

National Capital Region Transportation Planning Board

777 North Capitol Street, N.E., Suite 300, Washington, D.C. 20002-4290 (202) 962-3310 Fax: (202) 962-3202

Item #5

MEMORANDUM

January 10, 2008

To: Transportation Planning Board

From: Ronald F. Kirby
Director, Department of
Transportation Planning

RE: Steering Committee Action

At its meeting of January 4, 2008, the TPB Steering Committee approved the following resolution:

- TPB SR9-2008 to approve an Amendment to the FY 2007-2012 and 2008-2013 TIPs that is Exempt from the Air Quality Conformity Requirement to Include the East Side Fern Street Sidewalk Project as Requested by the Montgomery County Department of Public Works and Transportation

The TPB Bylaws provide that the Steering Committee “shall have the full authority to approve non-regionally significant items, and in such cases it shall advise the TPB of its action.”

**NATIONAL CAPITAL REGION TRANSPORTATION PLANNING BOARD
777 North Capitol Street, N.E.
Washington, D.C. 20002**

**RESOLUTION ON AMENDMENT TO
THE FY 2007- 2012 AND FY 2008- 20013 TRANSPORTATION IMPROVEMENT
PROGRAMS (TIP) THAT IS EXEMPT FROM THE AIR QUALITY CONFORMITY
REQUIREMENT TO INCLUDE THE EAST SIDE FERN STREET SIDEWALK PROJECT
AS REQUESTED BY THE
MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION (DPWT)**

WHEREAS, the National Capital Region Transportation Planning Board (TPB), which is the metropolitan planning organization (MPO) for the Washington Region, has the responsibility under the provisions of Safe, Accountable, Flexible, and Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU) for developing and carrying out a continuing, cooperative and comprehensive transportation planning process for the Metropolitan Area; and

WHEREAS, on October 20, 2006 the TPB adopted the 2006 CLRP and the FY 2007-2012 TIP; and

WHEREAS, on January 16, 2008 the TPB is scheduled to adopt the 2007 CLRP and the FY 2008-2013 TIP; and

WHEREAS, in the attached letter of December 21, 2007, the Montgomery County Department of Public Works and Transportation (DPWT) has requested an amendment to the FY 2007-2012 and FY 2008-2013 TIPs to include the East Side Fern Street Sidewalk project which is part of the Wheaton CBD Intermodal Access Program, as described in the attached materials; and

WHEREAS, this project is exempt from the air quality conformity requirement, as defined in Environmental Protection Agency (EPA) regulations "40 CFR Parts 51 and 93 Transportation Conformity Rule Amendments: Flexibility and Streamlining; Final Rule," issued in the May 6, 2005, *Federal Register*;

NOW, THEREFORE, BE IT RESOLVED THAT the Steering Committee of the National Capital Region Transportation Planning Board amends the FY 2007-2012 and FY 2008-2013 TIPs to include the East Side Fern Street Sidewalk project which is part of the Wheaton CBD Intermodal Access Program, as described in the attached materials.

December 21, 2007

The Honorable Catherine Hudgins, Chairperson
National Capital Region Transportation Planning Board
Metropolitan Washington Council of Governments
777 North Capitol Street, N.E., Suite 300
Washington, D.C. 20002-4290

Dear Chairperson Hudgins:

The Montgomery County Department of Public Works and Transportation (DPWT) request an amendment to the current FY 2007-2012 and the soon to be approved FY 2008-2013 Transportation Improvement Program (TIP) to reflect the addition of the Wheaton CBD Intermodal Access Program. The Wheaton Redevelopment Program has requested that DPWT submit, on their behalf, a request for a TIP amendment to reflect the MTA Wheaton CBD SAFETEA-LU earmark. This project is exempt from air quality conformity analysis.

The Montgomery County, Maryland Wheaton CBD Intermodal Access Program earmark was authorized under the SAFETEA-LU Transportation Act in the summer of 2005 as a high priority FTA Section 5309 Bus and Bus Facilities Project # 224 with a federal amount authorized for each of the federal fiscal years in the Act. Montgomery County has authorized the 20% local match through the Streetscape Program under the Wheaton Redevelopment Program /Mid-County Regional Services portion of the Capital Improvement Program (CIP).

This project involves sidewalk widening, removal of the ADA non-compliant conditions, and construction of a planting panel along the east side of Fern Street between University Boulevard and Reddie Drive. Fern Street provides direct access to the Wheaton Metrorail Station entrance at a mixed-use-air-rights project over the Metro Kiss and Ride lot. Along with access to single family residential housing, this project removes safety and handicap impediments to enhance the pedestrian linkage between the Metrorail station and surrounding residential community. The total cost of this project is estimated to be \$526,524 of which \$417,039 is federal and \$109,485 is County. Engineering has been completed for this project and it will be ready for construction to begin in the Fall of 2008.

The Montgomery County Department of Public Works and Transportation requests this amendment be approved by the TPB Steering Committee at its meeting on January 4, 2008. Your consideration of this request is appreciated.

Sincerely,

David B. Moss
Manager III

Montgomery County
TRANSPORTATION IMPROVEMENT PROGRAM
CAPITAL COSTS (in \$1,000)

	FY 06	Carry Over	FY 07	FY 08	FY 09	FY 10	FY 11	FY 12	Source Fed/St/Loc	Source Total	Environ. Review
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Bike/Ped

1	Title: East Side Fern Street Sidewalk	Agency Project ID:
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Facility:	East Side Fern Street				527 c					Fed Earmark OC	527	N/A
From:	University Boulevard									80 /	/	20
To:	Reedie Drive											
Jurisdiction:	Montgomery County									Total Funds:	\$527	

Description: This project provides funds for streetscape improvements to a major pedestrian route that leads directly to the Wheaton Metrorail entrance of the mixed-use air-rights project over the Metro Kiss and Ride lot. This project involves widening the sidewalk, the removal of ADA non-compliant conditions, and construction of a planting panel along the east side of Fern Street (883 linear feet) between University Boulevard and Reedie Drive.

MEMORANDUM

December 14, 2007

TO: David Moss
Department of Public Works and Transportation

FROM: Robert Klein, Direc 
Wheaton Redevelopment Program

SUBJECT: MTA Wheaton CBD SAFETEA-LU Earmark - TIP Amendment

As we discussed on the phone, the Wheaton Redevelopment Program is requesting DPWT submit, on our behalf, the Transportation Information Program (TIP) Form for the MTA Wheaton CBD SAFETEA-LU Earmark. In addition to the current funds available, the county asks MTA to apply for pre-award authority (a "Letter Of No Prejudice").

MTA has agreed to be the grant applicant for the "Montgomery County, MD Wheaton CBD Intermodal Access Program." The "Montgomery County, MD Wheaton CBD Intermodal Access Program" earmark was authorized under the SAFETEA-LU transportation in the summer of 2005 as high priority FTA Section 5309 bus and bus facilities project #224 with a federal amount authorized for each of the federal fiscal years in the Act:

	FY006		
\$96,140;	FY2007 \$100,320;	FY2008 \$108,680;	FY2009
\$112,860	for a total of \$418,000.		

The 2006 and 2007 funds have been appropriated by the congress and FTA has subtracted its 1% skim for oversight from 2006, now \$95,179 (it appears they will not subtract for 2007). Thus, a total of \$195,479 federal share is now available to apply for. The funds in this program are available for the years appropriated plus two. Funding for FY2006 will disappear if not approved by September 30, 2008.

Montgomery County has already authorized the 20% local match and these funds are in our Streetscape Program under the Wheaton Redevelopment Program/Mid-County Regional Services Center portion of the County's Capital Improvement Program (CIP).

The County will use these funds on a major pedestrian route that directly leads to the Wheaton Metrorail entrance at the mixed-use air-rights project over the Metro Kiss and Ride lot. This project involves sidewalk widening, removal of ADA non-compliant conditions, and construction of a planting

panel along the east side of Fern Street (883 linear feet) between University Boulevard and Reddie Drive. Along with access to single family residential housing, this project removes safety and handicap conditions for pedestrian linkage between the Metrorail station and 353 existing multi-family housing units, 189 units currently under construction, and 320 units pending Planning Board approval. The Wheaton CBD Access project has gone through engineering and will be ready for construction spring 2008. The total cost of this project is \$526,524 (\$417,039 Federal and \$109,485 County).

The Wheaton Redevelopment Office will be the responsible party for this project. The actual work will be contracted through the County's Department of Public Works and Transportation (DPWT). DPWT will monitor the work schedule and the day-to-day work of the contractor and will report to the Wheaton Redevelopment Office.

I have attached the TIP Form. Let me know if you have any questions.

RK

Attachment

Transportation Improvement Program (TIP)

Proposed Project or Action Description Form
FY 2008-2013

1. Agency: **Montgomery County** Last Modified On: **12/21/2007**

2. Location and Jurisdiction:

Title: **East Side Fern Street Sidewalk**
 Facility: East Side Fern Street Sidewalk
 From/At: University Blvd.
 To: Reddie Drive
 Jurisdiction:

3. Description of Project or Action:

This project provides funds for streetscape improvements to a major pedestrian route that leads directly to the Wheaton Metrorail entrance of the mixed-use air-rights project over the Metro Kiss and Ride lot. This project involves widening the sidewalk, the removal of ADA non-compliant conditions, and construction of a planting panel along the east side of Fern Street (883 linear feet) between University Boulevard and Reddie Drive.

4. Project Status:

New Streetscape Project

5. Environmental Review:

6. Funding and Schedule Information:

Date of completion or implementation:							2009	
Source	FY	Amount(\$1,000s)	Phase	% Fed	% State	% Local	\$ Fed --	Local
Fed	2006		East Side Fern Street Sidewalk	80	0	20		
Fed	2007		East Side Fern Street Sidewalk	80	0	20		
Fed	2008		East Side Fern Street Sidewalk	80	0	20		
Fed	2009	526.524	East Side Fern Street Sidewalk 1% Contingency Fee	80	0	20	417.039	109.485

Transportation Improvement Program (TIP)

Proposed Project or Action Description Form
FY 2007-2012

1. Agency: **Montgomery County** Last Modified On: **12/21/2007**

2. Location and Jurisdiction:

Title: **East Side Fern Street Sidewalk**
 Facility: East Side Fern Street Sidewalk
 From/At: University Blvd.
 To: Reddie Drive
 Jurisdiction:

3. Description of Project or Action:

This project provides funds for streetscape improvements to a major pedestrian route that leads directly to the Wheaton Metrorail entrance of the mixed-use air-rights project over the Metro Kiss and Ride lot. This project involves widening the sidewalk, the removal of ADA non-compliant conditions, and construction of a planting panel along the east side of Fern Street (883 linear feet) between University Boulevard and Reddie Drive.

4. Project Status:

New Streetscape Project

5. Environmental Review:

6. Funding and Schedule Information:

Date of completion or implementation:

2009

Source	FY	Amount(\$1,000s)	Phase	% Fed	% State	% Local	\$ Fed --	Local
Fed	2006		East Side Fern Street Sidewalk	80	0	20		
Fed	2007		East Side Fern Street Sidewalk	80	0	20		
Fed	2008		East Side Fern Street Sidewalk	80	0	20		
Fed	2009	526.524	East Side Fern Street Sidewalk 1% Contingency Fee	80	0	20	417.039	109.485