THE COED EXPERIENCE

WHAT THE COMMISSIONER’S OFFICE OF ECONOMIC DEVELOPMENT CAN DO FOR YOU

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BACKGROUND

• Commissioner’s Office of Economic Development (COED) created by Commissioner’s Order of March 13, 2008

• Position of Staff Engineer to the Deputy State Highway Engineer/Development transferred to COED

• Mission is to “ensure appropriate coordination between the Division of Highways and other public and private interests during the development of economic development projects affecting the State Transportation System”

• Duties/Responsibilities include

  • Coordination with private entities desiring to implement industrial, commercial/retail, residential and certain other economic development projects
  • Administer the Industrial Access Road Program
  • Develop, implement, and monitor policies and procedures regarding DOH involvement with economic development projects
  • Coordinate on behalf of the Commissioner with public and private agencies/entities concerning infrastructure modifications not already addressed by DOH
  • Represent Commissioner with respect to coordination of public/private projects
WVDOT ORG STRUCTURE
OVERVIEW

- WV’s Industrial Access Road Program
- Other “Large” Development Projects
- Commercial/Residential Development Projects
- CA Breaks/Modifications
- Public Agency Assistance/Other Issues
- Art on RW
- Events
- Planning Impact
WV INDUSTRIAL ACCESS ROAD PROGRAM

- Created by Legislature in 1989 for access to manufacturing, warehousing, distribution, “other economic development” projects
- DOH required to dedicate $3M from State Road Fund each fiscal year – State funded program
- No more than $400,000 in Unmatched $ and $150,000 in Matched $ may be approved for any County in a given fiscal year
- Only new or expanding industrial projects eligible
- Application based Program
  - Only Counties/Municipalities may apply for IAR funds
  - County Commission in support of request required
  - Cost estimate for access project necessary
  - Applications submitted to WV Development Office, throughout the year until $3M obligated; WVDO submits to DOH if recommended for funding
- IAR funds require corresponding qualified industrial investment (10:1 for Unmatched; 5:1 for Matched)
WV INDUSTRIAL ACCESS ROAD PROGRAM

- Project agreement executed between DOH and applicant
- Design and construction administered by applicant or DOH
  - DOH administers like any other DOH project with exception of utility clearance
  - If County/municipality administers, DOH approves plans and reimburses actual eligible costs incurred
- All IARs are part of State Highway System
- Challenges associated with IAR Program
  - RW conveyance
  - IAR project implementation trails industrial project implementation
  - IAR funds can’t be used for utility cost
  - IAR funds typically not enough to pay cost of roadway project
  - Eligibility determination for project
  - Applicant has to be County or City and public funds have stipulations
OTHER “LARGE” DEVELOPMENT PROJECTS

• Projects that represent very large private investment, large employment opportunities
  • Recent examples: Procter & Gamble facility; Macy’s; Summit Bechtel Reserve; ethane crackers
  • Previous examples: Toyota facility; NGK facility; Cabela’s Distribution Center
• DOH typically assists Department of Commerce (or other agencies) during site review
  • Confidentiality maintained
  • Transportation needs of company compared to existing conditions/constraints
  • Determine level of DOH involvement with transportation modifications and funding
  • Review/discuss existing or needed public transit routes part of review process - large employer may necessitate changes in transit routing
  • Availability of rail service can be an issue – identifying funding source to implement rail spur historically has been a challenge
• If WV site chosen, DOH may administer/implement highway modifications or other entity may administer and DOH may reimburse certain costs
• Proposals may involve Tax Increment Financing (TIF) District
  • Property TIF approved by WV Development Office; Sales Tax TIF approved by Legislature
  • TIF bond sale proceeds utilized for infrastructure implementation
• Post-Mine Land Use (PMLU) proposals may involve DOH corridors
  • Can result in rough grade of corridor being provided to DOH, which reduces construction cost substantially
  • RW for corridor donated to DOH also
  • Developable land within site will need access to existing system
COMMERCIAL/RESIDENTIAL DEVELOPMENTS

• Conceptual/preliminary site plan and project scope provided by Developer
  • Determination made whether TIS needed or modifications (e.g., turn lane) in lieu of TIS
  • Identify any scheduled/anticipated DOH projects in area
  • Review proposed access location for potential concerns regarding driveway spacing, sight distance

• Use of “Developer Agreement” for projects of a size/scope that involve a Traffic Impact Study and/or may require RW conveyance/exchange

• Administration of Project by DOH: State Project is programmed; Developer Agreement is executed; authorization requested when deposit received

• Certain subdividing of land (abuts on a state highway, other stipulations), is subject to approval of the Commissioner of Highways (W. Va. Code §17-4-50)

• Proposed TIS scope approved by DOH (per TED 106-2), and TIS then submitted to DOH by Developer
  • DOH review (District, Central Office, maybe FHWA) typically 3-4 weeks for initial submission
  • DOH review of revised TIS submission (if needed) typically 2-3 weeks
  • Developer required to submit TIS to County Commission, and to municipality and MPO if appropriate
  • Recommendations of approved TIS incorporated by Developer into Plans regarding Development

• If traffic signal installation/modification involved, Traffic Engineering addresses agreement; programming; funding
COMMERCIAL/RESIDENTIAL DEVELOPMENTS

- If relocation of existing DOH roadway proposed, new roadway must have as good or better alignment (horizontal/vertical), width and surface.
- Plans and drainage calcs submitted to DOH by Developer:
  - Review process/timeline typically same as that of TIS review.
  - Developer required to submit Plans to County Commission, and to municipality and MPO if appropriate.
  - Drainage calcs verify post-development peak discharge doesn’t exceed pre-development.
  - Developer responsible for coordination with other MS4s, Floodplain Coordinators, Corps of Engineers.
- Once Plans approved, Developer obtains encroachment (and utility) permit from District HQ, and then may construct project.
  - Developer implements construction of access and associated modifications.
  - DOH typically provides no funding for private (non-industrial) development projects.
  - Development access roads typically not included in State Highway System.
- Challenges for DOH:
  - Access management may conflict with local desire for proposed project.
  - Municipal/County guidelines may differ from DOH.
  - DOH doesn’t control type of development proposed for a site (Land Use/zoning isn’t our role).
  - Developments are tax and job generators so DOH should fund improvements.
  - DOH can’t mandate separate property owners share access.
  - Limited frontage can result in multiple separate accesses along road.
  - Assessing potential pedestrian traffic associated with a development.
CONTROLLED ACCESS BREAKS/MODIFICATIONS

• Not all CA facilities are Expressways, not all CA facilities part of NHS (WV 705, Tabler Station Connector, MacCorkle Avenue, etc.)

• Applicable to proposed new access through existing CA RW of non-Interstate/Freeway - new access to Interstate System addressed by different process (IJR)

• Applicable to modification of Interstate/Freeway CA for utility/signing

• Proposed acquisition of DOH RW typically addressed through Property Management process, initiated by DOH District HQ

• Conceptual proposal regarding CA break or modification provided to DOH (Google Earth, PDF); proposer hasn’t incurred substantial costs for study/plans
  • Proposal may involve also acquisition of DOH RW – DOH retains sufficient RW to accommodate reasonably anticipated future expansion of roadway
  • Review of concept by DOH and FHWA to determine whether proposed access appears to be feasible
    • Typically no more than 2 access points per side per mile along “expressway”
    • Proximity of proposed access and possible associated turn lanes to existing accesses/turn lanes/ramps
  • Relocation of CA limits sometimes desired to facilitate utility installation or some form of signing
    • DOH policy prohibits longitudinal installation of utilities within CA RW, with exception of certain telecommunications (per Telecommunications Act of 1996)
    • Signing subject to Outdoor Advertising provisions and DOH guidelines
    • CA line moves but no change in DOH RW ownership
  • Verify whether DOT has anything scheduled in area
    • If concept not felt to be feasible, proposer still can proceed with TIS but understands risk
CONTROLLED ACCESS BREAKS/MODIFICATIONS

• If break in CA for new access can be considered, TIS, Plans and drainage calcs submitted to DOH
  • Review process/timeline typically same as for Commercial/Residential Development review
  • May require FHWA approval
  • Signal may be necessary (same process as Commercial/Residential)
  • Property Management
    • Abutting owner can request break
    • Determination of enhancement value necessary (value of site with direct access less value of site without direct access)
    • DOH acquired the right of access when CA purchased – landowner now desiring to repurchase that right of access

• If modifications of CA can be considered, Plans and other details submitted to DOH
  • Review process/timeline typically same as for Commercial/Residential Development review
  • May require FHWA approval
  • Property Management
  • Request for modification typically from PSD, municipality, County
  • In addition to encroachment/utility permit, may want agreement for maintenance, future utility issues

• Challenges for DOH:
  • Misconception regarding what CA RW actually means
  • Time involved to obtain approval to break/modify CA longer than anticipated
  • Prohibition of longitudinal occupancy of CA RW is DOH policy, not federal
PUBLIC AGENCY ASSISTANCE/OTHER ISSUES

- Projects/Agreements with other agencies: Administration; Veterans Affairs; Regional Jail Authority; DNR; National Guard; WVDOT; Universities; PSC; schools, municipalities
- Policy/technical issues; report preparation; meetings/site visits/field reviews
- “Non-standard” utility proposals (installation on bridge; private utility installation; CA mod)
- Fiber installation within CA RW
  - Only utility DOH allows to longitudinally occupy CA RW
  - Guidance regarding review/consideration/implementation has been developed
  - Agreement is utilized with Provider in addition to use of utility permit
- Water/sewer conduit installation - IJDC
  - Local Infrastructure Team identifies locations/sizes for conduits, using DOH roadway plans
  - After Team provides recommendations and cost estimate developed, DOH requests IJDC approve funds for cost of water/sewer conduits
    - As much as $1M available from IJDC annually for transportation
    - Only water and sewer conduits eligible
    - DOH funds only for relocation of same size – can’t fund conduits or betterments
  - If funds approved by IJDC, DOH installs conduits as part of construction of roadway
  - Utility Provider can use conduits in future, when water/sewer line needed
PUBLIC AGENCY ASSISTANCE/OTHER ISSUES

• Off-System bridges
  • DOH can utilize a portion of federal bridge funds for off-system bridges
  • County Commission or municipality sometimes requests DOH financial assistance for bridge work
  • If DOH agrees to use federal bridge funds
    • Agreement executed with bridge owner
    • Design study needed to determine alternative and associated project cost
    • County/municipality responsible for providing necessary match (20%) for design/construction, and for 100% of utility and RW costs (DOH doesn’t own RW)
    • When bridge project complete, DOH typically doesn’t accept ownership/maintenance responsibility

• Challenges for DOH:
  • WV School Building Authority funds not for access or highway modifications
  • Site selected may need major/costly highway modifications but not reviewed prior to acquisition
  • Perception that DOH has responsibility to fund all highway work
  • Consultant selection, contractor procurement, construction review if DOH reimbursing
  • Compliance with DOH policies (prohibition against longitudinal installation within CA; private utility installation)
  • Consistency Statewide
  • DOH review/approval time – we may not have been contacted until after all other approvals given
  • IJDC water/sewer funding may be approved years before project constructed
  • Off-system bridge project implementation different due to other party addressing RW/Utilities
ART ON RW

• DOH received requests to allow painting of murals/other artistic features on Interstate bridge piers
• Guidelines and procedures developed, in cooperation with FHWA, and an application form, to address proposals
• Political subdivisions may request (with County/City resolution) approval to install art
  • Narrative/conceptual illustration describing the proposed art and its cultural/historical/other significance to community
  • Who will be installing the art and method(s) of installation;
  • Appropriate analyses regarding sight distance, clear zone; MOT
• Art to be outside travelway and can include painting, mural, illustration, sculpture, etc., but
  • cannot represent a roadside area of concern or adversely impact DOH maintenance;
  • shall not contain offensive, pornographic or objectionable material, or items of a political nature;
  • complies with outdoor advertising laws, rules, regs, and conforms to DOH Traffic Engineering Directives regarding “Public Service Signs”
  • shall not include motion or changeable message signs, or representation of any traffic control device (particularly STOP signs);
• If approved by DOH, agreement with applicant executed and project progresses
EVENTS

- DOH receives requests to utilize State Highway System for various organized events: 5k, marathons, biking, ATV, filming
- May involve travelway, sidewalk, park and ride, parking lot, etc.
- Event sponsor responsible for traffic control (DOH approves plan), coordination with law enforcement, municipalities, other agencies regarding event
- Most walking/running events involve only short time period of lane closure/restriction
- Filming events can involve longer closure time for highway/facility
- Coordinate with WV Film Office regarding most filming proposals
- DOH utilizes Project agreement or Letter agreement, depending on scope of proposal and impact on State Highway System
- Coordinated with National Park Service to implement guided tours along inspection walkway of the New River Gorge Bridge
  - Project agreement between NPS and DOH
  - Tour Operator selected by NPS
Industrial traffic typically involves larger and heavier vehicles
  • Freight movement important to commerce
  • Additional maintenance of system may be necessary
• Industrial or commercial development project may serve as catalyst for other development
• Increase in commercial traffic can affect capacity, may result in increase in traffic signals
• Concentrations of Developments can affect air quality, noise
• Can increase need for public transit
• Developments may result in increased employment and population for an area
• Utility installation/extension creates opportunities for additional development
• New access locations affect system
• Determine whether new corridors needed, how to improve operation of existing system
• Cost of maintaining system may increase – additional funding needs affects budgeting
QUESTIONS/COMMENTS

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