



September 7, 2010

Governor Charlie Crist
The Capitol
400 S. Monroe Street
Tallahassee, FL 32399-0001

Dear Governor Crist:

BikeWalkLee, a coalition working to complete Lee County's streets, wrote you on August 18th urging you to distribute the recent congressional rescission of \$112.6 million from Florida's federal transportation funds proportionately. (http://www.bikewalklee.org/BWL/BWL_PDFs/BWL_PR/081810CristRescissionLetter.pdf). Therefore, we were very disappointed to see the decisions announced on August 23rd that, once again, took the bulk of the cuts from two programs, Transportation Enhancements (or TE, \$24.7 million cut) and the Recreational Trails program (or RTP, \$3 million cut) — two state programs that fund projects to make our roadways safer for Florida's walkers and cyclists.

While the federal legislation on this latest rescission exempted safety programs and local/regional road projects from the rescission, the remaining programs were not cut proportionately. An overall cut of 48.5% of unobligated balances was required. FDOT only cut 2% out of the unobligated balances in the road programs subject to the rescission, while 73% and 47% of unobligated balances were rescinded from TE and RTP respectively. More importantly, of the \$2,319 million available for Florida federal transportation funds (FHWA), the rescissions resulted in a 5% reduction on the total funds available to Florida. However, TE and RTP programs lost 32-36% of their funds--almost seven times their fair share. (See BikeWalkLee's in-depth analysis of the rescission: http://www.bikewalklee.org/BWL/BWL_PDFs/BWL_facts/090210RescissionAnalysis.pdf9/4/10.)

How can our state leaders justify this action, when our state continues to top the national list of the most dangerous state for both pedestrians and cyclists? A pedestrian in Florida is twice as likely, on average, to be struck and killed by a vehicle as in other states. As a bicyclist, the rate is three times greater than the national average.

We were also disappointed by FDOT's disingenuous statement that "not a single [TE or RTP] project already scheduled in the work program was lost or deferred...." De-obligating projects was never required or expected in this or any federal rescission, but FDOT slashed more than 1/3rd of all the federal funds made available for the two programs that support bike/ped projects. This means many projects proposed for 2010 will not be funded. The Lee County MPO spent over 6 months working with local governments to develop and submit six new quality and ready-to-go bike/ped projects for TE funding, along with the six unfunded priorities from last year. In total, 12 pedestrian and bicycle facility TE projects worth \$3.9 million, located in jurisdictions throughout the county, are awaiting FDOT approval and funding. With FDOT's decisions on this rescission, the funds available to support these projects have been cut by 32%. Once again, funding for safe and accessible biking and walking facilities in Lee County will be shortchanged. Lee County has identified more than \$50 million of needed bike/ped facilities, and this backlog grows even larger as FDOT continues to shrink the available resources.

These cuts are not isolated incidents; rather, they follow a pattern where projects to improve walking and bicycling facilities are marginalized and undervalued by our state government -- despite the fact that Florida leads the nation in unsafe conditions for cyclists and pedestrians and despite the fact that improving our obesity rates and tourism industry are dependent on creating walkable and bikable roadways, and despite the fact that biking and walking reduces GHG

emissions and reduces our dependence on foreign oil. As we stated in our November 20, 2009, letter to you (http://www.bikewalklee.org/BWL/BWL_PDFs/BWL_PR/112009GovCristBWLletter.pdf) about the 2009 rescission, “This rescission is a reflection of the state’s view of walkers and cyclists as second-class citizens when it comes to our roadways.”

We urge you and your administration to take steps now to put bicycle and pedestrian programs on an equal footing with other transportation programs, by taking the following actions:

- Adopt a policy that future rescissions and shortfalls in obligational authority will be taken proportionately across all transportation programs.
- Take actions to fully obligate TE and RTP funds every year. One approach would be to revise the application process for both programs so that projects to be funded have been developed and approved by FDOT in the preceding year and are then officially selected and obligated at the beginning of the year for which the funds were allocated. At present, the program is designed to award grants at the end of the fiscal year, making them vulnerable to end-of-year rescissions of unobligated balances.
- Use the funding flexibility available under federal statute to shift additional funds into these programs over time.

Last year, Lee County—through adoption of complete streets resolutions by both the MPO and the Lee County Board of County Commissioners—embarked on a path to safer streets for everyone. Our county also made the significant step to develop its first countywide bicycle/pedestrian master plan that will provide the blueprint for a safe, accessible, and connected bicycle/pedestrian system. As the county begins to implement its adopted policies, the strong national leadership calling for fully integrated active transportation networks is energizing our local efforts. Unfortunately, these efforts are being undermined at the state level. This rescission is just the latest evidence of Florida prioritizing motorized traffic over the needs of walking and biking. In addition to the aforementioned letters to you, here are links to two more letters we sent you this spring urging you to provide support and leadership:

http://www.bikewalklee.org/BWL/BWL_PDFs/BWL_PR/032210bwIMPOsupport.pdf,

http://www.bikewalklee.org/BWL/BWL_PDFs/BWL_PR/042710BWLletterGovCrist.pdf. To date, our many letters to you have met with deafening silence.

Enough is enough! Florida's leaders need to stop marginalizing cyclists and pedestrians -- now!

Sincerely,

Darla Letourneau

On behalf of

BikeWalkLee

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cc: Lt. Gov. Jeff Kottkamp
Alex Sink, Chief Financial Officer, State of Florida
Senate President Jeff Atwater
House Speaker Larry Cretul
State Sen. Andy Gardiner, chairman, Senate Transportation Committee
State Rep. Richard Glorioso, chairman, House Transportation Committee
Debbie Hunt, Assistant Secretary, Department of Transportation
Stephanie Kopelousos, Secretary, Department of Transportation
Stan Cann, FDOT District 1
Lee Legislative Delegation
Lee MPO Members
Rick Scott, Republican candidate for Governor
Alex Sink, Democratic candidate for Governor
Kendrick Meek, Democratic candidate for U.S. Senate
Marco Rubio, Republican candidate for U.S. Senate
Senator Bill Nelson

**Analysis of FDOT's 8/10 Rescission Action:
Disproportionate Impact on Bike/ped programs**

| Transp. program | % 2010 funds avail. oblig. | %unoblig. balances rescinded | % all 2010 funds avail. rescinded |
|---------------------------------|-----------------------------------|-------------------------------------|--|
| TE (bike/ped proj.) | 56% | 73% | 32% |
| Rec. Trails | 24% | 47% | 36% |
| Bridge programs. | 59% | 75% | 30% |
| All other transp. Prog. (Roads) | 67% | 2%* | 0.1% |
| Total | 66% | 49% | 5% |

* for those programs subject to federal rescission. If look at all transportation programs, only 0.4% of the unobligated balances were rescinded.

(see FDOT spreadsheet, as modified/analyzed by BWL for details)

Prepared by DLetourneau/BikeWalkLee 9/4/10