

FHWA's Strategies for Implementing Requirements for LRTP Update for the Florida MPOs

This summary was developed in response to requests by FDOT and Florida's MPOs for FHWA/FTA to provide clarification of some of the requirements to be addressed in the next cycle of Long Range Transportation Plans updates. 23 CFR 450.306 and 322 describe the basic requirements that need to be met for the metropolitan transportation planning process and metropolitan transportation plans respectively. The following information is presented to help clarify some of those requirements.

Plan Horizon: Plans are required to have at least a 20 year horizon. FHWA and FTA support Florida's efforts to standardize the horizon year and establish a uniform format to report the transportation needs of each MPO in their next LRTP updates that can also be used to compile and identify the regional and statewide transportation needs of Florida's metropolitan areas. FDOT and Florida's MPOs (via the MPOAC) have agreed to use 2035 as the horizon year. The base year for the next LRTP updates will be 2009. These efforts to standardize the MPOs' plans will provide consistency among plans and allow for better analysis and apples to apples comparisons, so unmet needs can be more accurately quantified and demonstrated. More information on this issue is provided in the "Financial Guidelines for MPO Long Range Plans" paper adopted by the MPOAC (attached).

Planning Factors: The planning process is required to address the eight planning factors as described in 23 CFR 450.306(a). The degree to which each factor is addressed will vary depending on the unique conditions of the area, but efforts should be made to think through and carefully consider how to address each factor. The Safety factor seems to create challenges for some MPOs as to how safety should be addressed. The LRTP should contain a safety element, as described in 23 CFR 450.322 (h). The planning process needs to be consistent with the State Strategic Highway Safety Plan (SHSP). Consequently, the MPO must be familiar with the Plan in order to identify MPO goals and strategies that would address safety, and integrate SHSP goals and strategies into the activities and planning efforts of the MPO. Suggestions for how this consistency can be accomplished can be obtained through discussions with, and examples provided by, FHWA, FDOT and other MPOs. A safety guide providing a menu of recommendations for MPO actions is being developed by FHWA Florida Division as a result of meetings with FDOT planning and safety personnel and MPO staff members from throughout the state over the past year. A draft document will be circulated for review by December, 2008.

Year of Expenditure: All LRTP Update financial plans shall be in Year of Expenditure (YOE) dollars and shall include estimates of all revenue sources that can reasonably be anticipated over the lifetime of the plan. Revenue and cost estimates for capacity and non-capacity projects and programs, including operations and maintenance costs (state and local) are to be included, consistent with the methodology presented in the financial guidance developed by FDOT in coordination with FHWA and the MPOs. The financial guidance should be included in the appendices of the LRTP. Note: The December 2007 interim YOE Compliance Process guidance previously developed by FDOT/FHWA/FTA to address LRTP amendments and modifications prior to LRTP Updates being completed is no longer applicable once the MPOs have adopted their LRTP Updates.

Fiscal Constraint: Projects in Long Range Transportation Plans (LRTPs) are required to be described in enough detail to develop cost estimates in the LRTP financial plan that show how the projects will be implemented. These estimates could reflect known costs of mitigation. The LRTP documentation of project costs will enable FHWA/FTA and FDOT to determine fiscal constraint of the document.

For a project to be included in the cost feasible plan, the cost of and source of funding for each phase being funded (including the PD&E phase) must be documented. The source of funds for the PD&E phase can be shown as “boxed funds” reserved for “PD&E” in a state or local revenue forecast (e.g., a percentage of state/federal “Product Support” funds estimated to be available during a 5-year planning period) or be individually assigned to each project. Boxed funds should also be reserved for the Final Design phase as well or be individually assigned to each project. A third option is to use boxed funds entitled “PD&E and Final Design”. Regardless of how the boxed funds are titled, the individual projects utilizing the box need to be listed, or at a minimum, described in bulk in the LRTP (i.e. PD&E for projects in Years 2016-2020).

Please note that the FHWA guidance refers to Preliminary Engineering (PE). In most states this would include two of Florida phases: PD&E and Final Design. PD&E could also be referred to as “PE for NEPA”.

NEPA Approvals: Prior to FHWA approving an environmental document (Type-2 CE, EA-FONSI, or FEIS) and thereby granting location design concept approval, the project must be consistent with the LRTP and described in the STIP/TIP. The NEPA document must describe how the project is going to be implemented and funded. That description also needs to be reflected in the LRTP and STIP/TIP. For guidance related to NEPA approvals, see the “Guidance on Consistency Among Metropolitan Long Range Transportation Plans, the State Transportation Improvement Program, Metropolitan Transportation Improvement Programs and NEPA Approvals” (attached).

Environmental Mitigation: The LRTP must include a discussion on environmental mitigation that is developed in consultation with Federal, State and Tribal wildlife, land management and regulatory agencies. This discussion should occur at more of a system-wide level to identify areas where mitigation may be undertaken (perhaps illustrated on a map) and what kinds of mitigation strategies, policies and/or programs may be used. This discussion in the LRTP would identify broader environmental mitigation needs and opportunities that individual transportation projects might later take advantage of. For example, as a result of consultation with resource agencies, the plan might identify an expanse of degraded wetlands associated with a troubled body of water that represents a good candidate for establishing a wetlands bank or habitat bank

for wildlife and waterfowl. The plan might identify locations where the purchase of Development rights would assist in preserving a historic battlefield or historic farmstead.

Congestion Management Process: Since the passage of SAFETEA-LU in 2005, the emphasis on congestion management has been on the process, and how that process results in strategies that can be reflected in the LRTP and TIP. The CMP shall be developed, established and implemented as part of the metropolitan transportation planning process and should be integrated into project prioritization and performance evaluation of the multi-modal transportation system.

Environmental/Tribal Consultation: Consultation involving the appropriate Tribal governments, federal and state wildlife, land management and regulatory agencies should be documented in the public participation plan. This consultation shall involve comparisons of state conservation plans/maps, and inventories of natural or historical resources with transportation plans, as appropriate and available. Tribal governments and resource agencies should also be involved in the actual development of the Plan, as well as in the discussions of how their plans may affect the proposed transportation plan. The process for how tribal governments and resource agencies are involved in the planning process needs to be developed in collaboration with those agencies.

Public Participation processes should also include the Tribal governments, federal and state wildlife, land management and regulatory agencies and should be documented, along with public participation activities and efforts with the other transportation partners and interested parties as required, in the public participation plan.

LRTP Impact Analysis: In accordance with Title VI, MPOs need to have and document a proactive, effective public involvement process that includes outreach to low income, minorities and traditionally underserved populations, as well as all other citizens of the metropolitan area, throughout the transportation planning process. Using this process, the LRTP needs to document the overall transportation needs of the metropolitan area and be able to demonstrate how public feedback and input helped shape the resulting plan.

MPOs may use a variety of strategies to demonstrate that their planning process is consistent with Title VI and other federal anti-discrimination provisions in the development of the LRTP. MPOs need to include this information in summary form in the LRTP. This information should be derived from the MPO's public involvement program elements. The summary of public involvement should be supported by more detailed information, such as the specific strategies used, feedback received and feedback responses, findings, etc. The detailed information should then be referenced and included in the form of a technical memorandum or report that can be appended to the LRTP, or included in a separate, stand alone document that is also available for public review in support of the LRTP.

Emerging Issues

This section describes topics that are not currently required by federal laws and rules to be addressed in LRTPs. As such, MPOs are not required to include these considerations in their current planning processes and plans. However, given the nature of the issues, some discussions may be warranted in the future. While we do not know what the future requirements will be, we encourage each MPO to begin addressing these emerging issues. Each MPO's has the discretion to determine whether or not to address these topics in their LRTP, and the appropriate level of detail. Depending upon when new federal surface transportation legislation is enacted, new requirements may have to be addressed just prior to this round of LRTP adoptions, or LRTP amendments may be needed soon after this round of LRTPs is adopted to comply with the new legislation. Addressing these issues early on may minimize the level of future effort needed to achieve compliance.

Indirect and Cumulative Impacts: A discussion of indirect and cumulative effects and an evaluation of the level of effect would be appropriate at the overall plan level, rather than just at the project level. This information could be expanded upon during the project development project phase, but the initial groundwork could be laid during LRTP development.

Multimodal Feasibility: The analysis for utilizing other modes, particularly evaluating transit on a plan and system wide level, as opposed to project level, could and should be explored to provide more efficient and effective mobility and connectivity of the entire multimodal transportation system. This process is especially relevant given the current situation with limited resources for transportation being a major issue.

Performance Measurement: As funding for transportation capacity projects becomes more limited, increasing emphasis will be placed on maximizing the efficiency and effectiveness of our current transportation system. As congestion management processes and operations strategies are evaluated to determine their effectiveness in improving system performance, it is likely to follow that LRTPs will also need to be evaluated on their ability to improve system performance. As MPOs begin the LRTP update process, performance measures to assess the LRTP's effectiveness in increasing system performance should be developed.

Air Quality: Although Florida is currently in attainment for all pollutants, the Environmental Protection Agency (EPA) has recently proposed changes to lower the threshold for ground level ozone which will affect the attainment status of a number of MPO areas within Florida. Although the effects and the exact areas affected are not certain at this time, it is prudent to begin looking at what would be required to meet the new standards if/when they are implemented, which could be in the next few years. This is particularly important for those MPOs in areas that have been identified as potential areas that may not meet new standards. Discussions will be initiated with EPA, the Florida Department of Environmental Protection (DEP), FHWA and FDOT to decide how best address this issue. Training has been requested by FHWA for FDOT and the MPOs on Air Quality and Conformity for the coming year.

Climate Change: Much attention has been given by all levels of government to the issue of climate change and how it affects all aspects of life, including the transportation system.

Legislation was recently passed in Florida that encourages each MPO to consider strategies that integrate transportation and land use planning in their LRTP to provide for sustainable development and reduce greenhouse gas emissions, as well as include energy considerations in all state, regional and local planning. As a result, it is anticipated that the MPO LRTP Updates will include discussions and strategies aimed addressing this issue. FHWA also supports and recognizes the importance of exploring the effects of climate change on transportation, as well as the limited environmental resources and fuel alternatives. FHWA's recently released report, "Integrating Climate Change Considerations into the Transportation Planning Process" (www.fhwa.dot.gov/hep/index.htm) serves as a good resource on this topic.