



C/O LEHIGH VALLEY PLANNING COMMISSION
961 MARCON BOULEVARD, SUITE 310
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The Lehigh Valley Transportation Study Coordinating and Technical Committees met in a joint session on Monday, October 31, 2016 at 9:00 a.m. at the Lehigh Valley Planning Commission, 961 Marcon Boulevard, Suite 310, Allentown, PA. In attendance were:

TECHNICAL COMMITTEE

Name

Representing

Darlene Heller*

City of Bethlehem

David Hopkins*

City of Easton

Brendan Cotter*

LANta

Becky Bradley*

LVPC

George Kinney*

Ray Green*

PennDOT Central Office

Christopher Kufro*

PennDOT District 5-0

COORDINATING COMMITTEE

Matthew Dorner**

City of Bethlehem

David Hopkins**

City of Easton

Richard Molchany***

County of Lehigh

Stan Rugis***

County of Northampton

Owen O'Neil*

LANta

Becky Bradley*

LVPC

Larry Shifflet*

PennDOT Central Office

Michael Rebert*

PennDOT District 5-0

PUBLIC PRESENT

Ted Berger	City of Allentown
Jim Brady	STV, Inc.
Michael Dee	State Representative Dan McNeill
Kurt Derr	State Senator Lisa Boscola
Kathy Dimpsey	FHWA
Ralph Eberhardt	Michael Baker International
Carol Halper	U.S. Congressman Charlie Dent
Brian Harman	The Pidcock Company
Heather Heeter	Borton-Lawson
Vanessa Koenigkramer	PennDOT District 5-0
Matt Malozi	Rettew Associates
Jay McGee	HNTB
Brian Miller	Upper Milford Township
Lee Rackus	Whitehall Township
Joe Romano	Larson Design Group
Bill Royer	State Representative Ryan Mackenzie
Matt Szuchyt	State Senator Pat Browne
Jeff Warren	Gilmore & Associates, Inc.

*Denotes voting member

Mr. Rebert chaired the joint LVTS Technical Committee and Coordinating Committee meeting.

COURTESY OF THE FLOOR

None.

MINUTES

Mr. Green moved for the approval of the minutes from August 29, 2016 LVTS Technical Committee meeting with the provision that the number of approved TIPs statewide under the ***12-Year Plan Program Status*** on page 3 be changed from 123 to 23. Ms. Bradley seconded with Mr. Green's change and the motion passed unanimously. Mr. Shifflet moved for the approval of the minutes from the July 25, 2016 Coordinating Committee meeting. Mr. O'Neil seconded and the motion passed unanimously.

STATUS OF TIP TRANSIT PROJECTS

Mr. Cotter presented the status of LANta's TIP transit projects (attached).

TIP AMENDMENTS

Ms. Koenigkramer presented the TIP Administrative Actions (attached). There were no TIP Amendments.

OLD BUSINESS

Critical Urban Freight Corridors

Mr. Kinney presented information about the Critical Urban Freight Corridors (attached).

Ms. Bradley said there are four MPOs in the state that qualify for this. We are one of the four. CUFC designation is limited to 121 miles statewide. We have to be very refined in what we propose because we are competing with Philadelphia, Pittsburgh and the Harrisburg area.

Mr. Kinney said there was an amount of money that came into the state for freight related projects under the FAST Act (Fixing America's Surface Transportation Act) and it has been awarded to the I-95 corridor. Ms. Bradley noted that we did not receive any of this money. We hope to schedule a meeting with Secretary Richards to discuss how we can actually be taken into consideration in an honest and serious way as it relates to our CUFCs and future funding because we are very concerned that we will receive no additional freight areas to the detriment of a number of our communities in the region. A portion of this funding would be useful to finish out projects that are significantly freight related especially since we are about to have the largest freight hub for FedEx in the world built in our region and are seeing the highest concentration of freight in the United States of America. We are very concerned that we will not have a voice since we are the third in the line of largest regions.

Mr. Shifflet said the \$210M is not fully allocated. We are allocated between \$45M and \$47M each of the five years of the FAST Act. We will look at it every year because we only get it in an annual fund.

Mr. Rebert said the District has a business plan to present to the Secretary and Deputy Secretaries in the next week. We outline everything that is going on in the District. We have a lot of big projects that are going to come due at the same time.

Congestion Management Process

Mr. Kinney presented the draft *Congestion Management Process* (CMP) document. We have had a conversation with Upper Milford Township who has some concerns about some of the designations in the document. We articulated that we update our *Transportation Improvement Program* (TIP) every two years and our *Long Range Transportation Plan* (LRTP) every four years. We update the CMP approximately once every five years. We also have our *Comprehensive Plan* update underway. We suggested to them that there are opportunities to create a stronger plan going forward but, for the purposes of this effort, we feel that the recommendations are appropriate. There is no funding tied to any of these priority corridors or any of the future corridors. It does not preclude any TIP requests to the LVTS. We will continue to work on projects that will work for them and the rest of the region over time.

Mr. Kinney asked for Coordinating Committee approval of the *Congestion Management Process* (CMP) report. Mr. Shifflet moved to approve the CMP. Seconded by Mr. Hopkins, the motion passed unanimously.

Freight Advisory Committee Meeting – December 19, 2016, 11:30 AM at TBD

Mr. Rebert noted that there is a Freight Advisory Committee meeting December 19, 2016 at 11:30 AM. Ms. Bradley said Ms. Oscavich is working to find an alternate space for the meeting because attendance has become too large to hold it in the LVPC conference room.

USDOT Notice of Proposed Rulemaking Update – MPO Coordination

Ms. Bradley said the *Notice of Proposed Rulemaking/MPO Coordination* reform has been reopened at the Federal level. Responses were due last Monday (October 24, 2016). What that rulemaking does is require a joint single transportation planning program including a unified LRTP, TIP and performance standards. The rule essentially creates a single eight state mega region which every MPO in that region feels is too big to succeed. In August we coordinated a single joint response with all of us speaking with the same voice saying that we do not think we can do this. We are also very concerned it would do things like make it too hard for areas like us to compete especially if we are not competing with not only NJ Transit but also we Transit of New York City, SEPTA, etc. It could have wide spread implications for us. Also we do not know how we would be able to manage that when it is already difficult for people to get involved in our public process now. What would that mean if we took the local voice away and they were having meetings in other places that sensitive populations could not get to.

Ms. Bradley said the rulemaking change does not force the dissolution of organizations like ours but it forces significant coordination that we do not believe is manageable. The American Association of State Highway Transportation Officers (AASHTO), the American Association of Metropolitan Organizations, the National Association of Regional Councils, and all associated professional organizations (engineering, planning, etc.) are squarely against this. When they reopened the comment period about a month ago, they asked several specific questions:

- What success stories are out there? We gave them joint planning agreements between us and all the partners that touch us now
- How much would it cost to implement this? No one actually knows because no one understands the structure of how this will work.

Ms. Bradley said we submitted a 4-5 page letter. We do not know what will happen. We will have to wait. We think one of two things will happen:

1. The Secretary will abandon the rulemaking change and leave it for the next Secretary;
or
2. The Secretary will go ahead and adopt it. It will then end up in court because a number of our Federal elected officials have found they believe the rulemaking change is illegal.

Mr. Rugis asked for explanation of the basis for the change. Ms. Bradley said we were told the current Secretary is from a region that has grown really quickly. When a region goes beyond 500,000

people it becomes a Metropolitan Planning Organization (MPO) and is no longer a Rural Planning Organization (RPO). There were a lot of RPOs that touched the Charlotte region that now became MPOs. Instead of combining the MPOs and creating one to address the needs of greater Charlotte, like we have a regional organization that addresses the needs of Allentown, Bethlehem, and other communities, they just created a lot of separate MPOs. The Secretary felt that was inefficient. The general consensus among MPOs around the country is that he should have checked to see where this a problem before proposing the changes. We've been on many calls with everyone from Boston to Virginia. All the MPO directors are talking about what we are going to do. We had a meeting in Indiana discussing what happens next. That's how serious this is. No one is happy.

A brief discussion followed. Ms. Halper reminded everyone that this is an election year and this will not happen overnight. Ms. Bradley said they did give a two year implementation window in the Notice of Proposed Rulemaking. We would have to do an analysis after every Census. Ms. Halper said that a state could opt out. Mr. Bradley said a state cannot opt out but the Governor can say we are not going to do this for a specific MPO.

Mr. Molchany asked how many MPOs are in Pennsylvania. Mr. Shifflet said there are 23 total partners. The others are RPOs. It gets complicated. We have a great system and we do not want to have anything to do with the proposed rulemaking changes. We replied in the second round of comments. Mr. Molchany asked if there is any advantage in reshuffling things in Pennsylvania. Mr. Shifflet said not at this point. Some of this is based on Census so, unless they do something to change that in Federal law, we are good with how we have great cooperation amongst the MPOs through Memorandums of Understanding (MOUs) where there is some boundary bleed over. We are in great shape the way we are.

Mr. Molchany said the reality is PennDOT, our Governor, MPOs see no advantage to the proposed changes. Everyone in attendance needs to take that back to all the people you represent and make sure that message is loud and clear because this makes no sense. Ms. Halper said Congressman Dent sent a letter immediately. This is a decision made completely bypassing Congress. Congress did not vote on this. Congress was blindsided by this. Ms. Halper said she did not think Chairman Bill Shuster knew about this. This is something that is being done completely administratively. Mr. Rebert said all four chairs to the Transportation Committee signed the same letter that they sent to USDOT. It may not have been as harsh as PennDOT's but there were a few key points and to have all four sign off on that letter indicates there is concern at that level. Ms. Halper noted that opposition comes from different parts of the country and both sides of the aisle. It is completely bipartisan.

Ms. Bradley thanked everyone for sending letters to the Federal docket on this issue.

NEW BUSINESS

PennDOT Connects

Mr. Kufro said PennDOT Connects is the Secretary's new initiative. The goal is to link PennDOT projects with municipalities and long range plans. It is something that is going to be implemented with the adoption of the new TIP. We do not yet have official guidelines. We've had some executive level meetings. There are still some things being discussed but there will be official training modules next winter and spring that will outline how the process should work. The way we are

going to handle it right now is we are going to invite the MPOs and local official out with us on any new project being started. This is not a wish list but trying to dig in and become more interactive with the locals. It is something we already do on the bigger projects but it is something we would like to be more involved with every project to see if we can connect the missing links in the local planning.

Mr. Rebert said District-wide there are about 50 new projects. It is going to be a bit of an undertaking but it is the direction we are going. We will be reaching out to coordinate with the municipalities.

Mr. Shifflet said District 5-0 has been doing this on a lot of the major projects. We have a Secretary who has a vast planning background, is very interested in planning and specifically local planning and making sure we pull that all together before we get too far down the road. There have been six sessions set up with each of the Districts and the planning organizations.

Ms. Bradley said we discussed this at the Lehigh Valley Planning Commission (LVPC) Transportation Committee last week. The Commission feels this is a great opportunity to help us implement some of our county planning responsibilities and sees it as a great opportunity for us. We are already in a good position because we have the County land use tied with transportation.

Mr. Rugis said we are doing this already. We have State Route 2004 in Hellertown Borough and Lower Saucon Township with a bridge alignment/replacement. It worked out well.

Mr. Shifflet said the Secretary is interested in these success stories and making sure all the projects are success stories where we are working together.

CORRESPONDENCE

None.

COURTESY OF THE FLOOR

Mr. Molchany said he saw a report indicating that revenue is soft in Pennsylvania. How are PennDOT projects affected? Are reductions planned for this year? Mr. Shifflet said October 1, 2016 started a new Transportation Improvement Program. We know the Federal funds. On the stateside we are solid. Those revenues fluctuate up and down quarterly. We do not adjust our TIP to those. Where we would adjust them is when we get into the next planning cycle for the 2019 TIP.

Mr. Molchany asked if there has been any resolution using that transportation money for State Police? Mr. Shifflet said with the passage of the budget this summer for the current state fiscal year, there is a part of our fiscal code that was enacted and approved that eventually starts reducing the money coming from the motor license fund and keeping the State Police at the current level. Then over a 10-year period getting that back down to \$500M. It is in place unless something changes in the future.

Mr. Molchany said I think the fear is will we ever see the Commonwealth not have enough money to take advantage of Federal allocations and that money will be somehow diverted to another

state. Mr. Shifflet said no. On the Federal level there is August redistribution which means there are some allocated funds that go unspent in other states and states that have spent all their Federal funds get those back. We have never not spent every dollar of Federal money that comes to Pennsylvania. In years past we were probably 70% Federal 30% State. We are now closer to 60% Federal and 40% State. We've bumped up our state funding with the passage of Act 89.

Mr. Molchany asked if we have a perspective of whether projects are delayed from one year to the next assuming only an LRTP increase of 3% per year. Do we know if that is an accurate number or not? Mr. Shifflet said, when we look at it from a TIP perspective, we assume that same 3%. We've gone back and looked at the Consumer Price Index. We do it every two years and take the average it out over a longer period of time. While you might have a three year period where that is a little elevated, overall you are between 2% and 3%.

There being no further business, Mr. Rebert adjourned the LVTS Technical Committee and LVTS Coordinating Committee meetings.

Submitted by,

Alice J. Lipe for
Becky A. Bradley
LVTS Technical Committee
LVTS Coordinating Committee

BAB:ajl
Finalized mm/dd/16

Attachments: LANta TIP Transit Project Status Update
FCT FFY 2015-2018 Highway & Bridge Element – Coordinating Committee
FCT FFY – 2015-2018 TIP Highway & Bridge Element – Technical Committee
FCT FFY 2017-2020 TIP Highway & Bridge Element – Technical & Coordinating
Committees
FCT FFY – 2015-2018 TIP Highway & Bridge Element – Technical Committee
Designating and Certifying Critical Urban Freight Corridors (CUFCs) PowerPoint