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Policy Committee Meeting Minutes January 10, 2008

The meeting was held at the Chicago Metropolitan Agency for Planning, Cook County Conference Room, 233 S. Wacker Drive, Chicago, Illinois. Those present at the meeting were:

Policy Committee Members Present

Larry Walsh, Vice-chair Will County

Rita Athas Chicago Metropolitan Agency for Planning Frank Beal Chicago Metropolitan Agency for Planning

Michael Bolton Pace

Tom Cuculich DuPage County

Paul Fish Chicago Transit Authority

Jack Groner Metra

Luann Hamilton
Clayton Harris, III
Chicago Department of Transportation
Illinois Department of Transportation

Ken Koehler McHenry County

Jon-Paul Kohler Federal Highway Administration

John McCarthy
Arlene J. Mulder
Mike Payette

Private Providers
Council of Mayors
Railroad Companies

Leanne Redden Regional Transportation Authority

Thomas Rickert Kane County

Mary Wells Illinois State Toll Highway Authority

Policy Committee Members Absent

Martin G. Buehler Lake County
Bob Davidson Kendall County
Joseph Moreno Cook County

Marisol Simon Federal Transit Administration

Visitors

Vanessa Adams Federal Transit Administration
Chris DiPalma Federal Highway Administration

Chalen Hunter McHenry County
Joe Korpalski McHency County DOT

Tam Kutzmark DuPage Mayors and Managers Conference

Jim LaBelle Chicago Metropolis 2020

Les Nunes Illinois Department of Transportation
Greg Piland Federal Highway Administration
David Seglin Chicago Department of Transportation
Dick Smith Illinois Department of Transportation
Mike Walczak Northwest Municipal Conference
Tammy Wierciak West Central Municipal Conference

Staff

Randy Blankenhorn, Jill Leary, Dolores Dowdle, Don Kopec, Gordon Smith Patricia Berry, Janet Bright, Bob Dean, George Johnson, Bill Kiley, Kerry Leigh, Tom Murtha, Matt Maloney, Joy Schaad, Patricia Tinnelle

I. CALL TO ORDER

Vice-chairman Walsh called the meeting to order at 10:03 am.

II. OLD BUSINESS

A. Approval of Minutes for October 11, 2007.

On a motion by Mr. Rickert, seconded by Mr. Cuculich, the minutes of the meeting on October 11, 2007 were approved.

B. Council of Mayors' Report

Mayor Mulder reported that the November letting had two projects with STP funding totaling \$3.3 million. The next Executive Committee meeting of the Council of Mayors will be February 5th. The agenda will consider advanced funding requests, further discussion on the active program management effort and the split of STP funds between the city of Chicago and the suburban councils.

C. CMAP Report

Mr. Kopec reminded the committee members to avail themselves of the weekly email put out by CMAP to stay on top of current happenings at the agency. He then informed the committee that the MPOs within Illinois have joined together to form a statewide association with the assistance of IDOT. There are 14 MPOs in Illinois and the intention is to have the association address major issues affecting metropolitan planning in the state. IDOT and the MPOs are contributing funds to hire staff for the association.

Mr. Kopec noted that there are two important reports that the committee members should be interested in reading. The first was recently released and is the result of a summit sponsored by AASHTO, FHWA and AMPO dealing with future transportation funding and finance strategies. The second report will be released on Tuesday the 15th. It is the long anticipated work of the National Surface Transportation and Revenue Study Commission. These two

reports will have a major impact on the direction that the next reauthorization bill, due in October of 2009, will take.

Finally, Mr. Kopec noted that Mr. Tom Vick, a long-time member of the CATS staff had recently retired.

III. NEW BUSINESS

A. Bylaws

Ms. Berry reviewed the changes shown in the proposed bylaws. She asked the committee to release the document for the required 30-day public comment period. On a motion by Mr. Cuculich, seconded by Mr. Harris, the proposed bylaws were release for the 30-day public comment period.

B. RTP and TIP Amendment

Ms. Berry explained that she was seeking committee action on three projects. The first is the addition of through lanes on I-355 from I-88 to 75th Street. The project will have to be added to both the regional long range plan and the TIP. The second project is a section of the Prairie Parkway. While the entire Prairie Parkway project is in the long range plan, it was not anticipated to be constructed until sometime after 2020. The section between IL 71 and US34 will now be operational sooner than that. Therefore, this project is crossing conformity analysis years and will have to be re-conformed in the 2020 scenario. A 30-day public comment period will be held for these projects. Giving the time required to conduct the analysis, the Policy Committee was asked to authorize the Transportation Committee to release the proposed amendment to the long range plan and TIP for a 30-day public comment period. On a motion by Mr. Groner, seconded by Mr. Rickert this action was approved.

The final project to be considered was the proposed TIP amendment adding the Western Algonquin Bypass to the annual element of the program. This proposed amendment was released for public comment by the Transportation Committee at their November meeting. No comments were received. On a motion by Mr. Koehler, seconded by Mayor Mulder, the amendment was approved.

C. Unified Work Program

Mr. Maloney briefed the Policy Committee on the UWP development process for FY 09. The call for core program proposals has already gone out. He noted that the UWP Committee has a number of objectives this year. Increasing accountability is a major goal. To that end, staff has been developing quarterly progress reports that should cover all agencies that receive UWP funding. The committee is also looking to identify regional priorities and develop a true integrated program that works to develop the region's comprehensive plan.

Mr. Groner asked if it was still the intention that core projects would go only for staff. While that was the case for FY 08, it has not been discussed or decided for this year. Ms. Redden stated that the RTA would be interested in what was programmed for the core versus the discretionary and that they felt the funding should be prioritized to complete the comprehensive plan.

D. Agreements

Ms. Berry discussed the need to review and possibly update or rescind agreements that the MPO has signed.

Four agreements are required by the federal planning regulations:

- 1) An agreement among the MPO, the State and the public transportation operators determining their mutual responsibilities in carrying out the metropolitan transportation planning process.
- 2) An agreement among IDOT, IEPA, affected local agencies and the MPO describing the process for cooperative planning and analysis of all projects outside the Metropolitan Planning Area within the nonattainment area.
- 3) An agreement between the MPO and the IEPA describing their respective roles and responsibilities for air quality related transportation planning,
- 4) An agreement between the MPOs, the States, and the pubic transportation operators describing how the metropolitan transportation planning process will be coordinated to assure the development of consistent metropolitan transportation plans and TIPs across the Metropolitan Planning Area boundaries.

In addition, there is an interagency agreement signed by NIPC, CATS, RTA and IDOT that has been obviated by the formation of CMAP.

Copies of the existing agreements were included in the members' packets. Mr. Cuculich said it was appropriate to review such agreements periodically whether or not they need updating, to assure that members are aware of them. He noted that the interagency agreement signed in 2000 called for a review in 2003 and asked if the review had been put on hold due to the work of Congressman Lipinski's Regional Transportation Task Force and the subsequent work of the Coordinating Committee. Ms. Berry said that was indeed the case. Mr. Koehler asked about one of the agreements citing "Round Lake Beach-McHenry-Grayslake". Ms. Berry said the title reflects the US Census Bureau's title for one of the urbanized areas included in the region's planning area. Mayor Mulder said even if the terms of some of the agreements are still current, it is appropriate to update them to remove reference to CATS. Mr. Groner asked who agencies should contact to comment on the agreements. Ms. Berry said committee members would be asked to contribute to the redevelopment of these agreements, that they could contact her and that she would keep the committee informed of progress.

E. Self-Certification

Ms. Berry introduced this item by explaining its requirement by the federal metropolitan transportation planning rule to officially declare that the region is conducting the planning process in accordance with all applicable federal laws and regulations. Ms. Hamilton asked about the timing of this certification. The previous planning rules required self-certification annually and the Policy Committee self-certified in January 2007. The current planning rules, issued in February 2007, require self-certification concurrent with the submittal of the TIP (at least every four years). Since the language in the rule has changed, the Policy Committee is being asked to self-certify at this time to be in compliance Ms. Berry noted that at the Transportation with the current language. Committee, the discussion of this action led to staff being asked to prepare a short report showing how the region is meeting its obligations. The report was included in the mailing to the Policy Committee. On a motion by Mr. Rickert, seconded by Mr.Fish, the committee approved Resolution 08-01 which certifies the region's transportation planning process.

F. Congestion Reduction Demonstration

Mr. Murtha described the proposal submitted by the region for USDOT's Congestion Reduction Demonstration. The proposal is essentially a refined subset of the unsuccessful Urban Partnership Agreement submittal from last year. Partners in the proposal with the CMAP staff include the Illinois Tollway, IDOT, the RTA and Pace.

Mayor Mulder expressed concern that the Northwest Municipal Conference was not actively involved with the proposal, particularly since it could significantly impact the communities in that area. A number of members expressed concerns about the proposal. Among the concerns was the short time frame that the federal government allowed for proposals to be developed; the potential impact on the Star Line project; the process used to develop the proposal; and the potential to have significant impacts on the arterial system within the Jane Adams corridor. Staff acknowledged these concerns and emphasized that this is a preliminary proposal. If accepted by USODT it is recognized that much work needs to be done to develop a final project that would address everyone's concerns.

G. CN's Proposed Acquisition of the EJ & E

Ms. Schaad began this item by explaining that there are potentially positive and negative impacts to the proposal by the Canadian National to acquire the EJ&E line in northeast Illinois. She explained that the Surface Transportation Board (STB) was currently engaged in two processes. The first would look at the merits of the acquisition, including its impact on competition. The second process examines the impact on the environment and communities which would be affected by an increase in train traffic on the EJ&E. She then described the letter to the STB containing the comments on the proposed transaction that was authorized by the CMAP Board at their meeting the previous day. Copies of the letter were included in the committee mailing and

it was suggested that the Policy Committee co-sign this letter with the CMAP Board. Ms. Schaad also noted that the STB is holding public hearings on the acquisition to receive public comment on the scope of the required draft Environmental Impact Statement.

Discussion among the committee members highlighted a number of the areas that needed to be emphasized to the STB. These included the need for more time to comment on the draft scope of the EIS, the need to have mitigation measures in place before the acquisition goes through, the need for the CN to cooperate with Metra and Amtrak, and the need to have the horizon year to measure impacts extended beyond the proposed three years. After some discussion, the committee authorized the CMAP Executive Director to send a joint letter from the CMAP Board and the Policy Committee emphasizing the following four points: there needs to be much more information before a sound decision can be made regarding the acquisition; that the CMAP Board and Policy Committee need to be part of the decision making process; that there are benefits to be realized by this acquisition; and, that there are negative impacts that will need to be addressed.

A motion was made by Mr. Cuculich, seconded by Mr. Koehler, and the committee authorized the development of a joint letter with the CMAP Board to the STB.

H. Federal Energy Bill

Mr. Kopec explained to the committee that the Energy Bill that Congress recently passed has some implications for the region's CMAQ Program. The bill requires that future rescissions impact all federal funding programs proportionally, according to their appropriations. The bill also stipulates that the federal share for the CMAQ Program can be increased to 100% of the project cost for projects obligated during FY08 and FY09. This increase is at the discretion of the State. Mr. Kopec mentioned that he felt that IDOT would be looking for direction from the Policy Committee before making a decision on the potential for 100% federal funding.

More significantly, however, Mr. Kopec explained that the legislation also stipulates that CMAQ projects need to be funded with at least 80% CMAQ funds. He explained that this could be a significant problem for the region's CMAQ program, since CMAQ funds are oftentimes used to leverage other funds, with CMAQ actually being a small portion of the total project cost. A number of large projects, particularly transit projects and intersection projects have a small percentage of their cost covered by CMAQ funds. Also, he explained that the CMAQ process involves examining requests for cost increases for programmed projects. The CMAQ Committee has addressed these requests on a case by case basis, oftentimes having the project sponsor resubmit an application for CMAQ funds in a subsequent program cycle. With this legislation, the region would be responsible for funding all cost increase requests, severely limiting the flexibility of the MPO.

IDOT also expressed concerns about the legislation and mentioned that they are not in favor going to 100% federal funding for CMAQ projects. They prefer to have locals have some financial stake in projects and would be looking to the Policy Committee for their input on this subject. Going to 100% federal funding simply means that fewer projects will be accomplished.

Several members were unaware of the impact of this legislation and asked that the item be discussed at the March Policy Committee meeting.

I. Appointment of Chair and Vice-Chair of the CMAP Transportation Committee

According to the Memorandum of Agreement with the CMAP Board, the Policy Committee is authorized to annually appoint the Chair and Vice-chair of the Transportation Committee. Vice-chairman Walsh recommended that Ms. Hamilton become the chair of the Transportation Committee and Mr. Cuculich the vice-chair. Mayor Mulder moved to accept that recommendation, and it was seconded by Mr. Groner. The motion passed unanimously.

J. Reauthorization of SAFETEA-LU

Ms. Berry introduced the topic of the reauthorization of the federal transportation legislation, currently SAFETEA-LU. She mentioned that ideally there would be one voice for the region through CMAP. She also noted that she has been hearing a great deal of skepticism from people across the country as to when Congress will get around to addressing reauthorization. Clearly, the report of the National Surface Transportation Policy and Revenue Study Commission will be very influential in forming the reauthorization debate.

An area that has been of great concern to many transportation professionals is the increasing number and type of earmarks that Congress makes in transportation legislation. Ms. Berry distributed a list of earmarks for the northeast Illinois from the FY08 Appropriations Bill. Included were 32 projects totaling over \$82 million.

Both CTA and Metra explained that they inform their congressmen which projects they would like to see funded, but oftentimes other interests prevail. It was recognized that the way things are done now there may not be anything that can be done about projects being funded that were not developed through the regional planning process. It is hoped that the next bill will make significant changes. It was agreed that the region needs to begin discussions as soon as the Study Commission's report is released. It was recommended that the Policy Committee reactivate the Reauthorization Subcommittee. Staff will contact members about serving on that committee.

K. Regional Comprehensive Plan

Mr. Dean briefly brought the committee up to date on the development of the regional comprehensive plan which will also serve as the federally required regional transportation plan. Work on the development of a Vision for the region continues and should be complete late this spring. The Policy Committee will be asked to endorse the Vision at their June meeting. He asked for the committee's support and help in various aspects of public involvement which will be extensive for this plan. The plan is on track to be complete by October of 2010.

IV. OTHER BUSINESS

There was no other business for the committee.

V. DATE OF NEXT MEETING

The next Policy Committee meeting is scheduled for March 13, 2008 in the Sears Tower, 8th Floor, Chicago, Illinois at 10:00 a.m.

VI. ADJOURNMENT

On a motion by Mr. Harris, seconded by Mr. Rickert, the meeting was adjourned at 11:38 am.

Respectfully Submitted,

Donald P. Kopec Secretary