



Ohio Senate Transportation Committee

Proponent Testimony, SB 155

November 15, 2023

Northeast Ohio Areawide Coordinating Agency (NOACA) Grace Gallucci, Executive Director and CEO

Chair Kunze, Vice Chair Reineke, Ranking Member Antonio, and members of the Ohio Senate Transportation Committee – thank you for the opportunity to submit written proponent testimony on SB 155, to remove the requirement that the Department of Transportation construct certain interstate highway interchanges.

My name is Grace Gallucci, and I am Executive Director and CEO of the Northeast Ohio Areawide Coordinating Agency (NOACA), the federally designated metropolitan planning organization (MPO) for Northeast Ohio. NOACA is the transportation and environmental planning agency that represents state, county, city, village, and township officials in Greater Cleveland. NOACA addresses the transportation, air quality, and water quality needs of Cuyahoga, Geauga, Lake, Lorain and Medina counties. The agency and its partners cooperatively develop and implement plans to ensure that travel throughout the region is safe, cost-effective and environmentally sound.

NOACA supports SB 155, to overturn a provision that was signed into law on March 31, 2023, as part of the Ohio Biennial Transportation Budget for Fiscal Years 2024-2025, enacted as House Bill 23. Specifically, this provision attempts to legislatively require the development of new interstate highway interchanges at specific locations based on very specific metrics that, in fact, currently apply to only one particular location in Ohio – along Interstate 71 at the border between Cuyahoga and Medina Counties at Boston Road. This provision appears to have been initiated on behalf of one community that proposes the development of a new interstate highway interchange over the objection of another impacted community and county that strongly object to this proposal.

Importantly, this provision seeks to bypass long-established federal, state, and MPO legal requirements and processes regarding new or modified interstate highway interchanges, including the longstanding requirements by the Federal Highway Administration (FHWA) -- Title 23, United States Code, Highways Section 111 (23 U.S.C. 111) -- that a comprehensive Interchange Justification Study be completed by the relevant state department of transportation (in this case, the Ohio Department of Transportation/ODOT), and that a proposed interstate be included in the relevant MPO's (NOACA's) Transportation Improvement Program (TIP). Final approval by FHWA also requires full compliance with the National Environmental Protection Act (NEPA).

As an MPO with clear authority over the development and modification of highway interchanges, NOACA has strong concerns over the enacted provision, which goes to the very core of why MPOs were created in the first place. MPOs like NOACA were

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NOACA

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established by federal law in 1962 to carry out a continuous, cooperative, and comprehensive (3-C) transportation planning process. This process enables consensus-building among communities and local elected officials to facilitate a regional approach to transportation planning and funding, to address needs that are specific to the region, and to give local elected officials a voice in major transportation decisions that impact the region, like the development or modification of interstate highway interchanges.

In December 2020, in order to further clarify NOACA's approach to fulfilling its federally mandated MPO responsibilities, and in accordance with 23 CFR Part 450, Subpart C - Metropolitan Transportation Planning and Programming, the NOACA Board of Directors adopted a New or Modified Highway Interchange Projects Policy as part of its Regional Transportation Investment Policy (RTIP), to guide Board consideration of proposed new or modified interchanges, and establish a coordinated approach to the review and assessment of such proposals. This policy requires a thorough examination of a proposal's impacts with regard to transportation planning, fiscal responsibility, economic development, environmental protection, safety, quality of life, and racial equity – including impacts that may extend beyond the immediate vicinity of the project site and beyond the completion of the project into the future.

Moreover, this policy establishes specific methodology and criteria to evaluate new or modified highway interchange projects in order to facilitate a fair and comprehensive consideration of these project proposals and ensure coordination among project sponsors (including ODOT), impacted communities, and adjacent metropolitan planning organizations. The policy also requires that project sponsors demonstrate whether a proposed new or modified highway interchange results in net benefit for the entire NOACA region. This policy now serves as the institutional protocol for consideration and evaluation of highway interchange proposals and related capital investment decisions by NOACA.

During Statehouse consideration of the Transportation Budget, NOACA testified before the Ohio House Finance Committee in February 2023, and before the Senate Transportation Committee in March 2023, to oppose the proposed interstate provision on the grounds that it seeks to bypass existing federal and state law and processes, as well as the long-established decision-making authority of local elected officials collaborating through their federally designated MPO. Then and now, NOACA opposes any such attempt to skirt the established legal and procedural requirements for a new or modified interchange, and strongly supports SB 155 and its companion legislation, HB 276, to overturn the enacted interchange provision. Thank you for the opportunity to submit written testimony.