

**U.S. House of Representatives  
Committee on Transportation and Infrastructure  
Hearing**

***Improving and Reforming our Nation's  
Surface Transportation Programs***

**Testimony of Senator Richard Browning**

**Governor Hulett C. Smith Theater at Tamarack  
Beckley, West Virginia**

Good morning and welcome to West Virginia. We are so pleased this morning to have the Committee here with us, and it is a personal honor for me to appear before you on a subject that I am very passionate about, the Coalfields Expressway. I am pleased to welcome home today one of our favorite sons, Congressman Nick Rahall. Congressman Rahall is very important to us in Southern West Virginia. I would like to take a moment to introduce myself. My name is Richard Browning and I am appearing before you today wearing two hats.....the first is that I am Executive Director of the Coalfields Expressway Authority, a public corporation formed by a legislative act in 1996 whose purpose is to advance the construction of the Coalfields Expressway; the second hat is one of a political nature. I represent the 9<sup>th</sup> Senatorial District (Raleigh and Wyoming Counties) in the West Virginia Senate. I serve as the Majority Whip of the WV Senate and I chair the Committee on Economic Development. So, with that in mind, my address to you today is two-fold. Specifically, I want to tell you a little about the Coalfields Expressway. I will tell you about our highway and its importance to us, and our needs for it. My work with the highway gets into many areas. The parameters of my job allow me to address economic development and infrastructure development issues along the highway, and everything I do in my local office usually ends up going through Congressman Rahall at some point because of federal funding issues. The Congressman is very important to us and today I salute him for bringing you to his home county of Raleigh to begin your national listening tour. I will conclude with my answers to Congressman Mica's questions posed in his invitation letter.

## History of Coalfields Expressway

The Coalfields Expressway in West Virginia is a proposed 112 mile four-lane, limited-access, highway that will run from I-64-77 in Beckley to U.S. 23 in Pound, Virginia. In West Virginia, the Expressway runs 67 miles, generally utilizing West Virginia Highways 54, 16, and 83, from Beckley, West Virginia, to Slate, Virginia, through Sophia, Mullins, Pineville, Welch, and Bradshaw. To date, the WVDOH has constructed almost 7 miles, 17 miles are under design, 41 miles remain to be designed.

## Coalfields Expressway Funding

### Federal

ISTEA of 1991	\$50 million
TEA-21 1997	\$22.69 million
Fiscal Year 2001 Transportation Appropriations Bill	\$10 million
Fiscal Year 2002 Transportation Appropriations Bill	\$16 million
Fiscal Year 2003 Transportation Appropriations Bill	\$9 million
Fiscal Year 2005 Transportation Appropriations Bill	\$12 million
SAFETEA-LU 2005	\$16.7 million
Fiscal Year 2006 Transportation Appropriations Bill	\$10 million

**Total Federal** **\$146.4 million**

### State

State Match for all Federal Funding	\$29.28 million
Revenue from sale of Road Bonds	\$10 million

**Total State** **\$39.28 million**

**Total All Funding** **\$185.68 million**

The Coalfields Expressway has never utilized one penny of federal discretionary money from any highway bill. That simply has to change, and I send that message not to you, but to our state highway officials here today.

## **Economic Impact of Coalfields Expressway**

We learned from the 2000 census that 6 of the top 10 counties for population loss in the whole nation were in Southern West Virginia. I daresay that number will not change when we get the numbers from the most recent census. Our counties are consistently at the bottom of every measurable demographic / social list that exists, and the Coalfields Expressway runs through two of those counties. The reason for this loss of population is, of course, a lack of jobs. Mechanization in the coal industry and an uncertainty in the future of coal mining because of regulatory problems is the cause of most of the loss. But let's not put all the blame on others here. Our political leaders over the years share the blame. Because of West Virginia's historical energy economy that is based on coal production and natural gas production, we failed to diversify our economy years ago, and that's the problem. After all, where else in the country can you graduate from high school, take an 80 hour mining course and then walk into one the highest manufacturing jobs in the country? That's how it used to be here, and that's what lulled us to sleep. That's why we are where we are. Every study I pick up and even ones that I have had done say one thing; you cannot diversify without good transportation. In Southern West Virginia, we do not have good transportation and that has to change. Good roads translate into good jobs.

In the fall of 2006, the Coalfields Expressway Authority, with the help of Congressman Nick Rahall, commissioned the Center for Business for Economic Research (CBER) at Marshall University to assess the economic impacts associated with the construction of the Coalfields Expressway in Southern West Virginia. The CBER issued its report in December of that year. To form the basis of its research, CBER looked at the following topics: overall regional economy; regional industry mix; travel safety and congestion; migration; and overall quality of life. CBER concluded the study by saying:

“As the evidence from this study indicates, areas with the presence of four-lane, divided, limited control access highways achieve higher rates of growth than those obtained in the Coalfields Expressway Counties. While those counties in West Virginia with such access (those on Interstate or Appalachian Corridor Highways) did not achieve the national averages, they on all indicators do better than the Coalfields Expressway counties. By using the WV Highways counties which are similar in terrain, demographics and rural base, the comparison takes on validity.” The booklet that I send out from my office to answer the public's questions about the Coalfields Expressway, which each of you has, has other statistical information, although dated, that is still valid.

Now, wearing my State Senate hat, I want to talk to you generally about our highway needs all across West Virginia, and hopefully provide you some answers to the questions posed in Congressman Mica's invitation letter.

## **Reducing the Number of Transportation Programs**

I applaud the committee for looking at programmatic reductions where needed. We must make every penny of every transportation dollar count. I would caution the committee, however, decreasing funding for any type of transportation. I know that we at the state or federal level cannot and do not base our actions on just what is before us at this time. Programs come and go and change with times, but transportation systems must be improved and maintained. We all know that we are in a global economy that is growing exponentially, and this nation's trading partners will shift more to our eastern ports. With the widening of the Panama Canal, our eastern ports will handle a much higher volume of goods with those new partners and inland ports have to be developed here utilizing all forms of transportation. Intermodal hubs, utilizing our ground and air transportation systems in the eastern United States will help create the job diversity needed for this area. Beckley, West Virginia is a prime target for that.

### **Streamline the Project Delivery Process**

We know that the faster we deliver the projects, the faster the economy grows and the more benefit the public gets from use of the project. By utilizing design / build construction programs, by using more creativity in the financing of projects to accelerate completion, and by decreasing the regulatory hurdles that each project must survive, we can deliver the projects faster. However, with that said, we cannot continue these delays in passing federal highway legislation. We are two years late now, and that delay causes uncertainty in our construction industry as well as in highway planning at the state level.

### **Increase Private Sector Investment**

By having the job that I have, I have noticed that in the last three federal highway bills, more emphasis has been placed on states to fund highway projects at that level rather than from the federal. Similarly, over that time, states are placing more emphasis on local counties to fund improvements and I am part of that because I have voted for the legislation to do this. I began working on a public / private transportation bill in the West Virginia Legislature in 2002. We finally got one passed in 2008. We have utilized this type of funding on two projects in West Virginia, both before the passage of the legislation and both using coal reserves as the private part of the package. A third at the present time, the US 35 project, is stalled over the use of tolls on the project and the amount of return on the investment of federal highway money in the bond market. In the absence of federal funding, private sector investment must happen, but we all know that people invest money for the highest return and that's not always the case in transportation. Whichever way we as policy makers choose to fund highway projects, we must remember the cost is always borne by the public, whether we charge them up front in local

gasoline taxes or down the road as interest on invested private funds using public private financing innovations.

## **Identify Creative Financing Alternatives**

In West Virginia, we are trying to stay ahead of the curve. We have passed public / private legislation. In the southern part of the state where the abundance of our coal lies, we are maximizing the use of coal and coal mining to build road beds where possible. We have used general revenue dollars to prop up our highway maintenance programs. We have passed additional gasoline taxes in anticipation of receiving additional federal dollars. We have passed legislation to let local citizens tax themselves further to fund local road improvements. We currently have legislation moving now in the West Virginia Senate to use excess funding in our state's "rainy day fund" to finance road projects. We are always flirting with raising other fees associated with transportation to come up with more money. Lastly, we are constantly pressuring our state highway officials to bring us new ideas for innovative road financing.

## **Other Ideas for Improving Accountability and Performance in These Programs**

In West Virginia, we are terrain challenged in road building. That's why we need more federal help that other states, like some the others that Mother Nature made flat. It costs lots more money in our state for road construction than most other states. We cannot tax our people enough to pay for our own needs. We need your help. We need to keep the donor / donee ratio currently in place put there by our revered Senator Robert C. Byrd. We need a federal gasoline tax increase. This has not happened since 1993, and all states need the help. The consistent drop in the Federal Highway Trust fund bears this out. I am not saying this to avoid voting on a tax increase myself at the state level. As I said earlier, we have stepped up, voted for additional state gasoline taxes and provided our match whenever we have needed to. But, to remain competitive with our neighboring states, we cannot increase our state tax further. We are higher than all of our bordering states except one. It has to be across the board nationally.

In conclusion, all states are struggling with transportation needs. I know that during the years from 1992-2000, our economy raced, doubling the number of tractor trailer rigs on our nation's highways to keep the goods moving. We cannot enjoy that kind of growth today under any economic policy because our transportation system is bottlenecked, and it truly is a national problem. I don't think states will balk at their share of the cost, but the bulk of the money has to come from a federal initiative. As I travel around and discuss this with my constituents, this is the major complaint that they have, lack of good roads. I have found, too, that this is one of the few things they agree to be taxed more for.

Thank you very much for listening to me today and I stand ready to answer any questions you may have.