

T Transportation Committee

For the Metropolitan Council meeting of September
12, 2007

Item: 2007-276

ADVISORY INFORMATION**Date Prepared:** August 28, 2007**Subject:** Adoption of the 2008-2011 Transportation Improvement Program (TIP) for the Twin Cities Metropolitan Area**Summary of Committee Discussion:**

Carl Ohrn, Metropolitan Transportation Services, presented this item to the committee and answered questions from committee members related to specific projects and how future funds might be prioritized.

Motion made, seconded and carried.

Recommendation:

That the Metropolitan Council:

1. Adopt the 2008-2011 Transportation Improvement Program.
2. Certify that the Twin Cities Metropolitan Transportation Planning Process is being carried on in conformance with all applicable federal requirements of:
 - Section 134 of Title 23, U.S.C., Section 8 of the Federal Transit Act (49 U.S.C. app. 1607);
 - Sections 174 and 176 (c) and (d) of the Clean Air Act (42 U.S.C. 7504, 7506 (c) and (d)).
 - Title VI of the Civil Rights Act of the 1964 and Title VI assurance executed by each state under 23 U.S.C. 324 and 29 U.S.C. 794;
 - Section 1101 (g) of the Transportation Equity Act of the 21st Century (Pub. L. 105-178) regarding the involvement of disadvantaged business enterprises in FHWA and FTA funded planning projects (Pub. L. 97-424, Section 105 (f); 49 CFR part 23); and
 - The provisions of the Americans with Disabilities Act (Pub. L. 101-336, 104 Stat. 327, as amended) and U.S. DOT regulations (Transportation for Individuals with Disabilities (40 CFR parts 27, 37 and 38).
3. Certify the TIP conforms with the provisions of 49 CFR part 20 regarding lobbying restrictions on influencing certain federal activities.
4. Find that the TIP is consistent with the Transportation Development Guide Chapter/Policy Plan, which is in conformance with applicable federal transportation and air quality regulations.
5. Find that the TIP meets all applicable federal requirements.
6. Find that the TAB provided adequate opportunity for public, agency and transit operators involvement through its regular process and special public meetings, and hearing.
7. Transmit the 2007-2010 TIP along with these comments to the Minnesota Department of Transportation and Minnesota Pollution Control Agency.

T Transportation Committee

Meeting date: August 27, 2007

ADVISORY INFORMATION

Date:	August 16, 2007
Subject:	Adoption of the 2008-2011 Transportation Improvement Program (TIP) for the Twin Cities Metropolitan Area
District(s), Member(s):	All
Policy/Legal Reference:	TAB Action
Staff Prepared/Presented:	Arlene McCarthy, Director Metropolitan Transportation Services (651-602-1754) Amy Vennewitz, Dep. Dir. Finance & Planning Metropolitan Transportation Services (651-602-1058) Carl Ohrn, Planning Analyst (651-602-1719)
Division/Department:	Metropolitan Transportation Services

Proposed Action/Motion

That the Metropolitan Council:

1. Adopt the 2008-2011 Transportation Improvement Program.
2. Certify that the Twin Cities Metropolitan Transportation Planning Process is being carried on in conformance with all applicable federal requirements of:
 - Section 134 of Title 23, U.S.C., Section 8 of the Federal Transit Act (49 U.S.C. app. 1607);
 - Sections 174 and 176 (c) and (d) of the Clean Air Act (42 U.S.C. 7504, 7506 (c) and (d)).
 - Title VI of the Civil Rights Act of the 1964 and Title VI assurance executed by each state under 23 U.S.C. 324 and 29 U.S.C. 794;
 - Section 1101 (g) of the Transportation Equity Act of the 21st Century (Pub. L. 105-178) regarding the involvement of disadvantaged business enterprises in FHWA and FTA funded planning projects (Pub. L. 97-424, Section 105 (f); 49 CFR part 23); and
 - The provisions of the Americans with Disabilities Act (Pub. L. 101-336, 104 Stat. 327, as amended) and U.S. DOT regulations (Transportation for Individuals with Disabilities (40 CFR parts 27, 37 and 38).
3. Certify the TIP conforms with the provisions of 49 CFR part 20 regarding lobbying restrictions on influencing certain federal activities.
4. Find that the TIP is consistent with the Transportation Development Guide Chapter/Policy Plan, which is in conformance with applicable federal transportation and air quality regulations.
5. Find that the TIP meets all applicable federal requirements.
6. Find that the TAB provided adequate opportunity for public, agency and transit operators involvement through its regular process and special public meetings, and hearing.
7. Transmit the 2007-2010 TIP along with these comments to the Minnesota Department of Transportation and Minnesota Pollution Control Agency.

Issue(s)

- The TAB adopted the 2008-2011 TIP at its August 15, 2007 meeting.
- The 2008-2011 Transportation Improvement Program (TIP) is forwarded by the Transportation Advisory Board to the Metropolitan Council for adoption. The TIP is a programming document that the federal government requires the Metropolitan Planning Organization (MPO) to develop and approve in order for the area to be eligible to receive federal funds for transportation projects. The TIP also contains the Metropolitan Council's Program of (Transit) Projects (POP). The Council, in turn, sends the TIP to MnDOT to incorporate it into the Statewide Transportation Improvement Program (STIP), which is then forwarded to U.S. DOT for approval.

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- The TAB oversees the development and adoption of the TIP. The TAB transmits it to the Metropolitan Council for adoption. As per agreement in the *Prospectus*, the Council will not modify it unless it finds it inconsistent with regional policy. The council will then return it to the TAB for reconsideration. The TIP must meet a number of Federal requirements, including:
 - Cover a period of at least four years.
 - Be a product of continuing, comprehensive and cooperative (3C) planning process.
 - Be developed from a conforming regional metropolitan transportation plan that is fiscally constrained.
 - Be consistent with regional land use and transportation plans.
 - Conform to the requirements of the Clean Air Act and Amendments.
 - Identify transportation improvements proposed in the "Transportation Development Guide Chapter/Policy Plan" and recommended for federal funding during the program period.
 - Include both highway and transit projects.
 - Be fiscally constrained.
 - Be initiated by locally elected officials from general-purpose governments.
 - Allow opportunities for public participation of private transit providers in preparation of the TIP.
 - Fulfill requirements of the final order on Environmental Justice.
- The 2008-2011 TIP for the Twin Cities Metropolitan Area meets all federal and state requirements and will be submitted to MnDOT to be included in the STIP to be approved by the Governor's designee. The "Transportation Development Guide Chapter/Policy Plan" (adopted December 15, 2004) with FTA/FHWA conformity determination established February 1, 2005.
- The TAB has held two public meetings and a public hearing on the TIP. The public process for review and adoption of the Draft TIP was officially noticed in the State Register by the Metropolitan Council. Notices of the meetings were sent to several hundred interested parties including all local government and affected stated and regional agencies, as well as to media throughout the seven counties. At the May 16, 2007 public meeting, the Draft TIP was adopted for the purposes of a public hearing and the public comment period was initiated. On June 20, 2007, a public hearing was held. The public comment period concluded on July 2, 2007. The adoption of the Final TIP was officially noticed in the State Register by the Metropolitan Council.
- MnDOT submitted a number of changes to major projects, project cost and schedule during the public comment period. These were all accepted by the TAB and changes made to summary tables, the text and Appendix A.
- The TAB was mailed the Public Comment Report that included comments received at the public hearing and submitted by July 3, 2007. Copies of written comments and staff recommended responses were mailed to the TAB and were considered at its August 16, 2007 meeting. The Public Hearing report was accepted by the TAB.

Overview and Funding

The TIP is required if Federal Surface Transportation funding is to be utilized in the seven county area. The regional transportation planning and programming process, the TIP and the adoption process must meet various federal requirements.

The Council staff and MnDOT developed the Draft TIP for TAB consideration. The projects to be funded are identified through various processes. The TAB/Council regional solicitation process selected projects to be implemented in 2009 and 2010 and utilize approximately \$80 Million in Federal funds annually. The Council in its capital budgeting process identifies transit projects for funds that come directly to the Council. MnDOT and its advisory Capital Improvement Committee recommends projects for the remainder of the Title I funds and State Trunk Highway funds of approximately \$300 Million per year.