

# DELAWARE VALLEY REGIONAL PLANNING COMMISSION

## BOARD COMMITTEE

### **Minutes of Meeting of February 26, 1998 - 10:30 a.m.**

Location: Commission Offices  
The Bourse Building, 8th Floor  
111 South Independence Mall East  
Philadelphia, PA 19106

#### Membership Present

#### Representative

New Jersey Department of Community Affairs

Joyce Paul

New Jersey Department of Transportation

John H. Moore

Governor of New Jersey's Appointee

Jerrold D. Colton

Governor of Pennsylvania's Appointee

Timothy J. Carson

Pennsylvania Governor's Policy Office

Charles Bohnenberger

Pennsylvania Department of Transportation

Thomas TenEyck

Bucks County

Robert Moore

Chester County

Colin A. Hanna  
Charles Coyne, Esq.

Delaware County

John J. McFadden  
John E. Pickett

Montgomery County

Kenneth Hughes

Burlington County

Ridgeley P. Ware  
Carol Ann Thomas

Camden County

J. Douglas Griffith

Gloucester County

John R. Maier  
Charles Romick

Mercer County	Donna Lewis
City of Chester	(not represented)
City of Philadelphia	Denise L. Goren
City of Camden	(not represented)
City of Trenton	Andrew Carten
<u>Non-Voting Members</u>	
Federal Highway Administration Pennsylvania Division New Jersey Division	(not represented) Lloyd Jacobs
U. S. Department of Housing and Urban Development, Region III	(not represented)
U. S. Environmental Protection Agency, Region III	(not represented)
U. S. Environmental Protection Agency, Region II	(not represented)
Federal Transit Administration, Region III	John Garrity
New Jersey Office of State Planning	(not represented)
Southeastern Pennsylvania Transportation Authority	Richard G. Bickel
New Jersey Transit Corporation	Brent Barnes
Port Authority Transit Corporation	Robert G. Schwab
Delaware River Port Authority	Neil Weissman
New Jersey Department of Environmental Protection	(not represented)
Pennsylvania Department of Environmental Protection	Louis Guerra
Pennsylvania Department of Community and Economic Development	Ronald K. Bednar

Regional Citizens Committee Chairman

Dennis Winters

DVRPC Co-Counsel

Pennsylvania Co-Counsel

Kenneth Zielonis, Esq.

New Jersey Co-Counsel

Thomas J. Coleman, III, Esq.

DVRPC Staff: John J. Coscia, John B. Claffey, William Greene, Donald Shanis, Charles Dougherty, Michael Ontko, Candace Snyder, Phyllis Robinson, and Jean McKinney.

Guests

Pennsylvania Department of Transportation

Robert Hannigan

Greg Brown (Dist. 6-0)

Gregory Hailey (Dist. 6-0)

New Jersey Department of Transportation

Jerry Mooney

Al Prant

Lynn Rich

Lynn Middleton

Paul Traban

Chester County Planning Commission

William Fulton

Mercer County

Lee Solow

City of Camden

Paul H. Rebman

Pennsylvania Governor's Office

Marie Conley

Southeastern Pennsylvania Transportation Authority

Bernard Cohen

Donna D'Orio

Ballard Spahr Andrews & Ingersoll

David Cohen

Cross County Connection Transportation  
Management Association

William Ragozine

MSM Regional Council

Dianne R. Brake

Regional Planning Board of Princeton

Bill Enslin

Special Transportation Counsel  
Princeton Borough and Princeton Township

Mary Henifin, Esq.



Regional Citizens Committee

Peggy Killmer

Sensible Transportation Options Partnership (STOP)

Lawrence C. Wohl, Esq.

### Call to Order

Chairman Ridgeley P. Ware, called the meeting to order at 10:40 a.m.

### Public Comments

Comments from the public were invited to be heard on non-agenda items. No comments were stated.

#### 1. Minutes of the Meeting of January 22, 1998

On a **motion** by Mr. Pickett, seconded by Mr. Moore, the minutes of the meeting of January 22, 1998 were approved as distributed.

#### 2. Transportation Improvement Program (TIP) Amendments and Modification

John B. Claffey, DVRPC Staff, briefed the Board on the TIP Amendments and Modification. He noted that the modification and amendments will not alter the TIP's conformity finding since these projects are exempt from the regional air quality analysis.

#### FY 1997-2000 Pennsylvania TIP

##### Amendment 9737 - Chestnut Street Intermodal Improvement Project (City of Philadelphia)

The City of Philadelphia requests that the TIP be amended to add the transit component of the Chestnut Street Intermodal Improvement Project using a Federal Transit Administration (FTA) earmark of \$1,240,625 (\$992,500 federal, \$248,125 city). The overall project construction cost is estimated to be \$15 million and is expected to begin next year. The funds in this request will be relegated to transit-related elements of the project which have been declared eligible by the FTA. A combination of funding sources will be used for the remainder of the work and will be identified as part of the upcoming TIP update.

The overall project scope includes:

- Cartway widening from existing 26 feet and 20 feet to a consistent 28-foot width
- Replacement of curb and sidewalk
- Traffic signal modernization

- New Center City street lights
- Streetscape amenities

Favorable recommendation to approve TIP Amendment 9737 was received from the Planning Coordinating Committee/Regional Transportation Committee (PCC/RTC).

The Regional Citizens Committee (RCC) opposed the TIP Amendment 9737 because of poor design, the need for better public participation, and the lack of community input.

Denise Goren, City of Philadelphia, addressed the RCC's concerns and assured them that as the design process for the project moves forward, public input will be considered and public hearings conducted.

The Board unanimously adopted the following **motion**:

**MOTION** by Mr. Hanna, seconded by Mr. Bohnenberger that the Board approve TIP Amendment 9737, the City of Philadelphia's request to amend the 1997-2000 TIP for Pennsylvania to add transit components of the construction phase of the Chestnut Street Intermodal Improvement Project to the TIP in order to permit receiving \$1,240,625 FTA earmarked funds designated for this effort.

Amendment 9738 - Pennsylvania Inspection & Maintenance (I&M)  
Public Information and Ozone Action Contract  
Services (PennDOT & DVRPC)

PennDOT and DVRPC request that the TIP be amended to add two public outreach projects associated with Clean Air initiatives as follows:

(1) Pennsylvania I&M Public Information

The PennDOT amendment is for the addition of a project to FY98 of the TIP to support a public information component for the Commonwealth's I&M Program. The I&M Program has just been implemented in the Philadelphia region. For it to be truly successful and provide the air quality benefits expected in the region, the public must be provided with accurate, concise information on what they must do and the importance of the program.

The total cost of this amendment is \$618,750 (\$495,000 CMAQ, \$123,750 state).



(2) Ozone Action Contract Services

The DVRPC amendment is for the addition of a project to FY98 of the TIP for various contracted services under the Ozone Action Program. DVRPC staff time required for the Ozone Action program is adequately funded through DVRPC's regular work program. However, a number of contracted services are required for the program to be successful. Essential services include the forecasting of ozone conditions and faxing services to rapidly disseminate the forecasts or announcements of Ozone Action days. In addition, survey evidence shows a 14% recognition of last summer's program. Recognition is much higher in other regions which have used widespread paid advertising. Clearly, exclusive reliance on news reporting and public service announcements is insufficient.

The total cost of this amendment is \$125,000, of which \$100,000 is CMAQ funding, \$15,000 are state funds provided by PennDEP, and \$10,000 is cash and services provided by the partners of the Ozone Action Partnership. Task estimates are: (1) \$35,000 for forecasting services by the University of Maryland; (2) \$3,000 for faxing services; (3) \$10,000 for a random telephone survey at the conclusion of the season to determine the penetration of the message; (4) \$7,000 for the kickoff event and the printing of promotional literature; and (5) \$70,000 for the development and placement of broadcast and print advertising.

After favorable recommendation from the PCC/RTC and RCC the Board unanimously adopted the following **motion**:

**MOTION** by Ms. Goren, seconded by Mr. Hanna that the Board approve TIP Amendment 9738, to add two projects to the TIP for public Outreach efforts associated with Clean air initiatives as follows: (1) PennDOT's request for funds to support the information component of the Commonwealth's Enhanced Inspection and Maintenance Program; and (2) DVRPC's request to fund various contracted serviced under the Ozone Action Program. The \$743,000 required for the two combined projects will be transferred from the construction phase of the Plymouth Trail in Montgomery County, with the understanding that this project will continue to advance, be eligible for future CMAQ funding, and will not need to be subject to priority ranking.

FY 1998 - 2002 New Jersey Section of TIP

Modification 9806 - NJTRANSIT Rail Support Facilities and Equipment and Comet II Overhaul

NJTRANSIT is requesting that DVRPC modify two projects on the TIP in order to accurately reflect DVRPC's share of Section 3 funds and Section 9 funds (a.k.a. Section 5309 and Section 5307, respectively) as appropriated by Congress.

(1) Rail Support Facilities and Equipment

This modification will add \$5.123 million of Section 9 funds and remove \$.080 million of Section 3 funds in FY98. The additional funding will be used for design work for the Morrisville Yard facility. While this modification will allow for additional work efforts associated with Morrisville Yard, it falls within the project description and scope of the Rail Support Facilities and Equipment program as described in the DVRPC TIP.

(2) Comet II Overhaul

This modification will add \$.309 million of Section 3 funds in FY98. The total statewide funding for the Comet II Overhaul program remains unaffected.

After favorable recommendation was received from the PCC/RTC and RCC, the Board unanimously adopted the following motion:

**MOTION** by Mr. Griffith, seconded by Mr. Maier, that the Board approve TIP Modification 9806 New Jersey Transit's request to modify the FY 1998-2002 TIP to add \$5.123 million of Section 9 funds and remove \$.080 million of Section 3 funds for the Rail Support Facilities and Equipment Program and to add \$.309 million of Section 3 funds to the Comet II Overhaul program. This modification is necessary to accurately reflect DVRPC's share of Section 3 funds and Section 9 funds as appropriated by Congress.

Amendment 9807 - New Jersey Local Projects

In anticipation of the EPA conformity freeze which will take effect in April 1998, the New Jersey Subregion has requested that DVRPC amend the TIP by adding the following 14 local projects:

CR 635/537 Ark Rd. and Marne Highway Intersection Improvements  
CR 561 North of Route 30, Drainage Improvements



CR 546 Bridge over Conrail  
CR 546 Bridge over Woolsey's Brook  
Camden County Resurfacing Project in Gloucester City  
CR538, Coles Mill Rd.. Bridge over Scotland Run  
CR 538, Coles Mill Rd.. Bridge #2 over Hospitality Branch  
CR 616, Cookstown-New Egypt Rd.. Bridge over Tributary of North Run  
East Atlantic Ave. Bridge over Abandoned Railroad  
Gloucester County Resurfacing Program  
Hanover St. Bridge over Rancocas Creek  
Smithville Rd.. Bridge over Rancocas Creek  
CR 601, State St. Bridge over Cooper River  
Wilson Ave. Bridge over Bell's Lake Stream

After favorable recommendation from the PCC/RTC and RCC the Board unanimously adopted the following **motion**:

**MOTION** by Mr. Maier, seconded by Mr. Moore that the Board approve TIP amendment 9807 to advance a series of projects to the TIP, necessitated by the EPA conformity freeze which will take effect in April 1998.

Amendment 9808 - NJDOT Projects

In anticipation of the EPA conformity freeze which will take effect in April 1998, the New Jersey Subregion has requested that DVRPC amend the TIP by adding or modifying four projects. Mr. Claffey reported on three of the projects as follows:

- (1) Traffic Signal #16 - This project currently has \$30 million programmed for construction in FY2002. If modified, \$1 million will be programmed in FY2000 for design and \$29 million will be programmed in FY2002 for construction.
- (2) Maple Ave. Bridge over the Atlantic City Rail Line - This project will be added to the TIP with \$200,000 programmed for design in FY99, \$200,000 programmed for right-of-way acquisition in FY2001, and \$2.7 million programmed for construction in FY2002.
- (3) US 322/CR 610/CR 536/CR 654 Intersection Improvement Project - This project will be added to the TIP with \$1.2 million programmed for right-of-way acquisition in FY99, and \$1.050 million programmed for construction in FY2000.

TIP amendment 9808 will not alter the TIP's conformity finding since all of the projects are exempt from the regional air quality conformity analysis or are part of DVRPC's conforming Long Range Transportation Plan.



Favorable recommendation was received from the PCC/RTC and RCC.

The Board unanimously adopted the following **motion**:

**MOTION** by Mr. Moore, seconded by Ms. Paul that the Board approve TIP amendment 9808 to add or modify projects: (1) Traffic Signal #16 (Routes, 30, 38 and 73, Camden and Burlington Counties), (2) Maple Avenue Bridge over the Atlantic City rail line (Camden County) and (3) US 322/CR610/CR536/CR654 Intersection Improvement Project (Gloucester County).

Mr. Claffey then reported on the fourth project listed in TIP Modification 9808 as follows:

Improvements to US 1 and CR 571 (a.k.a. Millstone Bypass) - This project currently has \$1 million programmed for environmental studies and a CMS study in FY98. If modified, \$2 million will be programmed for design in FY2000.

Favorable recommendation was received from the PCC/RTC for all three phases; design, right-of-way, and construction, for Improvements to US 1 and CR 571 (Millstone Bypass).

A New Jersey Caucus was held to discuss this project and the recommendation to the Board from that Caucus is for the Board to approve the design phase only for Improvements to US 1 and CR 571 (no funds for right-of-way or construction phase at this time).

DVRPC staff also recommended approval of the design phase only for Improvements to US 1 and CR 571 at this time.

The RCC recommends that the Board oppose Improvements to US 1 and CR 571, as written, and notes that a more comprehensive Congestion Management System Study needs to be done to look at additional alternatives.

Correspondence (distributed to the Board) in support of funding the design phase for the Millstone Bypass was received from the Mercer County Executive and Princeton University.

Representatives from the Princeton Mayor's Office, Sensible Transportation Options Partnership (STOP), and the Princeton Regional Planning Board, expressed their concerns with the Millstone Bypass project. These include: (1) the need for an Environmental Assessment (EA) and an-depth Environmental Impact Statement (EIS), (2) consideration of design alternatives, and (3) NJDOT's preferred alignment.

The Business Administrator of West Windsor Township encouraged the Board to approve the design phase of the Millstone Bypass Project.

After discussion, the Board unanimously adopted the following **motion**:

**MOTION** by Ms. Lewis, seconded by Mr. Moore that the Board approve the design phase only for the Improvement to US 1 and CR 571 (Millstone Bypass) as listed in TIP Amendment 9808.

### **3. SEPTA's Strategic Business Plan and Labor Issues**

Bernard Cohen, Assistant General manager, SEPTA presented to the Board SEPTA's *Five-Year Plan for Strategic Change*. Mr. Cohen identified SEPTA's five goal areas as follows: (1) improve service quality and customer satisfaction, (2) improve customer and employee safety, (3) increase ridership and revenue, (4) improve productivity and cost-effectiveness and (5) improve employee satisfaction and workplace excellence.

David Cohen, Chairman, Ballard Spahr Andrews & Ingersoll highlighted some of the labor issues facing SEPTA which are presently being negotiated with the Transit Workers Union. Irrational work rules under negotiation include: (1) limitation of reassigning employees, (2) the use of part-time employees, and (3) overtime calculations. Other issues include health insurance, workman's compensation, and absenteeism.

The Board unanimously adopted the following **motion**:

**MOTION** by Mr. Hanna, seconded by Mr. McFadden that the Board adopt Resolution No. B-FY98-011 (copy attached) to endorse and support SEPTA's *Five Year Plan for Strategic Change* and extend the commission's cooperation and assistance in implementing its recommendations. The Board also endorses and supports SEPTA's position concerning contract negotiations with its operating union.

### **4. Pennsylvania Infrastructure Investment Authority (PENNVEST) Fund Request in Delaware County**

Michael Ontko, DVRPC Staff, briefed the Board on three applications forwarded to DVRPC by PENNVEST for review for consistency with the regional plan as follows:

- Upper Chichester Township: Improvements and extension of stormwater collection system at various locations throughout the Township. (\$900,000)



- Southern Delaware County Authority: Rehabilitation and replacement of approximately 10,479 l.f. of sanitary sewer to reduce infiltration and inflow problems in Upper Chichester Township. (\$1,362,532)
- Southern Delaware County Authority: Installation of approximately 6,770 l.f. of new sewer line in areas of Upper Chichester Township where septic systems have failed. (\$627,535)

The areas served by these projects are now developed and identified as future growth areas in the Year 2020 plan. Therefore, these applications are consistent with the Year 2020 Plan.

The Board unanimously adopted the following **motion**:

**MOTION** by Mr. McFadden, seconded by Mr. Carson; that the Board approve the PENNVEST projects and authorize the Executive Director to send a letter notifying PENNVEST of consistency with the Year 2020 Plan.

**5. Request to Initiate the Public Comment Period on the Draft Update of the Year 2020 Land Use and Transportation Plan for the Delaware Valley Region**

Donald Shanis, DVRPC Staff, briefed the Board on the Draft Update of the *Year 2020 Land Use and Transportation Plan for the Delaware Valley Region* (distributed to the Board). He explained that the Metropolitan Planning Rule of the United States Department of Transportation requires that metropolitan planning organizations in ozone nonattainment areas review and update their transportation plans at least every three years. The *Year 2020 Land Use and Transportation Plan for the Delaware Valley Region* (Plan) was adopted in November 1995 and therefore an updated plan must be adopted before November 1998.

The United States Environmental Protection Agency has disapproved a portion of the New Jersey State Implementation Plan. This action requires that a freeze be imposed on new conformity findings after a grace period which ends on April 10, 1998. Although not all situations are addressed in federal rules, some persons familiar with the rules believe that DVRPC will be unable to update the plan after April 10, which—after November 20—would put the Commission in violation of the requirement to triennially update the Plan.

The purpose of the update is, according to the Metropolitan Planning Rule, “to confirm its validity and its consistency with current and forecasted transportation and land use conditions and trends...” The preamble to the rule states that “formally updating the Plan does not require an entirely new plan but does require a review of plan assumptions, transportation trends, the development in the area, air quality considerations, system characteristics and extension,” if necessary, “of the



forecast to maintain a twenty-year horizon." The Commission, through its continuing planning activities and public participation, has ample evidence that the Plan continues to be valid and consistent with current conditions and trends.

The Plan has been amended twice since its adoption to add new regionally significant projects. However, no new projects are a part of this final phase of the Plan update. Therefore, the regional emissions analysis completed in response to Plan amendments adopted in July 1997, will be sufficient to make a finding of conformity.

The draft *Update of the Year 2020 Land Use and Transportation Plan for the Delaware Valley Region*, including a Determination of Conformity between the Updated Plan and State Air Quality Implementation Plans, is attached.

Denise Goren, City of Philadelphia, expressed concern with changing the projections in the adopted Plan which relate to the population and employment forecasts. The current estimates in the Plan were made in 1995 and Ms. Goren believes that these projections continue to reflect the overall development goals of the Year 2020 Plan.

Favorable recommendation was received from the PCC/RTC.

Favorable recommendation was received from the RCC, with the notations as listed in the Recommendations to the Board for February 26, 1998 (copy attached).

The Board unanimously adopted the following **motion**:

**Motion** by Mr. Carson, seconded by Mr. Bednar that the Board authorize the initiation of the public participation process for the draft *Update of the Year 2020 Land Use and Transportation Plan for the Delaware Valley Region*, including a Determination of Conformity between the Updated Plan and the State Air Quality Implementation Plans.

6. **Draft Congestion Management System (CMS) Study for the Route 571 - Penns Neck Area, Mercer County**

Mr. Shanis briefed the Board on the Draft CMS for the Route 571 - Penns Neck Area in Mercer County. He explained that the purpose of the CMS is to determine (1) new capacity required, and (2) strategies to help minimize congestion. The final report will be presented to the Board at its March meeting for approval.



7. CSX and Norfolk Southern Rebuttal to the DVRPC Filing on the Conrail Transaction

John J. Coscia, Executive Director, report on the CSX and Norfolk Southern Rebuttal to the DVRPC Filing on the Conrail Transaction. The response from Conrail was distributed to the Board (copy attached) and Mr. Coscia highlighted some of the more important points.

8. Executive Director's Report

a. PennDOT/Planning Directors Meeting held on February 10, 1998

Mr. Coscia reported that a very successful meeting was held with PennDOT and the Planning Directors on February 10, 1998 to discuss the changes in the new TIP process.

b. New Jersey Caucus Meeting held on February 17, 1998

Mr. Coscia reported on the items of discussed at the New Jersey Caucus meeting of February 17, 1998. These included: (1) the Millstone Bypass application, (2) input for NJDOT's new process for Statewide and MPO Transportation Planning, and (3) NJDOT's Plan amendment update.

c. Pennsylvania State Transportation Commission (STC) Hearings on the 12-Year Program held on February 19, 1998

Mr. Coscia commented on the success of the PennDOT STC Hearings co-hosted by DVRPC held in Philadelphia.

d. Status of New Jersey's Route 29 Litigation

Mr. Coscia reported that the New Jersey Route 29 litigation has been tentatively resolved and DVRPC is in the process of being dismissed from the suit.

The Board unanimously adopted the following **motion**:

**MOTION** by Ms. Goren, seconded by Mr. Hanna that the Board accept the *Stipulation for Dismissal Without Prejudice as to Defendants Delaware Valley Regional Planning Commission and John J. Coscia.*

- e. Information Management Policies Assessment for City Transportation Officials (IMPACTS) Conference Scheduled for July 1-3, 1998 in Philadelphia

DVRPC will be assisting the City of Philadelphia with an International Conference which will focus on the interplay of new transportation technologies and its "impact" on two areas of public policy concern - urban safety and urban economic development.

## 9. Committee Reports

The following committee reports were distributed to the Board for their review:

- (1) Planning Coordinating Committee/Regional Transportation Committee,
- (2) Regional Citizens Committee, (3) Tri-County Water Quality Management Board, (4) Board Policy Analysis Committee, and (5) Information Resources Exchange Group.

## NEW BUSINESS

Richard Bickel, SEPTA, requested that the following two presentations be placed on the Board Agenda for April and May respectively: (1) the Schuylkill Valley Metro Feasibility Study, and (2) the Cross County Metro Study.

There being no further business, the meeting was adjourned at 12:35 p.m.

### Attachments:

- (1) Resolution No. B-FY98-011
- (2) PCC/RTC Recommendations to the Board for February 26, 1997
- (3) RCC Recommendations to the Board for February 26, 1997
- (4) CSX and Norfolk Southern Rebuttal to DVRPC Filing on the Conrail Transaction

### Additional Documents Distributed to the Board:

- (1) SEPTA *Five Year Plan for Strategic Change FY 1999 - FY 2003*
- (2) Philadelphia Inquirer Article entitled: *Congestion-Weary Officials Sound Off on Road Planning*
- (3) Transportation Improvement Program Administrative Modifications (Actions taken between January and February 1998 Board Meetings)
- (4) National Association of Regional Councils *Legislative Priorities*
- (5) Census 2000 Initiative *News Alert*
- (6) Alert, February 1998
- (7) Freight Lines, February 1998
- (8) TravelSmart, February 23, 1998



**RESOLUTION**

*by the Board of the Delaware Valley Regional Planning Commission*

**Endorsing SEPTA's Five Year Plan for Strategic Change and Supporting SEPTA's Position Concerning Contract Negotiations**

**WHEREAS**, the Delaware Valley Regional Planning Commission is the federally-designated Metropolitan Planning Organization responsible for continuing, cooperative and comprehensive regional transportation planning for the nine county bi-state Delaware Valley Region; and

**WHEREAS**, the Delaware Valley Regional Planning Commission and the Southeastern Pennsylvania Transportation Authority have worked closely to achieve goals of mutual concern for the betterment of the Delaware Valley; and

**WHEREAS**, the Southeastern Pennsylvania Transportation Authority staff presented to the Delaware Valley Regional Planning Commission at its February 26, 1998 Board Meeting SEPTA's *Five Year Plan for Strategic Change FY 1999 - FY 2003* dated January 1998; and

**WHEREAS**, the SEPTA Five Year Plan establishes as its top business priorities or goals: rebuilding ridership, improving service quality and safety for customers and employees, increasing customer and employee satisfaction and finding the means to increase productivity and cost efficiency; and

**WHEREAS**, each goal has a series of supporting Strategies and Tactics, which need to be implemented to achieve success; and

**WHEREAS**, the SEPTA Five Year Plan can be achieved only if SEPTA is successful in closing the operating deficit and creating the resources necessary to improve service; and

**WHEREAS**, SEPTA also presented to the Delaware Valley Regional Planning Commission Board an overview of its position concerning negotiations dealing with a new contract for its 5600 member operating union;

**NOW, THEREFORE, BE IT RESOLVED**, that the Delaware Valley Regional Planning Commission endorses SEPTA's Five Year Plan for Strategic Change and extends the commission's cooperation and assistance in implementing its recommendations; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Delaware Valley Regional Planning Commission endorses and supports the Southeastern Pennsylvania Transportation Authority's position concerning contract negotiations with its operating union.

Adopted this 26th day of February 1998  
By the Board of the Delaware Valley  
Regional Planning Commission

**PLANNING COORDINATING COMMITTEE/  
REGIONAL TRANSPORTATION COMMITTEE**

**RECOMMENDATIONS TO THE BOARD FOR  
FEBRUARY 26, 1998**

**BOARD  
AGENDA ITEM**

**2. TIP AMENDMENTS AND MODIFICATION  
FY 1997-2000 (PENNSYLVANIA PORTION)**

a. TIP Amendment 9737

The PCC/RTC recommends:

That the Board approve TIP Amendment 9737, the City of Philadelphia's request to amend the 1997-2000 TIP for Pennsylvania to add transit components of the construction phase of the Chestnut Street Intermodal Improvement Project to the TIP in order to permit receiving \$1,240,625 FTA earmarked funds designated for this effort.

b. TIP Amendment 9738

The PCC/RTC recommends:

That the Board approve TIP Amendment 9738, to add two projects to the TIP for public Outreach efforts associated with Clean Air initiatives as follows: (1) PennDOT's request for funds to support the information component of the Commonwealth's Enhanced Inspection and Maintenance Program; and (2) DVRPC's request to fund various contracted services under the Ozone Action Program (these services do not include DVRPC staff time which is funded under the regular work program). The \$743,000 (\$595,000 CMAQ, \$138,000 state and \$10,000 local) required for the two combined projects will be transferred from the construction phase of the Plymouth Trail in Montgomery County.

(over)



**FY 1998-2002 (NEW JERSEY PORTION)**

c. TIP Modification 9806

The PCC/RTC recommends:

That the Board approve TIP Modification 9806 New Jersey Transit's request to modify the FY 1998-2002 TIP to add \$5.123 million of Section 9 funds and remove \$0.080 million of Section 3 funds for the Rail Support Facilities and Equipment Program and to add \$.309 million of Section 3 funds to the Comet II Overhaul Program. This modification is necessary to accurately reflect DVRPC's share of Section 3 funds and Section 9 funds as appropriated by Congress.

d. TIP Amendments 9807 and 9808

The PCC/RTC recommends:

That the Board approve TIP Amendments 9807 and 9808, to advance a series of projects to the TIP, as listed on the pink sheet, necessitated by the EPA conformity freeze which will take effect in April, 1998.

**4. DVRPC LONG RANGE PLAN UPDATE**

The PCC/RTC recommends:

That DVRPC staff begin updating the Long Range Plan in order that the Board can open a public Comment Period on the Plan Update at their February 26, 1998 meeting.

## DVRPC REGIONAL CITIZENS COMMITTEE

### RECOMMENDATIONS TO THE BOARD FOR FEBRUARY 26, 1998

#### **BOARD AGENDA ITEM**

#### **2. TRANSPORTATION IMPROVEMENT PROGRAM (TIP) AMENDMENTS**

The RCC recommends:

a. TIP Amendment 9737

That the Board oppose TIP Amendment 9737 because of poor design, the need for better public participation, and the lack of community input.

b. TIP Amendment 9738

That the Board approve TIP Amendment 9738.

c. TIP Amendment 9806

That the Board approve TIP Amendment 9806.

d. TIP Amendment 9807

That the Board approve TIP Amendment 9807.

e. TIP Amendment 9808

That the Board approve Traffic Signal #16 and the Collingswood Circle Elimination. However, the RCC recommends that the Board oppose Improvements to US 1 and CR 571, as written, and notes that a more comprehensive Congestion Management System Study needs to be done to look at additional alternatives.

#### **4. UPDATE OF YEAR 2020 LAND USE AND TRANSPORTATION PLAN**

The RCC recommends that the Board authorize DVRPC staff to complete the necessary work immediately for the plan update and to proceed with a public comment period. The RCC also urges New Jersey to correct its SIP as soon as possible, and wishes to resubmit its comments regarding the

(over)



four amendments to the Plan that were adopted in July, 1997. The RCC's comments on these amendments are as follows:

1. Improvements to US 1 and CR 571

That the Board acknowledge that improvements are needed in this area, but the Millstone Bypass may not necessarily be the appropriate answer to the problem. A Congestion Management Study (CMS) should be completed before progressing.

2. NJ 42/I-295 Interchange

That the Board not approve the NJ 42/I-295 Interchange project because transit could be considered as an alternative in solving the volume safety issues.

3. Southern New Jersey Light Rail System

That the Board support the Mt. Holly - Moorestown Rail Line as a priority in the Year 2020 Long-Range Plan. Serious concerns should be expressed about the proposed Camden - Trenton Rail Line because the project lacks details about project and capital costs and recovery ratio; no credible patronage figures are available from detailed computer modeling; maintenance of freight service on this route has not been clearly defined; NJ Transit has not demonstrated that their selected mode is the preferred mode; and this is such a major investment that an MIS should be completed before any money is committed for engineering and construction.

4. New Jersey Turnpike Widening

That the Board not endorse the New Jersey Turnpike Widening because of the need for an alternatives analysis; because congestion pricing could be used to reduce traffic; and because there needs to be an overall view of movement along this corridor.



**DELAWARE VALLEY  
REGIONAL PLANNING COMMISSION**

The Bourse Building, 111 South Independence Mall East  
Philadelphia, PA 19106

Tel: (215) 592-1800  
FAX: (215) 592-9125

**MEMORANDUM**

**Date:** February 13, 1998

**From:** John Coscia

**To:** DVRPC Board

**Subject:** CSX and Norfolk Southern rebuttal to DVRPC Filing on the Conrail Transaction

Attached please find the rebuttal of the CSX and Norfolk Southern railroads to the conditions proffered by DVRPC in its filing (October 17, 1997) with the Surface Transportation Board regarding the proposed partition of the Conrail system (Finance Docket No. 33388). The excerpt appears in Volume 1 of Applicant's Rebuttal, and responds on a point by point basis to each of the nine conditions cited in the DVRPC filing.

Also, please note that the STB's procedural schedule for the Conrail acquisition has been modified. Adding 45 days to the previous schedule, the new target date for the serving of the final decision is July 23, 1998.



serving the Delaware portion of the Delmarva Peninsula is the M&D, which supports the Transaction and requests no such conditions.

Several of DelDOT's issues are further addressed in Mr. Eisenach's RVS.

DelDOT's requests for conditions are not supported by evidence, are not related to the Transaction, and should be denied.

2. Delaware Valley Regional Planning Commission

The Delaware Valley Regional Planning Commission (DVRPC) is the metropolitan planning organization for the Delaware Valley area, which includes five counties in Pennsylvania and four counties in New Jersey. DVRPC recognizes that the Transaction will benefit its region in a number of ways by providing increased rail competition, more direct service to other regions, new and upgraded infrastructure, and diversion of traffic from truck to rail.

The DVRPC raises a number of concerns and requests a number of conditions. Many of these concerns have already been addressed in agreements with other parties in the regions or through explanations provided by the Applicants. Other conditions requested by DVRPC are unnecessary or unwarranted.

Applicants have made commitments to the region concerning economic development, investment in facilities and employment that are memorialized in agreements with the State of Pennsylvania and City of Philadelphia. These commitments are all that are needed to address these concerns.

NS and CSX have reached agreements with Canadian Pacific (CP) described elsewhere, which give CP effective commercial access to the Philadelphia/South Jersey Shared Assets Area. This satisfies another concern raised by DVRPC.

DVRPC seeks "greater specificity" in Applicants' environmental assessments about air quality effects of new rail facilities. This and other environmental issues are already being addressed in great detail in the environmental review process in this proceeding. As to new projects, environmental assessments will be a part of the environmental permitting process for those projects.

DVRPC's concern about passenger operations are largely addressed elsewhere, such as in Applicants' responses to the Southeastern Pennsylvania Transportation Authority (SEPTA) and National Railroad Passenger Corporation (Amtrak) comments. See Section XII. Applicants plan to honor all Conrail agreements with commuter rail authorities in the region. If there are to be any changes in these arrangements, they should be freely negotiated outside the scope of this proceeding. NS and CSX will discuss passenger operations on a case-by-case basis with the rail authorities. Passenger train access should not be imposed on freight rail lines without thorough study of the need for such access and the possible disruption of essential freight services. This can only be done on a case-by-case basis outside of this proceeding.

The major ports of the region, the Philadelphia Regional Port Authority, South Jersey Port Corporation, the Delaware River Port Authority and the Port of Philadelphia and Camden, Inc. support the Transaction. Guarantees of future service from rail carriers are



unnecessary and unwarranted because Applicants will provide the service that the business justifies and should not be required to run trains that are not required. They have every incentive to maintain and to increase the business moving over their lines.

The NITL Settlement discussed in Section II adequately addresses DVRPC's concern about public input in the management of the Shared Assets Areas. Further, the rebuttal verified statement of Mr. Mohan shows that these areas will be operated much like other joint railroad operations.

DVRPC wishes to have all train traffic on the left bank of the Schuylkill River through Center City Philadelphia between Park Junction and Grays Ferry diverted to the Highline Branch on the right bank of the Schuylkill River. DVRPC does not support this request with any study as to whether this diversion is economically and operationally feasible or environmentally preferable. Inasmuch as the request is contrary to the unrebutted operating plan of the Applicants, it should be rejected.

DVRPC also seeks additional access by unidentified shortlines to Pavonia Yard. No shortlines have requested this access. The shortlines will have access to the CSAO. DVRPC's proposal would not necessarily be more efficient. Furthermore, DVRPC has made no claim and presented no evidence that such access is required to address any harm caused by the Transaction.

CSX and NS will discuss the interchange of cars between the Winchester and Western Railroad and the Southern Railroad of New Jersey at Vineland after the Transaction is

closed. The matter should be studied. Any change should be based on the mutual benefit of the parties after a determination that the proposal is operationally and economically feasible.

In conclusion, the DVRPC's principal concerns have been addressed by the Applicants. The additional conditions requested by DVRPC are both unnecessary and unjustified.

3. Illinois International Port District

Illinois International Port District's ("The Port of Chicago") concerns are not Transaction related, but instead involve complaints about the current level of service on the east side, as compared to the west side, of the Port of Chicago at Lake Calumet.

The thrust of the Port of Chicago's complaint is that the Operating Plan does nothing to improve the service to the east side of the Port. PORT/CHI-2, Collard V.S. at 2. Currently, the east side is served exclusively by NS. In contrast, while the track on the west side is owned by NS, the Chicago South Shore and South Bend Railroad Company, and the Chicago Rail Link, L.L.C. have operating rights into the Port from the west side. The Port contends that NS provides poor service on the east side because NS does not have competitive incentives to provide better service.

The Port of Chicago asserts that the proposed transaction would further reduce service by converting the Calumet Yard to an intermodal facility. Many of the system functions of the Calumet Yard, not the local functions, will be transferred to the Elkhart Yard. See CSX/NS-19, Vol. 3B at 252-3, Operating Plan at 184-5; PORT/CHI-2 at 6; Moon RVS at 3.