Rhode Island State Planning Council
Draft Minutes of September 13, 2012 Meeting

Thursday, September 13, 2012
William E. Powers Building
Conference Room A
One Capitol Hill, Providence, RI

I. ATTENDANCE

Members Present

Mr. Richard Licht, Chair	Director, RI Department of Administration
Ms. Kelly Mahoney, Vice Chair	Policy Director, Office of the Governor
Mr. Kevin Flynn, Secretary	Associate Director, Division of Planning
Mr. Robert Azar	Providence Department of Planning & Development
Ms. Janet Coit	Director, RI Department of Environmental Management
Ms. Jeanne Cola	Chair, RI Housing Resources Commission
Ms. Sharon Conard-Wells	West Elmwood Housing Development Corporation
Ms. Lea Anthony Hitchen	Representing Mr. William Sequino, Public Member
Mr. Paul McGreevy	RI Economic Development Corporation
Mr. Thomas Mullaney	RI Department of Administration, Budget Office
Ms. Anna Novais	Representing Mr. Michael Fine, Director, RI DOH
Ms. Anna Prager	Public Member
Mr. Peder Schaefer	Representing Mr. Dan Beardsley, Executive Director, RI LOCAT
Mr. Sam Shamoon	Governor's Designee
Mr. Bob Shawver	Representing Mr. Michael Lewis Director, RIDOT
Mr. John Trevor	Environmental Advocate
Ms. Janet White-Raymond	Public Member
Mr. Scott Wolf	Environmental Advocate

Members Absent

Ms. Jeanne Boyle	RI LOCAT, President's Designee
Mr. Stephen Cardi	Cardi Corporation
Mr. L. Vincent Murray	RI LOCAT, Government Official Representative

Guests

Ms. Terry Bisson	RI Department of Environmental Management
Ms. Barbara Breslin	Federal Highway Administration
Ms. Hillary Costa	RI Department of Administration
Mr. Michael Hogan	RI House Policy Office
Mr. James McGinn	RI Department of Environmental Management
Mr. Larry Mouradjian	RI Department of Environmental Management
Ms. Lilly Picchione	RI Public Transit Authority
Ms. Allison Rogers	Policy Director, RI Department of Administration
Mr. Michael Walker	RI Economic Development Corporation

Staff – Division of Planning

Ms. Linsey Callaghan	Supervising Planner, Statewide Planning Program
Mr. Kevin Nelson	Supervising Planner, Statewide Planning Program
Mr. Jared L. Rhodes, II	Chief, Statewide Planning Program
Ms. Derwent Riding	Principal Planner, Statewide Planning Program
Ms. Karen Scott	Assistant Chief, Statewide Planning Program
Ms. Dawn Vittorioso	Executive Assistant, Division of Planning

II. AGENDA ITEMS

1. **Call to Order**

Vice Chair, Ms. Mahoney announced that Mr. Licht had a meeting conflict and will arrive late. She then called the meeting to order on September 13, 2012 at 9:07 a.m.

2. **Approval of the July 12, 2012 Meeting Minutes** – *for vote*

Mr. Flynn noted that Mr. Wolf submitted minor typographical changes on page five. Ms. Mahoney asked for a motion to amend the meeting minutes of July 12, 2012. Ms. Janet Raymond White moved to approve the minutes of July 12, 2012 as amended. The motion was seconded by Ms. Sharon Conard-Wells. There was no further discussion and the motion passed unanimously.

3. **Public Comment on Agenda Items**

There were none.

4. **<u>CEDS Certification of EDA Grant Proposal</u>** – *for action*

Mr. Nelson presented the process for CEDS review, specifics of the proposal at hand, preliminary findings, and recommended action as documented in the agenda supplement. Ms. Coit took a moment to provide additional context regarding the application with a specific emphasis on the technical components and the importance to the regional fishing industry. Highlights of those items in which the State Planning Council engaged in discussion are as follows:

Mr. Trevor noted his confidence in the environmental components of the proposal given Ms. Bisson's involvement.

Mr. Schaefer requested information on where the matching funds were coming from. In response, Ms. Coit said that the matching funds of $2,944,753 are provided through RI's current Capital Plan Fund ($2,871,860) and DEM's personnel budget ($72,893). Mr. Schaefer next asked if this grant would improve to interstate navigation facilities. Mr. Mouradjian from RIDEM responded that significant improvements to those facilities are being pursued through a separate grant. Ms. Cola asked if public boating access provisions would be incorporated. Mr. Mouradjian responded by noting that public access is an important consideration within this area. Since intermingling public traffic within this heavy industry working environment is not advisable, DEM is working to accomplish this at a different site in close proximity.

There being no further questions or comments, Ms. Mahoney asked for a motion to adopt the preliminary findings as their own and certify the port of Galilee Infrastructure Improvement Proposal as CEDS eligible. Ms. Prager moved approval and Ms. White Raymond seconded the motion. The motion passed unanimously and there was no further discussion.

5. **<u>Moving Ahead for Progress in the 21st Century Act (MAP-21)</u>** – *for discussion*

Ms. Mahoney introduced Ms. Barbara Breslin who delivered a formal PowerPoint presentation (See attachment 1). The following items were discussed amongst the Council and staff throughout Ms. Breslin's presentation:

Mr. Licht arrived and assumed the duties of chair and asked for clarification on the difference of system reliability goals versus infrastructure condition goals. Ms. Breslin explained that system reliability goals are tied more to mobility and system delay times. Infrastructure conditions relate to the condition of the structure itself.

Ms. Novais referred to the Injuries and Fatalities section and asked whether DOT utilizes the Department of Health's (DOH) data or hospitalization releases and injury causes. Ms. Breslin stated that FWA is working with RI Emergency Management Systems to share their data. Ms. Novais offered to share DOH's data. Mr. Breslin thanked Ms. Novais for the information and noted its helpfulness as this is one of the biggest challenges they are facing.

Mr. Wolf asked for clarification regarding the difference between MPOs and Transportation Management Areas (TMAs). Ms. Breslin responded that the difference is relative to population size and also specified that RI is both a MPO and a TMA.

There being no further questions, Mr. Licht introduced the next item on the agenda.

6. **Long Range Transportation Plan Update** – *for discussion*

Ms. Callaghan began her informal presentation by reminding the Council that at the last State Planning Council meeting, staff reported that they received guidance from FHWA and FTA informing them that it was unnecessary to complete an interim update of the State's Long Range Transportation Plan (LRTP) – Transportation 2030 and that the State Planning Council would have the ability to amend the FY 13-16 TIP until such time that the Council was able to complete a full update of that Plan. Since that time, Statewide Planning (SWP) received additional guidance from FHWA and FTA that this is not the case, and the State will not be allowed to process amendments to the FY 13-16 TIP until the Long Range Transportation Plan is updated. Therefore, staff is working to remedy and restore the State's ability to amend the TIP whenever necessary by completing an interim update of the Plan that meets the minimum federal requirements. In order to accomplish this, SWP has been working with FHWA, FTA, RIDOT, RIPTA, the Technical Committee and the TAC to develop the proposed scope and schedule for the update that was distributed within the Council packets. Highlights of those items in which the State Planning Council engaged in discussion are as follows:

Mr. Licht asked about the scheduled timeframes. Ms. Callaghan said that the TAC will review the LRTP draft on September 27th. At that time, the TAC will have the opportunity to provide feedback which will then be presented to the Technical Committee and the State Planning Council (SPC) at the October meetings with a request to authorize a series of public hearings. The public hearings have been tentatively scheduled on November 14th and November 15th. On November 15th, the TAC will hold a special meeting at which they will be asked to recommend approval of the Plan to the SPC. If all proceeds smoothly, Transportation 2035 will be presented to the Technical Committee and SPC for approval at their December meetings.

Mr. Shamoon asked where the hearings are held and then asked what the notification process is for public hearing notices. Ms. Callaghan said that the hearings are held at One Capitol Hill, second floor - conference room A, Providence, RI and are scheduled for November 14 at 9:00 a.m. and November 15 at 6:30 p.m. The Plan's public notice will be advertised in the Providence Journal and mailed to over 1,200 individuals and organizations in October.

Ms. Conard-Wells asked to elaborate further on the shift from needs to performance based targets. In response, Ms. Breslin explained that they are very similar but performance based targets expand beyond the need to include measures of how the State is meeting the need.

She also stated that this proposed scope and timeline is the appropriate approach while the MPO awaits FHWA's specific guidance on MAP-21 requirements for LRTP's.

There being no further questions, Mr. Licht thanked Ms. Callaghan for her presentation and moved on to the next agenda item.

7. **Other Business**

To respect Ms. Lilly Picchione's time, Mr. Licht switched agenda item seven and eight. He then introduced Ms. Picchione from RIPTA who reported that the RIPTA was recently awarded two FTA discretionary grants. She announced that Providence Station / Station Park will be rehabilitated, and the Providence Bus Tunnel will receive maintenance and repair.

Mr. Licht asked if the project will include improving linkages between Providence Station and Kennedy Plaza. Ms. Picchione indicated that doing so was a primary focus of the grant. Mr. Licht then asked if there has ever been any discussion of the possibility of pedestrian traffic through the tunnel. Ms. Picchione said that she was unsure; however, she will pose that question to the appropriate parties.

8. **Associate Director's Report**

Mr. Flynn addressed the following items under the Associate Director's report:

- Sustainable Communities Initiative;
- Wind Siting Guidelines Development effort;
- Publication of Water 2030 Issue Brief for municipal planners;
- CDBG Disaster Recovery funding;
- OHCD new hire, Laura Sullivan;
- APA Event on September 20 & 21;
- Karen Scott's return from maternity leave;
- Derwent "Derry" Riding's pending retirement on 9/21

Director Licht thanked Ms. Riding for her many years of service to the State and wished her well on her retirement.

9. **Adjourn**

Mr. Shamoon moved to adjourn. Mr. Mullaney seconded the motion. There was no further discussion, the motion carried unanimously and the meeting adjourned at 10:15 A.M.

Respectfully Submitted,

Kevin Flynn
Secretary

Attachment 1

U.S. Department of Transportation
Federal Highway Administration

Moving Ahead for Progress in the 21st Century Act (MAP-21)

August 2012

Moving Ahead for Progress in the 21st Century Act (MAP-21)

Signed into law by President Obama on July 6, 2012

Extends current law (SAFETEA-LU) through September 30, 2012

Goes into full effect October 1, 2012

Authorizes programs for two years, through September 30, 2014

MAP-21 themes

- Strengthens America's highway and public transportation systems
- Creates jobs and supports economic growth
- Supports the Department's aggressive safety agenda
- Simplifies and focuses the Federal program
- Accelerates project delivery and promotes innovation
- Establishes a performance-based Federal program

Stable funding

- Program authorized through FY14
  - Current law through end of FY12
  - Most new provisions go into effect on October 1st
- Avg. annual funding at FY12 levels (plus minor inflation)
- Extends Highway Trust Fund taxes and ensures 2 years of solvency for Highway Trust Fund (HTF)
- Substantial programmatic consolidation
  - No earmarks
  - Most discretionary programs eliminated

Apportioned Programs

Program structure

MAP-21	Current Law
National Highway Performance Program (NHPP)	NHS, IM, & Bridge (portion)
Surface Transportation Program (STP)	STP & Bridge (portion)
Congestion Mitigation & Air Quality Improvement Program (CMAQ)	CMAQ
Highway Safety Improvement Program (HSIP)	HSIP (incl. High Risk Rural Roads)
Railway-Highway Grade Crossing *(takedown from HSIP)*	Railway Highway Grade Crossing
Metropolitan Planning	Metropolitan Planning
Transportation Alternatives *(setaside from NHPP, STP, HSIP, CMAQ, and Metro Planning)*	TE, Recreational Trails, and Safe Routes to School

A new approach to formulas

Authorize lump sum for all apportioned programs

↓

Calculate total amount to apportion to each State

↓

Divide State lump sum among programs

Division of a State's apportionment among programs

CMAQ

State's lump sum multiplied by…

$$\frac{\text{State's FY09 CMAQ}}{\text{State's total FY09 apportionment}}$$

Metro Planning

State's lump sum multiplied by…

$$\frac{\text{State's FY09 Metro Planning}}{\text{State's total FY09 apportionment}}$$

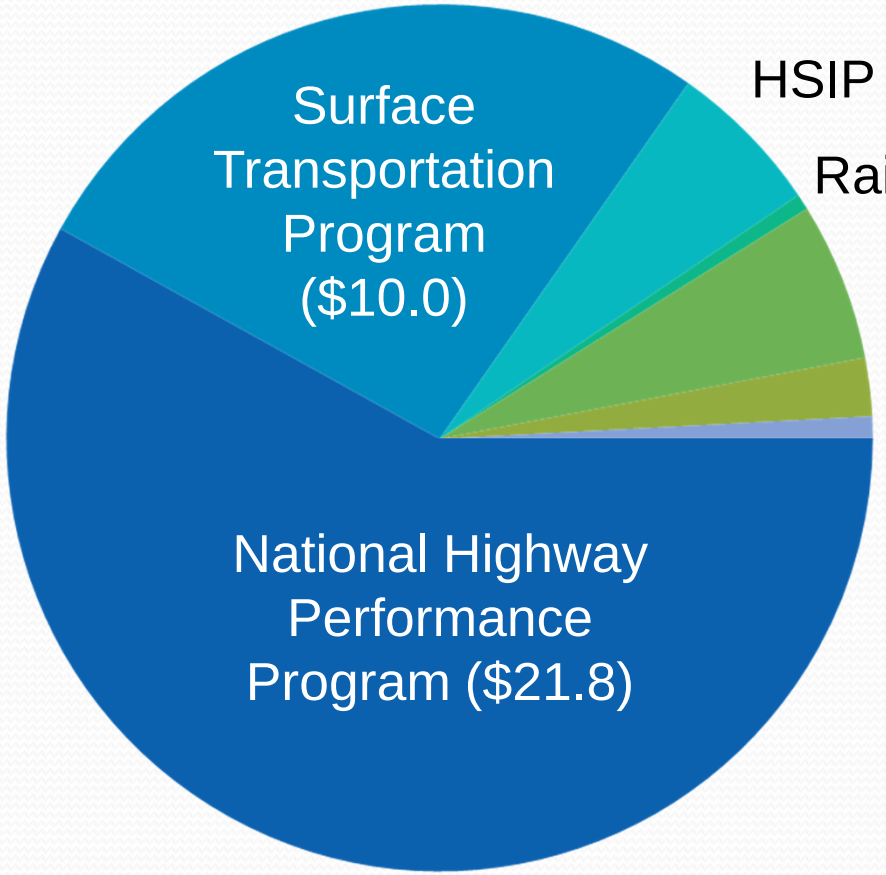
Remainder

(net of CMAQ, Metro Planning) divided among…

- **NHPP** (63.7%)
- **STP** (29.3%)
- **HSIP** (7.0%)

…and then setasides for **Rail-Highway Grade Crossings** and the **Transportation Alternatives** program

$37.7 billion/year in formula funding



HSIP ($2.2)

Railway-Highway Crossing ($0.2)

CMAQ ($2.2)

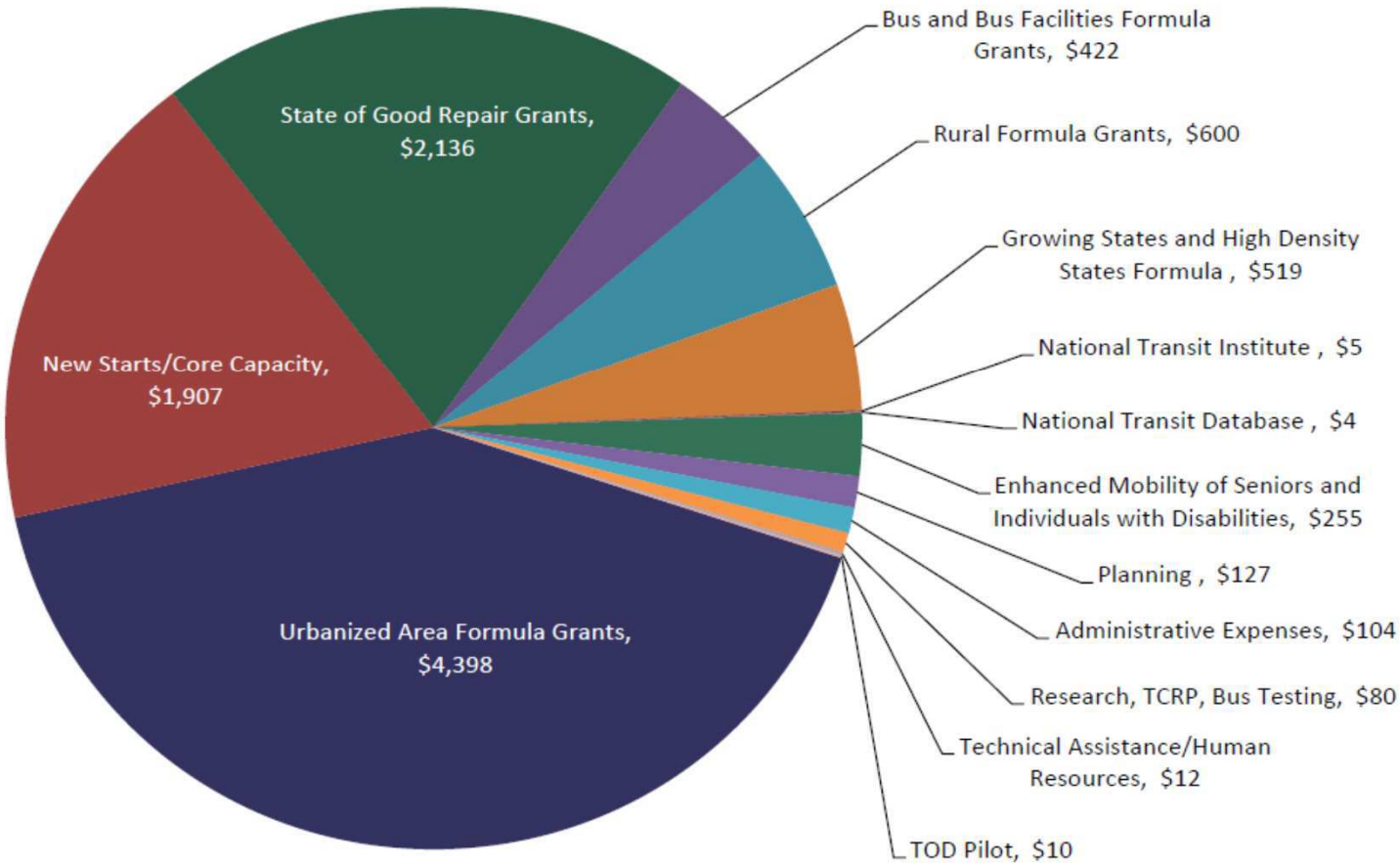
Transportation Alternatives ($0.8)

Metro Planning ($0.3)

Note: Amounts in $ billions; individual program amounts do not add exactly to total due to rounding

MAP-21 Transit Funding

FY 2013 Authorized Funding = $10.578 Billion



Details on Individual Programs

National Highway Performance Program ($21.8B)

- Funds an enhanced National Highway System, combining functions of the existing NHS, IM and Bridge Programs
- Enhanced NHS includes existing NHS, all principal arterials, STRAHNET, and intermodal connectors
- Requires an asset management plan
- States set targets for conditions and performance
- Min. standards for Interstate & bridge conditions in a State
  - DOT to set minimum standard for Interstate pavement condition
  - Law sets standard for NHS bridges -- no more than 10% of deck area may be structurally deficient

Surface Transportation Program ($10.0B)

- Continued flexible funding for Federal-aid highways, plus safety and bridges on any public road
- Eligibility for transportation enhancements, rec trails, ferry boats, consolidated border infrastructure program, truck parking facilities, and safe routes to schools (no set-aside)
- 50% of funds subject to suballocation based on population
- Rural provisions enhanced
  - Rural planning organizations, if any, must be consulted
  - Up to 15% of rural suballocation may be spent on minor collectors

Highway Safety Improvement Program ($2.4B)

- Dramatically increases size of existing program
- Maintains current structure; adds requirement for regular update of the strategic highway safety plan
- Keeps setaside ($220M/year) for rail-highway grade crossings
- No high risk rural roads setaside unless safety statistics worsen
- Secretary to establish measures and States to set targets for number of injuries and fatalities (and number per VMT)
- Strengthens link between HSIP and NHTSA programs

Congestion Mitigation & Air Quality Improvement Program ($2.2B)

- Continues the current program with changes
- Performance plans for large TMAs (to include air quality and congestion measures)
- States with PM 2.5 areas must use a portion of their funds to reduce PM 2.5
- Some expanded authority to use funds for transit operations
- Explicit support for installation of facilities serving electric or natural gas-fueled vehicles
- CMAQ outcomes assessment study required

Transportation Alternatives (TA) ($814M)

- Incorporates eligibilities from many current programs
  - Most (but not all) formerly TE-eligible activities
  - Recreational trails program
  - Safe Routes to Schools program
  - Planning, designing, or constructing roadways within the ROW of former Interstate or other divided highways
- Similar funding level to TEs under SAFETEA-LU
  - Total TA $ equal to 2% of MAP-21 highway funding
  - Funded via takedown from each State's formula funds
  - 50% suballocated for more local control
  - 50% State allocation can be transferred to other formula programs

Performance & Planning

Performance management

- MAP-21 identifies national goal areas
- USDOT establishes measures, with input
- States set targets
- State & metro plans describe how the organization will use program and project selection to help achieve targets
- States report to USDOT on progress toward targets (within 4 yr of enactment; biennially thereafter)
- Reports typically lead to corrective actions (not sanctions)
- Consequences if condition of NHS falls below thresholds

Transportation planning

- Metropolitan planning
  - Population thresholds for MPOs and TMAs unchanged
  - MPOs to establish performance targets
  - Long range plan incorporates other performance plans
  - TIP to be updated at least every 4 yr
  - MPO serving a TMA selects all projects except those on NHS, which are selected by State with MPO cooperation
- Statewide & nonmetropolitan planning
  - Transition to performance-based, outcome-driven planning process, with State setting performance targets
  - Long range plan includes report on conditions & performance of system relative to established performance measures
  - Long range plan incorporates other performance plans

Next steps?

Next steps

- Communication
  - Webpage
  - Summary
  - Fact sheets and Q&As
- Implementation
  - October 1 “phase in”
  - Transitional procedures
  - Follow-on guidance and regulation
- http://www.fhwa.dot.gov/map21