cardin. Mr. Willox?

Mr. Willox. Thank you.

I think there are two prongs to your question. There is the stuff that is directly to the local governments, and we need the broadest flexibility and actually the most time to work there, and that is good. But in Wyoming, it is generally working well. We meet with the director quarterly on a statewide association. Our director attends almost every one of our statewide commissioner meetings, and we have these conversations.

What the burden is a lot of times are the rules from FHWA that have to pass through WYDOT to implement those programs. WYDOT may want to be more flexible, Wyoming Department of Transportation, may want to be more flexible, but the box that they are in provides some difficulty to tune it in to those local needs and those local unique characteristics.

I would say, generically, to answer your question, it is working with some refinement. We always want that blend of a statewide approach and direct local. B the more flexibility and the more time we have, it always is better for us to deal with the local issues, inflationary pressures that we are dealing with now, and the nuance that is different in parts of the State, or adjacent States even have different needs. Overall, yes, I would rather it be this way than more be brought to the top. The more to the bottom, the better.

Senator Cardin. Mr. Benson?

Mr. Benson. Thank you, Senator Cardin.

I will take a couple different angles to this. One, I definitely appreciate the ability for local decisions to be made on those applications and sending it more directly up instead of having to send everything through the North Dakota Department of Transportation. That being said, we have a great relationship with the director of the North Dakota DOT and their local government division.

One of the challenges that we have found with this is that many of our smaller counties, there may be 3,000, 4,000 people, there may be maybe 6,000 to 8,000 people in the county. Their funding currently passes through the North Dakota DOT, who is Title Six compliant. Their county may not be Title Six compliant for exercising and using those Federal funds.

We still have those small counties that needs to go back to the

DOT and say, we need your help in assisting those funds, to go through them, or else they have to go through this compliance process, which, for a small community, may not be something that they are able to do.

Senator Cardin. Thank you. Senator Cramer?

Senator Cramer. Thank you.

Mr. Benson, I want to start with you, and then we will go back around and talk a little bit about the, you talked extensively about BIP, there are two bridge funding programs. I think you said you have 41 major bridges in Cass County, 100 maybe smaller ones.

As I recall, North Dakota, statewide, it is many hundreds of bridges, obviously. If you could just elaborate a little bit on not just your experience, but maybe advising others of how to take advantage of that program, and then helping us, advise us on, if we can, how we would tweak it, simplify it, or for that matter, how the DOT might simplify it or allow more maximization of the bridge program

One thing that we have heard is, as tough as our roads are, bridges create a very significant challenge and safety risk. If you could just elaborate a little bit on the bridge program.

Mr. Benson. Absolutely. Thank you, Senator Cramer.

In Cass County and the counties that border Minnesota in North Dakota have about have of the county bridges in the State because of the winding, meandering rivers that flow to the Red River to the

north. Because of that, yes, I have 550 bridges of which about half are on the Federal system of 20 feet or greater.

That is similar to other neighboring counties. So It is a massive infrastructure demand that many of those bridges were put in in the 1930s, 1940s, 1950s, and 1960s, and again, for the old, tandem grain truck or single axle grain truck, not the semi-truck and large equipment that they need to carry today.

To be able to use this program to bundle bridges, I think it really takes it upon counties to look differently. A lot of them are used to looking at, okay, we have a couple bad bridges. How can we get them done? Two years from now, we can save up, and we will apply for some Federal funding. We might have some local money to match, and we can knock out this bridge or maybe one or two bridges.

But we have to look bigger now to look out, and having a five-year, ten-year plan on how we can bundle these into one project to submit through the BIP program, and then if we can get that bridge bundle to complete six, eight, ten bridges in a county, or maybe it is marrying that project up with your sister county.

Locally, there might be three or four bridges that are in the same part of your county that you could lump those together and have one large project, and again, knock out. Even for North Dakota to be able to do $5 million or $10 million, that is a lot of bridges that can be completed.

Senator Cramer. Let us just go this way and give you guys a

break. Wyoming is probably similar.

Mr. Willox. Thank you, Senator. I think what is valuable to realize is that connectivity issue that I talked about. If you can't get to the next road, what do you do? You can travel on a poor road. You can travel on a bad gravel road, but if that bridge has failed, you are not going to get there.

The focus on bridges in this bill is really valuable. WYDOT in Wyoming is passing through 35 percent instead of the statutory minimum 15 percent so we can do a lot more of those bridges to increase that connectivity. We have old railcars that are bridges. We have an old railcar, and it works to a certain point, unless you point out the vehicles that we travel and the volume is different.

But I think the focus on bridges is really positive. In our State, they are passing through more so we can do more to cities, towns, and counties. I do think that we will continue to need to focus on bridges whether they are rural or municipal, because I think those are our biggest threat to our infrastructure is the bridges and making sure we keep that connectivity to get from point A to B.

Senator Cramer. Mr. Carroll, before you answer that question, what the heck happened to the Eagles last night? That was one of the craziest --but you know, you got that one loss, and now you can move forward.

[Laughter.]

Mr. Carroll. Yes, no comment. Hopefully, it is just that,

right? I can take one loss. Thank you for that.

Senator Cardin. You were coming to Washington, so you wanted to make it possible.

Senator Cramer. There you go.

Mr. Carroll. I would have a much bigger smile if things went well.

[Laughter.]

Senator Cramer. This is why he is a politician.

Mr. Carroll. That is true. I appreciate that. Yes, I will say, just as you have heard from my colleagues, in a municipal environment, losing a bridge isolates the community. That is profound. People who rely on walking and biking in particular, if that bridge, which they have walked across for their whole lives is out, and some of them are out, that really has a huge impact on their quality of life, their life opportunities. We want to prioritize those projects, but we need the resources to do that.

The bridge projects can be very complicated in an urban environment. I mention the program we are trying to kick off around bridges over electrified lines. Those are very complex because we need to coordinate the removal, the replacement of this infrastructure that we don't own before we can get to the infrastructure we do own to make fixes. That could add years to project timelines.

Everything we can do to keep the focus on these bridges is going

to help us a ton. We need to ramp up to that, though. So it is good to have some planning funds, some capacity building worked into the infrastructure law. It may take us a little bit of time to get to actual fixes, but if we take that perspective that this is more of a marathon, I think we are going to be very happy across the Country with the end results.

Senator Cramer. Mr. Mayor, we are going to stall for Chairman Carper to gather his thoughts.

[Laughter.]

Mr. Day. Happy to.

Senator, I will share two things, and both sort of positive tales. One, we really appreciate the funding that has been received in our community to address the rebuild of our Mill Street and Naylor Mill Road bridges. But there is a second tale, and this is of US Route 13 business right in the center of our city, which has been going through a multiyear design process and some construction to replace a 1929 bridge.

The cautionary tale here is around flexibility. The original design of this project, of this bridge replacement, which included Federal, State, and local dollars, was oriented on incorporating the Maryland State Highway Administration's standard for bike lanes. This standard would have put bike lanes on a 35,000 car a day road, open to and adjacent to traffic, rather than recognizing that there was a parallel planning process ongoing at the local level for an

urban greenway that would be adjacent and could, if collaboratively designed, prioritize safety as we wanted to, a principle that Maryland State Highway Administration has, and prioritize the throughput necessary on a 35,000 person a car a day, which I use every single day, which matters to all of us.

When you look at those two processes in parallel, you would see an obvious solution. Just put it up on a curb and have the multi-user path right there, and everybody is happy. But that is not the way things happen. They happen in a silo, and the State DOT is working on its plans, and at the local level, we are working on ours.

The solution has been, we are working together now, but it took somebody recognizing and arguing for, why can't we collaboratively work on these processes, which again, bring local vision, local priorities, local values, into a process and trust us with those things? Ultimately, things have worked out, but I do think we could have saved money and we could have saved time if that had been the standard way of doing business.

Senator Cardin. We are joined by our distinguished Chairman.

Senator Carper. No, it is me.

[Laughter.]

Senator Cardin. I just want to underscore the point that Senator Cramer said earlier, the four Cs: Senator Cramer and Senator Cardin, we are the subcommittees, but it was Senator Carper and Senator Capito who set up the climate that we could have the success

of the Bipartisan Infrastructure Bill by the work we did in our committee. We are really fortunate about his leadership on this committee. Senator Carper?

Senator Carper. Thank you, Ben, to you and to your wingman and our good friend, Kevin. Thank you for your leadership.

I think if people across the Country, many of whom I have heard say, why don't you work together in Washington? Why don't you just find stuff you can work together on? We passed, with a lot of support from these two gentlemen and certainly from Senator Capito and others, the most extensive, meaningful, consequential Bipartisan Infrastructure Bill we have ever passed. We are very proud of that.

It is one thing to pass it. It is another thing to implement it. Part of our job, as you know, is to do oversight. We are doing that, and that is part of what today's hearing is all about.

A special welcome to our friend from Salisbury, Maryland. In Delaware, we have no commercial television. We have a couple TV stations down in Salisbury. As Ben knows, if you want to message the people in Delmarva, Maryland or the people in Delmarva that are from Delaware, you want to be on your stations. We think a lot about Salisbury and the news coverage that you provide and the information that you provide, whether it is transportation infrastructure or any variety of other things.

We welcome you all today. I walked in, Mr. Carroll, I walked in and I didn't look at the panel, but I just walked in, and I heard you

speaking, and I thought it was James Lankford. I am going to ask you a question here in a minute, and we will see if you still use your James Lankford voice. He is one of our favorites, a really smart cookie and a good Senator. You could have been identified with a lot worse, so that is not a bad one to be involved with.

I think Mr. Day mentioned Route 13. We have a very prominent family that came over from France a couple hundred years ago and settled in Northern Delaware. They started the DuPont company, what was a powder company initially, gunpowder, turned out to be something way, way more than that and still is doing amazing things around our Country and around the world.

The DuPont family literally helped pay for building Route 13, significant parts of Route 13 through Delaware and also funded schools for African American kids that otherwise would not have had a chance to get an education. I think we got the DuPont family, with a big boost and a big help, got Route 13 down to the border with Maryland. You guys took it over from then. That was before we had bipartisan infrastructure legislation.

I have a question, if I could now, we will see what voice you respond in. For Mr. Carroll, a question on local project delivery. The Bipartisan Infrastructure Law significantly increased, as you know, the number of opportunities for local governments to access Federal Highway Funds, primarily through new, competitive grant programs. More grant opportunities will help cities, will help

counties, and will help towns across the Country to fund local priorities that may or may not be prioritized by State departments of transportation.

However, delivering federally funded projects can pose a challenge, as you know, especially for local agencies that have less capacity or less capability or experience with Federal programs. Some have a lot, and some have relatively little. The question is: how can Congress and the U.S. Department of Transportation help to build greater local capacity to both apply for and carry out federally funded highway projects? Mr. Carroll, please.

Mr. Carroll. Thank you, I will do my best. I think that is a great question. I wish I had a pat answer.

Senator Carper. Senator Lankford gave it to me.

[Laughter.]

Mr. Carroll. That is right. I should be careful running around here, impersonating people, though. I think we need to look at models that have worked, identify best practices, work collaboratively with the States.

Most States at the district level, most of the regional districts for FHWA are committed to try helping communities. But I would say we are often in passive mode, where it is the squeaky wheel that reaches out and keeps asking questions and knows who to call in D.C. or your State capital and ends up getting a little bit further ahead.

I think it would be good if there was a little bit more proactive outreach. Some of the things that worked were really kind of put on the table as part of the program so that there is a model that we can look to when program guidance comes out or the notices of funding opportunities comes out. There is a lot of good outreach, and we really appreciate that. But if we could extend that a little bit longer, especially as folks are awarded, so that they know that they are doing it right, they are getting the support to do that, I think that could go a long way. Those are the ideas that come to my mind.

Senator Carper. Good, thank you.

I have one other question that would be, Mr. Chairman, for the entire panel, dealing with the discretionary grants. The U.S. Department of Transportation is still working, as you noted, to develop the Notice of Funding Opportunity for a number of new discretionary grant programs, including something called the PROTECT Grants and grants for communities that are charging and fueling initiatives.

These charging and fueling infrastructure, EV and hydrogen fueling stations, that sort of thing, we put a lot of money into that, and we want to make sure we get our money's worth. Last time I checked, 30 percent of the carbon emissions, greenhouse gas emissions in our Country come from our mobile sources, so this is, as you know, hugely important stuff.

Others, such as the Reconnecting Communities Program, have a Notice of Funding, but awards have not yet been made. As USDOT develops funding notices and selects recipients, what advice would you give the Department of Transportation on how they can help make sure that these grant programs work well for local recipients and prioritize projects that will most benefit the Administration's climate inequity goals?

Mr. Benson, do you want to lead off with that, please? Tell me again where you are from.

Mr. Benson. Cass County, North Dakota, the county that surrounds Fargo, the most populated city in North Dakota.

Senator Carper. Okay, good. Welcome.

Mr. Benson. Thank you, Senator Carper.

To your point, I think a couple different things. One, when it comes to some of the new Notice of Funding Opportunities that come out and then the application periods, one of the challenges that I have seen is that sometimes it is relatively quick, flash to bang, to when the NOFO comes out to when you have to have the application in.

In some cases, I think some entities are looking at it and going, well, if I had known maybe a little while ago, I could have prepped, but next year I will probably have a project that will be ready to go. I think the time from the NOFO to when the application is due, especially this first round, and I think that is, in a lot of cases for a lot of these grant opportunities, this cycle, they are

all new or many of them are new. So identifying projects that fit the criteria, now that you know the criteria, you can go back and relook and better prioritize those projects within your infrastructure plan. We only have so many dollars, whether it is a 10 percent match or not, we only have so many local dollars to expend on these projects every year.

Senator Carper. All right, thank you.

Mr. Chairman, could I have just a couple of minutes so the others can respond to this question?

Senator Cardin. Mr. Chairman, you can have as much time as you want.

Senator Carper. Thank you, thank you so much.

Mr. Willox, do you agree with anything that Mr. Benson has just said?

Mr. Willox. Ditto. Thank you, Senator.

I think two things. Going back to your point about the electrification, there is a really good example there of how one size doesn't fit all and some adaption there. The NEVI Program requires charging stations with every 50 miles, it is the requirement coming from FHWA.

We don't have gas stations that are 50 miles apart in Wyoming. Wyoming Department of Transportation applied for 11 exemptions to that, and eight of them were denied without explanation. We need to have more, if we want to implement that, there needs to be more

flexibility, particularly in those rural areas where there isn't even a rest area for 70 miles on the interstate. We need to have that flexibility.

If we want to implement charging stations, which I think is a laudable goal that we can agree on, we need to put them where it makes the most sense. The current box that the FHWA is working with doesn't allow for us to put those charging stations where practical.

Also, they are about a $200,000 investment from the individual that wants it. It is an 80-20 match. It is about a million bucks for a four unit charging station. Maybe we ought to put two in and make it more economical, because the recapture is going to be extremely difficult.

One specific example: if we want to help the carbon emissions with electrification, let us make that eligibility a little broader, so we can get it where it makes sense, and there will be some economic return.

Again, capacity for applying is always an issue. The commissioner may be the guy writing the grant, and it may be the county clerk that has to comply with it, so the simpler we can have for all grants is important. Thank you.

Senator Carper. Thank you for that.

Mr. Carroll, please, same question.

Mr. Carroll. Yes, so I will make a couple comments about the NEVI. I will just say that we are really enthusiastic for it. I

think the kinds of issues that my colleagues are raising, we will keep our eyes on. Because even in a city where we do have denser spacing of fueling opportunities for the existing fueling options, we want to make sure that the spread is good and that people have equitable access. If we can kind of have a little bit of discretion and flexibility in locating the stations that end up coming into place as we zone for different things, that would be helpful for us.

I will also shift a little bit and just say, I really appreciate the focus on resilience and programs like PROTECT, especially capacity building. I have talked a lot today about how important it is for us to work with communities, to hear their voices in the decisions we make. So the opportunities to do some community-level capacity building to bring people to the table for conversations about infrastructure is going to be really crucial for us to be successful.

Senator Carper. Do you have a favorite team in the NFL this year?

[Laughter.]

Mr. Carroll. Yes, I do. Yes, I do.

Senator Cardin. The Denver Broncos?

Mr. Carroll. No, not the Denver Broncos. It is the Philadelphia Eagles, and I will sing the fight song, if you would like me to.

[Laughter.]

Senator Carper. We will see, we will see. I was saying a couple of weeks ago, until the Phillies dropped out of the World Series --

Mr. Carroll. It has been a hard last couple of weeks.

Senator Carper. It was tough. It was tough, but they got beat by a very good team. I said that a couple nights before the Phillies were eliminated, if the Phillies won the World Series and the Eagles won the Superbowl, the citizens of the city would probably have burned the city to the ground, and they probably would.

Mr. Carroll. No comment.

Senator Carper. That wouldn't happen in Salisbury.

Mr. Day, answer my original question please, that I was asking.

Mr. Day. Although, I will say, our minor league baseball team is pretty good. Delmarva Shorebirds.

Senator Carper. Oh, yes, they are.

Mr. Day. I don't want to repeat anything that you have heard. I do agree with the concerns that you have heard about implementation.

What I will say it, there are several examples within the legislation that have set a better standard. Particularly, we have seen the reduced narrative requirements, the simplified benefit-cost analysis requirement. All of that makes it easier on smaller communities, rural communities, to be able to participate in applying and turning around quickly an application for some of these grants.

The other thing I would say is that many of our communities have been trusted and developed experience when it comes to the application for and management of certain block grants. Over at HUD, our CDBG dollars, that is something most of our communities are familiar with how to manage.

So, when it comes to the Surface Transportation Block Grants and applying for those dollars, I would say opening or lowering the threshold for which communities can apply and have access to those funds, to even the lowest level of NPO, so 50,000, urbanized areas that have 50,000, I think most of us are prepared to take on those rigorous grant management processes.

Trust us to deliver with the limited capacity we have and to be responsible and, ultimately, held accountable.

Senator Carper. Thanks so much for letting me go over my time. I just want to say to those of you from Maryland and Pennsylvania and from the Dakotas or from Wyoming, we very much appreciate and enjoy working with you as Senate delegations. We are not all Democrats or Republicans, but we work across the aisle pretty well in this committee, very well in this committee.

We are especially proud of the two men sitting to my right. We just say thank you for sitting in here to work with us and get stuff done. Thank you.

Senator Cardin. Well, Mr. Chairman, this has been an incredible panel and really helpful. I want to thank all four of our witnesses.

Mr. Benson, you raised very important points about capacity. If you are dealing with a local government that doesn't have that capacity to do what you are saying, there has got to be accommodations made. So I just really want to thank you for bringing that to the attention of our committee.

Mr. Willox, your point about the regulatory process is something we struggle with, so it is a process. It is an ongoing issue, and I think your comments are going to be very helpful to us in trying to continue our work together so that the objectives are accomplished. If you delay, it is denied. We recognize that.

Mr. Carroll, as you were talking about the importance of pedestrian and bike paths in downtown Philadelphia, I was thinking of Baltimore, which is a similar situation. We can't survive, literally, unless we have safe ways that people can walk and bike. In Philadelphia, you are right. If we want to preserve the history of Philadelphia and the population you have in that city, you have to be able to have safe ways to travel. I appreciate your bringing that to our attention.

Mayor Day, I was thinking very much about Route 50 and what it has done to certain communities. I have seen the communities firsthand. We built Route 50 so we could get people to the beaches in Delaware and Maryland. That was the reason why we did all of these roads to help people that didn't necessarily come from Salisbury itself.

There is an equity issue that we have to deal with. I think your testimony has helped us understand that the tools here can really help the economic growth of our local communities, make them safer, and provide equity.

Mr. Carroll, your answer on the electric vehicles is right. Equitable access is going to be a critical issue here. Access is going to be a critical issue for communities that have been underserved in the past. We are committed to including that in the Bipartisan Infrastructure package.

I want to thank all four of you for your contributions to the record today and to the hearing. I can assure you we are listening. We are proud of the one-year anniversary. We have much more ahead of us, but we have to build on this in the future, and you have helped us establish that record. Thank you all very much.

Before we adjourn, some housekeeping. Senators will be allowed to submit written questions for the record through the close of business on Tuesday, November 29th. We will compile those questions and send them to our witnesses. We will ask you to reply by Tuesday, December 13th.

With that, the subcommittee stands adjourned.

[Whereupon, at 3:54 p.m., the hearing was adjourned.]