

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

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

Commission members present were: Tom Balya, Karen Bennett, Andrew Boni, Bracken Burns, Charles Camp, Tom Ceraso, H. Daniel Cessna, Dave Coder, Robert DeLotto, Richard Fink, James Gagliano, Jr., David Johnston, James Kennedy, Ellen Kight, Patricia Kirkpatrick, Phil Light, Scott Lowe, Larry Maggi, Robbie Matesic, Kevin McCullough, Terry McMillen, David Miller, Larry Morris, Henry Nutbrown, William Peduto, Andrew Quinn, Carmen Rozzi, James Scahill, Michael Silvestri, Bernie Smith, Pam Snyder, Joe Spanik, Anthony Spossey and Gealy Wallwork.

Commission members absent were: Glenn Anderson, Susan Borinsky, Orlando Capretto, Eric Carlson, James Cheatham, Steven Craig, Dan Donatella, Edward Fosnaught, David Frick, John Gardner, Susan Golomb, Joseph Hardy, Dana Henry, Richard Hogg, C. L. Jabbour, Larry King, Allen Kukovich, Bob O'Connor, Dan Onorato, Rodney Ruddock, Daniel Santoro, Mark Schneider, Richard Shaw, Mark Snyder, Byron Stauffer, Jr., Joe Szczur, Dennis Veraldi, Vince Vicites, Daniel Vogler, Joseph Widmer, Norma Wintermyer, Charles Zappala and Angela Zimmerlink.

Others: Lynn Heckman, Allegheny County Department of Economic Development; Marilyn Skolnick, Sierra Club; Jon Smith, Allegheny County Transit Council and John Verbanac, SPC Consultant.

Staff: Jim Hassinger, Kirk Brethauer, Stan Caldwell, Chuck DiPietro, Linda Duffy, Ken Flack, Kelly Hunt, Chuck Imbrogno, Vince Massaro, Marge Nalesnick, Shannon O'Connell, Kay Tomko, Debbie Tritsch, Carol Uminski, Lew Villotti and Sara Walfoort.

1. Action on Minutes of the December 5th Meeting

The minutes of the December 5, 2005 meeting of the Southwestern Pennsylvania Commission were approved on a motion by Mr. Nutbrown which was seconded by Commissioner Balya. The affirmative vote was unanimous.

2. Public Comment

None.

3. Financial Report

Mr. Massaro presented the combined revenue and expense statement for the six-month period ending December 31, 2005. The report is for the corporation, the commission, and the operations of the Regional Enterprise Tower and includes the approved FY 2005–06 revised budget numbers.

Total Project Revenues recognized and recorded to date are \$3,435,918 vs. revised annual budget of \$9,980,792 or 34.43% of the budget utilized for the reporting period. Total carry-over project related revenues recognized and recorded to date are \$256,025 vs. revised annual budget revenues of \$695,741 or 36.80% of the budget utilized for the reporting period. As mentioned in previous reports, the carry-over projects from prior fiscal years consist of the Regional Aerial Photography project, the Transportation Model Development Year 5, the PENNDOT Planning Partners project, the GrandView By-Way Corridor Management Study, the Emergency Ride Home Study, the Public Participation Panels, and the Cranberry Transit Study. These projects are due to be completed by June 2006. All revenues recorded and recognized to date are in line as anticipated for the reporting period.

Revenues related to the operations of the Regional Enterprise Tower continue to be in line for the reporting period. Revised budgeted rents are \$4,750,000 vs. actual rents collected and recorded of \$2,414,670 or 50.84% for the reporting period. As of December 31st, the building is at 83.2% occupancy and the leasing agent is currently negotiating with prospective tenants for the lease of approximately 14,000 sq ft of space with occupancy by June 30, 2006.

Overall project related expenses pertaining to the UPWP and Economic Development Program activities continue to move forward as budgeted for the reporting period. Total Project Related Expenditures recorded to date are \$3,694,347 vs. revised annual budgeted expenditures of \$10,676,533 or 34.6% of the budget utilized for the reporting period. Expenses related to the operations of the Regional Enterprise Tower, before depreciation and amortization expense, are \$2,108,399 vs. the revised annual budget of \$4,635,000 or 45.49% of the budget utilized for the reporting period.

All expenditures recorded and recognized to date are in line as anticipated for the reporting period.

4. Action on Resolution 1-06 to Approve Submission of Draft 2006-2007 Unified Planning Work Program to the Funding Agencies

Mr. DiPietro explained that the handout provided was a brief overview of the Unified Planning Work Program Document. The document itself is well over 150 pages. The first 15 pages of the handout are a narrative of the six general program areas: Data Systems and Modeling, Transportation Plans and Programs, Modal Planning & System Operations/Management, Projects to Assist PennDOT, Coordination and Outreach, and Program Administration. Attached also are five exhibits that give an accounting overview of the revenue and expenditures.

Mr. DiPietro explained that the UPWP document outlines the proposed major transportation planning tasks in the upcoming state fiscal year of July 1, 2006 to June 30, 2007. The document also provides a central source of information about major transportation planning priorities. He explained that SPC receives guidance from our board members at our annual meeting, board meetings and at committee meetings, as well as from the US Department of Transportation under federal law and from PennDOT Harrisburg. Letters are received that state their priorities, their issues and their mission, and they ask us to submit candidate jobs.

Mr. DiPietro thanked the Commissioners for their input in completing surveys in November and he provided the top five priority results of those surveys: 1) promote integration of transportation systems and their connectivity; 2) focus on project delivery; 3) link transportation and land use; 4) increase safety; and 5) focus on system preservation.

Mr. DiPietro gave a brief overview of where the program money would be spent. Modal Planning & Systems Operations/Management (27%) – this includes freight planning, intermodal initiatives, ridesharing through the CommuteInfo Program, transit planning activities and our Transit Operators Committee, and Port Authority for their activities. Data Systems & Modeling (22%) – includes a wide range of GIS support activity, maintain enhance of Data & Graphic Files, Air Quality Planning, Land Use Models & Regional Forecasts and Transportation Models round out this program area. At 21%, Transportation Plans & Programs deliver the Long Range Plan element of Project Region, the TIP, and Financial Planning/Transportation Needs Assessment. Coordination and Outreach (12%) includes support for Member Planning Agencies and the Public Participation Program. PennDOT Technical Assistance totals 11% for a range of activities including Highway Performance Monitoring, Technical Support to various PennDOT committees and special initiatives, and Traffic Forecasts and input to Needs Reports. Finally, Program Administration is at 7% for UPWP Administration and Staff Support Services.

Under the high priority activities next year, the main focus will be delivering the Long Range Plan Update – Project Region. The Long Range Transportation Plan element must be in place by June 2007. We continue to coordinate with the State's Long Range Plan, the Pennsylvania Mobility Plan, which will conclude this summer.

PennDOT needs our approval by the end of February so that they can get the document to the U.S. Department of Transportation and get approvals in place by July 1, the beginning of the fiscal year.

Dr. Hassinger explained that this submission allows SPC to pursue all of the available funds that is now available through SAFETEA-LU legislation. This proposal will recognize increased local match requirements through the local government membership dues and that portion will be contributed back through the planning departments in the same fiscal year, resulting in additional monies for regional planning.

Commissioner Smith moved:

WHEREAS, the 2006-2007 Unified Planning Work Program documents all transportation and transportation-related planning activities to be undertaken within the SPC region from July 1, 2006 through June 30, 2007; and

WHEREAS, the 2006-2007 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 2006-2007 Unified Planning Work Program.

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 2006-2007 Unified Planning Work Program and pursuant to application requests; and

Mr. Miller seconded and the affirmative vote was unanimous.

5. Action on Resolution 2-06 to Approve Transportation Enhancements and Home Town Streets/Safe Routes to School Recommendations to the Commonwealth

Mr. DiPietro explained that the process has been underway and has been very intense since mid-July. In July, PennDOT had the application process on their website. SPC conducted four outreach workshops in August for project sponsors to get them ready to compete the best they can in this very highly competitive process, not only in our region, but across the state. Sessions were held in Saltsburg, California, Zelienople and in the Regional Enterprise Tower. The application deadline was the end of September. Our Transportation Technical Committee set up a subcommittee for the program to look at all of the candidates. This subcommittee included our 11 member planning departments, the 3 PennDOT districts, Port Authority Transit and 2 state organizations (DCED and DCNR). They met three times and helped put the criteria together and screen the candidates. There were a total of 74 candidates that were ruled eligible by PennDOT Central Office. Each of the 17 members actually did the scoring for all 74 projects. Criteria included the scope of the project, its definition, potential impact, funding, local match, long term maintenance, and deliverability.

The project recommendations include 26 transportation enhancement projects totaling \$10.9M, 9 Hometown Streets / Safe Routes to School projects totaling \$5M, and 8 Statewide Discretionary Funding candidates that total \$10M.

The State Transportation Commission is scheduled to take action statewide on April 6. They need our recommendation now to meet that schedule. The Transportation Enhancement and

Hometown Streets/Safe Routes to School sub-committee will meet again in mid-February to debrief the process while it's still fresh – what worked well, what might we do differently – and also to address some potential issues about funding levels for the program to maximize the return to the region.

Mr. Wallwork moved:

WHEREAS, the Commonwealth of Pennsylvania Transportation Enhancements and Hometown Streets / Safe Routes to School Programs identify statewide guidelines for selecting projects to receive funding from the SAFETEA-LU Transportation Enhancements and Safe Routes to School Programs; and

WHEREAS, the Transportation Enhancements and Hometown Streets / Safe Routes to School Program Guidance requests that each MPO identify a fiscally constrained list of recommended projects from their region, the list to be submitted to PENNDOT for review and subsequent submission to the State Transportation Commission; and

WHEREAS, the SPC Transportation Technical Committee and its Transportation Enhancements / Hometown Streets / Safe Routes to School Evaluation Subcommittee conducted a review of 78 project applications from the SPC region, identified 74 projects meeting the program criteria, and prioritized the projects in order to develop a fiscally constrained list of 35 projects recommended for funding from SPC's regional allocation and 8 projects regionally endorsed for funding from statewide discretionary sources for this program cycle.

NOW, THEREFORE, BE IT RESOLVED, that the 43 projects in the attached tables constitute SPC's 2005-06 Transportation Enhancements and Hometown Streets / Safe Routes to School Program Project Recommendations.

BE IT FURTHER RESOLVED that the Southwestern Pennsylvania Commission approves the SPC 2005-06 Transportation Enhancements and Hometown Streets / Safe Routes to School Program Project Recommendations and directs that they be submitted to PENNDOT for further action.

Mr. Silvestri asked about the mechanics of the state when they make their determination, do they just approve the group or do they approve each project?

Mr. DiPietro replied that we expect approval of our recommendations for the funds that were allocated to SPC - the group of 26 projects at \$10.9M and the 9 HTS/SRS projects at \$5M. closure on our 8 recommended projects is unknown at this time. There is a line item in the TIP, so once we have approval we will amend the line item to reflect the approved program of projects.

Mr. Nutbrown seconded and the affirmative vote was unanimous.

6. Action on Resolution 3-06 to Amend the 2005-2008 Transportation Improvement Program

Mr. DiPietro explained that this is a 2-part resolution. The first part is three amendments from PennDOT District 11-0 and the second part is an amendment from PennDOT District 12-0. The District 11-0 projects include: 1) move the construction phase of the 62nd Street Bridge – southbound ramp (Route 8). The money will be taken from the Northern Pike Bridge over SR 22 and the Etna Bridges Phase 4. These monies will be re-programmed on the 2007-2010 TIP Update. 2) The Franklin Avenue Bridge (Route 51) which is part of the smoother roads program adds a little extra money to the region. This will not only be reconstruction, but disassembly work as well. And 3) to increase the construction phase of the Parkway West I-79/I-279 missing ramps in Robinson and Collier Townships.

The second part of the resolution for District 12-0 is for the highly visible bridge that recently collapsed over I-70.

Checks were satisfied with fiscal restraint and the 30-day public comment period was held. One support letter was received from the Manager of the Township of Robinson urging the completion of the I-79 missing ramps. A copy was included in the handout packet.

Mr. Boni moved:

WHEREAS, PENNDOT District 11-0 requests the following amendments to the region's 2005-2008 Transportation Improvement Program (TIP):

- 1.) Add the SR 8 (62nd Street Bridge Ramp Southbound) construction phase (\$1,600,000 federal and \$400,000 State) FFY 2006 and (\$4,100,000 federal \$1,025,000 State) FFY 2008.

This project consists of retrofit pre-cast parapets along with some general bridge preservation work. The source of funds for this increase are from reducing the construction costs from the Northern Pike Bridge over SR 22 by (\$1,600,000 federal and \$400,000 State) FFY 2006 and the Etna Bridges Phase 4 by (\$4,100,000 federal \$1,025,000 State) FFY 2008. These reductions will not affect the schedule of these projects as the phases will be re-programmed on the 2007-2010 TIP Update.

- 2.) Add the SR 51 (Franklin Avenue Bridge to Ambridge Aliquippa Bridge Phase II) construction phase (\$4,206,000 federal and \$3,603,000 state smoother roads funds) FFY 2006.

The work includes bituminous reconstruction, drainage improvements, a new median barrier, and upgrades to the signals. The source of funds for this increase are from the de-obligation of SR 51 Phase 1 construction by (\$4,206,000 federal) and additional funds for the region (\$3,603,000 state) in state smoother roads money.

- 3.) Increase the I-79/I-279 Missing Ramps (Robinson and Collier Townships) construction phase (\$9,000,000 federal \$1,000,000 state) FFY 2008.

This project's scope of work includes an Interchange Improvement with the addition of new ramps. The cost increase will fully fund this \$70 million dollar project on the TIP. The source of funds for this increase are from deleting a Betterment Line Item by (\$9,000,000 federal) FFY 2008 and reducing the TR 286 Widening (SR 22 –SR 380) project by (\$1,000,000 state) FFY 2008. These reductions will not affect the schedule of these projects as the phases will be re-programmed on the 2007-2010 TIP Update.

WHEREAS, PENNDOT District 12-0 requests the following amendment to the region's 2005-2008 Transportation Improvement Program (TIP):

1.) Add the SR 1014 Bridge over I-70 (Lakeview Drive) final design phase (\$400,000 state) FFY 2006 and construction (\$4,900,000 federal) FFY 2006.

This project is the replacement of a multi-span structure over Interstate 70 in South Strabane Township. The Bridge is currently closed to traffic as a result of a partial collapse. The source of funds for the increase are additional to the region from the Secretary's Discretionary Funds.

WHEREAS, a 30-day public comment period was held for the I-79/I-279 Missing Ramps project increase 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 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, 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 this amendment to the 2005-2008 TIP will not alter the finding of conformity between 2005-2008 TIP and the Clean Air Act Amendments of 1990.

NOW, THEREFORE, BE IT RESOLVED that the Southwestern Pennsylvania Commission approves these amendments to the 2005-2008 TIP.

Commissioner Balya seconded and the affirmative vote was unanimous.

7. Action on Resolution 4-06 to Approve Transportation Conformity Finding under the PM2.5 Air Quality Standards for 2005-2008 Transportation Improvement Program and 2030 Transportation and Development Plan

Mr. Imbrogno reported that EPA has designated three nonattainment areas within the region under the new PM2.5 Air Quality Standards. With approval of this resolution, SPC will make a transportation conformity finding, required by EPA, for the PM2.5 nonattainment areas. The technical analysis and draft cal report were completed in December and a 30-day public comment period concluded on January 26. A public meeting was held on January 12. During the public comment period, three comments were received which are included in the handout packet. The newspaper display ad is also included. The draft report was available for public review at the county planning departments and at local libraries throughout the region. The report was also available for review on SPC's website.

The technical analysis has demonstrated conformity under the PM2.5 Air Quality Standards for the current TIP and Plan. The draft report also concludes that all applicable conformity criteria have been satisfied.

Commissioner Ceraso 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 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 is implementing new NAAQS for fine particulate matter with a diameter less than 2.5 microns (PM 2.5); and

WHEREAS, the EPA, in the "Air Quality Designations and Classifications for the Fine particles (PM2.5) 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 PM2.5 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 under the PM2.5 air quality Standards for the Liberty-Clairton, Pittsburgh-Beaver Valley, and Indiana County portion of the Johnstown PM2.5 nonattainment areas 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 2005-2008 TIP and the region's 2030 Transportation and Development Plan for Southwestern Pennsylvania 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 December 27, 2005 through January 26, 2006 including a public meeting on January 12, 2006.

NOW, THEREFORE, BE IT RESOLVED that the Southwestern Pennsylvania Commission finds that the region's 2030 Transportation and Development Plan for Southwestern Pennsylvania and the 2005-2008 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 Transportation and Development Plan for Southwestern Pennsylvania and the 2005-2008 TIP are consistent with the Clean Air Act (as amended) and Transportation Conformity Rule; no goals, directives, recommendations, or projects in the TIP or Transportation and Development Plan contradict in a negative manner any specific requirements or commitments of the applicable State Implementation Plan.

RESOLVED FURTHER that assessment of the Liberty-Clairton, Pittsburgh-Beaver Valley, and Indiana County portion of the Johnstown PM2.5 nonattainment areas 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.

In reference to Marilyn Skolnick's e-mail received during the comment period, Mr. Peduto asked if her question could be answered, which was: "with national studies showing about 41% of the air pollution from automobiles, how can all of our projects with more and more vehicles be in conformity. Mr. Imbrogno replied that the EPA has specified the emissions models to use and the procedures to follow to demonstrate conformity. Those procedures require us to estimate PM2.5 emissions for 2010, 2020 and 2030 and compare those estimates to 2002 emission levels. Conformity is demonstrated if the emission levels in the future years are below the 2002 levels.

The technical analysis showed that emission levels projected for those three future years are below the 2002 levels, so EPA's conformity criteria have been satisfied.

Mr. Peduto asked that within those non-compliance areas is there a plan to get into compliance? He said he has come to find out that we are second in the country for air pollution. Mr. Imbrogno replied that the second highest PM2.5 readings in the country were recorded at the Liberty site just across the Monongahela River from the Clairton coke works. EPA requires attainment plans be approved by the state by April of 2008. The PA DEP and the Allegheny County Health Department are just beginning to develop those plans.

Mr. Peduto asked if that plan and recommendation will come back to us in 2008 for compliance. Mr. Imbrogno replied that yes, once the state plan is approved, we will have conformity finding to match the implementation plan.

Mr. Miller referred to the letter from Sustainable Pittsburgh regarding the conformity finding which asks about a series of strategies for attainment. How does a guideline like this work into the attainment plan or subsequent plans? How does it show recognition or how do we take information like this and program it into our planning process? Mr. Imbrogno said that Sustainable Pittsburgh's letter asked that SPC include certain Travel Demand Management projects and strategies into the region's Long Range Plan and TIP. Many projects of these types are already in the Plan and TIP. They are included with other Plan and TIP projects in the conformity tests. As the new TIP is developed, there may be opportunities to add more projects of these types to the TIP.

Mr. Kennedy seconded and the affirmative vote was unanimous with Mr. Peduto abstaining.

8. Action on Resolution 5-06 to Amend the 2005-06 UPWP to Add New Castle Transit Authority's "Needs Assessment and Feasibility Study"

Mr. Imbrogno stated that the New Castle Transit Authority has asked that a new project "Needs Assessment and Feasibility Study" be added to the Unified Planning Work Program. The Transit Operators Committee reviewed this request at their meeting on January 18 and added the project to the TIP. The Transit Operators recommend Commission action to add the project to the UPWP.

Mr. Miller moved:

WHEREAS, the Safe, Accountable, Flexible, Efficient, Transportation Equity Act; A Legacy for Users (SAFETEA-LU) authorizes funding and support of transportation planning, research and demonstration activities; and

WHEREAS, the following new transportation planning project is proposed for funding in the 2005-2006 Program:

1. "New Castle Area Transit Authority Needs Assessment and Feasibility Study" at a total cost not to exceed \$100,000 (\$96,667 State Act 3; \$3,333 Local Share) for the

expansion and enhancement of the transportation center located in the city of New Castle. This study is designed to help the city of New Castle integrate transit operations in conjunction with the downtown redevelopment that is currently taking place. The key transit components are as follows:

- a. Expansion of proposed Park N' Ride Lot
- b. Pedestrian connections between the transportation center and the Lawrence County Court House
- c. Land Use and Economic Development as it relates to transit
- d. Mix-Use residential and commercial development

WHEREAS, planning projects must be included on an approved Unified Planning Work Program before funding can be approved; and

WHEREAS, the Transit Operators Committee acted at its January 18, 2006 meeting to include the project on the 2005-2008 Transportation Improvement Program for funding in FY 2006 and recommended Commission action to add the project to this current UPWP.

NOW, THEREFORE, BE IT RESOLVED that the Southwestern Pennsylvania Commission approves revisions to the 2005-2006 UPWP to include the planning project " New Castle Area Transit Authority Needs Assessment and Feasibility Study" as requested by the New Castle Area Transit Authority.

Commissioner Balya seconded and the affirmative vote was unanimous.

9. Action on Resolution 6-06 to Endorse Changes to the North Shore Project Requested by the Port Authority

Mr. Imbrogno said the Port Authority has requested that the North Shore Connector, a Light Rail Transit project, be modified. The Port Authority Board took action on Friday, January 27, to split the project into two pieces and to move ahead with one and defer the other until additional funding becomes available. This change in project scope needs to be reflected on the region's Long Range Plan so that the Federal Transit Administration can approve grant funding for the Port Authority. FTA cannot approve grant funding until the project scope is consistent with the Long Range Plan. The Port Authority had prepared an environmental report showing the environmental consequences of deferring that action still meet the project need and the project justification. A public comment period, conducted by the Port Authority, was held and comments have been adequately addressed by Port Authority. Port Authority staff reviewed the proposed project changes with the Transit Operators Committee and Transportation Technical Committee this month. Both committees recommend Commission action to modify the Long Range Plan as requested by Port Authority.

Commissioner Coder moved:

WHEREAS, the North Shore Connector project is identified in the adopted 2030 Transportation and Development Plan for Southwestern Pennsylvania and the adopted 2005-2008 Transportation Improvement Program for completion by 2009; and

WHEREAS, the North Shore Connector LRT Project is being undertaken by Port Authority of Allegheny County at a total cost not to exceed \$393 million and includes two extensions to the Light Rail transit system; a 1.2 mile extension 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 (the Gateway Line), and a 0.3 mile underground extension from the existing Steel Plaza Subway Station in Downtown Pittsburgh to the Convention Center located in the northeast end of the Golden Triangle, including a new station at the Convention Center (the Convention Center Line); and

WHEREAS, prior to entering into construction, a Full Funding Grant Agreement (FFGA) between Port Authority and the Federal Transit Administration (FTA) is required; and

WHEREAS, due to higher than expected increases in the inflation rate, the cost of construction materials, and other factors the total cost of the project has increased beyond the budget of \$393 million which precludes FTA approval of a Full Funding Grant Agreement; and

WHEREAS, Port Authority of Allegheny County has proposed significant revisions to the project scope that still satisfy the project need and address project goals; the revised project scope is to complete the Gateway Line within the \$393 million project budget with revenue operation to start in 2010, and to defer construction of the Convention Center Line until funding may become available for the deferred elements of the project; and

WHEREAS, Port Authority has prepared an Environmental Report in accordance with the National Environmental Policy Act (NEPA) to inform Port Authority, Federal Transit Administration (FTA), and the public in understanding the changes in environmental impacts for the North Shore Connector project and to provide analysis required by FTA to determine if construction and operation of the revised North Shore Connector Project will result in impacts significantly different from those described in the North Shore Connector Final Environmental Impact Statement (FEIS), approved by FTA in 2002; and

WHEREAS, Port Authority released the Environmental Report for public review and comment from December 27, 2005 through January 18, 2006, all comments have been noted, and Port Authority Board action on January 27, 2006 authorized construction of the Gateway Line to proceed upon receipt of acceptable bids and signing of a Full Funding Grant Agreement by FTA;

WHEREAS, the proposed project revisions were presented and discussed at the SPC Transit Operators Committee meeting on January 18, 2006, and at the SPC Transportation Technical Committee meeting on January 19, 2006 with both committees recommending SPC concurrence with the proposed revisions to the scope of the North Shore Connector LRT project and approval of technical modifications to the region's Long Range Transportation and Development Plan; and

WHEREAS, technical modification of the Plan would entail replacing the North Shore Connector LRT project with two separate projects: “North Shore Connector Project – Gateway Line” (\$393 million total cost) for the Available Resources Element (ARE) of the Plan for completion by 2010, and “North Shore Connector Project – Convention Center Line” to be deferred to the Future Resources Element (FRE) of the Plan to maintain fiscal constraint.

NOW THEREFORE BE IT RESOLVED that the Southwestern Pennsylvania Commission (SPC) concurs with the proposed revisions to the scope of the North Shore Connector LRT project to defer the Convention Center Line.

RESOLVED FURTHER that the Southwestern Pennsylvania Commission approves technical modifications to the 2030 Transportation and Development Plan for Southwestern Pennsylvania to replace the North Shore Connector LRT project with two separate projects: “North Shore Connector Project – Gateway Line” (\$393 million total cost) for the Available Resources Element (ARE) of the Plan for completion by 2010, and “North Shore Connector Project – Convention Center Line” to be deferred to the Future Resources Element (FRE) of the Plan to maintain fiscal constraint.

Commissioner Ceraso asked Mr. Nutbrown of the Port Authority if the deferred project elements will be the next major project undertaken by Port Authority. Mr. Nutbrown replied that it was not known at this time if it would be the very next project.

Mr. Peduto said that the newspapers have reported that funding has been earmarked for this project and can't be moved to another project. He asked Mr. Nutbrown if the funding for the North Shore project is only for the tunnel going under the river, or are there other options for the funding. Mr. Nutbrown replied that the money would only be for the North Shore project. We cannot defer the entire project and build something else with this money. We can defer a part of the project.

Mr. Peduto then asked that instead of building the tunnel portion, could the tunnel section be deferred and the Convention Center Line be built? Mr. Nutbrown said the Gateway Line could have been deferred to the benefit of the Convention Center Line, however, if the project is changed by adding components, or by considering a new alignment, it would be treated by FTA as a new project. Then planning would have to be redone to fairly evaluate the new project's benefits. The project would have to go through the national competition again. The new planning studies would take several years to complete.

Mr. Scahill asked where the money to complete the deferred project elements would come from. Are they going to be transit only funds, or earmarks, or other funds? Mr. Nutbrown said the next project, whether it be the Convention Center Line or some other project in the southwestern Pennsylvania region, would have to compete for funding against other projects nationwide. Mr. Scahill asked what money the deferred project would be competing for? Mr. Nutbrown replied that the deferred project would be competing for Federal Transit Administration dollars.

Mr. Ceraso asked if the Port Authority was currently competing for any other projects on the Federal level. Mr. Nutbrown said not in the realm of the Federal Transit Administration projects. Port Authority has submitted candidate projects to SPC for Enhancements funding and CMAQ funding, but no other large capital projects.

Commissioner Smith seconded with Commissioner Scahill voting against the project. The affirmative vote carried.

10. Action on Resolution 7-06 to Amend the Bylaws to Expand the Executive Committee Membership by Two Additional Positions from the Commission

Mr. Hassinger explained that this is the staff's response to a request from the last meeting to expand the existing Executive Committee membership by two additional positions is to include more diversity on the Executive Committee itself. This could be done by amending the bylaws to add two members and to recognize three officer positions. This could be done by action of the full Commission at a meeting and could also be done by an Executive Committee recommendation. Mr. Burns appreciated the staff's support on this request.

Mr. Coder moved:

WHEREAS, the SPC Articles of Agreement, Article 13, Bylaws, Section 13.16 currently states that "The Executive Committee shall consist of fifteen (15) Commissioners"; and

WHEREAS, it is proposed that the SPC Articles of Agreement, Article 13, Bylaws, Section 13.16 be amended to expand the Executive Committee membership from fifteen (15) to seventeen (17) members, reading as below; and

EXECUTIVE COMMITTEE

13.16 Number; Qualifications: The policies established by the **COMMISSION** shall be managed by an **EXECUTIVE COMMITTEE**, who shall be **COMMISSIONERS** and residents of the Commonwealth of Pennsylvania. The **EXECUTIVE COMMITTEE** shall consist of ~~fifteen (15)~~ seventeen (17) **COMMISSIONERS**. However, the officers of the **COMMISSION** shall be members of the **EXECUTIVE COMMITTEE** and at least one **EXECUTIVE COMMITTEE COMMISSIONER** shall be elected from each of the **MEMBERS** of the **COMMISSION**, one **EXECUTIVE COMMITTEE COMMISSIONER** shall be a **COMMISSIONER** appointed by the **STATE** Department of Transportation, one **EXECUTIVE COMMITTEE COMMISSIONER** shall be a **COMMISSIONER** appointed by the Governor of the **STATE**, one **EXECUTIVE COMMITTEE COMMISSIONER** shall be a **COMMISSIONER** appointed by the Secretary of the **STATE** Department of Community and Economic Development. No more than two (2) **COMMISSIONERS** shall be elected from any one of the **MEMBERS**. The Executive Director shall be an ex officio member of the **EXECUTIVE COMMITTEE**.

WHEREAS, Article 13.45 “Amendments to Bylaws” allow for amendments to Articles of Agreement by a vote of the majority of the Commissioners at any regular or special meeting duly convened.

NOW, THEREFORE, BE IT RESOLVED that the Southwestern Pennsylvania Commission approves this amendment to the Articles of Agreement.

Mr. Miller seconded and the affirmative vote was unanimous.

11. Project Region Update

Mr. Villotti reported that there is good news on the funding. We have been working with Foundations and have received four checks: Benedum Worthington - \$75,000; R. K. Mellon - \$75,000; Heinz Foundation - \$50,000; and the Pittsburgh Foundation - \$25,000. We are also anticipating additional funds. We were invited to apply with the McCune Foundation and we have been in discussions with the Eberly Foundation.

Mr. Villotti said that upcoming events include continuing the initial public involvement and establishing a working group that would include you and your staffs. In addition there will be regional Partners Meetings coming up very shortly either in this quarter or next quarter. There will also be continued discussion on Project Region at the Nemaquin Conference.

Mr. Villotti explained that economic development workshops will be the next phase in public involvement. We’re going to build off our transportation improvement workshops that have been very successful. As a new concept PennDOT, Department of DCED, DEP and DCNR have designated SPC to be the forum for discussion on their Transportation and Land Use for Economic Development Initiative. The workshops will include partners such as the State, the Allegheny Conference on Community Development and the counties to discuss their strategies for economic development. We’ll have the opportunity to facilitate discussion with groups and discuss best strategies that need to be put forward. We’ll be coming back to you very shortly and have you get back to your staff to ask for their support through this process.

12. Staff Report/Other Business/Announcements

Dr. Hassinger called on Stan Caldwell who will give details about a program that has been in development for a few months.

Mr. Caldwell reported that is launching the Municipal Outreach Initiative with existing staff and budget. He explained that SPC has been historically involved in municipal training, technical assistance and giving small grants. Recently, we have found that most of our success has been through a lot of one-on-one outreach in municipalities. The new SAFETEA-LU regulations as well as some of the PennDOT programs that we work with such as LTAP and some of the DCED programs which SPC administers such as MTAP are encouraging more municipal outreach. What we are going to do is make a conscious effort to integrate more one-on-one municipality outreach. So we’ve created a specific initiative for the next three years of doing more one-on-one outreach with municipalities. We are going to take an opportunity to sit down with them and discuss their specific needs and challenges and to use that as an opportunity

to link them to existing services that are out there. SPC is not going to provide all the answers to all of their problems for them, we're going to link them to existing services such as federal and state programs, local programs and the Governor's Center for Local Government. Stan introduced Kelly Hunt who has administered a lot of our local programs for the last few years and she will be heading up this initiative. Kelly and Stan will be meeting with all of the Planning Directors to discuss this with them and to come up with specific strategies for outreach in each county.

13. Next Meeting Date – March 20, 2006.

14. Adjourn

There being no further business to come before the Commission the meeting adjourned at 5:32 p.m.

Respectfully submitted,

Charles Camp
Secretary-Treasurer