



**DELAWARE VALLEY REGIONAL PLANNING COMMISSION  
REGIONAL TECHNICAL COMMITTEE**

**July 7, 2020 Meeting Highlights**

**This Meeting was held as a Webinar**

**1. Call to Order - Chairperson's Comments**

Peter Rykard (Chair, City of Chester) welcomed RTC members and called the meeting to order.

**2. Deputy Executive Director's Report**

John Ward, DVRPC's Deputy Executive Director welcomed everyone and thanked them for joining through this new communication medium for the RTC. Mr. Ward expressed his hope that RTC members' families and their colleagues are all safe and well.

Mr. Ward welcomed Peter Rykard from the City of Chester to his first RTC meeting as Chair and thanked him for serving last year as Vice Chair and noted that last year Peter did run one RTC meeting when Blanca had a conflict. Mr. Ward also welcomed and thanked Matt Lawson from Mercer County who will serve this year as our Vice Chair. Mr. Lawson is back for a second spin as he previously served as Vice Chair and Chair in Fiscal Years 2007 and 2008.

Mr. Ward noted that at their June meeting, the Board approved all the action items that the RTC recommended to them which included 8 TIP Amendments, the Annual Self Certification of our Regional Transportation Planning Process and the election of a slate of Board Officers for FY21. They are Mark Squilla – Chair; City of Philadelphia, Mike Russo – Vice Chair: NJ DOT, Gina Burritt – Secretary: PA Governor's Representative, and Leslie Floyd – Treasurer: Mercer County.

Mr. Ward reported that the DVRPC offices opened up on a gradual and voluntary basis on June 22 and even at that, the Yellow Phase guidelines say if you can work from home, you should. There are only a handful of people going into the office and only for a couple days a week. This arrangement was approved only after a pretty comprehensive guidelines document was developed internally. The development of that document was led by Paul Smith and Beth Wichser our Operations Director and our HR Manager and senior management. Our Traffic Counting Field Crew went back out on the street on June 16 laying tubes and counting vehicles.

Mr. Ward noted that we started a new fiscal year last Wednesday and along with that, as staff is wrapping up their FY20 Work Program projects they have begun to work on projects from our FY21 Work Program. Mr. Ward noted that it is an important step for us as we get started on the FY21 projects, to look at the tasks and activities of these new projects and assess whether any of those tasks or products will be impacted by the pandemic. An example is the work we do annually surveying parking at regional rail stations and park and ride lots. We collect license plate data to determine ridership sheds. With transit ridership numbers way off, we are relooking at this project for FY21

to see if we can do it differently or should we even do it at all. Since that is going on right now we will see if any major changes are needed we will reach out to our partners on those projects to discuss further.

As a result of the flow of the Work Program as soon as we start working with a new Work Program, very shortly after that we start on the development of the next year's Work Program. In the next couple of weeks, Patty Elkins will begin scheduling meetings with our partners to discuss ideas for the FY22 Work Program.

Mr. Ward noted a recent publication including: Strategies for Greater Philadelphia's Retail Districts During COVID-19: Five P's that aren't Pandemic: Pursue, Pivot, Pitch, Promote, and Plan.

Mr. Ward noted some upcoming meetings including: Delaware Valley Goods Movement Task Force – July 8, Preparing the Electric Grid for a Changing Climate – July 14, Central Jersey Transportation Forum – July 15, Transportation Operations Task Force – July 16, Board Meeting – July 23, Urban Waterfront Action Group Meeting – July 28, Public Participation Task Force Meeting - August 6, Urban Waterfront Action Group Meeting – August 25.

Mr. Ward noted the next RTC Meeting is **Tuesday, September 8.**

### **3. Public Comment on Any Agenda and Non-Agenda Item**

Public comments were stated by Susan Herman of Residents for Regional Traffic Solutions, Inc. and those comments are attached at the end of this document along with a response from DVRPC.

## **ACTION ITEMS**

### **4. Highlights of the June 9, 2020 RTC Meeting**

The highlights from the June 9, 2020 meeting of the RTC were presented for adoption.

*Motion: by Richard Brahler seconded by Jonathan Korus that the RTC adopt the highlights of June 9, 2020.*

Motion passed. All votes were cast in favor of the motion.

### **5. DVRPC Transportation Improvement Program (TIP) Actions**

Jesse Buerk (DVRPC) presented 8 TIP actions.

#### **a. NJ20-034: CR 615 (Union Avenue), CR 621 (Park Avenue) to CR 537 (Maple Avenue) (DB #D2011), Camden County – Add a New Project to TIP**

Camden County has requested that DVRPC amend the FY2020 TIP for New Jersey by adding a new \$1.651 million STBGP-PHILA funded project, CR 615 (Union

Avenue), CR 621 (Park Avenue) to CR 537 (Maple Avenue) (DB #D2011), for FY21 construction (CON). The availability of FY21 STBGP-PHILA funding allows for the addition of this project to the TIP. Should this project miss FY21 obligation, it will not be carried forward in the TIP.

**b. NJ20-035: CR 689/CR 654 Resurfacing (DB #D2010), Gloucester County – Add a New Project to TIP**

Gloucester County has requested that DVRPC amend the FY2020 TIP for New Jersey by adding a new \$2.6 million (\$2.11 million STBGP-PHILA/\$490,000 HWYINF) project, CR 689/CR 654 Resurfacing (DB #D2010), for FY21 construction (CON). The availability of FY21 STBGP-PHILA funding and additional Highway Infrastructure Program (HWYINF) funds to the region allow for the addition of this project to the TIP. Should this project miss FY21 obligation, it will not be carried forward in the TIP.

**c. NJ20-036: Benjamin Franklin Bridge Deck Overlay and Approaches (DB #DR2009), DRPA/PATCO – Add a New Project to TIP**

The DRPA/PATCO has requested that DVRPC amend the FY2020 TIP for New Jersey by adding a new \$3 million HWYINF funded project, Benjamin Franklin Bridge Deck Overlay and Approaches (DB #DR2009), for FY21 construction (CON). The federal Highway Infrastructure Program (HWYINF) funds are additional to the region and allows for the addition of this project to the TIP. Should this project miss FY21 obligation, it will not be carried forward in the TIP.

Motion: by *Theresa Ziegler*, seconded by *Tom Stanuikynas*, that the RTC recommend the Board approve:

TIP Action NJ20-034, Camden County's request that DVRPC amend the FY2020 TIP for New Jersey by adding a new \$1.651 million STBGP-PHILA funded project, CR 615 (Union Avenue), CR 621 (Park Avenue) to CR 537 (Maple Avenue) (DB #D2011), for FY21 construction (CON).

TIP Action NJ20-035, Gloucester County's request that DVRPC amend the FY2020 TIP for New Jersey by adding a new \$2.6 million (\$2.11 million STBGP-PHILA/\$490,000 HWYINF) project, CR 689/CR 654 Resurfacing (DB #D2010), for FY21 construction (CON).

TIP Action NJ20-036, the DRPA/PATCO's request that DVRPC amend the FY2020 TIP for New Jersey by adding a new \$3 million HWYINF funded project, Benjamin Franklin Bridge Deck Overlay and Approaches (DB #DR2009), for FY21 construction (CON).

Motion passed. All votes were cast in favor of the motion.

**d. PA19-129: Market Street Bridges (2) Over Schuylkill River and CSX Railroad (MSB) (MPMS #69828) – Increase FD Phase**

PennDOT has requested that DVRPC amend the FY2019 TIP for Pennsylvania by increasing the Final Design phase for the Market Street Bridges (2) Over Schuylkill

River and CSX Railroad (MSB) project (MPMS# 69828) by \$6,291,000 (\$5,033,000 NHPP/\$1,258,000 State 185) in FY20.

Motion: by *James Mosca*, seconded by *Jonathan Korus*, that the RTC recommend the Board approve:

TIP Action PA19-129, PennDOT's request to amend the FY2019 TIP for Pennsylvania by increasing the Final Design phase for the Market Street Bridges (2) Over Schuylkill River and CSX Railroad (MSB) project (MPMS# 69828) by \$6,291,000 (\$5,033,000 NHPP/\$1,258,000 State 185) in FY20.

Motion passed. All votes were cast in favor of the motion.

**e. PA19-130: I-95 Overhead Bridges (MPMS #88407), Delaware County – Increase Construction Phase**

PennDOT has requested that DVRPC amend the FY2019 TIP for Pennsylvania by increasing the Construction phase for the I-95 Overhead Bridges project (MPMS #88407) by \$8,028,000 (FY20: \$5,528,000 State 581, FY21: \$2,500,000 State 581). The total estimated Construction cost for the project, including the proposed increase, is \$32,742,000.

Motion: by *Corey Brown*, seconded by *Jonathan Korus*, that the RTC recommend the Board approve:

TIP Action PA19-130, PennDOT's request to amend the FY2019 TIP for Pennsylvania by increasing the Construction phase for the I-95 Overhead Bridges project (MPMS #88407) by \$8,028,000 (FY20: \$5,528,000 State 581, FY21: \$2,500,000 State 581).

Motion passed. All votes were cast in favor of the motion.

**f. PA19-131: I-76 Bridge Repair Section SRE (MPMS #107698) – Increase Construction Phase**

PennDOT has requested that DVRPC amend the FY2019 TIP for Pennsylvania by increasing the Construction phase for the I-76 Bridge Repair Section SRE project (MPMS #107698) by \$12,000,000 (FY 20: \$6,244,000 NHPP/Toll Credit; FY21: \$5,756,000 NHPP/Toll Credit). The total estimated Construction cost for the project, including the proposed increase, is \$53,766,000.

Motion: by *Jonathan Korus*, seconded by *Matthew Edmond*, that the RTC recommend the Board approve:

TIP Action PA19-131, PennDOT's request to amend the FY2019 TIP for Pennsylvania by increasing the Construction phase for the I-76 Bridge Repair Section SRE project (MPMS #107698) by \$12,000,000 (FY 20: \$6,244,000 NHPP/Toll Credit; FY21: \$5,756,000 NHPP/Toll Credit).

Motion passed. All votes were cast in favor of the motion.

**g. PA19-132: Maintenance & Transportation Facilities (MPMS #102569),  
SEPTA – Add a New Project to Program**

SEPTA has requested that DVRPC amend the FY2019 TIP for Pennsylvania by adding a new project, the Midvale Depot Electric Bus Infrastructure project, to the Maintenance & Transportation Facilities (MPMS# 102569) Program of the TIP in the amount of \$4,300,000 Federal Section 5339C to the Engineering/Right-of-Way/Construction (ERC) phase in FY20.

Motion: by *Bill Shanahan*, seconded by *Brian McFadden*, that the RTC recommend the Board approve:

TIP Action PA19-132, SEPTA's request to amend the FY2019 TIP for Pennsylvania by adding a new project, the Midvale Depot Electric Bus Infrastructure project, to the Maintenance & Transportation Facilities (MPMS# 102569) Program of the TIP in the amount of \$4,300,000 Federal Section 5339C to the ERC phase in FY20.

Motion passed. All votes were cast in favor of the motion.

**h. NJ20-041: Restriping Program & Line Reflectivity Management System  
(DB #X03A), Statewide – Cost Increase**

The New Jersey Department of Transportation (NJDOT) has requested that DVRPC amend the FY2020 TIP and Statewide TIP (STIP) for New Jersey by increasing the FY20 Engineering/Right-of-Way/Construction (ERC) phase of the line item, Restriping Program & Line Reflectivity Management System (DB #X03A), in the Statewide Program by \$23.207 million (M) STBGP-FLEX from \$20 M STBGP-FLEX to \$43.207 M STBGP-FLEX funds. NJDOT must have all three MPO Board approvals for this action in order to proceed.

Motion: by *Matt Lawson*, seconded by *Monica Etz*, that the RTC recommend the Board approve:

TIP Action NJ20-041, NJDOT's request that DVRPC amend the FY2020 TIP and Statewide TIP (STIP) for New Jersey by increasing the FY20 Engineering/ Right-of-Way/Construction (ERC) phase of the line item, Restriping Program & Line Reflectivity Management System (DB #X03A), in the Statewide Program by \$23.207 million (M) STBGP-FLEX from \$20 M STBGP-FLEX to \$43.207 M STBGP-FLEX funds.

Motion passed. All votes were cast in favor of the motion.

**6. Adoption of Conformity Determination of the Draft Amendment to the  
Connections 2045 Long-Range Plan, FY 2020 TIP for New Jersey, and Draft  
FY 2021 TIP for Pennsylvania**

Sean Greene (DVRPC) explained that transportation conformity is a process established by the Clean Air Act to ensure that federal transportation projects and

transportation investment activities are consistent with (“conform to”) state commitments for meeting air quality goals. DVRPC has performed a regional emissions analysis to determine transportation conformity of the Draft Amendment to the *Connections 2045* Long-Range Plan (Plan), FY 2020 TIP for New Jersey, and Draft FY 2021 TIP for Pennsylvania.

Motion: by *Jim Mosca*, seconded by *Matt Lawson*, that the RTC recommend the Board adopt:

The conformity finding of the Draft Amendment to the *Connections 2045* Long-Range Plan, FY 2020 Transportation Improvement Program (TIP) for New Jersey, and Draft FY 2021 TIP for Pennsylvania in the DVRPC planning area.

Motion passed. All votes were cast in favor of the motion.

## **7. Amendment to the *Connections 2045 Plan for Greater Philadelphia***

Brett Fusco (DVRPC) explained that in October 2017, the Delaware Valley Regional Planning Commission Board adopted the *Connections 2045 Plan for Greater Philadelphia* as the region's comprehensive long-range plan. *Connections 2045* identifies Greater Philadelphia's regional vision around five core principles: Sustain the Environment, Develop Livable Communities, Expand the Economy, Advance Equity and Foster Diversity, and Create an Integrated, Multimodal Transportation Network. The Plan includes strategies to achieve the vision and a fiscally-constrained financial plan for investing in regional transportation infrastructure. Since identified needs are greater than anticipated funding, the financial plan prioritizes projects for funding by developing forecasts of reasonably anticipated revenue, allocating the revenue to categories of projects based on need and policy, and evaluating and selecting specific regionally significant projects for funding in the Plan.

Motion by: *Michael Kolber*, seconded by *Bill Shanahan* that the RTC recommend the Board amend:

The *Connections 2045 Plan for Greater Philadelphia*, the region's Long-Range Plan, to include the FHWA and FTA performance measures and revise the scope, funding, status, and/or timing of 34 major regional projects.

Motion passed. All votes were cast in favor of the motion.

## **8. Adoption of the DVRPC FY2021 Transportation Improvement Program (TIP) for Pennsylvania (FY21-FY24)**

Rick Murphy (DVRPC) explained that staff will be presenting the Draft DVRPC FY2021 Transportation Improvement Program (TIP) for Pennsylvania (FY21-FY24), and Recommended Changes as the region's official selection of transportation projects for federal funding and requesting that the Regional Technical Committee recommend adoption by the DVRPC Board. An updated Memorandum of Understanding (MOU) on procedures to amend and modify the program will also be presented for approval. 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 and spend federal transportation funds. The creation of the TIP is to be done by the MPO in cooperation with the state(s) and transit operators, and must provide opportunity for input and comment by the public. A 30-day comment period must be conducted prior to a formal action to adopt the TIP. DVRPC undertakes a major TIP Update every year for either the Pennsylvania subregion, or the New Jersey subregion; at this time, the PA and NJ TIPs are updated on alternating years.

Motion by: *Bill Shanahan, seconded by Brian McFadden* that the RTC recommend the Board adopt:

The Draft DVRPC FY2021 Transportation Improvement Program (TIP) for Pennsylvania (FY21-FY24), and Recommended Changes as the region's official selection of transportation projects for federal funding by passing the appropriate Resolution; and further approve the proposed revisions to the Memorandum of Understanding Concerning Special Procedures for Expediting TIP Amendments and Modifications.

Motion passed. All votes were cast in favor of the motion.

## **PRESENTATION ITEMS**

### **9. Dispatches from Alternate Futures Scenario Planning Exercise and Report**

Jackie Davis (DVRPC) explained that staff conducted an exploratory scenario planning exercise with its Futures Working Group (FWG) in the first half of 2019 as a key step in developing the *Connections 2050* Long-Range Plan for Greater Philadelphia. The scenario planning process, which identified and evaluated forces affecting the region and led to an expansive range of future scenarios that the region could conceivably face was presented. Each of four future scenarios were presented, along with next steps for using them to inform the vision, goals, and strategies to be included in the *Connections 2050* Long-Range Plan

### **10. An Assessment of Planning Tools for Climate Change Resiliency in the Delaware Valley**

Miles Owen (DVRPC) In response to the realization that climate change can induce unpredictable and sudden stresses on established patterns of social and economic organization, a large number of diverse planning tools and resources have been created to assist communities in building their resilience to climate change. With this in mind, the Office of Environmental Planning at DVRPC has completed a research white paper which reviews, organizes, and prioritizes the tools that are best suited to meet the needs of communities throughout the Greater Philadelphia Region as well as describing fundamental concepts related to climate resiliency planning.

## **DISCUSSION ITEMS**

### **11. One Minute Reports**

RTC Members and guests provided updates on the activities of their agencies.

**12. Old and New Business**

**13. Meeting Adjournment**

Meeting was adjourned at 12:13 PM

The next scheduled meeting of the RTC is **Tuesday, September 8, 2020.**



## **ATTENDANCE**

### **Voting Members**

NJ Department of Transportation  
NJ Department of Environmental Protection  
NJ Department of Community Affairs  
NJ Governor's Appointee  
NJ Office for Planning Advocacy  
PA Department of Community and Economic Development  
PA Department of Environmental Protection  
PA Department of Transportation  
PA Governor's Appointee  
PA Governor's Policy Office  
Bucks County  
Burlington County  
Camden County  
Chester County  
Delaware County  
Corey Brown was there. Is he the primary and Thomas H the alt??  
Gloucester County  
Mercer County  
Montgomery County  
City of Philadelphia – City Planning Commission  
City of Philadelphia – Department of Streets  
City of Philadelphia – OTIS  
City of Camden  
City of Chester  
City of Trenton  
Delaware River Port Authority  
New Jersey Transit Corporation  
Port Authority Transit Corporation  
Southeastern PA Transportation Authority  
Public Participation Task Force  
Did Frances sign in? I didn't see her??  
Public Participation Task Force  
Public Participation Task Force

### **Non-Voting Members**

Delaware River Joint Toll Bridge Commission  
Delaware Valley Goods Movement Task Force  
Federal Highway Administration - NJ Division  
Did Brian sign in? I didn't see him??  
Federal Highway Administration - PA Division  
Federal Transit Administration - Region III  
Greater Philadelphia Chamber of Commerce  
NJ Turnpike Authority  
New Jersey TMAs  
Pennsylvania TMAs  
Pennsylvania Turnpike Commission  
Phila Port  
Pottstown Urban Transit  
Select Greater Philadelphia  
South Jersey Port Corporation  
South Jersey Transportation Authority  
Transportation Operations Task Force  
US EPA - Region II

### **Representative**

Monica Etz  
(not represented)  
(not represented)  
Rudy Rodas  
(not represented)  
(not represented)  
(not represented)  
Jim Mosca  
(not represented)  
Jonathan Korus  
Rich Brahler  
Tom Stanuikynas  
Andrew Levecchia  
Brian Styche  
Thomas Hastings  
  
Theresa Ziegler  
Matthew Lawson  
Matthew Edmond  
David Kanthor  
Nicholas Baker  
Kelley Yemen  
June Morton  
Peter Rykard  
Michael Kolber  
Bill Shanahan  
Blanca Quinde  
(not represented)  
Brian McFadden  
Frances Harwell  
  
Bryan Proska  
Michael Clemmons  
**Representative**  
(not represented)  
(not represented)  
Brian Goodson  
  
(not represented)  
(not represented)  
(not represented)  
(not represented)  
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(not represented)  
(not represented)  
(not represented)  
(not represented)

## **ATTENDANCE (cont'd)**

### **Other Member Representatives and Guests**

Chuck Davies– PennDOT

Tonyelle Cook-Artis – DRPA

Sue Herman – Residents for Regional Traffic Solutions

Corey Brown – Delaware County

### **DVRPC Staff**

John Ward

Barry Seymour

Patty Elkis

Mike Boyer

Karin Morris

Greg Krykewycz

Alison Hastings

Katie Nash

Kevin Murphy

Sean Greene

Brett Fusco

Jackie Davis

Miles Owen

Jesse Buerk

Kwan Hui

Tom Edinger

Najah Jackson

Elizabeth Schoonmaker

Rick Murphy

Glenn McNichol

Natalie Scott

Shoshana Akins

Maridarlyn Gonzalez

Renee Wise

The Delaware Valley Regional Planning Commission (DVRPC) fully complies with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related nondiscrimination statutes and regulations in all programs and activities. DVRPC's website, [www.dvrpc.org](http://www.dvrpc.org), may be translated into multiple languages. Publications and other public documents can be made available in alternative languages and formats, if requested. DVRPC public meetings are always held in ADA-accessible facilities and in transit-accessible locations when possible. Auxiliary services can be provided to individuals who submit a request at least seven days prior to a meeting. Requests made within seven days will be accommodated to the greatest extent possible. Any person who believes they have been aggrieved by an unlawful discriminatory practice by DVRPC under Title VI has a right to file a formal complaint. Any such complaint may be in writing and filed with DVRPC's Title VI Compliance Manager and/or the appropriate state or federal agency within 180 days of the alleged discriminatory occurrence. For more information on DVRPC's Title VI program, or to obtain a Title VI Complaint Form, please call (215) 238-2871 or email.

## **Susan Herman's Public Comment on behalf of Residents for Regional Traffic Solutions, Inc. at the July 7, 2020 meeting of the DVRPC Regional Technical Committee**

Good morning. Susan Herman, President of Residents for Regional Traffic Solutions, Inc. (a.k.a. RRTS; P.O. Box 285, Newtown, PA 18940).

Both Bucks County & Mercer County residents were troubled by a **RESOLUTION** that was passed unanimously at the June 25, 2020 Formal Meeting of the Mercer County Freeholders. It was **RESOLUTION #42 (R42)** that read:

**"County Executive and Clerk to the Board authorized to execute a shared services Memorandum of Understanding (MOU) with the Delaware Valley Regional Planning Commission (DVRPC) for access to current aerial orthophoto imagery. Period: December 31, 2019 to December 31, 2024 (NO COST)."**

Below is the public comment that RRTS gave at the June 25 Freeholder Meeting:

"We respectfully ask that **RESOLUTION #42 (R42)** be separated out and that you DENY **R42** as written.

The language in **R42** leads the public to believe that you are trying to restrict public access to this information in an overly-broad manner. If the imagery & documents are done in conjunction with the DVRPC (and most probably paid for with Federal funds), the public should be able to review the imagery & documents.

The public is troubled by this language in **R42**:

'...WHEREAS Nearmap requires Subscribers to execute a Products Agreement that describes access limits and terms of use; and,

WHEREAS, Nearmap also requires Subscribers to agree not to share access to Nearmap proprietary data outside Subscriber's organization; and,

WHEREAS, DVRPC has negotiated a contract with Nearmap to include its member governments, including Mercer County, as members of its Subscriber organization; and,

WHEREAS, to assure compliance with limitations access to its commercial, proprietary imagery, Nearmap requires that DVRPC member governments agree to its standard terms and conditions, as included and amended by attachments to the MOU; and,

WHEREAS, the Mercer County Planning Department, which heretofore has received, stored, and made available to the public DVRPC's historic aerial orthophoto archives, finds

Nearmap's terms and conditions, as amended by DVRPC, acceptable and its products superior to past archives provided by DVRPC; now, therefore,...'

The public demands that this **RESOLUTION** be amended to allow the public to freely access this information. **We reiterate our request that you separate out R42 and DENY it as written."**

This morning we ask the Regional Technical Committee:

- 1) Why is DVRPC restricting public access to this imagery and documents?
- 2) What accommodations can be made to give the public access to this information?  
Surely, as a Federally- funded organization, the DVRPC must allow the public to review it. The public should, at a minimum, have the ability to review the information at a time and place that is convenient for all concerned.
- 3) How, specifically, can the Aerial Photographs provided through the DVRPC contact with NearMaps be obtained by the public?
- 4) How can the public obtain regular current aerial images of the Trenton-Mercer Airport property?

We will submit this Public Comment in writing in an email to Mr. John Ward, and respectfully ask that you include the email and any attachments in the public record for today's meeting. We also ask for a written response to our questions and concerns. How do we go about obtaining that?

Thank you.

Response to Susan Herman (Residents for Regional Traffic Solutions, Inc.)

Hi Sue - thanks for your comment at Tuesday's (July 7<sup>th</sup>) RTC meeting. I've gotten a clarification on public access to the new DVRPC aerial imagery products. The contract between DVRPC and Nearmap was negotiated to include additional terms and conditions which supersede Nearmap's standard terms and conditions and assures free public access. These additions include, in Schedule 1 of the contract:

*Item 2b - the Licensee is permitted to redistribute the spring 2020 full regional imagery dataset (from the Offline Copy Add-on for Government) at 12-inch resolution to any person, including to members of the general public and for publishing on State geospatial data portals, and to incorporate such imagery into its public Internet mapping applications; provided that in both cases, the Licensee includes in its terms of use for such imagery that the end user must only use such imagery internally and in the ordinary course of their business and do not resell such imagery for the purpose of direct commercial benefit or gain.*

*Item 4 - Despite any other provisions of the Product Agreement or the Product-Specific Terms, the zoom level of the extracts of the Static Imagery displayed on the WebMap and/or the Licensee Website is restricted to 6-inch imagery resolution.*

Historically, DVRPC has made our imagery products available to the public and, as evidenced by the additional terms and conditions negotiated into the contract with Nearmap, we will be doing so with our Nearmap imagery product. Upon receipt of the 12-inch resolution Offline Copy Add-on for Government from Nearmap, we will be providing a copy of the data to the Pennsylvania Spatial Data Access (PASDA) website ([www.pasda.psu.edu](http://www.pasda.psu.edu)) to be made available for public download. We also have included a task in our FY 2021 Work Program to develop an application that will allow the public to view our latest imagery at a 6-inch resolution.

I hope this answers your questions. If you have any additional questions, you can reach out to Will Stevens, our Associate Director of Data Services.

Best regards,  
John Ward