

Southwestern Pennsylvania Commission
Minutes of the Meeting
June 27, 2022 – 4:00 p.m.
Cisco Webex Meeting

The one hundred and fifty-sixth meeting of the Southwestern Pennsylvania Commission was called to order by Chairman Leslie Osche.

Members: Brian Allen, Darin Alviano, Tony Amadio, Jenn Beer, Mike Belding, Brad Berlin, Morgan Boyd, Kevin Boozel, Scott Bricker, Tom Ceraso, Douglas Chew, Ali Doyle, Pat Fabian, Rich Fitzgerald, Kim Geyer, Shelia Gombita, Mark Gordon, Dick Hadley, Lynn Heckman, Sherene Hess, Mark Hilliard, Dave Lohr, Fred Junko, Sean Kertes, Katharine Kelleman, Kevin McCullough, Leslie Osche, Johnna Pro, Mavis Rainey, Robert Regola, Aurora Sharrard, Nick Sherman, Larry Shifflet, Cheryl Moon Sirianni, Byron Stauffer, Gina Cerilli Thrasher, John Timney, Diana Irey Vaughan, and Vince Vicites.

Others: Ann Ogoreuc, Allegheny County Economic Development; Jason Rigone, Westmoreland County Economic and Planning Department; Dusty Elias Kirk, Reed Smith LLP; Nick Pasion, Pittsburgh Post-Gazette; and 4 call-ins.

Staff: Dan Alwine, Kirk Brethauer, Mary Brangan, Ronda Craig, Dom D'Andrea, Margaret Fonner, Chuck Imbrogno, Jenn Lasser, Steve Meredith, Shannon O'Connell, Ailisa Sobien, Vincent Valdes, and Andy Waple.

1. Chairman Osche called to order the June 27, 2022 meeting of the Southwestern Pennsylvania Commission.
 - a. Quorum – There being a quorum present the meeting proceeded.
 - b. Any Conflict of Interest Declaration on Action Items – Mavis Rainey on TIP
2. Action on Minutes of the April 25th Meeting.

A motion was made to approve the minutes of the April 25, 2022 meeting by Ms. Heckman which was seconded by Commissioner Vicites. The affirmative vote was unanimous.

3. Public Comment – None
4. Report on Public Comment Period Response for Draft 2023-2026 Transportation Improvement Program (TIP), Environmental Justice Benefits and Burdens Assessment of the Draft 2023-2026 TIP, Air Quality Conformity Determination for the Draft 2023-2026 TIP, Amendment to the region's *SmartMoves for a Changing Region* to reflect project phasing and cost information included in the Draft 2023-2026 TIP – Dom D'Andrea

Spring/Summer 2021

- SPC & STC Begin Public Outreach for TIP Update (web survey and comment, PPP meetings)
- Initial (pre IIJA) financial projections developed (FHWA, PennDOT, MPO/RPO Partners)

Fall 2021

- TIP Workgroup meetings (20) and project selection for Draft 2023-2026 TIP
- CMAQ and TA Projects selected via competitive application processes
- Financial projections and guidance revised due to IIJA increase (November)
- PPP and Public Meetings

Winter 2021 /2022

- Pre-Draft TIP completed and forwarded to PennDOT Central Office for review

Spring 2022

- PennDOT review; AQ Conformity & EJ Analysis; document preparations
- Smart Transportation Program project evaluation and selection
- 30-Day Public Comment Period-including 4 public meetings (May-June) and Comment/Response documentation

Public Engagement

TIP Funding Comparison (2015-2023)

2023-2026 TIP Investment Summary

The SPC region is investing over \$6 billion in transportation infrastructure and operations in the next four year period. This includes \$2.7 Billion in Non-TIP funds that will be invested in the region over the next 4 years, things like other state managed programs. state and federal discretionary (Interstate Maintenance, Spike, TIGER), and Pennsylvania turnpike funding.

- \$740 million in bridge maintenance
- \$2.2 billion in public transportation
- \$420 million in operations and safety projects
- \$640 million in projects that are within ~1 mile of regional freight facilities
- \$428 million in transit facility and equipment improvements
- \$35 million in funding towards bicycle and pedestrian network, multimodal options, sustainability and livability, and pedestrian ADA ramps
- \$186 million in buses and passenger vehicles

Infrastructure Condition

Roads and Bridges

- 266 bridges rehabilitated or reconstructed
- 446 miles of roadway rehabilitated or reconstructed

Public Transportation

- \$382.5M for fixed guideway capital maintenance and rail vehicles
- \$181M for bus facilities, signals, and communications equipment

5. Action on Resolution 5-22 to Adopt the Air Quality Conformity Determination for the Draft 2023-2026 Transportation Improvement Program – Dom D’Andrea/Chuck Imbrogno

A RESOLUTION OF THE SOUTHWESTERN PENNSYLVANIA COMMISSION to make a finding of conformity that the region’s fiscally constrained 2023-2026 Transportation Improvement Program (TIP) for the Pittsburgh Transportation Management Area (TMA) and the 2045 Transportation Plan (a component of *SmartMoves for a Changing Region*) are consistent with the requirements of the federal Clean Air Act.

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;

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 (comprised of Greene County in its entirety); 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);

WHEREAS, the EPA has designated four nonattainment areas in the SPC planning region for the 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); the Allegheny County nonattainment area (comprised of Allegheny County in its entirety); 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);

WHEREAS, the EPA has designated the Liberty-Clairton area as a maintenance area in the SPC planning region for the PM 10 NAAQS consisting of five municipalities within Allegheny County;

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 certain other high traffic density areas in and near the City's Oakland neighborhood;

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;

WHEREAS, the Transportation Conformity Rule and Sections 174, 176(c), and 176(d) of the federal Clean Air Act (Sections 7504, 7506(c), and 7506(d) of Title 42 USC) require that the MPO not approve any plan, program, or project which does not conform with the Act;

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;

WHEREAS, SPC staff 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 2023-2026 TIP and the 2045 Transportation Plan to the Clean Air Act;

WHEREAS, the results of the conformity analysis were widely available for public review and comment consistent with SPC's established public review procedures from May 9, 2022 through June 7, 2022 including four public meetings (three virtually and one in-person); 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 fiscally constrained 2023-2026 TIP and the 2045 Transportation Plan conform to the federal Clean Air Act by supporting its intention of achieving and maintaining the NAAQS;

BE IT FURTHER RESOLVED that the region's 2023-2026 TIP and the 2045 Transportation Plan are consistent with the federal Clean Air Act and Transportation Conformity Rule; no goals, directives, recommendations, or projects in the region's Long Range Plan or TIP 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.

A motion was made to approve Resolution 5-22 by Mr. Junko which was seconded by Commissioner Irey Vaughan. The affirmative vote was unanimous.

6. Action on Resolution 6-22 to Certify the Transportation Planning Process – Dom D'Andrea

RESOLUTION OF THE SOUTHWESTERN PENNSYLVANIA COMMISSION to certify that the metropolitan transportation planning process is being carried out in accordance with all applicable federal requirements and that the local process to enhance the participation of the general public, including the transportation disadvantaged, has been followed in developing the Transportation Improvement Program (TIP) and *SmartMoves for a Changing Region*.

WHEREAS, 23 CFR Part 450.336 specifies that, concurrent with submittal of the proposed TIP to the FHWA and the FTA as part of the Statewide TIP (STIP) approval, Metropolitan Planning Organizations (MPOs) shall certify that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements;

WHEREAS, Section 134 of Title 23 USC, Section 5303-5304 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;

WHEREAS, the Transportation Improvement Program (TIP) continues to be financially constrained as required by 23 CFR Part 450.326 and the Federal Transit Administration (FTA) policy on the documentation of financial capacity, published in FTA Circular 7008.1A;

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;

WHEREAS, the requirements of Title VI of the Civil Rights Act of 1964 as amended (42 USC 2000d-1) and 49 CFR Part 21; 49 USC 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex or age in employment or business opportunity; The Older Americans Act, as amended (42 USC 6101), prohibiting discrimination on the basis of age in programs or activities receiving federal financial assistance; 23 USC Section 324, prohibiting discrimination based on gender; Section 504 of the Rehabilitation Act of 1973 (29 USC 794), the American Disabilities Act of 1990 (42 USC 12101 et seq.), and 49 CFR Parts 27, 37, and 38, regarding discrimination against individuals with disabilities have been met;

WHEREAS, the requirements of Section 11101 of Infrastructure Investment and Jobs Act (IIJA-Public Law 117-58) 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;

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;

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, 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 2023-2026 Transportation Improvement Program (TIP).

A motion was made to approve Resolution 6-22 by Mr. Fitzgerald which was seconded by Commissioner Fabian. The affirmative vote was unanimous.

7. Action on Resolution 7-22 to Adopt 2023-2026 Transportation Improvement Program – Dom D’Andrea

A RESOLUTION OF THE SOUTHWESTERN PENNSYLVANIA COMMISSION to adopt the FFY 2023-2026 Transportation Improvement Program (TIP) for the Pittsburgh Transportation Management Area and to authorize the submission of the TIP and its companion documents to the appropriate authorities and agencies, and to approve an update to *SmartMoves for a Changing Region* to reflect the updated revenues, project costs and schedules identified in SPC’s FFY 2023-2026 TIP.

WHEREAS, Section 134 of Title 23 U.S.C., Part 450 of Title 23 CFR and 49 U.S.C. 5303-5304 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;

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);

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);

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 FFY 2023-2026 TIP and *SmartMoves for a Changing Region* 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 2- 18;

WHEREAS, updated *SmartMoves for a Changing Region* project tables identify changes in revenues, costs and schedules for projects identified in *SmartMoves* as a result of the TIP Update;

WHEREAS, SPC’s Transit Operators and Transportation Technical Committees unanimously recommended Commission approval of the 2023-2026 TIP and companion documents at its June 8th and June 16th respective meetings.

NOW, THEREFORE, BE IT RESOLVED that the FFY 2023-2026 TIP meets all applicable federal requirements and the Southwestern Pennsylvania Commission approves and adopts the 2023-2026 Transportation Improvement Program (TIP) for the Pittsburgh Transportation Management Area;

BE IT FURTHER RESOLVED that the FFY 2023-2026 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; and

RESOLVED FURTHER that the Southwestern Pennsylvania Commission approves the amendment to *SmartMoves for a Changing Region*.

A motion was made to approve Resolution 7-22 by Mr. Fitzgerald which was seconded by Ms. Heckman. The affirmative vote was unanimous with Mavis Rainey abstaining.

8. Update on USDOT Multimodal Project Discretionary Grant Application – Dom D’Andrea

Eligible Projects:	Available Funding:
Highways and bridges	\$15B for five years (2022-2026)
Public transportation	\$2.85B for this round (2022)
Intercity passenger rail	
Railway-Highway Grade Separation	
Freight and Multimodal	

Eligible Applicants:	Key Program Objectives/Selection Criteria:
State or group of states	Safety
MPOs/RPOs	State of good repair
Local/tribal governments	Economic impact/freight/jobs
Multi-jurisdictional group of entities	Positive impacts on environment
	Equity/multimodal options/QOL
	Innovative areas

Proposed Elements: Synchronizing two important corridors in our region, I-376 and the East Busway. East Busway infrastructure improvements, East Busway slope stabilization, battery electric buses, I-376 Active Traffic Management, I-376 “Bathtub” flood protection, I-376 Hard shoulder running and Sidewalks and Crosswalks.

9. Action on Resolution 8-22 to Adopt a Meeting Schedule for FY 2022 – 2023 – Vincent Valdes

A RESOLUTION OF THE SOUTHWESTERN PENNSYLVANIA COMMISSION to adopt a Meeting Schedule for 2022-2023.

WHEREAS, the Pennsylvania Sunshine Law Title 65 requires that a Schedule of all Commission and Executive Committee Meetings for the fiscal year be adopted.

NOW, THEREFORE, BE IT RESOLVED that the Southwestern Pennsylvania Commission adopts the attached Meeting Schedule.

Southwestern Pennsylvania Commission Meetings

2022	2023
August 22	February 27
October 24	April 24
December 12	June 26

A motion was made to approve Resolution 8-22 by Ms. Cerilli Thrasher which was seconded by Commissioner Irely Vaughan. The affirmative vote was unanimous.

10. Message from the Executive Director – Vincent Valdes
Next Meeting Date – **August 22, 2022 at 4:00 p.m.**

11. Other SPC Business

12. Adjourn – 5:05 p.m.

Respectfully Submitted,
Pat Fabian Secretary-Treasurer