

**ANCHORAGE METROPOLITAN AREA TRANSPORTATION
POLICY COMMITTEE MEETING**

**City Hall
632 West 6th Avenue
Mayor's Conference Room, 8th Floor
Anchorage, Alaska**

**March 13, 2008
1:00 PM**

Those in attendance were:

<u>NAME</u>	<u>REPRESENTING</u>
* Gordon Keith	Alaska Department of Transportation and Public Facilities, Regional Director
** John Tolley	ADOT/PF
** Rob Campbell	ADOT/PF
David Post	ADOT/PF
* Tom Chapple	Alaska Department of Environmental Conservation, Air Quality
** Cindy Heil	ADEC
* Mark Begich	Municipal Mayor
** Lance Wilber	MOA/Traffic Department
Craig Lyon	MOA/TD
** Jody Karcz	MOA/ Public Transportation Dept.
Lois Epstein	Alaska Transportation Priorities Project

- * AMATS Policy Committee members
- ** AMATS Technical Advisory Committee members

1. CALL TO ORDER

CHAIR KEITH called the meeting to order at 1:20 PM. Three Policy Committee members were present, constituting a quorum. Dan Sullivan and Chris Birch were absent.

2. PUBLIC INVOLVEMENT ANNOUNCEMENT

CHAIR KEITH encouraged public involvement in this meeting of the AMATS Policy Committee. He explained that Staff would first make their presentation, followed by any comments from Policy Committee members, and the floor would then be open to public comment.

3. APPROVAL OF AGENDA

MAYOR MARK BEGICH moved to approve agenda as presented. TOM CHAPPLE seconded.

There being no objection, the motion PASSED unanimously.

4. APPROVAL OF MINUTES

MAYOR MARK BEGICH moved to approve the minutes of August 23, 2007. TOM CHAPPLE seconded.

There being no objection, the motion PASSED unanimously.

TOM CHAPPLE moved to approve the minutes of November 8, 2007. MAYOR MARK BEGICH seconded.

There being no objection, the motion PASSED unanimously.

The minutes of January 10, 2008 were scheduled for a later meeting, due to a lack of quorum to take action.

5. BUSINESS ITEMS

a. Air Quality Advisory Committee Appointments

CHAIR KEITH stated that the AMATS Technical Advisory Committee has recommended approval of two new appointments and one re-appointment to the AMATS Citizens Air Quality Advisory Committee. STEVE MORRIS introduced Lois Epstein, who has been nominated to serve on the CAQAC. He explained that this nine-member committee provides AMATS with recommendations on air quality and transportation items. Andre Camara and Rick Mitchells have served on the CAQAC for many years and have contributed greatly to the work of the committee. MR. MORRIS thanked these individuals for their contributions over the years. He noted that Rusty Meyers served on the CAQAC in 2004 and has agreed to serve again. Toni Jones is on the Planning and Zoning Commission. CHAIR KEITH

commented on the superior qualifications of the nominees. MAYOR MARK BEGICH echoed his comments.

MAYOR MARK BEGICH moved to approve the appointment of Rusty Myers and Lois Epstein, and the reappointment of Toni Jones to the AMATS Citizens Air Quality Advisory Committee. TOM CHAPPLE seconded.

There being no objection, the motion PASSED unanimously.

TOM CHAPPLE requested that Mr. Lyon draft a letter on behalf of the Policy Committee thanking Rick Mitchells and Andre Camara for their service on the AMATS Citizens Air Quality Advisory Committee.

b. First Quarterly Obligation Report

DAVE POST explained that the AMATS allocation increased by \$9 million. He reviewed the Obligation Report beginning on page 4.

Summary page 4

The revised AMATS allocation will total \$31,924,766 in the Draft STIP that is currently out for review, rather than the previous figure of \$22,929,000. The \$31.9 million allocation includes \$2.2 million in CMAQ funds when it was originally thought that no specific CMAQ funds would be received.

Originally \$2.3 million was to be spent on CMAQ, which would have been 10% of the \$22.9 million that was expected. By policy, 10% of the Transportation Enhancement (TE) and Surface Transportation Program (STP) allocation of and the CMAQ allocation would be spent on CMAQ. The total now to allocate to CMAQ is \$5.2 million. Previously, consideration was given to supplementing the Chester Creek Trail Connection project. A decrease in the estimate for that project now means that it can be fully funded by the 10% of funds allocated to TE. There were discussions about using funds for the Transit Fleet Expansion and Replacement Program, but FHWA adopted a policy in 2006 establishing a 12-month time frame between funds obligation and expenditure. There was a risk of violating that policy if the funds were spent on the Transit Fleet Expansion and Replacement Program. CHAIR KEITH asked for further explanation on this issue. MR. POST understood that the earliest an RFP could be issued is December.

Money was obligated for this project last year in June and that will likely show up on FHWA's list of projects to de-obligate; AMATS will have to make an argument based on the timeline for purchase and delivery that the time frame is appropriate. Because this fiscal year is half over, it was felt that 2009 funds might be used for that purchase.

JODY KARCZ explained that Public Transportation is not able to go to bid for buses until the money is in hand. As a result, once funds are secured and the bidding process is completed and a vendor selected, it can take up to 18 months for a vehicle to be delivered. She thought it might be appropriate to request a transfer of funds from FHWA to FTA because FTA recognizes the time frame involved in delivery of new buses.

MAYOR MARK BEGICH asked if FTA has a different timetable than FHWA. MS. KARCZ replied that FTA funds generally do not lapse for three years. MAYOR BEGICH asked why FHWA does not recognize this issue. MS. KARCZ stated that ADOT in Juneau is taking the same approach as FHWA with respect to FTA funding. There have been occasions where ADOT is holding Public Transportation to a one-year calendar, which is not valid with FTA dollars. MR. POST stated that the argument would be made that the last purchase had a reasonable time frame, however, attempts are made to comply with the policy to the extent possible. MAYOR BEGICH remarked that the situation is difficult given that Public Transportation is not able to order until funds are obligated, but there is a 12-month period to use the funds, yet an 18-month period to delivery of buses. He asked why the buses could not be ordered and the funds transferred to FTA. CHAIR KEITH indicated that ADOT would investigate whether the funds can be transferred to FTA. There was no knowledge that CMAQ funds would be received this year, yet they have been received six months into the fiscal year. Beginning the process at this point would put the delivery of the buses near the end of the next fiscal year. MAYOR BEGICH asked if a transfer of funds to FTA would not constitute an obligation. CHAIR KEITH indicated that, if that is the case, there would be no concerns.

MR. POST noted that the Highway Trust Fund is fast approaching insolvency and FHWA and FTA both recognize that there is \$.5 billion on the

books in projects that have not been active and there needed to be a policy in place to more efficiently utilize funds.

MR. CHAPPLE understood that, had these funds been put into buses, \$3 million would not have been put to the Old Seward Highway. MR. POST stated that there is an option to spend CMAQ funds on the Old Seward Highway, Brandon to O'Malley project. MR. CHAPPLE stated that the Policy Committee has refrained from putting CMAQ monies into roadway projects and he has a concern with that option. He stated that AMATS has CMAQ money because the State did not designate many rural communities for non-attainment due to dust pollution. There are greater air quality needs than a highway project. He was very interested in whether these funds could be used for new buses, which have new technology that is far cleaner. MR. POST explained that TE was under funded in 2007 and an option was considered to add that \$1 million in TE in 2008. Balancing TE to achieve an average of 10% over the three-year TIP is an option that is available to the Policy Committee as it structures the 2009 program.

Table 3: Roadway Improvements

MR. POST stated that Juneau has indicated a reluctance to allow advance constructs (AC), so there was difficulty deciding how to fund Old Seward highway, which has a total cost of \$21 million and the Old Glenn Highway, which has a total cost of \$11.5 million. An argument was made to Juneau to use \$3 million in CMAQ funds to reduce the amount of the AC. It appears Juneau would be willing to AC the \$7 million necessary to fully fund both of these projects, which means there will be no need to phase either projects.

MAYOR BEGICH understood that there is \$600,000 for the design of the Old Seward Highway, Brandon to O'Malley project. He asked if this figure would achieve final design. MR. POST explained that this was a fee in lieu to mitigate the wetlands. CHAIR KEITH stated that both projects are designed and ready to go to advertisement. MAYOR BEGICH understood that \$31 million in additional funding is needed for these two projects. MR. POST replied that \$32 million is yet to be obligated. MAYOR BEGICH believed that only one of the projects could be built, given the funded that is expected. MR. POST stated that next year AMATS expects \$26 million, a \$5 million increase from the prior STIP allocation. MAYOR BEGICH noted that is still

insufficient funds to build both projects. He believed that \$7 million of the \$25 million next year is already gone due to this AC. CHAIR KEITH stated there is sufficient funding in this year to build the Old Seward Highway. Without the AC, there would be sufficient funding for the Old Glenn Highway on October 1, 2008 (FY09). MAYOR BEGICH noted that some of the funding is being used for the Old Seward Highway in 2008, however. CHAIR KEITH stated the \$3 million in CMAQ for buses could be backfilled out of the allocation next year. This does mean that a project must have a reduction. MR. CHAPPLE noted that roadway money could be used to fund a CMAQ project. MAYOR BEGICH stated he would prefer to focus on the \$12 million in bus buys over the next three years. If a decision is made about the roadway projects today, he wanted to also make a decision that the funds would be backfilled. He was concerned that this action could be taken today and in six months the bids for the projects are higher and more funds are required.

CHAIR KEITH stated that CMAQ funds are for congestion mitigation, in addition to air quality. When there is a roadway facility running beyond capacity, there is a congestion issue. It is reasonable to use CM money for a roadway project. MAYOR BEGICH asked whether FHWA would need to approve this proposal. CHAIR KEITH replied that this is a reasonable expenditure of these funds. MAYOR BEGICH argued to put these funds into Lake Otis and Tudor and use less taxpayer money on that intersection.

MR. POST explained that the reduction is not a full \$7 million and an additional \$3 million. There is an increase of \$5 million that was not anticipated at the time the last STIP was created. MAYOR BEGICH asked if this amount is committed at the federal level. MR. POST replied that it is in the Draft STIP. There is a total increase in the AMATS allocation of \$9 million in 2008 and of \$5 million in 2009.

CHAIR KEITH stated one of the additional allocation of \$9 million is a combination of receiving CMAQ funds and the fact that the previous figure was conservative. He stated there is an intention to put 2009 money into buses with the proviso that it is understood there would be a reduction in other project(s).

MR. CHAPPLE stated he would prefer to get an answer to the question whether money can be moved from FHWA to FTA before taking action. MR. POST stated the anticipated delivery to FHWA for both of the projects is this month or possibly next month for the Old Seward Highway. CHAIR KEITH asked if it is necessary to approve the Obligation Report at this point in time and does it have to be approved for incorporation into the STIP. MR. POST stated the Policy Committee's actions are final and it does not need to be incorporated into the STIP. MAYOR BEGICH asked if there would be negative consequences to the deliverables by waiting one or two weeks to approve this Obligation Report, pending the answer to the question of moving funds from FHWA to FTA. MR. POST did not think a one or two week delay would negatively affect these projects.

MR. WILBER stated AMATS has a policy that 10% of roadway money will be spent on CMAQ projects. It is possible to spend the additional \$2.1 million in CMAQ on CMAQ projects and no Roadway money on CMAQ projects. In FY09 the percentage of money from the Roadway program to the CMAQ program would need to be doubled in order to meet the policy intent and that could accommodate bus purchases.

MAYOR BEGICH asked if staff could return to a continuation of this meeting with an answer regarding transfer of money from FHWA to FTA, as well as clarification on the suggestion Mr. Wilber has made. MR. CHAPPLE felt this idea has merit, but he also wanted to know what would happen with the Old Seward Highway if FHWA money can be moved to FTA so there is more time to buy uses and the \$3 million CMAQ funds are added to that. CHAIR KEITH stated that the impact would be to the Old Glenn Highway, not the Old Seward Highway. He explained that both projects could be done this year with AC funding and CMAQ money.

MAYOR BEGICH clarified that the Old Seward Highway could be built if \$3 million in CMAQ is shifted to FTA for buses, but Old Glenn Highway would be delayed. If it is not possible to allocate money for buses this year, potentially the funding for buses could be doubled next year. CHAIR KEITH asked if the policy is to allocate 10% to CMAQ projects even if there are no CMAQ funds. MR. WILBER confirmed that is the case.

MR. POST stated Old Seward Highway is the highest priority, thus he presumed it would be funded. The cost estimate for that road is \$20.84 million for construction, increased from \$19.5 million last year.

MR. POST stated that \$8.1 million was originally estimated for the Old Glenn Highway and the proposal is to obligate \$5 million in 2008 funds and AC \$6.85 million to bring the total to the new revised estimate of \$11.5 million.

MR. POST noted there are a number of de-obligations in this Obligation Report.

Table 4: Transportation Enhancements

MR. POST stated it is hoped that Project G-2, Chester Creek Trail Connection, will proceed in June at a cost of \$3.4 million. The total obligation for TE is \$3.7 million, an increase over the \$2.9 million that would have been dedicated per policy. TE was under funded by \$1 million last year.

Table 5: Congestion Mitigation Air Quality

MR. POST stated that this portion of the TIP is tracking at this point, with the decision yet to be made on expenditure of the additional \$3 million. There has been a change in federal law that requires no match to CMAQ funding. He stated it is still unclear whether funds transferred from Roadway into CMAQ also do not require matching funds. This question is being researched.

MR. POST stated the proposed Obligation Report would put \$5.3 million to CMAQ and the policy would be \$5.2 million. The total of the program should be \$32 million and it is at \$31.4 million, which is within 10%.

Table 6: National Highway System

MR. POST stated this table shows \$3.6 million obligated for the New Seward Highway, Rabbit Creek to 36th, most of which is for the Dowling to Tudor segment. Muldoon Road Repaving should obligate at a cost of \$7 million. Among the State-funded project, East Dowling Road Extension should go to bid in April, the double left turn at the intersection of Tudor and Elmore should go forward in June, the 48th Avenue Extension from Boniface to

Elmore should advertise in July, and 92nd Avenue, Glenn Highway Underpass, should obligate in April.

MR. CHAPPLE suggested that, as the highest uses are considered for CMAQ, consideration should be given to other things that might be considered, such as air quality issues associated with the use of gasoline or diesel fuel. One such project could be retrofit of existing diesel fleets to clean those engines. Because the city is dis-investing from I/M and there may be additional CMAQ funds for some time, he felt that other opportunities to improve air quality in the city should be given thought.

MR. POST noted that with this Obligation Report only projects that were included in the TIP were considered in order to avoid a major amendment and the lengthy process associated with that. There is an intention to have a new 2009-2012 new TIP that will allow consideration of new CMAQ projects. MR. CHAPPLE felt this should be examined at the continuation of this meeting in order to make better-informed choices regarding shifting CMAQ money this year. He supported investment in buses, but encouraged the Policy Committee to broaden its view of CMAQ fund use. MR. POST stated he would work with municipal staff to develop alternatives for the Policy Committee's review.

LOIS EPSTEIN with the Alaska Transportation Priorities Project agreed that shifting funding from FHWA to FTA would be advisable. It was her understanding that this is possible. She stated that she would be happy to author a letter encouraging this, if it were helpful. She felt it was important to consider a full range of possible uses of CMAQ funds.

BERNADETTE BRADLEY with the Old Seward/Ocean View Community Council stated her council was anticipating a vote on the Old Seward Highway project today. She explained she must report at a meeting next Wednesday and would like to be able to say with certainty that the project will be started this year. CHAIR KEITH stated it does not appear that the Old Seward Highway is in jeopardy; Old Seward Highway is grandfathered project 1, whereas the Old Glenn Highway is grandfathered project 6.

c. Other Business Items – None

6. INFORMATIONAL REPORTS

a. Progress Report & Schedule for revisions to the Anchorage CO Maintenance Plan

STEVE MORRIS noted that the Assembly voted to discontinue the I/M project in November 2007 and the program is slated for discontinuation in December 2009, or earlier if the new CO Maintenance Plan is approved. A meeting with the CAQAC is scheduled to discuss components of the Plan. A draft emissions inventory has been done and projections have been done related to the probability of meeting the standard without I/M. The committee will meet next Monday to determine which strategies should be included in the Plan, both primary and contingency. A revised Plan will then be drafted and brought to the AMATS Policy Committee on May 8, 2008. MR. MORRIS stated he is working with ADEC staff to coordinate scheduling so their public comment period on the Statewide Implementation Plan coincides with this public comment period. The projected date for State adoption of the Plan is November 2008, followed by submission to EPA. EPA has not committed to a faster review and approval of the Plan than the 18 months they are allotted in the Clean Air Act, which is well after the Assembly anticipated discontinuation of the I/M program. This situation may need to be addressed.

MAYOR BEGICH asked whether, in its review of plans in the past, EPA has made requirements for change. MR. MORRIS replied that the EPA has to solicit comments during their review. He noted that EPA and ADEC has worked with AMATS on this Plan, so there should be nothing unexpected when they receive the Plan for review. He stated the EPA did not make requirements for change when the Plan was last reviewed. MR. CHAPPLE stated that the Plan did not come back with a set of questions when it was last reviewed because the Municipality and the State worked with EPA up front. That is the same process being used during this revision. MAYOR BEGICH asked what would be the end of this Plan period. MR. MORRIS replied that this Plan goes through 2023.

CHAIR KEITH stated it behooves AMATS to track the Plan in order to ensure there is no gap between the Assembly approved cessation date for I/M

and the date of the Plan's approval. MAYOR BEGICH noted the difficulty in ensuring that the I/M program can be maintained as the cessation date nears, given staffing and private sector issues. MR. MORRIS stated that the assumption is a date of December 2009.

b. Technical Memorandum: Review of the Anchorage on the Move conformance w/SAFETEA-LU & Current Practices

ANNE BROOKS introduced Christine Bernardini, project manager with the Municipality, and Joann Mitchell, her team member with USKH. She explained that Brooks & Associates was hired to update AMATS' public participation plan, *Anchorage on the Move*. That plan was approved in 2001. She stated her work involves ensuring compliance of *Anchorage on the Move* with SAFETEA-LU. A public involvement plan was developed to develop the public participation plan (PPP). The Transportation Division has requested that innovative tools be used in developing the PPP, testing those tools, and incorporating those that are effective into the plan. Deliverables under this contract include an evaluation of *Anchorage on the Move*; goals, objectives, policies, and measures of effectiveness; an evaluation methodology for the plan; and producing draft and final documents. In addition, she will be developing a public contact database.

Notice to proceed on this work was received in November, outreach was begun in February, and the draft PPP should be available in May.

MS. BROOKS reviewed the guiding documents for this work, including SAFETEA-LU, Title VI of the Civil Rights Act, Executive Orders related to intergovernmental review, environmental justice, tribal consultation, or limited English proficiency. The ADOT and Municipality have other agreements that relate to historic preservation and consultation with the Native Village of Eklutna. Comments were made by FHWA during certification review that are also being considered.

SAFETEA-LU requires that the plan state how, where, and when the public can comment on AMATS documents. Staff has asked for delineation of explicit procedures for developing documents. SAFETEA-LU also calls for adequate and timely notice. AMATS has already implemented new notification of meetings; there are links to all agenda items for AMATS

meetings. SAFETEA-LU also requires allowing adequate time for public review and comment, reasonable opportunities to comment, and reasonable access to information. The AMATS website is being revised to provide documentation in accessible formats that employ visualization. SAFETEA-LU requires holding meetings at convenient times and in accessible locations, and seeking out and considering the needs of those traditionally under served by transportation systems. She has found the latter a challenge in developing the PPP. She will be working with agencies that can be “surrogates” for those populations. She will also attend a number of health fairs this spring to test whether or not that is a method of reaching traditionally under served populations.

SAFETEA-LU requires demonstration of consideration and response to public input. If a document changes substantially from what was released for public review, it must be put out for another round of public comment.

There is also a requirement to coordinate with other statewide planning and consultation processes.

MS. BROOKS stated that the review of *Anchorage on the Move* is completed, including a public participation plan, a citizen’s handbook, and a series of tip sheets. This plan includes a great deal of information, some of which will be put on the website in a downloadable format.

Recommendations include revision of the sign-in sheets for AMATS include Title VI information requirements, which has been done. AMATS has enrolled in an email marketing program that allows messages to be sent and additional information included. Historically, staff was maintaining a list of all email addresses, but this system is automatic. When a person signs up for emails from AMATS, they can customize what they want to receive. This process complies with anti-SPAM acts.

MS. BROOKS noted that a template for business items was developed that includes the description points needed for each item. This format was used for the two informational items on the Policy Committee agenda today. She noted that after reviewing AMATS agendas and informational items that often the public did not have access to information before a meeting. This

new format enables people to access information on the topics being discussed at meetings.

MS. BROOKS informed the Policy Committee that a strategic advisory group is being formed to represent all interests that SAFETEA-LU calls for, including minority, low-income, transit employees, and freight operators. A series of meetings have been held with groups including public participation practitioners, engaged stakeholders who have been involved with AMATS for some time, the Municipal Diversity Council, UAA Bike Club, Federation of Community Councils, Women's Commission, and Senior Commission, and soon with the Health & Human Services Commission. The intent is to reach out to groups that already dealing with a stakeholder group that should be consulted about the plan.

MAYOR BEGICH asked whether there has been contact with the WIC offices as an opportunity to reach under served populations. MS. BROOKS replied in the affirmative. She noted that the MPO for the Bay Area did focus groups with welfare to work.

MS. BROOKS stated that groups currently in place include the Citizens Air Quality Advisory Committee, the Planning and Zoning Commission, which acts as the Citizens Advisory Committee, and the Freight Advisory Committee. There is no committee representing ADA, public transportation, or some of the other groups called out in SAFETEA-LU. She is working with staff to examine ways to use existing boards and commissions to begin to fulfill this function.

Current processes, according to many stakeholders, are opaque. More visualization is needed to assist in understanding the plans. Accessibility of information is important. Staffing and resources may need to be examined for implementation of any future public participation plan.

MS. BROOKS solicited suggestions from the Policy Committee as the work continues in this effort. MAYOR BEGICH stated that the method of communication to reach traditionally under served populations differs from the methods used by AMATS to date. MS. BROOKS stated the Bay Area MPO has developed a database similar to the one AMATS is developing and

they do a broadcast email when immediate questions arise. One of the AMATS involved stakeholders has suggested a blog for an ongoing dialogue. MAYOR BEGICH noted that a blog is being used for recycling. CHAIR KEITH encouraged finding a way to engage the public early on in the process.

c. Committee Comments – None

d. Scheduled AMATS Meetings

Policy Committee, April 10, 2008

Technical Advisory Committee, April 24, 2008

Policy Committee, May 8, 2008

Technical Advisory Committee, May 22, 2008

e. Other Informational Reports – None

7. ADJOURNMENT

The meeting was continued to a later date in order to consider the Obligation Report.

The meeting recessed at 3:10 PM.