

**Mobile Area Transportation Study
Metropolitan Planning Organization and
Technical Citizens Committee Meeting
January 13, 2010, 10:00 a.m.
SARPC Boardroom**

MPO Members Present

Mr. Russell J. Wimberly
Mr. Vince Calametti
Comm. Mike Dean
Mayor Sam Jones
Mr. Tyrone Parker
Mr. Norman Walton
Mr. Joe Ruffer
Mayor Ron Davis

TCC Members Present

Ms. Tywanda Jackson
Mr. Russell J. Wimberly
Mr. Don Powell
Mr. Hunter Winton
Ms. Betty Donald
Mr. Steve Perry
Ms. Sandra Forbus
Mr. Nick Amberger
Ms. Jennifer Denson
Ms. Margie Wilcox
Mr. John Bell
Mr. Sam Rawls
Mr. Gerald Alfred
Mr. John Murphy
Mr. Bill Metzger
Mr. Donald Watson
Mr. Randy Delchamps
Mr. Bryan Kegley
Mr. Bert Hoffman
Mr. Tom Biand
Mr. James Jacobs

Guests:

Mr. Dale Hurst
Mr. David Yarbrough
Mr. Mark Barlow
Mr. Shaun Capps
Mr. Bob Harris
Ms. Wendy Allen
Ms. Charlene Lee

MPO Members Absent

Mayor Don Nelson
Mayor Stan Wright
Councilman William Carroll
Councilman Reggie Copeland
Mr. Mark Bartlett
Mayor Byron Pittman
Mr. Robert Jilla
Mayor William Stewart
Hon. William Troy Ephraim

TCC Members Absent

Ms. Ginny Russell
Mr. Joseph Threadcraft
Ms. Jennifer White
Ms. Lindsay Hutchission
Mr. George Crozier
Mr. James Foster
Mr. Thomas Hughes
Mr. Ricky Mitchell
Mr. Janic Terry
Mr. Bryan Kegley
Ms. Casi Callaway

Advisory Members Absent

Ms. Alfredo Acoff
Mr. Craig Thomas
Mr. Cornell L. Tatum
Mr. Dave Harris

Staff:

Mr. Kevin Harrison
Ms. Monica Williamson
Mr. Tom Piper

The meeting was called to order.

The first item on the agenda was to approve the minutes of the August 12th meeting. Motion made by Commissioner Dean and seconded by Norman Walton. Motion passed.

The second item on the agenda was to approve the minutes of the November 19th, TCC/CAC meeting. Motion was made by John Murphy with a second by Hunter Winton. Motion passed.

The third item on the agenda was to consider an update to the 2008-2012 Transportation Improvement Program as proposed by ALDOT, TCC/CAC.

Mr. Harrison said everybody should have received one of these documents in the mail. That's what we call the full blown TIP, it's an update. It's our 5 year or our short range plan. It outlines all Federal Transportation Dollars that we spend in the next five years. If you recall in August, we revised and balanced this schedule of funds. Right after we balanced it, we were waiting for Federal approval and the federal government came in with a SAFETEA-LU rescission of about 8.7 Billion dollars throughout the country and that translated to about \$3.78 million of Mobile's attributable money so that's about 4.8 of total project money that was rescinded. The TCC met on November 19th, and balanced this attributable schedule of funds and we pushed projects 8 through 14 back. We've got copies of those projects that were pushed back. We still didn't have approval from the state to compile this blown document until December 23rd. So December 23rd, we compiled the document. It has been out for public review for two weeks in 43 different locations. One note that I will say since the November TCC meeting is that between now and then we had \$800,000 pop up as a special allocation for Fiscal Year 2008. I've asked Montgomery what that money is. They cannot tell me so I've determined that we should go ahead and spend it.

Mayor Jones said what do mean.

Mr. Harrison said between the November TCC meeting and December, sometimes we get carryover from prior Fiscal Years that can fluctuate. We had what they call a special allocation for \$807,000. I've asked what that pot of money is and they can't tell me what it is.

Mayor Jones said they don't know what it is, or they won't tell you what it is.

Mr. Harrison said they're not sure.

Mayor Jones said which one is it.

Mr. Calametti said it is so confusing to try and get a handle on money at this time with everything being balanced.

Mayor Jones said when we expect to know or do we expect to know.

Mr. Harrison said I don't know if we expect to know. This is not stimulus money. This is a fiscal year 2008 special allocation that has been added to our carryover.

Mayor Jones said it is money though.

Mr. Harrison said it is money. However, it hit the books after it went out for public review.

Mayor Jones said somebody made it hit the books so somebody should know what it is.

Mr. Calametti said and somebody's working on it.

Mayor Jones said do you know when somebody might finish.

Mr. Calametti said sometime. No, I'm trying to get an answer.

Mayor Jones said is this something that might be programmed, or is it already programmed or something that has to be programmed.

Mr. Harrison said when we, the TCC, balanced the TIP in November we had about \$300,000 leftover in that 4th year, 2011. Since that time that \$800,000 was just added to our carryover so now it appears that we have \$1.1 million left.

Mayor Jones said so it's not programmed.

Mr. Harrison said correct.

Mayor Jones said if you understand what everyone just said, this is the proposed by ALDOT and TCC/CAC, Transportation Improvement Program from 2008-2012. We need a motion to approve it as proposed.

Motion was made by John Murphy with a second by Commissioner Dean.

Mayor Jones asked for discussion.

Mr. Murphy said Mayor, we've got a couple of projects that has some adjustments that we've told Kevin about just before the meeting. One of them has been authorized that wasn't authorized when we did this. Is that something that needs to be cleaned up or can we clean that up in the February meeting?

Mr. Harrison said it appears that the project we are talking about, the other funding category, I think is a typo on Montgomery's part.

Mr. Murphy said we have a project on Airport Boulevard from Snow Road out to the state line. It's partially in the study area and partially out, but it's not in the listing of projects at all. It's our understanding that it probably should be listed. Kevin got his information from ALDOT and it's scheduled as we understand it as an April bidding date. It's not been authorized yet, but it is a project that is coming up.

Someone asked if it was resurfacing.

Mr. Murphy said widening a little and resurfacing.

Mayor Jones said it may be in the city limits any day.

Mr. Murphy said we want to make sure we get it done before you do that.

Mayor Jones said I want to make sure you get it done too.

Mr. Murphy said and then the Howell's Ferry Road project has also been authorized now and it's shown in the report but not show as ARRA authorized.

Mayor Jones said so are we pretty sure we're straight on that.

Mr. Harrison said yes and as a matter of fact we are having another MPO meeting in February. As I understand it, and to bring up another project, the TK money, if that's okay. The county is supposed to get another \$8 million for Schillinger. We can't add that to our TIP until all of the TIP's in the state are adopted. Hopefully they'll get done by the end of February and by the end of February at the next MPO meeting, we should be able to include that money as well.

Mr. Murphy said and by showing that, we will need to readjust some of the projects anyway. The leaves \$8 million where we can bring some other projects back forward. Hopefully one of the projects is the Schillinger project that \$4 million of that is attributable to. We got some clean up, but like Vince says we got so much going on right now that it's hard to keep up with the circle.

Mayor Jones asked what's the length of the project from Snow Road to the state line.

Mr. Murphy said about 6 miles. So Kevin is this also the time to bring of the Airport Boulevard project.

Mr. Harrison said that's fine.

Mr. Murphy said if we could we liked to also suggest a project that we've been talking with Bill Metzger and John Bell with the city and Nick with the city about the need for a congestion management type study to be done on Airport Boulevard.

Someone asked where.

Mr. Murphy said roughly we discussed Florida Street out to Snow Road being in corporate part of the county and part of the city. We're willing to match our share of about half with the city to match a share of with the federal funds 80/20. We'd like to offer that as a project to be added into the program use up some of that \$800,000. It would probably be about a \$200,000 project.

Mayor Jones asked is this something we would take up in the February meeting.

Mr. Harrison said correct and since today is a MPO slash TCC meeting and the TCC is discussing it now, we can advertise it. Any revision to the TIP has to be advertised so we could advertise it have it ready for the February MPO meeting as a TIP revision.

Someone asked

Mr. Harrison said I would like for the TCC to address it now.

Mr. Murphy said is it proper to take a vote right now.

Mayor Jones said do you have enough TCC members here.

Mr. Wimberly said we have to take care of that first motion first.

Mayor Jones asked that's not part of this.

Mr. Harrison said actually this can be under new business.

Mayor Jones said we had a motion and second on the TIP changes, those in favor say I, Motion carried with no one opposed.

The next item on the agenda was Administrative Authority for the Mobile MPO ARRA projects.

Mr. Harrison said if you recall at the August MPO meeting we had the resolution on the agenda to take \$46,000 from Springhill Avenue, this is from the stimulus projects, ARRA funds. There were two stimulus projects for Springhill Avenue for the City of Mobile. One was over about \$46,000 and one was under \$46,000. We were required to have a MPO resolution to make that simple change. To cover us on these projects that are to be paid for with ARRA have to be authorized by March 2 so what I am suggesting is that between now and then that this resolution would cover us. For instance, the county has a project on McCrary Road, a stimulus project that came in low and another stimulus project on Howell's Ferry came in high. This would give us the authority to just change those dollar amounts. At the same time this resolution would give us the authority to say any leftover funds of the ARRA money, if there is any leftover, could be applied to a certain project, the Michigan Avenue Bridge.

Mr. Murphy said we discussed that at the TCC meeting and everyone as far as I remember was in agreement with that. We don't want any of these dollars to go back and it's a way of hopefully untying our hands to be able to swap this money within projects that are already approved by everybody, to be used on it.

Mr. Harrison said it would assure that all the money allocated to Mobile will be spent in Mobile; none of it will go back.

Mayor Jones said we need a motion to approve the administrative authority for the Mobile MPO.

Motion made by Norman Walton with a second by Commissioner Dean. Motion passed.

The next item on the agenda is for SARPC to enter into a memorandum of understanding with FHWA on behalf of the Mobile MPO pertaining to Climate Change.

Mr. Harrison said the next item in your folder is a resolution and in the back of that resolution is a memorandum of understanding between us and the Federal Highway Administration. In March of 2008 adopted or completed Phase 1 of the impacts of climate change and variability on transportation systems and infrastructure, Gulf Coast Study, Phase 1. It's available on the internet. It's 439 pages and what it really did was looked at what if there is a climate change, if there is an increase in sea level, what's it going to do to the infrastructure on the Gulf Coast as a preliminary study. Phase 2 of this study is that they want to pick a MPO to be a pilot MPO to develop a plan and policy on climate change. They've approached us to be the pilot MPO for this planning and policy development. There is no money involved and if we say no, then they are just going to pick another city like Galveston or somewhere to be the pilot city. If we say yes, then we get input upfront and we get to be a part of this national policy that is being developed. If you look at the memorandum that is attached to it, the scope, Task 5, it is going to have coordination with the planning authorities and the public. They are going to come to the MPO advisory meetings and they may contact the MPO TCC members

individually. The statement of work describes what the DOT will do and what SARPC will do. One of them is to provide access to the Mobile MPO to the local transportation system. As I understand it we're going to hand over our model, we are going to help them do an infrastructure inventory and they are going to come down and actually do the study. I would like MPO approval for us to enter this agreement.

Motion was made by Commissioner Dean with a second by Vince Calametti. Motion passed.

The next item on the agenda was the Wave Transit Program of Projects Resolution.

Mr. Harrison said some of ya'll are aware that the Wave Transit is the designated recipient for FTA 5316 Job Access Reverse Commute Funds and FTA 5317 which is New Freedom which is funds that go above and beyond the requirements of ADA. In order to receive that money that have to have what is called a program management plan which lays out how the money is going to be competitively selected and the result of that program management plan is called the Program of Projects. The Program of Projects every year has to be approved by the MPO. Gerald, do you have anything to elaborate on that.

Mr. Alfred said the Wave Transit System's responsibility is primarily to administer both the JARC and New Freedom programs through a competitive process which is the approved Program Management Plan. The selection process was done and recommendations were made by the committee. The program of projects was advertised for a total of 21 days, September 14, 2009 through October 7, 2009. The locations were advertised through the Mobile Press Register, the Wave Transit system website and the Mobile MPO website. Locations available for review included SARPC, the Wave Transit System, Chamber of Commerce. We've got to this point right now where there no comments or questions. The Wave now forwards the recommendation to the Mobile MPO for adoption.

Mr. Harrison said and the projects that are selected as a result of that process are on the back of that resolution, Mobile Bay Transportation, Wave Transit, Volunteers of America and us for Emergency Ride Home and Mobile Association of Retarded Citizens.

Motion was made by Commissioner Dean with a second by Norman Walton. Motion passed.

The next item was a review of the draft of the long range transportation planning

Mr. Harrison said in your folder, you will find these colored maps. Real briefly, every 5 years we have to do a, the MPO has to do a long range transportation plan. It outlays every major road project that can be done with Federal funds. In fact, every road or street project requiring federal funds has to be derived from this process. July 22nd, the TCC met and I solicited projects from the TCC to be tested with the travel demand forecast model. The projects were tested and we reviewed the projects at the TCC meeting on November 19th. At that time, the I10 Mobile River Bridge was missing because at that time we didn't have funding for it. The bridge has been included. We actually had a discrepancy on how the funding for 2035, forecasted funding, scenario. Since we have figured that out and now the bridge is back in for \$280 million. It does not include the Bayway project. Our study ends at the county line. All these projects do not solve all of our capacity issue projects. I10, for example, even though we are putting 2 lanes on I10 from 65 to the state line, they are anticipating the growth on I10 at about 3.5% per year which is going to put about 146,000 cars on I10 from the Mississippi state line in the year 2035, along with 65. So, no, it does not solve all of our capacity issues, but if you turn to the next page, this allowable budget down here, that \$743 million, that's how much money ALDOT says we have to spend in the next 25 years. Given how much money we have, these priority projects

are what we can do with that amount of money, with \$743 million. Some visionary projects are from I10 to state line to 65 at a \$100 million. Even though we already have projects there, the widening of I10 is being done within the existing right of way. With two more lanes on I10, that is going to require more right of way to do that. That project is too expensive to be included in the current funding scenario. If you turn to the next page it outlays each funding category and what project we're recommending to be done with that funding category. The bridge is actually, I think, under the National Highway System and each funding category, the projected funds, those dollar amounts came from us and ALDOT, we can't go over those amounts and we've stayed under each funding category amount, stayed under the \$743 million. I wanted to present this to ya'll today. We're not adopting it. I do not need a resolution, I need ya'll to think about it. We've got the public hearing on February 3rd to collect input from the public and then we will actually, this will be up for adoption on February 24th at the end of February.

Ms. Wilcox asked Kevin what about the study for

Mr. Harrison said since I10 is one, that's how that is included in here.

Mayor Jones said what the status of the Mobile Street project is.

Mr. Calametti said right now we have that set on a February, March letting. The environmental document has a certain time frame that it is good for. That time frame has run out we're looking for a reevaluation of that environmental document. Typically, that is a short period. Typically as it goes with FHWA is sometimes kind of wishy, washy, but if we get that done, we will be ready for a March letting.

Mayor Jones said will the construction take about a year.

Mr. Calametti said construction time probably a little over a year, but we've worked with the city and we've made a lot of changes to streamline the construction so it should go pretty good.

Mr. Harrison said I would also like to mention that this is just the Highway Element of the Long Range Transportation Plan. We also have a transit element, bicycle element and environmental justice element. It will all be available for public review on February 3rd.

Mayor Jones said the next item is the introduction to the Air Quality Nonattainment status, Dale Hurst from ADEM.

Mr. Harrison said we actually, the EPA changed their ozone standards, their 8 hour primary ozone standard to .75 from .85 and our numbers, we actually have 3 monitors. Two in Mobile County and one in Baldwin County. 2009 is actually a pretty good air quality year for us and our numbers are .73. .74, .74 for those three monitors and we would have narrowly adverted that .75 standard. EPA decided to go back and revisit their .75 standard and it just came out last week, January 6th, to between .6 to .7 parts per billion for ozone which means the Mobile Area and Baldwin County is definitely going to become nonattainment for air quality which means a lot. There's a lot that we are going to have to do. I've asked Dale to come here today because we are going to have to have interagency consultation and all types of things. I'd like to welcome Dale Hurst from ADEM.

Mr. Hurst said they say first impressions are everything. Unfortunately, I'm not here with good news so when I leave here, you won't remember me but the bad news you will. As Kevin said about every 5 years, EPA has to go back and re-evaluate the Clean Air Standard and make sure they are still

adequately protective of public health. As Kevin mentioned back in about 2004, they lowered the ozone standard to 85. Anybody that followed that will remember that at that time, Mobile barely escaped the standard of nonattainment. They had a good year come in and they were able to meet the standards. They went back and reviewed the standards and dropped it to .75. They determine the number on a 3 year rolling average. That's how we determine whether we meet the standard or not. 06 through 08, all three monitors in the area were out so they were nonattaining standards. One year made a big difference. 09 came in, 06 dropped off and we moved into attainment of 75 so again, narrowly missed the standard. This time, regardless of whether they go 70, 65, or 60, which is probably one of the three that they are going to go to, it doesn't look like Mobile's going to get out this time. It's not unique to Mobile. The whole country is going to face this. One area in Alabama which historically is Birmingham is nonattainment, just about every urban area in the state is going to be nonattainment for ozone and again, that's any state around here and across the country. One issue that you have to consider here is that there are consequences that come along with nonattainment. There are issues that have to be addressed by facilities that want to locate in a nonattainment area. One is that they have to have the best technology that they can get for control devices. As you can imagine that's going to be the most costly devices that they can buy so that's a deterrent right there. Secondly, another issue is that they have to deal with is the process. Just to throw a number out in the air, for a facility to come and net 500 tons of whatever pollutants they were going to emit, they have to go find that 500 tons somewhere else in the area to take away so they can allow the increase. There are various ways they can do that. They can buyout somebody, they can pay for somebody's emissions controls to reduce their pollutants. There are various ways that they can handle that. In addition to the primary standard of the 60 or 70 that they are looking at, there secondary standards that come along with that. The primary standard is the health based issue. The secondary standard is in place for public welfare and that's going to be vegetation, farm crops, buildings, anything that may be affected by pollutants. This is a new standard for us. Historically, the primary and secondary standard has been the same so if you meet one, you meet both. This time, even performance standards can be different. Right now, I've got 06-08 on the sheets that you have, but we actually have 07 to 09 numbers, but those numbers are actually better for Mobile and Baldwin, but you can see by the range that I have there, 7 to 15 parts per million per hour, the units are really important, the numbers is what you look at. You can see we are in the range, but depending on where they set that standard at, we would be in violation of that too. It is possible to be attainment in one standard and not the other and still be nonattainment for the area.

Mr. Hurst said I've been talking a lot about both Mobile and Baldwin County and the way the EPA looks at nonattainment areas is they go by the consolidated or combined statistics. Last time it was set by the US Census Bureau when they do their 10 year census. Independently, environmental concerns have nothing to do with that. They look at an area, urban areas, population, flow between the county, people living here and working here and they will lump those counties together. For instance, Birmingham as probably 8 counties associated with their area. Whenever, EPA designated Birmingham nonattainment, they will look at all those counties first and then we have to go in and go through an analysis to try to get those counties out that don't need to be in there. Any county that has a nonattainment monitor, there is nothing you can do. It's violating, it's going to be nonattainment. That's the case of Mobile and Baldwin right now. Again, according to that CSA, they are together, they are one area. The drawback to that is that if Baldwin County has a violating monitor and Mobile doesn't, the whole area is nonattainment and vice-versa. That's kind of an issue with EPA. It's set up that way and that's just what we have to do. You can see the dates on the back. What that's going to allow for in about two weeks, they are going to publish that in the federal register and then that starts the comment period of 60 days. They are going to accept comments on it and they are going to rate those comments, do what they need to do with it and then in August, they are going to give us one number. We are thinking that it's going to be 65. That's not based on anything specific that we've

been told. That's just what we are thinking right now. They will come up with that number, then we have a certain amount of time to get recommendations in. Recommendations are based on the nonattaining monitors across the state. We will submit that to EPA and they will look at the CSA's I mentioned and if they feel like the areas we recommend are not big enough, they may try to include more counties. In the case of Mobile and Baldwin, that should be all it is. Then we have a little bit of time. They will make designations 2011 so we're still a year or so out with a designation officially of the area. Then, they will become effective in 2011 and that's when everybody is subject to new facilities and everything else. Let me back up just a little bit, when I say new facilities coming in, I mean major facilities, not smaller operations. There is a definition of a major facility and it's dependent on the amount of emissions. It's just those major facilities that are restricted when they come in. The small ones are okay. Of course, we have to do an implementation plan. My section does. We have to run models, look at emissions inventories and everything else and see what we have to do to get an area back into attainment. That can include, federal measures that are on the way, (inaudible) We try to look at whatever federal programs are already in place and on the way to see if that's going to help and then we have to attain by a certain date. They've expedited the schedule right now. What we will have to do is work with you guys, again, Kevin mentioned the formation of an interagency consultation group. That's important. In 1990, the last revision of the Clean Air Act, it was the first time that transportation planning process had to consider air quality. You are going to be held to different standards now as far as planning, as far as emissions that are made by lengthening a highway or adding lanes, capacity projects. What we have to do in my section is we have to run a budget that is going to get us where we need to be by that attainment date to get Mobile and Baldwin back into attainment of the standard. We have to look at point sources. Point sources are your smoke stacks, power plants, steel mills, what have you. Area sources can be gas stations, anything like that. These guys will be involved in that interagency group. (Inaudible) You have to live within that budget and it's subject to your TIP and Long Range Plan, has to live in that budget. That's where Federal Highway would come in and they would make determination on whether your projects and plans are conforming to that requirement. I'm not an expert on that, I know Federal Highway is here, but they will actually make a determination on whether it meets the budget. At the end of the day, the purpose of that is to make sure you stay in that air quality emissions budget. Make sure that by EPA's attainment date, that Mobile and Baldwin County are meeting that standard. Again, it's something we are all going to be involved in. I spoke to Kevin already and there is going to be a lot of stakeholders – FHWA, ALDOT, ADEM, EPA, all the government agencies, municipalities, planners, MPO's. Again this is a process that's going to be drawn out. One thing about the timeline, litigation extends everything. The 85 standard that Kevin mentioned was actually put in place in 97, but we didn't make designations until 2004 because of litigation. Seven years tied up that standard and the same could be true this time and probably will be true. It will change the whole timeline. I guess overall, that's essentially what I wanted to cover. It's not good news for you guys. I think I showed, you guys have maps that with 70, your not alone. Another thing that I want to bring up, if you look at the worst case scenario, if it drops to 60, you can see that every county in the state that has a monitor violates the standard of 60. Sumter County is a monitor that we have in place as a background monitor. What that is, it's a monitor that is normally in a national park, state park, primarily free of influence from industry or traffic. Looking at 07 through 09, Sumter County is sitting at a 63. That just tells you that the background concentration that we are dealing with is almost at the standard. My point is that the area, Mobile, Birmingham doesn't have to hardly do anything to put you over the standard because we are already almost there with background. How do you fix that? That EPA and Federal controls. That's why our first thing is to see if the federal controls will get you where you need to be. One is the clean air interstate rule and that is primarily targeted at power plants around eastern United States (inaudible) Will it get us there? I don't know. We will see what the standard is and where we are going to be.

Mr. Harrison said what if every county had a monitor.

Mr. Hurst said it would probably be a red piece of paper. That's the problem that we as planners are going to have to fight.

Mr. Harrison said let me explain, right now we have a study area, but if we become nonattainment, it will include the whole county. And we will have to put the inputs into the model, the travel demand forecast model, that we're going to have to do for Mobile and Baldwin County, the entire county.

Someone said I have two questions and it they both relate to management of funds and it kind of relates to what Kevin is talking about here. It is my understanding that Alabama gets a fixed amount of money to do this, CMAQ money and that's about 8 million dollars.

Mr. Hurst said 11 million.

Mr. Wimberly said okay, \$11 million so that means of the 14 counties that are right now red, that 11 million will be divided among those areas.

Mr. Hurst said I think that is yet to be determined. It may be more money. No one knows that right now.

Mr. Wimberly said well rather it's 11 million or 111 million, it's still going to have to be divided among those areas, right.

Mr. Hurst said that is correct.

Mr. Wimberly said my second question and it relates to what Kevin is just talking about. The areas change. Baldwin County doesn't have a MPO right now so how is the management of funds going to be done among those two counties. What's the management function for the agency if you will? Is it going to be that interagency group?

Mr. Hurst said honestly, I don't know how you would determine that. I'm sure that is something that Kevin is going to have to look at.

Mr. Wimberly said there are too many unknowns here.

Mr. Harrison said right now in the State of Alabama, Birmingham is an urban area that has this problem. There is not a rural area that has this problem. The input to the MOVES model determines that VMT coming from travel demand forecast models. I imagine we would be running that model. Do you have an answer to that?

Mr. Capps said you know we've already discussed that and I don't know.

Mr. Hurst said I kind of have an example for that. Birmingham had violating monitors as did Shelby County but they've always planned, they've always had a share of the MPO so that was taken care of. EPA put a small area of Walker County in that area to cover a power plant up there. Walker County didn't have planning components. However, I guess that would be dictated by the area.

Mr. Walton said that standard that was adopted on January 6th, can it be challenged by Congressional override.

Mr. Hurst said the way they are going to do that, EPA has the authority to establish the standards. They were given that by the Clean Air Act that was passed by Congress. I guess in effect, the EPA has the say on that, but with that being said, again there is a comment period and anybody can go in and send a comment challenging whatever if it's a valid reason. They may want it at 60, but the majority of the country may want it at 65 and if there is valid reasons, they may move up and do that. When they dropped it to 75, they wanted it at 65 then and there was enough outpour that they did keep it at 75. The secondary standard is going to be so complicated. They were going to introduce a complicated second standard, but there was enough comment were they kept it at the same standard as the primary standard.

Mr. Walton said to give you an example there's a rule out in California and of course when California adopts something that to me is off the wall, then 32 states accept that. Well, we've gone out and done a study and I'm speaking for the contractor group. We've gone out and done a study and actually presented to them and proved that they were wrong. They were wrong in their calculations, they were wrong in their assessments and I think maybe this is something as associations across the county since everybody is going to be nonattainment that we ought to get behind and stop this madness as I call it.

Mr. Hurst said as I mentioned the timeline, this is certainly going to be litigated. There is no doubt about it. It's going to be litigated, and it's going to be litigated from all different groups. There's going to be people that want it lower. There's going to be some that want it to be left alone, there's going to be some that are happy where it is, but you are not going to have everybody happy and you are going to have a lot of litigation from a lot of different groups.

Mr. Harrison said let me ask Shawn and Dale a question. How is this going to affect our federal money? For example, what happened in Atlanta, they didn't meet attainment so they weren't allowed to spend any transportation dollars? Is that right?

Mr. Capps said you can spend on exempt projects which would be like resurfacing anything that doesn't add capacity.

Mayor Jones when is the implementation of this.

Mr. Hurst said it would be July 2011 is when the standards would go into effect. Again, barring any litigation so it could go out further than that.

Mayor Jones said well I don't think we would be barring any litigation.

Mr. Wimberly said the latest article I read in government magazine is that California will litigate. California now is this probably the most environment state there is. They are going to litigate.

Mr. Hurst said it's kind of funny; you have EPA, California and the rest of the country. California is kind of their own island do their own thing.

Dr. Crozier said I'm here representing Dr. Bert Eichold of the County Health Department and I think he would want me to point out that there are valid health standards due to air quality issues. There are enormous costs associated to the community, the state and the nation. There are valid reasons for pursuing these standards and they need to be properly understood. I'm not prepared to defend one way

of the other, but I don't think that I would characterize this as madness. I think that it is a thoughtful effort to try and look at health problems. Mobile County does not have a good record of air quality and health. I want to go on the record as saying this is not something that needs to be taken lightly or necessarily objected to

If there are health problems associated with ozone, then there are going to be costs with not maintaining standards.

Mayor Jones said I think we have to have some definitive determination one way or the other because there are some other issues that this going to affect that is really, really critical to overall growth and development of the community. Hopefully we can come up and balance those but I think that you probably will see a number of litigates get involved in this for a number of reasons. One of them being health standards, one of them being how this effects the overall operations with local communities, so I think we are a long way from getting to a point of knowing where we are headed with this, but we appreciate you coming.

Mr. Hurst said and I would like to follow up on that. All of these standards are health based standards and they arrive at these proposed levels, there's a group that is made up of doctors, industry, academics and they arrive at these standards. Definitely the health aspect is considered.

Mr. Perry said one thing that we need to remember is back when we talked ozone last time, back in the 90s, there was a group....and I believe that group said you can do anything that you wanted to and you weren't going to change the numbers. That's the situation. Politically, to not disagree with Dr. Crozier, but we have a super aggressive administrator of EPA all the time.

Mr. Walton said can I make another comment. I tell you another thing that we've determined to, our EPA is starting to determine that 48% of all of your problems are coming from buildings. There is a potential for EPA to get down in the future where they issue building permits and if everybody doesn't understand that one, then I don't have to go any further.

Mayor Jones said we appreciate you coming and sharing information with us. Under Old Business, do we have any old business that we need to address? New Business? John you had new business.

Mr. Murphy said yes, I think we wanted to discuss the congestion management project that we would like to propose for the Airport Boulevard study. It would be a study. It's not construction. It would be an analysis of the area to try to find some way to move the traffic in a more efficient way without a whole lot of cost. We had guessed, I think Bill and all talked about, around \$200,000 is what we would propose as a joint venture between us and the city.

Kevin said if I could have a motion from the TCC since this is a joint MPO TCC meeting and I would like it recommended from the TCC today to include that project into the TIP we could advertise it and have it ready for TIP revision at the end of February.

Motion made by _____ with a second by _____ Motion passed.

Mr. Harrison said I have one other item or actually a couple of items under new business. The last item in your folder is this legal piece of paper and Federal Highway Administration informed me last week that Congress is thinking about a potential second round of ARRA funds. Even though, they've just had a rescission of \$8.7 billion, they want to give away another \$800 billion. What they are requesting from us in this next go around, what they are going to look at is MPO congestion management projects that we adopted in our congestion management plan in September of 08 and

these first 14 projects are a direct result of that. That equals about \$7.4 million. Federal Highway said use what we had last time which was \$11 million and I am recommending that this list be included and item number 15 would be a congestion type strategy, but it would include new controller, signals and video detection systems on high volume intersections in Mobile and the county to be a part of that second round of stimulus projects. This is only preliminary. I don't need a resolution today, but I need to let ya'll know that this is going to be the preliminary list submitted to the Federal Highway Administration.

Mr. Murphy said could that project we were just discussing be added to the list, Kevin.

Mr. Harrison said it would probably be better to keep it separate.

Mr. Amberger said

Mr. Harrison said right. And most of these projects said right and we have cost analysis and right of way already done as part of the congestion management process. Most of these projects have limited design work, minimal right of way and quick environmental clearance especially the controllers and video detection.

Mr.

Mr. Harrison said right and this is just a twinkle in Congress' eye right now. I'm just going to submit this as a preliminary list.

Someone said it has already passed the House and is coming up in the senate.

Mr. Capps said one of the stipulations that Congress has put in there is that 50% of all the funds would have to be under contract by 90 days. I think the state already has projects that are ready to go that would possibly already cover the first 50%.

Mr. Harrison said we could buy a lot of controllers and video detection in 90 days.

Mr. Capps said well the Senate still has to come up with their version.

Ms. Wilcox said can it be walking, like sidewalks.

Mr. Harrison said yes, but sidewalks also require design work and environmental clearances.

Mayor Jones said and in many cases right of way.

Ms. Wilcox said I was just thinking along University.

Mayor Jones said on a lot of those streets, right of way becomes the issue. Believe it or not, there are a lot of people who won't cooperate with you on right of way even on sidewalks.

Mr. Murphy said and utilities.

Mayor Jones said and utilities, especially utility movement.

Mr. Harrison said I have one other item under new business. I had a MPO member approach me and ask me to discuss the I10 pedestrian bridge and what we might be able to do about that. I remember years ago, the MPO had talked about to try and remove that bridge. I don't the status of that. I don't if ALDOT knows. Is there anything that can be done?

Mr. Calametti said it was a project and I want to say in the 90s with a plan to remove the bridge, then when the Mobile River Bridge took off it was anticipated that the removal would be done along with that.

Mayor Jones said it kind of got handcuffed to the bridge. I remember that. We were trying to get it removed during that time because it actually is a jail escape route. That's why we were trying to get it removed. Then we were told, we are going to be building this bridge in a couple of years so we will just move it when we build this bridge.

Mr. Harrison said is there any state funding to enhance it. Specifically a welcome to Mobile sign.

Mayor Jones said well if you are not going to remove, it needs to be painted. It's an awful looking structure. It's not accessible, it's closed off on both ends but as you approach it, it is terrible looking. Anything to do to cover it.

Mr. Harrison said the only thing that I can recommend is that the City of Mobile apply for an enhancement grant that might be able to fund it which would be an 80/20 match.

Mayor Jones said it depends on how much it costs. Do you know what the estimate was on removing it? We might as well wait on the bridge if we have to match it.

Mr. Calametti said it was \$200,000 in the 90s, probably \$400,000 now.

Mayor Jones said \$400,000 to remove it. We'll probably wait on the bridge.

Mr. Calametti said I'll look into that.

Mayor Jones said it would probably be a lot cheaper to paint it.

Ms. Wilcox said get the inmate to paint it.

Mayor Jones said no, we don't want them to know anything about the bridge. We did have somebody go across the bridge years back in the 90s. That's one of the reasons it's closed up on both ends.

Mr. Wimberly said Mayor I have two informational items. You may recall that SARPC has undertaken the management of the SHRSC which is a tri state Louisiana, Mississippi, Alabama Commission that deals with high speed rail. One of the projects that came to light over the last couple of months was the Hamilton boulevard railroad crossing.

Mr. Harrison said Hamilton Boulevards, years ago, ALDOT; FY 2004 secures \$3.3 million to do a grade separated crossing over CSX Railroad, Hamilton Boulevard. That project was awarded, it was 100% funding and since that time the preliminary engineering had been done, or started, and now recently ALDOT division is going to start the preliminary engineering and design work for that project.

Mr. Wimberly said what happen, my understanding on why there was no action on that is that Hamilton Boulevard was scheduled to be widened and that didn't happen. Therefore the rail crossing didn't happen and it went dormant. One of the commissioners on the High Speed commission said where is it and we started doing some research with ALDOT, Montgomery.

Mr. Calametti said the consultant has been chosen, a notice to proceed is going out today. We are starting the environmental process.

Mr. Wimberly said the other thing I wanted to announce is that the SARPC is going to be having its strategic sessions beginning Thursday evening with our annual meeting and then Friday we are going to have some informational sessions for our commissioners and other elected officials. One of those sessions is a panel on transportation. I'm calling it a multi-modal type panel. I've got Vince talking about things that relate to his district and I've got Bill Sisson coming in talking about the air travel, Bryan Clark from the Container Terminal, plus a representative from BKI to talk about rail issues. So all transportation modes is covered. It's at the Wind Creek Casino in Atmore. Ya'll are all invited to attend the session all day Friday.

Mayor Jones said the one thing that I wanted to mention as far as our infrastructure is concerned, whenever we get opportunities, stimulus, I think we ought to try to take advantage of them as soon as we can. I don't anticipate a whole lot of Federal Highway dollars coming this way next year. There are a whole lot of areas that we really need to address. One of them being hopefully we can get some movement on this bridge and at least get it established to the point where we at least know it's going to be constructed. The other thing is some of our local infrastructure. Russ mentioned rail. We've been trying to work on getting the Sunset Limited back through Mobile. I think that's important to us. We are one of the few major cities in Alabama that has absolutely no passenger rail. I think it is very important that we address that issue and continue to work on that issue. That's one of the reasons we wanted to get the rail commission in this area so we could try and work on that. I've been talking to Congresswoman Corrine Brown who chairs one of those committee. She's interested in at least rail coming from New Orleans to Jacksonville. That's to our benefit because it has to come through Mobile to get there. She's kind of off track right now because she's running for the US Senate, but we've been trying to work with them and to work with some other areas to make sure we become a part of that. That's one gap in Mobile that we've got to fill. We have absolutely no passenger rail access to anywhere. That's something that as a community we need to try and address and be all in tune. The studies that CSX and Amtrak has done so far, really are not too positive for the Mobile area because of what they've put the cost at on starting the train back through here. They are basically saying that there ridership is so low that it's real liability for them to start the Sunset Limited back through here. Our position was that your ridership is so low because you never leave it here long enough to build up a ridership. Yes, George.

Mr. Crozier said Sam, I think one of the things that you might look into with that is I think there's some tremendous interest in terms of community efficiency. A lot of things have happened in the last five years is that they realized that evacuation of people that didn't have cars because of New Orleans. It made a lot more sense to go east and west of the storm than going north and getting caught on the highways and interstates. That adds another factor in the discussion. You might throw that in because I think there might be money for infrastructure for that reason alone.

Mayor Jones said we've used that. There are two studies. One is New Orleans to Jacksonville. The other actually comes through Mobile going to Birmingham, Montgomery and up the 65 corridor. Both of those are taking place. We haven't made a lot of progress on either, at least the Mobile leg of it hasn't made a lot of progress. Folks in Birmingham have a real interest in one and then the folks in

Jacksonville have a real interest in the other. All of those areas already have some rail. We have none so we really need to try and work on that, I think as an MPO and as a community we need to look at some of those things. We are still quite a distance behind in terms of our infrastructure improvements in Mobile. We are way, way behind quite frankly, for my 18 to 20 years, we haven't really made a lot of progress from our long range planning process that we started 20 years ago. We still have a whole lot of dirt roads. We still have a lot of arteries that are insufficient to carry the traffic load. We've not made a lot of progress in addressing those. Hopefully, with some of the stimulus money and some others, we can address those as well as some bridges. That can really become an impediment on our growth and development as a community as well as our ability to attract other economic development interests. Infrastructure could really be a problem for us and that's something that I think we need to target and really push to get some funding for some of these major projects whether they be in the city or county, they are all connected to each other so they are equally important as far as I'm concerned.

Meeting was adjourned.