

METROPOLITAN COUNCIL
Metropolitan Council Chambers, 390 North Robert St., St. Paul, MN 55101
REGULAR MEETING OF THE TRANSPORTATION ADVISORY BOARD
Wednesday, May 19, 2010

MEMBERS PRESENT:	Hargis, William	Bennett, Tony	Thornton, David
Petryk, Becky	Craig, Matthew	McBride, Scott	Berg, Dennis
Hovland, James	Meyers, James	Lilligren, Robert	Mussell, Richard
Ward, Bart	Lampi, Steve	Hegberg, Dennis	Tjornhom, Bethany
Smith, Jill	Callison, Jan	Leppik, Peggy	Johnson, Ken
Gepner, David	Maluchnik, Randy	Heffelfinger, Thomas	Reinhardt, Andrew
Peilen, Lisa	Whalen, Julia	Krause, Paul	Swanson, Dick
ABSENT:	Wiski, Donn		
Stark, Russ	Ulrich, Jon	Haik, Chuck	Gustafson, Dan
		Have, Ron	
LIAISON/STAFF PRESENT:	Kevin Roggenbuck, TAB Coordinator		

I. CALL TO ORDER

A quorum was present when Chair Hargis called the meeting to order at 1:30 pm, May 19, 2010, Metropolitan Council Chambers, 390 North Robert St., St. Paul.

Hargis welcomed new TAB Members: Lisa Peilen, MAC Commissioner, and Matthew Craig who were present and gave a brief introduction of themselves.

II. ADOPTION OF AGENDA

Hargis suggested the agenda be revised to move the TAB Programming Committee business ahead of the Policy Committee. Motion by Mussell, seconded by Petryk, to adopt the revised agenda for the May 19, 2010 TAB meeting

Motion passed.

III. APPROVAL OF MINUTES

Motion by Lilligren, seconded by Lampi, to approve the minutes from April 21, 2010.

Motion passed.

IV. COMMITTEE REPORTS

A. Technical Advisory Committee

Carl Ohrn reported that the TAC met on May 5, 2010 and heard agenda items regarding the action items on the TAB agenda today along with presentations from MnDOT:

Reassessment of 12 major projects in the region, looking at funds available, lower cost solutions in certain corridors.

Reauthorization; there is little chance of seeing reauthorization soon; the bill is funded through the year.

B. Programming Committee

Information: ARRA Update from MnDOT Metro State Aid

As requested at the last TAB meeting, Greg Coughlin, MnDOT gave a report on 5 projects that were part of the ARRA program with a breakdown the local match, including pre-ARRA funding, original ARRA application, STP/TE replaced by ARRA and final project funding.

Hovland reported that the Programming Committee discussed and approved the following items:

Item 2010-39: Adoption of the Draft 2011-2014 Transportation Improvement Program for the purpose of holding a public hearing
James Andrew, MTS Planner, gave a short update on the Draft 2011-2014 TIP and was available for questions. There were no questions or discussion by TAB members.

Motion by Hovland, seconded by Mussell:
That the Transportation Advisory Board (TAB) adopt the Draft 2011-2014 Transportation Improvement Program (TIP) for the purpose of a public hearing to be held on June 16, 2010.
Motion passed.

There was no objection to Hovland's suggestion that the TAB act on Items 2010-35, 2010-36, 2010-37 and 2010-38 in one motion. Motion by Hovland, seconded by Hegberg, and passed to approve the following actions for Items 2010-35, 2010-36, 2010-37 & 2010-38.

Item 2010-35: 2010-2013 TIP Amendment to include TRF-HENN-10 Bottineau Transitway – Planning
That the Transportation Advisory Board amends the 2010-2013 Transportation Improvement Program (TIP) to include TRF-HENN-10 Planning for Bottineau Transitway.

Item 2010-36: 2010-2013 TIP Amendment to include SP #7080-49 New Market Rest Area Building Site Health and safety Corrections
That the Transportation Advisory Board (TAB) amends the 2010-2013 Transportation Improvement Program (TIP) to include SP #7080-49 New Market Rest Area Building Site Health and Safety Corrections.

Item 2010-37: 2010-2013 TIP Amendment to Include SP# 91-595-27: Union Depot Multimodal Transit Facility
That the Transportation Advisory Board (TAB) amends the 2010-2013 Transportation Improvement Program (TIP) to include SP#91-595-24, Union Depot Multimodal Transit Facility.

Item 2010-38: Regional Solicitation, Re-allocation of HSIP Funds
That the Transportation Advisory Board (TAB) withdraw the HSIP funds awarded to the Anoka County CSAH 51/CSAH 14 project and re-allocate the funds to Anoka County CSAH 5 at Alpine Drive and to Dakota County CSAH 32 at Nicollet Avenue.

C. Policy Committee: K. Johnson reported that the Policy Committee met and discussed the following items:

Information Item: Update on future Transportation Policy Plan revision and schedule
Due to lack of adequate time, Johnson will address this at the June TAB meeting.

K. Johnson also reported that the Policy Committee discussed and acted on the following item:

2010-34: MSP Airport Long Term Comprehensive Plan Update.

The Policy Committee fundamentally approved the plan with two amendments:

1. That the MAC review and update the MSP Airport LTCP every 5 years.
2. The MAC identify an operational threshold at which time they will begin to look at long term airfield capacity and alternative solutions to future needs.

A third amendment regarding noise mitigation was discussed but withdrawn pending further work on the amendment.

A letter was subsequently sent to TAB from Jeff Hamiel of MAC essentially stating that the actions being made are not in TAB's purview. After researching this, Kevin Roggenbuck reported that the Metro Council's review on airport long term plans is to determine consistency with the region's Development Guide and the

Metro Council's Transportation Policy Plan. That includes the review relative to the goals, policies and strategies in the plan that are directed toward ensuring MSP provides adequate facilities and state-of-the-art equipment to maintain MSP as a vital international airport hub. The Policy Plan also says that long term comprehensive plans should be updated every 10 years unless interim updates are warranted (as the Policy Committee has indicated, given the uncertainty in the aviation industry and the growth in operation and passengers shown in the executive summary). The TAC Aviation Committee reviewed the MSP LTCP and they noted some of the same concerns about airfield capacity, growth trends, etc. Roggenbuck stated that TAB's comments are within their advisory role to the Metro Council.

Johnson stated a second letter was received from MAC (Denny Probst) addressing the three amendments added to the TAB action at considerable length. The Probst letter references past studies regarding capacity analysis. Although MAC does not make a definitive statement in the letter, the implication is that MAC is handling the capacity issues. The letter also states that the need, role and location of new airport facilities are the responsibility of the Metropolitan Council. The Probst letter reply to the requirement of a 5-year review of the Comprehensive Plan is that MAC believes that the current planning cycle is appropriate and adequate. MAC made a recommendation in the letter that none of the changes be adopted by the TAB/Council.

At this time, Johnson made a motion to approve TAB Action Item 2010-34 as amended with the two stipulations, pending a third amendment regarding noise mitigation to be added after discussion. Motion seconded by Heffelfinger.

Discussion:

Minneapolis Mayor R.T. Rybak appeared before the committee in favor of the two amendments to the MAC LTCP proposed by the TAB and encouraged the TAB to move forward with a third amendment regarding noise mitigation. Minneapolis Councilmember Lilligren handed out a chronology of noise mitigation commitments.

Peilen clarified that her understanding of the original amended motion made at the Policy Committee was that the LTCP was adopted in its entirety as the motion and amendments listed below:

The TAB recommend the preferred development alternative defined in the Long Term Comprehensive Plan (LTCP) for Minneapolis-St. Paul International Airport (MSP) to the Metropolitan Council with the following two additional recommendations:

1. That the MAC review and update the MSP Airport LTCP every five years.
2. That the MAC identify an operational threshold at which time they will begin to look at long term airfield capacity and alternative solutions to future needs.

TAB members agreed that this is the motion that was made at the Policy Committee.

Peilen addressed a comment on the amendment made by the Policy Committee with regarding to establishing capacity and looking at alternatives. She stated that the MAC believes it is very difficult to establish that capacity. The FAA does its own capacity study every 2 years, and their current study that goes out to 2025 projects over 700,000 operations per year and doesn't say the airport is at capacity. She also stated that the MAC lacks the authority to make a comprehensive review of airport needs and explore whether a new airport is needed. It is the responsibility of the Metropolitan Council to make that determination.

Smith shared some of her experience in airport noise mitigation. Smith made an amendment to the current action on the table, adding a third amendment to state:

3. The Metropolitan Council directs the MAC to identify noise impacts to surrounding communities, outline a noise mitigation program to the 60 DNL, and include an estimated cost within their capital development estimate.

Motion was seconded by Lilligren.

Discussion on the third amendment to the motion (noise mitigation):

Lilligren spoke in support of the noise mitigation amendment to the motion. He stated that the City of Minneapolis is very interested in codifying noise mitigation in this planning. He stated there has been a history of changing commitments from the MAC. Callison asked whether approving this LTCP allows the MAC to move forward with plans for construction, or whether there are more steps (permitting process). Chauncey Case, Aviation Planner for MTS, stated, although this is the final step in the Metro Council planning process, that there will be federal and state requirements for individual permits, etc. Hargis added that there would also be requirements such as environmental studies and state and local ordinance requirements.

Denny Probst, MAC, addressed the committee. He stated there will be environmental analysis required for any project before they could move forward, and the Metro Council reviews the MAC's annual capital improvement program. He stated that the MAC does not have concern with the notion of noise mitigation, but there is not a noise mitigation solution agreed upon for 60DNL. The MAC is now operating under a consent decree that established spending requirements for those homes, with no notion whether what is being done is effective as a noise mitigation program. The first step should be to identify what can and should be done that would be effective and a comprehensive plan is not the appropriate vehicle to do this. In answer to Hovland's question, Probst stated that the MAC believes it is not allowed to do planning beyond the airport proper. The Metro Council would be the entity to initiate airport planning studies.

Discussion followed regarding noise mitigation out to the 60 DNL level.

Probst stated that if the 60DNL level is to be the new noise standard for the metro area, then it will affect all other airports, highway projects, rail projects, etc. and there have been no solutions of how it is to be dealt with going forward. This requires a broader and more deliberate discussion than an amendment before the TAB. In answer to Heffelfinger's question, Probst stated that there is a clear standard of 65 DNL established by the FAA, MAC has performed mitigation to that standard to achieve a 5 DB reduction in interior noise levels to homes. MAC does not have standards of what is to be done to homes to meet the 60DNL level and is unable to budget for that. There needs to be some agreement of what the correct and effective mitigation should be. Hovland asked Probst what the MAC position is on committing to noise level mitigation. Probst answered that the MAC would commit to beginning a Part 150 investigation 3 years in advance of when they believe they will reach 542,000 operations at the airport.

Arlene McCarthy, Director MTS, addressed the committee regarding language in the Metro Council's TPP regarding 60DNL noise levels. She also said that Metro Council agrees that it is the Council's responsibility to look at capacity threshold and when the long-term planning should take effect. Council staff is working through this, having discussions with the FAA, and preparing an informational item for the Transportation Committee on 5/24, before the action is scheduled at the Council level in June.

Some committee members expressed feeling uncomfortable with setting a standard in a short time period, and without more information as to the implications of the standard.

A vote was taken on Smith's motion to add amendment #3 regarding 60DNL noise mitigation level to the original motion. Amendment #3 regarding noise mitigation failed to pass by show of hands.

A motion was made by Smith to amend the original motion to add an alternate amendment #3 to the action to state:

3. Direct the MAC to acknowledge noise impacts to surrounding communities, outline a mitigation program and include a proposed budget within the LTCP cost estimate for noise mitigation.

Motion seconded by Lilligren.

Peilen disagreed with the motion on the table stating that the MAC cannot budget at this time, there is no commitment to any specific project at this time, this is a long-term forecast, the proper way to address mitigation should be through the environmental impact studies that are required. Those studies are performed well in advance of budgeting for a project, but at that point there would be specifics and MAC would know what mitigation might be in order. Hovland agreed that there is no clear understanding of what the standard is

for noise mitigation, there cannot be a mitigation program or a budget for such a mitigation program. Gepner stated that this amendment would send the message to the Metro Council that this is a concern.

Smith withdrew her motion and made a new motion, restated as follows:

3. Direct the MAC to acknowledge noise impacts to surrounding communities, develop a mitigation program to address noise mitigation, and include a statement indicating budget ramifications for noise mitigation.

Leppik made a motion to amend Smith's alternate amendment #3 above:

3. Direct the MAC to acknowledge noise impacts to surrounding communities and implement a mitigation program based on standards established by the Metropolitan Council.

Motion seconded by Heffelfinger.

Callison suggested removing the language "to surrounding communities" from the above motion. Leppik agreed to removing the language. Motion on the floor made by Leppik and seconded by Heffelfinger, now as follows:

3. Direct the MAC to acknowledge noise impacts and implement a mitigation program based on standards established by the Metropolitan Council.

Berg expressed concern that a noise standard set by Metropolitan Council may affect things other than just the MAC MSP airport.

A vote was taken on Leppik's revised latest amendment. Amendment failed by a show of hands.

A vote was taken on Smith's amendment, with her accepted revised language:

3. Direct the MAC to acknowledge noise impacts, develop a mitigation program to address noise mitigation, and include a statement indicating budget ramifications for noise mitigation.

Amendment failed with a tie vote by a show of hands.

The TAB is back to the original motion brought from the Policy Committee – motion made by Johnson, seconded by Heffelfinger, which is:

That the TAB approved the MAC LTCP, plan with two amendments:

1. That the MAC review and update the MSP Airport LTCP every five years.
2. The MAC identify an operational threshold at which time they will begin to look at long term airfield capacity and alternative solution to future needs.

Leppik made an amendment to the motion to add:

3. Direct the MAC to acknowledge noise impacts.

Leppik's amendment to the motion was seconded by Lilligren.

Lilligren moved to amend Leppik's motion to amend to read:

3. Direct MAC to acknowledge impacts and outline a noise mitigation program.

Lilligren's amendment seconded by Smith.

Merland Otto from the City of Minneapolis addressed the committee with comments on the mitigation, and Probst responded to those comments.

The vote on Lilligren's amendment to Leppik's amendment passed by a show of hands.

A vote to add this third condition to the original motion passed by a show of hands.

The amended motion on the table is:

That the TAB approved the MAC LTCP, plan with three amendments:

1. That the MAC review and update the MSP Airport LTCP every five years..

2. That the MAC identify an operational threshold at which time they will begin to look at long term airfield capacity and alternative solution to future needs.
3. Direct MAC to acknowledge impacts and outline a noise mitigation program.

Peilen made a motion to replace Item #2 language of the motion to read: “That the MAC will cooperate with the Metropolitan Council in evaluating alternative solutions to future airport capacity needs when the requirement to do so is identified by the Metropolitan Council.” Peilen’s motion was seconded.

A vote was taken on Peilen’s motion to amend Item #2 of the motion. The amended language was passed by a voice vote.

The amended motion on the table is:

That the TAB approved the MAC LTCP, plan with three amendments:

1. That the MAC review and update the MSP Airport LTCP every five years.
2. That the MAC will cooperate with the Metropolitan Council in evaluating alternative solutions to future airport capacity needs when the requirement to do so is identified by the Metropolitan Council.
3. Direct MAC to acknowledge impacts and outline a noise mitigation program.

A vote was taken on the final amended motion, passed by a voice vote.

V. SPECIAL AGENDA

Update on Future Federal Air Quality Standards for Fine Particulate Matter and Ozone.

David Thornton, MN Pollution Control Agency gave a presentation on future federal air quality standards for fine particulate matter and ozone. The EPA is revising their standards to be more restrictive, there may be problems with the MPO area meeting the standards. Thornton stated specific locations where there may be compliance problems, and he expressed the need to get in front of this issue and plan for, and make changes now.

VI. ITEMS OF TAB MEMBERS

None.

VII. AGENCY REPORTS

None.

VIII. OTHER BUSINESS

None

X. ADJOURNMENT

Hargis adjourned the regular meeting of TAB at 3:50 pm on Wednesday, May 19, 2010.