



U.S. Department  
of Transportation

**Federal Highway  
Administration**

**Federal Transit  
Administration**

March 13, 2015

Charles A. Zelle  
Commissioner of Transportation  
Department of Transportation  
MS 100, Transportation Building  
St. Paul, Minnesota 55155

FHWA, Minnesota Division  
380 Jackson Street  
Cray Plaza, Suite 500  
St. Paul, MN 55101-4802

FTA, Region V  
200 West Adams Street  
Suite 320  
Chicago, IL 60606-5253

Re: Twin Cities Metropolitan Council Transportation Policy Plan (TPP) Air Quality Conformity

Dear Mr. Zelle:

The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) have reviewed the documentation supporting the transportation conformity determination for the 2040 Transportation Policy Plan (TPP) adopted by the Twin Cities Metropolitan Council on January 14<sup>th</sup>, 2015.

Based on our review and consultation with the U.S. Environmental Protection Agency (EPA), the Minnesota Pollution Control Agency (MPCA), and the Minnesota Department of Transportation (MnDOT), there are no unresolved issues regarding this conformity determination. Therefore, we hereby find that the 2040 TPP meets all conformity determination requirements under the Clean Air Act Amendments of 1990.

Additionally, we find the 2040 TPP to satisfactorily comply with the requirements of 23 CFR 450.322 regarding the review and update of metropolitan transportation plans in air quality non-attainment and maintenance areas at least every four years. As such, this action restarts the four-year update cycle for the Metropolitan Council TPP and corresponding conformity determination.

Should you have questions concerning this action, please contact Kris Riesenber, FHWA Minnesota Division at (651) 291- 6114, or Bill Wheeler, FTA Region V at (312) 353-2639.

Sincerely,

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David Scott  
Acting Division Administrator  
FHWA – MN

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Marisol R. Simón  
Regional Administrator  
FTA – Region V

Cc: Michael Leslie, EPA



**U.S. DEPARTMENT OF TRANSPORTATION**

Federal Highway Administration  
Minnesota Division  
380 Jackson Street, Suite 500  
St. Paul, MN 55101-4802

Federal Transit Administration  
Region 5  
200 West Adams Street, Suite 320  
Chicago, IL 60606

October 28<sup>th</sup>, 2015

Mr. Charles Zelle  
Commissioner  
Minnesota Department of Transportation  
395 John Ireland Boulevard  
St. Paul, MN 55155

Subject: Approval of Minnesota FY 2016 – 2019 STIP and FHWA/FTA Statewide Planning Finding

Dear Commissioner Zelle:

The following is in response to MnDOT's transmittal of the Minnesota Fiscal Year (FY) 2016 – 2019 Statewide Transportation Improvement Program (STIP) requesting approval.

In order to approve the subject STIP document, including the Transportation Improvement Programs (TIPS) contained therein, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) must make a determination that the STIP is based on a continuing, cooperative, and comprehensive planning process. Additionally, in accordance with 23 United States Code (U.S.C.) 135(g)(8) and Title 23 Code of Federal Regulations (CFR) Part 450.218(b):

*The FHWA and the FTA shall review the STIP or amend the STIP, and make a joint finding on the extent to which the STIP is based on a statewide transportation planning process that meets or substantially meets the requirements of 23 U.S.C. 135 and 135, 49 U.S.C. 5303 and 5304, and subparts A, B, and C of this part.*

As a result, FHWA and FTA have jointly undertaken a review of the statewide planning process of the Minnesota State Department of Transportation (MnDOT). In accordance with these requirements, the following findings are provided.

The following strengths of the statewide and metropolitan planning process have been identified as noteworthy:

- ***MnSHIP*** – This 20-year Highway Investment Plan details a series of investment scenarios under differing priorities, providing an analytical underpinning to MnDOT's selected approach of balancing asset management with investment in local priorities and mobility. It should be applauded for providing MnDOT with an informed and risk-based investment process to guide the next 20 years.
- ***Functional Classification Review*** – MnDOT completed a systematic analysis and extensive inter-governmental coordination to categorize urban and rural road hierarchy. The functional classification review was a collaborative and effective process, and it is commended.
- ***Asset Management Plan*** – MnDOT's extensive efforts to develop an asset management plan have resulted in a number of improvements to how MnDOT manages its assets. Proactively serving as a pilot state for Asset Management Plan development, MnDOT's Asset Management Plan is now an example to advance the practice nationally.

The following areas of the statewide and metropolitan planning process have been identified as areas for enhancement:

- ***Corridor Planning*** – Corridor Planning is an opportunity to coordinate multiple performance needs and local and state projects within a systematic analysis of a corridor. These studies can be utilized to identify needs and phase implementation effectively to save costs and impacts to the travelling public.
- ***MPO Performance Targets*** – Performance-based planning is an MPO requirement of MAP-21. As the final Planning rule is still in development, we recommend the MPO's begin to identify the appropriate performance targets for their respective planning organizations. While FHWA and FTA will provide more guidance as it becomes available, a proactive approach to performance-based planning will ease the MPO's upcoming transition.
- ***STIP Public Presentation*** – While the fundamentals of 23 CFR 450.210 are met, the STIP can be presented in a format that is more conducive to public use. We recommend updating the website to call out/highlight amendments, change the project descriptions to public-friendly language, and include a visual representation of the project locations in a mapping tool.
- ***Performance Illustration in the STIP*** – MnDOT has been proactive in the development performance measures/targets in anticipation of MAP-21 and the STIP provides a yearly

opportunity to illustrate these performance outcomes. We recommend the current and projected performance outcomes are illustrated in the STIP to improve the accountability of investment decisions.

Accordingly, based on the State DOT and MPO self-certifications of their statewide and metropolitan planning processes, in addition to our involvement in the State and MPO transportation planning processes, the FHWA and FTA hereby find that the 2016-2019 STIP is based on a transportation planning process that substantially meets the requirements of 23 U.S.C. Sections 134 and 135, U.S.C. Sections 5303-5304, 23 CFR 450 (Subparts B and C), and 49 CFR Part 613 (Subparts B and C). Minnesota's 2016 – 2019 STIP is therefore approved.

This approval also includes the corresponding individual MPO Transportation Improvement Programs (TIPs) that comprise the STIP, as well approval of a joint FHWA/FTA air quality conformity determination for the Metropolitan Council's TIP pursuant to 40 CFR 93 (transportation conformity regulations).

It should be noted that approval of the 2016 – 2019 STIP is not to be construed as a Federal-aid eligibility determination. Each project must satisfy the specific requirements of the program from which Federal funds are requested, as well as other Federal requirements as appropriate before Federal funds are authorized.

Thank you for your continued effort to improve the STIP process and ensure a cooperative, continuous, and comprehensive transportation process. We recognize the complexity of assembling the STIP and appreciate the hard work and effort expended by staff involved. We look forward to working together to advance the projects and programs in the STIP, and to continuing to provide the traveling public with a transportation system of the highest caliber.

Should you have any questions regarding this STIP approval and Planning Finding, please contact Mr. Kris Riesenber, FHWA Technical Services Team Leader at (651) 291-6114, or Mr. Bill Wheeler, FTA Community Planner at (312) 353-2639.

Sincerely,



*for*  
Arlene Kocher  
Division Administrator  
Federal Highway Administration



Marisol R. Simón  
Regional Administrator  
Federal Transit Administration

Cc: Trang Chu  
Brian Gage  
Mark Nelson  
Roberta Retzlaff



# Minnesota Pollution Control Agency

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May 22, 2015

Ms. Elaine Koutsoukos  
Transportation Advisory Board Coordinator  
Metropolitan Council  
390 Robert Street North  
St. Paul, MN 55101-1805

RE: Draft 2016-2019 Draft Transportation Improvement Program

Dear Ms. Koutsoukos:

The Minnesota Pollution Control Agency (MPCA) has completed its formal review of the draft 2016-2019 Transportation Improvement Program (TIP). The MPCA has examined the draft TIP for conformance with a check list of requirements from the joint Transportation Conformity Rule (Rule) of the U.S. Environmental Protection Agency (EPA) and the U.S. Department of Transportation. The intent of the Rule is to ensure compliance with the Clean Air Act Amendments of 1990 and the transportation reauthorization bill "Moving Ahead for Progress in the 21<sup>st</sup> Century" (MAP-21) when a Metropolitan Planning Organization (MPO) or state department of transportation serves as a distribution agency for federal transportation funds.

The Rule requires that the MPOs base their TIPs and long-range Comprehensive Transportation Plans (Plan) on the latest planning assumptions. As a result, the draft TIP's air quality conformity analysis is based on the most current Metropolitan Council (the Council) socioeconomic data used in Thrive MSP 2040, which was adopted by the Council on May 28, 2014. The planning document provides the Council with the socioeconomic data (planning assumptions) to develop long range forecasts of regional highway and transit facility needs.

On November 8, 2010, the EPA approved a limited maintenance plan request for the Twin Cities carbon monoxide (CO) 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 emission budget may be treated as essentially not constraining for the length of the maintenance period." The reason is that it is unreasonable to expect that the Twin Cities maintenance area will experience so much growth within this period that a violation of CO National Ambient Air Quality Standard (NAAQS) would result. Therefore, 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 will continue to demonstrate attainment of the CO NAAQS.

Ms. Elaine Koutsoukos

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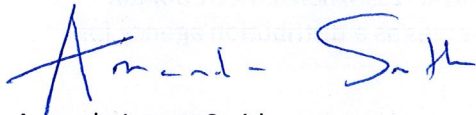
The current TIP was also prepared in accordance with the public participation plan for transportation planning adopted by the Council on November 10, 2010. This process satisfies MAP-21 requirements for public participation, as well as the public consultation procedures requirements of the Conformity Rule.

Based on a review of the analysis described in the conformity Appendix B and submitted by the Council, the MPCA concurs with the conformity determination that the projects included in the 2016-2019 Draft TIP meet all relevant regional emissions analysis and budget tests as described therein. The 2016-2019 Draft TIP also conforms to the relevant sections of the Federal Conformity Rule and the applicable sections of the Minnesota State Implementation Plan for air quality.

The MPCA appreciates the opportunity to review this document as part of the EPA Transportation Conformity Rule consultation process. The MPCA staff also appreciates the cooperation of the interagency consultation group that includes the Council, EPA, Minnesota Department of Transportation (MnDOT), and Federal Highway Administration (FHWA) for their immediate assistance in resolving all policy and technical analysis issues with respect to the projects' air quality classification and their willingness to accept the suggested course of action.

If you have any questions, please feel free to contact me at 651-757-2486 or [amanda.smith@state.mn.us](mailto:amanda.smith@state.mn.us).

Sincerely,



Amanda Jarrett Smith  
Air Policy Planner  
Environmental Analysis and Outcomes Division

AJS:je

cc: Kris Riesenbergh, FHWA  
Michael Leslie, Region 5, EPA  
Jonathan Ehrlich, Metropolitan Council  
Arlene McCarthy, Metropolitan Council  
Steve Albrecht, Technical Advisory Committee (TAC) Chair  
Timothy Mayasich, TAC Funding and Programming Committee Chair  
Bobbi Retzlaf, MnDOT  
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David Thornton, MPCA  
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## Minnesota Pollution Control Agency

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July 25, 2014

Ms. Arlene McCarthy  
Director  
Metropolitan Transportation Services  
Metropolitan Council  
390 North Robert Street  
St. Paul, MN 55101

**RE: Air Quality Conformity Analysis for the 2040 Transportation Policy Plan**

Dear Ms. McCarthy:

The Minnesota Pollution Control Agency (MPCA) has completed its review of the 2040 Transportation Policy Plan (Plan) submitted by the Metropolitan Council (Council). The Minnesota Interagency Air Quality Conformity Consultation Committee, with representatives from the MPCA, Council, Minnesota Department of Transportation (MnDOT), Federal Highway Administration (FHWA), and the U.S. Environmental Protection Agency (EPA), was consulted during the preparation of the Plan. Several ongoing communications also occurred along with periodic meetings, draft reports, e-mails, and phone calls.

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 essentially not constraining for the length of the maintenance period”. The EPA made this determination because it is unreasonable to expect that the Twin Cities maintenance area would experience so much growth in that period that a violation of the carbon monoxide 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 conformity with a checklist of requirements from the joint Federal 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 2040 Plan meet all relevant regional emissions analysis and budget tests as required by the Conformity Rule.

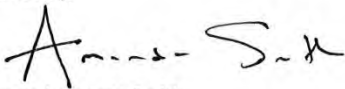
Therefore, the 2040 Plan fully meets and conforms to the relevant sections of the Federal Transportation Conformity Rule and to the applicable sections of the Minnesota State Implementation Plan for Air Quality.

Ms. Arlene McCarthy  
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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 in completing this analysis in a timely fashion. The MPCA 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 651-757-2486 or by e-mail at [amanda.smith@state.mn.us](mailto:amanda.smith@state.mn.us).

Sincerely,



Amanda Jarrett Smith  
Air Policy Planner  
Environmental Analysis and Outcomes Division

AJS:je

cc: Jonathan Ehrlich, Metropolitan Council  
Elaine Koutsoukos, Metropolitan Council  
Patricia Bursaw, MnDOT and TAC Chair  
Karl Keel, City of Bloomington, F&P Chair  
Brian Isaacson, MnDOT  
Susan Moe, FHWA  
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