

# DCHC

Metropolitan Planning Organization

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Planning Tomorrow Today

2015

MPO BOARD ORIENTATION

MATERIALS



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### Contents:

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Map of DCHC MPO Area

MPO 101 Presentation (2012)

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## INTRODUCTION & HISTORY

### History of MPOs

Metropolitan Planning Organizations (MPOs) were first established in 1962 by Congress to perform transportation planning functions for urbanized areas. The DCHC MPO was founded in 1980. An MPO's coverage is delineated by its Metropolitan Area Boundary (MAB) that includes surrounding areas that are expected to become urbanized within the next twenty years but are not yet within another MPO.

### Early Transportation Planning for the Durham Area

The Durham Urbanized Area was first designated by the Census in 1970 and it consisted of only the City of Durham and a portion of Durham County. The first policy board or Transportation Advisory Committee (TAC) was created for the Durham Urbanized Area in the 1970s. Transportation plans were developed after designation, one in 1972 and one in 1980. The 1980 plan was the first plan to be mutually adopted by the City of Durham, the TAC, and the State. The 1980 Census expanded the Durham Urbanized Area to include the Towns of Chapel Hill and Carrboro and portions of Orange County and the name was changed to the Durham-Chapel Hill-Carrboro Urban Area MPO. In 2014, the MPO TAC changed it's name to the MPO Board.

### DCHC MPO Member Jurisdictions and Agencies

The MPO is comprised of member jurisdictions and agencies that are located in or operate in the Metropolitan Area Boundary. The MPO also has numerous local, regional, and state partners, which are discussed later. Member jurisdictions and agencies are listed below.

Durham County	Town of Hillsborough	Town of Carrboro
Orange County	City of Durham	Triangle Transit
Chatham County	Town of Chapel Hill	NCDOT

### DCHC MPO Board

The MPO Board is comprised of elected officials from each member jurisdiction and serves as the policy board that is responsible for establishing policy, adopting plans, and making decisions on transportation-related planning activities, initiatives, and issues. **MPO Board meetings are held on the second Wednesday of every month.**

### DCHC MPO Technical Committee

The Technical Committee (TC) provides technical recommendations to the MPO Board. The TC is comprised of staff members from member jurisdictions, agencies, and partners. Members include staff from the units of local governments, Triangle Transit Authority, Research Triangle Park, Triangle J Council of Governments, Raleigh-Durham Airport Authority, North Carolina Central University, University of North Carolina at Chapel Hill, Duke University, and Carolina Trailways. **TC meetings are held on the fourth Wednesday of every month.**

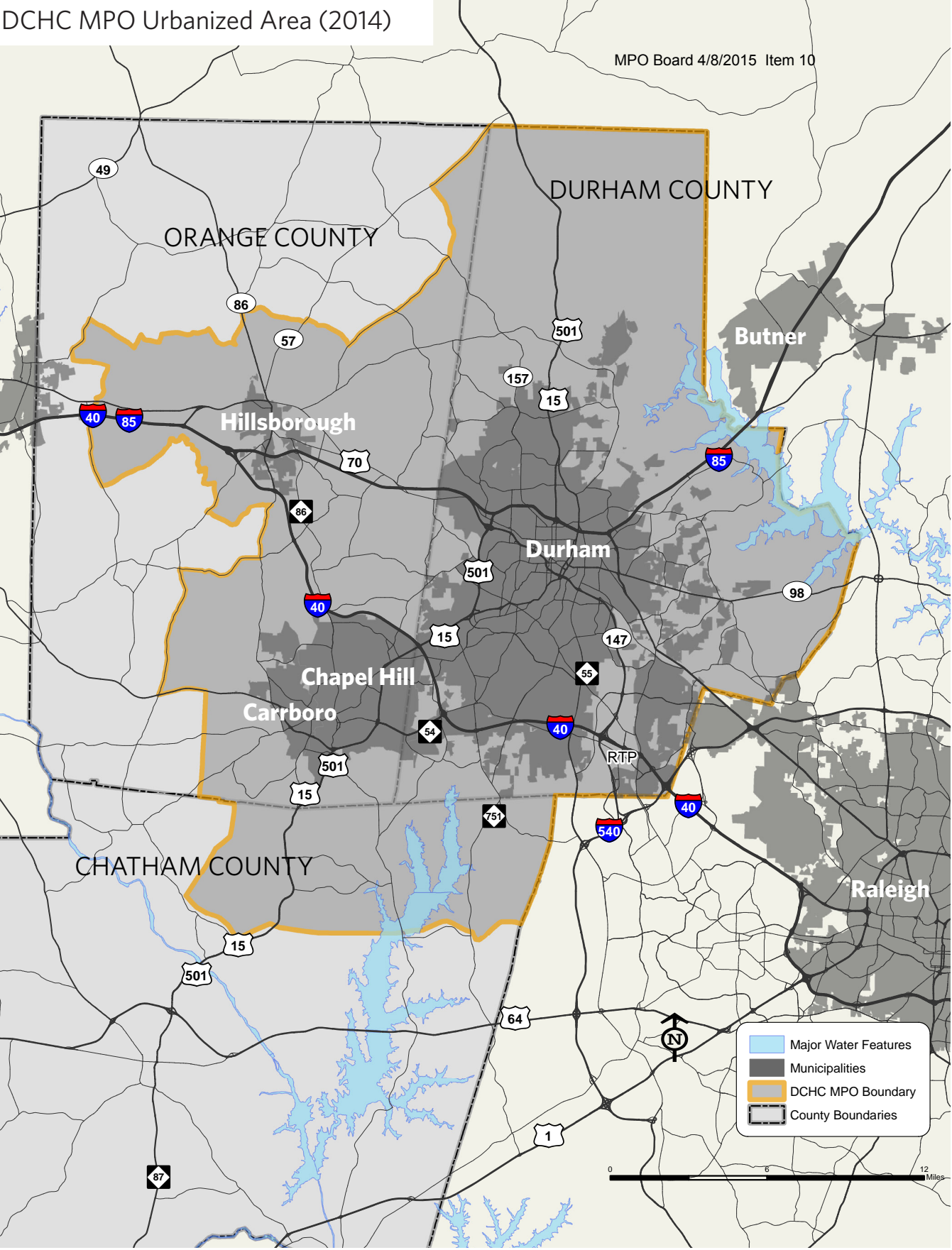
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# DCHC MPO BOARD MEMBERS

## (JANUARY 2015)

NAME	AFFILIATION	MEMBER / ALTERNATE
Mark Kleinschmidt	Town of Chapel Hill	Member
Diane Catotti	City of Durham	Member
Barry Jacobs	Orange County	Member
Bernadette Pelissier	Triangle Transit	Member
Ellen Reckhow	Durham County	Member
Eric Hallman	Town of Hillsborough	Member
Jim G. Crawford	Chatham County	Member
Jim W. Crawford	NC Board of Transportation	Member
Damon Seils	Town of Carrboro	Member
Steve Schewel	City of Durham	Member
John Sullivan	Federal Highway Administration	Non-Voting Member
Brenda Howerton	Durham County	Alternate
Jenn Weaver	Town of Hillsborough	Alternate
Renee Price	Orange County	Alternate
Lydia Lavelle	Town of Carrboro	Alternate
Ed Harrison	Town of Chapel Hill	Alternate
William V. "Bill" Bell	City of Durham	Alternate
Cheryl McQueary	NC Board of Transportation	Alternate

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# MPO 101

## AN INTRODUCTION TO THE PURPOSE AND FUNCTION OF AN MPO

DeLania L. Hardy, Association of MPOs

Craig Lyon, Anchorage Metro Area Transportation Solutions



## Purpose

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- What is an MPO?
- MPO requirements
- Relationship of MPOs to the larger picture of transportation planning
- Federal law



# What is an MPO?

- A transportation **policy-making and planning body** with representatives of local, state & federal government and transportation authorities
- Federal law **requires** in **urbanized areas** of 50,000 +
- 384 MPOs in the US
- Ensures federal spending on transportation occurs through a **comprehensive, cooperative, and continuing (3-C) process**
- Variety of **organizational arrangements** – “hosted” by another agency; stand-alone; existing agency designated as MPO



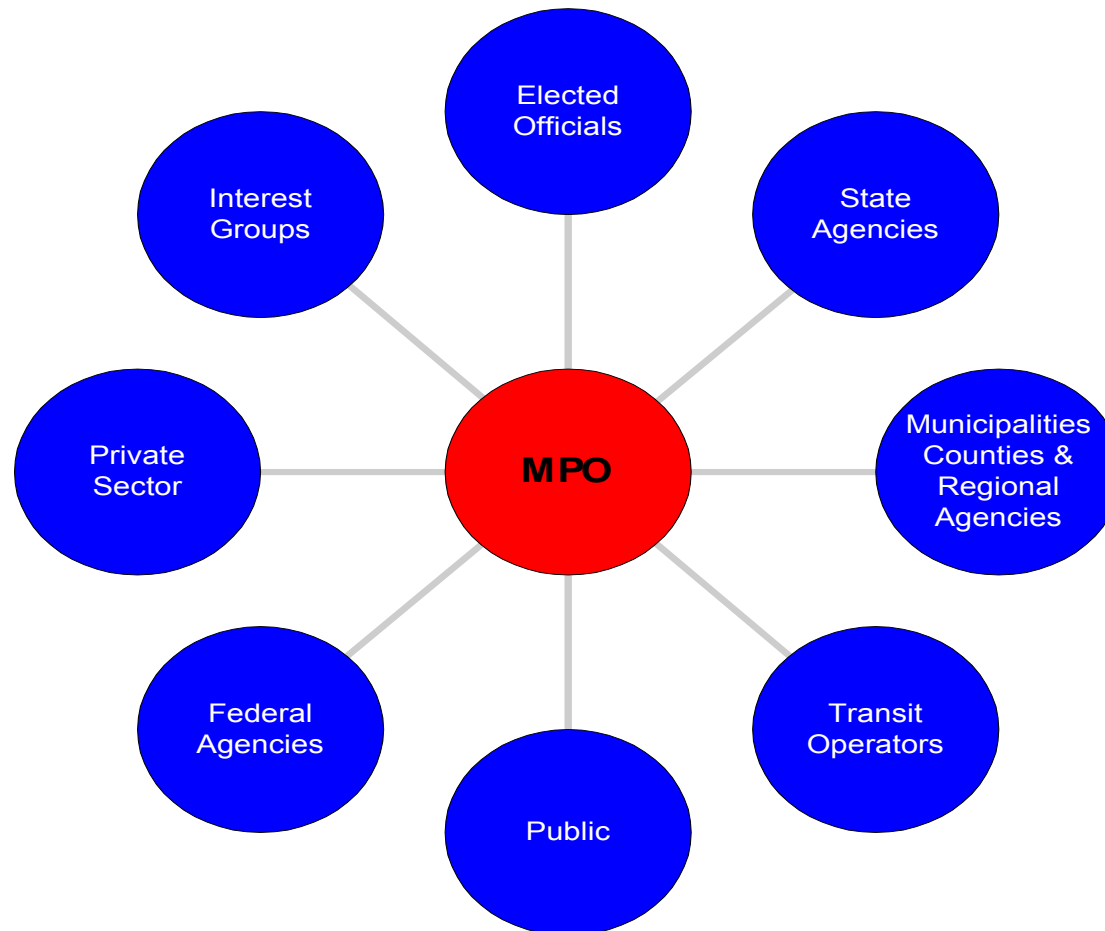
## Federal Finances for an MPO

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- MPOs receive Federal funds
  - Highway
  - Transit
- 20% match requirement to the Federal funds



# Who is the MPO?



## Why an MPO?

- Transportation investment means **allocating scarce transportation funding resources** appropriately
- Planning needs to reflect the **region's shared vision** for the future
- Requires a **comprehensive examination** of the region's future and investment alternatives
- MPO **facilitates collaboration** of governments, interested parties, and residents



## MPO Federally Required Functions

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- Establish a setting – fair & impartial
  - Evaluation of transportation alternatives
  - Maintain a Metropolitan Transportation Plan (MTP)
  - Develop a Transportation Improvement Program (TIP)
  - Involve the public – residents and key affected subgroups
- 





# MPO Products

MPO Board 4/8/2015 Item 10

	Time Horizon	Contents	Update Requirements
Unified Planning Work Program	1-2 years	Planning Studies Tasks Budget	Annual
Metropolitan Transportation Plan	20 years (minimum)	Future Goals Strategies and Products	4 years for air quality nonattainment and maintenance areas; 5 years for air quality attainment areas
Transportation Improvement Program	4 years	Transportation Investment Projects	4 years





## Subjects for MPO Long Range Plans

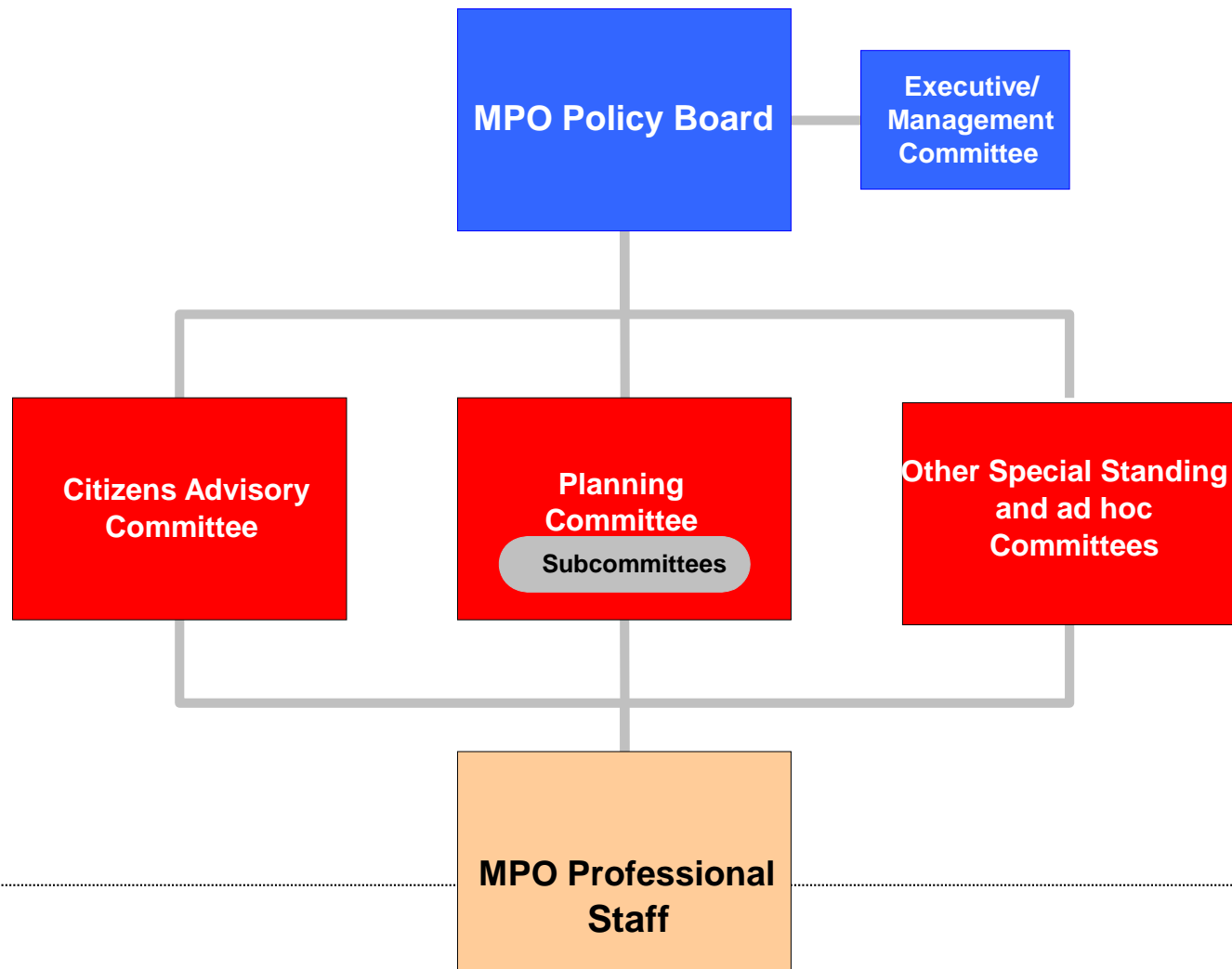
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MAP 21 required planning factors:

- **Economic vitality**
- **Safety**
- **Security**
- **Accessibility and mobility**
- **Environmental areas, promote energy conservation, improve the quality of life**
- **Integration and connectivity**
- **Management & operations**
- **Preservation**



# “Typical” MPO Structure



## “Typical” MPO Structure

### Planning Committee:

- An advisory body to the MPO Board for transportation issues, primarily technical in nature
- Oversees MPO technical work and develops recommendations on projects and programs for Board consideration
- Meets on regular schedule
- Usually comprised of staff-level officials of local, state & federal agencies



## **“Typical” MPO Structure**

### **Citizen Advisory Committee**

- Acts in an advisory capacity to MPO on public involvement strategies
- Meets regularly to review and develop plans and also assists in organizing and managing public meetings and comments
- Comprised of members of the public
  - Often appointed by localities and MPO policy board
  - May include representatives of community, environmental & other interested parties



## Resources

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- Transportation Planning Capacity Building Program – [www.planning.dot.gov/metro.asp](http://www.planning.dot.gov/metro.asp)
  - *The Metropolitan Transportation Planning Process: Key Issues – A Briefing Notebook for MPO Board Members*
- Association of Metropolitan Planning Organizations (AMPO) [www.ampo.org](http://www.ampo.org)



## Resources

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- Federal Highway Administration  
([www.fhwa.dot.gov](http://www.fhwa.dot.gov))
- FHWA Resource Centers  
([www.fhwa.dot.gov/resoucecenter](http://www.fhwa.dot.gov/resoucecenter))
- Federal Transit Administration  
([www.fta.dot.gov](http://www.fta.dot.gov))



# SECTION 2

## **Governing Documents**

### Contents:

Memorandum of Understanding

Bylaws

State Government Ethics Act

2013 Ethics Update

Public Involvement Policy

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**DURHAM-CHAPEL HILL-CARRBORO  
METROPOLITAN PLANNING ORGANIZATION**

**MEMORANDUM OF UNDERSTANDING  
FOR  
COOPERATIVE, COMPREHENSIVE, AND CONTINUING  
TRANSPORTATION PLANNING**

Between

THE GOVERNOR OF THE STATE OF NORTH CAROLINA,  
CITY OF DURHAM, TOWN OF CHAPEL HILL, TOWN OF CARRBORO  
TOWN OF HILLSBOROUGH, COUNTY OF DURHAM,  
COUNTY OF ORANGE, COUNTY OF CHATHAM, TRIANGLE TRANSIT, AND  
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

in cooperation with

THE UNITED STATES DEPARTMENT OF TRANSPORTATION

March 12, 2014

WITNESSETH THAT

WHEREAS, Section 134(a) of Title 23 United States Codes states:

Policy – It is in the national interest—

(1) to encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and between States and urbanized areas, while minimizing transportation-related fuel consumption and air pollution through metropolitan and statewide transportation planning processes identified in this chapter; and (2) to encourage the continued improvement and evolution of the metropolitan and statewide transportation planning processes by metropolitan planning organizations, State departments of transportation, and public transit operators as guided by the planning factors identified in subsection (h) and section 135(d).

WHEREAS, Section 134(c) of Title 23 United States Codes states:

General Requirements.—

(1) Development of long-range plans and Transportation Improvement Programs (TIPs).— To accomplish the objectives in subsection (a), metropolitan planning organizations designated under subsection (d), in cooperation with the State and

public transportation operators, shall develop long-range transportation plans and transportation improvement programs through a performance-driven, outcome-based approach to planning for metropolitan areas of the State.

(2) Contents.— The plans and TIPs for each metropolitan area shall provide for the development and integrated management and operation of transportation systems and facilities (including accessible pedestrian walkways and bicycle transportation facilities) that will function as an intermodal transportation system for the metropolitan planning area and as an integral part of an intermodal transportation system for the State and the United States.

(3) Process of development.— The process for developing the plans and TIPs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems to be addressed.

WHEREAS, Chapter 136, Section 66.2(a) of the General Statutes of North Carolina states:

Each Metropolitan Planning Organization (MPO), with cooperation of the Department of Transportation, shall develop a comprehensive transportation plan in accordance with 23 U.S.C. Section 134. In addition, an MPO may include projects in its transportation plan that are not included in a financially constrained plan or are anticipated to be needed beyond the horizon year as required by 23 U.S.C. Section 134. For municipalities located within an MPO, the development of a comprehensive transportation plan will take place through the metropolitan planning organization. For purposes of transportation planning and programming, the MPO shall represent the municipality's interests to the Department of Transportation.

WHEREAS, Chapter 136, Section 66.2(b) of the General Statutes of North Carolina states:

After completion and analysis of the plan, the plan shall be adopted by both the governing body of the municipality or MPO and the Department of Transportation as the basis for future transportation improvements in and around the municipality or within the MPO. The governing body of the municipality and the Department of Transportation shall reach agreement as to which of the existing and proposed streets and highways included in the adopted plan will be a part of the State highway system and which streets will be a part of the municipal street system. As used in this Article, the State highway system shall mean both the primary highway system of the State and the secondary road system of the State within municipalities.

WHEREAS, Chapter 136, Section 66.2(d) of the General Statutes of North Carolina states:

For MPOs, either the MPO or the Department of Transportation may propose changes in the plan at any time by giving notice to the other party, but no change shall be effective until it is adopted by both the Department of Transportation and the MPO.

WHEREAS, a transportation planning process includes the operational procedures and working arrangements by which short and long-range transportation plans are soundly conceived and developed and continuously evaluated in a manner that will:

1. Assist governing bodies and official agencies in determining courses of action and in formulating attainable capital improvement programs in anticipation of community needs; and,
2. Guide private individuals and groups in planning their decisions which can be important factors in the pattern of future development and redevelopment of the area;

WHEREAS, it is the desire of these agencies that a continuing, cooperative, and comprehensive transportation planning process, be established for the Durham-Chapel Hill-Carrboro Metropolitan Planning Area in compliance with Title 23 U.S.C. Section 134 and any subsequent amendments to that statute, and any implementing regulations; Title 49 U.S.C. Chapter 53 and any subsequent amendments to these statutes, and any implementing regulations; and the Clean Air Act of 1970, as amended, [42 U.S.C. 7504 and 7506(c)].

WHEREAS, it is the desire of these parties that all prior Memoranda of Understanding between the parties be superseded and replaced by this Memorandum of Understanding.

NOW THEREFORE, the following Memorandum of Understanding is made:

#### Section I

It is hereby agreed that the City of Durham, Town of Chapel Hill, Town of Carrboro, Town of Hillsborough, County of Durham, County of Orange, County of Chatham, Research Triangle Regional Public Transportation Authority (d/b/a Triangle Transit), and the North Carolina Department of Transportation in cooperation with the United States Department of Transportation will participate in a continuing, cooperative, and comprehensive transportation planning process with responsibilities and undertakings as related in the following paragraphs:

1. The Durham-Chapel Hill-Carrboro Metropolitan Planning Area, will consist of the Durham Urbanized Area as defined by the United States Department of Commerce, Bureau of the Census, plus that area beyond the existing urbanized area boundary that is expected to become urbanized or be affected by urban policies within a twenty-year planning period. This area is hereinafter referred to as the Metropolitan Planning Area.
2. The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) shall include the policy boards of general purpose local government – the Durham City Council, Chapel Hill Town Council, Carrboro Board of Aldermen, Hillsborough Board of Commissioners, Durham County Board of Commissioners, Orange County Board of Commissioners, and Chatham County Board of Commissioners; the North Carolina Department of Transportation; a MPO Board hereinafter defined, a MPO Technical

Committee hereinafter defined, and the various agencies and units of local, regional, state, and federal government participating in the transportation planning for the area.

3. The Metropolitan Planning Area boundary will be periodically reviewed and revised in light of new developments, basic data projections for the current planning period, and as may otherwise be required by federal and state laws.
4. The continuing transportation planning process will be a cooperative one reflective of and responsive to the programs of the North Carolina Department of Transportation, and to the comprehensive plans for growth and development of the Municipalities of Durham, Chapel Hill, Carrboro, and Hillsborough; and the Counties of Durham, Orange, and Chatham. Attention will be given to cooperative planning with the neighboring metropolitan and rural planning organizations.
5. The continuing transportation planning process will be in accordance with the intent, procedures, and programs of Title VI of the Civil Rights Act of 1964, as amended.
6. The continuing transportation planning process will be in accordance with the intent, procedures, and programs of Clean Air Act of 1970, as amended.
7. Transportation policy decisions within the MPO are the shared responsibility of the MPO Board, the N.C. Board of Transportation, and participating local governments.
8. Transportation plans and programs, and land use policies and programs, for the Planning Area, having regional impacts, will be coordinated with Triangle Transit, the neighboring metropolitan and rural planning organizations, and Triangle J Council of Governments.
9. A MPO Board is hereby established with the responsibility for cooperative transportation decision-making for the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO). The MPO Board shall have the responsibility for keeping the policy boards informed of the status and requirements of the transportation planning process; assisting in the dissemination and clarification of the decisions, inclinations, and policies of the policy boards, and for providing opportunities for citizen participation in the transportation planning process.

The MPO Board will be responsible for carrying out the provisions of 23 U.S.C. Section 134; Title 49 U.S.C. Chapter 53; and 42 U.S.C. 7504 and 7506(c); including but not limited to:

- a. Establishment of goals and objectives for the transportation planning process;

- b. Review and approval of a Prospectus for transportation planning which defines work tasks and responsibilities for the various agencies participating in the transportation planning process;
- c. Review and approval of the transportation Unified Planning Work Program;
- d. Review and approval of changes to the National Highway System, Functional Classification, and Metropolitan Planning Area boundary;
- e. Review and approval of the Comprehensive and Metropolitan Transportation Plans. As specified in General Statutes Section 136-66.2(a), the Comprehensive Transportation Plan shall include the projects in the Metropolitan Transportation Plan and may include additional projects that are not included in the financially constrained plan or are anticipated to be needed beyond the horizon year as required by 23 U.S.C. Section 134. As specified in General Statutes Section 136-66.2(d) revisions to the Comprehensive Transportation Plan are required to be jointly approved by the North Carolina Department of Transportation and the MPO Board;
- f. Review and approval of the Transportation Improvement Program and changes to the Transportation Improvement Program. As specified in 23 U.S.C. Section 134(k), all federally funded projects carried out within the boundaries of a metropolitan planning area serving a transportation management area (excluding projects carried out on the National Highway System) shall be selected for implementation from the approved TIP by the metropolitan planning organization designated for the area in consultation with the State and any affected public transportation operator;
- g. Review and approval of planning procedures for air quality conformity and review and approval of air quality conformity determination for projects, programs, and plans;
- h. Review and approval of a Congestion Management Process;
- i. Review and approval of the distribution and oversight of federal funds designated for the DCHC MPO under the provisions of MAP-21 and any other subsequent Transportation Authorizations;
- j. Review and approval of a policy for public involvement for the DCHC MPO;
- k. Review and approval of an agreement between the MPO, the State, and public transportation operators serving the Metropolitan Planning Area that defines mutual responsibilities for carrying out the metropolitan planning process in accordance with 23 C.F.R. 450.314;

- l. Oversight of the Lead Planning Agency staff;
- m. Revision in membership of the MPO Technical Committee hereinafter defined;
- n. Development and approval of committee bylaws for the purpose of establishing operating policies and procedures;
- o. Review and approval of cooperative agreements with other transportation organizations, transportation providers, counties, and municipalities.

The membership of the MPO Board shall include:

- a. Two members of the Durham City Council;
- b. One member of the Chapel Hill Town Council;
- c. One member of the Carrboro Board of Aldermen;
- d. One member of the Hillsborough Board of Commissioners;
- e. One member of the Durham County Board of Commissioners;
- f. One member of the Orange County Board of Commissioners;
- g. One member of the Chatham County Board of Commissioners;
- h. One member of the North Carolina Board of Transportation;
- i. One member of the Triangle Transit Board of Trustees.

Municipal and county public transit providers shall be represented on the MPO Board through their respective municipal and county local government board members.

It shall be the responsibility of each member jurisdiction to appoint a representative and an alternate(s) to the MPO Board.

In order for a quorum of the MPO Board to be established:

- a. A simple majority of the voting members shall be present; and
- b. The total number of weighted votes associated with the simple majority, as identified in the weighted voting schedule below, shall represent a majority of the total number of possible weighted votes.

A majority vote shall be sufficient for approval of matters coming before the committee with the exception that a committee member may invoke the following weighted vote provisions on any matter:

<u>Government Body</u>	<u>Votes</u>
City of Durham	16*
Town of Chapel Hill	6
Durham County	4
Orange County	4
Town of Carrboro	2

Chatham County	2
Town of Hillsborough	2
N.C. Board of Transportation	1
<u>Triangle Transit</u>	<u>1</u>
Total	38

\* 8 votes per representative

Representatives from each of the following bodies will serve as non-voting members of the MPO Board:

- a. A representative of the Federal Highway Administration;
- b. A representative of the Federal Transit Administration;
- c. Other local, regional, state, or federal agencies impacting transportation in the planning area at the invitation of the MPO Board.

The MPO Board will meet as often as it is deemed appropriate and advisable. On the basis of a majority vote, the MPO Board may appoint members of the Board to act as Chair and Vice-Chair with the responsibility for coordination of the Board's activities. A member of the Lead Planning Agency staff will serve as Secretary to the Board and will work cooperatively with the staff of other jurisdictions.

10. A MPO Technical Committee shall be established with the responsibility of general review, guidance and coordination of the transportation planning process for the planning area and with the responsibility for making recommendations to the respective local, state, and federal governmental agencies and the MPO Board regarding any necessary actions relating to the continuing transportation planning process. The MPO Technical Committee shall be responsible for development, review and recommendations for approval and changes to the Prospectus, Unified Planning Work Program, Transportation Improvement Program, National Highway System, Functional Classification, Metropolitan Planning Area boundary, Metropolitan Transportation Plan, and Comprehensive Transportation Plan, for planning citizen participation, and for documenting reports of various transportation studies.

Membership of the MPO Technical Committee shall include technical representatives from local and state agencies directly related to and concerned with the transportation planning process for the planning area. Representatives will be designated by the chief executive officer of each represented agency. Departments or divisions within local and state agencies that should be represented on the MPO Technical Committee include, but are not limited to, those responsible for transportation planning, land use planning, transportation operations, public works and construction, engineering, public transportation, environmental conservation and planning, bicycle and pedestrian planning, and economic development. Initially, the membership shall include, but not be limited to, the following:

a. The City of Durham	5 representatives
b. The Town of Chapel Hill	3 representatives
c. The Town of Carrboro	2 representatives
d. The Town of Hillsborough	1 representative
e. Durham County	3 representatives
f. Orange County	3 representatives
g. Chatham County	1 representative
h. The N.C. Department of Transportation	5 representatives
i. Triangle J Council of Governments	1 representative
j. Duke University	1 representative
k. N.C. Central University	1 representative
l. The University of North Carolina	1 representative
m. The Raleigh-Durham Airport Authority	1 representative
n. Triangle Transit	1 representative
o. The Research Triangle Park Foundation	1 representative
p. The N.C. Department of the Environment and Natural Resources	1 representative

The City of Durham's membership shall not include members of the Lead Planning Agency staff.

In addition to voting membership, the following agencies shall have non-voting membership:

a. The Federal Highway Administration	1 representative
b. The Federal Transit Administration	1 representative
c. The U.S. Army Corps of Engineers	1 representative
d. The U.S. Environmental Protection Agency	1 representative
e. The U.S. Fish and Wildlife Service	1 representative
f. The N.C. Department of Cultural Resources	1 representative
g. The N.C. Department of Commerce	1 representative
h. The U.S. Department of Housing and Urban Development	1 representative
i. The N.C. Railroad Company	1 representative
j. The N.C. Trucking Association	1 representative
k. The N.C. Motorcoach Association	1 representative
l. Regional Transportation Alliance	1 representative

The MPO Technical Committee shall meet when it is deemed appropriate and advisable. On the basis of a majority vote, the MPO Technical Committee may appoint voting members of the Committee to act as Chair and Vice-Chair with the responsibility for coordination of the Committee's activities.



11. The Durham City Council, Chapel Hill Town Council, Carrboro Board of Aldermen, Hillsborough Board of Commissioners, Durham County Board of Commissioners, Orange County Board of Commissioners, and Chatham County Board of Commissioners shall serve as the primary means for citizen input to the continuing transportation planning process. During the Metropolitan Transportation Plan reevaluation, citizen involvement in the planning process shall be encouraged during re-analysis of goals and objectives and plan formation. This citizen involvement will be obtained through procedures outlined in the MPO's policy for public involvement.

The MPO Board may also receive public input or hold public hearings as may also be required by federal or state law.

## Section II

It is further agreed that the subscribing agencies will have the following responsibilities, these responsibilities being those most logically assumed by the several agencies:

### The Municipalities and the Counties

The municipalities and the counties will assist in the transportation planning process by providing planning assistance, data, and inventories in accordance with the Prospectus. The municipalities and the counties shall coordinate zoning and subdivision approval within their respective jurisdictions in accordance with the adopted Metropolitan Transportation Plan and the Comprehensive Transportation Plan.

Additionally, the City of Durham will serve as the Lead Planning Agency for the transportation planning process in the Planning Area.

The municipalities and the counties will participate in funding the portion of the costs of the MPO's work program not covered by federal or state funding as reflected in the annual Planning Work Program approved by the MPO Board. The portion to be paid by each municipal and county member government will be based upon its pro rata share of population within the MPO Planning Area, utilizing the most recent certified North Carolina Office of State Planning municipal and county population estimates. In addition, MPO members may also voluntarily contribute additional funds for other purposes such as to participate in funding the costs of special studies, or other specialized services as mutually agreed upon.

Funding provided by member agencies will be used to provide the required local match to federal funds. Failure by member agencies to pay the approved share of costs would impact the MPO's ability to match federal funds and could have the effect of invalidating the MPO's Unified Planning Work Program and the annual MPO self-certification, and could also result in the withholding of transportation project funds.

Failure by member governments to pay the approved share of costs may also result in the withholding of MPO services and funding.

The municipalities and the counties receiving federal transportation funding designated for the Durham Urbanized Area as approved by the MPO Board through the Unified Planning Work Program shall comply with adopted reporting and oversight procedures.

#### North Carolina Department of Transportation

The Department will assist in the transportation planning process by providing planning assistance, data, and inventories in accordance with the Prospectus. Should any authorized local government body choose to adopt or amend a transportation corridor official map for a proposed public transportation corridor pursuant to N.C.G.S. § 136-44.50, the Department may offer assistance by providing mapping, data, inventories, or other Department resources that could aid the local government body in adopting or amending a transportation corridor official map.

#### Triangle Transit

Triangle Transit will assist in the transportation planning process by providing planning assistance, data, and inventories in accordance with the Prospectus. Triangle Transit may also voluntarily contribute additional funds for other purposes such as to participate in funding the costs of special studies, or other specialized services as mutually agreed upon. Triangle Transit shall comply with adopted reporting and oversight procedures for the receipt of federal transportation funding designated for the Durham Urbanized Area as approved by the MPO Board through the Unified Planning Work Program.

#### E-Verify Compliance for All Parties to this Agreement

Each of the parties covenants that if it enters into any subcontracts in order to perform any of its obligations under this contract, it shall require that the contractors and their subcontractors comply with the requirements of NC Gen. Stat. Article 2 of Chapter 64. In this E-Verify Compliance section, the words contractors, subcontractors, and comply shall have the meanings intended by applicable provisions of NC Gen. Stat. Chapters 153A and 160A.

#### Section III

Parties to this Memorandum of Understanding may terminate their participation in the continuing transportation planning process by giving ninety (90) days written notice to the other parties prior to the date of termination. If any party should terminate participation, this Memorandum of Understanding shall remain in force and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization shall continue to operate as long as 75% or more of the

population within the Metropolitan Planning Area is represented by the remaining members. For the purpose of determining 75% representation, the populations within incorporated areas are represented by the respective municipal governments and the populations within the unincorporated areas are represented by the respective county governments.

#### Section IV

In witness whereof, the parties of this Memorandum of Understanding have been authorized by appropriate and proper resolutions to sign the same, the City of Durham by its Mayor, the Town of Chapel Hill by its Mayor, the Town of Carrboro by its Mayor, the Town of Hillsborough by its Mayor, Durham County by its Chair, Orange County by its Chair, Chatham County by its Chair, Triangle Transit by its Chair, and the Secretary of Transportation on behalf of the Governor of the State of North Carolina and the North Carolina Department of Transportation, this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.



City of Durham

*D. Ben Loney*  
Clerk

By

*[Signature]*  
Mayor

(Seal)



Town of Chapel Hill

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Clerk


By

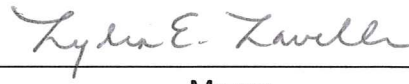
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Mayor

(Seal)

Town of Carrboro

  
Clerk

By   
Mayor

(Seal)

Town of Hillsborough

Kathleen M. Cathey  
Clerk

By Tom Severn  
Mayor



(Seal)

County of Durham

  
Clerk

By   
Chair







(Seal)

County of Orange

A blue ink signature, likely of the Clerk, written over a horizontal line.

Clerk

By

A blue ink signature, likely of the Chair, written over a horizontal line.

Chair

(Seal)

County of Chatham

Lindsay K. Ray  
Clerk

By B. J. B. A.  
Vice Chair

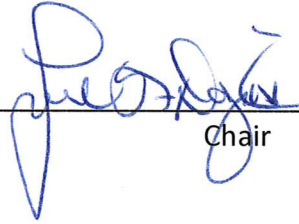
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Research Triangle Regional Public  
Transportation Authority  
d/b/a Triangle Transit



Clerk

By



Chair

(Seal)

North Carolina Department of  
Transportation

By \_\_\_\_\_  
Secretary

## **BYLAWS**

### **DURHAM – CHAPEL HILL – CARRBORO METROPOLITAN PLANNING ORGANIZATION BOARD**

#### **ARTICLE I – NAME**

The name of this organization shall be the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization Board, hereinafter referred to as the “MPO Board.”

#### **ARTICLE II – PURPOSES**

The purpose and goals of this committee shall be:

1. To develop and direct a continuing, comprehensive, multimodal transportation planning process carried on cooperatively by the State and local communities in concurrence with federal guidelines.
2. To advise the policy boards within the Durham-Chapel Hill-Carrboro Urban Area on the status of the needs identified through the continuing multimodal transportation planning process.
3. To facilitate coordination and communication between policy boards and agencies represented on the MPO Board and the Technical Committee (TC).
4. To facilitate coordination between the policy boards of the Durham-Chapel Hill-Carrboro Urban Area and the North Carolina Board of Transportation.
5. To assist the general public in understanding decisions and policies of the policy boards.
6. To act as a forum for cooperative decision-making by elected officials of this urban area in cooperation with the State, thereby serving as the basis for a cooperative planning process.

#### **ARTICLE III – RESPONSIBILITIES**

As specified in the *Memorandum of Understanding* dated March 12, 2014, the responsibilities of this committee shall include:

1. Establishment of goals and objectives for the transportation planning process; and

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2. Review and approval of a Prospectus for transportation planning which defines work tasks and responsibilities for the various agencies participating in the transportation planning process;
3. Review and approval of the transportation Unified Planning Work Program (UPWP);
4. Review and approval of changes to the National Highway System, Functional Classification, and Metropolitan Planning Area boundary;
5. Review and approval of changes of the Comprehensive and Metropolitan Transportation Plans. As specified in General Statutes Section 136-66.2(a), the Comprehensive Transportation Plan shall include the projects in the Metropolitan Transportation Plan and may include additional projects that are not included in the financially constrained plan or are anticipated to be needed beyond the horizon year as required by 23 U.S.C. Section 134. As specified in General Statutes Section 136-66.2(d) revisions to the Comprehensive Transportation Plan are required to be jointly approved by the North Carolina Department of Transportation and the MPO Board;
6. Review and approval of the Transportation Improvement Program (TIP) and changes to the TIP. As specified in 23 U.S.C. Section 134(k), all federally funded projects carried out within the boundaries of a metropolitan planning area serving a transportation management area (excluding projects carried out on the National Highway System) shall be selected for implementation from the approved TIP by the metropolitan planning organization designated for the area in consultation with the State and any affected public transportation operator;
7. Review and approval of planning procedures for air quality conformity and review and air quality conformity determination for projects, programs and plans;
8. Review and approval of a Congestion Management Process;
9. Review and approval of the distribution and oversight of federal funds designated for the DCHC MPO under the provisions of MAP-21 and any other subsequent Transportation Authorizations;
10. Review and approval of a policy for public involvement for the DCHC MPO;
11. Review and approval of an agreement between the MPO, the State, and public transportation operators serving the Metropolitan Planning Area that defines mutual

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responsibilities for carrying out the metropolitan planning process in accordance with 23 C.F.R. 450.314;

12. Oversight of the Lead Planning Agency staff;
13. Revision in membership of the MPO Technical Committee;
14. Development and approval of committee bylaws for the purpose of establishing operating policies and procedures;
15. Review and approval of cooperative agreements with other transportation organizations, transportation providers, counties and municipalities.

#### **ARTICLE IV – MEMBERS**

##### **Section 1 – Number and Qualifications:**

As specified in the *Memorandum of Understanding* dated November 13, 2013, the MPO Board shall include as voting members:

- A. Two members of the Durham City Council;
- B. One member of the Chapel Hill Town Council;
- C. One member of the Carrboro Board of Aldermen;
- D. One member of the Hillsborough Board of Commissioners;
- E. One member of the Durham County Board of Commissioners;
- F. One member of the Orange County Board of Commissioners;
- G. One member of the Chatham County Board of Commissioners;
- H. One member of the North Carolina Board of Transportation; and
- I. One member of the Triangle Transit Board of Trustees

Representatives of the following bodies will serve as non-voting members of the MPO Board:

- A. A representative of the Federal Highway Administration;

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- B. A representative of the Federal Transit Administration;
- C. Other local, State and/or federal agencies impacting transportation in the planning area at the invitation of the MPO Board. It shall be the responsibility of each member jurisdiction to appoint a representative to the MPO Board.

### **Section 2 – Terms of Office:**

All elected representatives serving on the MPO Board may serve for the length of their elected terms. A member may serve successive terms.

### **Section 3 – Alternates:**

Each board will appoint an alternate(s) for its representative(s) provided each alternate also meets the same qualifications of membership. That alternate member may serve as a full voting member during any meeting where that board's representative is not in attendance. Proxy and absentee voting are not permitted. No representatives may simultaneously serve as both voting members and alternate members for different policy boards.

## **ARTICLE V – OFFICERS**

### **Section 1 – Officers Defined:**

The officers of the MPO Board shall consist of a Chair and Vice-Chair to be elected by the members of the Committee.

### **Section 2 – Elections:**

Officers shall be elected annually at the last regularly scheduled meeting of the calendar year, as the last agenda item. The newly elected Chair and Vice-Chair shall take office immediately upon their election.

### **Section 3 – Terms of Office:**

The term of office for officers shall be one year. Officers shall not serve more than two successive terms. Each officer shall hold office until his/her successor shall have been duly elected or until his/her earlier death, resignation, disqualification, incapacity to serve, or removal in accordance with the law.

### **Section 4 – Rotation of Officers:**

The Chair shall rotate among the jurisdictions represented in Durham County, Orange County, and Chatham County so that successive chairs come from different counties (for example, if the Chair is from the City of Durham or Durham County, the next Chair shall be from Carrboro,



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Chapel Hill, Hillsborough, Orange County, or Chatham County). The Vice-Chair shall be from a jurisdiction located in either of the two other counties (i.e., both officers shall not be from that same county).

### **Section 5 – Duties of Officers:**

The Chair shall call and preside at meetings and appoint committees. The Chair shall appoint a staff member to serve as Clerk of the Board. The Clerk shall provide or otherwise delegate staff service for the MPO Board, as needed, and will be responsible for taking summary minutes of the Board's proceedings. The Clerk shall maintain a current copy of the Bylaws as an addendum to the *Memorandum of Understanding*, to be distributed to the public upon request.

In the absence of the Chair, the Vice-Chair shall preside and complete all other duties of the Chair.

## **ARTICLE VI – MEETINGS**

### **Section 1 – Regular Meetings:**

Meetings will be held regularly in accordance with a meeting schedule to be approved at the last meeting of each calendar year. Meeting notices and agendas are to be mailed by priority first class mail or emailed seven days prior to the meeting. Unless otherwise stated, all meetings will begin at 9:00 a.m. Regular meetings may be cancelled by the Chair should there be insufficient business on the Board's tentative agenda.

### **Section 2 – Special Meetings:**

Special meetings may be called by the Chair or at the request of the majority of the members. At least seven (7) days' notice shall be given.

### **Section 3 – Quorums:**

A quorum shall consist of a majority of the voting members whose votes together represent a majority of the total possible weighted votes identified in the vote schedule below (i.e., six (6) members representing twenty (20) weighted votes must be present for a quorum).

### **Section 4 – Attendance:**

Each member shall be expected to attend each regular meeting and each special meeting provided at least seven (7) days' notice is provided. For members not attending three (3) consecutive MPO Board meetings, the Chair will send to the chief elected officer of the jurisdiction of the member in question, a letter indicating the number of absences and requesting reaffirmation or re-designation of the jurisdiction's representative.

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### **Section 5 – Agenda**

The agenda is a list of considerations for discussion at a meeting. Items on the agenda originate as a carryover from previous MPO Board meetings, or are placed on the agenda prior to its distribution by any member of the MPO Board, by request from any jurisdiction which is a party to the *Memorandum of Understanding*, or by the request of the Chair of the Technical Committee. Additional items may be added to the agenda at the beginning of the meeting as long as there is a majority concurrence of the eligible voting members. Additions to the agenda will follow discussion of the last item on the regular agenda. At the beginning of any meeting, items may be placed on the agenda at the request of citizens with majority concurrence by eligible voting Board members.

### **Section 6 – Voting Procedures:**

Any voting member may make or second a motion. The Chair and any voting member may call for a vote on any issue, provided that it is seconded and within the purposes set forth in Article II, and provided the issue is on the agenda as outlined in Section 5 of this article. As specified in the *Memorandum of Understanding*, a majority vote of the voting membership shall be sufficient for approval of matters coming before the Board with the exception that a Board member may invoke the following weighted voting procedures on any matter.

### **GOVERNMENTAL BODY VOTES**

City of Durham	16*
Town of Chapel Hill	6
Durham County	4
Orange County	4
Town of Carrboro	2
Chatham County	2
Town of Hillsborough	2
N.C. Board of Transportation	1
<u>Triangle Transit</u>	<u>1</u>
TOTAL	38

\* 8 votes per representative.

The Chair and qualified alternates to voting members are permitted to vote. Non-voting members are not permitted to vote. Abstentions are not included in the tally of the vote. The vote of members who are present at the meeting, but absent during the vote, will be counted in the affirmative unless an authorized alternate is present and voting for the absent member. In the absence of any direction from these Bylaws, *Robert's Rules of Order* will designate procedures governing voting.

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### **ARTICLE VII – AMENDMENTS TO BYLAWS**

Amendments to these Bylaws of the MPO Board shall require the affirmative vote of at least six (6) jurisdictions' voting members, provided that written notice of the proposed amendment has been received by each member at least seven (7) days prior to the meeting at which the amendment is to be considered, and provided that such amendment does not conflict with the letter or fundamental intent of the *Memorandum of Understanding* governing this document. In the event of any conflict, the *Memorandum of Understanding* shall carry precedence over these Bylaws.

Presented to the MPO Board on August 13, 2014.

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# The State Government Ethics Act

## Overview for MPOs & RPOs

*August 20, 2012*

Overview of MPOs, RPOs &  
The State Government Ethics Act:

## Background

## What is the State Government Ethics Act?

- \* Chapter 138A of the NC General Statutes.
- \* Establishes a code of conduct for certain elected and appointed public officials and employees.
- \* Requires financial disclosures & ethics education.
- \* Prohibits certain conduct.
- \* Interpreted & enforced by the State Ethics Commission.
  - \* 8 members appointed by the Governor & General Assembly.

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## Why Are MPOs & RPOs Covered by the Ethics Act

- \* In 2012, the General Assembly enacted legislation covering all MPOs & RPOs (S.L. 2012-142)

### APPLY STATE ETHICS ACT TO METROPOLITAN PLANNING ORGANIZATIONS AND RURAL PLANNING ORGANIZATIONS

**SECTION 24.16.(a)** G.S. 136-202 is amended by adding a new subsection to read:

"(e) A Metropolitan Planning Organization shall be treated as a board for purposes of Chapter 138A of the General Statutes."

**SECTION 24.16.(b)** G.S. 136-211 is amended by adding a new subsection to read:

"(e) Ethics Requirements. – A Rural Transportation Planning Organization shall be treated as a board for purposes of Chapter 138A of the General Statutes."

**SECTION 24.16.(c)** Members of Metropolitan Planning Organizations and Rural Transportation Planning Organizations shall file an initial Statement of Economic Interest with the State Ethics Commission no later than April 15, 2013. All information provided in the Statement of Economic Interest shall be current as of December 31, 2012. The initial Statement of Economic Interest shall be filed electronically.

**SECTION 24.16.(d)** This section becomes effective January 1, 2013.

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## Are Both the TCCs & TACs Covered and When Does Coverage Begin?

- \* Both the TCC & TAC of each MPO and RPO are covered by the Ethics Act
- \* Coverage begins **JANUARY 1, 2013.**

*Overview of MPOs, RPOs &  
The State Government Ethics Act:*

## Duties & Responsibilities

## File Financial Disclosure: Statement of Economic Interest (SEI)

### WHAT

- \* Certain financial, professional & personal information about you & your *immediate family*, including: spouse, unless legally separated; unemancipated children living in your household & members of your *extended family who live with you*.

### WHEN

- \* **Filing Period Opens: January 1, 2013.**
- \* **Deadline: April 15, 2013.**
- \* Must file **annually no later than April 15<sup>th</sup>**.
- \* After SEI properly completed & filed, no duty to amend or update the SEI during the year.

### How

- \* Must file **electronically** via the Commission's website.

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## SEI Penalties

### Civil

- \* **\$250 civil penalty** for late, incomplete, or non-filing.

### Criminal

- \* **Criminal penalties** for knowingly concealing or providing false information.

### Removal

- \* May be removed from position as MPO or RPO member.

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## SEI Evaluations

- \* SEI evaluated for actual & potential conflicts of interest.
- \* NOTE: Having a potential conflict does not disqualify you from serving!!!
- \* SEI & evaluation are **public record**.

## Ethics Education

- \* Goal is to familiarize you with ethics laws.
- \* Can attend a live presentation or complete the online education modules.
- \* Schedule & online presentation available on website:  
[www.ethicscommission.nc.gov/education/default.aspx](http://www.ethicscommission.nc.gov/education/default.aspx)
- \* **Deadline: On or before June 30, 2013.**
- \* Must attend refresher presentations at least every 2 years thereafter.
- \* Local government ethics education does **not satisfy** the ethics act education requirement.

## Monitor & Avoid Conflicts of Interest

- \* Duty to
  - \* Identify potential conflicts of interest prior to taking any official action or participating in discussions.
  - \* Monitor, evaluate & manage personal, professional & financial affairs for potential conflicts of interest.

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Overview of MPOs, RPOs &  
The State Government Ethics Act:

## Prohibitions

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## Conflicts of Interest

- \* Prohibited from taking any “*official action*” where you or certain individuals or entities with which you are associated may receive a “*financial benefit*” from your official action.
- \* Recuse yourself from any proceeding where your impartiality might reasonably be questioned due to a relationship with a participant in the proceeding.
- \* Are exceptions, or “Safe Harbors” which allow you to take official action notwithstanding the conflict.
- \* If no “Safe Harbor” applies, will need to recuse yourself.

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## “Gift Ban”

- \* Cannot accept gifts from certain “prohibited givers”
  - \* Lobbyists; lobbyist principals; & “interested persons” (certain persons who have a relationship with or who are affected by your MPO or RPO).
- \* “**Gift**” is anything of monetary value from prohibited giver.
- \* **Value of gift does not matter!**
- \* Are exceptions, especially food & beverage for groups, but must meet ALL criteria for exception to apply.

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## Other Prohibitions

- \* Prohibitions or limitations on use of your title as MPO or RPO board member.
- \* Prohibited from misusing confidential or non-public information.
- \* Cannot hire or supervise family members.
- \* Cannot accept honoraria in some cases.
- \* Limited exceptions to all of the above.

Overview of MPOs, RPOs &  
The State Government Ethics Act:

## Complaints & Consequences

## Complaints

- \* Anyone can file complaint against you with the State Ethics Commission.
- \* Dismiss, settle, or hold a hearing.
- \* Complaints & all associated documents are confidential & not public records, unless:
  - \* Hearing is held; or,
  - \* Sanctions are imposed without a hearing.

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## Consequences

- \* Can be removed from position as MPO or RPO board member.
- \* Civil penalty may apply for SEI violations.
- \* Criminal penalties may apply for knowingly providing false information or failing to disclose information on SEI.

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Overview of MPOs, RPOs &  
The State Government Ethics Act:

## Questions & Advice

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## Advice & Advisory Opinions

- \* Right to ask about any question you have about ethics act.
- \* All requests and associated documents are confidential and not public records.
- \* Advisory opinions issued by the State Ethics Commission confer immunity from investigation by the State Ethics Commission.

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## Important Dates & Deadlines

- \* **January 1, 2013**
  - \* Effective date of coverage under State Government Ethics Act.
  - \* Conflicts of interest standards, gift ban, and other duties and prohibitions apply.
  - \* SEI filing period opens.
- \* **April 15, 2013**
  - \* Deadline for filing Statement of Economic Interest (SEI).
- \* **June 30, 2013**
  - \* Deadline for attending ethics education.

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## Contact Information

❖ **MAILING ADDRESS**  
Mail Service Center  
Raleigh, NC 27699-1324

❖ **STREET ADDRESS**  
424 N. Blount Street  
Raleigh, NC 27601-1010

❖ **PHONE & FAX**  
Phone: 919-715-2071  
Fax: 919-715-1644

❖ **E-MAIL**

- SEI Questions: [SEI@doa.nc.gov](mailto:SEI@doa.nc.gov)
- Education Questions: [Education.Ethics@doa.nc.gov](mailto:Education.Ethics@doa.nc.gov)
- Other Questions: [ethics.commission@doa.nc.gov](mailto:ethics.commission@doa.nc.gov)

❖ **WEBSITE**  
[www.ethicscommission.nc.gov](http://www.ethicscommission.nc.gov)

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## New Ethics Requirements for Local Transportation Planning Organizations – Round 2

Posted By [Norma Houston](#) On June 28, 2013 @ 1:25 PM In [Ethics & Conflicts](#) | [No Comments](#)

During the 2012 short session, the General Assembly enacted legislation that covered members of local transportation planning groups, known as RPOs and MPOs, under the State Government Ethics Act ([GS Chapter 138A](#) <sup>[1]</sup>), the same ethics laws that apply to many state officials (for more about MPO's and RPO's and last year's legislation, see [this previous post](#) <sup>[2]</sup>). Responding to concerns about the breadth and scope of these ethics requirements, especially as they applied to local government employees serving on MPO and RPO technical committees, the General Assembly recently enacted [Senate Bill 411 \(SL 2013-156\)](#) <sup>[3]</sup>.

This legislation makes two important changes to current law:

1. Repeals the statutes that included MPOs and RPOs under the State Government Ethics Act, meaning that members of MPOs and RPOs are no longer subject to the requirements and prohibitions of Chapter 138A, and
2. Puts in place a more narrowly focused set of ethics requirements that only apply to members of MPOs and RPOs with voting authority, meaning the members of the organizations' policy boards (usually referred to as TACs).

The new requirements are now codified as GS 136-200.2(g)–(k) (for MPOs), and GS 136-211(f)–(k) (for RPOs). What are these new requirements and what do they mean for local government officials and employees?

### TCC Members No Longer Covered Under State Ethics Act

Under SB411, state and local government employees and others who serve on MPO and RPO Technical Coordinating Committees (TCCs) are no longer covered under the State Government Ethics Act. In addition, they are not subject to the new ethics requirements that now apply to MPO and RPO Transportation Advisory Committees (TACs). Under the old law, members of both TCCs and TACs were covered under the State Government Ethics Act. Now, neither TCCs nor TACs are covered under Chapter 138A, and only TACs are covered under the new ethics requirements. The long title of the bill specifically references "Transportation Advisory Committees," and the new statutory provisions clearly state that only "individuals with voting authority" on MPOs and RPOs are subject to the new ethics requirements. Although TCC members might take votes when conducting their business, such as approving their recommendations to a TAC, the clear intent of the General Assembly is to apply the new MPO/RPO ethics requirements only to members of TACs.

SB411 went into effect at 4:27 p.m. on June 19<sup>th</sup> (the time and date when Governor McCrory signed the bill into law). As of that moment, local government employees serving on TCCs were no longer subject to the State Government Ethics Act. Nor are they subject to the new ethics requirements that are now applicable to MPO and RPO TAC members. Of course, local government employees must continue to comply with other conflicts of interest laws, including the prohibitions against self-benefiting under public contracts ([GS 14-234](#) <sup>[4]</sup>), misusing confidential information ([GS 14-234.1](#) <sup>[5]</sup>), and accepting gifts or favors from vendors and contractors ([GS 133-32](#) <sup>[6]</sup>).

During the 6-month timeframe in which local employees serving on TCC's were covered under the State Government Ethics Act, they were required to file a Statement of Economic Interest (SEI) disclosing certain personal financial information. Now that TCCs are no longer subject to Chapter 138A, TCC members are not required to file SEIs, which are a matter of public record. So, what happens to those SEIs filed earlier this year by TCC members? To ensure that local employees' personal financial information is not subject to public inspection now that there is not a legal basis for the disclosure, the State Ethics Commission (SEC) is authorized to destroy the SEI's filed by TCC members as well as the SEC's written evaluations of those SEIs.

There is one way in which state or local government employees could become subject to the new ethics requirements that apply to TAC members. If an employee serves as the alternate or designee of a TAC member, that employee becomes subject to the new ethics requirements. Coverage of alternates and designees is discussed below in more detail.

### TAC Members Have New Ethics Requirements

Under the old law, local government officials and others serving on TACs were subject to the entire scope of ethics requirements and prohibitions under Chapter 138A. Under the new law, TACs are no longer covered under the State Ethics Act. Instead, all voting members of TACs, as well as their alternates or designees, are subject to a new set of ethics requirements. These requirements are:

1. Conflict of Interest Prohibition – Members must refrain from participating in any action as a MPO or RPO TAC member if the action would result in a reasonably foreseeable financial benefit to the member, the member's extended family, or any business with which the member is associated.
2. Disclose Conflicts of Interest – Members must promptly disclose in writing any actual or potential conflicts of interest. The written disclosure, which is a public record, must be attached to the minutes of the MPO/RPO meeting in which any discussion or vote was taken related to the disclosed conflict.
3. Disclose Economic Interests – Members must file a Statement of Economic Interest (SEI) as required under [Article 3 of Chapter 138A](#) <sup>[7]</sup>; the SEI must be filed and evaluated by the State Ethics Commission before the member can take his or her position on the MPO or RPO TAC to which he or she is appointed (this requirement is the only aspect of the previous law that is carried forward under the new law). Just as under the old law, the penalty for failure to timely file a SEI can result in a \$250 fine.
4. Disclose Real Estate Interests – Members must include with the SEI a separate list of all real estate owned wholly or in part by the member, the member's extended family, or a business with which the member is associated. This requirement applies to real estate located within the jurisdiction of the MPO or RPO on which the member serves.
5. Confidential Information – Members cannot use or disclose nonpublic information the member learns as a result of serving on a MPO or RPO in a way that would affect the personal financial interests of the member, the member's extended family, or a business with which the member is associated.

Members of the State Board of Transportation serving on TACs continue to be covered by the State Government Ethics Act, and are not subject to the new ethics requirements for other TAC members.

The new ethics statutes specifically define three terms that are directly related to the prohibitions against conflicts of interest and misusing confidential information as well as the real estate disclosure requirement. To ensure full compliance with the new ethics laws, TAC members should be aware of these definitions.

1. Extended family – The term "extended family" is defined as the member's spouse, lineal descendants (such as children and grandchildren), lineal ascendants (parents, grandparents, etc.), and siblings, as well as his or her spouse's lineal descendants, lineal ascendants, and siblings (i.e., the member's in-laws), and the spouses of any of these individuals. ([GS 138A-3\(13\)](#) <sup>[8]</sup>)
2. Business with which associated – The term "business with which associated" is defined as a business in which member or his or her immediate family
  1. is an employee;
  2. holds a position as a director, officer, partner, proprietor, or member or manager of a limited liability company, irrespective of the amount of compensation received or the amount of the interest owned;
  3. owns a legal, equitable, or beneficial interest of ten thousand dollars (\$10,000) or more in the business or five percent (5%) of the business, whichever is less, other than as a trustee on a deed of trust; or
  4. is a lobbyist registered under Chapter 120C of the General Statutes. ([GS 138A-3\(3\)](#) <sup>[8]</sup>)
3. Financial benefit – The term "financial benefit" is defined as a "direct pecuniary gain or loss to a business competitor," which mirrors the definition of financial benefit under Chapter 138A.

### TAC Alternates and Designees Are Covered Under New Ethics Laws

The new ethics requirements apply to “individuals with voting authority” who serve on MPOs and RPOs (i.e., members of TACs). Members often designate individuals to serve as their alternates or designees on the TAC. Because alternates or designees act in the place of the TAC member, they have the same voting privileges as those members, thus making them “individuals with voting authority.” Consequently, TAC alternates and designees are subject to the same ethics requirements under the new law as the TAC members themselves. Although state and local government employees serving on TCCs are not covered under the new ethics requirements, an employee who is appointed as an alternate or designee of a TAC member would be covered.

### Sanctions for Violations

The new law imposes sanctions for violations of its provisions. Violating the conflict of interest prohibition is punishable as a Class 1 misdemeanor. Failing to timely file a SEI may result in a \$250 fine. Knowingly concealing or failing to disclose required financial or real estate information is punishable as a Class 1 misdemeanor; filing false financial or real estate information is punishable as a Class H felony. While no specific penalty is provided for misusing nonpublic information, this prohibition is essentially the same as that under [GS 14-234.1](#) <sup>[5]</sup>, which is punishable as a Class 1 misdemeanor.

### State Ethics Act Requirements No Longer Applicable

While TAC members must now comply with the new ethics requirements, they are no longer required to comply with any of the provisions of the State Ethics Act other than the SEI filing requirement. Notably, members of MPO and RPO TACs are no longer required to participate in state ethics training every two years, and they are no longer subject to the prohibition accepting gifts from lobbyists, lobbyists’ principals, or interested persons. Of course, as local elected officials, they are still subject to the prohibition against accepting gifts or favors from vendors and contractors under [GS 133-32](#) <sup>[6]</sup>, and must still participate in local ethics training within twelve months of each election and reelection ([GS 160A-87](#) <sup>[9]</sup> for city council members and [153A-53](#) <sup>[10]</sup> for county commissioners).

### Board Clerks Have No Obligations under New Ethics Laws

Clerks to city councils and county boards of commissioners have no legal obligations under the new ethics laws. In particular, board clerks are not required to maintain a copy of a TAC member’s SEI or real estate disclosure list. The SEI and real estate disclosure list must be filed with the State Ethics Commission; filing these forms with the board clerk does not satisfy the TAC member’s legal obligations.

In addition, if a TAC member must disclose in writing an actual or potential conflict of interest related to a MPO or RPO matter, that written disclosure must be attached to the minutes of the MPO or RPO meeting in which any discussion or vote was taken related to the disclosed conflict. The conflict disclosure should not be filed with the clerk unless the clerk maintains the minutes of TAC meetings.

### New MPO/ RPO Ethics Requirements Do Not Apply to Other Local Government Officials

The new ethics requirements apply to voting members of MPO and RPO TACs only. These requirements do not apply to other local government officials or employees. City council members and county commissioners who do not serve on a TAC are not required to file SEIs or real estate interests lists. The new conflict of interest prohibition and written disclosure requirement do not apply to matters coming before a city council or county board of commissioners. Of course, all local officials must still comply with other conflicts of interest laws, including the prohibitions against self-benefiting under public contracts ([GS 14-234](#) <sup>[4]</sup>), misusing confidential information ([GS 14-234.1](#) <sup>[5]</sup>), and accepting gifts or favors from vendors and contractors ([GS 133-32](#) <sup>[6]</sup>), regardless of whether they serve on a TAC.

### Where to Go For More Information and Advice

Under the old law, TAC members could seek informal and formal advice from the [State Ethics Commission](#) <sup>[11]</sup> since that entity has jurisdiction over interpretations of Chapter 138A. Now that TAC members are subject to separate ethics requirements and not covered under Chapter 138A except for the SEI filing requirement, the SEC has no legal jurisdiction over questions of interpretation of the new law. The SEC is still the appropriate entity for TAC members to contact if they have questions about [SEI and real estate disclosure filing requirements](#) <sup>[12]</sup> (the SEC will

be developing a separate form to be used for real estate disclosures). For other questions about the new ethics requirements, a TAC member should consult with the attorney that advises the MPO or RPO on which the member serves or contact [Norma Houston](#) <sup>[13]</sup> at the UNC School of Government.

In the coming weeks, the School of Government, State Ethics Commission, and NCDOT's Transportation Planning Branch will develop educational materials and training programs to help TAC members understand and comply with their new ethical obligations. Information and updates will be disseminated by the SOG, SEC, and DOT through multiple communication channels and posted on their websites.

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Article printed from Coates' Canons: NC Local Government Law Blog: <http://canons.sog.unc.edu>

URL to article: <http://canons.sog.unc.edu/?p=7186>

URLs in this post:

[1] GS Chapter 138A: <http://www.ncleg.net/gascripts/Statutes/StatutesTOC.pl?Chapter=0138A>

[2] this previous post: <http://canons.sog.unc.edu/?p=6861>

[3] Senate Bill 411 (SL 2013-156):  
<http://www.ncleg.net/gascripts/BillLookup/BillLookup.pl?Session=2013&BillID=SB411&submitButton=Go>

[4] GS 14-234: <http://www.ncleg.net/gascripts/statutes/statutelookup.pl?statute=14-234>

[5] GS 14-234.1: <http://www.ncleg.net/gascripts/statutes/statutelookup.pl?statute=14-234.1>

[6] GS 133-32: <http://www.ncleg.net/gascripts/statutes/statutelookup.pl?statute=133-32>

[7] Article 3 of Chapter 138A:  
[http://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByArticle/Chapter\\_138A/Article\\_3.html](http://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_138A/Article_3.html)

[8] GS 138A-3(13):  
[http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter\\_138A/GS\\_138A-3.html](http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_138A/GS_138A-3.html)

[9] GS 160A-87: <http://www.ncleg.net/gascripts/statutes/statutelookup.pl?statute=160A-87>

[10] 153A-53:  
[http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter\\_153A/GS\\_153A-53.html](http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_153A/GS_153A-53.html)

[11] State Ethics Commission: <http://www.ethicscommission.nc.gov/>

[12] SEI and real estate disclosure filing requirements:  
<http://www.ethicscommission.nc.gov/sei/default.aspx>

[13] Norma Houston: <http://www.sog.unc.edu/user/78>



## **Durham-Chapel Hill-Carrboro Metropolitan Planning Organization**

### **Member Governments:**

**Town of Carrboro  
Town of Chapel Hill  
County of Chatham  
City of Durham  
County of Durham  
Town of Hillsborough  
N.C. Department of  
Transportation  
County of Orange**

# **Public Involvement Policy**

## **November 14, 2012**

**City of Durham  
Transportation Division  
101 City Hall Plaza  
Durham, NC 27701**

**(919) 560-4366**

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**Appendix**

Limited English Proficiency Plan

Durham-Chapel Hill-Carrboro Organización de Planeamiento Metropolitano Póliza de Participación Publica puede ser traducida en [español](#) sobre petición.

## **I. Introduction**

The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization's (DCHC MPO's) Public Involvement Policy is an umbrella policy, encompassing the plans and programs of the Urban Area's transportation planning process. Public involvement is an integral part of the DCHC MPO's planning efforts. The Public Involvement Policy is comprised of the public involvement programs for all the major planning activities, including the Transportation Plan, the Transportation Improvement Program (TIP), the Air Quality Conformity Determination, the Major Investment Study (MIS), the Unified Planning Work Program (UPWP), the MPO's provisions for the American with Disabilities Act (ADA), and on-going transportation planning (3C) process. The policy decision making body, the Transportation Advisory Committee (TAC), also has a standing public process as part of its monthly meetings. The planning activities mentioned above are, therefore, subject to the TAC's process for public involvement. The Policy also contains a review component to assess the value of the MPO programs on a triennial basis.

The DCHC MPO will seek public input through a menu of techniques, including public notices, comment periods, workshops, charrettes, public hearings, newsletters, surveys, media relations and input from committees and commissions that are appointed by local member governments. The techniques employed will vary, depending on the specific planning task. The MPO will hold a forty-five (45) day public comment period for amendments to the Policy and will hold a public hearing every three years to seek input and feedback on the MPO's public involvement efforts. The DCHC MPO's Public Involvement Policy will be consistent with the requirements of the Safe, Accountable, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), the National Environmental Policy Act (NEPA) and the FTA/FHWA Guidance and Proposed Rule Making (NRM) on Public Participation.

## **II. Purpose**

The purpose of the DCHC MPO Public Involvement Policy is to create an open decision making process whereby citizens have the opportunity to be involved in all stages of the transportation planning process. This Policy is designed to ensure that transportation decisions will reflect public priorities.

## **III. Objectives**

1. Bring a broad cross-section of the public into the public policy and transportation planning decision-making process.

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2. Maintain public involvement from the early stages of the planning process through detailed project development.
3. Use different combinations of public involvement techniques to meet the diverse needs of the general public.
4. Determine the public's knowledge of the metropolitan transportation system and the public's values and attitudes concerning transportation.
5. Educate citizens and elected officials in order to increase general understanding of transportation issues.
6. Make technical and other information available to the public using the MPO web site and other electronically accessible formats and means as practicable.
7. Employ visualization techniques to MPO metropolitan transportation plans, TIPs and other project planning activities.
8. Consult with federal and State agencies responsible for land management, natural resources, environmental protection, conservation, historic preservation and economic development in the development of metropolitan transportation plans TIPs and project planning.
9. Establish a channel for an effective feedback process.
10. Evaluate the public involvement process and procedures to assess their success at meeting requirements specified in the SAFETEA-LU, NEPA and the Interim FTA/FHWA Guidance on Public Participation.

#### **IV. General Policy Framework**

It is the policy of the Durham-Chapel Hill-Carrboro Metropolitan Planning Organizations (DCHC MPO) to have a proactive public involvement process that provides complete information, timely public notice, and full public access to DCHC MPO activities at all key stages in the decision making process. It is also DCHC-MPO policy to involve the public early in the planning process, and to actively seek out the involvement of communities most affected by particular plans or projects. Furthermore, it is a goal of the PIP that the MPO's TIP, UPWP and transportation plans and programs, be developed in a manner that assures that the public, and affected communities in particular, are afforded ample opportunity to participate in the development of such plans.



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**IV.A Activities Subject to Public Involvement**

DCHC MPO shall provide early and continuing public involvement opportunities throughout the transportation planning and programming process.

*IV.A.1. Planning Activities:* Special emphasis shall be given to engage the public in planning studies that form the basis for later programming decisions. Planning activities include corridor studies and special regional studies, environmental assessment studies, development of the DCHC MPO Metropolitan Transportation Plan (MTP) and Comprehensive Transportation Plan (CTP). The MPO shall make every effort to involve the affected community through methods such as local direct mailing, transportation related committees of local jurisdictions, public information meetings, and newsletters.

*IV.A.2. Programming Activities:* Opportunities for the public to participate shall also be provided through the project selection, programming, NEPA Process and project development phases. These activities include the development of the Regional Priority List and the Transportation Improvement Program (TIP), and the adoption or amendment of the Regional Priority List and TIP.

**IV.B Definition of Public and Stakeholders**

The DCHC-MPO shall make an effort to inform and engage both the general public and stakeholders as appropriate.

*IV.B.1. General Program:* As part of its general planning and programming process, the DCHC MPO will try to involve the following: citizens, member municipalities, affected public agencies, representatives of neighborhood groups, public and private providers of transportation, and other parties who express an interest in the process.

*IV.B.2. Special Studies:* For special studies that the DCHC MPO conducts, it shall make an effort to identify and involve persons and groups that might be affected by potential changes to the particular transportation service or facility under review. Examples include the following; abutting property owners, neighborhood associations, environmental groups, appropriate federal, State and local agencies responsible for land-use, environmental and economic development, and businesses within the study area.

*IV.B.3. Outreach to Special Groups:* The DCHC MPO shall also make a special effort to seek out and consider the needs of groups or communities traditionally not well-served by existing transportation systems. These include,

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but are not limited to low-income households and minority households. To assure adequate participation of these groups, the MPO shall use tools such as advisory boards (whose members shall be either low-income or minority individuals, or represent low-income or minority groups), target mailing list, workshops, and public notices in minority or low-income targeted media outlets.

The MPO's efforts in this regard shall be consistent with the Environmental Justice Executive Order (EO 12898) dated February 11, 1994, and other related guidance from the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA).

The MPO shall also make a special effort to seek out and consider the needs of individuals or communities with Limited English Proficiency. The DCHC-MPO efforts in this regard shall be consistent with the signed Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," dated August 11, 2000, and other related guidance from the FHWA and FTA.

Federal regulations define Persons with Limited English Proficiency as individuals with a primary or home language other than English who must, due to limited fluency in English, communicate in that primary or home language if the individuals are to have an equal opportunity to participate effectively in or benefit from any aid, service or benefit in federally-funded programs and activities.

#### **IV.C. Adequate Time for Public Comment**

The MPO shall allow reasonable time for public review and comment at key decision points. These include, but are not limited to, action on the Metropolitan Transportation Plan (MTP), Unified Planning Work Program (UPWP) and the Transportation Improvement Program (TIP). Minimum notification periods shall be as follows:

- Amendments to DCHC-MPO's Public Involvement Policy – 45 days
- Adoption of the TIP & major TIP amendments – 21 days
- Adoption of the TIP Regional Priority List & major amendments – 21 days
- Adoption of the MTP/CTP & major amendments – 42 days
- Adoption of the Air Quality Conformity Determination – 30 days
- Adoption of the UPWP & major amendments – 21 days
- Policy Board (TAC) & Technical Committee (TCC) meetings – 7 days

#### **IV.D. Method of Notifying the Public**

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The MPO shall use appropriate methods to notify the public of its activities and of opportunities for public involvement. Determination of which methods to use must be done for each individual transportation planning program or study. However, the minimum requirements are listed below:

- Legal notices in local newspapers
- MPO web site
- Mailing lists
- Targeted mailings to neighborhood and advocacy groups
- Press Releases
- Periodic MPO newsletters

*IV.D.1. Schedule of Meetings:* For regularly scheduled meetings (Transportation Advisory Committee - TAC and the Technical Coordinating Committee -TCC), the annual schedule of meetings shall be filed with the City of Durham (the Lead Planning Agency) clerk's office and each town clerk's office at the beginning of each calendar year.

*IV.D.2. Meeting Notices:* A notice of each TCC and TAC meeting shall be filed with every town clerk's office. A notice for MPO public involvement meetings or workshops shall be advertised in local newspapers. The notice for public meetings/workshop shall include a statement, in Spanish, that translator services may be requested in advance. The notice shall also include a statement that sign language services may be requested in advance.

*IV.D.3. TAC & TCC Meetings Public Comment:* Every TCC and TAC meeting agenda by DCHC MPO will include an opportunity for public comment.

*IV.D.4. Mailing Lists:* DCHC MPO shall maintain a master mailing list for public involvement/outreach activities. The mailing list shall include broad representation of MPO member jurisdictions, multi-modal transportation groups, environmental justice communities, neighborhood groups, local and State agencies responsible for environmental protection, conservation, land use management, natural resources, historic preservation, etc. The following separate lists shall be maintained: TAC, TCC, EJ/LEP, special projects, bicycle and pedestrian advocacy, MTP/CTP, TIP, sub-area projects and UPWP. Notices of meetings shall be sent to all persons on the corresponding mailing list. Anyone may request that his or her name be added to a particular mailing list by indicating the particular list and providing either an email address or a regular mail address.

*IV.D.5. DCHC MPO web site:* DCHC MPO shall maintain a calendar of meetings and activities on its web site. The MPO also shall make

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technical and other information available to the public using the MPO web site and other electronically accessible formats and means as practicable. The web site shall also include copies of appropriate reports, plans, maps and visualization information pertaining to MPO planning activities and programs.

***IV.D.6. Visualization Techniques:*** DCHC MPO shall employ visualization techniques in disseminating information relating to MPO metropolitan transportation plans, TIPs and other planning programs. The goal of the MPO visualization policy is to help the public and decision makers visualize and interact with transportation plans and projects, alternatives, large data sets and land-use information more effectively. Visualization techniques will vary, and could range from GIS displays, mappings and land-use/transportation scenario planning tools to information technology, such as three-dimensional digital models, web-based information systems, transportation and urban simulation, and Internet communications.

***IV.D.7. Legal Notices in Newspapers:*** Anytime the MPO initiates a formal public comment period, notice of the opportunity to comment shall be posted in a legal ad in the area's major daily newspaper, and other local, minority, or alternative language newspapers, as appropriate.

***IV.D.8. Interested Parties:*** DCHC MPO shall mail meeting notices to persons who have expressed a special interest in DCHC MPO's overall transportation program, or specific studies. The MPO shall add persons who have expressed such an interest to the appropriate DCHC MPO mailing list.

***IV.D.9. Additional Methods:*** The DCHC MPO shall give consideration to alternative methods of involving the public that are appropriate to the project. Such methods may include, but are not limited to newsletters, transportation related committees of MPO member jurisdictions, advertising in minority and alternative language newspapers, distributing information through public libraries and community groups (especially those serving EJ and LEP communities, the elderly and persons with disabilities), using local government cable access stations, using open house format meetings, involving focus groups for specially selected topics, preparing press releases, and holding events at special locations.

**IV.E. Documentation of Public Comment & Response:**

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DCHC MPO shall document public comments received during the course of public input process. The MPO shall also document how it responded to public comments.

*IV.E.1. Comments Received:* Documentation of comments may be accomplished in a manner appropriate to the project and the nature of the comments. Documentation may consist of meeting minutes, a file of letters, or a special memo that summarizes the comments. A written summary of comments and responses shall be prepared to provide the feedback to the public.

*IV.E.2. Response to Comments:* DCHC MPO shall provide a descriptive summary of how it responded to significant public comments during the development of a plan or document such as the MTP/CTP, air quality conformity, Regional Priority List and TIP. The summary may be produced as a separate report or included as a short section in the final plan or document.

## **V. Policy Elements**

The DCHC MPO's Public Involvement Policy is comprised of a number of sub-policies. All planning programs and activities are required to go through the Transportation Advisory Committee's public process. In addition, the MPO has initiated public involvement programs for the Transportation Plan, the Transportation Improvement Program (TIP), the Air Quality Conformity Determination, the Major Investment Study (MIS), the Unified Planning Work Program (UPWP) and the MPO's provisions for American with Disabilities Act (ADA). The final component of the Public Involvement Policy is the policy review element designed to ensure that the programs are meeting their goals.

## **VI. Specific Requirements**

The Durham-Chapel Hill-Carrboro MPO's Public Involvement Policy is designed to be consistent with the requirements of SAFETEA-LU, NEPA and the Interim FTA/FHWA Guidance of Public Participation. These requirements are included in the appendix of this document.

## **VII. Access to MPO Documents and Technical Information.**

DCHC MPO shall provide reasonable public access to technical and policy information used in the development of the Metropolitan Transportation Plan (MTP), the Transportation Improvement Program (TIP), and related studies, plans, and programs.

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## **VIII. Title VI**

Title VI of the Civil Rights Act of 1964 and the 1994 President's Executive Order on Environmental Justice #12898 state that no person or group shall be excluded from participation in, or denied the benefits of, any program or activity utilizing federal funds.

The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) is required to identify any disproportionately high and adverse health or environmental effects of its programs on minority and low-income populations. The DCHC MPO is also charged with evaluating the MPO plans and programs for environmental justice (EJ) sensitivity, including expanding their outreach efforts to low-income, minority, and other disadvantaged populations, as part of the United States Department of Transportation's certification requirements. The MPO's environmental justice initiatives accomplish this by involving the potentially affected public in developing transportation projects that fit harmoniously within their communities.

It is the policy of the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) to ensure that no person shall, on the ground of race, color, sex, age, national origin, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and any other related non-discrimination Civil Rights laws and authorities. It is also the policy of the DCHC MPO to ensure that no person shall, on the ground of sexual orientation or gender identity, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity.

A copy of the DCHC MPO's Civil Rights Title VI Compliance Report, Policy Statement and Assurances can be found at the DCHC MPO website, specifically at the following link: <http://www.dchcmopo.org/Title VI> or call (919) 560-4366.

### **VIII.A Limited English Proficiency (LEP) Plan**

The DCHC MPO's Limited English Proficiency (LEP) Plan identifies the Limited English Proficient populations in our service area and provides guidelines for MPO staff to help ensure that information and services are accessible to LEP persons. A copy of the DCHC MPO's Limited English Proficiency Plan is in an appendix to this document and can be found at the DCHC MPO website, specifically at the following link: <http://www.dchcmopo.org/LEP> or call (919) 560-4366.

**IX. Review Procedures/Reassessment of PIP**

The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (MPO) Public Involvement Policy will be reviewed and evaluated on a triennial basis to ensure that the objectives of the plan are being met and that the process provides full and open access to all. A forty-five (45) day public comment period and a public meeting will be held during the triennial review to solicit input on the Public Involvement Policy. A summary highlighting the results of the evaluation review will be prepared. The summary will document the effectiveness of the various public involvement mechanisms and will respond to public comments received. The public comments and the MPO's response will be included in the appendix of the updated Public Involvement Policy.

The MPO will also solicit comments on the effectiveness of the Public Involvement Policy through outreach programs to seek out and consider the needs of those traditionally under-served by existing transportation systems, including environmental justice (low-income & minority), elderly and LEP households.

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**1. Transportation Advisory Committee**

*Transportation Advisory Committee (TAC)* - The Transportation Advisory Committee is the policy and decision-making body for the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization. The TAC is comprised of elected and appointed officials from the City of Durham, the Town of Chapel Hill, the Town of Carrboro, the Town of Hillsborough, Durham County, Orange County, Chatham County and the North Carolina Department of Transportation. The TAC also has advisory (non-voting) members from the Triangle Transit Authority, the Federal Highway Administration and the Research Triangle Foundation of North Carolina. The TAC is responsible for providing opportunities for citizen participation in the transportation planning process.

**Regular Public Involvement Opportunities**

The TAC holds regular monthly meetings on the 2<sup>nd</sup> Wednesday of every month. These meetings are open to members of the public and, upon request, anyone can be placed on the TAC mailing list. At the beginning of each regular meeting, the TAC provides time to receive public comments as a set part of its agenda.

**Public Involvement for Specific Planning Items**

For particular planning issues (i.e. plan development & updates, studies, amendments to planning documents, etc.), the TAC will open a public comment period (3-6 weeks depending on the item) and hold a public hearing. The notice for the public comment period and the public hearing are advertised in the major daily newspapers, and other local, minority, or alternative language newspapers, as appropriate, as well as on the public service announcement on Time Warner Cable. Local member jurisdictions are advised to publicize the public comment period/hearing in their local media, as well. The notices will include an announcement that states that persons with disabilities will be accommodated. Special provisions will be made if notified 48 hours in advance (i.e. having available large print documents, audio material, someone proficient in sign language, a translator or other provisions as requested). Both written and oral comments received are compiled by the planning staff and reviewed by the TAC.

**Response to Public Comment**

The TAC acknowledges public comments in two ways. The TAC may incorporate public comments and the MPO's response, as an appendix, into the specific planning document. Or, depending on the number of comments, the TAC may instruct the planning staff to respond directly by letter. Acknowledging public comments is a



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way to let the public know that its comments are being addressed and are part of the public involvement feedback process.

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**2. Transportation Plan****Preamble**

The Transportation Plan public review and participation process is designed to provide early and adequate opportunities for citizens and public officials (including elected officials) to be involved in the Durham-Chapel Hill-Carrboro (DCHC) Transportation Plan development. This public participation program is designed to involve all parties in the early stages of plan development and the subsequent update process. It is also designed to provide gradual progression from the general information (vision setting and formulation of goals, objectives and policies) pertaining to the plan to very specific information regarding alternatives and plan selection. Each public forum or input technique will use information collected at previous "forums" in order to build progression concluding with the adoption of the Transportation Plan.

The entire process will be implemented for a plan update, which commonly involves an evaluation of most highway, transit and non-motorized transportation modes, and therefore requires several years to complete. An appropriate subset of the public involvement elements will be implemented for major and minor revisions, which commonly involve an evaluation of only several projects, and therefore require a process that is much less complex.

**Purpose of Public Involvement Process**

The purpose of the public involvement policy is to develop and implement strategies to inform and involve citizens in all stages of the development and update of the Transportation Plan.

**Mission of the Public Participation Process**

Public ownership of the Transportation Plan: the goal of the program is to ensure that policy decisions (at key decision points) will reflect the values, needs, and priorities of those affected by the decisions (i.e. the general public).

**Objectives**

1. Encourage citizens to take a proactive role in the development of Transportation Plan.
2. Bring a broad cross-section of members of the public into the public policy and transportation planning decision making process.

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3. Educate the public and elected officials in order to increase public understanding of both the options and the constraints of transportation alternatives.
4. Determine the public's knowledge of metropolitan transportation system and public values and attitudes concerning transportation.
5. Determine public concerns/perceived impacts of elements of the Transportation Plan.
6. Determine which elements of the Transportation Plan would support or diminish the citizens' desired lifestyle.
7. Establish a channel for an effective feedback process.

**Elements of the Public Involvement Procedure**

The Public Involvement Process for the Transportation Plan consists of a series of innovative public participation techniques, including: transportation related committees of MPO jurisdictions, public service announcements, a newsletter, public meetings, surveys, and the mass media. These techniques will be employed at various stages of the development of a plan update, and as appropriate for major or minor revisions.

**Public Involvement Process**

1. The Durham-Chapel Hill-Carrboro (DCHC) Metropolitan Planning Organization will provide opportunity for early and meaningful public involvement in the development and update of the Transportation Plan. The MPO shall develop a public involvement plan for the development and update of metropolitan transportation plans.
2. Proactive participation techniques will be employed to involve citizens and provide full access to information and technical data. The technique will generally include, but not be limited to: public meetings/hearings; surveys; focus groups; newsletters; public service announcements; charrette; transportation related committees, and mass media.
3. Information dissemination, notification of meeting, publication of proposed plans will be integral elements of the public involvement process.
4. The DCHC MPO will initiate the Transportation Plan update process as required by the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEAU-LU), the Clean Air Act

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Amendments (CAAA) and subsequent federal regulations. Elements of the Transportation Plan, and/or amendments will meet all current Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Environmental Protection Agency (EPA), and the North Carolina Department of Transportation (NCDOT) requirements.

5. A draft work program and schedule for the Transportation Plan update process will be developed by the TCC and made available for public review. The work program will detail the strategy for the Transportation Plan update process including work elements and a tentative schedule.
6. Copies of the draft work program and schedule will be distributed to the member jurisdictions, citizen groups and agencies, and will also be placed in the local libraries. Notification of the draft Transportation Plan work program will be provided in a major daily newspaper, and other local, minority, or alternative language newspapers, as appropriate.

The notification will inform the public of the availability of the draft work plan for review and comment, where to send written comments, and addresses and phone numbers of contact persons. The notices also will include an announcement that states that persons with disabilities will be accommodated. Special provisions will be made if notified 48 hours in advance (i.e. having available large print documents, audio material, someone proficient in sign language, a translator, or other provisions, as requested). Additionally, the notice will inform the public that copies of the draft Transportation Plan work program are available for review at local libraries, and offices of member agencies.

7. The public comment period will be for a minimum six-week (42-day) public comment period, effective from the date of the public notice publication. Written comments will be received during the comment period and will be directed to the Lead Planning Agency (LPA). The Lead Planning Agency's contact person, phone number and e-mail address will be included in the public notice.
8. Public meeting(s)/workshops will be held to: formulate a vision for the Transportation Plan development; provide the public background information on the metropolitan transportation system and other issues as well as the proposed framework of the Transportation Plan update process; and receive citizen input.
9. Public meetings (forums) designed to solicit public comment will be held at various locations around the metropolitan area to encourage the greatest public participation. Public meetings will be held at a location which is

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accessible to persons with disabilities and which is located on a transit route.

10. The TCC will assemble all comments and forward comments to the Transportation Advisory Committee (TAC). The TAC may choose to hold a public hearing before adopting the strategy and work program for the Transportation Plan. Comments regarding the draft strategy will be considered and addressed in adopting the final program.
11. Any significant revision and amendment to the Transportation Plan work program will be subject to the public review process as outlined above.
12. The public participation component of the Transportation Plan will generally follow the same citizen input and review as outlined in aforementioned PIP Policy Framework. Public input will be solicited to review and comment on any major Transportation Plan amendment proposal as well as analyses conducted as part of the amendment request. Adequate opportunity will be provided for public involvement in the amendment of the Transportation Plan, and any significant revisions to the Transportation Plan will also be subject to public comment period as described in # 7 of this policy.
13. The DCHC MPO will consult with federal and State agencies responsible for land management, natural resources, environmental protection, conservation, historic preservation and economic development in the development of metropolitan transportation plans and LRTP air quality conformity determination.
14. The DCHC MPO will employ visualization techniques in disseminating information relating MPO metropolitan transportation plans. Visualization tools is intended to aid the public and decision makers visualize and interact with transportation plans and projects, alternatives, large data sets and land-use information more effectively. Visualization techniques will vary, and could range from GIS displays, mappings and land-use/transportation scenario planning tools to information technology, such as three-dimensional digital models, web-based information systems, transportation and urban simulation, and Internet communications.
15. The DCHC MPO will make technical and other information available to the public using the MPO web site and other electronically accessible formats and means as practicable. The web site shall also include copies of appropriate reports, plans, maps and visualization information pertaining to the MTP.
16. The DCHC MPO will endeavor to involve the public at key decision points of the Transportation Plan development. Decision points are those stages where

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the TAC will be required to endorse or take action on particular work elements. These include, but are not limited to:

- Formulation of vision, goals and objectives;
  - Policy development;
  - Review and approval of socio-economic and demographic projections;
  - Review of land use information and scenarios;
  - Review of modeling process;
  - Review and determination of transportation deficiencies;
  - Identification of transportation (facility) needs;
  - Evaluation of alternatives and selection of preferred option; and,
  - Plan recommendation and adoption;
17. The process for developing, updating, and amending the Transportation Plan will generally follow the sequence described above.

### **3. Transportation Improvement Program**

#### **Overview**

The Transportation Improvement Program (TIP) is the document that describes the funding and scheduling of transportation improvement projects (highway, bicycle, pedestrian, and transit capital and operating assistance) using State and federal funds. The TIP serves as the project selection document for transportation projects and, therefore, is the implementation mechanism by which the objectives of the Transportation Plan are reached. The Safe, Accountable, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and preceding legislation, TEA-21 and ISTEA mandate an opportunity for public review of the TIP. The following is the proposed public involvement procedure for the Durham-Chapel Hill-Carrboro Transportation Improvement Program.

#### **Introduction**

The Durham-Chapel Hill-Carrboro (DCHC) Metropolitan Planning Organization (MPO) will prepare a Transportation Improvement Program, which is consistent with the requirements of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: a Legacy for Users (SAFETEA-LU), and any implementing federal regulations. The TIP will be developed based on: 1) revenue estimates provided by the North Carolina Department of Transportation (NCDOT); and, 2) the DCHC MPO Regional Priority List. The public input element of the Transportation Improvement Program is presented as follows:

#### **Public Involvement Process**

1. The DCHC Technical Coordinating Committee (TCC) will develop a draft Regional Priority List from the Local Project Priorities of the MPO jurisdictions.
2. The Regional Priority List will be published for a minimum three-week (21-day) public comment period and the notice will be published by the Lead Planning Agency (LPA) in a major daily newspaper, and other local, minority, or alternative language newspapers, as appropriate.

The notices for the public comment period and the public hearing will include an announcement that states that persons with disabilities will be accommodated. Special provisions will be made if notified 48 hours in advance (i.e. having available large print documents, audio material, someone proficient in sign language, a translator or other provisions as requested). The Regional Priority List will be on file in the City of Durham Department of Transportation, Town of Chapel Hill Planning

***DCHC MPO Public Involvement Policy***  
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Department, Town of Carrboro Planning Department, Town of Hillsborough Planning Department, Counties of Durham, Orange, Chatham Planning Departments, the Triangle Transit Authority and the county public libraries for public review and comment.

3. The Transportation Advisory Committee (TAC) will hold a public hearing on the draft Regional Priority List. The public hearing will be held at a location which is accessible to persons with disabilities and which is located on a transit route. The TAC will approve a final Regional Priority List after considering the public comments received.
4. The DCHC MPO Technical Coordinating Committee will develop a draft TIP from the approved Regional Priority List and from revenue estimates provided by the North Carolina Department of Transportation. The TCC will forward the draft TIP to the Transportation Advisory Committee. The Transportation Advisory Committee will publish the draft TIP for public review and comment.
5. Copies of a draft TIP will be distributed to TAC members and the transportation related committees of MPO member jurisdictions. Each jurisdiction will also have copies available for public review. The draft TIP will follow the same notification procedures as outlined above for the Regional Priority List.
6. The public comments will be assembled and presented to the Durham-Chapel Hill Carrboro TAC. The TAC will hold a public hearing on the draft TIP. The public hearing will be held at a location which is accessible to persons with disabilities and which is located on a transit route. Public comments will be addressed and considered in the adoption of the TIP.
7. The DCHC MPO, being a maintenance area for air quality will provide additional opportunity for public comment on the revision of the draft TIP (if the final TIP is significantly different and/or raises new material issues).
8. The process for updating and approving the Transportation Improvement Program will follow the sequence and procedure as described in the aforementioned PIP framework.
9. Amendments to TIP will be available for public review and comment, if they make a substantial change to the TIP. A substantial change is classified as the addition or deletion of a project with an implementation cost exceeding \$1 million. Public comment on project additions or



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deletions of less than \$1 million may be sought at the discretion of the TAC by majority vote. As long as a project's description, scope or expected environmental impact have not materially changed, the TAC may approve changes to project funding without a separate public meeting.

10. Written public comments and their responses will be published as an appendix to the final TIP.

#### **4. Air Quality Conformity Determination**

##### **Introduction**

The Durham-Chapel Hill-Carrboro (DCHC) Metropolitan Planning Organization (MPO) is required to make a conformity determination on its Transportation Plan. The Transportation Improvement Program is a subset of the Transportation Plan and is therefore covered by the conformity analysis.

##### **Public Involvement Procedure for the Air Quality Determination**

1. The DCHC MPO in conjunction and cooperation with the air quality inter-agency partners will prepare an air quality conformity analysis for the Durham-Chapel Hill-Carrboro metropolitan planning area boundary. The DCHC Technical Coordinating Committee will provide comments to the Air Quality Inter-Agency Partners during the interagency comment period.
2. The DCHC Technical Coordinating Committee will receive the final draft Conformity Report, review it, and forward it to the Transportation Advisory Committee (TAC). The Transportation Advisory Committee will then publish the draft Conformity Report for public review and comment.
3. Copies of a draft Conformity Report will be distributed to TAC members. Each jurisdiction will also have copies available for public review. Notices regarding the draft Air Quality Conformity Report will be advertised by the Lead Planning Agency in a major daily newspaper, and other local, minority, or alternative language newspapers, as appropriate.

Notices may also be published in member jurisdictions' local newspapers by the member agencies' staff. The notice will inform the public that a draft Conformity Report has been published by the DCHC MPO and that copies are available for public review and comment at local MPO jurisdictions and the county libraries. The notices will include an announcement that states that persons with disabilities will be accommodated. Special provisions will be made if notified 48 hours in advance (i.e. having available large print documents, audio material, someone proficient in sign language, a translator or other provisions as requested).

4. The public review period will be for a minimum one-month (30-day) period, effective from the date of public notice publication. Written comment will be received during the public review period, and will be

directed to the LPA. The Lead Agency's contact person, phone number and e-mail will be included in the public notice.

5. The public comments will be assembled and presented to the Durham-Chapel Hill Carrboro TAC. The TAC will hold a public hearing on the draft Air Quality Conformity Report. The public hearing will be held at a location which is accessible to persons with disabilities and which is located on a transit route. Public comments will be addressed and considered in the Air Quality Conformity Determination.
6. The DCHC MPO, being a maintenance area will provide additional opportunity for public comment on any revisions to the draft Conformity Report (if the final Conformity Report is significantly different than the one which was made available for public comment by the MPO, and raises new material issues, which interested parties could not reasonably have foreseen for the public review notifications).
7. The Air Quality Determination is valid for four years, unless changes are made to the Transportation Plan (or TIP) which would have an impact on the air quality analysis. If such changes are made, a new analysis and public involvement procedure needs to be conducted as outlined above.
8. The process for updating and approving the MTP Air Quality Conformity Determination shall generally follow the principles as described in the PIP Framework of this document.

## **5. Major Investment Studies**

### **Introduction**

The major investment study (MIS) supports decisions on significant federally-funded transportation investments along a corridor or subarea level of the metropolitan area. The MIS identifies all reasonable strategies for the study area in order to meet its transportation demands and relieve any transportation problems. It is a detailed analysis designed to provide local decision makers with more comprehensive corridor level technical analysis early in the transportation planning process. Although an MIS is no longer required by SAFETEA-LU (MIS was required by TEA-21), federal regulations encourage the integration of an MIS with the MPO planning process.

### **Public Involvement Process**

The scope of a major investment study for the Durham-Chapel Hill-Carrboro will be determined on a project-by-project basis. Therefore, the MPO will choose the appropriate public involvement initiatives to meet the goals of the MIS. The public involvement techniques that may be used are public informational meetings, newsletters, media relations and the formation of an advisory committee.

These techniques will be used through the development and approval of the MIS. The MIS will also be subject to the public procedures of the Transportation Advisory Committee and will be consistent with the MPO's ADA provisions.

## **6. Unified Planning Work Program**

### **Introduction**

The Safe, Accountable, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) requires that each Metropolitan Planning Organization (MPO) prepare an annual work program known as the Unified Planning Work Program (UPWP). The UPWP must identify the MPO planning tasks to be undertaken with the use of federal transportation funds, including highway and transit.

### **Purpose**

The purpose of public involvement in the UPWP process is to keep the public apprised of and to receive input on the planning activities to be undertaken by the Metropolitan Planning Organization.

### **Public Involvement Process**

1. The Distribution Formula for FTA Section 5307 funds for the appropriate federal fiscal year is submitted to the Transportation Advisory Committee (TAC) for approval. The TAC meetings are open to the public and comments on the Distribution Formula may be received at this time.
2. The Lead Planning Agency distributes FHWA Section 104(f) planning funds based on the TAC-approved formula.
3. The local jurisdictions will prepare a list of tasks and funding for the federal fiscal year according to the approved Distribution Formula. These lists are submitted to the Lead Planning Agency for compilation into a draft Unified Planning Work Program.
4. The draft Unified Planning Work Program is reviewed by the Technical Coordinating Committee (TCC). The TCC meetings are open to the public. The TCC then endorses a draft UPWP and forwards the document to the TAC for release for a minimum 21-day comment period.
5. The draft UPWP is then reviewed by the TAC. The TAC releases a draft UPWP for a 21-day comment period. The draft is sent to the NCDOT Public Transportation Division for comments.
6. The final UPWP comes back again to the TAC for approval. Upon TAC approval, the UPWP is then forwarded on to the State and FHWA/FTA.

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7. The process for updating and approving the annual UPWP shall generally follow the principles as described in the PIP Framework of this document.

## **7. Americans with Disabilities Act (ADA) Provisions**

### **Durham-Chapel Hill-Carrboro Metropolitan Planning Organization**

- All notices for planning activities of the Metropolitan Planning Organization will include an announcement that states that persons with disabilities will be accommodated. Special provisions will be made if notified 48 hours in advance (i.e. having available large print documents, audio material, someone proficient in sign language, a translator or other provisions requested).
- Notices for the public comment period and the public hearing will be advertised in the area's major daily newspaper, and other local, minority, or alternative language newspapers, as appropriate, as well as on the public service announcement on Time Warner Cable. Local member jurisdictions are advised to publicize the public comment period/hearing in their local media as well. Public meetings will be held in locations accessible to persons with disabilities and will be located near or on a transit route.

### **The Durham Area Transit Authority (DATA)**

- There is a Durham Area Transit Authority (DATA) Access Advisory Committee for Durham which serves as an ongoing mechanism for public participation. The Committee is composed of paratransit users, persons with disabilities who are not paratransit users and representatives from agencies and employers who work with disabled persons.
- Committee meetings are held bi-monthly and are advertised by notices on paratransit vehicles, in the City Calendar, and notices sent to Radio Reading Services.
- The written notices are printed in large (15 point) font.
- For policy changes, public forums and public hearings are held. Announcements are advertised through public notices in local newspapers, public service announcements on local radio and television stations, the Radio Reading Service and large print notices posted in the paratransit vehicles.
- DATA has updated its Paratransit Plan and is in compliance with the ADA requirements. Copies of the Paratransit Plan are available in large print and on audio cassette.

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**Chapel Hill Transit**

- The Chapel Hill and Carrboro Transportation Boards serve as an ongoing mechanism for public participation.
- For policy changes, the Transportation Boards hold public hearings. Notices are published in the local newspapers.
- Chapel Hill Transit has updated its Paratransit Plan and is in compliance with the ADA requirements. Copies of the Paratransit Plan are available in large print and on audio cassette.



# Durham-Chapel Hill-Carrboro Metropolitan Planning Organization

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## Overview

A Limited English Proficient person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English. The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) Limited English Proficiency (LEP) Plan is part of a comprehensive effort to provide language assistance for LEP persons seeking meaningful access to DCHC MPO plans, programs, and activities as required by Executive Order 13166.

The plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, and guidelines to notify LEP persons that assistance is available. In developing this LEP Plan, the DCHC MPO staff conducted a US Department of Transportation (USDOT) Four-Factor LEP analysis, which considered the following:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by DCHC MPO programs, activities, or services;
2. The frequency with which LEP individuals come in contact with DCHC MPO programs, activities, or services;
3. The nature and importance of the program, activity or service provided by the DCHCMPO to the LEP population; and
4. The resources available to the DCHC MPO and overall cost to provide LEP assistance.

For more information about this plan, please contact the DCHCMPO at (919) 560-4366 or [comments@dchcmpo.org](mailto:comments@dchcmpo.org).

## 1 Background

A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English. The purpose of this Limited English Proficiency Plan is to outline the responsibilities of the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) in regards to Limited English Proficient (LEP) persons and establish a process for providing assistance to LEP persons for DCHC MPO programs, activities, and services pursuant to Title VI of the Civil Rights Act of 1964 and Executive Order 13166.

### **Title VI of the Civil Rights Act of 1964**

*"No person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."*

## 2 Executive Order 13166

Different treatment based upon a person's inability to speak, read, write, or understand English may be a type of national origin discrimination. Executive Order 13166 *"Improving Access to Services for Persons With Limited English Proficiency,"* directs each Federal agency that is subject to the requirements of Title VI of the Civil Rights Act of 1964 to publish guidance for its respective recipients and sub-recipients clarifying that obligation. The U.S. Department of Transportation (USDOT) published policy guidance on December 14, 2005 to clarify the responsibilities of recipients of Federal financial assistance from the USDOT.

### 3 Summary of DCHC MPO LEP Plan & Factor Analysis

DCHC MPO has developed this Limited English Proficiency Plan (LEP) to provide language assistance for LEP persons seeking meaningful access to DCHC MPO programs as required by Executive Order 13166 and USDOT's policy guidance. Essentially, the MPO's Limited English Proficiency Plan (LEP) is intended to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to the transit system's services as required by Executive Order 13166. **A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.** This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, and guidelines to notify LEP persons that assistance is available. In developing the DCHC MPO LEP Plan, the DCHC MPO staff undertook a USDOT Four-Factor LEP analysis, which considers the following:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by DCHC MPO programs, activities, or services.
2. The frequency with which LEP individuals come in contact with DCHC MPO programs, activities, or services;
3. The nature and importance of the program, activity or service provided by the DCHC MPO to the LEP population; and
4. The resources available to the DCHC MPO and overall cost to provide LEP assistance.

#### **FACTOR 1: Number or proportion of LEP persons eligible to be served or likely to be encountered by DCHC MPO programs, activities, or services.**

In order to determine the number of LEP persons, the DCHC MPO collected analyzed various data from the US Census Bureau. This data was used to evaluate whether certain language groups met the Safe Harbor clause of the LEP guidance, whether a language LEP group exceeds 5% of the regional population, or have a minimum threshold of 1,000 LEP persons in a certain language.

Using the US 2010 CENSUS and American Community Survey (ACS) 2005-2009, the LEP population was ascertained. Based on the population 5 years and older, 0.81% of the DCHC MPO (3 counties, Durham, Orange and Chatham) population is deemed an LEP person, i.e. persons with limited English proficiency. The largest language subpopulation within the LEP population was that of Spanish, which constitutes about 86% of the LEP population. The remaining LEP population that did not speak English well or Spanish, were not significant and very miniscule therefore collapse as "other." The MPO examined the 2010 U.S. Census Bureau's profile for the Counties within the DCHC MPO. The following tables, charts, and maps display this information.

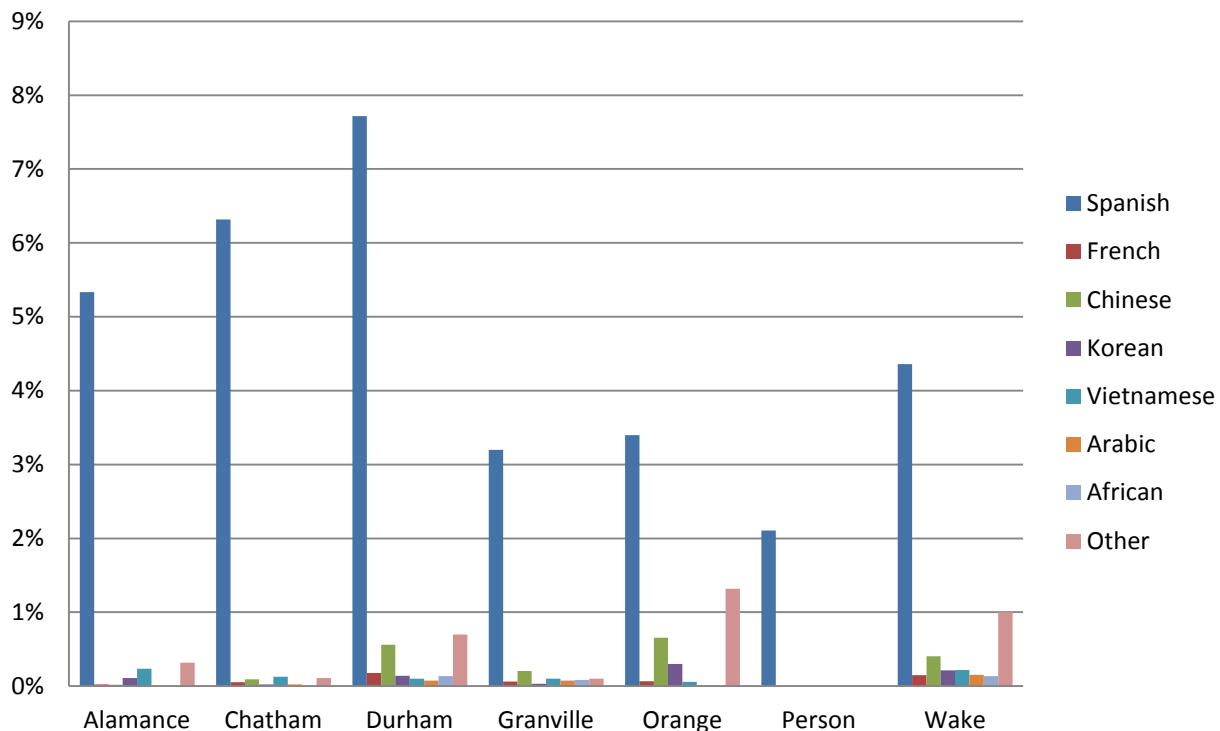
Limited English Proficiency Population by County

County	Total Pop	Total LEP	Spanish	French	Chinese	Korean	Vietnamese	Arabic	African	Other
Chatham	57464	3872	3629	30	52	13	74	12	0	62
Durham	239459	22993	18483	432	1340	333	236	177	320	1672
Orange	122668	7125	4168	80	806	368	69	4	14	1616

Limited English Proficiency by Language, as % of total Population

County	Spanish	French	Chinese	Korean	Vietnamese	Arabic	African	Other
Chatham	6.32%	0.05%	0.09%	0.02%	0.13%	0.02%	0.00%	0.11%
Durham	7.72%	0.18%	0.56%	0.14%	0.10%	0.07%	0.13%	0.70%
Orange	3.40%	0.07%	0.66%	0.30%	0.06%	0.00%	0.01%	1.32%

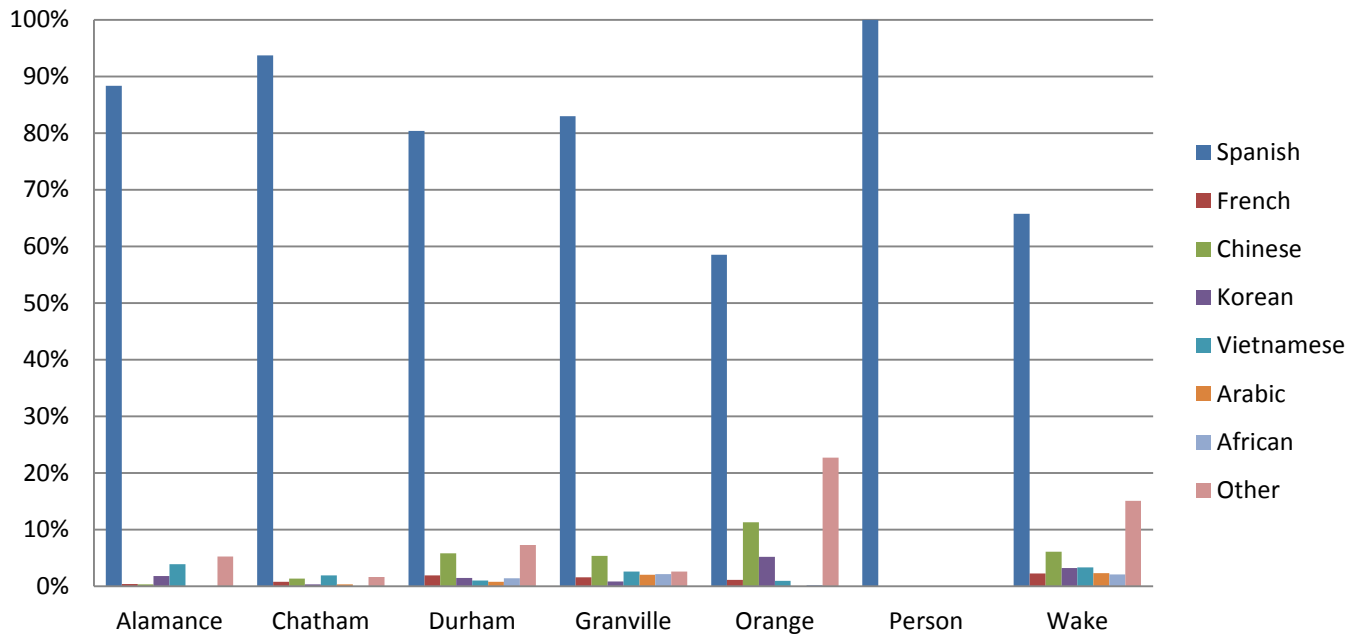
### Limited English Proficiency, as % of Total Population



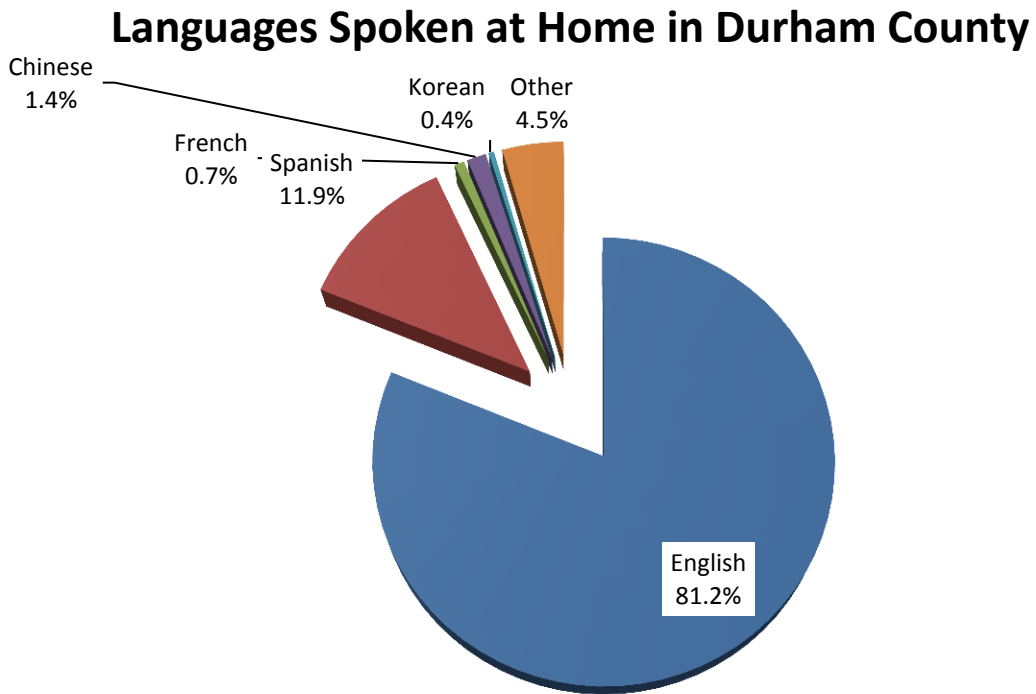
Limited English Proficiency by Language, as % of LEP Population

County	Spanish	French	Chinese	Korean	Vietnamese	Arabic	African	Other
Chatham	93.72%	0.77%	1.34%	0.34%	1.91%	0.31%	0.00%	1.60%
Durham	80.39%	1.88%	5.83%	1.45%	1.03%	0.77%	1.39%	7.27%
Orange	58.50%	1.12%	11.31%	5.16%	0.97%	0.06%	0.20%	22.68%

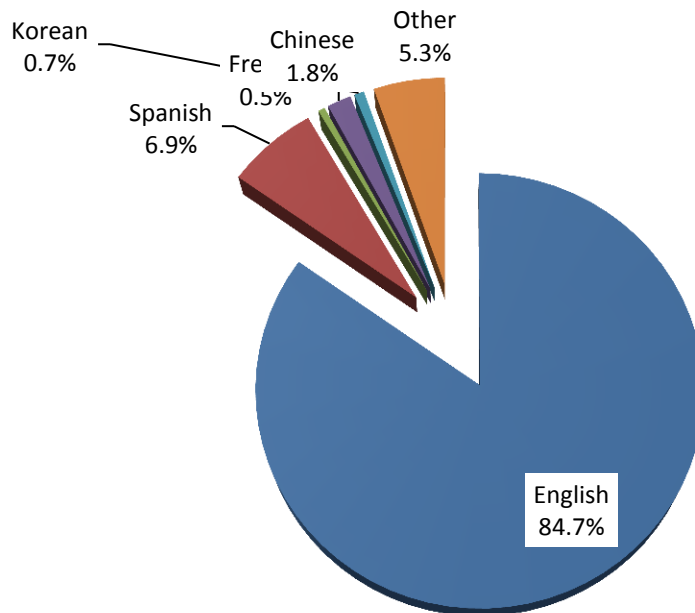
## Limited English Proficiency, as % of Total Limited English Proficiency Population



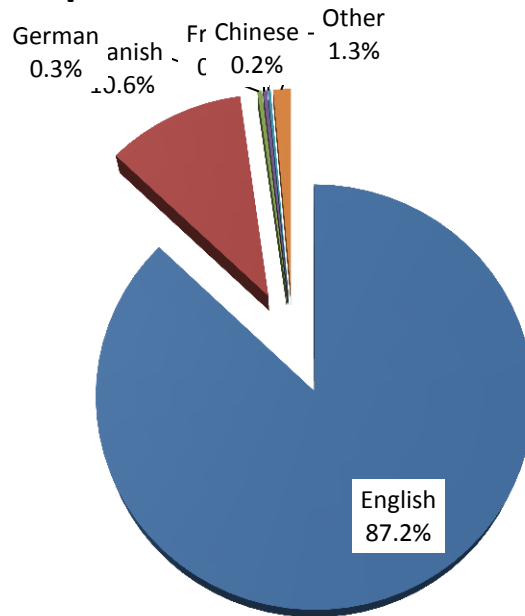
## Demographic Profile of LEP Population



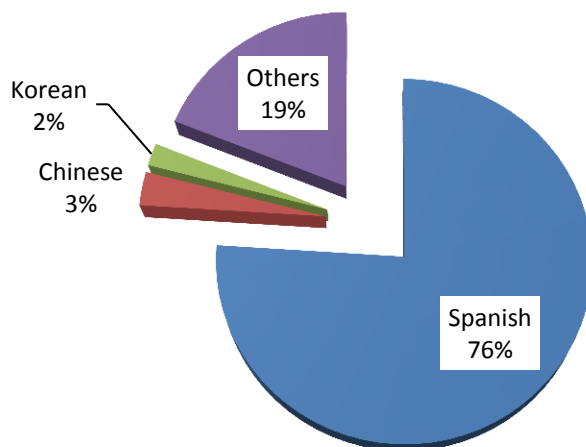
### Languages Spoken at Home in Orange County



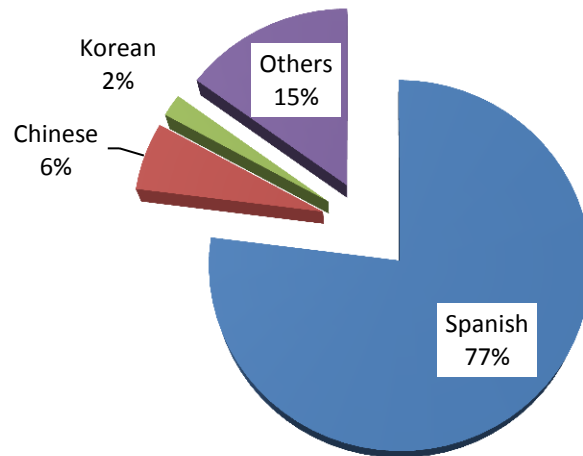
## Languages Spoken at Home in Chatham County



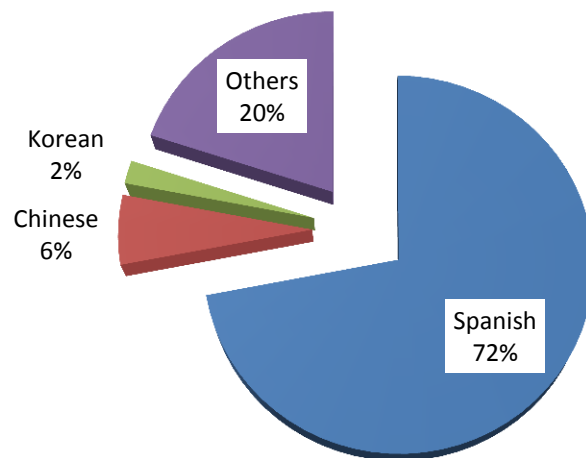
## LEP Speakers in North Carolina by Language Spoken at Home



### LEP Speakers in DCHC MPO Region by Language Spoken at Home

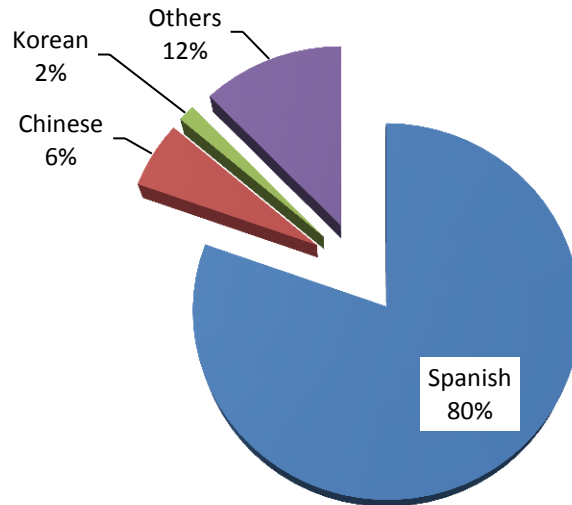


### LEP Speakers in Triangle Region by Language Spoken at Home

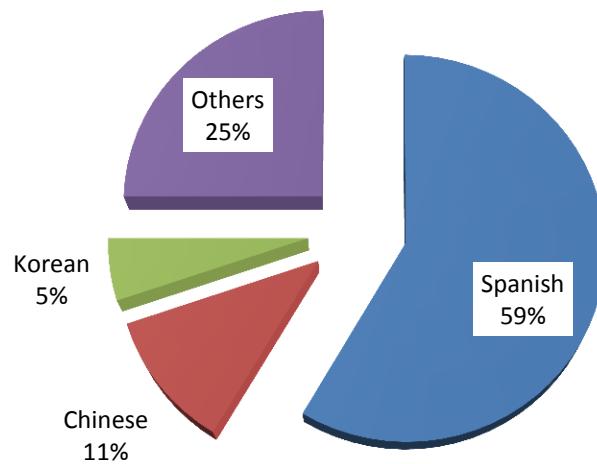




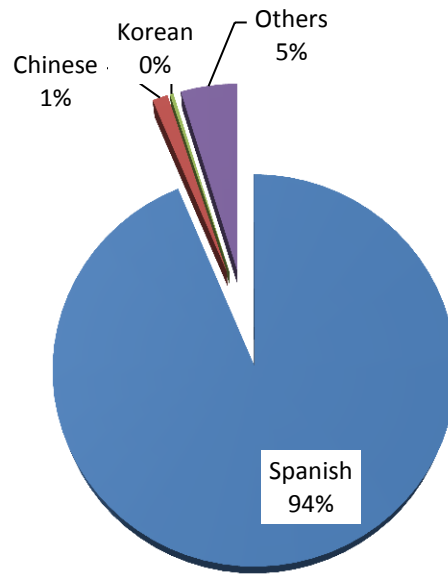
### LEP Speakers in Durham County by Language Spoken at Home



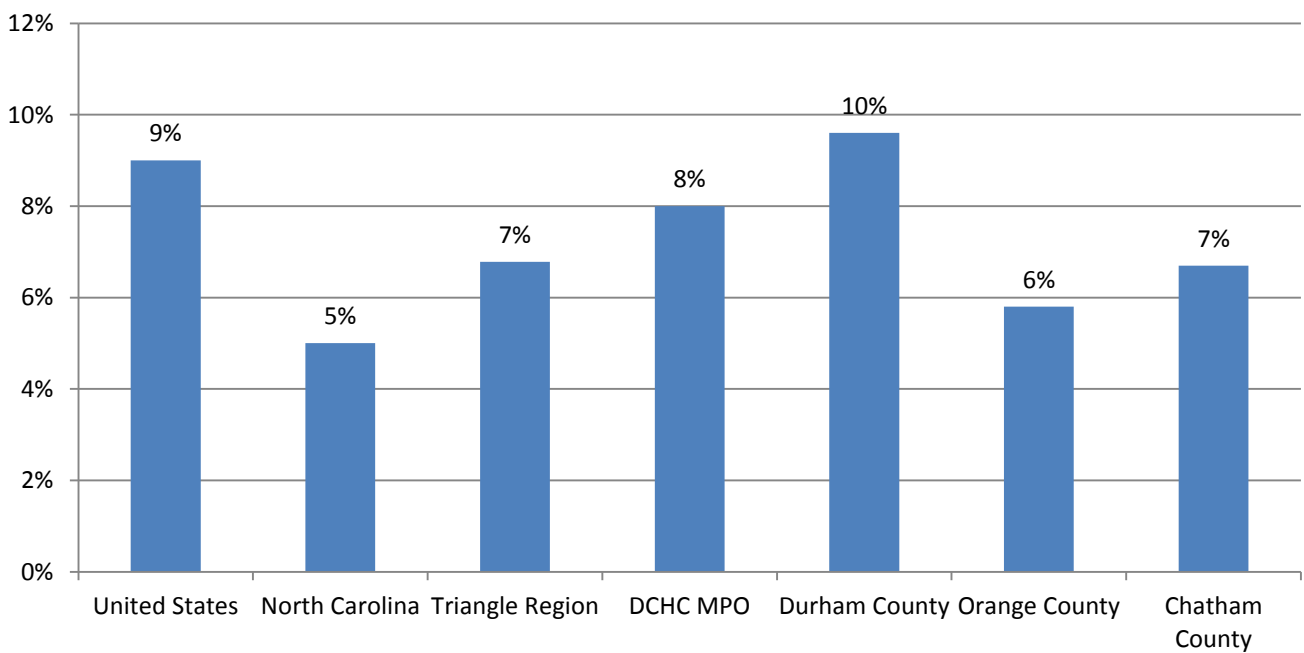
### LEP Speakers in Orange County by Language Spoken at Home



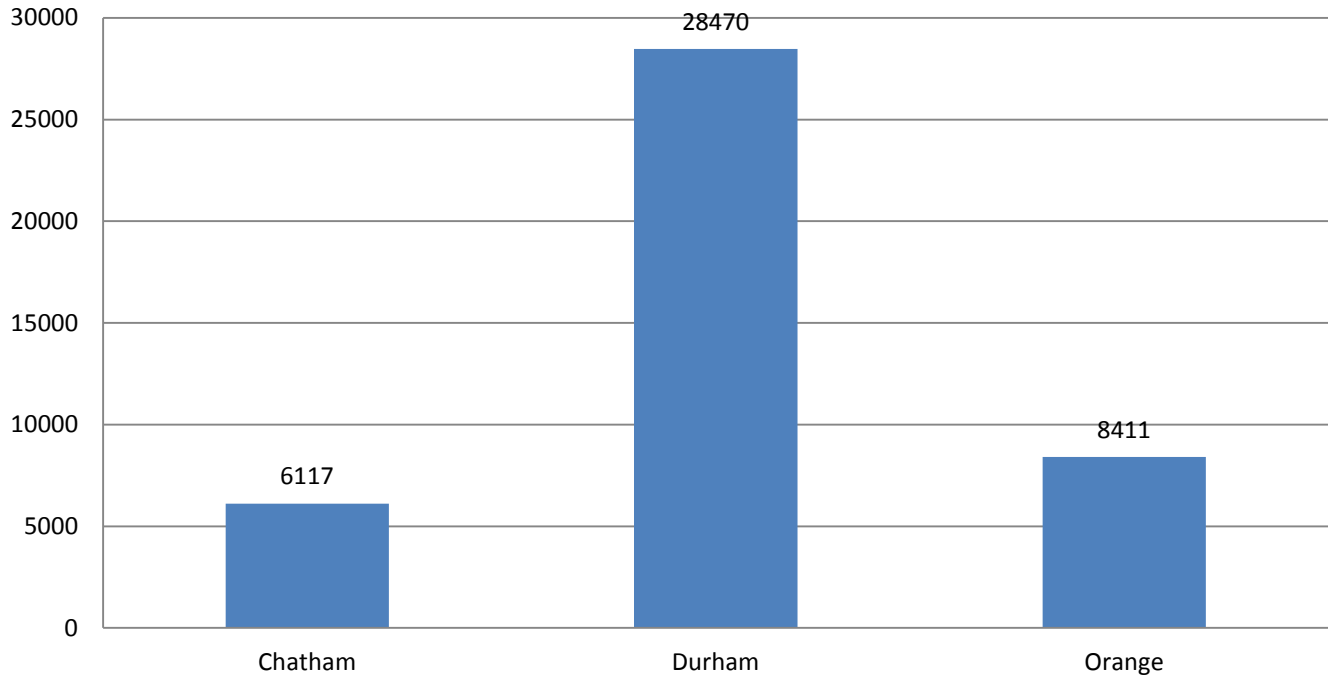
### LEP Speakers in Chatham County by Language Spoken at Home



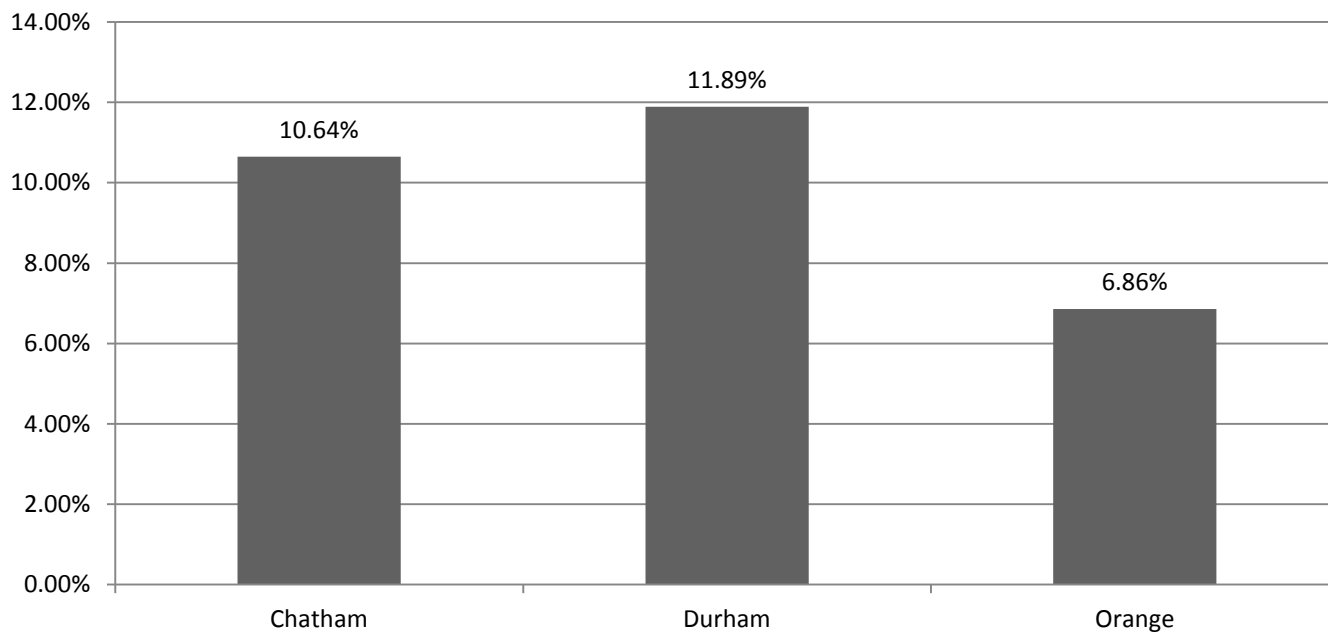
### Share of LEP Speakers



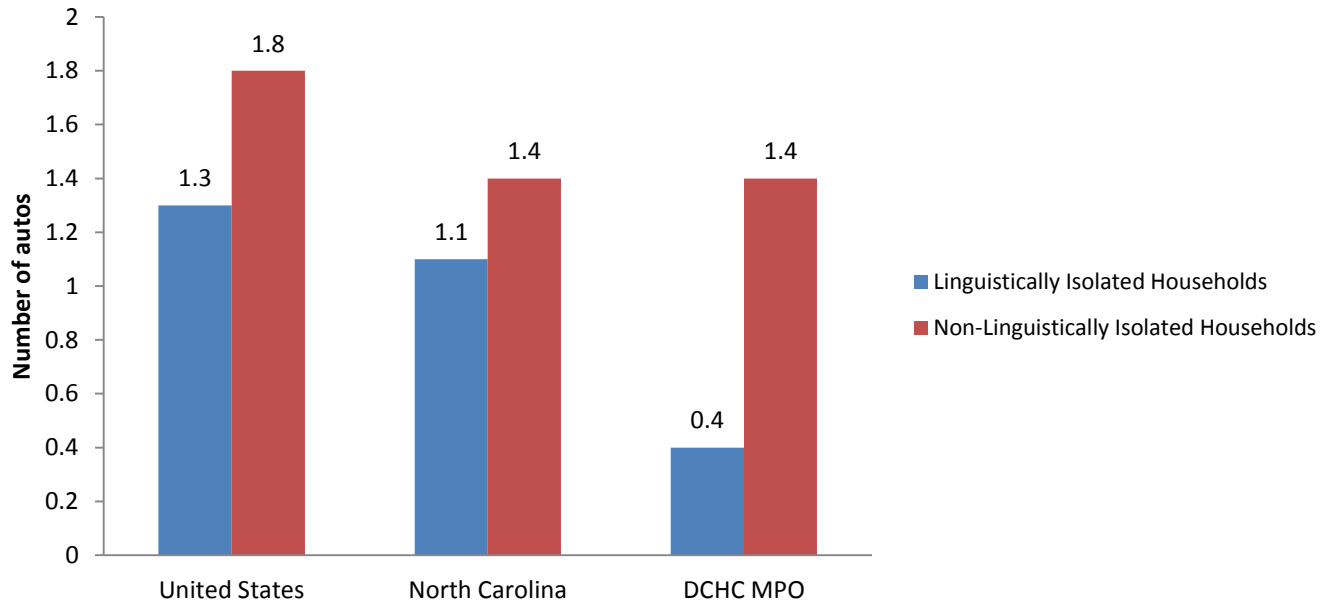
### Number People who Speak Spanish at Home, by County



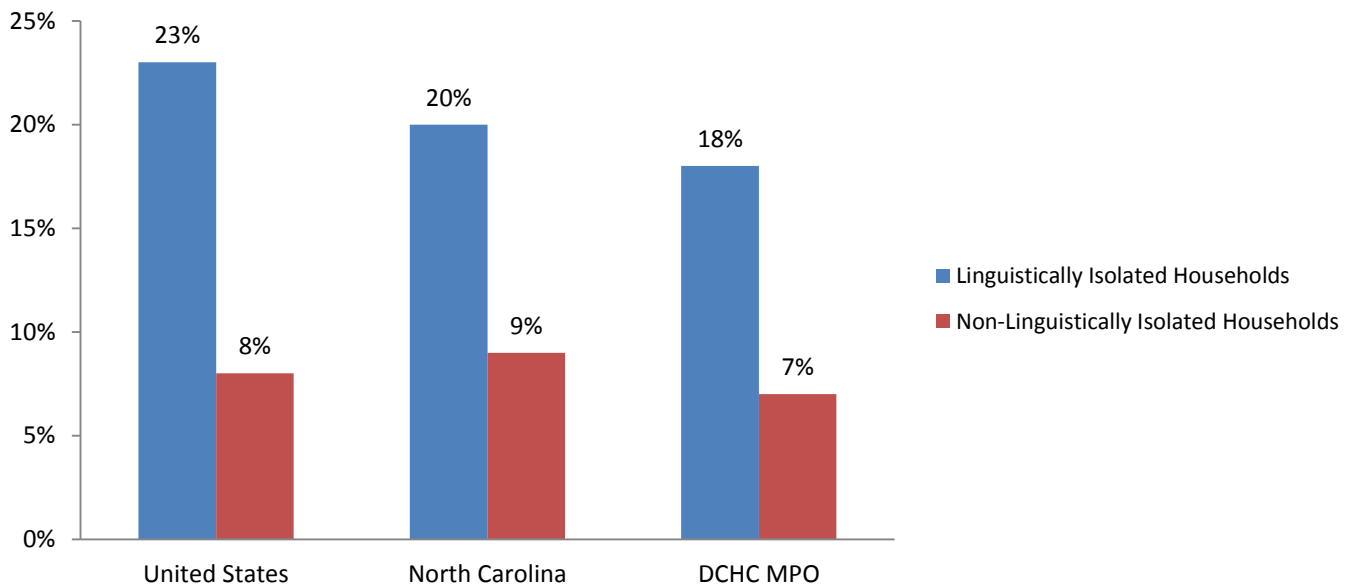
### Percent of Population that Speaks Spanish at Home, by County



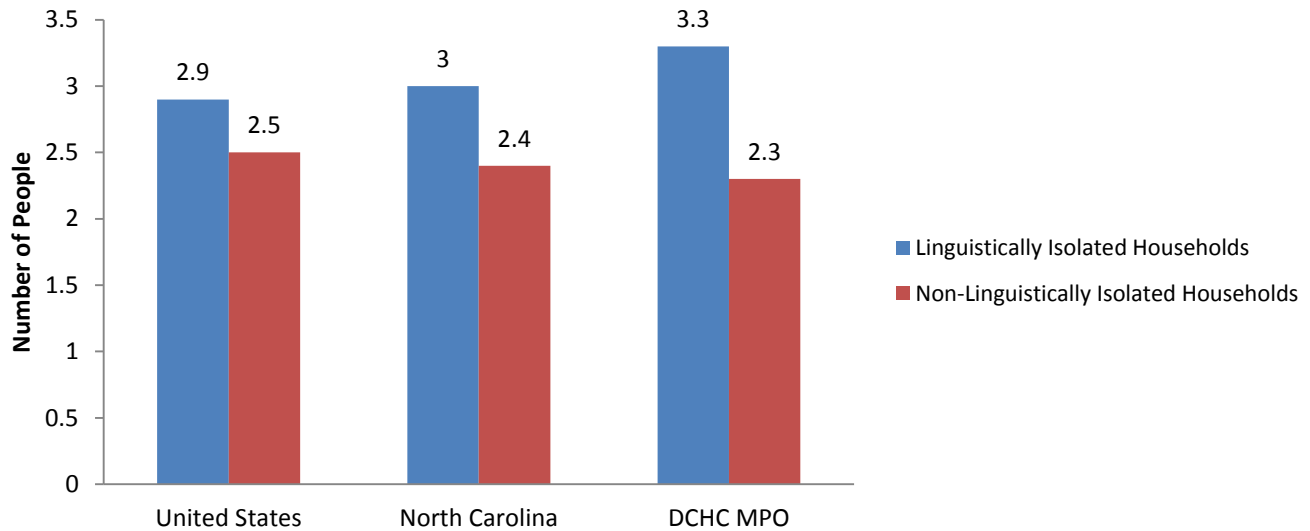
### Mean Automobiles per Household for Linguistically Isolated Households



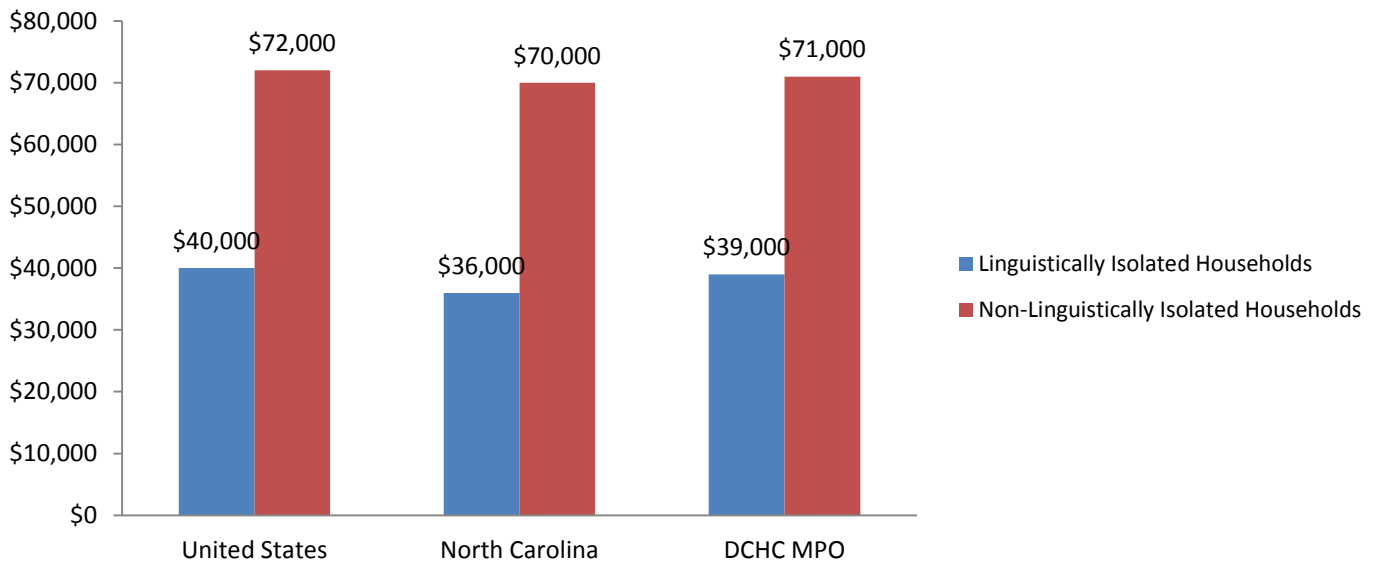
### Share of Households with Zero Automobiles for Linguistically Isolated Households



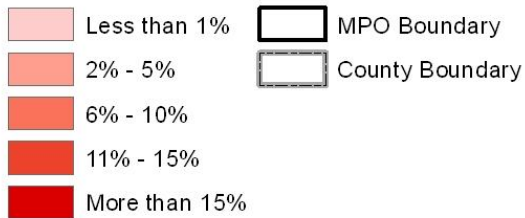
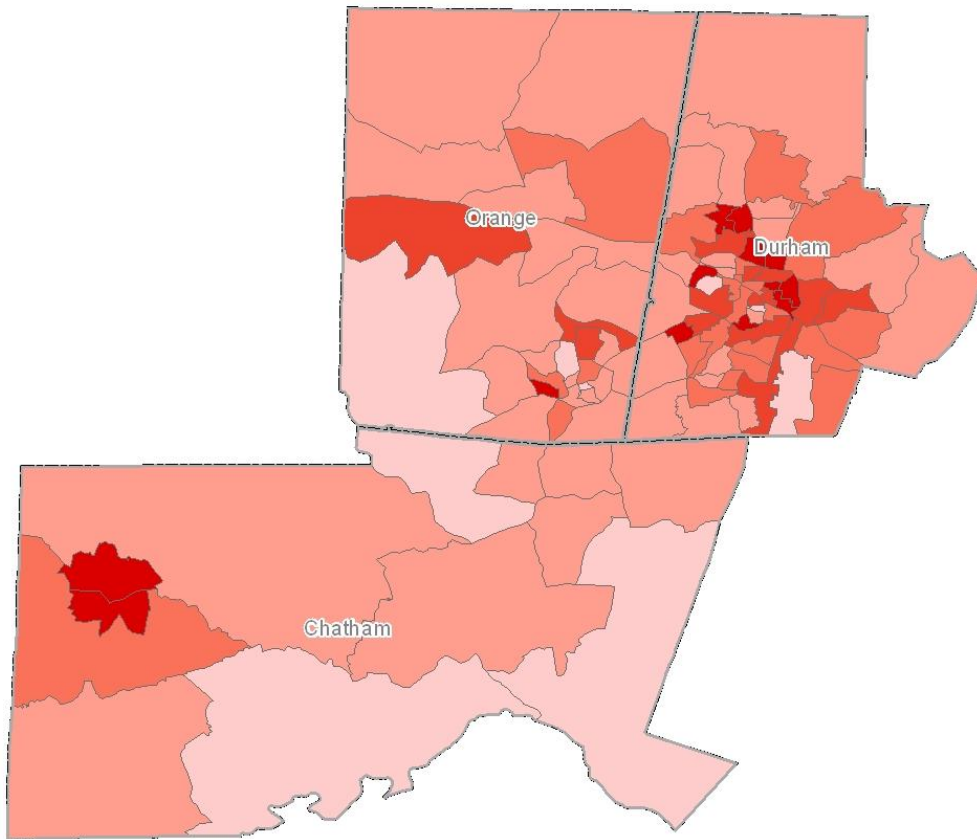
### Average Household Size for Linguistically Isolated Households



### Mean Household Income for Linguistically Isolated Households

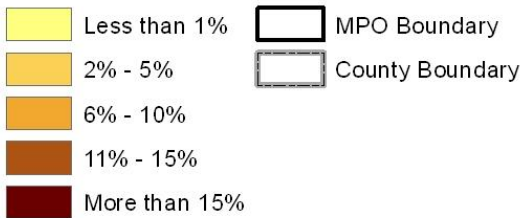
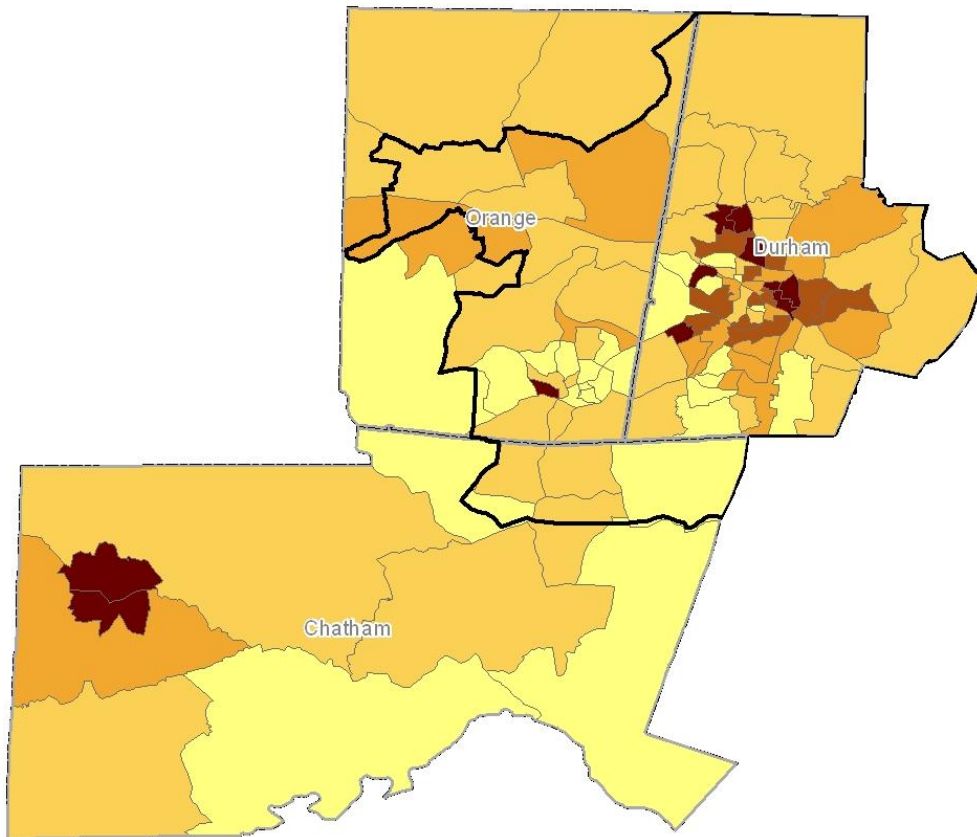


## Percent of Census Tract Population with Limited English Proficiency



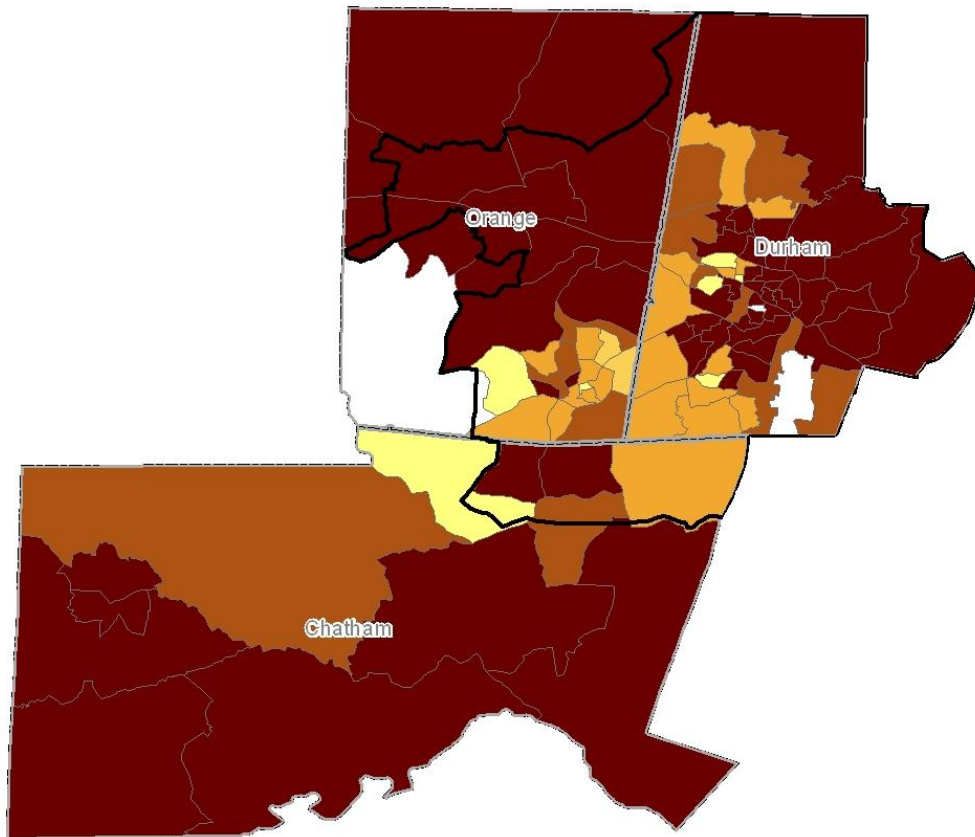
Durham Chapel Hill Carrboro MPO

## Percent of Total Population that Speaks Spanish and has Limited English Proficiency



Durham Chapel Hill Carrboro MPO

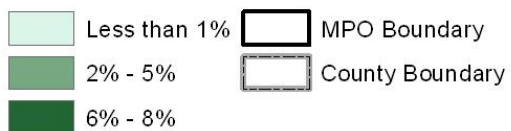
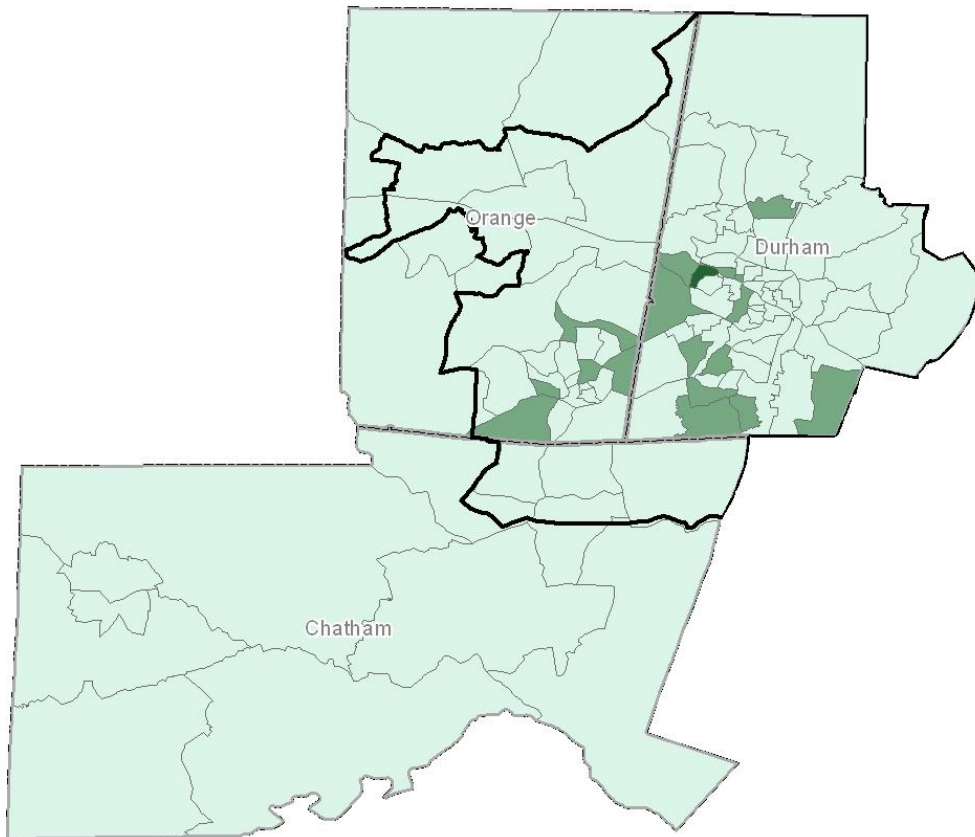
## Percent of LEP Population that Speaks Spanish



Durham Chapel Hill Carrboro MPO

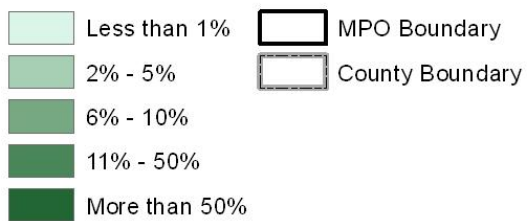
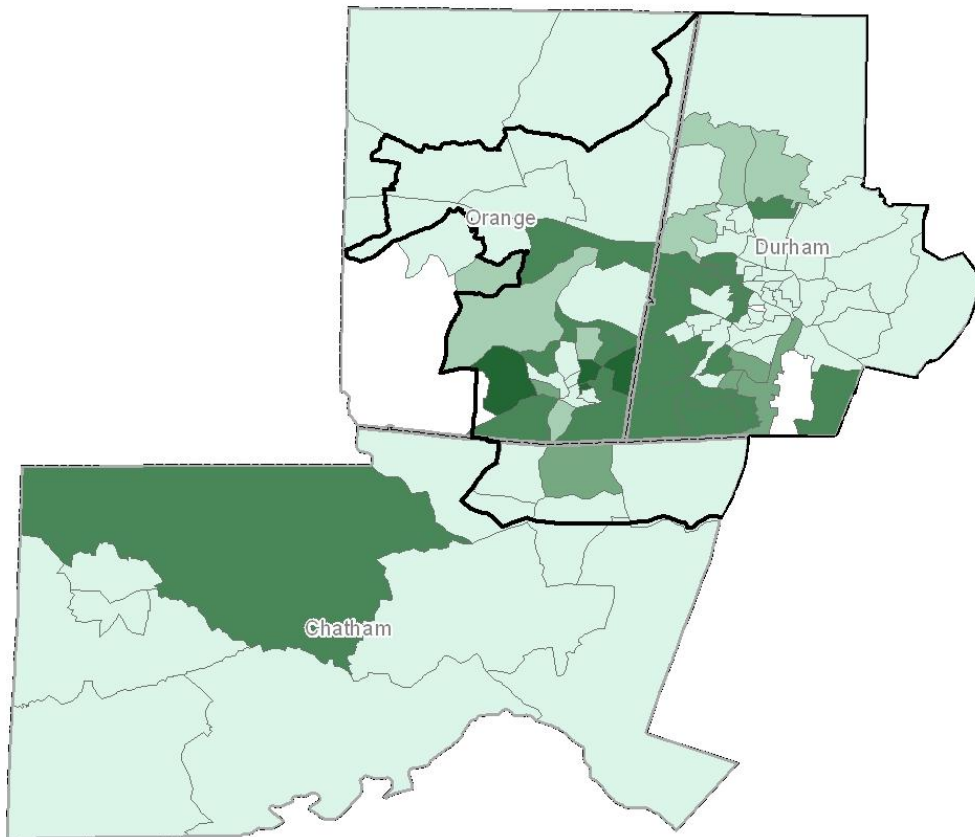


## Percent of Total Population that Speaks Chinese and has Limited English Proficiency



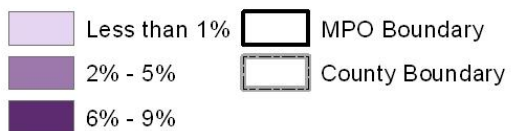
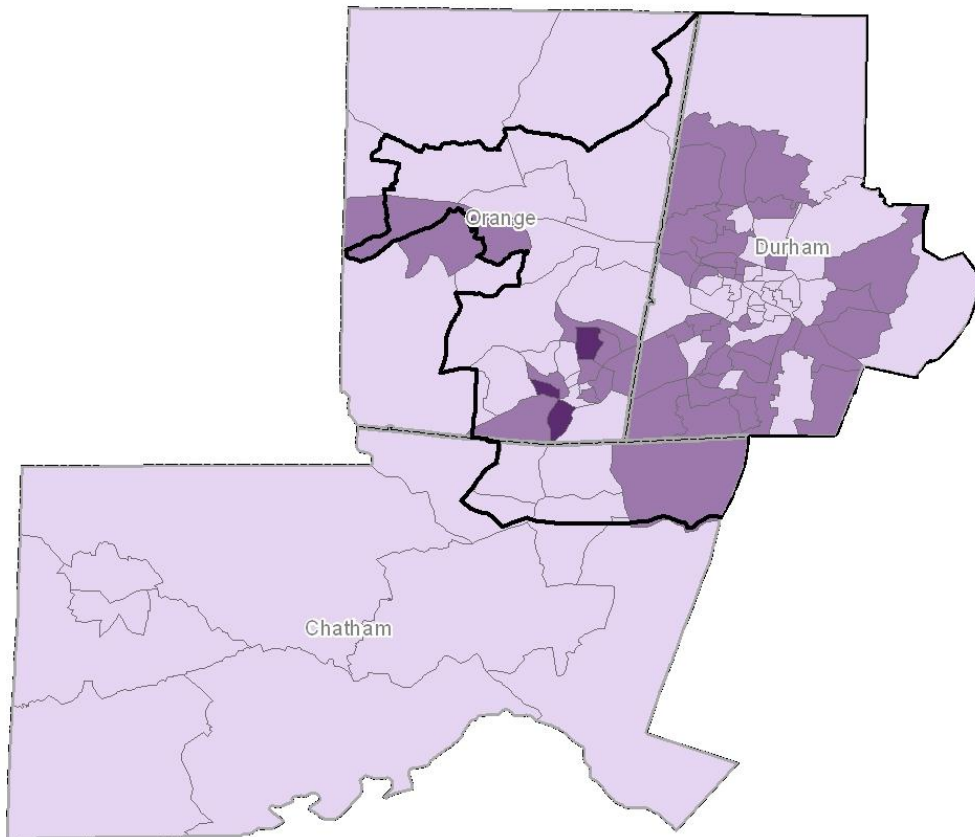
Durham Chapel Hill Carrboro MPO

## Percent of LEP Population that Speaks Chinese



Durham Chapel Hill Carrboro MPO

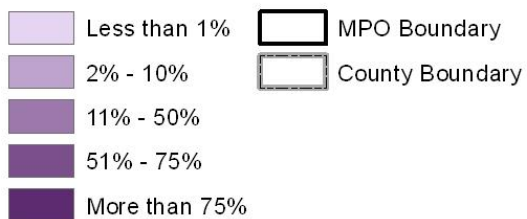
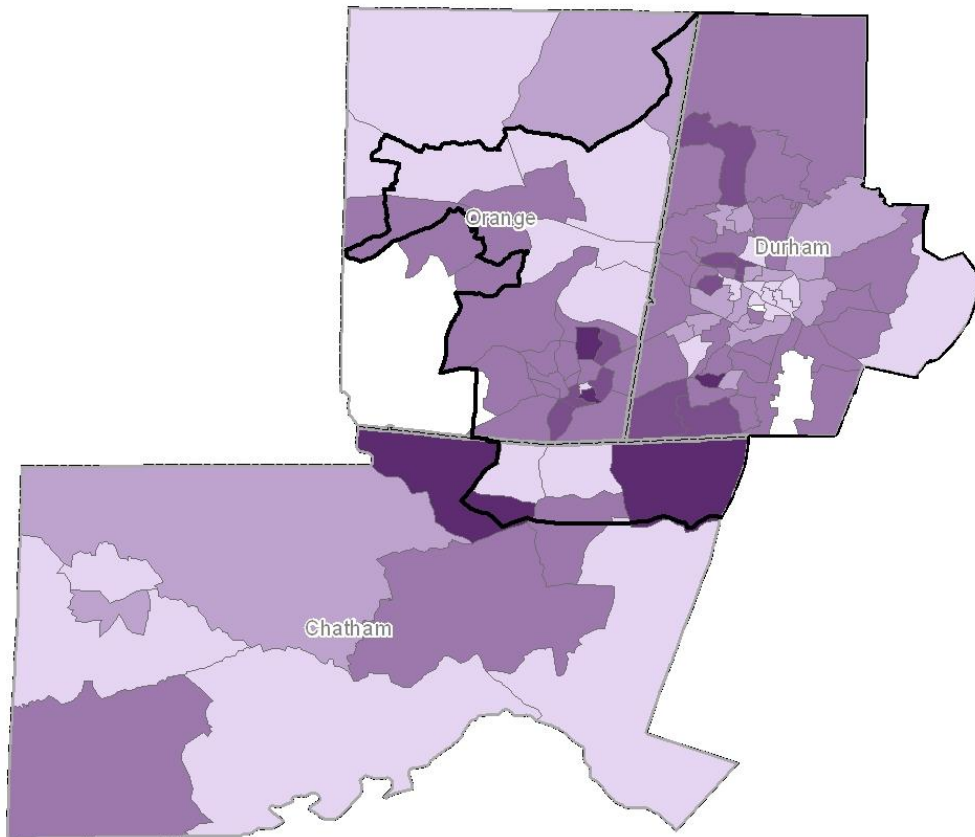
## Percent of Total Population that Speaks Other Languages\* and has Limited English Proficiency



\* "Other languages" refers to any language other than English, Spanish, or Chinese.

Durham Chapel Hill Carrboro MPO

## Percent of LEP Population that Speaks Other Languages\*



\* "Other languages" refers to any language other than English, Spanish, or Chinese.

Durham Chapel Hill Carrboro MPO

**FACTOR 2: Frequency with which LEP individuals come in contact with DCHC MPO programs, activities, or services.**

The DCHC MPO assesses the frequency at which staff has or could possibly have contact with LEP persons. This includes documenting phone inquiries and surveying public meeting attendees. No previous LEP requests have been received thus far. Documentation of LEP requests will be done annually upon implementation of the LEP plan. MPO transit operators also provide outreach to the Spanish population. Arrangements are made to provide translation when requested.

**FACTOR 3: Nature and importance of the program, activity or service provided by the DCHC MPO to the LEP population.**

The MPO ensures that all segments of the population, including LEP persons, have been involved, or have the opportunity to become involved, in the transportation planning process. The impact of proposed transportation investments on underserved and underrepresented population groups is part of the evaluation process for use of federal funds in three major areas: 1) an annual unified planning work program; 2) a seven-year transportation improvement program; 3) a long-range transportation plan covering 20+ years.

Inclusive public participation is a priority and other MPO plans studies and programs as well. The impacts of transportation improvements resulting from these planning activities do have an impact on all residents. Understanding and involvement are encouraged throughout the process. The MPO is concerned with input from all stakeholders, and every effort is made to make the planning process as inclusive as possible. Progress towards project planning and construction under the responsibility of NCDOT is coordinated with the MPO. NCDOT has its own policies to ensure that LEP individuals participate in the project planning.

To assess the nature and importance of the programs, activities, and services provided by DCHCMPO to LEP and general community, the DCHCMPO conducted an internal and external review:

**Internal Review**

Internally, DCHCMPO staff evaluated programs and services based on the DCHC MPO's function as the regional entity responsible for transportation planning in the DCHC MPO planning area, the potential public interest, and the impact upon the quality of life of the public by DCHC MPO functions. Per evaluation of DCHC MPO programs, documents, and services, it was determined the following documents could be seen as vital documents:

- Metropolitan Transportation Plan
- Transportation Improvement Plan
- Unified Planning Work Program
- Public Involvement Policy

Based on this evaluation and the language assessment in Factor 1 of the Four Factor analysis, the staff will seek partner organizations proficient in Spanish to provide information about DCHC MPO plans and programs. Translation and/or interpretation services, for Spanish and other languages, will be considered upon request and in coordination with partner agencies in the region. Furthermore, public meeting notices

would be classified as vital documents requiring translation services. To facilitate the translation process for public meeting notices, the staff will prepare a template for the selected primary LEP language.

If any notice or document bears a direct impact toward a localized population that meets or exceeds the LEP Safe Harbor clause, then the notice or document will be considered for translation as described previously, to include translating notices and key information contained within vital documents.

### **External Review**

Externally, a public outreach effort within the identified language communities will be conducted. Community groups that work with the Spanish populations will be contacted for their input. In this outreach, the DCHC MPO staff will provide community groups a synopsis of what the primary purpose and functions of the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization and ask what key issues, programs, services, are and activities they perceive are critical. These will be noted in the transportation planning process and sent forward to the appropriate agency and/or locality as applicable.

### **FACTOR 4: Resources available to the DCHC MPO and Overall Costs to Provide LEP Assistance**

Given the size of the LEP population in the MPO's planning boundary and financial constraints, full translation of all transportation plan documents, except for vital documents (a document that contains information critical to obtaining federal funds or benefits), is not appropriate at this time. However, continued growth of our area and its Spanish-speaking population makes offering Spanish translation, in many areas, a good community investment; therefore, the MPO will make efforts to collaborate with state and local agencies to provide language translation and interpretation services where practical within the scope of funding available.

The MPO will use a “seven business day” notification statement in order to be most accommodating to the public. If the seven-day notice becomes impractical to meet LEP assistance requests, this LEP plan standard will be changed.

## **4 DCHC MPO Transit Operators LEP Initiatives**

MPO transit operators are constantly looking for ways to improve communication and enhanced contact and accessibility with LEP patrons. Over the past several years, transit officials organized a public work sessions dedicated to LEP patrons who use their systems. Overall, an average 20 people mostly Spanish speaking attended. Others were from French Speaking Southeast Asia and Africa. The purpose of the meetings was to provide the patrons the opportunity to understand the transit system operations and also afford them insight into the language and outreach needs of the group.

Key Ideas from these meetings are summarized as follows:

- The importance of communicating with these groups through their children, most of whom speak both native languages and English.
- Incorporating images into our communications for those who prefer not to read whether it is in English or Spanish.
- Attending major festivals and events with space or booth to attract visitors - can have games

and/or giveaways.

- Using the radio to leverage communications. The radio stations are highly listened to while some are at home or on the jobs. We can work with the DJs to promote educational opportunity for public transit. The community looks up to the DJs.
- The introduction of the transit user advocates or ambassadors program as well as introduction of the Citizens meetings to afford riders the opportunity to provide input to various service initiatives that may impact LEP communities.

Other initiatives for improving communication with and accessibility for LEP residents are summarized below:

- A staff appearance on local Radio talk shows and community television, whose guest periodically include Spanish leaders in the community to discuss transit access issues.
- Appearance of City Staff on Spanish radio, providing project information in Spanish to listeners;
- An information booth with bilingual staff and project information at various communities and municipal events/festivals;
- Spanish advertisements published in local Spanish papers to announce all project public meetings.

#### **4.1 Transit Regional Call Centers and LEP Outreach/Awareness**

Transit operators in the Triangle Region teamed up and established a regional consolidated call center for Triangle residents to access transit service information from a single source. This center has been in operation for the past 5 years and is currently operated by the Triangle Transit. It has several customer service attendants who take live calls and answer patrons questions related to transit services in the Triangle Region. Over the past 5 years calls have more than quadruple. An increasing number of these calls now come from riders with Limited English Proficiency or LEP group. To assist this group the center constantly has a bilingual (English & Hispanic) call takers to assist the largest LEP population in the triangle –Spanish speaking population. Over the past 3 years non-English speaking calls have averaged 1% of all calls received, making it imperative for the service to acknowledge the importance of this population group. In the past two years there have been 185 calls originating from non-English speakers of mostly Spanish origin.

In addition to the live or voice response system transit operators and the Call Center periodically administers surveys asking patrons to indicate if there was other languages that needed to be covered. So far, French has been the only language that has been requested. Since the request came from a single source the individual was directed to a French-Speaking staff for direct assistance.



Quarter	Calls Received	Calls Answered	Calls Abandoned	Total % Calls Answered	Estimated Total LEP Calls
7/1/10 - 9/30/10	108,662	104,751	3,911	96.4%	109
10/1/10 - 12/31/10	124,500	117,166	7,334	94.1%	125
1/1/11 - 3/31/11	118,347	110,303	8,044	93.2%	118
4/1/11 - 6/30/11	116,413	110,769	5,644	95.2%	117
<b>TOTAL</b>	<b>467,922</b>	<b>442,989</b>	<b>24,933</b>	<b>94.7%</b>	<b>469</b>
<b>FY10 Total</b>	<b>370,898</b>	<b>362,437</b>	<b>8,461</b>	<b>97.7%</b>	<b>371</b>
<b>% Change</b>	<b>26.2%</b>	<b>22.2%</b>	<b>194.0%</b>	<b>-3.1%</b>	<b>21%</b>

Regional Call  
Center FY2011

**Phone Call Distribution by  
Individual Transit Systems**

Agency	% of Calls*	Estimated Calls in FY11**
CAT	65.2%	303,892
DATA	13.9%	64,787
Triangle Transit	12.9%	60,126
Cary Transit	3.0%	13,983
Chapel Hill Transit	4.9%	22,839

\*Based on a sample of over 70,000 phone calls received in 2011.

**Customer Feedback Totals**

Agency	Complaints	Commendations	Totals	LEP Estimates
CAT	628	29	657	3.0
DATA	424	19	443	4.0
Triangle Transit	393	45	438	4.0
Cary Transit	19	1	20	0.2
Chapel Hill Transit	101	6	107	0.1
Regional Call Center	27	14	41	0.3

## 4.2 Interpretation and Translation Services

Latino media outlets and television and radio stations, La Conexion, Que Pasa, Univison, Telefutera, La Ley and EL Centro, help provide translation and interpretation services to various MPO agencies and transit operators. These media outlets are typically used to resolve public safety needs, to assist with general interpretation and translation, to provide court-certified interpreters, to communicate with the audibly impaired, or to provide language proficiency testing for public safety personnel. Further, DCHC MPO member agencies use the aforementioned Latino media sources below to offer interpretation and translation services, mostly in Spanish free of charge to the City.



#### **4.2.1 Bus Operators:**

Currently, no official data is kept by bus drivers on interaction with LEP passengers. However, there are a number of current fixed route bus operators and Customer Service Representatives who are bilingual and who are constantly called upon to assist in the interpretation of various services to our Hispanic patrons as well as the dissemination of information to the same group.

#### **4.2.2 Paratransit Operators:**

The paratransit operators use mostly the services of the County Social Services which has translator resources for Hispanic community. The Department also works with Churches and with the Latino community organizations within the metropolitan area. Brochures, announcements and news about our paratransit program programs relating to our services are sent to this organization for dissemination of in the inbound calls coming through the our scheduler voice response system are sometimes sent to Spanish speaking customer service staffers. In very rare case do the paratransit system utilize Spanish speaking driver to provide assistance or by request this is because 99 percent of the paratransit (demand responsive) clients are English speaking patrons. In very rare occasions when a non-English Speaking client ask for a service our in-house Spanish speaking staff is able to offer that assistance.

#### **4.2.3 Transit Security Police Unit**

Transit police officers have interpreters available via the above mentioned services, and there are transit officers with fluent multilingual capabilities in Spanish. Generally, officers are taught limited Spanish phrases in BLET. Very few cases involving LEP patrons are reencountered especially in areas such as drugs, guns, robbery and fighting that demand immediate arrest, very few LEP encounters are recoded.

## **5 Meeting the LEP Requirements**

Engaging the diverse population within the MPO boundaries is important. DCHCMPO is committed to providing quality services to all citizens, including the LEP population we serve. Spanish has been identified as, by far, the most dominant language spoken by LEP individuals in this MPO service area. All language access activities detail below will be coordinated in collaboration with the MPO board and staff.

### **5.1 Providing Notice to LEP Persons**

The USDOT LEP guidance indicates that once an agency has decided, based on the four factors, to provide language services, it is important that the recipient notify LEP persons of service is available free of charge in languages LEP persons would understand. Examples of methods of notification include:

1. Stating in outreach documents that language services are available
2. Signage that free language assistance is available with advance notice
3. Working with community-based organizations and other stakeholders to inform LEP individuals of the MPO services and the availability of language assistance
4. Providing information as to the availability of translation services (free of charge) when advertising for public hearings and MPO-related workshops.

Other reasonable steps will depend on:

- The number and proportion of LEP persons potentially served by the program or activity and the variety of languages spoken in the service area.
- The frequency with which LEP individuals are affected by the program or activity.
- The importance of the effect of the program on LEP individuals.
- The resources available to the recipient and the urgency of the situation.
- The level of services provided to fully English proficient people.
- Whether LEP persons are being excluded from services or provided a lower level of services.
- Whether the recipient has adequate justification for restrictions, if any, on special language services or on speaking languages other than English.

DCHC MPO intends to take reasonable steps to make available interpreter services, free of charge, and to include, at a minimum, Spanish translators upon request of at least seven business days prior to MPO board and committee meetings, workshops, forums, or events. The MPO is defining an interpreter as a person who translates spoken language as opposed to a translator who translates written language and transfers the meaning of written text from one language into another. The MPO transit operators currently have interpretation and translation services as described in the transit section of this report. The Lead Planning Agencies will coordinate interpretation and translation efforts with transit operators.

## **5.2 Proposed Ongoing LEP Services include:**

- Coordination with the appropriate MPO agencies to provide an interpreter for phone and/or walk-in customers.
- Coordination with Que Pasa newspaper to translate small documents - up to two pages.
- Coordination with the Gov. Morehead School to convert small documents - up to three pages - to Braille provided there is a seven day advance notice.
- Coordination with partner agencies and special needs organizations to meet requested needs.
- Creation of a list of inside and outside sources that can provide competent oral and written translation services
- Analysis of the cost of these services, if any
- Identification of potential budget and personnel limitations pertaining to these services
- When an interpreter is needed, either in person or on the telephone, we first determine which language is required. If a translator for the required language is not available or a formal interpretation is required, staff shall consider using a translation service company.

## **5.3 MPO Staff Training**

Appropriate DCHC MPO (LPA) staff will be provided access to the LEP Plan and will be offered training on procedures and services available. Training topics will include:

- Understanding Title VI of the Civil Rights Act of 1964 and LEP responsibilities.
- LEP program responsibilities and obligations.
- Language assistance services offered.

- Use of LEP Language Assistance Cards ("*I Speak Cards*").
- Documentation of language assistance requests.

Such training will be developed to ensure that staff is fully aware of LEP policies and procedures and are effectively able to work in person and/or by telephone with LEP individuals. Other MPO agencies' staff will be provided with the LEP plan and will be educated on procedures and services available. An information brochure will be prepared and will establish meaningful access to information and services for LEP individuals and employees in public contact positions, especially those who will serve as translators for interpreters.

Signs will be posted that language assistance is available in public areas such as at DCHC MPO reception, conference room waiting areas, and the DCHC MPO website.

#### 5.4 Outreach Techniques

- If DCHC MPO staff knows that they will be presenting a topic in a geographic location with a known concentration of LEP persons, DCHC MPO staff will make a concerted effort to have meeting notices, fliers, advertisements, or agendas printed in the alternative language. MPO staff will coordinate with local community groups to have someone available who can help interpret information at the meeting.
- When running a general public meeting notice in a geographic location that could be of potential importance to LEP persons or if staff will be hosting a meeting or a workshop, DCHC MPO staff will, to the extent possible, insert the following clause: "An interpreter will be available" in the predominant language. DCHC MPO staff will seek to coordinate with local community groups to have someone available who can help interpret information at the meeting.
- Include an LEP assistance statement when running general public meeting notices:

### 6 Language Assistance Measures & LEP Strategies

When an interpreter is needed, in person or on the telephone, DCHC MPO staff will first determine what language is required. DCHC MPO staff will provide the service if available. If not available, the request will be directed to the LEP Coordinator, who will check the MPO *LEP Employee Guide* to see what languages are offered. If the required is not available, the LEP coordinator will seek to address the request from the on-call. The following DCHC MPO documents will be available in Spanish:

- DCHC MPO LEP brochure.
- Nondiscrimination Complaint Form.
- Citizens Guide (Provides an overview of transportation planning processes).
- Additional translation and/or interpretation services will be considered upon request and in coordination with partner agencies in the region.

## LEP Strategies for DCHC MPO Agencies

Agency	Telephone Services	Printed Material	In-Person Assistance	Media Ads	Web Info	Translation	Bus Drivers' Assistance	Citizen Advisory Committee
DCHC MPO - LPA	*	*	*	*	*	*		*
DATA	*	*	*	*	*	*	*	
Triangle Transit	*	*	*	*	*	*	*	
Chapel Hill Transit	*	*	*	*	*	*	*	
Chapel Hill	*	*				*		
Carrboro	*	*				*		
Durham City	*	*	*			*		
Durham County	*	*				*		
Hillsborough	*	*				*		
Chatham County	*	*				*		
Orange County	*	*				*		
Call Center	*							

## 7 Monitoring and Updating the LEP Plan

This plan is designed to be flexible and is one that can be easily updated. At a minimum, the MPO will update the LEP plan on a bi-annual basis. Each update should examine all plan components, such as:

- How many LEP persons were encountered?
- Were their needs met?
- What is the current LEP population of the MPO area by County?
- Has there been a change to the type of languages where translation services are needed?
- Have the MPO's available resources, such as technology, staff, and financial costs, changed?
- Has the MPO fulfilled the goals of the LEP plan?
- Were any complaints received?

The DCHC MPO will follow the Title VI Program monitoring and reporting schedule for the LEP Plan, which includes bi-annual reports to NCDOT and FHWA. Reports will address the following questions:

- How many LEP persons were encountered?
- What is the current LEP population in DCHC metropolitan area?
- Has there been a change in the languages where translation services are needed?
- Is there still a need for continued language assistance for previously identified DCHC MPO programs?
- Are there other programs that should be included?
- Have DCHC MPO available resources, such as technology, staff, and financial costs changed?

## 8 Website

The Lead Planning Agency and the MPO transit operators have websites for public outreach and information dissemination. The information is essentially in English. However bus maps and route schedules are provided and posted at the sites in both English and Spanish, the predominantly leading

language that most of our non English speaking patrons use. The MPO is in the process of updating the MPO website to include a Spanish page.

DCHC MPO staff will post the LEP Plan on its website at <http://www.dchcmpo.org>. Any person with Internet access will be able to view the plan. Copies of the LEP Plan will also be provided to the DCHC MPO member jurisdictions and interested parties upon request.

## 9. Assessment of Resource Availability for Ongoing LEP Implementation

The DCHC MPO assessment for available resources will be an ongoing activity. Initially, volunteer staff translators and interpreters will be identified. The Lead Planning Agency (LPA) staff will conduct outreach to identify volunteer interpreters, civic groups, and community organizations to further coordinate language assistance services.

The following sections provide more details about how DCHC MPO staff will provide assistance for persons of Limited English Proficiency, train staff, distribute LEP information to the public, and monitor the LEP plan.

- Examine records of requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings;
- Set up a sign-in sheet table at DCHCMPO-sponsored events, have a staff member greet and briefly speak to attendees to informally gauge the attendee's ability to speak and understand English;
- Have the Census Bureau's "*I Speak Cards*" at workshop or conference sign-in sheet table. While staff may not be able to provide translation assistance at this meeting, the cards are an excellent tool to identify language needs for future meetings;
- Assistance in the DCHC MPO reception area;

## 10 Dissemination of the MPO LEP Plan

The LEP plan will be posted on the MPO website at [www.dchcmpo.org](http://www.dchcmpo.org). Any person, including social service, nonprofit, and other community partners with Internet access, will be able to access the plan. For those without personal Internet service, County libraries offer free Internet access. Copies of the LEP plan will be provided to each member jurisdiction's personnel department, NCDOT, FHWA, FTA, and any person or agency requesting a copy. Each MPO sub recipient will be provided a copy and will be educated on the importance of providing language assistance.

Any questions or comments regarding this plan should be directed to the MPO staff:

Felix Nwoko, PhD, Transportation Planning Manager

DCHCMPO

101 City Hall Plaza

Durham, NC 27701

(919) 560-4366 Telephone

(919) 560-4561 Facsimile

[felix.nwoko@durhamnc.gov](mailto:felix.nwoko@durhamnc.gov) E-mail

## DCHC MPO Discrimination Complaint Procedure

Title VI of the civil rights act of 1964 as of today prohibits discrimination on the basis of race, color, national origin in programs and activities receiving federal financial assistance. As a sub recipient of NCDOT, the capillary MPO has in place the following discrimination complaint procedures:

1. Any person who believes that he or she or any specific class of persons has been subjected to discrimination or retaliation prohibited by title VI of the Civil Rights Act of 1964 as amended and related statutes may file a written complaint. All written complaints received by the capillary MPO shall be referred immediately by that MPO's title VI specialists will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her right to file a formal complaint with the NCDOT, EEO, if they are dissatisfied with the final decision rendered by the MPO. The MPO Title VI coordinator will also provide NCDOT Title VI coordinator with a copy of this decision and summary of findings.
2. The MPO title VI specialists will maintain a log of all verbal or written complaints received. The log will include the following information:
  - a. Name of complainant
  - b. Name of alleged discriminating official
  - c. Basis of complaint: i.e. , race, color, national origin, sex, age, disability, religion, familial status, or retaliation.
  - d. Date verbal or not written complaint was received by the MPO
  - e. Did the MPO Title VI coordinator notify the NCDOT, Title VI Coordinator as appropriate of the verbal or written complaints.
  - f. Explanation of the actions the MPO has taken or has proposed to take to resolve the allegations raised in the complaint.

Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color, or national origin. Subsequent laws and Presidential Executive Orders added handicap, sex, age, income status and limited English proficiency to the criteria for which discrimination is prohibited, in programs and activities receiving federal financial assistance. As a sub-recipient of federal assistance, the DCHCMPO has adopted a Discrimination Complaint Procedure as part of its Nondiscrimination Plan to comply with Title VI and associated statutes.

1. Any person who believes that he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, as amended, or any nondiscrimination authority, may file a complaint with the DCHC MPO. A complaint may also be filed by a

representative on behalf of such a person. All complaints will be referred to the DCHC MPO Title VI Coordinator for review and action.

2. In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after:
  - a. The date of the alleged act of discrimination; or
  - b. Where there has been a continuing course of conduct, the date on which that conduct was discontinued

In case, the recipient or his/her designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

1. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints should set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of the recipient, the person shall be interviewed by the Title VI Coordinator. If necessary, the Title VI Coordinator will assist the person in putting the complaint in writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled in the usual manner.
2. Within 10 days, the DCHC MPO Title VI Coordinator will in acknowledge receipt of the allegation in writing, inform the complainant of action taken or proposed action to process the allegation, advise the respondent of their rights under Title VI and related statutes, and advise the complainant of other avenues of redress available, such as the North Carolina Department of Transportation (NCDOT) and the Federal Highway Administration (FHWA).
3. Within 10 days, a letter will be sent to the NCDOT, Civil Rights Division, and a copy to the FHWA Raleigh Division Office. This letter will list the names of the parties involved, the basis of the complaint, and the assigned investigator.
4. In the case of a complaint against the DCHC MPO, NCDOT Civil Right investigator will prepare a final investigative report and send it to the complainant, respondent (DCHC MPO person listed), the DCHC MPO Title VI Coordinator, and FHWA Raleigh office.
5. Within 60 days, the DCHC MPO Title VI Coordinator will conduct and complete an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the Executive Director of the recipient of federal assistance. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.
6. Within 90 days of receipt of the complaint, the DCHC MPO Title VI Coordinator will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with NCDOT or the Federal Highway Administration (FHWA), if they are dissatisfied with the final decision rendered by the DCHC MPO. The DCHC MPO's Title VI Coordinator will also provide the NCDOT Civil Rights Office with a copy of the

determination and report findings.

7. In the case a nondiscrimination complaint that was originated at the DCHC MPO is turned over to and investigated by NCDOT, FHWA or another agency, the DCHC MPO Title VI Coordinator will monitor the investigation and notify the complainant of updates, in accordance with applicable regulations and NCDOT policies and procedures.
8. In accordance with federal law, the DCHC MPO will require that applicants of federal assistance notify the DCHC MPO of any law suits filed against the applicant or sub-recipients of federal assistance or alleging discrimination; and a statement as to whether the applicant has been found in noncompliance with any relevant civil rights requirements.
9. The DCHC MPO will submit Title VI accomplishment reports to the NCDOT, Civil Rights Office, in compliance with NCDOT's established processes.
10. The DCHC MPO will collect demographic data on staff, committees, and program areas in accordance with 23 CFR, 49 CFR and NCDOT's established procedures and guidelines.
11. Pursuant to the North Carolina Public Records Act, the DCHC MPO will retain Discrimination Complaint Forms and a log of all complaints filed with or investigated by the DCHC MPO.
12. Records of complaints and related data will be made available by request in accordance with the USDOT and North Carolina Freedom of Information Act.

Please provide the following information, necessary in order to process your complaint. Assistance is available upon request. Complete this form and mail or deliver to: DCHC MPO, The lead Planning City of Durham, Transportation, 101 City Hall Plaza, Durham, NC 27701.

If the complaint is against the DCHCMPO, you may complete this form and mail or deliver to: NCDOT

NCDOT  
Civil Rights Manager,  
Address 1700  
Raleigh, NC 27xxx.

For any questions, you can reach our office Monday-Friday from 8:00am to 4:30pm at (919) 560-4366, or you can email the DCHCMPO Title VI Coordinator at [TitleVI-Coordinator@dchcmmpo.org](mailto:TitleVI-Coordinator@dchcmmpo.org).



## **MPO Planning Process & Requirements**

### **Contents:**

The Transportation Planning Process Key Issues  
(2007 FHWA & FTA)

FHWA/FTA TMA Certification Report (2011)

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# The Transportation Planning Process Key Issues



A Briefing Book for  
Transportation Decisionmakers,  
Officials, and Staff

A Publication of the Transportation Planning Capacity Building Program  
Federal Highway Administration  
Federal Transit Administration

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## PART I: OVERVIEW OF TRANSPORTATION PLANNING



Transportation planning plays a fundamental role in the state, region or community's vision for its future. It includes a comprehensive consideration of possible strategies; an evaluation process that encompasses diverse viewpoints; the collaborative participation of relevant transportation-related agencies and organizations; and open, timely, and meaningful public involvement.



Figure 1: Transportation planning process

## INTRODUCTION

Transportation helps shape an area's economic health and quality of life. Not only does the transportation system provide for the mobility of people and goods, it also influences patterns of growth and economic activity by providing access to land. The performance of the system affects public policy concerns like air quality, environmental resource consumption, social equity, land use, urban growth, economic development, safety, and security. Transportation planning recognizes the critical links between transportation and other societal goals. The planning process is more than merely listing highway and transit capital projects. It requires developing strategies for operating, managing, maintaining, and financing the area's transportation system in such a way as to advance the area's long-term goals.

This book provides government officials, transportation decisionmakers, planning board members, and transportation service providers with an overview of transportation planning. It contains a basic understanding of key concepts in statewide and metropolitan transportation planning, along with references for additional information. Part I discusses transportation planning and its relationship to decisionmaking. This section is general, and provides a broad introduction to the planning process. Part II presents short descriptions of important policy and planning topics. This section includes more technical information than Part I, but is not intended to provide details of each policy issue. This report is available electronically on the Transportation Planning Capacity Building website at [www.planning.dot.gov](http://www.planning.dot.gov) and is updated periodically to include additional topics or information.

This book has been updated to reflect changes in legislation that affect statewide and metropolitan transportation planning requirements. It is an informational publication that replaces its predecessor, the 2004 "The Metropolitan Transportation Planning Process: Key Issues, A Briefing Notebook for Transportation Decisionmakers, Officials, and Staff" (Publication FHWA-EP-03-041 5/04).

For additional information about any of the topics discussed in this book, contact your local Federal Highway Administration (FHWA) division or Federal Transit Administration (FTA) regional office. For information on how to reach FHWA or FTA staff, visit the FHWA and FTA websites at [www.fhwa.dot.gov](http://www.fhwa.dot.gov) and [www.fta.dot.gov](http://www.fta.dot.gov), or the Transportation Planning Capacity Building website at [www.planning.dot.gov](http://www.planning.dot.gov).



Previous version of Briefing Notebook for Transportation Decisionmakers, Officials, and Staff



# What is the transportation planning process?

Transportation planning is a cooperative process designed to foster involvement by all users of the system, such as the business community, community groups, environmental organizations, the traveling public, freight operators, and the general public, through a proactive public participation process conducted by the Metropolitan Planning Organization (MPO), state Department of Transportation (state DOT), and transit operators.

Figure 1 illustrates the transportation planning process.

Transportation planning includes a number of steps:

- Monitoring existing conditions;
- Forecasting future population and employment growth, including assessing projected land uses in the region and identifying major growth corridors;
- Identifying current and projected future transportation problems and needs and analyzing, through detailed planning studies, various transportation improvement strategies to address those needs;
- Developing long-range plans and short-range programs of alternative capital improvement and operational strategies for moving people and goods;
- Estimating the impact of recommended future improvements to the transportation system on environmental features, including air quality; and
- Developing a financial plan for securing sufficient revenues to cover the costs of implementing strategies.

## A METROPOLITAN

**PLANNING AREA** may include the urbanized area (UA), areas expected to become urbanized within the next 20 years, and additional areas determined by political boundaries (e.g., a county) or geographic boundaries (e.g., an air basin).

## URBANIZED AREA (UA):

an area that contains a city of 50,000 or more in population plus the incorporated surrounding areas meeting size or density criteria as defined by the U.S. Census Bureau.

## What is a Metropolitan Planning Organization and what are its typical functions?

A Metropolitan Planning Organization (MPO) is a transportation policy-making body made up of representatives from local government and transportation agencies with authority and responsibility in metropolitan planning areas. Federal legislation passed in the early 1970s required the formation of an MPO for any urbanized area (UA) with a population greater than 50,000. MPOs were created in order to ensure that existing and future expenditures for transportation projects and programs were based on a continuing, cooperative, and comprehensive (3-C) planning process. Federal

funding for transportation projects and programs is channeled through the MPO. Note that some MPOs are found within agencies such as Regional Planning Organizations (RPOs), Councils of Governments (COGs), and others.

There are five core functions of an MPO:

**Establish a setting:** Establish and manage a fair and impartial setting for effective regional decisionmaking in the metropolitan area.

**Identify and evaluate alternative transportation improvement options:** Use data and planning methods to generate and evaluate alternatives. Planning studies and evaluations are included in the Unified Planning Work Program or UPWP (see page 8).

**Prepare and maintain a Metropolitan Transportation Plan (MTP):** Develop and update a long-range transportation plan for the metropolitan area covering a planning horizon of at least twenty years that fosters (1) mobility and access for people and goods, (2) efficient system performance and preservation, and (3) good quality of life.

**Develop a Transportation Improvement Program (TIP):** Develop a short-range (four-year) program of transportation improvements based on the long-range transportation plan; the TIP should be designed to achieve the area's goals, using spending, regulating, operating, management, and financial tools.

**Involve the public:** Involve the general public and other affected constituencies in the four essential functions listed above.

In accordance with federal regulations, the MPO is required to carry out metropolitan transportation planning in cooperation with the state and with operators of publicly owned transit services. The MPO approves the metropolitan transportation plan. Both the governor and the MPO approve the TIP.

Most MPOs will not take the lead in implementing transportation projects, but will provide an overall coordination role in planning and programming funds for projects and operations. The MPO must involve local transportation providers in the planning process by including transit agencies, state and local highway departments, airport authorities, maritime operators, rail-freight operators, Amtrak, port operators, private providers of public transportation, and others within the MPO region.

From an organizational perspective, there is no required structure for an MPO; as a decisionmaking policy body, an MPO may be composed of:

- A policy or executive board
- Technical and citizen advisory committees
- A director and staff

MPO staff assists the MPO board by preparing documents, fostering interagency coordination, facilitating public input and feedback, and managing the planning

process. The MPO staff may also provide committees with technical assessments and evaluations of proposed transportation initiatives. The MPO staff may also engage consultants to generate needed data.

A technical advisory committee may then provide recommendations to the board on specific strategies or projects. An advisory committee may also provide technical analysis, specialized knowledge, and citizen input on specific issues. It is common for an MPO to have a Technical Advisory Committee and Citizen Advisory Committee, and to have subcommittees on specific issues such as environmental justice, bicycle issues, or travel demand modeling.

Those involved in metropolitan transportation planning should reach out to stakeholders to inform them of critical issues facing their regions and provide them with opportunities to contribute ideas and offer input. This is especially important in the early and middle stages of the process, while the plan and the TIP are being developed. Special attention should be paid to those groups that are underrepresented or have been underserved in terms of the expenditure of transportation dollars (see Part II section on Title VI/Environmental Justice).

## What are other responsibilities for some MPOs?

A metropolitan area's designation as an air quality nonattainment area (NAA) or maintenance area creates additional requirements for transportation planning. Transportation plans, programs, and projects must conform to the state's air quality plan, known as the State Implementation Plan (SIP). In nonattainment or maintenance areas for air quality, the MPO is responsible for coordinating transportation and air quality planning.

Areas with populations greater than 200,000 are designated transportation management areas (TMAs). TMAs must have a congestion management process (CMP) that identifies actions and strategies to reduce congestion and increase mobility (see Part II section on CMP). In addition, TMAs have the ability to select Surface Transportation Program (STP) funded projects in consultation with the state; in other MPOs and rural areas the STP projects are selected by the state in cooperation with the MPO or local government.

In addition to meeting federal mandates, MPOs often have extra responsibilities under state law. For example, California's MPOs are responsible for allocating some non-federal transportation funds in their regions, while other states give MPOs a shared role in growth management and land use planning.

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### **AIR QUALITY NONATTAINMENT AREA (NAA):**

A geographic region of the United States that the EPA has designated as not meeting the air quality standards.

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### **AIR QUALITY MAINTENANCE AREA:**

A geographic region of the United States previously designated nonattainment pursuant to the CAA Amendments of 1990 and subsequently redesignated to attainment subject to the requirement to develop a maintenance plan under section 175A of the CAA, as amended.

## What is a state DOT and what are its typical functions?

Each of the U.S. states, Puerto Rico, and the District of Columbia have an agency or department with official transportation planning, programming, and project implementation responsibility for that state or territory, referred to as the state DOT. In addition to transportation planning responsibilities, these agencies may have responsibility for the design, construction, operation, or maintenance of state facilities for multiple modes of transportation (including air, water, and surface transportation). State departments of transportation also work cooperatively with tolling authorities, ports, local agencies, and special districts that own, operate, or maintain different portions of the transportation network, or individual facilities.

Primary transportation planning functions of the state DOT:

**Prepare and Maintain a Long-Range Statewide Transportation Plan:** Develop and update a long-range transportation plan for the state. Plans vary from state to state and may be broad and policy-oriented, or may contain a specific list of projects.

**Develop a Statewide Transportation Improvement Program (STIP):** Develop a program of transportation projects based on the state's long-range transportation plan and designed to serve the state's goals, using spending, regulating, operating, management, and financial tools. For metropolitan areas, the STIP incorporates the TIP developed by the MPO.

**Involve the public:** Involve the general public and all of the other affected constituencies in the essential functions listed above.

## What are the relationships among the MPO, the state DOT, and other agencies involved in transportation planning and project implementation?

Transportation planning must be cooperative because no single agency has responsibility for the entire transportation system. For example, some roads that are part of the Interstate Highway System (IHS) are subject to certain standards and are usually maintained by a state DOT. Others are county arterials or city streets which are designed, operated, and maintained by counties or local municipalities. Transit systems are often built, operated, and maintained by a separate entity.

In metropolitan areas, the MPO is responsible for actively seeking the participation of all relevant agencies and stakeholders in the planning process; similarly, the state DOT is responsible for activities outside metropolitan areas. The MPO and

state DOT also work together. For example, a state DOT staff person may sit on the MPO board.

The state DOT follows special requirements to document its process for consulting with officials from local governments located outside the metropolitan area. This process is separate and distinct from the broad public involvement process and must be documented separately. It provides an opportunity for local officials to participate in the development of the long-range statewide transportation plan and the Statewide Transportation Improvement Program (STIP).

The federal government has a special government-to-government relationship with Indian Tribal governments that is affirmed in treaties, Supreme Court decisions, and executive orders. Federal agencies are required to consult with Indian Tribal Governments regarding policy and regulatory matters.

State DOTs consider the needs of Indian Tribal Governments when carrying out transportation planning, and consult with Indian Tribal Governments in development of the long-range statewide transportation plan and the Statewide Transportation Improvement Program.

MPOs also may consider the needs of, and consult with, Indian Tribal Governments in the development of long-range transportation plans and TIPs when the metropolitan planning area includes Indian Tribal Lands.

Outside of the statewide and metropolitan planning processes, state DOTs and MPOs may consult with Indian Tribal Governments when, for example, a project may affect Indian Tribal archeological resources. For information on FTA's Tribal Transit Program, see [www.fta.dot.gov/funding/grants/grants\\_financing\\_3553.html](http://www.fta.dot.gov/funding/grants/grants_financing_3553.html).

For more information on Tribal planning, see [www.planning.dot.gov/tribal.asp](http://www.planning.dot.gov/tribal.asp).

## What are key documents produced by the metropolitan and statewide planning processes?

As illustrated in Figure 2, there are five key documents produced by the transportation planning process:

	Who Develops?	Who Approves?	Time Horizon	Content	Update Requirements
UPWP	MPO	MPO	1 or 2 Years	Planning Studies and Tasks	Annually
MTP	MPO	MPO	20 Years	Future Goals, Strategies, and Projects	Every 5 Years 4 years for nonattainment and maintenance areas
TIP	MPO	MPO/ Governor	4 Years	Transportation Investments	Every 4 Years
LRSTP	State DOT	State DOT	20 Years	Future Goals, Strategies, and Projects	Not Specified
STIP	State DOT	US DOT	4 Years	Transportation Investments	Every 4 Years

Figure 2: Key planning products

**The Unified Planning Work Program (UPWP):** The UPWP lists the transportation studies and tasks to be performed by the MPO staff or a member agency. Because the UPWP reflects local issues and strategic priorities, the contents of UPWPs differ from one metropolitan area to another.

The UPWP covers a one- to two-year period. It typically contains several elements:

- The planning tasks (e.g., data collection and analysis, public outreach, and preparation of the plan and TIP), the supporting studies, and the products that will result from these activities;
- All federally funded studies as well as all relevant state and local planning activities conducted without federal funds;

- Funding sources identified for each project;
- A schedule of activities; and
- The agency responsible for each task or study.

**The Metropolitan Transportation Plan (MTP) or Long-Range Transportation Plan (LRTP):** In metropolitan areas, the transportation plan is the statement of the ways the region plans to invest in the transportation system. Per the federal regulations, the plan shall “include both long-range and short-range program strategies/actions that lead to the development of an integrated intermodal transportation system that facilitates the efficient movement of people and goods.”

The plan addresses, for example:

- Policies, strategies, and projects for the future;
- A systems level approach by considering roadways, transit, nonmotorized transportation, and intermodal connections;
- Projected demand for transportation services over 20 years;
- Regional land use, development, housing, and employment goals and plans;
- Cost estimates and reasonably available financial sources for operation, maintenance, and capital investments (see Part II section on Financial Planning and Programming); and
- Ways to preserve existing roads and facilities and make efficient use of the existing system.

The Metropolitan Transportation Plan (MTP) and the long-range statewide transportation plan must be consistent with each other. The MTP must be updated every five years in air quality attainment areas or every four years in nonattainment or maintenance areas.

MPOs should make special efforts to engage interested parties in the development of the plan. Finally, in cases where a metropolitan area is designated as a nonattainment or maintenance area, the plan must conform to the SIP for air quality (see Part II section on Air Quality).

**Transportation Improvement Program (TIP):** In the TIP, the MPO identifies the transportation projects and strategies from the MTP that it plans to undertake over the next four years. All projects receiving federal funding must be in the TIP. The TIP is the region’s way of allocating its limited transportation resources among the various capital and operating needs of the area, based on a clear set of short-term transportation priorities.

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#### **RURAL TRANSPORTATION:**

Information and resources for rural transportation policy-makers, planners, and stakeholders is available from the National Association of Development Organizations (NADO) and the NADO Research Foundation at [www.ruraltransportation.org](http://www.ruraltransportation.org).

Under federal law, the TIP:

- Covers a minimum four-year period of investment;
- Is updated at least every four years;
- Is realistic in terms of available funding and is not just a “wish list” of projects. This concept is known as fiscal constraint (see Part II for more information);
- Conforms with the SIP for air quality in nonattainment and maintenance areas;
- Is approved by the MPO and the governor; and
- Is incorporated directly, without change, into the Statewide Transportation Improvement Program (STIP).

**The State Planning and Research (SPR) Program** is similar to the UPWP in that it lists the transportation studies, research and tasks to be performed by the state DOT staff or its consultants. The SPR Program contains several elements:

- The planning tasks, studies and research activities that will be conducted over a one- to two-year period;
- Funding sources identified for each project;
- A schedule of activities; and
- The agency responsible for each task or study.

**The Long-Range Statewide Transportation Plan:** State DOTs must develop a long-range statewide transportation plan. These vary from state to state; they may be policy-oriented or may include a list of specific projects.

The statewide plan also addresses:

- Policies and strategies, or future projects;
- Projected demand for transportation services over 20 or more years;
- A systems-level approach by considering roadways, transit, nonmotorized transportation, and intermodal connections;
- Statewide and regional land use, development, housing, natural environmental resource and employment goals and plans;
- Cost estimates and reasonably available financial sources for operation, maintenance, and capital investments (see Part II section on Financial Planning); and
- Ways to preserve existing roads and facilities and make efficient use of the existing system.



**Statewide Transportation Improvement Program (STIP):** The STIP is similar to the TIP in that it identifies statewide priorities for transportation projects and must be fiscally constrained. Through an established process, the state DOT solicits or identifies projects from rural, small urban, and urbanized areas of the state. Projects are selected for inclusion in the STIP based on adopted procedures and criteria. As noted above, TIPs that have been developed by MPOs must be incorporated directly, without change, into the STIP.

Under federal law and regulation, the STIP:

- Must be fiscally constrained and may include a financial plan.
- Must be approved by FHWA and FTA, along with an overall determination that planning requirements are being met. STIP approval must be granted before projects can proceed from the planning stage to the implementation stage.

### How is federal transportation funding provided to states and metropolitan areas?

The funding for transportation plans and projects comes from a variety of sources including the federal government, state governments, special authorities, public or private tolls, local assessment districts, local government general fund contributions (such as local property and sales taxes) and impact fees.

However, federal funding—transferred to the state and later distributed to metropolitan areas—is typically the primary funding source for major plans and projects. (See appendix for a description of important federally aided transportation programs.) Federal transportation funding is made available through the Federal Highway Trust Fund and is supplemented by general funds. It is important to remember that most FHWA sources of funding are administered by the state DOTs. The state DOT then allocates the money to urban and rural areas based on state and local priorities and needs. Most transit funds for urban areas are sent directly from the FTA to the transit operator. Transit funds for rural areas are administered by the state DOT.

Federal funds are made available through a specific process:

- **Authorizing Legislation:** Congress enacts legislation that establishes or continues the existing operation of a federal program or agency, including the amount of money it anticipates to be available to spend or grant to states, MPOs, and transit operators. Congress generally reauthorizes federal surface transportation programs over multiple years. The amount authorized, however, is not always the amount that ends up actually being available to spend.
- **Appropriations:** Each year, Congress decides on the federal budget for the next fiscal year. As a result of the appropriation process, the amount appropriated to

a federal program is often less than the amount authorized for a given year and is the actual amount available to federal agencies to spend or grant.

- **Apportionment:** The distribution of program funds among states and metropolitan areas (for most transit funds) using a formula provided in law is called an apportionment. An apportionment is usually made on the first day of the federal fiscal year (October 1) for which the funds are authorized. At that time, the funds are available for obligation (spending) by a state, in accordance with an approved STIP. In many cases, the state is the designated recipient for federal transportation funds; in some cases, transit operators are the recipient.
- **Determining Eligibility:** Only certain projects and activities are eligible to receive federal transportation funding. Criteria depend on the funding source.
- **Match:** Most federal transportation programs require a non-federal match. State or local governments must contribute some portion of the project cost. This matching level is established by legislation. For many programs, the amount the state or local governments have to contribute is 20 percent of the capital cost for most highway and transit projects.

## How is federal funding used?

There are many federal-aid transportation programs that support transportation activities in states and metropolitan areas, each having different requirements and program characteristics. These programs are not “cash up front” programs; rather, eligible expenditures are reimbursed. That is, even though the authorized amounts are “distributed” to the states, no cash is actually disbursed at this point. Instead, states are notified that they have federal funds available for their use. Projects are approved and work is started; then the federal government reimburses the states, MPOs, and transit operators for costs as they are incurred, reimbursing up to the limit of the federal share.

The federal government holds funding recipients accountable for complying with all applicable federal laws. When local governments directly oversee a federally funded project, the state DOTs are responsible for monitoring local governments’ compliance with federal laws.

## What are flexible funds?

One important provision in federal transportation legislation allows for the use of certain federal-aid highway program and federal transit program funds for either highway or transit projects. This is referred to as flexible funding. “Flexible funding” provisions were a radical departure from traditional transportation policy; federal

transit, highway, and safety programs formerly had very strict eligibility requirements, and funds could not be transferred between the programs. The ability to transfer funds (with certain restrictions) between highway and transit programs was introduced so metropolitan areas could apply federal transportation funds to their highest priority transportation projects.

The funds are not actually transferred from one bank account to another; rather, FHWA and FTA confirm program-eligible expenditures and reimburse accordingly. In urbanized areas (UAs) with populations greater than 200,000, MPOs are responsible for considering “flexing” funds to meet local planning priorities. In areas with populations less than 200,000, flexible funding decisions are made jointly by the MPO and the state DOT, and the state DOT makes the flexible funding decisions in rural areas. Flexible funding is most commonly used for FHWA’s Surface Transportation Program (STP) and Congestion Mitigation and Air Quality Improvement (CMAQ) program, and FTA’s Urbanized Area Formula Funds, though flexing in other programs is possible.

## PART II: MAJOR POLICY AND PLANNING ISSUES



Although the transportation planning process is concerned primarily with the issues facing a particular metropolitan area or state, there are many issues common to all parts of the country. This section addresses these common transportation topics, and provides details on several important issues facing MPOs and states engaged in transportation planning.

Each section provides a basic understanding of the topic, discusses the role of the MPO and state DOT as appropriate, answers questions about how the topic is addressed in the transportation planning process, and provides resources for additional information.

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## Air Quality

### What is the relationship between transportation and air quality?

Usage of the transportation system is an influential factor in a region's air quality. Therefore, the estimated emission of pollutants from motor vehicles is a key consideration in transportation planning. Regions that have nonattainment or maintenance air quality status are required to ensure that emissions from transportation investments are consistent, or in conformity with, levels set forth in state air quality plans. Therefore, state DOTs and MPOs need to have a clear understanding of the air quality-related transportation planning requirements.

### What are the major sources of air pollution?

The air quality of an area is affected by the emission of pollutants and their interaction with sunlight, topography, and weather patterns. Pollutants are emitted by motor vehicle operation and a variety of other activities, including manufacturing, use of petroleum-based products like gasoline, and even small business activities such as dry cleaning.

Sources of air pollutant emissions can be classified as stationary, area, or mobile sources, as shown in Figure 3.

**Stationary sources** include relatively large, fixed facilities such as power plants, chemical process industries, and petroleum refineries.

**Area sources** are small, stationary, non-transportation sources that collectively contribute to air pollution such as dry cleaners, gas stations, landfills, wastewater treatment plants, and others.

**Mobile sources** include on-road vehicles such as cars, trucks, and buses; and off-road sources such as trains, ships, airplanes, boats, lawnmowers, and construction equipment.

The key transportation-related pollutants are ozone and its precursors hydrocarbons (HC) and nitrogen oxides (NO<sub>x</sub>), carbon monoxides (CO), and particulates (PM-10 or PM-2.5, particles that are smaller than 10 micros or 2.5 micron, respectively). These pollutants emanate in part from on-road mobile sources and cannot exceed certain specified levels in a given region.

The Clean Air Act (CAA), Title 23 and Title 49 U.S.C. requires that transportation and air quality planning be integrated in areas designated by the U.S. Environmental Protection Agency (EPA) as air quality nonattainment or maintenance areas. In fact,

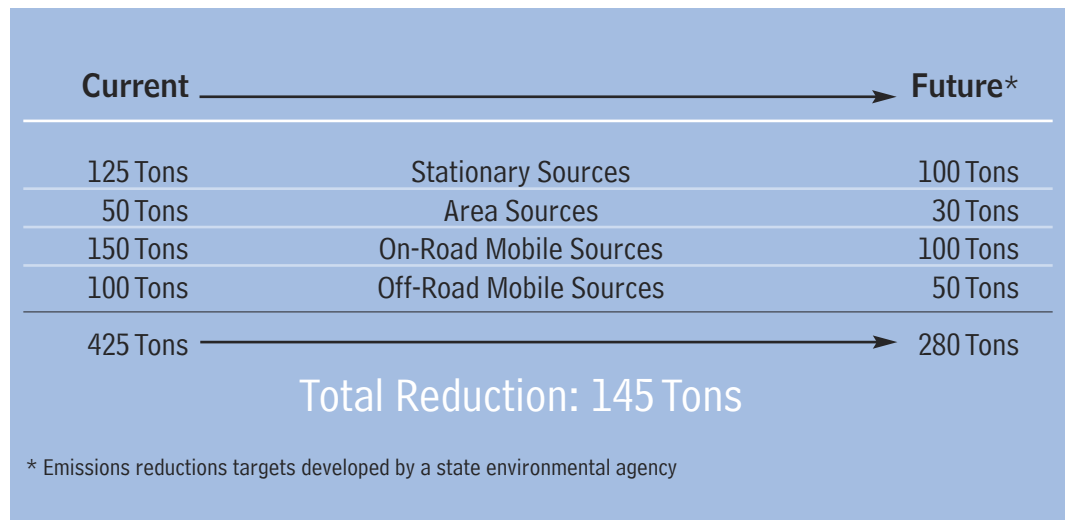


Figure 3: All sources of pollution can be looked at for ways to reduce emissions and improve air quality

in nonattainment and maintenance areas, federal funding and approval for transportation projects is only available if transportation activities are consistent with air quality goals through the transportation conformity process. The transportation conformity process includes a number of requirements that MPOs must meet (see section below on transportation conformity).

The CAA requires that each state environmental agency develop a plan called a State Implementation Plan (SIP). The SIP shows how the state will implement measures designed to improve air quality enough to meet National Ambient Air Quality Standards (NAAQS) for each type of air pollutant, according to the schedules

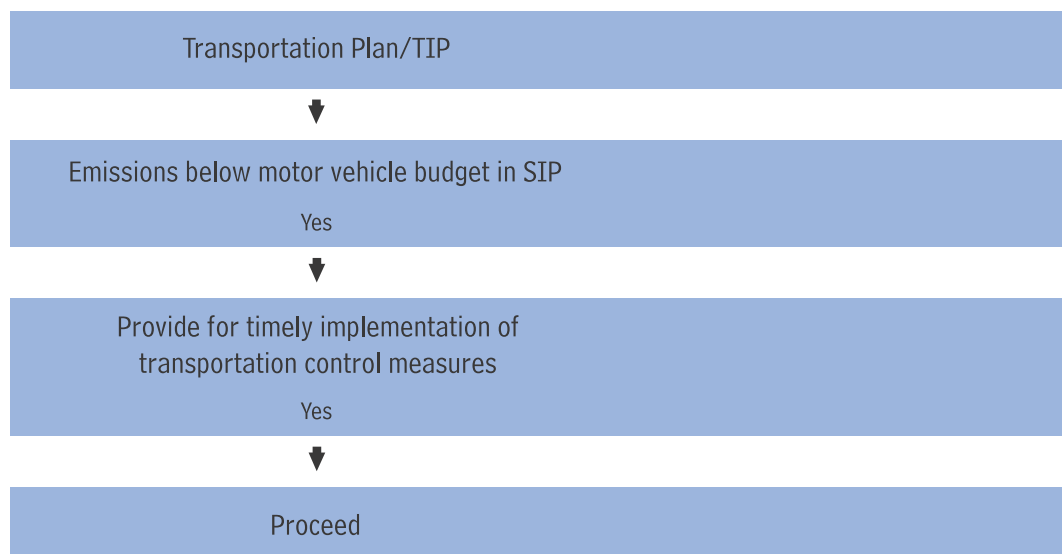


Figure 4: Transportation conformity process

included in the CAA. Pollutants are usually measured in parts per million (PPM) of ambient air, and standards vary by type of pollutant.

For each source category (stationary, area, or mobile), the SIP assigns emission reduction targets of the pollutant. For on-road mobile sources, the emission reduction target is further refined into a motor vehicle emissions “budget”—emissions limits for motor vehicle emissions sources.

Vehicle emissions reductions programs (e.g., the use of reformulated gasoline or implementation of Inspection and Maintenance [I/M] programs), changing how we travel (e.g., ride sharing or use of transit), or transportation projects that reduce congestion (e.g., signal synchronization programs) can all help areas meet emission reduction targets for on-road mobile sources. MPOs should be actively involved with the state in setting the motor vehicle emissions budgets. Transportation officials need to educate themselves about the options and trade-offs available to them, so they can balance the need for transportation investment with the need to achieve healthful air.

Motor vehicle emissions budgets can be revised. However, doing so requires revising the SIP, which can be a complicated and lengthy process. MPOs should participate in the SIP revision process if it is undertaken.

## What is the role of the MPO in air quality planning?

“Nonattainment” areas (NAA) are geographic areas that do not meet the federal air quality standards, and maintenance areas are areas that formerly violated but currently meet the federal air quality standards. If no violations of air quality standards have been found, the area is considered to be in compliance or attainment with federal air quality standards.

An area can be designated “nonattainment” for one pollutant and in attainment for another. Transportation conformity is required for all ozone, carbon monoxide, nitrogen dioxide, and particulate matter nonattainment or maintenance areas.

The Clean Air Act (CAA) of 1990 identifies the actions states and MPOs must take to reduce emissions from on-road mobile sources in nonattainment or maintenance areas.

The challenge for MPOs in nonattainment or maintenance areas is to decide on a mix of transit and highway investments that, combined with measures such as Inspection and Maintenance (I/M) programs or reformulated gasoline, will keep emissions within the allowable limits for emissions from motor vehicles.

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### INSPECTION AND MAINTENANCE

**PROGRAMS:** State programs that require vehicles to be inspected and repaired to comply with specific Clean Air Act requirements.

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### REFORMULATED

**GASOLINE:** Gasoline blended to burn more completely and evaporate less easily. Fewer volatile organic compounds (VOCs) are released into the air, thus reducing ozone.

According to the CAA, transportation plans, TIPs, and projects cannot:

- Create new violations of the National Ambient Air Quality Standards (NAAQS);
- Increase the frequency or severity of existing violations of the standards; or
- Delay attainment of the standards.

MPOs are encouraged to participate in air quality planning and to identify transportation strategies that will help reduce emissions from on-road mobile sources of pollution.

Though not required, many MPOs have developed public education and communications campaigns about the connection between transportation and air quality; these encourage the public to make travel choices that will benefit air quality.

### What is transportation conformity and how does it relate to the NAAQS?

The transportation conformity process, as illustrated in Figure 4, is a way to ensure that transportation plans and programs meet air quality goals in order to be eligible for federal funding and approval. Whenever a metropolitan transportation plan or TIP is amended or updated, the MPO must comply with the conformity requirements.

### What is a conformity determination and who is responsible?

**TRANSPORTATION CONTROL MEASURES (TCMs):** Transportation strategies that affect traffic patterns or reduce vehicle use to reduce air pollutant emissions. These may include high-occupancy vehicle (HOV) lanes, provision of bicycle facilities, ridesharing, telecommuting, etc. Such actions may be included in a SIP if needed to demonstrate attainment of the NAAQS.

Transportation conformity on transportation plans and TIPs is demonstrated when projected regional emissions for the plan and TIP do not exceed the region's motor vehicle emissions budgets. A conformity determination is a finding by the MPO policy board, and subsequently by FHWA and FTA, that the transportation plan and TIP meet the conformity requirements. While the MPO is ultimately responsible for making sure a conformity determination is made, the conformity process depends on federal, state, and local transportation and air quality agencies working together to meet the transportation conformity requirements.

If transportation control measures (TCMs) are included in an approved SIP, the MPO must provide an assurance that TCMs are being implemented on schedule each time it updates its plan and TIP conformity. Those TCMs must be programmed for timely implementation in the TIP.

A necessary part of the transportation and air quality planning process is consulting with other involved agencies on critical issues and providing opportunities for public participation. MPOs must inform the public that they are going to make a conformity determination, make all relevant documents reasonably available, and give adequate time to review the documents and supporting materials.



## What plans, programs, and projects are subject to transportation conformity requirements?

The MPO's long-range transportation plan and TIP must meet the conformity requirements. This includes all projects that are expected to be funded or that will require an approval by FHWA/FTA at any point during the life of the plan or TIP.

Also, any regionally significant projects (as defined by the conformity rule), even those that are not federally funded or approved, must be included in the regional emissions analysis of the transportation plan and TIP. Regionally significant projects include, at a minimum, all principal arterial highways and all fixed-guideway transit facilities.

Finally, certain projects in carbon monoxide and particulates nonattainment and maintenance areas must be assessed for expected localized concentrations ("hot spots") of carbon monoxide and particulates and for comparison to the natural ambient air quality standards.

## How frequently must a transportation conformity determination be made and what happens if the MPO cannot make a conformity determination on time?

A conformity determination must be made on the transportation plan and TIP at least once every four years. Each time the MPO updates or amends its transportation plan or its TIP (except for administrative modifications), a conformity determination is required. A conformity determination is also required not more than 24 months after a SIP or a SIP revision is approved or found adequate by EPA.

## What happens if the MPO cannot make a conformity determination on time?

If an MPO cannot make a conformity determination according to applicable deadlines, it will have a grace period of 12 months after the deadline is missed before conformity will lapse. During the grace period transportation projects from the previously conforming plan and TIP may continue to be eligible for funding. However, no changes may be made to those documents without re-establishing conformity. If conformity has not been re-established after the 12 month grace period, the transportation conformity status for the area goes into "lapse." During a conformity lapse, FTA and FHWA funds can only be spent on exempt projects, such as safety projects and certain public transportation projects, TCMs from an approved SIP, and project phases that were authorized by FHWA and FTA prior to the lapse.

### REGIONALLY SIGNIFICANT PROJECTS:

Regionally significant projects serve regional transportation needs such as access to and from the major activity centers in the region, and would normally be included in the modeling of a metropolitan area's transportation network. These projects include, at a minimum, all principal arterial highways and all fixed-guideway transit facilities.

### CONFORMITY IN NON-METROPOLITAN

**AREAS:** A number of non-metropolitan areas are also being included in the urban area designation or being designated by themselves. Generally, MPOs and the state DOT work cooperatively on the regional emissions analysis in areas that are included in an urban area designation. Isolated rural areas often lack professional air quality and transportation planning staff and may rely on the expertise of state DOT staff in addressing conformity issues.

## What funding is available for air quality improvement programs and projects?

Many types of federal-aid funding may be used to improve air quality. One type of funding, the Congestion Mitigation and Air Quality Improvement (CMAQ) program funds, are designated specifically for this purpose. Under the CMAQ program, state DOTs receive funding based on the severity of pollution and their population in ozone and carbon monoxide nonattainment or maintenance areas though all states receive some funding. State DOTs and MPOs can use CMAQ funds for transportation projects that reduce emissions in nonattainment and maintenance areas.

## What types of projects are funded by the CMAQ program?

CMAQ programs fund transportation projects that reduce emissions of ozone precursors, carbon monoxide, and particulate matter. Many projects also help to reduce congestion, which is another key goal of the program. Typical projects include support for transit, traffic flow improvements (including high-occupancy vehicle [HOV] lanes, intelligent transportation systems [ITS], and signal timing), shared ride and carpooling services, and diesel engine retrofits.

## Who decides which projects receive CMAQ funding?

Decisions must be coordinated through the MPO planning process, and are made collaboratively by the state DOT and MPO subject to federal eligibility guidelines. These guidelines are quite flexible, in order to promote innovation.

## Additional sources of information:

For basic information about transportation conformity, see [www.fhwa.dot.gov/environment/conform.htm](http://www.fhwa.dot.gov/environment/conform.htm)

For FHWA's Transportation Conformity Reference Guide, see [www.fhwa.dot.gov/environment/conformity](http://www.fhwa.dot.gov/environment/conformity)

For a basic explanation of CMAQ, policy guidance, and brochures about the CMAQ program, see [www.fhwa.dot.gov/environment/cmaqpgs](http://www.fhwa.dot.gov/environment/cmaqpgs)

For consumer-oriented tips from the U.S. Department of Energy on energy efficiency and renewable energy, see [www.eere.energy.gov/cleancities](http://www.eere.energy.gov/cleancities)

# Congestion Management Process (CMP)

## What is the CMP?

The congestion management process (CMP) is a way of systematically considering congestion-related issues using a set of technical tools, and basing evaluations on a discrete set of locally determined performance measures. A CMP provides for the systematic review of performance of multimodal transportation systems in larger metropolitan areas and identification of strategies to address congestion through the use of “management” strategies focused on both the use and operation of facilities and services.

## What are the requirements for the CMP?

A CMP is required in metropolitan areas with a population greater than 200,000, or Transportation Management Areas (TMAs), as well as in urbanized areas that have requested designation as a TMA. The CMP is intended to address congestion through a process that provides for effective management and operations (M&O), based on cooperatively developed travel demand reduction and operational management strategies. Even if a metropolitan area is not a TMA or in nonattainment status, the CMP represents good practice in monitoring, assessing, and resolving congestion issues in any MPO. The CMP establishes a rigorous method of identifying and evaluating transportation improvement strategies, including both operations and capital projects.

## How is the CMP valuable to the MPO?

A well-designed CMP should help the MPO to:

- Develop alternative strategies to mitigate congestion;
- Determine the cause of congestion;
- Identify congested locations;
- Evaluate the potential of different strategies;
- Evaluate the impacts of previously implemented strategies; and
- Propose alternative strategies that best address the causes and impacts of congestion.

## Benefits of the CMP

The congestion management process helps MPOs and partner agencies achieve regional operations performance objectives, and can deliver a number of collateral

benefits as well. By addressing congestion through a comprehensive process, the CMP provides a framework for responding to congestion and other operational issues in a consistent, coordinated fashion.

The CMP enables MPOs and their operating agency partners to measure performance, manage data, and analyze alternative strategies in a systematic manner. The CMP also enables MPOs to base congestion management strategies on defined objectives; this process allows regions to focus on the most congested areas and achieve maximum benefit by targeting their investments.

### How does Transportation Demand Management (TDM) relate to the CMP?

Transportation Demand Management (TDM) is any action or set of actions designed to influence the intensity, timing, and distribution of transportation demand, in order to reduce traffic congestion or enhance mobility. Such actions can include offering commuters alternative transportation modes or services, providing incentives to travel on these modes or at non-congested hours, providing opportunities to link or “chain” trips together, and incorporating growth management or traffic impact policies into local development decisions.

TDM strategies are part of the toolbox of actions available to transportation planners for solving transportation problems. As part of the congestion management process, TDM actions are among the strategies that can reduce congestion or enhance mobility.

### Additional sources of information:

For more on the relationship between the congestion management process and planning, see <http://plan4operations.dot.gov/congestion.htm>

# Financial Planning and Programming

## What are the sources of transportation funds?

Transportation funds are generated from a number of sources, including income tax, sales tax, tolls, bonds, and state, local, and federal excise taxes on various fuels, state infrastructure banks (SIBs), and credit assistance sources. Each state decides which mix of funds is best suited to carry out particular projects.

Federal funds are authorized by Congress for the U.S. Department of Transportation (DOT), which allocates funds into various programs before redirecting those funds to the states. Some primary examples of these programs include the Surface Transportation Program (STP) (which includes enhancement and safety funds), the Federal Lands Highway Program and the Congestion Mitigation and Air Quality Improvement (CMAQ) Program. FTA oversees the allocation of federal transit funds, which generally fall into two major categories: capital grants for transit operators that are apportioned to areas by national formula, and transit capital investment grants that are awarded on a “discretionary” basis, as determined by DOT on the basis of a series of evaluation criteria. Each of these programs has specific eligibility requirements, although there is quite a bit of flexibility in legislation that allows funds to be shifted among some programs, or expands eligibility requirements (see Part I for more information).

Federal legislation also provides formula funds to support planning studies and report preparation for the transportation planning process through FHWA’s State Planning and Research Funds (SPR) and Metropolitan Planning Funds (PL), and through FTA’s Section 5305. These planning funds generally make up a large portion of the state or MPO budget for conducting necessary studies and for developing transportation plans, STIPs, TIPs and other planning documents.

## What is financial planning?

Financial planning takes a long-range look at how transportation investments are funded, and at the possible sources of funds. State DOTs, MPOs, and public transportation operators must consider funding needs over both the 20-year period of the long-range transportation plan and the 4-year period of TIPs and STIPs. In the LRSTP and the MTP, state DOTs may and MPOs must develop a financial plan that identifies funding sources for needed investments, and demonstrates the reasonably reliable means to maintain and operate the existing federally funded transportation system.

## What is financial programming?

Financial programming is different from financial planning because programming involves identifying fund sources and implementation timing for specific projects in the Statewide Transportation Improvement Program (STIP) and metropolitan Transportation Improvement Program (TIP), which must cover a period of at least four years and be updated at least every four years. Programming also includes notifying FHWA and FTA of the sources of the funds that will likely be used to support each individual transportation project.

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### **"FISCAL CONSTRAINT:**

A demonstration of sufficient funds (federal, state, local, and private) to implement proposed transportation system improvements, as well as to operate and maintain the entire system, through the comparison of revenues and costs." Source: *Overview Of Current Practices In Revenue Forecasting And Cost Estimation For Transportation Plans And Programs*.

## How does financial planning support preparation of transportation plans?

The metropolitan transportation plan, which has a 20-year planning horizon, must include a financial plan that estimates how much funding will be needed to implement recommended improvements, as well as operate and maintain the system as a whole, over the life of the plan. This includes information on how the MPO reasonably expects to fund the projects included in the plan, including anticipated revenues from FHWA and FTA, state government, regional or local sources, the private sector, and user charges. The metropolitan transportation plan must demonstrate that there is a balance between the expected revenue sources for transportation investments and the estimated costs of the projects and programs described in the plan. In other words, a metropolitan plan must be fiscally (or financially) constrained.

The long-range statewide plan, under federal requirements, may be a "strategic plan that may or may not contain a listing of recommended projects"; a financial plan is optional. The long-range statewide transportation plan may include some or all of the financial elements commonly found in a typical metropolitan transportation financial plan (as the state DOT finds appropriate or necessary.) It does not need to demonstrate fiscal constraint.

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### **PROPOSED FUNDING SOURCES**

must be "reasonably" expected to be available. For example, if voters approved a sales tax increase three times in a row, anticipated funding from a future vote may be reasonable.

## How do state DOTs, MPOs and public transportation operators know how much money is going to be available?

Federal surface transportation legislation requires that the MPO, the state DOT, and the public transit agency cooperatively develop revenue forecasts. These forecasts help agencies determine how much funding is likely to be available for transportation projects in their respective areas. Forecasts are based on trends from existing and potential funding sources such as the gas tax or bond measures.

A financial plan could assume that the amount of available federal funding will remain constant over the first five years of the plan, and then escalate at a rate equal to inflation or the Consumer Price Index (CPI). It could also assume that state gasoline taxes dedicated to transportation will be increased every five years by a certain amount based on past trends. Further, the transportation plan might assume

a new revenue source, such as a local sales tax within an MPO region; in such a case, the MPO must demonstrate that there is reason to believe such a new source will be available, and should identify strategies it can use to help achieve that goal.

Regardless of how financial assumptions and forecasts are developed, all forecasts in the financial plan must be shown in “year of expenditure” dollars based on reasonable inflation factors. In addition, the outer years of the financial plan may consist of ranges for both revenues and total project costs. As always, the high and low end of the ranges must be based on reasonable assumptions.

### How are funds programmed?

Each state must submit a STIP to FHWA and FTA for review and approval at least every four years for review and approval. The STIP includes all the projects planned for implementation with the funds expected from FHWA and FTA for a four-year period, as well as all regionally significant projects which require action by FHWA or FTA or that are located in a nonattainment or maintenance area, regardless of the funding source. The STIP also includes each MPO’s TIP, and all of the projects included in the first four years of that TIP. Both the STIP and the TIP must be fiscally constrained.

### Programming a project for funding in the STIP

- Through an established process, the state solicits or identifies projects from rural, small urban, and urbanized areas of the state.
- The state selects projects for inclusion in the STIP based on adopted procedures and criteria.
- The STIP must be fiscally constrained; however, a financial plan is optional.
- The FHWA/FTA must approve the STIP before STIP projects can proceed to implementation.
- Amendments to the TIP can be common given the frequent changes in engineering practices, environmental issues, contracting issues, project readiness, and other factors that can require adjustments to project schedules and budgets.

### Additional sources of information:

For a handy overview of the FHWA’s activities, including a guide to the agency’s programs, core business units, and service business units, see [www.fhwa.dot.gov/programs.html](http://www.fhwa.dot.gov/programs.html)

#### **AMENDMENTS AND ADMINISTRATIVE MODIFICATIONS:**

There are many factors that can require adjustments in transportation project schedules and budgets, such as changes in engineering practices, environmental issues, contracting issues, and project readiness. Thus, it is common to make revisions to the STIP or TIP; these revisions can include amendments or administrative modifications.

If an MPO wants to amend a project in its TIP this will also necessitate amendment of the STIP. A major revision is an “amendment,” while a minor revision is an “administrative modification.” Amendments require public review and comment, demonstration of fiscal constraint (except for long-range statewide transportation plans), and a conformity determination (for metropolitan transportation plans and TIPs in non-attainment and maintenance areas).” Administrative modifications allow minor changes without such actions.

For useful links and information about all of FTA's funding programs and activities, see **[www.fta.dot.gov/funding](http://www.fta.dot.gov/funding)**

For a complete list of federally aided transportation programs, see **[www.fhwa.dot.gov/federalaid/projects.cfm](http://www.fhwa.dot.gov/federalaid/projects.cfm)**

For a complete list of FHWA discretionary programs, see **[www.fhwa.dot.gov/discretionary/proginfo.cfm](http://www.fhwa.dot.gov/discretionary/proginfo.cfm)**

For FHWA and FTA flexible funding guidance, see **[www.fhwa.dot.gov/hep/flexfund.htm](http://www.fhwa.dot.gov/hep/flexfund.htm)**



# Freight Movement

## What is the role of freight movement in transportation?

The movement of freight is an important part of a fully functioning transportation system. The efficient movement of freight within and through a region is critically important to industry, retail, agriculture, international trade, and terminal operators. Metropolitan areas (especially ports), with their air cargo airports, intermodal freight yards, large trucking terminals, and shipyards, are especially affected by freight movement issues.

Examples of intermodal freight projects include bridge replacements, road widening, port and rail access improvements, terminal facility enhancements, grade separations for highway and rail, and providing connections to air cargo and new infrastructure.

## What is the role of the MPO and the state DOT in freight transportation planning?

The state DOT and the MPO are responsible for making sure that freight movement is considered in the transportation planning process. Federal legislation calls for the statewide and metropolitan planning processes to include reasonable opportunity for the public and interested parties, including specifically “freight shippers” and “providers of freight transportation services,” to participate in the development of plans and programs.

Many state DOTs and MPOs have systematically incorporated freight movement issues into their planning activities, for example by:

- Defining those elements of a metropolitan area’s transportation system that are critical for efficient movement of freight.
- Identifying ways to measure system performance in terms of freight movement.
- Developing freight-oriented data collection and modeling to identify problems and potential solutions.
- Creating freight movement advisory committees to identify important bottlenecks in the freight network.

## What funding is available for freight planning and project implementation?

State DOTs and MPOs can use planning funds for freight planning, and can dedicate funds for specific project implementation. Funding of specific freight projects must

meet federal eligibility requirements for the specific funding source used. Projects that provide improved access to terminals or ports can be included in the federally funded transportation improvement program.

In those cases where freight investment projects can directly bring about reductions in pollutant emissions, Congestion Mitigation and Air Quality Improvement (CMAQ) program funds can also be used to support those projects.

What are some freight-transport tactics that transportation decisionmakers might consider?

- Truck restrictions (such as peak period bans, route diversions, noise ordinances, and hazardous materials route restrictions)
- Road design and construction (such as improved entry/exit ramps and merges, and capacity or safety improvements)
- Road pricing (such as peak period permits, freeway permits, and peak period tolls)
- Fleet management (such as automatic vehicle location/routing, voluntary off-peak operations, and driver training and management)
- Traffic engineering (such as lane design restrictions, wider lanes, variable message signs, and speed restrictions)
- Shipper/receiver actions (such as voluntary and mandatory off-peak operations)
- Incident management (such as automated detection and site and area surveillance/communications)
- Inspection/enforcement (such as automated surveillance, urban truck inspections/enforcement)
- Information management (such as highway advisory radio, traffic information)

Additional sources of information:

For FHWA's guide to freight planning, including guidelines, case studies, and a manual, see **[www.fhwa.dot.gov/freightplanning](http://www.fhwa.dot.gov/freightplanning)**

For a guide to financing freight transportation improvements, see **[www.ops.fhwa.dot.gov/freight/freight\\_analysis/financing.htm](http://www.ops.fhwa.dot.gov/freight/freight_analysis/financing.htm)**

# Land Use and Transportation

## What is the relationship between land use and transportation?

Transportation's purpose is moving people and goods from one place to another, but transportation systems also affect community character, the natural and human environment, and economic development patterns. A transportation system can improve the economy, shape development patterns, and influence quality of life and the natural environment.

Land use and transportation are symbiotic: development density and location influence regional travel patterns, and, in turn, the degree of access provided by the transportation system can influence land use and development trends. Urban or community design can facilitate alternative travel modes. For example, a connected system of streets with higher residential densities and a mix of land uses can facilitate travel by foot, bicycle, and public transportation, in addition to automobile. Conversely, dispersed land development patterns may facilitate vehicular travel and reduce the viability of other travel modes.

## What is the role of the state DOT and the MPO in land use and transportation?

The state DOT and MPO role and level of involvement in land use decisionmaking varies according to state and local legislation and policies. However, state DOTs and MPOs are responsible for consultation with state and local agencies responsible for land use management; comparing transportation planning efforts with land use plans, maps and inventories; and using current land use estimates and assumptions when updating planning products.

The metropolitan and statewide transportation planning processes are designed to promote consistency between transportation improvements and state and local planned growth and economic development patterns.

## What are the requirements for considering land use and economic development in the transportation planning process?

Updates to long-range statewide and metropolitan transportation plans must be reviewed for validity and consistency with current and forecasted transportation and land use conditions and trends. The transportation plan updates should be based on the latest available estimates and assumptions for population, land use and development, travel, employment, congestion, and economic activity. And, to promote the highest level of consistency between land use and transportation plans, it is advisable for the planning staff responsible for that planning to hold meetings and share information on a continuing basis.

Activities intended to stimulate economic development can affect the transportation network, and, in turn, the transportation network can affect economic development. Transportation decisionmakers can ensure the continued economic vitality of the region, state, and nation by appropriately planning for the many different uses of the transportation system, such as freight movement.

Policymakers should ask what effects proposed investments would have on economic development and on future transportation needs:

- Can the transportation system accommodate the increased growth that proposed development might bring?
- How can transportation funding support economic growth while balancing other transportation priorities?

### What are some innovative approaches for better integrating land use and transportation?

Increasing recognition of the importance of integrating land use and transportation has led to the development of new approaches in planning. Two of the many possibilities include context sensitive solutions (CSS) and Transit-Oriented Development (TOD).

#### What are context sensitive solutions (CSS)?

CSS is an approach that considers the total context within which a transportation improvement project will exist. A CSS approach requires that transportation planning take a broad view and consider the interactions between transportation systems and facilities, and tailor them to local area human and natural environments. The goal is to develop solutions that are acceptable to a variety of parties, relevant to their needs and perspectives—consistent with the “context” of the setting. CSS is a collaborative, interdisciplinary approach that involves all stakeholders to develop a transportation facility that fits its physical setting and preserves scenic, aesthetic, historic, and environmental resources, while maintaining safety and mobility.

#### What are Transit-Oriented Development and joint development?

**Transit-Oriented Development (TOD)** is defined as compact, mixed-use development near transit facilities and high-quality walking environments, typically leveraging transit infrastructure to promote economic development. By enhancing the attractiveness of transportation alternatives, TOD boosts transit ridership and reduces traffic congestion, while creating a sense of community and place.

**Joint Development** is a project-specific application of TOD, taking place on, above, or adjacent to transit agency property. It involves the common use of property for transit and non-transit, typically private sector commercial, purposes. Typical joint develop-

ment arrangements are ground leases and operation-cost sharing, usually occurring at transit stations or terminals surrounded by a mix of office, commercial, and institutional land uses. To be eligible for federal funding, joint development projects must be related physically or functionally to public transportation, and must dedicate a fair share of the commercially derived revenue for public transportation.

Both TOD and joint development projects may be planned, designed, and implemented by local government, transit operators, Metropolitan Planning Organizations, and states.

### What is the role of the MPO in Transit-Oriented Development and joint development?

All joint development and transit-oriented development projects with components involving federal funds must have those components approved by the MPO for inclusion in the metropolitan transportation plan and the fiscally constrained TIP and STIP. MPOs can play lead roles in developing and promoting transit-supportive land use policies, as well as disseminating information on these policies to the public and private sector. In addition, a growing number of MPOs have a TOD expert on staff and have policies and programs that support these projects.

### Additional sources of information:

For FHWA's Planning Tools for Linking Land Use and Transportation, see [www.fhwa.dot.gov/planning/ppasg.htm](http://www.fhwa.dot.gov/planning/ppasg.htm)

"Transit-Oriented Development: State of the Practice, and Future Benefits; Transit-Oriented Development in the United States: Experiences, Challenges, and Prospects" provides a comprehensive assessment of the state of the practice and the benefits of transit-oriented development (TOD) and joint development throughout the United States. TCRP H-27 TRB's Transit Cooperative Research Program (TCRP) Report 102 see [onlinepubs.trb.org/onlinepubs/tcrp/tcrp\\_rpt\\_102.pdf](http://onlinepubs.trb.org/onlinepubs/tcrp/tcrp_rpt_102.pdf)

For FTA's overview of the TCRP study, "Transit-Oriented Development: State of the Practice, and Future Benefits; Transit-Oriented Development in the United States: Experiences, Challenges, and Prospects," see [www.fta.dot.gov/planning/programs/planning\\_environment\\_6932.html](http://www.fta.dot.gov/planning/programs/planning_environment_6932.html)

For "lessons learned" and successful practices in Transit-oriented Development, see [www.fta.dot.gov/documents/TOD\\_Lessons\\_Learned\\_12\\_21.pdf](http://www.fta.dot.gov/documents/TOD_Lessons_Learned_12_21.pdf)

For information on how FTA grantees may use FTA financial assistance for joint development activities that incorporate private investment or enhance economic development, see [www.fta.dot.gov/planning/programs/planning\\_environment\\_6935.html](http://www.fta.dot.gov/planning/programs/planning_environment_6935.html)

# Performance Measures

## What are performance measures?

Performance measures demonstrate how well the transportation system is doing its job of meeting public goals and expectations of the transportation network. Some methods used to measure performance include tracking average speeds and crash rates. Many states and metropolitan areas monitor how close they are to achieving specific goals, such as accessibility to key regional population, employment, cultural, and recreational centers, the mobility of disadvantaged populations, levels of air quality, and the health of the economy, by using performance measures.

Measuring performance is a way to gauge the impacts of the decisionmaking process on the transportation system. Performance measures aim to answer questions about whether the performance of the transportation system (or economy, air quality, etc.) is getting better or worse over time; and whether transportation investments are correlated or linked to stated goals and outcomes.

Examples of performance measures include:

- **Accessibility:** Percent population within “x” minutes of “y” percent of employment sites; whether special populations such as the elderly are able to use transportation; whether transportation services provide access for underserved populations to employment sites; also, whether services are ADA compliant.
- **Mobility:** Average travel time from origin to destination; change in average travel time for specific origin-destination points; average trip length; percentage of trips per mode (known as mode split); time lost to congestion; transfer time between modes; percent on-time transit performance.
- **Economic development:** Jobs created and new housing starts in an area as a result of new transportation facilities; new businesses opening along major routes; percent of region’s unemployed who cite lack of transportation as principal barrier to employment; economic cost of time lost to congestion.
- **Quality of life:** Environmental and resource consumption; tons of pollution generated; fuel consumption per vehicle mile traveled; decrease in wetlands; changes in air quality, land use, etc.
- **Safety:** Number of crash incidents or economic costs of crashes.

## What is the role of the state DOT and MPO in defining and using performance measures?

Through the statewide and metropolitan transportation planning process, the state DOT and the MPO, respectively, can each take a leadership role in creating performance measures that provide information critical to regional and local decisionmakers. This can begin through interaction with stakeholders and the public for the purpose of identifying vision(s) of the community for its future, followed by translation of those visions into goals and measurable objectives. Then, performance measures are developed to use in tracking progress toward attainment of those goals.

Because performance measures strongly influence the goals and objectives of the planning process, their development and ongoing support can become part of ongoing planning activities. Development of transportation system performance measures should be coordinated with and informed by the public involvement program.

### Additional sources of information:

For *A Guidebook for Performance-Based Transportation Planning*, NCHRP Report 446.

Transportation Research Board: Washington, D.C., 2000

see [www.trb.org/TRBNet/ProjectDisplay.asp?ProjectID=901](http://www.trb.org/TRBNet/ProjectDisplay.asp?ProjectID=901)

For Transportation Research Board's *Conference Proceedings #36, Performance Measures to Improve Transportation Systems*, 2004

see [onlinepubs.trb.org/onlinepubs/conf/CP36.pdf](http://onlinepubs.trb.org/onlinepubs/conf/CP36.pdf)

For Transportation Research Board's *Transportation Research Circular E-C073 – Performance Measure to Improve Transportation Planning Practice*, 2005

see [onlinepubs.trb.org/onlinepubs/circulars/ec073.pdf](http://onlinepubs.trb.org/onlinepubs/circulars/ec073.pdf)

# Planning and Environment Linkages

## Why link transportation planning to environmental processes?

State and local agencies can achieve significant benefits by incorporating environmental and community values into transportation decisions early in planning and carrying these considerations through project development and delivery. Benefits include:

- *Relationship-building:* By enhancing inter-agency participation and coordination efforts and procedures, transportation planning agencies can establish more positive working relationships with resource agencies and the public.
- *Process efficiencies:* Improvements to inter-agency relationships may help to resolve differences on key issues as transportation programs and projects move from planning to design and implementation. Conducting some analysis at the planning stage can reduce duplication of work, leading to reductions in costs and time requirements, thus moving through the project development process faster and with fewer issues.
- *On-the-ground outcomes:* When transportation agencies conduct planning activities equipped with information about resource considerations and in coordination with resource agencies and the public, they are better able to

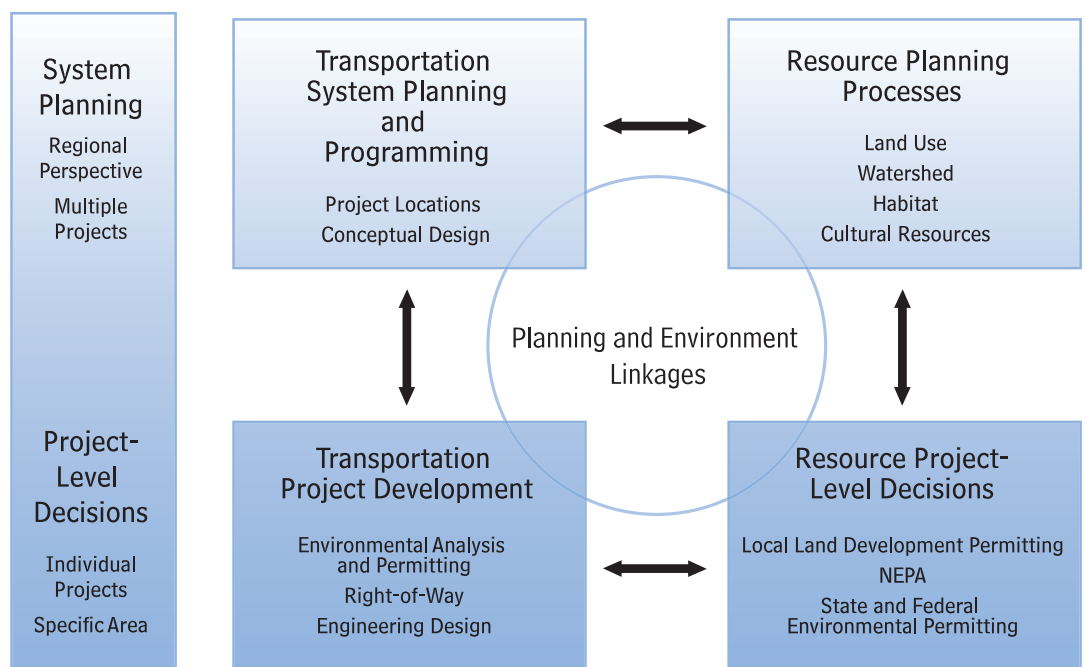


Figure 5: Planning and environmental linkages in decisionmaking processes are depicted by the arrows showing the relationship between transportation planning and environment planning, as well as the relationship between systems planning and project level decisions.



conceive transportation programs and projects that effectively serve the community's transportation needs. This can reduce negative impacts, and incorporates more effective environmental stewardship.

The first type concerns comparing transportation plans with natural and cultural resource information. For these comparisons, state DOTs and MPOs are to consult with state and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation. In addition, state DOTs must consult with tribal agencies. Consultations are to consist of the following, as appropriate:

- Comparison of transportation plans with state conservation plans or maps, if available; and
- Comparison of transportation plans to inventories of natural or historic resources, if available.

The second type of required consultation concerns mitigation activities. Federal law mandates that long-range transportation plans must include a discussion of types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan. This discussion is to be developed in consultation with federal, state, and tribal wildlife, land management, and regulatory agencies.

### **Sustainability and Transportation:**

The concept of sustainability is accommodating the needs of the present population without compromising the ability of future generations to meet their own needs. As applied to the transportation sector, planning for sustainability can incorporate a variety of strategies to conserve natural resources (including use of clean fuels), encourage modes other than single-occupant vehicles, and promote travel reduction strategies.

Current trends in transportation contribute to unsustainable conditions, including greenhouse gas emissions, energy insecurity, congestion, and ecological impacts. Although widespread uncertainty exists about how to address the goal of a sustainable transportation system, transportation officials and stakeholders are now recognizing that their decisions have long-term implications and impacts and are working on how to prepare metropolitan and statewide transportation plans and programs accordingly. Attaining a sustainable transportation system will require action by the public sector, private companies, and individual citizens.

## How is NEPA related to the transportation planning process?

The NEPA process is designed to promote environmentally sound transportation decisions and cannot be used as a justification for decisions already made. Therefore, a coordinated approach between planning and project development contributes to the selection of transportation investments that reflect community needs, have benefited from an active public involvement process and are sensitive to the environment. The first stages of the NEPA process—development of project purpose and need—should build upon the transportation needs identified during planning and will be the basis for the final selection of an alternative for design and construction.

Another direct link between NEPA and transportation planning is the requirement that a project be included in a conforming plan and TIP before it can be advanced; a major change in the project scope and design as it evolves during the NEPA process triggers a conformity and plan reassessment. In addition, other information gathered during the planning process can inform the project development studies required under NEPA. Data collection related to environmental features, analysis of projected transportation system usage, and attendant impacts on environmental quality can provide important information to the NEPA process.

## How are transportation planning studies integrated into environmental and NEPA analysis?

FHWA and FTA must be able to stand behind the overall soundness and credibility of analysis conducted and decisions made during the transportation planning process if these decisions are incorporated into a NEPA document, directly or by reference. Transportation planning processes and their products are greatly improved when implemented through a comprehensive, cooperative, and continuous approach — the “3-C planning principles.” The results of transportation studies or planning results should be: based on transportation planning factors established by federal law; reflected by a credible and clearly articulated planning rationale; founded in reliable data; and developed through planning processes that meet FHWA and FTA statutory and regulatory requirements.

At a minimum, a robust scoping and early coordination process (which explains to federal and state environmental, regulatory, and resource agencies and the public the information and analysis used to develop the planning products, how the purpose and need was developed and refined, and how the design concept and scope were determined) plays a critical role in leading to informed transportation decisions by FHWA and FTA on the suitability of transportation planning information, analysis, documents, and decisions for use in the NEPA process. Planning analysis needs to be up-to-date and should adequately support improvements in statewide and/or metropolitan long-range plans. Results from the planning process must be documented in a form that can be appended to the NEPA document or incorporated by reference to

materials that are readily available, and a clear connection between the decisions made in planning and those to be made during NEPA and project development must be explained to the public and other participants involved in scoping.

### **What is NEPA and how does it apply to the transportation project development process?**

The National Environmental Policy Act of 1969 (NEPA) established a national policy to promote the protection of the environment in the actions and programs of federal agencies.

The FHWA and FTA act as lead federal agencies, and are responsible for implementing the NEPA process and working with state and local project sponsors during transportation project development. The FHWA and FTA NEPA process is designed to assist transportation officials in making project decisions that balance engineering and transportation needs with the consideration of social, economic, and environmental factors. This process allows for involvement and input from the public, interest groups, resource agencies, and local governments. The FHWA and FTA NEPA process is used as an “umbrella” for compliance with over 40 environmental laws, regulations, and executive orders and provides an integrated approach to addressing impacts to the human and natural environment from transportation projects.

### **What NEPA documentation is required?**

A good decision based on an understanding of environmental impacts is the objective of the NEPA process and a thorough analysis of these impacts as presented in the NEPA document is essential in meeting that objective. NEPA documentation serves several purposes: to disclose the analysis of benefits and impacts to the human and natural environment; to get input from the public and other stakeholders on the proposed project and the environmental consequences; and to inform the final decision.

Different types of transportation projects will have varying degrees of complexity and potential to affect the environment. Under NEPA, the required environmental document depends on the degree of impact. FHWA and FTA, in coordination with the project sponsor, prepare one or more of the following documents for a proposed project:

- Notice of Intent (NOI) – a notice that an environmental impact statement (EIS) will be prepared and considered.
- Categorical Exclusions (CE) – apply to projects that do not have a significant impact on the human and natural environment.
- Environmental Assessment (EA) – prepared for projects where it is not clearly known if there will be significant environmental impacts. If the analysis in the EA indicates the proposed project will have significant environmental impacts, an EIS is prepared.
- Finding of No Significant Impact (FONSI) – if there is not a significant impact, this conclusion is documented in a separate decision document, the FONSI.

- Environmental Impact Statement (EIS) – prepared for projects that have a significant impact on the human and natural environment. Draft EIS (DEIS) and Final EIS (FEIS) documents, with input from the public, provide a full description of the proposed project, the existing environment, and the analysis of the beneficial and adverse impacts of all reasonable alternatives.
- Record of Decision (ROD) – presents the selected transportation decision analyzed in an EIS, the basis for that decision, and the environmental commitments, if any, to mitigate project impacts to the human and natural environment.

Regardless of the type of NEPA document prepared, final selection or approval of a proposed project alternative by FHWA and FTA allows the project to be eligible for federal funding of subsequent project activities such as final design, right-of-way acquisition, and construction.

### Additional sources of information:

FHWA's website on Planning and Environment Linkages offers a wealth of information developed and compiled by the FHWA and its partners to assist in strengthening planning and environment linkages.

See [www.environment.fhwa.dot.gov/integ/index.asp#benefits](http://www.environment.fhwa.dot.gov/integ/index.asp#benefits)

NEPA is dedicated to the open exchange of knowledge, information, and ideas concerning NEPA and other environmental issues. The site allows anyone interested in NEPA and related topics to contribute thoughts and ideas in an open forum.

See [nepa.fhwa.dot.gov/ReNepa/ReNepa.nsf/home](http://nepa.fhwa.dot.gov/ReNepa/ReNepa.nsf/home)

The FHWA provides information on environmental streamlining — the term for a new cooperative approach to implementing transportation projects that brings together timely delivery and the protection and enhancement of the environment. It was first enacted into legislation for highway and transit projects with the Transportation Equity Act for the 21st Century (TEA-21).

See [www.environment.fhwa.dot.gov/strmlng](http://www.environment.fhwa.dot.gov/strmlng)

The FTA provides links to laws, regulations, and guidance affecting environmental analysis and review of public transportation projects.

See [www.fta.dot.gov/planning/planning\\_environment\\_5222.html](http://www.fta.dot.gov/planning/planning_environment_5222.html)

# Public Involvement

What is the role of public involvement in developing transportation policies, programs, and projects?

Public involvement is integral to good transportation planning. Without meaningful public participation, there is a risk of making poor decisions, or decisions that have unintended negative consequences. With it, it is possible to make a lasting contribution to an area's quality of life. Public involvement is more than an agency requirement and more than a means of fulfilling a statutory obligation. Meaningful public participation is central to good decisionmaking.

The fundamental objective of public involvement programs is to ensure that the concerns and issues of everyone with a stake in transportation decisions are identified and addressed in the development of the policies, programs, and projects being proposed in their communities.

Who is the public?

The public includes anyone who resides, has an interest in, or does business in a given area potentially affected by transportation decisions. This includes both individuals and organized groups. It is also important to provide opportunities for the participation of all private and public providers of transportation services, including, but not limited to, the trucking and rail freight industries, rail passenger industry, taxicab operators, and all transit and paratransit service operators. Finally, those persons traditionally underserved by existing transportation systems, such as low-income or minority households (see section on Title VI/Environmental Justice) and the elderly, should be encouraged to participate in the transportation decisionmaking process.

Federal, state, and local agencies with an interest in transportation issues play a particularly important role in the development of transportation projects. Many of those agencies have a statutory responsibility to review environmental documents or issue permits for transportation projects. FHWA and FTA encourage MPOs and state DOTs to aggressively pursue improved communication and collaboration with these partners, beginning early in the transportation planning process, to identify and address their concerns.

What is the role of the MPO in implementing public involvement processes?

The MPO is responsible for actively involving all affected parties in an open, cooperative, and collaborative process that provides meaningful opportunities to influence transportation decisions. Transportation has a profound influence on the

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**PARATRANSIT:**

A variety of smaller, often flexibly scheduled and routed transportation services using low-capacity vehicles, such as vans, which operate within normal urban transit corridors or rural areas. These services usually serve the needs of people that standard mass transit services would serve with difficulty, or not at all. Often, the patrons include the elderly and people with disabilities.

lives of people. Decisionmakers must consider fully the social, economic, and environmental consequences of their actions, and assure the public that transportation programs support adopted land use plans and community values.

MPOs must develop and document, in consultation with interested parties, a participation plan that details strategies for incorporating visualization techniques, using electronic media, holding public meetings, and responding to public input, among other things.

### What is the role of the state Department of Transportation in the public participation process?

Similar to the role of MPOs in metropolitan areas, the state must have a documented process for engaging the public with the transportation planning process outside of metropolitan areas. The state DOT also should coordinate with MPOs for state projects within metropolitan areas.

### What are the indicators of an effective public participation process?

A well-informed public can contribute meaningful input to transportation decisions through a broad array of involvement opportunities at all stages of decisionmaking. Useful elements in planning for effective public involvement are:

- Clearly defined purpose and objectives for initiating a public dialogue on transportation issues;
- Specific identification of the affected public and other stakeholder groups with respect to the plans and programs under development;
- Identification of techniques for engaging the public in the process;
- Notification procedures that effectively target affected groups;
- Methods and measures for evaluating the effectiveness of the public involvement program;
- Education and assistance techniques, which result in an accurate and full public understanding of transportation issues;
- Follow-through by the MPO demonstrating that decisionmakers seriously considered public input; and
- Solicitation of feedback from the public and stakeholders on the effectiveness of the public involvement process.

### Additional sources of information:

The FHWA explores many transportation issues of great concern to the public, and provides more information to MPOs seeking guidance on involving the public.

See [www.fhwa.dot.gov/environment/pubinv2.htm](http://www.fhwa.dot.gov/environment/pubinv2.htm)

*Public Involvement Techniques for Transportation Decision-making*, FHWA and FTA, 1996, Publication No. FHWA-PD-96-031.

The FTA funds innovative demonstration projects through its Public Transportation Participation Pilot (PTP) Program.

See [www.fta.dot.gov/planning/programs/planning\\_environment\\_5925.html](http://www.fta.dot.gov/planning/programs/planning_environment_5925.html)

For the Transportation Research Board's Public Involvement Committee website, see [www.trbpi.com](http://www.trbpi.com)

For more TPCB Technical Public Involvement Resources, see [www.planning.dot.gov/technical.asp#pub](http://www.planning.dot.gov/technical.asp#pub)

For TPCB Peer program reports on current practices and issues in public involvement, see [www.planning.dot.gov/peer.asp#pi](http://www.planning.dot.gov/peer.asp#pi)

## Safety

### What makes safety an important factor in transportation planning?

Over the past three decades, transportation fatality rates have declined in relationship to system usage, due in large part to safer cars, tougher police enforcement, and increasing use of seat belts, air bags, and child safety seats. However, in many accident categories, the actual number of crashes has increased because more people are using the transportation system. In addition, there are large economic costs associated with crashes, incurred both by those involved and by other travelers affected by the traffic delay caused by crashes. Maintaining high performance in transportation safety requires seamless coordination of activities and funding among multiple partners and a transportation planning process that can coordinate and direct funding toward the highest safety priorities.

### What are the roles of the MPO and state DOT in transportation safety?

Transportation planning takes safety considerations into account by identifying the most effective strategies for reducing crashes. This identification process may include analyzing crash data to determine the emphasis to be given to critical focus areas. Several types of focus areas have been identified, known as the ‘four Es’ of transportation safety: engineering, enforcement, education, and emergency services. The crash data might help identify which focus areas should receive funding priority for improving safety in the region. Crash data can also identify high-accident locations to be given high priority for improvements. Many MPOs also participate in safety campaigns that educate the public on good safety practices.

Another key role of MPO and state DOT planners is to coordinate any planned safety-related transportation improvements with their safety partners, including those responsible for the state’s Strategic Highway Safety Plan, the state Governor’s Office of Highway Safety, law enforcement agencies, and emergency service providers. Input from these partners can improve the safety elements of planning processes and ensure strong collaboration.

Finally, many state DOTs and local transportation agencies have developed safety management systems that monitor accident locations in their jurisdictions over time. The MPO can participate in data collection for these systems or coordinate the development of a regional safety management system.



State DOTs are required, after consultation with public and private safety stakeholders, to develop and implement a Strategic Highway Safety Plan (SHSP). The purpose of an SHSP is to identify critical highway safety problems and opportunities within the state. The SHSP provides a comprehensive framework for reducing highway fatalities and serious injuries on all major roadways, enabling the state to make strategic data-driven safety investment decisions. The metropolitan and statewide transportation planning processes should be consistent with the SHSP. In addition, the metropolitan and statewide transportation plans should include sections on safety that list projects and strategies from the SHSP.

## What are the planning requirements for incorporating safety into transportation planning?

Improving the safety of the transportation system is one of the planning factors that federal legislation explicitly requires to be considered in the transportation planning process. Short- and long-range plans should have a safety element as part of the plan, and when projects and strategies are evaluated for possible inclusion in the metropolitan transportation plan and the TIP, safety should be a factor in their rating.

### Additional sources of information:

The FHWA Office of Safety provides information on ways to improve safety on roadways. For more information, see **[safety.fhwa.dot.gov](http://safety.fhwa.dot.gov)**

For information from the FTA on safety and security of mass transit systems, see **[transit-safety.volpe.dot.gov](http://transit-safety.volpe.dot.gov)**

The FHWA, FTA, the Transportation Research Board, and other organizations created this website on transportation safety planning. See **[tsp.trb.org](http://tsp.trb.org)**

For Bureau of Transportation Statistics (BTS) annual statistical reports on crash statistics, see **[www.bts.gov](http://www.bts.gov)**

For the Institute of Transportation Engineers' discussion paper, "The Development of the Safer Transportation Network Planning Process," see **[www.ite.org](http://www.ite.org)**

The FHWA Office of Planning maintains a website on Transportation Safety Planning. See **[www.fhwa.dot.gov/planning/SCP](http://www.fhwa.dot.gov/planning/SCP)**

# Security

## What is transportation security?

Transportation system security can be defined as the freedom from intentional harm and tampering that affects both motorized and nonmotorized travelers, and may also include natural disasters. Security goes beyond safety and includes the planning to prevent, manage, or respond to threats of a region and its transportation system and users.

## Why should states and MPOs consider security in the transportation planning process?

Awareness of both man-made and natural security concerns has increased in recent years due to events like September 11, 2001 and Hurricanes Katrina and Rita. The vulnerability of the transportation system and its use in emergency evacuations are issues receiving new attention. Transportation planners have been encouraged to focus on security interrelated issues and to initiate the consideration of security within their transportation planning and programming activities.

## What is the role of the state DOT and the MPO in transportation security?

State DOTs and MPOs may be in a unique position to foster interagency coordination between the different modes of transportation, governmental agencies, groups focused on security, and others. State DOTs and regional transportation agencies have created homeland security plans for emergency evacuation, contingency measures, and communications interoperability. Additionally, state DOTs and MPOs can support programs and fund projects that enhance secure travel for all transportation system users. As the entities that plan and select projects for implementation, the state DOT and MPO can ensure that whatever criterion is used to select and advance projects in a particular region recognizes, highlights, and promotes projects that address transportation security.

## What are the planning requirements for considering security in transportation planning?

Federal requirements include security as a factor to be considered in transportation planning processes at both the metropolitan and statewide levels, stating that the planning process should provide for consideration and implementation of projects, strategies, and services that will “increase the security of the transportation system for motorized and nonmotorized users.”

## How do you demonstrate consideration of security in the transportation planning process?

Consideration of security in the planning process may be documented in key planning documents such as the UPWP, the State Planning and Research Program, the long-range transportation plan, STIP or TIP or may be part of a standalone study. Federally funded or regionally significant transportation security should be included in the metropolitan long-range plan, STIP, or TIP. Other activities might include documenting conversations and coordination with groups focused on security or including transportation security as a project selection criterion.

### Additional sources of information:

For “The Role of the Metropolitan Organization (MPO) in Preparing for Security Incidents and Transportation System Response” by Michael D. Meyer, Ph.D., P.E., see [www.planning.dot.gov/Documents/Securitypaper.htm](http://www.planning.dot.gov/Documents/Securitypaper.htm)

For NCHRP: Report 525 Surface Transportation Security, Volume 3, Incorporating Security into the Transportation Planning Process, Transportation Research Board, see [onlinepubs.trb.org/onlinepubs/nchrp/nchrp\\_rpt\\_525v3.pdf](http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_rpt_525v3.pdf)

For FHWA’s Emergency Transportation Operations website, see [ops.fhwa.dot.gov/OpsSecurity/](http://ops.fhwa.dot.gov/OpsSecurity/)

GAO Report 04-1009, “Homeland Security: Effective Regional Coordination Can Enhance Emergency Preparedness;” see [www.gao.gov/new.items/d041009.pdf](http://www.gao.gov/new.items/d041009.pdf)

Federal Transit Administration, The Public Transportation System Security and Emergency Preparedness Planning Guide (2003)  
see [transit-safety.volpe.dot.gov/Publications/Default.asp](http://transit-safety.volpe.dot.gov/Publications/Default.asp)

NCHRP 525, “Incorporating Security into the Transportation Planning Process;” see [trb.org/news/blurbs\\_detail.asp?id=5028](http://trb.org/news/blurbs_detail.asp?id=5028)

For “Security Considerations in Transportation Planning” from Steven Polzin at the University of South Florida’s Center for Urban Transportation Research, see [www.cutr.usf.edu/pubs/Security%20paper%200402.doc](http://www.cutr.usf.edu/pubs/Security%20paper%200402.doc)

# System Management and Operations (M&O)

## What is system management and operations?

System management and operations (M&O) analyzes regional transportation as an interconnected set of services and systems to improve system performance through better management and use of the multimodal transportation network.

M&O is an integrated approach to optimize the performance of existing infrastructure through the implementation of multimodal, intermodal, and often cross-jurisdictional systems, services and projects. This includes regional operations collaboration and coordination activities between transportation and public safety agencies. M&O strategies aim at improving service efficiency, enhancing public safety and security, reducing traveler delays, and improving access to information for travelers.

In identifying possible system M&O improvements, it is important to understand what system users want in terms of performance. Some examples of user-oriented performance measures are average trip travel time, length of delay, and reliability of trip making. These are important indicators of how well the transportation system is operating.

### RELIABILITY OF TRIP

**MAKING:** The level of reliability of the time it takes to make a specific trip; for example, one's daily commute, or the time it takes for goods to move between shipper and receiver.

## What are the requirements for considering management and operations in the transportation planning process?

Federal requirements call for consideration of M&O in the metropolitan and statewide transportation planning processes. For instance, "Promote efficient system management and operation" is one planning factor.

Legislation also states that transportation plans shall include operations and management strategies to improve the performance of the existing transportation system to relieve vehicular congestion and maximize the mobility of people and goods.

## What are some examples of system management and operations tools?

Intelligent Transportation Systems (ITS) are technological tools that can help to facilitate better system M&O. For example, roadway video surveillance allows better responses to changes in network conditions, such as clearing an accident faster to keep traffic moving. ITS technologies can also be used to collect real-time data, like travel speeds, which can be used to monitor system performance over time.

Other examples of system M&O tools include:

- Metropolitan traffic management centers;
- Traffic signal coordination;

- Freeway/arterial corridor management;
- Incident management programs;
- Preferential treatment for transit/ride-shares;
- Special event traffic management;
- Emergency management strategies;
- Pricing of transportation services;
- Customer information services;
- ITS applications for transit;
- Traveler information; and
- Commercial vehicle programs.

These M&O strategies and tools focus on optimizing the performance of the transportation system. It is essential to mention that M&O does not include traditional maintenance activities, such as lawn cutting, pothole repair, or resurfacing.

### What is the role of the MPO in enhancing system management and operations?

**Identifying M&O strategies and benefits:** When developing the transportation plan, the MPO should consider using M&O strategies as one method of improving mobility for constituents. Those programs and projects should then be given high priority in the TIP.

**Coordinating all agencies involved:** Many different agencies assist in system management and operations in a typical metropolitan area. The MPO can provide regional leadership in establishing a decisionmaking framework by bringing parties together, by helping to determine how M&O decisions will be made in an area, and by asking for input on M&O issues as part of the planning process. This allows agencies to develop M&O strategies in common.

**Develop performance measures:** The MPO should develop system performance measures that take into account the desires and expectations of transportation users, and can be used to decide how funds should be spent. The MPO can then work to improve the system through future plans and TIPs.

### What is the role of the state DOT in system management and operations?

Since states have the responsibility for operations and management of significant portions of the transportation network, they play a major role in considering

operations and management strategies in the planning process. State DOTs also have a major role both outside and within metropolitan areas supporting coordination between the operations and planning functions.

#### Additional sources of information:

For the FHWA and FTA Planning for Systems Management and Operation website, see **[plan4operations.dot.gov](http://plan4operations.dot.gov)**

For the FHWA's operations website, with information on travel management, transportation operations, freight management, and ITS, see **[www.ops.fhwa.dot.gov](http://www.ops.fhwa.dot.gov)**

For the U.S. Department of Transportation's official ITS site, see **[www.its.dot.gov](http://www.its.dot.gov)**

See also *A Toolbox for Alleviating Traffic Congestion and Enhancing Mobility*. Institute of Transportation Engineers: Washington, D.C., 1997.

See also Federal Highway Administration, *Managing Our Congested Streets and Highways*, U.S. DOT, 2001.

For more information from ITS America, a nonprofit organization that acts as a clearinghouse for information on ITS, see **[www.itsa.org](http://www.itsa.org)**

# Technology Applications for Planning: Models, GIS, and Visualization

Better planning tools are increasingly available to help MPOs understand the impact of their decisions on the transportation network and the natural and human environment. A number of decision support tools are available to communities to help them tackle land use, community development, economic development, and environmental protection challenges. Geographic Information Systems (GIS)-based decision support and visualization tools assist planners with conveying information to stakeholders to encourage successful community design and informed decisionmaking. Examples of planning tools include transportation models, land use models, GIS, GIS-based decision support tools, scenario planning models, and satellite imagery.

## What are models?

Models are simulations of the “real world” that can be used to show the impact of changes in a metropolitan area on the transportation system (such as adding a new road or transit line, or increases in population or employment). Travel models may be used to test the travel impacts of changes in land use, economic development, fuel and parking cost, and new highway or transit system capacity.

Three important ingredients are part of any model used for transportation analysis:

- Key base, or current-year characteristics of travelers and the transportation system, described in terms of quantifiable variables (e.g., the number of highway travel lanes, transit service highways, household size and income, number of vehicles per household, employment patterns by type and job classification, etc.).
- The relationship between these variables and the travel behavior of individuals (e.g., the more automobiles per household, the greater the number of automobile trips per household). This relationship is most often expressed in mathematical terms.
- Future-year forecasts of key traveler and transportation system characteristics. This relationship is the same for all individuals and is constant over time.

## What is the four-step modeling process?

For the past 40 years, transportation professionals have used a four-step approach in modeling transportation demand. Most modeling approaches use some form of these

steps today. Once some understanding has been established as to what the land use, population, and employment levels are in a study area, the four modeling steps are:

- **Trip generation:** Estimating the number of trips generated in a small geographic area, called a zone, or at a particular location, and attracted to another zone or particular location, based on the assumed relationship among socioeconomic factors, land use characteristics, and the number of trips. Trip generation then leads to:
- **Trip distribution:** Estimating the number of trips that originate in every zone in the study area, with destinations to every other zone. The result is a trip table that is used in:
- **Mode split:** Estimating, for the number of trips predicted between each origin and destination, the number of trips made via each type of mode that is available for that trip. Thus, “x” percent are likely to drive alone, “y” percent are likely to take transit, “z” percent are likely to ride-share, etc. Mode split leads to:
- **Network assignment:** Estimating the number of trips via a particular mode that will take specific paths through a road or transit network. The end result, when all trips are assigned to a network, is an estimate of the total number of trips that will use each link in the network. When compared to the capacity of this link, planners can forecast the level of congestion that will occur at that location. This becomes the basis for assessing the performance of the transportation system.

## What are other types of models?

Four-step models are commonly used to predict the demand for transportation services. Transportation planners and engineers also use other types of models to analyze and evaluate the performance of transportation systems and resulting impacts.

Land use models are used to forecast future development patterns as well as the potential for proposed transportation improvement to “induce” new or accelerated land development in particular areas. The output of land use models typically provides the input to the trip generation step of the travel forecasting model.

Emissions models use the output of travel forecasting models—simulated highway travel as expressed by vehicle miles traveled—in projecting the tons of key pollutants emitted in the exhaust of vehicular trips. Estimates of the tons of emissions of hydrocarbons, nitrogen oxides, and particulates from emissions models provide important information for use in air quality analysis.



Several metropolitan areas, such as New York, San Francisco, and Columbus, Ohio have implemented advanced tour or activity-based models, which model travel differently from trip-based models. Tour-based models, for instance, keep track of travel activity throughout the day and can assemble multiple trip legs (chained trips) into tours. For example, a parent may leave work, pick up the children at day care, and stop at the grocery store on the way home. These separate trips would be linked together into a tour and, when taken as a whole, the modeled travel behavior of this parent would likely be different than if all of these trips were considered separately.

An activity- or tour-based model is able to show the extent to which mixed-use neighborhood residents tend to reduce their automobile use by taking transit, walking, or bicycling, or accomplishing several activities in one automobile trip in cases where mixed-use development places retail, entertainment, and office locations close together. The modeling approach, more disaggregated in time, space, and activities, is also better suited to analyzing other complex policy alternatives such as variable pricing, flexible working hours, nonmotorized travel, and induced demand.

### What should decisionmakers consider when presented with the results of models?

Results of a model are still only estimates—they cannot provide a definitive picture of what will happen in the future. Much like economic projections, transportation forecasts are greatly affected by the long-term economic health and attractiveness of the region, by population changes, and by the individual behavior of each person using the transportation system, which no one can predict.

Model results are only as good as the data that go into the model. MPOs must use the most current socioeconomic and census data available, especially if the region is growing rapidly. MPOs should make every effort to explain the information and assumptions that went into creating the model in plain, understandable terms. Finally, it is important that the models periodically be validated against observed conditions. And, the state, MPO, and transit operators should have a schedule for periodic re-survey of the usage and performance patterns of their systems (e.g. transit onboard and roadside origin/destination surveys).

### What are visualization techniques, and how are they used in transportation planning?

Visualization techniques are methods used by states and MPOs to communicate information used in the development of transportation plans and programs to the

public, elected and appointed officials, and other stakeholders in a clear and easily accessible format. This could involve use of one or more of a broad range of information dissemination tools, including maps, pictures, or displays, with the intention of promoting improved understanding about existing or proposed transportation plans, policies, and programs.

Visualization techniques can be used through the process, including in developing planning documents, on websites, and at public outreach and information sessions. Through visual imagery, the complex character of proposed transportation plans, policies, and programs can be portrayed at appropriate scales and from different points of view, providing the public and decisionmakers with a clear idea of the proposals and likely impacts to the human and natural environment. In addition to their use in public involvement, visualization techniques are increasingly used as tools for improved decisionmaking for context sensitive solutions.

### What is a Geographic Information System (GIS)? How can state DOTs, MPOs and public transportation providers use GIS during transportation planning?

A Geographic Information System (GIS) is a collection of computer software, hardware, and data used to store, manipulate, analyze, and present geographically referenced information. A GIS can be used both for analysis and as the basis for many of the visualization techniques described above. In transportation planning, GIS is typically used to compile and “overlay” multiple sets of data linked to particular geographic locations. Using GIS, transportation professionals can holistically and efficiently view multiple items of interest about a particular geographic area including transportation facilities, operations, demographics, environmental and cultural resources, public lands, and others. As an aid to environmental analysis, GISs are also used to overlay key features of the human and natural environment for the purpose of identifying corridors and subareas with the highest concentration of sensitive areas.

### What is scenario planning and how does it use these technologies?

One use of models is in assessing the transportation impacts of alternative possible future policy scenarios. Scenario testing, also known as scenario planning, is an important policy analysis and public involvement tool for planners and involves undertaking long-range strategic planning studies testing alternative sets of future-year assumptions and engaging stakeholders and the public in reviewing the implications.

Instead of concentrating on one aspect of planning for the future, many tools used in scenario planning estimate the impacts of people's decisions today on the land use, transportation system, and environment of tomorrow. Additionally, these tools take into account the interconnections between these three aspects of planning. For example, if a change to the transportation system is proposed for an area, models can estimate its land

use and environmental impacts. Powerful tools provide for more comprehensive geographic analysis and visualization using interactive analysis tools and a decision-making framework. Scenario planning tools can be used to view, analyze, and understand land-use alternatives and their impacts for informed decisionmaking.

### Additional sources of information:

Cambridge Systematics and Transmode Consultants, *Multimodal Corridor and Capacity Analysis Manual: National Cooperative Highway Research Program Report 399*.

Transportation Research Board, 1998.

For the FHWA's Travel Model Improvement Program (TMIP) see [tmip.fhwa.dot.gov](http://tmip.fhwa.dot.gov)

See also Meyer, M. and E. Miller, *Urban Transportation Planning: A Decision-Oriented Approach*. New York: McGraw Hill, 2001.

For NETC 00-6: *Effective Visualization Techniques for The Public Presentation Of Transportation Projects* see [www.netc.uconn.edu/pdf/netcr48\\_00-6.pdf](http://www.netc.uconn.edu/pdf/netcr48_00-6.pdf)

For more on TRB's work on visualization in transportation see [www.trbvis.org/](http://www.trbvis.org/)

For AASHTO's *Visualization in Transportation: A Guide for Transportation Agencies* see [cms.transportation.org/sites/design/docs/VisualizationGuideJuly2003.pdf](http://cms.transportation.org/sites/design/docs/VisualizationGuideJuly2003.pdf)

For TRB's Visualization Symposium Proceedings see [www.teachamerica.com/viz/viz2006.html](http://www.teachamerica.com/viz/viz2006.html)

For NCHRP's Visualization in Project Development see [onlinepubs.trb.org/onlinepubs/nchrp/nchrp\\_syn\\_361.pdf](http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_syn_361.pdf)

For the Federal Highway Administration's (FHWA) Office of Planning, Environment, and Realty Executive Geographic Information System (HEPGIS) see [hepgis.fhwa.dot.gov](http://hepgis.fhwa.dot.gov)

## Title VI/Environmental Justice

### What is Title VI/Environmental Justice?

The goal of Title VI/Environmental Justice (EJ) is to ensure that services and benefits are fairly distributed to all people, regardless of race, national origin, or income, and that they have access to meaningful participation. Title VI/Environmental Justice in transportation programs is achieved through:

- Avoiding, minimizing, or mitigating disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority and low-income populations.
- Ensuring the full and fair participation in the transportation decisionmaking process by all potentially affected communities.
- Preventing the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

### What is the role of the state DOT and MPO in incorporating Title VI/Environmental Justice into transportation planning?

As the agency responsible for coordinating the transportation planning process, the state DOT or MPO must make sure that all segments of the population have been included in the planning process.

The impact of proposed transportation investments on underserved and underrepresented population groups must be part of the evaluation process. In particular, the following questions are important in addressing Title VI/Environmental Justice issues in the planning process:

1. How will the public participation process reach low-income and minority communities? Specifically:
  - How and where will information be disseminated?
  - What information will be disseminated?
  - Where and when will public meetings be held?
  - At what point in the planning process do the meetings take place?
  - Are other avenues being used to reach minority/low-income communities (e.g., contacts with community leadership, community advisory boards, focus groups, surveys, etc.)?

- How will the process elicit issues of particular concern to low-income and minority communities?
2. What statistics are being collected about minority/low-income communities, and how are they used to assess possible inequities? Actions to take include:
    - Evaluating what information is already being collected.
    - Identifying what further information can and should be collected.
    - Analyzing the data to identify potential inequities.
    - Developing measures to verify whether there is equitable distribution of the benefits and burdens of transportation services.
  3. How are information and data incorporated into decisionmaking? Questions to ask include:
    - How is Title VI/Environmental Justice considered in creating the transportation plan?
    - How is Title VI/Environmental Justice information collected by the MPO and relayed to officials?
    - Is additional information needed to adequately consider the impacts of transportation decisions on low-income and minority communities?
    - How are the specific interests of minority and low-income populations addressed in transportation policies, plans, and projects?

## What are the regulatory foundations for Title VI/Environmental Justice?

The legal foundation for environmental justice considerations is Title VI of the Civil Rights Act of 1964, which prohibits discrimination in any program receiving federal assistance.

The 1969 National Environmental Policy Act (NEPA) and 23 USC 109(h) also require that social, economic, and environmental consequences of programs be considered when contemplating any action having federal support.

The FHWA and the FTA have jointly issued policy guidance on how Title VI/Environmental Justice concerns can be incorporated into metropolitan transportation planning.

## Additional sources of information:

For extensive information and case studies on Title VI/Environmental Justice, including the joint FHWA/FTA policy guidance on incorporating Title

VI/Environmental Justice concerns into metropolitan transportation planning  
see [www.fhwa.dot.gov/environment/ej2.htm](http://www.fhwa.dot.gov/environment/ej2.htm)

For information on state DOTs responsibilities, general public responsibilities,  
frequently asked questions, and an environmental justice library  
see [www.dotcr.ost.dot.gov/asp/ej.asp](http://www.dotcr.ost.dot.gov/asp/ej.asp)

For the Washington State Department of Transportation website which provides  
information on environmental justice analysis tools, resources and training see  
[www.wsdot.wa.gov/Environment/EJ/EnviroJustice.htm](http://www.wsdot.wa.gov/Environment/EJ/EnviroJustice.htm)

# Transportation Asset Management

## What is Transportation Asset Management?

Transportation Asset Management is a strategic framework for making cost-effective decisions about allocating resources (funding and personnel) and managing infrastructure (physical assets such as roads, equipment, and buildings). It is based on a process of monitoring the physical condition of assets, predicting deterioration over time, and providing information on how to invest in order to maintain or enhance the performance of assets over their useful life. The goals of a transportation asset management program are to minimize the life-cycle costs for managing and maintaining transportation assets, including pavements, bridges, tunnels, rails, and roadside features.

## What is the role of the MPO in Transportation Asset Management?

MPOs should ensure that 1) their metropolitan transportation plan is comprehensive and incorporates the transportation assets of all modes, 2) that the transportation network is managed to meet both current and future demands, and 3) that expenditures are optimized for value. Transportation asset management principles and techniques are valuable tools that can be applied by an MPO and result in more effective decision-making. The MPO role in a successful transportation asset management program includes managing public investment through the transportation plan and TIP, defining performance measures for assets through public involvement, serving as a repository for asset data, and promoting standard data collection and technology applications. MPOs can also educate the public and decisionmakers and work cooperatively with stakeholders across transportation modes.

The MPO can support asset management by encouraging the collection of data and information that helps establish priorities for improving the area's transportation assets. Typically, the MPO does not, on its own, develop and/or operate a transportation asset management decisionmaking framework; this is usually the responsibility of state and local operating agencies.

## What are the steps decisionmakers use in the Transportation Asset Management process?

The following steps are typical for the Transportation Asset Management process:

1. Decisionmakers establish strategic goals and objectives for the transportation system's performance with performance measures being set and applied to establish a strategy to achieve the goals.

2. The transportation system is inventoried, and performance data is collected and analyzed. This information is used to determine what is needed.
3. Analytical tools and models are used to establish cost-effective long- and short-range strategies to maximize benefit to the motoring public for dollars invested to maximize condition at least life cycle cost to maintain and maximize system performance. Budget allocations are developed to meet performance expectations. The alternative choices are evaluated according to how well they meet long-range plans, policies, and goals.
4. Decisions are made as a result of policies, performance-based goals, performance measures, and service levels which address the agency's strategic goals and objectives. Decisionmakers need to take into account actual project development, construction, and operation.
5. The entire process is annually reevaluated.

### What questions should transportation decisionmakers ask as part of the Transportation Asset Management process?

- What is our inventory of assets?
- What is the value of our assets (monetary, importance to region, other)?  
What are their functions? What services do they provide?
- What are the past, current, and anticipated conditions and performance of our assets?
- How can we preserve, maintain, or improve our assets to ensure maximum useful life and provide acceptable service to the public?
- What financial resources are available? What is the budget? How much funding can we expect in the future?
- What are our choices for investing our transportation budget? What are the costs and benefits of such choices?
- Which choice, or combination of choices, is optimal?
- What are the consequences of not maintaining our assets? How can we communicate those consequences?

### Additional sources of information:

*Asset Management: Advancing the State of the Art into the 21st Century Through Public-Private Dialogue*, FHWA, Report No. FHWA-RD-97-046. For information on obtaining a copy of this report, see [www.fhwa.dot.gov/pubstats.html](http://www.fhwa.dot.gov/pubstats.html)





U.S. Department  
of Transportation

**Federal Highway  
Administration**

MPO Board 4/8/2015 Item 10

# Program Review



FHWA – NC

FTA – Region IV

EPA

DCHC MPO

NCDOT

## **FHWA/FTA TMA Certification Report Durham-Chapel Hill- Carrboro Area Planning Process**

**July 24, 2011**

**Final Report**

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## **Executive Summary**

Every four years, the Federal Highway Administration and the Federal Transit Administration are required to review in full the planning processes of any metropolitan area that contains a population over 200,000. This is otherwise known as a Transportation Management Area, or TMA. This certification review is for the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO or also DCHC, for short) and evaluates whether DCHC MPO is in compliance with federal regulations.

The first step in this process is to look at past reviews to ensure that recommendations and corrective actions have been resolved. The second step is to hold a public meeting to attain the public's perspective on planning in the Durham-Chapel Hill-Carrboro area. The third step is to hold an on-site review (examining every planning aspect) and providing the Metropolitan Planning Organization (MPO), the North Carolina Department of Transportation (NCDOT), Transit Administrators, et al., an opportunity to demonstrate their accomplishments or to answer any questions that the federal review team may have. This report is the result of those steps. In addition, the attachments will have a copy of the advertisement for the public meeting, public comments, a list of acronyms, the agenda, and sign-in sheets.

The preliminary findings of the meeting included one corrective action, several recommendations for both NCDOT and DCHC MPO, and several commendations. The preliminary findings include:

### **Corrective Action**

DCHC continues its corrective action to update the PIP and include a robust EJ section. This plan must be complete within 9 months of the TMA Certification Report date. A work plan must be complete and submitted to FHWA within 30 days of the TMA Certification Report date.

### **Recommendations**

The recommendations are primarily focused on improving relationships between the various stakeholders and increasing participation. There are also recommendations to adhere to schedules.

### **Commendations**

There were more commendations than corrective actions and recommendations combined. As a commendation shows not only exemplary activity within the State but also serves as a National example, this is no small feat. The commendations are on the finished documents that DCHC does. When DCHC MPO undergoes an initial document or update, they create a workgroup, thoroughly explore all the avenues, consult regularly with their stakeholders, and provide a document that sets the bar very high.

## **Background**

Pursuant to 23 USC 134 and 49 USC 5303, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) must jointly review and evaluate the metropolitan transportation planning process for each Transportation Management Area (TMA) at least every four years. The purpose of the review is to assess the extent of compliance with the planning requirements, to identify noteworthy practices, and to provide guidance and assistance as appropriate. The review consists of a series of discussions on transportation planning issues with State and local transportation officials directly involved in highway and transit planning activities within the Metropolitan Planning Organization (MPO). A list of participants in the review is included in Appendix A. FHWA and FTA (herein referred to as the Federal review team) hosted a public meeting to receive comments regarding the metropolitan transportation planning process. The Federal review team also provided the opportunity for policy board officials to meet with the team to offer comment on the transportation planning process.

## **Previous Findings (DCHC Cert Review 2007)**

The previous certification finding for the Durham-Chapel Hill-Carrboro TMA was issued on July 24, 2007. The previous review resulted in full certification for the DCHC MPO pursuant to meeting the recommendations given by FHWA and FTA.

### **Corrective Action**

1. NCDOT shall appoint a full-time MPO Coordinator for DCHC.  
*This action is complete. NCDOT hired two coordinators in this time period and the last one has been there for nearly two years.*

### **Recommendations**

#### **3C Process**

1. DCHC and NCDOT should consider expanding the TCC to include Resource Agencies. Should DCHC not expand the TCC to include Resource Agencies, they shall develop other methods for involving Resource Agencies into the planning process. NCDOT should increase their Stakeholder involvement, document their participation, and procedures to encourage effective involvement. *DCHC invites many Stakeholders to meetings. Their participation is minimal. This is not due to DCHC's efforts, but an overlying interest from the Stakeholders in participating.*
2. NCDOT is encouraged to maintain a full-time Safe Routes to School Coordinator. *NCDOT has hired a full-time SRTS Coordinator.*
3. NCDOT should involve MPOs early on in the Design phase and be considerate of design and scope of locally-preferred alternatives (articulate CSS NCDOT vision and follow it).  
*NCDOT, DCHC, and FHWA have formed a committee to address this issue. Notices and coordination of meetings with the MPOs have improved. An actual policy needs to be written but is waiting on the completion of Complete Streets.*

#### **MPO& State Long Range Transportation Plans (LRTP)**

1. DCHC and NCDOT should update plans and processes to reflect SAFETEA-LU.  
*This is complete with the adoption of the LRTP.*
2. DCHC should address Safety, systems operations, system preservation, and the State Highway Safety Plan in their LRTP.  
*This is complete with the adoption of the LRTP.*

3. DCHC should incorporate transportation systems Management and Operations in the next update of the metropolitan transportation plan.  
*This is complete with the adoption of the LRTP.*
4. DCHC shall incorporate Safety as a standalone element in project prioritization in the LRTP.  
*This is complete with the adoption of the LRTP.*
5. NCDOT should develop a Purpose and Need (P/N) statement as an outgrowth of the LRP in cooperation with MPO's high priority projects.  
*We are currently undergoing training in this area provided by FHWA.*

#### **Financing (PL and STP-DA funds)**

1. DCHC should be more systematic in performance measures and make sure investments are yielding the expected dividends.  
*This is an ongoing process. One way the MPO is addressing this is through the measures in the CMP.*
2. DCHC and NCDOT should collaborate in financial forecasting and document the step-by-step process.  
*This is incomplete but in the process for the 2040 LRTP update.*
3. DCHC and NCDOT should use life-cycle costs for the LRTP as part of the decision making process.  
*This has been completed and is being revised for the 2040 LRTP update.*
4. NCDOT should explore ways to make financial planning and forecasting issues more transparent to MPOs.  
*NCDOT has made efforts on this initiative. However, we hope to accomplish more with the STIP review and implementing those recommendations.*

#### **TIP & STIP Statewide/Transportation Improvement Plan**

1. DCHC should incorporate additional measures that may be useful in identifying impacts of projects, both positive and negative.  
*The TIP prioritization methodology includes the evaluation of environmental and community (including environmental justice) impacts. It also includes both negative impacts to streams, wetlands, habitats, etc., as well as positive impacts such as increased connectivity, more frequent transit service, increased transportation options, etc.*

2. NCDOT should follow the outlined STIP Public Involvement Process with MPOs by allowing for more input from the MPOs.  
*This is part of the recommendations that NCDOT is incorporating with their STIP review.*
3. DCHC should incorporate the Statewide portion of the STIP into the TIP.  
*This has been completed.*
4. DCHC should incorporate locally funded projects (as required under ISTEA) into the TIP.  
*This has been completed.*

### **Freight**

6. DCHC should incorporate the following freight aspects into their planning process:
  - a. DCHC should integrate freight as an integral part of the Plan.
  - b. DCHC should include the freight community into the planning process.
  - c. DCHC should consider freight mobility in the project-ranking criteria.*This has been completed in the update of the LRTP and also with the CMP.*

### **Operations and Management (ITS, Safety)**

#### **Intelligent Transportation Systems (ITS)**

1. DCHC should continue to pursue its implementation of ITS projects.  
*With the work on the new ITS Architecture, this is being addressed.*
2. DCHC and NCDOT should improve security planning, coordination, and training.  
*This is an ongoing effort but DCHC has made good strides in addressing this.*

### **Bicycle/Pedestrian**

1. NCDOT should give bicycle/pedestrian modes equal consideration in terms of funding, maintenance, and liability.  
*We have formed a group with DCHC and NCDOT to address bicycle/pedestrian in the design stage. This is a recommendation that will continue with this review.*

### **Land Use and Economic Development**

1. DCHC should assist NCDOT with modeling land use changes associated with project alternatives on an as-needed basis.  
*DCHC is working on incorporating DynaSmart P and has also joined with CAMPO's modeling team and has addressed this issue.*

**Title VI: ADA, DBE, EJ**

1. DCHC should incorporate the following elements into its Environmental Justice (EJ) Plan:
  - a. Policy statement
  - b. Goals and objectives
  - c. Demographic profile
  - d. Overlays of demographic information on defined past, future, and planned projects
  - e. Measures for identifying burdens and benefits of the MPO's transportation system
  - f. An analysis of identified burdens and benefits
  - g. Public involvement strategies to engage minority and low-income populations (including Advisory Committee information)

*This has not been addressed and will become part of the Corrective Action of updating the PIP. This action has been included in the 2012 UPWP. Many of these elements are addressed in the prioritization process, however there is no formalized EJ Plan.*
2. DCHC should submit a draft of their EJ Plan to FHWA for review and comments.
 

*This has not been addressed and will become part of the Corrective Action of updating the PIP.*

**Public Involvement/Public Comments submitted**  
**Corrective Actions**

1. DCHC shall revise the Public Involvement Plan (PIP) to include:
  - a. Public and developers in the process
  - b. Direct public efforts where needed
  - c. Develop and document measures to develop the PIP
  - d. Develop evaluation criteria
  - e. Consider implementing a Citizen's Advisory Committee
  - f. Expand visualization techniques

*This has not been addressed and will remain a Corrective Action on a 9 month timeline.*
2. DCHC shall formally evaluate the effectiveness of its Public Involvement Program.
3. *This has not been addressed and will remain a Corrective Action on a 9 month timeline.*



**Recommendations**

1. DCHC and NCDOT should ensure that all policies and procedures are available on the web.

*This has been completed.*

2. DCHC shall create a Participation Plan which documents the use of electronic media and visualization techniques, as required by SAFETEA-LU.

*This has NOT been completed.*

## **Current Findings/ Desk Review**

### **Overview of Current Corrective Actions, Recommendations, and Commendations**

#### **Corrective Action**

1. DCHC continues its corrective action to update the PIP and include a robust EJ section. This plan must be complete within 9 months of the TMA Certification Report date. A work plan must be complete and submitted to FHWA within 30 days of the TMA Certification Report date.
  - a. DCHC is strongly recommended to expand information to include non-English speaking populations and conduct four-factor analysis for LEP as part of the EJ section in the PIP.

#### **Recommendations**

##### **3C Process**

##### *Recommendations:*

1. NCDOT is strongly recommended to have fuller participation in the Certification process.
2. DCHC is strongly encouraged to incorporate RDU and other inactive TCC members.
3. DCHC is encouraged to consider getting on the same TMA Certification Review schedule as CAMPO.

##### *Commendations:*

1. Commendation for the growing relationship and efforts on both DCHC and NCDOT as well as Division Engineers.

##### **MPO& State Long Range Transportation Plans (LRTP)**

##### *Recommendations:*

1. NCDOT is recommended to provide more transparent and frequent communication on financial matters on subjects such as: YOE and SPR funds taken out of UPWP.

##### *Commendations:*

2. Commendation for joint LRTP with CAMPO and partners involved in the process.

**Financing (PL and STP-DA funds)***Commendations:*

1. Commendation for outstanding UPWP.

**TIP & STIP Statewide/Transportation Improvement Plan***Recommendations:*

1. Explore the potential for an electronic Statewide Transportation Improvement Program (STIP).

**Air Quality***Recommendations:*

1. The DCHC MPO should continue their efforts on following items:
  - a. Completing the transportation conformity process on the 2035 LRTP amendments and the FY 2012-2018 TIP by October 1, 2011.
  - b. Maintain focus on the work and task deadlines associated with the 2040 LRTP update along with the transportation conformity process to ensure completion by June 15, 2013.

*Commendations:*

1. The Triangle Region is commended for its outstanding coordination and cooperative process.
2. The Triangle Region is commended for its GHG Plan as prototypical in the State.

**Transit***Recommendations:*

1. Continue to work closely with CAMPO and Triangle Transit Authority (TTA) to collectively promote regional TTA New Start planning for the Wake county Durham-Orange and Durham –Wake County transit corridors.
2. Work with NCDOT to improve *communication* with respect to Federal Transit Administration (FTA) funds availability. Institute an efficient and mutually viable STIP modification and STIP amendment processes to streamline extraordinarily long period currently required to implement programming changes and to counter the *reactionary posture* currently experienced by the MPO with respect to TIP/STIP development.
3. NCDOT is strongly recommended to adopt a streamlined process for Administrative Modifications for transit.

*Commendations:*

1. Commendation for Transit operators and MPO Memorandum of Agreement.
2. Commendation for STAC, CHT, CAT, DATA, and TTA coordination.

***Operations and Management (ITS, Safety)***

*Recommendations:*

1. DCHC is recommended to adopt a Safety Plan within one year of the Certification Review.

*Commendations:*

1. Commendation for ITS Architecture as prototypical in the State.
2. Commendation for DCHC's leadership role for the regional TDM effort.

***Land Use and Economic Development***

*Commendations:*

1. Commendation for outstanding efforts to bring business transportation agencies together.

***Public Involvement/Public Comments submitted***

*Corrective Actions:*

2. DCHC continues its corrective action to update the PIP and include a robust EJ section. This plan must be complete within 9 months of the TMA Certification Report date. A work plan must be complete and submitted to FHWA within 30 days of the TMA Certification Report date.
  - a. DCHC is strongly recommended to expand information to include non-English speaking populations and conduct four-factor analysis for LEP as part of the EJ section in the PIP.

## **Desk Review**

### **Air Quality Coordination**

#### *Observations:*

The DCHC MPO currently has a conforming 2035 LRTP and a FY 2009-2015 TIP. The USDOT transportation conformity determination was made on the DCHC 2035 LRTP and the 2009-2015 TIP on July 6, 2010. The transportation conformity determination on the DCHC 2035 LRTP amendments and the FY 2012-2018 TIP is due by October 1, 2011.

The transportation conformity work on the DCHC 2035 LRTP amendment and the FY 2012-2018 TIP is currently underway. The Triangle Area has had 2 interagency consultation (IC) meetings that focused on the 2035 LRTP amendments, the FY 2012-2018 TIP, the transportation conformity schedule and tasks to be performed by Triangle Area MPOs and the IC agency partners. The DCHC TAC is expected to endorse the 2035 LRTP amendments, the FY 2012-2018 TIP and the associated transportation conformity determination on August 10, 2011.

Work is also underway on the DCHC 2040 LRTP update that is due by June 15, 2013. The DCHC transportation demand model is part of the Triangle Regional Model (TRM) that is currently housed at Institute for Transportation Research and Education (ITRE) with additional modeling staff support from the Triangle Area MPOs including the DCHC MPO. The current latest planning assumptions (LPAs) adopted in 2008 are currently being revised. The household/employment, traffic count, and population will be updated to a 2010 base year. It is expected that the DCHC MPO TAC will approve the latest planning assumptions along with their 2040 LRTP/conformity determination adoptions in the fourth quarter of 2012.

The Triangle J Council of Governments has done an outstanding job as the regional coordinator for the Triangle Area transportation conformity process. The Triangle Area transportation partners are also to be commended for their communication, responsiveness and timely completion of project tasks. The Triangle Area transportation conformity process is a model for how this process should work in North Carolina.

#### *Recommendations:*

The DCHC MPO should continue their efforts on following items:

- a. Completing the transportation conformity process on the 2035 LRTP amendments and the FY 2012-2018 TIP by October 1, 2011.

- b. Maintain focus on the work and task deadlines associated with the 2040 LRTP update along with the transportation conformity process to ensure completion by June 15, 2013.

*Commendations:*

The Triangle Region is commended for its outstanding coordination and cooperative process.

The Triangle Region is commended for its GHG Plan as prototypical in the State.

## **Metropolitan Area Boundary/Agreements/Voting Structure**

*Observations:*

*Boundaries*

The most recent update to the MAB is February 2010, for technical corrections (a small expansion of Orange County). There is an area that both DCHC and Burlington Graham MPO claim (overlaps on the map) and they are working to clarify the boundary. Also, Roxboro requested to join the MPO but DCHC is waiting on the Census update.

The non-attainment area is larger than the MAB, including the DCHC MPO MAB, CAMPO MAB, as well as Person County and portions of Orange County, Chatham County, Granville County, and Franklin County. There is an interagency agreement with CAMPO, Chatham County, and Orange County which are members of the DCHC MPO.

*Agreements*

There are several Memorandums of Agreement at DCHC, including: Conformity, one with Triangle Transit Authority (TTA), Transit operators, CAMPO (Long Range Transportation Plan), STAC (Special Transit Advisory Commission, regional and statewide 2007-2008), and the North Carolina Association for Metropolitan Planning Organizations (NCAMPO).

There is a model agreement between NCDOT, TTA, CAMPO, and DCHC. As mentioned above, there is an agreement on air quality non-attainment boundary overlaps. Cost sharing corridor agreements and project level come from scoping or interlocal agreements.

*Organization*

There are several agencies that are members of the MPO or policy board, including RTP, RDU, UNC, and Greyhound. They have all been contacted but only RDU and

UNC participate periodically. These include the Universities, Raleigh-Durham Airport, Greyhound, Trailways, and the Research Triangle Park. RDU is on TCC but no response. TTA has had more success. Their LRTP includes coordinating with DCHC. DATA pulled resources and created combined transit effort. Members that should be contacted and considered for involvement are freight associations, and the Department of Air Quality. North Carolina Turnpike Authority requested to be member of TAC and they are a non-voting member. The TAC is not willing to share votes so many of these members are non-voting. However, DCHC needs to have members that are accountable to the electorate.

There is a joint TAC meeting with CAMPO biannually. Voting structure is distributed with one vote per member and is population-based. Weighted voting has only mentioned once but has never been used and is available. Transit members are allowed to make and second motions but cannot vote.

### *3C Process*

The relationship and collaborative partnership between DCHC MPO and NCDOT has improved extensively since the previous Certification Review. DCHC has since taken part in a working group with FHWA and NCDOT Design and integrating their vision into current projects. For projects like NC 54, information is sent to non-traditional agencies. For the LRTP they were contacted and aware of TCC/TAC actions.

DCHC formalized an agreement with Transit Operators in July 2009. They have held meetings with Army Corp. of Engineers for fixed guideways and had significant involvement from the Universities and hospitals (including the Veteran's Administration hospital in Durham).

DCHC actively participates in 2040 focus groups involving realtors and developers, utilities, Duke Power, and principal planners using the ground up approach. Sierra Club is involved in these forecasts. DATA, CHT, and TTA are all on the steering committee. Piedmont IA is much more involved in scoping meetings.

DCHC has an intern currently working on integrating freight stakeholders. This is done in correlation with CAMPO. DCHC is also working with Norfolk Rail and the NCDOT Rail Division to discuss grade crossings and community engagement. Another good contact to bring in would be the Federal Rail Administration Design group to get buy in (John Winkle or David Ballenstine in DC). Obama's plan for Roads, Rails, and Runways will also provide more opportunity for rail grants.

FHWA, NCDOT, DCHC, and CAMPO partnered to complete a joint Long Range Transportation Plan (LRTP). They won an award from the Association for Metropolitan Planning Organizations (AMPO) for this joint plan.

Other groups that DCHC is involved with include: I-40 commission, NC 54, and bus on shoulder. I-40 is spearheaded by the Regional Transit Alliance (private sector), as well as bus on shoulders, and intersection improvements. I-40 looks not just at improvements on the interstate but parallel road improvements. RTA is a proponent of the East End Connector and has helped review NCDOT's SPOT prioritization process and urban loop methodology. Another group is Tri-MAP, which includes all of the transportation partners (held at RDU), who also attend the Chamber of Commerce meetings. DCHC also is active in the Northeast Central Durham and Regional Sustainability plans.

*Recommendations:* NCDOT is strongly recommended to have fuller participation in the Certification process.

DCHC is strongly encouraged to incorporate RDU and other inactive TCC members.

DCHC is encouraged to consider getting on the same TMA Certification Review schedule as CAMPO.

*Commendations:* Commendation for the growing relationship and efforts on both DCHC and NCDOT as well as Division Engineers.

## **UPWP**

### *Observations:*

Local agencies are given availability to prioritize on their own. The issues are brought on as an extension of the LRTP and what individual members bring forward to the MPO. Most members are flexible and cooperative of all of the processes.

The only non-federal funds are SPR and categorized as "Other," however the estimates weren't close enough so NCDOT wants this funding category taken out of the UPWP.

Amendments are processed as needed but don't have a clear narrative on what they/NCDOT want it to say. The availability of the funds doesn't seem to be on a timely basis. Funds are deobligated through Amendments and don't see the funding for the next 2 or 3 cycles, and then it's unclear what funding is available. There are usually no more than 2 amendments per year.

With receiving the Rescinded funds back, there is a lot of strain put on the MPOs. They have to make the 20% match in a short turn around period, so they have a special call for projects. Since they don't know what the match is beyond the first year, the local



match money might not be forthcoming for the life of the project based on their annual budgets.

*Commendations:* Commendation for outstanding UPWP.

## **TIP/STIP**

### *Observations:*

The process includes asking the locals for priorities. Those lists are screened for projects to ensure they're in the LRTP and of scale. DCHC then applies the detailed ranking methodology which is different per mode. Bonus points are granted for multimodal, and also look at environmental, EJ, and community impacts. The prioritization process is currently being updated and will incorporate SPOT (Strategic Planning Office of Transportation) and Urban Loop processes. In addition, DCHC MPO incorporates Environmental impacts, Environmental Justice, and other impacts above and beyond NCDOT's process. There are also additional points for transit replacement buses (state of good repair) and Sustainability projects.

The process and projects go through the TCC/TAC process, including a public comment period. Priorities are sometimes adjusted based on politics and geographic equity. If a High Priority Project (HPP) is not funded, it will be added to the out years.

The SPOT and Urban Loop prioritization processes have made progress in developing priorities but it doesn't look at the funding. Funding is not as transparent as it should be. DCHC sends a list to the NCDOT and NCDOT sends a list of projects the State has selected. There isn't flexibility to spend funds across modes and types of projects. It has been a long time without changes being made to the process.

There seem to be a lot of silos within both federal funding and also in priority tiers by NCDOT. It would be helpful for NCDOT to clarify their priorities and how they're determined.

*Recommendations:* Explore the potential for an electronic Statewide Transportation Improvement Program (STIP).

## **L RTP/Financial Planning**

### *Observations:*

Many of the questions will have to be addressed after the desk review since there was little NCDOT representation in attendance. There is a joint effort from CAMPO and DCHC, and also partnered by NCDOT for fiscal constraint integration with NCDOT forecasts (taken where we start and edging on the conservative formula). Transit financial plans are more robust.

There is a placeholder for Transportation System Management (TSM) projects. Some of the challenges derive from the cap on gas tax, mileage fees, and guidance for reasonable assumptions for the L RTP.

Federal Highway Administration (FHWA) needs to supply firm, upfront guidance on financial assumptions. FTA requires dealing with risk and uncertainty but there is not the same guidance from FHWA.

Year of Expenditure (YOE) is hard to do because the MPO is basing inflation on 4%. They need to look at the end of construction cost instead of the bid (which Change Order Requests will alter). Last year there was an attempt from NCDOT to move toward giving both the yearly cost and YOE but the MPOs have not received that yet.

Amendments are not trackable in the STIP. It takes monitoring Board of Transportation (BOT) minutes to understand what amendments to the TIP sometimes need to be made. However, it was mentioned that Mike Stanley at NCDOT is very good to work with but there are occasionally times when STIP amendments are made at the Board level and then the TIP and STIP do not line up.

Transit grantees throughout the State are also having a hard time. FTA does not allow using TIP as evidence for documentation. With FTA, the State is the primary customer and not the recipients, and since they (FTA) don't personally approve the TIP, it's not adequate proof of documentation.

*Recommendations:* NCDOT is recommended to provide more transparent and frequent communication on financial matters on subjects such as: YOE and SPR funds taken out of UPWP.

*Commendations:* Commendation for joint L RTP with CAMPO and partners involved in the process.

## **Public Transit (FTA)**

### *Observations:*

Transit operators are represented by elected officials on the Technical Advisory Committee (TAC), but they are not voting members in their own right; this arrangement appears to be functionally satisfactory to all parties.

Transit operators including Durham Area Transportation Authority (DATA), Triangle Transit Authority (TTA), Chapel Hill Transit (CHT) as well as university transit operators representing Duke University, Duke University Hospital, University of North Carolina (UNC) and UNC Hospital work cohesively to successfully promote a regional program of projects.

DCHC works effectively with the adjacent MPO, Capitol Area Metropolitan Planning Organization in neighboring Wake County (Raleigh). In parallel, the several transit operators within the DCHC planning boundaries cooperate with Capitol Area Transit System (CATS) toward regional cohesion.

The MPO consults with focus groups and representatives of Private Public Partnerships (PPP), Special Transit Advisory Commission (STAC), the Regional Transportation Alliance (private sector group), the I-40 Partnership and the North Carolina Turnpike Authority as well as the Partners Against Crime (PAC) environmental justice community representatives to further a community-driven sustainability effort which promotes transit corridor improvements within the context of a robust regional land use plan.

DCHC works effectively with North Carolina Department of Transportation (NCDOT) Public Transit Division and Railroad Division to promote regional transportation solutions through careful integration of interests, responsibilities and areas of expertise. In Transportation Improvement Program (TIP) and Statewide Transportation Improvement Program development, transit projects are selected based upon a discreet array of functional evaluation criteria apart from roadway and railroad projects evaluation criteria. Transit program of projects selection criteria include State of Good Repair (SOG) as the primary criterion, level of projected potential ridership, connectivity to the existing system and environmental stewardship. The Unified Planning Work Program (UPWP) was highlighted as an excellent document.

### *Recommendations:*

Continue to work closely with CAMPO and Triangle Transit Authority (TTA) to collectively promote regional TTA New Start planning for the Wake county Durham-Orange and Durham –Wake County transit corridors.

Work with NCDOT to improve *communication* with respect to Federal Transit Administration (FTA) funds availability. Institute an efficient and mutually viable STIP modification and STIP amendment processes to streamline extraordinarily long period currently required to implement programming changes and to counter the *reactionary posture* currently experienced by the MPO with respect to TIP/STIP development.

NCDOT is strongly recommended to adopt a streamlined process for Administrative Modifications for transit.

*Commendations:*

Commendation for Transit operators and MPO Memorandum of Agreement.

Commendation for STAC, CHT, CAT, DATA, and TTA coordination.

## **Congestion Management Plan (CMP) & Management Systems**

*Observations:*

The CMP for DCHC MPO is underway and is expected to be adopted by the TAC by August 2011. It covers all modes of travel for the entire MAB based on a TRM (Transmission Reliability Margin) network. They plan to collect data on a 3-tiered system: 1 will be annually, 2 will be every 2 years, 3 will be every 4 years and covering all areas.

The TCC/TAC identified travel time index, corridor preservation, congestion, singular control delay, non-motorized activity, crash data, and transit data as the types of data to be collected. DCHC is trying to collect travel time data manually by driving the probe vehicle and using blue tooth signalization. County count information and bike counts were also collected.

Project prioritization is determined by identifying system component measures, collecting and analyzing data, then selected by components and quantified. Future conditions are estimated and identify what is highest and will continuously monitor what processes to implement in the future.

DCHC has made great strides in developing their CMP. Although this has been an ongoing process, DCHC has coordinated a group with members from the MPO,

NCDOT, FHWA, ITRE, and TCC members to thoroughly explore and implement a CMP that will fully examine data collection and implementation to reduce congestion and address AQ benefits. The Congestion Management Plan (CMP) and Air Quality Conformity Plan will directly select projects and this also goes into the regional model for project selection of LRTP projects. The CMP makes recommendations for project selection by using V/C ratio. This is not currently in the methodology but DCHC is further exploring this.

Project measures are evaluated by new signal timing data of signal clusters for coordination. After a project is implemented it can then be compared to determine the benefits.

Complete Streets is also being looked at so as to provide additional guidance in collaboration between the MPO and the State. NCDOT has made great strides in developing a Complete Streets guidance but there is a big disconnect between Complete Streets and available financing, as well as the vision for what the different areas define Complete Streets to be. Federal funds would not be used by NCDOT to fund these projects regardless of eligibility. The 80:20 match (usually only used for federally funded projects) is used by NCDOT because there is a large request for sidewalks (which would be maintained by the State) and funding is short.

## **Environmental**

### *Observations:*

At this stage environment at the Planning level is addressed mainly through land use plans. Purpose and Need trainings are well-attended by DCHC and they expect to take a more hands-on approach to development of P/N statements as this is transitioned to the Planning experts. However land use is addressed thoroughly at DCHC. There are many scenarios chosen (sometimes 16 are looked at) that focus on highway intensive, transit intensive, high and low development, etc.

Right now simplistic environmental (watersheds, stream crossings, habitat areas) are screened but in the future DCHC will look at how mitigation affects what land use scenarios stay and go. No population and employment areas are put in land use scenarios where known environmental impacts exist. DCHC should look at Green House Gas (GHG) emissions in financial forecasts.

NCDOT is not currently looking at NEPA-ready projects. NCDOT has done more in the last few years to address NEPA than ever before. The State is trying to deal with these issues through Integration, by looking at community impacts, indirect and cumulative effects, and alternatives analysis.

## Land Use and Economic Development

### *Observations:*

A combination of land use and transportation using 17 distinct scenarios (business as usual, constrained at the core of urban areas, intensive highway, intensive transit, etc.) is used for developing land use plans in long-range planning.

A transit-intensive scenario reduced headways to 15 minutes at the peak and included fixed guideway (initially went to 5 minute headways and realized the benefit wasn't feasible). NCDOT doesn't show emphasis on reducing VMT and DCHC is focusing on multimodal. Although NCDOT is now focusing on all modes of travel, DCHC MPO is ahead of the game in their approach.

Challenges exist when determining where the next big employment center, ie RTP (Research Triangle Park) may be. Developers are hesitant to share information on where they may have a vested interest in developing.

To address this, two focus groups of developers in Wake and Durham Counties has been developed to include firms that look at parcel data and information from the Chamber of Commerce. A survey was conducted to look for attractive elements for development.

*Commendations:* Commendation for outstanding efforts to bring business transportation agencies together.

## Public Involvement

### *Observations:*

There is a previous corrective action to update the Public Involvement Plan (PIP). This was not addressed and the most recent update was adopted in 2006. This corrective action continues and is now on a 9-month timeline for completion. This PIP will need to be updated at least every four years.

DCHC MPO is increasing the media and ways to address the public. They use Facebook, library postings, and a 1,000 plus person mailing list to notify upcoming meetings, in addition to three newspapers (one is a minority-focused paper) and the DCHC website. The Planning Dept. has neighborhood lists and DCHC piggy backs off

of other planning or trail committees to add to their mailing list. Emails and regular mail are sent but DCHC is looking for a methodology to improve upon this system.

DCHC MPO is interested in initializing social media and doing an overhaul on their website to include a Spanish-speaking page. Although they advertized on El Centro (a Spanish-speaking newspaper) for their LRTP, there isn't any documentation outlining how they address traditionally underserved populations. Therefore we have included as part of the corrective action for the PIP to include a robust Environmental Justice section.

Public comment has helped to shape the Public Involvement process. There is a feedback loop process that puts comments into themes. A summary of public comments is included in the appendix of the LRTP however feedback is only provided by public request. Variable Message Systems (VMS) is used to inform participants of meetings, but the project website is the most effective tool so far.

*Compliance Issues:* Yes, one corrective action.

*Corrective Actions:* DCHC continues its corrective action to update the PIP and include a robust EJ section. This plan must be complete within 9 months of the TMA Certification Report date. A work plan must be complete and submitted to FHWA within 30 days of the TMA Certification Report date.

- a. DCHC is strongly recommended to expand information to include non-English speaking populations and conduct four-factor analysis for LEP as part of the EJ section in the PIP.

## **Title VI/Environmental Justice**

### *Observations:*

Minority and low-income (MLI) populations are identified by using bloc group data from the Census and looking at LRTP maps. Once DCHC has looked at all the projects, they are then compared on an overlay based on the county average (Durham County is 52% minority and Orange is 24%), so this is based on a county level.

FTA will be giving 128-day notice for Title VI compliance, so it is critical to address any outstanding issues in compliance sooner rather than later. The City of Durham has a robust Disadvantaged Business Enterprise (DBE) program and the City has offered training to Minority businesses but only as involved in the NEPA process. Triangle

Transit Authority has bus schedules in Spanish and with the website update, this will be helpful to non-English speaking populations.

EJ is used in the LRTP development by use of travel time, access to jobs, and in comparison to the total population. Average time for MLI should not be over 1.2 times higher. However, the four-factor analysis has not been incorporated and should be looked at.

*Recommendations:* See Public Involvement Section.

## **Freight**

### *Observations:*

DCHC MPO is looking at the future of freight movement. Their long range goal is focus a major portion of the Statewide model to freight. There haven't been a lot of origin and destination points identified within the DCHC area, but there is a lot of through traffic. However, DCHC should work to identify loop traffic with shippers and carriers as well.

DCHC funded a collection of a commercial vehicle survey, using a very robust sample size. This survey will better identify truck breakdowns, since the current model does not give current types of trucks. The 2040 Plan will develop a better GIS and traffic analysis program to create a geographic picture of where trucks are moving. DCHC is also trying to capture freight-related crashes and develop a new weight in prioritization methodology. They are stratifying employment data on what is freight heavy and looking at commercial vehicle data to validate Triangle model by using WIM data stations (5 in the State).

DCHC MPO needs to do better outreach to the freight community for development in the 2040 LRTP. They are trying to develop a relationship with the freight industry by developing a freight committee or adding a member of the freight community to the TCC.

## **ITS/ Safety**

### *Observations:*

### *ITS*

There is a regional team to determine the vision for ITS in the Triangle region with members including: FHWA, CAMPO, DCHC, ITRE, NCDOT, and TJCOG. Basing on



system components, they are incorporating these into the LRTP and TIP. This hasn't been incorporated yet but they are currently going by cost estimates and trying to come up with a way to link to the LRTP and be more accurate.

TDM is the number one priority. There are currently no transportation control measures. The TDM group is very active which is a regional strategy based on a 7-year plan lead by TTA. There is an annual call for TDM projects composed of: regional service funds, local service provider funds (hot spots where TDM is most effective), and demonstration or pilot projects (individualized marketing program). There is an evaluation and monitoring program and TDM is regularly funded from LRTP and includes Operations and Maintenance.

The Triangle received the Best Places for Commuters award several years ago and is in maintenance of that program, working with the regional alliance business group to get more companies to sign up. This program has a required a level of alternative commuter requirements and a level of commitment. The Triangle has not utilized TDM credits for AQ but by gathering this data they could if the needed to.

### *Safety*

There is a Systems Engineering Policy in place. Highway is mostly overseen through NCDOT. But the challenge is updating the ITS (Intelligent Traffic Systems ) Architecture. There is a tiered approach to updating or prioritizing a \$50 million investment in the ITS section in the 2035 LRTP.

Safety is provided in the LRTP and Safety is one of the factors in the methodology and NCDOT 3 tier approach to crash severity. The database will show what projects are more affected by safety measures. The Congestion Management Plan (CMP), once adopted, will start collecting more safety information starting this Fall.

Sidewalk and pedestrian safety is being considered as well. A NHTSA (National Highway Traffic Safety Engineering) grant was awarded to the City of Durham to look at pedestrian safety because Durham has high level of pedestrian accidents involving children. This is a 4-year program.

The Safety Committee that used to meet annually now meets monthly. They primarily discuss and review transit safety, as well as review and monitor and report to FTA. The overall Safety Plan will be completed in 2012.

An equipment Rodeo is held annually. This is a well-attended event, including venders, High School students, and Vocational Technical Institute students from all over the State. Rodeo competition and award winners will go to State level.

*Recommendations:* DCHC is recommended to adopt a Safety Plan within one year of the Certification Review.

*Commendations:* Commendation for ITS Architecture as prototypical in the State.

Commendation for DCHC's leadership role for the regional TDM effort.

## **Bicycle-Pedestrian**

### *Observations:*

Bicycle and Pedestrian (B/P) planning is incorporated into the LRTP process using a bottom-up approach. This is due to the municipalities all having their own B/P plans. B/P is a stand-alone element in the LRTP and there is a separate TIP methodology just for B/P project selection. Highway projects that incorporate B/P into their design receive bonus points.

Bicycle Pedestrian Advisory Committees (BPAC) are very active in the DCHC and Triangle area. There are committees representing Chatham County, Orange County, Carrboro, Durham, and Chapel Hill. All committees report to elected officials who appointed them but also review and comment on LRTP and TIP projects. The MPO level has a staff committee for bicycle and pedestrian at the TCC. Local committees are more citizen-based.

The LRTP target for public comment is to evaluate the process every 5 years. With the CMP, there will be B/P counts at specific locations included in the process. A lot of focus is on pedestrian access to transit. All buses have bike racks (2 per bus) but express riders don't have enough racks. Chapel Hill Transit (CHT) calls ahead to alert riders to keep their bikes locked if racks are full. TTA is looking for ways to deal with the shortage of racks by looking at bike lockers.

### Certification Review Attendees

An advisory group and working group approach was used to conduct this review. The following individuals served as the advisory group and core team to conduct this review.

<b><u>Full name</u></b>	<b><u>Affiliation</u></b>	<b><u>Title</u></b>
Jill Stark	FHWA	Transportation Planner
Bill Marley	FHWA	Transportation Planner
Unwanna Dabney	FHWA	Planning & Program Manager
Joe Geigle	FHWA	Congestion Mgmt & ITS Specialist
Eddie Dancausse	FHWA	Air Quality Specialist
Myra Immings	FTA	Program Development Branch Manager
Amanetta Somerville	EPA	Region IV Coordinator
Mark Ahrendsen	DCHC	TCC Chair
Felix Nwoko	DCHC	Transportation Planning Manager
Andy Henry	DCHC	Transportation Planner
Ellen Beckman	DCHC	Transportation Planner
Dale McKeel	DCHC	Bicycle and Pedestrian Coordinator
Kosok Chae	DCHC	Congestion Management Engineer
Maricia Brown	DCHC	Grant Administration and Fiscal Management Planner
Leta Huntsinger	DCHC	Technical Services Team Leader
Julie Bollinger	NCDOT	NCDOT - DCHC MPO Coordinator
John Hodges-Copple	Triangle J COG	Regional Planning Director
Angela Brown	DATA	Fiscal Program Accountant

Pierre Osei-Owusu	DATA	Transit Planner
Patrick McDonough	TTA	Senior Transportation Planner
Cha'ssem Anderson	TTA	Transit Service Planner
Greg Northcutt	TTA	Director of Capital Development
Jonathon Parker	TTA	Transportation Planner
David Bonk	Chapel Hill	Long Range & Transportation Planning Manager
Brian Litchfield	Chapel Hill	Assistant Transit Director

## Appendix A List of Acronyms

3C Process	Coordination, Collaboration, and Cooperation
AMPO	Association of Metropolitan Planning Organizations
AQ	Air Quality
B/P	Bicycle Pedestrian
BOT	Board of Transportation
CAC	Citizen Advisory Committee
CAMPO	Capital Area Metropolitan Planning Organization
CATS	Capital Area Transit Systems
CFR	Code of Federal Regulations
CHT	Chapel Hill Transit
CMP	Congestion Management Plan
DATA	Durham Area Transit Authority
DBE	Disadvantaged Business Enterprise
DCHC	Durham-Chapel Hill-Carrboro
EJ	Environmental Justice
EPA	Environmental Protection Agency
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
FY	Fiscal Year
GHG	Green House Gas
GIS	Geographic Information Systems
HPP	High Priority Project
IC	Interagency Consultation
ISTEA	Intermodal Surface Transportation Efficiency Act
ITRE	Institute for Transportation Research and Education
ITS	Intelligent Transportation Systems
LEP	Limited English Proficiency
LPA	Lead Planning Agency
LPAs	Latest Planning Assumptions
L RTP	Long Range Transportation Program
MAB	Metropolitan Area Boundary
MLI	Minority and Low Income
MPO	Metropolitan Planning Organization
NCAMPO	North Carolina Association of Metropolitan Planning Orgs.
NCDAQ	North Carolina Department of Air Quality
NCDENR	North Carolina Department of Environment and Natural Res.
NCDOT	North Carolina Department of Transportation
NCTA	North Carolina Turnpike Association
NEPA	National Environmental Policy Act
NHTSA	National Highway Transportation Safety Administration

P/N	Purpose and Need
PAC	Partners Against Crime
Piedmont IA	Piedmont International Airport
PIP	Public Involvement Plan
PL	Planning funds
PPP	Public Private Partnerships
RDU	Raleigh-Durham Airport
RTA	Regional Transportation Alliance
RTP	Research Triangle Park
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users
SOGR	State of Good Repair
SPOT	Strategic Planning Office of Transportation
SPR	Statewide Planning and Research funds
STAC	Special Transit Advisory Commission
STIP	State Transportation Improvement Program
STP-DA	Surface Transportation Program- Direct Attributable funds
TAC	Transportation Advisory Committee
TCC	Transportation Coordinating Committee
TIP	Transportation Improvement Program
TJCOG	Triangle J Council of Governments
TDM	Transit Demand Management
TMA	Transportation Management Area
Tri-MAP	Triangle Mobility Action Partnership
TRM	Triangle Regional Model
TSM	Transportation System Management
TTA	Triangle Transit Authority
UNC	University of North Carolina
UPWP	Unified Planning Work Program
USC	United States Code
USDOT	United States Department of Transportation
V/C	Volume over Capacity ratio
VMS	Variable Message Sign
VMT	Vehicle Miles of Travel
YOE	Year of Expenditure

**Appendix B**  
**Advertising Listing**

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**DCHC MPO**  
**Major Work**  
**Activities**

**Contents:**

Relationship Between Major Planning Activities

Metropolitan Transportation Plan

Triangle Regional Model Protocol

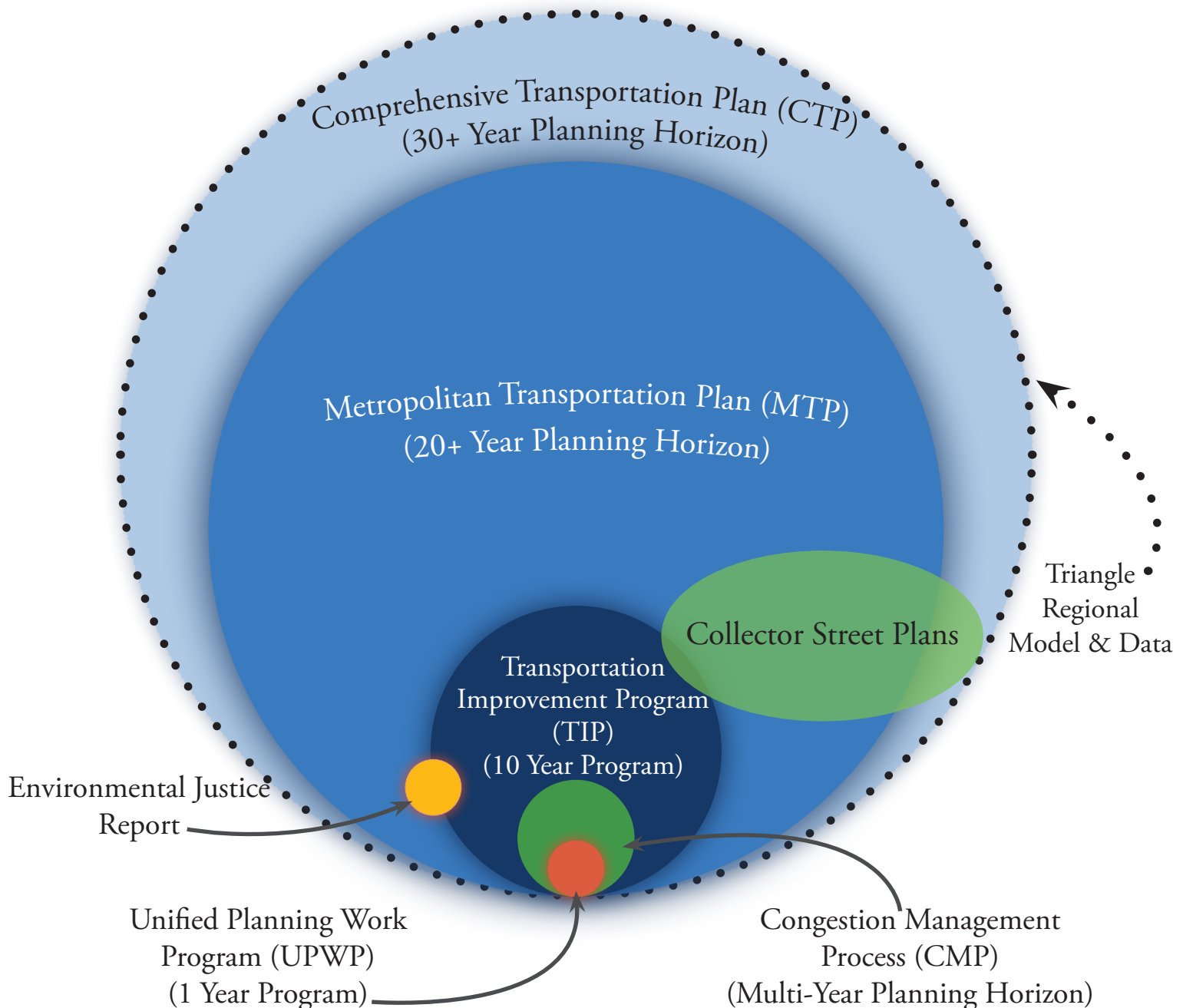
Transportation Improvement Program

Unified Planning Work Program

Environmental Justice Report

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# RELATIONSHIP BETWEEN MAJOR PLANNING ACTIVITIES



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## METROPOLITAN TRANSPORTATION PLAN (MTP)

### Multi-Modal Planning Begins

The 1990 Census expanded the urbanized area boundary to include the Town of Hillsborough and northeastern Chatham County and each was added to the Memorandum of Understanding (MOU) in 1994. The DCHC MPO also adopted its first comprehensive Long Range Transportation Plan (LRTP) in 1994. With a 2020 horizon year, the 1994 LRTP expanded beyond highways to include all forms of transportation.

The 2025 Long Range Transportation Plan was adopted in 2000 by the MPO. In 2004, the DCHC MPO approached Orange County, Roxboro, Person County, Butner, Granville County, Pittsboro, and Chatham County in regard to MPO expansion. At the time, the DCHC MPO decided not to expand because the 2030 Long Range Transportation Plan (LRTP) for the MPO was well under way and expansion would delay the plan. The TAC directed the MPO staff to reexamine MPO expansion at a later date. The 2030 Long Range Transportation Plan was adopted in 2005.

### Current Planning

The 2035 Long Range Transportation Plan was adopted by the MPO in 2009. This was a joint plan with the Capital Area MPO – the first comprehensive transportation plan for the entire Triangle area. This plan was nationally recognized by the National Association of MPOs as a model of regional coordination. The two MPOs coordinated on the development of socio-economic data, transportation modeling, alternatives analysis, and the selection of the preferred network of projects.

After adoption, the MPO approached Chatham County and Orange County regarding MPO expansion in 2009. Orange County and the MPO mutually agreed to expand the planning boundary to include more of western Orange County. This new boundary was approved in 2010. No boundary expansion was approved for Chatham County. The boundary in Orange County was slightly modified in 2012.

An important element of the 2035 Long Range Transportation Plan was the regional transit system proposed for the Triangle area. In 2009, the NC General Assembly approved the creation of the Congestion Relief Intermodal Transport Fund and granted counties the authority to levy a half-cent sales tax to support public transportation subject to approval in a referendum. In November 2011, Durham County had a successful referendum to authorize this sales tax to support the transit elements of the 2035 plan. In November 2012, Orange County also had a successful referendum to authorize this sales tax. Planning is underway on the Durham-Orange transit corridor.

### 2040 Metropolitan Transportation Plan

On May 8, 2013, the DCHC MPO adopted the 2040 Metropolitan Transportation Plan (2040 MTP) and approved the related Air Quality Analysis and Conformity Determination report (AQ Conformity). The 2040 MTP identifies the highway, transit, and other transportation facilities to be implemented in the MPO over the next thirty years. The AQ Conformity report demonstrates that the air pollutant emissions from the transportation sector represented in the 2040 MTP will not exceed established limits.

- The DCHC MPO's adopted 2040 MTP is available on the DCHC MPO's website using this link: <http://www.dchcmpo.org/programs/transport/2040.asp>

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# Triangle Regional Model Protocol

## I. Purpose

The purpose of this protocol is to provide documentation on the continuing development, modification and maintenance of the official Triangle Regional Model (TRM). Specifically, this protocol defines signatories of the protocol, maintenance of the model, modification of the model, distribution of the model, use of the model, amendments to this protocol, and if necessary how to dissolve participation with the TRM. In addition, the purpose of the protocol is to assure consistency of the model set, integrity of the data sets, and the mutual support and buy-in of all member agencies.

## II. Official Structure

### *Signatories*

The signatories to this protocol shall be the Transportation Advisory Committee (TAC) chair for the Capital Area Metropolitan Planning Organization (CAMPO), the TAC chair for the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO), the chair of the Triangle Transit Authority Board of Trustees (TTA), and the Secretary of the North Carolina Department of Transportation (NCDOT). Each of these signatories may at any time designate an official signee by notice of letter to each of the other signatories.

### *Model Executive Committee*

The Model Executive Committee shall be composed of one person from each of the signatory members as appointed by each individual signatory. This person will speak for the signatory agency on matters of personnel, budget and resources. This person will also have a designated alternate that may participate on the Committee. This committee shall oversee the development of a common work program and priorities for all aspects of the Triangle Regional Model. In addition, this group is responsible for resolving conflict and disputes related to aspects of the TRM, including but not limited to items associated with the work program, priorities, model team issues and technical differences that arise in the model. This group shall meet quarterly or on an as needed basis.

### *Model Team*

The Model Team shall be made up of technical staff in a form recommended and approved by the Model Executive Committee. The Model Executive Committee shall also approve a specified level of commitment for each fiscal year. This Model Team is responsible for developing, modifying, enhancing and maintaining the Triangle Regional Model in accordance with this protocol and with the mutual agreement of the signatory agencies.

### *Model Users Group*

The Model Users Group shall be made up of end users of the Triangle Regional Model and shall serve as a forum for issues, problems, concerns and ideas related to the connection between using and developing the TRM. The Model Team shall serve as facilitators for this

group. This group shall include but not be limited to MPO and NCDOT member agencies, as well as other end-users. This group shall meet as needed, but not less than quarterly.

### **III. Triangle Regional Model**

#### *Model Definition*

The official Triangle Regional Model is comprised of a group of files run on a specified computer platform. The most current version of this model is specified by a version number, name and model date. These files define a base year model, a future long-range planning model whose horizon year shall be maintained at no less than twenty years into the future, and one or more intermediate year models, as recommended by the Model Team. Model documentation shall be kept current and made available along with the model's files. All files and documentation that comprise the official model will be maintained in the Triangle Regional Model Technical Manual.

#### *Using the Model*

Organizations wishing to use the Triangle Regional Model shall apply procedures outlined in the Triangle Regional Model Technical Manual. Any model changes, assumptions or alternative analysis must be documented to show deviations from the official model. It is appropriate for any agency or group that will use the Triangle Regional Model to support major transportation decisions to use the most currently adopted version of the official Triangle Regional Model.

#### *Modification of the Model*

The Model Team under the supervision of the Model Executive Committee will be responsible for modification of the Triangle Regional Model. Modification of the model includes but is not limited to modifying model structure, updating data files, improving model inputs, correcting errors in the model and adding enhancements to the model structure.

The Model Executive Committee shall collectively develop and maintain a mutually approved list of types of modifications to the official model that can be made by the approval of; (1) the Model Team itself ("minor" changes such as correcting network coding errors or modifying zonal centroid connectors); (2) the Model Executive Committee ("significant" changes such as modifying capacity restrained assignment types or mode choice model parameters); and (3) the signatory agencies ("major" changes such as revisions to population or employment forecasts).

It shall be the goal of the signatories of this protocol to maximize the decision-making authority of both the Model Team and the Model Executive Committee so that only model modifications deemed to be most important to regional travel demand modeling require the direct review and approval of the signatory agencies. Regardless of the type of approval needed, all modifications made to the official model shall be fully documented to the extent sufficient that all changes can be completely replicated or reversed.



### *Work Program*

In order to plan, budget, and administer model updates, a two-year work program outlining tasks and priorities shall be developed by the Model Team and approved by the Model Executive Committee, at least once a year. This work program shall identify, at a minimum, the agencies responsible for carrying out each task, the estimated time frame and milestones for completing each task, the resources required to complete each task, and note of any future tasks that are dependent upon its completion. Carrying out the tasks of this work program will be the responsibility of the Model Team and, where clearly specified, the signatory agencies.

Work tasks that are proposed by the signatory agencies, Model Team, or Users Group may require an amendment to the approved work program. Unless the sponsor is the Model Team, proposed amendments are to be submitted to the Model Team and subsequently included in the agenda of the next quarterly meeting of the Model Executive Committee. Descriptions of the proposed amendments are to be prepared by the sponsoring agency in a form to be approved by the Model Team and the Model Executive Committee. The Model Executive Committee will approve or deny proposed amendments to the work program, approve modified versions of the proposed amendments or table proposals for further discussion pending receipt of additional information.

### *Adopting and Distributing the Model*

The official Triangle Regional Model shall be adopted by the signatories to this agreement as needed for new versions of the model but not more than every six months. The signatories through their individual approval processes officially adopt the model by letter to the Triangle Model Team. The Model Executive Committee with unanimous approval may approve "significant" model corrections such as modifying capacity restrained assignment types or mode choice model parameters without need of official approval process of the signatories. The Model Team itself can approve "minor" changes such as correcting network coding errors or modifying zonal centroid connectors.

The Model Executive Committee shall appoint a model custodian. The model custodian will be responsible for maintaining the physical computer files related to the Triangle Regional Model. This work will include but not be limited to maintaining a log of changes and current documentation of model work, complete backup of model files, and managing access to the model via FTP site or other medium. The model custodian is further responsible for distribution of model files and documentation to signatories through FTP access or other medium as needed. It is the signatory's responsibility to supply their contractors or consultants with needed model files.

## **IV. Amending the Agreement**

This document may be revised by mutual agreement of all signatories. Any signatory may resign from the agreement with a written, three-month notice to all other signatories.

During the lifetime of the agreement it may be desirable to add or revise signatories. The approval of all current signatories shall be required to agree to such a change. The Model

Executive Committee will then be responsible for revising this document and distributing copies to all signatories.

This agreement shall be automatically renewed on December 31, 2004, and every three years thereafter unless notification is made within 90 days prior to this date of need for review.

### Signatories

Signed this \_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_ by \_\_\_\_\_

*Representing Capital Area Metropolitan Planning Organization (CAMPO)*

Signed this \_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_ by \_\_\_\_\_

*Representing Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC)*

Signed this \_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_ by \_\_\_\_\_

*Representing North Carolina Department of Transportation (NCDOT)*

Signed this \_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_ by \_\_\_\_\_

*Representing Triangle Transit Authority (TTA)*



## TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

The Transportation Improvement Program (TIP) is a 10-year funding document for bicycle, pedestrian, highway, rail, and public transportation projects. The TIP is divided into two five-year programs. The first of the TIP is referred to as the TIP and the second five years is referred to as the Development Program. Every two years, projects in the TIP are reprioritized. Any projects that have the right-of-way acquisition phase programmed within the first five years of the TIP are not subject to reprioritization. The list of reprioritized projects is submitted to NCDOT and the NCDOT produces the State Transportation Improvement Program (STIP). In developing the TIP, the MPO and NCDOT follow the priorities set forth by the Strategic Transportation Investment Law as well as the Regional Priorities List that the MPO adopts every two years in accordance with the MPO's Public Involvement Policy.

Transportation Improvement Program funds are initially divided among the 14 Highway Divisions in North Carolina. The DCHC-MPO is a part of both Division 5 and 7 with a small portion in Division 8 (Chatham County). Beyond highway funds, DCHC-MPO receives TIP funding for the three transit systems that operate in the urban area: Durham Area Transit Authority (DATA), Chapel Hill Transit, and the Triangle Transit Authority (TTA). These transit agencies receive capital and operating assistance through the TIP to expand and maintain their current fleet of buses, operating assistance for public transportation services, and planning assistance to critique and refine services.

### Links to the State TIP and the MPO's TIP

- The NCDOT maintains a website with information about the STIP. The website address for the STIP is: <http://www.ncdot.gov/strategictransportationinvestments/>
- The NCDOT's STIP website also has information about the STI law and project prioritization/scoring process: <https://connect.ncdot.gov/projects/planning/Pages/ResourcesMPO-RPO.aspx>
- The DCHC MPO's adopted FY2012-2018 TIP is available on the DCHC MPO's website using this link: <http://www.dchcmpo.org/programs/improvement/2018tip/default.asp>
- When the DCHC MPO adopts the FY2016-2025 TIP, it will be available on the MPO website using this link: <http://www.dchcmpo.org/programs/improvement/default.asp>

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# **Strategic Transportation Investments**

March 3, 2014

# Strategic Transportation Investment (STI)

New funding formula for NCDOT's Capital Expenditures

House Bill 817 signed into Law June 26, 2013

Overwhelming support in both House (105-7) and Senate (44-2)

Most significant NC transportation legislation since 1989 Highway Trust Fund

Prioritization 3.0 Workgroup charged with providing recommendations to NCDOT on weights and criteria

Criteria presented to the Joint Legislative Transportation Oversight Committee (JLTOC) on September 10<sup>th</sup> and October 4<sup>th</sup> 2013

BOT final approval on November 7 and Final Report to JLTOC on December 31, 2013

# Prioritization 3.0 Work Group

Work Group members provide input & act as liaisons to respective organizations

## Representation:

- Local Partners - MPOs, RPOs
- Advocacy Groups – Metro Mayors Coalition, Assoc. of County Commissioners, NC League of Municipalities, NC Regional Councils of Gov't
- Internal NCDOT Staff – Transportation Planning Branch, Program Development, 5 Non-Hwy Modes, Ports Authority, 3 Division Engineers.
- FHWA (advisory)
- Legislative Research staff (advisory)

# How STI Works

40% of Funds = \$6B

30% of Funds = \$4.5B

30% of Funds = \$4.5B

Estimated \$15B in Funds for SFY 2016-2025

## Statewide Mobility

**Focus → Address Significant Congestion and Bottlenecks**

### Eligible Projects

- Statewide type Projects (such as Interstates)
- Selection based on 100% Data
- Projects Programmed prior to Local Input Ranking

## Regional Impact

**Focus → Improve Connectivity within Regions**

### Eligible Projects

- Projects Not Selected in Statewide Mobility Category
- Regional Projects
- Selection based on 70% Data & 30% Local Input
- Funding based on population within Region

## Division Needs

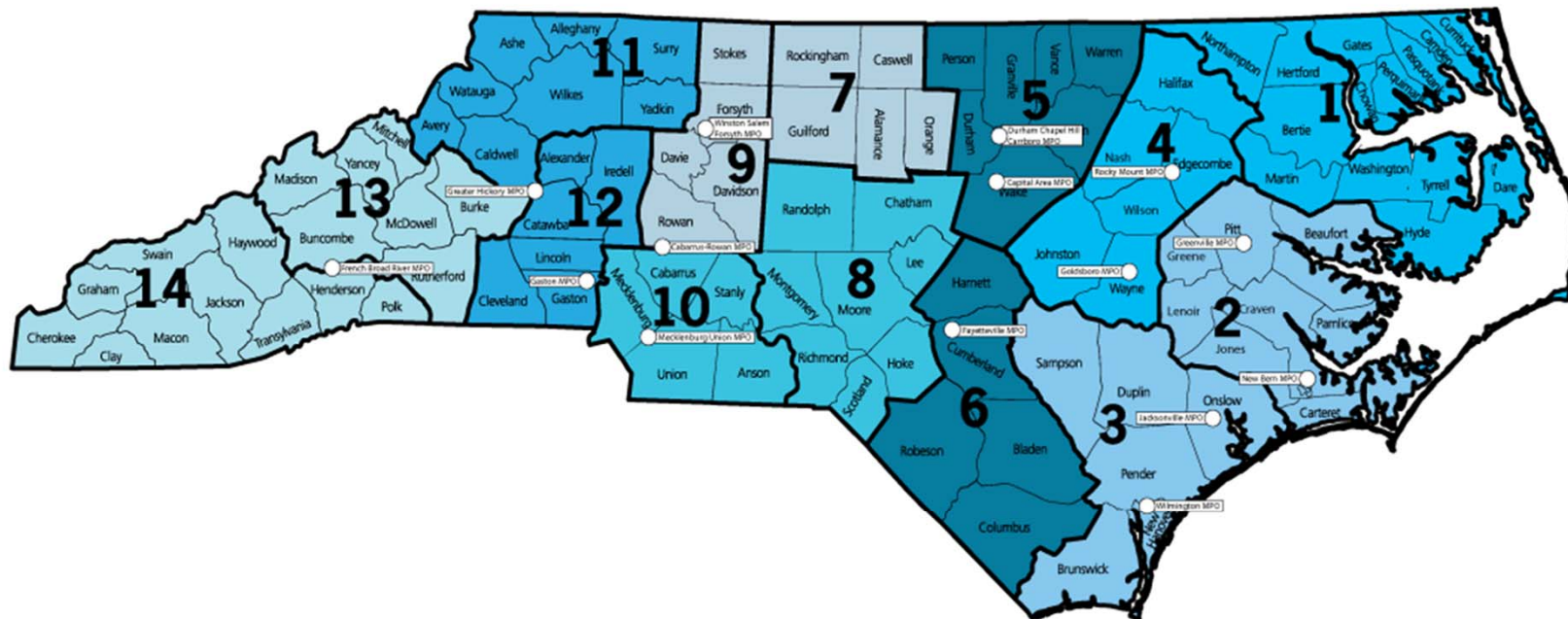
**Focus → Address Local Needs**

### Eligible Projects

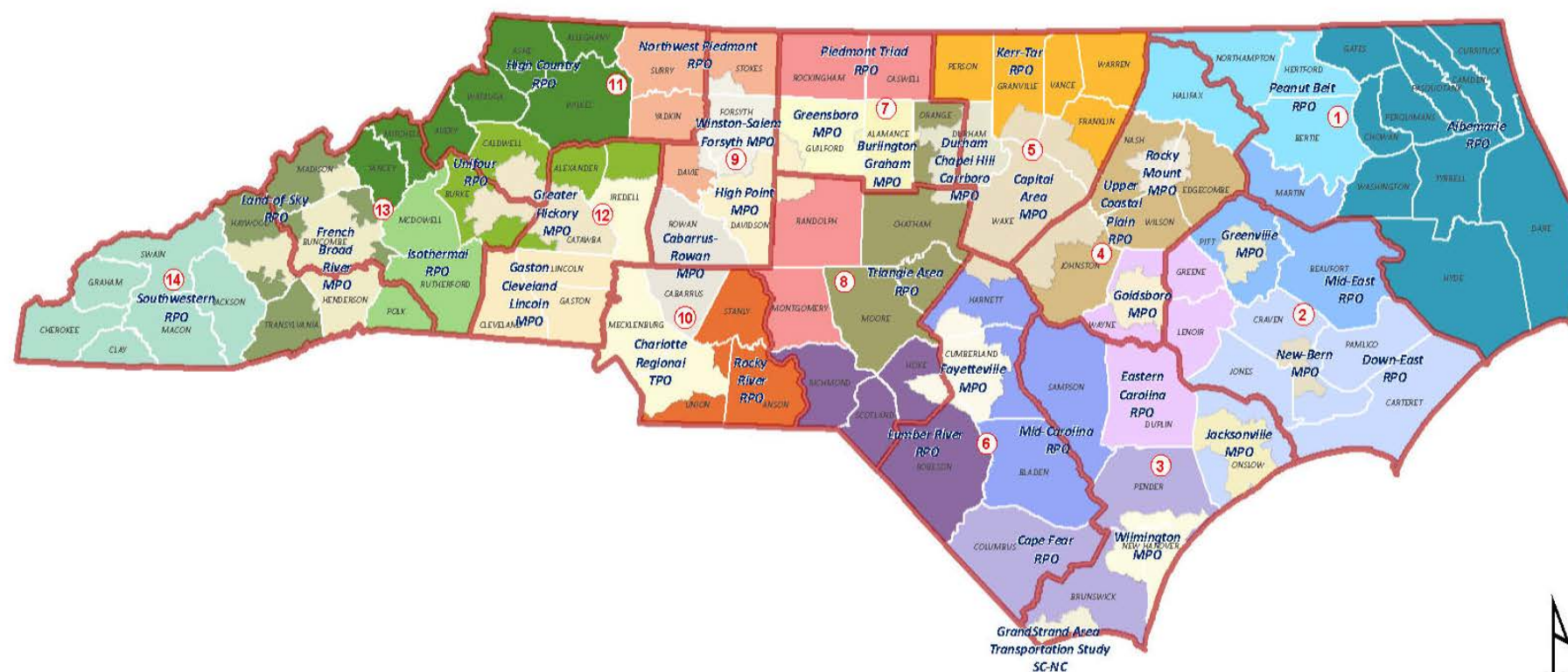
- Projects Not Selected in Statewide or Regional Categories
- Division Projects
- Selection based on 50% Data & 50% Local Input
- Funding based on equal share for each Division = ~\$32M per yr. 4



## Regions and Divisions



## North Carolina Metropolitan and Rural Planning Organizations with NCDOT Division Boundaries



# NCDOT Divisions

Miles  
0 10 20 40 60

Map Created by  
North Carolina  
Department of Transportation  
Transportation Planning Branch  
October 2013 6

## STI Legislation

**Combines traditional Equity-eligible funds, Urban Loop funds, Mobility Funds, Powell Bill, and Secondary Roads paving**

**Funds obligated for projects scheduled for construction by July 1, 2015 are not subject to formula**

**Bicycle-Pedestrian projects authorized as of Oct. 1, 2013 which are scheduled for construction in FY 13, 14, or 15 are not included in limitation on State funding**

**All capital expenditures, regardless of mode, will be funded from Highway Trust Fund. All modes must compete for the same funds**

**Local Input will be part of the scoring criteria for all Regional Impact and Division Needs projects**

# STI Legislation

**Projects (regardless of mode) will be scored on a 0-100 point scale**

**Incentive For Local funding (highway projects only)**

- 50% of local commitment of non-State/Federal funds will be returned to local area for other high scoring projects in that area

**Operations and Maintenance expenditures will be funded from Highway Fund**

**Project Cap – No more than 10% of Statewide Mobility funds over 5 years (~\$300M) may be assigned to a single project or contiguous projects in the same corridor in a single Division or adjoining Divisions**

**No more than 10% of Regional Impact funds shall be expenditure on Public Transportation projects**



# STI Legislation

**Projects funded from these categories will be excluded and will be evaluated through separate prioritization processes**

- Congestion Mitigation and Air Quality (CMAQ)
- Competitive/Discretionary grants
- Appalachian Development Highway System projects

**Funds included in the applicable category (Statewide, Regional, Division) but not subject to prioritization criteria:**

- Bridge Replacement
- Interstate Maintenance
- Highway Safety Improvements

**Funds included in the computation of Division equal share but will be evaluated through separate prioritization processes:**

- STP-DA (if funds used on Regional category eligible project, funds come from Regional)
- Transportation Alternatives
- Rail-highway crossing program

## Eligibility Definitions - Highways

	Statewide	Regional	Division
Highway	<ul style="list-style-type: none"> <li>• Interstates and Future Interstates</li> <li>• Routes on the NHS as of July 1, 2012</li> <li>• Routes on Department of Defense Strategic Highway Network (STRAHNET)</li> <li>• Appalachian Development Highway System Routes</li> <li>• Uncompleted Intrastate projects</li> <li>• Designated Toll Facilities</li> </ul>	<ul style="list-style-type: none"> <li>• Other US and NC Routes</li> </ul>	<ul style="list-style-type: none"> <li>• All SR Routes</li> </ul>

## Eligibility Definitions – Non Highways

	Statewide	Regional	Division
<b>Aviation</b>	Large Commercial Service Airports. Funding not to exceed \$500K per airport project per year	Other Commercial Service Airports not in Statewide. Funding not to exceed \$300K per airport project per year	All Airports without Commercial Service. Funding not to exceed \$18.5M for airports within this category
<b>Bicycle-Pedestrian</b>	N/A	N/A	Federally funded independent bicycle & ped. improvements
<b>Public Transportation</b>	N/A	Service spanning two or more counties and serving more than one municipality. Funding amounts not to exceed 10% of regional allocation.	Service not included on Regional. Multimodal terminals and stations serving passenger transit systems
<b>Ferry</b>	N/A	State maintained routes, excluding replacement vessels	Replacement of vessels
<b>Rail</b>	Freight Capacity Service on Class I Railroad Corridors	Rail service spanning two or more counties not included on Statewide	Rail service not included on Statewide or Regional

# Highway Project Scoring Overview

	Statewide Mobility	Regional Impact	Division Needs
<b>Eligible Projects:</b>	<ul style="list-style-type: none"> <li>• Statewide</li> </ul>	<ul style="list-style-type: none"> <li>• Statewide</li> <li>• Regional</li> </ul>	<ul style="list-style-type: none"> <li>• Statewide</li> <li>• Regional</li> <li>• Division</li> </ul>
<b>Overall Weights:</b>	100% Quantitative Data	70% Quantitative Data / 30% Local Input	50% Quantitative Data / 50% Local Input
<b>Quant. Criteria</b>	<ul style="list-style-type: none"> <li>• Benefit-Cost</li> <li>• Congestion</li> <li>• Economic Comp.</li> <li>• Safety</li> <li>• Freight</li> <li>• Multimodal</li> <li>• Pavement Condition</li> <li>• Lane Width</li> <li>• Shoulder Width</li> </ul>	<ul style="list-style-type: none"> <li>• Benefit-cost</li> <li>• Congestion</li> <li>• Safety</li> <li>• Freight</li> <li>• Multimodal</li> <li>• Pavement Condition</li> <li>• Lane Width</li> <li>• Shoulder Width</li> <li>• Accessibility and connectivity to employment centers, tourist destinations, or military installations</li> </ul>	<ul style="list-style-type: none"> <li>• Benefit-cost</li> <li>• Congestion.</li> <li>• Safety</li> <li>• Freight</li> <li>• Multimodal</li> <li>• Pavement Condition</li> <li>• Lane Width</li> <li>• Shoulder Width</li> <li>• Accessibility and connectivity to employment centers, tourist destinations, or military installations</li> </ul>
<b>Notes:</b>	Projects Selected Prior to Local Input	Quant. Criteria can be different for each Region	Quant. Criteria can be different for each Division



# Highway Scoring Criteria and Weights

*Note: Divisions 1,2,3,4 have agreed to use alternate criteria in Regional Impact and Division Needs categories.*

Funding Category	<u>QUANTITATIVE</u>	<u>LOCAL INPUT</u>	
	Data	Division Rank	MPO/RPO Rank
<b>Statewide Mobility</b>	[Travel Time] Benefit/Cost = 30%		
	Congestion = 30%		
	Economic Competitiveness = 10%		
	Safety = 10%	--	--
	<u>Multimodal[&amp; Freight + Military] = 20%</u>		
	<b>Total = 100%</b>		
<b>Regional Impact</b>	[Travel Time] Benefit/Cost = 25%		
	Congestion = 25%		
	Safety = 10%	15%	15%
	<u>Accessibility/Connectivity = 10%</u>		
	<b>Total = 70%</b>		
<b>Division Needs</b>	[Travel Time] Benefit/Cost = 20%		
	Congestion = 20%		
	<u>Safety = 10%</u>	25%	25%
	<b>Total = 50%</b>		

## Highway Scoring Criteria and Weights – Divisions 1 & 4

Funding Category	<u>QUANTITATIVE</u>	<u>LOCAL INPUT</u>	
	Data	Division Rank	MPO/RPO Rank
<b>Statewide Mobility</b>	[Travel Time] Benefit/Cost = 30%		
	Congestion = 30%		
	Economic Competitiveness = 10%		
	Safety = 10%	--	--
	Multimodal[& Freight + Military] = 20%		
	<b>Total = 100%</b>		
<b>Regional Impact</b>	[Travel Time] Benefit/Cost = 20%		
	Congestion = 15%		
	Safety = 15%		
	Lane Width = 10%	15%	15%
	Shoulder Width = 10%		
	<b>Total = 70%</b>		
<b>Division Needs</b>	[Travel Time] Benefit/Cost = 10%		
	Congestion = 10%		
	Safety = 10%		
	Lane Width = 10%	25%	25%
	Shoulder Width = 10%		
	<b>Total = 50%</b>		

## Highway Scoring Criteria and Weights – Divisions 2 & 3

Funding Category	<u>QUANTITATIVE</u>	<u>LOCAL INPUT</u>	
	Data	Division Rank	MPO/RPO Rank
<b>Statewide Mobility</b>	[Travel Time] Benefit/Cost = 30%		
	Congestion = 30%		
	Economic Competitiveness = 10%		
	Safety = 10%	--	--
	Multimodal (& Freight + Military) = 20%		
	<b>Total = 100%</b>		
<b>Regional Impact</b>	[Travel Time] Benefit/Cost = 20%		
	Safety = 25%		
	Multimodal (& Freight + Military) = 25%	15%	15%
	<b>Total = 70%</b>		
<b>Division Needs</b>	Congestion = 20%		
	Safety = 20%		
	Multimodal (& Freight + Military) = 10%	25%	25%
	<b>Total = 50%</b>		

# STI – Non-Highway Criteria

## Strategic Statewide, Regional Impact, and Division Needs Category's

### Separate prioritization processes for each mode:

- Must have minimum of 4 quantitative criteria (no menu of criteria like highways)
- Local input is from Division's, MPO's and RPO's
- Criteria based on 100 point scale with no bonus points and not favoring any particular mode of transportation



# Normalization – P3.0

**Definition – Methodology for comparing quantitative scores across all modes**



## Challenges:

- Different criteria and weights used for evaluating projects in each mode
- National review provided no “best practice”
- Innovative approach is needed
- Several potential options evaluated:
  - Qualitative value judgment
  - Weighted benefit/cost
  - Statistical analysis

# Normalization Approach

## For Prioritization 3.0 Only (Initial Implementation of STI)

- Statewide Mobility (only) – No normalization, scores are stand-alone for comparison (highway, aviation, freight rail)
- Regional Impact & Division Needs – Allocate funds to Highway and Non-Highway modes based on minimum floor or %s

Mode	Workgroup Recommendation	Historical Budgeted	Historical Expenditures
Highway	90% (min.)	93%	96%
Non-Highway	4% (min.)	7%	4%

- Continue research with national experts
- Conduct a statistical analysis of scores by an outside agency after all quantitative scores are completed in 2014. Request a recommendation on how to normalize.
- Incorporate research and analysis findings into Prioritization 4.0

## Local Input Points

Use in Regional Impact and Division Needs categories only

# of Points = 1000 points + additional points based on population

Separate Allocation of Points for Regional Impact Category and Division Needs Category

- Point allocation is the same for each
- 100 point max per project per category (e.g., project A123456 can receive 100 points max in Regional Impact and 100 points max in Division Needs)

Points can also be donated across Regions/Divisions

MPOs/RPOs need to have a NCDOT approved process for assigning local input points based on combination of quantitative and qualitative data (per S.L. 2012-84)

*Needs to be finalized by April 30, 2014*

## **New Project Submittals (Maximum Number)**

**Highway = minimum of 10; areas receives additional submittal for every 100,000 in population, up to a maximum up 20 new submittals.**

- Option to swap up to 5 existing projects in the Prioritization system for 5 new highway projects (in addition to the maximum of new projects)

**Bicycle & Pedestrian = 20 (all existing projects in system removed)**

- Combined total of both bicycle and pedestrian projects

**Aviation = No limit**

**Ferry = 10**

**Public Trans. = No limit (all existing projects in system removed)**

**Rail = 5**



## Prioritization 3.0 Schedule - 2014

### Mid-January - Mid-February:

- Separate public meetings held by each MPO, RPO, and Division Engineer to solicit new projects

### By March 3:

- New candidate projects entered into database

## Prioritization 3.0 Schedule - 2014

### March - May:

- All projects reviewed for eligibility and scored

### May:

- Project scores released and ready for local input

### May - July:

- Public meetings to seek input on preliminary points for high priority projects

## Prioritization 3.0 Schedule - 2014

### End July:

- All local input points assigned

### September:

- All final project scores available.

<https://connect.ncdot.gov/projects/planning/Pages/ResourcesMPO-RPO.aspx>

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BUSINESS PARTNER RESOURCES

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## Strategic Transportation Investments Resources for MPOs and RPOs

Information about the new Strategic Transportation Investments Bill.

[Home](#)
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[Strategic Transportation Investments Resources for MPOs and RPOs](#)

### About Strategic Transportation Investments Bill

The Transportation Planning Branch is partnering with the MPOs, RPOs and Division Planning Engineers to provide outreach and training to TCC and TAC members and other interested groups regarding the new Strategic Transportation Investments Bill.

#### **\*\*Important Schedule Change\*\***

**P3.0 New Project submittals window has been extended till March 3, 2014.  
Release date for preliminary highway project scores is March 31, 2014.**

### What's Happening Now

**January 27th - March 3rd, 2014** – MPO/RPO/Divisions are entering new candidate projects into SPOT online

**November, 2013 – April 30th, 2014** – Local Input Methodologies reviewed and approved by NCDOT

### Key Dates



#### Contact Form

For questions & feedback about this area of Connect NCDOT, contact  
*Transportation Planning Branch.*

### FAQs

STI Top 10 (updated 8/28/2013)



All FAQs (updated 8/28/2013)



### Videos

Bicycle and Pedestrian Funding Forum Webinar



**RESOLUTION TO ENDORSE THE DURHAM-CHAPEL HILL-CARRBORO METROPOLITAN PLANNING ORGANIZATION'S LOCAL INPUT POINTS FOR THE STRATEGIC TRANSPORTATION INVESTMENTS PROCESS**

**August 13, 2014**

A motion was made by MPO Board Member Damon Seils and seconded by MPO Board Member Alice Gordon for the adoption of the following resolution, and upon being put to a vote, was duly adopted.

**WHEREAS**, the DCHC MPO approved the DCHC MPO Methodology for Ranking Transportation Improvement Program Project Requests (FY 2016-2022) on May 14, 2014; and

**WHEREAS**, the DCHC MPO released the results of the methodology for public comment on June 11, 2014, held a public meeting on the results on June 25, 2014, and followed the DCHC MPO's Public Involvement Policy for the solicitation of public input and comments; and

**WHEREAS**, the DCHC MPO has coordinated with the North Carolina Department of Transportation's Division Engineers for Divisions 5, 7, and 8 on the assignment of local input points; and

**WHEREAS**, the DCHC MPO has considered the priorities of the DCHC MPO 2040 Metropolitan Transportation Plan, the priorities of its member governments, the competitiveness of each project to receive funding, geographic and jurisdictional balance, and public input and comments in the final point assignment.

**BE IT THEREFORE RESOLVED** that the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization Board endorses the local input points described on the "Attachment to Resolution for Local Input Points" on this, the 13th day of August, 2014.

**BE IT THEREFORE FURTHER RESOLVED** that the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization Board's assignment of local input points to bicycle and pedestrian projects is dependent on the affirmation that the responsible local government intends to commit local matching funds to the projects, and if this affirmation is not provided, the local input points will be reassigned to the next highest scoring bicycle and pedestrian projects according to NCDOT's quantitative division score.

---

Ellen Reckhow, MPO Board Chair

Durham County, North Carolina

I certify that Ellen Reckhow personally appeared before me this day acknowledging to me that she signed the forgoing document.

Date: August 18, 2014

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Frederick Brian Rhodes, Notary Public  
My commission expires: May 10, 2015

## Attachment to Resolution for Local Input Points

## Regional Category

SPOT ID	Project Category	Route	From / Cross Street	To	Project Description	MPO Regional Points
H140660	Regional Impact	NC-54	Farrington Road		Construct grade separation.	14
H129685	Regional Impact	US-501 Roxboro Road	SR 1448 (Latta Road) / SR 1639 (Infinity Road)		Add lanes through intersection	86
H128065	Regional Impact	NC-751 Hope Valley Road	SR 1183 (University Drive)		Construct Roundabout	100
H090531-A	Regional Impact	NC-54	SR 1110 (Barbee Chapel Road)	I-40	Widen Roadway to 6 Lanes with Bicycle, Pedestrian, and Transit Facilities (Adjacent Multiuse Path)	100
H129638-A	Statewide Mobility	US-70	Lynn Road	Miami Blvd	Upgrade Roadway to Freeway	100
H141550	Regional Impact	NC-54 Raleigh Road	Burning Tree Drive	Barbee Chapel Road	Improve NC 54 to a Superstreet design and construct interchange at Barbee Chapel Road	100
H141884	Statewide Mobility	US-501 Fordham Blvd	NC 54, NC 86 (S. Columbia Street)		Construct additional lane for northbound to eastbound entry movement.	100
H090531-C	Regional Impact	NC-54	NC 751	SR 1118 (Fayetteville Road)	Widen to Multi-Lanes with Bicycle, Pedestrian, and Transit Accommodations	100
H090010-A	Statewide Mobility	I-40	I-85	US 15/501	Add Additional Lanes.	100
H090366	Statewide Mobility	US-15 , US-501	I-40	US 15/501	I-40 to US 15/501 Bypass in Durham. Major Corridor Upgrade	100
H129638-B	Statewide Mobility	US-70	Miami Blvd	Proposed Northern Durham Parkway	Upgrade Roadway to Freeway.	100
H129645	Regional Impact	US-501 Roxboro Road	US 501 Bypass (Duke Street)	SR 1640 (Goodwin Road)	Widen to Six Lanes	100
H141779	Regional Impact	Durham Citywide Signal System			Upgrade the City of Durham Signal System (inc. central servers, signal controller upgrades for FYA and transit priority, CCTV network, fiber optic communications network, etc.).	100
SPOT ID	Project Category	System	Project Description			MPO Regional Points
T130027	Regional Impact	Triangle Transit	This is for a Neighborhood Transit Center (NTC) in Southern Durham to work in conjunction with the Southpoint Park and Ride.			100
T130030	Regional Impact	Triangle Transit	This is for a Neighborhood Transit Center (NTC) in Southwest Durham to work in conjunction with the Patterson Place Park and Ride.			100
T130035	Regional Impact	Triangle Transit	Light rail system from UNC Hospital in Chapel Hill to Alston Avenue in downtown Durham.			100
SPOT ID	Project Category	City(ies)/ Town(s)	Rail Line	Project Description		MPO Regional Points
R141797	Statewide Mobility	Durham	NS H line	Construct extension of East Durham Siding. Includes a combination of grade separations and closure at three		100
R140012	Statewide Mobility	Durham	NS H line	Grade separations at Blackwell St crossing (735229N) and Mangum St crossing (735231P) in Durham		100
R140014	Statewide Mobility	Durham	NS H line	Grade separation at Ellis Road - north end crossing (735236Y) in Durham.		100

## Attachment to Resolution for Local Input Points

## Division Category

SPOT ID	Project Category	Route	From / Cross Street	To	Project Description	MPO Division Points
H090655	Division Needs	SR-1780 Estes Drive	SR 1772 (Greensboro Street)		SR 1780 (Estes Drive)/SR 1772 (Greensboro Street) Construct Roundabout.	77
H090654	Division Needs	SR-1010 Franklin Street/East Main Street	Merritt Mill Road (SR 1771)/Brewer Lane		Franklin Street/Merritt Mill Road/Brewer Ln/E Main Street intersection Improvements.	68
H090647	Division Needs	SR-1006 New Route - Orange Grove Road	SR 1006 (Orange Grove Road)	US 70A	Orange Grove Road Extension (Orange Grove Road to US 70) with Sidewalks and Bicycle Lanes	90
H141304	Division Needs	- Woodcroft Pkwy Ext	Garrett Rd	Hope Valley Rd	Construct new alignment.	95
H090200	Division Needs	SR-1009 South Churton Street	I-40	Eno River	I-40 to Eno River. Widen to Multi-Lanes with Landscaped Median, Bicycle Lanes, and Sidewalks, Widen Bridge No. 240 Over Southern Railroad.	93
H090531-C	Regional Impact	NC-54	NC 751	SR 1118 (Fayetteville Road)	Widen to Multi-Lanes with Bicycle, Pedestrian, and Transit Accommodations	100
H111056	Division Needs	SR-1771	SR 1008 (Mount Carmel Church Road)	1913 (Bennett Road)	Construct Roundabout and Related Safety Improvements at the Existing intersection of Mount Carmel Church Road and Bennett Road.	100
H090557	Division Needs	SR-1114 Buckhorn Road	SR 1144 (West Ten Road)	US 70	Widen to Multi-Lanes with Bicycle and Pedestrian Accommodations.	7 (donated)
H111162	Division Needs	SR-1005 Old Greensboro Road	SR 2057 (Sturbridge Lane)	Alamance County Line	Add 4-Foot Paved Shoulders	26 (donated)
SPOT ID	Project Category	City(ies)/ Town(s)	Rail Line	Project Description		MPO Division Points
R141802	Division Needs	Hillsborough	NS H line	Construct platform, passenger rail station building, site access, utilities, and parking on Hillsborough owned site. Station		100
SPOT ID	Project Category	Route	From / Cross Street	To	Project Description	MPO Division Points
B141277	Division Needs	LaSalle Street	Kangaroo Dr	Sprunt St	Construct sidewalks on both sides of LaSalle St between Kangaroo Dr and Hillsborough Rd, and on one side between Hillsborough Rd and Sprunt Ave.	100
B141247	Division Needs	Raynor Street	Miami Blvd	Hardee St	Construct sidewalks on one side of local street.	100
B141102	Division Needs	NC 54	NC 55	RTP limits	Construct sidewalk on southside to fill in existing gaps..	100
B140719	Division Needs	US 501 Bypass (N Duke Street)	Murray Ave	N Roxboro Rd	Construct sidewalks on east side to fill in existing gaps.	100
B141096	Division Needs	Bryant Bridge Trail	NC 55	Kelly Bryant Bridge	Construct shared use path.	100
B140778	Division Needs	US 15-501 (Fordham Blvd)	Cleland Drive	Willow Drive	Upgrade existing off-road path and construct new section of sidepath.	100

## Attachment to Resolution for Local Input Points

B142268	Division Needs	SR 1008 Mt. Carmel Church Road	SR-1008 Old Farrington Point Road	Orange County Line	Construct Bicycle lanes along SR 1008 Mt. Carmel Church Road from SR 1008 Old Farrington Point Road to the Orange County Line.	100*
B141103	Division Needs	Finley Golf Course Road	US 15-501/NC 54	NC 54	Construct sidepath on one side or bicycle lanes.	100
B140627	Division Needs	Morgan Creek Greenway Trail Phase 2 (Carrboro)	University Lake	End of Phase 1	Construct multi-use path from University Lake to the western terminus of Phase 1 and construct a multi-use path spur to BPW Club Rd.	100
B141116	Division Needs	SR 1919 (S Greensboro Street)	Old Pittsboro Rd	NC 54	Construct sidewalk on west side.	100
B142266	Division Needs	SR 1532 Manns Chapel Road	US 15-501	SR-1534 - Poythress Road	Construct Bicycle lanes along SR 1532 Manns Chapel Road from US 15-501 to SR 1534 Poythress Road	77*
B140787	Division Needs	Campus to Campus Connector	Merritt Mill Rd	Carolina North Campus	Construct multi-facility signed route (on-road and trail) providing bicycle and pedestrian connectivity.	100**
B141113	Division Needs	NC 157 (Guess Road)	Hillcrest St	W Carver St	Construct sidewalks on both sides of Guess Rd. to fill in sidewalk gaps.	77**

\*Dependent on commitment of local match funds by Chatham County Board of Commissioners on 8/19/2014

\*\*If local match funds by Chatham County Board of Commissioners are not approved, these two projects would receive local input points



# USE WEB-DATABASE TO VIEW CURRENT TIP PROJECTS

DURHAM - CHAPEL HILL - CARRBORO

DCHC  
Metropolitan Planning Organization  
FUNDING DATABASE

OVERVIEWPROJECTSREPORTSADMINACCOUNT

Project TIP#, Name, etc

## Reports

Several custom searches have been created to allow users to quickly and easily access project and program information based on the parameter selected. The custom searches are defined as follows:

- Jurisdiction/Agency – this search will return a list of all projects, programs, and planning activities that are scheduled for the selected Jurisdiction/Agency.
- Project Type - this search will return a list of all projects, programs, and planning activities that are categorized as the selected Project Type.
- Funding Match - this search will return a list of projects, programs, and planning activities that are funded by the selected Funding Match.
- Funding Summary – this search will return a list of all funding sources programmed for each year.

Jurisdiction/Agency  
Project Type  
Funding Match  
Funding Summary

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DURHAM - CHAPEL HILL - CARRBORO

DCHC  
Metropolitan Planning Organization  
FUNDING DATABASE

OVERVIEWPROJECTSREPORTSADMINACCOUNT

Project TIP#, Name, etc

## Reports

Several custom searches have been created to allow users to quickly and easily access project and program information based on the parameter selected. The custom searches are defined as follows:

- Jurisdiction/Agency – this search will return a list of all projects, programs, and planning activities that are scheduled for the selected Jurisdiction/Agency.
- Project Type - this search will return a list of all projects, programs, and planning activities that are categorized as the selected Project Type.
- Funding Match - this search will return a list of projects, programs, and planning activities that are funded by the selected Funding Match.
- Funding Summary – this search will return a list of all funding sources programmed for each year.

▼ Jurisdiction/Agency

Agency
Orange County
Submit

Export To..CSV

TIP #	Project Name	Description	Total Cost	Local Funding	Expected Start	Expected Completion	Actions
TQ-3002	Orange County STEAMM	SENIOR TRANSPORTATION EXPANSION, ASSESSMENT AND MOBILITY MANAGER INCLUDING PURCHASE OF SERVICE	163000	32600	Prior Year	Prior Year	Details
TQ-6165	Mobility Management	Mobility Management	150000	30000	Prior Year	Prior Year	Details

Page 1 of 1

1

# USE WEB-DATABASE TO VIEW CURRENT TIP PROJECTS

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- Funding Summary – this search will return a list of all funding sources programmed for each year.

➤ Jurisdiction/Agency

▼ Project Type

Project Type

TIP #	Project Name	Description	Total Cost	Expected Start	Expected Completion	Actions
C-5182	NC 751 (Hope Valley Road)	Construct sidewalks and bike lanes between MLK Jr. Parkway and US 15-501 Business in Durham.	1250000	2015	2015	<a href="#">Details</a>
EL-4999	Duke Belt Line Trail	Conversion of 2-mile	20375000	2017	2021	<a href="#">Details</a>

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Metropolitan Planning Organization  
FUNDING DATABASE

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Project TIP#, Name, etc

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- Funding Summary – this search will return a list of all funding sources programmed for each year.

➤ Jurisdiction/Agency

➤ Project Type

▼ Funding Match

Agency

Funding Match

Project Name	TIP #	Phase	Expected Year	Federal Share	State Share	Local Share	Actions
NC 751 (Hope Valley Road)	C-5182	Right of Way	2015	200000	0	50000	<a href="#">Details</a>
NC 751 (Hope Valley Road)	C-5182	Right of Way	2015	1000000	0	0	<a href="#">Details</a>
US 501	U-5516	Construction	Prior Year	2100000	0	0	<a href="#">Details</a>
Dummy Project	123-1	PE/Design	Prior Year	11079	1231	0	<a href="#">Details</a>
Administration of Section 5310	TQ-7002 HF	Other	Prior Year	28000	0	0	<a href="#">Details</a>
Planning & Program Administration	TN-5134	Other	Prior Year	14000	0	0	<a href="#">Details</a>
Planning & Program Administration	TM-5307	Other	Prior Year	90000	0	0	<a href="#">Details</a>

**Adopted STP-DA/TAP Distribution Policy for FY 2015-2016**

<b>FY 15-16 STPDA and TAP</b>	<b>\$ 11,277,231</b>
<b>Total Unobligated Planning STPDA from Pre FY 2014</b>	<b>\$ 770,342</b>
<b>Total STP-DA and TAP</b>	<b>\$ 12,047,573</b>

<b>TJCOG Planning</b>	<b>\$ 110,000</b>
<b>LPA Routine Planning</b>	<b>\$ 1,589,307</b>
<b>LPA Extra Planning</b>	<b>\$ 563,124</b>
<b>Remainder</b>	<b>\$ 9,785,142</b>

<b>Regional Bicycle and Pedestrian</b>	<b>\$ 3,180,171</b>	<b>\$ 1,404,000</b>	<b>TAP</b>
		<b>\$ 1,776,171</b>	<b>STPDA</b>

<b>Transit</b>	<b>\$ 2,446,285</b>	<b>TTA</b>	<b>443,319</b>
		<b>DATA</b>	<b>1,006,586</b>
		<b>CHT</b>	<b>973,331</b>
		<b>OPT</b>	<b>23,049</b>

<b>Local Discretionary</b>	<b>\$ 6,360,342</b>	<b>Durham</b>	<b>4,240,329</b>
		<b>Chapel Hill</b>	<b>1,167,785</b>
		<b>Carrboro</b>	<b>491,652</b>
		<b>Hillsborough</b>	<b>249,310</b>
		<b>Durham County</b>	<b>89,671</b>
		<b>Orange County</b>	<b>86,600</b>
		<b>Chatham County</b>	<b>34,995</b>

<b>Total STPDA Programmed (includes inflation)</b>	<b>\$ 12,845,230</b>
<b>Total TAP Programmed</b>	<b>\$ 1,404,000</b>
<b>Total</b>	<b>\$ 14,249,230</b>

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## UNIFIED PLANNING WORK PROGRAM (UPWP)

### Planning Activities and Initiatives

Each year, the DCHC MPO, in cooperation with member agencies, prepares a Unified Planning Work Program (UPWP). The UPWP includes documentation of planning activities to be performed with funds provided to the DCHC MPO by the FHWA and FTA. All transportation-planning activities of member agencies and consultants, as well as the work done directly by the DCHC MPO staff and funded in federal sources are included in the UPWP.

### Public Involvement

Public involvement is important to the development of the UPWP. From the outset, citizens are given an opportunity to suggest projects and other activities for consideration. Moreover, the DCHC MPO staff solicits comments from the public, stakeholders, members of the MPO TC, and members of the MPO Board.

The draft UPWP is made available for a 45-day public review and comment period. Once comments have been received and addressed, the final UPWP document is presented to the MPO TC and the MPO Board. The MPO Board holds a public hearing prior to voting on adoption of the final UPWP document.

### FY2014-2015 UPWP Program of Funding

Over **\$5 million** in federal, state, and local funding was programmed for use in the FY 2015 UPWP. Of these funds, over **\$1.9 million** was programmed to support activities of the DCHC MPO lead planning agency staff. Over **\$2 million** was programmed for other municipal and county transportation planning activities and over **\$1 million** was programmed for regional transit planning activities. While a majority of this funding is needed for mandatory regional planning activities (such as the MTP and this EJ report), and staff support to carry them out, a notable amount of money is available to conduct studies and fund planning projects.

The DCHC MPO's adopted FY2014-2015 UPWP is available on the DCHC MPO's website using this link: <http://www.dchcmpo.org/programs/work.asp>

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## **Introduction**

The DCHC MPO is required by federal regulations to prepare an annual Unified Planning Work Program (UPWP) that details and guides the urban area transportation planning activities. Funding for the UPWP is provided on an annual basis by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). Essentially, the UPWP provides yearly funding allocations to support the ongoing transportation planning activities of the DCHC MPO. The UPWP must identify MPO planning tasks to be undertaken with the use of federal transportation funds, including highway and transit programs. Tasks are identified by an alphanumeric task code and description. A complete narrative description for each task is more completely described in the *Prospectus for Continuing Transportation Planning for the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization*, approved by the TAC on February 13, 2002. The *Prospectus* was developed by NCDOT in cooperation with MPOs throughout the state.

The UPWP also contains supplemental project descriptions for special projects and Federal Transit Administration (FTA) projects. Special project descriptions are provided by the responsible agency. FTA planning project task descriptions, FTA Disadvantaged Businesses Contracting Opportunities forms, and FTA funding source tables (a subset of the funding source table) are also included in this work program.

The funding source tables reflect available federal planning fund sources and the amounts of non-federal matching funds. The match is provided through either local or state funds or both. Statewide Planning and Research Funds (SPR) are designated for State use only and reflect the amount of those funds to be expended by the N. C. Department of Transportation, Transportation Planning Branch on DCHC MPO activities. Section 104(f) funds are designated for MPO planning and are used by the Lead Planning Agency to support MPO planning functions. Section 133(b)(3)(7) funds are the portion of STP-DA funds flexed to the UPWP for MPO planning. The LPA and MPO jurisdictions use these funds to support the MPO planning functions and regional special projects, such as the Regional Freight Plan, data collection geo-database enterprise update, regional model update and enhancement, travel behavior surveys and onboard transit survey, etc.

The main source of funds for transit planning for Chapel Hill Transit (CHT) and the Durham Area Transit Authority (DATA) is the Federal Transit Administration's Section 5303 funds. These funds are allocated by NCDOT's Public Transportation Division (PTD). Transit agencies can also use portions of their Section 5307 capital and operating funds for planning. These funds must be approved by the Board as part of the UPWP approval process.

## **Proposed FY 2016 UPWP Activities and Emphasis Areas**

MPO activities and emphasis areas for the FY16 UPWP are summarized as follow:

- Implementation of MAP-21 Metropolitan Planning requirements
- Continuation of routine planning- TIP, UPWP, Data monitoring, GIS, Public Involvement, AQ, etc.
- Continuation of special and mandated projects/programs: Title VI, LEP, EJ, safety/freight, modeling, TRM V6, land-use, Geocoder, integration of Community Viz with UrbanSim, CMP, transit, CTP, Asset Management Plan for all modes (required for all transit agencies), etc.
- 2015 Estimation Year data collection, inventory, analysis and tabulation for the TRM V7 (to be aligned and streamlined with CMP Data collection efforts)
- Preparation and development of 2045 MTP Process

- Preparation of 2015 Base year data collection/inventory and travel survey for the major model update (TRM Version7)
- Major surveys (household, parking, transit onboard, cordon, etc.) for TRM version 7
- Regional transit and implementation of County transit plans
- Congestion Management Process CMP- State of the System Report
- MPO-wide Mobility Report Card
- Regional Freight Plan
- Continuation of Community Viz 2.0 scenario planning
- Update and enhancement of the MPO geo-database enterprise
- Other 3-C planning process activities

### **Metropolitan Planning Factors & Federal Requirements**

Federal transportation regulations require DCHC MPO consider specific planning factors when developing transportation plans and programs in the metropolitan area. Current legislation calls for MPOs to conduct planning that:

- Supports the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity and efficiency.
- Increases the safety and security of the transportation system for motorized and non-motorized users.
- Increases the accessibility and mobility options available to people and for freight.
- Protects and enhances the environment, promotes energy conservation, improves quality of life, and promotes consistency between transportation improvements and state and local planned growth and economic development patterns.
- Enhances the integration and connectivity of the transportation system, across and between modes, for people and freight.
- Promotes efficient system management and operation.
- Emphasizes the preservation of the existing transportation system.

Each of these factors is addressed through various work program tasks selected for FY 2015-16.

### **Public Involvement and Title VI**

Federal legislation requires MPOs to include provisions in the planning process to ensure the involvement of the public in the development of transportation plans and programs including the Metropolitan Transportation Plan, the short-term Transportation Improvement Program, and the annual Unified Planning Work Program. In addition, MAP-21 places significant emphasis on broadening participation in transportation planning to include key stakeholders who have not traditionally been involved, including the business community, members of the public, community groups, and other governmental agencies. Effective public involvement will result in opportunities for the public to participate in the planning process.

### **Metropolitan Transportation Plan (MTP)**

The DCHC MPO is responsible for developing a Metropolitan Transportation Plan (MTP) for a minimum of 20-year time horizon in cooperation with the State, MPO member agencies and with local transit operators. The MTP is produced through a planning process which involves the region's local governments, the North Carolina Department of Transportation (NCDOT), local jurisdictions and citizens of the region. Additionally, representatives from the local offices of the U.S. Department of Transportation (US DOT) Federal Highway Administration (FHWA) and Federal Transit Administration (FTA), North Carolina Department of Environment, Natural Resource (NC DENR) and the U.S. Environmental Protection Agency (US EPA) provide guidance and participate in the planning process. The Metropolitan Transportation Plan (MTP) must include



the following:

- Vision, Goals, and Objectives;
- Land use impacts;
- Identification and assessment of needs;
- Identification of transportation facilities (including major roadways, transit, multimodal and intermodal facilities and intermodal connectors) that function as an integrated metropolitan transportation system;
- A discussion of types of potential environmental mitigation activities and potential areas to carry out these activities;
- A financial plan that demonstrates how the adopted transportation plan can be implemented;
- Operations and management strategies to improve the performance of existing transportation facilities to relieve vehicular congestion and maximize the safety and mobility of people and goods;
- Capital investment and other strategies to preserve the existing and projected future metropolitan transportation infrastructure and provide for multimodal capacity increases based on regional priorities and needs; and
- Proposed transportation and transit enhancement activities.

### **Transportation Improvement Program (TIP)**

The DCHCMPO is responsible for developing a Transportation Improvement Program (TIP) for a seven-year time horizon in cooperation with the State, MPO member agencies and with local transit operators. The TIP is produced through a planning process which involves the region's local governments, the North Carolina Department of Transportation (NCDOT), local jurisdictions and citizens of the metropolitan area. The metropolitan Transportation Improvement Program (TIP) must include the following:

- A priority list of proposed federally supported projects and strategies to be carried out within the TIP period;
- Proactive public involvement process;
- A financial plan that demonstrates how the TIP can be implemented; and
- Descriptions of each project in the TIP.

### **Transportation Management Area**

Designated Transportation Management Areas (TMAs), such as the DCHC MPO, based on urbanized area population over 200,000 must also address the following: Transportation plans must be based on a continuing and comprehensive transportation planning process carried out by the MPO in cooperation with the State and public transportation operators. A Congestion Management Process (CMP) must be developed and implemented that provides for effective management and operation, based on a cooperatively developed and implemented metropolitan-wide strategy of new and existing transportation facilities, through use of travel demand reduction and operations management strategies.

### **Air Quality Conformity Process**

Currently, the DCHC MPO is designated as a maintenance area for air quality and as such is required to undertake air quality analysis and conformity determination/findings on its MTP and TIP. The NCDOT would assist the MPO in making a conformity determination by performing a systems level conformity analysis on the highway portion of the fiscally constrained Metropolitan Transportation Plan (MTP). The Metropolitan Transportation Improvement Program is a subset of the Transportation Plan and is therefore covered by the conformity analysis.

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## ENVIRONMENTAL JUSTICE (EJ)

Executive Order 12898 (EO12898) requires each federal agency to achieve “environmental justice... by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations...”

Having the ability to effectively communicate and share ideas with minority populations, lower income groups, and other “communities of concern” strengthens a community and community planning efforts. Entrepreneurs and innovative ideas exist within these groups, equivalent to other income groups and populations. Too often, however, avenues for communicating and sharing local acumen are poorly established. For immigrants, language can be a barrier. Other social and cultural barriers limiting knowledge or comfort levels in the ability to engage local leaders may exist, resulting in a consistent lack of participation and engagement.

The best communities and community planning efforts are able to fully tap into their most important resource – people. People know the strengths and weaknesses of their community and the improvements that can catalyze resilient prosperity. Not unlike the scientific method, human daily routines are the product of much trial and error; developing presumptions, exploring options, and uncovering successful strategies in daily routines and longer-term planning. This is how people find their community niche (or create one for themselves and others). By more thoroughly and effectively connecting to all groups – hence including a more diverse pool of entrepreneurs and ideas – innovative community solutions can be revealed and encouraged to flourish. This makes planning outputs in the Durham-Chapel Hill-Carrboro Urban Area more valuable and meaningful.

When the DCHC MPO adopts the 2014 Environmental Justice Report, it will be available on the MPO website using this link: <http://www.dchcmpo.org/involvement/ej.asp>

The following pages are an excerpt from the draft EJ report.



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# 3. DEMOGRAPHIC PROFILES

## CHAPTER CONTENTS

OVERVIEW (3-1) | ENVIRONMENTAL JUSTICE POPULATION DATA & DEFINITIONS (3-2)

ANALYSIS OF ENVIRONMENTAL JUSTICE COMMUNITIES OF CONCERN (3-3)

## OVERVIEW

The DCHC MPO considers the impact its programs may have on populations protected by Title VI/environmental justice, also referred to as environmental justice (EJ) populations. Federal statutes and regulations require that all EJ analyses consider the needs of minority and low-income populations, however, neither Title VI of the Civil Rights Act nor Executive Order 12898 provide specific instructions for a preferred methodology or approach to EJ analyses. Therefore, MPOs are granted the latitude to devise their own methods for ensuring that EJ and non-EJ population groups and their needs are appropriately represented in transportation decision making processes.

The ability to effectively communicate and share ideas with all populations within the DCHC MPO area strengthens community and local planning efforts. Innovative ideas exist within EJ populations, as they exist in other non-EJ populations. Too often, however, avenues for communicating and sharing local acumen are poorly established. For immigrants, language can be a barrier. Other social and cultural barriers limiting knowledge or comfort levels in the ability to engage local leaders may exist, resulting in a consistent lack of participation and engagement.

Why does this matter to long-range planning? The best community and long-range planning efforts are able to fully tap into their most important resource: people. People know the

strengths and weaknesses of their community and the improvements that can catalyze resilient prosperity. Not unlike the scientific method, human daily routines are the product of much trial and error; developing presumptions, exploring options, and uncovering successful strategies in daily routines serves to inform longer-term planning efforts. This is how people find their community niche (or create one for themselves and others). By more thoroughly and effectively connecting to all groups – hence including a more diverse pool of entrepreneurs and ideas – innovative community solutions can be revealed and encouraged to flourish.<sup>1</sup> This makes planning outputs more valuable, more meaningful, and ultimately more successful.

As previously mentioned, federal requirements for EJ mandate that an MPO identify and analyze the needs of minority and low-income populations. The DCHC MPO broadened the scope of the traditional EJ approach to include a review and consideration of additional EJ populations that exist in the DCHC MPO area. The six EJ populations considered in this EJ report were:

1. Minority race populations
2. Hispanic/Latino ethnicity origins
3. Elderly populations
4. Low-income households
5. Limited English Proficiency (LEP)
6. Zero-car households

This chapter describes the DCHC MPO's methodology for evaluating EJ populations and serves as a resource for local and regional transportation planning by providing recent and statistically reliable information about areas of identified populations and population demographics using US Census Bureau American Community Survey (ACS) data sets.

The demographic analyses presented in the remainder of this chapter assist in assessing the needs of, and analyzing the potential impacts on and benefits to, the six identified EJ populations.

## EJ POPULATION DATA AND DEFINITIONS

The approach to environmental justice developed by DCHC MPO in this EJ report strives to be a people- and place-based approach that locates selected EJ population groups in the region and determines how the regional transportation system and DCHC MPO's programs, policies, and investments impact these groups.

ACS five-year estimates data from the US Census were used to conduct the demographic analyses. The ACS is conducted every year to provide current information about the social and economic needs of the country. ACS data is organized in one-year, three-year, and five-year estimates. The five-year data estimates were chosen because they include data for all areas and provide information at the block group level. The six EJ populations evaluated in the development of this EJ report are defined in this section.

**Racial Minority Populations:** Racial minority population includes any non-white individual, inclusive of the populations designated in the *Department of Transportation's Order on Environmental Justice in Minority Populations and Low-Income Households*, as described on this page.

- *Black:* A person having origins in any of the black racial groups of Africa.
- *Asian:* A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent.
- *American Indian and Alaskan Native:* A person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition.
- *Native Hawaiian or Other Pacific Islander:* A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

### **Hispanic/Latino Ethnicity Origin Populations:**

Any person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

**Elderly Populations:** Elderly population includes any individual age 65 and over. This metric was determined based on a reading of *An Aging Nation: The Older Population in the United States*, published by the US Census Bureau.<sup>2</sup>

**Limited-English Proficiency (LEP) Populations:** Persons with Limited-English Proficiency were those with a primary or home language other than English and reported to the US Census that "no one 14 and over speaks English only or speaks English 'very well,'" in the household.

**Low-Income Households:** A household whose annual median household income was less than 60 percent of the average median household income level for the three-county (Durham, Orange, and Chatham counties) area. The average median household income for the three-county area reported by the US Census is \$55,342. Applying the 60 percent income limit factor to \$55,342 results in a low-income limit of **\$33,205** for households in the DCHC MPO area.

A review of local policies related to low-income limits for affordable housing resulted in the findings below and served as the basis for determining the low-income limit and definition of low-income household used in this EJ report.

- The Town of Chapel Hill uses 80 percent of Median Income as the low-income limit, as defined by the US Department of Housing and Urban Development (HUD), for the Town's inclusionary zoning/affordable housing policy.
- The Town of Carrboro uses 80 percent of Median Income as the low-income limit, as defined by HUD, for the Town's affordable housing density bonus program.
- The County and City of Durham each passed a resolution in 2014 that set their low-income limit as 60 percent of Median Income, as defined by HUD.

Based on the review of each local jurisdiction's policy for setting low-income limits, **60 percent of Median Household Income was used as the low-income limit for households.**

Additional analysis of lower income populations was also performed to consider the location and concentrations of extremely low-income populations. The extremely low-income limit was determined by applying on HUD's standard of 30 percent of Median Household Income.<sup>3</sup>

**Table 3.1: Regional Thresholds for EJ Populations**

Demographic Data for Three-County Region Surrounding DCHC MPO Area	% of Total Population
Total Population: 452, 349	--
Total Number of Households: 242, 470	--
Racial Minority Population: 171,540	37.9%
Hispanic/Latino Population: 64,235	14.2%
Elderly Population: 67,151	14.8%
Limited English Proficiency Population: 33,990	7.5%
Low-Income Limit for Households	\$33,205
Zero-Car Households: 15, 411	6.4%

**Zero-Car Households:** The data on vehicles available were obtained from the Housing Questions in the ACS. These data show the number of passenger cars, vans, and pickup or panel trucks of one-ton capacity or less kept at home and available for the use of household members. Vehicles rented or leased for one month or more, company vehicles, and police and government vehicles are included if kept at home and used for non-business purposes. Dismantled or immobile vehicles are excluded. Vehicles kept at home but used only for business purposes are also excluded.

## ANALYSIS OF EJ COMMUNITIES OF CONCERN

EJ "communities of concern" are defined as any area where the percentage of any EJ population (defined on pages 3-2 and 3-3) is greater than the regional threshold for that particular EJ population. US Census Block Group level data were used as the geographic area of comparison for each EJ population.

### Determining Regional Thresholds

Regional thresholds for each EJ population group were developed and used as benchmarks for comparison. Total population numbers for each EJ population in Orange, Durham, and Chatham counties were found and then compared to the total population of the three-county area to determine the percent of total population for each EJ population. Each regional threshold was then used during the analysis and identification of EJ communities of concern. Regional thresholds are presented in Table 3.1.

## Comparing US Census Block Groups to Regional Thresholds

Each EJ population in the DCHC MPO area was mapped by US Census Block Group (Block Group). **Any Block Group with a concentration of an EJ population that exceeded the regional threshold for that population was identified as a community of concern.** This comparative analysis was performed for each EJ population group to determine the locations of concentrated EJ communities of concern.

For example, Table 3.1 on page 3-3 indicates that the racial minority population is 37.9 percent of the total population of the three-county area, thus 37.9 percent is used as the regional threshold. Any Block Group with a racial minority populations representing greater than 37.9 percent of the population in that Block Group is considered an EJ community of concern for racial minority population.

The determination of what is “disproportionately high and adverse human health or environmental effect” as discussed by E.O. 12898 is context dependent. The approach used in the development of this EJ report to identify communities of concern is only based on available Block Group data and the proportion of protected populations that they contain. All future project development processes should include additional efforts to utilize local knowledge of individual neighborhoods to identify potential populations that might have been missed during this Census-based analysis.

### Population Density (Map 3.1)

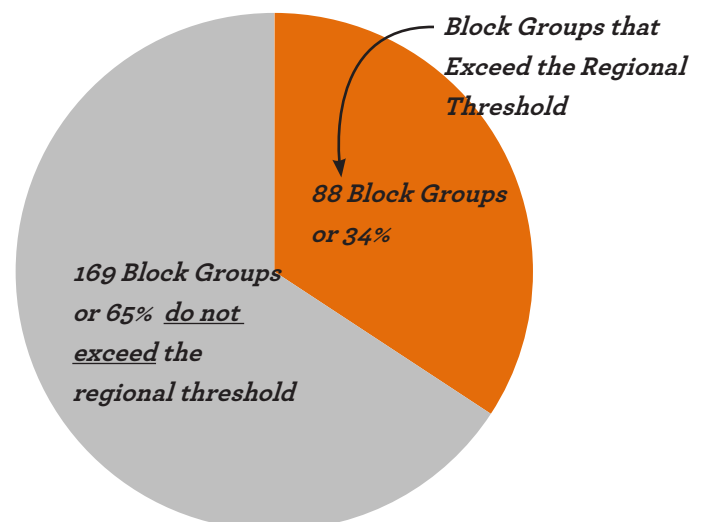
Map 3.1 on page 3-5 shows population density by Block Group in the DCHC MPO area. The most densely populated areas with densities ranging from 53 to 425 persons per acre are located in the downtown cores of Durham and Chapel Hill. There are additional densely populated areas in the eastern side of Durham near Alston Avenue

and the southwestern edge of Chapel Hill near Jones Ferry Road. Providing safe access between highly populated areas and destinations such as commercial centers and downtown areas should be considered a high priority for the DCHC MPO.

### Racial Minority Populations (Map 3.2)

**The regional threshold for racial minority populations is 37.9 percent.** Detailed analysis of Block Groups in the DCHC MPO area identified 88 of the total 257 Block Groups with racial minority populations representing greater than 37.9 percent of the total population, thus these Block Groups were considered communities of concern. The most concentrated areas of racial minority communities of concern were located in the City of Durham. Of the 88 Block Groups that exceed the regional threshold, the vast majority are located within the City of Durham and Durham County. There were three racial minority communities of concern Block Groups located within or northwest of Hillsborough, and two additional racial minority communities of concern Block Groups were located in northern Chapel Hill along I-40.

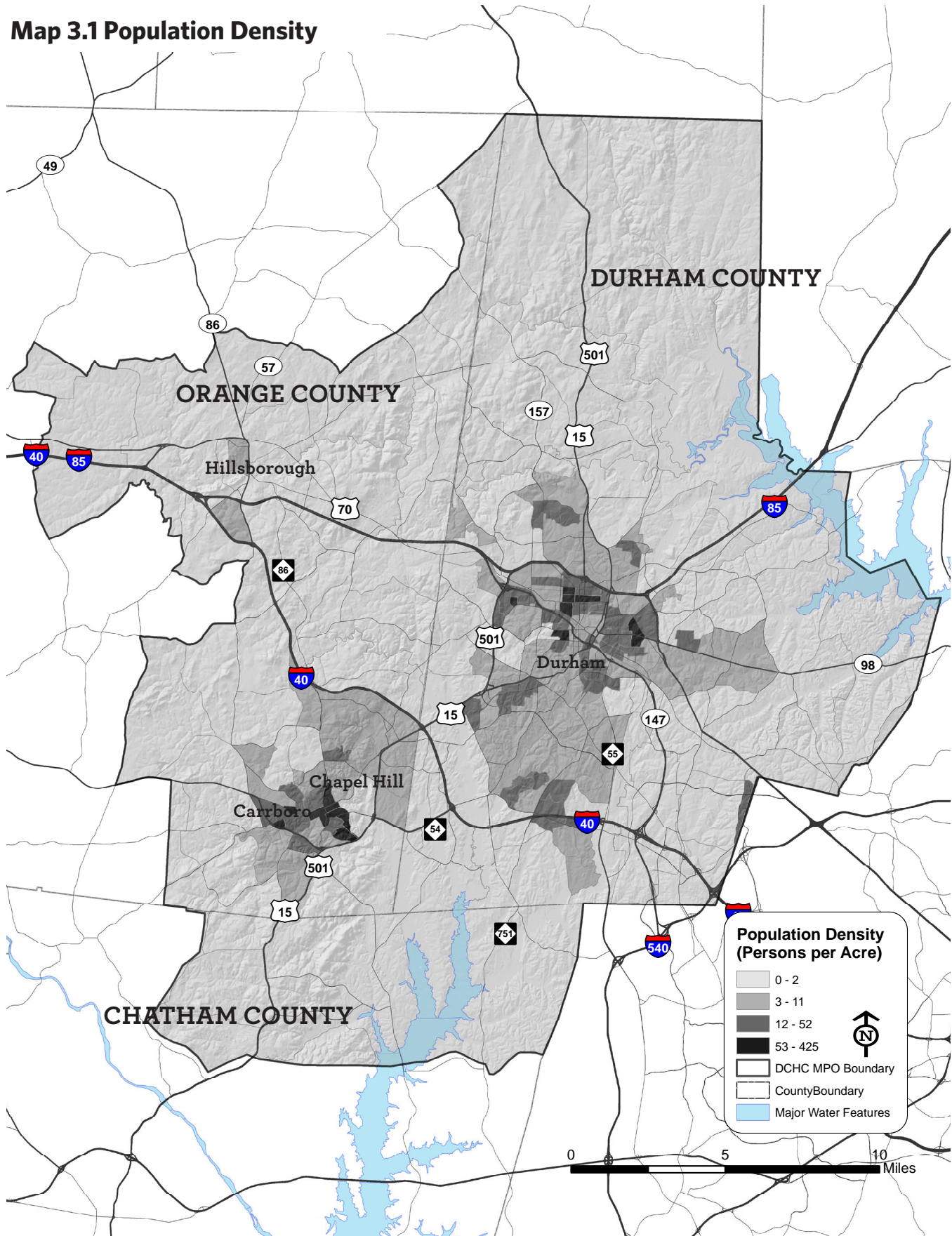
**Chart 1: Block Groups that Exceed the Regional Threshold for Racial Minority Populations**



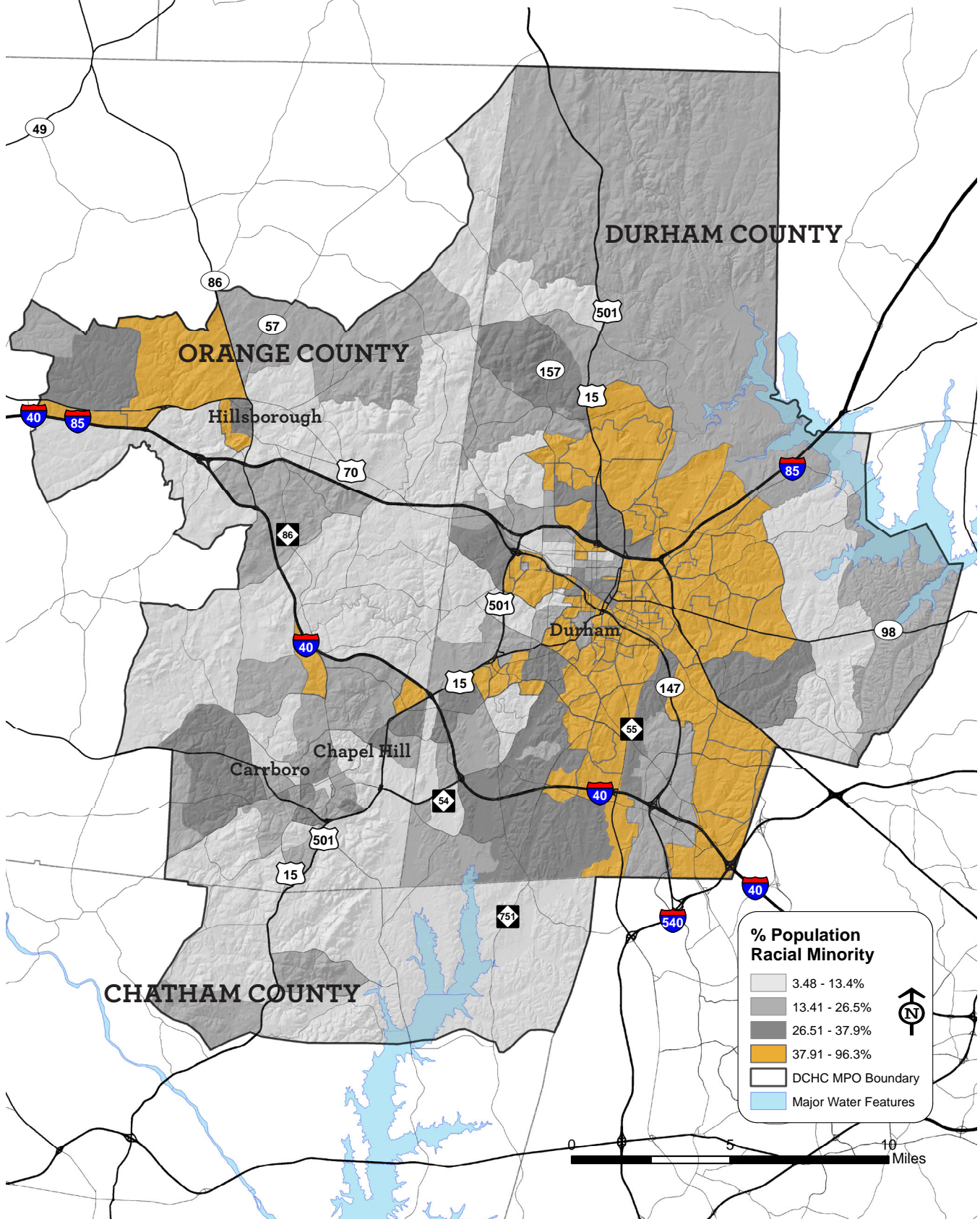
*There are 257 total Block Groups in the DCHC MPO area.*



**Map 3.1 Population Density**



**Map 3.2 Percent of Population: Racial Minority**

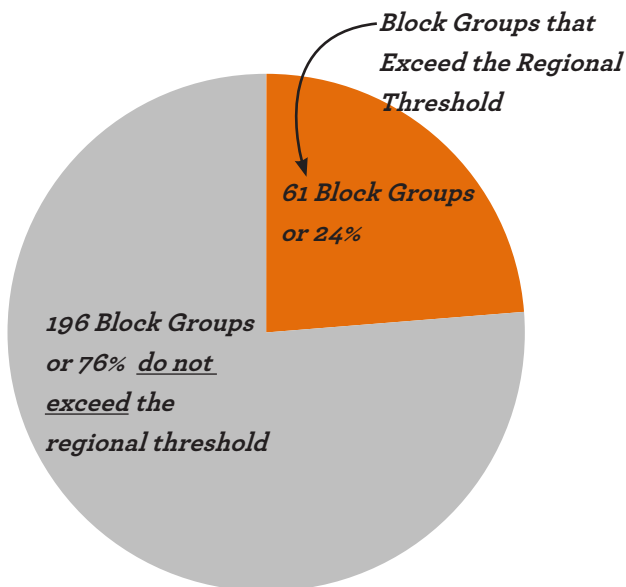




## Hispanic/Latino Ethnicity Origin Populations (Map 3.3)

The regional threshold for Hispanic/Latino ethnicity origin populations is 14.2 percent. 61 of the total 257 Block Groups in the DCHC MPO area have Hispanic/Latino Ethnicity Origin populations that represent greater than 14.2 percent of the total population and were considered communities of concern. Of the 61 Block Groups, 11 have Hispanic/Latino Ethnicity Origin populations **that exceed 40 percent** of the total population. The City of Durham has the greatest number of Hispanic/Latino Ethnicity Origin communities of concern. There were 49 Block Groups located in the City of Durham that exceed the regional threshold for Hispanic/Latino Ethnicity Origin populations. The remaining Block Groups that exceed the regional threshold were located in Orange County. There is a cluster of Block Groups within, or adjacent to, Carrboro and another cluster adjacent to US 70.

**Chart 2: Block Groups that Exceed the Regional Threshold for Hispanic/Latino Ethnicity Origin Populations**

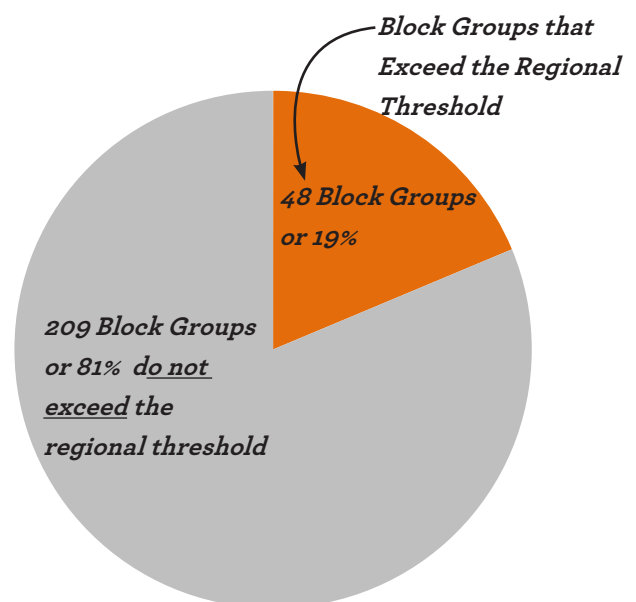


*There are 257 total Block Groups in the DCHC MPO area.*

## Elderly Populations (Map 3.4)

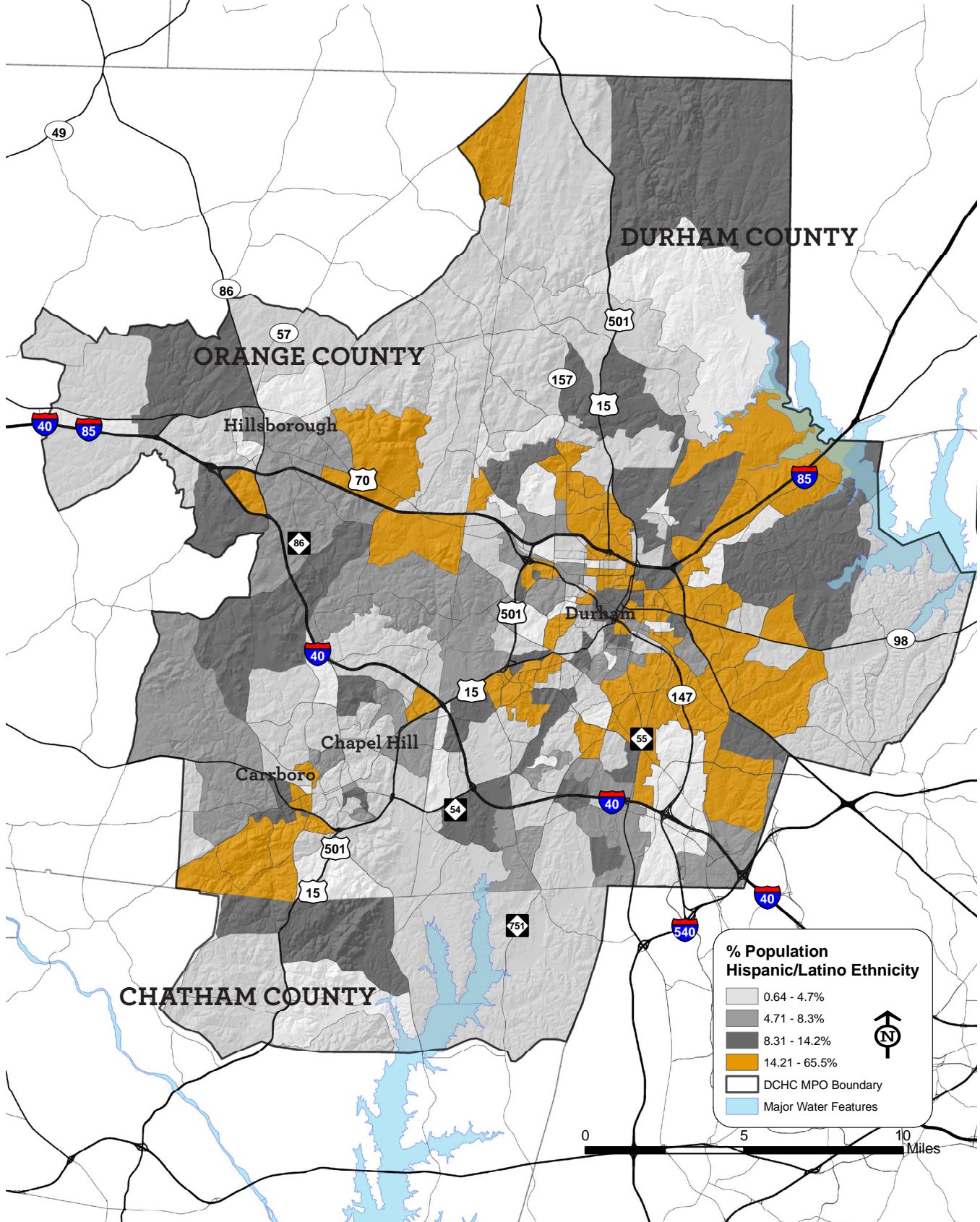
The regional threshold for elderly populations is 14.8 percent. 48 of the total 257 Block Groups in the DCHC MPO area have elderly populations that represent greater than 14.8 percent of the total population and were considered communities of concern. Elderly population communities of concern are dispersed throughout the DCHC MPO area. There were three Block Groups in northern Chatham County, east of US 15/501 and surrounding the Jordan Lake area that are elderly communities of concern. Ten Block Groups located east of Martin Luther King Jr. Boulevard in Chapel Hill were elderly communities of concern. There were two Block Groups located north of I-40 and I-85 in or near Hillsborough and one in the Efland area that are elderly communities of concern. Durham County and the City of Durham have 32 Block Groups with elderly population densities that exceed the regional threshold.

**Chart 3: Block Groups that Exceed the Regional Threshold for Elderly Populations**



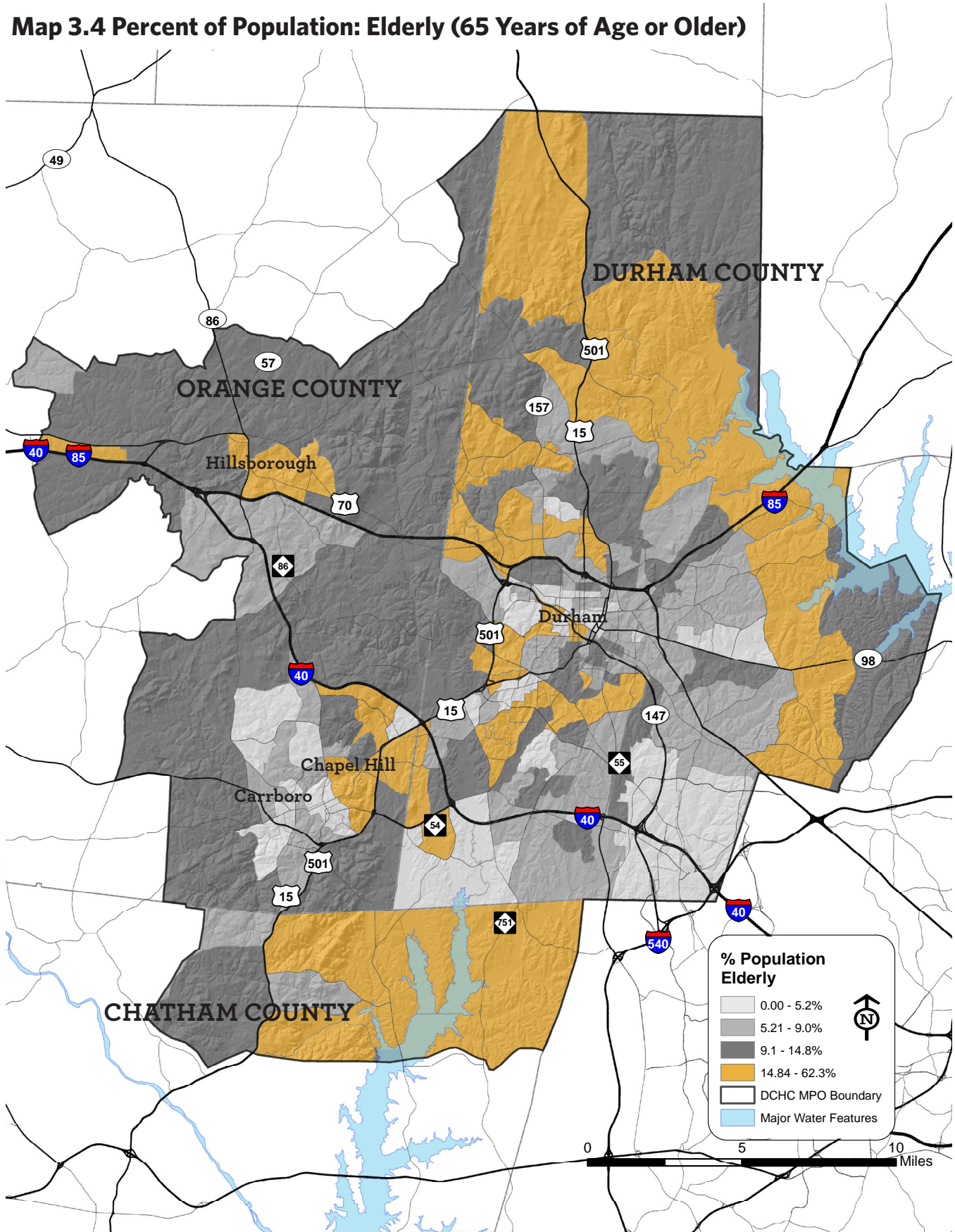
*There are 257 total Block Groups in the DCHC MPO area.*

**Map 3.3 Percent of Population: Hispanic or Latino Ethnicity Origin**





**Map 3.4 Percent of Population: Elderly (65 Years of Age or Older)**

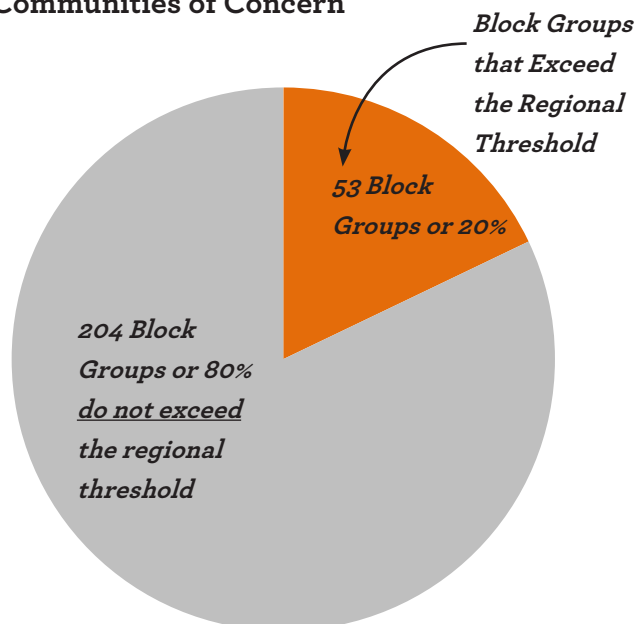


## Low-Income Households (Map 3.5)

A household whose annual median income is less than the low-income limit is considered a low-income household community of concern. As defined earlier in this chapter, the low-income limit for the three-county area is **\$33,205 and is established as the regional threshold**. Median household income is presented by Block Group, thus any Block Group with a median household income less than \$33,205 was considered a low-income community of concern.

53 of the total 257 Block Groups in the DCHC MPO area were considered low-income communities of concern. Low-income household communities of concern are shown in orange in Map 3.5. There were clusters of low-income communities of concern in the City of Durham, near or within Chapel Hill and Carrboro, and adjacent to US 70 near or within Hillsborough.

**Chart 6: Block Groups that are Low-Income Communities of Concern**



*There are 257 total Block Groups in the DCHC MPO area.*

## Extremely Low-Income Households (also Map 3.5)

To fully consider the needs of lower-income populations and recognizing that HUD uses more than one low-income limit to review lower-income populations, the DCHC MPO reviewed a second low-income limit called *extremely low-income*. The term extremely low-income refers to households whose incomes do not exceed 30 percent of the median household income for the area.<sup>3</sup> **30 percent of the median household income (\$55,342) is \$16,620.**

Any Block Group with a median household income less than \$16,620 is illustrated on Map 3.5 by orange with a black striping overlay. 12 of the total 257 Block Groups in the DCHC MPO area were considered extremely low-income.

Four of the 12 extremely low-income Block Groups with median household incomes of \$4,265, \$4,688, \$5,956, and \$14,205 were located north of US 501/Fordham Blvd in Chapel Hill. This area is the University of North Carolina at Chapel Hill.

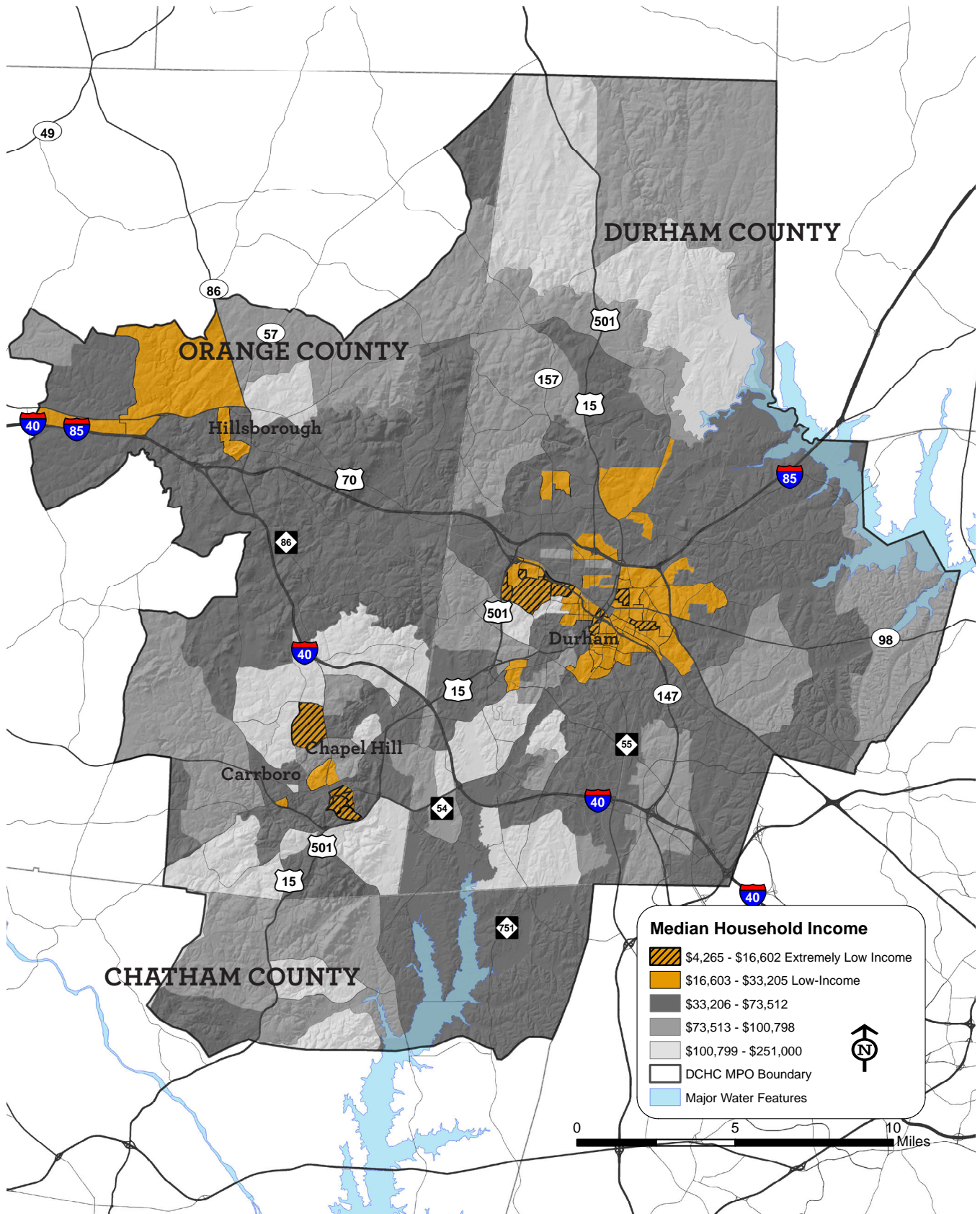
Four of the 12 extremely low-income Block Groups with median household incomes of ranging from \$8,482 to \$13,684 were located south of US 15/501, surrounding or adjacent to Erwin Road, LaSalle Street, and Towerview Road in Durham. This area is Duke University, the Duke University Hospital, and the area located between Duke University and US 15/501.

Three of the 12 extremely low-income Block Groups with median household incomes of ranging from \$15,161 to \$16,146 were located in downtown Durham and east of downtown Durham near US 70.

One Block Group with a median household income of \$13,942 was located north of Chapel Hill in Orange County near the University of North Carolina at Chapel Hill's North Campus, adjacent to NC 86.



**Map 3.5 Low-Income and Extremely Low-Income Households**

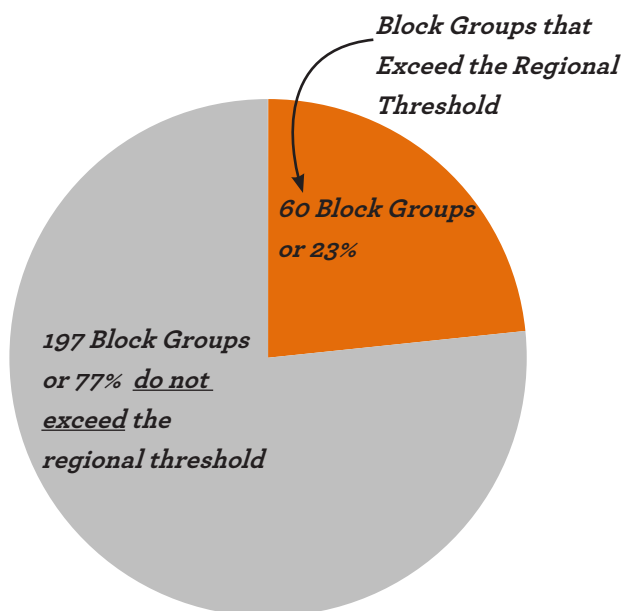


## Limited English Proficiency Populations by Household (Map 3.6)

Limited English Proficiency (LEP) populations were mapped by households and **the regional threshold for LEP populations by household is 7.5 percent**. 60 of the total 257 Block Groups in the DCHC MPO area exceed the regional threshold for LEP populations and were considered LEP communities of concern. As depicted on Map 3.6 on page 3-12 the LEP communities of concern were dispersed throughout the DCHC MPO area. There were 16 LEP communities of concern Block Groups located in Orange County and 44 located in Durham County, primarily in the eastern areas of the City of Durham and the eastern areas of Durham County.

In many instances the Block Groups that were LEP communities of concern were the same Block Groups that are Racial Minority and Hispanic/Latino Ethnicity Origin communities of concern.

**Chart 4: Block Groups that Exceed the Regional Threshold for LEP Populations**



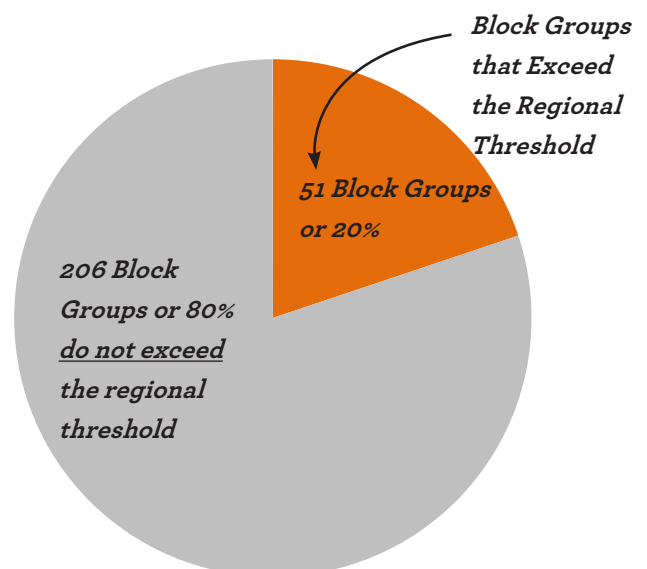
*There are 257 total Block Groups in the DCHC MPO area.*

## Zero-Car Households (Map 3.7)

Households that do not have access to a vehicle, are often referred to as “zero-car households.” These residents primarily rely on walking or another form of non-motorized transportation, or public transit service. **The regional threshold for zero-car households is 6.4 percent**. 51 of the total 257 Block Groups in the DCHC MPO area have zero-car household populations that represent greater than 7.5 percent of the total number of households and are considered zero-car household communities of concern. These 51 Block Groups were primarily located throughout downtown Durham, downtown Chapel Hill, and northwest of Hillsborough.

There were three Block Groups located in the City of Durham with zero-car household population densities representing **greater than 25 percent of the total number of households**. These Block Groups were located adjacent to US 15/501 north of Cameron Boulevard, in downtown straddling NC 147 near S. Duke Street and Morehead Avenue, and just east of NC 55.

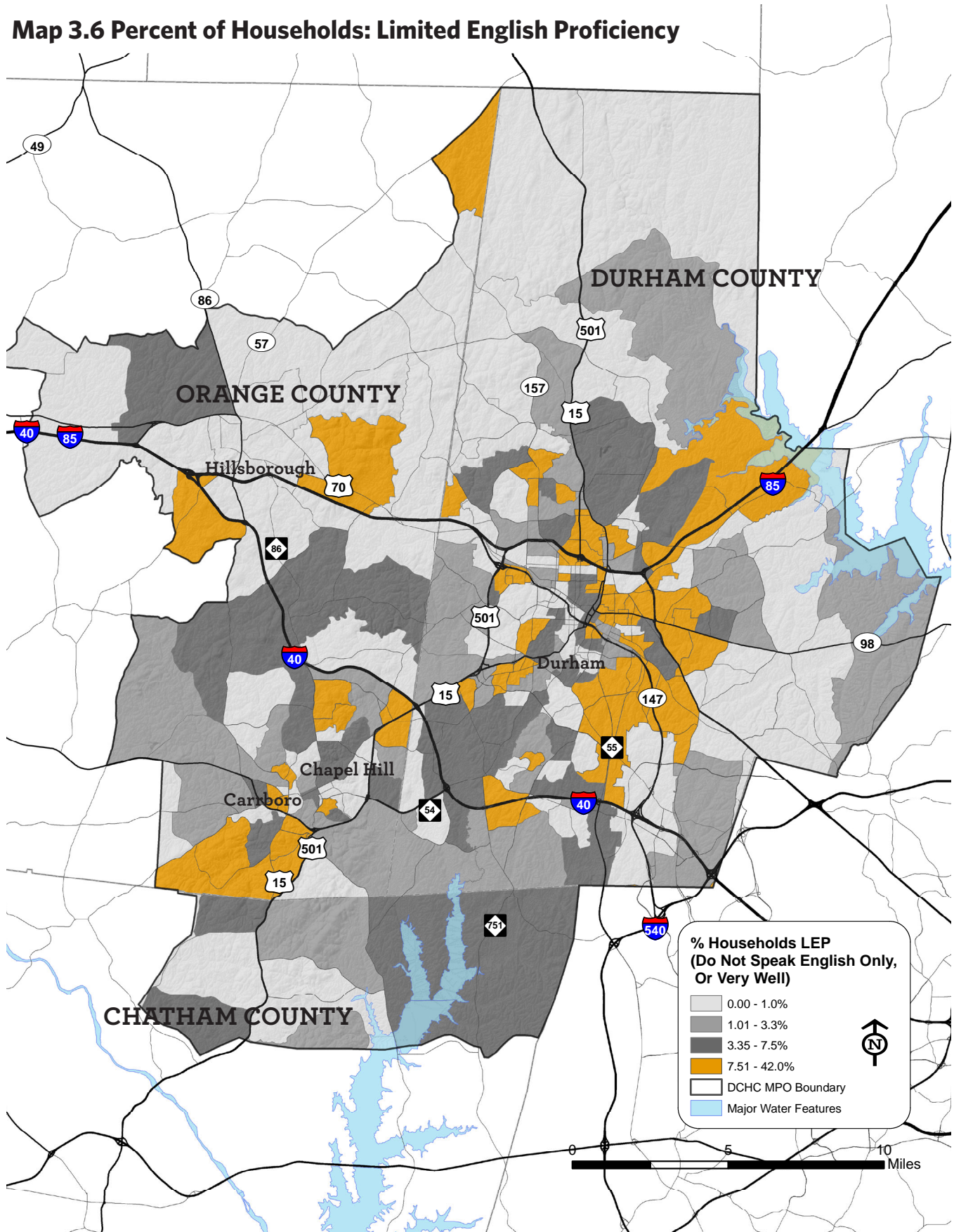
**Chart 7: Block Groups that Exceed Regional Threshold for Zero-Car Households**



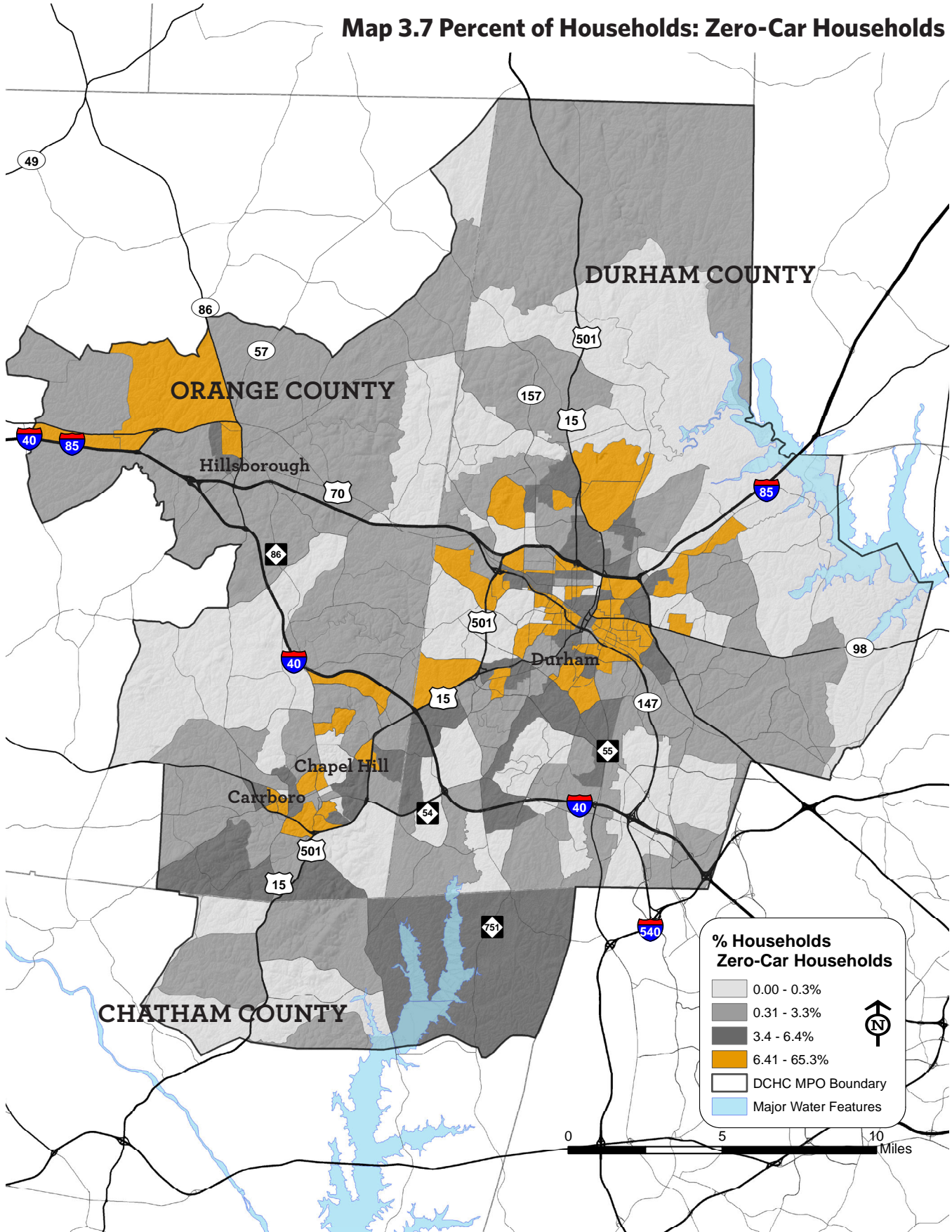
*There are 257 total Block Groups in the DCHC MPO area.*



**Map 3.6 Percent of Households: Limited English Proficiency**



**Map 3.7 Percent of Households: Zero-Car Households**





## Summary of All Communities of Concern Block Groups (Table 3.2)

The next step in evaluating EJ in the DCHC MPO area was to compile the percent of total Block Groups for each of the six EJ populations previously presented as the pie charts in this chapter. The six percentages are shown in column D of Table 3.2 below. The six percentages were then averaged to determine the overall average percent of total Block Groups (see bottom row). The overall averaged percent of total Block Groups was 23 percent. This means that **23 percent of all Block Groups in the DCHC MPO area are considered an EJ community of concern**. 23 percent was used as a threshold for the evaluation of long-range transportation projects included in Chapter 4.

**Table 3.2: Summary of Communities of Concern Block Groups**

Column A	Column B	Column C	Column D
EJ Populations	Total # of Communities of Concern Block Groups	Total # of Block Groups in DCHC MPO Area	Percent of Total Block Groups
Racial Minority Populations	88	257	34%
Hispanic/Latino Ethnicity Origin Populations	61	257	24%
Elderly Population	48	257	19%
Limited English Proficiency Populations	60	257	23%
Low-Income Households	53	257	21%
Zero-Car Households	51	257	20%
<i>TOTAL</i>	361		
<b>Averaged Percent of Total Block Groups (sum of Column D ÷ 6)</b>			<b>23%</b>

## Overlapping Communities of Concern Block Groups (Table 3.2, Map 3.8)

The final step in the evaluation of communities of concern was to identify which Block Groups had **two or more** overlapping communities of concern. This evaluation, often referred to as density mapping or heat mapping, makes it possible to quickly and easily identify **where higher concentrations of EJ communities of concern exist**. The existence of higher concentrations of EJ communities of concern within the same Block Groups, indicates that additional attention should be given to this area during the DCHC MPO's planning processes.

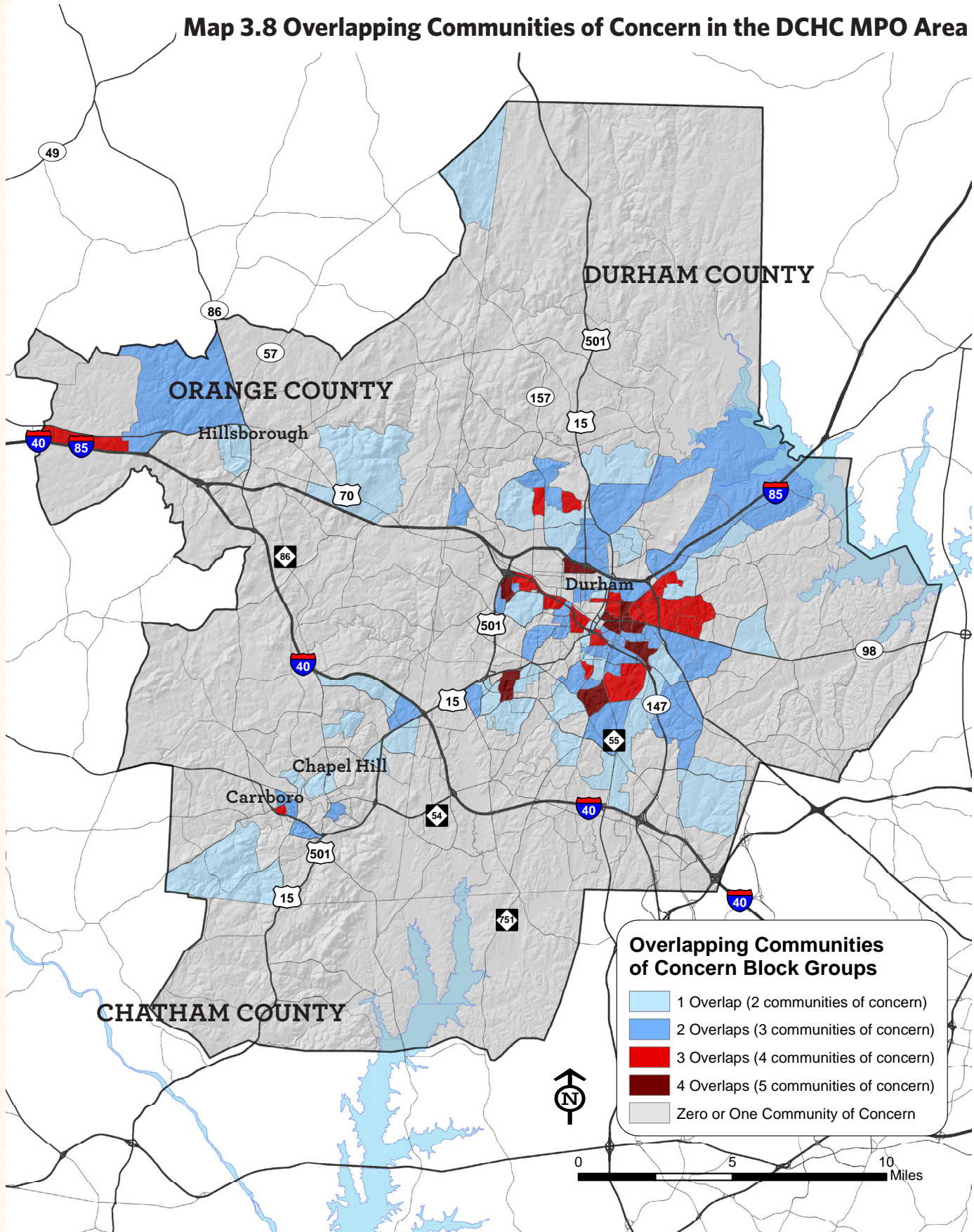
Table 3.3 presents a summary of the overlapping communities of concern and Map 3.8 on page 3-16 depicts **the locations where two or more EJ communities of concern overlap**. All six EJ communities of concern did not exist together in any single Block Group. The greatest number of EJ communities of concern in single a Block Group was five, also described as four overlaps, as shown in the table below and illustrated by the darkest color red in Map 3.8.

**Table 3.3: Summary of Overlapping Communities of Concern Block Groups**

Column A	Column B	Total Block Groups
# of Overlapping Communities of Concern*	# of Block Groups that contain the # of overlaps in Column A	(Column A x Column B)
1 Overlap	35	35
2 Overlaps	34	68
3 Overlaps	17	51
4 Overlaps	9	36
<i>TOTAL</i>	95	190

- \*1 Overlap = 2 communities of concern
- 2 Overlaps = 3 communities of concern
- 3 Overlaps = 4 communities of concern
- 4 Overlaps = 5 communities of concern

**Map 3.8 Overlapping Communities of Concern in the DCHC MPO Area**



# 4. ENVIRONMENTAL JUSTICE IN DCHC MPO'S MAJOR PLANNING ACTIVITIES

## CHAPTER CONTENTS

INTRODUCTION (4-1) | PUBLIC INVOLVEMENT POLICY (4-1) | METROPOLITAN TRANSPORTATION PLAN ( 4-7) | TRANSPORTATION IMPROVEMENT PROGRAM ( 4-12)

UNIFIED PLANNING WORK PROGRAM (4-16) | FINDINGS FOR DCHC MPO'S LONG-RANGE PLANNING ACTIVITIES (4-18) | CONCLUSIONS AND NEXT STEPS (4-19)

## INTRODUCTION

The DCHC MPO is responsible for all major transportation planning projects, plans, and services for the DCHC MPO area. This chapter provides a review of environmental justice considerations and activities undertaken during each of the DCHC MPO's major planning activities.

## DCHC MPO PUBLIC INVOLVEMENT POLICY (PIP)

Recognizing the importance of involving the public in planning for the future of this region, the DCHC MPO developed a Public Involvement Policy (PIP) that includes a Limited English Proficiency Plan. The PIP provides guidance and direction for the incorporation of public outreach, involvement, and engagement for all plans, programs, and initiatives related to the transportation planning process. This provides an opportunity for the community to play an integral part in the transportation planning process.

The PIP includes guidance on the public involvement process for all of the DCHC MPO's planning activities, including the Metropolitan Transportation Plan (MTP), the metropolitan Transportation Improvement Program (TIP), the

Air Quality Conformity Determination, major investment studies, the Unified Planning Work Program (UPWP), the MPO's provisions for the American with Disabilities Act (ADA), and on-going transportation planning (3-C) process. An overview and summary of key objectives of the PIP are included in this chapter and the adopted PIP is available for review on the DCHC MPO's website ([www.dchcmpo.org](http://www.dchcmpo.org)).

### *PIP Objectives*

1. Bring a broad cross-section of the public into the public policy and transportation planning decision-making process.
2. Maintain public involvement from the early stages of the planning process through detailed project development.
3. Use different combinations of public involvement techniques to meet the diverse needs of the general public.
4. Determine the public's knowledge of the metropolitan transportation system and the public's values and attitudes concerning transportation.
5. Educate citizens and elected officials in order to increase general understanding of transportation issues.



6. Make technical and other information available to the public using the MPO web site and other electronically accessible formats and means as practicable.
7. Employ visualization techniques to MPO metropolitan transportation plans, TIPs, and other project planning activities.
8. Consult with federal and state agencies responsible for land management, natural resources, environmental protection, conservation, historic preservation and economic development in the development of metropolitan transportation plans, TIPs, and project planning.
9. Establish a channel for an effective feedback process.
10. Evaluate the public involvement process and procedures to assess their success at meeting requirements specified in MAP-21, NEPA, and the Interim FTA/FHWA Guidance on Public Participation.

## ***Outreach Methods and Techniques***

In accordance with the MPO's adopted PIP, the MPO uses the following methods to connect with and inform the public about upcoming opportunities for public input on planning activities:

- Legal notices in local newspapers
- MPO website
- Mailing lists
- Targeted mailings to neighborhood and advocacy groups
- Press releases
- Periodic MPO newsletters

## ***Meeting Notices***

Notices for upcoming MPO meetings are filed with every town clerk's office. Notices for MPO public involvement meetings or workshops for planning activities are advertised in local newspapers. The notice for public meetings/workshop includes a statement in Spanish that translator services may be requested in advance. The notice also include a statement that sign language services may be requested in advance.

All notices for planning activities of the DCHC MPO include an announcement that states that persons with disabilities will be accommodated. Special provisions can be made if notified 48 hours in advance (i.e. having available large print documents, audio material, someone proficient in sign language, a translator or other provisions requested).

Notices for the public comment period and the public hearing are advertised in the area's major daily newspaper, and other local, minority, or alternative language newspapers, as appropriate, as well as on the public service announcement on Time Warner Cable. Local member jurisdictions are advised to publicize the public comment period/hearing in their local media as well. Public meetings are held in locations accessible to persons with disabilities and are located near or on a transit route.

The MPO allows time for public review and comment on transportation planning activities at key decision points. Minimum notification periods are as follows:

- Amendments to DCHC-MPO's Public Involvement Policy – 45 days
- Adoption of the TIP & major TIP amendments – 21 days
- Adoption of the TIP Regional Priority List & major amendments – 21 days

- Adoption of the MTP/CTP & major amendments – 42 days
- Adoption of the Air Quality Conformity Determination – 30 days
- Adoption of the UPWP & major amendments – 21 days
- Policy Board & Technical Committee (TC) meetings – 7 days

## ***Public Involvement for Major Planning Activities***

### **Metropolitan Transportation Plan**

The Public Involvement Process for the Metropolitan Transportation Plan (MTP) consists of a series of innovative public participation techniques, including: transportation-related committees from MPO jurisdictions, public service announcements, a newsletter, public meetings, surveys, and the mass media. These techniques are employed at various stages of the development of a plan update, and as appropriate for major or minor revisions.

#### **PUBLIC INVOLVEMENT PROCESS FOR THE MTP**

1. The DCHC MPO provides opportunity for early and meaningful public involvement in the development and update of the MTP. The MPO produces a public involvement plan for the development and update of metropolitan transportation plans.
2. Proactive participation techniques are employed to involve citizens and provide full access to information and technical data. The techniques generally include, but not be limited to: public meetings/hearings; surveys; focus groups; newsletters; public service announcements; charrette; transportation related committees, and mass media.
3. Information dissemination, notification of meeting, publication of proposed plans are integral elements of the public involvement process.
4. The DCHC MPO initiates the MTP update process as required by the Moving Ahead for Progress in the 21st Century Act (MAP-21), the Clean Air Act Amendments (CAAA) and subsequent federal regulations. Elements of the MTP, and/or amendments meet all current Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Environmental Protection Agency (EPA), and the North Carolina Department of Transportation (NCDOT) requirements.
5. A draft MTP and schedule for the MTP update process are developed by the Technical Committee (TC) and made available for public review. The MTP details the strategy for the update process including work elements and a tentative schedule.
6. Copies of the draft MTP and schedule are distributed to the member jurisdictions, citizen groups and agencies, and are placed in the local libraries. Notification of the draft MTP is provided in a major daily newspaper, and other local, minority, or alternative language newspapers, as appropriate.
7. The notification informs the public of the availability of the draft MTP for review and comment, where to send written comments, and the addresses and phone numbers of contact persons. The notices also include an announcement that states that persons with disabilities will be accommodated. Special provisions will be made if notified 48 hours in advance (i.e. having available large print documents, audio material, someone proficient in sign language, a translator, or other provisions, as requested). Additionally, the notice informs the public

that copies of the draft MTP are available for review at local libraries and offices of member agencies.

8. The public comment period is a minimum six-week (42-day) public comment period, effective from the date of the public notice publication. Written comments are received during the comment period and are directed to the Lead Planning Agency (LPA). The Lead Planning Agency's contact person, phone number and e-mail address are included in the public notice.
9. Public meeting(s)/workshops are held to: formulate a vision for the MTP development; provide the public background information on the metropolitan transportation system and other issues as well as the proposed framework of the MTP update process; and receive citizen input.
11. Public meetings (forums) designed to solicit public comment are held at various locations around the DCHC MPO area to encourage the greatest public participation. Public meetings are held at a location which is accessible to persons with disabilities and is located on a transit route.
12. The TC assembles all comments and forwards comments to the MPO Board. The MPO Board may choose to hold a public hearing before adopting the strategy and work program for the MTP. Comments regarding the draft strategy are considered and addressed in adopting the final plan.

## **Transportation Improvement Program**

The DCHC MPO prepares a Transportation Improvement Program (TIP), which is consistent with the requirements of the MAP-21, and any implementing federal regulations. The TIP will be developed based on: 1) revenue estimates provided by the North Carolina Department of Transportation (NCDOT); and, 2) the DCHC MPO Regional Priority List. The public input element of the Transportation Improvement Program is presented below.

### **PUBLIC INVOLVEMENT PROCESS**

1. The DCHC MPO TC develops a draft Regional Priority List from the Local Project Priorities of the MPO jurisdictions.
2. The Regional Priority List is published for a minimum three-week (21-day) public comment period and the notice is published by the Lead Planning Agency (LPA) in a major daily newspaper, and other local, minority, or alternative language newspapers, as appropriate. The notices for the public comment period and the public hearing include an announcement that states that persons with disabilities will be accommodated. Special provisions can be made if notified 48 hours in advance (i.e. having available large print documents, audio material, someone proficient in sign language, a translator or other provisions as requested). The Regional Priority List is on file in the City of Durham Department of Transportation, Town of Chapel Hill Planning Department, Town of Carrboro Planning Department, Town of Hillsborough Planning Department, Counties of Durham, Orange, Chatham Planning Departments, the Triangle Transit Authority, and the county public libraries for public review and comment.



3. The MPO Board holds a public hearing on the draft Regional Priority List. The public hearing is held at a location which is accessible to persons with disabilities and located on a transit route. The MPO Board approves a final Regional Priority List after considering the public comments received.
4. The DCHC MPO TC develops a draft TIP from the approved Regional Priority List and from revenue estimates provided by the North Carolina Department of Transportation. The TC forwards the draft TIP to the MPO Board. The MPO Board publishes the draft TIP for public review and comment.
5. Copies of a draft TIP are distributed to MPO Board members and the transportation related committees of MPO member jurisdictions. Each jurisdiction also provides hard copies for public review. The draft TIP will follow the same notification procedures as outlined above for the Regional Priority List.
6. The public comments are assembled and presented to the DCHC MPO Board. The MPO Board holds a public hearing on the draft TIP. The public hearing is held at a location which is accessible to persons with disabilities and located on a transit route. Public comments are addressed and considered in the adoption of the TIP.
7. The DCHC MPO, being a maintenance area for air quality, provides additional opportunity for public comment on the revision of the draft TIP (if the final TIP is significantly different and/or raises new material issues).
8. The process for updating and approving the Transportation Improvement Program follows the sequence and procedure as described in the aforementioned PIP framework.
9. Amendments to TIP are available for public review and comment if they make a substantial change to the TIP. A substantial change is classified as the addition or deletion of a project with an implementation cost exceeding \$1 million. Public comment on project additions deletions of less than \$1 million may be sought at the discretion of the MPO Board by majority vote. As long as a project's description, scope or expected environmental impact have not materially changed, the MPO Board may approve changes to project funding without a separate public meeting.
10. Written public comments and their responses are published as an appendix to the final TIP.

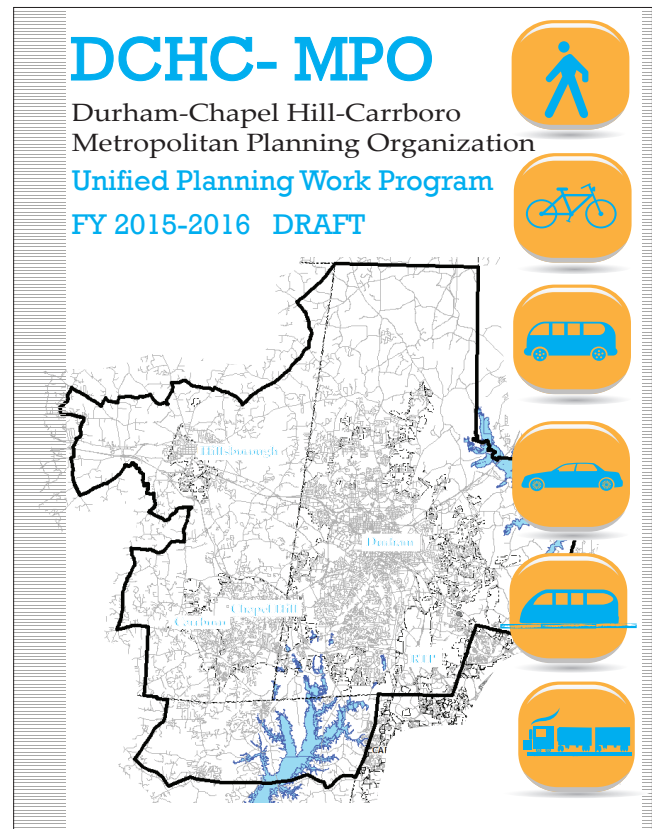
<b>DCHC</b>	
DURHAM • CHAPEL HILL • CARRBORO METROPOLITAN PLANNING ORGANIZATION	
<b>Member Governments</b> Town of Carrboro Town of Chapel Hill County of Chatham City of Durham County of Durham Town of Hillsborough NC Department of Transportation County of Orange	<p style="color: #800000; font-weight: bold; font-size: 1.2em;">FY 2012 – 2018</p> <p style="color: #800000; font-weight: bold; font-size: 1.5em;">Metropolitan Transportation Improvement Program</p> <p style="color: #800000; font-weight: bold; font-size: 1.1em;">September 14, 2011</p>   <p style="color: #800000; font-size: 0.9em;">City of Durham                  Transportation Division                  101 City Hall Plaza                  Durham, NC 27701</p> <p style="color: #800000; font-size: 0.9em;">(919) 560-4366</p>
City of Durham • Department of Transportation • 101 City Hall Plaza • Durham, North Carolina 27701 • (919) 560-4366 • Facsimile (919) 560-4561	

## Unified Planning Work Program

Each year the DCHC MPO prepares an annual work program known as the Unified Planning Work Program (UPWP). The UPWP must identify the MPO planning tasks to be undertaken with the use of federal transportation funds, including highway and transit.

### PUBLIC INVOLVEMENT PROCESS

1. The Distribution Formula for FTA Section 5307 funds for the appropriate federal fiscal year is submitted to the MPO Board for approval. The MPO Board meetings are open to the public and comments on the Distribution Formula may be received at this time.
2. The Lead Planning Agency distributes FHWA Section 104(f) planning funds based on the MPO Board-approved formula.
3. The local jurisdictions prepare a list of tasks and funding for the federal fiscal year according to the approved Distribution Formula. These lists are submitted to the Lead Planning Agency for compilation into a draft Unified Planning Work Program.
4. The draft Unified Planning Work Program is reviewed by the MPO TC. The TC meetings are open to the public. The TC endorses a draft UPWP and forwards the document to the MPO Board for release for a minimum 21-day comment period.
5. The draft UPWP is reviewed by the MPO Board. The MPO Board releases a draft UPWP for a 21-day comment period. The draft is sent to the NCDOT Public Transportation Division for comments.
6. The final UPWP comes back to the MPO Board for approval. Upon MPO Board approval, the UPWP is forwarded on to the State and FHWA/FTA.
7. The process for updating and approving the annual UPWP shall generally follow the principles as described in the PIP Framework.



## 2040 METROPOLITAN TRANSPORTATION PLAN

The Metropolitan Transportation Plan (MTP) serves as the official long-range transportation plan for the DCHC MPO region and guides the transportation decision-making for at least a projected 20-year planning horizon. It is updated periodically and was recently updated to plan for the years through 2040. The primary goals of the updated MTP are identified as:

- A safe, sustainable, efficient, attractive, multi-modal transportation system that: supports local land use; accommodates trip-making choices; maintains mobility and access; protects the environment and neighborhoods; and improves the quality of life for urban area residents.
- An attractive multi-modal street and highway system that allows people and goods to be moved safely, conveniently, and efficiently.
- Improve transportation safety.
- A convenient, accessible, and affordable public transportation system, provided by both public and private operators, that enhances mobility and economic development.
- A pedestrian and bicycle system that: provides a safe alternative means of transportation; allows greater access to public transit; supports recreational opportunities; and includes off-road trails.
- A Transportation Plan that is integrated with local land use plans and development policies.
- A multi-modal transportation system which provides access and mobility to all residents, while protecting the public health, natural environment, cultural resources, and social systems.

- An ongoing program to inform and involve citizens throughout all stages of the development, update, and implementation of the Transportation Plan.
- Continue to improve transportation safety and ensure the security of the transportation system.
- Improve mobility and accessibility of freight and urban goods movement.

The 2040 MTP contains an overview of environmental justice issues and identifies the location of particular communities of concern (low-income, minority, and LEP populations).

Public involvement was an essential component in developing the 2040 MTP. The MTP's public involvement process, as directed by the DCHC MPO's PIP, was instituted to ensure early and timely input from a wide range of participants, particularly at critical milestones in the plan development process. For future updates and MTP development, the DCHC MPO will refer to this EJ report for information on the locations and potential impacts EJ populations. It is important to ensure that all groups in the DCHC MPO region understand and have access to the MTP process, including representatives from low-income, LEP, elderly, and minority communities.

### 2040 MTP Project Evaluation

By analyzing the geographic and funding distribution of projects included in the 2040 MTP, it can be determined if the MTP complies with Title VI, Executive Orders 12898 and 13166, and USDOT Orders related to EJ. Project cost estimates included in the 2040 MTP are estimates of perceived costs for future transportation projects. Updated cost estimates for projects will be developed when the project has been programmed in the TIP and design/preliminarily engineering for the project has been completed.

## 2040 MTP Projects Measured Against Communities of Concern Block Groups

### DETERMINING THE THRESHOLD

There are 257 total Block Groups in the DCHC MPO region. The evaluation of EJ communities of concern in chapter 3 identified a total of 361 instances in which a Block Group exceeded at least one of the regional thresholds for EJ populations. In many cases, two or more communities of concern existed in the same Block Group and were considered overlapping communities of concern. These overlaps represented more highly concentrated areas of EJ communities of concern. There were **95 instances** where two or more communities of concern overlap and existed in the same Block Group.

The evaluation of communities of concern in chapter 3 determined that **23 percent** of all Block Groups in the DCHC MPO area were considered an EJ community of concern. **23 percent was set as the threshold for measuring the distribution of MTP projects.** It is reasonable to assume that 23 percent of all MTP projects and MTP project funding fall within, adjacent to, or impact an EJ community of concern Block Group.

### MEASURING 2040 MTP PROJECTS AGAINST THE THRESHOLD

Maps 4.1 and 4.2 on pages 4-9 and 4-10 respectively display the relationship between locations of MTP projects and overlapping community of concern Block Groups. There were a total of 81 projects in the adopted 2040 MTP. The 81 projects were mapped by segments to more concisely determine the portion or portions of a project that impact an overlapping community of concern Block Group. If a project segment was located partially or completely within a community of concern Block Group, it was assumed to impact those populations living there.

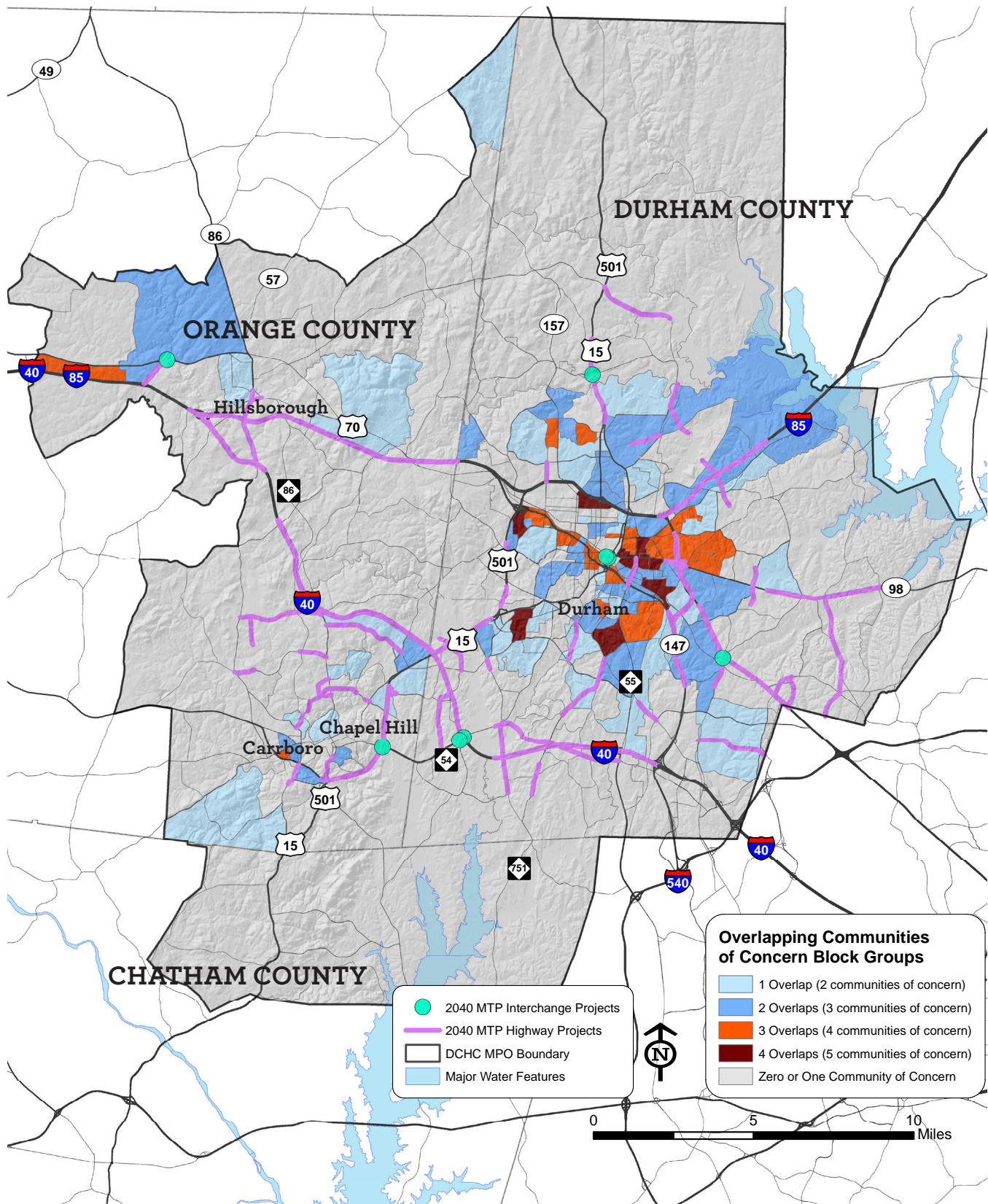
The MTP included **eight interchange projects totaling \$115 million in project funding.** Of the eight projects, four projects (50 percent) were located within, partially within, or connected directly to an overlapping community of concern Block Group. Of the \$115 million in total funding, \$88 million, or **76 percent** was within, partially within, or connected directly to an overlapping community of concern Block Group.

The MTP included **740 highway project segments totaling \$2.2 billion in project funding.** Of the 740 project segments, 297 project segments (40 percent) were located within, partially within, or connected directly to, an area of overlapping communities of concern Block Groups. Of the \$2.2 billion in total funding, \$750 million, or **34 percent** was within, partially within, or connected directly to an overlapping community of concern Block Group.

The MTP included **194 transit route projects segments. Of the 194 project segments, 165 segments or 85 percent** were located within, partially within, or connected directly to an area of overlapping communities of concern Block Groups. Projected costs for transit route projects and service in 2040 were calculated as part of the 2040 MTP, however, a methodology for geographic distribution of transit route project costs was not included as part of the 2040 MTP. Thus, the geographic distribution of funding for transit route service projects could not be compared to locations of EJ communities of concern as part of this EJ report.



**Map 4.1 Location of 2040 MTP Highway Projects Relative to Overlapping Community of Concern Block Groups**



**Map 4.2 Location of 2040 MTP Transit Route Projects Relative to Overlapping Community of Concern Block Groups**

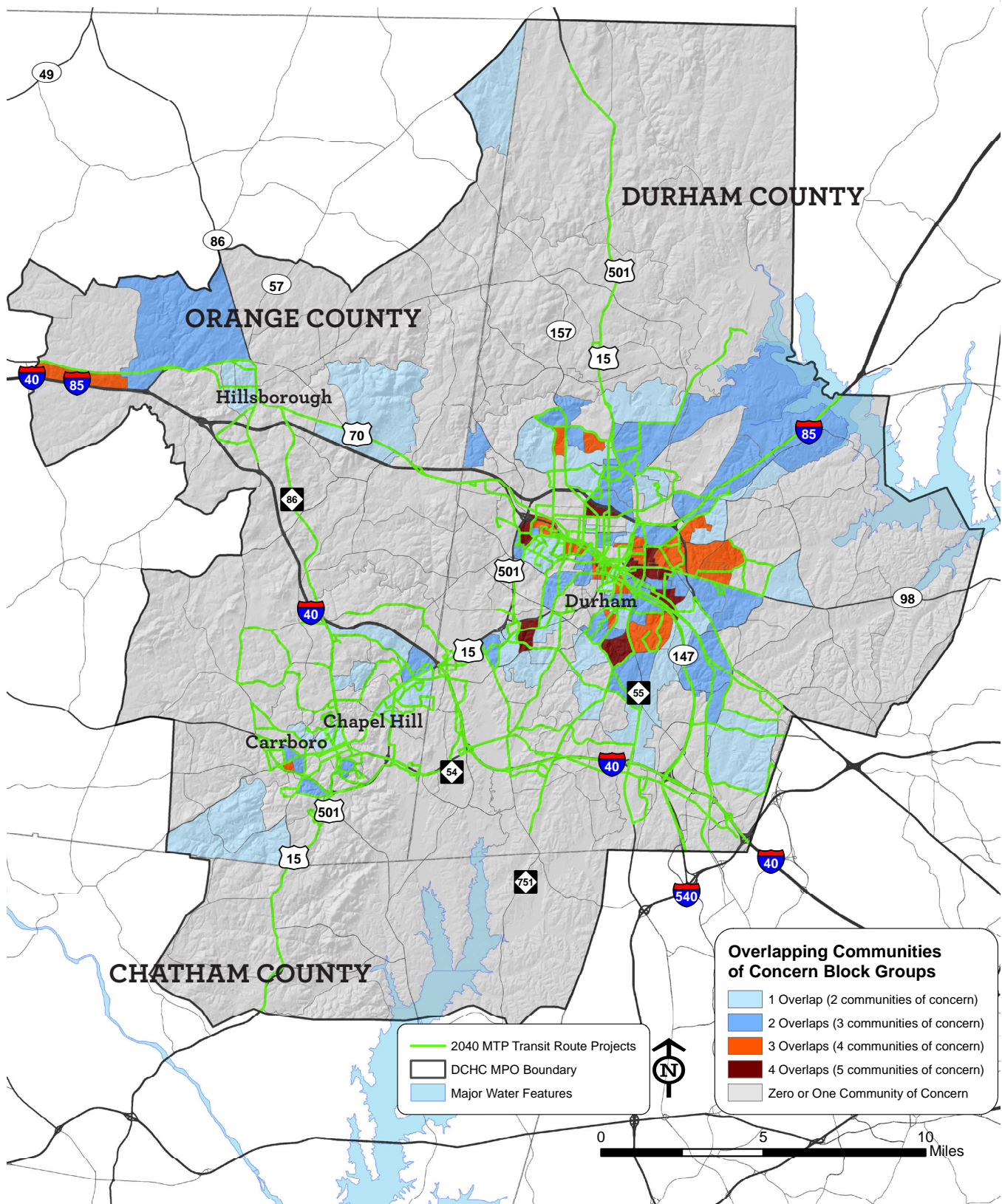




Table 4.1 below presents the percentage of MTP project segments and MTP project funding relative to overlapping EJ communities of concern Block Groups. The percentages of MTP projects and MTP project funding for interchange projects and transit route projects were **above the 23 percent threshold**. However, the percentage of highway project segments located within or near overlapping EJ communities of concern Block Groups segments was 40 percent, and funding for the same highway project segments accounted for **34 percent** of total funding for highway projects which is closer to the 23 percent threshold.

**Table 4.1: 2040 MTP Project Distribution**

Type of MTP Project	Located Within Overlapping Communities of Concern Block Groups	Total # of Project Segments or Total Project Funding in DCHC MPO Area	Percent of Total
MTP Interchange Projects	4	8	50%
MTP Interchange Project Funding	\$87,546,000	\$115,446,000	76%
MTP Highway Project Segments	297	740	40%
MTP Highway Project Funding	\$752,340,173	\$2,222,439,325	34%
MTP Transit Route Projects	165	194	85%

## TRANSPORTATION IMPROVEMENT PROGRAM

The Transportation Improvement Program (TIP) reflects the transportation capital improvement priorities of the DCHC MPO region and serves as the link between the transportation planning process and project implementation. It includes a list of transportation projects and programs, scheduled for implementation over a ten-year period, which must be consistent with the goals and the policies in the MTP. While inclusion in the TIP does not guarantee funding, it is an essential step in the authorization of funding for a project, and it is critical to the successful implementation of the project. It is important to ensure that all groups in the DCHC MPO region understand and have access to the TIP process, including representatives from low-income, LEP, elderly, and minority communities.

### ***FY2012-2018 TIP Project Evaluation***

By analyzing the geographic and funding distribution of projects included in the TIP, it can be determined if the TIP complies with Title VI, Executive Orders 12898 and 13166, and USDOT Orders related to EJ. Project cost estimates included in the TIP were estimates of perceived costs for future transportation projects. Updated cost estimates for projects will be developed when the design/preliminary engineering for the project has been completed.

### **TIP Projects Measured Against Communities of Concern Block Groups in the DCHC MPO Area**

#### **DETERMINING THE THRESHOLD**

There are 257 total Block Groups in the DCHC MPO region. The evaluation of EJ communities of concern in chapter 3 identified a total of 361 instances in which a Block Group exceeded at least one of the regional thresholds for EJ populations. In many cases, two or more

communities of concern existed in the same Block Group and were considered overlapping communities of concern. These overlaps represented more highly concentrated areas of EJ communities of concern. There were **95 instances** where two or more communities of concern overlap and existed in the same Block Group.

The evaluation of communities of concern in chapter 3 determined that **23 percent** of all Block Groups in the DCHC MPO area were considered an EJ community of concern. **23 percent was set as the threshold for measuring the distribution of TIP projects.** It is reasonable to assume that 23 percent of all TIP projects and TIP project funding fall within, adjacent to, or impact an overlapping EJ community of concern Block Group.

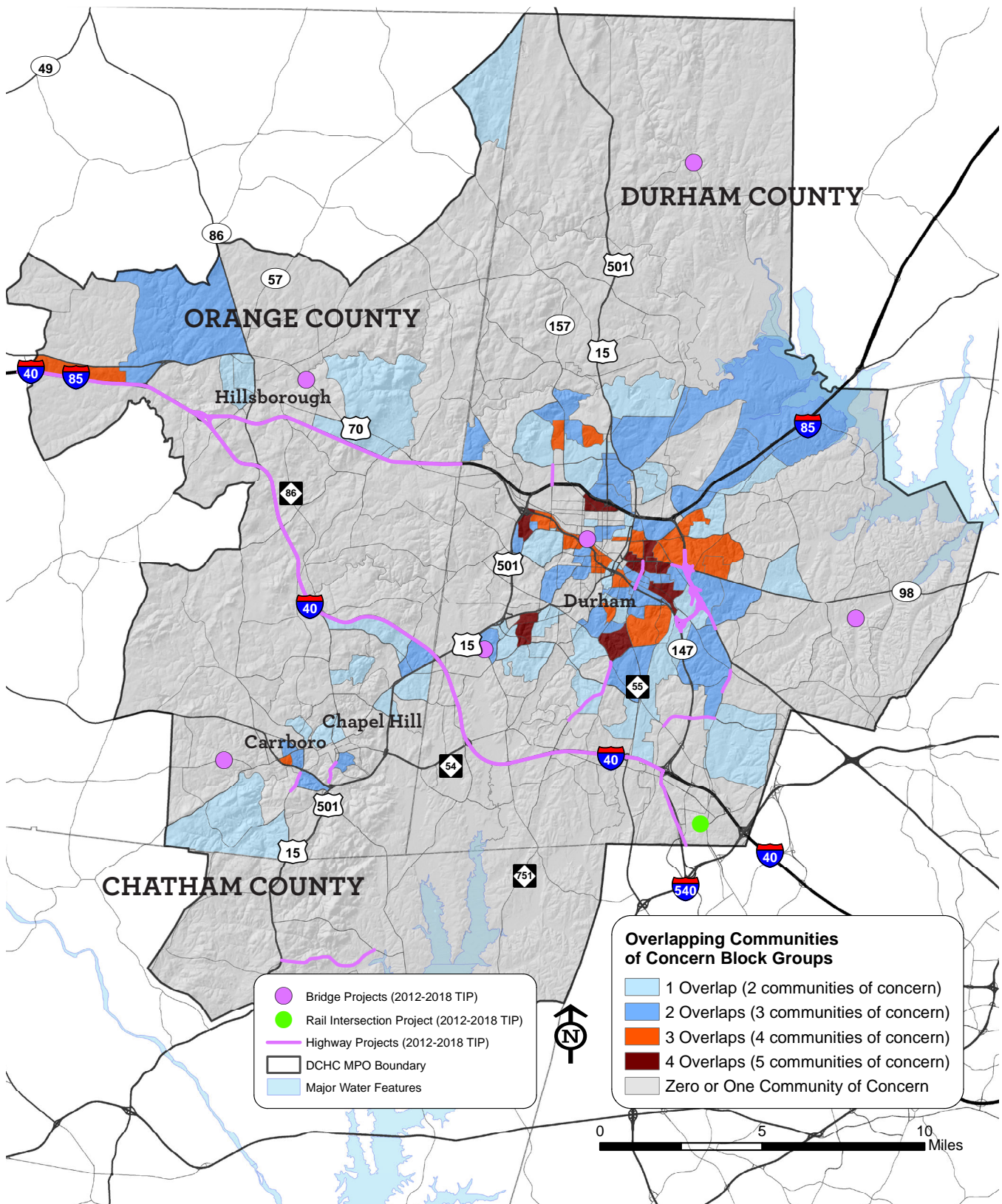
#### **MEASURING TIP PROJECTS AGAINST THE THRESHOLD**

The FY2012-2018 TIP was reviewed for projects that were considered to improve local safety, preserve the existing roadways, or enhance the local transportation system, and the projects that could possibly be mapped, were mapped. Projects were categorized as either a highway, bridge, rail intersection improvement, or bicycle/pedestrian project. Maps 4.3 and 4.4 on pages 4-13 and 4-14 respectively, display the relationship between locations of TIP projects and overlapping community of concern Block Groups.

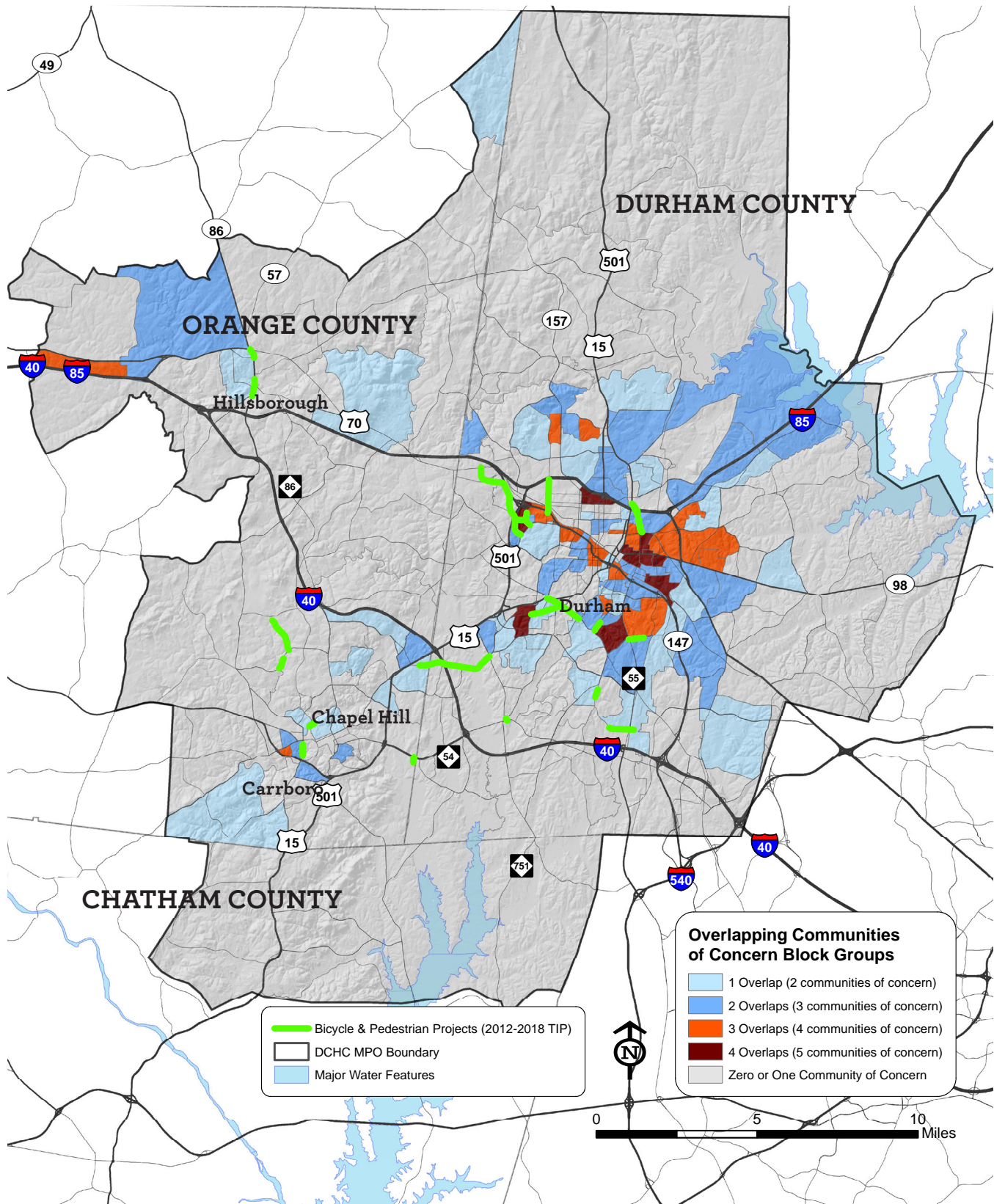
Highway projects in the TIP were mapped by segments to more concisely determine the portion or portions of a project that impact an overlapping community of concern Block Group. If a project segment was located partially or completely within a community of concern Block Group, it was assumed to impact those populations living there. Bicycle and pedestrian projects in the TIP were not mapped by segment, as these projects were often shorter in length.



**Map 4.3 Location of TIP Highway, Bridge, and Rail Projects Relative to Overlapping Communities of Concern Block Groups**



**Map 4.4 Locations of TIP Bicycle and Pedestrian Projects Relative to Overlapping Community of Concern Block Groups**





The FY2012-2018 TIP included **29 bicycle and pedestrian project totaling \$55 million in project funding**. Of the 29 projects, 21 project (72 percent) were located within, partially within, or connected directly to an area of overlapping EJ communities of concern Block Groups. Of the \$55 million in total project funding, \$40 million, or **73 percent** was within, partially within, or connected directly to an overlapping EJ community of concern Block Group.

The FY2012-2018 TIP included **385 highway project segments totaling over one billion dollars in project funding**. Of the 385 projects segments, 153 project segments were located within, partially within, or connected directly to an area of overlapping EJ communities of concern Block Groups. Of the one billion dollars in total project funding, \$525 million, or **45 percent** was within, partially within, or connected directly to an overlapping EJ community of concern Block Group.

The FY2012-2018 TIP included **six bridge projects totaling \$16 million in project funding**. Of the six projects, two were located

within, partially within, or connected directly to an area of overlapping EJ communities of concern Block Groups. Of the \$16 million in total project funding, \$7 million, or **50 percent** was within, partially within, or connected directly to an overlapping EJ community of concern Block Group.

The FY2012-2018 TIP included **one rail intersection improvement project totaling \$30 million in project funding**. This project was not located within, partially within, or directly connected to an area of overlapping communities of concern Block Groups. Of the \$30 million in total project funding, zero funding was within, partially within, or directly connected to a community of concern Block Group.

Table 4.2 below presents the percentage of TIP projects, project segments, and TIP project funding relative to overlapping EJ communities of concern Block Groups. The percentages of TIP project segments and the percentages of TIP project funding were **above the 23 percent threshold for each project type except for the rail improvement project**.

**Table 4.2: FY2012-2018 TIP Project Distribution**

Type of TIP Project	Located Within Overlapping Communities of Concern Block Groups	Total # of Projects or Project Segments or Total Project Funding in DCHC MPO Area	Percent of Total
Bicycle and Pedestrian Projects	21	29	72%
Bicycle and Pedestrian Project Funding	\$39,709,656	\$54,501,858	73%
Highway Projects	153	385	40%
Highway Project Funding	\$524,858,140	\$1,159,944,000	45%
Bridge Projects	2	6	33%
Bridge Project Funding	\$6,666,000	\$15,938,000	42%
Intersection (Rail Improvement) Project	0	1	0%
Intersection (Rail Improvement) Project Funding	\$0	\$30,037,000.00	0%

## UNIFIED PLANNING WORK PROGRAM

Each year, the DCHC MPO, in cooperation with member agencies, prepares a Unified Planning Work Program (UPWP). The UPWP includes documentation of planning activities to be performed with funds provided to the DCHC MPO by the FHWA and FTA. All transportation-planning activities of member agencies and consultants, as well as the work done directly by the DCHC MPO staff and funded in federal sources are included in the UPWP.

### *Public Involvement*

Public involvement is important to the development of the UPWP. From the outset, citizens are given an opportunity to suggest projects and other activities for consideration. Moreover, the DCHC MPO staff solicits comments from the public, stakeholders, members of the MPO TC and members of the MPO Board.

The draft UPWP is made available for a 45-day public review and comment period. Once comments have been received and addressed, the final UPWP document is presented to the MPO TC and the MPO Board. The MPO Board holds a public hearing prior to voting on adoption of the final UPWP document. Once adopted, the UPWP is made available on the DCHC MPO website with hard copies available by request.

### *FY2014-2015 UPWP Program of Funding*

Over **\$5 million** in federal, state, and local funding was programmed for use in the FY 2015 UPWP. Of these funds, over **\$1.9 million** was programmed to support activities of the DCHC MPO lead planning agency staff. Over **\$2 million** was programmed for other municipal and county transportation planning activities

and over **\$1 million** was programmed for regional transit planning activities. While a majority of this funding is needed for mandatory regional planning activities (such as the MTP and this EJ report), and staff support to carry them out, a notable amount of money is available to conduct studies and fund planning projects projects. Table 4.3 on page 4-17 presents a summary of the FY2014-2015 UPWP funding program.

### *UPWP Funding Relative to EJ Populations*

As there continues to be funding available through the UPWP to fund local studies and projects, it is critical for the DCHC MPO to carefully review this EJ report to ensure EJ populations in the DCHC MPO area enjoy the same benefits of the federal investments, bear the same burdens resulting from the federal projects, and have equal participation in the local and state issues. Public outreach efforts must be strategic and diverse, as the different populations that live within the DCHC MPO area have diverse interests, needs, and abilities. Each receiving agency must ensure public access to, and public engagement during, the development of federally funded programs and planning activities. Receiving agencies work strategically to connect with, and engage traditionally underrepresented populations in the DCHC MPO area.

**Table 4.3: FY2014-2015 UPWP Funding Program**

Receiving Agency	STP-DA Sec. 133(b)(3)(7)		Section 104(f) PL		Section 5303 Highway/Transit		
	Local 20%	FHWA 80%	Local 20%	FHWA 80%	Local 10%	NCDOT 10%	FTA 80%
LPA	\$302,508	\$1,210,034	\$84,273	\$337,090	\$0	\$0	\$0
Carrboro	\$36,802	\$147,206	\$0	\$0	\$0	\$0	\$0
Chapel Hill/CHT	\$47,147	\$188,588	\$0	\$0	\$18,443	\$18,443	\$147,541
Durham/DATA	\$47,720	\$190,880	\$0	\$0	\$19,195	\$19,195	\$153,563
Durham County	\$12,029	\$48,115	\$0	\$0	\$0	\$0	\$0
Orange County	\$11,062	\$44,248	\$0	\$0	\$0	\$0	\$0
TJCOG	\$13,750	\$55,000	\$0	\$0	\$0	\$0	\$0
TTA	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Totals</b>	<b>\$471,018</b>	<b>\$1,884,071</b>	<b>\$84,273</b>	<b>\$337,090</b>	<b>\$37,638</b>	<b>\$37,638</b>	<b>\$301,104</b>

Receiving Agency	Section 5307 Transit			Section 5309 Transit			Local Transit 100
	Local 10%	NCDOT 10%	FTA 80%	Local 10%	NCDOT 10%	FTA 80%	Local
LPA	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Carrboro	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Chapel Hill/CHT	\$35,453	\$35,453	\$283,621	\$26,250	\$26,250	\$210,000	\$0
Durham/DATA	\$30,634	\$30,634	\$245,075	\$0	\$0	\$0	\$0
Durham County	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Orange County	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TJCOG	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TTA	\$85,500	\$85,500	\$684,000	\$0	\$0	\$0	\$215,000
<b>Totals</b>	<b>\$151,587</b>	<b>\$151,587</b>	<b>\$1,212,696</b>	<b>\$26,250</b>	<b>\$26,250</b>	<b>\$210,000</b>	<b>\$215,000</b>

Receiving Agency	Funding Summary			
	Local	NCDOT	Federal	Total
LPA	\$386,781	\$0	\$1,547,124	\$1,933,905
Carrboro	\$36,802	\$0	\$147,206	\$184,008
Chapel Hill/CHT	\$127,293	\$80,146	\$829,750	\$1,037,189
Durham/DATA	\$97,549	\$49,829	\$589,518	\$736,896
Durham County	\$12,029	\$0	\$48,115	\$60,144
Orange County	\$11,062	\$0	\$44,248	\$55,310
TJCOG	\$13,750	\$0	\$55,000	\$68,750
TTA	\$300,500	\$85,500	\$684,000	\$1,070,000
<b>Totals</b>	<b>\$985,766</b>	<b>\$215,475</b>	<b>\$3,944,962</b>	<b>\$5,146,203</b>

## FINDINGS FOR DCHC MPO'S LONG-RANGE PLANNING ACTIVITIES

A comparison of the ratio of total 2040 MTP and FY2012-2018 TIP projects with those projects located in communities of concern Block Groups, indicates that the **DCHC MPO has unevenly distributed projects and funding across the region.**

### *2040 MTP Findings*

The evaluation of 2040 MTP projects and project segments indicates that 50 percent of interchange projects, 40 percent of highway projects, and 85 percent of transit route projects were located within or adjacent to communities of concern Block Groups. These percentages **exceed the regional threshold of 23 percent** for measuring the distribution of MTP projects.

The evaluation of 2040 MTP project funding indicates that 76 percent of funding for interchange projects and 34 percent of funding for highway project segments were located within or adjacent to communities of concern Block Groups. The percentages of project funding **exceed the regional threshold of 23 percent** for measuring the distribution of MTP project funding.

### *FY2012-2018 TIP Findings*

The evaluation of FY2012-2018 TIP projects indicates that 72 percent of bicycle and pedestrian projects, 40 percent of highway projects, 33 percent of bridge projects, and zero percent of the rail improvement projects were located within or adjacent to communities of concern Block Groups. With the exception of the rail improvement project, these percentages **exceed the regional threshold of 23 percent** for measuring the distribution of TIP projects.

The evaluation of FY2012-2018 TIP project funding indicates that 73 percent of funding for bicycle and pedestrian projects, 45 percent of funding for highway projects, 42 percent of funding for bridge projects, and zero percent of funding for the rail improvement project, were located within or adjacent to communities of concern Block Groups. The percentages of project funding **exceed the regional threshold of 23 percent** for measuring the distribution of TIP project funding.

### *Summary*

Project funding and the number of projects in the 2040 MTP and FY2012-2018 TIP that were located within or adjacent to EJ communities of concern Block Groups exceeded regional thresholds identified in this EJ report. The DCHC MPO should refer to the findings of this EJ report to more fully incorporate the consideration of EJ communities of concern into major planning activities. Impacts related to transportation projects can be beneficial to or burdensome to nearby communities. An equitable distribution of funding and projects will allow all populations to equally enjoy the benefits and bare the burdens related to transportation projects. The DCHC MPO should carefully assess potential benefits and burdens related to projects that are proposed for inclusion in long-range planning efforts such as the MTP and TIP. **Particularly, early and careful consideration of project-related burdens, relative to the populations that exist in close proximity to the project is important. Consideration of the timing or schedule of projects will also significantly limit unnecessary or continual burdens felt by those populations.**

Benefits and burdens related to transportation projects are discussed in more detail beginning on page 4-20 of this EJ report.

## CONCLUSION AND NEXT STEPS

### *Considering the Planning Process and Impacts*

EJ analysis is a type of equity analysis that is performed as part of the MPO's long-range planning process and also as a component of the planning phase for a specific project. For specific projects, the emphasis is not just to consider potential impacts of project alternatives on the affected community, but also whether the community participated in project inputs and project meetings.<sup>1</sup> An appropriate public outreach and engagement strategy must be developed early in the planning process or in the project development phase and must include opportunities for community input and feedback at all key milestones or decision-making points.

### *Public Involvement Strategies*

The DCHC MPO Public Involvement Policy (PIP) provides effective guidance on public outreach and engagement methods, techniques, strategies, and time lines. However, as the demographic population profiles of the DCHC MPO area evolve over time, so should the PIP. Each time the *Environmental Justice Report for the DCHC MPO* is updated based on more recent US Census Bureau American Community Survey data sets, the DCHC MPO should revisit the PIP to verify that the methods, techniques, strategies, and timelines for public involvement are still relevant and successful. If recent public outreach and engagement efforts have not been successful, the DCHC MPO should re-evaluate the PIP and update it as appropriate.

### *Updating the Public Involvement Policy*

During the next update to the PIP, a specific EJ-related outreach policy statement should be incorporated. It is also important to identify and

consider the unique communities that live in the DCHC MPO area. The DCHC MPO should refer to this EJ report or any future updates to this EJ report to identify any highly concentrated areas of EJ populations. **It is critical that updates to the PIP do not exclude the consideration of non-EJ populations** that live in the DCHC MPO area. The DCHC MPO should learn and understand the values, traditions, and histories of all communities and populations that exist in the DCHC MPO area and tailor outreach strategies appropriately. A few key questions that the MPO should ask during an update to the PIP are:

- Historically, what populations or communities have been underrepresented during transportation planning activities?
- Is there a local community leader that would be willing to serve as a liaison?
- Where do members of these communities work?
- Where do members of these communities recreate or congregate?
- Where do members of these communities access basic needs, in particular, food and retail goods?
- What languages do members of these communities speak at home?
- How do members of these communities seek out and share information within their communities?
- What obstacles such as physical ability, transportation, employment, or family responsibilities would prevent members of these communities from participating in public meetings or workshops?

For public outreach in the DCHC MPO area to be successful, an update to the PIP should reflect answers or solutions to the questions listed above.



## Benefits and Burdens

Not every project can be considered supremely beneficial to the communities that it directly impacts. There are benefits and burdens related to every transportation-related project and both must be comprehensively assessed for each specific project during the project identification and prioritization phases of long-range planning activities such as the MTP and the TIP.

### POTENTIAL BURDENS

When considering potential burdens of transportation-related projects, all reasonably foreseeable adverse social, economic, and environmental effects on minority, LEP, elderly, and low-income populations must be identified and addressed. For the purposes of this EJ report, burdens are impacts related to the transportation process that have an adverse impact or effect on the surrounding communities.

The USDOT update to the Final Environmental Justice Order 56102 states that **adverse effects** include, but are not limited to:

- Bodily impairment, infirmity, illness, or death;
- Air, noise, and water pollution and soil contamination;
- Destruction or disruption of man-made or natural resources;
- Destruction or diminution of aesthetic values;
- Destruction or disruption of community cohesion or a community's economic vitality;
- Destruction or disruption of the availability of public and private facilities and services;
- Vibration;
- Adverse employment effects;
- Displacement of persons, businesses, farms, or nonprofit organizations;

- Increased traffic congestion, isolation, exclusion, or separation of minority or low-income individuals within a given community or from the broader community; and
- The denial of, reduction in, or significant delay in the receipt of benefits of USDOT programs, policies, or activities.<sup>2</sup>

As stated on page 4-18, the DCHC MPO should carefully assess potential burdens related to projects that are proposed for inclusion in long-range planning efforts such as the MTP and TIP.

### POTENTIAL BENEFITS

Benefits of a transportation investment are the direct, positive effects of that project; that is to say, the desirable things we obtain by directly investing in the project.<sup>3</sup> Example benefits include but are not limited to:

- Reduction of travel time;
- Reduced vehicle-related costs (costs of owning and operating a vehicle);
- Reduction in the number or severity of crashes;
- Reduction in circuitry of travel (provide a shorter route); and
- Reduction of costs related to emission reductions.

The DCHC MPO should carefully assess anticipated benefits related to projects that are proposed for inclusion in long-range planning efforts such as the MTP and TIP. Not all proposed projects will be beneficial to all populations that exist in close proximity to the projects and **full consideration of EJ measures such as accessibility, mobility, safety, displacement, equity, environmental, social, and aesthetics should be made during all long-range planning activities.**



## Benefits and Burdens Comparison Table

The Coastal Region Metropolitan Planning Organization (CORE MPO), located in the Savannah, Georgia Urbanized Area, adopted an *Environmental Justice Report of the Coastal Region Metropolitan Planning Organization* in 2012. Chapter 2 of the CORE MPO report presents a summary table of benefits and burdens related to transportation projects and includes potential

mitigation strategies that were identified by the CORE MPO.<sup>4</sup>

The summary table (below) has been included in this EJ report because it provides a wealth of excellent information in an easy to read and condensed format. The DCHC MPO will refer to Table 4.4 during future planning process and will also update the table as needed to reflect EJ goals of the DCHC MPO area.

**Table 4.4: Example Table of Potential Benefits and Burdens of Transportation Projects**

Proposed Project Type	Possible Benefits	Possible Burdens	Possible Mitigation Strategies
<b>HIGHWAY SYSTEM</b>			
New Road	Enhance accessibility and mobility; Promote economic development; Improve safety; Improve operational efficiency.	Benefits limited to populations with motor vehicles; Increase in noise and air pollution; Might impact existing neighborhoods.	Signal synchronization, pedestrian crosswalks, bike lanes, bus route addition, etc; Select ROW for minimum impacts; Try to incorporate context-sensitive design to maintain the neighborhoods.
Resurface/Upgrade of existing roadways	Promote system preservation; Improve safety; Improve operational efficiency.	Expansion of shoulder width impinges on residential property; Diverted traffic during project construction causes heavy traffic and dangerous conditions on city streets; Noise and air pollution during construction.	Build curbing and sidewalks rather than shoulders; Close large section of roadways on weekends to increase resurfacing productivity; Reroute traffic to major streets if possible.
<b>PUBLIC TRANSIT</b>			
Fixed Route Bus Service	Enhance accessibility by transit to EJ populations; Reduce reliance on motor vehicles and improve air quality; Increase mobility to EJ populations.	Buses are sometimes smelly and noisy; Bus headways in certain routes might be too long; Possible capacity problems with ferry boat; Some bus shelters are not wheelchair accessible.	Try to create a comfortable environment for the bus and ferry boat riders; Improve transit frequency if possible; Bus routes should be within walking distance of EJ populations; Install bus shelters accessible by wheelchairs.
<b>PEDESTRIAN AND BICYCLE FEATURES</b>			
Addition of Pedestrian Amenities and / or Safety Provisions	Improve quality of life, health and environment by encouraging people to use the bike/pedestrian facilities.	"Bump-outs" and traffic calming measures make commercial deliveries difficult.	Need to come up with some original improvement plans to accommodate both motor vehicle traffic and bike/pedestrian usage.
<b>PEDESTRIAN AND BICYCLE FEATURES ~ CONTINUED</b>			
Addition of Bike Routes/Lanes to Existing Roads	Improve safety to pedestrians and bike riders; Provide an alternative to motor vehicles.	Bike routes takes space for passing turning cars at intersections and reduce on-street parking.	Develop standardized design guidelines that accommodate both motor vehicle traffic and bike/pedestrian usage.
<b>OTHER TRANSPORTATION PROJECTS</b>			
Multi-modal connections	Enhance mobility and accessibility.	Some ITS projects might be expensive to implement.	Multi-modal incorporates transit stations and other modes.
ITS improvements	Improve safety.		Have a comprehensive design before any ITS projects are implemented.
CMP strategies	Enhance system preservation and operational efficiency.		

## ***Next Steps: Using & Updating this EJ Report***

This EJ report can help local, regional, and state agencies or organizations identify the locations and concentrations of EJ populations. Additionally, it can be of assistance during range planning processes to avoid disproportionately high and adverse impacts of plans and policies on EJ populations. This report should be used in conjunction with a more detailed, project-specific EJ analysis conducted during long-range planning activities such as the MTP and TIP, and again during individual project planning phases, such as the NEPA phase. As the DCHC MPO region continues to grow and change demographically, the methodology developed for this EJ report to evaluate EJ communities of concern should be reassessed for consistency with new or current EJ population evaluation methodologies.

As was done in this document with the inclusion of the LEP, elderly, and zero-car household analyses, future analyses may consider evaluation of additional EJ populations. This may also include the creation of a project-specific EJ Advisory Committee, coordination with other MPOs involved in similar processes, receipt of input from stakeholders, individual citizens or community groups, and research and updating of data sources that may prove useful to the analysis. The DCHC MPO should also **consider including a review and evaluation of past projects or recently completed projects in a future update to this EJ Report. The inclusion of such an evaluation would ensure there are no systematic or cumulative impacts to any one community in the DCHC MPO area.**

Additionally, the DCHC MPO will continue to implement EJ activities as part of its annual UPWP, fulfillment of federal certification requirements, and completion of regional goals related to EJ. The EJ program at DCHC MPO

is constantly evolving, becoming more effective and inclusive over time. To ensure EJ compliance and considerations are implemented in all major planning activities of the DCHC MPO, the MPO will:

- Remain informed of legal developments related to Title VI and other non-discrimination statutes;
- Continue to update the Table 4.4 of potential benefits and burdens related to transportation projects in the DCHC MPO area and include evaluation of **additional EJ measures such as accessibility, mobility, safety, displacement, equity, environmental, social, and aesthetics**;
- Evaluate the potential impacts of DCHC MPO transportation projects on EJ communities of concern and strive to mitigate or reduce the level of burden associated with a project;
- Assess DCHC MPO studies and programs to identify the regional benefits and challenges of different populations groups;
- Determine strategic outreach efforts to LEP populations and strengthen efforts to include all population groups in the DCHC MPO area in the regional planning process;
- Provide EJ education and training for DCHC MPO staff to heighten the awareness of EJ in the planning process;
- Maintain and update the Title VI Compliance, Public Involvement Plan, LEP Plan, and Environmental Justice Report as necessary;
- Refer to this EJ report often during planning processes for guidance on the locations and concentrations of EJ communities of concern in the DCHC MPO area; and
- Update this EJ report following, or in conjunction with the adoption of the future 2045 MTP.

### Contents:

Definition of Acronyms

Funding Resources & Definitions

Contacts & Resources

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# DEFINITIONS OF COMMONLY USED ACRONYMS

Acronyms	Definitions
ADT	Average Daily Traffic
AADT	Annual Average Daily Traffic
AM/FM	Automated Mapping/ Facilities Management
AASHTO	American Association of State Highway and Transportation Officials
ADA	Americans with Disabilities Act (1990)
AFV	Alternate Fuel Vehicle
AMPO	Association of Metropolitan Planning Organizations
APTA	American Public Transportation Association
BG MPO	Burlington-Graham Metropolitan Planning Organization
BOT	Board of Transportation (NCDOT)
CAA	Clean Air Act (1970)
CAAA	Clean Air Act Amendments of 1990 (United States)
CAD	Computer Aided Design
CAMPO	Capital Area Metropolitan Planning Organization
CATS	Capital Area Transit System
3-C	Continuing, Cooperative, Comprehensive
CFR	Code of Federal Regulations
CHT	Chapel Hill Transit
CIP	Capital Improvement Program
CMAQ	Congestion Mitigation/Air Quality grant program
CO	Carbon Monoxide
CO <sub>2</sub>	Carbon Dioxide
C-O CRC	Chatham-Orange Community Resource Connection
CTN	Chatham Transit Network
CTP	Comprehensive Transportation Plan

Acronyms	Definitions
CTSP	Community Transportation Service Plan
CTRAN	Cary Transit System
DAQ	Division of Air Quality (North Carolina)
DBE	Disadvantaged Business Enterprise
DATA	Durham Area Transit Authority
DCHC MPO	Durham-Chapel Hill -Carrboro Metropolitan Planning Organization
DEIS	Draft Environmental Impact Statement
DENR	Department of Environment and Natural Resources (North Carolina)
DMV	Division of Motor Vehicles
DOT	Department of Transportation (North Carolina)
EA	Environmental Assessment
EAC	Early Action Compact (EPA)
EIS	Environmental Impact Statement
E+C	Existing Roads plus Committed Projects
EJ	Environmental Justice
EPA	U. S. Environmental Protection Agency
ERB	Environmental Review Board (Chatham County)
FAA	Federal Aviation Administration
FFY	Federal Fiscal Year (Oct 1 - Sept 30)
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
GARVEE	Grant Anticipation Revenue Vehicle
GBASE	Green Building and Sustainable Energy Board (Chatham County)
GIS	Geographic Information Systems
GISP	GIS Professional
GIS-T	Geographic Information Systems-Transportation

# DEFINITIONS OF COMMONLY USED ACRONYMS (CONTINUED)

Acronyms	Definitions
GPS	Global Positioning System
HBO	Home Based Other (trip purpose)
HBS	Home Based Shopping (trip purpose)
HBW	Home Based Work (trip purpose)
HOT	High Occupancy Toll and Vehicle
HOV	High Occupancy Vehicle
HRRR	High Risk Rural Road
HSIP	Highway Safety Improvement Plan
ISO/TC 211	International Standards Organization Geographic Information/ Geomatics Standard
I/M	Inspection/Maintenance
ISTEA	Intermodal Surface Transportation Efficiency Act (1991)
ITRE	Institute for Transportation Research and Education (NC State)
ITS	Intelligent Transportation Systems
JARC	Job Access and Reverse Commute (FTA program, Section 5316)
KT RPO	Kerr-Tar Rural Transportation Planning Organization
LOS	Level-of-Service
LPA	Lead Planning Agency
LRTP	Long Range Transportation Plan (LRTP)
MAP 21	Moving Ahead for Progress in the 21st Century Act (current federal law)
MIS	Major Investment Study
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
MPO	Metropolitan Planning Organization
MSA	Metropolitan Statistical Area
MTIP	Metropolitan Transportation Improvement Program
MTP	Metropolitan Transportation Plan
MUTCD	Manual on Uniform Traffic Control Devices
NAAQS	National Ambient Air Quality Standards
NADO	National Association of Development Organizations
NCAMPO	North Carolina Association of Metropolitan Planning Organizations

Acronyms	Definitions
NCARPO	North Carolina Association of Rural Planning Organizations
NCDOT	North Carolina Department of Transportation
NCPTA	North Carolina Public Transportation Association
NCTA	North Carolina Turnpike Authority
NEPA	National Environmental Policy Act (1969)
NHB	Non Home Based (trip purpose)
NHS	National Highway System
NOx	Nitrogen Oxides
OUTBoard	Orange Unified Transportation Advisory Board (Orange County)
PDEA	Project Development and Environmental Analysis Branch (NC DOT)
PM 2.5	Particulate Matter, 2.5 micrometers
PIP	Public Involvement Policy
PPP	Public Private Partnership
PTD	Public Transportation Division (NCDOT)
PUD	Planned Unit Development
RGP	Rural General Public (Transit)
ROAR	Rural Operating Assistance Program (Transit)
ROW	Right-Of-Way
RPO	Rural Transportation Planning Organization
RSA	Road Safety Audit
RTF	Research Triangle Foundation
RTP	Research Triangle Park
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users
SIP	State Implementation Plan (for air quality)
SOV	Single Occupancy Vehicle
SPOT	Strategic Planning Office of Transportation (NCDOT)
SRTS	Safe Routes to School
STAC	Special Transit Advisory Commission
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
STP-DA	Surface Transportation Program- Direct Attribution

# DEFINITIONS OF COMMONLY USED ACRONYMS (CONTINUED)

Acronyms	Definitions
TAB	Transportation Advisory Board (Chatham County)
TARPO	Triangle Area Rural Transportation Planning Organization
TAZ	Traffic Analysis Zone
TC	Technical Committee (local staff)
TCM	Transportation Control Measure
TDM	Travel Demand Management
TEA	Transportation Enhancement Activity
TEA-21	Transportation Equity Act for the 21st Century
TIA	Traffic Impact Analysis
TIGER	Topologically integrated geographic encoding and referencing (Census GIS data files)
TIP	Transportation Improvement Program
TJCOG	Triangle J Council of Governments
TMA	Transportation Management Area
TOD	Transit Oriented Development
TPB	Transportation Planning Branch (NCDOT)
TRM	Triangle Regional Model
TSM	Transportation System Management
TTA	Triangle Transit Authority
UAB	Urbanized Area Boundary
UPWP	Unified Planning Work Program
USC	United States Code
USDOT	United States Department of Transportation
USEPA	United States Environmental Protection Agency
VHT	Vehicle Hours of Travel
VMT	Vehicle Miles of Travel
VOC	Volatile Organic Compounds
VPD	Vehicles per Day
V/C	Volume-to-Capacity Ratio
WCS	Web Coverage Service
WFS	Web Feature Service
WMS	Web Map Service
WPS	Web Processing Service
WMTS	Web Map Tile Service

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# DCHC MPO Funding Source Overview & Guidance

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Fund Source Initials	Fund Source Title	Description	General Fund Ratio (Federal/State/Local) <i>There may be exceptions to the ratio.</i>	Website or Reference
APD	Appalachian Development Highway Program	The ARC and FHWA funds may be used for the construction, reconstruction, or improvement of highways on the designated 3,090 mile ADHS. MAP-21 Section 1108 amends 23 U.S.C. 133 and makes STP funds eligible for the “construction, reconstruction, rehabilitation, resurfacing, restoration, preservation, or operational improvements for highways, including construction of designated routes of the Appalachian development highway system and local access roads under section 14501 of title 40.” NHPP funds may also be eligible if the facility meets the requirements of that program.	100/0/0	pages 15-17 of the 'Guide to Federal-Aid Programs and Projects' by FHWA
Bond R	Revenue Bond	The Federal-aid Highway Act of 1950 (Public Law 81-769) made provisions for a State to claim Federal reimbursement for the retirement of bonds used for certain highway purposes. This was codified in 23 U.S.C. 122. A State that used the proceeds of bonds for the construction of Primary, Interstate, or Urban Extension projects, or Interstate Substitute highway projects could claim Federal reimbursement on that portion of the bond proceeds used to retire the bonds. [Section 107(f) of the Surface Transportation Assistance Act (STAA) of 1982 added substitute highway projects approved under 23 U.S.C. 103(e)(4) as eligible bond issue projects]	100/0/0	pages 19-21 of the 'Guide to Federal-Aid Programs and Projects' by FHWA
CMAQ	Congestion Mitigation and Air Quality	Formula funding which implementers compete for funding based on projects air quality benefit and ability to implement projects. All CMAQ projects must demonstrate the three primary elements of eligibility: transportation identity, emissions reduction, and location in or benefiting a nonattainment or maintenance area.	80/0/20	pages 24-25 of the 'Guide to Federal-Aid Programs and Projects' by FHWA
DP	Demonstration, Priority, and Special Interest Projects	"From 1970 until passage of the Intermodal Surface Transportation Efficiency Act of 1991 (1991 ISTEA, Public Law 102-240), Congress authorized more than 450 demonstration, priority, pilot, or special interest projects in various Federal-aid highway and appropriations acts. These projects were generically referred to as ""demonstration"" or ""demo"" projects, because Congress initiated this practice of providing special funding for these projects to demonstrate some new or innovative construction, financing, or other techniques on specific projects. The first demonstration projects were rail-highway crossings safety projects authorized on the Northeast Corridor high-speed rail line and in Greenwood, SC under the provisions of section 205 of the Federal-aid Highway Act of 1970 (P.L. 91-605). In 1973, the 19 cities railroad-highway demonstration projects were authorized in section 163 of the Federal-Aid Highway Act of 1973 (P.L. 93-87). With each new highway act or annual Department of Transportation (DOT) appropriations act, new demonstration projects were authorized or funding was provided for previously authorized projects"	80/0/20	pages 37-38 of the 'Guide to Federal-Aid Programs and Projects' by FHWA
SHRP	Future Strategic Highway Research Program	The Program is based on the NRC Special Report 260, entitled Strategic Highway Research: Saving Lives, Reducing Congestion, Improving Quality of Life and National Cooperative Highway Research Program Project 20-58. It emphasized the four areas of renewal, safety, congestion, and capacity. The SHRP II program includes an analysis of the following: 1) Renewal of aging highway infrastructure with minimal impact to users of the facilities. 2) Driving behavior and likely crash causal factors to support improved countermeasures. 3) Reducing highway congestion due to nonrecurring congestion. 4) Planning and designing new road capacity to meet mobility, economic, environmental, and community needs.	100/0/0	pages 68-69 of the 'Guide to Federal-Aid Programs and Projects' by FHWA

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Fund Source Initials	Fund Source Title	Description	General Fund Ratio (Federal/State/Local) <i>There may be exceptions to the ratio.</i>	Website or Reference
HBP	Highway Bridge Program	HBP funds may be used for: • The total replacement of an eligible structurally deficient or functionally obsolete highway bridge on any public road with a new facility constructed in the same general traffic corridor, • The rehabilitation that is required to restore the structural integrity of an eligible structurally deficient or functionally obsolete bridge on any public road, as well as the rehabilitation work necessary to correct major safety (functional) defects, • The painting and application of calcium magnesium acetate applications, sodium acetate/formate, or other environmentally acceptable, minimally corrosive anti-icing and de-icing compositions on bridges that are eligible for replacement or rehabilitation, • Seismic retrofits, systematic preventive maintenance, installation of scour countermeasures, and bridge inspection activities, and • The replacement of ferryboat operations in existence on January 1, 1984, the replacement of bridges destroyed before 1965, low-water crossings, and bridges made obsolete by Corps of Engineers (COE) flood control or channelization projects and not rebuilt with COE funds. Structurally deficient and functionally obsolete highway bridges eligible for replacement or rehabilitation must be over waterways, other topographical barriers, other highways, or railroads. The condition of highway bridges may also be improved through systematic preventative maintenance.	80/20/0	pages 75-76 of the 'Guide to Federal-Aid Programs and Projects' by FHWA
HP	HIGH PRIORITY CORRIDORS OR PROJECTS	Funding for projects specifically earmarked by Congress. These corridors or projects are Congressionally designated.	80/0/20	<a href="http://www.fhwa.dot.gov/safetealu/factsheets/highpriproj.htm">http://www.fhwa.dot.gov/safetealu/factsheets/highpriproj.htm</a>
HPP21	High Priority Projects in TEA-21	Earmarked funds from TEA-21.	80/0/20	<a href="http://www.fhwa.dot.gov/safetealu/factsheets/highpriproj.htm">http://www.fhwa.dot.gov/safetealu/factsheets/highpriproj.htm</a>
HPPLU	High Priority Project in SAFETEA-LU	Earmarked funds from SAFETEA-LU.	80/0/20	<a href="http://www.fhwa.dot.gov/safetealu/factsheets/highpriproj.htm">http://www.fhwa.dot.gov/safetealu/factsheets/highpriproj.htm</a>
HRRR	High Risk Rural Roads	HRRRP funds, authorized under SAFETEA-LU, may be used to carry out construction and operational improvements on roadways functionally classified as a rural major or minor collector or a rural local road with significant safety risks, as defined by the State in accordance with an updated State Strategic Highway Safety Plan.	90/10/0	pages 73-74 of the 'Guide to Federal-Aid Programs and Projects' by FHWA
HSIP	Highway Safety Improvement Programs (Safety Funds)	Formula funds for safety improvements.	90/10/0	pages 80-81 of the 'Guide to Federal-Aid Programs and Projects' by FHWA

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Fund Source Initials	Fund Source Title	Description	General Fund Ratio (Federal/State/Local) <i>There may be exceptions to the ratio.</i>	Website or Reference
ITS	Intelligent Transportation Systems Integration	ITS integration funds may be used to accelerate ITS integration and interoperability in metropolitan and rural areas and must be selected through competitive solicitation and meet certain detailed criteria. In metropolitan areas, funding shall be used primarily for integration; for projects outside metropolitan areas, funding may also be used for installation costs.	50/50/0	pages 91-92 of the 'Guide to Federal-Aid Programs and Projects' by FHWA
IM	Interstate Maintenance	"Types of work eligible for IM funding include: •Projects for resurfacing, restoration, rehabilitation, and reconstruction; •Projects for the reconstruction or new construction of bridges, interchanges, and over crossings along existing Interstate routes, including the acquisition of right-of-way where necessary; •Capital costs for operational, safety, traffic management, or intelligent transportation systems (ITS) improvements (operating costs are not eligible for IM funds); and •Projects for preventive maintenance. •Under the provisions of 23 U.S.C. 119(d), construction of new travel lanes, other than high occupancy vehicle (HOV) or auxiliary lanes, is not eligible for IM funding."	90/10/0	pages 101-102 of the 'Guide to Federal-Aid Programs and Projects' by FHWA
L	Local Match or Local Share	Local match or share requirement for federal or state funding sources.	equation or ratio varies	
NHP	National Highway Performance Program	Provides support for the condition and performance of the National Highway System (NHS), for the construction of new facilities on the NHS, and to ensure that investments of Federal-aid funds in highway construction are directed to support progress toward the achievement of performance targets established in a State's asset management plan for the NHS. Construction, reconstruction, resurfacing, restoration, rehabilitation, preservation, or operational improvement of segments of the National Highway System.	90/10/0	pages 120-121 of the 'Guide to Federal-Aid Programs and Projects' by FHWA
NHPIM	National Highway Performance Program (Interstate Maintenance)	This program is for the rehabilitation, restoration, and resurfacing of the Interstate system only. The state prioritizes and programs projects for funding.	90/10/0	pages 120-121 of the 'Guide to Federal-Aid Programs and Projects' by FHWA
NHS	NATIONAL HIGHWAY SYSTEM	Formula funds that provide funding for projects on the national highway system.	90/10/0	pages 124-125 of the 'Guide to Federal-Aid Programs and Projects' by FHWA
NRS	NATIONAL AND REGIONAL SIGNIFICANT PROJECTS	Discretionary funding for high cost projects of national and regional importance. An eligible project is any surface transportation project eligible for assistance under 23 USC, including a freight railroad project eligible under that title, that has a total eligible cost greater than or equal to the lesser of (1) \$500,000,000 or (2) 50 percent of the amount of Federal highway funds apportioned to the State in which the project is located for the most recently completed fiscal year.	80/20/0	<a href="http://www.fhwa.dot.gov/safetealul/factsheets/natlregl.htm">http://www.fhwa.dot.gov/safetealul/factsheets/natlregl.htm</a>

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RTP	Recreation Trails Program or also found as National Recreational Trails	Federal-aid assistance program of the FHWA to help the States provide and maintain recreational trails for both motorized and nonmotorized trail use. The purpose of the program is to provide funds in support of a wide variety of trail activities and related facilities, as well as environmental education and safety programs.	80/20/0	pages 151-152 of the 'Guide to Federal-Aid Programs and Projects' by FHWA
O	OTHER	"Other" or "O" funding generally means something "Other" than Federal, or State, or Local. For example, "O" might be private sector funds. It can also be used when local funds may be used, but the local jurisdiction has not submitted correspondence confirming the use of local funds	no equation or ratio related to "O"	
PL	Metropolitan Planning Funds	PL funds are available for MPOs to carry out the metropolitan transportation planning process required by 23 U.S.C. 134, including development of metropolitan area transportation plans and transportation improvement programs. Eligible activities include conducting inventories of existing routes to determine their physical condition and capacity, determining the types and volumes of vehicles using these routes, predicting the level and location of future population, employment, and economic growth, and using such information to determine current and future transportation needs.	80/0/20	pages 112-113 of the 'Guide to Federal-Aid Programs and Projects' by FHWA
PLH	Public Lands Highways	Discretionary funding to improve access to and within the Federal lands of the nation. Under the provisions of pre-MAP-21 23 U.S.C. 202(b)(1), public lands highways (PLHD and FH) funds shall be used to pay the cost of: • Transportation planning, research, and engineering and construction of, highways, roads, parkways, and transit facilities located on public lands, national parks, and Indian reservations; and • Operation and maintenance of transit facilities located on public lands, national parks, and Indian reservations.	100/0/0	pages 138-139 of the 'Guide to Federal-Aid Programs and Projects' by FHWA
RR	Railway-Highway Crossing Hazard Elimination	These funds may be used for the elimination of hazards at both public and private railway-highway crossings along 11 Federally designated high-speed rail corridors.	80/20/0	pages 147-148 of the 'Guide to Federal-Aid Programs and Projects' by FHWA
S	State Match or State Share	State match or share requirement for a project.	equation or ratio varies	
SRTS	SAFE ROUTES TO SCHOOL	This program is to enable and encourage children, including those with disabilities, to walk and bicycle to school; to make walking and bicycling to school safe and more appealing; and to facilitate the planning, development and implementation of projects that will improve safety, and reduce traffic, fuel consumption and air pollution in the vicinity of schools. The state prioritizes and programs projects for funding.	100/0/0	pages 155-156 of the 'Guide to Federal-Aid Programs and Projects' by FHWA
STP	Surface Transportation Program	This program provides flexible funding that may be used by NCDOT and localities for projects to preserve and improve the conditions and performance on any Federal-aid highway, bridge and tunnel projects on any public road.	80/20/0	<a href="http://www.fhwa.dot.gov/safetea/lu/factsheets/stp.htm">http://www.fhwa.dot.gov/safetea/lu/factsheets/stp.htm</a>

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Fund Source Initials	Fund Source Title	Description	General Fund Ratio (Federal/State/Local) <i>There may be exceptions to the ratio.</i>	Website or Reference
STP-DA	Surface Transportation Program - Direct Attributable	Formula urban surface transportation funds that are allocated to the MPO. The DCHC MPO's policy is to primarily use these funds (and TAP funds) on non-highway projects.	80/0/20	<a href="http://www.dot.il.gov/opp/itep.html">http://www.dot.il.gov/opp/itep.html</a>
STP-EB	Surface Transportation Program, Enhancements (Bike)	Formula surface transportation funds for NCDOT bike/ped projects.	80/20/0	<a href="http://www.fhwa.dot.gov/safetealu/factsheets/stp.htm">http://www.fhwa.dot.gov/safetealu/factsheets/stp.htm</a>
STP-ON	Surface Transportation Program Bridge (On System Bridge)	Formula rural surface transportation funds that are allocated to NCDOT.	80/20/0	<a href="http://www.fhwa.dot.gov/safetealu/factsheets/stp.htm">http://www.fhwa.dot.gov/safetealu/factsheets/stp.htm</a>
STP-OFF	Surface Transportation Program (Off System Bridge)	Formula urban surface transportation funds that are allocated to NCDOT.	80/20/0	<a href="http://www.fhwa.dot.gov/safetealu/factsheets/stp.htm">http://www.fhwa.dot.gov/safetealu/factsheets/stp.htm</a>
T	State Highway Trust Funds	State Highway Trust Fund is a transportation fund which receives money from state fuel taxes and related excise taxes.	0/100/0	
TAP-DA	Transportation Alternatives Program - Direct Attributable	Federal Formula Funds for alternatives transportation projects for Transportation Management Areas. Provides funding for programs and projects defined as transportation alternatives, including on- and off-road pedestrian and bicycle facilities, infrastructure projects for improving non-driver access to public transportation and enhanced mobility, community improvement activities, environmental mitigation and safe routes to school projects. A set-aside for the Recreational Trails Program is provided. MPOs and RTPOs are allocated TAP funds for prioritization and selection.	80/0/20	pages 190-191 of the 'Guide to Federal-Aid Programs and Projects' by FHWA
TAP	Transportation Alternatives Program - State	Federal Funds for alternative transportation projects for the state.	80/20/0	pages 190-191 of the 'Guide to Federal-Aid Programs and Projects' by FHWA
TIFIA	Transportation Infrastructure Finance and Innovation Act Program	Federal credit assistance to finance surface transportation projects of national and regional significance.	80/20/0	<a href="http://www.fhwa.dot.gov/ipd/tifia/">http://www.fhwa.dot.gov/ipd/tifia/</a> pages 202-203 of the 'Guide to Federal-Aid Programs and Projects' by FHWA

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Fund Source Initials	Fund Source Title	Description	General Fund Ratio (Federal/State/Local) <i>There may be exceptions to the ratio.</i>	Website or Reference
Tiger	Transportation Investment Generating Economic Recovery	Discretionary funding to achieve critical national objectives.	80/0/20	<a href="http://www.dot.gov/tiger/">http://www.dot.gov/tiger/</a>

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5303		Metropolitan & Statewide Planning	"These programs provide funding to support cooperative, continuous, and comprehensive planning for making transportation investment decisions in metropolitan areas and statewide. Eligible Recipients include State Departments of Transportation (DOTs) and Metropolitan Planning Organizations (MPOs). "	80/0/20	<a href="http://www.fta.dot.gov/grants/13093_3563.html">http://www.fta.dot.gov/grants/13093_3563.html</a>
5307	FUZ	FTA URBAN FORMULA	Formula funding for capital and operating assistance in urbanized areas.	80/0/20	<a href="http://www.fta.dot.gov/grants/13093_3561.html">http://www.fta.dot.gov/grants/13093_3561.html</a>
5309	FBUS	FTA NEW STARTS	Discretionary funding for new fixed guideway systems, new and replacement buses and facilities, modernization of existing rail systems.	80/0/20	<a href="http://www.fta.dot.gov/documents/MAP-21_Fact_Sheet_-_Fixed_Guideway_Capital_Investment_Grants.pdf">http://www.fta.dot.gov/documents/MAP-21_Fact_Sheet_-_Fixed_Guideway_Capital_Investment_Grants.pdf</a>
5309	FBUS	FTA Section 5309 (m) (1) (A) (Rail)	Formula funding for Rail service.	80/0/20	<a href="http://www.fta.dot.gov/grants/13093_3558.html">http://www.fta.dot.gov/grants/13093_3558.html</a>
5309	FBUS	FTA BUS DISCRETIONARY FUNDS	Formula funding for capital and operating assistance for bus service. capital projects include the purchasing of buses for fleet and service expansion, bus maintenance and administrative facilities, transfer facilities, bus malls, transportation centers, intermodal terminals, park-and-ride stations, acquisition of replacement vehicles, bus rebuilds, bus preventive maintenance, passenger amenities such as passenger shelters and bus stop signs, accessory and miscellaneous equipment such as mobile radio units, supervisory vehicles, fare boxes, computers and shop and garage equipment.	80/0/20	<a href="http://fta.dot.gov/grants/13094_3557.html">http://fta.dot.gov/grants/13094_3557.html</a>
5309	FNS	FTA Core Capacity NEW STARTS	Discretionary funding for core capacity fixed guideway systems, replacement buses, and facilities.	80/0/20	<a href="http://www.fta.dot.gov/12304.html">http://www.fta.dot.gov/12304.html</a>
5310	FE PD	FTA ELDERLY/HANDICAPPED	Formula funding for capital and operating expenses to meet needs of persons 65 and over of with a disability.	80/0/20	<a href="http://fta.dot.gov/grants/13093_3556.html">http://fta.dot.gov/grants/13093_3556.html</a>
5310-Operating	FE PD	FTA ELDERLY/HANDICAPPED	Formula funding for capital and operating expenses to meet needs of persons 65 and over of with a disability.	50/0/50	<a href="http://fta.dot.gov/grants/13093_3556.html">http://fta.dot.gov/grants/13093_3556.html</a>
5310-Capital	FE PD	FTA ELDERLY/HANDICAPPED	Formula funding for capital and operating expenses to meet needs of persons 65 and over of with a disability.	80/0/20	<a href="http://fta.dot.gov/grants/13093_3556.html">http://fta.dot.gov/grants/13093_3556.html</a>
5310-Admin	FE PD	FTA ELDERLY/HANDICAPPED	Formula funding for capital and operating expenses to meet needs of persons 65 and over of with a disability.	100/0/0	<a href="http://fta.dot.gov/grants/13093_3556.html">http://fta.dot.gov/grants/13093_3556.html</a>
5311	FNU	Non-Urbanized Area Formula Program	An eligible recipient may use the funding for capital, operating, and administrative expenses for public transportation projects that meet the needs of rural communities.	80/0/20	

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5311-Operating	FNU	Non-Urbanized Area Formula Program	An eligible recipient may use the funding for capital, operating, and administrative expenses for public transportation projects that meet the needs of rural communities.	50/0/50	<a href="http://www.fta.dot.gov/grants/13093_3555.html">http://www.fta.dot.gov/grants/13093_3555.html</a>
5311-Capital	FNU	Non-Urbanized Area Formula Program	An eligible recipient may use the funding for capital, operating, and administrative expenses for public transportation projects that meet the needs of rural communities.	80/0/20	<a href="http://www.fta.dot.gov/grants/13093_3555.html">http://www.fta.dot.gov/grants/13093_3555.html</a>
5311-Admin	FNU	Non-Urbanized Area Formula Program	An eligible recipient may use the funding for capital, operating, and administrative expenses for public transportation projects that meet the needs of rural communities.	100/0/0	<a href="http://www.fta.dot.gov/grants/13093_3555.html">http://www.fta.dot.gov/grants/13093_3555.html</a>
5316	JARC	Job Access and Reverse Commute	Provide funding for transportation services designed to transport low income individuals to and from jobs and reverse commute projects.	80/0/20	<a href="http://www.rtachicago.com/jarc-nf/jarc-nf.html">http://www.rtachicago.com/jarc-nf/jarc-nf.html</a>
5316-Operating	JARC	Job Access and Reverse Commute	Provide funding for transportation services designed to transport low income individuals to and from jobs and reverse commute projects.	50/0/50	<a href="http://www.rtachicago.com/jarc-nf/jarc-nf.html">http://www.rtachicago.com/jarc-nf/jarc-nf.html</a>
5316-Capital	JARC	Job Access and Reverse Commute	Provide funding for transportation services designed to transport low income individuals to and from jobs and reverse commute projects.	80/0/20	<a href="http://www.rtachicago.com/jarc-nf/jarc-nf.html">http://www.rtachicago.com/jarc-nf/jarc-nf.html</a>
5316-Admin	JARC	Job Access and Reverse Commute	Provide funding for transportation services designed to transport low income individuals to and from jobs and reverse commute projects.	100/0/0	<a href="http://www.rtachicago.com/jarc-nf/jarc-nf.html">http://www.rtachicago.com/jarc-nf/jarc-nf.html</a>
5317	FNF	New Freedom Program	Capital and operating expenses for new public transportation services and new public transportation alternatives beyond those required by the American with Disabilities Act of 1990 (ADA), that are designed to assist individuals with disabilities.	80/0/20	<a href="http://www.fta.dot.gov/grants/13093_3549.html">http://www.fta.dot.gov/grants/13093_3549.html</a>
5317-Operating	FNF	New Freedom Program	Capital and operating expenses for new public transportation services and new public transportation alternatives beyond those required by the American with Disabilities Act of 1990 (ADA), that are designed to assist individuals with disabilities.	50/0/50	<a href="http://www.fta.dot.gov/grants/13093_3549.html">http://www.fta.dot.gov/grants/13093_3549.html</a>
5317-Capital	FNF	New Freedom Program	Capital and operating expenses for new public transportation services and new public transportation alternatives beyond those required by the American with Disabilities Act of 1990 (ADA), that are designed to assist individuals with disabilities.	80/0/20	<a href="http://www.fta.dot.gov/grants/13093_3549.html">http://www.fta.dot.gov/grants/13093_3549.html</a>
5317-Admin	FNF	New Freedom Program	Capital and operating expenses for new public transportation services and new public transportation alternatives beyond those required by the American with Disabilities Act of 1990 (ADA), that are designed to assist individuals with disabilities.	100/0/0	<a href="http://www.fta.dot.gov/grants/13093_3549.html">http://www.fta.dot.gov/grants/13093_3549.html</a>



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Fund Source #	Fund Source Initials	Fund Source Title	Description	General Fund Ratio (Federal/State/Local) <i>There may be exceptions to the ratio.</i>	Website or Reference
5337		State of Good Repair	Formula funding for repairing and upgrading transit systems. Capital projects to maintain a system in a state of good repair, including projects to replace and rehabilitate: rolling stock; track; line equipment and structures; signals and communications; power equipment and substations; passenger stations and terminals; security equipment and systems; maintenance facilities and equipment; and operational support equipment, including computer hardware and software. Transit Asset Management Plan development and implementation.	80/0/20	<a href="http://www.fta.dot.gov/documents/MAP-21_Fact_Sheet_-_State_of_Good_Repair_Grants.pdf">http://www.fta.dot.gov/documents/MAP-21_Fact_Sheet_-_State_of_Good_Repair_Grants.pdf</a>
5339		Alternatives Analysis	Funds may be used to assist State and local governmental authorities in conducting alternatives analyses when at least one of the alternatives is a new new fixed guideway systems or an extensions to an existing fixed guideway system.	80/0/20	<a href="http://fta.dot.gov/grants/13094_7395.html">http://fta.dot.gov/grants/13094_7395.html</a>
	CMAQ	Congestion Mitigation and Air Quality	Formula funding to CMAP region in which implementers compete for funding based on projects air quality benefit and ability to implement projects. Can be flexed to 5307 funds.	80/0/20	<a href="http://www.cmap.illinois.gov/mobility/strategic-investment/cmaq">http://www.cmap.illinois.gov/mobility/strategic-investment/cmaq</a>
	O	Other	"Other" or "O" funding generally means something "Other" than Federal, or State, or Local. For example, "O" might be private sector funds. It can also be used when local funds may be used, but the local jurisdiction has not submitted correspondence confirming the use of local funds.	n/a	
	RHGC	Rail-Highway Grade Crossings	The funds are set-aside from the Highway Safety Improvement Program (HSIP) apportionment. Federal Formula funds for safety improvements to reduce the number of fatalities injuries, and crashes at public grade crossings.	90/0/10	<a href="http://www.fhwa.dot.gov/map21/rhc.cfm">http://www.fhwa.dot.gov/map21/rhc.cfm</a>
	STP	Surface Transportation Program	Formula urban surface transportation funds that are allocated to NCDOT.	80/20/0	<a href="http://www.fhwa.dot.gov/safetealu/factsheets/stp.htm">http://www.fhwa.dot.gov/safetealu/factsheets/stp.htm</a>
	STP-DA	Surface Transportation Program Direct Attributable	Formula urban surface transportation funds that are allocated to the MPO. Can be flexed to 5307 funds.	80/0/20	<a href="http://www.fhwa.dot.gov/safetealu/factsheets/stp.htm">http://www.fhwa.dot.gov/safetealu/factsheets/stp.htm</a>

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# HELPFUL WEBSITE RESOURCES & CONTACT INFORMATION

Topic	Website
NC State Ethics Commission	<a href="http://www.ethicscommission.nc.gov/sei/default.aspx">http://www.ethicscommission.nc.gov/sei/default.aspx</a>
NCDOT STIP Information	<a href="http://www.ncdot.gov/strategictransportationinvestments/">http://www.ncdot.gov/strategictransportationinvestments/</a>
DCHC MPO website	<a href="http://www.dchcmpo.org/">http://www.dchcmpo.org/</a>
DCHC MPO Board Meeting Agendas	<a href="http://www.dchcmpo.org/about/board/agenda/default.asp">http://www.dchcmpo.org/about/board/agenda/default.asp</a>
FHWA's MPO Planning Practices & Processes Information	<a href="http://www.fhwa.dot.gov/planning/processes/metropolitan/planning_practices/">http://www.fhwa.dot.gov/planning/processes/metropolitan/planning_practices/</a>

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# MPO CONTACT INFORMATION & RESPONSIBILITIES

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Brian Rhodes	Sr. Transportation Technician	MPO Board & TC Meeting Agendas & Logistics/GIS	Brian.Rhodes@durhamnc.gov
Meg Scully	Grants & Financial Administrator	UPWP/Transit/Grants	Margaret.Scully@durhamnc.gov
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Priya Nimbole	Transportation Modeler	Modeling/Technical Analysis	Priya.Nimbole@durhamnc.gov

**Mark Ahrendsen – Technical Committee Chair**  
Staff liaison to the MPO Board  
MPO Policy & Regional Coordination

MPO Board 4/8/2015 Item 10

**January 2015**

**Janice Pointer -Administrative**  
MPO Board & Technical Committee minutes

# DCHC MPO

## LEAD PLANNING AGENCY (LPA)

### **Felix Nwoko, MPO Administrator**

Administration of the MPO  
Management/Operation of MPO (3C)  
State and regional coordination  
MPO Policy and programs  
Technical project management  
NEPA Project planning & Air Quality Conformity  
Civil Rights/Title VI

#### **Yangping Zhang – Model, Technical Team Lead**

Modeling  
Technical  
Special Projects  
Lane use modeling  
Air Quality Analysis  
Performance Measures

#### **Andy Henry - LRTP/CTP**

LRTP/CTP & Collector Street planning  
Implementation of planning factors  
Land Use/SE data  
Air Quality Conformity & Public Involvement

#### **KoSok Chae, CMP**

CMP  
Data monitoring  
Surveillance of change  
ITS  
Traffic analysis  
Planning/Operations  
Coordination (DynSmart)

#### **Priya Nimbole– Modeling/Technical**

Modeling  
Technical support  
Demographic/behavioral data  
Staff support to the TRM Service  
Bureau  
Performance Measurements

#### **Dale McKeel – Bicycle & Pedestrian Planning & Programming**

Bike-Pedestrian planning & ancillary activities  
Education, Enforcement, Engineering  
Safety, TDM, & Public Involvement  
Safe Routes to School/Transportation Alternatives  
NEPA Project Planning

#### **Brian Rhodes – Technician, Graphic & GIS Support**

LRTP/CTP  
Collector Street planning  
Implementation of planning factors  
Land Use/SE data & Public Involvement

#### **Durmus Cesur – Database/Systems Administrator**

GIS oversight  
Database administration  
Website management and administration  
Interactive GIS

#### **Lindsay Smart – MPO Board/TC**

MPO Board/TC  
3-C Process & TIP/SPOT  
Mobility Funds & Public Involvement  
Project Prioritization

#### **Interns/Temporary Part-Time**

Data Collection, mining analyses  
GIS/Geo-Spatial Analyses  
Operation coordination  
Data support & management  
Civil Rights/Title VI  
Environmental Justice/LEP  
Grant administration

#### **Margaret Scully – Grant and Fiscal Management & Oversight**

UPWP monitoring  
Grant administration & oversight  
5307/5310 apportionment  
Funding (CMAQ/STPDA)  
Measures of Effectiveness