

a commitment to the highway project, prior to the MIS. In fact, all the data has been developed and already says that this is going to require an SOV facility.

We need to think through the relationship between congestion management studies and MIS. Which comes first, and which influences the other? In this case, although the solution is predetermined by what many people want anyhow, it certainly has raised questions as to the validity of the alternatives analysis. It will be interesting to see how all of that turns out.

Issues to be addressed

Let me summarize by emphasizing a couple of points. Major investment studies, as we are doing them in Pittsburgh, advance the goals of ISTEA. The value of MIS is a big question. But to use an analogy: At the end of this rainbow called MIS, there may not be a pot of gold. That is something we need to talk about, and it will have profound effects on how many of these studies get done, when they get done, and what reputation they have when they are done. Major investment studies are going to get blamed for stopping projects, and that is not the issue. Does MIS offer a real opportunity for broad intermodal options to be considered, or is it merely a cover for a predetermined solution?

On balance, major investment studies are a good thing. So far, they have proven to be very costly, and they do take too long. However, when you are building political consensus, as we must in modern America, you must accept that it takes the time that it takes. I am not optimistic that we can do a lot to solve that problem.

There is a critical question about the detail that should be required in the analysis at each step of the MIS process. Our "spine line" MIS, for example, has a \$2 million budget, which is a pretty large amount of money to put into a study.

I think the regulations allow for enough flexibility. But we are so used to being told how to do things that we are still cowering. MIS is flexible. Use the flexibility. Help your elected officials understand that there is flexibility to it. It is there for the taking if you want it.

Again, MIS, is just two years old. Let's give it a little time to grow. It is serving an important purpose.

To FHWA/FTA, I would say, "Keep it flexible." We need to work with the field offices to make sure they get it, too. FTA wants to participate, but it simply does not

have the staff to do so. That needs to be addressed.

What is going to happen after we have done a number of major investment studies and find the money is not there to build the projects? My prediction is that MIS will get blamed when that was not the problem in the first place.

Major Investment Studies: Is the Vision Being Achieved? Can It Be? Should It Be?

Neil J. Pederson, Maryland State Highway Administration

I come from Maryland, where we have 16 MIS studies underway. They run the full gamut from projects that were underway in the environmental impact study process at the time that the regulation came out, and had relatively minor retrofit issues, through several very large projects that were well along in the EIS process. They include new major investment studies in which we have a transit lead, some in which we have a highway lead, and some in which we are truly doing multimodal corridor studies. They range in size from one that is a 1.1-mile, two-lane bypass of a small hamlet in the most rural reaches of the Washington metropolitan area, up to the U.S. 301 study, which is a 50-mile-long multimodal corridor study with a 76-member task force that is not just advising us but actually guiding the study and making the decisions during the study process for us.

Though I support the MIS process and the principles behind it, I feel an obligation to at least raise some questions I have heard within the AASHTO community. I have entitled my presentation "Major Investment Studies: Is the Vision Being Achieved? Can It Be? Should It Be?"

Some major questions

Should we even have requirements to do major investment studies? My conclusion is that the intention was right, but the execution needs improvement. If the view being taken is that we are primarily doing them to meet Federal requirements, then we are doomed to failure. If we are doing them because it is good transportation planning, then that is what we ought to be doing. That requires flexibility, particularly on the part of our Federal partners, FHWA and FTA. Unless we satisfy them on the MIS requirements, we will not get

NEPA approval. At the Federal field office level, the view continues that we have to satisfy FTA and FHWA, and they are, de facto, giving approval for major investment studies. Many, particularly within the AASHTO community, are still not convinced that MIS requirements are needed or appropriate.

What changes have occurred as a result of MIS requirements? Our experience within Maryland has been that there indeed is earlier involvement by a broader range of stakeholders. There is a wider consideration of potential solutions and a better tie between systems planning and project development. A lot of these activities were underway within Maryland even before the MIS requirement came out. Some of our most innovative MIS studies were those that were well underway before the requirement came out.

What was the original intent of the MIS rule? We have heard quite a bit about that. I will not repeat the specific requirements, but this really leads into a follow-up question: Has the intent of the MIS rule been achieved? My conclusion, based upon what I am observing both within Maryland and among my colleagues in other States, is that there clearly has been movement in the right direction.

The learning curve has been steep. There have been a lot of bumps in the road and a lot of difficulties encountered. I hope we can learn from those lessons.

One thing I am concerned about is that very few corridors in our major metropolitan areas have not already been studied at some point in some way. Those involved in MISs enter them with preconceived notions about the right solution. It is very difficult for many participants to take a more objective view, to really consider how to approach a problem and solve it, and understand the full range of solutions. Preconceived notions are one of the biggest challenges we face.

Are better decisions being made as a result of MIS requirements? In those studies that were well underway within Maryland, I do not think that, as a result of MIS requirements, we are really ending up with a different decision than we would

have otherwise. However, with those studies that were not underway, particularly the truly multimodal corridor studies, I think the MIS approach will end up with different answers.

Have major investment studies served as a vehicle to improve the environmental quality of transportation planning decisions? The observation I would make is that, in the past, the environmental community, particularly the environmental agencies, was not engaged in the transportation planning process. Environmental issues really were not at the forefront in terms of the decisions being made within the transportation planning process. It was not until we got into the project development process that they were addressed.

To the extent that we have been able to successfully engage the environmental community, the agencies, and the advocacy groups within the MIS process, I am encouraged that we really are getting much more consideration of environmental issues in the transportation planning process. The key though, is getting that involvement in a significant way, particularly on the part of agencies. We have been pretty successful in getting advocacy groups involved earlier in the process. We have not been as successful at getting environmental agencies meaningfully involved earlier.

The final point I would make under this particular question is that—and I think this is a key to the ultimate success of the MIS process—we have to recognize that mobility goals and environmental goals are not mutually exclusive. In fact, they do not have to compete and should be mutually supportive. If we take that approach towards the mobility versus environment debate, we will end up with far greater chances of success in the MIS process.

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What should be the relative role of MPOs and the implementing agencies in major investment studies? The major conclusion I reach is that we must be partners. If we do not take a partnership approach between the MPOs and the implementing agencies, it becomes a turf battle, and the MIS process is doomed.

Most importantly, we need flexibility. One model does not fit all metropolitan areas. The relative roles really should be determined by the issues, the range of potential alternatives, the capabilities of the agencies, the ability to complete the study in a timely manner.

When should major investment studies be undertaken? This is a really an important point. Too many have been undertaken before their time and end up being exercises in futility. They should only be undertaken when an existing or future need has been identified. There must be support among the MPO, the affected local jurisdictions, and the implementing agencies to undertake the study. And either one of the following two conditions must exist: There is a reasonable expectation that a major improvement can be implemented in the foreseeable future, *or* there are significant right-of-way preservation issues. If you do not have these, then your study probably is going to be an exercise in futility.

Are major investment studies a cost-effective use of scarce public resources? This is the question John Horsley addressed in terms of the taxpayer/voter revolt going on right now. Voters want to make sure they are getting value for the money being spent. We need to make sure that we are setting up our processes in such a way that the answer to this is "yes," or the MIS requirements are doomed to failure.

Within Maryland, I see too many examples of doing studies and spending money on developing detailed information that is not relevant to the decisions that are ultimately made. We have to ensure that our processes are set up in ways that are not duplicative and/or redundant, and the information being developed is truly the information needed for the decisions being made.

Are MIS requirements slowing down planning and project development? So far, unfortunately, the answer is "yes." We had better figure out ways, as a transportation planning community, to make that answer "no," or there is going to be a lot of criticism leveled against the MIS requirements.

Are MIS requirements too prescriptive? I give a lot of credit to Sheldon Edner, Don Emerson, and others in the Washington offices of FHWA and FTA in terms of trying to develop a flexible process. Unfortunately, because of the way it has been executed at the field level, flexibility has really not come through. The main issue associated with this question is not what the intent was or what is coming out of the Washington office, it is what is happening in the field within both FHWA and

FTA. A lot of the problem is that although flexibility has been provided, there are no checklists or detailed manuals provided. Therefore, people tend to fall back on what they are used to—what their old paradigms tell them to do. To the field office people, the paradigms are either the prescriptive NEPA requirements of FHWA or the prescriptive alternatives analysis requirements of FTA. Unfortunately, that is the reality we face.

What should FHWA's and FTA's role be in major investment studies? The reality is that there is still the mentality of regulator and critic, as opposed to partner, in trying to help us through this process. As long as that role ends up being regulator and critic, you are going to get a lot of the type of resistance you hear within the AASHTO community right now. One specific example is the U.S. 301 study in Maryland. We have been making a tremendous number of innovations, not just in the public involvement side, but also in relationship to the land use side and the treatment of the environment. One thing we tried to do was get all stakeholders involved in the very beginning to define the process.

The most significant stakeholder we were not able to get involved in the two-and-a-half years of the study and *still* have not been able to get involved in the study is the FTA. At the same time, FTA is out on the stump using this as a model project for the MIS process. It is absolutely critical that the resources be made available within the Federal agencies for them to participate, and that the commitment be made in the Federal agencies that they truly are partners in this process.

Have participants been able to adapt to changes resulting from MIS requirements? This has been one of the biggest challenges. Because people fall back on their paradigms—not just FTA and FHWA people but also the environmental resource agencies with which we deal—they have been resistant to the new paradigm. They are not used to dealing at the broader level of major investment studies. We have spent a lot of time and energy addressing that particular issue. It has also been a problem for those of us within State DOTs, MPOs, and the implementing agencies to operate in this new and different world.

Are MIS requirements and practice consistent with current policies encouraging de-evolution? The fact of the matter is that the way the MIS requirements have been administered in the field, the answer to this, unfortunately, is "no." There has been too much micro-management. Again, this is one of the challenges from a policy standpoint.

What changes should be made to MIS requirements and practice from a policy perspective? Each of us involved in MIS—Federal partners, those in state DOTs, MPOs, transit agencies, consultants—ought to think about the following questions in any decisions being made regarding the process:

- Is this consistent with the spirit and intent of ISTEA?
- Is this a cost-effective use of scarce public resources?
- Does this result in better decision-making?
- Will this result in better decisions?
- Is value being added as a result of this requirement or expenditure of money?

In summary, I would like to make several points. Prescriptive requirements by FHWA/FTA should be kept to an absolute minimum. Flexibility should be allowed to permit what works best in local circumstances to be implemented. FHWA and FTA, particularly at the field office level, need to become true partners in the process rather than regulators and critics.

Let me go back to the three questions in the title of my presentation. Is the vision being achieved? Partially, but we have a long way to go. Can the vision be achieved? I hope so, but we must ensure that we will get maximum value for the major expenditures that we make in transportation. Should the vision be achieved? Notwithstanding what many of my colleagues in AASHTO may feel, I feel it should be, but there need to be some changes made to the way it is being executed.