

**ANCHORAGE METROPOLITAN AREA TRANSPORTATION
TECHNICAL ADVISORY COMMITTEE
Planning and Development Center
Main Conference Room, 1st Floor
4700 Elmore Road
Anchorage, Alaska**

**June 18, 2009
3:00 PM**

This meeting was continued from June 11, 2009

Those in attendance were:

<u>NAME</u>	<u>REPRESENTING</u>
** Jennifer Witt	ADOT, Central Region, Planning
** Kim Rice	ADOT, Central Region
Dave Post	ADOT
Aneta Synan	ADOT
** Cindy Heil	Alaska Department of Environmental Conservation
** Steve Morris	MOA/Department of Health and Human Services
** Todd Cowles	MOA/Port of Anchorage
** Lance Wilber	MOA/Traffic Department
Craig Lyon	MOA/TD
Vivian Underwood	MOA/TD
** Jerry Hansen	MOA/PM&E
** Jody Karcz	MOA/Public Transportation Dept.
** Tom Nelson	MOA/Planning Department
** Lois Epstein	MOA/AQAC
Sandra Cook	HDR Alaska
Mary Ann Pease	KABATA
Dale Paulson	KABATA
Vern Geidl	KABATA
Suzanne DiPietro	Government Hill Community Council
Aves Thompson	Alaska Trucking Association

* AMATS Policy Committee members

** AMATS Technical Advisory Committee members

1. CALL TO ORDER

CHAIR WILBER called the meeting to order at 3:28 PM. He explained that the first half hour scheduled for this meeting would be spent reading

material that had just become available, including a revised draft of Chapter 13 and Tables.

2. PUBLIC INVOLVEMENT ANNOUNCEMENT

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

3. APPROVAL OF AGENDA

STEVE MORRIS moved for approval of the agenda. JERRY HANSEN seconded.

MS. HEIL suggested reversing the order of 5.a and 5.b

MR. LYON suggested moving 5.c to an Informational Item.

There being no objection, the agenda was adopted as revised.

4. APPROVAL OF MINUTES

CINDY HEIL moved for approval of the minutes of February 5, 2009. TODD COWLES seconded.

MS. KARCOZ corrected page 3 under item a. 2006-09 Transportation Improvement Program Administrative Modification #1 to state "ESP" not "EPS".

MR. COWLES and MR. CARR abstained from the vote as they were absent from that meeting.

There being no objection, the motion passed unanimously.

CINDY HEIL moved for approval of the minutes of February 26, 2009. TODD COWLES seconded.

MS. KAR CZ was not at this meeting, but questioned the line on page 5 that “Bike lanes and wide curb lanes were considered and Chapter 1200 of an ADOT plan will be referenced where it calls for bicycle facilities on roadways” is correct in the citation of the chapter number. CHAIR WILBER offered to confirm this citation.

MS. KAR CZ, MR. CARR and MR. NELSON abstained as they were absent from this meeting.

There being no objection, the motion passed unanimously.

CINDY HEIL moved for approval of the minutes of March 12, 2009. TODD COWLES seconded.

There being no objection, the motion passed unanimously.

CINDY HEIL moved for approval of the minutes of April 9, 2009. TODD COWLES seconded.

MS. KAR CZ stated she was not present at that meeting, but page 5, the first line states, “an additional 5% reduction” but should be “an additional 2% reduction” and five lines down the page is the statement, “which allow reinstatement of 870% of the Eagle River service,” which should be “which allow reinstatement of 70% of the Eagle River service.”

MS. KAR CZ, MR. CARR, MS. EPSTEIN and MR. MORRIS abstained as they were absent from this meeting.

There being no objection, the motion passed unanimously.

BRUCE CARR moved for approval of the minutes of April 16, 2009. CINDY HEIL seconded.

MR. CARR noted that Tom Nelson and he were present and the roll call should reflect that.

There being no objection, the motion passed unanimously.

5. BUSINESS ITEMS

b. LRTP Amendment – Knik Arm Crossing

JERRY HANSEN moved to recommend approval by the Policy Committee of an Amendment to keep the KAC in the LRTP and move it to the long-term, include new planning requirements, and include the financial plan. CINDY HEIL seconded.

CHAIR WILBER explained that the Assembly asked AMATS to consider an amendment to remove the Knik Arm Crossing (KAC) from the Long-Range Transportation Plan (LRTP). The Policy Committee directed the TAC to begin this process in October 2008. In April 2009, a staff draft was given to the Policy Committee and they began the public review process of that draft, noting that the document would require some key changes based on the TAC's comments and concerns. An open house was held at the Loussac Library, two hearings took place before the Planning and Zoning Commission. Following a resolution, discussion, public comments, and a May 18, 2009 Issue-Response, the Assembly passed a resolution recommending that the KAC be removed from the 2027 LRTP. The current document contains conditions and those are recommended to remain in this Amendment. There have been comments in favor and against the project. Comments against include that the KAC would be detrimental to *Anchorage 2020*, promote sprawl, that there are higher priority needs, and money could be spent on other projects. Comments in support of the project reference the economic benefit of the project, regional, statewide and perhaps national significance, helping address the need for expanded growth in Anchorage, and additional emergency response. Approximately 23% of the LRTP project costs require new sources of funding. Assuming the assumptions proposed in the Financial Plan are appropriate, the plan is constrained. The Assembly is scheduled for a work session on June 19, 2009 and a public hearing on June 23, 2009 and the Policy Committee is scheduled to take action on June 25, 2009.

The Amendment is that the KAC remains in Chapter 12, go from a short-term to a long-term project, it would include rail, Chapter 13 would include the new planning factors and revised financial tables. Table 8 would be edited and corrected. Existing conditions in the existing LRTP would stay in effect.

Moving the KAC to the long-term list of projects allows continued preliminary engineering and environmental work, for KABATA to address design issues, costs and benefits associated with belugas, bridge and rail, allows KABATA to reassess the financial plan in light of the project cost and funding proposal, and allows KABATA to continue work on concurrence of the resource agencies. There was good and lively discussion from the Planning and Zoning Commission about their role as a Citizens Advisory Committee (CAC) and to make sure the land use policies in *Anchorage 2020* are followed. Many of their recommendations against inclusion of the KAC is that it is a detriment to *Anchorage 2020*. Moving it to outer years allows *Anchorage 2020* to mature.

MS. WITT asked to add the Freight Advisory Committee (FAC) recommendations as an attachment to the memo to the Policy Committee. MR. CARR noted there is narrative in the memo talking about the Planning and Zoning Commission in a manner that gives them greater precedence than the FAC. He did not see the value of the Planning and Zoning Commission talking about issues in 2007. He felt that neither body should be given higher recognition in the memo. He also felt the issue of fiscal constraint is significant enough to merit a separate paragraph. He further noted there is a paragraph that speaks to the financial feasibility of the KAC, but he did not know why that was an issue, given that it is funded separately. CHAIR WILBER explained that he was attempting to discuss the KAC costs because the Assembly voiced concern with financial feasibility. MR. CARR noted that the statement “Revenue bonds, backed by expected toll receipts, which would require the State of Alaska to provide its credit to back the bonds” is inaccurate. CHAIR WILBER understood Mr. Foster to state that in order to let the bonds, KABATA requires the full faith and credit of the State. MR. CARR stated that the ARRC has to get State authorization, but the bonds are not backed by the State. CHAIR WILBER indicated he would confirm the language of the memo, explaining that he was summarizing Mr. Foster’s comments. MR. CARR noted that item 2 should not reference light rail. MR. COWLES suggested simply saying “rail”. MR. CARR asked that it be characterized as heavy rail.

MS. EPSTEIN noted that the rationale for this proposal is contained in the memo but not in the text of the Amendment. CHAIR WILBER understood

Ms. Epstein wanted to include the rationale for the amendment in the introduction. MS. EPSTEIN also wanted to include language about moving the project to long-term “allows the Highway-to-Highway project to advance sufficiently to ensure benefits of that project are realized and new traffic numbers are obtained.” She also wanted to add a statement about the regional importance by adding, “allows the regional transit authority to advance sufficiently to ensure benefits of the authority are realized and new traffic numbers are obtained.” She noted that the memorandum speaks to rail, but the text discusses pedestrians and bicycles.

MR. NELSON noted that page 9 of Chapter 12 contains conditions relative to the financing and asked if those are being carried forward into the new chapter. CHAIR WILBER stated that no changes are proposed to Chapter 12.

MR. CARR questioned whether a local body can tell the State whether or not to fund a project. Chapter 12 is telling KABATA they cannot use State funding, but that is a decision that rests with the State. Under “environment” on page 5 of the revised Chapter 13 he wondered what Planning and Zoning Commission would do when a regional transportation demand model is used and they feel they are constrained by geographical boundaries. There was a question under “environmental justice” on page 2 of Chapter 13 whether it is possible to impose stricter requirements from a local viewpoint. He suggested that perhaps this could just be a comment rather than additional requirements. CHAIR WILBER noted that the Highway-to-Highway project, which is an LRTP project currently under the environmental process, gives general guidance as to the type of project desired. There is nothing in the LRTP that can override the NEPA process. MR. CARR stated that the lead federal agency is responsible to ensure that the project complies with NEPA. He noted that the condition he was referencing requires that the KAC address Government Hill mitigation measures and requires that the neighborhood mitigation program described in the new Chapter 12 is adopted. He questioned whether the local agency can impose additional requirements on the project or can the local agency simply comment to the lead federal agency what it would like to see as a mitigation measure. MR. MORRIS stated that Chapter 12 is a description of what has already happened. MR. CARR was concerned that this language sets up requirements that KABATA cannot meet and that AMATS cannot impose. MS. EPSTEIN understood that this is required under NEPA and it should be

included. If there are impacts, there must be mitigation. She felt that attorneys should check the requirements. MR. CARR stated that the project sponsor is required to comply with NEPA.

MS. RICE stated this is neither a NEPA nor a municipal document. This is an MPO that is established under federal regulations. This is guidance from a joint municipal and state organization. The Federal government can look at the guidance written in the planning document and determine whether or not it is met; it has nothing to do with NEPA.

MS. KARZCZ was confused by what Mr. Carr is asking because the first paragraph under “Environmental Justice” says that “this final order requires that MPOs like AMATS identify and address disproportionately high and adverse public health and ...”. MR. CARR stated he is asking whether or not the third paragraph of this section “The revised LRTP included additional guidance for neighborhood mitigation measures, and required that a neighborhood mitigation program as described in the new Chapter 12 be adopted.” He wanted to be sure these requirements can be imposed on the KAC or whether those measures will be determined by the federal agency.

MR. NELSON understood that any decision coming out of NEPA must be in line with locally adopted plans. The LRTP is a jointly adopted municipal/State plan. If this language is adopted, he understood it must be complied with as part of the NEPA process.

MS. WITT stated the original LRTP did have a condition that a neighborhood mitigation plan as described in this chapter shall be adopted. The intent of this Amendment is to move the project from short-term to long-term. She understood the language under discussion was intended to summarize what was done in Chapter 12. She agreed with simplifying this document before it goes to the Policy Committee.

MS. EPSTEIN asked whether the TAC wants to put a ceiling on the amount of money spent on the KAC until the LRTP is revised. MS. WITT commented that this could be addressed in the TIP. She would anticipate a large reduction in programmed funds based on the fact that it would not move beyond preliminary engineering and environmental work.

MS. HEIL noted that under “Environmental Justice” on page 2 of the Draft Chapter 13 the last paragraph speaks to adopting a new Chapter 12. She agreed that this language should be removed. Also the conformity discussion in the first paragraph on page 8 speaks to “section titled Deletion of the KAC,” and that should be changed, as should the Air Quality Conformity on page 1.

MS. WITT thought information should be included about consultation with the different federal environmental agencies, taken from the original draft. CHAIR WILBER stated that is contained on pages 15-17 of the April 23, 2009 draft.

MR. MORRIS felt it would be good to have an introduction summarizing what this Amendment does and does not do; he suggested rearranging the memo to put the rationale from the memo at the beginning of the Amendment.

AVES THOMPSON, representing the Alaska Trucking Association and Chair of FAC, stated the FAC discussed a number of these issues and concluded with the FAC’s recommendation to leave the KAC in the LRTP, move it to long-term, and give due consideration to heavy rail. He agreed with Mr. Carr that light and heavy rail are very different. He stated the ATA also supports the proposed Amendment.

SUZANNE DiPIETRO asked what is the authority of the FAC, who decides who is on it, and who serve on it. MR. LYON explained that the FAC was formed as a recommendation of the Freight Mobility Study. Membership was modeled on other similar bodies. They are advisory to AMATS just as is the Air Quality Advisory Committee and the Planning and Zoning Commission acting as the CAC. The CAC is the only one required by federal law. CHAIR WILBER added that membership recommendations come from staff and the Policy Committee appoints. MS. DiPIETRO noted that the CAC is required by law and that body is the Planning and Zoning Commission, which has expertise in zoning and a public process that involves all citizens of Anchorage, unlike the FAC. She argued that these facts point toward giving them preferential treatment. She felt their incredibly thorough and well researched recommendations should receive due consideration. She stated that although the FAC has its own narrow expertise, the CAC should receive

more weight. On the topic of environmental justice, she noted that FHWA is well aware of all the mitigation and context sensitive design issues with respect to Government Hill and there have been multiple meetings and discussions about mitigation. She felt it is important to retain that section in the revised Chapter 13 and noted that the federal government is actively engaged with the community. They are aware of the mitigation, support it, and are engaged with Government Hill in discussions on it.

MS. SYNAN remarked that the LRTP also calls for the FAC to have input and involvement in transportation and planning.

MR. NELSON asked what is meant by “give full consideration” in item 2 under “Decision Desired” in the memo. CHAIR WILBER explained that his intention was that rail be required. MR. NELSON suggested item 2 could read “The KAC shall be designed to incorporate rail service.” He asked if consideration was given to providing a bike lane on the bridge. CHAIR WILBER asked if Phase 1 had a sidewalk or trail. MR. PAULSON replied that there are trails on the Anchorage side, but that is not called out in the project.

MS. HEIL suggested, given that significant edits are being discussed, it may be desirable for the revised document to be brought back to the TAC on June 24, 2009 for final review.

MR. NELSON noted that the recommendation is to incorporate conditions A-F and condition E has a date of 2018 for the Ingra-Gambell connection; he thought that date should be changed, given that the recommendation is to move the KAC to the out years. MS. WITT noted that she looked at Chapter 12 and there is much in that chapter that would need to be changed. She recommended leaving Chapter 12 and acknowledging that, as part of the 2011 update, everything would have to be updated. MR. NELSON stated that he was suggesting that condition E may need to be changed in light of the proposed Amendment to move the KAC into the out years.

CHAIR WILBER summarized that the motion before the TAC was to include items A-D and I-IX in an introduction to Chapter 13, and incorporate changes to pages 15-17 of the public review draft.

MS. WITT asked what is the appropriate action for the TAC. CHAIR WILBER replied that the TAC is being asked to edit Chapter 13, adopt the financial plan, and adopt the edits to Table 8.

JENNIFER WITT moved to amend the memo and make amendments to the text of Chapter 13 based on the memo. TOM NELSON seconded.

MS. WITT moved to amend to remove the next to the last paragraph on page 2 of memo and that staff craft a paragraph on the activities and recommendations of the FAC.

A point or order was noted, as there was a main motion by Mr. Hansen on the floor to recommend approval by the Policy Committee of an Amendment to keep the KAC in the LRTP and move it to the long-term, include new planning requirements, and include the financial plan and an amendment by Ms. Witt to amend the memo and Chapter 13. The suggestion was made to clear the floor of all motions in order to begin anew.

MS. WITT *withdrew her amendment.*

MR. HANSEN *withdrew the main motion.*

MR. COWLES suggested that staff redraft the memo and Chapter 13 to be consistent and the TAC reconvene at a later date to take action.

MS. KARZ suggested that all members provide suggested changes to Mr. Lyon by noon on June 19, 2009. MR. COWLES suggested that staff use the record from today's meeting to prepare the changes.

MR. NELSON asked that the TAC focus on the substance and not cosmetics of this document allowing staff to revise language in conformance with the TAC's suggested changes.

MS. WITT asked that the TAC consider taking action at this meeting on some key points so that the TACs recommendations might be heard by the Assembly.

JENNIFER WITT moved to modify the introduction to Chapter 13 to include items A-D and items I-IX from the June 18, 2009 memorandum to the AMATS TAC and Policy Committee. CINDY HEIL seconded.

There being no objection, the motion passed unanimously.

LOIS EPSTEIN moved to amend to add “X. Allows the Highway-to-Highway project to advance sufficiently to ensure benefits of that project are realized and new traffic numbers are obtained.” and “XI. Allows the regional transit authority to advance sufficiently to ensure benefits of the authority are realized and new traffic numbers are obtained.” STEVE MORRIS seconded.

There being no objection, the amendment passed unanimously.

CINDY HEIL moved to change item 2 under “Decision Desired” of the June 18, 2009 memorandum to read “The KAC shall be designed to incorporate heavy rail service.” BRUCE CARR seconded.

There being no objection, the amendment passed unanimously.

CINDY HEIL moved to amend Chapter 13 to incorporate changes regarding air quality conformity to be drafted by Mr. Morris. JENNIFER WITT seconded.

There being no objection, the amendment passed unanimously.

LOIS EPSTEIN moved to amend the text in Chapter 13, page 2 where heavy rail is discussed to also include text regarding consideration to incorporate pedestrian and bicycling in Phase 1; and also on page 6 under “Financial Plan” to add bicycle where pedestrian and trail is mentioned. TOM NELSON seconded.

MR. NELSON asked to focus on what the recommendations should include rather than where to put the changes. CHAIR WILBER concurred.

MS. HEIL asked if the decision to incorporate these facilities would occur at design. MS. WITT suggested the language should be that the KAC should give full consideration to heavy rail, bicycle and pedestrian facilities. MR.

NELSON had concern with this language because, if there is a belief it should be part of the first phase, it should be part of the recommendation. He preferred to delete “should give full consideration” and insert “Should incorporate.” *This was accepted as a friendly amendment* and the item now read, “The Knik Arm crossing project should incorporate heavy rail, bicycle and pedestrian facilities.”

MS. RICE voiced concern that this language is dictating design while there is also a cost cap imposed. MR. NELSON commented that this is a regionally significant project and AMATS would be remiss making it auto only. If for safety reasons pedestrian facilities are judged to be unwise, that case can be made. MS. WITT had no opposition to this language change, so long as it is a recommendation and not a condition.

There being no objection, the amendment passed unanimously.

JENNIFER WITT moved to amend Chapter 13 to add the requirements for consultation and mitigation activities on pages 15-17 of the public review draft. CINDY HEIL seconded.

There being no objection, the amendment passed unanimously.

STEVE MORRIS moved to amend the title of Chapter 13 to read, “2009 Major Amendment, Delay of the Knik Arm Crossing to a Long-Term Project.” JENNIFER WITT seconded.

There being no objection, the amendment passed unanimously.

JENNIFER WITT moved to amend Chapter 13 to remove the third paragraph on the bottom of page 2 under “Environmental Justice.” CINDY HEIL seconded.

MS. WITT noted that this is regarding the 2007 Amendment and leaving it in this Chapter 13 detracts from the focus of the action before the Policy Committee. This is already part of the conditions and she felt the intent stays intact without this information in the Amendment. CHAIR WILBER suggested the language instead be amended the second sentence to begin, “As described in Chapter 12...” and not delete it. MS. WITT felt it had already

been covered in existing Chapter 12. MR. CARR noted that there has already been work with the federal agencies and the intent is to refine this document, so he favored removing this paragraph.

There being no objection, the amendment passed unanimously.

MS. WITT cited page 5 under “environment”, noting that she was not aware that a regional transportation demand model would incorporate the Mat-Su Valley; she thought it was only Eagle River. MR. CARR stated that is why the Planning and Zoning Commission’s remarks were not valid. MR. NELSON felt there was recognition of the number of trips coming from the Valley when the LRTP was done.

MS. RICE noted that page 1 speaks to project documents and project webpage but it should reference AMATS documents and AMATS webpage.

MR. NELSON did not agree with placing bicycles and pedestrians in the paragraph discussing rail and felt it should be left to staff to put this language into the document where it is appropriately located. But where there is language on heavy rail, pedestrian and bicycle, it should be emphasized that because this is a transportation facility of state and regional significance, it is incumbent that it is a multimodal design and be built as a multimodal facility. He moved to incorporate language in Chapter 13 that incorporates additional facilities with the rationale that this is a statewide transportation facility that should be multimodal. *There was no objection to this change.*

MR. CARR asked staff to look carefully at the safety and security factor section of this Amendment. He questioned what was accomplished by spending seven columns on that section.

JODY KARZCZ moved to amend page 7, middle column, second full paragraph last line, to delete “operating support.” *There was no objection to this change.*

There being no objection, the motion passed unanimously.

JENNIFER WITT moved to approve the June 17, 2009 draft of the financial plan with a recommendation that staff confirm that the numbers for State

funding in 2009, 2010 and 2011 are appropriately shown. CINDY HEIL seconded.

BRUCE CARR noted a typographical error in Note 6, which should say 5307 and 5309. He noted that FHWA should be included. *There was no objection to this change.*

JENNIFER WITT stated that Note 9 should say “40% of interest only returns” rather than “40% of returns”. *There was no objection to this change.*

MS. KAR CZ questioned the “MOA, Transit Capital Improvements, Fleet” amounts, noting that some of these funds are railroad, not transit. She asked that money for public transportation be shown as a separate line item. *There was no objection to this change.*

MS. WITT suggested that Ms. Carr and Ms. Karcz confirm the figures that should be shown for MOA transit and for the ARRC. *There was no objection to this change.*

There being no objection, the motion passed unanimously.

CINDY HEIL moved to approve Table 8. STEVE MORRIS seconded.

LOIS EPSTEIN wished to amend the “Project Purpose and Description” for Project 810, Knik Arm Crossing on page 32 to state “Add new bridge with road, heavy rail, pedestrian and bicycle facilities...” *This was accepted as a friendly amendment.*

LOIS EPSTEIN noted the “NOTE” will need to be revised to include the same reference to pedestrian and bicycle facilities. MR. NELSON noted that a similar change will be needed under “Phase 1.” *This was accepted as a friendly amendment.*

There being no objection, the motion passed unanimously.

CINDY HEIL moved to forward to the Policy Committee the recommendations of Chapter 13, the financial plan, and Table 8 contingent on the finalization of the conformity analysis. STEVE MORRIS seconded.

MR. CARR asked if Chair Wilber would be sending this revised draft to the TAC. He had specific concern with the language regarding the need for bonds to be backed by the State. CHAIR WILBER stated he would confirm the accuracy of this statement. MR. CARR asked to simply remove that paragraph.

There being no objection, the motion passed unanimously.

- a. **Air Quality Conformity Determination Report**
- c. **Draft 2010-2013 Transportation Improvement Program (TIP)**

These items were not considered at this meeting.

- d. **Other Business Items – None**

6. INFORMATIONAL REPORTS (Postponed)

7. Scheduled AMATS Meetings

Policy Committee, June 25, 2009

Technical Advisory Committee, July 9, 2009

8. ADJOURNMENT

The meeting was adjourned at 5:20 PM