

# Transportation Committee

Meeting date: August 23, 2010

Council meeting: September 8, 2010

## ADVISORY INFORMATION

**Date:** August 18, 2010  
**Subject:** Adopt 2011-2014 Transportation Improvement Program  
**District(s), Member(s):** All  
**Policy/Legal Reference:** TAB Action  
**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

That the Metropolitan Council:

1. Adopt the 2011-2014 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 21<sup>st</sup> 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 operators involvement through its regular process and special public meetings and hearing.
7. Transmit the 2011-2014 TIP along with these comments to the Minnesota Department of Transportation and Minnesota Pollution Control Agency.

## Background

- The TAB adopted the 2011-2014 TIP at its August 18, 2010 meeting.
- The 2011-2014 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) which includes transit projects for Metro Transit, Metro Mobility, Contracted Services and Suburban Transit Providers. 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.

- 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, in which case the Council will 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 2011-2014 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 public hearing on the draft TIP was held on June 16, 2010, and the public comment period concluded on July 6, 2010. 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 August 18, 2010 meeting.
- 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 were made to summary tables, the text and Appendix A.
- The Transportation Advisory Board voted to amend the 2010-2013 TIP to change two CMAQ bus purchase projects from Metropolitan Transportation Services and Southwest Transit to the purchase of four light rail vehicles. The Metropolitan Council will not, however, need to amend the current TIP as this purchase is reflected in the final 2011-2014 TIP programmed for 2011 and the TIP amendment is no longer necessary.

## **Rationale**

The TIP is required by federal law so that Federal Surface Transportation funding can be utilized in the seven county area.

## **Funding**

Council and MnDOT staff developed the Draft TIP for TAB consideration. The projects to be funded are identified through various processes. The TAB/Council regional solicitation process, which ended in March of 2010 selected projects to be implemented in 2013 and 2014 and utilize approximately \$95 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.

## **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.