

Transportation Committee

Item: **SW** 2008-50

For the Metropolitan Council meeting of February 27,
2008

ADVISORY INFORMATION

Date Prepared: February 26, 2008

Subject: 2008-2011 Transportation Improvement Program (TIP) Amendment: UPA Funding (TAB Action 2008-06)

Proposed Action:

That the Council concur with the Transportation Advisory Board (TAB) action to amend the 2008-2011 Transportation Improvement Program (TIP) to include the remaining \$45.8 million in federal UPA funds (VPP, IMD, TCSP and RITA) contingent upon receipt of state enabling legislation and the local funding match and that:

Federal funding sources can be changed without amending the TIP;

MnDOT holds the TIP approval letter from the Metropolitan Council until the enabling legislation and local match are approved.

Summary of Committee Discussion / Questions:

Carl Ohrn MTS Planning Analyst presented this item to the committee and answered questions as to the need for Same Week item. The timeline is critical to move the highway portion into the Transportation Improvement Program (TIP), and this item is contingent upon legislative funding.

Motion by Leppik, seconded by Hilker and passed.

Transportation Committee

Business Item
Item: **SW 2008-50**

Meeting date: February 25, 2008

For Council meeting February 27, 2008

ADVISORY INFORMATION

Date:	February 20, 2008
Subject:	2008-2011 Transportation Improvement Program (TIP) Amendment: UPA Funding (TAB Action 2008-06)
District(s), Member(s):	District 6 – Leppik, District 7 – Meeks, District 8 – Wittsack, District 5 – Susag, District 15 - Wolter
Policy/Legal Reference:	TAB Action
Staff Prepared/Presented:	Arlene McCarthy, Director MTS (651-602-1754) Amy Vennewitz, Dep. Dir. Finance & Planning MTS (651-602-1058) Carl Ohrn, Planning Analyst MTS (651-602-1719)
Division/Department:	Metropolitan Transportation Services

Proposed Action

That the Council concur with the Transportation Advisory Board (TAB) action to amend the 2008-2011 Transportation Improvement Program (TIP) to include the remaining \$45.8 million in federal UPA funds (VPP, IMD, TCSP and RITA) contingent upon receipt of state enabling legislation and the local funding match and that:

- Federal funding sources can be changed without amending the TIP;
- MnDOT holds the TIP approval letter from the Metropolitan Council until the enabling legislation and local match are approved.

Background

The Twin Cities was one of the five regions selected nationally for an Urban Partnership Agreement (UPA) award of \$133.3 million from five different Federal Programs. \$85.9 million for the transit component have already been awarded for bus and bus related facilities. Although the project is on a fast track to have most of the components completed by September 30, 2009, state enabling legislation and local matching funds are required first. Processing the TIP amendment at this time allows MnDOT to be ready to receive funds shortly after expected legislative authority and match funding is provided (additional background material is attached).

Rationale

In order to spend federal transportation funds, the project must be in the current TIP.

Funding

The amendment allows MnDOT and the other agency partners to spend \$45.8 million in federal funds. The state must make the local funds available before the TIP amendment will be incorporated into the STIP.

Known Support / Opposition

The UPA required the support of a number of agencies including MnDOT, Metropolitan Council, Hennepin County, Dakota County and City of Minneapolis. The attached material also includes a letter of support signed by Governor Pawlenty, Senator Steve Murphy and Representative Bernie Lieder.

There is no known opposition to the project.

Transportation Advisory Board

of the Metropolitan Council of the Twin Cities

Donn R. Wiski
Chair

February 20, 2008

County Commissioners

Dennis Berg
Anoka County

Tom Workman
Carver County

Paul Krause
Dakota County

Linda Koblick
Hennepin County

Tony Bennett
Ramsey County

Jon Ulrich
Scott County

Myra Peterson
Washington County

Municipal Officials

Dick Swanson
Blaine City Council

Liz Workman
Burnsville City Council

Julia Whalen
Champlin City Council

James Hovland
Mayor of Edina

Wendy Wulff
Lakeville City Council

Robert Lilligren
Minneapolis City Council

Sandy Hewitt
Plymouth City Council

Russ Stark
St. Paul City Council

William Hargis
Mayor of Woodbury

Citizen Members - Precinct

Steven Schulte - A

Joseph McCarthy - B

James Meyers - C

Chuck Haik - D

Bart Ward - E

Donn Wiski - F

Jill Smith - G

Ken Johnson - H

Agency Representatives

Peggy Leppik
Metropolitan Council

Khani Sahebjam
Minnesota DOT

Vacant
M.A.C.

David Thornton
M.P.C.A.

Modal Representatives

Richard Mussell
Transit

Glenn Olson
Transit

Ron Have
Freight

David Gepner
Non-motorized

Peter Bell, Chair
Metropolitan Council
390 Robert Street No.
St. Paul, MN 55101

Mr. Bell:

On February 20, 2008, the Transportation Advisory Board (TAB) voted to amend the 2008-2011 Transportation Improvement Program (TIP) to include the highway elements of the Urban Partnership Agreement (UPA). A complete project listing is included within the attached information.

The TAB realizes that the UPA funding comes with conditions that require this project to be on a very fast timeframe to construction and implementation. The TAB takes action now to amend the region's TIP contingent upon receipt of state enabling legislation and the state funding match and that:

- Federal funding sources can be changed without amending the TIP;
- MnDOT holds the TIP approval letter from the Metropolitan Council until the enabling legislation and local match are approved, and
- The UPA's public involvement/outreach program is presented to the TAB and TAC.

The TAB forwards this action to the Metropolitan Council for concurrence along with additional information described in TAB action transmittal 2008-06.

Sincerely,

Donn Wiski

Donn Wiski, Chair
Transportation Advisory Board

kjr/kjr

Transportation Advisory Board
Of the Metropolitan Council of the Twin Cities

ACTION TRANSMITTAL

No. 2008-06

DATE: February 20, 2008
TO: Metropolitan Council
FROM: Transportation Advisory Board
SUBJECT: 2008-2011 TIP Amendment: MnDOT Urban Partnership Agreement (UPA) Funding

MOTION: The TAB amended the 2008-2011 Transportation Improvement Program (TIP) to include the remaining \$45.8 million in federal UPA funds (VPP, IMD, TCSP and RITA) contingent upon receipt of state enabling legislation and the local funding match and that:

- Federal funding sources can be changed without amending the TIP;
- MnDOT holds the TIP approval letter from the Metropolitan Council until the enabling legislation and local match are approved, and
- The UPA's public involvement/outreach program is presented to the TAB and TAC.

BACKGROUND AND PURPOSE OF ACTION: The Twin Cities was one of five regions selected nationally for an Urban Partnership Agreement (UPA) award of \$133.3 million from five different Federal programs. The award was part of a competitive process in which regions form agency partnerships to fight congestion using tolling, transit, telecommuting and technologies. \$85.9 million for the transit component have already been awarded for bus and bus related facilities. Although the project is on a fast track to have most of the components completed by September 30, 2009 state enabling legislation and local matching funds are required first. Processing the TIP amendment at this time allows MnDOT to be ready to receive funds shortly after expected legislative authority and match funding is provided.

Additional background material is attached.

ROUTING

TO	ACTION REQUESTED	DATE COMPLETED
TAC Funding & Programming Committee	Review & Recommend	January 17, 2008
Technical Advisory Committee	Review & Recommend	February 6, 2008
TAB Programming Committee	Review & Recommend	February 20, 2008
Transportation Advisory Board	Review & Adopt	February 20, 2008
Metropolitan Council	Concurrence	



Minnesota Department of Transportation

Metro District
1500 West County Road B-2
Roseville, MN 55113

Office Telephone: (651) 234-7788
Fax: (651) 234-7786

January 17, 2007

Timothy Mayasich, Chair
TAC Funding and Programming Committee
Metropolitan Council
390 N. Robert Street
St. Paul, Minnesota 55101

Re: Amendment to the Twin Cities 2008-2011 Transportation Improvement Program (TIP)
State Project Number: UPA Funds

Dear Mr. Mayasich:

Please amend the 2008 – 2011 Transportation Improvement Program (TIP) to include these projects in SFY 2009. These projects are being submitted with the following information:

PROJECT IDENTIFICATION:

See Attached for project listings.

PROJECT BACKGROUND:

1. Briefly describe why amendment is needed (e.g., project in previous STIP but not completed; illustrative project and funds now available; discretionary funds received; inadvertently not included in STIP).

On August 7th, 2007, the Twin Cities was one of five regions selected nationally for an Urban Partnership Agreement (UPA) award. The Twin Cities award was \$133.3 M in Federal Funds. The award was part of a competitive process in which regions form partnerships of agencies to fight congestion. Applicants designated as Urban Partners agreed to adopt the “Four T’s” in fighting congestion: tolling (congestion pricing), transit, telecommuting, and technology. These strategies have proven effective in fighting congestion nationally, and all strategies that have been successful in our region.

The funds for UPA come from five Federal programs as follows:

- \$6.6 M Interstate Maintenance Discretionary Fund, (IMD)
- \$16.4 M Transportation, Community, and System Preservation Program (TCSP)
- \$5.0 M Value Pricing Pilot Program (VPPP)
- \$19.4 M RITA ITS Operations Testing to Mitigate Congestion Fund (RITA-ITS)
- \$85.9 M Bus and Bus Related Facilities Discretionary Grant (FTA-5309 Grant)

Except for (a) \$1.6 million in funds allocated to the Urban Partner under the Value Pricing Pilot Program for project development and design, (b) \$8.8 million in funds allocated under the section 5309 Bus Program for a structured park-and-ride facility, and (c) \$4.4 million for 11 buses for services provided on I-35W under the 5309 Bus Program; no funds obligated by the Grant Agreements shall be drawn until all legal authority necessary to implement each of the UPA projects has been duly adopted by Minnesota State Legislature and taken effect.

This amendment is needed to identify the remaining \$45.8 in UPA funds (VPP, IMD, TCSP and RITA), described in the UPA agreement, in the 2008 – 2011 Transportation Improvement Program (TIP). The project listing identifies the breakdown of dollar amounts under each federal program anticipated at this time. It also identifies the proposed source of the match as State Funds. Mn/DOT and the Metropolitan Council are preparing legislative requests for funding that would be sufficient to meet the match requirements of the Federal funds. It is anticipated that this match will be made available when the enabling legislation for the UPA is received during the 2008 legislative session. We believe this is a reasonable outcome based on the letter of UPA support that was provided by Governor Pawlenty: Senator Steve Murphy, Chair of the Minnesota Senate Transportation Committee; and Representative Bernie Lieder, Chair of the Minnesota House transportation Committee. If the enabling legislation and match fund request are not approved the UPA will not be pursued, eliminating the need for an amendment to the 2008-2011 TIP. The request for funding and the letter for UPA support are attached. On October 24, 2007 the Metropolitan Council approved \$85,900,000 of UPA Transit 5309 funding based on the same assumptions.

The \$45.8 M in federal funds for this request will go towards the following UPA projects:

- I-35W HOV-to-HOT Conversion of existing HOV lanes
- I-35W HOT lane extension in the 35W/Crosstown Project
- Priced dynamic shoulder lane on NB 35W from 42nd Street to Downtown Minneapolis
- Technology for Arterial and Freeway Traffic (including lane control signals, cameras, dynamic signs, communications)
- Tolling Infrastructure
- Data Collection for UPA Evaluation

The aggressive schedule for implementation of UPA projects make it important to consider processing the TIP amendment in advance of passage of the State legislation and securing of the local match. As described in the agreement, most of the projects that make up the Twin Cities UPA program must be completed and open to the public by September 30th, 2009 timeline. The legislation and funding necessary could occur as early as February 2008 after the State Legislative session begins. Processing the TIP amendment at this time allows Mn/DOT to be ready to receive funds shortly after legislative authority and match funding is provided. FHWA will consider the STIP amendment after the legislative process is completed.

Due to the length of time between the request for the TIP amendment and the submittal of the STIP amendment, there may be adjustments between the funding program amounts (IMD, VPPP, TCSP, RITA-ITS) but the total federal funding amount and total match funds amount will not change. For example, noise walls have been included in the cost estimate for the I-35W Price Dynamic shoulder lane. Currently an environmental document is being prepared for the project and if the results determine noise walls are not required, the previous costs will be reduced to reflect the funding change.

Timothy Mayasich
January 17, 2007
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At the time of the STIP amendment, if there are dollar amount adjustments within the federal fund program amounts, MnDOT would provide an updated project listing to the TAB/Metropolitan Council and the TAB/Metropolitan Council would agree to waive the need for another TIP amendment.

2. How is Fiscal Constraint Maintained as required by 23 CFR 450.216 (check all that apply)?
- New Money* X
 - Anticipated Advance Construction
 - ATP or MPO or Mn/DOT Adjustment by deferral of other projects
 - Earmark or HPP not affecting fiscal constraint
 - Other

* The funding for UPA comes from 5 Federal programs identified in the background section of the amendment. Matching funds (\$24.4M) are being requested through the 2008 legislature. If the enabling legislation and match fund request are not approved, the UPA will not be pursued.

AIR QUALITY CONFORMITY:

- Subject to conformity determination Yes
- Exempt from regional level analysis* No
- Exempt from project level analysis** No
- Exempt by virtue of interagency consultation* Yes
- N/A (not in a nonattainment or maintenance area).....

*These projects were subject to a conformity determination analysis which was completed by the Metropolitan Council and also included an interagency consultation. The MPCA letter determining Air Quality Conformity is dated November 8, 2007.

** Project Level analysis will be considered during project –level conformity determination and documented in the environmental documents for the project.

CONSISTENCY WITH MPO LONG RANGE PLAN:

This amendment is consistent with the Metropolitan Council Transportation Policy Plan, adopted on December 15, 2004, with FHWA/FTA conformity determination established on February 1, 2005.

We are requesting approval of this TIP amendment at this time. If you have any questions, please contact Nick Thompson at 651.234.7728

Sincerely,

Brian Isaacson,
Planning Director
Metro Program Management

C: Pat Bursaw, Director of Planning, Program Management and Passenger Rail
Sherry Narusiewicz, Metro Program Management
Marv Lunceford, Metro Program Management
Nick Thompson, Metro East Area Manager

UPA Funds, Project Listing

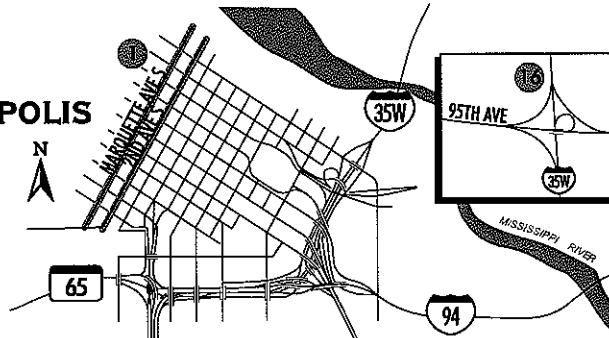
STATE FISCAL YEAR	ATP	DIST ROUTE	PROJECT NUMBER (S.P. #) (See # if available)	AGENCY	DESCRIPTION	MILES	PROG	TYPE OF WORK	PROF FUNDS	TOTAL \$	FHWA AC \$	FHWA AC \$	TH \$	Adtl. State Funds \$
2009	M	M 135W	2782-306	MnDOT	UPA - Reconstruction of both shoulders; Provide Priced Dynamic Shoulders - Preliminary & Final Design	2	RC	Grade and Surface	IMD VPPP TCSP ITS OTMC	23,000,000	6,600,000 3,400,000 4,432,000 2,968,000	0	0	5,600,000
2009	M	M 135W	1981-114	MnDOT	UPA - Add Aux lane and HOT lane to SB from 106th St. to TH 13 in the Cities of Burnsville and Bloomington	2	SC	Grade and Surface	SF	6,000,000	0	0	0	6,000,000
2009	M	M TH 13	1901-156	MnDOT	UPA - Arterial Traffic Management Technology from Br. 70523 over UP railroad on TH 169, along Scott County 101, continuing along TH 13 to just south of I 494 in Mendota Heights	19.2	TM	Traffic Mgmt.	ITS-OTMC	3,900,000	3,120,000	0	0	780,000
2009	M	M 135W	2782-287	MnDOT	UPA - 90 th St. to N of 1494 in Bloomington - Construct CD Rd	1	SC	Grade and Surface	TCSP	7,800,000	4,088,000	0	0	3,712,000
2009	M	M 135W	1981-115	MnDOT	UPA - Signing Structures, Signs, Dynamic lane control signs, and power company connections from Burnsville Pkwy to Downtown Mpls	14	TM	Traffic Mgmt System	ITS-OTMC	8,180,000	6,144,000	0	0	2,036,000
2009	M	M 135W	1981-116	MnDOT	UPA - Communications Hardware and Backbone upgrades from Burnsville Pkwy to Downtown Mpls.	14	TM	Traffic Mgmt System	ITS-OTMC	8,860,000	6,688,000	0	0	2,172,000
2009	M	M 135W	1981-117	MnDOT	UPA-HOT Lane - Widening and Mill and Overlay from Burnsville Parkway to 76 th St. in Richfield	8	RD	Grade and Surface	TCSP	7,500,000	5,200,000	0	0	2,300,000
2009	M	M I-35W	1981-118	MnDOT	UPA - Tolling Infrastructure from Burnsville Pkwy to Downtown Mpls.	14	TM	Traffic Mgmt System	TCSP	4,360,000	2,680,000	0	0	1,680,000
2009	M	M I-35W	1981-119	MnDOT	UPA Evaluation - Data Collection	0	NA		ITS-OTMC	500,000	400,000	0	0	100,000
2009	M	M 999	2700-	MnDOT	UPA - Arterial Traffic Mgmt-Transit Signal upgrades on various MnDOT highways in Hennepin County	0	TM	Traffic Mgmt System	ITS-OTMC	100,000	80,000	0	0	20,000
Total										70,200,000	45,800,000	0	0	24,400,000

Federal Funds in UPA Execution Agreement

Source	Amount
Interstate Maint Discretionary (IMD)	8,600,000
Value Pricing Pilot Program (VPPP)	3,400,000
Transportation Community/System Presv (TCSP)	16,400,000
RITA ITS Op Test Mitigate Congestion (ITS-OTMC)	19,400,000
Federal Total	45,800,000
State Funds Match	24,400,000
Program Total	70,200,000

Notes:
\$1.6 M of \$5.0 M in VPPP funds received and accounted for in separate STIP amendment

MINNEAPOLIS



1 Transit Lanes on Marquette and Second Ave

Lead Agency: Minneapolis
Description: Adds second bus lane and improved transit stops on each street
Opens: December 2009

2 Priced Dynamic Shoulder Lanes on northbound I-35W

Lead Agency: Mn/DOT
Description: Convert northbound left shoulder to a High Occupancy Toll lane during periods of congestion. From 42nd Street to Hwy 65 Downtown Exit
Opens: September 2009

3 High Occupancy Toll lane

Lead Agency: Mn/DOT
Description: Construct northbound and southbound MnPASS HOT between 66th Street and 42nd Street. This is under construction with I-35W/Hwy 62 Crosstown project.
Opens: October 2010

4 High Occupancy Toll lane Conversion

Lead Agency: Mn/DOT
Description: Convert existing HOV lane on northbound and southbound I-35W into MnPASS HOT lane
Opens: September 2009

5 Collector Distributor Ramp

Lead Agency: Mn/DOT
Description: Construct auxiliary lane and collector distributor ramp on northbound I-35W between 90th St and 494.
Opens: September 2009

6 Add Auxiliary Lane

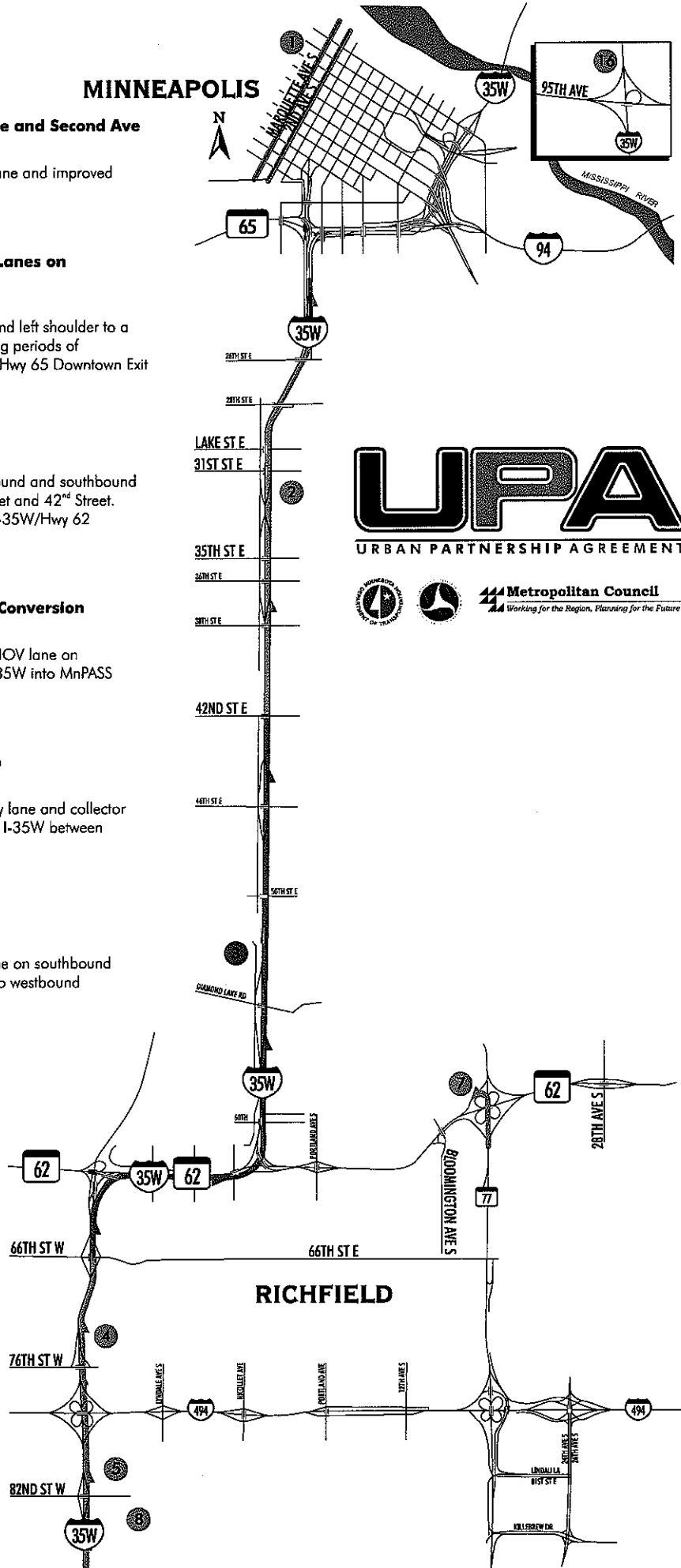
Lead Agency: Mn/DOT
Description: Construct new lane on southbound I-35W from 106th St. Entrance to westbound TH 13 exit.
Opens: September 2009

7 Bus Bypass Ramp

Lead Agency: Mn/DOT
Description: Construct Transit Advantage for buses traveling from northbound Hwy 77 to westbound Hwy 62
Opens: Fall 2008

8 I-35W South Park and Ride

Lead Agency: Metro Transit
Description: Construct a new park and ride facility with express bus service in Bloomington near I-35W.
Opens: September 2009



1 Traffic Management and Bus Priority Systems

Lead Agency: Mn/DOT
Description: Add cameras, dynamic signs, communications, signal interconnect and signal priority for transit on TH 13 from Nicollet Ave to Hwy 169.
Opens: September 2009

2 I-35W Lakeville Park and Ride

Lead Agency: TBD
Description: Convert former truck weigh station to surface park and ride with express bus service.
Opens: September 2009

3 Transit station and surface park and ride

Lead Agencies: MVTA and Eagan
Description: Construct new Cedar Grove Transit Station, park and ride, and add express bus service.
Opens: September 2009

4 Park and Ride Improvements

Lead Agency: MVTA and Apple Valley
Description: Install technology, add service and make access improvements to Palomino Hill Station
Opens: September 2009

5 BRT Transit Station

Lead Agencies: MVTA and Apple Valley
Description: Construct BRT Transit Station on Cedar Avenue near 140th Street
Opens: September 2009

6 BRT Transit Stop

Lead Agency: MVTA and Apple Valley
Description: Construct BRT Transit Stop on Cedar Avenue near 147th Street
Opens: September 2009

7 BRT Park and Ride

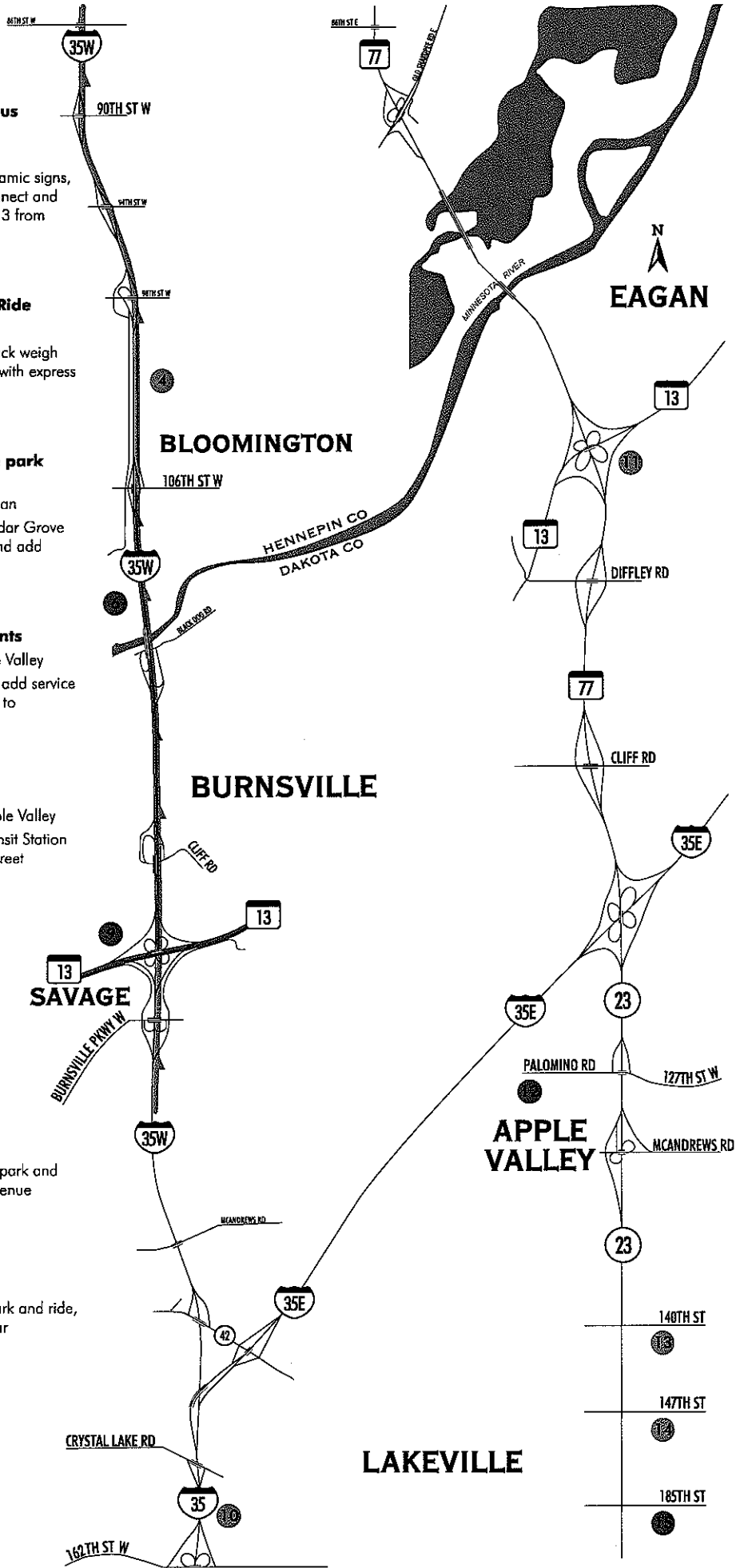
Lead Agency: Dakota County and Lakeville
Description: Construct surface park and ride near 185th St and Cedar Avenue
Opens: September 2009

8 I-35 North Park and Ride

Lead Agency: Metro Transit
Description: Expand surface park and ride, and add express bus service near I-35W and 95th Ave.
Opens: September 2009

9 Technology

Lead Agencies: Mn/DOT, Metro Transit, MVTA, U of M





**Minnesota Pollution
Control Agency**

November 8, 2007

Mr. Jonathan Ehrlich, PE
Senior Planner
Metropolitan Council
390 North Robert Street
St. Paul, MN 55101

**Re: Air Quality Conformity Documentation for UPA Highway TIP
Amendment**

Dear Mr. Ehrlich:

I have completed my formal review of the above referenced document submitted by the Metropolitan Council (Council) in support of a request to amend the 2008-2011 TIP that includes UPA highway components. As part of this amendment, a quantitative analysis of CO emissions impact of the regionally significant UPA highway components was prepared by the Council. I have examined the document for conformance with a check list of requirements from the joint Transportation Conformity Rule of the U.S. Environmental Protection Agency (EPA) and the U.S. Department of Transportation.

The analysis shows that daily CO emissions in tons/day for the milestone years of 2009, 2015, 2020, and 2030 are below the new regional CO motor vehicle emissions budget revised by the MPCA in 2005. Based on this information, the MPCA has determined that the projects in the UPA amendment to the 2008-2011 TIP meet all relevant regional emissions analysis and budget tests as presented in the document. Therefore, the amended TIP conforms to the relevant sections of the federal transportation conformity rule and to the applicable sections of the Minnesota State Implementation Plan for Air Quality.

I appreciate the opportunity given to review this document as part of the EPA Transportation Conformity rule consultation process, and the great work done by the Council's staff to make this possible. I also appreciate the cooperation of the interagency consultation group that includes the Council, Minnesota Department of Transportation, EPA, and Federal Highway Administration, in their immediate assistance in resolving all the policy and technical issues with respect to the UPA projects' air quality conformity determination.

Mr. Jonathan Ehrlich, PE
November 8, 2007
Page 2

Please contact me by any of the ways listed below if you have any questions.

Sincerely,

Innocent E. Eyoh

Innocent E. Eyoh
Principal Transportation Planner

Snail mail: Minnesota Pollution Control Agency, Environmental Analysis &
Outcomes Division, Air Policy and Mobile Sources Unit, 520 Lafayette Rd. N., St.
Paul, MN 55155.

e-mail: <innocent.eyoh@pca.state.mn.us.>

tel: 651-296-7739

fax: 651-297-8683

cc: Patricia Bursaw, Mn/DOT
Brian Isaacson, Mn/DOT
Sherry Narusiewicz, Mn/DOT
Susan Moe, FHWA
Michael Leslie, EPA
J. David Thornton, MPCA
John Seltz, MPCA
Todd Biewen, MPCA



STATE OF MINNESOTA

Office of Governor Tim Pawlenty

130 State Capitol ♦ 75 Rev. Dr. Martin Luther King Jr. Boulevard ♦ Saint Paul, MN 55155

July 11, 2007

The Honorable Secretary Mary Peters
Office of the Secretary
United States Department of Transportation
1200 New Jersey Ave., SE
Washington, DC 20590

Dear Secretary Peters:

Thank you for considering Minnesota's "Urban Partnership Agreement (UPA)" application. The US DOT's UPA program offers a promising opportunity to make significant strides in reducing congestion in the Twin Cities' I-35W corridor by expanding commuter choice in areas of HOT/HOV lanes, Priced Dynamic Shoulder Lanes, transit service, and telecommuting. We are writing to express our bipartisan support for the application put forth by the Minnesota Department of Transportation (Mn/DOT) and the Metropolitan Council. We view the proposal as an excellent complement to the highly successful HOT/HOV facility currently operating in the I-394 corridor.

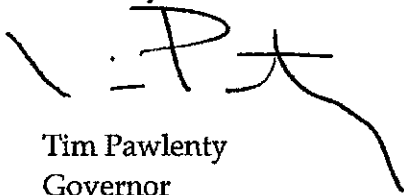
As outlined in the materials provided to the US DOT on July 9, 2007, there are several changes to Minnesota law that will be required to implement Minnesota's UPA proposal. We share great confidence that the effort to pass the necessary enabling legislation during Minnesota's 2008 legislative session will be successful. The Minnesota Legislature has a solid history of supporting HOT/HOV lanes, pricing choices for commuters, innovative transit services, cutting edge ITS technologies to enhance safety and improve traffic flow on our urban roadways, and, most recently during the 2007 legislative session, Minnesota's UPA effort itself.

For example, in 1993 the Legislature passed legislation authorizing toll facilities in the state, and in 2003 passed legislation specifically authorizing the conversion of HOV lanes to HOT lanes. The I-394 HOV/HOT facility was developed under the authorization provided in the 2003 legislation, which will also provide the authority to develop the I-35W HOT/HOV lane south of I-494 as outlined in our

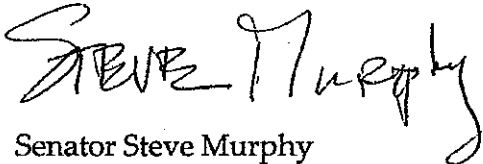
UPA proposal. In 2007, the Legislature appropriated \$800,000 to provide financial support to the state's UPA application effort. The Legislature has also been supportive of operating transit buses on freeway shoulders, the development of Bus Rapid Transit corridors, and other transit enhancements.

The prospect of being selected by the US DOT as a UPA partner has generated much excitement and enthusiasm among Minnesota lawmakers, civic leaders, and the commuting public. If selected by the US DOT, we fully expect strong bipartisan support for the necessary enabling legislative package. We look forward to working cooperatively to ensure success in the 2008 legislative session.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Pawlenty', with a long, sweeping underline that extends to the right.

Tim Pawlenty
Governor

A handwritten signature in black ink, appearing to read 'Steve Murphy', written in a cursive style.

Senator Steve Murphy
Chair of Minnesota Senate Transportation Committee

A handwritten signature in black ink, appearing to read 'Bernard Lieder', written in a cursive style.

Representative Bernie Lieder
Chair of Minnesota House Transportation Committee

Memorandum

DATE: November 1, 2007
TO: Interagency Conformity Work Group, TAC, TAB
FROM: Jonathan Ehrlich
SUBJECT: Air Quality Conformity Documentation for UPA Highway TIP Amendment

The analysis described in this memorandum has resulted in a Conformity Determination that the projects in the UPA amendment to the 2008-2011 Transportation Improvement Program meet all relevant regional emissions analysis and budget tests as described herein. The amended Transportation Improvement Program conforms to the relevant sections of the Federal Conformity Rule and to the applicable sections of the Minnesota State Implementation Plan for air quality.

FINDINGS AND CONCLUSIONS

A qualitative analysis of CO emissions impact of the regionally significant UPA components was prepared. The analysis was consistent with the analysis performed for the 2008-2011 TIP (September 12, 2007), and included the following additional projects:

1. I-35W: Conversion of HOV lane to HOT lane from Burnsville Parkway to 46th Street
2. I-35W: Construction of priced dynamic shoulder lane (PDSL) in the northbound direction from 46th Street to the I-35W/TH 65 split
3. I-35W: Add mixed-use lane in the southbound direction from 106th Street to TH 13
4. I-35W: Add C/D road in the northbound direction from 90th Street to 76th Street
5. I-35W: Construction of the new Mississippi River crossing (not part of the UPA, but not included in the most recent TIP)

The analysis shows that daily CO emissions in tons/day for the milestone years of 2009, 2015, 2020, and 2030 are below the new regional CO motor vehicle emissions budget, revised in 2005. This analysis meets all of the conformity rule requirements listed in page B-3 of the 2008-11 TIP including the following:

Inter-agency consultation (§93.105, §93.112). The Minnesota Pollution Control Agency (MPCA), Minnesota Department of Transportation (Mn/DOT), the US Environmental Protection Agency (EPA), and the Federal Highway Administration (FHWA) were consulted during the preparation of this TIP amendment and its conformity review and documentation. The "Transportation Conformity Procedures for Minnesota" handbook provides guidelines for agreed-upon roles and responsibilities and inter-agency consultation procedures in the conformity process.

Regionally significant and exempt projects (§93.126, §93.127). The quantitative analysis includes all regionally significant projects as defined in §93.101 of the Conformity Rule. Exempt projects not included in the regional air quality analysis were identified by the inter-agency consultation group and classified in accordance with §93.126 of the Conformity Rule.

Horizon Years; Motor vehicle emissions budget (§93.118). The motor vehicle emissions budget test was prepared for the following horizon years: 2009, 2015, 2020, and 2030. The first year of this set is the year for which the current conformity budget was established in August 2004 "Revision of the Minneapolis-St. Paul Carbon Monoxide Maintenance Plan" approved by EPA, and is also ten years after the approval of the previous Maintenance Plan. The last year of this set is the last year of the TPP, the current long-range transportation Plan for the region. No two horizon years within the 2009-2030 forecast period are more than ten years apart.

Network-based travel model (§93.122 per §93.118). In accordance with past practices, the Regional Travel Demand Forecast Model (RTDFM) was used to develop forecasts of travel on the region's roadway system based upon latest planning assumptions. Factors were developed to reconcile and calibrate network-based estimates of VMT to Highway Performance Monitoring System (HPMS) estimates of VMT for 2000, the validation base year. These factors were then applied to model estimates of future VMT.

PROJECT ASSUMPTIONS

Pursuant to the Conformity Rule, the projects in the UPA were reviewed and categorized to identify projects that are exempt from a regional air quality analysis, as well as regionally significant projects to be included in the analysis. The classification process used to identify exempt and regionally significant projects was developed through an interagency consultation process involving MPCA, the Council, FHWA, EPA, and Mn/DOT. Regionally significant projects and exempt projects are defined on page B-7 and B-42 of the 2008-11 TIP respectively.

The following projects were determined through interagency consultation to be exempt from regional air quality analysis:

UPA NON-TRANSIT EXEMPT PROJECTS

Project	Exemption Code	Description
Construct Bus lane or ramp at TH 62/TH 77 Interchange	NC	Non-classifiable
Arterial Traffic Management	E-2	Intersection signalization projects
Telecommuting	O-1	Specific activities which do not involve construction
Outreach	O-1	Specific activities which do not involve construction

Four highway components of the UPA were determined to require regional analysis. These are:

1. I-35W: Conversion of HOV lane to HOT lane from Burnsville Parkway to 46th Street
2. I-35W: Construction of priced dynamic shoulder lane (PDSL) in the northbound direction from 46th Street to the I-35W/TH 65 split
3. I-35W: Add mixed-use lane in the southbound direction from 106th Street to TH 13
4. I-35W: Add C/D road in the northbound direction from 90th Street to 76th Street

Additionally, the new I-35W Mississippi River crossing, though not part of the UPA, was included in this analysis, as it was not included in the 2008-11 TIP modeling but will be constructed by 2009. This

facility was determined to be exempt for regional air conformity analysis through interagency consultation under the criteria "S-12" Emergency Relief funded projects. It is, however, a part of any complete future highway network and needs to be included in future TIP air quality modeling.

The following additional assumptions were used in modeling the above listed projects:

- All components of the UPA are scheduled to open in Fall 2009
- The UPA improvements on I-35W north of 46th Street replace the HOV lanes programmed for the 2030 Action Scenario in the 2008-2011 TIP
- Planning-level operational assumptions for operation of the HOT lanes and priced dynamic shoulder lane were received from Mn/DOT. They are the following:
 - Operations in general will be the same as on I-394. The target LOS algorithm and maximum flow (1750 vph) will be the same. Hours of operation (6 am to 10 am, 2 pm to 7 pm) will be the same. The operations will be time-based: pricing will not occur during non-designated hours.
 - Transit vehicles and HOVs will be able to use the HOT lanes and the PDSL when in operation.
 - The HOT lane will operate in the peak direction south of I-494, and in both directions north of I-494. The PDSL will operate in both directions.
- All other pieces of the regional model and the Mobile 6 model were unchanged from the 2008-2011 TIP.

ESTIMATED FUTURE EMISSIONS IN THE TWIN CITIES CARBON MONOXIDE MAINTENANCE AREA

The EPA, in response to a MPCA request, redesignated the Twin Cities seven-county Metropolitan Area and Wright County as a maintenance area for CO in October 1999. A 1996 motor vehicle emissions budget (MVEB) was revised in January 2005 in a revision to the SIP. The SIP amendment revised the MVEB budget to a not-to-exceed threshold of 1,961 tons per day of CO emissions for the analysis milestone years of 2009, 2015, 2020, and 2030. The results of the emissions analysis are shown below:

CO EMISSION BUDGET CONFORMITY TEST YEARS 2009, 2015, 2020, 2030 (Short Tons/day)

NETWORK	2009	2015	2020	2030
BASELINE EMISSIONS BUDGET (MVEB)	1,961	1,961	1,961	1,961
ACTION (UPA AMENDMENT)	1,398	1,199	1,146	1,188
CO EMISSIONS BELOW THE EMISSIONS BUDGET	563	762	815	773