

# **MARICOPA ASSOCIATION OF GOVERNMENTS**

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

**DATE:**

June 6, 2013

**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) and Regional Transportation Plan 2010 Update. The amendment and administrative modification involve several projects, including various projects for the Arizona Department of Transportation, El Mirage, Glendale, Litchfield Park, Maricopa County, and Phoenix. 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 June 19, 2013.

**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, City of Phoenix Public Transit Department, Valley Metro/RPTA, Maricopa County Air Quality Department, Central Arizona 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 and Regional Transportation Plan 2010 Update.

**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, (602) 254-6300.

June 6, 2013

TO: Leslie Rogers, Federal Transit Administration  
Karla Petty, Federal Highway Administration  
John Halikowski, Arizona Department of Transportation  
Henry Darwin, Arizona Department of Environmental Quality  
Maria Hyatt, City of Phoenix Public Transit Department  
Stephen Banta, Valley Metro/RPTA  
William Wiley, Maricopa County Air Quality Department  
Kenneth Hall, Central Arizona 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 AND REGIONAL TRANSPORTATION PLAN 2010 UPDATE

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) and Regional Transportation Plan 2010 Update. The amendment and administrative modification involve several projects, including various projects for the Arizona Department of Transportation, El Mirage, Glendale, Litchfield Park, Maricopa County, and Phoenix. Comments on the conformity assessment are requested by June 19, 2013.

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 April 16, 2013 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  
Scott Omer, Arizona Department of Transportation

## ATTACHMENT

### CONFORMITY ASSESSMENT FOR A PROPOSED AMENDMENT AND ADMINISTRATIVE MODIFICATION TO THE FY 2011-2015 MAG TRANSPORTATION IMPROVEMENT PROGRAM AND REGIONAL TRANSPORTATION PLAN 2010 UPDATE

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 and Regional Transportation Plan 2010 Update 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 April 16, 2013 remains unchanged by this action.

**Amendment and Administrative Modification to the FY 2011-2015 MAG Transportation Improvement Program and Regional Transportation Plan 2010 Update**

HIGHWAY														
TIP #	Agency	Project Location	Project Description	Fiscal Year	Completion/Op en to Traffic: Est. Date	Length	Lanes Before	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change	Conformity Assessment
DOT12-126	ADOT	303 (Estrella Fwy): Waddell Rd - Mountain View Rd	Construction: Landscape	2013	Oct-14	4	6	RARF	\$0	\$0	\$4,200,000	\$4,200,000	Amend: Decrease total project budget by \$300,000 from \$4,500,000 to \$4,200,000.	A minor project revision is needed to decrease the project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
DOT14-154	ADOT	303 (Estrella Fwy): Peoria Ave - Waddell Rd	Construction: Landscape	2013	Oct-14	2	6	RARF	\$0	\$0	\$2,700,000	\$2,700,000	Amend: Increase total project budget by \$300,000 from \$2,400,000 to \$2,700,000.	A minor project revision is needed to increase the project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
DOT13-179	ADOT	System wide: Maricopa County	National Summer Transportation Training Program	2013	N/A	N/A	N/A	NSTI	\$0	\$50,000	\$0	\$50,000	Amend: Add a new summer training project in FY 2013 for \$50,000. Use National Summer Transportation Institute (NSTI) federal funds.	The new project is considered exempt under the category "Specific activities which do not involve or lead directly to construction, such as: Grants for training and research programs." The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
DOT13-178	ADOT	Dobson Road	Construct railroad safety project by Railroad	2013	Jun-14	0.1	6	STP- Rail Grade Crossing (RGC)	0	\$ 650,000	\$ -	\$ 650,000	Amend: New project; Railroad related work.Under ADOT STIP as item 72613. Railroad safety project using Section 130 funds from FHWA administered by ADOT Utility & Railroad Section. Railroad work will be done by railroad and paid by ADOT Utility & Railroad Section	The new project is considered exempt under the category "Railroad/highway crossing." The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
DOT13-176	ADOT	60 (Grand Ave): Monarch Wash Bridge, Str #204 & 759	Design Scour Retrofit	2013	Jul-14	0.2	4	STP-AZ	\$8,379	\$ 138,621	\$ -	\$ 147,000	Amend: Add a new bridge preservation design project in FY 2013 for \$147,000.	The new project is considered exempt under the category "Widening narrow pavements or reconstructing bridges (no additional travel lanes)." The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
DOT13-177	ADOT	85: SR85 at Gila Bend	Utility Relocation	2013	Feb-14	1.3	4	STP-AZ	\$8,265	\$ 136,735	\$ -	\$ 145,000	Amend: Add a new utility relocation project in FY 2013 for \$145,000.	The new project would not result in changes to the assumptions used for the most recent conformity analysis. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.

TIP #	Agency	Project Location	Project Description	Fiscal Year	Completion/Op en to Traffic: Est. Date	Length	Lanes Before	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change	Conformity Assessment
ELM14-103	El Mirage	Various Locations - Citywide	Procure and Install: Street Name Sign Upgrade to Clearview font- Phase 3	2013	2014	0.0	0	HSIP	\$ -	\$ 133,798	\$ -	\$ 133,798	Amend: Advance project from FY2014 to 2013	A minor project revision is needed to advance the project. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
GLN11-704	Glendale	Maryland Avenue: 67th-69th & 79th-83rd Avenues	Spot Improvements on Maryland Avenue for Bike Lanes	2014	Oct-14	0	0	STP-TEA	\$ 22,321	\$ 369,276	\$ -	\$ 391,597	Amend: Increase total cost by \$215,521. Increase local cost by \$12,284, increase federal cost by \$203,237. Defer from FY2012 to FY2014.	A minor project revision is needed to adjust the funding and defer the project. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
GLN08-802	Glendale	Grand Canal in west Glendale, from Loop 101 to New River	Construct a 1.5-mile multi-use pathway	2014	2015	1.5	0	STP-TEA	\$ 837,825	\$ 500,000	\$ -	\$ 1,337,825	Amend: Change fiscal year to 2014 due to the time needed to finalize the IGA prior to authorization.	A minor project revision is needed to change fiscal year. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
GLN08-802C2	Glendale	Grand Canal in west Glendale, from Loop 101 to New River	Construct multi-use pathway	2014	2015	1.5	0	TA-MAG	\$ 7,992	\$ 132,222	\$ -	\$ 140,214	Amend: Change fiscal year to 2014 due to the time needed to finalize the IGA prior to authorization.	A minor project revision is needed to change fiscal year. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
LPK13-100	Litchfield Park	Various Locations - Citywide	Procure and Install: Sign Inventory Management System and Sign Upgrades - Phase 2	2014	2015	0.0	0	HSIP	\$ -	\$ 55,000	\$ -	\$ 55,000	Amend: Move project from FY2013 to 2014	A minor project revision is needed to defer the project. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
LPK14-100	Litchfield Park	Various Locations - Citywide	Procure and Install: Sign Inventory Management System and Sign Upgrades - Phase 3	2014	2015	0.0	0	HSIP	\$ -	\$ 45,000	\$ -	\$ 45,000	Amend: Move project from FY2013 to 2014	A minor project revision is needed to defer the project. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
MAG13-108	MAG	MAG Regionwide	Transportation planning and air quality studies and support	2013	2014	0.0	0	CMAQ	\$ 27,200	\$ 450,000	\$ -	\$ 477,200	Amend: Add line item based on FHWA allocations.	The new project is considered exempt under the category "Specific activities which do not involve or lead directly to construction, such as: Planning activities conducted pursuant to titles 23 and 49 U.S.C." The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.

TIP #	Agency	Project Location	Project Description	Fiscal Year	Completion/Op en to Traffic: Est. Date	Length	Lanes Before	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change	Conformity Assessment
MES14-141	Mesa	Rio Salado Segment 4 (Wrigleyville West connection to Dobson Road/SR 202 MP 11)	Design 3,400 linear feet of a concrete path that is 10 foot wide and will be ADA accessible with guardrails, lighting, and a trailhead. Other elements of the project may include benches, seat walls, bike racks, trash receptacles, shade structures, drinking fountains, and electrical infrastructure.	FY14	\$ 41,791	0	\$ -	Local	\$ 140,000	\$ -	\$ -	\$ 140,000	Amend: Add new locally funded project to the TIP.	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.
MES15-141	Mesa	Rio Salado Segment 4 (Wrigleyville West connection to Dobson Road/SR 202 MP 11)	Construction of 3,400 linear feet of a concrete path that is 10 foot wide and will be ADA accessible with guardrails, lighting, and a trailhead. Other elements of the project may include benches, seat walls, bike racks, trash receptacles, shade structures, drinking fountains, and electrical infrastructure.	FY15	\$ 42,614	0	\$ -	Local	\$1,000,000	\$ -	\$ -	\$ 1,000,000	Amend: Add new locally funded project to the TIP.	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.
MMA12-103	Maricopa County	Various Low Volume Roads	Right of way acquisition	2013	11/15/2015	4	2	CMAQ	\$ 100,000	\$ -	\$ -	\$ 100,000	Admin: Defer from 2012 to FY 2013	A minor project revision is needed to defer the project. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
MMA14-103	Maricopa County	Various Low Volume Roads	Construct/Pave Dirt Roads	2015	11/15/2015	4	2	CMAQ	\$ 67,545	\$ 1,117,455	\$ -	\$ 1,185,000	Admin: Defer from FY2014 to FY 2015	A minor project revision is needed to defer the project. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
PEO13-103	Peoria	67th Ave: Happy Valley Rd to approximately 1.76 miles south	Pave Unpaved Shoulders	2013		1.8	2	CMAQ	\$ 12,990	\$ 214,910	\$ -	\$ 227,900	Amend: Request to delete the project as the paving work has already been completed with local funds	The deleted 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.

TRANSIT														
TIP #	Agency	Project Location	Project Description	Fiscal Year	A.L.I.	Match	Year of Fund	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change	Conformity Assessment
GLN10-807T	Glendale	City of Glendale	Operating Assistance	2013	30.09.01	0	2010	ARRA	\$ -	\$ 38,382	\$ -	\$ 38,382	Admin: Increase funding for operations from \$4,610 to \$38,382	A minor project revision is needed to increase the project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
MES08-801T2	Mesa	Loop 202/ Power	Construct regional park-and-ride (Loop 202/Power) - ARRA	2013	11.33.04	0	2010	ARRA	\$ -	\$ 1,980,807	\$ -	\$ 1,980,807	Admin: Increase funding from \$644,000 to \$1,980,807	A minor project revision is needed to increase the project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
MES10-805T	Mesa	Gilbert/ McDowell	Construct regional park-and-ride (ARRA FY2010 Funds)	2013	11.33.04	0	2010	ARRA	\$ -	\$ 1,878,796	\$ -	\$ 1,878,796	Admin: Decrease funding from \$2,289,000 to \$1,878,796	A minor project revision is needed to decrease the project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
MES10-809T	Mesa	US60/Country Club	Construct regional park-and-ride (US60/Country Club)	2013	11.33.04	0	2010	ARRA-Transit	\$ -	\$ 1,884,575	\$ -	\$ 1,884,575	Admin: Decrease funding from \$3,228,750 to \$1,884,575	A minor project revision is needed to decrease the project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
MES10-809T	Mesa	US60/Country Club	Acquisition of land for regional park-and-ride (US60/Country Club)	2013	11.33.04	0	2010	ARRA-Transit	\$ -	\$ 3,085,533	\$ -	\$ 3,085,533	Admin: Decrease funding from \$3,238,250 to \$3,085,533	A minor project revision is needed to decrease the project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
PHX10-803T	Peoria	City of Peoria	ADA Complimentary Paratransit	2013	30.09.01	0	2010	ARRA	\$ -	\$ 9,379	\$ -	\$ 9,379	Admin: Increase funding for operations from \$671 to \$9,379	A minor project revision is needed to increase the project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
PHX10-804T	Phoenix	City of Phoenix	Operating Assistance	2013	30.09.01	0	2010	ARRA	\$ -	\$ 2,872,064	\$ -	\$ 2,872,064	Admin: Increase funding for operations from \$870,744 to \$2,872,064	A minor project revision is needed to increase the project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
SCT09-803T	Scottsdale	L101 and Scottsdale Rd	Construct regional park-and-ride (Loop 101/Scottsdale) - (ARRA FY2010 Funds)	2013	11.33.04	0	2010	ARRA	\$ -	\$ 4,999,430	\$ -	\$ 4,999,430	Admin: Decrease funding from \$5,000,000 to \$4,999,430	A minor project revision is needed to decrease the project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
SCT10-801T	Scottsdale	City of Scottsdale	Operating Assistance	2013	30.09.01	0	2010	ARRA	\$ -	\$ 71,696	\$ -	\$ 71,696	Admin: Increase funding for operations from \$20,442 to \$71,696	A minor project revision is needed to increase the project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.

TIP #	Agency	Project Location	Project Description	Fiscal Year	A.L.I.	Match	Year of Fund	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change	Conformity Assessment
TMP10-801T	Tempe	City of Tempe	Operating Assistance	2013	30.09.01	0	2010	ARRA	\$ -	\$ 826,364	\$ -	\$ 826,364	Admin: Increase funding for operations from \$330,973 to \$826,364	A minor project revision is needed to increase the project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
VMT10-801T	Valley Metro	Regionwide	Operating Assistance	2013	30.09.01	0	2010	ARRA	\$ -	\$ 1,021,243	\$ -	\$ 1,021,243	Admin: Increase funding for operations from \$300,709 to \$1,021,243	A minor project revision is needed to increase the project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
VMT10-807T	Valley Metro	Arizona Ave Corridor	Bus Rapid Transit right of way improvements (phase I) Arizona Ave BRT	2013	11.22.01	0	2010	ARRA	\$ -	\$ 365,728	\$ -	\$ 365,728	Admin: Decrease funding from \$2,500,000 to \$365,728	A minor project revision is needed to decrease the project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
VMT11-707T	Valley Metro	Arizona Avenue Corridor	Bus Rapid Transit/Arizona Ave BRT construct busway improvements and stations	2013	11.23.01	0	2010	ARRA	\$ -	\$ 7,985,093	\$ -	\$ 7,985,093	Admin: Decrease funding from \$9,000,000 to \$7,985,093	A minor project revision is needed to decrease the project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
VMR10-801T	Valley Metro Rail	Central Phoenix, East Valley Light Rail Line	Operating Assistance	2013	30.09.01	0	2010	ARRA	\$ -	\$ 632,995	\$ -	\$ 632,995	Admin: Increase funding for operations from \$222,519 to \$632,995	A minor project revision is needed to increase the project funding. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.