

Southwestern Pennsylvania Commission
Minutes of the Meeting of
January 28, 2008 – 4:30 p.m.
31st Floor – Regional Enterprise Tower – 425 Sixth Avenue – Pittsburgh, PA 15219

The sixty-sixth meeting of the Southwestern Pennsylvania Commission was called to order by Commissioner Charlie Camp.

Commission Members present were: Tony Amadio, Bracken Burns, Charles Camp, Eric Carlson, Tom Ceraso, Daniel Cessna, Steve Craig, Terry, Daughenbaugh Robert DeLotto, Karl Eisaman, Richard Fink, Kevin Gray, Lynn Heckman, David Johnston, Patricia Kirkpatrick, Allen Kukovich, Jack Machek, Larry Maggi, Robbie Matesic, Kevin McCullough, David Miller, William Peduto, Dale Pinkerton, Bill Piper, Andrew Quinn, James Ritzman, Carmen Rozzi, Rodney Ruddock, Daniel Santoro, James Scahill, Mark Schneider, Michael Silvestri, Pam Snyder, Joe Spanik, Byron Stauffer, Jr., Vincent Vicites, Gealy Wallwork, and Norma Wintermeyer.

Commission Members absent were: Tom Balya, Stephen Bland, Dave Coder, Rick DeBlasio, Joseph Dubovi III, Patricia Evanko David Frick, Patrick Ford, James Gagliano, Michael Herron, Dana Henry, James Kennedy, Mark Lay, James Lokhaiser, Larry Morris, Dan Onorato, Luke Ravenstahl, Robert Schiffbauer, Richard Shaw, Mark Snyder, Anthony Spossey, Joe Szczur, Letitia Thompson, Daniel Vogler, Jake Wheatley, Jr., Vincent Zapotosky, Angela Zimmerlink and Yarone Zober.

Others: Cheryl Moon-Sirianni, PennDOT; Keith Johnson and Ann Ogoreuc, URS; and David Stragar, ATWIC.

Staff: Jim Hassinger, Mary Brangan, Kirk Brethauer, Chuck DiPietro, Chuck Imbrogno, Tom Klevan, Vince Massaro, Marge Nalesnick, Shannon O’Connell, Matt Pavlosky, Kay Tomko, Debbie Tritsch, Carol Uminski, Lew Villotti and Sara Walfort.

1. Action on Minutes of the December 10th Meeting

The minutes of the December 10, 2007 meeting of the Southwestern Pennsylvania Commission were approved on a motion by Commissioner Snyder which was seconded by Andy Quinn. The affirmative vote was unanimous.

2. Public Comment

Commissioner Camp opened the floor to public comment, asking each speaker to restrict comments to three minutes.

Kathy Boykowycz - Ms. Boykowycz spoke against the amendment to restore the Southern Beltway on the TIP and the Long Range Plan. She commented that the rising cost of construction, climate change and the rising cost of gas indicate the only sane policy for our transportation future is to abandon suburban sprawl in favor of denser, walkable transit oriented communities. The preferred regional scenario in the current approved long range plan is all about reinvestment in existing infrastructure and infill development. The Turnpike Commission is stuck in the past, plugging away at a plan that was hatched 50 years ago. SPC Commissioners should be wary of letting the Turnpike drag them backwards. If Pennsylvania is to prosper in the certain future of changing and more limited energy options, we must start thinking differently about transportation and development

today. The Turnpike Commission's right to raise tolls for new construction under Act 44 will result in drivers on I-76 paying over \$1.5 billion over the next 30 years to pay for this project and federal and state highway and bridge funds will have to be spent building roads to connect to it and shoring up the existing county and municipal roads that connect with it. Our region does not need a new beltway. Please show us you can be creative about the future and vote no for the Southern Beltway.

Joe Kirk, Expressway Partnership Initiative – Mr. Kirk spoke in support of the amendment. He presented eight points in support of proposed Transportation Plan Amendment. These eight points are: 1) The Mon Valley/Fayette Expressway and Southern Beltway are long-standing priorities that have been included in regional transportation plans. The projects have been supported by counties that would be served by the projects; 2) The current issue is attributable to a moving target of a federal requirement for a financing plan --- not the value or need for the Southern Beltway; 3) What the PA Turnpike Commission proposes is intended to meet the test of a federal requirement as one of the ways a project could potentially be funded. This is not a proposal for the allocation of funds; 4) The acceptability of the PA Turnpike Commission financing plan is ultimately a federal decision; 5) For purposes of this discussion, Act 44 is settled law. Even if tolling of I-80 were not accepted by the FHWA, the balance of Act 44 would still be in place; 6) There is no evidence that current projects in the TIP would be impacted by the decision to place the I-79 to PA Route 22 Southern Beltway on the TIP. One could speculate on future impacts for any transportation project; 7) Allegheny County Chief Executive Dan Onorato restated his support for both the Mon Valley/Fayette Expressway and Southern Beltway at a January 11 meeting held with the PA Turnpike Commission, area state elected officials, and representatives of the business community; and 8) Both Dan Onorato and Luke Ravenstahl have formal designates who have represented them on SPC for past decisions.

Heather Sage, Citizens for Pennsylvania's Future (PennFuture) and Co-Chair of Allegheny County Public Participation Panel (PPP) – Ms. Sage stated that she is speaking today in her capacity as a representative of PennFuture. She spoke in opposition of the amendment and asked that the Commission delay in voting on the Southern Beltway amendment. Ms. Sage praised the 2035 Regional Plan, as it sets a vision that carefully considers how we must be strategic, prudent and forward-thinking in our investments. The Plan states that our region wants emphasis on infill development, reinvestment in existing business districts and brownfield rehabilitation; open space preservation and support for agriculture; and strong, multimodal transportation system that connects centers and clusters and promotes access to the urban core. This amendment will contradict our regional vision and Plan. We must apply reasonable deliberation when considering amendments. Recognizing our region's resources are finite, we have made difficult choices as a region, dramatically limiting projects in the TIP and the LRTP, aware that seriously deficient bridges and existing roads lack funding for maintenance and safety upgrades. If we hope to achieve our vision in the Long Range Plan, we cannot amend it to include the US 22 to I-79 leg of the Southern Beltway. Ms. Sage urged the Commission to honor the spirit and letter of the Plan by delaying any decision until adequate detail about the project is fully assessed, including compliance with federal health-based air quality standards for fine particulate air pollution; how much of the increased toll revenues will be directed to the Southern Beltway and at the expense of what other safety and maintenance projects; what secondary connections to the US 22 to I-79 project will be required and with what funding. Ms. Sage stated that she felt that sufficient information to answer these questions was not provided to the public in the information submitted to the SPC available for public review. Ms. Sage reaffirmed her request that the Commission delay action on the amendment.

Rachel Filippini, Group Against Smog and Pollution (GASP) – Ms. Filippini spoke against the amendment. She stated that these projects should be rejected for multiple reasons: 1) By encouraging sprawl, these projects are incompatible with several of the goals and strategies outlined

in the Project Region Executive Summary; 2) Southern Beltway and Mon Fayette Expressway will work against SAFETEA-LU actions; 3) Southern Beltway and Mon Fayette Expressway will divert funding from critically necessary infrastructure maintenance; 3) considering the critical state of our region's infrastructure and lack of adequate funding as expressed in the 2035 Regional Plan and the Pennsylvania Transportation Funding and Reform Commission's Report, it is a serious misallocation of resources to fund unnecessary highway expansions; and 4) the Southern Beltway and Mon Fayette Expressway will induce increased traffic in the region, which will adversely affect regional air quality. Increasing highway capacity eventually leads to increased traffic. Increased VMT will degrade air quality in areas with poor air quality, including many counties in the Pittsburgh Metropolitan Area that fail to attain health-based standards for ozone and fine particulates. Given our poor air quality, adding more transportation sources of ozone precursors and fine particulates is irresponsible. GASP feels that SPC action on the amendment should be delayed until the State Implementation Plan is updated regarding consideration of road and construction dust. For these reasons, GASP strongly urges that the Southwestern Pennsylvania Commission reject the proposed amendment.

Grant Ervin, 10,000 Friends of Pennsylvania - Mr. Ervin spoke against the amendment. He stated that SPC's 2035 Plan has made strong investments in our region's existing communities and infrastructure. Mr. Ervin urged the Commission to consider a number of questions before voting to include these projects in the region's Plan: Is this the best way for the region and the Commonwealth to invest \$659 million? Does the investment impact funding to maintain or upgrade the quality of our existing roads and bridges? Does the proposed Southern Beltway and Mon Fayette Expressway sufficiently advance the goals in Project Region? Without a thorough analysis of what the cost of this project will be to the region, we could be committing to large outlays in the future which will detract from existing infrastructure. What is the impact of this project on land use in surrounding communities, especially considering recent job losses at the airport and declining population trends? Additional analysis on the viability of the project, attention to the needs of the region, and impact on the surrounding areas would be beneficial to determine the full impact. Mr. Ervin urged the Commission to hold voting of this amendment until these issues can be addressed. He asked the Commission to consider if we are focusing resources on providing a public transportation network that supports local economies when making transportation decisions? Are we being responsible by linking our infrastructure investments with responsible land use practices?

Wallace Watson, Pittsburgh Interfaith Impact Network (PIIN) – Mr. Watson opposes the amendment. Mr. Watson stated that PIIN is concerned that public officials make decisions that enhance the viability and sustainability of our existing urban, suburban and rural communities and their infrastructure. Sprawl drains the property values and other resources of our already built cities and towns. PIIN supports the policy of “fix-it-first” as applied to highways and bridges that are in dire need of repair throughout our region and state, and is working hard to support public transportation. Our state put in place dedicated funding for public transportation, and it is ironic that Act 44, which created this dedicated funding for transit, will now be used to undermine our efforts to curtail the destructive effects of sprawl. These projects are contrary to the admirable vision of SPC's 2035 Plan. Mr. Watson urged the Commission to not accept the Turnpike Commission's request that you back down from your progressive vision for our region. We look to you for strong leadership today.

Marilyn Skolnick, Sierra Club – Ms. Skolnick spoke in opposition of the amendment. Ms. Skolnick stated that she is aware of how hard SPC's planners work to be able to do projects that live within the guidelines and financial limitations presented by the federal government. Ms. Skolnick commented that the Mon Fayette Expressway “started when [her] hair was dark and here we are today trying to continue this antiquated highway”. She urged the Commission to consider the limitations of funding

available for necessary projects, and reject the amendment until there is more funding available for everyone's needs.

Lois Liberman – Ms. Liberman opposes the amendment. Ms. Liberman stated that these projects need to be put to rest and money needs to be used for other worthwhile projects. She stated that she is a member of one the Turnpike Commission's Design Advisory Teams working on these projects, and the general consensus of the public is that they do not want these projects.

3. Financial Report

Mr. Massaro presented the financial report for the Corporation, the Commission, and the operations of the Regional Enterprise Tower. This report is for the fiscal period July 2007 through December 2007. The report reflects the operations of the Corporation, the Commission, and the Regional Enterprise Tower. Total Project Related Revenues recognized and recorded to date are \$3,489,231 vs. the annual revised budget of \$9,052,972 or 38.54 % of the budget expended for the reporting period. These items relate to the 2007-08 program year funding and to date all funded projects are proceeding as budgeted. Total carry-over project related revenues recognized and recorded to date are \$224,528 vs. the annual revised budget of \$305,889 or 73.40% of the budget expended for the reporting period. These items relate to the 2001-07 program year funding and these projects are proceeding as budgeted and expect to be completed by June 2008. One change to the carryover project category is the Port of Pittsburgh – Water Transit Assessment Study. The project work has been reduced for this fiscal year and will be included in the FY 2008-09 program year. Revenues relating to the operations of the Regional Enterprise Tower for the reporting period total of \$2,631,988 in rents vs. the annual budget of \$5,512,094 or 47.75% of the budget. As of December 31st, the building tenant occupancy is at 87%. The leasing agent continues to market space in the building and currently is negotiating with a number of current tenants on lease renewals. Cash Flow from operations remains positive for the reporting period and the current budget does not reflect a draw down from the Endowment for the reporting period, but in Sept 2007, a drawdown in the amount of \$150,000 was made and deposited to the Endowment Earnings account. Total Project Related Expenditures recorded to date are \$3,528,578 vs. a revised budget of \$9,087,107 or 38.33% of the budget expended to date. All UPWP and Economic Development Planning work is proceeding as scheduled and expect to be completed by the end of the current fiscal year. Total Carryover Project Related Expenditures recognized and recorded to date are \$186,026 vs. the annual revised budget of \$271,754 or 68.45 % of the budget expended for the reporting period. These items relate to the 2001-07 program year and these projects are proceeding as budgeted and expect to be completed by June 2008. One change to the carryover project category is the Port of Pittsburgh – Water Transit Assessment Study. The project work has been reduced for this fiscal year and will be included in the FY 2008-09 program year. The Regional Enterprise Tower expenses, before depreciation and amortization expense, are \$2,400,248 vs. the budget of \$4,842,973 or 49.56% of the budget expended for the reporting period.

4. Action on Resolution 1-08 and 2-08 to Make a Finding of Air Quality Conformity and Amend the 2035 Transportation and Development Plan and 2007-2010 TIP for Mon-Fayette Expressway Uniontown to Brownsville Phase 2 Project, US 22 to I-79 Southern Beltway Project and Route 21 Section J10 Project at Uniontown – Chuck DiPietro

Action on Resolution 1-08 and 2-08 to Amend 2035 Transportation and Development Plan, 2007-2010 TIP and the Accompanying Air Quality Assessment for Mon-Fayette Expressway Uniontown

to Brownsville Phase 2 Project, US 22 to I-79 Southern Beltway Project and Route 21 Section J10 Project at Uniontown.

Mr. Chuck DiPietro provided background on the three projects that are part of Agenda Item #4. Mr. DiPietro stated that the air quality conformity analysis was completed for all three projects as a package. The air quality conformity is not an analysis of any one independent project; it is an analysis of all three in combination with the current Plan and TIP, and as such, the action requested today pertains to all three projects together.

The U.S. 22 to I-79 Southern Beltway project has gone through extensive study by the Turnpike Commission. The draft environmental impact statement, and the final environmental impact statement were completed well over a year ago, in the fall of 2006. Mr. DiPietro stated that the Turnpike Commission did an extensive study of a range of areas, including traffic analysis and environmental issues, which was all part of the Turnpike's exhaustive documents and extensive public outreach. Mr. DiPietro clarified that this project would extend the Findlay Connector all the way down to I-79, and that only this piece of the Southern Beltway project is under consideration today.

The second Turnpike project, the Uniontown to Brownsville Phase 2 project, is well under construction in the Uniontown vicinity. Mr. DiPietro explained that Phase 1 of this project, which is an approximately 9-mile section, is under construction, and that it is 75 percent complete and should be open by the Spring of 2009. Phase 2 of this project would extend an additional 8 miles west to Turnpike Toll Road 43.

The final and third part of this request is from the Uniontown PennDOT District 12-0, which would be widening of State Route 21 from one to two lanes in each direction, and adding turn lanes and also adding a median from Thompsons Crossroads to U.S. Route 119, the Uniontown Bypass. It is scheduled to move to construction in 2010, and should be complete by 2012.

Mr. DiPietro stated that he would like to recognize the extensive public comment that SPC received. These requests went out for public comment from December 17th through January 22nd. Public Meetings were held on January 9th at the Carnegie Municipal building and on January 10th at California University. Mr. DiPietro asked the Commissioners to note that in their Public Participation Report document that was part of today's meeting material, there are over 96 comments that cover a wide range of topics; responses are also enclosed.

Mr. DiPietro reiterated that there are two companion resolutions before the Commission today. The first resolution addresses the Clean Air Act requirements and describes the Air Quality Conformity Analysis that was performed for the two Turnpike projects and the PennDOT District 12-0 project with the entire current Plan and TIP. Mr. DiPietro noted that it has gone through the conformity analysis testing and it satisfies the Clean Air Act goals for air conformity.

Mr. DiPietro said that the second resolution describes the amendment of the Plan and TIP for the two Turnpike projects and the PennDOT District 12-0 project. The resolution comments on the Turnpike Commission's financial plan. Mr. DiPietro stated that one of the checks that SPC performs is to confirm that the financial plan is reasonable. He stated that SPC conducted joint staff work sessions with SPC, PennDOT, and Federal Highway Administration staff to review the financial plan information and collectively concluded that, according to the language of Federal law, the financial plan is reasonable. The resolution also describes the other checks SPC has done, including public

review and comment, and the review and recommendation by the Transportation Technical Committee, before being brought to the Commission today.

Commissioner Piper moved:

Resolution 1-08:

A RESOLUTION OF THE SOUTHWESTERN PENNSYLVANIA COMMISSION to make a finding of conformity that proposed amendments to the 2035 Transportation and Development Plan (the 2035 Plan) and 2007-2010 Transportation Improvement Program (TIP) for the Pittsburgh Transportation Management Area (TMA) are consistent with the requirements of the federal Clean Air Act (as amended).

WHEREAS, the Congress of the United States enacted the Clean Air Act of 1964 (CAA) and amended the Act in 1977 (CAA 77) and 1990 (CAA 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 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, 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 or amend any plan, program, or project which does not conform with the Clean Air Act; and

WHEREAS, the Transportation Conformity Rule identifies projects and project types which are “exempt” from regional conformity analysis; and

WHEREAS, the Transportation Conformity Rule requires a new finding of conformity by the MPO prior to an MPO action to adopt or amend the Transportation Plan or TIP when that action involves projects or project types which are not "exempt" from regional conformity analysis, or prior to any federal action to approve project designs, environmental documents, or other aspects of “non-exempt” projects that are not required to be programmed on the regional Plan or TIP; and

WHEREAS, the Pennsylvania Turnpike Commission has proposed amendments to the 2035 Plan and 2007-2010 TIP to add two “non-exempt” projects (“Mon Fayette Expressway Uniontown–Brownsville Phase 2” and “US 22 to I-79 Southern Beltway Project”); and

WHEREAS, the Pennsylvania Department of Transportation has proposed “non-exempt” amendments to a project currently programmed on the 2035 Plan and 2007-2010 TIP (“State Route 21, Section J10, Thompsons Crossroads to US Route 119”); and

WHEREAS, SPC has conducted a qualitative and quantitative analysis consistent with the applicable criteria and procedures of the Clean Air Act (as amended) and the Transportation Conformity Rule, and has demonstrated that the amended 2035 Plan and 2007-2010 TIP conform with 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 December 17, 2007 through January 22, 2008 including two public meetings.

NOW, THEREFORE, BE IT RESOLVED that the Southwestern Pennsylvania Commission finds that the region’s amended 2035 Plan and 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 amended 2035 Plan and 2007-2010 TIP are consistent with the Clean Air Act (as amended) and the Transportation Conformity Rule; no goals, directives, recommendations, or projects in the Plan or TIP contradict in a negative manner any specific requirements or commitments of applicable State Implementation Plans (SIPs).

RESOLVED FURTHER that assessment of the PM 2.5 and 8-Hour Ozone nonattainment areas within the SPC region demonstrates that the amended 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.

Resolution 2-08:

A RESOLUTION OF THE SOUTHWESTERN PENNSYLVANIA COMMISSION to amend the 2035 Transportation and Development Plan for Southwestern Pennsylvania and the 2007-2010 Transportation Improvement Program, to include the Pennsylvania Turnpike Commission’s Mon Fayette Expressway: Uniontown-Brownsville Phase 2 project and Southern Beltway: US-22 to I-79

project, including their updated Financial Plans, and to move funding for the PennDOT District 12-0 State Route 21 J10 project, Thompsons Crossroads to US-119 (Uniontown), from Stage Three of the 2035 Plan to Stage Two, and authorizing submission of LRP and TIP amendments to the appropriate agencies.

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) continue the requirements established in earlier legislation that Metropolitan Planning Organizations (MPOs) conduct a comprehensive transportation planning process and develop and maintain a Long-Range Transportation Plan and Transportation Improvement Program that conform with various Federal requirements; and

WHEREAS, the Pennsylvania Turnpike Commission has submitted updated Financial Plans for the Mon-Fayette Expressway Uniontown-Brownsville Phase 2 project in Fayette County and the Southern Beltway US-22 to I-79 project in Allegheny and Washington Counties, requesting that these regionally significant projects be included in the SPC LRP and TIP. Construction of these projects will be administered by the Pennsylvania Turnpike Commission. The specific sources of funding identified by the PTC are not under SPC's jurisdiction in either the TIP or LRP and are not part of an SPC programming action, even though the SPC TIP and LRP will include the projects for information purposes in fulfillment of federal requirements; and

WHEREAS, PennDOT District 12-0 has requested that funding for the SR-21 J10 Thompsons Crossroads to US-119 project in Fayette County be moved from Stage Three of the 2035 Plan to Stage Two; and

WHEREAS, the Pennsylvania Turnpike Commission project financial plans have been reviewed and conform with federal fiscal constraint guidelines, i.e., that the funding needed for construction of the projects can reasonably be anticipated to be available within the timeframe scheduled for project delivery; and

WHEREAS, the proposed amendments maintain overall Plan and TIP fiscal balance and will not interfere with the implementation of any STIP projects; and

WHEREAS, SPC has conducted a public review process based on its official Public Involvement Policy, holding two public meetings within the public comment period and providing due consideration of the comments that were received; and

WHEREAS, approval of these amendments will not alter the finding of conformity between the 2035 Plan, the 2007-2010 TIP and the Clean Air Act Amendments of 1990 as detailed in Resolution 1-08, and

WHEREAS, the proposed amendments have been reviewed by the Transportation Technical Committee and recommended for approval in accordance with SPC's amendment policies; and

NOW, THEREFORE, BE IT RESOLVED that the Southwestern Pennsylvania Commission adopts the amendments to the 2035 Transportation and Development Plan, and 2007-2010 Transportation Improvement Program as submitted by the Pennsylvania Turnpike Commission and PennDOT District 12-0.

BE IT FURTHER RESOLVED that this amendment is approved for submission to the appropriate authorities including: 1) the Secretary of the Pennsylvania Department of Transportation for inclusion in

the State Transportation Plan and referral to the U.S. Department of Transportation; and 2) FTA and FHWA for review.

Andy Quinn seconded.

A motion was made by Commissioner Craig and seconded by Mark Schneider to table Resolution 01-08 and 02-08. Mr. Chuck DiPietro clarified that tabling the motion would prevent all three projects from proceeding today because the air quality conformity analysis applies to the entire amendment; because the companion Air Quality Conformity Analysis Action is not a test of individual projects, the projects cannot be separated today and voted on individually. To table today's action may affect the schedules for at least the Uniontown to Brownsville Phase 2 Project and PennDOT's District 12-0 Route 21 Project. Assuming a new air quality conformity analysis is needed because of a change in the amendment request, this will require new air quality conformity analysis and documentation, and a new public comment period. This is estimated to add months to the timeline, before the revised request could return to the full Commission for their consideration.

A call of hands to vote to table Resolutions 1-08 and 2-08 was called by Commissioner Camp which showed a vote of 12 Commission members voting yes to table Resolutions 1-0 and 2-08 and 18 voting no, not to table.

After discussion of Robert's Rules of Order, the vote on the original motion was called by Commissioner Camp. During discussion on the motion, Commissioner Burns asked whether rejecting the Turnpike amendments would make the funding for these Turnpike projects available for the region to use on other needs. Mr. DiPietro clarified that rejecting the Turnpike amendments would not make these funds available to use on any other TIP projects, as the Turnpike-funded projects are not under SPC's jurisdiction. Approval of the Turnpike amendments would not make the Turnpike's funds available for other TIP projects, nor would it reduce currently-programmed funding available to SPC for projects in the TIP or Plan. The question was raised as to whether the projects could be considered individually. Mr. DiPietro reaffirmed that the projects could not be considered individually today due to the requirements of the companion air quality conformity analysis action before the Commission today. Mr. DiPietro reiterated that the projects could be considered individually or in different combinations, but such change would require new air quality conformity analysis and documentation, plus a new public comment period. This would be months before the revised request could be brought back to the full Commission for their consideration.

The vote was called by roll by Commissioner Camp, with 31 voting yes and 7 voting no. Resolutions 1-08 and 2-08 passed.

5. Action on Resolution 3-08 to Amend the 2007-2010 Transportation Improvement Program – Chuck DiPietro

These PennDOT District 11-0 requests include adding funding for East Carson Street Widening, Rankin Bridge, Liberty Tunnel Rehabilitation Phase 2 and SR 2083/Bridge over Turtle Creek. These requests went out to public comment through January 22nd. A public meeting was held on January 16th at the Regional Enterprise Tower.

Andy Quinn moved:

A RESOLUTION OF THE SOUTHWESTERN PENNSYLVANIA COMMISSION to amend the region's 2007-2010 Transportation Improvement Program (TIP).

WHEREAS, PENNDOT District 11-0 requests the following amendments to the region's 2007-2010 Transportation Improvement Program (TIP) to meet Federal Year of Expenditure requirements:

1.) Increase the existing funding for the Rankin Bridge construction phase by (\$8,000,000 federal / \$1,500,000 state / \$500,000 local) in FFY 2008 and by (\$4,800,000 federal / \$900,000 state / \$300,000 local) in FFY 2009 for a total project cost of (\$39,600,000 federal / \$7,425,000 state / \$2,475,000 local) or \$49,500,000 funded over FFY 2008, 2009, and 2010. The proposed source of funds include deferring the Brownsville @ Broughton Road project from FY 2008 to 2009, deferring the Mansfield Bridge Rehabilitation from FFY 2009 on the current TIP to the 2009-2012 TIP because the project cannot be fully funded in the current TIP and the remaining funds from the District 11 Bridge Reserve Line Item.

2.) Add funding for the Liberty Tunnel Rehabilitation Phase 2 final design and construction phases (\$8,888,000 federal / \$2,222,000 state) in FFY 2008, 2009 & 2010 for a total cost of \$11,110,000. The source of funds include deferring the Liberty Tunnel Rehabilitation Phase 3 final design and construction phases from FFY 2008, 2009, and 2010 on the current TIP to the 2009-2012 TIP because the project cannot be fully funded in the current TIP.

3.) Add funding for the SR 2083/Bridge over Turtle Creek Ramp S construction phase (\$15,200,000 federal / \$3,800,000 state) in FFY 2008 and 2009 for a total construction cost of \$19,000,000. The source of funds include deferring the SR 2037/ Bridge over Turtle Creek Ramp T construction from FFY 2008 and 2009 on the current TIP to the 2009-2012 TIP because the project cannot be fully funded on the current TIP and funds from the District 11 Bridge Reserve Line Item .

4.) To complete full funding of the shifts in items 1 through 3 above, also defer the Veterans Memorial (Fallston New Brighton) Bridge construction phase (\$20,000,000 federal / \$5,000,000 state) in FFY 2008 and 2009 on the current TIP to the 2009-2012 TIP because the project cannot be fully funded on the current TIP.

5.) Add funding for the East Carson Street Widening construction phase (\$10,000,000 federal / \$2,500,000 local) in FFY 2008, for a total cost of \$12,500,000. The proposed source of funds include \$3 Million (federal) dollars from the Economic Development Fund with the remaining balance from various City of Pittsburgh projects being deferred on the current TIP to the 2009-2012 TIP because the projects cannot be fully funded in the current TIP.

WHEREAS, the proposed amendments have been reviewed by the Transportation Technical Committee and recommended for approval in accordance with SPC's TIP amendment policies and public involvement process; and

WHEREAS, a 30-day public comment period was held for the proposed amendments, including a public meeting on January 16, 2007, consistent with the SPC Public Involvement Policy and did not identify any adverse issue requiring a response by the Commission, and

WHEREAS, the proposed amendments maintain overall TIP fiscal balance; and

WHEREAS, the proposed amendments will not interfere with the implementation of any STIP project; and

WHEREAS, approval of these amendments to the 2007-2010 TIP will not alter the finding of conformity between 2007-2010 TIP and the Clean Air Act Amendments of 1990.

NOW, THEREFORE, BE IT RESOLVED that the Southwestern Pennsylvania Commission approves these amendments to the 2007-2010 TIP.

Bill Piper seconded and the affirmative vote was unanimous.

6. Action on Resolution 4-08 to Adopt the Southwestern Pennsylvania Public Transit Human Services Coordinated Transportation Plan – Tom Klevan

The Plan was developed with the participation and cooperation of public, private and non-profit transportation service providers, human service providers and members of the general public. The completion of this Plan is a requirement for certain Federal public transportation funds. The draft Plan went out to public comment through January 22nd, Public Meetings were held at two sessions on January 16th at the Regional Enterprise Tower.

Lynn Heckman moved:

A RESOLUTION OF THE SOUTHWESTERN PENNSYLVANIA COMMISSION (SPC) to adopt and approve the “Southwestern Pennsylvania Public Transit – Human Services Coordinated Transportation Plan”.

WHEREAS, the Safe, Accountable, Flexible Efficient Transportation Act: A Legacy for Users (SAFETEA-LU) requires that projects funded under the Section 5310 Elderly Individuals and Individual with Disabilities, Section 5316 Job Access and Reverse Commute (JARC), and Section 5317 New Freedom Initiatives (NFI), programs be derived from a locally developed, coordinated public transit-human services transportation plan and that the plan be developed through a process that includes representatives of public, private and non-profit transportation and human services providers and participation by members of the public; and

WHEREAS, The Pennsylvania Department of Transportation (PennDOT) has established that the local coordinated plan boundaries be the same boundaries as the transportation planning organizations (TPOs) across the state. For Southwestern Pennsylvania, the TPO is the Southwestern Pennsylvania Commission (SPC) which includes 10 counties: Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Lawrence, Washington, and Westmoreland; and

WHEREAS, the Access to Work Interagency Cooperative (ATWIC), with oversight from SPC, Port Authority of Allegheny County and the Three Rivers Workforce Investment Board, programs the JARC and NFI funding available through the federal funding programs; and

WHEREAS, ATWIC used extensive public outreach to conduct this study to meet the SAFETEA-LU requirements. Three rounds of six meetings were held throughout the region to solicit the plan components and the plan was available for a public comment period that included two public meeting sessions; and

WHEREAS, the Transit Operators Committee and the ATWIC Oversight Committee have taken an action to recommend that SPC adopts the “Southwestern Pennsylvania Public Transit – Human Services Coordinated Transportation Plan”;

NOW, THEREFORE, BE IT RESOLVED that the Southwestern Pennsylvania Commission adopt and approve the “Southwestern Pennsylvania Public Transit – Human Services Coordinated Transportation Plan”.

Dave Johnston seconded and the affirmative vote was unanimous.

7. Action on Resolution 5-08 to Approve submission of draft 2008-2009 Unified Planning Work Program to the Funding Agencies – Chuck DiPietro

The UPWP specifies the transportation planning activities to be undertaken within the SPC region for the fiscal year July 1st through June 30th (2008-2009). UPWP preparation began in the fall to ensure that funding approvals are in place by July 1, 2008. The draft program is presented to the Commission for approval in January. Reviews by each funding agency follow through March, with federal and state reviews and approval typically completed by May.

Bill Piper moved:

A RESOLUTION OF THE SOUTHWESTERN PENNSYLVANIA COMMISSION (SPC) to approve submission of the 2008-2009 Unified Planning Work Program (July 1, 2008 through June 30, 2009) to appropriate funding agencies.

WHEREAS, the 2008-2009 Unified Planning Work Program documents all transportation and transportation-related planning activities to be undertaken within the SPC region from July 1, 2008 through June 30, 2009; and

WHEREAS, the 2008-2009 Unified Planning Work Program identifies planning tasks to be performed by SPC staff and the staffs of the member Counties, the City of Pittsburgh, and the Port Authority of Allegheny County using planning assistance funding from the Federal Highway Administrative, the Federal Transit Administration, and the Pennsylvania Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that the Southwestern Pennsylvania Commission approves submission of the 2008-2009 Unified Planning Work Program; and

BE IT FURTHER RESOLVED, that the Executive Director, on behalf of SPC, is hereby authorized to enter into Agreements and/or Supplements with the Federal Transit Administration of the U. S. Department of Transportation, and the Pennsylvania Department of Transportation relating to the 2008-2009 Unified Planning Work Program and pursuant to application requests.

Commissioner Pinkerton seconded and the affirmative vote was unanimous.

8. Other Business/Announcements

Butler County – North Hills Congestion Management Process Workshop – February 7, 2008, 9:00 a.m., Cranberry Municipal Building

Indiana County Congestion Management Process Workshop – March 7, 2008, 10:00 a.m., Indiana Borough Building

Next Meeting Date – March 24, 2008

9. Adjourn

Respectfully submitted,

Rodney Ruddock
Secretary-Treasurer