

TEXAS DEPARTMENT OF TRANSPORTATION

(1) From your agency's point of view, what regulations can be reduced to improve communication and cooperation between federal, state, and local governments within the Texas-Mexico border region?

TxDOT maintains good working relationships with local and federal governments. For details, please see the September 12, 2006 Report from TxDOT to the Texas-Mexico Strategic Investment Commission (attached).

(2) What are the main trade issues between the United States and Mexico that you have identified as having an impact (both positive and negative) on your agency or your area of work?

The biggest competitive advantage that the NAFTA region has is geographic proximity. To maximize this advantage, trade must move across Texas highways efficiently. TxDOT has invested extensively in border area infrastructure, continues to do so, and is planning for expanded trade transportation for the future. The attached report summarizes what TxDOT has done and plans to do in the future.

The Coordinated Border Infrastructure Program, from SAFTEA-LU, contains much more federal funding for border infrastructure than was ever allocated before. Please see page 10 of the attached report. In addition to the projects listed there, the Border Districts and local MPOs are working to put this funding to the best use. They are in the process of identifying projects at a number of the border crossings.

(3) Having studied the flow of commerce at ports of entry between this state and Mexico, including the movement of commercial vehicles across the border, what actions would you establish to aid that commerce and improve the movement of those vehicles?

There is a succinct listing of border crossing issues in the Border Transportation Studies Review Final Report, Texas Transportation Institute, 2005. Please see the September 12, 2006 Report from TxDOT to the Texas-Mexico Strategic Investment Commission. In addition, the report from the Cross-border Infrastructure Meetings held along the border during the last year will be available on December 1, 2006.

(4) How do you work with federal officials to resolve transportation issues involving infrastructure, including roads and bridges, to allow for the efficient movement of goods and people across the border between Texas and Mexico?

Please see the September 12, 2006 Report from TxDOT to the Texas-Mexico Strategic Investment Commission (attached).

(5) How does your agency work with federal officials to create a unified federal agency process to streamline border crossing needs?

Please see the September 12, 2006 Report from TxDOT to the Texas-Mexico Strategic Investment Commission (attached).

(6) Has your agency identified problems involved with border truck inspections and related trade and transportation infrastructure? What are those? What solutions/recommendations does your agency propose?

Please see question number (3)

(7) How do you work to increase funding for the North American Development Bank to assist in the financing of water and wastewater facilities?

N/A

(8) Has your agency explored the sale of excess electric power from Texas to Mexico? What are your findings?

N/A

(9) Has your agency identified any areas of environmental protection that need to be addressed cooperatively between Texas and the Mexican states? If so, which are those areas and what type of protective measures need to be taken?

N/A

(10) Has your agency identified common challenges to health care on which all border states can collaborate? If so, what are those challenges and how can all border states collaborate to overcome them?

N/A

(11) Has your agency developed any recommendations to address border challenges in general? If so, what are they?

Please see pages 12 and 13 of the September 12, 2006 Report from TxDOT to the Texas-Mexico Strategic Investment Commission (attached).

First, the Rail Relocation Fund must be capitalized. This fund will be instrumental in relocating rail lines outside of city centers and improving rail lines where it is not feasible to relocate them. As such, these projects, once a funding source is identified, will provide traffic relief since there will be fewer vehicle/train intersections, improve air quality because there will be fewer idling trains and vehicles, and improve safety, since right now train crossings are very dangerous for both vehicles and pedestrians.

Second, working to curb the purchase and development by speculators of the property adjacent to future highway routes will save the state time and money. Currently, state law prevents counties from stopping or regulating development around future transportation corridors. This problem has cost state and local governments considerable money in increased right-of-way costs. While cities and counties with larger populations have mechanisms to control this, rural areas do not.

Third, streamlining the environmental process would result in a significant cost savings to the state. SAFTEA-LU created a pilot program for 5 states to take over

their own environmental review of highway projects. Texas was one of the states chosen, but state legislation must be passed before it can be used.

Another issue regarding highway right-of-way is advanced acquisition. Generally, TxDOT cannot acquire parcels of land until the environmental work is completed. Obtaining authority for advance acquisition of parcels that are likely needed for a transportation project would avoid inflationary impacts and prevent development of the property, and would only be used when the seller was willing. Property would not be taken through eminent domain.

Finally, the border region would be helped by a reform of the statutes governing utility relocations. Since utilities have a statutory right to be in state right-of-way at no charge, when those utilities have to be relocated to accommodate a state highway improvement, taxpayers must pay for moving the utilities. Oftentimes utility relocations can add significant costs to a highway project, which reform could potentially help to minimize.

(12) What programs and services does your agency offer to border communities?

First, TxDOT administers the Border Colonias Access Program that provides money to help Colonias improve their connecting infrastructure. Second, each TxDOT Border district has a funding allocation for normal maintenance and preservation of their highway facilities, as well as some allocations for added capacity projects. The Transportation Commission committed to fund \$1.8 billion in border transportation improvements through 2009. To date, \$1.4 billion has been awarded for those construction projects. Third, TxDOT administers the Coordinated Border Infrastructure funding to each of the border districts based on the number of entry points and the number of vehicles crossing the border. Fourth, we construct Border Safety Inspection Facilities at the eight busiest commercial crossings. Fifth, TxDOT meets on a regular basis with other agencies and Mexican counterparts on issues important to the border region.

(13) What are some regulatory and/or legislative recommendations to eliminate duplication and combine programs and services?

TxDOT has no recommendation on preventing the duplication of our programs.

(14) Please share any considerations from your agency regarding the effect of policies instituted by the federal government impacting the border region.

Executive Order 13339 requires a presidential permit when making modifications to a border crossing. TxDOT has worked with the FHWA and the other border states to give input to the State Department on proposed regulations to lessen the impact of this order on existing border crossings.

Federal programs that benefit the border include the FAST, C-TPAT, and SENTRI programs. These have expanded significantly at the Texas-Mexico border recently and are discussed in more detail in the attached report. The ACE (Automated Commercial Environment) program is also being implemented this year.

(15) Please give a brief summary of all your agency's activities related to the Border and/or Mexico.

Please see the September 12, 2006 Report from TxDOT to the Texas-Mexico Strategic Investment Commission (attached).