

**SB**

**259**

# FISCAL NOTE

STATE OF ALASKA  
1998 LEGISLATIVE SESSION

BILL NO. SB 259

Revision Date _____	Dept. Affected <u>DOT&amp;PF</u>
Title <u>An Act relating to the membership of and the state's</u>	BRU <u>Office of the Commissioner</u>
<u>participation in a metropolitan highway planning organization</u>	Component <u>Commissioner's Office</u>
Sponsor <u>Senate Transportation Committee</u>	
Requester <u>Senate Transportation</u>	Component Serial No. <u>530</u>

**Expenditures/Revenues**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**FUND SOURCE**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Rec'd						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY98) cost: 0.0

**POSITIONS**

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

**ANALYSIS:** *(Attach a separate page if necessary)*

Prepared by Dennis Poshard  
 Division Office of the Commissioner  
 Approved by: *Dennis Poshard*, Commissioner  
 Agency Department of Transportation and Public Facilities

Phone 465-3904  
 Date 1/30/98  
 Date 1/30/98

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0-LS1061\K  
Utermohle  
2/10/98

CS FOR SENATE BILL NO. 259( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTIETH LEGISLATURE - SECOND SESSION

BY

Offered:  
Referred:

Sponsor(s): THE SENATE TRANSPORTATION COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the membership of and the state's participation in a  
2 metropolitan highway planning organization."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 \* Section 1. AS 19.20 is amended by adding new sections to read:

5 Article 2. Metropolitan Highway Planning Organizations.

6 Sec. 19.20.200. Metropolitan highway planning organizations. The state  
7 may not designate or redesignate under 23 U.S.C. 134 or otherwise participate in a  
8 metropolitan planning organization organized under 23 U.S.C. 134 unless the  
9 membership of the metropolitan planning organization includes, among other members,

- 10 (1) one member of the senate whose district is located partially or  
11 wholly within the metropolitan area and who is selected by a majority of the members  
12 of the senate whose districts are located partially or wholly within the metropolitan  
13 area; a person who is selected to serve as a member of a metropolitan planning  
14 organization under this paragraph may not receive compensation for service on the

- 1 metropolitan planning organization;
- 2 (2) one member of the house of representatives whose district is located
- 3 partially or wholly within the metropolitan area and who is selected by a majority of
- 4 the members of the house of representatives whose districts are located partially or
- 5 wholly within the metropolitan area; a person who is selected to serve as a member
- 6 of a metropolitan planning organization under this paragraph may not receive
- 7 compensation for service on the metropolitan planning organization; and
- 8 (3) one member appointed by the governor.

ADN  
4/14/98

# A Donleybrook

## *But local control prevails*

Try as he might, and he's tried mighty hard, Sen. Dave Donley has not been able to pull an end run on the Anchorage Assembly and the governor's office.

Good for the Assembly and the administration.

As if legislators don't have enough to do, the Anchorage senator wants to stick his nose where it doesn't belong — in the intimate running of local government.

Sen. Donley authored an ill-conceived bill that would place two legislators on a local committee overseeing Anchorage's share of federal transportation dollars. He contends Anchorage is not getting its "fair share" of money. The senator, who heads Anchorage's legislative caucus, says he can't get legislators interested in "fixing" the problem unless he gives them a say in which projects get funded.

Assembly member Cheryl Clementson, who sits on the policy setting local committee for the Assembly, was blunt about what she thought of the Donley bill. "It's a power grab. This is a local-control issue. And the state Legislature does have a role: They're supposed to look at the appropriations process. They're not supposed to come in and set local priorities," she said recently.

For a while there, it looked like Sen. Donley might get his way. But the House Rules Committee decided to hold an unusual teleconference with the local Assembly, during which Assembly members generally spoke against Sen. Donley's efforts as an unfair attack on local decision-making.

After listening to Anchorage's complaints, legislators took the wise course: They parked the bill in their committee, where we hope it stays — indefinitely.

On this issue, the House Rules Committee made the right call. Thanks.



# Alaska State Legislature

## Senate

**JERRY WARD**

State Capital  
Juneau, AK 99801-1182  
Phone (907) 465-4940  
Fax (907) 465-3766

716 W. 4th Ave., Ste. 450  
Anchorage, AK 99501-2133  
Phone (907) 258-8183  
Fax (907) 258-0820

145 Main Street Loop  
Kenai, AK 99611  
Phone (907) 283-7996  
Fax (907) 283-3075

### MEMORANDUM

DATE: February 17, 1998

TO: George Utermohle  
Legislative Legal

FROM: Lydia A. Jones  
Senate Transportation Committee Aide

RE: CSSB 259/Work Order 0-LS1061/K

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The Senate Transportation adopted the above referenced CS for Senate Bill 259. An amendment to the CS was also adopted as follows:

Line 6 – 9 are deleted and replaced with this amendment:

***Sec. 19.20.200. Metropolitan highway planning organizations. The state metropolitan highway planning organization designated or re-designated under 23 U.S.C. 134 or metropolitan planning organizations organized under 23 U.S.C. 134 shall consist of six members. Three members shall be designated by the municipal government. Three members shall be designated as follows:***

Would you please prepare a new CS accordingly.

Thanks.

# Municipality of Anchorage



Anchorage Assembly  
P.O. Box 201627  
Anchorage, Alaska 99520

Mark Begich  
Chairman

March 15, 1998

*Representative Pete Kott, Chair  
House Rules Committee  
Alaska State Legislature  
State Capitol (MS 3100)  
Juneau, Alaska 99801*

**SENT VIA FAX  
ORIGINAL BY MAIL**

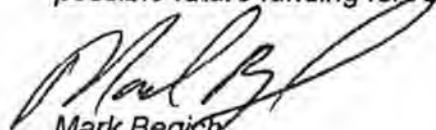
*Dear Representative Kott:*

*The Anchorage Assembly has been informed that Senate Bill # 259, related to AMATS, is currently in your House Rules Committee. I wanted to let you, as Chair of the House Rules Committee, know that the Anchorage Assembly recently approved a resolution that strongly opposed this particular piece of legislation.*

*You may not be aware that when this bill was in the House Transportation Committee, we attempted to provide public comment through a teleconference from Anchorage. It is my understanding that, at the time, Senator Donley indicated to the Chair of the Transportation Committee there was no need to telephonically hook up with Anchorage. Consequently we were not allowed the opportunity to voice our opposition. It is our understanding that since the bill is currently in the Rules Committee, we will have no further opportunities to testify. It is extremely important that you, and others of the Anchorage Caucus understand that this bill, if approved could jeopardize millions of federal dollars coming into the state.*

*Our opposition is based on the fact that we believe this law strips local control from decisions on how local road dollars will be allocated. We feel that our involvement and input from constituents related to items such as the Comprehensive Plan, the Official Streets and Highways Plan, the Trails Plan, Parks Plan and many others; makes us, on the local level, the most qualified to determine where our roads will be, which ones will be funded and how dollars are best distributed.*

*The fact that this bill only affected Anchorage, and the Transportation Committee refused to let the affected local government participate in this proposed legislation concerns many of us who serve on the Anchorage Assembly. I would respectfully urge extreme caution in allowing this bill to move forward because of the potential devastating effect it will have on possible future funding for roads in Anchorage. Thanks in advance for your consideration.*

  
Mark Begich  
Assembly Chair

cc: Anchorage Caucus

Municipality  
of  
Anchorage



P.O. Box 196650  
Anchorage, Alaska 99519-6650  
Telephone: (907) 343-4311

ANCHORAGE ASSEMBLY

February 20, 1998

Members of the Anchorage Caucus  
Alaska State Legislature  
State Capitol  
Juneau, Alaska 99801

Dear Caucus Members:

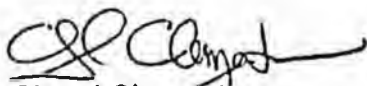
We are aware that Senate Bill 259 has been introduced which would alter the make-up of the Metropolitan Planning Organization (MPO). The Municipality considers the existing composition of the Policy Committee a reasonable balance between local and State interests.

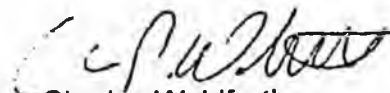
The existing agreement between the State and the Municipality states that the local government shall manage the MPO. This agreement also states that the structure of the MPO Policy Committee be two members from the State and three from local government. This proposed change would reduce the power and input from local government to prioritize its own projects.

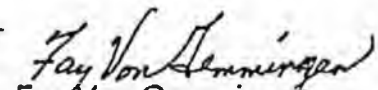
The Assembly is in opposition to Senate Bill 259, and intends to approve a formal resolution reemphasizing its opposition at the Assembly's February 24, 1998 meeting.

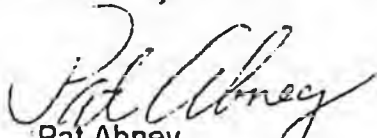
We appreciate your consideration of our concerns.

Sincerely,

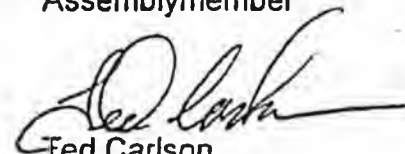
  
Cheryl Clementson  
Assemblymember

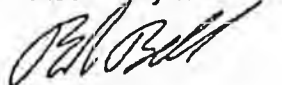
  
Charles Wohlforth  
Assemblymember

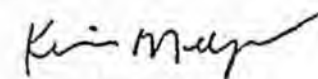
  
Fay Von Gemmingen  
Assemblymember

  
Pat Abney  
Assemblymember

  
Mark Bogich  
Assemblymember

  
Fed Carlson  
Assemblymember

  
Bob Bell  
Assemblymember

  
Kevin Meyer  
Assemblymember

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Submitted by: Assemblymember Clementson

Prepared by: Assembly Office

For reading:

CLERK'S OFFICE  
AMENDED AND APPROVED

Date: 2-24-98

ANCHORAGE, ALASKA

AR NO. 98- 63

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY OPPOSING SENATE BILL 259 (TRA), "AN ACT RELATING TO THE MEMBERSHIP OF AND THE STATE'S PARTICIPATION IN A METROPOLITAN HIGHWAY PLANNING ORGANIZATION

WHEREAS, the current Metropolitan Planning Organization consists of two Assemblymembers, the Mayor, and two representatives from the State of Alaska (Department of Transportation and Department of Environmental Conservation); and

WHEREAS, currently the Municipality and the State have a balanced and cooperative working relationship in the development of transportation and air quality plans; and

WHEREAS, 23 United States Code 134 states that a metropolitan planning organization is designated "by agreement among the Governor and the units of general purpose local government;" and

WHEREAS, the Municipality and the Governor must agree to any changes in the existing Metropolitan Planning Organization's membership, and it is unclear as to the purpose and intent of the changes proposed in Senate Bill 259 (TRA); and

\*See page 2 for amendment.

WHEREAS, the Environmental Protection Agency is in the process of designating Anchorage as a serious non-attainment area for carbon monoxide and DEC's representation on the Policy Committee is an important role; and

WHEREAS, the Assembly does not support removing the member of the Policy Committee representing the Alaska Department of Environmental Conservation.

NOW, THEREFORE, the Anchorage Assembly resolves:

Section 1: That the Anchorage Assembly opposes Senate Bill 259(TRA) which modifies the membership of and the State's participation in a Metropolitan Planning Organization.

Section 2: That the Municipal Clerk forward copies of this resolution to the Governor and the Alaska State Legislature upon passage and approval.

PASSED AND APPROVED by the Anchorage Municipal Assembly this 24th day of February, 1998.

  
Chair

ATTEST:



Municipal Clerk

EGJ/1998RESOLUTIONS/AR07

Page 2  
AR 98-63  
RE: SB 259 AMATS Membership

The Assembly amended the resolution on February 24, 1998 by adding a new paragraph at line 27 to read:

"WHEREAS, the action to change the AMATS process, entered into unilaterally by the State of Alaska could endanger federal highway funding for Anchorage, which is intended to be handled cooperatively between the Municipality and the State; and "



# Alaska State Legislature

## Senate

**JERRY WARD**

State Capital  
Juneau, AK 99801-1182  
Phone (907) 465-4940  
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716 W. 4th Ave., Ste. 450  
Anchorage, AK 99501-2131  
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145 Main Street Loop  
Kenai, AK 99611  
Phone (907) 283-7996  
Fax (907) 283-3075

### SPONSOR STATEMENT

#### Senate Bill 259

#### METROPOLITAN PLANNING AUTHORITY

The Anchorage Metropolitan Area Transportation Study (AMATS) was created to comply with federal law requiring communities of over 50,000 in population to have a Metropolitan Planning Organization in order to qualify for federal highway funding.

The AMATS Policy Committee is presently composed of two Anchorage Assembly members, one representative from the State Department of Transportation and Public Facilities, one representative from the State Department of Environment Conservation and the Mayor of Anchorage. The AMATS Policy Committee has representation from all relevant branches of local and state government except the state legislature.

While AMATS policy requires legislative authorization before any federal funds can be expended on AMATS priority projects, no member of the Alaska State Legislature sits on the committee.

Senate Bill 259 would amend the AMATS operating agreement to add two Anchorage legislators; one member of the senate and one from the house. Both legislative members would have districts that are partially or wholly within the metropolitan area and they would be selected by a majority of the members of their respective bodies whose districts also fall partially or wholly within the metropolitan area. One of the state administrative members to the policy committee would be deleted. This change in membership would create an equal balance of state and local members on the AMATS policy committee.

The Federal Highway Administration (FHWA) has stated no objection to changing the composition of the AMATS Policy Committee to include members of the State Legislature. Further, the FHWA has stated that there is no reason that the AMATS program would not remain in compliance with federal regulations once the change in membership has been instituted.

An example of a successful metropolitan planning organization is the Oahu Metropolitan Planning Organization (OMPO) in Honolulu, Hawaii. Under the auspices of the federal government, created by the State Legislature in 1975 and reorganized in 1986, the OMPO is composed of four parts: a Policy Committee, or decision making body, a Technical Advisory Committee, a Citizen Advisory Committee and a staff person. The Policy Committee consists of six state legislators, five Honolulu City Council members, an appointee of the Governor and an appointee of the Mayor of Honolulu.

SB 259 – Sponsor Statement  
Page 2

The OMPO does not construct projects or implement programs. Rather, its directive focuses upon development of plans and programs to produce an integrated intermodal transportation system.

It should be noted that passage of SB 259 would have no impact on the operation or functions of the Anchorage Assembly or the Municipality of Anchorage.



**SENATOR DAVE DONLEY**  
**ALASKA STATE LEGISLATURE**

October 22, 1997

Mr. David Miller  
Acting Division Administrator  
Federal Highway Administration  
PO Box 21648  
Juneau, AK 99802

Dear Mr. Miller:

The Anchorage Caucus, a bipartisan group of Anchorage legislators, wishes to add two Anchorage legislators to the Anchorage Municipal Area Transportation Study (AMATS) policy committee. Would your agency object to the State of Alaska adding two Anchorage state legislators to the AMATS policy committee?

Since the population of the Municipality of Anchorage (MOA) exceeds 200,000 it was required to form a Metropolitan Planning Organization (MPO) under ISTEA requirements. Given this MPO requirement the MOA created the AMATS committee. The current composition of the AMATS committee consists of two Anchorage Assembly members, one representative from the State Department of Transportation and Public Facilities, one representative from the State Department of Environment Conservation and the Mayor of Anchorage.

Currently the state legislature is the only participating government entity not represented on AMATS. Since without legislative authorization no funds can be expended it would assist the process to have legislative participation on AMATS. What federal agency or agencies must approve the composition of the AMATS policy committee? Who is the federal official currently responsible for this decision?

If two Anchorage area legislators were added to the existing policy committee is there any reason the AMATS program would not remain in compliance with federal requirements?

January-May: STATE CAPITOL • JUNEAU, AK • 99801-1182 • (907) 465-3892 • FAX: (907) 465-6595  
June-December: 716 W. 4TH AVE. • STE. 430 • ANCHORAGE, AK • 99501 • (907) 258-8181 • FAX: (907) 258-1648

*MEMBER:* Senate Finance Committee • Legislative Budget & Audit Committee  
• Senate Community & Regional Affairs Committee

Mr. David Miller  
Page 2  
October 22, 1997

I appreciate your consideration of this request. If you have further questions, please contact James Armstrong of my staff at 258-8181. I look forward to your response.

Sincerely,

Senator Dave Donley

DD/jja

# ALASKA STATE LEGISLATURE



Senate Co-Chair  
Senator Dave Donley

House Co-Chair  
Representative Eric Croft

## Anchorage Caucus

1997 Anchorage Caucus Resolutions That Passed or Are Pending

### Motion #1: by Senator Donley

The Anchorage Caucus supports adding one senator and one representative from Anchorage to the Anchorage Metropolitan Area Transportation Study (AMATS) policy committee and reducing the state administration members.

Senate:	YES 6.25	NO ___	ABSTAIN ___	NO RESPONSE ___
House:	YES 12.75	NO ___	ABSTAIN 2.00	NO RESPONSE ___

#### Senate Members

Johnny Ellis  
Rick Halford  
Tim Kelly  
Loren Leman  
Sean Parnell  
Drue Pearce  
Randy Phillips  
Jerry Ward

### Motion #2: by Representative Croft

The Anchorage Caucus establishes as a priority and goal for the second session of the Twentieth Alaska State Legislature rewrite of the state's current education funding formula and the school construction debt reimbursement program, both of which ensure that the Anchorage School District receives an equitable portion of the state education funding.

Senate:	YES 5.25	NO ___	ABSTAIN 1.00	NO RESPONSE ___
House:	YES 13.75	NO ___	ABSTAIN ___	NO RESPONSE 1.00

#### House Members

Ramona Barnes  
Ethan Berkowitz  
Con Bunde  
John Cowdery  
Fred Dyson  
Joe Green  
Mark Hanley  
Allen Kemplen  
Vic Kohring  
Pete Kott  
Terry Martin  
Eldon Mulder  
Brian Porter  
Norman Rokeberg  
Joe Ryan  
Jerry Sanders

### Motion #3: by Senator Donley

Working with the Municipality of Anchorage to obtain a replacement jail for the existing 6th Avenue facility, with meaningful community participation, shall be a priority and goal of the Anchorage Caucus.

Senate:	YES 6.25	NO ___	ABSTAIN ___	NO RESPONSE ___
House:	YES 12.75	NO ___	ABSTAIN ___	NO RESPONSE 2.00

### Motion #4: by Senator Halford

The Anchorage Caucus endorses including some amount of district capital in the FY' 99 capital budget for roads and other projects and that specific standards and criteria for such funding be adopted.

Senate:	YES 5.25	NO 1.00	ABSTAIN ___	NO RESPONSE ___
House:	YES 10.75	NO 1.00	ABSTAIN 3.00	NO RESPONSE ___

### Motion: By Senator Donley and Representative Croft

The Anchorage Caucus supports UAA's capital request for a major expansion of its library, and the Anchorage Caucus urges the UA Board of Regents to achieve educational equity in its allocation of state funding among the various campuses and that the Caucus take appropriate measures to ensure such equity is achieved over a reasonable period of time.

PENDING

# ALASKA STATE LEGISLATURE



Senate Co-Chair  
Senator Dave Donley

House Co-Chair  
Representative Eric Croft

## Anchorage Caucus

### 1997 Anchorage Caucus Agendas

All Caucuses were held at the Anchorage Legislative Information Office in the 2nd Floor Conference Room beginning at 1:30pm.

#### Wednesday, September 3, 1997

##### Senate Members

Johnny Ellis	1:30pm	Discussion with Mayor Mystrom and Anchorage Assembly Members on Municipal and Legislative Relations
Rick Halford	2:00pm	Discussion with Mayor Mystrom/Assembly Members on Anchorage Priorities
Tim Kelly		
Loren Leman	3:00pm	Presentation by the Department of Transportation on Anchorage Projects in the State Transportation Improvement Program (STIP)
Sean Parnell	3:30pm	Overview of the Anchorage Municipal Area Transportation Study (AMATS) Program
Druc Pearce		
Randy Phillips		
Jerry Ward		

#### Wednesday, October 1, 1997

##### House Members

Ramona Barnes	1:30pm	Mayor Mystrom and Assembly Members
Ethan Berkowitz	2:00pm	Anchorage School District: Education Construction Budget Process
Con Bunde	3:00pm	Capital Budget Process

John Cowdery

Fred Dyson

#### Wednesday, November 5, 1997

Joe Green	1:30pm	Mayor Mystrom and Assembly Members
Mark Hanley	2:00pm	Anchorage Chamber of Commerce: Legislative Priorities
Allen Kemplen	2:30pm	Follow up of Earlier Subjects

Vic Kohring

Pete Kott

#### Wednesday, December 3, 1997

Terry Martin		
Eldon Mulder	1:30pm	Mayor Mystrom and Assembly Members
Brian Porter	2:00pm	UAA/Anchorage Board of Regents and Chancellor
Norman Rokeberg	3:00pm	Anchorage Convention and Visitors Bureau: Legislative Priorities
Joe Ryan	3:30pm	Follow up of Earlier Subjects

Jerry Sanders

#### Wednesday, December 10, 1997

	1:30pm	Anchorage School District: Legislative Priorities
	2:00pm	Chugiak/Eagle River Chamber of Commerce
	2:30pm	Discussion and Vote on Resolutions
	3:00pm	Public Comment Period

# ALASKA STATE LEGISLATURE



Senate Co-Chair  
Senator Dave Donley

House Co-Chair  
Representative Eric Croft

## Anchorage Caucus

December 8, 1997

### Senate Members

Johnny Ellis  
Rick Halford  
Tim Kelly  
Loren Leman  
Sean Parnell  
Drue Pearce  
Randy Phillips  
Jerry Ward

Honorable Tony Knowles  
Governor, State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001

Dear Governor Knowles:

On behalf of the 26 state legislators who constitute the Anchorage Caucus we request you reach an agreement with the Mayor of Anchorage and amend the current membership of the Anchorage Metropolitan Area Transportation Study (AMATS) Policy Committee to delete one representative of the State Executive Branch and add one State Senator and one State Representative.

### House Members

Ramona Barnes  
Ethan Berkowitz  
Con Bunde  
John Cowdery  
Fred Dyson  
Joe Green  
Mark Hanley  
Allen Kemplen  
Vic Kohring  
Pete Kott  
Terry Martin  
Eldon Mulder  
Brian Porter  
Norman Rokeberg  
Joe Ryan  
Jerry Sanders

We request that the Senate member be appointed by the Senate President in January of each even numbered year from among Senators representing Anchorage. We request that the House member be appointed by the Speaker of the House in January of each even numbered year from among Representatives representing Anchorage.

The current agreement between the State and the Municipality creates a policy committee that has representatives of all relevant branches of local and state government except the state legislature. Although the legislature has the power to not fund projects on the list developed by this committee, it can not add to the list. Clearly, publicly elected officials who represent the community affected and who must eventually approve the expenditures in question have a far greater and appropriate interest in the policy committee's priority list development than executive branch non-elected administrators.

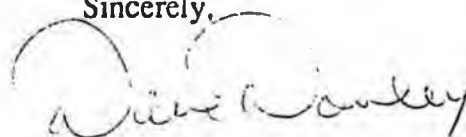
Additionally, an equal balance between state and local elected officials and an increase in elected public officials as members will more fairly represent the public interest involved.

Attached is a letter from David Miller of the US Department of Transportation, Federal Highway Administration explaining that the Policy Committee's current composition is not a federal mandate and that federal law does not bar state legislators from being on the Policy Committee. In fact, the Honolulu, Hawaii equivalent of AMATS has six state legislators, five city council members, one appointee by the Mayor and one appointee by the governor.

Governor Tony Knowles  
December 8, 1997  
Page 2

The Anchorage Caucus looks forward to working with you to improve Anchorage's transportation system. I respectfully request a written response within 21 days so the Anchorage Caucus can begin drafting appropriate legislation to make this change if you do not agree to make this change by agreement.

Sincerely,

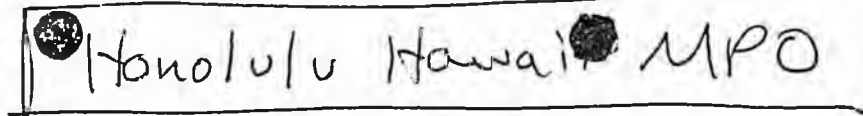


Senator Dave Donley

cc: Mayor Rick Mystrom  
Assembly member Mark Begich, Chair  
Assemblymember George Wuerch  
Assemblymember Ted Carlson  
Assemblymember Pat Abney  
Assemblymember Cheryl Clementson  
Assemblymember Joe Murdy  
Assemblymember Kevin Meyer  
Assemblymember Charles Wohlforth  
Assemblymember Dan Kendall  
Assemblymember Bob Bell  
Assemblymember Fay Von Gemmingen  
Commissioner Michele Brown, Dept. of Environmental Conservation  
Commissioner Joe Perkins, Dept. of Transportation & Public Facilities

Enclosure

DD/dh



## WHAT IS OMPO?

OMPO is an advisory organization responsible for coordinating transportation planning on Oahu.

OMPO was created by the State Legislature in 1975 and reorganized in 1986. The decision-making body of OMPO is its Policy Committee, which consists of six state legislators, five Honolulu City Council members, an appointee of the Governor and an appointee of the Mayor of Honolulu.

OMPO's function is to coordinate the activities of the "3-C" transportation planning process (comprehensive, continuing, and cooperative planning) on Oahu. The planning itself is done largely by the City and the State planning and transportation departments (City Department of Transportation Services, City Planning Department, State Department of Transportation, and State Department of Business, Economic Development, and Tourism (DTS, PD, DOT, and DBEDT, respectively)). These "participating agencies" are part of the OMPO planning process.

OMPO does not construct projects or implement programs. Rather, OMPO's directive focuses upon the development of plans and programs to produce an integrated intermodal transportation system.

## HOW IS OMPO ORGANIZED?

OMPO is composed of four parts: a Policy Committee, a Technical Advisory Committee (TAC), a Citizen Advisory Committee (CAC), and a staff (see Figure 1).

## WHAT ARE THE ROLES OF EACH PART?

**THE POLICY COMMITTEE** is the "heart" of the OMPO planning process. It determines the direction of the OMPO effort, considers and approves transportation planning issues, and makes the final approval for OMPO matters.

**THE TECHNICAL ADVISORY COMMITTEE** provides the technical input to OMPO's planning process. The TAC acts as the technical liaison between the Policy Committee and the OMPO Executive Director, provides advice to the Policy Committee and the OMPO Executive Director on technical matters, and insures the technical competence of the planning process. The TAC has direct responsibility for land use, transportation-related planning, and transit management.

**THE CITIZEN ADVISORY COMMITTEE** was created by the Policy Committee in July 1977 to ensure effective public input into Oahu's transportation planning process. The CAC is a vehicle whereby public input can be solicited to advise the Policy Committee and the OMPO Executive Director on transportation planning issues. Beside being a vehicle for informing interested citizens of various transportation issues and for face-to-face discussions with key decision-makers and project administrators, the CAC is a

# OMPO STRUCTURE

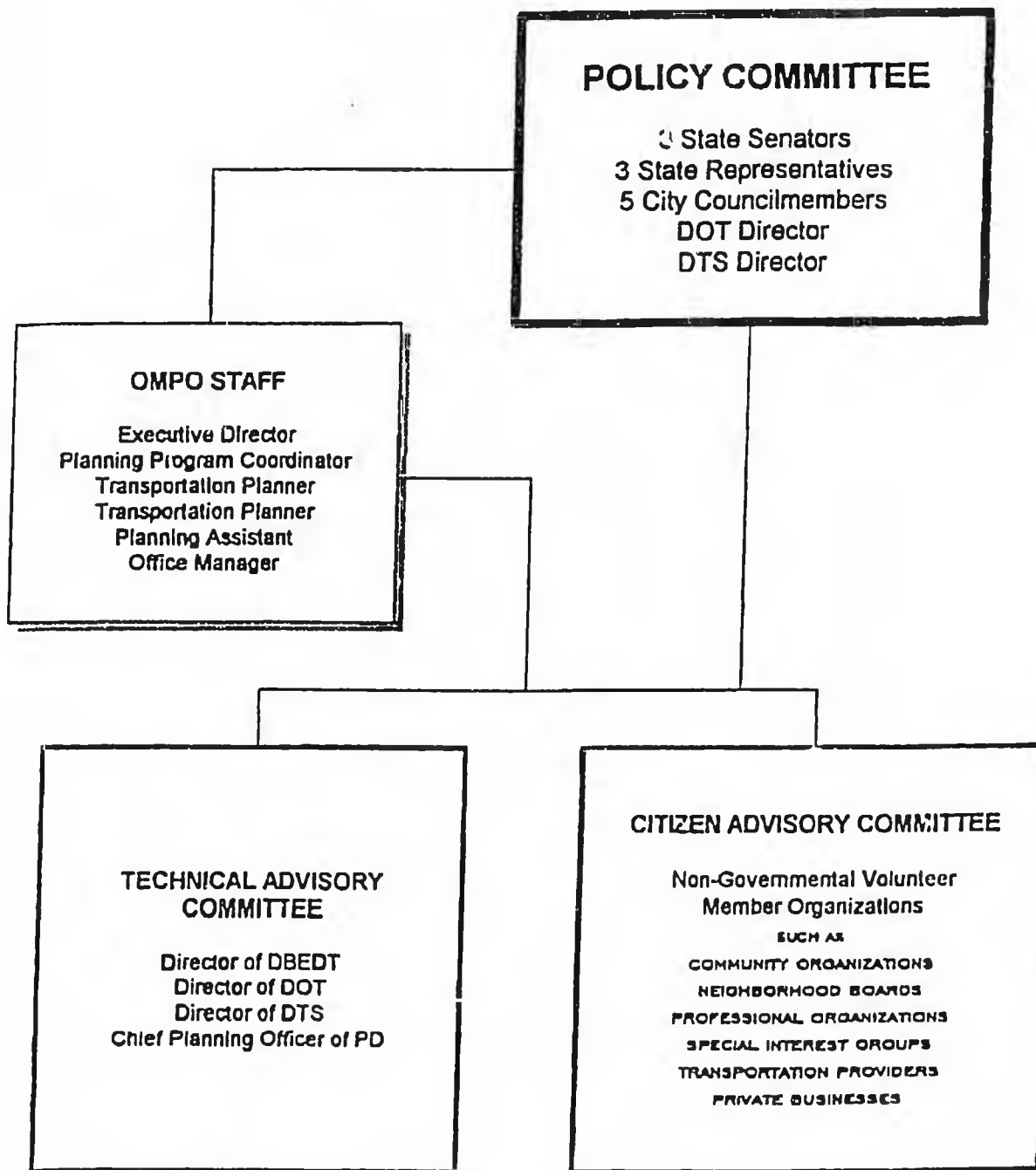


Figure 1

valuable source of public input. The CAC also reviews and develops recommendations to improve the OMPO public involvement program.

## WHO ARE THE MEMBERS OF OMPO?

THE POLICY COMMITTEE is made up of 13 members. Five members are from the City Council, including the chair of the Council's transportation committee. Three members are State senators, including the chair of the Senate's transportation committee. Three members are State representatives, including the chair of the House's transportation committee. One member is the director of the State DOT and one member is the director of the City DTS. Although not a member of the Policy Committee, the CAC Chair has been invited to attend and take part in discussions at Policy Committee meetings.

For FY 1998, the members of the OMPO Policy Committee are:

From the Honolulu City Council:	John Henry Felix Mufi Hannemann ( <i>Vice Chair</i> ) Donna Mercado Kim Rene Mansho Jon Yoshimura
From the State Senate:	Whitney Anderson Cal Kawamoto ( <i>Chair</i> ) Norman Sakamoto
From the House of Representatives:	Kenneth T. Hiraki Mark Moses Paul T. Oshiro
State DOT Director:	Kazu Hayashida
City DTS Director:	Cheryl Soon

THE TECHNICAL ADVISORY COMMITTEE members include the four directors of the City and the State planning and transportation departments. In addition, representatives of the Federal Highway Administration and Federal Aviation Administration attend TAC meetings as non-voting members.

The members of the TAC are:

<u>City and County of Honolulu</u> DTS, Director Planning Department, Chief Planning Officer	<u>Current Representative</u> Cheryl Soon Patrick Onishi
<u>State of Hawaii</u> Department of Business & Economic Development, & Tourism, Director DOT, Director	Seiji Naya Kazu Hayashida

THE CITIZEN ADVISORY COMMITTEE is a volunteer group of non-governmental organizations interested in transportation planning on Oahu. The CAC membership includes community organizations, professional associations, neighborhood boards, special interest groups, and transportation providers. Organizations seeking CAC membership need to have their representatives attend at least four (4) meetings of the CAC or its subcommittees within a twelve-month period and submit, to the OMPO Policy Committee Chair, a written request for appointment to the CAC. The CAC presently consists of the following 36 member organizations:

Ala Moana/Kakaako Neighborhood Board (NB) #11	Kaneohe NB #30
American Planning Association	Ko'ua Council of Senior Citizens
American Society of Landscape Architects	Kuliouou/Kalani-Iki NB #2
American Society of Civil Engineers	League of Women Voters
Chamber of Commerce of Hawaii	Leeward Oahu Transportation Mgmt. Assn.
Charley's Taxi	Life of the Land
Construction Industry Legislative Org.	Liliha/Kapalama NB #14
Downtown NB #13	Makakilo/Kapolei/Honokai Hale NB #34
Ewa Beach NB #23	Makiki/Lower Punchbowl/Tantalus NB #10
Hawaii Bicycling League	Mililani/Waipio/Melemanu NB #25
Hawaii Carpenters Union Local 745	Outdoor Circle, The
Hawaii Transportation Association	Pacific Resource Partnership, The
Hawaii's Thousand Friends	Sierra Club of Hawaii
Honolulu Community Action Program	Tax Foundation of Hawaii
ILWU	Teamsters Union Local 996
Institute of Transportation Engineers	Waianae Coast NB #24
Kailua NB #31	Waianae Coast Transportation Concerns Group
Kalaheo Community Association	Waikiki NB #9
Kalihi Valley NB #16	Waikiki Residents Association

## WHY WAS OMPO CREATED?

The Federal Surface Transportation Assistance Act of 1973 required the formation of a metropolitan planning organization (MPO) for any urbanized area with a population greater than 50,000. This mandate was based on the need to ensure that existing and future expenditures for transportation projects and programs were based on a comprehensive, cooperative, and continuing (3-C) planning process. Federal funding for transportation projects and programs are channeled through this planning process.

In 1975, the State Legislature established the OMPO by passing Act 180, Chapter 279E, Hawaii Revised Statutes. Although this act was later revised in 1986, it continued to identify the OMPO's function as serving in an advisory capacity to the State Legislature and the Honolulu City Council in carrying out the 3-C planning process. The responsibilities of OMPO and its participating agencies in carrying out the 3-C planning process is identified in a Comprehensive Agreement signed by the Governor, City transit operator (or the Honolulu City Council), and OMPO.

## WHAT ARE OMPO'S RESPONSIBILITIES?

OMPO is responsible for identifying Oahu's future transportation needs and programming the federal funds for such projects and programs. This is achieved primarily through the development of the following three documents:

- The Oahu Regional Transportation Plan (ORTP)
- The Overall Work Program (OWP)
- The Transportation Improvement Program (TIP)

**THE REGIONAL TRANSPORTATION PLAN** is a blueprint for identifying the development of future transportation improvements on Oahu. It should be noted, however, that the inclusion of a project into this plan does not guarantee its construction. Rather, it allows a project to begin a series of more detailed evaluations and to be eligible to seek federal funding. During these more detailed evaluations, a project could be postponed or terminated for any number of reasons, such as environmental impact, cost, or lack of public support.

One of the earlier regional transportation plans was prepared in 1967 by the Oahu Transportation Planning Program. The plan was called the "Oahu Transportation Study" (OTS) and used 1985 as its horizon year. It recommended many of the highway and transit improvements that have since been completed, including parts of H-1 and H-2, and served as a guide for improvements to major highways such as Likelike, Pali, Farrington, Kamehameha, and Kalanianaʻole.

Under the new Intermodal Surface Transportation Efficiency Act (ISTEA), an area's regional transportation plan must have a minimum twenty-year horizon, be fiscally-constrained, and be updated at least every five years. In order to conform to this requirement, OMPO endorsed a year 2020 regional transportation plan in November 1995. This plan was forwarded to the State DOT and incorporated, in fact, into the Statewide Transportation Plan.

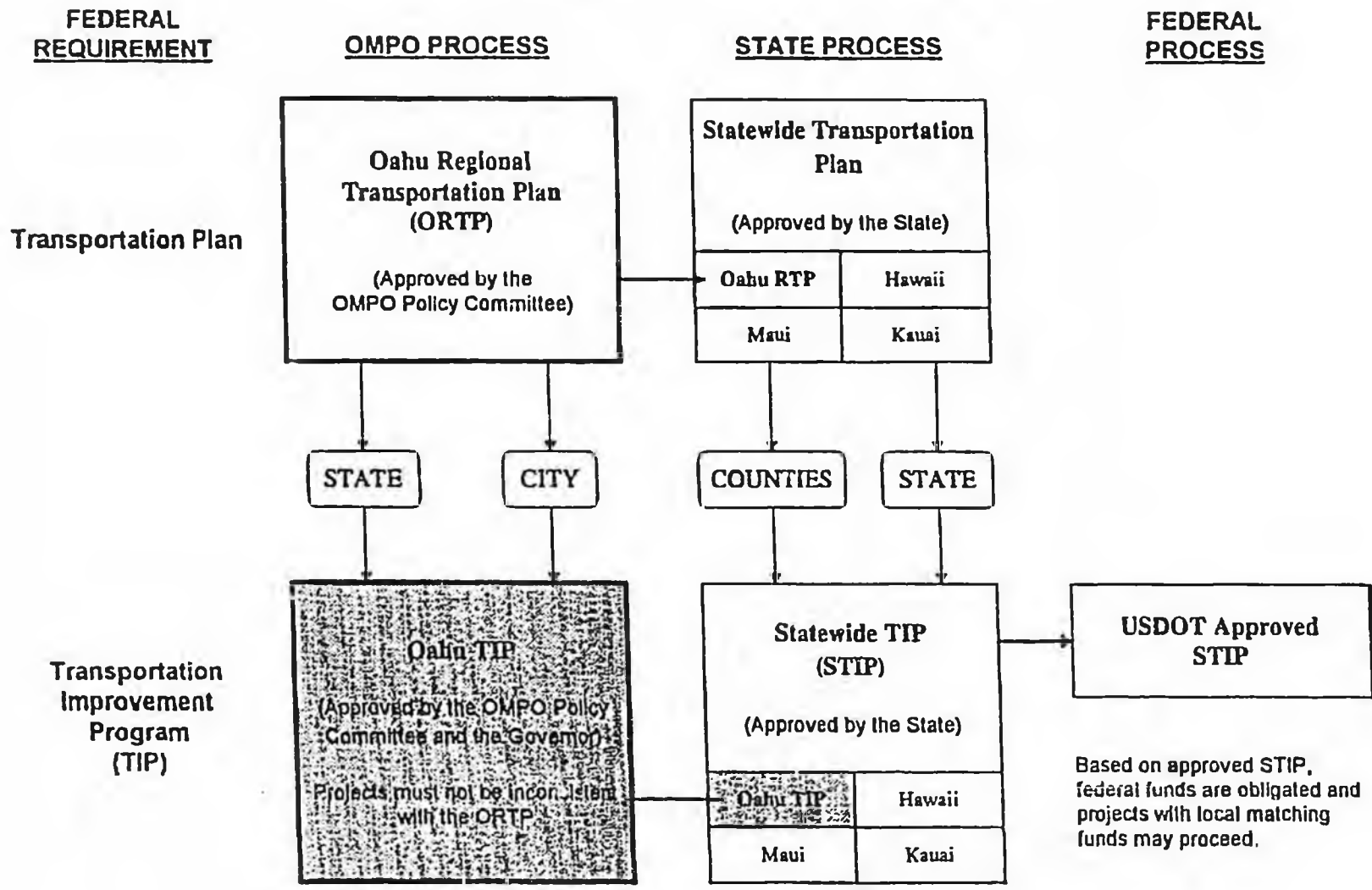
**THE OVERALL WORK PROGRAM (OWP)** serves as the key management tool for monitoring State and City transportation activities on Oahu. It describes transportation-related planning studies to be conducted in a given year (see Figure 2). The OWP defines project objectives and tasks and identifies budgetary and staff requirements needed to carry out the projects. In addressing current transportation issues and problems, the OWP responds to local planning requirements, federal transportation priorities, and ISTEA requirements. The OWP also includes land use studies as they relate to transportation needs.

A draft OWP is prepared each winter and submitted for review in March. After considerable review and revision by citizens and Federal and local agencies, a final OWP is adopted in late spring for the next fiscal year.

**THE TRANSPORTATION IMPROVEMENT PROGRAM (TIP)** is a programming document that lists transportation projects that will be undertaken by the State and City and generally funded in part by federal money. Projects identified in the TIP must not be inconsistent with the ORTP (see Figure 3). The TIP is closely related to the State's and the City and County's Capital Improvement Programs and is prepared



# THE TRANSPORTATION IMPROVEMENT PROGRAM AND ITS RELATIONSHIPS



Based on approved STIP, federal funds are obligated and projects with local matching funds may proceed.

FIGURE 3

every other year in the spring. The TIP identifies funding amounts by source of funding, jurisdictional responsibility, type of project, and year of funding for these projects. Thus, the TIP is an important reference document of transportation projects.

The Oahu TIP is the short-term three-year implementation program for federally-assisted surface transportation projects that support the Oahu Regional Transportation Plan. The TIP describes and prioritizes federally-assisted and major locally-funded transportation programs and projects selected by the OMPO Policy Committee for implementation during the program period. An annual review and a major biennial update of the TIP are scheduled, with off-schedule amendments considered as needed.

The TIP is adopted by the OMPO Policy Committee and sent to the Governor for approval. Upon his approval, the TIP is incorporated as the Oahu element of the Statewide TIP (STIP). The STIP is the official document the U.S. DOT uses to authorize federal funds for projects in Hawaii.

## HOW DOES THE PUBLIC GET INVOLVED?

OMPO has developed a "Guide to Public Involvement" (GPI) handbook that describes how OMPO communicates with the public prior to and during the development of transportation plans and programs. The GPI has been prepared to help members of the public understand 1) the planning process for Oahu's major surface transportation efforts and 2) how to participate effectively in that process. It focuses on those aspects and areas of transportation planning that fall within OMPO's purview. This includes both long- and short-range conceptual planning of facilities and programs.



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

Alaska Division

P.O. Box 21648  
Juneau, Alaska 99802

October 29, 1997

HPR-AK  
Adm-Gen 11

Senator Dave Donley  
716 W. 4th Ave. Ste 430  
Anchorage, AK 99501

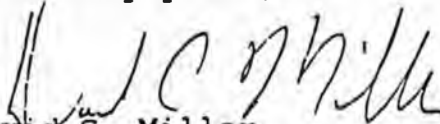
Dear Senator Donley:

Your letter of October 27, 1997 asked if the Federal Highway Administration (FHWA) would object to the State of Alaska adding two Anchorage state legislators to the AMATS policy committee. We would have no objection. Neither the FHWA nor any other federal agency would have to approve the addition of members to the policy committee, and there is no reason the AMATS program would not remain in compliance with federal requirements.

There are two processes through which membership can be added to the AMATS policy committee. AMATS in cooperation with the State could agree to add membership, or AMATS could be redesignated by agreement of the governor and the Municipality of Anchorage. This information is included in 23 CFR 450.306.

If you have any further questions, please call John Lohrey at (907) 586-7422.

Sincerely yours,

  
David C. Miller  
Acting Division Administrator

cc: John Horn, AK DOT&PF, Director, Central Region



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

Alaska Division

P.O. Box 21648  
Juneau, Alaska 99802

January 30, 1998

HPR-AK  
Adm-Gen 11

Senator Dave Donley  
Alaska State Legislature  
State Capitol  
Juneau, AK 99801-1182

Dear Senator Donley:

We have received your January 26, 1998 letter indicating that the Anchorage Caucus wishes to change the membership of the AMATS policy committee. You asked if AMATS would remain in compliance with federal law if the State Department of Environmental Conservation member was replaced by an Anchorage area legislator. The federal regulations state in 23 CFR 450.306(i) that the voting membership of an MPO policy body must include appropriate State officials. There is nothing that specifically states that MPOs in air quality nonattainment areas must include a State environmental agency representative on the MPO policy committee.

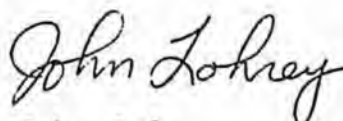
There are some good reasons to have a DEC member on the policy committee. Anchorage is in the process of being redesignated from a moderate CO nonattainment area to a serious nonattainment area. This redesignation will have direct implications on transportation planning. Anchorage also has the potential to become a nonattainment area for PM-10 (dust), which would also impact transportation planning. The EPA air quality conformity rule (40 CFR 93.105) contains requirements for consultation and coordination between the MPO and the state air agency (and other agencies as well) in the process of making transportation conformity determinations. This coordination has been very effective with the current AMATS structure.

Although there are benefits to having DEC represented on the AMATS Policy Committee, there is no federal requirement to do so. If the DEC member is dropped from the Policy Committee, the September 25,

1978 memorandum of understanding for area wide air quality planning between the Municipality and DEC should be revised to put in place procedures that will assure continued coordination between DEC and AMATS. If you have any questions, please call John Lohrey at 586-7422.

Sincerely yours,

Stephen A. Moreno  
Division Administrator



By: John Lohrey  
Division Planner

cc: Ron King, DEC  
John Horn, ADOT&PF Central Region