

Southwestern Pennsylvania Commission
Minutes of the Meeting of
July 31, 2006 – 4:30 p.m.
Regional Enterprise Tower – 425 Sixth Avenue, 31st Floor – Pittsburgh, PA 15219

The fifty-seventh meeting of the Southwestern Pennsylvania Commission was called to order by Chairman, Bracken Burns.

Commission members present were: Tom Balya, Karen Bennett, Bracken Burns, Charles Camp, Tom Ceraso, Daniel Cessna, Dave Coder, Steve Craig, Richard Fink, Patrick Ford, Jim Gagliano, Lynn Heckman, David Johnston, James Kennedy, Ellen Kight, Larry King, Patricia Kirkpatrick, Allen Kukovich, Scott Lowe, Larry Maggi, Robbie Matesic, Kevin McCullough, Terry McMillen, David Miller, Henry Nutbrown, Dan Onorato, Andrew Quinn, Dennis Regan, Carmen Rozzi, Rodney Ruddock, Daniel Santoro, James Scahill, Mark Schneider, Michael Silvestri, Bernie Smith, Pam Snyder, Joe Spanik, Anthony Spossey, Byron Stauffer, Jr., Gealy Wallwork and Norma Wintermeyer.

Commission members absent were: Glenn Anderson, Stephen Bland, Andrew Boni, Susan Borinsky, Eric Carlson, Orlando Capretto, James Cheatham, Robert DeLotto, Dan Donatella, Joseph Dubovi III, Edward Fosnaught, David Frick, John Gardner, Joseph Hardy, Dana Henry, Mark Lay, Phil Light, Larry Morris, Bob O'Connor, Dan Onorato, William Peduto, Joe Szczur, Richard Shaw, Mark Snyder, Vincent Vicites, Daniel Vogler, Jake Wheatley, and Angela Zimmerlink.

Others: Joan DeCoury, LKG-CMC; Karen Fitch representing Honorable Jake Wheatley, Jr.; Shawn Fox, Allegheny County; Louise Garside, LKG-CMC; Lynn Manion, ACTA; Kathy McClure, LKG-CMC; Mavis Rainey, OTMA; Jim Ritchie, Pittsburgh Tribune-Review; Dick Rothman and Jeff Leonard, Pictometry International, Inc.; Cheryl Sirianni, PennDOT; Marilyn Skolnick, Sierra Club; and John Verbanac, SPC Consultant.

Staff: Jim Hassinger, Kirk Brethauer, Chuck DiPietro, Ken Flack, Chuck Imbrogno, Prue Larson, Vince Massaro, Marge Nalesnick, Shannon O'Connell, Dee Pamplin, Kay Tomko, Debbie Tritsch, Carol Uminski, Lew Villotti and Sara Walfoort.

1. Action on Minutes of the June 26th Meeting

The minutes of the June 26, 2006 meeting of the Southwestern Pennsylvania Commission were approved on a motion by Commissioner Smith which was seconded by Commissioner Scahill. The affirmative vote was unanimous.

2. Public Comment

None.

3. Presentation on Pictometry – Dick Rothman, District Manager, Pictometry International, Inc.

Mr. Rothman explained that Pictometry is a new visual intelligence system that came out about four years ago. In this session we want to introduce you to Pictometry so that we can provide a possible 2008 appropriation through the 12 Congressional District of Pennsylvania. This fantastic new tool would allow county governments to manage their county in every department better than they are today. We call Pictometry a new paradigm in visual intelligence because traditional aerial imagery is basically straight down or ortho imagery. When contracted, we shoot every square foot of a county or region from every angle and from all 4 sides allowing the counties to do more things in every department. This is called oblique imagery

which is flown at a 40 degree angle. We are looking for SPC to sponsor this relationship with the counties and the appropriation. This would be an administrative obligation, not a financial one.

SPC was our first choice to be the logical sponsor to go to the Hill when the time is right (mid-2007) along with county and township representatives and Pictometry consultants to go and get this appropriation. Appropriations from around the country that we have been going for, have been successful. We would like to nail down our sponsor along with some other time lines to meet in the next 12 months.

Chairman Burns asked Mr. Rothman to elaborate on what it would mean for SPC to be the sponsor—is it an honorary title or is there a functional purpose. It is really both. When the 8-10 county image library is delivered, the sponsor is the administrative arm that pulls all the counties together and distribute, the imagery. The sponsor is the central group that everyone goes to. There is no financial obligation. Each county has its own responsibilities but there needs to be a central point. And, when you go for appropriation there needs to be a sponsor when there is more than one entity.

What is the relationship between this technology and GIS? Pictometry and GIS work hand-in-hand. You can load any GIS data into this software and you can view images. What is the long-term cost to a county that participates? And how often do the pictures get upgraded? The initial interval is a 2-year period. If a county wants a re-shoot at the end of the 2-years the county would incur a cost.

Dr. Hassinger commented that SPC would not actually be advocating for this on the Hill, we would look to a partner who would be appropriate to do that. We will follow-up with further discussions.

4. Report on Public Comment Period Response to Draft 2007-2010 Transportation Improvement Program, Amendment to 2030 Transportation and Development Plan for Southwestern Pennsylvania and Air Quality Conformity Assessment for the TIP and 2030 Plan

Sara Walfoort commented that later in this meeting the SPC Commissioners will be asked to take action on three draft documents: The Draft 2007-2010 Transportation Improvement Program for Southwestern Pennsylvania; The Draft 2006 Air Quality Conformity Determination for the TIP and the 2030 Transportation and Development Plan; and The Proposed Amendment to the 2030 Transportation and Development Plan for Southwestern Pennsylvania (North Shore LRT Connector Financial Plan Update).

Accompanying these documents is a Public Participation Report and Response to Public Comment on these three documents.

The public involvement program for the 2007-2010 Transportation Improvement Program began in 2005, when your Public Participation Panels hosted meetings in each county to solicit candidate projects for the updated TIP and initial input for the next long range plan. Those meetings were held in July and August of 2005.

Over the past couple of months, SPC has again worked with the Public Participation Panels in the solicitation of public comments on the draft 2007-2010 Transportation Improvement Program, as well as the Draft 2006 Air Quality Conformity Determination for the TIP and the Long Range Plan, and the Long Range Plan Amendment.

The public comment process on the drafts started in June of 2006 with the distribution of the three draft documents to 69 libraries in the region, as well as to each of the 10-county planning offices, and the City of Pittsburgh. Copies were also posted on the SPC website.

Public Participation Panel meetings were held in each of the ten counties, starting with Washington County on June 27 and ending with Indiana on July 20.

To inform the public of these meetings, formal meeting notices were distributed a week or so before each meeting. These notices appeared in 13 regional newspapers and four newspapers also followed up with feature stories in advance of the meeting date. An estimated 160 persons attended these meetings.

At each meeting, SPC staff presented a summary of the three documents, accepted oral and written testimony, and informed the public that comments would be accepted through 4:30 p.m. on July 27, 2006, and that comments could be submitted via email, through a web link on the SPC website, by fax, or in written form throughout the comment period. SPC staff was present to document the comments that were received during the public meetings. Our county planning partners, regional transit service providers and PennDOT staff were also present to assist with technical questions received during the various public meetings. A total of 193 comments were received on the three draft documents, 181 on the TIP Update, 4 on the Air Quality Conformity Determination, and 8 on the Long Range Plan Amendment

These comments are presented in the Public Comment Report in two places. Each comment is summarized in Part I of the Report, where a formal SPC response is also provided. A full copy of each piece of written or electronic testimony also appears in Part 4 of the Report.

Early last week or late the week before, a copy of the comments received through July 25 were provided to the SPC Commissioners, along with SPC responses to those comments. Copies of all comments received after July 25 were provided to the SPC Commissioners late last week. As such, there are no public comments in the Public Participation Report document that the SPC Commissioners have not already had a chance to review.

We believe that the Public Participation Report provided to you, and made available on the SPC website, clearly demonstrates and documents the public participation efforts associated with the draft 2007-2010 Transportation Improvement Program, Draft 2006 Air Quality Conformity Determination and the Proposed Amendment to the 2030 Transportation and Development Program for Southwestern Pennsylvania (North Shore Connector Financial Plan Update).

5. Action on Resolution 17-06 to Make Finding of Conformity for Draft 2007-2010 Transportation Improvement Program and Reaffirm the Conformity Finding for the 2030 Transportation and Development Plan for Southwestern Pennsylvania

Chuck Imbrogno explained that parts of the region have been designated by the Federal EPA as nonattainment for two air pollutants, ground level ozone and fine particulates. Because of these nonattainment designations, federal regulations require that a finding of conformity with the Clean Air Act must be made before adopting or amending the TIP or Plan. Conformity means completing all the projects in the TIP and all the projects in the Plan will not worsen regional air quality. The US EPA has promulgated regulations (transportation conformity rule) that specify the technical processes and criteria that must be addressed in order to make the conformity finding. A draft report was prepared to address these requirements. The report was subject to public review from June 27 through July 27. That report concludes that we have followed the prescribed EPA procedures, that appropriate criteria have been satisfied, and that the 2007-2010 TIP and 2030 Long Range Plan are in conformity with the Clean Air Act.

Commissioner Balya moved:

WHEREAS, the Congress of the United States enacted the Clean Air Act of 1964 (CAA) and amended the Act in 1977 (CAAA 77) and 1990 (CAAA 90); and

WHEREAS, the federal Clean Air Act authorizes the Environmental Protection Agency (EPA) to establish National Ambient Air Quality Standards (NAAQS), to define the boundaries of areas not in attainment of the

Standards, and to establish criteria and procedures for attaining and maintaining the Standards; and

WHEREAS, the EPA, in the “Air Quality Designations and Classifications for the 8-Hour Ozone NAAQS” (40 CFR Part 81), published as a Final Rule in the April 30, 2004 Federal Register and effective on June 15, 2004, designated three ozone nonattainment areas in the SPC planning region; these included the Pittsburgh-Beaver Valley nonattainment area (comprised of the seven counties: Allegheny, Armstrong, Beaver, Butler, Fayette, Washington, and Westmoreland); the Greene County nonattainment area; and the Clearfield-Indiana nonattainment area (comprised of Clearfield County, which is outside of SPC’s planning area, and Indiana County which is within SPC’s planning area); and

WHEREAS, the EPA, in the “Air Quality Designations and Classifications for the Fine Particles (PM_{2.5}) NAAQS” (40 CFR Part 81), published as a Final Rule in the January 5, 2005 Federal Register and effective on April 5, 2006, designated three PM 2.5 nonattainment areas in the SPC planning region; these included the Liberty-Clairton nonattainment area (comprised of five municipalities within Allegheny County); the Pittsburgh-Beaver Valley nonattainment area (comprised of Beaver, Butler, Washington, and Westmoreland counties in their entirety and parts of Allegheny, Armstrong, Greene, and Lawrence counties); and the Johnstown nonattainment area (portions of Indiana County within SPC’s planning area, and all of Cambria County which is in the planning area of the Johnstown MPO); and

WHEREAS, the EPA, in the Transportation Conformity Rule (40 CFR Part 93), as amended, provides criteria and procedures to be followed by Metropolitan Planning Organizations (MPOs) in making conformity determinations regarding transportation plans, programs, and projects within designated nonattainment and maintenance areas; and

WHEREAS, the Transportation Conformity Rule and Sections 174 and 176(c) and (d) of the Clean Air Act (Sections 7504 and 7506(c) and (d) of Title 42 U.S.C.) require that the MPO not approve any plan, program, or project which does not conform with the Clean Air Act; and

WHEREAS, the Southwestern Pennsylvania Commission (SPC), as the MPO for the Pittsburgh Transportation Management Area, is responsible under Section 134 of Title 23, U.S.C. and Section 8 of Title 49, U.S.C. for carrying out a continuing, cooperative, and comprehensive transportation planning process; Section 174 of the Clean Air Act designates this same organization as responsible for the transportation-related air quality planning within designated nonattainment and maintenance areas to achieve and maintain NAAQS; and

WHEREAS, SPC has conducted a qualitative and quantitative analysis for the PM_{2.5} and 8-Hour Ozone nonattainment areas within the SPC region in accordance with the applicable criteria and procedures of the Clean Air Act (as amended) and the Transportation Conformity Rule, and has demonstrated conformity of the 2007-2010 TIP and the region’s 2030 Long Range Plan to the Clean Air Act; and

WHEREAS, the results of the conformity analysis were made available for public review and comment consistent with SPC’s established public review procedures from June 27, 2006 through July 27, 2006 including ten public meetings.

NOW, THEREFORE, BE IT RESOLVED that the Southwestern Pennsylvania Commission finds that the region’s 2030 Long Range Plan and the 2007-2010 TIP conform to the Clean Air Act (as amended) by supporting its intention of achieving and maintaining the NAAQS; and

BE IT FURTHER RESOLVED that the region’s 2030 Long Range Plan and the 2007-2010 TIP are consistent with the Clean Air Act (as amended) and Transportation Conformity Rule; no goals, directives, recommendations, or projects in the TIP or Long Range Plan contradict in a negative manner any specific requirements or commitments of the applicable State Implementation Plan.

RESOLVED FURTHER that assessment of the PM 2.5 and 8-Hour Ozone nonattainment areas within the SPC region demonstrates that the transportation plans, programs, and projects for those areas conform with the provisions of the Clean Air Act and the applicable criteria and procedures of the Transportation Conformity Rule.

Commissioner Rozzi seconded and the affirmative vote was unanimous.

6. Action on Resolution 18-06 to Adopt the 2007-2010 Transportation Improvement Program for Southwestern Pennsylvania

Chuck DiPietro first highlighted the process followed since July of 2005 to develop the 2007-2010 TIP recommendation before the Commission for their consideration today. This included July/August of 2005 public input meetings throughout the region convened for the public by the ten public participation panels to seek public input at the beginning of the TIP development process. Work sessions followed in the fall/winter with the SPC programming partners (eleven member planning departments, three TMAs, eleven transit properties, three PennDOT Districts, and PennDOT Central Office. SPC's preliminary draft TIP was subsequently submitted on schedule by February 3 to PennDOT Central Office per their deadline. After closure with PennDOT Central Office in late May on the draft program content, SPC staff developed the air quality conformity determination and TIP documentation for public comment and review as detailed in Items 4 and 5 above. Additional public comment period on the drafts followed from June 27 through July 27.

Mr. DiPietro next highlighted the findings and conclusions from the Report on Environmental Justice for the Draft 2007-2010 TIP. The report graphics and tables demonstrate that the benefits of the draft TIP accrue to both EJ and Non-EJ communities. Low-income and minority populations are not disproportionately impacted and are beneficiaries of the Draft 2007-2010 TIP for Southwestern Pennsylvania.

Finally, Mr. DiPietro highlighted a series of proposed changes to Appendix 2 (Highway Project Listings), Appendix 3 (Public Transportation Program), and Appendix 5 (TE/HS/SRTS Project List). These proposed changes were reviewed by the Transportation Technical Committee (Appendix 2 & 5) and by the Transit Operators Committee (Appendix 3). Both Committees recommended 2007-2010 TIP adoption today, including these proposed changes. The proposed changes do not affect air quality conformity, and they continue to maintain fiscal constraint in the TIP recommendation. The changes result from a combination of response to public comments received, updated input from region's transit operators, and output of project status meetings with the various TE/HS/SRTS project sponsors.

David Miller asked what constitutes EJ communities in the EJ analysis that was performed. Sara Walfoort responded that SPC staff utilized U.S. DOT's definitions of minority and low-income populations in its analysis. SPC staff also included three additional population groups in its assessment of environmental justice: the elderly; the disabled; and persons with Limited English Proficiency. Dr. Hassinger stated that the updated full report reflecting the most recent analysis will be placed on the SPC website and will be available for comment.

Commissioner Craig moved:

WHEREAS, Section 134 of Title 23 U.S.C., Part 450.220 of Title 23 CFR and the Federal Transit Act 49 U.S.C. 5323(k) requires that Metropolitan Planning Organizations (MPOs) conduct a comprehensive transportation planning process and develop and maintain a Long Range Plan and a Transportation Improvement Program; and

WHEREAS, federal law requires that regional transportation plans and programs be developed by MPOs and approved by the Governor of the state and to be reviewed by the Federal Transit Administration (FTA)

and the Federal Highway Administration (FHWA); and

WHEREAS, federal law requires the state to develop statewide transportation plans and program subject to review by the Secretary of the United States Department of Transportation (US DOT); and

WHEREAS, SPC's established process for public involvement in the planning process was followed during TIP development; and

WHEREAS, SPC's established process for public involvement in the planning process was followed during TIP development. A review of public involvement in the regional transportation planning process and the resultant Transportation Improvement Program demonstrated that the benefits of the regional transportation planning process accrue to both Environmental Justice (EJ) and Non-EJ communities. Low-income and minority populations are not disproportionately impacted and are beneficiaries of the transportation planning process in Southwestern Pennsylvania.

NOW, THEREFORE, BE IT RESOLVED that the 2007-2010 TIP meets all applicable federal requirements and the Southwestern Pennsylvania Commission approves and adopts the 2007/2010 Transportation Improvement Program (TIP) for the Pittsburgh Management Area, and

BE IT FURTHER RESOLVED that the 2007-2010 TIP and companion documents are approved for submission to the appropriate authorities and agencies: 1) to the Secretary of the Pennsylvania Department of Transportation (PennDOT) for approval by the Governor, 2) to PennDOT for inclusion in the state transportation plan and program, with referral to US DOT, and 3) to FTA and FHWA for review.

Commissioner Kennedy seconded and the affirmative vote was unanimous.

7. Action on Resolution 19-06 to Certify the Transportation Planning Process

Chuck DiPietro first noted that federal statewide and metropolitan transportation planning regulations continue to require each state and MPO to annually certify to both FHWA and FTA: 1) The planning process is addressing the major transportation planning issues within the region; and 2) The planning process is being conducted in accordance with all applicable federal regulations. Today's action is timely, and tied to earlier actions today on Items 5 and 6. Resolution verifies that the transportation planning process at SPC is being conducted in accordance with all applicable federal requirements that Mr. DiPietro highlighted.

Mr. DiPietro also highlighted the findings from the July 2005 Federal Certification Review of the Pittsburgh Metropolitan Area Planning Process (February 6, 2006 report) that state:

“The overall conclusion of our review is that the planning process for the Pittsburgh metropolitan area complies with the metropolitan transportation planning laws and regulations. As a result, the FHWA and FTA jointly certify the planning process in the Pittsburgh Metropolitan Area Transportation Management Area, with four noted corrective actions and various recommendations.”

Mr. Schneider moved:

WHEREAS, the U. S. DOT Safe, Accountable, Flexible, Efficient Transportation Equity Act : A Legacy for Users (SAFETEA-LU) legislation requires a Metropolitan Planning Organization (MPO) to certify that its transportation planning process is in conformance with regulations; and

WHEREAS, the Federal regulations specify that the transportation planning process be in conformance with Title 23 U.S.C. Section 134, 23 CFR Part 450.220 and the Federal Transit Act Title 49 U.S.C. 5323(k),

which require that a continuing, cooperative and comprehensive planning process be carried out by the State and Local officials; and

WHEREAS, the requirements of Title VI of the Civil Rights Act of 1964 and the Title VI assurance executed by each State under Section 324 of Title 23 and under Section 794 of Title 29 have been met and the requirements of Executive Order #12898 (Federal Order to Address Environmental Justice in Minority Populations and Low Income Populations) are being addressed; and

WHEREAS, the requirements of Section 1101 of TEA-21 (Public Law 105-178) regarding the involvement of disadvantaged or minority business enterprises in FHWA and FTA funded planning projects (Section 105(f), Public Law 97-424, 96 Stat. 2100; 49 CFR Part 23) have been met; and

WHEREAS, the provisions of the Americans with Disabilities Act of 1990 (Public Law 101- 336, 104 Statute 327, as amended) and U.S. DOT regulations entitled "Transportation for Individuals with Disabilities" (49 CFR, Parts 27, 37 and 38) have been met; and

WHEREAS, the Transportation Improvement Program (TIP) continues to be financially constrained as required by Section 450.216 of the Final Rulemaking issued on October 28, 1993, and the Federal Transit Administration (FTA) policy on the documentation of financial capacity, published in FTA Circular 7008.1; and

WHEREAS, the provision of 49 CFR part 20 regarding restrictions on influencing certain activities has been met; and

WHEREAS, the requirements of Sections 174 and 176(c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506(c) and (d)) have been met for non-attainment and maintenance areas; and

WHEREAS, SPC's established process for public involvement in the planning process was followed during TIP development. A review of public involvement in the regional transportation planning process and the resultant Transportation Improvement Program demonstrated that the benefits of the regional transportation planning process accrue to both Environmental Justice (EJ) and Non-EJ communities. Low-income and minority populations are not disproportionately impacted and are beneficiaries of the transportation planning process in Southwestern Pennsylvania.

NOW, THEREFORE, BE IT RESOLVED that the Southwestern Pennsylvania Commission, the Metropolitan Planning Organization (MPO) for the Pittsburgh Transportation Management Area (TMA) certifies that the planning process is being carried out in conformance with all of the applicable federal requirements and certifies that the local process to enhance the participation of the general public, including the transportation disadvantaged, has been followed in developing all plans and programs, including the FFY 2005-2008 Transportation Improvement Program (TIP).

Commissioner Scahill seconded and the affirmative vote was unanimous.

8. Action on Resolution 20-06 to Approve an Amendment to 2030 Transportation Development Plan for Southwestern Pennsylvania

Chuck Imbrogno summarized that this amendment is a request from the Port Authority of Allegheny County to reflect the latest cost estimate and financial plan for the North Shore Connector project in the adopted Long Range Plan. The reason for this request is a major action by the FTA is pending. That action is approval of a full funding grant agreement for the project. One condition to be satisfied before FTA approval is that the Plan and TIP include the current scope, cost and financial plan for the project. The latest

cost estimate for the project is \$435 million, \$42 million higher than currently shown on the Plan. The Port Authority has identified the funding to cover this cost increase. The amendment was out for public comment along with the TIP and Air Quality Conformity from June 27 through July 27. The TOC and the TTC both recommend approval. The TOC voted unanimously to recommend approval, and the TTC recommended approval with one dissenting vote from Westmoreland County.

Mr. Nutbrown moved:

WHEREAS, the “North Shore Connector LRT – Gateway Line” is a 1.2 mile extension of the Light Rail Transit system from the existing Gateway Station in Downtown Pittsburgh to the Carnegie Science Center in the North Shore via a tunnel under the Allegheny River and three new stations; and

WHEREAS, the project is identified in the region’s conforming, fiscally constrained 2030 Transportation and Development Plan for Southwestern Pennsylvania and the 2005-2008 Transportation Improvement Program for completion by 2010 at a total cost of \$393.0 million with \$48.4 million received for the project prior to the 2005-2008 TIP period, \$295.1 million committed on the 2005-2008 TIP, and the remaining \$49.5 million committed in the Long Range Plan in 2009 and 2010; and

WHEREAS, the total cost of the project has increased by \$42.0 million and is now estimated at \$435.0 million, with completion by 2011; and

WHEREAS, prior to executing a Full Funding Grant Agreement (FFGA) with the Port Authority of Allegheny County, the Federal Transit Administration (FTA) requires that the total cost of the project be programmed on the fiscally constrained TIP and Long Range Plan; and

WHEREAS, the Port Authority of Allegheny County has secured commitments from federal, state, and local sources to cover the \$42.0 million cost increase as follows: a federal share of \$33.6 million (\$18.0 million from the FTA Section 5309 New Starts Program in 2009, \$5.0 million from the FTA Section 5309 Fixed Guideway Modernization Program in 2010, and \$10.6 million from the Dedicated Statewide Transit Reserve [\$5.0 million in 2010 and \$5.6 million in 2011]), a matching share of \$7.0 million from the Commonwealth of Pennsylvania, and a matching share of \$1.4 million from Allegheny County; and

WHEREAS, the Port Authority of Allegheny County has entered into discussions with the Commonwealth and with Allegheny County officials regarding payment of the additional matching shares in 2009, 2010, and 2011; and

WHEREAS, a 30-day public review and comment period was held from June 27, 2006 through July 27, 2006 consistent with the SPC Public Involvement Policy, all comments and responses were available for review by the Commission prior to action on the proposed Long Range Plan amendment; and

WHEREAS, the proposed Long Range Plan amendment and funding commitments for the project were presented and discussed at the SPC Transit Operators Committee meeting on July 18, 2006, and at the Transportation Technical Committee meeting on July 20, 2006 with both committees recommending SPC approval; and

WHEREAS, the proposed Long Range Plan amendment maintains overall fiscal constraint for the Plan; and

WHEREAS, the proposed Long Range Plan amendment will not interfere with the implementation of any State Implementation Plan (SIP) project; and

WHEREAS, approval of the amendment to the Long Range Plan will not alter the finding of conformity with the federal Clean Air Act for the 2005-2008 TIP and 2030 Long Range Plan.

NOW THEREFORE BE IT RESOLVED that the Southwestern Pennsylvania Commission amends the Available Resources Element (ARE) of the 2030 Transportation and Development Plan for Southwestern Pennsylvania to reflect the new cost of \$435 million to complete the “North Shore Connector LRT – Gateway Line” by 2011 and to update the financial plan for the project to reflect the additional \$42.0 million identified to fully fund the project.

Mr. Silvestri asked if there is an additional \$7 million in state funding that is being added to this, and is that money to be used for other types of projects. Where does it come from and does it affect other counties adversely? Mr. Nutbrown said that the state dollars to match the additional federal dollars from this program would be coming from a source of state capital bond funds that we receive customarily about \$30 million a year that we use for eligible transit purposes. Mr. Imbrogno answered that those state dollars are transit only dollars, they are not highway dollars.

Commissioner Kennedy questioned the long term impact on the region as a whole versus Allegheny. Mr. Nutbrown commented that he didn't see where it would affect surrounding counties or the TIP in general. Of the \$42 million additional funding, \$18 million is new funding that the Federal Transit Administration is providing, recognizing the need for the project and the cost growth as a result of inflationary spiral. Other dollars being applied are in the long range plan currently designated to be used by the Port Authority for transit related purposes, but in the out years have not been identified to a specific purpose. We are now identifying that in those years (2009, 2010 and 2011) that those dollars designated for the Port Authority are to be used for the North Shore Connector Project.

Mr. Sposey noted that there was an article in the paper reporting that Allegheny County Council had a vote against the \$1.4 million local share. Is Allegheny County on board with this in terms of their financial commitment? Shawn Fox answered that the vote that was taken was not against the project, they voted to appropriate the original budget for Allegheny County which was \$12.7 million. That vote was about the whole funding package not against the project. And we are willing to work with Allegheny County Council as we go through this process.

Chairman Burns questioned where do we go when there are cost overruns that everybody kind of anticipates will occur with a project of this nature—assuming that everything is covered that is budgeted. Is there a commitment from Allegheny County and the Port Authority to cover all cost overruns? Mr. Nutbrown stated that the Port Authority has minimized that risk to the point that is possible. Approximately one-half the total construction dollars is under contract. A contingency of over \$30 million is built into the project budget to handle any surprise events. Lastly, there is a commitment with the FTA to not allow this project to go beyond the current budget by further reducing scope of the project without reducing utility.

Commissioner Scahill commented on the fiscal solvency issue of the Port Authority in the very near future. Also, is the transit money dedicated to the Port Authority or is it transit money that's coming from other counties.

Mr. Nutbrown stated that his understanding is that the additional \$7 million in state funding is over a multi-year period and is dedicated to the Port Authority.

Another question was asked about the solvency – How much would the Port Authority's operating deficit increase because of the project? Mr. Nutbrown replied that, in the first full year of operation, system-wide operating cost would increase slightly; under \$2.5 million. The Authority's annual operating budget is about \$330 million a year. This project would provide approximately ten thousand additional rides in the course of an average weekday. Operating costs would go up as a result of inflation, not as a result of it being more expensive to operate the tunnel.

Mr. Schneider seconded and the majority of those present voted in favor of the amendment.

9. Staff Report/Other Business/Announcements

Chairman Burns announced that Bob DeLotto has had surgery for a broken hip. He is recovering nicely and we send the regards of the Commission to him and wish him well.

Dr. Hassinger advised the Commission that between now and the next meeting, they might receive some further information on upcoming meetings in regard to the Long Range Plan and Project Region. Another item today is to recognize someone that is retiring from the Southwestern Pennsylvania Commission after 12 years of service as Transportation Planner who has spent a lot of time with the public participation panels. Mrs. Prue Larson has dedicated a lot a good time with us and we congratulate her on her retirement. Mrs. Larson thanked Dr. Hassinger and the Commission for the opportunity to work with the staffs for this significant and final portion of her career. The most rewarding part of her work was getting around in the region and meeting all the people in the counties.

10. New Business

Mr. King gave a brief status report on the Governor's Transportation Funding and Reform Commission. There will be a report on the Commission's initial findings around the end of August. It will include findings and possible options for addressing the funding issue before us and thoughts about reforms. After that document is released there will be a series of six public events throughout the Commonwealth. On September 12 in the Regional Enterprise Tower there will be a public input forum for people to come and provide further feedback to the Funding and Reform Commission based on the report.

11. Adjourn

There being no further business to come before the Commission the meeting adjourned at 6:00 p.m.

Respectfully submitted,

Charles A. Camp
Secretary-Treasurer