

**NATIONAL CAPITAL REGION TRANSPORTATION PLANNING BOARD**

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**MINUTES OF THE  
TRANSPORTATION PLANNING BOARD  
July 20, 2005**

Members and Alternates Present

Phil Mendelson, D.C. Council  
Catherine Hudgins, Fairfax County Board of Supervisors  
Michael Knapp, Montgomery County Council  
Kathy Porter, City of Takoma Park  
JoAnne Sorenson, VDOT-NOVA  
David Moss, Montgomery County DPWT  
Bill Wren, City of Manassas Park  
Bruce Reeder, Frederick County  
Rick Canizales, Prince William County  
Brian A. Glenn, FTA  
Carol Petzold, Maryland House  
David F. Snyder, City of Falls Church  
Robert Werth, Pres. Diamond Transportation  
Ludwig Gaines, City of Alexandria  
Andrew Fellows, City of College Park  
Cicero Salles, Prince George's County  
Rick Rybeck, DDOT  
Wally Covington, Prince William County  
Patsy Ticer, Virginia Senate  
Linda Smyth, Fairfax County Board of Supervisors  
Patrice Winter, City of Fairfax  
Kellie Gaver, MDOT  
Robert Dorsey, City of Rockville  
Gail Booker Jones, City of Bowie

MWCOG Staff and Others Present

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Ron Kirby	COG/DTP
Michael Clifford	COG/DTP
Gerald Miller	COG/DTP
Bob Griffiths	COG/DTP
Jim Hogan	COG/DTP
Nick Ramfos	COG/DTP
Andrew Meese	COG/DTP
Wendy Klancher	COG/DTP
Jill Locantore	COG/DTP
Debbie Leigh	COG/DTP
Michael Farrell	COG/DTP
Anant Choudhary	COG/DTP
Jim Yin	COG/DTP
Paul DesJardin	COG/HSPPS
Greg Goodwin	COG/HSPPS
Jeff King	COG/DEP
Steve Kania	COG/OPA
Sharmila Samarasinghe	DRPT - Virginia
Deborah Burns	FTA – Washington Office
Dennis Jaffe	TPB/CAC
Randy Carroll	MDE
Alex Hekimian	M-NCPPC-Montgomery County
Alex Verzosa	City of Fairfax
Michael Medici	Prince William County
Mark Miller	WMATA
Tom Biesiadny	Fairfax County DOT
Harry Sanders	Action Committee for Transit
Takumi Yamamoto	FHWA
Bill Orleans	ACT/PG ACT
Andrew Costinett	
Nicole Lewis	Arlington, VA
Kim Goins	US DOT/FTA
Mike Hagarty	NVTA
Bob Chase	Northern Virginia Transportation Alliance
Betsy Massie	PRTC

## 1. Public Comment on TPB Procedures and Activities

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Mr. Chase, Northern Virginia Transportation Alliance, spoke about several issues. He said the recent information about the shortfall of funding for rail to Dulles illustrates the continuing need for regional transportation funding. He expressed concern that regional funding seldom is included on the TPB's agenda. On another topic he noted that the census data reconfirmed the continuing population exodus from major cities across the nation, including Washington. He said this information supports the need for more transportation links between those outer communities. Finally, he said the recent bombings in London illustrate the need to increase regional transportation capacity critical to saving lives.

Harry Sanders, Action Committee for Transit, spoke about the importance of the CLRP accessibility analysis, which was Item 12 on the TPB agenda. He said that in the normal TPB model runs, good measures of transit benefits were not provided. He noted that the output of the model provides total ridership for the region, which he said is not adequate. He said that many transit riders are missed in this analysis. He said he was concerned also that the model does not capture the demand for new housing near transit. However, he said, accessibility measures do capture changes in travel time. New planned transit lines are a significant part of the reason that accessibility to jobs by transit has increased by 2030. He said the TPB Vision supports a balanced transportation system for all and accessibility measures would help document potential improvements.

## **2. Approval of the Minutes of the June 15, 2005, Meeting**

A motion was made to approve the minutes. The motion was seconded.

It was noted that Ms. Porter was listed twice in the list of attendees.

Chairman Mendelson said that would be corrected.

The motion was passed unanimously.

## **3. Report of the Technical Committee**

Referring to mailout material, Mr. Gerald Miller of the COG/TPB staff gave the report on behalf of Mr. Mokhtari.

Mr. Miller said the Technical Committee met on Friday, July 8 and was briefed on the three items on the TPB agenda:

- The committee reviewed the scope of work for conducting the fine particles conformity analysis of the CLRP and recommended that the Board approve it.
- The committee was briefed on the transportation and air quality analysis of the Base

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Realignment and Closure Commission (BRAC) proposal.

- The committee was briefed on the revisions in the Round 7 forecasts to ensure job-housing balance.

Mr. Miller said that four items were discussed that were not on the TPB agenda:

- The committee was briefed on CAPCOM activities.
- The committee was briefed on the action that the Federal Highway Administration and Federal Transit Administration took regarding the conformity determination for the 2004 Constrained Long-Range Plan (CLRP) and the FY 2005-2010 Transportation Improvement Program (TIP) that the TPB approved last year.
- The Committee was briefed on the draft FY 2006-2011 TIP that was scheduled for release in September.
- The Committee discussed improvements that the Virginia Department of Transportation has proposed in terms of the way the TIP information is presented in the TIP document.

#### **4. Report of the Citizen Advisory Committee**

Referring to the handout report, Mr. Jaffe said the CAC met the previous Thursday. The meeting included a briefing by TPB staff member Jill Locantore on the CLRP accessibility analysis that was on the TPB agenda under Item 12.

Committee members made several comments regarding the analysis:

- The accessibility analysis should be conducted earlier, prior to final approval of the CLRP
- Long-term assumptions about job growth and other issues really are uncertain and that needs to be stated more clearly.
- It would be useful to separate the impact of the changes in the new CLRP and not just the cumulative impact on the entire system.
- It would be useful to include this type of analysis in the regional mobility and accessibility study.

Mr. Jaffe said the committee also had a briefing from Ron Kirby regarding the CAPCOM Incident Coordination Program. He said the Committee understands that this project has already taken a number of years and the committee believes it is time to move toward a deliberative conclusion and expeditious action. He said the CAC was very concerned to learn that the director and assistant deputy director of the District of Columbia Department of Transportation might not be present at the information session that morning.

Mr. Jaffe said the CAC also discussed the analysis of transportation impacts of the BRAC Commission. He said the committee is concerned that the direction of the BRAC proposal runs counter to land use and transportation policy that is being pursued by the region.

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Finally, Mr. Jaffe said the CAC has two working groups. The Working Group on the Regional Mobility and Accessibility Study will be hosting public forums this fall. The Working Group on CLRP/TIP Information and Analysis will be reporting recommendations to the full CAC and to the TPB this fall.

## **5. Report of the Steering Committee**

Referring to the handout and mailout material, Mr. Kirby said the Steering Committee met on July 8. In addition to reviewing and approving the agenda for the TPB meeting, the Committee approved two resolutions. The first resolution amended the FY2005-2010 Transportation Improvement Program (TIP) for Virginia, modifying funding for seven highway projects and two park and ride lot improvements, and funding a transportation management study. The second resolution approved the allocation of Metropolitan Planning Organization funds attributable to the portion of Stafford County that is part of the Washington, D.C.-Maryland urbanized area to the Fredericksburg Area Metropolitan Planning Organization.

## **6. Chairman's Remarks**

Chairman Mendelson asked Mr. Snyder to report on that morning's workshop regarding CAPCOM.

Mr. Snyder said the workshop was very useful. He said that the transportation agencies have made a great deal of progress since September 11 in pulling together their own plans, but he said the agencies have been quite honest and frank in saying that there continue to be gaps in the coordination between the agencies and there are also gaps in the flow of information between the agencies to the public. He said the CapCom proposal is designed to address these gaps. He said that most, if not all, the attendees at the meeting concurred that establishing CapCom was the correct action and it should be pursued. He said the staff of the District of Columbia Department of Transportation (DDOT) has raised concerns about management issues, and therefore DDOT has been asked to work closely with the group that is developing CapCom to ensure that the CapCom project fits into the wider context of emergency preparedness in the region.

In closing, Mr. Snyder again emphasized that this effort needs to proceed as quickly as possible.

Chairman Mendelson said he had indicated in January that this was an issue that he wanted addressed in the submissions for the CLRP. He said he understood that the CLRP submissions would be received in September or October, and he would be looking to see what the CapCom commitment would be. He said he understood the cost was approximately \$4 million for start-up, of which it was hoped that approximately \$3 million would be provided by the Transportation

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Reauthorization Bill going through the Congress, along with another million from UASI funds.

Chairman Mendelson asked if Mr. Kirby or someone else could speak about the evacuation exercise that was conducted on the July 4 in the District of Columbia.

Mr. Kirby said the July 4 exercise and the traveler information project for the Woodrow Wilson Bridge lane closures are good examples of how important travel demand management can be in assuring orderly response to changes in road and bridge capacity or surges in demand. He said that in both cases, there was knowledge ahead of time regarding the events and the travel demands that would arise. He said these are useful examples for a CapCom, except that CapCom would be most useful for unplanned incidents that occur without advance notice.

Mr. Fellows asked if the BRAC recommendations would make it more difficult to move forward on CapCom.

Mr. Kirby said that BRAC represented longer-term changes and therefore he did not think it would have an impact on CapCom's development.

Vice Chairman Knapp asked if it would be possible to get a report or briefing at a future meeting regarding the July 4 exercise in the District of Columbia, including a description of how the District measured the effectiveness of the exercise and how it worked with adjacent jurisdictions.

Mr. Kirby said that information could be provided.

#### **7. Approval of the Scope of Work for Conducting the Fine Particles (PM 2.5) Conformity Analysis for the 2005 Constrained Long-Range Plan (CLRP) and FY 2006-2011 Transportation Improvement Program (TIP)**

Referring to the mailout material, Mr. Clifford briefed the Board on the scope of work. He said that background material was provided at the June meeting. He said the scope has undergone a 30-day comment period. The TPB did receive a comment letter from the Metropolitan Washington Air Quality Committee (MWAQC) which was included in the mailout material. He reviewed MWAQC's comments, and described the chronology for conducting the analysis.

A motion was made to approve the scope of work for conducting the fine particles PM 2.5 conformity analysis. The motion was seconded and approved unanimously.

#### **8. Approval of the Amendment to the FY 2005-2010 Transportation Improvement Program that is exempt from the Air Quality Conformity Requirement to Include Congestion Mitigation/Air Quality (CMAQ) Funding for Nine Projects, and Approval of Amendments to the FY 2006 Unified Planning Work Program as Requested by the Virginia Department of**

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## **Transportation**

Referring to the mailout material, Ms. Sorenson said there were two resolutions under this item: Resolution R1-2006, to amend the Fiscal Year 2005-2010 TIP for nine CMAQ funded projects, and Resolution R-2006, to amend the TPB Unified Planning Work Program for funding some Virginia technical assistance programs and for adding funding for Virginia's state planning and research programs. Ms. Sorenson moved approval of the two resolutions. The motion was seconded.

Ms. Smith said there should be one modification to the first resolution under the fourth bullet because it said "to construct a roundabout."

Mr. Kirby explained that the funding shown in the TIP amendment is to plan a roundabout and not for construction.

The motion to approve both resolutions was approved unanimously.

## **9. Report on the Sixteenth Annual Public Transit Forum**

Referring to the mailout material, Mr. Werth, chair of the TPB Private Providers Task Force, briefed the Board on the 16<sup>th</sup> Annual Public Transit Forum that was held on May 24. He said the Task Force was created in 1988 as a result of the TPB private enterprise participation policy. The Task Force helps to ensure that private providers are given an opportunity to participate in the transportation planning process. Each year, the Task Force sponsors a forum to discuss transit plans and services, and opportunities for increasing private sector service involvement.

Mr. Werth said this year's forum was very well attended, and included the following topics:

- Presentation and discussion of the Transportation Reauthorization Bill.
- Developments in providing taxi services that are accessible to disabled people.
- Briefing on the new D.C. Circulator, which will be operated by the private sector.
- New trends, including growth in ridership, new and expanded services, and improved transit information.
- The status of MetroAccess services. Mr. Werth mentioned the current contractor will not be bidding on the new contract.

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Mr. Werth said that forum participants also discussed the TPB Access for All study on demand responsive services, which will examine cost effective, innovative practices for MetroAccess and potential opportunities for coordination.

Mr. Werth invited TPB members to participate in next year's forum and he thanked TPB staffer Gerald Miller for coordinating their efforts.

Mr. Fellows asked if there is any rule of thumb as to when it makes more sense for local governments to use private providers rather than providing services themselves.

Mr. Werth said that this basically should be a question of whether private provision makes economic sense. He said that if a jurisdiction itself can provide service more cheaply then it should probably do that. He said that under the old Federal Transit Administration (FTA) requirements, any time a transit authority restructured or rerouted a service, that authority had to explicitly consider whether the service could be provided more cheaply by the private sector. He said those guidelines changed in 1995, although a consultation procedure with the private sector was still required.

Mr. Fellows asked if the Task Force had ever done a transit needs assessment for the region.

Mr. Werth said no, but it sounded like a good idea.

### **10. Briefing on the Transportation and Air Quality Impacts of the Base Realignment and Closure Commission (BRAC) Proposal to Move Department of Defense (DOD) Jobs Within the Washington Region**

The Board was briefed by Mr. John McClain of George Mason University, and Mr. DesJardin and Mr. Kirby of the COG staff. In their presentations, the presenters referred to the mailout material.

Mr. Kirby explained that in June the Board approved a work program for an analysis of the likely transportation impacts on the region of the BRAC proposals.

Mr. McClain explained that his task in this project was to forecast where jobs shifts were likely to occur. He said they estimated job shifts for three categories: 1) shifts resulting from closures or realignments in military base facilities; 2) jobs that would be moved from leased space; 3) anticipated jobs shifts for defense contractors. He said the two years chosen for analysis were 2010 and 2020. He described a number of the assumptions that were included in the study.

Mr. DesJardin described land use findings of the study. He said that on a regionwide basis, there would be approximately a 0.5 percent decrease in employment in 2010. Some jurisdictions would lose jobs by 2010, including Arlington, the City of Alexandria, and the District of Columbia. Other



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jurisdictions in the region would gain jobs as a result of the BRAC recommendations, including Fairfax, Anne Arundel, Prince William and Prince George's counties. For 2020, the region would see a net increase in total employment of slightly less than 0.5 percent. Most of that increase would be concentrated in the inner suburbs, primarily Fort Belvoir in Fairfax County.

Mr. Kirby said that staff used the TPB transportation and mobile emissions models to compute traffic conditions under the baseline scenario for 2010 and 2020. He said that for 2010, on a regionwide basis, there would be a significant decrease in transit trips, almost two percent. He said that increases in vehicle trips and vehicle miles of travel would be fairly small in percentage terms when put over the regional total. He said there would be small increases in percentage terms in both VOC and NOx.

Mr. Kirby said the areas that would see the most significant traffic changes would be Fort Meade and Fort Belvoir. The effects at Andrews Air Force Base and other locations would be lesser in terms of increases. There would be some decreases in Crystal City and in the Rosslyn-Ballston corridor, where the jobs were leaving. Transit trip reductions could occur in those areas that are very transit accessible and where jobs are being removed. He noted that the Engineer Proving Ground showed an increase in transit trips, which would be linked to a Fairfax Connector service in that location that is already in place. For 2020, Mr. Kirby said the impacts would be in the same direction, but would be a little less in terms of percentages because of the backfilling in locations that would lose the jobs. Mr. Kirby noted that the air quality table showed small increases in 2010 and 2020 in both VOC's and NOx as a result of these two scenarios.

Mr. Rybeck noted that the TPB Vision calls for more jobs and households to be located in regional activity centers as a way to alleviate problems with congestion and pollution. He noted that the BRAC recommendations would move the region toward a more dispersed pattern of jobs and households, resulting in negative impacts on congestion, on the environment and on physical health.

Mr. Rybeck noted that the increase in vehicle miles traveled (VMT) of about 74,000 per workday in 2010 would be equivalent to two or three times around the world every day in additional VMT. He said this increase would translate into roughly 27 additional fatalities for 2010. In 2020, the increase would be equivalent to an additional 50 fatalities. He said the BRAC recommendations would take the region in the exact opposite direction of where it should go.

Chairman Mendelson said that the COG Board of Directors has approved a resolution regarding the BRAC proposal.

Mr. Kirby said the analysis would be provided to state and local planners for their future use in analyzing how much additional infrastructure would cost.

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## **11. Report on the Revisions to the Draft Round 7.0 Cooperative Land Use Forecasts for Use in the Air Quality Conformity Analysis for the 2005 Constrained Long-Range Plan (CLRP) and FY 2006-2011 Transportation Improvement Program (TIP)**

Referring to the mailout and the handout presentation, Mr. DesJardin said the memorandum from him to Mr. Kirby dated July 20 included the revised Round 7 Cooperative Forecasts. The Metropolitan Development Policy Committee (MDPC) the previous week approved the Cooperative Forecasts for TPB use in the air quality conformity analysis.

Referring to the presentation, Mr. Griffiths explained that an earlier version of the draft Round 7 Cooperative Forecasts was reviewed and approved by the Cooperative Forecasting Subcommittee and the Planning Directors Technical Advisory Committee (PDTAC) in February. But during this review and approval process, the District of Columbia Office of Planning expressed concern about the implied job/housing imbalance in the draft forecasts. Its concern was that the draft forecasts did not provide the amount of housing necessary for the workers needed to fill the jobs that were being forecast for the region. So in March, the MDPC approved the draft forecasts, but added a proviso that the planning directors evaluate the impacts of the new forecasts relative to the jobs/housing imbalance issue raised by the District Office of Planning.

Mr. Griffiths said that to address these concerns, the PDTAC met a number of times in recent months and pursued the following analysis:

- PDTAC members from Fairfax, Montgomery, and Prince William counties identified a total of 28,000 additional households that could be added to their draft Round 7.0 Forecasts.
- Staff presented an analysis showing that, even after accounting for the additional 28,000 forecast households and projected increases in in-commuting from areas outside the Washington region, there was still a sizeable gap in the draft Round 7.0 Forecasts between the significant number of new jobs foreseen and the limited amount of new housing expected to be built in the region under current local plans and zoning.
- After consideration of several ways that forecast jobs and housing growth might be brought into closer alignment, the PDTAC agreed that the most reasonable assumption was that local jurisdictions over time would re-plan and rezone land sufficient to provide for the additional housing that was needed.

Mr. Griffiths said that in July, the PDTAC, acknowledging the need for re-planning and rezoning as local jurisdiction approached build-out of their current plans, recommended that the draft Round 7.0 household forecasts be increased by an additional 92,000 households or 3.8%. In July, MDPC approved the revised draft Round 7.0 Forecasts for use in the TPB Air Quality Conformity Analysis of TIP and CLRP. Together with the 28,000 additional households identified earlier (see first bullet point above), there would be a combined total increase of 120,000 households, relative

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to the Round 7 draft forecasts in March.

Ms. Porter said this was not simply an issue of insufficient housing, but insufficient housing that is affordable for people. She said she was concerned that taking steps to make the numbers match in the Cooperative Forecasts might not really mean anything if it simply means that additional housing will be so expensive that people cannot afford to buy it or even rent it.

Mr. DesJardin said this is something about which the MDPC is keenly aware. He noted that there are a number of housing programs that the COG Board has been working on.

Ms. Porter said she was concerned that unless the affordability issue was directly addressed in the forecasts, there may not be a sufficient match between housing and employment.

Mr. Griffiths said that Ms. Porter was correct. He said that particularly as the region gets closer to build-out, the scarcity of land would drive up the cost of housing. This will cause more families to double up and more households to have two or more workers. He said these discussions about the forecasts showed that there is a need for additional housing of all types.

Chairman Mendelson asked if the issue of affordability had been factored into the revision in the forecasts.

Mr. DesJardin said the affordability issue had been acknowledged as an important challenge to address, but it had not been explicitly factored into the projections.

Vice Chairman Knapp asked about the total increase that was originally assumed in the Round 7 forecasts.

Mr. DesJardin said the original forecast anticipated approximately 700,000 more households, and the revision would add approximately 120,000 more.

Vice Chairman Knapp asked what was the delta between Round 6.4 and Round 7.

Mr. DesJardin said he believed it was very similar -- less than half a percent.

Vice Chairman Knapp asked what the assumptions were based on.

Mr. Griffiths said they are based on employment projections and ideally, corresponding housing requirements. They are not based on current land use plans in place in various jurisdictions.

Mr. Kirby added that the big step was to assume that there would be replanning and redevelopment to provide the additional housing.

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Vice Chairman Knapp asked if the jurisdictions should now take this information and consider it for their future land use plans and try to accommodate the new numbers in future redevelopment.

Mr. Griffiths and Mr. DesJardin said that would be appropriate.

Mr. Kirby said the alternative was to reduce the employment forecasts, which the planning directors did not want to do because they felt the forecasts were realistic. The other option was to assume that these new workers can be housed out beyond the region's boundaries, but when the outlying jurisdictions were asked about these housing implications, staff discovered that the increases were not being planned in those locations.

Mr. Kirby reviewed the implications of the Cooperative Forecast revisions on the schedule for adopting the CLRP. He said the vote on final approval had been delayed to the September-October timeframe, but he said he believed this delay was time well spent. He said the current schedule called for release of a draft conformity analysis in September, along with release of the 2005 CLRP itself along with the FY2006-2011 TIP. Final approval would be scheduled for October.

## **12. Briefing on the Report: Travel Characteristics and Accessibility Impacts of the 2004 Financially Constrained Long Range Transportation Plan on Minority, Low-Income and Disabled Populations in the Washington Region**

Referring to the handout presentation, Ms. Locantore briefed the Board on the report which analyzes how the 2004 long range plan impacts low-income, minority and disabled population groups in the Washington region and specifically whether there are any adverse effects on these population groups. She said the analysis sets out to answer three basic questions: Where do minority and disadvantaged population groups live within the Washington region? What are the benefits and burdens associated with the long range transportation plan? And how are these benefits and burdens distributed across the different population groups?

Ms. Locantore said that to assess the benefits and burdens of the 2004 CLRP on the different population groups, staff looked at access to jobs. Job accessibility was measured as a function of two things: 1) the location of the jobs throughout the region and 2) how long it takes to get to those jobs, whether by auto or by transit. The analysis looked specifically at the number of jobs that the average resident could reach within 45 minutes. She described the findings of the accessibility analysis for both transit and highways as they relate to various population groups.

In summary, Ms. Locantore said the analysis showed that auto accessibility generally will not increase between 2005 and 2030, despite increasing employment during that time period. On the other hand, transit accessibility will significantly increase, but will remain less than auto accessibility. Finally, she said that changes in accessibility do not appear to disproportionately impact minority or disadvantaged communities.

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Mr. Fellows asked Ms. Locantore to respond to Mr. Sanders' comment regarding the affordability of housing around Metro transit areas.

Ms. Locantore said there is no mechanism available for predicting how changes in housing price and implementation of transportation improvements will affect the location of minority and low-income populations. She said that is definitely a limitation of the analysis.

Mr. Fellows asked if there is a way for the TPB or another body to address that issue.

Ms. Locantore said that was a question that should probably be addressed to the Planning Directors Committee.

Mr. Rybeck thanked Ms. Locantore and staff for this report and also for the BRAC analysis. He noted that the accessibility analysis predated the BRAC recommendations, which he assumed would have a disproportionate impact on the accessibility analysis findings. He said he believed Mr. Fellows' comments regarding affordability were very important. He said the TPB should take it upon itself to address those issues in the near future.

### **13. Briefing on Consultant Support for the Public Involvement Process for the 2006 Update to the Financially Constrained Long Range Plan**

Referring to the mailout item, Mr. Kirby said staff planned to secure consultant support for public involvement for the 2006 CLRP update. He said it was anticipated that the contract would be approximately \$100,000 and would be performed on a task order basis. He said the potential tasks were described in the memorandum. He said these activities will engage and educate community leaders and those not traditionally involved in the process, obtain broad and representative citizen input on key issues facing transportation planning in the region, and develop more effective and timely public information on the plan.

### **14. Briefing on Recent Congressional Actions to Reauthorize Transportation Equity Act for the 21st Century (TEA-21)**

Mr. Kirby said that the reauthorization is expected to be completed before Congress' August recess. He said there have been eight extensions of the previous legislation. He said the first expiration of the original legislation was nearly two years ago. He said he was concerned about delays caused by the "donor/donee" issue, which relates to how much each state contributes to the trust fund and how much they get back.

Chairman Mendelson asked for information regarding the tolling provisions in the legislation.

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Mr. Kirby said that the TPB had written to key members of Congress regarding the Board's position on tolling provisions. He said previous bills had provided a demonstration program that allowed for tolling under experimental conditions in certain states. He said that Congress is now trying to decide what are the terms and conditions under which tolling can be done. He said that the Senate legislation, which is more liberal on tolling than the House, would permit tolling on any lane except existing conventional use lanes. He noted that the TPB had adopted a position asking for the most flexible possible conditions.

Chairman Mendelson asked for information regarding local earmarks.

Mr. Kirby said that a \$2 million earmark for CapCom was included. He said a number of local projects had been included in both versions of the bill. He said there was some concern about whether funding from formula category allocations, including planning funds, could be diverted to pay for earmarks, which have gone unfunded while the legislation has been pending.

Chairman Mendelson asked what was the total amount in the Senate bill passed last year.

Mr. Kirby said the figure was well over \$300 billion. He said the Senate has come down gradually and is close to the House and Administration versions.

Chairman Mendelson said he understood there is an amendment pending regarding Congestion Mitigation/Air Quality (CMAQ) funds.

Mr. Kirby said there is one amendment that would permit state DOTs and MPOs to allocate CMAQ funds to off-road diesel retrofit programs for construction equipment as an emission reduction program. He said there was agreement that these emissions reductions could be very significant. He commented that the DOTs and MPOs are concerned about the need to get emissions credit toward mobile emissions budgets for all CMAQ funded projects in the State Implementation Plan (SIP).

## **15. Other Business**

There being no other business, the meeting was adjourned at 2:05 p.m.