

T Transportation Committee
Meeting date: August 27, 2012
For the Council Meeting of September 12, 2012

ADVISORY INFORMATION

Date: August 21, 2012
Subject: 2013-2016 Transportation Improvement Program for the Twin Cities Metropolitan Area
District(s), Member(s): All
Policy/Legal Reference: TAB Action
Staff Prepared/Presented: Kevin Roggenbuck, TAB Coordinator (651) 602-1728
Division/Department: Metropolitan Transportation Services

Proposed Action

That the Metropolitan Council:

- 1) Concur with Transportation Advisory Board (TAB) actions to accept the Public Comment report and to adopt the 2013-2016 Transportation Improvement Program (TIP) for the Twin Cities Metropolitan Area;
- 2) Certify that the Twin Cities Metropolitan Planning Process is being carried out 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. A607);
 - 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 1964 and Title VI assurance executed by each state under 23 U.S.C. 324 and 29 U.S.C. 794;
 - Section 1101 (b) (5) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Pub. L. 109-59) 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 that the TIP conforms to the provisions of 49 CFR part 20 regarding lobbying restrictions on influencing certain federal activities.
- 4) Find that the TIP is consistent with the 2030 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 operator involvement through its regular process and special public hearing.
- 7) Transmit the 2013-2016 TIP along with these comments to the Minnesota Department of Transportation and Minnesota Pollution Control Agency.

Background

The TAB adopted the 2013-2016 TIP at its August 15, 2012 meeting.

The 2013-2016 TIP is forwarded by the TAB to the Metropolitan Council for concurrence. The TIP is a staged, four-year, multimodal program of highway, transit, bicycle, pedestrian and transportation enhancement projects and programs proposed for funding throughout the seven-county metropolitan area. The TIP contains the Metropolitan Council's Program of Projects (POP) which includes transit projects for Metro Transit, Metro Mobility, contracted services and suburban transit providers. The TIP is a federally-required document that must be fiscally constrained and the projects in the TIP must be consistent with and implement the region's transportation plan. The Council prepares the TIP in cooperation with MnDOT. The TIP and TIP amendments

are adopted by the TAB and sent to the Council for concurrence. The Council sends the TIP to MnDOT to incorporate it into the State TIP, which is then forwarded to the US DOT for approval.

The TAB oversees the development and adoption of the TIP. The TAB transmits it to the Metropolitan Council for concurrence. As per agreement in the Memorandum of Understanding on Transportation Planning Responsibilities and as described within the Transportation Planning and Programming Guide, the Council will not modify it; however, the Council can return it to the TAB if they find that it is inconsistent with regional policy. The TIP must meet a number of federal requirements including:

- Cover a period of at least four years;
- Be a product of the continuing, comprehensive and cooperative (3C) 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 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 2013-2016 TIP for the Twin Cities Metropolitan Area meets all federal and state requirements and will be submitted to MnDOT to be included in the State TIP to be approved by Governor’s designee.

The public hearing on the draft 2013-2016 TIP was held on Wednesday, June 20, 2012 and the public comment period concluded on July 6, 2012. The public process for review and adoption of the draft 2013-2016 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 representatives throughout the seven-county region. A report that includes all comments received during the public hearing process and staff recommended responses was mailed to the TAB as the Public Comment Report. The TAB accepted the Public Comment report at its August 15, 2012 meeting.

MnDOT submitted a number of changes to major projects, project costs and schedule during the public comment period. These changes were all accepted by the TAB and revisions were made in the text, the summary tables and the project summary tables in Appendix A.

Rationale

The TIP is required by federal law so that Federal Surface Transportation Funding can be utilized in the seven-county Twin Cities region.

Funding

The Metropolitan Council and MnDOT staff developed the draft 2013-2016 TIP for TAB’s consideration. The projects to be funded are identified through various processes. The TAB/Council 2009 regional solicitation process, which concluded in March 2010, includes projects programmed in 2013 and 2014. The 2011 regional solicitation concluded on June 20, 2012. The projects awarded funding in the 2011 regional solicitation will be amended into the 2013-2016 TIP at a later date. The Council in its capital budgeting process identifies transit projects for federal funds that come directly to the Council. MnDOT and its advisory Capital Improvements Committee recommend projects for the remainder of the Title I funds and State Trunk Highway Funds.

Known Support / Opposition

The Metropolitan Council and MnDOT developed the 2013-2016 TIP cooperatively. The TAB held a public hearing and received comments over a 45-day period. The TAB considered all comments and made changes that are reflected in the final 2013-2016 TIP. No opposition to the adoption of the 2013-2016 TIP was raised.