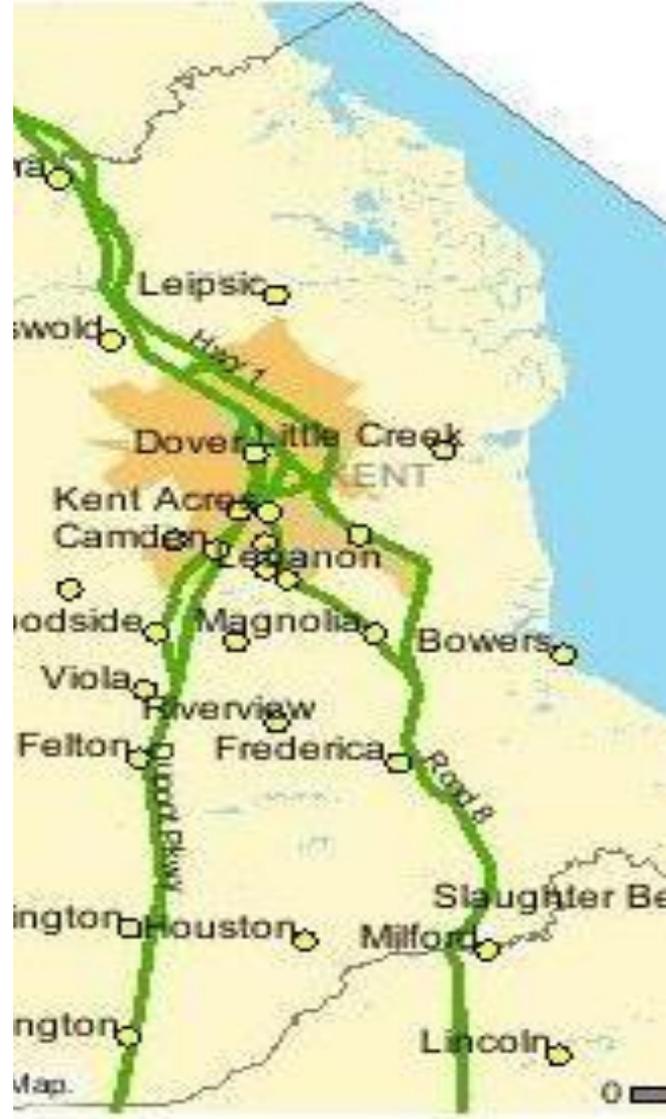

Public Participation Plan 2019



Dover/Kent MPO



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Introduction

Why Public Participation is Important

Those who work in transportation planning must know the community they serve. Why? Because transportation systems and programs affect people's everyday lives. These transportation systems get people from Point A to Point B, and everywhere else. This is why these transportation systems are planned. Regardless of how many plans and programs are made, without anyone to use them, they are worthless.

There's also a legal responsibility for transparency. The roads, trails, and other facilities that eventually come from transportation plans and programs are typically paid for with public funds. As a metropolitan planning organization, this agency is bound by law to have an outlined plan for public involvement, as stated under Title 23 of the Federal U.S. Department of Transportation and the Federal Highway Administration. (SEE APPENDIX 1)

As the demand for government transparency has grown, so has the importance for planners to know what residents in a community want and need by involving them in the planning process. Those who work in the transportation planning field must take special care to involve groups who have been traditionally underserved, including the poor, the disabled, the elderly and minorities.

**“A robust
democracy
requires active
participation.”
-Pete Gallego**

What is the MPO?

Federal Mandates

The Federal Mandate outlines the MPO's purpose and applicability, and states that the public must be involved at every step of the MPO planning process. It requires that the Public Participation Plan define the process for providing interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process. These interested parties include citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other stakeholders.

For the complete Federal Mandate, please see Appendix 1.

The Dover/Kent County Metropolitan Planning Organization (MPO) serves all of Kent County, including the Sussex County portion of Milford and the New Castle County portion of Smyrna. It works to plan the orderly development of a transportation system to support the region's growth.

In 1992, an agreement between the State of Delaware, Kent County, and the City of Dover established the MPO to:

- conduct a continuing, comprehensive, coordinated transportation planning program for the region;
- encourage cooperation among all levels of government;
- educate government agencies and elected officials as well as public and private groups; and
- guide development and implementation of a transportation plan that meets all Federal mandates.

Guiding Principles

The Dover/Kent County Metropolitan Planning Organization's public outreach initiative has put together a public involvement methodology based on the following principals:

1. Public participation is a dynamic source of useful information.
2. Input from diverse perspectives enhances the process.
3. Engaging the public is a challenge, but we can make it happen if we remove barriers to participation and by communicating in a clear and compelling way.
4. Public participation means access to all; Environmental justice means reaching those at-risk or underserved.
5. Give the public time to give comments and feedback. Our minimum legally required time for any public comment period is 30 days, but the MPO strives to give as much time as possible for comments and review.

MPO Plans and Programs

Transportation plans and programs that the Dover/Kent County MPO develops are completed through this public process. During completion of each plan and program, the public can review the MPO's work and provide feedback to the planning process. Final products/reports are adopted after careful consideration of community comment. Public participation comment periods prescribed by the federal government vary by document.

The Metropolitan Transportation Plan (MTP)

Every four years, the MPO must update and adopt a long-range Metropolitan Transportation Plan (MTP). The MTP is a strategic planning tool that provides MPO committee members, the transportation department and providers, the public, and other affected groups and individuals with a blueprint to blend transportation, county and municipal land use plans, and Delaware's State Strategies for Policies and Spending plan. This is the fundamental plan that the State Capital Transportation Plan and the Municipalities will use for future planning and funding of specific projects. It provides a common vision for the future supported by goals, objectives, and a system assessment. The MTP vision is supported by identification of future transportation needs, clearly defined fundamental strategies, actions, a budget and an implementation plan. The MTP includes short-range and long-range strategies and actions and must span at least 20 years into the future. Public participation begins many months ahead of the actual publication of the MTP, through surveys and public workshops as the MPO works to capture the vision of the residents of Kent County as to what the County will look like for transportation in the next two decades.

Transportation Improvement Program (TIP)

The Transportation Improvement Program (TIP) is a short-range plan that contains all federally-funded transportation projects addressing identified State, municipal and County goals. The TIP is a prioritized list of projects, including road, bike/pedestrian, bus and rail transportation that the Delaware Department of Transportation and other transportation providers expect to undertake during a four-year period. TIP projects are identified in the MTP. The TIP is updated at least every four years and amended every other year. This is due to updates on the STIP (State Transportation Improvement Program) and the fact that both documents must always match .

Unified Planning Work Program (UPWP)

The Unified Planning Work Program (UPWP) identifies the planning activities that the MPO intends to accomplish during the fiscal year using Federal, State and local resources. It outlines responsibilities and procedures for carrying out the cooperative transportation planning process. The UPWP is the management tool for directing MPO staff activities annually, and also acts as the annual MPO Budget.

Public Participation Plan (PPP)

The PPP is a document that describes all efforts by the MPO to inform, educate, and get participation from the general public. Our PPP is evaluated every other year, and when necessary, updated or rewritten. This plan includes tried and true approaches, as well as some new initiatives. Each PPP also includes a specific set of performance measures to analyze the effectiveness of the MPOs Public Outreach initiative.

Annual Report and Fact Book

The Annual Report and Fact Book will be published each year describing projects, giving updates, providing valuable information to the public as well as the MPO budget for the current year.

Transportation Planning Studies

The Dover/Kent County MPO, as described in the UPWP, also performs planning studies that are prepared by the staff or consultants. Such plans include corridor and area studies. These studies also require opportunities for public participation. These plans could include other components such as air quality, performance measures, environmental justice, or any other issue that effects Kent County.

Public Review and Comment

The public is given a minimum of 30 days after each of the plans have been written to review and comment. After the review period, the PAC, TAC will recommend and Council will vote to adopt the plan. Changes after that can be made based on funding, available resources, legislation, or unforeseen changes. Any change will be put in as an amendment, which will also be published for 30 days to solicit any comments from the public. The amendments get voted for adoption just like the original document.

Updates and Progress

The MPO will continually update the public on the progress and changes of any projects listed in the MTP, TIP, or UPWP. This will be done primarily with a comprehensive map on the website. The MPO will also publish any studies currently in progress or completed, with project manager name and contact information.

MTP Public Participation

The MTP data collection is ongoing over an entire year every four years. Below is a general outline of how the next MTP will roll out in 2020.

- January 2020 – Launch the 2040 Vision Survey on website, social media and through the newsletter
- February 2020 – Mailing (post card, full page ad in DSN, or an insert)
- January – July – speaking engagements, pop-up outreach, surveys, etc.
- July 2020 – State Fair Pop Up Outreach
- August 2020 – Start putting together draft of 2040 MTP
- September 2020 – Draft out for public comment
- September 2020 – Public workshops in Smyrna, Dover and Milford
- October 2020 – Final draft after comment and review period
- December 2020 – Vote by the PAC and TAC to recommend adoption
- January 2021 – Vote by Council to adopt

MPO Council, Committees and Staff

MPO Council

The MPO Council governs the organization and is composed of state and local decision makers or their representatives. Voting members include the Governor's appointee, Delaware Transportation Secretary, Delaware Transit Corp. Director, City of Dover Mayor, Kent County Levy Court President, and a Kent County Municipalities Representative. Any of these positions may be filled by an appointee. There also are representatives from the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) who are non-voting members of the Council.

The MPO Council must adopt and implement the Metropolitan Transportation Plan, Transportation Improvement Program, air quality conformity determinations, a Unified Planning Work Program and a Public Participation Plan. The Council is the MPO's final decision-making authority for the MPO. They work on behalf of the citizens of Dover and Kent County.

Technical Advisory Committee

The Technical Advisory Committee (TAC) consists of 14 voting members, which are from the technical staff representing State, County and municipal agencies in the region with responsibilities for transportation of people and goods, environmental resources, land use, economic development, public lands and agriculture. Norfolk Southern Railway, the FHWA, the FTA and the Delaware Motor Transport Association are non-voting members of the TAC. The TAC provides technical assistance in the preparation of MPO plans and programs and advises the MPO Council on technical issues.

Public Advisory Committee

The Public Advisory Committee (PAC) consists of 14 volunteer representatives of the public. Members include business people, civic leaders and others interested in and affected by transportation planning decisions. The City of Dover appoints three people to the committee, Kent County appoints six representatives, the municipal rep for all Kent County towns appoints one person, and the State of Delaware has two members appointed by the Governor's office, one member appointed by DART, and one member appointed by DeIDOT.

At the direction of the MPO Council, the PAC works to:

- identify the community's transportation needs;
- alert the public to upcoming events and encourage attendance;
- communicate with the public about MPO plans and programs;
- ensure that the MPO produces plans, programs and policies that the public can understand;

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- provide the MPO Council and TAC with facts about and feedback from the public;
 - monitor implementation of this Public Participation Plan.

The PAC is the one committee that is made up of members of the public. While many of them are identified as stakeholders, based on other community participation or personal interest, their main duties as part of the PAC is to facilitate more public participation.

MPO Staff

The MPO has a small but dedicated paid staff. The staff includes:

- An Executive Director who manages the staff, prepares policies and contracts, manages the MTP and UPWP, meets with partner agencies, and sits on several committees. The Executive Director works at the direction of the Council.
- A Principal Planner who manages contracts, meets with outside contractors on studies or programs, manages the TIP, manages the MPO's mandates for air quality and performance measures, and sits on several committees.
- A Public Outreach Manager who manages the Website and all social media, works with local press outlets for press releases and stories, prepares the monthly newsletter, conducts any outreach efforts to support MPO activities, makes sure all programs and projects have suitable time for public review, and sits on several committees. The public outreach manager deals directly with the PAC.
- A part-time GIS Manager who creates and publishes maps, interactive maps, and crowdsourcing maps to convey all the projects, studies, and programs that the MPO and its partner agencies are involved in.
- An Executive Assistant who runs the office, handles all personnel and human resource issues, does all invoicing and internal accounting, handles program support and administration, takes minutes at all meetings, maintains the MPO mailing list and handles all correspondence, and works with the rest of the staff to assist in any of their duties.
- A part-time Administrative Assistant who handles all filing and archiving of MPO documents, and any other duties required to support the rest of the staff.

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- A Transportation Planner position is open and currently vacant. That person would be responsible for working with the Public Outreach Manager on any special initiatives, air quality conformity, and any other plans or projects deemed necessary.

Part of the Public Participation initiative is that anyone may stop by the MPO office at any time during business hours to see what the staff is working on. Transparency is vital to public trust.

Meetings

The Council meets on the 1st or 2nd Wednesday of odd months (subject to change for holiday schedules). The PAC meets on the 2nd Thursday of even months, and the TAC meets on the 3rd Tuesday of even months. All meetings are held in the Camden Town Hall Council Room (the King Meeting Room). Times, agendas, and minutes are available on the MPO website. All meetings are open to the public and the public is encouraged to attend. The MPO is developing a strategy to put the meetings online and to permit teleconferencing.

Occasionally the Council, PAC and TAC will meet together for a “Joint Meeting.”

Public Participation Elements

Meetings

- Conduct meetings, workshops, open houses, and events at various times in various locations
- Provide video highlights of meetings on the web
- Present to groups, religious and civic organizations, and agencies
- Host webinars
- Sponsor focus groups
- Participate in forums or summits when possible
- Participate on committees and subcommittees of associated agencies and organizations

Internet

- Maintain website with up-to-date and interactive content
- Use social media to attract more public input
- Create fun graphic elements to use online
- Create filters and geotags (i.e. snapchat)
- Create videos to provide information or to support safety campaigns
- Provide maps, interactive maps, and story maps
- Provide crowdsourcing elements for public input
- Interview key people or organizations for [Journeys Live!](#)

Visual Displays

- Create infographics
- Produce the monthly newsletter, Journeys
- Provide photography at every event
- Create a display for events that will better explain the MPO
- Provide dynamic presentations for meetings
- Produce brochures, posters, and bookmarks
- Produce the Annual Report and Fact Book
- Create any special mailings for events, such as post cards when deemed appropriate

Polls/Surveys

- Use technology to attract more survey participants (i.e. using tablets) at pop-ups
- Distribute printed surveys
- Use electronic surveys on the web
- Use polls on social media
- Solicit survey participants for major planning efforts (i.e. MTP)
- Use partner agencies (i.e. transit hubs) when possible to achieve better results

Local Media (Print and Electronic)

- Press Releases
- Stories when appropriate
- Evergreen material
- Blog content
- Radio Interviews
- Paid Advertising when appropriate

Pop-Up Outreach

- Mini-events at libraries
- Surveys at local businesses
- Special outreach efforts for Bike to Work Day, Earth Day, Dump the Pump, etc.
- Setting up outreach at a certain feature (bike path, crosswalk, roundabout, etc.)
- Limited amount of tabling events (these are becoming very few and far between)
- Outreach at the State Fair
- Limited number of informational giveaway items (such as bike lights)

Person-to-Person

- Mailing list
- Committee membership
- Email
- Phone Outreach
- Website suggestion box
- Web Forum

The MPO will endeavor to make our information accessible to all, including the low literacy and non-English speaking populations. This includes using translation services or more visual choices in educational and informative resources.

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Public Initiatives

In addition to the plans described previously, the MPO participates in several other initiatives that require public involvement. The MPO also uses social media, video, and the website to help involve the public on these issues.

Vision Zero

This is a federal initiative implemented throughout the United States. The MPO works with state agencies and other interested parties working toward zero deaths on Delaware highways.

Air Quality

Air quality has two components; air quality improvement and air quality alert days. The MPO is a member of the Air Quality Partnership Committee and the Delaware Air Quality Conformity Interagency Consultation Working Group.

Pedestrian/Bicycle Safety

Delaware is as of 2018, the 3rd most deadly state for pedestrians, according to the National Highway Safety Traffic Administration. Safety education for bicycles, pedestrians, and vehicles are addressed in many campaigns.

Traffic Safety

Distracted driving, driving while impaired, and general safety behind the wheel are all addressed in several campaigns.

Seasonal Driving

Films and infographics with Winter tips, Summer tips, long road trips vs. short trips, holiday driving, driving while impaired, driving while tired, etc.

Other Safety Issues

Films and infographics regarding pulling over for emergency vehicles, not idling, stopping for school buses, etc.

Public Input

If the MPO receives any ideas or suggestions from the public on any other issue it will be considered for a future campaign, film or infographic.

Performance Measures

Performance measurement is the use of statistical evidence to determine progress toward specific defined organizational objectives. The Federal Government requires performance measures to be completed by each state for things like number of fatalities on highways and travel time. The MPO has adopted the same Federal performance measures for these statistics as the State of Delaware, through DelDOT.

Performance measures to evaluate the Public Participation Plan are done based on public input and analytics that can be quantified by the awareness, and usage of public materials.

Public Input

- Surveys – Surveys will document the basic awareness of what an MPO is and why they are in Kent County. By measuring the number of people who have heard of the MPO every year, the MPO will know if awareness campaigns are reaching all their communities.
- Social Media Audience – Social media audience should always be growing, but it's better when the growth is slow and steady. What is important when measuring the effect of the MPO social media audience is that everyone coming to an outlet to like, follow, or friend is from an organic source. Maintaining steady, organic growth is the goal.
- Social Media Engagement – While audience determines the awareness of the MPO, engagement will help measure whether that audience is listening. Awareness is measured by comments, likes, and conversations on social media.
- Social Media Reputation – The reputation of the MPO brand can be measured by mentions, shares, and reposts. This is a way of measuring how much of the MPO's audience is now viewing it as an information source for transportation issues.
- Google Analytics – Google Analytics measures users coming to the MPO website, how long they stay, how they found the website, how many pages they visit, etc. This is useful information to learn how people react to what information is available on the MPO website.
- Attendance at Workshops – The number of people, and feedback from the audience at any of the MPO workshops will help determine whether the MPO is reaching all communities.

Other Performance Measures

The MPO may also perform a survey or an electronic poll to measure how effective the MPO is within the community. They will also periodically update this Public Participation Plan, based on the needs of the community and feedback from the public.

Glossary of Useful Terms

Administrative Modification: A minor revision to a long-range statewide or metropolitan transportation plan, Transportation Improvement Program (TIP), or Statewide Transportation Improvement Program (STIP) that includes minor changes to project/ project phase costs, minor changes to funding sources of previously-included projects, and minor changes to project/ project phase initiation dates. An administrative modification is a revision that does not require public review and comment, re-demonstration of fiscal constraint, or a conformity determination (in nonattainment and maintenance areas).

Amendment: A revision to a long-range statewide or metropolitan transportation plan, UPWP, TIP, or STIP that involves a major change to a project included in a metropolitan transportation plan, TIP, or STIP, including the addition or deletion of a project or a major change in project cost, project/ project phase initiation dates, or a major change in design concept or design scope (e.g., changing project termini or the number of through traffic lanes). Changes to projects that are included only for illustrative purposes do not require an amendment. An amendment is a revision that requires public review and comment, re-demonstration of fiscal constraint, or a conformity determination (for metropolitan transportation plans and TIPs involving “non-exempt” projects in nonattainment and maintenance areas). In the context of a long-range statewide transportation plan, an amendment is a revision approved by the State in accordance with its public involvement process.

Attainment Area: Any geographic area in which levels of a given criteria air pollutant (e.g., ozone, carbon monoxide, PM10, PM2.5, and nitrogen dioxide) meet the health-based National Ambient Air Quality Standards (NAAQS) for that pollutant. An area may be an attainment area for one pollutant and a nonattainment area for others. A “maintenance area” (see definition below) is not considered an attainment area for transportation planning purposes.

Conformity (aka Air Quality Conformity): A Clean Air Act (42 U.S.C. 7506(c)) requirement that ensures that Federal funding and approval are given to transportation plans, programs and projects that are consistent with the air quality goals established by a State Implementation Plan (SIP). Conformity, to the purpose of the SIP, means that transportation activities will not cause new air quality violations, worsen existing violations, or delay timely attainment of the NAAQS. The transportation conformity rule (40 CFR part 93) sets forth policy, criteria, and procedures for demonstrating and assuring conformity of transportation activities.

Conformity Lapse: Pursuant to section 176(c) of the Clean Air Act (42 U.S.C. 7506(c)), as amended, that the conformity determination for a metropolitan transportation plan or TIP has expired and thus there is no currently conforming metropolitan transportation plan or TIP.

Congestion Management Process: A systematic approach required in transportation management areas (TMAs) that provides for effective management and operation, based on a cooperatively developed and

implemented metropolitan-wide strategy, of new and existing transportation facilities eligible for funding under title 23 U.S.C., and title 49 U.S.C., through the use of operational management strategies.

Consideration: One or more parties takes into account the opinions, action, and relevant information from other parties in making a decision or determining a course of action.

Consultation: One or more parties confer with other identified parties in accordance with an established process and, prior to taking action(s), considers the views of the other parties and periodically informs them about action(s) taken. This definition does not apply to the “consultation” performed by the States and the MPOs in comparing the long-range statewide transportation plan and the metropolitan transportation plan, respectively, to State and Tribal conservation plans or maps or inventories of natural or historic resources (see §450.214(i) and §450.322(g)(1) and (g)(2)).

Cooperation: The parties involved in carrying out the transportation planning and programming processes work together to achieve a common goal or objective.

Coordinated Public Transit-Human Services Transportation Plan: A locally developed, coordinated transportation plan that identifies the transportation needs of individuals with disabilities, older adults, and people with low incomes, provides strategies for meeting those local needs, and prioritizes transportation services for funding and implementation.

Coordination: The cooperative development of plans, programs, and schedules among agencies and entities with legal standing and adjustment of such plans, programs, and schedules to achieve general consistency, as appropriate.

Design Concept: The type of facility identified for a transportation improvement project (e.g., freeway, expressway, arterial highway, grade-separated highway, toll road, reserved right-of-way rail transit, mixed-traffic rail transit, or busway).

Design Scope: The aspects that will affect the proposed facility’s impact on the region, usually as they relate to vehicle or person carrying capacity and control (e.g., number of lanes or tracks to be constructed or added, length of project, signalization, safety features, access control including approximate number and location of interchanges, or preferential treatment for high-occupancy vehicles).

Designated Recipient: An entity designated, in accordance with the planning process under 49 U.S.C. 5303, 5304, and 5306, by the chief executive officer of a State, responsible local officials, and publicly-owned operators of public transportation, to receive and apportion amounts under 49 U.S.C. 5336 that are attributable to transportation management areas (TMAs) identified under 49 U.S.C. 5303, or a State regional authority if the authority is responsible under the laws of a State for a capital project and for financing and directly providing public transportation.

Environmental Justice / Mitigation Activities: Strategies, policies, programs, actions, and activities that, over time, will serve to avoid, minimize, or compensate for (by replacing or providing substitute resources) the impacts to or disruption of elements of the human and natural environment associated with the implementation of a long range statewide transportation plan or metropolitan transportation plan. The human and natural environment includes, for example, neighborhoods and communities, homes and businesses, cultural resources, parks and recreation areas, wetlands and water sources, forested and other natural areas, agricultural areas, endangered and threatened species, and the ambient air. The environmental mitigation strategies and activities are intended to be regional in scope, and may not necessarily address potential project level impacts.

Federal Land Management Agency: Units of the Federal Government currently responsible for the administration of public lands (e.g., U.S. Forest Service, U.S. Fish and Wildlife Service, Bureau of Land Management, and the National Park Service).

Federally Funded Non-Emergency Transportation Services: Transportation services provided to the general public, including those with special transport needs, by public transit, private nonprofit service providers, and private third-party contractors to public agencies.

Financial Plan: Documentation required to be included with a metropolitan transportation plan and TIP (and optional for the long-range statewide transportation plan and STIP) that demonstrates the consistency between reasonably available and projected sources of Federal, State, local, and private revenues and the costs of implementing proposed transportation system improvements.

Financially Constrained or Fiscal Constraint: The Metropolitan Transportation Plan, TIP, and STIP include sufficient financial information for demonstrating that projects in the Metropolitan Transportation Plan, TIP, and STIP can be implemented using committed, available, or reasonably available revenue sources, with reasonable assurance that the Federally supported transportation system is being adequately operated and maintained. For the TIP and the STIP, financial constraint/fiscal constraint applies to each program year. Additionally, projects in air quality nonattainment and maintenance areas can be included in the first two years of the TIP and STIP only if funds are “available” or “committed.”

Freight Shippers: Any business that routinely transports its products from one location to another by providers of freight transportation services or by its own vehicle fleet.

Full Funding Grant Agreement: An instrument that defines the scope of a project, the Federal financial contribution, and other terms and conditions for funding New Starts projects as required by 49 U.S.C. 5309(d)(1).

Illustrative project: An additional transportation project that may (but is not required to) be included in a financial plan for a metropolitan transportation plan, TIP, or STIP if reasonable additional resources were to become available.

Intelligent Transportation System (ITS): Electronics, photonics, communications, or information processing used singly or in combination to improve the efficiency or safety of a surface transportation system. Interim metropolitan transportation plan means a transportation plan composed of projects eligible to proceed under a conformity lapse and otherwise meeting all other applicable provisions of this part, including approval by the MPO.

Interim Transportation Improvement Program (TIP): A TIP composed of projects eligible to proceed under a conformity lapse and otherwise meeting all other applicable provisions of this part, including approval by the MPO and the Governor.

Long-Range Statewide Transportation Plan: The official, statewide, multimodal, transportation plan covering a period of no less than 20 years developed through the statewide transportation planning process.

Maintenance Area: Means any geographic region of the United States that the EPA previously designated as a nonattainment area for one or more pollutants pursuant to the Clean Air Act Amendments of 1990, and subsequently redesignated as an attainment area subject to the requirement to develop a maintenance plan under section 175A of the Clean Air Act, as amended.

Management System: Means a systematic process, designed to assist decision makers in selecting cost effective strategies/actions to improve the efficiency or safety of, and protect the investment in the nation's infrastructure. A management system can include: Identification of performance measures; data collection and analysis; determination of needs; evaluation and selection of appropriate strategies/actions to address the needs; and evaluation of the effectiveness of the implemented strategies/actions.

Metropolitan Planning Area (MPA): The geographic area determined by agreement between the metropolitan planning organization (MPO) for the area and the Governor, in which the metropolitan transportation planning process is carried out.

Metropolitan Planning Organization (MPO): An organization created and designated to carry out the metropolitan transportation planning process.

Metropolitan Transportation Plan: The official multimodal transportation plan addressing no less than a 20-year planning horizon that is developed, adopted, and updated by the MPO through the metropolitan transportation planning process. Sometimes referred to as LRPT or RPT.

National Ambient Air Quality Standard (NAAQS): Those standards established pursuant to section 109 of the Clean Air Act.

Nonattainment Area: Any geographic region of the United States that has been designated by the EPA as a nonattainment area under section 107 of the Clean Air Act for any pollutants for which an NAAQS exists.

Obligated Projects: Strategies and projects funded under title 23 U.S.C. and title 49 U.S.C. Chapter 53 for which the supporting Federal funds were authorized and committed by the State or designated recipient in the preceding program year, and authorized by the FHWA or awarded as a grant by the FTA.

Operational and Management Strategies: Actions and strategies aimed at improving the performance of existing and planned transportation facilities to relieve congestion and maximizing the safety and mobility of people and goods.

Project Construction Grant Agreement: An instrument that defines the scope of a project, the Federal financial contribution, and other terms and conditions for funding Small Starts projects as required by 49 U.S.C. 5309(e)(7).

Project Selection: The procedures followed by MPOs, States, and public transportation operators to advance projects from the first four years of an approved TIP and/or STIP to implementation, in accordance with agreed upon procedures. Prioritization is part of the project selection.

Regionally Significant Project: A transportation project (other than projects that may be grouped in the TIP and/or STIP or exempt projects as defined in EPA's transportation conformity regulation (40 CFR part 93)) that is on a facility which serves regional transportation needs (such as access to and from the area outside the region; major activity centers in the region; major planned developments such as new retail malls, sports complexes, or employment centers; or transportation terminals) and would normally be included in the modeling of the metropolitan area's transportation network. At a minimum, this includes all principal arterial highways and all fixed guideway transit facilities that offer a significant alternative to regional highway travel.

Revision: A change to a long-range statewide or metropolitan transportation plan, TIP, or STIP that occurs between scheduled periodic updates. A major revision is an "amendment," while a minor revision is an "administrative modification."

State Implementation Plan (SIP): As defined in section 302(q) of the Clean Air Act (CAA), the portion (or portions) of the implementation plan, or most recent revision thereof, which has been approved under section 110 of the CAA, or promulgated under section 110(c) of the CAA, or promulgated or approved pursuant to regulations promulgated under section 301(d) of the CAA and which implements the relevant requirements of the CAA.

Statewide Transportation Improvement Program (STIP): A statewide prioritized listing/program of transportation projects covering a period of four years that is consistent with the long-range statewide transportation plan, metropolitan transportation plans, and TIPs, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.

Strategic Highway Safety Plan: A plan developed by the State DOT in accordance with the requirements of 23 U.S.C. 148(a)(6).

Transportation Control Measure (TCM): Any measure that is specifically identified and committed to in the applicable SIP that is either one of the types listed in section 108 of the Clean Air Act or any other measure for the purpose of reducing emissions or concentrations of air pollutants from transportation sources by reducing vehicle use or changing traffic flow or congestion conditions. Notwithstanding the above, vehicle technology-based, fuel-based, and maintenance-based measures that control the emissions from vehicles under fixed traffic conditions are not TCMs.

Transportation Improvement Program (TIP): A prioritized listing/program of transportation projects covering a period of four years that is developed and formally adopted by an MPO as part of the metropolitan transportation planning process, consistent with the Metropolitan Transportation Plan, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.

Transportation Management Area (TMA): An urbanized area with a population over 200,000, as defined by the Bureau of the Census and designated by the Secretary of Transportation, or any additional area where TMA designation is requested by the Federal Highway Administration, DOT § 450.206 Governor and the MPO and designated by the Secretary of Transportation.

Unified Planning Work Program (UPWP): A statement of work identifying the planning priorities and activities to be carried out within a metropolitan planning area. At a minimum, a UPWP includes a description of the planning work and resulting products, who will perform the work, time frames for completing the work, the cost of the work, and the source(s) of funds.

Update: Making current a long-range statewide transportation plan, metropolitan transportation plan, TIP, or STIP through a comprehensive review. Updates require public review and comment, a 20-year horizon year for metropolitan transportation plans and long-range statewide transportation plans, a four-year program period for TIPs and STIPs, demonstration of fiscal constraint (except for long-range statewide transportation plans), and a conformity determination (for metropolitan transportation plans and TIPs in nonattainment and maintenance areas).

Urbanized Area: A geographic area with a population of 50,000 or more, as designated by the Bureau of the Census.

Appendix 1 – Federal Mandates

Metropolitan Transportation Planning and Programming (23 CFR 450, Subpart C)

§ 450.300 Purpose. The purposes of this subpart are to implement the provisions of 23 U.S.C. 134 and 49 U.S.C. 5303, as amended, which:

- (a) Sets forth the national policy that the MPO designated for each urbanized area is to carry out a continuing, cooperative, and comprehensive multimodal transportation planning process, including the development of a metropolitan transportation plan and a transportation improvement program (TIP), that encourages and promotes the safe and efficient development, management, and operation of surface transportation systems to serve the mobility needs of people and freight (including accessible pedestrian walkways and bicycle transportation facilities) and foster economic growth and development, while minimizing transportation-related fuel consumption and air pollution; and
- (b) Encourages continued development and improvement of metropolitan transportation planning processes guided by the planning factors set forth in 23 U.S.C. 134(h) and 49 U.S.C. 5303(h).

§ 450.302 Applicability. The provisions of this subpart are applicable to organizations and entities responsible for the transportation planning and programming processes in metropolitan planning areas.

§ 450.304 Definitions. Except as otherwise provided in subpart A of this part, terms defined in 23 U.S.C. 101(a) and 49 U.S.C. 5302 are used in this subpart as so defined.

§ 450.306 Scope of the metropolitan transportation planning process. (a) The metropolitan transportation planning process shall be continuous, cooperative, and comprehensive, and provide for consideration and implementation of projects, strategies, and services that will address the following factors:

- (1) Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
- (2) Increase the safety of the transportation system for motorized and non-motorized users;
- (3) Increase the security of the transportation system for motorized and non-motorized users;
- (4) Increase accessibility and mobility of people and freight;
- (5) Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
- (6) Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
- (7) Promote efficient system management and operation; and
- (8) Emphasize the preservation of the existing transportation system.

(b) Consideration of the planning factors in paragraph (a) of this section shall be reflected, as appropriate, in the metropolitan transportation planning process. The degree of consideration and analysis of the factors should be based on the scale and complexity of many issues, including transportation system development, land use, employment, economic development, human and natural environment, and housing and community development.

(c) The failure to consider any factor specified in paragraph (a) of this section shall not be reviewable by any court under title 23 U.S.C., 49 U.S.C. Chapter 53, subchapter II of title 5, U.S.C. Chapter 5, or title 5 U.S.C. Chapter 7 in any matter affecting a metropolitan transportation plan, TIP, a project or strategy, or the certification of a metropolitan transportation planning process.

(d) The metropolitan transportation planning process shall be carried out in coordination with the statewide transportation planning process required by 23 U.S.C. 135 and 49 U.S.C. 5304.

(e) In carrying out the metropolitan transportation planning process, MPOs, States, and public transportation operators may apply asset management principles and techniques in establishing planning goals, defining TIP priorities, and assessing transportation investment decisions, including transportation system safety, operations, preservation, and maintenance, as well as strategies and policies to support homeland security and to safeguard the personal security of all motorized and non-motorized users.

(f) The metropolitan transportation planning process shall (to the maximum extent practicable) be consistent with the development of applicable regional intelligent transportation systems (ITS) architectures, as defined in 23 CFR part 940.

(g) Preparation of the coordinated public transit-human services transportation plan, as required by 49 U.S.C. 5310, 5316, and 5317, should be coordinated and consistent with the metropolitan transportation planning process.

(h) The metropolitan transportation planning process should be consistent with the Strategic Highway Safety Plan, as specified in 23 U.S.C. 148, and other transit safety and security planning and review processes, plans, and programs, as appropriate.

(i) The FHWA and the FTA shall designate as a transportation management area (TMA) each urbanized area with a population of over 200,000 individuals, as defined by the Bureau of the Census. The FHWA and the FTA shall also designate any additional urbanized area as a TMA on the request of the Governor and the MPO designated for that area.

(j) In an urbanized area not designated as a TMA that is an air quality attainment area, the MPO(s) may propose and submit to the FHWA and the FTA for approval a procedure for developing an abbreviated metropolitan transportation plan and TIP. In developing proposed simplified planning procedures, consideration shall be given to whether the abbreviated metropolitan transportation plan and TIP will achieve the purposes of 23 U.S.C. 134, 49 U.S.C. 5303, and these regulations, taking into account the complexity of the transportation problems in the area. The simplified procedures shall be developed by the MPO in cooperation with the State(s) and public transportation operator(s).

Interested Parties, Public Involvement, and Consultation (23 CFR 450.316)

(a) The MPO shall develop and use a documented participation plan that defines a process for providing citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process.

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- (1) The participation plan shall be developed by the MPO in consultation with all interested parties and shall, at a minimum, describe explicit procedures, strategies, and desired outcomes for:
- (i) Providing adequate public notice of public participation activities and time for public review and comment at key decision points, including but not limited to a reasonable opportunity to comment on the proposed metropolitan transportation plan and the TIP;
 - (ii) Providing timely notice and reasonable access to information about transportation issues and processes;
 - (iii) Employing visualization techniques to describe metropolitan transportation plans and TIPs; (iv) Making public information (technical information and meeting notices) available in electronically accessible formats and means, such as the World Wide Web;
 - (v) Holding any public meetings at convenient and accessible locations and times;
 - (vi) Demonstrating explicit consideration and response to public input received during the development of the metropolitan transportation plan and the TIP; Federal Highway Administration, DOT § 450.318
 - (vii) Seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services;
 - (viii) Providing an additional opportunity for public comment, if the final metropolitan transportation plan or TIP differs significantly from the version that was made available for public comment by the MPO and raises new material issues which interested parties could not reasonably have foreseen from the public involvement efforts;
 - (ix) Coordinating with the statewide transportation planning public involvement and consultation processes under subpart B of this part; and
 - (x) Periodically reviewing the effectiveness of the procedures and strategies contained in the participation plan to ensure a full and open participation process.
- (2) When significant written and oral comments are received on the draft metropolitan transportation plan and TIP (including the financial plans) as a result of the participation process in this section or the interagency consultation process required under the EPA transportation conformity regulations (40 CFR part 93), a summary, analysis, and report on the disposition of comments shall be made as part of the final metropolitan transportation plan and TIP.
- (3) A minimum public comment period of 45 calendar days shall be provided before the initial or revised participation plan is adopted by the MPO.

Copies of the approved participation plan shall be provided to the FHWA and the FTA for informational purposes and shall be posted on the World Wide Web, to the maximum extent practicable.

(b) In developing metropolitan transportation plans and TIPs, the MPO should consult with agencies and officials responsible for other planning activities within the MPA that are affected by transportation (including State and local planned growth, economic development, environmental protection, airport operations, or freight movements) or coordinate its planning process (to the maximum extent practicable) with such planning activities. In addition, metropolitan transportation plans and TIPs shall be developed with due consideration of other related planning activities within the metropolitan area, and the process shall provide for the design and delivery of transportation services within the area that are provided by:

- (1) Recipients of assistance under title 49 U.S.C. Chapter 53;

(2) Governmental agencies and nonprofit organizations (including representatives of the agencies and organizations) that receive Federal assistance from a source other than the U.S. Department of Transportation to provide non-emergency transportation services; and

(3) Recipients of assistance under 23 U.S.C. 204.

(c) When the MPA includes Indian Tribal lands, the MPO shall appropriately involve the Indian Tribal government(s) in the development of the metropolitan transportation plan and the TIP.

(d) When the MPA includes Federal public lands, the MPO shall appropriately involve the Federal land management agencies in the development of the metropolitan transportation plan and the TIP.

(e) MPOs shall, to the extent practicable, develop a documented process(es) that outlines roles, responsibilities, and key decision points for consulting with other governments and agencies, as defined in paragraphs (b), (c), and (d) of this section, which may be included in the agreement(s) developed under §450.314.

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