### Summary of MPO/RTPO Comments on Planning NPRM

<table>
<thead>
<tr>
<th>Comments From Staff or Policy Board?</th>
<th>PSRC</th>
<th>BFCG</th>
<th>PSRC</th>
<th>YVCOG</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is your MPO/RTPO planning to submit comments directly to USDOT?</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
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#### 1. Definitions pages 31813-31816
- Provide a definition for “year of expenditure”
- The definition of RTPO is specific to “nonmetropolitan” areas; reference to these RTPOs and their work programs is peppered throughout the NPRM - how will this affect the WA RTPO definitions and work programs?
- Provide a definition for “non-exempt project” (used in definition of Amendment).
- Define “reasonably anticipated to be available”

#### 2. 450.104 Definitions pages 31813-31816
- SRTC is in support of RTPO designation so the region can continue to fulfill the unique planning needs of our surrounding nonmetropolitan surrounding areas. The metropolitan (MPO) and non-metropolitan areas (RTPO) SRTC presently embody work in close association with each other; therefore carrying out the elements of planning and decision-making using regional government, rather than statewide government is more appropriate.
- Conversely, SRTC who acts as an MPO and RTPO in Spokane does not support the need for the establishment of an additional policy committee. With no additional funding attached to this requirement, the impact to the agency resources would be significant. The current joint policy board, does not meet the intent of 450. 210 (d) (i) since non-metropolitan local officials or their representative are the MAJORITY of the board. Using the current model for RTPO planning where we do joint planning is a more fiscally-responsible approach.

#### 3. 450.210 (d) – Interested parties, public involvement, and consultation - page 31818
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#### 4. 450.212 Transportation planning studies and project development – pages 31816-31819
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#### 5. 450.218 Development and content of the statewide transportation improvement program (STIP) (b) (c) – page 31821
- Section (c) states that the STIP should be “informed by the financial plan and investment strategies from the State asset management plan for the NHS and the public transit asset management plans. If the State is required to accept regional TIPs into the STIP without change, when does this “informing” come in to play? It seems like this requirement is more appropriately listed under the requirements for the development of the regional TIP (450.326 (m)). Please provide more clarification on what “informed by these plans” means.

#### 6. 450.300 Purpose – page 31823
- Provide a definition for “year of expenditure”
- The definition of RTPO is specific to “nonmetropolitan” areas; reference to these RTPOs and their work programs is peppered throughout the NPRM - how will this affect the WA RTPO definitions and work programs?

#### 7. 450.302 Applicability – page 31823
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- The definition of RTPO is specific to “nonmetropolitan” areas; reference to these RTPOs and their work programs is peppered throughout the NPRM - how will this affect the WA RTPO definitions and work programs?

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### 7. Scope of the metropolitan transportation planning process – page 31824

The language regarding performance targets is unclear; are MPOs required to match the targets set by the state, or just "coordinate to the maximum extent practicable" with the state?

- `d(3)` - SRTC supports the timeline requiring MPOs to select performance targets no later than 180 days after State or providers of public transportation establishes performance targets. 
  - `d(4)` - Integrate elements of other plans into the planning process. Is integrate the correct word? Because many of these plans are not financially constrained how would an agency integrate an unconstrained plan into an MTP?

### 6. Funding for transportation planning and unified planning work programs – pages 31824 - 31825

- No Comment

### 9. Metropolitan planning organization designation and re-designation – pages 31825-31826

- Should the regulations clarify who appropriate "officials" may be? No, this should be defined by each MPO. Can staff members or other alternates be substituted for "officials" identified in paragraph (d)(1)? Yes, but this should be at the discretion of each MPO to determine what is most appropriate for the local governance structure. Should the regulations include more information about MPO structure and governance? No, the current level of federal guidance is sufficient. There are 420 MPOs across the country, each with unique characteristics that would make it problematic to address specific governance and structure issues at a national level.

### 10. Metropolitan planning area boundaries – page 31826

- No Comment

### 14. Metropolitan planning agreements – pages 31826-31827

- Clarify roles and responsibilities of performance measurement, reporting, and target setting on the NHS (may be a more appropriate comment for WSDOT) • When are updated metropolitan planning agreements due in relationship to the setting of targets?

- No Comment

### 15. Interested parties, participation, and consultation – pages 31827-31828

- No Comment

### 16. Transportation planning studies and project development – page 31828

- No Comment

### 17. Development of Programmatic Mitigation Plans – pages 31828-31829

- No Comment

### 18. Congestion management process in transportation management areas – pages 31829-31830

- No Comment
18 450.324 Development and content of the metropolitan transportation plan – pages 31830-31832

- 450.324(f)(1)(i) – does the inclusion of the word “current” imply that that future MTP updates need to include an existing conditions element? – It later refers to a comparison to baseline, so this is something we should have clarified and kept note of as we move forward, given that our model usually changes base years with each update • 450.324(f)(1)(ii) – Annual Targets: The rule requires that states establish safety targets annually. Would that require MPOs to also take an annual action to either adopt quantifiable targets, or plan and program safety projects which contribute to the state targets? It seems that if our MPO chooses to establish targets by endorsing the state targets, this can be done once without the need for an annual action. Or is it the intent that MPOs would indeed have to take an annual action to endorse the new state target? Some clarity on this process would be welcome (Language PSRC used and similar to AMPOs Dockets letters). • 450.324(f)(4) – What is the frequency of the regional system performance report? Section 450.216(f)(2) only says “subsequent updates” with no indication of timing • Clarify how transit asset management, state asset management, transit safety plans are to be referenced or incorporated into the MTP • 450.324(f)(11)(ii) – An analysis of “how changes in local policies and investments have impacted the costs necessary to achieve the identified performance targets” is vague language. Please clarify if this can be a general discussion of broad policy direction or if individual policy decisions must be evaluated using system performance characteristics. • 450.324(f)(11)(iii) – Please clarify if “strategies for ensuring their availability” can be a general discussion of the types of actions that would be necessary to implement new revenue sources or if this implies a detailed, source by source, discussion of specific actions necessary to implement new revenue assumptions in the plan • Timing of Target-Setting: We are pleased to see that the MPO has an additional six months beyond the state target-setting to set the MPO targets. While we anticipate being engaged in a collaborative target-setting process with the state, the extra six months will provide the necessary time to work with our boards, after state adoption, to take action on the adoption of the MPO’s performance measure targets. • Section (a) includes a new requirement that the TIP shall reflect the investment priorities established in the current MTP. While this makes sense - the TIP should be implementing the priorities identified in the plan - how is this new statement different from having a TIP that is merely “consistent with” the MTP? Is this just wordsmithing, or is there a new requirement implied here? Section (c) states that the TIP should be designed so that its implementation will make progress towards achieving performance targets. What does this imply for a TIP that does not demonstrate progress? Or will USDOT not approve a TIP with TIFs that do not make progress? Does this imply that progress must be demonstrated for ALL performance measures, or just some? Is no change considered progress? What are the implications for a TIP that shows negative progress for one or more performance measures? Does (p) – 12-month grace period for air quality conformity lapse, apply to 450.330 (c) regarding TIP amendments? They seem to overlap.

19 450.326 Development and content of the transportation improvement program (TIP) – pages 31832-31834

- 450.326(c) – Further define how a regional TIP should show it is making progress towards achieving relevant performance targets. If this is to take the form of a report, when is this report due and what is its relationship to the performance report required for the MTP? • Since the TIP implements the plan, it would be helpful if the MTP action on projects that are on the NHS. Projects on the NHS in the TIP shall be selected by the State, in cooperation with the MPO. Given the significant expansion of the NHS, there is concern about the implications of this rule change. Does this change permit the State to advance any projects in the TIP that are on the NHS in the first year of the TIP without MPO process. As custodians of the Regional TIP, this rule would compromise our oversight to maintain financial constraints.

18 450.328 TIP revisions and relationship to the STIP – page 31834

No Comment

18 450.330 TIP action by the FHWA and the FTA – page 31834

No Comment

18 450.332 Project selection from the TIP – pages 31834-31835

- 450.332 (p) – 12-month grace period for an air quality conformity lapse, apply to (c) regarding TIP amendments? They seem to conflict.

Proposed rules read: (f) The metropolitan transportation plan shall, at a minimum, include: (4) A system performance report and subsequent updates evaluating the condition and performance of the transportation system with respect to the performance targets described in §450.160(d), including: ... Comment: Does this mean that MPOs’ four/five year metropolitan transportation plans would need to be amended for each “subsequent update” of the system performance report? It might be less onerous to make the system performance report and subsequent updates stand-alone documents. When the metropolitan transportation plans are updated every four or five years, they can include a performance reports for the past four or five years.
Do you have additional comments about the NPRM?

Subpart B—Statewide and Nonmetropolitan Transportation Planning and Programming
450.205 Scope • States appear to have until September 2016 to develop NHTSA asset management plans yet the first targets are due to FHWA in April of 2016 (based on the estimated coordinated performance measure effective date). Please clarify. 450.216 Development and Content of Long Range Statewide Transportation Plan • State must submit system performance report that incorporates MPO system performance reports; however MPOs have an additional 6 months to establish targets and measure progress. How is a state system performance report supposed to reflect MPO system performance report if the timeline for MPOs is 6 months behind the state? MPOs won’t have had an opportunity to develop their report yet.

Page 31785-31786, Section C-Costs and Benefits. The estimated average annual costs do not reflect the anticipated costs associated with necessary data collection. The average additional person hours for TMA MPOs is 1,800 per agency, which is nearly a total Full Time Equivalent (FTE). At this juncture, it is not clear where the financial resources will come from to meet this obligation. Without additional resources, some MPOs may have to reduce work efforts in other areas to meet the new target setting requirements. Page 31788: What role should FHWA and FTA play in assisting States, MPOs, and transit providers in complying with the new target setting requirements? The NPRM establishes broad target setting requirements for MPOs, but it is not clear how an MPO Board that contains a small fraction of total transportation dollars, say 5%, is expected to implement a performance based planning program. FHWA and FTA should establish research and training opportunities to address this question. What mechanisms exist or could be created to share data effectively amongst States, MPOs and transit providers? Washington State already has effective mechanisms in place for data sharing among the Washington State Department of Transportation (WSdot), MPOs, and transit providers. The real issue is the lack of funding to collect and analyze the data that will be needed to implement a fully functioning performance based planning system. The overall quality of the envisioned system will be reduced without additional financial resources for data collection and analysis.

The online WSDOT STIP program – will it be modified with the target information that we can use the software to report out the progress of those targets with the addition/deletion/modification of each TIP project in our MPO/RTPO?

- The consultation verbiage has been replaced as FHWA/FTA is looking for actions/involvedmen?
- For federal/state funding (not STIP and TAP)? how is the MPO supposed to be included in a information loop with enough time to ensure we can meet the fiscal constraint/ensure and document that a prioritization process has been followed/ensure that the selected project meets with the definition of our regional significance? Especially prior to us reprioritizing our own projects in our M/RTIP to accommodate priorities from other federal/state funding sources?

- Without performance measures established, difficult to comment on impacts/costs. Need additional 90-day comment period after all rules completed.

Comment: RTPO – as Washington State already has RTPos, would like some assurance or clarification on whether Washington’s existing RTPO model would meet the requirements. In Washington, a number of RTPos also function as MPOs with combined executive boards governing both organizations. Would like to see clarification that there will not be a requirement for existing RTPos that are also MPOs to establish separate executive boards.

Proposed rules read: 450.216 Development and content of the statewide transportation improvement program (STIP) (p) The STIP shall include a project, or an identified phase of a project, only if full funding can be reasonably be anticipated to be available or the project within the time period contemplated for completion of the project. Comment: This should read “The STIP shall include a project, or an identified phase of a project, only if full funding can be reasonably be anticipated to be available for the project or phase of the project,” within the time period contemplated for completion of the project.”