

INFRASTRUCTURE, LAND USE, AND TRANSPORTATION

Idaho Association of Counties Infrastructure, Land Use, and Transportation Committee Policy Platform

The Idaho Association of Counties (IAC) believes that Idaho and the nation must consider our transportation systems within the state and counties, and associated infrastructure as a critical part of any planning process or the establishment of ordinances/laws. This consideration must be given to the planning of land use within counties and the state.

STATEMENT OF BASIC PHILOSOPHY

The Idaho Association of Counties (IAC) believes that this state and the nation's transportation system are vital components in building and sustaining communities, moving people and goods, and developing competitive economies at local and regional levels, and on a global scale.

The nation's counties play a critical role in the nation's transportation system. Counties own 45 percent of the nation's roads and 39 percent of the nation's bridges, and are involved with over a third of the transit systems and airports in the United States that connect citizens, communities, and businesses. IAC believes that Idaho's counties should be recognized as major owners of transportation infrastructure and provided levels of funding and authority that adequately reflect their role in the nation's transportation system.

Idaho counties play a role in broadband deployment and other critical infrastructure, such as jails, courthouses, and parks.

Each year, counties invest millions improving roads, constructing infrastructure, and maintaining and operating the public infrastructure, including public works.

Idaho counties should be recognized as major owners of transportation and infrastructure, and federal and state policy should provide counties the flexibility to use additional financing tools.

Decisions on land use affect private property rights and have a direct impact on the quality of life of local residents and their economy. The Idaho Association of Counties believes that land use decisions made at the federal, state, and local levels must be clearly explained, and local residents should have a voice in these decisions as they will bear the greatest burden of the costs. Strategies that encourage and facilitate local participation should be incorporated in policy and plan development and other administrative procedures.

Adequate time must be given to counties in evaluating and implementing new programs and regulations to enable responsible planning, and should recognize a logical sequence in implementing new responsibilities. The establishment of minimum standards is essential to ensure adequate protection and reasonable certainty in the investment of public resources.

TRANSPORTATION FUNDING AND FINANCING TOOLS

IAC believes that a user-pay approach should continue to be the cornerstone of federal transportation funding and that federal policy should provide counties the flexibility to use additional financing tools, such as tax-exempt bonds and public-private financing, for delivering transportation projects.

A. Highway Trust Fund: IAC supports using Highway Trust Fund revenue for a total public transportation program (roadways and transit) and that Congress and the Administration should retain the existing budget treatment of the highway and mass transit accounts within the Highway Trust Fund. In addition, IAC supports increasing

and indexing the federal motor fuel user fees to meet current and future highway and transit funding needs, provided all additional revenue resulting from such an increase is dedicated to highway, bridge, and transit programs.

IAC supports the long-term solvency of the Highway Trust Fund by considering revenue sources that will better capture all users of the nation's highways and account for all vehicles. Congress should also consider streamlining administrative and environmental requirements in order to direct more funding toward highway improvement.

- B. Harbor Maintenance Trust Fund:** IAC supports the full expenditure of harbor maintenance trust fund collections on dredging and harbor maintenance, and providing equity for deep draft ports that contribute collections to the fund but do not have significant dredging needs by allowing them to utilize trust fund dollars for limited port-related uses other than dredging.
- C. Airport and Airway Trust Fund:** IAC supports funding the airports and airway trust fund at levels that will meet current and future infrastructure needs and allow for the steady flow of authorized funds without cuts or delays. IAC also supports retaining the existing budget treatment of the trust fund, which requires mandatory spending of its funds and ensures that the taxes collected from users of the aviation system are spent on their designated purposes.
- D. Passenger Facility Charge (PFC):** IAC supports the continued collection of PFC fees for every boarded passenger by public agencies that control commercial airports.
- E. Airport Rates and Charges:** IAC supports local governments and airport operators having the full authority to impose and enforce fees, rates, and charges that dedicate all airport revenue to airport development, capital financing, and operations.
- F. Off-Airport User Fees:** IAC supports the continued authority of local governments and other public airports to set fees, rates, and charges for the use of airport facilities by off-airport businesses, with the proceeds being dedicated to airport development, capital financing, and operations.
- G. Innovative Financing:** IAC supports innovative financing mechanisms, including, but not limited to, qualified tax credit bonds; infrastructure banks; the Transportation Infrastructure Finance and Innovation Act (TIFIA); and public-private partnerships that would allow local governments and transportation authorities, such as counties, to leverage federal financing for capital projects.
- H. Municipal Bonds:** IAC believes the tax-free status of bonds used for transportation infrastructure development should be continued with no imposition of additional restrictions on arbitrage and advanced refunding of bonds.

COORDINATION AND CONNECTIVITY

IAC believes that an ideal transportation system is balanced, coordinated, and encompasses all modes of transportation, including land (roadways, rail, and transit), aviation (airports), and marine transport (ports). IAC also believes that continuous, cooperative, and comprehensive planning is an essential part of a coordinated and balanced transportation system.

- A. Intergovernmental Coordination:** IAC believes a coordinated and balanced transportation system supports the interrelationship and connectivity of transportation infrastructure and services across all levels of

government, including county/municipal, state, and federal transportation assets.

- B. County Role in Transportation Planning:** IAC supports opportunities for counties to participate in local/regional and statewide transportation planning processes and believes local/regional transportation planning organizations (such as Metropolitan Planning Organizations) should be made up of a majority of local elected officials and that local elected officials should be able to re-designate their local/regional transportation planning organization, in consultation with the state, if their organization is not adequately comprised of local elected officials.
- C. Funding for Transportation Planning:** IAC believes funds devoted to comprehensive planning should be reasonably related to identifiable beneficial results through a benefit-cost analysis.
- D. Funding for Multimodal Transportation Projects:** IAC supports federal funding for multi-modal transportation projects through discretionary programs and believes local governments should be eligible as sole applicants for these programs.
- E. County Role in Unmanned Aerial Systems (UAS) Regulations:** Counties shall have the authority to regulate certain aspects of Unmanned Aerial System (UAS) operations to ensure public safety and privacy. These aspects would include, but not be limited to: certain lower levels of altitude, time-and-day of operation restrictions, and enforcement capabilities.

IAC urges the Federal Aviation Administration (FAA) and Congress to allow local governments to be able to govern certain UAS capabilities and work in collaboration with local governments to ensure the safety of the national airspace as UAS technology is further integrated.

HIGHWAYS

While counties own more road miles in the United States than any other form of government, IAC recognizes that the nation's transportation system depends on roads and bridges owned by all levels of government and that the role counties play within a state varies greatly state-by-state. Therefore, IAC supports a federal highway program that supports investments in both state and locally owned roads and bridges.

- A. Requirements for Local Projects:** IAC believes counties should be permitted to make a distinction between projects that are statewide and local in character, with requirements for local projects being much less complex.
- B. Regional Planning:** IAC believes that regional planning organizations, in cooperation with state and local governments, should be limited to planning for services and facilities of regional significance.
- C. Statewide Planning:** IAC supports states, with local governmental review and approval, developing multi-year plans and programs for highway improvements, and believes that the federal government should review and approve these annual state plans and programs.
- D. Increased Funding for Local Infrastructure:** IAC believes Congress should increase funding for highways and bridges owned by local governments by redirecting amounts authorized strictly for state-owned highways and bridges.

- E. Off-System Investments:** IAC supports federal investments for certain projects that are off the federal-aid system, including:
- Programs that target the rehabilitation of critical elements of the transportation system in our aging regions and communities, including high-risk rural roads;
 - Funding for the replacement or rehabilitation of critically deficient bridges that may not be on the federal-aid system, particularly those off-system bridges under county control;
 - Funding to eliminate or grade-separate the most serious hazards among the 165,000 rail-highway grade crossings not on the federal-aid or state-aid systems.
- F. Trucks and Vehicle Size and Weights:** IAC believes adequate federal funding should be provided to compensate state and local governments for any infrastructure upgrades necessary to accommodate the vehicle size, weight, and configurations mandated by Congress. IAC also supports the continued requirement that all trucks have under-ride protection devices and believes that the National Highway Traffic Safety Administration should periodically review the adequacy of such regulations.
- G. Standards for Center and Edge Line Markings:** IAC opposes mandated standards for center and edge line markings and believes local governments should be allowed to implement their own policies and procedures.
- H. Intelligent Transportation Systems (ITS):** IAC believes counties should be provided flexibility and federal funding to adopt ITS technologies and related infrastructure.
- I. Highway Safety Plans:** IAC supports the requirement that states develop and update State Strategic Highway Safety Plans in an effort to reduce accidents and fatalities on our nation's roads and believes states should be required to, at a minimum, cooperate with local government officials in the development of their statewide safety plans.
- J. Metropolitan Congestion:** IAC supports increasing and expanding local control over funding to urban and suburban counties to address congestion.

PUBLIC TRANSPORTATION

IAC believes Congress should provide funds, in partnership with state and local governments, to improve existing public transportation systems and to establish new transit systems where needs and benefits have been determined by local elected officials. In addition, IAC believes the federal government should more fully recognize the appropriateness of counties as a basic area-wide government for planning and operating public transportation services and coordinating specialized transportation.

- A. Interlocal Cooperation:** IAC supports providing flexibility to counties and municipalities in metropolitan areas to join together and establish area-wide public transit authorities.
- B. Formula Funding for Urban Transit Systems:** IAC supports full funding of the urbanized area formula grant program at levels for both capital and operating assistance. ~~Deleted the word historic~~
- C. Funding for Rural Public Transportation:** IAC supports increased funding to the small urban and rural public transportation program. IAC requests that funding be maintained or increased for the Highly Rural Transportation Grants (HRTG) program through the U.S. Department of Veterans Affairs.
- D. Discretionary Funding for Transit:** IAC supports federal funding for transit projects through discretionary

programs that support rail modernization, new start and small start system investments and extraordinary bus capital needs, and believes projects should be evaluated based on its cost effectiveness, responsiveness to community transportation needs, and state and/or local financial support of the operations and/or maintenance of such projects and facilities.

- E. **Commuter Benefits:** IAC supports increasing the monthly amount that commuters may set aside pre-tax for mass transit to a level that exceeds the allowable pre-tax amount for parking.

AIRPORTS

IAC believes the federal government should more fully recognize the ability of counties, as area-wide governments, to plan and coordinate aviation with other modes of transportation and to control land use for future airport development.

- A. **Airport Improvement Program (AIP) and PFC Funds:** IAC supports flexibility for airport sponsors to invest AIP and PFC funds, and local fees, rates and charges, for the financing of intermodal transportation facilities, including but not limited to roads, interchanges, public transit, and safety projects that are an integral component to the growth and sustainability of the airport.
- B. **Small Community Air Service Program:** IAC supports continued, sufficient, and guaranteed funding to meet the needs of small communities to retain, expand, and attract air service.
- C. **Essential Air Service (EAS):** IAC believes the federal government should continue subsidies for assisting airlines serving small communities and fully fund the EAS program.
- D. **Federal Share of Airport Development Projects:** IAC supports an increased federal share of airport development projects to help local governments with inadequate local revenue sources.
- E. **Local Control over Airport Investments:** IAC supports increased flexibility for public airport sponsors in dedicating available airport grant funds to finance projects determined to be of highest priority by the sponsoring county/community.
- F. **Military Airports:** IAC believes the federal government should work cooperatively with counties in establishing the joint use of existing military airports for the purpose of achieving considerable public savings.
- G. **Air and Noise Pollution Control:** IAC believes the federal government should continue research of air and noise pollution caused by civilian and military aircraft, and enforce existing standards, rules, and regulations.
- H. **Airport Security:** IAC supports providing sufficient federal funding to both commercial and general aviation airports to guarantee adequate security and to ensure that no financial burdens or federal security requirements are imposed on local governments or public authorities that operate these facilities.

RAILROADS

IAC believes there should be a coordinated federal-state-local effort to return rail service to its appropriate place in a balanced national transportation system. In this effort, IAC supports expanding and improving long-distance passenger service and providing needed regulatory reform at the federal level.

- A. Freight Rail Assistance:** IAC believes Congress should provide assistance to local governments, states, and railroads for the rehabilitation, preservation, and improvement of rail lines with the goal of maintaining and improving needed freight service.
- B. Amtrak:** IAC believes Congress should continue to provide subsidies to Amtrak at a level consistent with maintaining a reasonable level of service and to provide necessary capital improvements with appropriate accountability controls. However, IAC opposes using any transportation trust fund dollars to address Amtrak's financial problems.
- C. Short Line Railroads:** IAC believes Congress should enact legislation that would preserve and restore short line railroads in urban and rural communities.
- D. High-Speed Rail:** IAC supports efforts to improve and expand regional and national high-speed rail service to serve those counties and regions that would benefit from such service. However, IAC opposes the use of funds from the Highway Trust Fund for high-speed rail and believes there should be no preemption of state and local taxing authority and no negative impact on any current commuter rail funding.
- E. Railroad Safety:** Rail safety is a critical issue for our communities. IAC urges Congress to support improved rail safety through the following measures:
- **Grade Separations:** IAC urges Congress to provide additional funding to local governments, states, and railroads to improve grade crossings and separations, allowing for safer interactions between road and rail traffic (23 U.S.C § 130).
 - **Routing Risk Assessments:** IAC supports the Rail Routing Risk Assessment required and audited annually by the FRA. IAC urges Congress to further require local and state government review of and input into the risk model (49 CFR § 172.820).
 - **Oversight Staff:** IAC urges the FRA to fill and maintain full staffing in its rail safety office.
 - **Rail Line Relocation:** IAC supports appropriations for this critical program that would provide communities options to relocate rail lines as needed.
 - **Rulemaking on Enhanced Tank Car and Braking Standards:** IAC supports rigorous tank car standards, including enhanced thermal protection for tank cars and eliminating the usage of older tank cars that are considered unsafe for moving hazardous materials. IAC further supports the expeditious study and implementation of enhanced braking systems based on safety findings.
 - **Credit Assistance for Safety:** IAC supports allowing federal appropriations to pay for the credit risk premium for loans that support safety improvements through the Railroad Rehabilitation and Improvement Financing Program.

PORTS AND WATERWAYS

IAC believes that a vibrant waterway transportation system is vital to our state's economy and provides our nation with the ability to meet the needs of the shipping public. IAC supports legislation that provides increased funding and regulatory relief to facilitate the revitalization, modernization, and maintenance of port facilities, including legislation that ties the expenditure of harbor maintenance trust fund revenues to their intended purpose – harbor maintenance projects. IAC also believes that federal policy should ensure that state and local officials responsible for administration and security at U.S. ports are consulted before the sale of port facilities in their jurisdiction to foreign state-owned entities.

RESEARCH AND DEVELOPMENT

IAC believes the federal government, in cooperation with states, local governments, and industry, should continue to expand research, development, and deployment programs that focus on new and existing modes of transportation, including but not limited to the development of reasonable, safe and cost-effective low-volume roads.

INFRASTRUCTURE FUNDING & FINANCE

A. Direct Allocation: IAC supports allocating funds directly to local infrastructure and ensuring the eligibility of broadband in new and existing programs.

B. Innovative Financing: IAC supports innovative financing, but not in lieu of direct funding streams.

C. Broadband Deployment: IAC supports investing in broadband deployment and development to provide unserved and underserved communities access to high-speed internet.

SOLID WASTE MANAGEMENT

Solid waste management requires the cooperation of governmental entities to accomplish the responsibilities of safe siting, operations, and monitoring of landfills and facilities. Diversion of recyclable materials from the waste stream should be a top priority of any facility.

Dumping on public land and the improper or illegal disposal of solid waste results in costly remediation and can be hazardous to the public. Public land agencies that hold public land have an interest in providing adequate waste management infrastructure. These entities should share in the cost and responsibility for developing and providing solutions.

Landfills are an essential public service to safeguard the health and environment of the community. Landfill and other waste stream infrastructure are costly and require long-term planning and commitment. Where solid waste management responsibilities are mandated, county officials need adequate authority to provide control of the waste stream to reduce liability.

Recycling is an essential element in fulfilling the best use and conservation of our natural resources. Responsibility for recycling is shared by all levels of government, industry, and the public. Currently, mandatory recycling is not an economically self-sufficient activity for some common materials, and therefore, counties must have flexibility in implementing any recycling strategies. Recycling alternatives and priorities are local decisions that should be determined by local abilities and needs. We do not support unfunded recycling mandates.

1. IAC supports adequate regulation of landfills and non-municipal solid waste facilities to ensure the protection of the environment and the quality of life of our communities.
2. IAC supports local control of the disposition of the waste stream and permitting approval of facilities that capture or redirect the waste stream to carry out mandated responsibilities.
3. IAC supports incentives to encourage recycling and the development of new markets for recovered materials, where feasible, as well as strategies to reduce the waste stream. IAC also supports planning and cooperation to stabilize the waste stream, where industries invest in waste-diverting infrastructure that is reliant on access to recovered materials.

LAND USE PLANNING

IAC recognizes that comprehensive land use planning and growth management is central to Idaho's social and economic stability. How land is used directly affects counties' ability to accommodate development, protect farmland and valuable natural resources, preserve the cultural and historical character of our community, deliver and conserve energy, provide necessary facilities and services, and maintain a high quality of life for existing and future residents.

Idaho's counties should recognize the planning needs of multi-county regions and encourage all governmental units within such regions to cooperate and participate in a comprehensive regional planning process wherever possible. State and federal government agencies should consistently consult with local governments in all matters of public land use policy.

1. IAC supports negotiated, enforceable “areas of city impact” as planning tools for both cities and counties.
2. The IAC supports the requirement that zoning ordinances and amendments comply with the Local Land Use Planning Act (LLUPA) and comprehensive plan policies.
3. The IAC supports local access to state agency site suitability advisory teams prior to CAFO and energy facility siting decisions.
4. The IAC supports local decision-making, including being brought into early discussions regarding potential energy sitings on federal lands.
5. The IAC supports local zoning ordinance authority to regulate floodplain activities and development in order to preserve Federal Flood Insurance Program eligibility, essential to its citizens and their property.
6. The IAC supports cooperative planning in preserving agricultural zones and encouraging best use practices in establishing county ordinances affecting land use.
7. The IAC supports the consideration of groundwater quality and potential depletion in all land use decisions.