

APPENDIX H

SPC Resolutions 7-11 and 8-11

SOUTHWESTERN PENNSYLVANIA COMMISSION

RESOLUTION NO. 7-11

A RESOLUTION OF THE SOUTHWESTERN PENNSYLVANIA COMMISSION to make a finding of conformity that the 2040 Transportation and Development Plan (the 2040 Plan) and the 2011-2014 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 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 three nonattainment and maintenance areas in the SPC planning region for the 8-Hour Ozone NAAQS; these include the Pittsburgh-Beaver Valley nonattainment area (comprised of the seven counties: Allegheny, Armstrong, Beaver, Butler, Fayette, Washington, and Westmoreland); the Greene County maintenance area; and the Clearfield-Indiana maintenance 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 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), 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 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 Clean Air Act (as amended) and the Transportation Conformity Rule, and has demonstrated conformity of the 2040 Plan and the continued conformity of the 2011-2014 TIP 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 May 18, 2011 through June 17, 2011 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 2040 Plan and the 2011-2014 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 2040 Plan and the 2011-2014 TIP are consistent with the Clean Air Act (as amended) and Transportation Conformity Rule; no goals, directives, recommendations, or projects in the TIP or 2040 Plan contradict in a negative manner any specific requirements or commitments of applicable State Implementation Plans (SIPs).

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 Clean Air Act and the applicable criteria and procedures of the Transportation Conformity Rule.

I, Steve Craig, HEREBY CERTIFY that I am Secretary-Treasurer of the SOUTHWESTERN PENNSYLVANIA COMMISSION; that the foregoing resolution was adopted, in accordance with the By-Laws, by the Members of said Commission at a meeting duly called and held on the 27th day of June 2011; and that said resolution is now in full force and effect.

IN TESTIMONY WHEREOF I hereto subscribe my name as Secretary-Treasurer.


Secretary-Treasurer

SOUTHWESTERN PENNSYLVANIA COMMISSION

RESOLUTION NO. 8-11

A RESOLUTION OF THE SOUTHWESTERN PENNSYLVANIA COMMISSION to adopt the 2040 Transportation and Development Plan for Southwestern Pennsylvania, including the region's Southwestern Pennsylvania Public Transit – Human Services Coordinated Transportation Plan and Comprehensive Economic Development Strategy.

WHEREAS, the Safe, Accountable, Flexible, and Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU), as extended, continues the requirements established in earlier federal legislation that Metropolitan Planning Organizations (MPOs) conduct a comprehensive transportation planning process that includes developing and maintaining a Long Range Transportation Plan consistent with federal metropolitan and statewide transportation planning regulations promulgated by the United States Department of Transportation (USDOT) and published in the February 14, 2007 Federal Register; and

WHEREAS, the Safe, Accountable, Flexible Efficient Transportation Act: A Legacy for Users (SAFETEA-LU) requires that projects funded under the Elderly Individuals and Individuals with Disabilities, Job Access and Reverse Commute (JARC), and New Freedom (NF) Federal Transit Administration funding 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 service providers, as well as members of the public; and,

WHEREAS, The Pennsylvania Department of Transportation (PennDOT) has established that the local coordinated public transit human services transportation plan boundaries correspond to boundaries of the transportation planning organizations across the Commonwealth and for Southwestern Pennsylvania SPC is the designated transportation planning organization for the 10-county region made up of Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Lawrence, Washington and Westmoreland Counties; and,

WHEREAS, the Economic Development Administration Reform Act of 1998 requires economic development districts to develop a Comprehensive Economic Development Strategy (CEDS) to qualify for assistance under most Economic Development Administration (EDA) programs; and,

WHEREAS, EDA will continue to direct its investments based on strategies resulting from locally controlled participatory planning processes established to develop and maintain the Comprehensive Economic Development Strategy (CEDS); and,

WHEREAS, SPC is the Metropolitan Planning Organization and the Economic Development District for the region; and,

WHEREAS, SPC developed the 2040 Transportation and Development Plan for Southwestern Pennsylvania satisfying the requirements of federal law and the regulations promulgated by USDOT and EDA; and,

WHEREAS, the Accessible Transportation and Workforce Cooperative (ATWIC), with oversight from SPC, the Port Authority of Allegheny County and the Three Rivers Workforce Investment Board developed the Public Transit Human Services Transportation Plan satisfying the requirements of FTA regulations governing the JARC and NF funding programs; and,

WHEREAS, updated population, household and employment forecasts were prepared by SPC staff to support development of the 2040 Plan and are included as part of the Plan; and

WHEREAS, in accordance with the requirements of the Clean Air Act (as amended) and the Transportation Conformity Rule, qualitative and quantitative analysis of the 2040 Plan has demonstrated that the 2040 Plan conforms 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 7-11; and

WHEREAS, SPC's *Environmental Justice Benefits and Burdens Assessment for the 2040 Plan* report summarizes multiple analyses, outcomes, and activities that have been conducted as part of the region's planning process in accordance with environmental justice; and,

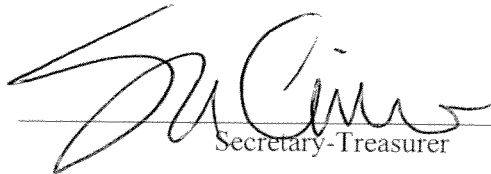
WHEREAS, SPC released the ten-county 2040 Transportation and Development Plan for Southwestern Pennsylvania for public review and comment in May consistent with SPC's established public review procedures; the ATWIC public outreach process for the Human Services Plan was held concurrent with the Long Range Plan public review process; the public review period has passed, and public comments on the Plan and responses to them have been presented to the Commission and final revisions to the Plan and associated documents have been recommended; and,

WHEREAS, SPC's Transit Operators Committee and SPC's Transportation Technical Committee recommend Commission adoption of the 2040 Transportation and Development Plan for Southwestern Pennsylvania including the coordinated Public Transit - Human Services Coordinated Transportation Plan.

NOW, THEREFORE, BE IT RESOLVED that the Southwestern Pennsylvania Commission adopts the ten-county "2040 Transportation and Development Plan for Southwestern Pennsylvania" as the Long Range Transportation Plan required by USDOT and as the Comprehensive Economic Development Strategy required by EDA.

I, Steve Craig, HEREBY CERTIFY that I am Secretary-Treasurer of the SOUTHWESTERN PENNSYLVANIA COMMISSION; that the foregoing resolution was adopted, in accordance with the By-Laws, by the Members of said Commission at a meeting duly called and held on the 27th day of June 2011, a quorum being present; and that said resolution is now in full force and effect.

IN TESTIMONY WHEREOF I hereto subscribe my name as Secretary-Treasurer.


Secretary-Treasurer