An Overview of the Metropolitan Transportation Planning Process Under the FAST Act

Laredo, Texas
March 2017
BACKGROUND
Applicable Laws

• Title 23 United States Code (Highways)
  – Section 134 (Metropolitan Planning)
  – Section 135 (Statewide and Non-Metropolitan Planning)

• Title 49 United States Code (Transit)
  – Chapter 53 (Sections 5303, Metropolitan Planning and 5304, Statewide and Non-Metropolitan Planning)
Applicable Regulations

• 23 Code of Federal Regulations, Section 450 (Highways)
  – Subpart A- Definitions (§§ 450.100 - 450.104)
  – Subpart B- Statewide and non-metropolitan transportation planning (§§ 450.200 - 450.226)
  – Subpart C- Metropolitan transportation planning (§§ 450.300 - 450.340)

• 49 Code of Federal Regulations (Transit)
  – Subpart A- Metropolitan transportation planning and programming (§ 613.100)
  – Subpart B- Statewide and non-metropolitan transportation planning and programming (§ 613.200)
Major Highway Legislation
(Authorization Acts)

• ISTEA (FY 1991-97)
• TEA-21 (FY 1998-03)
• SAFETEA-LU (FY 2005-09)
• MAP-21 (FY 2013-14)
• FAST Act (FY 2016-20)- Current Legislation
The Importance of “3-C” Planning Process (1963 Highway Act)
Other Forms of Federal Guidance

Non-Regulatory Federal Guidance

FTA Circulars

FHWA Memoranda
Federal Regulatory Process

1. Congress and the President pass authorization laws (USC)
2. FHWA and FTA develop regulations (CFR)
3. FHWA and FTA may issue guidance
4. Appropriation laws provide funding to support transportation programs
MPO 101
What is the MPO?

- Agency responsible for planning and programming transportation projects for the metropolitan planning area

- Staff
  - Coordinates efforts with all stakeholder agencies
  - Performs (in-house and through contracts) planning functions and studies
  - Presents information to the Technical Advisory Committee and the Transportation Policy Board
MPO Parameters

• Designated by DOT when U.S. Census urban area population exceeds 50,000
• Transportation management areas (TMAs) are generally designated if U.S. Census urban area population exceeds 200,000
• More than 400 MPOs have been designated nationwide

For a complete listing of MPOs by State, please see the FHWA HQ’s Transportation Capacity Building Website at:
https://www.planning.dot.gov/mpo.asp
Effects of U.S. Census Designations

• As a result of the 2010 decennial Census, 36 new urbanized areas (>50k population) were identified. These areas will either have to establish and staff a new designated MPO, or merge with an existing MPO.

• Additionally, a total of 27 new Transportation Management Areas (TMAs) were designated by the Secretary of Transportation as a result of increases in their urbanized area population...
What is the MPO?

• Technical Advisory Committee (TAC)
  – Staff from member and stakeholder agencies
  – Make recommendations to Transportation Policy Board

• Transportation Policy Board
  – Elected officials and other representatives from member agencies
    • Cities, Counties, State DOTs, Transit Representatives, other
  – Responsible for making transportation planning and programming decisions, including approving necessary documents
Purpose of Transportation Planning
Public Transportation Agencies

- Located in all major urbanized areas, most medium-sized cities, and in many small cities and towns
- May provide bus, rail (trolley, light-rail, commuter rail, and subways), and ferry services
Types of Planning Issues

• Asset Management- road and bridge infrastructure condition and repair/vulnerability to extreme weather events

• Safety/Security

• Economic Development
  – Locally generated/attracted traffic
  – Through-traffic

• Freight and Passenger Mobility
  – Types
  – Local facilities

• Environmental Justice (EJ)/Title VI

• ITS/Management/Operations

• Others (Environmental Mitigation, Sustainability/Livability)
Transportation Planning’s Impact on Decision-Making
Key Planning Documents

• UPWP – Unified Planning Work Program (1-2 Years)
  – Provides budget and work plan for the MPO
    • Staff
    • Contracted work

• MTP – Long-Range Metropolitan Transportation Plan
  – At least a 20-year outlook (4 or 5 year cycle update)
  – Multimodal, consistent with SLRTP
  – Discussions of issues/factors affecting transportation
  – Project list
    • Fiscally constrained
    • Systems-level approach
    • Identifies strategies to address needs
    • Developed and adopted through a continuous planning process
    • Public and interagency stakeholder coordination
    • Environmental mitigation
Key Planning Documents

MTP: Performance Measures and Targets

- The MTP reflects the goals, objectives, performance measures and targets of the region

- In addition, the MPO is required to integrate the goals, objectives, performance measures, and targets in other plans, including:
  - Other State transportation plans and processes
  - Certain plans developed by public transportation agencies
Key Planning Documents

MTP: Additional Requirements of the MTP

- Identification of Facilities
- System Performance Report
- Financial Plan
- Short and Long-Term Strategies
Key Planning Documents

- **TIP** – Transportation Improvement Program (4 years)
  - 4-year list of metropolitan programmed projects
    - Fiscally constrained
    - Must be consistent with the MTP

- **STIP** – Statewide Transportation Improvement Program (4 years)
  - All 25 MPO TIPs
  - All 25 TxDOT District “rural” TIPs
  - Statewide programs
    - Bridge, safety, TAP, discretionary, etc

- **UTP** – Unified Transportation Program (State document)
  - 10-year list of statewide programmed projects
Key Planning Documents

TIP and STIP: Purpose

MTP and LRSTP
- Long-Range Planning

Priority Projects

TIP and STIP
- Short-Term Programming
Key Planning Documents

Relationship Between the TIP and STIP

- TIP
- TIP
- TIP

Public Involvement

- Nonmetropolitan projects defined by State DOTs
- Nonmetropolitan projects submitted by sponsors
Key Planning Documents

TIP and STIP: Common Requirements

- Be financially constrained by year
- Include the next four years of funded projects
- Comply with air quality conformity standards (in designated areas)
- Be updated at least every four years on a compatible schedule
- Adhere to established processes for approval and revisions
Key Planning Documents

Metropolitan TIP: Overview

• Contains projects consistent with long-range MTP

• Supports:
  – Needed system improvements as identified in the MTP
  – Attainment of performance targets

• Must include projects for which FHWA and FTA funds will be spent

• Must contain regionally-significant projects, regardless of funding source or Federal action
Key Planning Documents

Metropolitan TIP: Components

- Project Descriptions
- Financial Plan
- Performance Target Achievement
Key Planning Documents

Metropolitan TIP: Project Selection

Projects drawn from the MTP

MPO evaluates projects, considering priorities, funding, and comment
Key Planning Documents

Metropolitan TIP: Approval Process

Step 1: MPO staff document project analyses and evaluations, and prepare recommendations

Step 2: MPO Policy Board and Governor approve the TIP

Step 3: TIP is included—without change—in the STIP
Key Planning Documents

Metropolitan TIP: Update and Amendments Requirements

• The TIP:
  
  – May be revised or amended at any time to add or update projects
  
  • Revisions may be minor and termed “administrative modifications.”
  
  • Major revisions are termed “amendments.” Amendments require MPO action.

  – Must be readily available for public review, comments, and questions
Planning Factors

• Have existed since ISTEA

• Identify the primary considerations in transportation planning as they pertain to the individual urbanized areas and states

• Evolve to reflect what is most important to the public and the transportation industry over time
Current Ten Planning Factors

The Planning Factors

Support Economic Vitality
Increase Safety
Increase Security
Increase Accessibility
Protect and Enhance the Environment
Enhance Integration and Connectivity
Promote System Efficiency
Emphasize System Preservation
Resiliency and Reliability
Enhance Travel and Tourism

New factors in FAST Act
Transportation Planning Purpose: A Recap

Transportation Planning Process

- Sound Information
- Impact Consideration

Informed Decision-Making
State DOT Interests

Consistency across the various statewide plans

Potential impacts to design, maintenance, and operations of State-owned facilities

Interconnectivity across modes

Providing support for the needs of the public and freight
Rural Stakeholders

**NonMetropolitan**

- State DOTs must represent needs and interests of nonmetropolitan areas

- Representation can come from:
  - Nonmetropolitan local elected officials, OR
  - RTPOs (optional)
Fixing America’s Surface Transportation (FAST) Act

Summary of New MPO Metropolitan Transportation Planning Requirements

23 CFR 450
Public Participation Plan (NEW)

• Under the FAST Act each MPO must develop a documented public participation plan (PPP) that also includes:
  – 1) public ports;
  – 2) private providers of transportation (including intercity bus operators;
  – 3) employer-based commuter programs (such as carpool-vanpool programs);
  – 4) transit benefits program;
  – 5) parking cash-out program;
  – 6) shuttle program; or
  – 7) telework program.

• Due for MTP/TIP updates after May 27, 2018.
Public Participation Plan (NEW)

- Under the FAST Act, the MPO should also consult with agencies and officials responsible for other planning activities within the metropolitan planning area that are affected by transportation including:
  - 1) tourism;
  - 2) natural disaster risk reduction.

- Due for MTP/TIP updates on or after May 27, 2018.
Planning Factors (NEW)

• Two new planning factors added:
  – 1) Improve the resiliency and reliability of the transportation system and reduce or mitigate storm-water impacts of surface transportation;
  – 2) Enhance travel and tourism.

• Due on or after May 27, 2018 for MTP/TIP and Statewide Plan updates.
Intercity Buses (NEW)

- The FAST Act metropolitan planning regulations require that MTPs (shall) and Statewide Plans (should) include consideration of intercity buses.

- Due on or after May 27, 2018 for MTP and long-range statewide transportation plan updates.
Performance-Based Planning (Targets- NEW)

• Under the FAST Act, each MPO shall: set performance targets not later than 180 days after the State or public transportation provider establishes performance targets.

• Phase-in date varies and depends on when the State or public transportation provider establishes performance targets.
Performance-Based Planning (Coordination- NEW)

• Under the FAST Act, the MPOs shall coordinate to the maximum extent practicable with public transportation providers when setting performance targets required under 49 U.S.C. 5326(c) and 5329(d).
Performance-Based Planning  
(MTP Development- NEW)

• The MPO metropolitan transportation plan (MTP) shall include:
  – A description of the Federally required performance measures and performance targets used in assessing the performance of the transportation system.
  – A system performance report evaluating the condition and performance of the transportation system with respect to the Federally required performance targets including progress achieved by the MPO toward the performance targets.
  – Due on or after May 27, 2018 (or after the date that is two years after the effective date of each final performance measures rule), whichever is later for all MTP updates
Voluntary Scenario Planning (NEW)

• MPOs that voluntarily elect to conduct scenario planning shall describe how the preferred scenario has improved performance of the transportation system in the MTP.

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Voluntary Scenario Planning (NEW)

• An MPO may voluntarily elect to develop multiple scenarios for consideration as part of the development of the MTP.

• Section 450.324(i) contain an optional framework for MPO’s to consider when conducting scenario planning.

• Due for MTP updates on or after May 27, 2018.
Performance-Based Planning for STIP/TIPs (NEW)

• STIP/TIPs shall:
  – include (to the maximum extent practicable) a description of the anticipated effect of the STIP and TIP toward achieving the performance targets identified by the State in the long-range statewide transportation plan and by the MPO in the MTP.

  – Due for STIP/TIP updates on or after May 27, 2018 (or on or after the date that is two years after the effective date of each final performance measures rule- whichever is later).
Performance-Based Planning for STIP/TIPs (NEW)

- The STIP/STIPs shall link investment priorities in the TIP/STIP to achievement of performance targets in the plans.

- Due for all STIP/TIP updates on or after May 27, 2018 (or on or after the date that is two years after the effective date of each final performance measures rule- whichever is later).
Transition to New Planning Emphasis (NEW)

• Updates or amendments to TIPs/STIPs, and plans adopted on or after 2 years after the date of the final planning rule must reflect the new emphasis (by May 27, 2018).

• Updates or amendments to TIPs/STIPs, and plans adopted or amended two years after the effective date of the performance management rules must comply.
Establishing Performance Targets (NEW)

• Under the FAST Act, States have one year from the effective date of the performance management (PM) rule(s) to establish targets.

• MPOs have 180 days to set targets after the State DOT sets targets.

• Applies to all updates to TIPs/STIP/MTPs and statewide long-range plans on or after the date that is two years after the publication date of the final planning rule (May 27, 2018) -- or two years after the effective date of each final performance management rule, whichever comes later.
Performance-Based Planning (NEW)

What is a Performance-Based Approach?

- Goals and Objectives
- Performance Measures
- Performance Targets
- Monitoring
Performance Goals Under MAP-21

National Goals

- Safety
- Infrastructure Condition
- Congestion Reduction
- System Reliability
- Freight Movement/Economic Vitality
- Environmental Sustainability
- Reduced Project Delivery Delays
Performance-Based Planning (NEW)

Public Transportation Performance

State of Good Repair
- Condition in which a capital asset is able to operate at a full level of performance

Public Transportation Safety
- To improve the safety of all public transportation systems
Performance-Based Planning (NEW)

Performance Measures

- National measures for the Federal-aid Highway Program:
  - Pavement condition on the Interstate system and remainder of the National Highway System (NHS)
  - Bridge condition on the NHS
  - Performance of the Interstate System and remainder of the NHS
  - Fatalities and serious injuries (number and rate per vehicle mile traveled) on all public roads
  - Number of non-motorized fatalities and non-motorized serious Injuries
  - Freight movement on the Interstate System
  - Traffic congestion
  - On-road mobile source emissions
- Public transportation performance standards
  - State of good repair
  - Safety
Performance-Based Planning (NEW)

Performance Targets

• State DOTs and MPOs must establish performance targets for the National Performance Measures

• States, MPO, and transit agencies must coordinate in setting targets
Performance-Based Planning (NEW)

Monitoring

Ongoing responsibility for all transportation agencies

Informed Decision-Making
Resulting from information collected
Performance-Based Planning MOUs (NEW)

- The MPO(s), State(s), and the providers of public transportation shall **jointly agree** upon and develop specific written provisions for cooperatively developing and sharing information related to:
  - transportation performance data;
  - the selection of performance targets;
  - the reporting of performance targets;
  - the reporting of performance to be used in tracking progress toward attainment of critical outcomes for the region of the MPO (see § 450.306(d)), & the collection of data for the State asset management plan for the NHS.

- **NOTE:** Such agreements shall be documented as part of the metropolitan planning agreement or in some other form jointly agreed to by the MPO(s), State(s), and provider(s) of public transportation)

- Due on or after May 27, 2018 or on or after the date that is two years after the effective date of each final performance measures rule, whichever is later.
TMA Structure (New)

• Within two years of enactment of MAP-21, (by October 1, 2014) MPOs serving TMA areas shall consist of:
  – Local elected officials;
  – Officials of public agencies that operate major modes of transportation including representation by providers of public transportation
  – Appropriate State officials

• MPO does not need to re-designate to meet this provision
TMA Structure (New)

• Designation or selection of officials or representatives shall be determined by the MPO according to the bylaws or enabling statute of the organization.

• Subject to the bylaws or enabling statute of the MPO, a representative of a provider of public transportation may also serve as a representative of a local municipality.

• An official shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials.

• Phase-in: Due by October 1, 2014
PEL Process (NEW)

FAST Act changes to optional statutory PEL process:

• Adds purpose and need and preliminary screening of alternatives and elimination of unreasonable alternatives to the list of planning decisions that can be used in the environmental review process.

• Replaces the requirement for concurrence of other participating agencies with relevant expertise with a smaller universe of cooperating agencies with responsibility for permitting, review, or approval.

• Phase-in: by May 27, 2018
PEL Process (NEW)

FAST Act changes to optional statutory PEL process:

• Eliminates the requirement for duplicative approval (by the State, all local and tribal governments, and MPO(s) where the project is located) by replacing it with the planning product was developed through a planning process conducted pursuant to Federal law.

• Final Planning Rule: Adds a reference to optional statutory PEL authority under 23 U.S.C. 168

• Retains all previous authorities for PEL

• Phase-in: by May 27, 2018
Programmatic Mitigation (New)

• MAP-21 created an optional framework at 23 U.S.C. 169 for the use of programmatic mitigation plans under NEPA reviews. The FHWA/FTA joint NPRM proposed regulatory text to implement the provision in 450.214 and 450.320.

• The FAST Act made the following changes to the programmatic mitigation plan provision located at 23 U.S.C. 169, specifically under paragraph (f):
  – Instead of saying that a Federal agency “may use” the recommendations of a programmatic mitigation plan, the statute now says that agencies “shall give substantial weight to” them.

• Phase-in Date: by May 27, 2018
Programmatic Mitigation (New)

A State or MPO, in consultation with agencies with jurisdiction over protected environmental resources, may develop programmatic mitigation plan(s) as part of its transportation planning process.

The programmatic mitigation plan(s) may inventory existing or planned environmental resource mitigation and identify potential environmental impacts and potential avoidance or mitigation opportunities.
Resiliency and Vulnerability (NEW)

• Under the FAST Act, the long-range MTP shall include and **assessment of capital investment** and other strategies to preserve the existing and future transportation system and **reduce the vulnerability** of the existing transportation infrastructure to **natural disasters**.

• Due for MTP updates on or after May 27, 2018.
Congestion Management Process (CMP) Under FAST Act (NEW)

• Requirement for the **CMP** for TMA’s is retained and largely unchanged

• Requirement for CMP analysis of new SOV capacity in non-attainment areas in TMA’s is retained

• An MPO serving a TMA may develop an additional optional congestion management plan

• Provides examples of employer-based travel demand reduction strategies: intercity bus, employer based programs -carpool, vanpool, transit benefits, parking cash-out, telework

• Added job access projects as a CMP strategy
Conclusions

• Effective “3-C” metropolitan planning pays off
  – Modal connectivity to provide access, mobility, and ease in travel for all citizens
  – Quality of life and livable communities
  – Environmental protection and mitigation
  – Regional economic development
  – Safer, more secure transportation systems
  – Equitable and efficient use of limited financial resources
List of References

• FTA/FHWA Transportation Planning Capacity Building Website at:  https://www.planning.dot.gov/

• National Highway Institute (NHI) Courses on Metropolitan Planning at:  https://www.nhi.fhwa.dot.gov

• National Transit Institute (Rutgers University): http://www.ntionline.com/

• Metropolitan Transportation Planning: Executive Seminar at: https://www.planning.dot.gov/Documents/MetroPlanning/metroTrans.htm
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