

Meeting Minutes for January 14th, 2010
Transportation Technical Committee Meeting
Regional Enterprise Tower - Pittsburgh, PA

Attendees:

- Lynn Heckman, Allegheny County Economic Development
Steve Shanley, Allegheny County Department of Public Works
- Darin Alviano, Armstrong County Planning Commission
- James Camp, Beaver County Department of Public Works
- Joel MacKay, Butler County Planning Commission
- Arthur Cappella, Fayette County Planning Commission
- Jeff Raykes, Indiana County Planning Commission
- Doniele Andrus, Lawrence County Planning Commission
- John Surmacz, Westmoreland County Planning Department
Chris Bova, Westmoreland County Planning Department
- Patrick Hassett, Pittsburgh Department of Public Works
Patrick Roberts, Pittsburgh Department of City Planning
Deborah Suci-Smith, FHWA
- Kevin McCullough, PennDOT Central Office
Dave Cook, PennDOT District 10-0
Kathy Reeger, PennDOT District 10-0
Rob Miskanic, PennDOT District 11-0
Stephanie Spang, PennDOT District 11-0
William Kovach, PennDOT District 12-0
Domenic Sacchetti, PennDOT District 12-0
Stacey Rabatin, PennDOT District 12-0
Angela Saunders, PennDOT District 12-0
John Kleiber, PennDOT District 12-0
J.D. Fogarty, Port of Pittsburgh
Lynn Manion, Airport Corridor Transportation Management Association
Chuck DiPietro, SPC Staff
Chuck Imbrogno, SPC Staff
Sara Walfoort, SPC Staff
Karen Franks, SPC Staff
Matt Pavlosky, SPC Staff
Doug Smith, SPC Staff
Ryan Gordon, SPC Staff
- (Indicates Voting Member)

1. December 10th, 2009 TTC Meeting Minutes (Attachment A)

Chuck DiPietro called the meeting to order at 10:05 a.m. and reviewed the agenda for the meeting. Chuck asked everyone to introduce themselves. Chuck noted Deborah Suciu-Smith as the new representative from FHWA and William Kovach as a new representative from PennDOT District 12-0. The December 10, 2009 meeting minutes were approved with no changes.

2. Public Comment

There was no public comment.

3. FHWA/PENNDOT Central Office Reports

Kevin McCullough stated that the Program Center staff is making its way around to visit each of the Districts to review the preliminary draft TIP submissions. Kevin and his staff will be in the region next week, spending one day in each of the three Districts to work on the details of the TIP update. Kevin stated that they will be focusing on areas such as letting schedules, problem solving funding issues, discussing how to incorporate potential spike and CMAQ into the program, and project reviews. Kevin stated that they want to ensure that the projects on all four years of the draft TIP will be ready to move. Work is progressing on setting up the regional TE line item and the regions CMAQ program.

Kevin stated that there is no formal response on the Turnpike's application to U.S. DOT to toll I-80. Kevin reported that officially there is little change in the status of the application to Toll I-80. However, it is being reported in the media that Secretary LaHood is meeting with Congressman Glenn Thompson (from north central PA), who has been a vocal opponent of the plan to toll I-80. The media reports anticipate that following this meeting an announcement will be made. Sara Walfoort noted that there is a public discussion on the Tolling of I-80 featuring Representative Markosek scheduled for January 25th. Chuck stated that Representative Markosek is also going to be the featured speaker at ACTA's annual meeting on February 3rd.

Lynn Heckman asked if there was any news on when the TIGER Grants would be announced. Deborah Suciu-Smith responded that announcements are expected in mid-February.

a.) **Linking Planning and NEPA Update (Attachment B)**

Chuck briefly highlighted the recent activities of the ongoing PennDOT Linking Planning and NEPA statewide initiative. Chuck stated that a meeting was held on December 3rd in State College with staff from eight other MPO/RPOs to plan the statewide planning partners meeting in Harrisburg. The December 17th meeting was with

(Attachment A)

Secretary Biehler and his senior Central Office staff. Both sessions were a follow-up to the MPO/RPO feedback received at the PennDOT Planning Partner Meetings in October. Chuck explained that out of the December 17th Harrisburg meeting more focused work groups are being organized to work on some of the sticking points that are evident.

Ryan Gordon provided a brief review of some of his recent coordination efforts with the PennDOT District Environmental Units. The coordination efforts led to a work group meeting held on January 11, at SPC with the environmental managers from each of the three districts. The work group meeting was a joint development session to work on planning tools that will help both PennDOT and SPC to consider environmental issues in early project planning. Ryan reported that the environmental work group agreed to meet on a semi-regular basis to advance planning and NEPA initiatives that are mutually beneficial to the District Environmental Units and SPC.

b.) 2010 Appropriations Bill (**Attachment C**)

Kevin McCullough referred everyone to Attachment C which listed the earmarks for Pennsylvania contained in the Consolidated Appropriations Act 2010. Kevin noted the four projects listed that are in the SPC region. Kevin stated that earmarks continue to be unpredictable and are attached to legislation of all types. The funds received from an earmark can only be used if the project can demonstrate it is fully funded in order to get onto the TIP. If the earmark projects are not fully funded they cannot go onto the TIP and cannot use the earmark funds. Pat Hassett asked if Kevin has any additional information on the listed I-579 project that is within the City. Kevin stated no, that typically the project information comes to PennDOT after the earmark has been announced. Chuck DiPietro reiterated that only after full funding is demonstrated can the earmark projects be placed on the TIP. Kevin noted that the trend is increasing amounts of earmarks and he anticipates a lot of earmark funds coming along with authorization of SAFTEA-LU.

Lynn Heckman asked if this list covered the transit related earmarks contained in the appropriations bill. Kevin responded that transit projects are not included in the list, noting that a separate list exists that details the transit related earmarks; Kevin will send this list to Chuck DiPietro for distribution to the TTC. Kevin noted that Central Office maintains a list of all the earmarks and they use it with the Districts and SPC to track all the earmarks. Kevin added if anyone ever needs information about earmark projects contact the Program Center.

Dave Cook questioned Kevin about the status of the CMAQ program and if a draft version is out to the Districts. Kevin responded that nothing has gone out on the CMAQ program, in fact it is in very draft form that is certain to change. Kevin continues to work on it with particular focus on project delivery concerns. It is essential to ensure that the projects on all four years of the new TIP will be ready to move. Kevin is hopeful that the

(Attachment A)

meetings between the program center staff and districts next week will bring some clarity to the CMAQ program and its potential impact on the TIP update. Chuck DiPietro added that we don't know the amount of CMAQ funds that will be utilized by carryover projects and therefore how far down the CMAQ priority list projects will be selected. Kevin added that there are three types of status with regard to CMAQ projects: legacy, carryover, and new. Legacy projects are projects that are leftover from the previous TIPs; carryover projects are those on the current TIP in the last two years. Kevin stated that the priority is to deliver the legacy projects in order to honor previous CMAQ commitments and increase the capacity to fund new projects in the future. Kevin acknowledged that this is very difficult due to varying issues by individual legacy projects.

Jeff Raykes then asked if it was true that new projects identified in the first two years of the draft TIP as their time frame for receiving funds would not be granted funds in those years due to the previous carryover amounts. Kevin responded that yes this is likely going to be the case because there is very tight cash flow in the first two years of the draft TIP; new projects, with few (if any exceptions) are competing to be slotted into years three or four.

Lynn Heckman stated that we need to anticipate carryover projects more in the future preparations for the CMAQ Evaluation Committee and reduce the amount that we say we have to program new CMAQ projects. Kevin stated that this financial guidance estimated \$50 million in CMAQ available and the CMAQ evaluation committee reduced this target to around \$30 million for new projects. Kevin noted that there were a lot of unknowns at the beginning of the process surrounding reauthorization, Act 44, etc. and these still remain and, in addition, the Spike decisions could also influence the make-up of the final CMAQ program. Chuck DiPietro suggested that these are the types of issues and discussions that should be brought up when we have the CMAQ debriefing session. Chuck stated that it is very difficult to estimate the available CMAQ funds for new projects and the most prudent strategy is to continue the CMAQ Evaluation Committee's focus on the prioritization of projects. Kevin McCullough supported this point by stating the key is that we now have a good list of CMAQ project priorities for the region and if more funds become available we will be able to work deeper down this list.

Sara Walfoort stated she anticipates questions on the intermodal CMAQ projects and applications. Kevin replied that intermodal projects are still a focus area within CMAQ and within the current TIP we have let diesel retrofits and they are on target to be delivered.

4. Action on Amendments and Modifications to the 2009 to 2012 TIP

(Attachment A)

The current administrative action and amendment procedures are attached following these meeting minutes.

a.) PennDOT District 10-0 (**Attachment D**)

Dave Cook of PennDOT District 10-0 pointed to the amendment requests and administrative actions to the 2009-2012 TIP. District 10-0 had three amendment requests this month.

- Kittanning Truss Bridge – add project and final design phase to the TIP for FFY 2010 for \$40,000.
- Karns Crossing Bridge - add project and final design phase to the TIP for FFY 2010 for \$40,000.
- Department Force Bridge Group Design – add project and final design phase to the TIP for FFY 2010 for \$200,000.

The TTC motioned and unanimously approved the PennDOT District 10-0 amendment and administrative action requests to the TIP.

b.) PennDOT District 11-0 (**Attachment E and District Handout**)

Rob Miskanic of PennDOT District 11-0 pointed to the amendment requests and administrative actions to the 2009-2012 TIP. District 11-0 had one amendment request:

- SR 422 / SR 2004 intersection Cascade-Butler County – Adding \$1.53 million of ECONR construction funds to the project to cover the low-bid plus inspection. These are additional funds to the region.

Karen Franks noted that this could be considered an administrative action because it is adding additional funds to the region to a previously existing project.

The TTC motioned and unanimously approved the PennDOT District 11-0 amendment and administrative action requests to the TIP.

c.) PennDOT District 12-0 (**Attachment F**)

Stacey Rabatin of PennDOT District 12-0 pointed to the amendment requests and administrative actions to the 2009-2012 TIP. District 12-0 had four amendment requests this month:

- Smithton Mitigation – Add the project and construction phase to the TIP for

(Attachment A)

- \$95,000 in FFY 2010
- SR 22, BO2 Mitigation – Add the project and construction phase to the TIP for \$35,000 in FFY 2010.
- Raised Pavement Markers – Add the project and construction phase to the TIP for \$360,000 in FFY 2010.
- Expansion Dams – Add the project and construction phase to the TIP for \$1,250,000 in FFY 2010.

Stacey reviewed one administrative action:

- I-79 Repairs – Funding for this will be made available by decreasing, the Statewide Highway Encumbrance Carryover line item (new funds to the region). Project is to repair damage stemming from long wall mining under I-79. Kevin noted that the Program Center established this statewide line item so that when these types of things occur the repair costs don't come out of the Region's funds. This led to a general discussion of how to pay for damages to the regions roads stemming from long-wall mining or the anticipated impact of Marcellus Shale drilling operations on the regions roads.

5. Advance 2011-2014 TIP Update

a.) Preliminary Draft Transit TIP (**Attachment G**)

Chuck DiPietro referred everyone to Attachment G, which was the preliminary Draft 2011-2014 Title III Transit TIP.

b.) Preliminary Draft Highway Component

Chuck DiPietro pointed to Kevin McCullough's earlier update under Item three that the Program Center staff will review of the Preliminary Draft TIP in each District next week.

Following these meetings a response to the Preliminary Draft TIP will be given by Central Office followed by the fourth round of TIP Update Work Sessions.

c.) Fourth Round of TIP Update Work Sessions

Chuck reviewed the schedule for the fourth round of TIP work sessions.

- PennDOT District 10-0 - Wednesday, February 24th at 10:00 AM in Indiana

(Attachment A)

(White Township) at the HighPointe at Indian Springs Building.

- PennDOT District 11-0 – Tuesday, February 16th at 2:00 PM at District 11-0 in Bridgeville
- PennDOT District 12-0 – Monday February 22nd at 9:30 am at the District offices in Uniontown.

d.) Public Involvement/PPP outreach

Matt Pavlosky reviewed the PPP development and latest meeting in Butler County. Matt thanked the staff at the County and PennDOT District 12-0 for their participation in the process. Matt noted some of the main questions were on project priority, funding, I-80 tolling, and overall status of bridge work. Matt noted he is now working on organizing the PPP meetings for Allegheny, Fayette, and Indiana counties.

e.) Revisit Amendment Procedures (**Attachment H**)

Chuck DiPietro noted that the TIP update includes the opportunity to update the administrative action and amendment procedures that will govern the 2011 – 2014 TIP. Chuck stated that he is seeking TTC input into potential revisions to the current TIP amendment procedures before the Draft TIP is out to public comment. The amendment procedures must be consistent with the adopted SPC Public Involvement Process. At this time, Chuck does not see the need to amend the official Public Involvement Process document. Deborah Sucui-Smith asked when the current Public Involvement Process document was adopted. Sara Walfoort responded 2007, but likely will require revisiting at the time of federal authorization.

Chuck reviewed Attachment H, the current TIP Administrative Action and Amendment Procedures along with a list of possible changes for TTC discussion/feedback. Chuck directed TTC members in a discussion of the following areas:

- SPC Procedures are stricter than the comparable procedures for the STIP that have been established between PennDOT and FHWA.
- We might want to better define “Major Amendment” especially the current treatment of a dollar value.
- We might want to define “Controversial” as part of the identification of amendments that need to go to the Commission.
- Revisit the current requirement for a 30-day public comment on all Commission Amendments.
- Revisit dollar levels that require administrative actions/amendments and the dollar levels that trigger Commission action.

Kevin provided feedback that in his opinion the details of SPC's current mandatory 30-day requirement for Public Comment on amendments that require Commission approval is a constraint. Kevin noted that increasingly funding is coming attached with tight deadlines to obligate (Kevin cited the Oberstar funds and the ARRA funds as examples) and the mandatory comment period may hamper the ability to meet these deadlines. Kevin stated he believes that SPC is the only MPO with this type of a requirement in the State. Kevin would not want to see a situation where the requirement resulted in the region losing funds. Kevin noted that the second stimulus is rumored to have an even tighter deadline to obligate funds.

Sara Walfoort reminded everyone that this requirement for a 30-day public comment period was supported by FHWA and was not just an idea that SPC came up with. Sara suggested that some language be put into the procedures referencing more lenient treatment of new funds to the region that may have tight deadlines for obligation such as ARRA. Another suggestion Sara had was to replace the hard comment period with a public advisory/education period that would accompany major amendments. Sara also suggested that a comment period be allowed to begin before official notice is in the newspaper.

Chuck stated that the SPC Commission members clearly want to be aware of the major changes in the TIP. Examples include projects major Turnpike expansion projects, all air quality significant projects (as required), anything involving transit flex requests, any major deferrals, anything with potential public controversy, and high visibility projects.

Chuck stated that SPC staff will develop suggested proposed revisions to the current administrative action and amendment procedures and present them for discussion at a future TTC meeting.

f.) Project Tracking (**Handout 1**)

Chuck DiPietro stated that there is an increasing push nationally and within our region to provide better and expanded project status tracking to policymakers and the public. Chuck wants to be proactive and gather the input of the TTC regarding project tracking and possible approaches to investigate. Chuck referred everyone to Handout 1, a discussion outline pertaining to project tracking. Chuck noted as examples that we currently have systems in place that provide status reports on HTS/SRS/TE and CMAQ programs. Chuck noted the importance of not creating another layer of work for project sponsors with some cumbersome new reporting process, but rather to tap into already existing information. Lynn Heckman suggested OpenPlan project management software that is currently utilized by both the Districts and Allegheny County to track projects as a

(Attachment A)

possible option. Lynn stated that she believes that eventually all projects will have to be put in OpenPlan. Karen Franks noted that SPC's TIP database has some features that provide limited project status information that could possibly be enhanced. Karen questioned whether it is feasible to track every project on the TIP, she suggested we may have to track by project type or some subset of the TIP possibly dollar value.

Dave Cook stated that the last thing the Districts want to see is project status requests that require time to manually process. Kevin McCullough stated that for some time now Central Office has been releasing quarterly reports on project obligations for the regional TIP projects. Kevin acknowledged that PennDOT is trying to improve transparency, but that it is difficult to generate current reliable status reports that are understandable to the general public. For example OpenPlan, in Kevin's Opinion, is not much use to the general public because of its complexity. Recently with FHWA, Central Office has been comparing adopted TIP to obligations data. Kevin stated that there is a big push to increase transparency from the Federal level and that he expects this to be a component of the next authorization act. Kevin thinks it is a good idea to be proactive in improving project status information. Kevin noted that PennDOT should be working to provide the MPOs more information on project status and the MPO can then disperse it to the stakeholders and general public. Kevin has seen some graphic displays that present the percent complete or depict completed milestones of a project. Kevin noted that within PennDOT we are very concerned with lettings, which is meaningless to the general public who is more concerned with construction.

Deborah Suci-Smith stated that the purpose of the project tracking must be considered when making decisions on how to improve it. Chuck DiPietro suggested three purpose areas that immediately come to mind for TTC feedback; public relations with the media, tracking project delivery, and flagging problems/delays.

Domenic Sacchetti noted that he would not like to see differing reports on the status of a project from different agencies; PennDOT project managers should be the point of contact when there are questions about the status of a project. Stacey Rabatin explained that OpenPlan contains very specific information that would be very confusing to the public. Stacey does agree that there needs to be a better way to provide simple information because the same types of questions continue to surface about projects. Chuck DiPietro suggested that the database may need to include the individual project manager contact information.

6. Other Business

a.) February 17th Transit Operators Committee

Chuck DiPietro noted the Transit Operators Committee will meet on February 17th at 10

AM at the Regional Enterprise Tower 23rd floor.

b.) February 23rd Safety and Operations Committee

Doug Smith provided a preview of the upcoming Safety and Operations Committee, which will include:

- Update on PennDOT / University of Pittsburgh Freeway Ramp Management Study.
- Presentation on using Aerial Surveys for Highway Performance Measurement.
- Regional Operations Plan (ROP) Update Discussions on CMU Traffic 21 ITS initiatives.

c.) Road Safety Audits (**Attachment I**)

Doug Smith reviewed the status of the Road Safety Audits. To date, three road safety audits have been conducted in the region and four more are scheduled for the spring. Doug reviewed Attachment I which presented the locations and status of each of the road safety audit projects. Doug asked for anyone with previous studies or contacts related to these locations to get in touch with him.

d.) TE Progress Reports (**Attachment J**)

Doug Smith reviewed the new forms (Attachment J) that constitute the new TE status reports. Doug noted that he will be contacting the TE project sponsors next week to initiate the completion of the TE project status reports.

The next Commission meeting is scheduled for January 25th and the next TTC meeting is scheduled for Thursday, February 11th.

Attachment: Current TTC administrative action and amendment procedures

For general information purposes, SPC is using the following administrative action and amendment procedures:

Administrative Actions

To be considered as an administrative action a proposed change must meet the following criteria:

- Exempt from air quality testing
- Does not add or delete an existing project
- No significant change in project scope or design concept
- Maintains overall and year-to-year fiscal balance

Administrative actions may include any of the following types of changes:

- Adds a project for emergency relief purposes except those involving substantial, functional, location, or capacity changes
- Correction of a misprint or data entry error
- Addition or correction of local match funds
- Schedule change, for projects or phases in any of the first three years of the TIP
- Incidental ROW changes
- Change in the funding source
- Exempt projects

New or Deleted Phase

The technical committee can approve an administrative action to add a new phase or delete a phase if the phase cost is \$5 million or less for a highway project or \$2 million for a transit project.

Line Items

The recognition/programming on the TIP of specific projects within an approved line item (i.e., betterments, rail-highway crossings, Transit Section 5310 Program, transportation enhancements, local bridges, etc.) is an administrative action as long as the line item is reduced by the same amount as the eligible project. Line item-based actions require technical committee

approval.

For a betterment line item or a rail-highway crossing line item there are no restrictions based on project cost; identification of projects of any amount can be considered as an administrative action. It is also permitted as an administrative action to remove funding from a “line item” project (betterment or rail-highway only) as long as the funds are returned to the respective line item.

Cost Changes

Changes in the cost of a project or project phase can be handled as an administrative action if the cost change is \$5 million or less. A project sponsor is permitted to make an administrative cost change \$1 million or less by reporting the change to the technical committee for informational purposes only. The technical committee must approve a cost change greater than \$1 million but less than \$5 million for a highway project. The action becomes effective when it is forwarded by the technical committee to PennDOT and FHWA or FTA.

Administrative actions do not require Federal approval but FHWA and FTA reserve the right to disallow an administrative action if it is not consistent with federal regulations or the MOU. The project sponsor must provide full documentation prior to SPC acceptance of the requested change and reflecting it on the TIP. SPC and PennDOT will work cooperatively to address and respond to any FHWA and/or FTA comments on these actions.

TIP Amendments

Any project change that cannot be processed within the rules governing administrative actions must be handled as a TIP amendment. A proposed change must be considered as a TIP amendment if it meets any of the following criteria:

- Affects air quality conformity (regardless of funding source)
- Adds or deletes a project (regardless of project cost, except for existing approved line item changes that are considered administrative actions)
- Adds a new project phase or deletes a phase that exceeds \$5 million for a highway project or \$2 million for a transit project
- Creates a new line item
- Involves a major change in the project scope of work or design concept
- Changes the project selection status

New or Deleted Project

The technical committee can approve an amendment to add a new project or delete an existing project if the total cost change is \$10 million or less. Total cost changes that exceed \$10 million for a highway project or \$2 million for a transit project require approval by the Commission.

Cost Changes

For changes in the cost of an already approved project or project phase, the dollar level of the change will determine the procedures that are required for approval. Changes of \$5 million or less are administrative actions. Changes that exceed \$5 million are amendments. Cost changes of \$10 million or less can be approved by the technical committee. Changes that exceed \$10 million require approval by the Commission.

Air Quality

Amendments with an air quality impact require air quality testing and a 30-day public comment period including a public meeting before they can be presented to the Commission.

Major Fiscal Impact

Amendments with a fiscal impact that exceeds \$10 million are subject to a 30-day public comment period before they can be presented to the Commission.