

# **MARICOPA ASSOCIATION OF GOVERNMENTS**

## **INFORMATION SUMMARY... for your review**

**DATE:**

July 5, 2011

**SUBJECT:**

Conformity Consultation

**SUMMARY:**

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative modification to the FY 2011-2015 MAG Transportation Improvement Program (TIP). The amendment and administrative modification involve several projects, including projects to be funded with federal transit funds in 2011 for the 2011 Program of Projects, and Arizona Department of Transportation projects at various locations. The amendment includes projects that may be categorized as exempt from conformity determinations. The administrative modification includes minor project revisions that do not require a conformity determination. A description of the projects is provided in the attached interagency consultation memorandum. Comments on the conformity assessment are requested by July 22, 2011.

**PUBLIC INPUT:**

Copies of the conformity assessment have been distributed for consultation to the Federal Transit Administration, Federal Highway Administration, Arizona Department of Transportation, Arizona Department of Environmental Quality, Regional Public Transportation Authority, City of Phoenix Public Transit Department, Valley Metro Rail, Maricopa County Air Quality Department, Central Arizona Association of Governments, Pinal County Air Quality Control District, U.S. Environmental Protection Agency and other interested parties including members of the public.

**PROS & CONS:**

**PROS:** Interagency consultation for the amendment and administrative modification notifies the planning agencies of project modifications to the TIP.

**CONS:** The review of the conformity assessment requires additional time in the project approval process.

**TECHNICAL & POLICY IMPLICATIONS:**

**TECHNICAL:** The amendment and administrative modification may not be considered until the consultation process for the conformity assessment is completed.

**POLICY:** Federal transportation conformity regulations require interagency consultation on development of the transportation plan, TIP, and associated conformity determinations to include a process involving the Metropolitan Planning Organization, State and local air quality planning agencies, State and local transportation agencies, Environmental Protection Agency, Federal Highway Administration, and the Federal Transit Administration. Consultation on the conformity assessment has been conducted in accordance with federal regulations, MAG Conformity Consultation Processes adopted by the Regional Council in February 1996 and MAG Transportation

Conformity Guidance and Procedures adopted by the Regional Council in March 1996. In addition, federal guidance is followed in response to court rulings regarding transportation conformity.

**ACTION NEEDED:**

Consultation.

**PRIOR COMMITTEE ACTIONS:**

None.

**CONTACT PERSON:**

Dean Giles, Air Quality Planning Program Specialist III, (602) 254-6300.

July 5, 2011

TO: Leslie Rogers, Federal Transit Administration  
Karla Petty, Federal Highway Administration  
John Halikowski, Arizona Department of Transportation  
Henry Darwin, Arizona Department of Environmental Quality  
David Boggs, Regional Public Transportation Authority  
Debbie Cotton, City of Phoenix Public Transit Department  
Stephen Banta, Valley Metro Rail  
William Wiley, Maricopa County Air Quality Department  
Brian Tapp, Central Arizona Association of Governments  
Donald Gabrielson, Pinal County Air Quality Control District  
Gregory Nudd, U.S. Environmental Protection Agency, Region IX  
Other Interested Parties

FROM: Dean Giles, Air Quality Planning Program Specialist

SUBJECT: CONSULTATION ON A CONFORMITY ASSESSMENT FOR A PROPOSED AMENDMENT  
AND ADMINISTRATIVE MODIFICATION TO THE FY 2011-2015 MAG TRANSPORTATION  
IMPROVEMENT PROGRAM

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative modification to the FY 2011-2015 MAG Transportation Improvement Program (TIP). The amendment and administrative modification involve several projects, including projects to be funded with federal transit funds in 2011 for the 2011 Program of Projects, and Arizona Department of Transportation projects at various locations. Comments on the conformity assessment are requested by July 22, 2011.

MAG has reviewed the projects for compliance with the federal conformity rule and has found that consultation is required on the conformity assessment. The amendment includes projects that may be categorized as exempt from conformity determinations. The administrative modification includes minor project revisions that do not require a conformity determination. The conformity finding of the TIP and the associated Regional Transportation Plan 2010 Update, as amended, that was made by the Federal Highway Administration and Federal Transit Administration on January 19, 2011 remains unchanged by this action. The conformity assessment is being transmitted for consultation to the agencies listed above and other interested parties. If you have any questions or comments, please contact me at (602) 254-6300.

Attachment

cc: Eric Massey, Arizona Department of Environmental Quality  
Jennifer Toth, Arizona Department of Transportation  
Mark Hodges, Arizona Department of Transportation

## ATTACHMENT

### CONFORMITY ASSESSMENT FOR A PROPOSED AMENDMENT AND ADMINISTRATIVE MODIFICATION TO THE FY 2011-2015 MAG TRANSPORTATION IMPROVEMENT PROGRAM

The federal transportation conformity rule (40 CFR 93.105) requires interagency consultation when making changes to a Transportation Improvement Program (TIP) and Transportation Plan. The consultation processes are also provided in the Arizona Conformity Rule (R18-2-1405). This information is provided for consultation as outlined in the MAG Conformity Consultation Processes document adopted by the MAG Regional Council on February 28, 1996. In addition, federal guidance is followed in response to court rulings regarding transportation conformity.

The amendment includes projects that may be categorized as exempt from conformity determinations. Types of projects considered exempt are defined in the federal transportation conformity rule at 40 CFR 93.126. The administrative modification includes minor project revisions that do not require a conformity determination. Examples of minor project revisions include schedule, funding source, and funding amount changes. The proposed amendment and administrative modification to the FY 2011-2015 MAG Transportation Improvement Program include the projects on the attached table. The project number, agency, and description is provided, followed by the conformity assessment.

MAG has reviewed the projects for compliance with the federal conformity rule and consultation is required on the conformity assessment. The projects are not expected to create adverse emission impacts or interfere with Transportation Control Measure implementation. The conformity finding of the TIP and the associated Regional Transportation Plan 2010 Update, as amended, that was made by the Federal Highway Administration and Federal Transit Administration on January 19, 2011 remains unchanged by this action.

## Amendment and Administrative Modification to the FY 2011-2015 MAG Transportation Improvement Program

TIP #	Agency	Location	Workd Description	Year	Federal Funding Type	Federal Cost	Regional Cost	Local Cost	Total Cost	Activity Line Item	Status check	Conformity Assessment
GLN11-702T	Glendale	Glendale: Citywide Paratransit & GUS	Preventive Maintenance	2011	5307	\$ 240,180	\$ -	\$ 60,045	\$ 300,225	11.7A.00	Admin Mod: Increase Costs	A minor project revision is needed to increase project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
PEO11-702T	Peoria	Peoria: Citywide Paratransit	Preventive Maintenance	2011	5307	\$ 89,899	\$ -	\$ 22,475	\$ 112,374	11.7A.00	Admin Mod: Increase Costs	A minor project revision is needed to increase project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
PHX11-101T	Phoenix	Citywide	Install bus stop improvements (1% enhancement)	2011	5307	\$ 526,392	\$ -	\$ 131,598	\$ 657,990	11.92.02	Admin Mod: Increase Costs	A minor project revision is needed to increase project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
PHX11-706T	Phoenix	Phoenix: Citywide Fixed Route	Preventive Maintenance	2011	5307	\$ 11,051,835	\$ -	\$ 2,762,959	\$ 13,814,794	11.7A.00	Admin Mod: Increase Costs	A minor project revision is needed to increase project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
SUR11-701T	Surprise	Surprise: Citywide Paratransit	Preventive Maintenance	2011	5307	\$ 23,220	\$ -	\$ 5,805	\$ 29,025	11.7A.00	Admin Mod: Increase Costs	A minor project revision is needed to increase project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
TMP11-701T	Tempe	Tempe: Fixed Route	Preventive Maintenance	2011	5307	\$ 1,762,335	\$ -	\$ 440,584	\$ 2,202,919	11.7A.00	Admin Mod: Increase Costs	A minor project revision is needed to increase project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
VMT11-709T	Valley Metro	Regionwide: Fixed Route	Preventive Maintenance	2011	5307	\$ 2,625,078	\$ -	\$ 656,270	\$ 3,281,348	11.7A.00	Admin Mod: Increase Costs	A minor project revision is needed to increase project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
NEW	METRO	Central Phoenix East Valley (CPEV) Fixed Route	Preventive Maintenance	2011	5307	\$ 522,671		\$ 130,668	\$ 653,339	11.7A.00	Admin Mod: Increase Costs	A minor project revision is needed to increase project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
NEW	Scottsdale	Scottsdale: Fixed Route	Preventive Maintenance	2011	5307	\$ 93,391		\$ 23,348	\$ 116,739	11.7A.00	Admin Mod: Increase Costs	A minor project revision is needed to increase project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.

TIP #	Agency	Location	Workd Description	Year	Federal Funding Type	Federal Cost	Regional Cost	Local Cost	Total Cost	Activity Line Item	Status check	Conformity Assessment
GLN12-812TB	Glendale	Bell/L101	Construct regional park-and-ride (Bell/L101) (\$203,258 - 5307, \$320,818 - 5309-FGM, \$1,668,972 - STP-Flex)	2011	5307	\$ 2,193,048	\$ 231,901	\$ -	\$ 2,424,949	11.33.04	Decrease federal costs from \$732,148 to \$524,076. Use 5307 funds to meet the needs of the construction 2011 project due to 5309 funds being lower than projected. Local and Total Costs are adjusted.	A minor project revision is needed to decrease federal funding and adjust local and total funding amounts. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.

Amendment and Administrative Modification to the FY 2011-2015 MAG Transportation Improvement Program

TIP #	Agency	Project Location	Project Description	Fiscal Year	Length	Lanes Before	Lanes After	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change	Conformity Assessment
AVN09-904	Avondale	Avondale School Crosswalk Enhancement	Design and Install various traffic calming and other infrastructure devices: raised crosswalks, sidewalks	2011	0.1	n/a	n/a	SRTS	\$ -	\$ 260,230	\$ -	\$ 260,230	Amend: In 2009, \$219,746 was committed to the project. Increase funding for the project by \$40,484 in 2011. Increasing total funding available to the project to \$260,230.	A minor project revision is needed to increase funding for this Safe Routes To School project. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
New	Peoria	Northern to Olive	Design of Olive to Northern multi-use path with extension to connect to Glendale path at Northern	2012	1.1	n/a	n/a	STP-TEA	\$ 15,111	\$ 250,000	\$ -	\$ 265,111	Amend: New Project	The new project is considered exempt under the category "Bicycle and pedestrian facilities." The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
PEO13-902	Peoria	Northern to Olive	Construct Olive to Northern multi-use path with extension to connect to Glendale path at Northern: \$700,000 - CMAQ and \$250,000 - STP-TEA	2013	1.1	n/a	n/a	CMAQ & STP-TEA	\$ 234,889	\$ 950,000	\$ -	\$ 1,184,889	Amend: Minor extension to project scope to extend path at Northern and modify costs to include \$250K of STP-TEA	The project is considered exempt under the category "Bicycle and pedestrian facilities." The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
New	ADOT	238: MP 24 to 91st Avenue	Pavement Preservation	2012	8	n/a	n/a	STP-AZ	\$ 35,625	\$ 589,375		\$ 625,000	Amend: Add a new pavement preservation project in FY 2012 for \$625,000.	The new project is considered exempt under the category "Pavement resurfacing and/or rehabilitation." The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
New	ADOT	8: at Mile Post 126.4	Project Assessment for drainage improvements	2012	n/a	n/a	n/a	IM	\$ 7,125	\$ 117,875		\$ 125,000	Amend: Add a new Project Assessment project in FY 2012 for \$125,000.	The new project is considered exempt under the category "Engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action." The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
New	ADOT	10: Sun Valley Parkway TI	Pavement Preservation	2012	0.3	n/a	n/a	IM	\$ 24,567	\$ 406,433		\$ 431,000	Amend: Add a new pavement preservation project in FY 2012 for \$431,000.	The new project is considered exempt under the category "Pavement resurfacing and/or rehabilitation." The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
New	ADOT	10: SR85 - Verrado, EB	Pavement Preservation	2013	7.2	n/a	n/a	IM	\$ 299,307	\$ 4,951,693		\$ 5,251,000	Amend: Add a new pavement preservation project in FY 2013 for \$5,251,000.	The new project is considered exempt under the category "Pavement resurfacing and/or rehabilitation." The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
New	ADOT	74: Jct US60 - Picacho Wash Trail	Pavement Preservation	2012	22.2	n/a	n/a	STP-AZ	\$ 638,571	\$ 10,564,429		\$ 11,203,000	Amend: Add a new pavement preservation project in FY 2012 for \$11,203,000.	The new project is considered exempt under the category "Pavement resurfacing and/or rehabilitation." The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.

TIP #	Agency	Project Location	Project Description	Fiscal Year	Length	Lanes Before	Lanes After	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change	Conformity Assessment
New	ADOT	87: Jct SR202L - Gilbert Rd	Pavement Preservation	2012	5.2	n/a	n/a	NH	\$ 119,700	\$ 1,980,300		\$ 2,100,000	Amend: Add a new pavement preservation project in FY 2012 for \$2,100,000.	The new project is considered exempt under the category "Pavement resurfacing and/or rehabilitation." The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
New	ADOT	88: Apache Junction - Tortilla Flat	Pavement Preservation	2013	9	n/a	n/a	STP-AZ	\$ 228,000	\$ 3,772,000		\$ 4,000,000	Amend: Add a new pavement preservation project in FY 2013 for \$4,000,000.	The new project is considered exempt under the category "Pavement resurfacing and/or rehabilitation." The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.