


NRPC APPROVED MINUTES
NRPC TRANSPORTATION TECHNICAL ADVISORY COMMITTEE MEETING
02/10/16

Members Present:

Colleen Mailloux, Town of Amherst
 John Cashell, Town of Hudson
 Elvis Dhima, Town of Hudson
 Troy Brown, Town of Litchfield
 Tom Young, Town of Litchfield
 Kyle Fox, Town of Merrimack

Wayne Husband, City of Nashua
 Jeff Gowan, Town of Pelham

Others Present:

Leigh Levine, FHWA
 Chris Skoglund, NHDES
 Patrick Woodbrey, NHDES

STAFF PRESENT

Tim Roache, Executive Director
 Jen Cysz, Assistant Director
 Karen Baker, Program Assistant

Julie Chizmas, Senior Transportation Planner
 Matt Waitkins, Field Data Tech/Transp. Planner

CALL TO ORDER AND INTRODUCTIONS

Chizmas opened the meeting at 12:12pm with introductions.

APPROVAL OF THE MINUTES FROM THE JANUARY 13, 2016

Cysz informed the group that due to the lack of a quorum, minutes from the January 13, 2016 meeting would be added to the March 9th meeting agenda for approval.

PRESENTATION BY PATRICK WOODBREY, NHDES: GREEN SNOW PRO CERTIFICATION PROGRAM

Chizmas introduced Patrick Woodbrey, Salt Reduction Coordinator with the NH DES Watershed Management Bureau who would present on the Green Sno Pro Certification Program. Woodbrey began by noting that this certification program is the first of its kind in the US and started more than 10 years ago, when the state DOT began working on environmental impact statements for a proposed expansion of Interstate 93 from four lanes to eight lanes in a 20 mile corridor adjacent to the Massachusetts state line. The preliminary data gathered showed that four watersheds in the corridor had chloride impairments. Further monitoring, including readings every 15 minutes for a year, at more than 3 million data points, confirmed the chloride impairment. In 2008 total maximum daily load studies were completed and showed that chloride reductions ranging from 25% to 45% were needed, before taking into account the increased loading from the highway expansion. Based on the data collected, NHDES established a threshold indicating likely water quality impairment at a loading rate of 200 tons salt/square mile/year. Woodbrey added that this problem is statewide and currently there are 46 known chloride impairments in NH, mostly in the more developed southeastern part of the state.

Woodbrey explained that in order to reduce salt loading, you have to know where it's coming from. In the I-93 watersheds, as much as half the loading is from private parking lots and driveways. The Salt Reduction Work Group that formed to work on this issue quickly determined that in addition to reducing salt from state and local highway maintenance, much more had to be done to address private salt sources. To address this, NHDES began working on legislation, and invited the UNH Technology Transfer Center to participate on the I-93 Salt Reduction Work Group due to their expertise in working on winter maintenance issues with municipal public works professionals. Patrick Santos, UNH T2 developed a 5-hour training course and began voluntarily certifying "Green SnowPros" in 2010.

From discussions in the Salt Reduction Work Group they identified the issue of private sector salt loading and the liability concerns were the primary driver governing the salt application rate. The idea came about

to create a standardized training program to improve salt application practices and at the same time, provide some kind of liability protection in state law. In 2010 a sponsor was secured for a bill that would require certification for private salt applicators. The bill was killed but a new bill was sponsored by a different legislator in 2011 and was again killed citing that most salt applicators already have adequate insurance coverage. In 2012 the bill was sponsored by a Senator from the I-93 region who saw how the bill would help the DOT meet its permit requirements for salt reduction, but felt the certification should be voluntary. The bill passed the Senate but was killed by the House. In 2013 the Senate sponsor declined to sponsor a new bill, saying that the Senate did its job in 2012 and if the House passed a bill, the Senate would go along. The bill was retained in committee, with the intent to continue working on it in 2014. Woodbrey stated that it became part of the budget bill minus the fee with liability language inserted which read "Certified salt applicators, and those who hire them, are not liable for damages due to hazards, even with actual notice thereof, when such hazards are caused solely by snow or ice..." and the bill became law.

Woodbrey explained how NHDES streamlined the transition to gain liability protection by adopting rules stipulating that those who have successfully completed the Green SnowPro program are eligible for state certification. He also noted that the typical course outline includes salting practices, environmental and economic impacts of salt use information and best business practices, including contracts, pre-season preparation, and record-keeping. Calibration demonstrations and the importance of pavement temperature are also part of the course outline. Woodbrey also touched on other topics discussed in the course. Once certified, annual certification maintenance is required which includes filing annual reports which will be used to track long term trends in salt application rates. He added that NHDES also developed a Weather Severity Index to normalize winter conditions from season to season compare loading rates. Lastly, Woodbrey informed the group of the 3rd Annual Salt Symposium, the marketing to business owners to be handled by NHDES Salt Reduction Coordinator Earle Chase, establishing a certification fee, and the list-serve called "pass the salt" created for communication with peers in the commercial snow removal business. Woodbrey asked the group if they had any questions.

Gowan questioned if the training program for certification was mandatory or voluntary. Woodbrey said voluntary. Mailloux asked if the property owner has liability for someone they hire. Woodbrey said yes. Gowan asked how that works for municipalities. Woodbrey said that municipalities should be covered under their own liability protection. Mailloux asked when the training is and how what the cost is for a company. Woodbrey said training is from 8-2pm with a cost of \$100. He added that there are 3 different certificates with 3 different fee structures (master, individual & renewal). Mailloux asked when the certification expires. Woodbrey said every year with application and submittal of salt use report, but no training again. Another member asked if the data from the reports was available for the towns. Woodbrey said he would have to look into that but there was an aggregate report. Gowan noted the Facebook page and asked if there were any brochures for businesses related to hiring contractors and the certificate program. Woodbrey said there is on the DES website and trainings are in March in Derry and mid-April or May on the Seacoast and 1 in the fall. Fox commented that he had been through the training and it was excellent and that as a condition of any planned development in town, contractors go through the program.

PRESENTATION BY FHWA AND NHDOT: FIXING AMERICA'S SURFACE TRANSPORTATION (FAST) ACT

Leigh Levine with FHWA provided a presentation on Fixing America's Surface Transportation (FAST) Act. He stated that on December 4, 2015, President Obama signed into law the Fixing America's Surface Transportation Act, or "FAST Act" - the first Federal law in over ten years to provide long-term funding certainty for surface transportation. The FAST Act authorizes \$305 billion over fiscal years 2016 through 2020 for the Department's highway, highway and motor vehicle safety, public transportation, motor carrier safety, hazardous materials safety, rail, and research, technology and statistics programs. With its enactment, States and local governments may now move forward with critical transportation projects, like

new highways and transit lines, with the confidence that they will have a Federal partner over the long term.

Levine passed around funding sheets which showed a comparison of actual FY2015 apportionments under the highway and transportation funding act of 2014, as amended, and estimated FY2016-2020 apportionments under the FAST Act. Chizmas commented that New Hampshire was 2nd from the bottom ahead of the District of Columbia for apportionment totals. Below are some of the highlights from Levine's presentation:

KEY HIGHWAY FACTS: \$226.3 B for highways over five years (FY 2016-2020); Builds on the program structure and reforms of MAP-21; Continued focus on accelerating project delivery; Adds a new freight formula and expands freight network; Adds a new discretionary program for nationally significant freight and highway projects; and Provides a new tribal self-governance option.

Levine showed the growth in funding by program by average annual funding in millions and the change from FY2015. He pointed out that 92% of highway funds are apportioned totaling 207.4 billion over 5 years. He noted the changes to the NHPP, STP, TAP, CMAQ, & HSIP programs as follows:

NHPP: TIFIA costs and V2I communication equipment now eligible and bridge resurfacing / preservation / reconstruction on non-NHS Federal-aid highways now eligible.

STP: Renamed: Surface Transportation Block Grant Program (STBG); Eligibilities restated with none eliminated; new eligibilities for TIFIA costs, State P3 office, V2I communication equipment; In border States, up to 5% for infrastructure projects eligible under the SAFETEA-LU border program; More sub-allocation: +1%/year up to 55% (vs. 50% today); and Set-asides for Transportation Alternatives and Recreational Trails (see next slide).

TAP: Same program, but no longer called TAP; no name specified; All funds set aside from STBG (vs. from all formula programs today); and Nonprofits responsible for local transportation safety programs may be project sponsors.

CMAQ: V2I communication equipment eligible; Port-related equipment & vehicles eligible under PM2.5 set-aside; and Exception from PM2.5 set-aside for low population density States (under certain conditions).

HSIP: Only listed project types eligible—mostly infrastructure-related; Adds eligibility for V2I communication equipment and certain pedestrian safety improvements; and State need not collect certain data on unpaved roads (but can't use HSIP funds on those roads until it collects the data).

Levine informed the group of some of the new programs specifically the National Highway Freight Program with \$1.2 B / year (average), apportioned to States by formula for eligible activities like construction, operational improvements, freight planning and performance measures; Highway focus, but ≤10% for rail/port/intermodal projects; elimination of State freight plan and freight formula \$ (beginning FY 2018); 23 USC 120 determines the Federal share and repeals special Federal share for freight projects.

He also provided key points to the New National Significant Freight & Hwy. Projects with \$900 M/year (average) for competitive grants or TIFIA, loans for projects >\$100 M (reduced for States w/ small programs). Eligible activities include highway freight projects on National Highway Freight Network, NHS highway/bridge projects, projects in National Scenic Areas, Freight rail/intermodal/port projects (≤ \$500 M over 5-year period), and rail-highway grade crossing or grade separation projects. States, large MPOs,

Tribes, localities, and FLMAs may apply. OST selects projects and Congress has 60 days to disapprove. There are also set-asides for rural areas and projects below the cost threshold.

Levine touched on planning, performance and project delivery noting that a lot of this was a continuation from MAP-21. Additionally, he reviewed other programs and provisions, specifically highway design, pointing out the new cost savings via flexibility in current design guidance/regulations and the encouragement for States and MPOs to adopt standards for Federal projects that accommodate motorized and non-motorized users. Lastly, Levine talked about other provisions which specifically allow multiple similar bridge projects to be handled (“bundled”) into a single project, DOT designating national electric vehicle charging and hydrogen, natural gas, and propane fueling corridors, and encouragement of vegetation management practices that improve habitat and forage for pollinators. He asked if there were any questions. There was a question on whether toll credits would not be used for highway projects. Levine said that NH is still relying on toll credits for match. Levine responded to Cashell regarding whether not having a seatbelt law affects the apportionment. Levine said it does not and we are not penalized for not having one. He added that there will be more to come on guidance and rulemaking. Roache asked if MAP-21 would stop since not all the rules are written. Levine said he was not sure but hoped they would combine FAST Act and MAP-21.

PROJECT UPDATES AND DISCUSSION ITEMS

2017-2040 Metropolitan Transportation Plan Project List

Czys referred to the project list included in the agenda packet and explained that a project has a number next to it; it means it made it into the NHDOT list. As part of the ongoing Transportation Planning Process, NRPC is looking to ensure we are considering transportation needs beyond the Ten Year Plan. In December 2016 the full Commission will consider a formal update to the MTP project listing. Before that time, we are looking to the TTAC and communities to help us determine what the top transportation priorities are for the region? Are there any projects in the current MTP that are no longer regional priorities? Are there other projects beyond those identified for consideration in the Ten Year Plan that should be added to the list? Is there any new information we should consider? As part of this process NRPC is planning to host a series of public meetings during May and early June 2016 across the region. These big picture conversations will focus on regional corridors: The Turnpike and access across the Merrimack River, the 101 and 101A corridors, and an additional conversation dedicated to rural transportation needs. NRPC would like to request that TTAC members help get the word out as the meetings are scheduled and identify local champions in your areas that you feel should be invited.

Roache added that we want to align projects with the MTP from the previous version and determine if the projects are consistent with the goals. Czys stated that the end product and goal will be an updated list of projects for adoption at the December meeting to be included in the update to the MTP.

Staff Updates

Waitkins referred to the recently adopted Regional Bicycle and Pedestrian Plan and the various action steps that he would be working on and asked that TTAC also identify local champions in their communities to help move the action steps forward of the plan. He also talked the DOT pavement schedule which would require a review for biking and performance measures for sidewalks. Lastly, Waitkins informed the group of the bike/pedestrian counting program.

Roache informed the group that the CMAQ Advisory Group met for the first time in 3 years and they are trying to clear up the backlog of projects before announcing the next round. Levine commented that they have to get through the legacy projects first. Roache did not think he would see the next round until early to late FY17 with maybe 5-10mil available. He added that a good use of the CMAQ funds would be a

implementing transit-type project from one of the communities that is ready to go and get it into the queue. He added that it would need to meet the air quality and that NRPC could help with air quality and design if the project is ready.

Levine said he was also waiting on the supplementary tables from the FAST Act program.

Roache informed the TTAC that Mark Connors was leaving NRPC. He also informed the group that the Legislative Forum was scheduled for March 2nd from 6-8pm at the Courtyard Marriott in Nashua.

Mailloux referred to the Manchester Street Project in Amherst has been constructed and is done.

Skoglund informed the group that Paul Lockwood has officially retired from NHDES and that they are trying to fill the position. He added that there will be a mix of people that will come for the TTAC meetings.

Chizmas informed the group of the minor revision for improvements to 101A that she would be approving unless otherwise notified by the impacted towns (Nashua, Merrimack, Amherst and Milford).

The meeting ended at 1:25pm.