

## Chapter 2

# Federal, State, and Local Planning Requirements

### 2.1 The Infrastructure Investment and Jobs Act (IIJA)

On November 15, 2021, the new federal surface transportation bill, the IIJA, was signed into law. The new bill follows its predecessors, the Fixing America’s Surface Transportation Act (FAST Act), and the Moving Ahead for Progress in the 21st Century Act (MAP-21). Both Acts made important contributions to the metropolitan planning process. The FAST Act is the last act that made changes to the metropolitan planning rules as described in 23 CFR part 450 while reinforcing the requirements first introduced in MAP-21 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:

- Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
- Increase the safety of the transportation system for motorized and non-motorized users;
- Increase the security of the transportation system for motorized and non-motorized users;
- Increase the accessibility and mobility of people and for freight;
- 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;
- Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
- Promote efficient system management and operation;
- Emphasize the preservation of the existing transportation system;
- Improve the resilience and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and
- Enhance travel and tourism.

The last two factors were additions under the FAST Act. The planning factors are addressed by MVRPC in our numerous planning programs and are summarized throughout the report.

#### *Performance Based Planning*

The cornerstone of MAP-21, continued in the FAST Act and the IIJA, 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. Chapter 8 of the 2050 LRTP provides an overview of the transportation performance management process — MPO requirements as stipulated in the IIJA as

well as a description and summary of all applicable performance measures and targets supported by MVRPC to assess the performance of the Region’s transportation system.

## 2.2 Development of Content and the Regional Transportation Plan

The 2050 LRTP was developed in accordance with 23 CFR 450.324, the required elements are detailed in Table 2.1.

**Table 2.1 — Required Transportation Plan Elements**

Content and Development Requirements:	How the 2050 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 2050.
(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 five years in air quality attainment areas.	The Plan will be reviewed and updated at least every five 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.
(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 2050 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 current and 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) A description of the performance measures and performance targets used in assessing the performance of the transportation system;	A description of the performance measures and performance targets is provided in Chapter 8.

Content and Development Requirements:	How the 2050 LRTP Addresses...
(4) A system performance report and subsequent updates evaluating the condition and performance of the transportation system with respect to the performance targets;	A system performance summary comparing actual performance to supported targets for each applicable performance measure in the MVRPC MPO region is included in Chapter 8.
(5) 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.
(6) 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.
(7) 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, and reduce the vulnerability of the existing transportation infrastructure to natural disasters;	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.
(8) Transportation and transit enhancement activities, including transportation alternatives;	The TIP includes all funded transportation alternative projects in the MPO.
(9) 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 2050 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.
(10) 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 9 in the Plan includes a discussion of the environmental analysis and potential environmental mitigation activities, including stormwater impacts of surface transportation.
(11) A financial plan that demonstrates how the adopted transportation plan can be implemented.	A conservative financial plan has been developed for each of the 2050 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 IJJA mandated fiscal constraint requirement with costs and revenues in year of expenditure dollars.
(12) 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.

Content and Development Requirements:	How the 2050 LRTP Addresses...
(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 over 400 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. Chapter 9 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) An MPO may, while fitting the needs and complexity of its community, voluntarily elect to develop multiple scenarios for consideration as part of the development of the metropolitan transportation plan.	MVRPC opted not to include alternative scenarios.
(j) 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 over 400 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.
(k) 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, <a href="http://plan2050.mvrpc.org">plan2050.mvrpc.org</a> , 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.
(l) A State or MPO shall not be required to select any project from the illustrative list of additional projects included in the financial plan.	There are no additional projects identified in the Plan as potential needs beyond the 2050 timeframe.
(m) 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 2050 Plan update includes a conformity determination by the MVRPC Board of Directors.

Source: MVRPC

## *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 2050 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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