

**SENATE COMMITTEE ON TRANSPORTATION & HOMELAND SECURITY**

**COMMENTS FROM WILLIAMSON COUNTY**

**JUNE 8, 2010**

MR. CHAIRMAN AND SENATORS – THANK YOU FOR INVITING ME TO APPEAR BEFORE YOUR COMMITTEE TO PROVIDE TESTIMONY ON TXDOT'S ENVIRONMENTAL REVIEW PROCESS.

MY NAME IS VALERIE COVEY AND I AM HONORED TO SERVE AS THE PRECINCT 3 COMMISSIONER FOR WILLIAMSON COUNTY. I AM ALSO A CPA. MY PRECINCT COVERS MOSTLY THE NORTHERN AND SOME OF THE WESTERN PART OF THE COUNTY WHERE THREE (3) CAVE INVERTEBRATES – SPIDERS – AND TWO (2) SONGBIRDS THAT ARE ON THE ENDANGERED SPECIES LIST ARE FOUND. AND, ACCORDING TO STATE RESOURCE AGENCIES, WE ALSO HAVE A NUMBER OF SPECIES OF CONCERN IN WILLIAMSON COUNTY.

WE UNDERSTAND, RESPECT, AND FOLLOW BOTH STATE AND FEDERAL ENVIRONMENTAL PROCESSES. IN FACT, WE HAVE SPENT MILLIONS OF DOLLARS SETTING UP A REGIONAL HABITAT CONSERVATION PLAN TO ADDRESS OUR ENDANGERED SPECIES ISSUES. THE COUNTY'S RHCP HAS PROVIDED MITIGATION FOR COUNTY, CITY AND STATE TRANSPORTATION PROJECTS WHILE PROVIDING FOR THE LONG-TERM RECOVERY OF THE SPECIES. WILLIAMSON

COUNTY IS PROUD OF ITS ENVIRONMENTAL RECORD AND WE BELIEVE IT'S ONE OF THE STRONGEST IN THE STATE OF TEXAS.

I AM NOT HERE TODAY TO TALK ABOUT ANY EFFORT TO AVOID OR CIRCUMVENT ANY STATE OR FEDERAL ENVIRONMENTAL REQUIREMENTS. BUT, WHAT I DO WANT TO TALK ABOUT IS FAIR PLAY AND TIMELY ACTION BY TXDOT ON PROJECTS THAT OUR TAXPAYERS HAVE ALREADY APPROVED. NOT JUST LIP SERVICE WHICH IS WHAT WE'VE RECEIVED SO FAR, BUT TRUE CHANGE.

SINCE NOVEMBER 2000, WILLIAMSON COUNTY HAS APPROVED OVER \$713 MILLION IN ROAD BONDS. OF THAT AMOUNT, 53%, APPROXIMATELY \$350 MILLION, HAS BEEN SPENT OR IS PROGRAMMED TO BE SPENT ON STATE HIGHWAY PROJECTS. OUR CITIZENS DON'T KNOW OR CARE IF IT IS A COUNTY ROAD, CITY STREET OR A STATE HIGHWAY WHEN THEY ARE SITTING IN TRAFFIC - THEY JUST WANT IT FIXED.

IN THE LAST 10 YEARS, WE HAVE BEEN ONE OF THE FASTEST-GROWING COUNTIES IN TEXAS AND THE UNITED STATES. WE HAVE CHOSEN TO STEP UP AND ADDRESS OUR TRANSPORTATION ISSUES. QUITE FRANKLY, WE CANNOT COUNT ON TXDOT TO FUND OR IMPLEMENT ANY SIGNIFICANT IMPROVEMENTS ANYMORE. FOR THE MOST PART, WE ARE DOING IT OURSELVES.

BUT WHAT IS FRUSTRATING FOR OUR COUNTY, ESPECIALLY WHEN WE ARE FUNDING UP TO 100% OF ALL THE PROJECT COSTS, IS THE LACK OF ACCOUNTABILITY, TRANSPARENCY, AND TIMELY ACTION BY TXDOT'S ENVIRONMENTAL AFFAIRS DIVISION. THE PROCEDURES FOR ENVIRONMENTAL REVIEW ARE FULL OF EXCESSIVE AND UNNECESSARY DELAYS. AS THESE DELAYS OCCUR, COSTS OF CONSTRUCTION AND RIGHT-OF-WAY SOAR. THIS LACK OF ACCOUNTABILITY BY TXDOT RESULTS IN BUSTING BUDGETS AND LEAVING LOCAL OFFICIALS UNABLE TO MEET OUR OBLIGATIONS TO OUR CONSTITUENTS WHO ARE PAYING THE PROPERTY TAXES TO FUND THESE STATE ROADS.

I WANT TO GIVE YOU JUST ONE EXAMPLE OF THE FINANCIAL IMPACT OF THESE UNNECESSARY DELAYS. ONE OF OUR PASS THRU FINANCING PROJECTS IS TO WIDEN A 3.0-MILE SEGMENT OF US 183 FROM THE US 183-A TOLL ROAD TO NORTH OF SH 29. A WIDE-OPEN, ENVIRONMENTALLY CLEAN PROJECT – NO BUGS – NO BIRDS – NO AQUIFER, YET IT TOOK TXDOT THREE (3) YEARS TO GET THRU THE ENVIRONMENTAL PROCESS. DURING THAT TIME, RESIDENTIAL AND COMMERCIAL DEVELOPMENT CONTINUED AND OUR RIGHT-OF-WAY COSTS INCREASED BY OVER \$25 MILION. BUT IT'S NOT JUST MONEY. IN THE LAST YEAR ALONE, THREE (3) WILLIAMSON COUNTY RESIDENTS DIED ON THIS ROADWAY. ALL THREE DEATHS AND MANY OTHER ACCIDENTS COULD HAVE BEEN AVOIDED WITH THE PROPOSED IMPROVEMENTS HAD THE

ENVIRONMENTAL PROCESS BEEN COMPLETED WHEN FIRST PROMISED BY TXDOT.

WE WILL NEVER GET THOSE LIVES BACK. AND THE \$25 MILLION THAT WAS NOT IN OUR BUDGET, MUST NOW BE PAID FOR BY THE TAXPAYERS OF WILLIAMSON COUNTY ON A ROADWAY THAT WAS THE STATE'S RESPONSIBILITY IN THE FIRST PLACE. IN THIS TIME OF BUDGET SHORTFALLS, AT BOTH THE STATE AND LOCAL LEVELS, THE UNWARRANTED DELAYS MUST BE ELIMINATED. IF THE FINANCIAL IMPACT FROM DELAYS ON THIS ONE PROJECT IN JUST ONE OF 254 COUNTIES IS \$25 MILLION, IMAGINE WHAT THE IMPACT IS STATEWIDE. IT'S GOT TO BE A BIG NUMBER FOR THE ENTIRE STATE AND ALL THE LOCAL GOVERNMENTS.

YOU ASKED ME HERE TODAY TO GIVE YOU SOME SUGGESTIONS TO IMPROVE THE TXDOT ENVIRONMENTAL PROCESS. I HAVE THREE BROAD AREAS I WOULD LIKE TO LEAVE YOU WITH.

1. FIRST, CREATE A SPECIAL AND EXPEDITED REVIEW PROCESS THAT TXDOT MUST FOLLOW FOR LOCALLY-FUNDED PROJECTS.
2. SECOND, IMPOSE STATUTORY DEADLINES. TXDOT NEEDS TO BE ACCOUNTABLE AND PROVIDE THE RESOURCES TO MEET THESE DEADLINES. NOT TIMELINES THAT MEARLY TELL US WHEN TXDOT WILL

BE ABLE TO BEGIN REVIEW OF A PROJECT, BUT DEADLINES - A LINE IN THE SAND WHEN THE REVIEW IS COMPLETED INCLUDING COMMENTS. YOU WILL BE TOLD BY TXDOT THAT THIS IS NOT POSSIBLE. BUT IT IS POSSIBLE. WITH ADEQUATE RESOURCES THIS CAN BE ACCOMPLISHED. FISH AND WILDLIFE AND FHWA HAVE DEADLINES AS WELL AS OTHER ENVIRONMENTALLY CRITICAL AGENCIES, TXDOT SHOULD TOO.

3. AND LASTLY, WE SUPPORT SENATOR CARONA'S PROPOSAL TO ALLOW TXDOT TO FUND FEDERAL POSITIONS AT U.S. FISH AND WILDLIFE AND THE CORPS OF ENGINEERS. WE RECOMMEND THAT THE PROPOSAL BE EXPANDED TO ALLOW LOCAL GOVERNMENTS TO DO THE SAME AND IN ADDITION, FUND STAFF OR CONSULTANTS AT TXDOT TO PROVIDE PRIORITY REVIEW OF LOCALLY-FUNDED PROJECTS AND MEET DEADLINES.

IN CONCLUSION, AGAIN, THANK YOU FOR THE OPPORTUNITY TO BE HERE TODAY. THIS IS A VERY IMPORTANT ISSUE NOT ONLY FOR WILLIAMSON COUNTY, BUT FOR A LARGE NUMBER OF THE URBAN COUNTIES IN TEXAS THAT HAVE STEPPED UP TO LOCALLY-FUND STATE PROJECTS. OVER THE LAST 18 MONTHS, WE HAVE HAD NUMEROUS MEETINGS WITH TXDOT ADMINISTRATION REGARDING THESE ISSUES. IN FACT, THEY ACKNOWLEDGED THE PROBLEM AND ASKED US FOR OUR TOP THREE ROAD PRIORITIES PROMISING TO ADD FTE'S AT

ENV AND TO EXPEDITE THE REVIEW. NOW ALMOST A YEAR LATER, THE FTE'S WERE NOT ADDED AND WE'VE ONLY EXPERIENCED MORE DELAYS.

WILLIAMSON COUNTY HAS BEEN A GOOD PARTNER. WE INTEND TO STAY ENGAGED AND WORK WITH YOU THROUGH THE NEXT LEGISLATIVE SESSION. SOMETHING MUST – AND CAN BE DONE TO FIX TXDOT'S ENVIROMENTAL REVIEW PROCESS AND PROCEDURES. AND WE ARE COUNTING ON YOU TO MAKE IT HAPPEN. THANK YOU.

I'LL BE GLAD TO ANSWER ANY QUESTIONS.