



Lincoln Metropolitan Planning Organization

County-City Building
555 South 10th Street - Suite 213
Lincoln, Nebraska 68508
(402) 441-7491

JOINT NDOR-MPO CERTIFICATION STATEMENT ON THE METROPOLITAN TRANSPORTATION PLANNING PROCESS

In accordance with 23 CFR Part 450.334 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, the Nebraska Department of Roads and Lincoln Metropolitan Planning Organization certify that the transportation planning process is addressing the major issues in the Metropolitan Planning Area and is being conducted in accordance with all applicable requirements of:

(1) 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;

The Lincoln MPO collaborates with local, state and public transportation agencies to carry out a continuous, cooperative, and comprehensive(3C) metropolitan planning process for the Lincoln Metropolitan Planning Area through its Long Range Transportation Plan (LRTP), Transportation Improvement Program (TIP), Unified Planning Work Program (UPWP), and other transportation planing activities.

(2) Sections 174 and 176c) and (d) of the Clean Air Act, as amended (42 USC 7504, 7506 (c) and (d)) and 40 CFR part 93, which requires the joint preparation of an implementation for non-attainment areas;

Since February of 1989, Lincoln has been designated by U.S. EPA as being in attainment for all the National Ambient Air Quality Standards (NAAQS). An on-going ambient air quality monitoring program monitors for Carbon Monoxide (CO), particulate matter (PM2.5), and ozone is in place to monitor transportation related air emissions.

(3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;

(4) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;

The Lincoln MPO's Public Participation Plan together with the MPO Management Plan, Unified Planning Work Program and Environmental Justice Action Strategy ensures that no person will be excluded from participation in the planning process and in the development of plans and programs.

(5) Section 1101(b) of the SAFETEA-LU (Pub. L. 109-59) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;

The City of Lincoln-StarTran maintains the Disadvantaged Business Enterprise Program that was submitted to FTA in February, 2000 and continues to meet the requirements of the Department of Transportation regulations and the annual update requirements.

(6) 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;

Selection of private consultants for transportation planning related contractual projects utilizing FHWA and State PL funds is coordinated by and adheres to NDOR and City of Lincoln Purchasing guidelines; reviews of all proposals are conducted by the City EEO Officer to assure compliance with applicable Title VI regulations. Per Federal guidelines under Title VI, a plan has been developed to provide meaningful access to Limited English Proficient individuals.

- (7) **The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38;**
- (8) **The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;**
- (9) **Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and**
- (10) **Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.**

The City of Lincoln has an Equal Employment Policy (Lincoln City Municipal Code: Chapter 11.08) that prohibits discrimination on the basis of race, color, creed, or national origin, and prohibits discrimination of age, non-job related physical or mental disability and gender. This policy along with the MPO Public Participation Plan and Environmental Justice Action Strategy ensures that "particular attention will be given to impacts upon specific identifiable minority groups in relationship to Title VI of the Civil Rights Act 1964, and Title VIII of the Civil Rights Act of 1968, and ensures that no person will be excluded from participation in the planning process and the development of plans and programs.

Based on a joint review and evaluation, the Nebraska Department of Roads and the Lincoln Metropolitan Planning Organization recommend that the Metropolitan Planning Process for the Lincoln Metropolitan Planning Organization be certified with conditions as identified in the *Action Plan for Addressing the Quadrennial Certification Review*.

Lincoln Metropolitan Planning Organization

Nebraska Department of Roads

Mayor Beutler, Executive Officer

*Michael Owen, Planning & Project
 Development
 Engineer, Nebraska Department of Roads*

Date

Date



FTA/FHWA Corrective Action Status Report for the Lincoln Metropolitan Planning Organization

June 7, 2011

Background

The federal Quadrennial Certification Review of the Lincoln Metropolitan Planning Organization (Lincoln MPO) was conducted by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) on May 5-6, 2009. The final report of the "FHWA/FTA Joint Certification Review of the Lincoln Metropolitan Planning Organization" was transmitted by the federal team to the Lincoln MPO on September 11, 2009, and was presented to the MPO Officials Committee on September 24, 2009. The result of this Certification Review included six (6) commendations, seven (7) programmatic recommendations (PRs) and twelve (12) corrective actions (CAs). The federal team conditionally certified the transportation planning process in the Lincoln Metropolitan area with the understanding that the solutions to the CAs will be addressed in a specified time frame and outlined in a federally approved "Action Plan." Each CA is to have a specific deadline, as well as a specific document that must be provided to the federal team. Although the PRs are not mandatory and do not carry deadlines, the MPO is expected to give serious consideration to full implementation of the PRs.

Purpose

This is intended as an interim report on planning activity that has occurred since the Federal Certification Review of the Lincoln TMA. As a progress report, this is to fill any information gaps on current planning activity for the MPO, NDOR and FHWA/FTA teams on planning activities addressing the corrective actions as identified in the agree upon Lincoln MPO Corrective Action Plan .

Overview of Finding Descriptions

Corrective Actions: Items that fail to meet the requirements of the Federal regulations, seriously impacting the outcome of the overall planning process.

Programmatic Recommendations: Items, while less substantial and not requiring action, that are significant enough that FHWA and FTA may have the State and local officials consider taking some action. Typically the recommendations involve the state of the practice instead of regulatory requirements.

Commendations or Noteworthy Practices: Elements that demonstrate well thought out procedures for implementing the planning process.

**Planning Certification Review (2005)
Work Plan for Addressing Programmatic Recommendations (PRs)**

PR	Programmatic Recommendations	Staff Comments	Action Status
1	Evaluation of the effectiveness of the public outreach efforts.		<i>resolved</i>
2	Perform an evaluation of the effectiveness of Environmental Justice (EJ) efforts.	The MPO completed a study of “Public Attitudes and Opinions Regarding Transportation Planning Communication Issues” in Lincoln and Lancaster County in 2008 which was followed with an “Analysis of Effectiveness of Environmental Justice Activities” of MPO planning activities in September, 2010. Based upon this review, an “Environmental Justice Action Strategy for the LRTP” was documented, accepted by the MPO Officials Committee December 2010 and is being used in the current LRTP update.	Completion: September, 2010
3	Consider ITS technology as an integral part of every project rather than consideration of such technology at or near the end of project design in order to meet a minimum Federal requirement.		<i>resolved</i>
4 Corrective Action #11	The MPO needs to revisit and (if needed) update the interagency planning agreements.	The Lincoln MPO initiated an update the prospectus and planning agreements with participating agencies in 2009. The new MPO Management Plan (prospectus) was adopted by the MPO in September, 2009. Updated planning agreements to be used in combination with the Management Plan define the roles and responsibilities of the City, County and State in the 3-C planning process and were coordinated by the City of Lincoln and Lancaster County. The draft agreement was submitted to the Nebraska Department of Roads for review and comment in June of 2010. This is on hold until NDOR review is completed.	Draft Agreements were completed in June 2010 and are currently being reviewed by NDOR
5	The MPO needs to proactively institute a method to gain involvement from the freight industry in the transportation planning process.	Initiated within the LRTP Update process with planning staff meeting with a core group from the freight community. Members included local trucking and logistics firms and the Nebraska Trucking Association who have agreed to continue working with the MPO in the Transportation Planning process.	Initiated with LRTP Update and will be an on-going planning activity

6	StarTran is encouraged to develop an Access to Jobs plan and subsequently pursue and attain Access to Jobs funding from FTA.		<i>resolved</i>
7	The Federal government needs to provide timely information concerning available federal transportation funding to the MPO.		<i>resolved</i>

**Quadrennial Certification Review (May 2009)
Work Plan for Addressing Corrective Actions (CAs)**

CA	Corrective Actions	Staff Comments	Plan Schedule
1	Expand the financial element of the LRTP to address the estimated total project costs for “regionally significant” projects and other projects and programs important to the community.	This will be addressed in detail during the major update of the LRTP.	Included in the LRTP Update, completion by January 2012
2	The financial plan element of the LRTP must provide current and forecasted revenues available for projects. This can be included as part of the LRTP or may be summarized in the plan document with reference to more a detailed information, but separate, public document.	This will be addressed in detail during the major update of the LRTP.	Included in the LRTP Update, completion by January 2012
3	The LRTP is required to address environmental mitigation strategies based on consultation with natural resource, environmental, land management and similar agencies, and may include outreach activities to other environmental interest groups.	This will be addressed in detail during the major update of the LRTP.	Included in the LRTP Update, completion by January 2012
4	The LRTP update process must identify areas the planning process is coordinating with environmental resources agencies and include a discussion of environmental mitigation strategies. The Transportation Plan update needs to include comparisons of the transportation system with natural resource/conservation maps, plans, or inventories.	This will be addressed in detail in the LRTP Technical documentation during the update of the LRTP.	Included in the LRTP Update, completion by January 2012

5	<p>The TIP financial plan must be upgraded to include:</p> <ul style="list-style-type: none"> a. total project costs (i.e., full funding), or b. reference to the financial element in the LRTP (assuming it is adequate) c. project costs in year of expenditure dollars d. Strategies which can be employed to assure future anticipated funds. 	<p>The TIP has been reformatted to address “total project costs.” The full scope of the changes in the project programming process will be documented in the financial element of the LRTP which will include project costs in year of expenditure dollars along with strategies to be employed to assure future anticipated funds. The FY 2013-2016 TIP will reflect the new LRTP financial strategies and possible format modifications.</p>	<p>Improvements have been made in documenting the financial elements of projects in the LRTP that will be included in the FY 2013-2016 TIP</p>
6	<p>The MPO, with its planning partners, must document the project selection criteria and process for the TIP. This project selection process should also incorporate the appropriate criteria (or actual strategies/projects) from the Congestion Management Process.</p>	<p>The transportation project programming process will include strategies for selecting projects using criteria from the LRTP and this will be incorporate the Congestion Management Process (adopted September, 2009).</p>	<p>The CMP is being incorporated in the LRTP during the Update, completion by January 2012</p>
7	<p>Individual projects cannot be deleted (or added) to the TIP unilaterally by the State DOT once the MPO Board takes action on the TIP.</p>	<p>This is policy direction for the MPO and State that is to be considered during the update of each TIP.</p>	<p>On-going policy</p>
8	<p>The MPO Congestion Management Process shall be developed in accordance with 23 CFR 450.320 and documented and incorporated in the planning process.</p>	<p>The transportation project programming process and the strategies for selecting projects within the context of the Congestion Management Process (adopted September, 2009) and this process is being incorporated in the updated LRTP.</p>	<p>The CMP will be incorporated in the LRTP during the Update, completion by January 2012</p>
9	<p>The Unified Planning Work Program must provide more detailed descriptions of the planning products. Each of the planning products produced in a given activity needs to clearly define time frames, activity costs, associate funding sources, activity champions, and give a deadline when the pubic can expect a deliverable product. The current UPWP should be amended to include the work activities that address the corrective actions (and implement the Action Plan) identified as a result of this certification review.</p>	<p>Revisions to the UPWP were initiated in the FY 2009-10 program and further improvements to the UPWP format will be incorporated in the FY 2010-11 program to better identify projects, deliverables, time lines and associated funding. The MPO will continue to revised the UPWP as needed offer amendments to reflect planning activities.</p>	<p>Revisions to the UPWP were initiated in the FY 2009-2010 program, further improvements and amendments are anticipated as needed</p>

10	The MPO must update Public Participation Plan (PPP) and include stakeholders in its development to meet the requirements of 23 CFR §450.316.	The update of the MPO Public Participation Plan (PPP) was initiated during the summer of 2009, a Stakeholder review resulted in further plan improvements, and the MPO Technical Committee initiated the 45-day public review which was completed at the end of December 2009. Additional FHWA Comments were incorporated into the draft with PPP adoption on November 16, 2010.	The PPP was adopted November 16, 2010
11	The Lincoln MPO planning agreements need to be updated to more clearly define roles and responsibilities of the MPO and the State and to reflect the current planning process.	The Lincoln MPO initiated an update the prospectus and planning agreements with participating agencies in 2009. The new MPO Management Plan (prospectus) was adopted by the MPO in September, 2009. The updated planning agreements to be used in combination with the Management Plan to define roles and responsibilities of the City, County and State in the MPO 3-C process were drafted and coordinated by the City of Lincoln and Lancaster County. The draft agreement was submitted to the Nebraska Department of Roads for review and comment in June of 2010. This is on hold until the NDOR review is completed.	Draft Agreements were completed in June 2010 and are currently being reviewed by NDOR
12	The MPO must clearly define the Metropolitan Planning Area Boundary so all concerned parties know what areas are within that boundary.	The Metropolitan Planning Area Boundary (MPA) is clearly identified in the new MPO Management Plan adopted September 24, 2009. The MPO will also be defined the MPA in the interagency MPO Planning Agreements. The existing planning agreements are included in the Management Plan and together, define roles and responsibilities of the City, County and State in the MPO 3-C.	A Map has been included in the MPO Management Plan & will be included with Planning Agreements

**Quadrennial Certification Review (May 2009)
Work Plan for Addressing Programmatic Recommendations (PRs)**

PR	Programmatic Recommendations	Staff Comments	Plan Schedule
1	<p>The LRTP should be clearly distinguished as a product developed for and through the MPO 3-C planning process, as well as meeting needs of City/County Comprehensive Plan.</p> <p>To accomplish this;</p> <ul style="list-style-type: none"> a. the website can be restructured to better define the special role, structure, and goals of the MPO vs. the City/County-oriented planning activities, and b. all documents developed through and for the MPO should be developed with this distinction in mind (with explanatory material included, if needed). 	<p>A media strategy was created to publicize MPO activities through public notices, newsletters, email contacts, the MPO website, and other media. Press releases provide members of the media an opportunity to announce public review and comment periods for major transportation planning products and activities. The dedicated MPO website provides information on MPO activities, meetings (including agendas and minutes), newsletters, and draft documents under review. This provides an opportunity for the public to provide input and formal comments through a feedback form posted on the website and email links. A logo was created in the spring of 2010 to better identify products and publications of the MPO. A logo helps the public become familiar with the different activities of the MPO by providing a means of recognizing MPO products.</p> <div style="text-align: center;">  </div>	On-going activity
2	<p>Transportation projects without sufficient funding expected to be available over the life of the plan may be identified as “illustrative” projects or as desired projects in a “vision” plan. If and when sufficient funding is deemed available for these projects within the life of the plan, those projects can be moved from the illustrative list or the vision plan into the fiscally constrained LRTP.</p>	<p>The new Transportation Plan will include projects without sufficient funding in a vision plan or listing of illustrative projects. This will include a process for advancing needed but unfunded projects from the vision plan or illustrative list into the fiscally constrained LRTP.</p>	Included in the LRTP Update, completion by January 2012

3	<p>While the travel model has been demonstrated to produce assignment results that fall within FHWA specified standards for model calibration – based on the aggregation of volumes across facility classes – the MPO is encouraged to conduct checks on upstream model components to ensure that they sufficiently replicate current travel demand patterns in the region. A comprehensive origin-destination (OD) survey, or perhaps several smaller surveys that capture OD geography, would help inform future year model updates/validation efforts in Lincoln and would lessen the reliance on national or ‘borrowed’ insights from other areas. In the absence of OD data, carefully designed count programs can help ‘fill in the gaps’ and offer a valuable source to extract specific travel behavior information required for the model. Reliable trip tables may also offer a foundation for testing alternative scenarios, including those focused on alternative land development assumptions and offer the ability to provide a more complete evaluation of transportation alternatives in the Lincoln metropolitan area. Additional thought should also be given to the incorporation of sensitivity tests as a model validation strategy to examine how the model behaves as key inputs are changed.</p>	<p>The Lincoln MPO Travel Demand Model was updated and the process included fresh checks on upstream model components to ensure model accurately in replicating current travel behavior. An O-D survey was explored but was found not to be feasible due to the very high costs. A smaller survey for was pursued to capture trip making activity within the University of Nebraska campus problem areas. Traffic count data and travel time data was used to characterize traffic flows and travel behavior. Sensitivity testing assisted in evaluating alternative land use and transportation alternatives. The NDOR evaluated the model validation resulting in their concurrence. The Lincoln MPO Travel Demand Model Development and Validation Report was approved by the Technical Advisory Committee for use in updating the Transportation Plan on January 11, 2011.</p>	<p>The project scope for the Transportation Model Update and agreements were approved by NDOR and executed by the MPO/City of Lincoln in February, 2010</p> <p>Detailed scoping was completed in May 2010 and project kick-off was June 23, 2010</p> <p>The Validation Report was approved by the Technical Advisory Committee January 11, 2011 for use in updating the Transportation Plan.</p>
4	<p>The MPO should establish the identity of the TIP as a key document of the metropolitan transportation planning process, which includes state and locally sponsored transportation projects addressing regional needs and priorities. The public should understand that the TIP is separate from the local Capital Improvement Program (CIP).</p>	<p>A clear differentiation between the MPO and City/County process and documents has taken root. The distinction will become more evident as this is fully implemented within the LRTP and TIP process.</p>	<p>On-going activity that is being considered within the LRTP Update process.</p>

5	The TIP document should include more discussion of how the TIP implements or advances major elements of the LRTP and is an extension of the LRTP.	The MPO has begun evaluating the necessary documentation process in prioritization and the programming of transportation system improvements. The major elements of the project programming process to document the prioritization and programming of transportation improvement projects is expected to be fully detailed in the financial element of the LRTP that has a completion date of January 2012. Initial changes were included in the FY 2011-2014 TIP and in additional format modifications for showing (a) total project costs and (b) project costs in year of expenditure dollars (Lincoln has established a documented 3% per year rate of inflation).	This is being considered within the LRTP Update. Plan completion will be by January 2012
6	The MPO should monitor new federal policy initiatives and/or federal legislative proposals which are expected to emphasize “livability,” climate change, and related issues It is very probable that requirements related to those issues will become more entrenched in the transportation planning process and will affect the roles and responsibilities of the MPOs, transit operators, and the State DOTs, among others.	The MPO is involved in a major update of the LRTP which is considering and incorporating “Livability” issues, noting that these are being considered for the new Federal Policy and Legislative Proposals.	These policy issues are being considered within the LRTP Update. Plan completion will be by January 2012
7	The MPO and its planning partners should consider convening an environmental and community stakeholders committee or ad hoc group to be part of the identification of key issues affecting regional “livability” and environmental resources and the development of expanded livability programs and environmental mitigation strategies.	The MPO is involved in a major update of the LRTP which is considering and incorporating “Livability” issues, noting that these are being considered for the new Federal Policy and Legislative Proposals. The LRTP update process involves Community stakeholders and who are represented on a Citizen Advisory Committee. Completion of the LRTP update is expected by January 2012.	These policy issues are being considered within the LRTP Update. Plan completion will be by January 2012

F:\FILES\NCSMDB\Certification\Annual Certification\Reports\FHWA-FTA Certification Status Report_060711.wpd