



DATE: March 12, 2013

TO: Gateway Corridor Commission

FROM: Staff

RE: Update on Gateway Corridor Commission Activities

Included below is a status update on items that relate to the activities of the Commission for the month of March 2013.

1. DEIS RFP

The request for proposal (RFP) for the Draft Environmental Impact Statement (DEIS) was released on February 15, 2013. It is available for download on the Washington County website at <http://www.co.washington.mn.us/bids.aspx?bidID=20>. The proposals are due by April 4, 2013.

A proposal evaluation committee (PEC) has been formed to review the proposals and interview candidates in April and make a recommendation to the Commission on who to select at the May Commission meeting. The proposal evaluation committee consists of a mix of Commission Members and staff from the Commission and the Metropolitan Council. Staff would do an initial screening of the proposals. This is consistent with the selection process for the Gateway Alternatives Analysis solicitation. At the February Commission meeting, the Commission appointed St Paul Council President Kathy Lantry, Woodbury Mayor Mary Giuliani Stephens and Washington County Commissioner Lisa Weik to serve on the committee.

2. Comment Letter to FTA on Proposed New Starts Guidance

The Federal Transit Administration (FTA) recently released new criteria for the evaluation of New Starts projects and draft guidance. The new criteria are in response to the changes that were approved as part of the MAP-21 surface transportation bill.

At the February Commission meeting, staff reviewed the proposed changes and identified areas where the Commission may wish to comment directly to FTA. The Commission directed staff to prepare a letter for the Chair to submit to FTA on behalf of the Commission since the next full meeting of the Commission will not take place until after the March 11th deadline. This letter has been submitted and is attached to this update memo. The letter is also consistent with letters submitted by the Metropolitan Council and the Counties Transit Improvement Board (CTIB). Our congressional delegation will also be receiving copies of the letter so they can also weigh in with FTA on the proposed guidance.



3. Communication Contract

At the February Commission meeting, the Commission selected Dehler Public Relations for completion of communications services for the Gateway Corridor for 1-year. At the April meeting the consultant will lead a facilitated discussion with the Commission focusing on the Commission's key messages and upcoming activities for early 2013 including the developer forum event and corridor video production.

4. Outreach Activities

Since the last Commission meeting, Gateway Staff has met with leadership for the East Side Prosperity Campaign on February 22 and February 28 and presented at the Woodbury Lions Club on March 5, 2013. If there are other agencies or groups that would like a presentation about the Gateway Corridor please let staff know.

5. Legislative Update

a. State Update

We now have a bill for \$1 million in bond funds for Gateway in the house authored by Representative JoAnn Ward (HF864) and in the Senate authored by Senator Susan Kent (SF773). Woodbury Mayor Mary Giuliani Stephens and Washington County Commissioner Lisa Weik will be our testifiers this year. However, there have not been any hearings scheduled yet or requests to testify. We will keep the Commission up to date as we hear more.

A bill to include statutory authority for BRT for the Washington County Regional Railroad Authority (WCRRA) has also been authored in both the house by JoAnn Ward (HF1374) and in the house by Susan Kent (SF1179). Washington County Commissioner Lisa Weik will testify on behalf of the WCRRA. A hearing has been scheduled in the Senate Transportation and Public Safety Committee for this Wednesday, March 13th at 3:00 pm Room 15 at the Capitol.

All Commission members are encouraged to attend the hearings and show your support.

a. Federal Update

Please see attached memo prepared by Lockridge Grindal Nauen for the Counties Transit Improvement Board.

6. Website and Social Media Updates



Facebook

The Gateway Corridor Facebook page was launched on Monday, February 20, 2012. The page currently has 276 'Likes'.

YouTube

The four YouTube videos of the various alignments are still posted. The "views" of these videos ranges from 80-222.

Website

For the month of February, there were 661 visits. The website is averaging 604 visits per month. Attached is a summary of the visits per month for 2011 and 2012.

7. Next Meeting

The next Commission meeting will be held on Thursday April 11th at 3:30 pm at Woodbury City Hall



March 8, 2013

Docket Management Facility
U.S. Department of Transportation
1200 New Jersey Avenue SE
West Building, Room W12-140
Washington, D.C. 20590-0001

RE: Docket Number FTA-2010-0009

Dear Docket Manager:

This letter provides comments from the Gateway Corridor Commission in response to the Federal Transit Administration's Proposed New Starts and Small Starts Policy Guidance dated January 9, 2013.

Background

The Gateway Corridor Commission was created in 2009 to study and plan alternative transportation options for the area along Interstate 94 in the eastern metro of the Minneapolis-St Paul region. The Commission is comprised of local elected officials and business leaders in the Gateway Corridor.

We recently achieved a major milestone in our studies with the identification of a preferred route for a fixed-guideway transit alternative in the Gateway Corridor. Our project will vastly improve transit service from the Union Depot and St. Paul to the eastern metro, while providing a focal point for more concentrated development as this region grows. The project will now move into the National Environmental Policy Act process where we will reach final decisions on the transit mode (bus rapid transit or light rail transit), refine the design, and advance the project as a candidate for Section 5309 New Starts funds.

We would like to ensure that the New Starts Program under MAP-21 provides enough opportunity for great projects like the Gateway Corridor to move forward.

Time Horizons for Calculating Measures

For the mobility improvements, environmental benefits, and cost effectiveness criteria, FTA's final rule states that project justification ratings will be based on existing conditions, as if the project were in place today. Sponsors are given the option of addressing the criteria for a horizon year 10 or 20 years in the future. If they take advantage of this option, the rule states that FTA will use a weighted average of the existing conditions and horizon year forecast to rate the project. The guidance proposes that equal weight be given to current conditions and the future forecast. We urge FTA to give much greater weight to the horizon year forecast to recognize the significant long-term investments of New Starts projects in regional mobility and vitality. Our project, like many others in the New Starts pipeline, is being planned to serve growing markets, with the goals of building ridership over time, enhancing future transit

performance, increasing the corridor mode shift to transit, and shaping development. An evaluation heavily weighting existing conditions would not give full recognition to the project's benefits.

FTA is proposing to allow project sponsors to determine the horizon year they wish to use -- either 10 years or 20 years in the future. The Commission requests FTA to clarify whether project sponsors that opt for using the 20 year horizon may use the actual horizon year of their adopted regional long-range transportation plan. Under federal rules the time horizon of this plan covers at least 20 years in the year it is adopted, but may not be exactly 20 years at the time a project sponsor is calculating criteria.

Further clarification is also needed on what constitutes the project under an existing conditions scenario. Since our project is being planned for a 20 year horizon, it has been scaled to accommodate demand in a horizon year of 2030. For the existing conditions scenario, would FTA expect us to scale back the project to serve only existing demand? What project would FTA then consider funding, a scaled back project or one scaled for the horizon year? The scaled back project would be at capacity upon opening, leaving no capacity for the growth we intend to attract.

Mobility Improvements

The ridership breakpoints that FTA is proposing may be appropriate for high cost, high capacity projects in mature transit corridors, but the New Starts pipeline has projects in many different settings with differing goals, scopes and cost points. A "one size fits all" approach based on the proposed breakpoints will penalize many lower cost projects that are not meant to carry a large number of riders but that make significant contributions to mobility in their communities. We suggest that FTA provide different ridership breakpoints for different classes of projects. One set of breakpoints might be for Small Starts, a second set might be for New Starts costing less than a specified amount (perhaps New Starts costing less than \$500 million, \$500 million to \$1 billion and megaprojects costing over \$1 billion).

The guidance proposes to give extra weight to trips made by transit-dependent persons; however, the Commission urges the FTA to give further consideration to how transit-dependency is defined. The FTA proposes to define transit-dependent person trips very narrowly as either (a) trips made by households with no cars or (b) trips made by people from households within the lowest income stratum within the region's travel demand forecasting model. The FTA's proposed definition would miss transit-dependent trips made by households with only one car but more than one commuter thus favoring regions with historically strong transit service where households have been able to choose a no-car lifestyle, while discounting growing regions where recent transit development is allowing households to reduce the number of vehicles owned. Furthermore, since the income strata in regional models are not the same from place to place, FTA's proposal would favor regions with fewer strata, or whose lowest income stratum is defined to include a larger percentage of households.

Land Use

With regard to the land use criterion and breakpoints, we are pleased to see that FTA intends to consider both jobs and housing density. Page 26 of the guidance offers “employment served by the system” and “average population density” among the land use measures. Additional clarification is needed. Does FTA mean to include all jobs served by the fixed guideway transit system, or only those served by the project? Does it mean housing density served by the system, or by the project? The Commission recommends that all jobs and housing served by the system within a 30 minute transit travel time and within a ½ mile of stations should be included to leverage the investments made and benefits derived from a robust transit system.

While we applaud the efforts of the FTA to bring focus to housing we do have concerns over the proposed measure. We would encourage the FTA to consider providing specific income guidelines to define “legally binding affordability restricted” and our recommendation is that the FTA use the number and share of legally binding affordability restricted housing units in the corridor that restrict the household income of residents to no more than 60 percent of area median income (AMI) compared to total housing units in the corridor and the region.

Cost Effectiveness

The Commission supports the new streamlined approach to calculating project cost effectiveness by annualized costs per trip. Additionally, the Commission supports the FTA’s proposal to exclude the cost of “enrichments” from the cost effectiveness calculation, including costs related to the categories identified by the FTA in the proposed guidance: artwork, landscaping, bicycle and pedestrian improvements; sustainable building design features; alternative energy vehicles; and joint development.

Additional Comments

As FTA continues to develop new regulations and guidance we understand that parameters may be established for bus rapid transit (BRT) eligibility. The Commission hopes that future regulations and guidance will be flexible enough to allow BRT projects serving different types of corridors and transit needs to retain eligibility for funding. In particular, MAP-21 states that a BRT project must emulate rail, and the law identifies several characteristics that a BRT project must offer, including “short headway (high frequency of bus trips) and bidirectional services for a substantial part of weekdays and week end days.” A Gateway Corridor BRT project would offer relatively short headways (currently assumed to be 10 minute headways) during peak periods, similar to many light rail systems. Service would be offered in the off peak and on weekends as well, with longer headways than are typical for light rail but much shorter headways than are customary for commuter rail. BRT projects like this should be developed to serve the needs of the corridors they serve, and allowed to compete for New Starts funds on their merits, based on the New Starts criteria, not on whether or not they meet an arbitrary headway requirement.

Conclusion

Thank you for the opportunity to comment on the proposed guidance. If you require clarification on any of the comments we've provided in this letter, please contact Andy Gitzlaff, Senior Planner, Washington County at 651-430-4338 or andy.gitzlaff@co.washington.mn.us.

Sincerely,



Lisa Weik, Chair
Gateway Corridor Commission

Cc: Gateway Corridor Commission Members
Peter McLaughlin, Counties Transit Improvement Board Chair
Susan Haigh, Metropolitan Council Chair
Peter M. Rogoff, FTA Administrator
Congresswoman Betty McCollum
Senator Al Franken
Senator Amy Klobuchar

Gateway Corridor Commission Members

Ramsey County Regional Railroad Authority
Washington County Regional Railroad Authority
St Paul
Maplewood
Oakdale

Woodbury
Lake Elmo
West Lakeland Township
Afton
Lakeland

Gateway Corridor Commission Ex-Officio Members

Woodbury Chamber of Commerce
Oakdale Professional and Business Association
3M
Baytown Township
Wisconsin Gateway Coalition

Weekly Update for Week of March 1st

In this Update

[House Passes 6-Month Stopgap Spending Bill](#)

[Senate Confirms Nomination of Jon Brennan to Lead CIA](#)

[Gun-Trafficking Bill Advances through Senate Judiciary](#)

[Key Upcoming Dates](#)

[Special News, Notes and Events](#)

[Minnesota Delegation Notes](#)

[Additional Media](#)

House Passes 6-Month Stopgap Spending Bill

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On Wednesday, the House voted to pass a six-month stopgap spending bill that focused on funding defense and veterans programs. The House Resolution passed on a 267-151 vote, which included support from 53 Democrats and opposition from 14 Republicans. The legislation would essentially freeze appropriation levels for the majority of accounts and set discretionary spending at \$984 billion after the sequestration cuts that went into effect on March 1st.

This temporary fix is an effort to prevent the government from shutting down, while also protecting national security, according to Republican leaders in the House. Members of both parties and both chambers have expressed their desire to see spending bills for other agencies included in the final measure, while appropriations leaders in both Chambers have said these details are still being worked out.

While many departments and agencies are preparing for the sequestration cuts to begin in April (there is a bit of a lag between when it started and when some of the cuts go into effect), House and Senate leaders are using this legislation to soften the blow of the across the board cuts, with an emphasis on maintaining the country's defense program. Senate Democrats responded to the House-passed continuing resolution with hope they could include additional funding for federal agencies to deal with the sequestration cuts. Agriculture, Homeland Security and Commerce-Justice-Science were all included in Senator Barbara Mikulski's (D-MD) list of priorities, which garnered support from her Republican colleagues in the Senate.

Senate Confirms Nomination of John Brennan to Lead CIA

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After spending more than 12 hours on the Senate floor waging an old-fashioned filibuster of President Obama's CIA Director nominee, John Brennan, the Senate confirmed the nomination of Brennan on a 63-34 vote. Senator Rand Paul's (R-KY) filibuster was part of the Republican attempt to get President Obama and White House officials to answer a question on the use of

drones in the United States.

On Friday morning, John Brennan officially took over as the director of the CIA in a private ceremony at the White House with President Obama and Vice President Joe Biden. 13 Republican supported the nomination, after prevailing to end the filibuster on an 81-16 vote.

John Brennan joins Defense Secretary, Chuck Hagel, Secretary of State John Kerry and Treasury Secretary Jack Lew as the first three new additions to the President's cabinet. The Secretary of Interior, Secretary of Energy, Environmental Protection Agency Administrator and the Director of White House Office of Budget and Management are all awaiting approval by the Senate. President Obama has not yet appointed nominees for Transportation, Commerce or Labor.

Gun-Trafficking Bill Advances through Senate Judiciary

On Thursday, the Senate Judiciary Committee voted in support of legislation to track down on gun traffickers. An 11-7 vote with support from both Minnesota Senators - **Amy Klobuchar (D-MN) and Al Franken (D-MN)**, marks the first congressional vote to tighten gun laws after both the White House and House came out with proposals to reduce gun violence.

The amended bill is created to stop "straw purchasing" of firearms, which mean buying cuts for those not legally allowed to have them. This is one gun proposal that is expected to earn bipartisan support. Markups on other gun legislation are expected to resume March 12th, after Senators have had a briefing on the assault weapons ban, the background check proposal and school safety measures.

KEY UPCOMING DATES

March 27, 2013

The current continuing appropriations law expires.

Late April

The President is expected to submit his annual budget proposal to Congress. Delays in the budget process are a result of changes in budgeting numbers because of the fiscal cliff deal that was passed at the beginning of January.

April 15, 2013

House and Senate are required to adopt a budget resolution for FY2014. If legislators fail to meet deadline, their pay will be put into escrow beginning April 16th.

May 19, 2013

Three-month suspension of the debt-ceiling expires, meaning the U.S. risks breaching the debt

limit unless Congress acts again.

[top](#)

SPECIAL NEWS, NOTES AND EVENTS

Reception Honoring Minnesota Counties - March 2nd, 2013

On Saturday, March 2nd, Dennis McGrann and the Lockridge Grindal Nauen Federal Government Relations teams hosted an event for dozens of Minnesota County Commissioners who were in Washington, D.C. attending the National Association of Counties Conference. It was a great opportunity for Commissioners from all corners of Minnesota to come together and discuss issues, share ideas and enjoy the company of fellow Minnesotans.

Celebrate Minnesota Cities Reception

Monday, March 11, 5-7 PM

Rayburn House Office Building Room B-354
Washington, DC

Reception Honoring Congressman John Kline

Monday, May 20th, 5:00-7:00PM

Home of Dennis McGrann
150 North Carolina Ave SE, Washington, DC

Reception Honoring Congressman Erik Paulsen

Tuesday, May 21st, 5:30-7:30PM

Home of Dennis McGrann
150 North Carolina Ave SE, Washington, DC

MINNESOTA DELEGATION NOTES

Senator Klobuchar (D-MN) cosponsored legislation which seeks to advance key infrastructure projects on Mississippi river to help prevent barge travel disruptions. Read more [here](#).

Senator Franken (D-MN) requested rail regulators to ensure that Berkshire Hathaway's BNSF purchase doesn't result in rate hikes. Read more [here](#).

Congressman Walz (D-MN-01) introduced a bill which seeks to provide additional aid for misdiagnosed veterans. Read more [here](#).

Congressman John Kline (R-MN-02) made a statement about the recently passed house resolution for keeping the federal government open which he considers "a small step toward

fiscal responsibility". Read more [here](#).

Congressman Erik Paulsen (R-MN-03) stated that the medical device tax is already costing U.S. jobs and innovation. Read more [here](#).

Congresswoman McCollum (D-MN-04) included a provision in the recently passed Violence Against Women Act which would require the U.S. to develop a comprehensive strategy to prevent child marriage in developing countries. The Congresswoman has been working on this issue for several years. Read more [here](#).

Congressman Ellison (D-MN-05) issued a statement on the president's call for universal pre-kindergarten education. Read more [here](#).

Congresswoman Bachmann (D-MN-06) voiced her concerns about a recent Medicare audit. Read more [here](#).

ADDITIONAL MEDIA

Target Date for Obama Budget Slips to April 8

By John M. Donnelly, CQ Roll Call

The target date for the White House's proposed fiscal 2014 budget is slipping deeper into April.

The Pentagon is telling congressional committees that April 8 is the new target date for delivery of President Barack Obama's spending plan for the next fiscal year, officials said Thursday.

Administration officials had said as recently as last week that they were preparing for release of the budget on March 25, but Congress will begin its Easter break that day and will return April 8. That latter date is "consistent with our communications with" the Department of Defense, said Claude Chafin, spokesman for the House Armed Services Committee.

The White House has declined to say when it will issue its detailed, multivolume spending plan for the fiscal year that starts Oct. 1. The Pentagon also declined to comment.

By law, the president's budget is supposed to be issued on the first Monday in February, which fell Feb. 4 this year. Jeffrey D. Zients, deputy director of the Office of Management and Budget, has blamed the delay on last year's fiscal uncertainties, including the fiscal cliff deliberations.

The budget committees in the House and Senate are planning to mark up their budget resolutions next week, with consideration of the resolutions in the third week of March, just before the recess. The deadline for the House and Senate to agree on a joint budget resolution is April 15.

The longest delay in release of the budget since Congress mandated the first Monday of February as the deadline starting in 1991 was in 2009, when Obama was in the first year of his presidency and released the budget 37 days after the deadline.

Lockridge Grindal Nauen P.L.L.P
Suite 210
415 Second Street Northeast
Washington, D.C. 20002-4900
telephone 202-544-9840
facsimile 202-544-9850
www.locklaw.com

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