

# Transportation Committee

Item: 2008-235

For the Metropolitan Council meeting of September 10 2008

## ADVISORY INFORMATION

**Date Prepared:** August 26, 2008

**Subject:** Adoption of the 2009-2012 Transportation Improvement Program (TIP) for the Twin Cities Metropolitan Area

### Proposed Action:

That the Metropolitan Council:

1. Adopt the 2009-2012 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 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 2009-2012 TIP along with these comments to the Minnesota Department of Transportation and Minnesota Pollution Control Agency.

### Summary of Committee Discussion / Questions:

Kevin Roggenbuck, TAB Liaison, presented this item to the committee and answered questions from committee members. Steffen asked a question about two projects that are in the TIP. Arlene McCarthy, Director MTS stated that staff will respond to Steffen with clarification.

Motion was made seconded and passed.

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

# Transportation Committee

**Business Item**

Item: 2008-235

**Meeting date: August 25, 2008**

**Council meeting: September 10, 2008**

## ADVISORY INFORMATION

**Date:** August 21, 2008  
**Subject:** Adoption of the 2009-2012 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 MTS (651-602-1754)  
Amy Vennewitz, Dep. Dir. Finance & Planning (651-602-1058)  
Carl Ohrn, Planning Analyst (651-602-1719)  
Kevin Roggenbuck, TAB Liaison (651-602-1728)  
**Division/Department:** Metropolitan Transportation Services

## Proposed Action

That the Metropolitan Council:

8. Adopt the 2009-2012 Transportation Improvement Program.
9. 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).
10. Certify the TIP conforms with the provisions of 49 CFR part 20 regarding lobbying restrictions on influencing certain federal activities.
11. 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.
12. Find that the TIP meets all applicable federal requirements.
13. Find that the TAB provided adequate opportunity for public, agency and transit operators involvement through its regular process and special public meetings, and hearing.
14. Transmit the 2009-2012 TIP along with these comments to the Minnesota Department of Transportation and Minnesota Pollution Control Agency.

## Background

- The TAB adopted the 2009-2012 TIP at its August 20, 2008 meeting.
- The 2009-2012 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. 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 2009-2012 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 21, 2008 public meeting, the Draft TIP was adopted for the purposes of a public hearing and the public comment period was initiated. On June 18, 2008, a public hearing was held. The public comment period concluded on July 7, 2008. 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 7, 2008. Copies of written comments and staff recommended responses were mailed to the TAB and were considered at its August 20, 2008 meeting. The Public Hearing report was accepted by the TAB.

## **Rationale**

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.

## **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 selected projects to be implemented in 2011 and 2012 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.

**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

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**Donn R. Wiski**  
Chair

August 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

Bethany Tjornhom  
Chanhassen 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

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

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  
Mears Park Centre  
230 E. Fifth Street  
St. Paul, MN 55101

Mr. Bell:

On August 20, 2008 the Transportation Advisory Board (TAB) voted to adopt the 2009-2012 Transportation Improvement Program for the Twin Cities Metropolitan Area. This action culminates a thorough development process involving our state and regional transportation stakeholders and the public.

On May 21, 2008, the TAB adopted the draft 2009-2012 TIP for the purpose of holding a public hearing. A public hearing was held on June 18, 2008 and the 45-day public comment period closed on July 7, 2008. Staff prepared a public comment report that includes the public hearing notice, the materials presented at the hearing, all comments received at the hearing and during the public comment period, and staff responses to the comments. The TAB adopted the public comment report and changes as per staff comments, and those changes are reflected in the final adopted TIP. The public comment report is available for review upon request.

The TAB forwards the adoption of the 2009-2012 TIP to the Metropolitan Council for concurrence.

Sincerely,

Donn Wiski, Chair  
Transportation Advisory Board

kjr/kjr

# Transportation Advisory Board of the Metropolitan Council of the Twin Cities

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## ACTION TRANSMITTAL

### No. 2008-25

**DATE:** August 20, 2008  
**TO:** Metropolitan Council  
**FROM:** Transportation Advisory Board  
**SUBJECT:** 2009-2012 Transportation Improvement Program.

**MOTION:** The Transportation Advisory Board adopted the 2009-2012 Transportation Improvement Program for the Twin Cities Metropolitan Area and forwards it to the Metropolitan Council for concurrence.

**BACKGROUND AND PURPOSE OF ACTION:** On Wednesday, June 18, 2008, the Transportation Advisory Board held a public hearing on the draft 2009-2012 Transportation Improvement Program for the Twin Cities Metropolitan Area. In addition to comments provided at the hearing, the TAB collected comments over a 45-day public comment period.

The TAB voted to endorse all the staff recommendations in the public comment report. In addition, the Board recommended adding to Tables A-14 and A-20 Section 5309 Fixed Guideway Overhaul of Light Rail Vehicles with a total project cost of \$1,400,000 (\$1,120,000 FTA/\$280,000 Metropolitan Council) and making the changes described in the attached email message from staff at MN/DOT Metro State Aid.

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## ROUTING

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