

T Transportation Committee
For the Metropolitan Council meeting of October 14,
2009

ADVISORY INFORMATION

Date September 29, 2009
Prepared:
Subject: Adopt 2010-2013 Transportation Improvement Program

Proposed Action:

That the Metropolitan Council:

1. Adopt the 2010-2013 Transportation Improvement Program (TIP).
2. Certify that the Twin Cities Metropolitan Transportation Planning Process is being carried on in conformance with applicable federal requirements including:
 - 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 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 provider involvement through its regular process and special public meetings and hearing.
7. Transmit the 2010-2013 TIP along with these comments to the Minnesota Department of Transportation and Minnesota Pollution Control Agency.

Summary of Committee Discussion / Questions:

Staff delivered a presentation on the item. There was no further discussion of the item.

Motion by Aguilar, seconded by Leppik and passed.

Hearing no objection, Chair Meeks stated that this item could move to the full Council as a Consent Item.

T Transportation Committee
Meeting date: September 28, 2009
Council meeting: October 14, 2009

ADVISORY INFORMATION

Date: September 17, 2009
Subject: Adopt 2010-2013 Transportation Improvement Program
District(s), Member(s): All
Policy/Legal Reference: SAFETEA-LU
Staff Prepared/Presented: Arlene McCarthy, Director MTS (651-602-1754)
Amy Vennewitz, Deputy Director Finance & Planning (651-602-1058)
James Andrew, Senior Planner MTS (651-602-1721)
Division/Department: Metropolitan Transportation Services

Proposed Action

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1. Adopt the 2010-2013 Transportation Improvement Program (TIP).
2. Certify that the Twin Cities Metropolitan Transportation Planning Process is being carried on in conformance with applicable federal requirements including:
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 - 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.
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5. Find that the TIP meets all applicable federal requirements.
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7. Transmit the 2010-2013 TIP along with these comments to the Minnesota Department of Transportation and Minnesota Pollution Control Agency.

Background

The Transportation Improvement Program (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) which includes transit projects for Metro Transit, Metro Mobility, Contracted Services and Suburban Transit Providers. Upon approval, the Council sends the TIP to MnDOT to incorporate into the Statewide Transportation Improvement Program (STIP), which is then forwarded to U.S. DOT for approval.

The TAB oversees the development of the TIP and transmits it to the Metropolitan Council for concurrence. As per agreement in the Planning MOU, the Council may approve or disapprove the TIP but will not modify it. If modifications are required, the program is sent back to the TAB with the Council's recommendations.

Under federal requirements, the TIP must:

- 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.
- 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 public hearing on the draft TIP was held on July 15, 2009, and the public comment period concluded on August 3, 2009. 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 governments and affected state and regional agencies, as well as to media throughout the seven counties. A report that included comments received during the public hearing process and staff recommended responses was mailed to the TAB and was accepted by the TAB at its September 16, 2009 meeting.

The TIP was also approved at the TAB's September 16th meeting. The 2010-2013 TIP for the Twin Cities Metropolitan Area meets all federal and state requirements and upon approval by the Council, will be submitted to MnDOT to be included in the STIP and approved by the Governor's designee.

Rationale

The TIP is required by federal law so that federal transportation funding can be utilized in the metropolitan area.

Funding

The projects funded in the TIP are selected/identified through various processes. The TAB/Council regional solicitation process selected projects to be implemented in 2011 and 2012 and utilizes 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 recommend projects for the remainder of the Title I funds and State Trunk Highway funds of approximately \$300 million per year.

Known Support / Opposition

The Council and MnDOT developed the TIP cooperatively. The TAB held a public hearing. The TAB considered all comments and made changes which are reflected in the final TIP. No opposition to adoption of the TIP was noted.

Transportation Advisory Board

of the Metropolitan Council of the Twin Cities

Donn R. Wiski
Chair

September 18, 2009

County Commissioners

Dennis Berg
Anoka County

Tom Workman
Carver County

Paul Krause
Dakota County

Mark Stenglein
Hennepin County

Tony Bennett
Ramsey County

Jon Ulrich
Scott County

Myra Peterson
Washington County

Municipal Officials

Dick Swanson
Blaine City Council

Bethany Tjornhom
Chanhassen City Council

Dan Gustafson
Burnsville City Council

Julia Whalen
Champlin City Council

James Hovland
Mayor of Edina

Becky Petryk
Hugo City Council

Robert Lillgren
Minneapolis City Council

Judy Johnson
Plymouth City Council

Russ Stark
St. Paul City Council

William Hargis
Mayor of Woodbury

Citizen Members - Precinct

Steven Schulle - A

Bill Guidera - 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

Scott McBride
Minnesota DOT

Sherry Stenerson
M.A.C.

David Thornton
M.P.C.A.

Modal Representatives

Richard Mussoll
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 September 16, 2009, the Transportation Advisory Board voted to accept the public comment report and to adopt the 2010-2013 Transportation Improvement Program for the Twin Cities Metropolitan Area.

The TAB action wraps up six months of preparation and public input on the region's four-year, \$3.0 billion transportation investment program.

The TAB forwards this action to the Metropolitan Council for concurrence along with additional information described in TAB action transmittal 2009-49.

Sincerely,


for Bill Hargis, Acting Chair
Transportation Advisory Board

Transportation Advisory Board
of the Metropolitan Council of the Twin Cities

ACTION TRANSMITTAL

No. 2009-49

DATE: September 18, 2009
TO: Metropolitan Council
FROM: Transportation Advisory Board
SUBJECT: 2010-2013 Transportation Improvement Program (TIP) for the Twin Cities Metropolitan Area.

MOTION: The Transportation Advisory Board accepts the Public Comment Report as amended and adopts the Final 2010-2013 Transportation Improvement Program (TIP) for the Twin Cities Metropolitan Area.

BACKGROUND AND PURPOSE OF ACTION: On Wednesday, July 15, 2009, the Transportation Advisory Board held a public hearing on the draft 2010-2013 Transportation improvement Program for the Twin Cities Metropolitan Area. In addition to comments provided at the hearing by TAB members and the public, comments were also collected over a 45-day public comment period.

The Public Comment Report is attached. At the September 2 TAC meeting, MN/DOT staff answered a question about a specific project, SP# 163-090-002 – MN241 Bridge over TH 100, submitted by St. Louis Park. MN/DOT staff response is included in Appendix D of the updated Public Comment Report.

The final draft of the 2010-2013 Transportation Improvement Program, including the project changes submitted by MN/DOT attached to the August 3 letter in Appendix D, is also attached.

ROUTING

| TO | ACTION REQUESTED | DATE COMPLETED |
|-------------------------------------|--------------------------|-----------------------|
| TAC Funding & Programming Committee | Review & Recommend | August 20, 2009 |
| Technical Advisory Committee | Review & Recommend | September 2, 2009 |
| TAB Programming Committee | Review & Recommend | September 10, 2009 |
| Transportation Advisory Board | Review, Accept and Adopt | September 16, 2009 |
| Metropolitan Council | Concurrence | |