

DELAWARE VALLEY REGIONAL PLANNING COMMISSION

BOARD COMMITTEE

Minutes of Meeting of October 26, 2006

Location: Delaware Valley Regional Planning Commission
Main Conference Room 8th Floor
190 N. Independence Mall, West
Philadelphia, PA 19106

Membership Present

Representative

New Jersey Department of Community Affairs	Joyce Paul
New Jersey Department of Transportation	Brent Barnes
New Jersey Governor's Appointee	Sonia Frontera
Pennsylvania Governor's Appointee	Richard W. Hayden, Esq.
Pennsylvania Governor's Policy Office	Joanne R. Denworth
Pennsylvania Department of Transportation	Robert Hannigan
Bucks County	Lynn Bush
Chester County	Carol Aichele
Delaware County	John Pickett
Montgomery County	Leo Bagley
Burlington County	Carol Ann Thomas
Camden County	Edward Fox
Gloucester County	Charles E. Romick
Mercer County	Donna Lewis
City of Chester	(not represented)
City of Philadelphia	Gary Jastrzab

City of Camden	Edward Williams
City of Trenton	Andrew Carten
<u>Non-Voting Members</u>	
Federal Highway Administration New Jersey Division	Joung Lee
Pennsylvania Division	(not represented)
U.S. Department of Housing and Urban Development, Region III	Elvis Solivan
U.S. Environmental Protection Agency, Region III	(not represented)
U.S. Environmental Protection Agency, Region II	(not represented)
New Jersey Office of Smart Growth	(not represented)
Federal Transit Administration, Region III	(not represented)
Southeastern Pennsylvania Transportation Authority	David Fogel
New Jersey Transit Corporation	Jerry Lutin
Port Authority Transit Corporation	(not represented)
Delaware River Port Authority	Linda Hayes
New Jersey Department of Environmental Protection	(not represented)
Pennsylvania Department of Environmental Protection	Kevin Gallagher
Pennsylvania Department of Community and Economic Development	(not represented)
Regional Citizens Committee Chairman	Warren Strumpfer
<u>DVRPC Co-Counsel</u>	
Pennsylvania Co-Counsel New Jersey Co-Counsel	Timothy J. Carson, Esq. Charles Petrone

DVRPC Staff:

Barry Seymour, Donald Shanis, Chick Dougherty, Richard Bickel, John Ward, Elizabeth Schoonmaker, Michael Boyer, Jenki Synn, Roger Moog, Candace Snyder, Phyllis Robinson, Jane Meconi, and Jean McKinney.

Guests

Pennsylvania Department of Transportation	James Mosca Linda Guarini (Dist. 6)
New Jersey Department of Transportation	James Lewis Brian Cuccia
Chester County	Lee Whitmore
Delaware River Port Authority	James McQuilkin
Cross County Connection Transportation Management Association	William Ragozine
GCUA/CCS	Kevin Hagan

Call to Order

Chair Joanne R. Denworth called the meeting to order at 10:45 a.m.

Chair Denworth commented that this past week Pennsylvania State Representative Rick Geist introduced the Public Partnership Bill (House Bill 3075) which authorizes PennDOT to develop public/private partnerships. Chair Denworth also mentioned that the Transportation Finance Commission is on schedule with preparation of the final report for Transportation and Transit funding options. These findings will be a major focus of the Pennsylvania Governor's budget in the Spring of 2007. Timothy Carson, Pennsylvania Co-Council, added that the Senate is in the process of drafting its own legislation which will be introduced in the House in January, 2007.

Public Comments on Non-Agenda Items

No public comments were stated on non-agenda items.

1. Minutes of Meeting of September 28, 2006

On a **Motion** by Ms. Thomas, seconded by Mr. Romick, the minutes of the Board meeting of September 28, 2006 were approved as distributed.

2. Transportation Improvement Program (TIP) Actions

Chick Dougherty, DVRPC staff, presented the following TIP actions to the Board for approval:

- a. TIP Action NJ07-02: PA 309, Welsh Road to Highland Avenue, Section 101 (MPMS #16477), Montgomery County

PennDOT has requested that DVRPC amend the FY2007-2010 TIP for Pennsylvania by increasing the construction programming for the PA 309, Welsh Road to Highland Avenue project by \$41.750 million (\$33.4 million federal/\$8.350 million state) spread out over FY07 through FY10. Originally estimated at \$70 million for construction, the cost of this section of the 309 Reconstruction project is now estimated at approximately \$90 million. It was anticipated that \$30 million for construction would have been drawn and obligated from FY06 monies, but due to the delay in the engineering [Plans, Specifications, and Estimates (PS & E)] package, obligation did not occur and additional funds are now required from the FY07 program. The delay in the PS & E package is due to the re-design of the Norristown Interchange to include additional ramps to provide access from 309 southbound to Norristown Road, and onto 309 northbound from Norristown Road. Combined with other actions this month, this action has a significant impact on the regional program, as the \$41.750 million must be drawn from other projects in the recently approved TIP for FY07-FY10.

The change in scope of the project to include the additional ramps triggers the requirement for a new Air Quality Conformity Demonstration and an Amendment to the long range plan, Destination 2030. Due to the region's connection to the Delaware regional planning area (WILMAPCO) because of recent federal regulations pertaining to "PM 2.5" particulate matter pollutants, WILMAPCO is also required to take action and run a 30-day public comment period reaffirming the area's conformity determination, including adoption by the WILMAPCO Board, in order for FHWA and FTA to approve DVRPC's Conformity Determination. WILMAPCO will need to agree to participate in the conformity process in this manner and accelerated time schedule in order to enable PennDOT to advance to an appropriate advertisement and letting schedule so that this major project can get underway in the spring of 2007.

Mr. Dougherty added that PennDOT has informed DVRPC that the project now includes the construction of two new ramps at the Norristown Road Interchange which were not included in the description used in the TIP for the project. It has been determined by the Air Quality Interagency Consultation Group that the inclusion of these two new ramp movements changes the section of PA 309

from a reconstruction project which was exempt from air quality to one that is non-exempt. As such, the change needs to be reflected in our 2030 Long

Range Plan and needs to be included in the regional air quality conformity analysis.

The process to amend the 2030 Plan and to perform the conformity analysis needs to be submitted for a 30-day public comment period. The public comment period will open on October 30, 2006 and close on November 28, 2006.

Since the amendment and the conformity analysis must occur before this project can be approved by the Federal Highway Administration, it is being recommended that this TIP Action be **tabled** until the December 7, 2006 Board Meeting. It was agreed by the Board to **table** TIP Action PA07-02.

b. TIP Action PA07-03: US 202, US 30 to North Valley Road (Section 310) (MPMS #64493), Chester County

PennDOT has requested that DVRPC modify the FY2007-2010 TIP for Pennsylvania by increasing the construction programming for the US 202, US 30 to North Valley Road project (MPMS #64493) by \$8.75 million (\$7 million federal/\$1.750 million state) in FY09 and FY10. It was anticipated that \$10 million for construction would have been drawn and obligated from FY06 monies, but due to the delay in the PS & E package, obligation did not occur and additional funds are now required from the FY07 program. The delay in the PS & E package is due to the revision of right-of-way related to friendly condemnation of property that is part of a development rather than risk a lengthy and expensive court battle.

Mr. Dougherty noted that a list of project delays and deletions that contribute to financial constraint are listed in TIP Action PA07-05-14 . Financial constraint will be maintained by making adjustments to other existing TIP projects whose schedules or costs have changed.

The TIP's current conformity finding will not be impacted by this modification as this project is exempt from air quality analysis.

c. TIP Action PA07-04: River Road Flood Recovery (Proposed New Project MPMS #73624), Bucks County

PennDOT has requested that DVRPC amend the FY2007-2010 TIP for Pennsylvania by adding a new project and programming construction funding totaling \$9.045 million in federal fiscal years FY07 through FY10 that goes

above and beyond the \$3.921 million in emergency federal flood funds already approved (but not programmed yet) for the project. Severe flooding along River Road near the Delaware Canal in Bucks County has caused the road to be partially closed for almost two years. Emergency relief funding covers only part of the cost of the project, and previous estimates were based on approved FHWA funds prior to the 2005 flood event . This \$12.999 million reconstruction is vital to resume emergency access and economic viability to the Upper Bucks County region and will provide for more than a mile of new retaining wall in a

difficult environment, reconstructing the roadway, debris removal, drainage upgrades and other safety improvements.

A list of project delays and deletions that contribute to financial constraint are shown in TIP Action PA07-05-14 . Financial constraint will be maintained by making adjustments to other existing TIP projects whose schedules or costs have changed.

The TIP's current conformity finding will not be impacted by this amendment as this project is exempt from air quality analysis.

d. TIP Action PA07-05-14: Deletion and Deferral of Projects, Various Counties

PennDOT has requested that DVRPC make some modifications and “technical deletions” to projects currently programmed in the FY07 TIP by deferring phases of several projects that are delayed in order to maintain fiscal constraint of the program so as to be able to advance three large construction projects (Route 309 from Welsh Road to Highland Avenue, Section 310 of US 202, and the River Road Flood Recovery project) which will be ready to let in the spring of 2007 and take advantage of the upcoming construction season.

Note that projects identified with the term “technical deletion” mean that a project is technically deleted from the TIP because its phases are so far delayed as to be pushed into the 4th year of the program or out of it all together. These projects are not being dropped for lack of interest. Several of these have just been re-assigned to PennDOT's recently retained design consultants, and are expected to become “active in design”. A summary of actions follows:

1. PA07-05: US 202 (Section 100 Design) (ES1) (MPMS #15385),
Chester County - **Cash Flow**

Reduce the final design by \$5 million in FY10 and shift remaining costs to later fiscal years. Design costs are estimated at \$19 million. This project serves as the design phase for Section 100 of Route 202. This project is currently in the draft environmental impact statement phase. No funds will be programmed for additional phases until the conclusion of the DEIS.

2. PA07-06: US 202, Swedesford Road to Route 29, MPMS #64494, Chester County - **Cash Flow**
Reduce the FY10 construction phase by \$13.4 million in FY10 and shift those costs to later fiscal years based on the project schedule for cash flow purposes.
3. PA07-07: US 202, Township Line Road to Morris Road (Section 61N),MPMS #63490, Montgomery County - **Delay**
Shift the construction phase back a year from FY07/ FY08/ FY09/ FY10 to FY08/ FY09/ FY10/ and Later Fiscal Years.
4. PA07-08: Camp Road (Bridge)Over East Branch of Perkiomen Creek (MPMS #16099) , Montgomery County - **Technical Deletion**
Delete this project by removing the construction phase from this fiscal year and pushing it out to Later Fiscal Years. This project has recently been reassigned to one of PennDOT's design consultants as it has not advanced through engineering since it appeared in the FY 1999 TIP. The current estimated let date is November, 2009.
5. PA07-09: US 202 (Turn Lanes), US 202 to PA 313 (Swamp Road) (MPMS #13609), Bucks County - **Technical Deletion**
Delete this project by shifting all of the construction funding from this fiscal year and next, to FY10 and Later Fiscal Years. This project has recently been reassigned to one of PennDOT's design consultants as it has not advanced through engineering since it appeared in the FY 1999 TIP. The current estimated let date is December 2008.
6. PA07-10: PA 413, New Rodgers Road (Turn Lane) (MPMS #13576), Bucks County - **Technical Deletion**
Delete this project by shifting all construction funding from FY08, FY09, and FY10 to Later Fiscal Years. It has not advanced through engineering since it appeared on the FY1999 TIP. The Categorical Exclusion (CE) documentation is expired, and right sizing has been recommended for the project which has recently been reassigned to one of PennDOT's design consultants. The current estimated let date is April 2010.
7. TIP Action PA07-11: US 30, Coatesville Downingtown Bypass (MPMS#14532), Chester County - **Delay**
Defer the beginning of the final design phase by two years and push out to FY09 and Later Fiscal Years. This \$255 million project has not advanced through engineering since it appeared in the FY 1999 TIP.

8. TIP Action PA07-12: Ardmore Avenue Bridge over SEPTA and Cobbs Creek (MPMS #15225) Delaware County - **Delay**

Shift the construction phase back one year from FY09/FY10 to FY10/Later Fiscal Years by removing the \$1 million of bridge funding from FY2009. This project provides for replacement of two bridges over SEPTA and Cobbs Creek. Project recently reassigned to one of PennDOT's design consultants.

9. TIP Action PA07-13: PA 291, Platt Bridge Painting (MPMS #57904), Philadelphia- **Delay**

Defer construction phase for this project one year from FY08/FY09/F10 to FY09/FY10/Later Fiscal Years. Project remains active in design.

10. TIP Action PA07-14: Headquarters Road (Bridge) (MPMS #13340), Bucks County - **Technical Deletion**

Delete this project by shifting all construction funding out of the program from FY07 and FY08 to Later Fiscal Years. It has recently been reassigned to one of PennDOT's design consultants. The current estimated let date is April, 2009.

Financial constraint will be maintained by making adjustments to other existing TIP projects whose schedules or costs have changed. Fiscal constraint charts were provided by PennDOT which showed all of the adjustments taking place, including several that are being handled by staff as Administrative Actions in accordance with the TIP Memorandum of Understanding. All projects listed contribute to fiscal constraint.

There will be no impact on the TIP's conformity determination.

Donald S. Shanis, Deputy Executive Director, commented that the Planning Coordinating Committee/Regional Transportation Committee (PCC/RTC) recommends approval of TIP Actions PA07-03 through PA07-14. However, the PCC/RTC struggled with this process due to the numerous technical deletions and deferrals of these TIP projects.

The Regional Citizens Committee (RCC) recommended approval of TIP Action PA07-03 through PA07-14 with the following comments:

PA07-04 - The RCC asks that a 2-3 foot marked shoulder be installed along River Road to accommodate bicyclists/pedestrians, if possible, and that drainage from the roadway be emptied into the river, not the canal.

PA07-05-14 - The committee is concerned about the delay of maintenance on the bridge projects in this package, resulting in additional safety issues.

The Board unanimously adopted the following **motion**:

MOTION Mr. Bagley, seconded by Mr. Hannigan, that the Board approve the following TIP Actions:

TIP Action PA07-03 - PennDOT's request to modify the FY 2007 TIP for Pennsylvania (FY2007-2010) by increasing the construction phase by \$2 million HWY/\$500,000 state in FY09 and \$5 million HWY/\$1.250 million state in FY10.

TIP Action PA07-04 - PennDOT's request to amend the FY 2007 TIP for Pennsylvania (FY2007-2010) by adding a new project into the TIP and programming construction totaling \$12.966 million accordingly: \$3.137 million federal flood funds/\$3.7 million federal highway funds/\$784,000 state match (for the flood funds) in FY07; \$2.175 federal highway in FY08; \$70,000 federal highway in FY09; and \$3.1 million federal highway in FY10. Acknowledge 20% toll credit match for the highway funds.

TIP Action PA07-05-14 - PennDOT's request to amend the FY 2007 TIP for Pennsylvania (FY2007-2010) by deleting four projects: Camp Road (Bridge) Over East Branch of Perkiomen Creek (MPMS #16099); US 202 (Turn lanes), US 202 To PA 313 (Swamp Road) (MPMS #13609); PA 413, New Rodgers Road (Turn Lane)(MPMS #13576); Headquarters Rd.(Bridge) (MPMS #13340); and deferring projects MPMS #'s 15385, 64494, 63490, 14532, 15225, and 57904.

Carole Aichele, Chester County Commissioner, commented that although she will support the approval of the above TIP Actions, she is concerned with the project deferrals in Chester County. Chester County, through transportation studies, can support their needs for roads and bridges at a cost of \$6.7 billion within the next ten years. Deferrals of this magnitude within Chester County will be examined very carefully before Chester County gives approval for any proposed TIP amendments in the future .

e. TIP Action PA07-15-16-17:

PA07-15: I-76, Schuylkill Expressway Intelligent Transportation System (ITS) (MPMS #48185), Philadelphia and Montgomery Counties

DELETIONS (source of funds proposed for I-76, Schuylkill Expressway ITS)

PA07-16: DVRPC CMAQ Competitive Program (MPMS #48201), Various Counties

PA07-17: Passyunk Avenue (Signals) Broad Street to 63rd Street, (MPMS #16987), City of Philadelphia

PennDOT has requested that DVRPC amend the FY2007-2010 TIP for Pennsylvania by advancing the construction phase of the I-76 Schuylkill Expressway ITS project (MPMS #48185) from Later Fiscal years of the TIP to fiscal years 07, 08 and 09, programming a total of \$21.5 million for variable message signs, CCTV's, fiber optics, and vehicle detection devices along the Schuylkill Expressway roughly from I-476 through to the Platt Bridge, PA 291, and along a section of City Avenue adjacent to I-76. Governor Rendell has made a commitment to advance this project which was programmed in the out-years of the program during the recent FY07 TIP update process. These ITS projects have been identified as a priority for advancing now with a projected let date of November, 2006, in order to get the information systems in place prior to the construction of two other major projects in the region that will cause severe disruption and traffic issues: 1) reconstruction of I-476, Chemical Road to I-76 (RES) (MPMS #16737) is programmed to begin construction in FY09 and entails the following: total reconstruction of the northbound and southbound lanes of I-476 between I-76 (the Schuylkill Expressway) and I-276 (the Pennsylvania Turnpike Mid-County Interchange); and 2) the reconstruction of 27 structures along I-76 in Philadelphia and Montgomery counties known as I-76 Pre-Cast Bridge Parapets (MPMS #67762) to remediate bridge structures with "Hoan-like details", is also programmed and expected to advance to construction in three or four years. These projects will severely impact traffic flow in the region, and the ITS systems will assist in the traffic management in and around the expressway.

As an unanticipated funding need, the ITS projects require that sources of funds be identified. PennDOT has identified \$7.7 million of funding through de-obligations. A signal project in Philadelphia along Passyunk Avenue has been identified as delayed and not requiring funding as currently programmed, and is proposed to be deleted from the TIP by pushing funding out to FY10 and later. A few projects programmed for funding in FY07 were able to utilize some left over FY06 funds, resulting in some "savings" to the program this year. Most Significantly, the final part of PennDOT's proposal calls for the deletion of the DVRPC Competitive CMAQ program in order to use that funding for the ITS project, which is eligible for CMAQ funds. This action impacts how and when and if DVRPC is able to hold another round of a call for projects to advance through the competitive process if funds are not restored.

Please also note that the ITS project was formerly broken out into three projects/sections with three MPMS #'s: 48185, 17826, and 17827 as follows:

I-76, Schuylkill Expressway ITS, Belmont Avenue to Conshohocken Curve (formerly MPMS #48185)

I-76, Schuylkill Expressway/Pencoyd ITS, I-676, Vine Expressway to Pencoyd Bridge (formerly MPMS #17826)

I-76, Schuylkill Expressway/Platt Bridge ITS, I-676, Vine Expressway to Platt Bridge-PA-291 (formerly MPMS #17826)

All three sections would be let as one contract and would advance under one MPMS #48185. The cost of the project has been increased from \$15 million to \$21.5 million, but reflects updated estimates as well as a change in scope to include ITS installation on a portion of US 1/City Avenue between I-76 and Maschar Street not in the scope of the original three projects.

Financial constraint will be maintained by the use of \$7.7 million of funding obtained through de-obligations, "technical deletion" of a signal project in Philadelphia along Passyunk Avenue that has been identified as delayed and not requiring funding until FY10 and Later Fiscal Years, FY07 funds for some early obligation projects that were programmed for funding in FY07 but were able to utilize some left over FY06 funds, and deletion of the DVRPC Competitive CMAQ Program which will supply an additional \$8 million.

The TIP's current conformity finding will not be impacted by this amendment.

The PCC/RTC, although concerned about funds being drawn from the CMAQ Program, is recommending approval of TIP Actions PA07-15 through 17. The PCC/RTC notes that every effort should be made to restore the CMAQ funding before the end of the Fiscal Year, if possible.

The RCC recommended that the Board **not** approve TIP Action PA07-15 through PA07-17. Because of the impact of this action it is crucial to emphasize the importance of the CMAQ Program and the need to balance regional safety and maintenance needs as priorities over ITS projects. The RCC also asks that the Commonwealth make an increased effort to find funding for such issues.

Barry J. Seymour, Executive Director, stated that at its October 17, 2006 meeting, the RCC discussed the TIP project selection process and asked Warren Strumpfer, RCC Chair, to comment. Mr. Strumpfer pointed out to the Board the RCC Resolution entitled *Transportation Improvement Program Changes* (distributed to the Board and attached as part of these minutes). In summary, the RCC urges DVRPC to implement two processes so that the allocation of TIP funding reflects regional priorities as follows: (1) establish priorities for TIP projects; and (2) select funding based on ranking.

Mr. Strumpfer added that a process similar to the DVRPC long range planning which includes selection and ranking of major regional projects using agreed-to goals and financial constraints should be used for the TIP projects. The project selection process should be a deliberate effort to achieve the MPO planning goals. As such, funding sources should provide the means to achieve the goals and not select projects after the fact. This process appears as an earmark and the RCC has long opposed political "earmarks".

Dr. Shanis responded that one difficulty in how amendments are made to the TIP is scheduling. The allocated funds need to be spent in the region in the appropriate way or these funds will be forfeited. When a TIP amendment is presented which deletes or defers a project it is usually because that project cannot be completed on time and another project is ready to move forward. Therefore, our approach must be sensitive to project scheduling which is dictated by PennDOT.

Mr. Dougherty added that DVRPC has voiced its concerns to PennDOT and PennDOT District 6 as to the limited amount of time that was given to review the numerous TIP amendments presented for approval this month. A meeting has been scheduled to discuss improving the process and the need for better communication. DVRPC should also have the opportunity to review PennDOT's plan for the fiscal year. The DVRPC committees and the Board will be kept abreast of these discussions.

Mr. Dougherty concluded that although the best efforts are made to develop the TIP with certain schedules and costs, often it is not possible to maintain because technical issues arise, cost estimates need to be refined and priorities may change.

Robert Hannigan, PennDOT, commented that discussions have been held with DVRPC concerning the TIP actions and, in particular, the competitive CMAQ Program. PennDOT is committed to work with DVRPC to restore the CMAQ funds. Funds from the CMAQ Program were chosen because, at this time, there were no committed projects. Within the next few months the CMAQ project schedule will be developed and PennDOT will examine the projects which will move forward within the desired time schedule and those which lag behind. Those projects not ready to move forward will be placed in the appropriate years and the funds for those projects will be used to restore the CMAQ Program.

Mr. Hannigan also mentioned the importance of the ITS projects. Because of the reconstruction of the Blue Route and the reconstruction of 27 structures along I-76 in Philadelphia and Montgomery counties, PennDOT had hoped to have the ITS in place on the Schuylkill Expressway to help move traffic when incidents occur and relieve congestion. Without the ITS cameras, PennDOT would not know where the problems occur. With the cameras and message systems a better flow of traffic can exist and motorists can be warned of incidents and problems ahead.

The Board unanimously adopted the following **motion**:

MOTION Mr. Hayden, seconded by Mr. Hannigan that the Board adopt TIP Actions PA07-15, PA07-16, and PA07-17 PennDOT's request to amend the FY 2007 TIP for Pennsylvania (FY2007-2010) by: 1) advancing the I-76 Schuylkill Expressway ITS project (MPMS #48185) from Later Fiscal Years and programming construction totaling \$21.5 million federal highway funds accordingly: \$10.619 million in FY07; \$6.420 million in FY08; \$4.461 million in FY09; 2) deleting the DVRPC Competitive CMAQ Program with the understanding that the Competitive CMAQ Program be restored by the end of the fiscal year; and 3) deleting the Passyunk Avenue Signal Project (MPMS #16987) by moving all funds to FY10 and Later Fiscal Years.

Mr. Dougherty pointed out to the Board the letter (distributed to the Board) from Larry King, PennDOT concerning the total obligations from Fiscal Year 06.

Mr. Seymour called the Board's attention to the third paragraph of Mr. King's letter with reference to additional federal highway and bridge funding allocated to Pennsylvania in the amount of \$88.1 million. These funds were obligated in additional projects from the 2005 STIP and tied specifically to FFY 2006. There is no option to carry this authority over into FFY 2007 and, therefore, these funds will not be used as "flex" funds for transit.

3. Authorization to Open Public Comment Periods for the *Destination 2030* Long Range Plan (LRP) Amendment and the Draft Conformity Finding of the FY 2007 Pennsylvania Transportation Improvement Program (TIP), FY 2007 New Jersey TIP, and the *Destination 2030*

Jenki Synn, DVRPC staff, explained to the Board that Federal law and planning regulations require the development of a Transportation Improvement Program (TIP) in order for the metropolitan region to be eligible to receive federal transportation funds. These same laws and regulations also require the MPO to develop a long range plan (LRP) to set policy for transportation improvements for a 20-year period. The creation of both TIP and LRP is performed by MPO in cooperation with the state and transit operators, and must include opportunity for input and comment by the public. A 30-day public comment period is required prior to a formal adoption of TIP, LRP, or any amendments thereof that involve important changes in regionally significant projects.

Additionally, the Clean Air Act as amended requires that transportation plans and programs conform to the applicable State Implementation Plans (SIP) for air quality. The process to ensure that TIP/LRP is found to conform to the purposes of the SIP is called transportation conformity ("conformity"). Funding of new projects in non-attainment areas such as the DVRPC region is dependent upon conformity

demonstration. US EPA also provides that a new conformity determination is required when TIP and/or LRP is amended significantly.

Several FY 07 TIP amendments - one of which is also a *Destination 2030* LRP amendment - ready for Board action are the kind that triggers a new conformity demonstration. Adhering to the regulatory requirements, DVRPC must now determine conformity of the amended TIPs and the LRP for all designated pollutants under the National Ambient Air Quality Standards including ozone (VOCs and NO_x), carbon monoxide (CO), and fine particulate matter (PM_{2.5}). The proposed amendments maintain the fiscally-constraint nature of the TIP and the LRP.

Staff will have completed all technical analysis by late October. Staff recommends that the DVRPC Board authorize two 30-day public comment periods to allow comment on the LRP amendment and the draft conformity finding by the public and other agencies. Two comment periods are necessary due to several layers of procedural requirements and timelines of two Metropolitan Planning Organizations (MPO) involved, DVRPC and the Wilmington Area Planning Commission, WILMAPCO, the MPO for the Wilmington, Delaware, region. The schedule requested by PennDOT and the WILMAPCO timetable - which coincidentally includes an imminent LRP update - could not be reconciled to merge the two comment periods.

The first comment period will be from October 30, 2006, to November 28, 2006, and it is to present the DVRPC emissions analysis result to the public. Per governing regulatory requirements covering the Philadelphia-Wilmington, PA-NJ-DE PM_{2.5} Non-attainment Area, WILMAPCO will also have to open a concurrent comment period - scheduled from October 13 to November 11 - in which WILMAPCO will reaffirm its January 2006 conformity finding per 40 CFR 93.122(g).

Subsequently, reciprocal actions will take place during the second comment period, where DVRPC will reaffirm its December 2006 conformity finding (pending its own federal approval), while WILMAPCO will present a new emissions analysis resulting from its scheduled LRP update. Dates for the second DVRPC comment period have not been determined yet, but the DVRPC opening date can be as early as early-to-mid December. WILMAPCO plans to open its second comment period on November 14.

A set of draft conformity documents will be available for public review by Monday, October 30, 2006, as the first public comment period is scheduled to begin. Staff will review and respond to the comments received during the two comment periods, and the RTC and RCC will prepare recommendations to the Board for adoption of the final conformity findings in December 2006 and in January 2007, respectively.

After favorable recommendation was received from the PCC/RTC and the RCC, the

Board unanimously adopted the following **motion**:

MOTION by Mr. Bagley, seconded by Mr. Carten, that the Board authorizes staff to open two 30-day public comment periods, to issue proper public notifications, to publish documents on the Internet, to make copies available at certain public libraries, and to hold public meeting(s) for the purpose of gathering public and agency comments on the *Destination 2030* Long Range Plan amendment and draft conformity finding of the FY 2007 Pennsylvania TIP, FY 2007 New Jersey TIP, and the *Destination 2030* Long Range Plan.

4. Regional Citizens Committee (RCC) Report

Warren Strumpfer, RCC Chair, reported on additional items discussed at the RCC meeting of October 17, 2006. Pointing out the RCC comments with reference to Title VI / Environmental Justice (distributed to the Board and attached as part of these minutes), Mr. Strumpfer stated that the RCC urges DVRPC to involve other committees, task forces, councils, and forums to incorporate EJ concerns in carrying out their responsibilities. Also, better “outreach” should be considered where DVRPC and the RCC seek more ways to engage more organizations and community groups both substantively and operationally in EJ-oriented consideration of DVRPC planning, programming, and implementation issues.

The RCC applauds PennDOT’s effort in drafting the change of policy referenced as *Integration of Pedestrian and Bicycle Modes of Transportation into Planning and Design Processes*. The RCC asks that DVRPC forward copies of this policy to other agencies in the region that accept federal funds and urge them to consider the adoption of such a policy addressing bicycle and pedestrian issues. The RCC reserves the right to provide additional comments.

Mr. Strumpfer thanked Linda Hayes, Delaware River Port Authority (DRPA), for helping the RCC understand some issues pertaining to the DRPA. Thanks was also given to Jerry Lutin, New Jersey Transit, for his input on the present and future status of the Avondale Station. Finally, thanks was given to Elizabeth Schoonmaker, DVRPC, and the DVRPC Board for the help given to the RCC.

Mr. Seymour thanked the RCC for their comments on the Title VI EJ draft document. The RCC recommendations will be considered in the final document.

5. DVRPC Board Survey Results

Mr. Seymour reported on the Board Survey Results (distributed to the Board) and pointed out some of the feedback for board management, potential new initiatives, and other issues as follows:

Board Management: (1) materials received - just about right; (2) items presented at

board - about right; (3) presentations at Board - would like more presentations (staff and outside); (4) off-site meetings - once or twice a year; and (5) time of board meeting - 10:00 a.m. or 10:30 a.m.

Mr. Seymour asked the Board to consider a new start time of 10:00 a.m. for the monthly Board meetings. This could allow more time for presentations. Most of the Board responded that they would not object to a **10:00 a.m. start**. It was agreed upon that the **January 25, 2007** Board meeting would begin the new start time of 10:00 a.m.

Potential New Initiatives - (1) invite additional non-voting membership on the Board - no; (2) annual meeting of principles and elected officials - not useful unless specific agenda item; (3) better communications with State and Federal officials - yes; (4) better communications with municipal elected officials - yes; (5) establish an affiliated non-profit organization - further questions arose; and (6) should there be a mechanism for Board action when no meetings are scheduled.

Mr. Seymour commented that many of the issues listed under Potential New Initiatives will be considered as agenda items at future Board Policy Committee Meetings.

Other Issues - Most of these issues related to the DVRPC Planning Work Program previously discussed.

6. Executive Director's Report

Mr. Seymour reported on the following items:

a. DVRPC Board Retreat, September 28, 2006

The Board Retreat was a great success. It was agreed by all that the September date and the development of the Planning Work Program format worked very well.

b. PennDOT Planning Partners Meeting, October 16-18, 2006

PennDOT holds a Planning Partners Meeting which brings together all MPO's, counties, and key planning partners. The discussions at this meeting which deal with policies and the planning process is very informative and a worthwhile event for all who attend. Mr. Seymour encouraged NJDOT to consider a similar meeting.

c. Philadelphia - New York Exchange, October 24, 2006

A information exchange meeting was held in Philadelphia with civic, government and business leaders from New York. One of the main points of discussion concerned transit connections between Philadelphia and New York; such as the role of Amtrak.

d. New Jersey Route 1 Planning Through Partnerships Project

For several years, DVRPC has been working with the Central Jersey Transportation Forum. Recently the Governor's Office of Economic Development has become involved with the concerns along Route 1 and have initiated the Planning Through Partnerships Project. The Governor's office, through sub-contract with New Jersey Future, has met with the municipalities. DVRPC has also met with the municipalities and presented a list identifying projects and priorities for Route 1. DVRPC is encouraged by the Governor's attention and involvement in the Central Jersey area.

e. Board Work Program Committee Meeting, October 26, 2006

Mr. Seymour commented that a review of budgetary assumptions, review of voting results, and finalization of new project list was distributed and discussed at the DVRPC Board Work Program Committee Meeting of October 26, 2006.

7. Update of Regional Aviation Planning Program Activities and Major Issues

Roger Moog, DVRPC staff, presented a summary of the Regional Aviation Planning Program Activities and Major Issues.

In 1980, DVRPC received a grant from Federal Aviation Administration (FAA) to prepare its first Regional Airport System Planning (RASP). Since then, DVRPC, has continued to prepare and have adopted other RASPs including the 2030 RASP. DVRPC also receives FAA grants to prepare Continuous Airport System Planning (CASP).

The components of this planning include the Philadelphia International Airport, Wilmington Airport, Trenton-Mercer Airport, and the surrounding 22 reliever and general aviation airports. Of the 22 reliever airports, 15 are private and seven are publically owned. The focus of this planning consists of: (1) regional forums; (2) traffic counting; (3) Airport Capital Improvement Program preparation; and (4) preparation of RASP Updates. Special studies are also performed by DVRPC within the region. DVRPC is also involved in special studies outside the region in the Northeast Corridor which extends from southern New York to the New York Metropolitan area into New Jersey and Philadelphia.

Mr. Moog then mentioned some of the current issues and opportunities that exist with regard to aviation as follows: (1) losing more small airports will impact economic initiative and mobility; (2) the Willow Grove Naval Air Station civilian and

military joint use can be an economic stimuli to Bucks/Montgomery Counties and an operating savings to Philadelphia; and (3) Philadelphia International capacity short fall and delay; the growth in air traffic exceeds build-out potential.

8. Committee Reports

The Planning Coordinating Committee/Regional Transportation Committee (PCC/RTC) highlights was distributed to the Board for their review.

Dr. Shanis also mentioned that the a Memorandum of Understanding (MOU) is being drafted between SEPTA and DVRPC and will be presented to the Board for approval when completed.

9. One Minute Reports

Gary Jastrzab, Philadelphia City Planning Commission, reported that Janice Woodcock was appointed by Mayor Street as the new Executive Director of the Philadelphia City Planning Commission.

Mayor Street also created an advisory task force for the Central Delaware Riverfront Plan. The existing plan for the Waterfront dates back to the 1980's and since development perspectives, housing markets, and commercial markets have changed, a more comprehensive plan is needed. Mr. Jastrzab also mentioned that Mr. Seymour would be serving on the task force.

Joung Lee, Federal Highway Administration (FHA), commented on the following items: (1) Senate confirmation of Mary Peters the new U.S. Secretary of the Department of Transportation; (2) FHA's policy direction for continued emphasis on congestion reduction; and (3) estimated completion date of July 2007 for the update of the Federal Planning Regulations.

OLD BUSINESS

No old business was stated.

NEW BUSINESS

No new business was stated.

There being no further business, the meeting was adjourned at 12:25 p.m.

Attachments:

- (1) PCC/RTC Recommendations to the Board for October 26, 2006
- (2) RCC Recommendations to the Board for October 26, 2006

Additional Documents Distributed to the Board:

- (1) Article from Transportation Management and Engineering Magazine written by DVRPC staff, John Ward, Stan Platt, Chris King, and Laurie Matkowski entitled:
A Bigger Share
- (2) *Alert*, October 2006
- (3) *TravelSmart*, October 2006

DELAWARE VALLEY REGIONAL PLANNING COMMISSION

EXECUTIVE COMMITTEE

Minutes of Meeting of October 26, 2006

Location: Delaware Valley Regional Planning Commission
Main Conference Room 8th Floor
190 N. Independence Mall, West
Philadelphia, PA 19106

Membership Present

Representative

New Jersey Department of Community Affairs	Joyce Paul
Pennsylvania Department of Transportation	Robert Hannigan
New Jersey Department of Transportation	Brent Barnes
New Jersey Governor's Appointee	Sonia Frontera
Pennsylvania Governor's Appointee	Richard W. Hayden, Esq.
Pennsylvania Governor's Policy Office	Joanne R. Denworth
Pennsylvania Counties	Carol Aichele
New Jersey Counties	Carol Ann Thomas
City of Camden	Edward Williams
City of Philadelphia	Gary Jastrzab

Guests

Pennsylvania Department of Transportation	James Mosca Linda Guarini (Dist. 6)
New Jersey Department of Transportation	James Lewis Brian Cuccia
Bucks County	Lynn Bush
Chester County	Lee Whitmore
Delaware County	John Pickett

Montgomery County	Leo Bagley
Camden County	Edward Fox
Gloucester County	Charles E. Romick
Mercer County	Donna Lewis
City of Trenton	Andrew Carten
Federal Highway Administration New Jersey Division	Joung Lee
U.S. Department of Housing and Urban Development, Region III	Elvis Solivan
Southeastern Pennsylvania Transportation Authority	David Fogel
New Jersey Transit Corporation	Jerry Lutin
Delaware River Port Authority	Linda Hayes James McQuilkin
Pennsylvania Department of Environmental Protection	Kevin Gallagher
Cross County Connection Transportation Management Association	William Ragozine
GCUA/CCS	Kevin Hagan
Regional Citizens Committee Chairman	Warren Strumpfer
<u>DVRPC Co-Counsel</u>	
Pennsylvania Co-Counsel	Timothy J. Carson, Esq.
New Jersey Co-Counsel	Charles Petrone
<u>DVRPC Staff:</u>	
Barry Seymour, Donald Shanis, Chick Dougherty, Richard Bickel, John Ward, Elizabeth Schoonmaker, Michael Boyer, Jenki Synn, Roger Moog, Candace Snyder, Phyllis Robinson, Jane Meconi, and Jean McKinney.	

Call to Order

Chair Joanne R. Denworth called the Executive Committee meeting to order at 12:25 a.m.

1. Minutes of Meeting of September 28, 2006

On a **motion** by Mr. Hayden, seconded by Ms. Thomas, the minutes of the meeting of September 28, 2006 were approved as distributed.

2. Contract Authorization: *Coming Home: Marketing Older Communities*

Barry J. Seymour, Executive Director, explained that through *Coming Home*, DVRPC will oversee the creation of a regional marketing strategy that will benefit the Delaware Valley's older suburbs and urban neighborhoods as a whole. The project will also provide individual municipalities with the tools they need to launch their own campaigns. By identifying needs, developing effective messages, and creating strategies for targeted distribution, *Coming Home* will help communities to brand themselves as attractive places to live, work, shop, and play. It will also pinpoint sources of public and private support that may be leveraged to sustain regional and municipal marketing efforts into the future. Additionally, *Coming Home* will build on the recent efforts of the Greater Philadelphia Chamber of Commerce, which launched the *Greater Philly Life* campaign and worked in partnership with DVRPC to examine communities and amenities that appeal to young knowledge workers in southeastern Pennsylvania. *Coming Home* will also consider the results of the Center City District's *Philly at Home* neighborhood marketing initiative. Funded in large part by the William Penn Foundation, *Philly at Home* supported the creation of marketing materials and media campaigns to promote six Philadelphia neighborhoods to potential home buyers.

A consultant selection committee comprised of representatives from the Project Steering Committee was formed to evaluate the proposals and to recommend a final selection consistent with the scope of the RFP. The committee recommends approval to contract with GoldsmithKahn Associates.

A total of \$200,000 is allocated for the above contract from available funds from a William Penn Foundation Grant.

The Executive Committee unanimously adopted the following **motion**:

MOTION by Mr. Jastrzab, seconded by Mr. Hayden, that the Executive Committee authorize the Executive Director to enter into, negotiate and execute a contract with GoldsmithKahn Associates to assist DVRPC with the *Coming Home: Marketing Older Communities* project. If such negotiations prove not to meet the financial requirements of the Commission, to proceed on to negotiations with the second ranked firm.

3. FY 2007 Planning Work Program First Quarter Report

The FY 2007 Planning Work Program First Quarter Report was distributed to the Board for their review.

OLD BUSINESS

No old business was stated.

NEW BUSINESS

No new business was stated.

There being no further business the meeting was adjourned at 12:25 p.m.