



Moving Ahead for Progress in the 21st Century Act – Overview: Final rule on metropolitan, statewide planning

In June of 2014, the Federal Highway Administration and the Federal Transit Administration proposed new and modified regulations governing state and metropolitan planning activities. The final rule was published in May 2016 and went into effect June 27, 2016.

The most significant change from the planning final rule is the requirement for state departments of transportation (state DOTs) and Metropolitan Planning Organizations (MPOs) to establish and report transportation performance measures on roadway safety, the condition of bridges and pavement, system performance, freight, and congestion mitigation and air quality.

For safety, WSDOT and MPOs in Washington collaborated to develop an approach in support of data, process, and target-setting to implement the final safety rule. Official safety targets for 2018 have been ratified by statewide safety partners and have been submitted to federal agencies.

As of September 2017, Washington MPOs and WSDOT are actively identifying their preferred approach to implement and set targets for two other recently finalized MAP-21 performance management rules: A rule governing states' asset management of pavement and bridges, and a rule governing transportation system performance. State DOTs need to establish all required targets for both rules by May 20, 2018. MPOs will then have an additional 180 days to establish targets should they choose to establish their own. The first deadline to report progress toward these targets is October 1, 2018.

About this folio:

See inside for descriptions of the requirements governing the State DOT, MPO and RTPO planning processes enacted by this MAP-21 federal planning rule.

Summary of requirements for planning processes under MAP-21

The final rule enacts several changes to improve the transportation planning process and foster coordination between all levels of government.

1. **Performance-based planning** - States and Metropolitan Planning Organizations (MPOs) are now required to take a performance-based approach to planning and programming; 23 USC § 150
2. **Non-metropolitan transportation planning** - States are now required to have a higher level of involvement with non-metropolitan local officials than was previously required, and can designate Regional Transportation Planning Organizations (RTPOs) under this rule; 23 CFR § 450.210(d)
3. **MPO policy boards** - MPOs serving urban areas with greater than 200,000 residents (referred to as Transportation Management Areas, or TMAs) must now include representatives of public transportation operators on their policy boards; 23 CFR § 450.310(d)(1)(ii)
4. **Environmental review** - States and MPOs have new authority to integrate planning with the environmental review process; 23 CFR § 450.212
5. **Programmatic mitigation** - Optional processes for developing programmatic mitigation plans and conducting scenario planning have also been established. 23 CFR § 450.214(d)
6. **Scenario Planning** - MPOs are able to develop multiple scenarios as part of the development of the Metropolitan Transportation Plan; 23 CFR § 450.324(h)(i)

Requirements for statewide planning activities

The following sections describe how each aspect of the MAP-21 planning final rule affects the planning process for a state's department of transportation and its partners. Washington state's approaches to these requirements are also highlighted.

1. Performance-based planning

MAP-21 retained the “Three C” planning process (continuing, cooperative and comprehensive) that has been in place for decades while adding the requirement for states and MPOs to transition to performance-driven, outcome-based planning. The goal is to align transportation investments with performance targets that further the national goals of the federal-aid highway program. Goals include:

- **Safety**—to achieve a significant reduction in traffic fatalities and serious injuries on all public roads;
- **Infrastructure condition**—keep the condition of highway infrastructure in a state of good repair;
- **Congestion reduction**—achieve a significant reduction in congestion on the National Highway System;
- **System reliability**—improve the efficiency of the surface transportation system;
- **Freight movement and economic vitality**—improve the National Highway Freight Network, strengthen the ability of rural communities to access national and international trade markets, and support regional economic development;
- **Environmental sustainability**—enhance the performance of the transportation system while protecting and enhancing the natural environment

States and MPOs must also describe the anticipated effect of their Transportation Improvement Programs (TIPs) in achieving their targets. For transit-related targets, states and MPOs must coordinate their targets with the public transportation agencies to ensure consistency with those agencies' performance goals.

WSDOT is already a recognized leader in providing accessible, transparent, credible and accurate performance reports on agency programs and projects. The quarterly *Gray Notebook* and annual *Corridor Capacity Report* are WSDOT's primary performance assessment, reporting and communication tools. The agency also leads research and development in transportation performance measurement and accountability to further reinforce the agency's multimodal transportation policy. More information is available through the additional resources listed on the back page of this folio.

2. Non-metropolitan transportation planning

Outside metropolitan areas, the planning final rule revised the notion that states “consult” with local officials to require that states “cooperate” with them. The rule also creates the option for states to establish Regional Transportation Planning Organizations (RTPOs) under federal designation. Existing RTPOs, like those in Washington, would not be recognized at the federal level until they are redesignated with the new required structure and responsibilities given by the rule.

While there are some similarities between the two versions of RTPOs (e.g. participation is voluntary in both cases), there are key differences between the federal requirements of an RTPO compared to Washington's RTPO Program:

- Metropolitan officials are not eligible to be part of a federally designated RTPO, whereas in Washington the MPO Policy Board also acts as the RTPO Policy Board in most cases.
- Federally designated RTPOs need not adhere to specific size and geographic requirements. Washington's RTPOs must meet required population thresholds specified in state law.
- The Washington State Legislature has allocated specific funding to the RTPO program since its inception in 1991 (currently \$4.4 Million per biennium). No funding is provided for federal RTPOs.

The Washington State Legislature initially authorized the creation of RTPOs in 1991 to support the state's Growth Management Act. The act requires most jurisdictions in the state to develop comprehensive plans to guide land use development decisions and enact codes that implement these comprehensive plans. Washington's RTPO program requires the development of regional transportation plans, helping ensure compatibility among land use and transportation priorities identified in the comprehensive plans.

3. Transit representation on MPO policy boards

The planning final rule specifies that MPO Policy Boards located in Transportation Management Areas (TMAs) must include representatives of public transportation operators in the list of officials required to serve on a MPO. The representatives must be formally designated to represent the collective interests of all public transportation providers in the metropolitan area and have the same decision-making authority as the other officials on the policy board. This requirement is contained in 23 CFR § 450.310(d)(1)(ii).

Four of Washington's MPOs are designated as TMAs: Puget Sound Regional Council (PSRC), Southwest Washington Regional Transportation Council (RTC), Spokane Regional Transportation Council (SRTC) and the Benton-Franklin Council of Governments (BFCG). Each of these organizations had the foresight to include their respective representatives of public transportation operators on their policy boards.

Washington state is ready for the final MAP-21 planning rule

The rule's stipulations are expected to have minimal impact to WSDOT and its statewide planning partners because Washington state has already implemented many of the required practices:

- WSDOT, MPOs and RTPOs already have a proven record of effective coordination in identifying and monitoring the performance of the transportation network they share;
- Washington is one of the original states to authorize the creation of RTPOs in 1991. Washington's RTPO program has already produced the higher levels of involvement with non-metropolitan local officials that this rule aims to achieve; the program provides RTPOs \$4.4 million per biennium to perform regional transportation planning;
- Washington's four TMAs already include representatives of public transportation operators on their policy boards;
- Washington state is a leader in environmental stewardship, with a State Environmental Policy Act (SEPA) that facilitates a thorough environmental review of all transportation projects;
- WSDOT is well-versed in developing programmatic mitigation plans as part of large-scale corridor planning.

Purpose of reporting requirements

In July 2012, the Moving Ahead for Progress in the 21st Century Act (MAP-21) became law. The primary objectives of MAP-21 are to increase the transparency and accountability of states for their investment of federal taxpayer dollars into transportation infrastructure and services nationwide, and to ensure that states invest money in transportation projects that collectively make progress toward the achievement of national goals. The new rules will require reporting performance on the following areas: Safety; Pavement and Bridge; System Performance/ Congestion, Freight, and Congestion Mitigation and Air Quality.

For more information

Doug Cox
 Interim Tribal & Regional Coordination Manager
 Planning, Policy & Partnership Office
 (360) 705-6906; CoxDoug@wsdot.wa.gov

List of additional WSDOT MAP-21 resources:

- WSDOT Accountability website (<http://bit.ly/WSDOTAccountability>)
- WSDOT TRCO website (<http://bit.ly/WSDOTTRCO>)
- Gray Notebook (<http://bit.ly/GNBArchives>)
- Corridor Capacity Report (<http://bit.ly/CongestionReporting>)
- MAP-21 Overview folio (<http://bit.ly/OverviewFolio>)
- MAP-21 Safety folio (<http://bit.ly/SafetyFolio>)
- MAP-21 Funding folio (<http://bit.ly/FundingFolio>)
- MAP-21 Asset Management folio (<http://bit.ly/AssetMngFolio>)
- MAP-21 Transit Asset Management folio (<http://bit.ly/TransitAssetMngFolio>)
- MAP-21 Pavement folio (<http://bit.ly/2tWRHrM>)
- MAP-21 Bridge folio (<http://bit.ly/2uWAE6K>)

Americans with Disabilities Act (ADA) Information: This material can be made available in an alternate format by emailing the WSDOT Diversity/ADA Affairs team at wsdotada@wsdot.wa.gov or by calling toll free, 855-362-4ADA(4232). Persons who are deaf or hard of hearing may make a request by calling the Washington State Relay at 711.

Title VI Statement to Public: It is the Washington State Department of Transportation's (WSDOT) policy to assure that no person shall, on the grounds of race, color, national origin or sex, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its federally funded programs and activities. Any person who believes his/her Title VI protection has been violated, may file a complaint with WSDOT's Office of Equal Opportunity (OEO). For additional information regarding Title VI complaint procedures and/or information regarding our non-discrimination obligations, please contact OEO's Title VI Coordinator at (360) 705-7082.

In fact, the majority of Washington's MPOs and RTPOs currently include public transportation representatives on their policy boards.

4. Integrating planning and environmental review

The final rule intertwines the planning and environmental review processes, an approach commonly referred to as Planning and Environment Linkages (PEL). PEL is a collaborative approach to transportation decision-making that considers environmental, community, and economic development goals from the start of the transportation planning process. With the PEL approach, information gathered during the planning phase is used to inform the National Environmental Policy Act (NEPA) environmental review process. The result is improved information sharing, fewer duplicated efforts, clearer communication—all contributing to better outcomes.

Building on the PEL approach, WSDOT uses a collaborative, two-part strategy referred to as Practical Solutions to enable more flexible and sustainable transportation investment decisions. The process analyzes the relationship between land use, transportation, and environmental and community values to determine the circumstances that enable practical, sustainable improvement projects.

In addition to adhering to NEPA requirements, Washington has a state environmental policy act (SEPA) that ensures environmental impacts are considered at the onset of the transportation planning process. The process involves identification and evaluation of potential environmental impacts, and the development of mitigation measures to reduce any adverse impacts. SEPA includes a checklist that is used to document all of the environmental issues and related decisions throughout the entire life of a transportation improvement project.

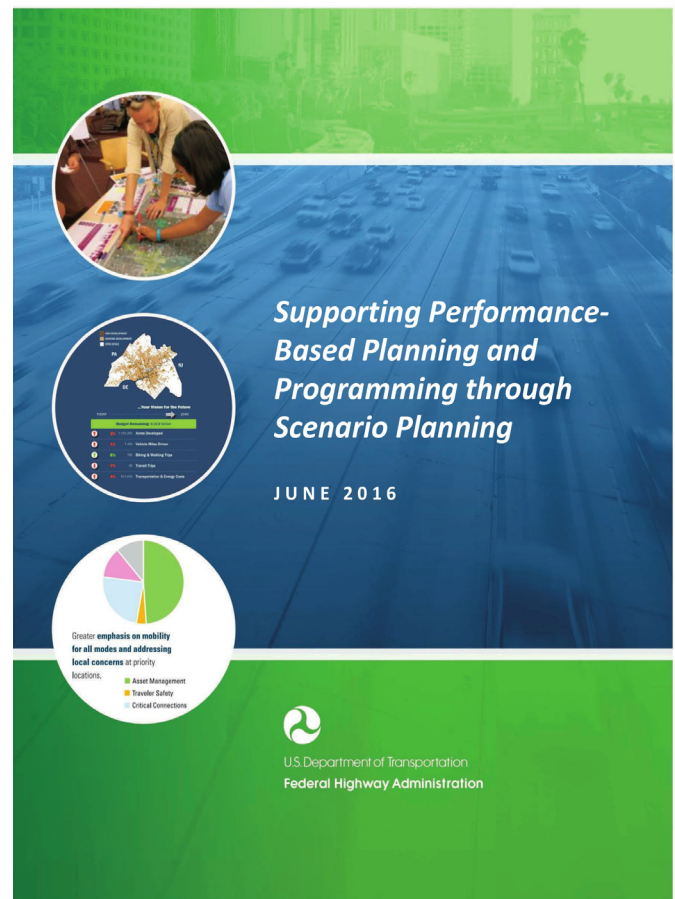
5. Optional processes for programmatic mitigation plans

There is now a greater emphasis on states' and MPOs' ability to develop mitigation plans to address the potential environmental impacts from transportation projects. States and MPOs previously had the option to develop programmatic mitigation plans; under the new rule, any federal agency responsible for reviews, permits or approvals for a transportation project must give substantial weight to the recommendations in an adopted programmatic mitigation plan when carrying out its responsibilities under NEPA or other Federal Environmental law.

6. MPOs are encouraged to conduct scenario planning

The new rule also allows MPOs to develop multiple scenarios for consideration as part of the development of the Metropolitan Transportation Plan. MPOs that opt to do so are encouraged to estimate costs and potential revenues available to support each of the following kinds of scenarios:

- Potential regional investment strategies for the planning horizon;
- Assumed distribution of population and employment;
- A scenario that maintains the existing performance baseline;
- A scenario that improves the existing performance baseline; and
- Revenue-constrained scenarios based on the total revenues expected to be available during the planning horizon.



FHWA recently published a guidebook that explains how scenario planning can be used to support and advance performance-based planning.