

FHWA/FTA Joint Certification Review of the Lincoln Metropolitan Planning Organization Certification Review

Date of Certification Review: May 5-6, 2009

Findings from the 2009 Certification Review

DISPOSITION OF ACTION ITEMS FROM THE 2005 PLANNING REVIEW

The following are recommendations from the previous Certification Review. The review team has assessed each prior recommendation and has made a determination as to the status of the recommendation.

RECOMMENDATIONS

1. The MPO's outreach efforts are exemplary. We recommend an evaluation of the effectiveness of the outreach efforts.

MPO Response: The Lincoln MPO commissioned a public participation survey in 2008 to evaluate the effectiveness of public involvement activities within the Lincoln Transportation Planning Process. This was a two part survey with one part seeking responses from the general public and the other responses from community leaders in the area. The overall research effort was intended to document public attitudes toward various communication issues facing the City and County and to direct future transportation planning efforts within Lincoln and Lancaster County as new planning activities are initiated.

The further objective of this study is to provide a series of "benchmarks," against which future measurements can be compared, to assess the degree of success achieved in meeting the transportation planning and development of public input and communication goals of the Lincoln MPO and Lincoln-Lancaster County Planning Department. The information gained in attempting to meet these stated objectives was intended to be used to better understand how "public opinion" can be more effectively sought and included in the Public Participation Plan in the overall transportation planning process.

The report is located on the Lincoln MPO web page, www.lincoln.ne.gov/city/plan/mpo

Current Status: This recommendation is considered resolved.

2. We recommend the MPO perform an evaluation of the effectiveness of its Environmental Justice (EJ) efforts. As part of this evaluation, we suggest that the MPO survey low-income and minority communities in the Lincoln metropolitan area for these communities' evaluation of the MPO's EJ efforts.

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MPO Response: *The Lincoln MPO public participation survey of 2008 specifically included community leaders and informed known leaders within the low-income and minority communities.*

Current Status: The MPO still needs to perform an evaluation of the effectiveness of its EJ efforts. The 2008 survey is one step in the overall evaluation. This recommendation continues.

3. We recommend that all partners in the Lincoln area consider ITS technology as an integral part of every project rather than consideration of such technology being given at or near the end of project design in order to meet a minimum Federal requirement.

MPO Response: *An ITS Regional Architecture Plan was developed to advance the development and application of ITS within the Lincoln Metropolitan area and across the region in order to increase highway safety, mobility, security, economic health, and community environment. The ITS Regional Architecture Plan is a key element in the MPO Transportation Planning process and implements the ITS strategies of the Transportation Plan.*

Current Status: This recommendation is considered resolved.

4. After the MPO has rewritten its planning prospectus, we recommend that the MPO, due to its now being a TMA, revisit and (if needed) update the interagency agreements.

MPO Response: *Lincoln MPO staff is in the process of updating our Prospectus (Operations Plan) to ensure full compliance with current Federal transportation planning regulations and it is consistent with contemporary transportation planning practices. This updating process has involved participation from a variety of entities represented on the Lincoln MPO to make certain a range of ideas and guidance is received on how to best structure the MPO. The area of focus during this initial review have been on the structure and working relationships of the Lincoln MPO participants.*

Current Status: This recommendation continues, as a corrective action.

5. The MPO needs to proactively institute a method to gain involvement from the freight industry in the transportation planning process.

MPO Response: *A Freight and Goods Movement study was undertaken in 2001 for the purpose of providing a greater understanding of current freight trends and issues, and ensure freight and goods movement elements are incorporated into the long range transportation planning process. This initiated a greater commitment by the Lincoln-Lancaster County Planning Department to establish a stronger linkage between transportation and economic development in order to accommodate the increasing importance of goods movement in our economy.*

The Lincoln MPO and Public Works and Utilities Department developed and administered a survey for freight carrier companies with facilities located within the Lincoln metropolitan area and Lancaster County during 2006. The overall objectives of this survey was 1) to establish a

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general inventory of local transporters with the type of goods they transport as well as the size of their fleet, 2) to determine the key transportation issues and transportation related problems in the Lincoln Metropolitan Area and throughout Lancaster County and 3) to establish a list of potential roadway improvements based upon the need and degree of difficulty for implementation.

Current Status: This recommendation continues through the Lincoln MPO's new subcommittee which will include outreach efforts to the freight industry to include in the transportation planning process.

6. The MPO and StarTran are aware of FTA's Access to Jobs program. In the event this program is determined to be beneficial to the Lincoln metropolitan area, the MPO and StarTran are encouraged to first develop an Access to Jobs plan and subsequently pursue and attain Access to Jobs funding from FTA.

MPO Response: *The Coordinated Transit-Human Services Transportation Plan was developed as a result of new provisions in SAFETEA-LU. This initiative allowed three FTA funding programs to be implemented within the planning area. These programs include the Elderly Person and Person with Disabilities Program (Section 5310), Job Access and Reverse Commute Program (Section 5316) and New Freedom Program (Section 5317). StarTran was successful in obtaining supporting funding through the Job Access and Reverse Commute Program to partially fund two transit routes to employment locations.*

Current Status: This recommendation is considered resolved.

7. The Federal government needs to provide timely information concerning available federal transportation funding to the MPO.

Current Status: The Federal government strives to provide timely federal transportation funding apportionments to the MPO. Providing timely information to the MPO regarding transportation will continue to be a goal of the FHWA Nebraska Division and FTA

Region VII offices. The NDOR should also be providing continuous outreach to the MPO about federal transportation funding. The federal-aid transportation authorization bill provides multi-year apportionments when enacted. The NDOR should be able to provide funding estimates for planning purposes in a timely fashion as well. This recommendation is considered resolved.

Overview of Finding Descriptions

It is important to understand the specific meaning for terms that describe the outcome of the certification review. These terms are defined as follows:

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

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

Commendations - Noteworthy Practices: Elements that demonstrate well thought out procedures for implementing the planning process. Elements that address items that have been difficult for other MPOs could be cited as noteworthy practice. Also FHWA and FTA may wish to offer commendations on significant improvements and/or resolution of past findings.

The findings from this Certification Review include corrective actions, recommendations for improvement and a listing of commendations of the strengths of the Lincoln metropolitan transportation planning process.

Consistent with 23 CFR 450.334, after review and evaluation of the TMA planning process, the FHWA and FTA shall take one of the following actions:

- (i) If the process meets the requirements of this part and a TIP has been approved by the MPO and the Governor, jointly certify the transportation planning process;
- (ii) If the process substantially meets the requirements of this part and a TIP has been approved by the MPO and the Governor, jointly certify the transportation planning process subject to certain specified corrective actions being taken; or
- (iii) If the process does not meet the requirements of this part, jointly certify the planning process as the basis for approval of only those categories of programs or projects that the FHWA and the FTA jointly determine, subject to certain specified corrective actions being taken.

If, upon the review and evaluation conducted under paragraph (b)(1)(iii) of this section, the FHWA and the FTA do not certify the transportation planning process in a TMA, the Secretary may withhold up to 20 percent of the funds attributable to the metropolitan planning area of the MPO for projects funded under title 23 U.S.C. and title 49 U.S.C. Chapter 53 in addition to corrective actions and funding restrictions. The withheld funds shall be restored to the MPA when the metropolitan transportation planning process is certified by the FHWA and FTA, unless the funds have lapsed.

Corrective Actions:

Long Range Transportation Plan

1. The financial element of the LRTP must be expanded to address the estimated total project costs for “regionally significant” projects and other projects and programs important to the community. To accomplish this, the transportation plan must include:
 - a. details of street and road projects sufficient to assign reasonably expected total costs to those projects,
 - b. descriptions and related estimated costs of proposed non-motorized improvements sufficiently significant in scope or cost to list as stand-alone projects, as defined by the MPO,
 - c. descriptions and related estimated costs of major ITS/operational improvements,
 - d. descriptions of major transit projects proposed over next 20 years, if funding is reasonably expected to be available, and
 - e. estimates of expenditures on smaller projects “grouped” into categories covering such activities as surface treatments, landscaping, system preservation, etc.
2. The financial plan element of the LRTP must provide current and forecasted revenues available for projects. The financial element can be included as part of the LRTP or the MPO may include a summary of financial information in the plan document with reference to more detailed information in another separate, but public document. This needs to include strategies for acquiring any needed additional revenues. The financial element must describe what and how inflation rates have been applied to project cost estimates to meet year of expenditure (YOE) requirements and the assumptions behind choosing those rates. The financial element will also identify the growth rates (positive or negative, which may not necessarily be tied to the cost inflation factors) applied to forecasted revenues available for transportation projects during the life of the plan.
3. The LRTP is required to address environmental mitigation strategies, at least at the regional or systems level. These strategies need to be based on consultation efforts with appropriate natural resource, environmental, land management and similar agencies, and may include results of outreach activities to other environmental interest groups. In addition, the transportation plan is to be compared to State conservation plans or maps or inventories of natural and historic resources, if available.
4. The LRTP needs to identify the areas of their current planning process in which they are coordinating with environmental resources agencies. In the LRTP update the MPO must include a discussion of environmental mitigation strategies, or at least increase efforts to contact resource and environmental protection agencies and offer them opportunities to participate in the planning process. This next Transportation Plan update needs to adequately involve appropriate agencies and make significant strides in comparing the transportation system map to natural resource/conservation maps, plans, or inventories.

Transportation Improvement Plan

5. The TIP financial plan must be upgraded to include,
 - 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.
6. 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.
7. Individual projects cannot be deleted (or added) to the TIP unilaterally by the State DOT once the MPO Board takes action on the TIP. In particular,
 - a. the entire TIP (or TIP amendment) is approved by the Governor's designee for inclusion in the STIP, or the TIP or amendment is returned to the MPO for appropriate follow-up action, and
 - b. any concerns about the eligibility or funding of a project included in a TIP or TIP amendment must be resolved before the State takes final action on the formal request for action by the MPO.

Congestion Management Process

8. There is some evidence the MPO is identifying congestion in their planning process, however this is not well documented. The Congestion Management Process shall be developed in accordance with 23 CFR 450.320. The MPO shall adhere to the CMP Guidebook found at (www.ops.fhwa.dot.gov/publications/cmpguidebook/cmpguidebook.pdf) for developing the Congestion Management Process.

Unified Planning Work Program

9. The Unified Planning Work Program must provide more detailed descriptions of the planning products. Each of the planning products produced in a given activity need to clearly define time frames, activity costs, associate funding sources, activity champions, and give a deadline when the public 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.

Public Participation Plan (PPP)

10. In the 2005 certification review report, the updating of the Public Involvement Plan (PIP) was identified as a recommendation since the then and current Lincoln MPO PIP was created in December 1994. Now, it is even more crucial that the MPO updates its public involvement process to bring it into compliance with 23 CFR §450.316 (i.e. meet

the requirements of a Public Participation Plan). The MPO must make certain to identify and invite stakeholders who may wish to be involved in the development of the PPP

Planning Agreements

11. The planning agreements need to be updated to more clearly define roles and responsibilities of the MPO and the State. Having official written agreements in place helps to ensure the 3C process is executed as intended and that it can be readily understood by the participants in the planning process and the public. The Lincoln MPO planning agreements are extremely dated and should be updated to reflect the current planning process. The planning agreements need to clearly define the MPO Planning Area Boundaries, the MPO structure, the roles and responsibilities of planning activities. This was a recommendation from the previous certification review which was not implemented.

Metropolitan Planning Area Boundary

12. The MPO must clearly define the Metropolitan Planning Area Boundary so all concerned parties know what areas are within that boundary. The MPA boundary descriptions shall be provided for informational purposes to FHWA and FTA. The MPA boundary descriptions shall be submitted either as a geo-spatial database or described in sufficient detail to enable the boundaries to be accurately delineated on a map.
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Recommendations:

Long Range Transportation Plan

1. The LRTP should be clearly distinguished as a product developed for and through the MPO and 3-C planning process, as well as meeting needs of City/County Comprehensive Plan. To accomplish this,
 - 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).
2. 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.

Travel Model Validation Efforts

3. 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.

Transportation Improvement Program (TIP)

4. 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).
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.

Upcoming “Livability” Federal Policy/Legislative Proposals

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.
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.

Commendations:

1. **Non-Motorized Transportation Planning** -We commend the transportation plan for providing much attention to policies applying to sidewalk, bicycle facility, and trails planning and general approaches to improving those systems within the City of Lincoln and the adjacent County areas. This should provide an excellent basis to determine how the MPO will identify, fund, and implement individual nonmotorized transportation projects, either as stand alone projects or as part of larger street/highway or even transit investments.
2. **Long Range Transportation Plan Livability Policies** - We commend the transportation plan for including policies and proposed actions to maintain and improve the “livability” of the Lincoln/Lancaster County region. (This is evidenced through the strong interrelationships between land use and transportation planning and the significant attention directed to such subjects as sidewalk and trails development).
3. **Promotion of Non-Motorized Transportation and Transit** - We commend the City-County Health Department’s initiatives in the transportation planning process including the promotion of non-motorized transportation, and transit.
4. **Bicycle Parking Initiative** - We commend the development of bicycle parking, “Bicycle Corrals” with the use of funding from bicycle organization and City parking revenue
5. **Transportation Planning Outreach** -We commend the MPO’s commitment for having transportation planning outreach meetings during nontraditional times at community centers, schools, libraries and other more convenient locations for the public.
6. **Outreach to non-English Speaking Population** - We commend the MPO and StarTran for its use of the “Babble” software and for supplying translated documents upon request for non-English speaking residents of the Lincoln TMA.