

## Transportation Committee

For the Metropolitan Council meeting of February 12, 2014

**Subject:** Adoption of an amendment to the 2030 Transportation Policy Plan adding MnDOT Corridors of Commerce projects and funding for public comment

### Proposed Action

That, for the purposes of holding a public hearing and receiving public comment, the Metropolitan Council:

- Adopt the proposed amendment (attached) to the 2030 Transportation Policy Plan which adds funding received through the Corridors of Commerce program for Trunk Highway 610, the improvements and funding to Interstate 694 in Shoreview, and the improvements and funding to Interstate 94 between Rogers and St. Michael; and
- Authorize a public comment period from February 17 through April 4, 2014, including a public hearing on the proposed amendment to be held on March 24, 2014 at 5 pm.

### Summary of Committee Discussion/Questions

MTS Planning Analyst Mary Karlsson and MnDOT Metro District Engineer Scott McBride presented this item. McBride described the Corridors of Commerce program and the three Metro district projects selected for the program: completion of TH610, I-694 dynamic shoulder lanes from Lexington to Rice avenues in Shoreview and the I-94 auxiliary lane from TH 101 in Rogers to TH 242 in Wright County. McBride reported that the local Federal Highway Administration office has stated that the I-694 lanes should be full general purpose lanes, not dynamic shoulder lanes, because the I-694 project includes full pavement reconstruction. McBride noted this design change would add \$15M to the \$42M project and set a controversial precedent potentially affecting the \$70M I-494 dynamic shoulder lane project in Plymouth, which members noted would require an additional \$25 million if converted to general purpose lanes. MnDOT is in discussions with FHWA on the I-694 design. Members expressed concern about potential changes to the design and cost of the dynamic shoulder lanes on I-694 between Lexington Avenue and Rice Street.

Members expressed a desire that the Corridors of Commerce selection criteria consider consistency with the Transportation Policy Plan in any future programs. Members emphasized the importance of preserving opportunity for future MnPASS lanes, that the I-94 and I-694 projects should not preclude MnPASS in any way, and that MnDOT should begin working with local communities to assure their support of MnPASS should these corridors advance through the I-494/94 MnPASS study. Members emphasized that the I-94 project is a priority for Greater Minnesota and will be paid for through Greater Minnesota's share of the Corridors of Commerce funding. Members also noted that the TAB passed the recommendation even though support was not unanimous.

Comms suggested a wording change in the first bullet of the action to use the word "release" instead of "adopt". MTS Dep. Dir. Planning & Finance Amy Vennewitz explained that the item is being adopted for the purpose of holding a public hearing and receiving public comment and that once the public comments have been received, the item will come back for approval with final language based on the comments received.

It was moved by Schreiber, seconded by Elkins, that, for the purposes of holding a public hearing and receiving public comment, the Metropolitan Council:

Adopt the proposed amendment (attached) to the 2030 Transportation Policy Plan which adds funding received through the Corridors of Commerce program for Trunk Highway 610, the improvements and funding to Interstate 694 in Shoreview, and the improvements and funding to Interstate 94 between Rogers and St. Michael, and

Authorize a public comment period from February 17 through April 4, 2014, including a public hearing on the proposed amendment to be held on March 24, 2014 at 5 pm.

Motion passed with Munt voting against.

## Transportation Committee

Meeting date: January 27, 2014

For the Metropolitan Council meeting of February 12, 2014

**Subject:** Adoption of an amendment to the 2030 Transportation Policy Plan adding MnDOT Corridors of Commerce projects and funding for public comment

**District(s), Member(s):** All

**Policy/Legal Reference:** M.S. 473.399 & 23 CFR 450.104

**Staff Prepared/Presented:** Arlene McCarthy, Director (651.602.154)

Amy Vennewitz, Deputy Director (651.602.1058)

Carl Ohrn, Planning Analyst (651.602.1719)

Mary Karlsson, Planning Analyst (651.602.1819)

**Division/Department:** Metropolitan Transportation Services (MTS)

### Proposed Action

That, for the purposes of holding a public hearing and receiving public comment, the Metropolitan Council:

- Adopt the proposed amendment (attached) to the 2030 Transportation Policy Plan which adds funding received through the Corridors of Commerce program for Trunk Highway 610, the improvements and funding to Interstate 694 in Shoreview, and the improvements and funding to Interstate 94 between Rogers and St. Michael; and
- Authorize a public comment period from February 17 through April 4, 2014, including a public hearing on the proposed amendment to be held on March 24, 2014 at 5 pm.

### Background

The Minnesota Department of Transportation (MnDOT) is requesting that the Metropolitan Council amend the Transportation Policy Plan to include two new projects and additional financial resources in the region's fiscally constrained long range plan. These projects have been selected and are being funded as a result of recent state legislative action. The "Corridors of Commerce" program, authorized through Mn. Stat. 161.088 during the 2013 legislative session, established a "program for trunk highway construction, reconstruction, and improvement, including maintenance operations, that improves commerce in the state". This program is funded at \$300 million through the sale of trunk highway bonds.

Based on the legislative criteria, the MnDOT Commissioner selected projects across the state that meet the criteria and are deliverable in the near term. Three of these projects are in the Twin Cities Metropolitan Area and must be included in the long range plan and Transportation Improvement Program in order to proceed:

1. The Trunk Highway 610 project from Hennepin County Highway 81 to Interstate 94 completes the four-lane freeway from Trunk Highway 10. The 2030 TPP identifies this strategic capacity enhancement project in the fiscally constrained plan. The Corridors of Commerce program provides up to \$131 million for construction (based on actual project costs) which will allow a 2015 contract letting. The right of way costs are not eligible for Corridors of Commerce funds. The \$50 million required for right of way will come from the \$85 million currently allocated to TH

610 in the 2030 TPP. MnDOT Metro District is committed to providing the right-of-way funding to advance the project. Other than adding the new Corridors of Commerce funding, no significant changes are required to the 2030 TPP for the TH610 project.

2. The Interstate 694 project will include reconstruction of Interstate 694 from Lexington Avenue to Rice Street to provide a dynamic shoulder lane in each direction for a distance of 2.5 miles. These lanes will be open during peak periods only (e.g. 6:00-9:00 am and 3:00-7:00 pm). Electronic signing will note when the lanes are open or closed. This project is not in the fiscally constrained 2030 TPP, but is identified as a problem area in MnDOT's Congestion Management Safety Plan II (CMSPII) with a dynamic shoulder lane as the proposed solution. The 2030 TPP identifies annual funding for CMSP projects identified through the CMSP process. The Corridors of Commerce program will provide up to \$42 million (based on actual project costs) for the Interstate 694 project, therefore additional CMSP projects can advance. The design of this project should accommodate and enhance the future implementation of a MnPASS lane and not preclude it in any way. Given the Interstate 694 project is not in the fiscally constrained 2030 TPP, a number of changes to the text and tables have been recommended. The project is subject to Air Quality Conformity Analysis.
3. The Interstate 94 project will add an eastbound auxiliary lane from Trunk Highway 241 in St. Michael to Trunk Highway 101 in Rogers, will extend the west bound exit ramp at TH 101, and will add a third westbound lane from TH 101 to TH 241 a distance of 4.15 miles. The Corridors of Commerce program will provide up to \$46 million (based on actual project costs) for the Interstate 94 project. This project was submitted for Corridors of Commerce by MnDOT District 3 to address a recurring congestion problem.

MnDOT Metro District is initiating an Interstate 94/494 Managed Lane Corridor Study and Traffic Analysis to determine how MnPASS can be provided along a 39 mile segment of I-494 and I-94 from Trunk Highway 13 in Dakota County to Trunk Highway 101 in Hennepin County, with potential to extend the study to County Road 19 in Wright County. The design of the current project should accommodate and enhance the future implementation of MnPASS lanes in the corridor and not preclude it in any way.

Given the Interstate 94 project is not in the fiscally constrained 2030 TPP, a number of changes to the text and tables have been recommended. The project is subject to Air Quality Conformity Analysis.

The Metropolitan Council submitted the Air Quality Conformity Analysis and Documentation to the Minnesota Pollution Control Agency. The MPCA response and concurrence to the proposed conformity determination is attached and will be made available to the public as part of the public comment process.

If the proposed changes are subsequently adopted by the Council, amendments to the 2014-2017 Transportation Improvement Program (TIP) will be prepared and processed to allow these projects to be built. Staff anticipates processing the Interstate 94 TIP amendment concurrently with final action for the TPP amendment.

## **Rationale**

State and federal transportation planning law require the Metropolitan Council and its Transportation Advisory Board to develop a multi-modal regional transportation plan that identifies transportation system goals, needs, and investment priorities over a 20-year period. The Plan is required to identify regionally significant transportation investments that will be implemented within the time frame of the plan and must maintain balance between anticipated project costs and funding. These projects must be consistent with the adopted policies of the Metropolitan Council.

## **Funding**

This action does not require funding. The state will pay all costs for Corridors of Commerce projects.

## **Known Support / Opposition**

The Transportation Advisory Board to the Metropolitan Council recommended adopting the amendment for the purposes of public comment on January 15, 2014. This action is also supported by Governor Dayton, local legislators, the local communities, and MnDOT, including representatives from Wright County.

Some TAB members voiced opposition to the Interstate 94 project or to the unpriced, general purpose nature of the lanes proposed for Interstates 94 and 694. Opposition to the Interstate 94 project was based on its inconsistency with the 2030 Transportation Policy Plan's (adopted by Metropolitan Council in November 2010) and the Minnesota State Highway Investment Plan's (published by MnDOT in December 2013) emphasis on preservation, including the project's low priority among planned MnDOT Metro District capacity enhancement investments, and concerns that the project promotes continued expansion of the urbanized area along the Interstate 94 corridor.

Some TAB members also expressed concern with the Corridors of Commerce selection criteria and process and that the Corridors of Commerce timeline did not allow adequate time for TAB input into the process. TAB members stated a desire to provide input in advance of any future Corridors of Commerce process.

## PROPOSED AMENDMENT TO THE 2030 TRANSPORTATION POLICY PLAN

### Revision 1

**Chapter 3: Regional Transportation Finance, 2008 Omnibus Transportation funding Bill, title and first paragraph, page 27.**

2008 Omnibus [and 2013 Corridors of Commerce](#) Transportation Funding Bills

The major omnibus transportation funding bill (Chapter 152) passed in the 2008 session contained a number of transportation revenue increases. The law contained an increase in the motor fuels tax (gas tax), a debt service surcharge on the gas tax, an increase in the vehicle registration tax and allowed for implementation of a new quarter cent sales tax for transitway development and operating purposes by the seven metropolitan counties. [Furthermore, the 2013 Minnesota Legislature created the Corridors of Commerce program by authorizing the sale of up to \\$300 million in new bonds for the construction, reconstruction and improvement of trunk highways \(2013 Session Law, Chapter 117, DOC 0.5 MB\).](#) The major provisions of the 2008 [and 2013](#) bills are described in the following sections.

### Revision 2

**Chapter 3: Regional Transportation Finance, 2008 Omnibus Transportation funding Bill ,Highway Funding Provisions, page 28, new paragraph following the second full paragraph.**

[Furthermore, the 2013 Minnesota Legislature created the Corridors of Commerce program by authorizing the sale of up to \\$300 million in new bonds for the construction, reconstruction and improvement of trunk highways \(2013 Session Law, Chapter 117, DOC 0.5 MB\). The legislation establishes two major goals: to provide additional highway capacity on segments where there are currently bottlenecks in the system, and to improve the movement of freight and reduce barriers to commerce. Based on the legislative criteria, the MnDOT Commissioner selected projects across the state. Three of these projects are in the Twin Cities Metropolitan Area. Up to \\$219 million is available for these projects \(based on actual project costs\). They are: I-94 from Rogers to St. Michael, I-694 from Lexington Avenue to Rice Street, and TH 610 from I-94 to County State Aid Highway 81.](#)

### Revision 3

**Chapter 3: Regional Transportation Finance, Transportation Finance Issues and Trends, Lack of Funding for Highway Expansion, page 30.**

#### Lack of Funding for Highway Expansion

Despite the passage of Chapter 152 and the [Corridors of Commerce program which](#) increased revenues made available for highway programs, it is clear that there continues to be inadequate funding available for highway expansion projects over the next twenty years, even if previously identified expansion projects are rescoped so that they can be constructed at a lower cost. Additional revenue will be needed for the rescoped highway expansion projects and to make other strategic highway capacity investments.

**Revision 4**

**Chapter 3: Regional Transportation Finance, Highway and Transit Revenues, Highway Revenues, page 34, last paragraph.**

**Highway Revenues**

Because the 2008 and 2013 legislation authorized Mn/DOT to issue trunk highway bonds financed by the new Chapter 152 and Corridor of Commerce tax revenues respectively, the actual level of highway construction spending in a given year will vary significantly up or down from the available revenues. The total amount estimated to be available to the Metro District for state highway construction in the 2015-2030 time frame from the existing state and federal taxes and from the 2008 transportation funding bill is approximately ~~\$3.6 - \$4.1~~ \$3.85 - \$4.35 billion and is discussed in more detail in Chapter 6: Highways (see Table 6-24). Of this amount approximately ~~\$900-million~~ \$1.1 billion is estimated to be available for allocation in this plan for safety and congestion mitigation/mobility improvements.

**Revision 5**

**Chapter 6: Highways, Fiscally Constrained Highway Investment Plan, Target Funds, Table 6-21: State Road Construction Funds, Metro District, page 83.**

<b>State Road Construction Funds, Metro District</b>			
<i>(in millions)</i>			
	<b>Federal *</b>	<b>State</b>	<b>Total</b>
2015 - 2020	\$ 430	\$ <del>900</del> <u>1120</u>	\$ <del>1,330</del> <u>1,550</u>
2021 - 2030	\$ 950	\$ 1,550	\$ 2,500
<b>TOTAL</b>	<b>\$ 1,380</b>	<b>\$ <del>2,450</del> <u>2,670</u></b>	<b>\$ <del>3,830</del> <u>4,050</u></b>
<i>*Mn/DOT Metro receives an average 45% of the federal funds that come to the region.</i>			

Revision 6

Chapter 6: Highways, Fiscally Constrained Highway Investment Plan, Target Funds, Table 6-24: TSP Metro District Highway Investment Plan: State Road Construction 2015-2030, page 84.

<b>TSP Metro District Highway Investment Plan: State Road Construction 2015-2030 (in millions)</b>			
<b>Fund Category</b>	<b>2015-2020</b>	<b>2021-2030</b>	<b>Total</b>
<b>Metro Share of Tier 1 and 2 Bridges</b>	<b>\$130</b>	<b>\$0</b>	<b>\$130</b>
<b>Preservation</b>			
Pavement	\$300	\$800	\$1,100
Other Bridge	\$400	\$1000	\$1,400
BARC <sup>1</sup>	\$25	\$30	\$55
Other Infrastructure	\$80	\$140	\$220
<b>Safety</b>			
Safety Capacity	\$100	\$120	\$220
Safety- HSIP <sup>2</sup>	\$20	\$30	\$50
Cooperative Agreements	\$30	\$30	\$60
<b>Congestion Mitigation</b>			
Congestion Mitigation	<del>\$220</del> <u>440</u>	\$300	<del>\$520</del> <u>740</u>
Team Transit	\$10	\$20	\$30
<b>Community Improvements</b>			
	\$15	\$30	\$45
<b>TOTAL</b>	<del>\$1330</del> <u>1550</u>	<b>\$2500</b>	<del>\$3830</del> <u>4050</u>
<b>Total Estimated Range<sup>3</sup></b>	<del>\$ 1250</del> <u>1470</u> - <del>\$1450</del> <u>1670</u>	<b>\$2350 - \$2700</b>	<del>\$3600</del> <u>3820</u> - <del>\$4150</del> <u>4370</u>
1. BARC – Bridge and Road Construction 2. HSIP – Highway Safety Improvement Program 3. The ranges reflect the uncertainty of forecasting revenues over time.			



## Revision 7

**Chapter 6: Highways, Progress Since Adoption of the 2004 Transportation Policy Plan, Highway Construction, new paragraph before the first full paragraph on page 68.**

### Highway Construction

The state used a number of funding techniques to build expansion projects in the 2004-2010 timeframe. Advance construction was first used in 2000 to allow large projects to be undertaken. This program allows states to “borrow” future federal funds for a current project. The second program, passed by the Legislature in 2003, is known as the Pawlenty/Molnau Transportation Financing Package or BAP (Bond Advance Program). This added \$550 million in Trunk Highway bonds to the region’s highway construction budget. These bonds are being repaid by reducing Mn/DOT’s operating budget and delaying other investments. Furthermore, the 2013 Minnesota Legislature created the Corridors of Commerce program by authorizing the sale of up to \$300 million in new bonds for the construction, reconstruction and improvement of trunk highways (2013 Session Law, Chapter 117, DOC 0.5 MB). The legislation establishes two major goals: to provide additional highway capacity on segments where there are currently bottlenecks in the system, and to improve the movement of freight and reduce barriers to commerce. Based on the legislative criteria, the MnDOT Commissioner selected projects across the state. Three of these projects are in the Twin Cities Metropolitan Area. Up to \$219 million is available for these projects (based on actual project costs). They are: I-94 from Rogers to St. Michael, I-694 from Lexington Avenue to Rice Street, and TH 610 from I-94 to County State Aid Highway 81.

## Revision 8

**Chapter 6: Highways, Fiscally Constrained Highway Investment Plan, 2011-2030 Highway Funding Resources, third and fourth paragraphs, page 82.**

The actions of the 2008 Legislature increased revenues for the state trunk highway system by an estimated \$2.6 billion (from 2009-2018) and for the cities and counties by \$1.8 billion (2009-2018). Chapter 152 provides a 3.5 cent gas tax primarily to pay for bonds to repair or replace bridges and some smaller allocations, such as for transit advantages and interchanges. Furthermore, the 2013 Minnesota Legislature created the Corridors of Commerce program by authorizing the sale of up to \$300 million in new bonds for the construction, reconstruction and improvement of trunk highways (2013 Session Law, Chapter 117, DOC 0.5 MB). The legislation establishes two major goals: to provide additional highway capacity on segments where there are currently bottlenecks in the system, and to improve the movement of freight and reduce barriers to commerce. Based on the legislative criteria, the MnDOT Commissioner selected projects across the state. Three of these projects are in the Twin Cities Metropolitan Area. Up to \$219 million is available for these projects (based on actual project costs). They are: I-94 from Rogers to St. Michael, I-694 from Lexington Avenue to Rice Street, and TH 610 from I-94 to County State Aid Highway 81.

The total highway resources available for the region in the 2011-2030 period, is estimated at ~~\$8.0~~ \$8.2 to ~~\$8.7~~ \$8.9 Billion, is shown in Table 6-18. Those funds can be categorized as follows:

**Revision 9**

**Chapter 6: Highways, Fiscally Constrained Highway Investment Plan, Table 6-18: 2011 -2030 Regional Highway Investments, page 82.**

<b>2011-2030 Regional Highway Investments</b>	
<b>TIP (2011-2014)</b>	
Local & Mn/DOT Highway	\$1.3 B
Chapter 152 Bridge	\$1.1 B
<b>Est. 2015-2030 Metro Area Funds</b>	
Mn/DOT State Road Construction	\$3.6 - \$4.2 B
Ch. 152 Bridge (2015-2018)	\$0.3 B
<u>Corridors of Commerce (I-94, I-694 &amp; TH 610)</u>	<u>\$0.2 B</u>
Regional Solicitation	\$1.7 - \$1.8 B
<b>TOTAL Investment 2011-2030</b>	<del>\$8.0 - \$8.7 B</del> <u>\$8.2 - \$8.9 B</u>

**Revision 10**

**Chapter 6: Highways, Congestion Mitigation / Mobility Enhancements, page 89.**

This plan supports the implementation of ATM improvements, lower-cost / high-benefit projects and new managed lane and affordable strategic capacity expansion to mitigate congestion and improve mobility. However, only about ~~\$900 million~~ 1.1 billion is forecasted to be available for these types of projects in the 2015-2030 period. This makes it critical that limited resources available for congestion mitigation and mobility be used, whenever possible, to augment preservation and safety funds and funds from the Chapter 152 bridge program to implement projects that meet multiple objectives. Table 6-29 shows a sub-allocation of the estimated ~~\$900 million~~ 1.1 billion by investment type. This allocation reflects the policy direction in this plan and will be used in project programming decisions. These funds represent the level of effort that will be made to mitigate congestion, provide increased safety and improve regional mobility.

**Revision 11**

**Chapter 6: Highways, 2015-2030 Highway Investment Plan, Table 6-29: Congestion Mitigation and Safety Investment Plan, page 89.**

<b>2015-2030 Congestion Mitigation and Safety Investment Plan</b>			
<i>(in millions)</i>			
	<b>2015-2020</b>	<b>2021-2030</b>	<b>2015-2030</b>
Active Traffic Management (ATM)	\$ 30	\$ 50	\$ 80
Lower-Cost / High-Benefit (CMSP Projects)	\$ <del>120</del> <u>162</u>	\$ 200	\$ <del>320</del> <u>362</u>
Managed Lane / Strategic Capacity Enhancements	\$ <del>170</del> <u>347</u>	\$ 330	\$ <del>500</del> <u>677</u>
<b>TOTALS</b>	\$ <del>320</del> <u>539</u>	\$ <b>580</b>	\$ <del>900</del> <u>1,119</u> *
* The <del>\$900M</del> <u>1.1B</u> funding level assumes the Metro District will receive supplemental funds in addition to its formula funding through <u>competitive special</u> funding programs <u>such as Corridors of Commerce</u>			

**Revision 12**

**Chapter 6: Highways, 2015-2030 Highway Investment Plan, Lower-Cost/High-Benefit Projects, page 92**

*Lower-Cost / High-Benefit Projects*

The Congestion Management and Safety Plan (CMSP) defines a process and evaluation criteria to select lower-cost / high-benefit projects to address mobility constraints throughout the entire metropolitan area. During the 2009 planning effort, approximately 180 problem areas were identified and evaluated. A number of those projects are included in the 2011-2014 TIP, and others are part of the major corridor reassessment recommendations which are included in Table 6-36. Table 6-32 and Figure 6-33 show lower-cost / high-benefit projects which have been completed or are under development by Mn/DOT. Some of these projects include capacity enhancements, such as short auxiliary lanes, and ATM projects, such as installing additional ramp meters. \$120 162 million is available to implement these and other lower-cost / high-benefit projects in the 2015-2020 period. An additional \$200 million is projected for the 2021-2030 period to be allocated in accordance with the process and evaluation criteria defined in the CMSP. Additional funds may be generated in the 2015-2030 time period for lower-cost / high-benefit projects through the Regional Solicitation process.

## Revision 13

### Chapter 6: Highways, Congestion Mitigation / Mobility Enhancements, Strategic Capacity Expansion, page 99.

#### *Strategic Capacity Expansion*

Completing the unfinished segment of TH 610 and its connection to I-94 is a strategic capacity expansion project with new general purpose lanes to close a significant gap in the Metropolitan Highway System. Some strategic capacity enhancements may also be achieved by implementing interchange consolidation/closure initiatives and adding short general purpose lane additions, such as the TH 252 improvement discussed under the Major Project Reassessment section. In addition, the I-94 project from TH 101 to TH 241 is being funded as part of the Corridors of Commerce program. In the case of I-94 project, this improvement will not preclude future development of MnPASS lanes.

## Revision 14

### Chapter 6: Highways, Fiscally Constrained Mobility / Congestion Mitigation Priorities, Table 6-37: Fiscally Constrained Congestion Mitigation/Mobility Investments, first full paragraph, page 102.

As demonstrated earlier, the fiscally constrained state road construction budget is estimated to provide ~~\$3.84~~ billion through 2030 (see Table 6-21 and Table 6-24), with only ~~\$900 million~~ \$1.1 billion (~~23~~ 28%) available for mobility and congestion mitigation in the 2015-2030 time period. This plan calls for the ~~\$900 million~~ \$1.1 billion to be sub-allocated into three categories: ATM investments, lower cost/high benefit projects and managed lanes/strategic capacity projects as shown in Table 6-37. The allocation of these funds assumes the implementation of projects that meet multiple objectives, such as preservation and congestion mitigation within one project. Should any project increase in cost above that shown in Table 6-37, adjustments will be needed within the investment category or other projects will be delayed. The region, working with Mn/DOT, will continue to seek additional revenues to ensure that these projects and possibly more can be advanced to actual implementation. As additional revenues are secured through increased funding levels or competitive grants the funds should be used to increase the spending levels for the investment categories shown in Table 6-37 and bring the region closer to fully funding the investment needs identified in this plan.

Revision 15

Chapter 6: Highways, Fiscally Constrained Mobility / Congestion Mitigation Priorities, Table 6-37:  
Fiscally Constrained Congestion Mitigation/Mobility Investments, page 103.

<b>2015-2020 Fiscally Constrained Congestion Mitigation/Mobility Investments</b>		
<b>Active Traffic Management (ATM)</b>	Add and enhance electronic infrastructure to Trunk Highways throughout region	\$ 23 M
Estimated 6-year Budget \$30 M	ATM required for I-494 Managed Auxiliary Lane, Westbound I-35W to TH 100	\$ 7 M
<b>Lower-Cost / High-Benefit</b>	Set aside to be programmed through CMSP process (under development)	\$ 60 M
Estimated 6-year Budget <del>\$120</del> <u>162</u> M	Available for lower-cost / high-benefit projects in Table 6-32 and others	\$ 57 M
	TH 252, add general purpose lane north and south of 81st Avenue Intersection to complete 3 general purpose lanes northbound	\$ 3 M
	<u>I-694, reconstruction including dynamic shoulder lanes through the Corridors of Commerce program</u>	<u>\$42 M</u>
<b>Managed Lane/Strategic Capacity Enhancements</b>	Advance the connection of TH 610 to I-94 with lower-cost investment <u>through the Corridors of Commerce program</u> <u>ROW funded from original strategic capacity allocation</u>	<del>\$85</del> <u>131</u> -M <u>\$ 50</u> M
Estimated 6-year Budget <del>\$170</del> <u>347</u> M	Help fund I-35E/Cayuga managed lane, MnPASS 2, Tier I recommendation with direct connection to CBD and/or extension beyond little Canada Rd.	\$ 15-50 M
	Set aside for MnPASS 2, Tier 2 recommendations. (This allocation will be reduced if TH 610 or I-35E project costs increase)	\$ <del>35-70</del> <u>70</u> <del>- 105</del> M
	<u>I-94 from TH 101 to TH 241 lane addition through the Corridors of Commerce program.</u>	\$ <del>15-50</del> <u>46</u> M

**Appendix F: Clean Air Act Conformance**  
**Conformity Documentation of the amended 2030 Metropolitan Council**  
**Transportation Policy Plan to the 1990 Clean Air Act Amendments**  
*December 9, 2013*

The United States Environmental Protection Agency's (EPA's) *40 CFR PARTS 51 and 93*, referred to together with all applicable amendments as the "Conformity Rule," requires the Metropolitan Council (the Council) to prepare a conformity analysis of the region's *Transportation Policy Plan* (the Plan), as well as the *Transportation Improvement Program* (TIP). Based on an air quality analysis, the Council must determine whether the Plan conforms to the requirements of the 1990 Clean Air Act Amendments (CAAA) with regard to National Ambient Air Quality Standards (NAAQS) for mobile source criteria pollutants. Under consultation procedures developed by the Minnesota Interagency and Transportation Planning Committee, the MPCA reviews the Council's conformity analysis before the Plan is approved for public review; a letter describing the MPCA's review is on page F-3.

Specifically, the Minneapolis/St. Paul Metropolitan Area is within an EPA-designated carbon monoxide (CO) limited maintenance area. A map of this area, which for air quality analysis purposes includes the seven-county Metropolitan Council jurisdiction plus Wright County and the City of New Prague, is shown in Exhibit B-1. The term "maintenance" reflects the fact that regional CO emissions were unacceptably high in the 1970s when the NAAQS were introduced, but were subsequently brought under control through a metro-area Vehicle Inspection and Maintenance (VIM) Program completed in the 1990s. The EPA then re-designated the area as in attainment of the NAAQS for CO in 1999 and approved a "maintenance plan" containing a technical rationale and actions designed to keep emissions below a set region-wide budget. The maintenance plan was updated in 2005, when changes to the emissions rates approved by EPA necessitated an update of the approved CO budget as well. A second ten-year maintenance plan was approved by EPA on November 8, 2010 as a "limited maintenance plan." Every long-range Plan or TIP approved by the Council must be analyzed using specific criteria and procedures defined in the Conformity Rule to verify that it does not result in emissions exceeding this current regional CO budget.

A conforming TIP and Plan, satisfying the aforementioned analysis requirement, must be in place in order for any federally funded transportation program or project phase to receive FHWA or FTA approval. This appendix describes the procedures used to analyze the amended 2030 Transportation Policy Plan and lists findings and conclusions supporting the Metropolitan Council's determination that this TIP conforms to the requirements of the CAAA.

***The analysis described in the appendix has resulted in a Conformity Determination that the projects included in the amended 2030 Transportation Policy Plan meet all relevant regional emissions analysis and budget tests as described herein. The 2014-2017 Transportation Improvement Program conforms to the relevant sections of the Federal Conformity Rule and to the applicable sections of Minnesota State Implementation Plan for air quality.***

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## I. CONFORMITY OF THE AMENDED 2030 TRANSPORTATION POLICY PLAN: FINDINGS AND CONCLUSIONS

An analysis of the regionally significant projects listed in the Plan was prepared. The analysis included the projects listed in Tables F-1 through F-4. This analysis meets the following Conformity Rule requirements:

- *Inter-agency consultation* (§93.105, §93.112). The Minnesota Pollution Control Agency (MPCA), Minnesota Department of Transportation (MnDOT), Environmental Protection Agency (EPA), and Federal Highway Administration (FHWA) were consulted during the preparation of the Plan and its conformity review and documentation. The "Transportation Conformity Procedures for Minnesota" handbook provides guidelines for agreed-upon roles and responsibilities and inter-agency consultation procedures in the conformity process.
- *Regionally significant and exempt projects* (§93.126, §93.127). The Plan analysis includes all known federal and nonfederal regionally significant projects as defined in §93.101 of the Conformity Rule. Exempt projects not included in the regional air quality analysis were identified by the inter-agency consultation group and classified in accordance with §93.126 of the Conformity Rule.
- *Donut areas* (§93.105(c)(2)). No regionally significant projects are planned or programmed for the City of New Prague. The air quality analysis of CO emissions for Wright County is prepared by the Council as part of an intergovernmental agreement with the County, MNDOT and the Council. Four regionally significant projects were identified for Wright County to be built within the analyses period of the Plan. The projects are in the maintenance area, but are outside of the Metropolitan Council's seven-county planning jurisdiction.
- *Latest planning assumptions* (§93.110). The Council is required by Minnesota statute to prepare regional population and employment forecasts for the Twin Cities Seven-County Metropolitan Area. The published source of socioeconomic data for this region is the Metropolitan Council's *2030 Regional Development Framework*. This planning document provides the Council with socio-economic data (planning assumptions) needed to develop long range forecasts of regional highway and transit facilities needs. The latest update to these forecasts was published December 31, 2011.

Other conformity requirements have been addressed as follows:

- The Plan was prepared in accordance with the *Public Participation Plan for Transportation Planning*, adopted by the Council on February 14, 2007. This process satisfies MAP-21 requirements for public involvement, in addition to the public consultation procedures requirement of Conformity Rule §93.105.
- The Plan addresses the fiscal constraint requirements of 23 CFR Section 450.324 and Section 93.108 of the Conformity Rule. Chapter 3 of the TIP documents the consistency of proposed transportation investments with already available and projected sources of revenue.
- The Council certifies that the Plan does not conflict with the implementation of the SIP, and conforms to the requirement to implement the Transportation System Management Strategies which are the adopted Transportation Control Measures (TCMs) for the region. All of the adopted TCMs have been implemented.
- The Plan includes the 2013-16 TIP projects. Moreover, any TIP projects that are not specifically listed in the Plan are consistent with the policies and purposes of the Plan and will not interfere with other projects specifically included in the Plan.
- There are no projects which have received NEPA approval and have not progressed within three years.
- Although a small portion of the Twin Cities Metropolitan Area is a maintenance area for PM-10, the designation is due to non-transportation sources, and therefore is not analyzed herein.



## **II. CONSULTATION PROCEDURES**

### **A. PUBLIC INVOLVEMENT PROCESS**

The Council remains committed to a proactive public involvement process used in the development and adoption of the plan as required by the Council's Public Participation Plan for Transportation Planning. The Public Participation Plan is in Appendix D of the 2030 Transportation Policy Plan (revision adopted February 14, 2007) and complies with the public involvement process as defined in 23 CFR 450.316 and the MAP-21 requirements of Title 23 USC 134(i)(5), as well as the most current revisions to the Conformity Rule.

In addition to the Public Participation Plan, the Council continues to develop, refine and test public involvement tools and techniques as part of extensive ongoing public involvement activities that provide information, timely notices and full public access to key decisions and supports early and continuing involvement to the development of plans and programs. For example, open houses, comment mail-in cards, emails, letters, internet bulletin board, voice messages and notices on its web site are used to attract participation at the open houses, disburse informational materials and solicit public comments on transportation plans.

### **B. INTERAGENCY CONSULTATION PROCESS**

An interagency consultation process was used to develop the TIP. Consultation continues throughout the public comment period to respond to comments and concerns raised by the public and agencies prior to final adoption by the Council. The Council, MPCA and MnDOT confer on the application of the latest air quality emission models, the review and selection of projects exempted from a conformity air quality analysis, and regionally significant projects that must be included in the conformity analysis of the plan. An interagency conformity work group provides a forum for interagency consultation. The work group has representatives from the Council, MPCA, MnDOT, EPA and the FHWA. An interagency meeting was held on July 1, 2012 to consult during the preparation of the Plan document. Ongoing communication occurred along with periodic meetings, draft reports, emails and phone calls.

### III. PROJECT LISTS AND ASSUMPTIONS

#### Definition of Regionally Significant and Exempt Projects

Pursuant to the Conformity Rule, the projects listed in the 2014-2017 TIP and Plan were reviewed and categorized using the following determinations to identify projects that are exempt from a regional air quality analysis, as well as regionally significant projects to be included in the analysis. The classification process used to identify exempt and regionally significant projects was developed through an interagency consultation process involving the MPCA, EPA, FHWA, the Council and MnDOT. Regionally significant projects were selected according to the definition in Section 93.101 of the Conformity Rules:

*Regionally significant project means a transportation project (other than an exempt project) that is on a facility which serves regional transportation needs (such as access to and from the area outside of the region, major activity centers in the region, major planned developments such as new retail malls, sports complexes, etc., or transportation terminals as well as most terminals themselves) and would normally be included in the modeling of a metropolitan area's transportation network, including at a minimum all principal arterial highways and all fixed guideway transit facilities that offer an alternative to regional highway travel.*

Junction improvements and upgraded segments less than one mile in length are not normally coded into the Regional Travel Demand Forecast Model (RTDFM), and therefore are not considered to be regionally significant, although they are otherwise not exempt. The exempt air quality classification codes used in the "AQ" column of project tables of the TIP are listed in Exhibit F-4. Projects which are classified as exempt must meet the following requirements:

1. The project does not interfere with the implementation of transportation control measures.
2. The project is segmented for purposes of funding or construction and received all required environmental approvals from the lead agency under the NEPA requirements including:
  - a. A determination of categorical exclusion: or
  - b. A finding of no significant impact: or
  - c. A final Environmental Impact Statement for which a record of decision has been issued.
3. The project is exempt if it falls within one of the categories listed in Section 93.126 in the Conformity Rule. Projects identified as exempt by their nature do not affect the outcome of the regional emissions analyses and add no substance to the analyses. These projects are determined to be within the four major categories described in the conformity rule.
  - a. Safety projects that eliminated hazards or improved traffic flows.
  - b. Mass transit projects that maintained or improved the efficiency of transit operations.
  - c. Air quality related projects that provided opportunities to use alternative modes of transportation such as ride-sharing, van-pooling, bicycling, and pedestrian facilities.
  - d. Other projects such as environmental reviews, engineering, land acquisition and highway beautification.

#### 2014-2017 Transportation Improvement Program

The inter-agency consultation group, including representatives from MnDOT, FHWA, MPCA, EPA, and the Council, reviewed the list of projects to be completed by the 2014-2017 TIP timeframe, including the following:

- In-place regionally significant highway or transit facilities, services, and activities;
- Projects selected through the Council's Regional Solicitation process;
- Major Projects from MnDOT's ten-year work program; and

- Regionally significant projects (regardless of funding sources) which are currently:
  - under construction, or;
  - undergoing right-of-way acquisition, or;
  - come from the first year of a previously conforming TIP (2011-2014), or;
  - have completed the NEPA process.

Each project was assigned to a horizon year (2015 or 2020) and categorized in terms of potential regional significance and air quality analysis exemption as per Sections 93.126 and 93.127 of the Conformity Rule, using the codes listed in this Appendix. The resulting list of regionally significant projects for 2015 and 2020 is shown in Tables F-1 through F-2.

Table F-4 contains a list of regionally significant projects selected by TAB from the 2012 Regional Solicitation. These projects are scheduled to be amended into the TIP for 2015-2016 in January 2013. The conformity determination in this analysis applies whether these projects are included or not.

### 2030 Transportation Policy Plan

The inter-agency consultation group also reviewed projects to be completed before 2030 but not within the 2014-2017 TIP timeframe, including the project types listed above, as well as regionally significant planned projects in the TPP and other regionally significant projects, regardless of funding source. Each project was assigned to a horizon year (2015, 2020, or 2030) and categorized in terms of potential regional significance and air quality analysis exemption as per Sections 93.126 and 93.127 of the Conformity Rule, using the codes listed in this Appendix. The resulting list of regionally significant projects for 2015, 2020 and 2030 is shown in Tables F-1 through F-3

### Wright County and City of New Prague Projects

A significant portion of Wright County and the City of New Prague are included in the Twin Cities CO maintenance area established in October 1999. However, since neither the county nor the cities are part of the Seven County Metropolitan Area, Wright County and New Prague projects were not coded into the Seven-County regional transportation model. However, Wright County and New Prague projects are evaluated for air quality analysis purposes, and the emissions associated with the regionally significant projects identified are added to the Seven-County region's emissions total. No regionally significant projects are currently planned or programmed for the City of New Prague during the time period of this plan. Three Wright County projects were considered in the regional air quality analysis:

- TH 25: Construct 4 lane from Buffalo to start of 4 lane south of I-94 in Monticello
- I-94: Add WB C-D road between CSAH 37 and CSAH 19 interchanges in Albertville.
- I-94: Add WB auxiliary lane between CSAH 18 interchange and TH 25 interchange in Monticello

Route	Description	Agency	MNDOT Project Number/Comments
TH 25	TH 55 IN MONTICELLO TO I-94 IN BUFFALO, WRIGHT CO. - RECONSTRUCT TO 4 LANES	MNDOT	8605-44
TH 23	FROM E OF ST. CLOUD TO TH 25 IN FOLEY - 2 TO 4 LANE EXPANSION	MNDOT	
I-94	ADD WB C-D ROAD BETWEEN CSH 37 ND CSAH 19 INTERCHANGES IN ALBERTVILLE. INCLUDES WB OFF RAMP FOR CSAH 19	MNDOT	8680-145
I-94	ADD WB AUXILLARY LANE BETWEEN CSAH 18 INTERCHANGE AND TH 25 INTERCHANGE IN MONTICELLO	MNDOT	8605-44
TH 51	FROM ANOKA CSAH 12 TO 121ST AVE IN COON RAPIDS & BLAINE-RECONSTRUCT TO 4-LANE RDWY, PED/BIKE, SIGNALS	ANOKA COUNTY	002-651-007

<p align="center"><b>Table F-1</b>  <b>Regionally Significant Projects</b>  2015 Action Scenario</p>			
CSAH 11	ON ANOKA CSAH 11 (FOLEY BLVD) FROM 101ST TO EGRET IN COON RAPIDS-RECONSTRUCT TO 4-LN RDWY, NEW SIGNALS, TRAIL	ANOKA COUNTY	002-611-032
CSAH 18	ON CARVER CSAH 18 (LYMAN BLVD) FROM CARVER CSAH 15 (AUDUBON RD) TO CARVER CSAH 17(POWERS BLVD) IN CHANHASSEN-RECONSTRUCT TO 4-LN RDWY	CARVER COUNTY	010-618-013
TH 149	FROM TH 55 TO JUST NORTH OF I-494 IN EAGAN-RECONSTRUCT FROM 4-LN RDWY TO 5-LN RDWY, TRAIL	EAGAN	195-010-010
CSAH 61	FROM CSAH 3(EXCELSIOR BLVD) TO NO OF TH 7 IN HOPKINS & MINNETONKA-UPGRADE TO A 4-LANE RDWY, INTERSECTION IMPROVEMENTS (TIED TO 2706-235)	HENNEPIN COUNTY	027-661-046
	HWY 36 EAST P&R (STILLWATER)	METROPOLITAN COUNCIL	TRF-TCMT
TH 7	AT HENNEPIN CSAH 61 (SHADY OAK RD) IN MINNETONKA - UPGRADE TO A 4-LANE RDWY, INTERSECTION IMPROVEMENTS	MNDOT	2706-235
I-94	EB I94 FROM 7TH ST EXIT TO MOUNDS BLVD IN ST PAUL-ADD AUXILIARY LANE, NOISEWALL, DRAINAGE, POND, TMS, SIGNING, LIGHTING, GUARDRAIL	MNDOT	6283-175
TH 55	FROM N JCT MN149 TO S JCT MN149 IN EAGAN- WIDEN FROM 4-LANE SECTION TO 6-LANE SECTION	MNDOT	1909-95
I-494	FROM N OF I394 IN MINNETONKA TO I94/I494/I694 INTERCHANGE IN MAPLE GROVE - UNBONDED CONCRETE OVERLAY, CPR, RIGHT SIDE DYNAMIC SHOULDER, SIGNING, STRIPING, DRAINAGE, TMS, NOISE WALLS, REDECK AND WIDEN BRIDGES 27973, 27974, 27975, 27976, 27977, 27978, AND REDECK BRIDGE 27905	MNDOT	2785
I-394	FROM RIDGEDALE DRIVE TO WESTBOUND I394 IN MINNETONKA - NEW ENTRANCE RAMP/BRIDGE 27W09	MNDOT	2789-141
TH 52	REPLACE LAFAYETTE BRIDGE	MNDOT	6244-30
	CEDAR AVENUE BUS RAPID TRANSIT	METROPOLITAN COUNCIL	
	CENTRAL CORRIDOR LIGHT RAIL TRANSIT	METROPOLITAN COUNCIL	CCLRT

<p align="center"><b>Table F- 2</b>  <b>Regionally Significant Projects</b>  2020 Action Scenario</p>			
Route	Description	Agency	MnDOT Project Numbers – comments
CSAH 116	FROM JUST E OF CRANE ST THROUGH JEFFERSON ST IN ANDOVER AND HAM LAKE-RECONSTRUCT FROM 2-LANE UNDIVIDED TO A 4-LANE DIVIDED ROADWAY INCLUDING SEPARATED BIKE/PED FACILITY, SIGNALIZED INTERSECTIONS AND IMPROVE AT-GRADE RAIL CROSSING	ANOKA COUNTY	002-716-015
CSAH 11	FROM N OF EGRET BLVD TO N OF NORTHDAL BLVD-RECONSTRUCT CSAH 11 (FOLEY BLVD) AS A 4-LANE DIVIDED ROADWAY AS WELL AS A TRAIL AND SIDEWALK, PONDS, TRAFFIC SIGNALS AND DEDICATED LEFT- AND RIGHT-TURN LANES	ANOKA COUNTY	002-611-034
CSAH 34	FROM W94TH ST TO T8500 BLOCK OF NORMAN DALE BLVD IN BLOOMINGTON-RECONSTRUCT OF CSAH 34 (NORMAN DALE BLVD) AS A 4-LANE DIVIDED ROADWAY WITH LEFT-TURN LANES AND MULTI-USE TRAILS	BLOOMINGTON	107-020-065

**Table F- 2  
Regionally Significant Projects  
2020 Action Scenario**

TH 55	FROM THE MN149 NORTH INTERSECTION THROUGH THE MN149 SOUTH INTERSECTION-EXPANSION TO A 6-LANE ROADWAY INCLUDING TRAFFIC SIGNALS, AND CONSTRUCTION OF A MULTI-USE TRAIL	EAGAN	195-010-011
CSAH 53	FROM JUST WEST OF WASHBURN AVE TO 16TH AVE IN RICHFIELD-RECONSTRUCT TO A 3-LANE SECTION CENTER TURN LANE, RAISED CONCRETE MEDIAN, SIGNAL REPLACEMENT, SIDEWALKS, ON-ROAD BIKEWAYS	HENNEPIN COUNTY	027-653-021
CSAH 81	FROM N OF 63RD AVE N TO N OF CSAH 8 IN BROOKILYN PARK-RECONSTRUCT TO A MULTI-LANE DIVIDED ROADWAY INCLUDING CONCRETE MEDIAN AND A MUTLI-USE TRAIL	HENNEPIN COUNTY	027-681-034
TH 100	FROM 36TH ST TO CEDAR LAKE RD IN ST. LOUIS PARK -RECONSTRUCT INTERCHANGES INCLUDING CONSTRUCTING AUXILLIARY LANES	MN/DOT	2734-33AC
I-35E	FROM I94 IN ST. PAUL TO JUST NORTH OF LITTLE CANADA RD IN LITTLE CANADA - CONSTRUCT MNPASS LANE, REHAB PAVEMENT, REPLACE BRIDGES 6509, 6510, 6511, 6512, 6514, 6579, 9117, 9118, 9119, 9120 AND TMS	MN/DOT	6280-367
TH 610	EXTENSION OF 105TH AVE TO W OF I94 IN MAPLE GROVE	MNDOT	2771
I-35W	FROM 46TH ST TO I94 IN MPLS - MANAGED LANE COMPLETION, PAVEMENT RECONSTRUCTION AND REPAIR, NOISEWALLS, TMS, DRAINAGE, LIGHTING, REPLACE BRIDGES 9731, 9733, 27842, 27843, 27867, 27868, 27869, 27870, 27871, 27872	MNDOT	2782-327
I-35E	FROM JCT MN36 IN ROSEVILLE TO JUST N I694 IN ARDEN HILLS/NEW BRIGHTON- MILL AND OVERLAY, DRAINAGE, GUARDRAIL, SIGNING, AUXILLIARY LANES	MNDOT	6284-166
CSAH 35	CSAH 35 (PORTLAND AVE) FROM 67TH ST TO 77TH ST IN RICHFIELD-RECONSTRUCT TO 2-LANE ROAD WITH A CENTER TURN LANE AND INCLUDING TRANSIT FACILITIES, BIKE LANES AND PEDESTRIAN FACILITIES	RICHFIELD	157-020-026
TH 101	AT HENNEPIN CSAH 144 IN ROGERS-RECONSTRUCT INTERCHANGE, MULTI-USE TRAIL AND SIDEWALK, SIGNALS AND LIGHTING (AC PROJECT, PAYBACK IN 2015) (TIED WITH 2738-28, 2738-29)	ROGERS	238-010-003
PIERCE BUTLER RTE	FROM GROTTO ST TO ARUNDEL ST AT MINNEHAHA AVE- EXTENSION OF PIERCE BUTLER ROUTE ON A NEW ALIGNMENT AS A 4-LANE ROADWAY WITH BIKE LANES AND SIDEWALKS	SAINT PAUL	164-020-123
CSAH 17	FROM S OF CSAH 78 TO N OF CSAH 42-RECONSTRUCT AS A 4-LANE DIVIDED ROADWAY AND MULTI-USE TRAIL	SCOTT COUNTY	070-617-024
TH 36	NEW ST CROIX RIVER CROSSING	MNDOT	8217-82045
TH 610	CONSTRUCT FROM I-94 TO CSAH 81		
	I-35W BUS RAPID TRANSIT	METROPOLITAN COUNCIL	
	WEST BROADWAY AVE BUS RAPID TRANSIT	METROPOLITAN COUNCIL	
	ROBERT ST BUS RAPID TRANSIT	METROPOLITAN COUNCIL	
	CHICAGO-EMERSON/FREMONT AVES BUS RAPID TRANSIT	METROPOLITAN COUNCIL	
	SNELLING AVE BUS RAPID TRANSIT	METROPOLITAN COUNCIL	
	EAST 7 <sup>TH</sup> ST BUS RAPID TRANSIT	METROPOLITAN COUNCIL	
	WEST 7 <sup>TH</sup> ST BUS RAPID TRANSIT	METROPOLITAN COUNCIL	
	SOUTHWEST LIGHT RAIL TRANSIT	METROPOLITAN COUNCIL	
	BOTTINEAU LIGHT RAIL TRANSIT	METROPOLITAN COUNCIL	

**Table F- 2**  
**Regionally Significant Projects**  
**2020 Action Scenario**

I-694	DYNAMIC SHOULDER LANE FROM RICE TO LEXINGTON	MNDOT	
I-94	LANE ADDITION FROM TH 101 TO TH 241	MNDOT	

**Table F- 3**  
**Regionally Significant Projects**  
**2030 Action Scenario**

<b>Route</b>	<b>Description</b>	<b>Agency</b>	<b>MnDOT Project Numbers - Comments</b>
	AMERICAN BOULEVARD ARTERIAL BUS RAPID TRANSIT	METROPOLITAN COUNCIL	
	CENTRAL AVE ARTERIAL BUS RAPID TRANSIT	METROPOLITAN COUNCIL	
	NICOLLET AVE ARTERIAL BUS RAPID TRANSIT	METROPOLITAN COUNCIL	

#### **IV. CONFORMITY DEMONSTRATION**

The EPA, in response to a MPCA request, redesignated the Twin Cities seven-county Metropolitan Area and Wright County as in attainment for CO in October 1999. A 1996 motor vehicle emissions budget (MVEB) was revised in January 2005 in a revision to the SIP. The SIP amendment revised the MVEB budget to a not-to-exceed threshold of 1,961 tons per day of CO emissions for the analysis milestone years of 2009, 2015, 2020 and 2030. In 2010, in response to a MPCA request, the EPA approved a Limited Maintenance Plan for the maintenance area. A limited maintenance plan is available to former non-attainment areas which demonstrate that monitored concentrations of CO remain below 85% of the eight-hour National Ambient Air Quality Standard (NAAQS) for eight consecutive quarters. MPCA ambient CO monitoring data shows that eight hour concentrations have been below 70% of the NAAQS since 1998 and below 30% of the NAAQS since 2004.

Under a limited maintenance plan, the EPA has determined that there is no requirement to project emissions over the maintenance period and that “an emissions budget may be treated as essentially not constraining for the length of the maintenance period because it is unreasonable to expect that such an area will experience so much growth in that period that a violation of the CO NAAQS would result.” No regional modeling analysis is required, however federally funded projects are still subject to “hot spot” analysis requirements.

The limited maintenance plan adopted in 2010 determines that the level of CO emissions and resulting ambient concentrations continue to demonstrate attainment of the CO NAAQS. The following additional programs will also have a beneficial impact on CO emissions and ambient concentrations: Ongoing implementation of an oxygenated gasoline program as reflected in the modeling assumptions used the SIP; A regional commitment to continue capital investments to maintain and improve the operational efficiencies of highway and transit systems; Adoption of a regional long-term 2030 Regional Development Framework that supports land use patterns that efficiently connect housing, jobs, retail centers, and transit oriented development along transit corridors; The continued involvement of local government units in the regional 3C transportation planning process allows the region to address local congestion, effectively manage available capacities in the transportation system, and promote transit supportive land uses as part of a coordinated regional growth management strategy. For all of these reasons, the Twin Cities CO maintenance areas will continue to attain the CO standard for the next 10 years.

## V. TIMELY IMPLEMENTATION OF TRANSPORTATION CONTROL MEASURES

Pursuant to the Conformity Rule, the Council reviewed the Plan and certifies that the Plan conforms with the SIP and does not conflict with its implementation. All Transportation System Management (TSM) strategies which were the adopted TCM's for the region have been implemented or are ongoing and funded. There are no TSM projects remaining to be completed. There are no fully adopted regulatory new TCM's nor fully funded non-regulatory TCM's that will be implemented during the programming period of the TIP. There are no prior TCM's that were adopted since November 15, 1990, nor any prior TCM's that have been amended since that date.

As part of the Urban Partnership Agreement (UPA), additional transit lanes have been added to Marquette and 2<sup>nd</sup> Ave in Minneapolis, and transit capacity in the I-35W corridor has been enhanced through dynamic priced shoulder lanes.

A list of officially adopted TCM's for the region may be found in the November 27, 1979 Federal Register notice for EPA approval of the Minneapolis-St. Paul CO Maintenance Plan, based upon the 1980 Air Quality Control Plan for Transportation, which in turn cites transit strategies in the 1978-1983 Transportation Systems Management Plan. It is anticipated that the Transportation Air Quality Control Plan will be revised in the near future. The following lists the summary and status of the currently adopted TCM's:

- **Vehicle Inspection and Maintenance Program** (listed in Transportation Control Plan as a potential strategy for hydrocarbon control with CO benefits). This program became operational in July 1991 and was terminated in December 1999.
- **I-35W Bus/Metered Freeway Project.** Metered freeway access locations have bus and carpool bypass lanes at strategic intersections on I-35W. In March, 2002 a revised metering program became operational. The *2030 Transportation Policy Plan* calls for the implementation of Bus Rapid Transit in the I-35W corridor. As part of the Urban Partnership Agreement (UPA), additional transit lanes have been added to Marquette and 2<sup>nd</sup> Ave in Minneapolis, and transit capacity in the I-35W corridor has been enhanced through dynamic priced shoulder lanes.
- **Traffic Management Improvements** (multiple; includes SIP amendments):
  - *Minneapolis Computerized Traffic Management System.* The Minneapolis system is installed. New hardware and software installation were completed in 1992. The system has been significantly extended since 1995 using CMAQ funding. Traffic signal improvements were made to the downtown street system to provide daily enhanced preferred treatment for bus and LRT transit vehicles in 2009.
  - *St. Paul Computerized Traffic Management System.* St. Paul system completed in 1991.
  - *University and Snelling Avenues, St. Paul.* Improvements were completed in 1990 and became fully operational in 1991.
- **Fringe Parking Programs.** Minneapolis and St. Paul are implementing ongoing programs for fringe parking and incentives to encourage carpooling through their respective downtown traffic management organizations.
- **Stricter Enforcement of Traffic Ordinances.** Ongoing enforcement of parking idling and other traffic ordinances is being aggressively pursued by Minneapolis and St. Paul.
- **Public Transit Strategies** (from the 1983 Transportation Systems Management Plan):
  - *Reduced Transit Fares.* Current transit fares include discounts for off-peak and intra-CBD travel. Reduced fares are also offered to seniors, youth, medicare card holders, and persons with disabilities.
  - *Transit Downtown Fare Zone.* All transit passengers can ride either the Minneapolis or Saint Paul fare zones for 50 cents. Since March 2010 passengers can ride Nicollet Mall buses for free within the downtown zone.



- *Community-Centered Transit.* The Council is authorized by legislation to enter into and administer financial assistance agreements with local transit providers in the metropolitan region, including community-based dial-a-ride systems. This program had been used to provide funding assistance to local agencies operating circulation service coordinated with regular route transit service. A regional restructuring of dial-a-ride service, now called Transit Link, occurred in 2010.
- *Flexible Transit.* Routes 755 and 756 in Medicine Lake were operated on a flex-route in 2006 by First Student, a private provider. Also, Metro Mobility, a service of the Council, as well as the dial-a-ride services mentioned above, operates with flexible routes catered to riders' special needs.
- *Total Commuter Service.* The non-CBD employee commuter vanpool matching services provided by this demonstration project, mentioned in the 1983 Transportation Systems Management Plan as well as the Transportation Control Plan, are now by the Van-Go! program, a service of the Council.
- *Elderly and Handicapped Service.* ADA Paratransit Service is available for people who are unable or have extreme difficulty using regular route transit service because of a disability or health condition. ADA Paratransit Service provides "first-door-through-first-door" transportation in 89 communities throughout the metropolitan area for persons who are ADA-certified. The region's ADA paratransit service is provided by four programs, namely Metro Mobility, Anoka County Traveler, DARTS, and H.S.I. (serving Washington County). In addition, every regular-route bus has a wheelchair lift, and drivers are trained to help customers use the lift and secure their wheelchairs safely. LRT trains offer step-free boarding, and are equipped with designated sections for customers using wheelchairs. In addition, all station platforms are fully accessible.
- *Responsiveness in Routing and Scheduling.* Metro Transit conducted a series of Transit Redesign "sector studies" to reconfigure service to better meet the range of needs based on these identified transit market areas. The Sector 1 and 2 studies, covering the northeast quadrant of the region, were the first to be completed. Following the successful reorganization of transit service in those areas, the remaining sector were studied and changes were implemented. Service is now re-evaluated as needed..
- *CBD Parking Shuttles.* The downtown fare zones mentioned above provide fast, low-cost, convenient service to and from parking locations around the CBD.
- *Simplified Fare Collection.* The fare zone system in place at the time of the Transportation Systems Management Plan has since been eliminated. Instead, a simplified fare structure based upon time (peak vs. off-peak) and type (local vs. express) of service has been implemented, with discounts for select patrons (e.g. elderly, youth). Convenient electronic fare passes are also available from Metro Transit, improving ease of fare collection and offering bulk-savings for multi-ride tickets.
- *Bus Shelters.* Metro Transit coordinates bus shelter construction and maintenance throughout the region. Shelter types include standard covered wind barrier structures as well as lit and heated transit centers at major transfer points and light-rail stations.
- *Rider Information.* Rider information services have been greatly improved since the 1983 Transportation Systems Management Plan was created. Schedules and maps have been re-designed for improved clarity and readability, and are now available for download on Metro Transit's web-site, which also offers a custom trip planner application to help riders choose the combination of routes that best serves their needs. Bus arrival and departure times are posted in all shelters, along with the phone number of the TransitLine automated schedule information hotline. Some shelters and stations have real time "next trip" information.
- *Transit Marketing.* Metro Commuter Services, under the direction of Metro Transit, coordinates all transit and rideshare marketing activities for the region, including five Transportation Management Organizations (TMOs) that actively promote alternatives to driving alone through employer outreach, commuter fairs, and other programs. Metro Commuter Services also conducts an annual Commuter Challenge, which is a contest encouraging commuters to pledge to travel by other means than driving alone.

- *Cost Accounting and Performance-Based Funding.* Key criteria in the aforementioned Transit Redesign process include service efficiency (subsidy per passenger) and service effectiveness (passengers per revenue-hour). Metro Transit uses these metrics to evaluate route cost-effectiveness and performance and determine which routes are kept, re-tuned, or eliminated.
- *"Real-Time" Monitoring of Bus Operations.* The regional Transit Operations Center permits centralized monitoring and control of all vehicles in the transit system.
- *Park and Ride.* Appendix J of the *Transportation Policy Plan* provides guidelines intended for use in planning, designing, and evaluating proposed park-and-ride facilities served by regular route bus transit. The guidelines can also be used for park-and-ride lots without bus service and at rail stations. The Metropolitan Council administers capital funding to transit operating agencies building, operating, and maintaining park-and-ride facilities. In 2009 the region served 108 park-and-ride facilities with a capacity of 25,700. Average usage in 2009 was 67 percent.
- **Hennepin and First Avenue One-Way Pair.** These streets in downtown Minneapolis were re-configured subsequent to the 1980 Air Quality Control Plan for Transportation to address a local CO hot-spot issue that has since been resolved. The streets reverted to a two-way configuration in 2009.

The above list includes two TCM's that are traffic flow amendments to the SIP. The MPCA added them to the SIP since its original adoption. These include in St. Paul, a CO Traffic Management System at the Snelling and University Avenue. While not control measures, the MPCA added two additional revisions to the SIP which reduce CO: a vehicle emissions inspection/maintenance program, implemented in 1991, to correct the region-wide carbon monoxide problem, and a federally mandated four-month oxygenated gasoline program implemented in November 1992. In December 1999 the vehicle emissions inspection/maintenance program was eliminated.

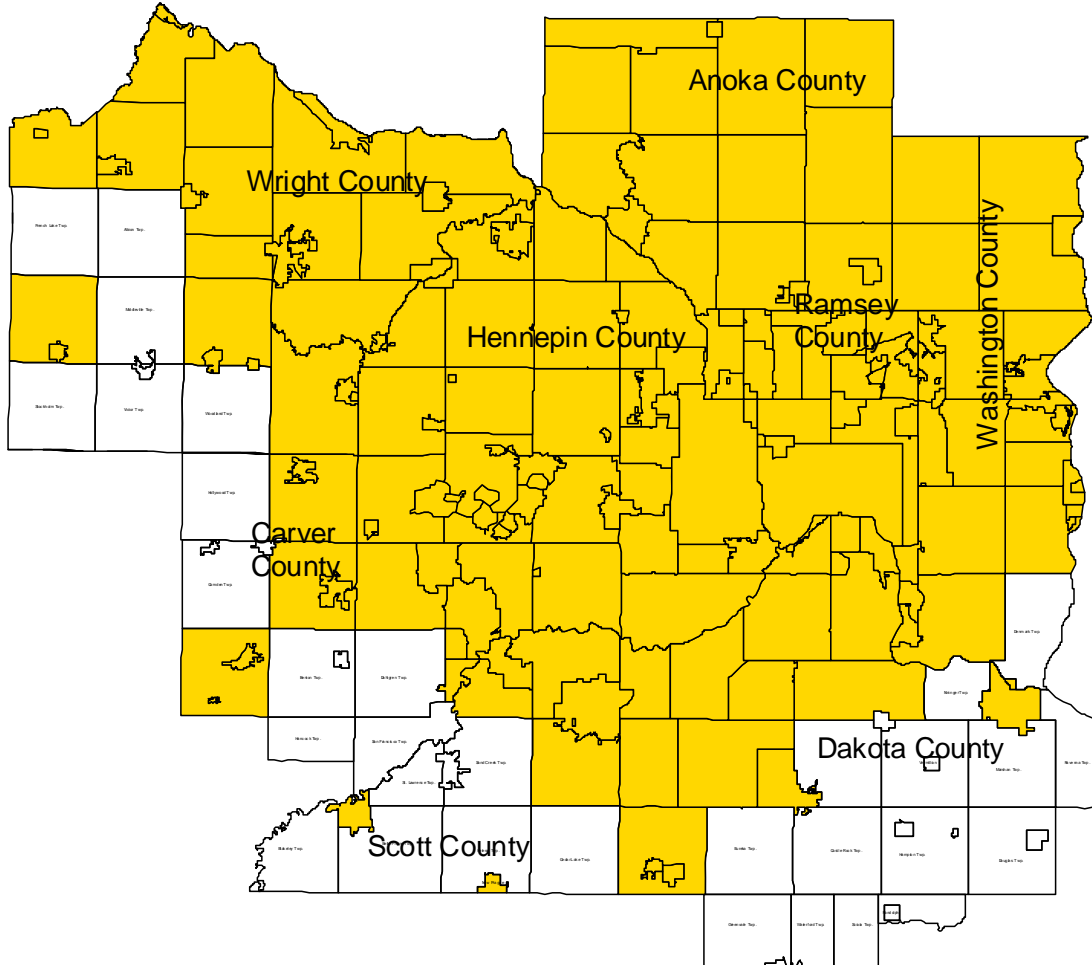
The MPCA requested that the USEPA add a third revision to the SIP, a contingency measure consisting of a year-round oxygenated gasoline program if the CO standards were violated after 1995. The USEPA approved the proposal. Because of current state law which remains in effect, the Twin Cities area has a state mandate year-round program that started in 1995. The program will remain regardless of any USEPA rulemaking.

**VI. EXHIBITS**

This section contains the exhibits referenced in this appendix.

**Exhibit 1.**

**Carbon Monoxide Maintenance Area  
Seven County Metropolitan Area  
and Wright County**



Note: Shaded area is designated maintenance.



## EXHIBIT 2

### PROJECTS THAT DO NOT IMPACT REGIONAL EMISSIONS, AND PROJECTS THAT ALSO DO NOT REQUIRE LOCAL CARBON MONOXIDE IMPACT ANALYSIS

Certain transportation projects eligible for funding under Title 23 U.S.C. have no impact on regional emissions. These are "exempt" projects that, because of their nature, will not affect the outcome of any regional emissions analyses and add no substance to those analyses. These projects (as listed in Section 93.126 of conformity rules) are excluded from the regional emissions analyses required in order to determine conformity of the TPP and TIPs.

Following is a list of "exempt" projects and their corresponding codes used in column "AQ" of the 2014-2017 TIP. The coding system is revised from previous TIPs to be consistent with the coding system for exempt projects in the proposed Minnesota Pollution Control Agency (MPCA) revision to the State Implementation Plan for Air Quality for Transportation Conformity.

Except for projects given an "A" code or a "B" code, the categories listed under Air Quality should be viewed as advisory in nature, and relate to project specific requirements rather than to the TIP air quality conformity requirements. They are intended for project applicants to use in the preparation of any required federal documents. Ultimate responsibility for determining the need for a hot-spot analysis for a project under 40 CFR Pt. 51, Subp. T (The transportation conformity rule) rests with the U.S. Department of Transportation. The Council has provided the categorization as a guide to project applicants of possible conformity requirements, if the applicants decide to pursue federal funding for the project.

#### SAFETY

Railroad/highway crossing.....	S-1
Hazard elimination program .....	S-2
Safer non-federal-aid system roads.....	S-3
Shoulder improvements .....	S-4
Increasing sight distance .....	S-5
Safety improvement program .....	S-6
Traffic control devices and operating assistance other than signalization projects.....	S-7
Railroad/highway crossing warning devices.....	S-8
Guardrails, median barriers, crash cushions .....	S-9
Pavement resurfacing and/or rehabilitation .....	S-10
Pavement marking demonstration.....	S-11
Emergency relief (23 U.S.C. 125).....	S-12
Fencing.....	S-13
Skid treatments.....	S-14
Safety roadside rest areas .....	S-15
Adding medians .....	S-16
Truck climbing lanes outside the urbanized area.....	S-17
Lighting improvements .....	S-18
Widening narrow pavements or reconstructing bridges (no additional travel lanes).....	S-19
Emergency truck pullovers .....	S-20

#### MASS TRANSIT

Operating assistance to transit agencies.....	T-1
Purchase of support vehicles.....	T-2
Rehabilitation of transit vehicles.....	T-3
Purchase of office, shop, and operating equipment for existing facilities .....	T-4
Purchase of operating equipment for vehicles (e.g., radios, fareboxes, lifts, etc.) .....	T-5
Construction or renovation of power, signal, and communications systems .....	T-6
Construction of small passenger shelters and information kiosks .....	T-7

Reconstruction or renovation of transit buildings and structures (e.g., rail or bus buildings, storage and maintenance facilities, stations, terminals, and ancillary structures).....	T-8
Rehabilitation or reconstruction of track structures, track and trackbed in existing rights-of-way.....	T-9
Purchase of new buses and rail cars to replace existing vehicles or for minor expansions of the fleet.....	T-10
Construction of new bus or rail storage/maintenance facilities categorically excluded in 23 CFR 771 .....	T-11

AIR QUALITY

Continuation of ride-sharing and van-pooling promotion activities at current levels.....	AQ-1
Bicycle and pedestrian facilities .....	AQ-2

OTHER

Specific activities which do not involve or lead directly to construction, such as:

Planning and technical studies	
Grants for training and research programs	
Planning activities conducted pursuant to titles 23 and 49 U.S.C.	
Federal-aid systems revisions .....	O-1
Engineering to assess social, economic and environmental effects of the proposed action or alternatives to that action .....	O-2
Noise attenuation .....	O-3
Advance land acquisitions (23 CFR 712 or 23 CFR 771) .....	O-4
Acquisition of scenic easements .....	O-5
Plantings, landscaping, etc.....	O-6
Sign removal .....	O-7
Directional and informational signs.....	O-8
Transportation enhancement activities (except rehabilitation and operation of historic transportation buildings, structures, or facilities).....	O-9
Repair of damage caused by natural disasters, civil unrest, or terrorist acts, except projects involving substantial functional, locational, or capacity changes .....	O-10

Projects Exempt from Regional Emissions Analyses that may Require Further Air Quality Analysis

The local effects of these projects with respect to carbon monoxide concentrations must be considered to determine if a "hot-spot" type of an analysis is required prior to making a project-level conformity determination. These projects may then proceed to the project development process even in the absence of a conforming transportation plan and TIP. A particular action of the type listed below is not exempt from regional emissions analysis if the MPO in consultation with other state agencies MPCA, MnDOT, the EPA, and the FHWA (in the case of a highway project) or the FTA (in the case of a transit project) concur that it has potential regional impacts for any reason.

Channelization projects include left and right turn lanes and continuous left-turn lanes as well as those turn movements that are physically separated. Signalization projects include reconstruction of existing signals as well as installation of new signals. Signal preemption projects are exempt from hotspot analysis. Final determination of which intersections require an intersection analysis by the project applicant rests with the U.S.DOT as part of its conformity determination for an individual project.

Projects Exempt from Regional Emissions Analyses

Intersection channelization projects.....	E-1
Intersection signalization projects at individual intersections .....	E-2
Interchange reconfiguration projects .....	E-3
Changes in vertical and horizontal alignment.....	E-4
Truck size and weight inspection stations.....	E-5

Bus terminals and transfer points..... E-6

Regionally significant projects

The following codes identify the projects included in the "action" scenarios of the TIP air quality analysis:

Baseline - Year 2010 .....A-10  
Action - Year 2015 .....A-15  
Action - Year 2020 .....A-20  
Action - Year 2030 .....A-25

Non-Classifiable Projects

Certain unique projects cannot be classified as denoted by a "NC." These projects were evaluated through an interagency consultation process and determined not to fit into any exempt nor intersection-level analysis category, but they are clearly not of a nature which would require inclusion in a regional air quality analysis.

Traffic Signal Synchronization

Traffic signal synchronization projects (Sec. 83.128 of the Conformity Rules, Federal Register, August 15, 1997) may be approved, funded, and implemented without satisfying the requirements of this subpart. However, all subsequent regional emissions analysis required by subparts 93.118 and 93.119 for transportation plans, TIPS, or projects not from a conforming plan and TIP must include such regionally significant traffic signal synchronization projects.

## DRAFT Amendment Schedule for Corridors of Commerce Projects:

- I-94 and I-694 Transportation Policy Plan Amendment
- I-94 TIP/STIP Amendment

<b>Date</b>	<b>Action</b>	<b>Staff</b>	<b>Notes</b>
Early December	Mn Interagency AQ and Transportation Planning Comm. Review amendment schedule, project info, and AQ conformity analysis	MPCA, MnDOT, Met Council Transportation Services, FHWA Planning and Research Manager	
December 9, 2013	Mailing of TPP amendment to TAC Planning Committee	Met Council, with materials supplied by MnDOT Metro and D3	
December 12, 2013	TAC Planning Comm. Recommend TPP amendment for public comment to TAC	Met Council and MnDOT Metro District	
December 12, 2013	Mailing of TIP amendment to Funding and Programming Comm.	Met Council Transportation Services	
December 19, 2013	TAC Funding and Programming Comm. recommend TIP amendment to TAC	Met Council Transportation Services	
December 27, 2103	Send TPP and TIP amendment with AQ conformity analysis to MPCA for review	Met Council Transportation Services	
January 8, 2014	TAC recommends amendments for public comment to TAB	Met Council Transportation Services	
January 15, 2014	TAB recommends amendments for public comment	Met Council Transportation Services	
January 27, 2014	Transportation Committee adopts TPP amendment for public comment	Met Council Transportation Services	Business item should include MPCA letter of comment on air quality conformity analysis
Feb. 12, 2014	Met Council adopts TPP amendment for public comment	Met Council Transportation Services	
Feb. 17, 2014	Public hearing notice posted in the state register. (must be 30 day notice) Public comment period begins, info available on website	Met Council Transportation Services, Communications	
March 24, 2014	Public Hearing before Council Transportation Committee on TPP amendment	Met Council Transportation Services	

March, 2014	MnDOT issues RFP	MnDOT	
Friday April 4, 2014	Public comment period closed (10 days after hearing)	Met Council Transportation Services	
April 14, 2014	Transportation committee adopts public comment report and final amendment	Met Council Transportation Services	
April 16, 2014	TAB reviews public comment report and final amendment	Met Council Transportation Services	
April 23, 2014	MC adopts public comment report and final amendment	Met Council Transportation Services	
April 24, 2014	MC forwards TPP amendment to MnDOT Transportation System Management	Met Council Transportation Services	
April 25, 2014	MnDOT forwards amendment to FHWA	MnDOT Transportation System Management	
April 28, 2014	FHWA forwards to EPA for review of conformity determination	FHWA Planning and Research Manager	
April 30-May 27, 2014 (maximum)	EPA comment	EPA	Maximum 30 day comment period. Can be reduced(?)
May 1-June 6, 2014	FHWA approval	FHWA Planning and Research Manager	Depending on EPA review timeline
July 2014	MnDOT awards contract		





# Minnesota Pollution Control Agency

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January 7, 2014

Ms. Amy Vennewitz  
Deputy Director  
Metropolitan Transportation Services  
Metropolitan Council  
390 North Robert Street  
St. Paul, MN 55101

RE: Air Quality Conformity Analysis for the 2014 Metropolitan Council 2030 Transportation Policy Plan Amendment Request

Dear Ms. Vennewitz:

The Minnesota Pollution Control Agency (MPCA) has completed its review of the above referenced document submitted by the Metropolitan Council (Council) in support of its 2014 amendment of the 2030 Transportation Policy Plan (Plan). The Minnesota Interagency Air Quality Conformity Consultation Committee, with representatives from the MPCA, Council, Minnesota Department of Transportation, Federal Highway Administration (FHWA), and the U.S. Environmental Protection Agency (EPA) were consulted during the preparation of the Plan amendment and its conformity review of projects and documentation. Several ongoing communications occurred along with periodic meetings, draft reports, e-mails and phone calls.

The current Plan was approved by FHWA on September 27, 2013. The requested plan amendment will include the construction of the following projects:

- Interstate (I)-94 eastbound – construction of an auxiliary lane from TH 241 in St. Michael east to TH 101 in Rogers.
- I-94 westbound – construction of an exit ramp extension from I-94 to TH 101 in Rogers.
- I-94 westbound – construction of a third lane from TH 101 in Rogers west to TH 241 in St. Michael.
- I-694 – construction of a dynamic shoulder lane from Rice Street to Lexington Avenue.

As part of this Plan Update, the Council has revised the Conformity Documentation referenced as Appendix F in the Plan. This provides the basis for meeting carbon monoxide (CO) standards. This revision involved the reviewing and selection of projects exempted from a conformity air quality analysis, and regionally significant projects that must be included in the conformity analysis of the plan for Action years 2015, 2020, and 2030. The analysis included the projects listed in Tables F-1 through F-3.

On November 8, 2010, the EPA approved a Limited Maintenance Plan for the Twin Cities maintenance area. Under a Limited Maintenance Plan, the EPA has determined that there is no requirement to project emissions over the maintenance period, and that “an emissions budget” may be treated as

Ms. Amy Vennewitz

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January 7, 2014

essentially not constraining for the length of the maintenance period because it is unreasonable to expect that the Twin Cities maintenance area will experience so much growth in that period that a violation of the CO National Ambient Air Quality Standards would result. No regional modeling analysis is required, however federally funded projects are still subject to "hot spot" analysis requirements.

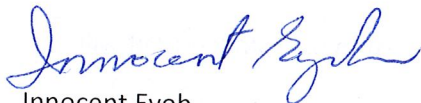
I have examined the document for conformance with a check list of requirements from the joint Transportation Conformity Rule of the EPA and the U.S. Department of Transportation. Based on this information, the MPCA has determined that the projects included in the 2014 Plan amendment meet all relevant regional emissions analysis and budget tests as described herein.

Therefore, the 2014 Plan amendment fully meets and conforms to the relevant sections of the Federal Transportation Conformity Rule and to the applicable sections of the Minnesota State Implementation Plan for Air Quality.

The MPCA appreciates the opportunity given to review this document as part of the EPA's Transportation Conformity Rule consultation process, and for the great work done by the Council's staff by completing this analysis in a timely fashion. The staff also appreciates the cooperation of the interagency consultation group with their immediate assistance in resolving all policy and technical issues with respect to the Plan's Air Quality Conformity determination.

If you have any questions, please contact me at 651-757-2347 or [innocent.eyoh@state.mn.us](mailto:innocent.eyoh@state.mn.us).

Sincerely,



Innocent Eyoh  
Planner Principal  
Air Assessment Section  
Environmental Analysis and Outcomes Division

IE:je

cc: Jonathan Ehrlich, Metropolitan Council  
Brian Isaacson, MnDOT  
Susan Moe, FHWA  
Michael Leslie, EPA  
Patricia Bursaw, MnDOT and TAC Chair  
Karl Keel, City of Bloomington, F & P Chair  
Bobbi Retzlaff, MnDOT  
J. David Thornton, MPCA  
Shannon Lotthammer, MPCA  
Frank Kohlasch, MPCA  
Mary Jean Fenske, MPCA  
Amanda Jarrett Smith, MPCA