

Southwestern Pennsylvania Commission
Minutes of the Meeting of
July 28, 2014 – 4:30 p.m.
Two Chatham Center • Suite 400 • 112 Washington Place • Pittsburgh, PA 15219

The one hundred tenth meeting of the Southwestern Pennsylvania Commission was called to order by Chairman Steve Craig.

Members present were: Tony Amadio, Charles Anderson, Michael Baker, David Battaglia, Scott Bricker, Robert Brooks, Tom Ceraso, Daniel Cessna, Steve Craig, Albert D'Alessandro, Rich Fink, Rich Fitzgerald, Jim Gagliano, Jr., Joe Grata, Kelly Gray, Lynn Heckman, Clifford Levine, Larry Maggi, Jeff Marshall, Robbie Matesic, Kevin McCullough, Charles Morris, Rich Palilla, William Peduto, Mavis Rainey, James Ritzman, Marc Roncone, Rod Ruddock, Daniel Shimshock, Harlan Shober (via phone), Michael Silvestri, Joe Spanik, Byron Stauffer, Jr., James Struzzi, Joe Szczur, Archie Trader, Diana Ireya Vaughan (via phone), Dwan Walker, Christopher Wheat (via phone), Angela Zimmerlink, and Blair Zimmerman.

Members absent were: Alfred Ambrosini, Vonne Andring, Robert Bower, Ricky Burgess, Brigid Hynes-Cherin, Jack Cohen, Tyler Courtney, Robert Del Signore, Joseph Dubovi, Mary Ann Eisenreich, Patricia Evanko, David Johnston, Fred Junko, Robert Macey, Bruce Mazzoni, William McCarrier, Ellen McLean, David Miller, Laura Mohollen, Erin Molchany, Dennis Nichols, A. Dale Pinkerton, Carmen Rozzi, Renee Sigel, Keith Staso, Edward Typanski, and Daniel Vogler.

Others: Senator Timothy Solobay; Daniel Alwine, Senator Matt Smith's Office; Justin Wasser and Helen Ewing, Rep. Molchany's Office; Matt Smoker, Federal Highway Administration; Ned Williams, Montour Trail; Ann Ogoreuc, Allegheny County Department of Economic Development; Grant Ervin, City of Pittsburgh; Dave Williams, Michael Baker Corporation, Brad Heigel and Greg Bednar, Pennsylvania Turnpike Commission; Keith Johnson, URS Corporation; Jon Smith, Allegheny County Transit Authority; Molly Nichols, Pittsburghers for Public Transit; Mary Anna Rowsick, Baldwin Borough resident; Daniel Little, City of Pittsburgh resident; Tom Fontaine, Pittsburgh Tribune Review; and Jon Schmitz, Pittsburgh Post Gazette.

Staff: Jim Hassinger, Dana Basulto, Kirk Brethauer, Chuck DiPietro, Chuck Imbrogno, Vince Massaro, Shannon O'Connell, Dee Pamplin, Matt Pavlosky, Kay Tomko, and Sara Walfoort.

1. Chairman Craig called to order the July 28, 2014 meeting of the Southwestern Pennsylvania Commission

- a. Quorum – There being a quorum present the meeting proceeded.
- b. Any Conflict of Interest Declarations on Action Items – None.

2. Action on Minutes of the June 30, 2014 Meeting

A motion was made to approve the minutes of the June 30, 2014 meeting of the Southwestern Pennsylvania Commission by Commissioner Battaglia which was seconded by Tom Ceraso. The affirmative vote to approve the minutes was unanimous.

3. Public Comment

Molly Nichols, Community Organizer for Pittsburghers for Public Transit described the organization as a grassroots organization of transit riders, workers, and supporters who assert that public mass transit is a human right. It is an essential feature of our infrastructure-- crucial to the economic, social, and environmental well being of our region. We advocate for reliable, affordable, and adequate public transit, transit that meets the needs of all communities, with no communities left out.

Our organization was very involved in creating the people pressure necessary to pass Act 89. The passage of the bill is certainly a cause for celebration, especially since we no longer face the immediate threat of cutbacks. However, we've been told that the bill only allows Port Authority to "maintain existing levels of service" with the possibility of adding *some* service in the coming months and years. We have certainly appreciated the Port Authority staff and board's willingness to engage in conversation with PPT and with the many transit-reliant residents who are asking for their service to be restored.

Today, we want to highlight to the Commission the primary importance of restoring service to communities that need it most. From Baldwin to McKeesport, Morningside to Penn Hills, Braddock to Natrona Heights, residents are still reeling from the effects of losing their buses: transit-reliant workers who lost crucial commuting service, people who, actually had to move or quit their jobs, community college students who find it almost impossible to get their degree without a car, and community members who face difficulties getting to grocery stores or religious services. If the current funding is not sufficient to solve these problems all at once, then taking the steps to do so should be our region's top priority.

In Baldwin, we've seen people hitchhiking. We've heard from residents who feel stranded in their homes and those who now have 4-hour commutes. Residents of Penn Hills cannot get to their food pantry via bus and have to go all the way downtown. Residents of North Braddock and McKeesport have to make long and difficult walks up and down hills. Communities in Moon Township have been cut off from access to crucial bus service.

Our main question for the Commission today is about what the region is prioritizing. PPT questions the prioritization of big capital projects (when some of the money-for example additional revenue from the drink tax-can indeed go toward operating costs). We are concerned if attention is given to the most well-served communities at the expense of those who have the least service and the greatest need. We also want to ensure that in the process of transit-oriented development, affected communities have a louder voice in the planning process. Increased property values may benefit a community, but the correlating increase often results in gentrification that pushes out long-time residents. How could these projects be more responsible to current residents, for instance, by ensuring the maintenance of affordable housing?

We appreciate the opportunity to comment today and hope that both public transit planning and transit service planning can be as inclusive, transparent, and democratic as possible. Our public transit system belongs to the residents of our communities, and they deserve a primary seat at the table to ensure the best transit system for our region.

Mary Anna Rowsick, Baldwin Township resident commented that public transit is very crucial to the residents of Baldwin Township. Being so close to Downtown Pittsburgh was a major reason why I choose to live in Baldwin. Without public transportation to Downtown Pittsburgh and connections to other key locations, it is challenging, if not impossible for residents of all ages to take of their basic needs. Getting to work, grocery shopping, getting to health care providers; how do students get to university or part-time jobs? How do we get to the wonderful family events the city has to offer: the Farmer's Market, noon concerts, children's festival, and the Three Rivers Arts Festival.

There is a bus that travels on Brownsville Road, the 51C, but it is a long dangerous walk, steep hilly road with no sidewalks, and even more dangerous at night and with snow and ice. The estimated daily round commute to and from town is two and one half to three hours, with a 30 to 40 minute walk and add 8 working hours, half your day is gone. For residents forced to use a car for work because of no other options, transportation expenses, parking, gas, and increased insurance rates. There are no park-n-ride lots in the Baldwin area and there is restricted residential parking in some areas. But, what about those people that are unable to walk, or are non-drivers or those without a car. The City of Pittsburgh is at our doorstep, but we can't get there or anywhere without public transit. Don't you think you have a responsibility to provide transit service to an area so close to the City without any reasonable or safe alternatives? Wouldn't you agree that providing basic public transit service should take precedence over improving services to already well serviced areas over technology that enhances services such as providing bus status information? Please find a way to allocate money and send those buses from West Mifflin garage already using the roads in our community, Glass Run Road and Church View Avenue to service Baldwin.

Senator Solobay thanked the Commission for the opportunity to speak. On behalf of Tom Ceraso and me we would like to give 200% endorsement on the Southern Beltway Project along with the entire TIP package. From the transportation bill passed recently a lot of projects are going to be able to move forward. For all the counties involved we ask for you to move forward on the TIP Plan especially knowing the impact that the Southern Beltway is going to play in the entire southwestern Pennsylvania area and the improvements in Beaver, Greene, and Washington, the areas I represent, and all the other projects. It will make Southwestern Pennsylvania a major player in Pennsylvania and the tri-state area, but in the world especially because of the energy issues we are working with. It would behoove you to move forward on the TIP Plan including the Southern Beltway.

4. Report on Public Comment Period Response for Draft 2015-2018 Transportation Improvement Program (TIP), 2040 Plan Amendment, Companion Air Quality Conformity Determination, Report on Environmental Justice Benefits and Burdens Assessment and an Amendment to the Current 2013-2016 TIP for Relocation and Realignment of I-376/SR 18 in Beaver County – Matt Pavlosky

Mr. Pavlosky gave a recap of TIP update activities over the last year with the Public Participation Panels. We can look back to the winter of 2013 and outline the six rounds of work sessions held to package today's 2015-2018 TIP recommendation.

Developing a TIP/Creating Consensus

- **Six rounds of work sessions were held with planning partners**
 - Public involvement outreach opportunities
 - PPP 101s (April/May 2013)
 - Fall 2013 TIP Development Update (November/December 2013)
 - Draft 2015-2018 TIP 30-Day Public Review (just concluded)

Public Participation Public Comments

- **Comment Totals & Sample by County: 185**
 - Allegheny / Pittsburgh (55): Kenmawr Bridge
 - Armstrong (1): Stitts Run Bridge (Parks Township)
 - Beaver (5): Henry Mancini Bridge (Aliquippa)
 - Butler (9): Freedom Road, Cox's Corner, and Route 228 Improvements
 - Fayette (1): York Ave. Bridge (Connellsville)
 - Greene (8): SR 221 & 2009 Improvements
 - Indiana (18): Hoodlebug Bridge / Route 22
 - Lawrence (1): SR 18 PennDOT Maintenance Facility
 - Washington (3): Bebout Intersection Improvements
 - Westmoreland (84): Route 51 at Vernon Drive (72 comments)

Response to Public Comment

- **Draft Transportation Improvement Program**
 - ❖ **185** comments received, and replies were provided by SPC staff and regional partners

Additions

- District 11-0 has added the Henry Mancini Bridge (\$3.9 million) and the Aten Road Bridge (\$2.5 million) project in response to public comment, using a District line item

Other items

- Indiana County, the Rose Street Extension #2 project location has been corrected to "White Township"
- Indiana County, the "Gispy Bridge #2" project in the Village of Gipsy, has been corrected

Closure on the TIP

- After 30-day public comment, SPC members review all public input
- Request for Commission adoption (July 28)
- Submit to PennDOT for review/USDOT coordination
- August 14—STC Action on Statewide TIP
- 2015-2018 TIP takes effect October 1, 2014

5. Turnpike Commission Presentation on Findlay Connector Extension to I-79 – Brad Heigel, Chief Engineer

Mr. Heigel thanked the Commission for the opportunity to present the project. The project we are talking about will connect Route 22 where the Findlay Connector currently terminates, east to I-79 near Southpointe. We are in the final design sections, but still have some ongoing environmental reevaluations going on concurrently with final design. We are acquiring right-of-way; we acquired a number of the total takes the last couple of years. We are now moving into our partial takes and have also completed an economic impact analysis sometime ago that's part of your agenda packet today. Air Conformity analysis was approved April 2013 and an updated financial plan per Act 89, was submitted April 2014. Proceeding with this project would open up the Marcellus Shale region; it makes a better connection to the Pittsburgh International Airport; it would relieve traffic on both I-79 and the Parkway West. We anticipate that the traffic on the six miles of the existing Findlay Connector will more than double, once this section is completed. And, lastly, this facility will make available a lot of undeveloped land along the corridor as well as access into the Shell Cracker Plant.

Act 89 will provide additional revenue through gradually raising the cap on oil franchise tax over the next five years. The present value for this facility is \$666M (or \$745M using future years of expenditure from 2014 Financial Plan). The way the Financial Plan is laid out now, its pay as you go. Proceeds coming in will cover the cost of the project. There is a small need for some bonding about \$60M half way through the project. We are no longer limited by available funding to proceed as we were previously. We can continue ahead with moving through design and hopefully, be in construction on some of the major sections by 2016 and wrapping it up by 2019.

6. Action on Resolution 11-14 to Make a Finding of Air Quality Conformity for 2015-2018 Transportation Improvement Program (TIP) and 2040 Transportation and Development Plan for Southwestern Pennsylvania – Chuck Imbrogno

Mr. DiPietro gave a brief introduction to put context on the four TIP adoption related actions tonight. Recapping where we are - at the June 28th Commission meeting, we gave you a full overview of the draft program and its match to the Plan. Per response to public comment, we have two recommended changes today on a one page hand out before you on the table. Both are local projects that came out of the Public Comment period and Dan Cessna has worked to come up with a recommended package that maintains fiscal constraint. The first project is at RIDC West Park, Aten Road Bridge. Findlay Township is totally funding the preliminary engineering phase with their money. A lot of supportive testimony has been received on the project; Senator Matt Smith, Rep. Mark Mustio, and Gary Klingman, Findlay Township Manager. It is air quality neutral which means it doesn't have to go through the air quality testing process. The

second project is in West Aliquippa, the Henry Mancini Bridge. It's a preservation project and doesn't have an impact on air quality. There is significant testimony in support of this project including Senator Solobay, Aliquippa Mayor Dwan Walker, and Rep. Rob Matzie. The engineering is already on the Draft TIP that was out to public comment. Also, the Turnpike Findlay Connector Extension to I-79 Project is a key element of the Draft TIP; it's gone through the conformity work.

Mr. Imbrogno briefly described the air quality resolution before the Commission. Air Quality Conformity as described by EPA, is an analytic process that ensures the TIP and Plan will not worsen regional air quality. The process is required by the Clean Air Act and technical procedures are set in EPA regulations called the Transportation Conformity Rule. SPC produced a draft document in early June that addresses the regulations and documents that the conformity regulations have been satisfied. Some projects on the TIP are exempt from the analyses--routine maintenance, reconstruction of highways with the same design criteria, and bridge replacements that don't add capacity. The conformity of the projects we have to test is on the whole package. Conformity applies to EPA designated air quality nonattainment areas. All ten counties have at least a small portion that is in a nonattainment area. Finally, EPA emphasizes that conformity has to be approved before the TIP and Plan are adopted.

Ms. Lynn Heckman motioned to approve SPC Resolution 11-14:

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 has designated the Pittsburgh-Beaver Valley area (comprised of seven counties within the SPC planning region: Allegheny, Armstrong, Beaver, Butler, Fayette, Washington, and Westmoreland) as a nonattainment area for the 8-Hour Ozone NAAQS; and

WHEREAS, the EPA has designated three nonattainment areas in the SPC planning region for both the daily and annual PM 2.5 NAAQS; these include 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 portions of Allegheny, Armstrong, Greene, and Lawrence counties); and the Johnstown nonattainment area (comprised of 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 has designated a maintenance area in the SPC planning region for the PM 10 NAAQS consisting of five municipalities within Allegheny County; and

WHEREAS, the EPA has designated a maintenance area in the SPC planning region for the Carbon Monoxide (CO) NAAQS consisting of the City of Pittsburgh's central business district; and

WHEREAS, the EPA, in the Transportation Conformity Rule (40 CFR Part 93), 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 federal Clean Air Act (Sections 7504 and 7506(c) and (d) of Title 42 USC) require that the MPO not approve any plan, program, or project which does not conform with the 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, USC and Section 5303 of Title 49, USC for carrying out a continuing, cooperative, and comprehensive transportation planning process; Section 174 of the federal 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 designated PM 2.5, PM 10, CO, and 8-Hour Ozone nonattainment and maintenance areas within the SPC region in accordance with the applicable criteria and procedures of the federal Clean Air Act and the Transportation Conformity Rule, and has demonstrated conformity of the 2015-2018 TIP and the 2040 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 18, 2014 through July 18, 2014 including ten public meetings; responses to all public comments have been compiled and made available to Commission members for review.

NOW, THEREFORE, BE IT RESOLVED that the Southwestern Pennsylvania Commission finds that the region's 2015-2018 TIP and the 2040 Plan conform to the federal Clean Air Act by supporting its intention of achieving and maintaining the NAAQS; and

BE IT FURTHER RESOLVED that the region's 2015-2018 TIP and the 2040 Plan are consistent with the federal Clean Air Act and Transportation Conformity Rule; no goals, directives, recommendations, or projects in the region's TIP or Long Range Plan contradict in a negative manner any specific requirements or commitments of the applicable State Implementation Plan (SIP).

RESOLVED FURTHER that assessment of the designated PM 2.5, PM 10, CO, and 8-Hour Ozone nonattainment and maintenance areas within the SPC region demonstrates that the transportation plans, programs, and projects for those areas conform to the provisions of the federal Clean Air Act and the applicable criteria and procedures of the Transportation Conformity Rule.

Commissioner Battaglia seconded. The affirmative vote to approve Resolution 11-14 was unanimous.

7. Action on Resolution 12-14 to Adopt the 2015-2018 Transportation Improvement Program – Chuck DiPietro

Mr. DiPietro directed the Commission to the TIP Adoption resolution in their packets to follow the detailed language per federal law requirements. He highlighted the following key elements of the resolution:

TIP & Plan Update products and process

- Follow SPC Public Involvement Process
- Demonstrate benefits to EJ & Non-EJ communities
- Do not disproportionately impact low-income & minority populations
- Conform to Clean Air Act & Conformity Rule
- Recommended by TOC & TTC for Commission Approval

The TIP & Companion Documents

- Meet all applicable federal requirements
- Are approved by the Commission for submission to PennDOT, FTA & FHWA
- August 14 State Transportation Commission is scheduled to adopt statewide TIP

Mr. Walker motioned to approve SPC Resolution 12-14.

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 programming subject to review by the Secretary of the United States Department of Transportation (U.S. DOT); 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.

WHEREAS, in accordance with the requirements of the Clean Air Act (as amended) and the Transportation Conformity Rule, qualitative and quantitative analysis of the 2015-2018 TIP and 2040 Plan Update has demonstrated that they conform to the provisions of the Clean Air Act and the applicable criteria and procedures of the Transportation Conformity Rule, with the resultant conformity finding approved by Commission Resolution 11-14; and

WHEREAS, updated 2040 Plan project tables identify changes in costs and schedules for projects identified in the 2040 Plan as a result of the TIP Update; and

WHEREAS, the proposed TIP and the 2040 Plan administrative action will not interfere with the implementation of any SIP project; and

WHEREAS, SPC's Transit Operators and Transportation Technical Committees recommended Commission approval of the 2015-2018 TIP and companion documents at its July 16th and July 17th respective meeting.

NOW, THEREFORE, BE IT RESOLVED that the 2015-2018 TIP meets all applicable federal requirements and the Southwestern Pennsylvania Commission approves and adopts the 2015-2018 Transportation Improvement Program (TIP) for the Pittsburgh Management Area.

BE IT FURTHER RESOLVED that the 2015-2018 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.

RESOLVED FURTHER that the Southwestern Pennsylvania Commission approves the administrative amendment to the 2040 Plan.

Mr. Silvestri commented that he is in favor of the Southern Beltway Connection. At meetings in Washington County, the PPP and the District and other partners, we had an understanding that with the impacts on I-79 and Route 19 Corridors the thinking was that we come up with some type of regional plan to figure out how to handle that over the multiple municipalities. When we discussed this with PennDOT, we decided that SPC would be the best agency to put forth that plan. We want to make sure something gets started on that because there will be a change in traffic patterns that will affect those corridors. Mr. DiPietro added that SPC, PennDOT, and Turnpike staff fully concur with Mr. Silvestri's point.

Mr. Ceraso seconded. The affirmative vote to approve Resolution 12-14 was unanimous.

8. Action on Resolution 13-14 to Amend the 2013-2016 Transportation Improvement Program to Include the Relocation and Realignment of I-376/SR 18 in Beaver County – Chuck DiPietro

Mr. DiPietro explained that this is an action to the current TIP, not the one just adopted, although it is also a part of the new TIP. The new TIP takes place October 1st, and that has been judged as not fast enough for advancement of this key project to access the Shell site in Beaver County. The request is to amend the current TIP so that this approval is effective immediately from the Commission rather than wait until October 1st, effective date of new TIP (2015-2018).

TIP amendment will

- Be funded with 100% private sources –\$60M to \$90M
- Maintain TIP fiscal balance

- Not alter TIP finding of conformity
- TIP amendment was
- Made available for public review/comment period – all comments presented to Commission
 - Recommended by TTC for Commission Approval

Mr. Spanik motioned to approve SPC Resolution 13-14.

WHEREAS, Federal transportation law (Section 134 of Title 23 U.S.C. and Section 5303 of Title 49 U.S.C.) and metropolitan transportation planning regulations (Part 450.220 of Title 23 C.P.R.) require that Metropolitan Planning Organizations (MPOs) conduct a continuing, cooperative, and 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, projects involving federal transportation funding or projects that require federal actions, regardless of funding source, must be included on the adopted TIP and Plan before federal funding can be made available for the project, or before federal actions can be approved; and

WHEREAS, the sponsor is committed to funding 100% of this roadway realignment and relocation project using 100% private sources, including the costs of engineering, right-of-way acquisition, utilities and construction (current implementation estimates for these improvements are between \$60 and \$90 million); and

WHEREAS, the proposed TIP amendment will maintain overall TIP fiscal balance and will not interfere with the implementation of any projects, commitments, or requirements of applicable air quality State Implementation Plans (SIPs); and

WHEREAS, approval of this amendment to the 2013-2016 TIP will not alter the finding of conformity between the TIP and the Clean Air Act Amendments of 1990; and

WHEREAS, the proposed TIP amendment was reviewed on July 17th by the Transportation Technical Committee and recommended to the Commission for approval; and

WHEREAS, the proposed amendment, was made available for public review and comment consistent with SPC's established public review procedures from June 18, 2014 through July 18, 2014; and

WHEREAS, documentation of the public review and comment period, public comments received, and responses to comments have been compiled and presented to the Commission.

NOW, THEREFORE, BE IT RESOLVED that the Southwestern Pennsylvania Commission approves the request made by Shell Chemical Appalachia, LLC to amend the 2013-2016 TIP to include the widening and relocation of State Route 18, and the realignment of the State Route 18 and I-376 Intersection.

Mr. Walker seconded. The affirmative vote to approve Resolution 13-14 was unanimous.

9. Action on Resolution 14-14 to Certify SPC's Transportation Planning Process – Chuck DiPietro

Mr. DiPietro said every time we adopt a new TIP this Transportation Planning Process Certification is required by the Commission.

Concurrent with submittal of new TIP to FHWA/FTA, certify that

- 3C multimodal transportation planning process followed
- TIP is financially constrained, including financial capacity FTA documentation
- Requirements of Clean Air Act met
- Requirements of Title VI of Civil Rights Act, Older American Act, and various requirements regarding discrimination against individuals met
- DBE requirements met
- EEO program requirements met
- EJ Executive Order requirements met
- Provisions prohibiting lobbying met
- SPC's official Public Participation Plan process has been followed in developing region's transportation plans and programs
- Transportation planning process is in accordance with all applicable provisions of federal requirements

Commissioner Fink motioned to approve SPC Resolution 14-14.

WHEREAS, 23 CFR Part 450.334 specifies that, concurrent with submittal of the proposed TIP to the FHWA and the FTA as part of the STIP approval, Metropolitan Planning Organizations (MPOs) shall certify that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements; and

WHEREAS, Section 134 of Title 23 USC, Section 5303 of Title 49 USC, and 23 CFR Part 450 set forth the national policy that the MPO designated for each urbanized area is to carry out a continuing, cooperative, and comprehensive multimodal transportation planning process, including the development of a metropolitan transportation plan and a transportation improvement program (TIP) and establish policies and procedures for MPOs to conduct the metropolitan planning process; and

WHEREAS, the requirements of Title VI of the Civil Rights Act of 1964 as amended (42 U.S.C. 2000d-1), 49 CFR Part 21, 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(b) and 1109 of MAP-21 and 49 CFR Part 26 regarding the involvement of disadvantaged or minority business enterprises in FHWA funded planning projects and FTA funded projects have been met; and

WHEREAS, the provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et. seq.*) 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 23 CFR Part 450.324 and the Federal Transit Administration (FTA) policy on the documentation of financial capacity, published in FTA Circular 7008.1A; and

WHEREAS, the provision of 49 CFR part 20 prohibiting recipients of federal funds from using those funds for lobbying purposes 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)) and 40 CFR Part 93 have been met for non-attainment and maintenance areas; and, the requirements of 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity have been met; and

WHEREAS, the provisions of 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts have been addressed; and

WHEREAS, the provisions of The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance have been met; and

WHEREAS, the requirements of Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender have been met; and

WHEREAS, the requirements of Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities have been addressed; and

WHEREAS, SPC's established process for public involvement in the metropolitan transportation 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 metropolitan 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 its metropolitan transportation planning process is being carried out in accordance 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 the region's transportation plans and programs, including the FFY 2015-2018 Transportation Improvement Program (TIP).

Mr. Ceraso seconded. The affirmative vote to approve Resolution 14-14 was unanimous.

10. Committee Reports – None.

11. Other Business/Announcements

Mr. Hassinger informed the Commission of other upcoming events, some that SPC and other agencies have initiated that we want to call attention to and encourage participation.

- a. Flooding Damage, Assessment and Floodplain Management – SPC Water Resource Center Workshops
August 7th at the Westmoreland Economic Development Initiative for Growth Offices.
August 8th at the Community College of Beaver County
- b. One-Day Transportation Workshop – **August 11th** at the Kovalchick Convention and Athletic Complex, Indiana University of Pennsylvania
- c. Norfolk Southern Rail Safety Training for Emergency Responders – **August 12th-14th**, Pitcairn Yard, 518 Wall Avenue, Wall, PA 15148
- d. Northern Transportation & Air Quality Summit, hosted by SPC – **August 19th-20th**, North Meeting Room, Suite 400, Two Chatham Center
- e. National Pro Walk/Pro Bike/Pro Place Conference – **September 8th-11th**, David L. Lawrence Convention Center, Pittsburgh
- f. DCED Jobs 1st on the Road – **September 17th-19th**
- g. Next Meeting Date – **September 29th**

12. New Business – None.

13. Adjourn

Mr. Spanik moved to adjourn the meeting and Mr. Ceraso seconded. There being no further business to come before the Commission, the meeting adjourned at 5:25 p.m.

Respectfully submitted,

Larry Maggi
Secretary-Treasurer