

CHAPTER 2 FEDERAL, STATE, AND LOCAL PLANNING REQUIREMENTS

2.1 Overview

The 2040 Long Range Transportation Plan (LRTP) update, developed in cooperation with local jurisdictions, the general public, and special interest groups, meets federal, state, and local planning requirements. The Plan is fiscally constrained, meets air quality requirements, and is in conformance with applicable State Implementation Plans (SIPs). The following sections of this Chapter address how the 2040 LRTP satisfies these planning requirements.

2.2 The Fixing America's Surface Transportation Act (FAST Act)

On December 4, 2015, the new federal surface transportation bill, the FAST Act, was signed into law. The new bill follows its predecessors, the Safe, Accountable, Flexible, Efficient, Transportation, Equity Act, a Legacy for Users (SAFETEA-LU), and the Moving Ahead for Progress in the 21st Century Act (MAP-21). Both Acts made important contributions to the metropolitan planning process. SAFETEA-LU is the last act with current approved metropolitan planning rules as described in 23 CFR part 450 and MAP-21 set the stage for performance based planning.

The metropolitan planning rules state that the planning process shall be continuous, cooperative, and comprehensive, and provide for consideration and implementation of projects, strategies, and services that will address the following planning 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 the accessibility and mobility of people and for 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;
8. Emphasize the preservation of the existing transportation system;
9. Improve the resilience and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and
10. Enhance travel and tourism.

The last two factors are additions of the FAST Act, though they have not yet been codified in the metropolitan planning rules. The planning factors are addressed by MVRPC in our numerous planning programs and are summarized throughout the report.

2.2.1 Performance Based Planning

The cornerstone of MAP-21, continued in the FAST Act, was the transition to a performance and outcome-based program. As part of this program, recipients of Federal-aid highway funds would invest resources in projects to achieve individual targets that collectively would make progress toward national goals. The FHWA organized the many performance-related provisions within MAP-21 into six elements as defined in Figure 2.1. Performance measures and standards outlined in MAP-21 are as follows:

- Minimum standards for bridge and pavement management systems to be used by states;
- Performance measures for pavement condition on the Interstate system;
- Performance measures for pavement condition on the non-Interstate system;
- Performance measures for bridge conditions on the NHS;
- Performance measures for the performance of the Interstate System;
- Performance measures for performance of the non-Interstate NHS system;
- Performance measures to assess serious injuries and fatalities per VMT;
- Performance measures to assess the number for serious injuries and fatalities;
- Performance measures for traffic congestion;
- Performance measures for on-road mobile source emissions; and
- Performance measures to assess freight movement on the Interstate System.

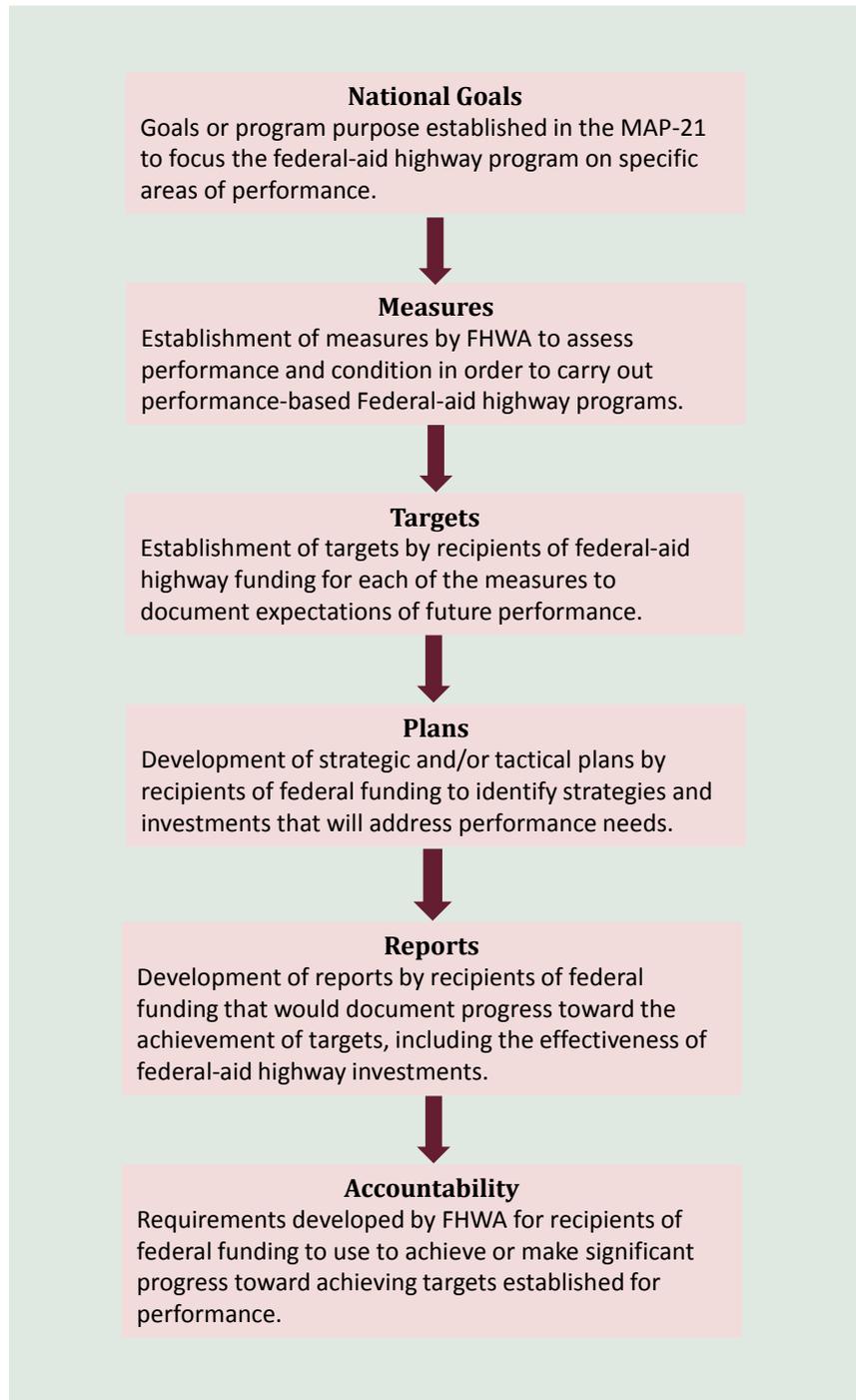
Following rule-making, MPOs are required to establish performance targets that address national performance measures established by the Secretary. These targets must be set in coordination with the state and public transportation providers, within 180 days after the relevant state or public transportation provider sets performance targets.

The performance measures and standards are based on national goals and aligned to various program and policy areas including the National Highway Performance Program (NHPP), Highway Safety Improvement Program (HSIP), the Congestion Mitigation and Air Quality Improvement Program (CMAQ), and the National Freight Policy.

The MAP-21 provisions that focus on the achievement of performance outcomes are contained in a number of sections of the law that are administered by different DOT agencies. Section 1203 of MAP-21 requires the Secretary to promulgate a rule to establish performance measures in specified Federal-aid highway program areas, including:

- Propose and define national measures for the Highway Safety Improvement Program (HSIP);
- Propose and define national measures for the condition of NHS pavements and bridges; and,
- Propose and define national measures for the remaining areas under 23 U.S.C. 150(c) that require measures and are not discussed under the first and second measure rules, which includes the following: National Performance Measures for Performance of the Interstate System and non-Interstate National Highway System; CMAQ—Traffic Congestion; CMAQ—On-Road Mobile Source Emissions; and Freight Movement on the Interstate System.

Figure 2.1 — Organization of MAP-21 Performance-Related Provisions



Source: FHWA

The FHWA has currently issued first two of the three proposed separate Notice of Proposed Rule Makings (NPRMs) to meet this requirement.

MAP-21 also furthers several important goals with respect to public transportation, including safety, state of good repair, performance, and program efficiency. MAP-21 gives the Federal Transit Administration (FTA) significant new authority to strengthen the safety of public transportation systems throughout the United States. MAP-21 also puts new emphasis on restoring and replacing aging public transportation infrastructure by establishing a new needs-based formula program and new asset management requirements. In addition, it establishes performance based planning requirements that align federal funding with key goals and tracks progress towards these goals. Finally, MAP-21 improves the efficiency of administering grant programs and streamlining the major capital investment grant program known as “New Starts.” MAP-21 also requires that MPOs in urbanized areas designated as transportation management areas must include transit officials on their policy boards.

The 2015 Congestion Management Process update was MVRPC’s first foray into performance based planning, a subset of the measures included in the report are summarized in Chapter 4.

2.3 Development and Content of the Regional Transportation Plan

The 2040 LRTP was developed in accordance with 23 CFR 450.322, the required elements are detailed in Table 2.1.

Table 2.1 — Required Transportation Plan Elements

Content and Development Requirements:	How the 2040 LRTP Addresses...
(a) The metropolitan transportation planning process shall include the development of a transportation plan addressing no less than a 20-year planning horizon as of the effective date.	The Plan has a 25-year planning horizon, to the year 2040.
(b) The transportation plan shall include both long-range and short-range strategies/actions that lead to the development of an integrated multimodal transportation system to facilitate the safe and efficient movement of people and goods in addressing current and future transportation demand.	The first four years of Plan projects are referred to as the Transportation Improvement Program (TIP). Both the TIP and the remainder of the LRTP projects include highway, transit, and bikeway/pedestrian projects, as well as travel demand management strategies. The needs of freight transportation are also considered during the project development process as freight dependent industries are heavily represented in the economy of the Miami Valley and Ohio.
(c) The MPO shall review and update the transportation plan at least every four years in air quality nonattainment and maintenance areas.	The Plan will be reviewed and updated at least every four years.
(d) In metropolitan areas that are in nonattainment for ozone or carbon monoxide, the MPO shall coordinate the development of the metropolitan transportation plan with the process for developing transportation control measures (TCMs) in a State Implementation Plan (SIP).	While many Transportation Control Measures (TCMs) such as signalization improvements and rideshare programs have been implemented in the Region, there are no TCMs included for credit in the applicable SIPs.

Content and Development Requirements:	How the 2040 LRTP Addresses...
(e) The MPO, the State(s), and the public transportation operator(s) shall validate data utilized in preparing other existing modal plans for providing input to the transportation plan.	The latest planning assumptions as agreed through the interagency consultation process are used in the development of the 2040 LRTP. Those same assumptions were presented to the public and the Board of Directors in the early stages of the Plan development process. Additional details are provided in Chapter 3.
(f) The metropolitan transportation plan shall, at a minimum, include:	
(1) The projected transportation demand of persons and goods in the metropolitan planning area over the period of the transportation plan;	MVRPC has coordinated its forecasting methodology and process closely with ODOT's Modeling and Forecasting Section. Based on the latest planning assumptions, the travel demand model forecasts passenger vehicles, commercial vehicles, and transit demand. Additional details are provided in Chapter 3.
(2) Existing and proposed transportation facilities (including major roadways, transit, multimodal and intermodal facilities, pedestrian walkways and bicycle facilities, and intermodal connectors) that should function as an integrated metropolitan transportation system, giving emphasis to those facilities that serve important national and regional transportation functions over the period of the transportation plan;	A discussion of existing transportation facilities is included in Chapter 3 of the Plan. Specific strategies and projects are presented in Chapters 4 to 7.
(3) Operational 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;	The Congestion Management Process (CMP), which identifies operational and management strategies to reduce congestion, has been incorporated into the Plan. The CMP also assesses strategies not currently implemented in the Region according to their suitability for future use.
(4) Consideration of the results of the congestion management process in TMAs including the identification of SOV projects that result from a congestion management process in TMAs that are nonattainment for ozone or carbon monoxide;	The results of the regional CMP and other management systems implemented by the State have been incorporated into the Plan.
(5) Assessment of 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;	Maintenance and operations of the existing system (plus additions to the system) have been identified as crucial to the Plan. It is assumed in the Plan that the current real value of expenditures for roadway maintenance and operations will continue into the future. The fiscally constrained revenue forecasts for the roadways system outline operations/maintenance and capacity enhancing projects. The transit project lists include operations/maintenance and capacity enhancements.
(6) Design concept and design scope descriptions of all existing and proposed transportation facilities in sufficient detail, regardless of funding source, in nonattainment and maintenance areas for conformity determinations under the EPA's transportation conformity rule;	The 2040 LRTP project lists provide sufficient detail for the modeling of travel demand, air quality conformity, and fiscal constraints; one exception is projects identified as studies since the outcome and particular scope is dependent on the study recommendations.
(7) 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 metropolitan transportation plan;	Chapter 8 in the Plan includes a discussion of the environmental analysis and potential environmental mitigation activities, including stormwater impacts of surface transportation.

Content and Development Requirements:	How the 2040 LRTP Addresses...
(8) Pedestrian walkway and bicycle transportation facilities;	Specific regional bicycle and pedestrian projects are listed in Chapter 7 but since the passing of the Regional Complete Streets Policy in 2011, many roadway projects now include bike and pedestrian elements.
(9) Transportation and transit enhancement activities, including transportation alternatives, and	The TIP includes all funded transportation alternative projects in the MPO.
(10) A financial plan that demonstrates how the adopted transportation plan can be implemented.	A conservative financial plan has been developed for each of the 2040 LRTP modal strategies. Only historical and clearly dependable funding source assumptions have been made. The Plan was developed cooperatively with ODOT and the regional transit agencies. As discussed in Chapters 1, 5, 6, and 7, and in detail in the Financial Summary document, the Plan meets the FAST Act mandated fiscal constraint requirement with costs and revenues in year of expenditure dollars.
(g) The MPO shall consult, as appropriate, with State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation concerning the development of the transportation plan.	MVRPC's public participation list has been expanded to include agencies with an interest in the areas of land use management, environmental resources, environmental protection, conservation, and historic preservation. As a result, the list now includes nearly 600 agencies and individuals. Contacts are notified and given the opportunity to comment on any transportation program that requires action by the MVRPC Board of Directors, such as the LRTP and the TIP. A representative sub-group of these agencies was invited to participate in the LRTP work groups, see Chapter 5. Chapter 8 in the Plan includes a discussion of the environmental analysis comparing LRTP projects to known inventories of natural and historic resources.
(h) The metropolitan transportation plan should include a safety element that incorporates or summarizes the priorities, goals, countermeasures, or projects for the MPA contained in the Strategic Highway Safety Plan.	Safety is a big component of the transportation planning program at MVRPC. In addition to coordinating with ODOT to ensure consistency with the Ohio Strategic Highway Safety Plan and participating in the annual ODOT District priority safety locations, MVRPC maintains a regional priority list (updated every 3 years) which is used to prioritize funding requests. Safety data and/or safety study assistance is also provided to local jurisdictions upon request. Chapter 4 of this report includes a summary of MVRPC's Safety Initiative.
(i) The MPO shall provide 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 a reasonable opportunity to comment on the transportation plan using the MPO's participation plan.	MVRPC's public participation list has been expanded to include nearly 600 agencies and individuals including all stakeholders, such as affected public agencies, representatives of public transportation employees, freight shippers, providers of freight 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. Contacts are notified well in advance and given the opportunity to comment on the LRTP both electronically as well as through mail-in comment cards over a one month period. Representatives with freight, public transportation, human services, and pedestrian transportation interests were invited to the LRTP Workgroups.

Content and Development Requirements:	How the 2040 LRTP Addresses...
(j) The metropolitan transportation plan shall be published or otherwise made readily available by the MPO for public review, including (to the maximum extent practicable) in electronically accessible formats and means, such as the World Wide Web.	A user friendly website, plan2040.mvrpc.org , focusing entirely on the Plan update, was available throughout the update process to focus attention on the information most relevant at each stage of the process including all exhibits that were presented at each public participation meeting as well as the ability to comment on the information. In continuation of past trends, the entire Long Range Transportation Plan will be published electronically on MVRPC's website in pdf format and the final congestion management project list will be made available in an interactive map format.
(k) A State or MPO shall not be required to select any project from the illustrative list of additional projects included in the financial plan.	Two projects are identified in the Plan as potential needs beyond the 2040 timeframe or in case additional funds become available; neither project is included in the fiscal constraint analysis for the 2016 Update.
(l) In nonattainment and maintenance areas for transportation-related pollutants, the MPO, as well as the FHWA and the FTA, must make a conformity determination on any updated or amended transportation plan in accordance with the Clean Air Act and the EPA transportation conformity regulations.	The adopting resolution of the 2040 Plan update includes a conformity determination by the MVRPC Board of Directors.

Source: MVRPC

2.3.1 State and Local Coordination

MVRPC worked very closely with ODOT's Modeling and Forecasting section regarding modeling and related activities, including transportation conformity. MVRPC also coordinated closely with ODOT District offices regarding projects under development. Overall, the Plan was developed consistent with ODOT's planning requirements.

The Plan was developed with extensive coordination with the general public, ODOT, and local jurisdictions, including elected officials, agency directors, planners, and engineers.

MVRPC's Long Range Transportation Plan is important to the Region because:

- All federally-funded surface transportation projects need to be drawn or be consistent with the LRTP via MVRPC's Transportation Improvement Program (TIP); and
- The updated Long Range Transportation Plan should be used by local jurisdictions, agencies, and groups to help provide a regional context within which to conduct their long range transportation planning.

It should be understood that local jurisdictions, agencies, and groups developed the 2040 LRTP cooperatively and in a regional fashion. It is hoped that this regional initiative will be incorporated into the planning efforts of the local entities, and that there will be a continuing, cooperative, and comprehensive strategic effort to use the Plan as a guide to other local planning endeavors.

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