

**DEPARTMENT OF TRANSPORTATION**  
DIVISION OF TRANSPORTATION PROGRAMMING  
1120 N STREET M.S. 82  
P. O. BOX 942873  
SACRAMENTO, CA 94273-0001  
PHONE (916) 654-4013  
FAX (916) 654-2738  
TTY (916) 653-4086



*Flex your power!  
Be energy efficient!*

January 19, 2006

U.S. Department of Transportation  
Docket Management Facility, Room PL-401  
400 Seventh Street, SW  
Washington, DC 20590-0001

[Docket No. Federal Highway Administration (FHWA)-2006-26363]

The California Department of Transportation (Department) is responding to the Federal Highway Administration (FHWA) docket identified above. The docket requests comments regarding FHWA's automated system designed for the Congestion Mitigation and Air Quality Improvement (CMAQ) program annual reports.

The Department has provided annual reports for the CMAQ program to FHWA on an annual basis since 1993. The annual reports have been provided for the last three years using the automated system. During that time, the Department has found the existing automated system has major flaws. Based on that concern, the Department has enclosed a list of comments for the docket. The Department requests FHWA collaborate with end users to develop a workable database system.

Thank you for the opportunity to comment on this important subject. If you have any questions or need additional information, please contact Rachel Falsetti, Chief, Office of Federal Transportation Management Programs, at (916) 654-2983 or via email at [Rachel.Falsetti@ca.dot.gov](mailto:Rachel.Falsetti@ca.dot.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Ross A. Chittenden", with a long horizontal flourish extending to the right.

ROSS A. CHITTENDEN  
Chief  
Division of Transportation Programming

c: California CMAQ Recipients

Enclosure

**Comments from the California Department of Transportation  
January 19, 2006**

**Review of Federal Highway Administration  
Department of Transportation  
Request for Comments for New Information Collection  
Docket No. FHWA-2006-26363**

**Background**

The Federal Highway Administration (FHWA) is seeking comments on the state's provision of information for the Congestion Mitigation and Air Quality Improvement (CMAQ) program. Specifically, states are requested to provide CMAQ annual reporting information via FHWA's automated system by the first day of February each year. Comments to this docket are due by January 22, 2006.

The Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU) authorizes \$8.6 billion over the five-year period 2005 through 2009 for the CMAQ program. Of this, California will be authorized an estimated \$1.8 billion. Annually, California receives approximately 21 percent of available CMAQ funding nationwide. Over the last three years, on an annual average, California has obligated funding for approximately 340 projects, and \$356 million per year. In California there are 28 public agencies that manage CMAQ programs, and provide information for the annual CMAQ report.

Since 1993, the California Department of Transportation (Department) has provided information for the CMAQ program to FHWA on an annual basis. For the last three cycles, including the current cycle, the Department and California's local agencies have attempted to comply with FHWA's request to submit data through the automated system. Complying with the request to submit this annual information through the automated system has not been easy as the system has some major flaws.

**Comments**

1) Number of respondents.

The docket identifies the number of respondents as 51, each state DOT and Washington DC. This number of respondents does not include the actual number of public agencies, as noted above, which manage CMAQ programs and provide critical information for the annual report. In California, the actual number of respondents who would be users of the FHWA automated system is currently 28.

2) Accuracy of the estimated average burden per response.

The estimated average burden per response of six hours per annual report is grossly underestimated for California. On the average, it is estimated that approximately 224 hours (28 agencies x 8 hours each = 224 hours) are expended to submit the requested information via the automated system.

3) Submittal date.

The submittal date of February 1<sup>st</sup> for the prior Federal fiscal year is difficult to achieve. The significant number of agencies and projects in California make this time frame challenging at best due to the need to gather project information and perform appropriate reconciliation processes. The Department requests extending the due date to March 1<sup>st</sup>.

4) Is the proposed collection necessary for FHWA's performance?

The proposed collection seems unnecessary for the FHWA's performance. Within SAFETEA-LU, Section 1808(h)(1) requires an evaluation and assessment of a representative sample of CMAQ-funded projects. It does not require a 100 percent sample. The Department requests that FHWA implement the legislation as stated by requesting the provision of a representative sample of CMAQ-funded projects, as opposed to the entire annual program.

In addition, neither the FHWA nor the Department mandates specific methodologies for estimating air quality benefits or calculating cost-benefits. The project information submitted is based on theoretical analysis. As such, the data provided should not be used out of context, i.e., to draw conclusions from the information for which it was not intended.

5) Ways that the burden could be minimized.

As noted above, FHWA could allow adequate response time (refer to item #3 above) and could request a representative sample of data (refer to item #4 above). Additionally, if pursued, the automated system could be modified to better meet the needs of local agencies, states, and the FHWA. See item #6 below.

6) Ways for FHWA to enhance the quality, usefulness, and clarity of the collected information.

The existing automated system is excruciatingly cumbersome and slow, is not user friendly or intuitive, and should be modified to increase efficiency and effectiveness. Some challenges with the current system, though not all, include:

- a) Users cannot generate reports by the Metropolitan Planning Organization (MPO), the Regional Transportation Planning Agency (RTPA), or the Local Transportation Commission (LTC). Additionally, the reporting function requires users to identify "status selection criteria" and a fiscal year in order to generate a report. The reporting function, as currently defined, is a fatal flaw for the Department and the California regional agencies as it does not meet user needs. In order to generate a report, the Department is forced to export all data submitted into an Excel file; manipulate and reformat the information; then review and edit,

as necessary, every individual project in the system. Recommend the FHWA collaborate with system users to develop an effective and efficient reporting option.

- b) The “approve” screen does not reflect adequate information for a user to identify the individual project. To identify a project, the user must select each project individually to review project details. Recommend the FHWA collaborate with system users to develop an effective and efficient approval option.
- c) The project “entry” screen is limited to submitting information either by “MPO” or by “no MPO/State sponsored project.” Recommend the FHWA add a field to identify the project RTPA or LTC. In California, this level of detail is critical.
- d) The “search” screen is inadequate. Users must know specific information for which to search, searches for partial information do not seem to be permitted. For example, if a user is searching for a high occupancy vehicle (HOV) project, they cannot simply search for “HOV.” Searches must either be by project year or “all” years. Information generated from the “search” screen cannot be exported into an Excel document and, therefore, cannot be easily reviewed by a user. Recommend the FHWA collaborate with system users to develop an effective and efficient search option.
- e) It was recently noticed, today in fact, that FHWA has added a “delete” option for users. While we appreciate this option, still it does not meet user needs. To delete a project, a user is required to identify the year and CMAQ project Identification (ID). Recommend the FHWA configure the system to include other identifying project components such as state ID or MPO ID to facilitate deletion option.
- f) The system automatically times out after 15 minutes of inactivity. Often, agencies lose information and spend time unnecessarily logging in again and re-entering lost data. Recommend the FHWA eliminate the automatic “timing out” after only 15 minutes of inactivity.
- g) The system currently requires users to login at least every six months or their accounts are hard-locked. Since reporting is an annual process, users often do not comply with the requirement to login periodically and when their accounts are locked, they are forced to contact FHWA to reactivate their user accounts. Recommend the FHWA eliminate the requirement that users login at least once every six months or their accounts are “hard-locked.”

- h) It is currently possible to add a project that is already in the database. Recommend the FHWA configure the system for automatic notification if a project already exists.
- i) Currently the system allows data entry options that are actually not valid to use in certain instances. For instance, California is not a "minimum apportionment" state and, therefore, should not use the Surface Transportation Program/CMAQ category. Yet, because the option exists for users, many often erroneously select it. A significant amount of time is spent correcting unnecessary errors. Recommend the FHWA configure the system to permit only valid database field entries.
- j) The CMAQ program provides for certain projects to be 100 percent funded, yet the system does not allow for it. Recommend the FHWA configure the system to accept projects entered as 100 percent CMAQ funded.

In addition, the FHWA has another CMAQ-related open docket, FHWA-2006-26383, to request comments on the Interim CMAQ Guidance. Currently, the Interim Guidance indicates that States "must" submit information via the FHWA automated system. The statute does not have a requirement that the States must enter data through an FHWA mandated automated system. As noted above, States should retain the flexibility to comply with the request for information in the manner that best meets their needs, the needs of local agencies, and FHWA.

The Department requests that FHWA partner with states and end users to develop an automated system that meets user needs in addition to FHWA needs. We look forward to working with FHWA to improve the collection of data for the CMAQ program and thank you for the opportunity to provide comments.