

# **Ohio Department of Transportation**



# **MPO Administrative Manual**

September 2004

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## Section 1

# Introduction

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This Ohio Department of Transportation *MPO Administrative Manual* outlines the basic administrative requirements for the Ohio Department of Transportation (ODOT) and the State's 17 Metropolitan Planning Organizations (MPO) to follow as they conduct Ohio's urban transportation planning process. It sets forth ODOT's requirements for MPOs to follow as they coordinate with ODOT on the periodic updates to the three major MPO work products: the long-range Transportation Plan, the shorter range Transportation Improvement Program, and the annual MPO Work Program.

This *Manual* is intended for the use of ODOT planning and program development staff, both in the Districts and Central Office, as well as MPO personnel.

It has been developed in cooperation with the MPOs. The *Manual* includes this introduction and seven other major sections:

- MPO history and structure,
- Public Involvement Process and Environmental Justice,
- Transportation Plan,
- Transportation Improvement Program,
- Annual MPO Work Program,
- U.S. DOT Certification Process, and
- Finance.

Extra copies of this Manual  
are available  
from the ODOT Office of  
Urban and Corridor Planning  
at (614) 466-2307  
or can be downloaded from  
[www.dot.state.oh.us/planning](http://www.dot.state.oh.us/planning)

Each of the chapters on the three major MPO work products contains a checklist and timeline that users of this *Manual* will find helpful as they prepare or review planning documents. These checklists outline the components essential to these planning documents and critical to the review process used by ODOT.

ODOT's District Office planning staff is the department's primary participant in the MPO transportation planning process. The ODOT representative on the MPO board provides direct input and affords representation of ODOT's statewide perspective and priorities in the regional planning process. It is critical that regional and State goals are complimentary.

## ODOT's Two-Fold Role

- **Fiduciary Responsibilities** - Because Federal funds for conducting the MPO urban planning processes flow through ODOT, the department has a responsibility to ensure that financial eligibility and reporting requirements associated with using Federal funds are met. A key document assisting ODOT in performing these functions is the annual MPO Work Program. MPO Work Programs describe the activities in which the staff will engage during the upcoming fiscal year and the funding that will support these work efforts. The ODOT, FHWA, FTA, and MPO member local governments are afforded opportunities to review the Work Programs. Work Programs are outlined in Section 5.
- **Planning Process Participant** - Active participation in the MPO's regional transportation planning and decision-making process is encouraged to present the state's perspective in the consensus building process that leads toward identification of regional transportation needs, solutions, and priorities. District Offices provide ODOT voting representation on MPO policy boards.

## Primary Planning Documents and Processes

- **Transportation Plan** - This MPO planning document describes the transportation policies, programs, and projects needed to facilitate the efficient movement of persons and goods within and through the region for a minimum of the next 20 years. Plan development includes consideration of the interrelationships among transportation systems, land use, and the social, economic, and natural environments. The plan must address all transportation modes and must be fiscally constrained. Transportation Plans in air quality areas must be updated on a three-year cycle and must demonstrate conformity with the official State plan for meeting and maintaining national air quality standards. Plans in areas without air quality concerns are updated on a five-year cycle. Transportation Plans are outlined in Section 4.

- **Transportation Improvement Program (TIP)** - This document lists specific transportation programs and projects scheduled for implementation within the MPO boundary during the next four years. All projects financed with U.S. DOT capital funding, regardless of who controls the funds (ODOT, MPO, the County Engineers Association of Ohio, or public transit agencies) must be listed in the MPO TIP. Project information must include project phase, Federal funds category, and costs by Federal, State, and/or local participation rates. ODOT also endeavors to include 100 percent State funded projects into TIPs. TIPs are outlined in Section 5.

MPO TIPs are directly incorporated into the Statewide TIP (STIP). The STIP is comprised of 18 chapters, one for each of the MPOs and one for the non-MPO areas (counties). Because the 17 MPO TIPs and the State TIP are required to include all federally financed project expenditures, it is important that ODOT Central and District Office program managers assure their projects are included in the respective MPO TIP.

- **Annual MPO Work Program** - The Work Program discusses MPO transportation and transportation-related air quality planning activities anticipated within the area during the next one or two years, regardless of funding source or agency. Section 6 contains a more complete outline of the contents of the Work Program, its development and modification.
- **Major Transportation Investment Studies** - MISs are corridor or subarea studies conducted in MPO areas to identify an appropriate transportation mode for meeting an identified transportation system need. In MIS terminology, the outcome of an MIS is a decision on the “design concept and design scope” of the transportation system improvement. The “design concept” identifies the specific transportation mode (i.e., highway, bus, or rail transit facility). The “design scope” identifies the size of the modal facility (i.e., identifying the specific number of through lanes, bus lanes, or rail tracks needed to meet corridor transportation needs). Ohio MISs frequently recommend a multimodal package of projects. These packages generally will identify a primary mode, such as a highway lane, and then modal accompaniments, such as park-and-ride lots, to improve the intermodal utility of the primary modal recommendation.

One of the emphasis areas of the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21) is to streamline transportation planning and environmental processes. One component of streamlining involves closely coordinating and integrating the MIS and National Environmental Policy Act (NEPA) processes. MPO area transportation improvement projects may fold the

The National Environmental Policy Act of 1969 required, for the first time, federal agencies to prepare environmental impact statements.

MIS activities directly into the NEPA process. However, the MIS and NEPA processes may continue to be separate. With either approach, streamlining focuses on conducting and documenting MIS/planning activities at a level of detail sufficient to incorporate the “planning level analysis” into the NEPA decision-making process. Successful streamlining avoids duplication of efforts in the MIS and NEPA processes and leads to improvements in project delivery schedules. ODOT’s PDP, described on page 5, incorporates the Federal requirement for a MIS into a planning process that folds into NEPA. ODOT requires MPOs that intend to do a merged process follow the PDP outlined in the separate *PDP Manual*.

- **Air Quality Conformity** - This process assures that transportation plans, programs, and projects are consistent with national clean air standards. It is an integral component of the urban transportation planning process. Metropolitan and rural areas that have previously or are currently in “nonattainment” status with the Clean Air Act Amendments of 1990 must demonstrate that the areas’ transportation plans, TIPs, and associated projects are in conformity with the State’s plan for meeting and maintaining national air quality standards. The conformity process involves a quantitative comparison of mobile source emissions (burdens) resulting from vehicles traversing the transportation networks delineated in the plans and TIPs, against pre-established mobile source emission thresholds (budgets). The plan and TIP emission burdens must be below the respective budgets for the area to demonstrate conformity. If conformity is not established, highway and transit capacity improvement projects cannot be implemented.
- **Public Involvement** - Public involvement is a Federal requirement of the MPO urban planning process. Public involvement is to be sought and considered in all aspects of an MPO’s programs. MPOs are required to have formal public involvement programs that are proactive and provide complete information, timely public notice, full public access to key decisions, and opportunities for early and continuing involvement.

A critical component of any Public Involvement Program is a close examination of **Environmental Justice** (EJ) issues. Environmental Justice processes are designed to assure that transportation planning does not result in “disproportionately high and adverse” effects on minority or low income populations, and that EJ populations are actively engaged in the project decision-making process.

Public Involvement and Environmental Justice processes are discussed in Section 3.

- **MPO Capital Funds Program Management** - ODOT annually sub-allocates Surface Transportation Program (STP), Transportation Enhancement (TE), and Congestion Mitigation / Air Quality (CMAQ) capital funds to MPO areas. Each

MPO receives a STP and TE allocation. MPOs in air quality areas receive CMAQ allocations. These Federal funds are to be directed primarily toward financing local government sponsored transportation improvement projects on the Federal aid system. ODOT recognizes MPOs as program managers for these sub-allocated funds. As program managers, MPOs are responsible for identifying, selecting, prioritizing, scheduling, and monitoring a fiscally balanced, multi-year program of MPO area projects using this funding. The projects are to be consistent with the MPO Transportation Plan, included on the respective MPO TIP, and are to result in measurable improvement to regional transportation system conditions.

- **Project Development Process** - ODOT's Project Development Process (PDP) requires regular communication among technical disciplines, results in quality plans, and minimizes cost overruns during right-of-way acquisition and project construction. The PDP transportation decision-making approach provides a seamless process from planning through construction, and encourages open communication for making informed decisions during all stages of project development. By involving all disciplines at the earliest stages of the process, issues affecting project type, scope, preliminary development, and cost are identified early.

The PDP categorizes transportation projects into three classifications - minimal, minor, and major - based on the anticipated level of project development complexity. The project classification identifies the recommended level of analysis, the extent of stakeholder involvement, and the activities performed during each step. The PDP is designed to provide the necessary information to equitably and systematically advance the project in a logical sequence from the beginning of planning to the end of construction.

Minimal projects are transportation improvements generated by the traditional maintenance and preventive maintenance program as they relate to the development of the District Work Plan. Such projects do not alter the basic highway cross-section or geometry, require no additional right-of-way, and are likely to require only very minor public involvement.

Minor projects are those improvements generally located along an existing alignment. Small adjustments to the existing alignment to improve geometric conditions might be involved. Minor projects might have environmental impacts.

Major projects that stem from Major Investment Studies are transportation improvements where the anticipated result is expected to have a significant impact to the highways public access, level of service, traffic flow, mobility patterns, or mode shares. Major projects typically require substantial right-of-way acquisition and have a high degree of public interest and involvement. Major projects generally include improvements that will require a substantial financial investment to complete all aspects of project development.

If a MIS is needed and an MPO chooses to advance it as a merged MIS / NEPA project, the ODOT PDP must be followed.

ODOT's PDP is outlined in detail in a separate manual.

## Section Two

# MPO Structure

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Federal transportation law requires that a Metropolitan Planning Organization (MPO) be designated for each urbanized area. An “urbanized area” is defined by the U.S. Census and recognized by Federal law as a densely settled area with a population of at least 50,000. Based on this, Ohio has 17 areas designated for MPOs.

The Ohio Revised Code allows four general structures for MPO organization: a regional planning commission, a regional council of governments, an interstate planning organization, or an area planning commission. A list of Ohio’s 17 MPOs is at the end of this section.

The premise behind Federal law is that the complexity of transportation system problems and solutions and the number of agencies involved in delivering transportation services in an urbanized area requires an enhanced level of coordination and cooperation among the area’s transportation stakeholders. The MPO is the forum where regional transportation stakeholders come together and cooperatively determine the optimal solutions for regional transportation system needs.

### Authority

- 23 United States Code 134 (b)
- 49 United States Code
- 23 Code of Federal Regulations Part 450.306
- 49 Code of Federal Regulations Part 613
- 40 Code of Federal Regulations Part 93
- ORC 167.08 and 713

Each MPO may select an administrative structure and voting procedure that best meets the needs and desires of its member governments. Typically, each MPO has a policy “board,” which sometimes is referred to as the Policy Committee. The “Board” is comprised of local elected officials and operators of major modes of transportation (State DOT, transit agencies, county and city engineers, etc.). The “Board” is the entity formally designated as the Metropolitan Planning Organization and is responsible for conducting the urbanized area’s transportation planning process.

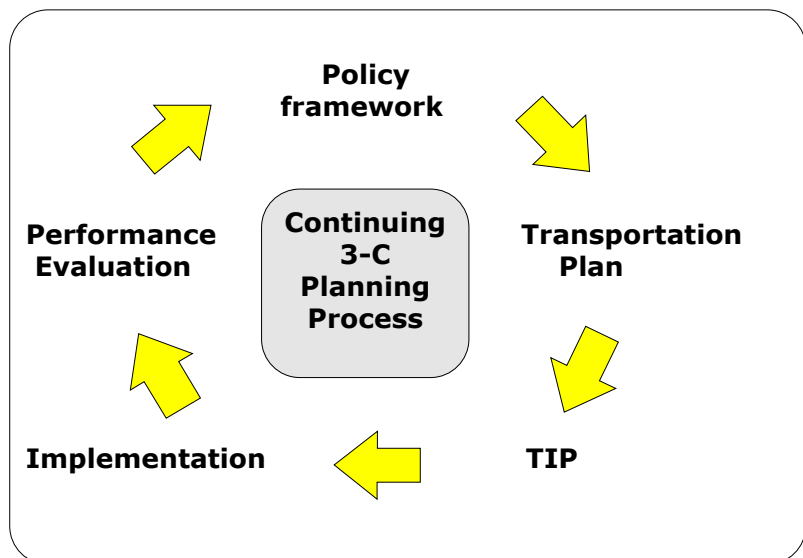
Most Ohio MPOs are established under county, regional, or interstate planning commissions. Some operate under direct authority of city or county governments.

ODOT contracts with an agency willing to house a staff responsible for assisting the board in performing the policy development, technical analysis, and administrative activities necessary for conducting the area’s planning process. *The staff is not the MPO. The MPO board or policy committee is the MPO.*

Regardless of the legal structure of the MPO, it is through various organizations or governmental entities that administrative and operational funding is processed. The government entity that houses the staff for the board is the “monetary handling agency.” The monetary handling agency agreement is described on page 10. Subsequently, contractual agreements are between the monetary handling agency and ODOT. Finances of MPOs are outlined in Section 8.

## The MPO Planning Process

The MPO planning process provides the information needed by the MPO board to identify problems, evaluate alternative solutions and identify preferred strategies for improving transportation system performance. Based on Federal regulatory guidance, the MPO planning process must be continuing, cooperative, and comprehensive. This “3-C process” is designed to result in transportation plans and programs that consider all



transportation modes and support community goals. Federal regulations require that MPO plans and programs “lead to the development of an integrated, intermodal metropolitan transportation system that facilitates the efficient, economic movement of people and goods.”

The 3-C MPO planning process is defined by its attributes:

- **Continuing** means it is an ongoing, cyclical process as depicted in the graphic above: Policy framework → Transportation Plan → Transportation Improvement Program → Implementation → Performance evaluation → Policy framework, etc.
- **Cooperative** means that regional transportation stakeholders work together to define and develop the best strategies for the region. The regional stakeholders include ODOT, cities, counties, transit operators, Federal agencies, and other interested groups.
- **Comprehensive** means that programs and strategies address all modes of transportation, all options, and both positive and negative impacts of an alternative. Regional issues are also stressed over individual agency issues. The Federal-Aid Highway Act of 1962 required that projects using Federal funds be based on this planning process. This is the same Federal law that required formation of MPOs.

## Core Products

The three core products produced by an MPO through the 3-C planning process are:

**Transportation Plan (T Plan)** - a region’s statement of both long- and short-range strategies and actions which will lead to the development of an integrated multimodal transportation system. Federal regulations list specific requirements for the T Plan:

- Fiscal constraint,
- 20 year planning horizon,
- Public involvement,
- Preservation of the existing transportation system,
- Projected needs,
- Strategies to address future needs,
- Routine update cycle of three or five years, and
- Conformity with Federal and State air quality regulations.

The three core products produced by the MPO are the:

- Transportation Plan,
- Transportation Improvement Program, and
- Annual MPO Work Program.

**Transportation Improvement Program (TIP)** - the four-year program of transportation projects and strategies that are drawn from the Transportation Plan for funding and implementation. The TIP must also address a list of specific Federal regulations:

- Consistency with the Transportation Plan,

- Fiscal constraint,
- Updates at least every two years,
- Public involvement,
- Preservation of the existing transportation system, and
- Conformity with Federal and State air quality regulations.

**Annual MPO Work Program** - a summary of the work and costs to perform each project that the MPO staff will conduct or contract to provide the core products. Its main components include:

- Transportation planning tasks to be conducted by planning participants during a one year period,
- Federally funded transportation planning studies; regionally significant planning studies not Federally funded,
- Schedule of activities,
- Identification of responsible agencies, and
- Identification of funding sources.

## **MPO Membership**

Each MPO must establish by-laws to cover its function, including designation of the MPO's membership and voting representation. The MPO voting membership is determined by consensus of local governments that choose to be members of the MPO. Federal regulations require membership of local elected officials, officials of public agencies that administer or operate major modes of transportation, and appropriate State officials. ODOT requires through its agreement with MPOs that 51 percent of the voting membership be local elected officials. The MPO voting membership is enumerated in the MPO Prospectus (described on page 12).

The MPO board or policy committee periodically should reexamine its voting membership to ensure that established MPO structure is consistent with Federal and State requirements. Such shifts may be triggered, for example, after each census, by a local government petition, or a shift in population ratios.

## **Interagency Agreements**

### **State/MPO Handling Agency Agreement**

Each MPO monetary handling agency and the State of Ohio biennially execute an agreement for urban transportation planning and transportation programs. This agreement specifies the cooperative efforts of the MPO and ODOT to conduct the 3-C planning process within the defined area.

The MPO/ODOT agreement is renewed each two years, consistent with the State's biennial budget cycle beginning July 1 of every odd-numbered year. ODOT's Office of Urban and Corridor Planning initiates renewal of the agreement in January of the odd-numbered year for execution prior to the beginning of the State fiscal year. The ODOT office reviews the existing base agreement and drafts changes according to Federal and State requirements. Following a legal review and execution of any changes, the final agreement is sent to each MPO for execution by May 1.

Approval of the agreement should be included as an agenda item at the May/June meetings of the handling agency. The fully executed agreement must be returned to the ODOT Office of Urban and Corridor Planning by June 15.

### **MPO and Local Jurisdiction Agreements**

The MPO/ODOT agreement specifies that the MPO shall secure agreements of cooperation with all counties and all incorporated municipalities within the MPO planning area for transportation planning and programming. An MPO/local agreement is executed as a one time standing agreement.

### **MPO and Transit Operator Agreements**

The MPO/ODOT agreement specifies that the MPO shall secure agreements of cooperation with the operators of publicly owned transit services within the MPO planning area. In most cases, this agreement takes the form of a Memorandum of Understanding (MOU)

When MPOs share a boundary, ODOT suggests agreements between them to delineate responsibilities for efficient "3-C" planning.

between the MPO and the transit operator. This MOU outlines the cooperative procedures and responsibilities for carrying out transportation planning in the area.

### **MPO and Air Quality Agreements**

In areas designated by the U.S. EPA as non-attainment or maintenance for mobile source pollutants under the Clean Air Act, the MPO shall secure agreements with the State and local air quality agencies describing the respective roles and responsibilities for addressing transportation related air quality planning in the performance of overall transportation planning and programming. If the MPO area does not encompass the entire nonattainment or maintenance area, there shall be an agreement among the MPO, ODOT, the State and local air quality agencies, and other affected local agencies describing respective roles, responsibilities, and procedures. This agreement must address conformity of the MPO Transportation Plan and Transportation Improvement Program in accordance with the U.S. Environmental Protection Agency Conformity Rule, 40 CFR Parts 51 and 93.

### **MPO/MPO Agreements**

When an MPO shares a common boundary with another MPO, ODOT suggests agreements between the MPOs to delineate respective responsibilities toward the realization of coordinated, cooperative, and continuing transportation planning. These MPO/MPO

agreements can address common issues to border areas, coordination of projects, air quality conformity planning, or travel demand model coordination.

Examples of interagency agreements may be obtained from the ODOT Office of Urban and Corridor Planning, (614) 466-2307.

## Prospectus

The MPO/ODOT agreement requires the MPO to develop a prospectus that establishes a multi-year framework within which the annual MPO Work Program is accomplished. It describes the MPO's organizational structure and the work to be performed in the conduct of

### **The Prospectus must include**

- The mission of the MPO
- An overview of the planning area with official map
- Organizational structure and membership of the committee or board designated by the Ohio governor as the MPO for the region
- Committee by-laws and membership voting representation
- Applicable agreements
- Transportation issues
- Transportation planning activities with specifics of the MPO's public involvement process

the transportation planning process. It documents interagency agreements and describes the agency's roles and responsibilities for conducting the transportation planning process, as well as transportation-related air quality planning.

The prospectus should be reviewed periodically for consistency with regulations and accurate reflection of the MPO organization. Changes which could trigger an update to the Prospectus include major by-law changes and urbanized or study area boundary changes that impact MPO representation, and revisions to Federal or State regulations. When a prospectus is being updated, a draft should be submitted to the ODOT District Office for review and forwarding to the ODOT Office of Urban and Corridor Planning. The MPO is to address comments on the draft as it

prepares the updated prospectus. The updated prospectus requires MPO board approval.

## Policy Committee

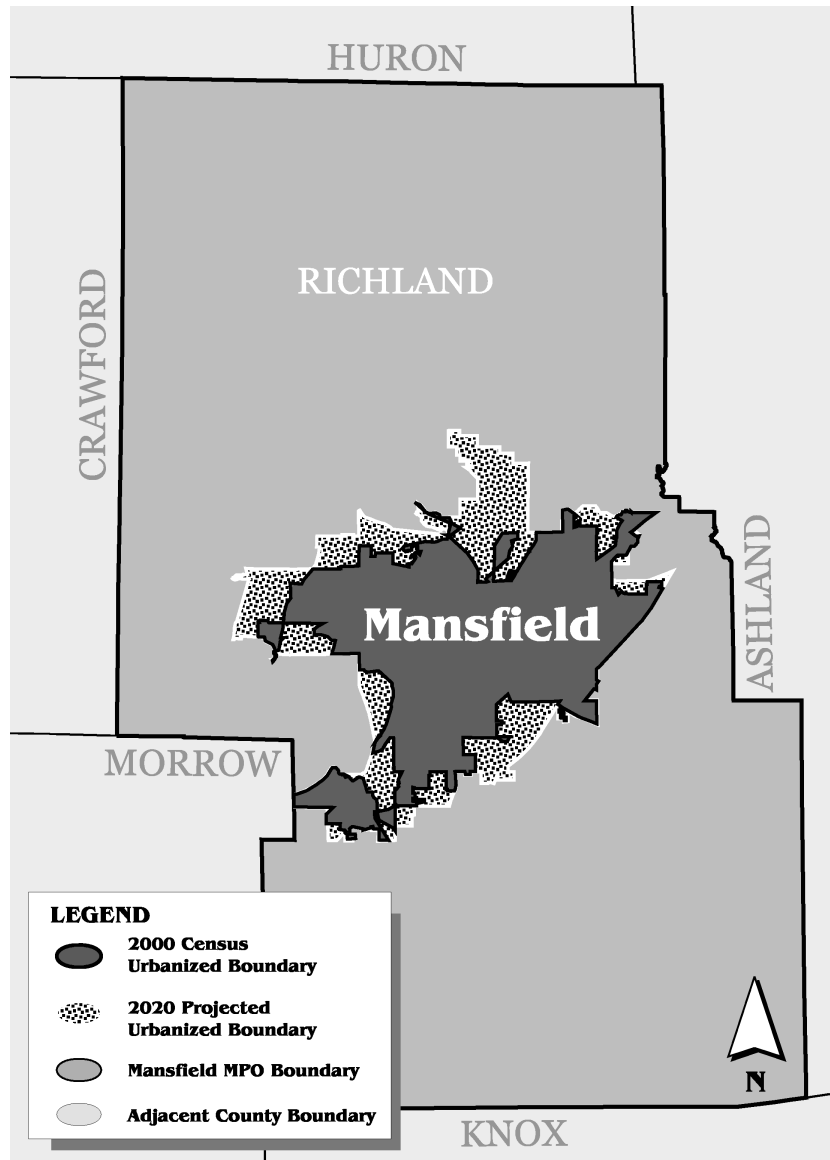
The MPO/ODOT agreement formally designates the MPO for each census urbanized area. The MPO monetary handling agency's policy committee typically receives this designation. As the MPO, the policy committee is formally recognized by U.S. DOT and ODOT as the entity responsible for transportation decision-making for the respective MPO area. The policy committee includes membership from the MPO area's local elected officials, public transit operators, ODOT, and other regional transportation stakeholders. As the MPO, the policy committee is responsible for the overall conduct of the area's urban transportation

planning process and approval of the resulting products, inclusive of the Transportation Plan and TIP.

## Technical Advisory Committee

The MPO/ODOT agreement requires each MPO to appoint a Technical Advisory Committee (TAC) comprised of transportation planners and engineers from local jurisdictions, ODOT District planning staff, local public transit operators, and other transportation and environmental related agencies and organizations as appropriate for the area. The TAC's primary role is to provide advice to the MPO board or policy committee in regard to:

- Professional and technical considerations involved in plans and decisions,
- Long and short range comprehensive plans for the region,
- Transportation planning methodology, projections, assumptions, and plan recommendations,
- Implementation of the plan,
- Reviews and comments on Major Transportation Investment Studies,
- Technical analysis of STIPs, etc., and
- Solutions to specific development programs.



The MPO may establish other committees as deemed necessary and appropriate. The membership and responsibilities shall be enumerated in the MPO Prospectus.

## **MPO Boundary**

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Federal regulations direct that MPO boundaries must, at a minimum, include the census urbanized boundary and the area likely to be urbanized during the 20 year forecast period covered by the Transportation Plan. In Ohio, most MPO boundaries are expanded to include entire counties. The Richland County map below, for example, shows the current urbanized boundary for Mansfield and the boundary projected for 2020. The Mansfield MPO (RCRPC) includes all of Richland County. ODOT will coordinate with local officials to establish boundaries that are less than county-wide, based on local desires. Revisions to MPO boundaries can be initiated via coordination through the respective ODOT District Office and the ODOT Office of Urban and Corridor Planning (OUCP).

### **Highway Functional Classification**

Functional classification is used by Federal officials to identify roads, streets, and highways eligible for Federal funds. To qualify for Federal funds, a facility must be classified higher than a “local” on the urban and rural system. There are six functional classifications of urban routes:

- Interstate,
- Freeway / expressway,
- Other Principal Arterial,
- Minor Arterial,
- Collector, and
- Local.

ODOT uses functional classification as a management tool in transportation planning and as one measure of a route’s importance and efficiency in project selection and program management. ODOT also uses functional classification to determine maintenance allocations and data collection needs, and to set design criteria for various roadway features such as lane and shoulder widths, horizontal and vertical clearances, and design speeds.

MPOs have the responsibility for initiating requests for revisions to the functional classification and Federal-aid systems located within their urbanized area boundary. MPOs are to forward requests for system revision, along with a recommendation for approval or disapproval, to the appropriate ODOT District Office.

ODOT District Offices are responsible for reviewing system revision requests for completeness of format and content and compliance with the concepts, criteria, definitions, and procedures for developing functional classifications. The ODOT District Office shall forward requests for classification revisions to OUCP and may include a recommendation. A Functional Classification Committee at the ODOT Central Office reviews all requests for changes in the functional classification system. OUCP maintains the Functional Classification Inventory for the State.

### **ODOT District Office Checklist**



- Actively participate on MPO board, TAC and other committees
- Coordinate boundary changes with local governments, cities which are small urban areas and MPOs
- Conformity with roles described in Functional Classification Standard
- Assist ODOT Office of Urban and Corridor Planning with MPO study area boundary changes
- Participate in membership discussions
- Ensure MPO executes biennial MPO/ODOT agreement
- Assist in modifying agreement if necessary
- Periodic review of Prospectus

## **Ohio's Designated Metropolitan Planning Organizations**

### **Akron (AMATS)**

Policy Committee of the Akron Metropolitan Area Transportation Study  
146 South High St.  
Citicenter Building, Room 806  
Akron, OH 44308-1423  
Urbanized Area: Akron  
MPO Area: Summit and Portage counties and Chippewa Township in Wayne County

### **Canton (SCATS)**

Policy Committee of the Stark County Area Transportation Study  
201 3<sup>rd</sup> St., N. E., Suite 201  
Canton, OH 44702-1231  
Urbanized Area: Canton  
MPO Area: Stark County

### **Cincinnati (OKI)**

Executive Committee of the Ohio-Kentucky-Indiana Regional Council of Governments  
720 E. Pete Rose Way, Suite 420  
Cincinnati, OH 45202  
Urbanized Area: Cincinnati, the portion of Middletown in Butler County and a portion of Dayton in Warren County  
MPO Area: Hamilton, Clermont and Butler counties and all of Warren County except the cities of Franklin and Carlisle

### **Cleveland (NOACA)**

Governing Board of the Northeast Ohio Areawide Coordinating Agency  
1299 Superior Avenue  
Cleveland, OH 44114-3204  
Urbanized Area: Cleveland and Lorain-Elyria  
MPO Area: Cuyahoga, Geauga, Lake, and Medina counties and Lorain County except the city of Vermilion

### **Columbus (MORPC)**

Policy Committee of the Columbus Area Transportation Study  
285 E. Main St.  
Columbus, OH 43215  
Urbanized Area: Columbus  
MPO Area: Delaware and Franklin counties, Etna Township and the city of Pataskala in Licking County, and Bloom and Violet townships in Fairfield County

### **Dayton (MVRPC)**

Miami Valley Regional Planning Commission  
1 South Main St., Suite 260  
Dayton, OH 45402  
Urbanized Area: Dayton  
MPO Area: Greene, Miami, and Montgomery counties and the cities of Franklin and Carlisle in Warren County

**Huntington (KYOVA)**

HIATS Coordinating Committee

P.O. Box 939

1221 6<sup>th</sup> Ave.

Huntington, WV 25712

Urbanized Area: Huntington, WV - Ironton, Ohio

MPO Area: The urbanized portions of Cabell and Wayne counties in West Virginia; and Hamilton, Upper, Perry, and Union townships and portions of Rome Township in Lawrence County, Ohio

**Lima (LACRPC)**

Coordinating Committee of the Lima Area Transportation Study

130 W. North St.

Lima, OH 45801

Urbanized Area: Lima

MPO Area: Allen County

**Mansfield (RCRPC)**

Coordinating Committee of the Mansfield Area Transportation Study

35 North Park St.

Mansfield, OH 44902

Urbanized Area: Mansfield

MPO Area: Richland County

**Newark (LCATS)**

Policy Committee of the Licking County Area Transportation Study

20 South 2<sup>nd</sup> St.

Newark, Ohio 43055

Urbanized Area: Newark

MPO Area: Licking County, except Etna Township and the city of Pataskala

**Parkersburg (WWWIPC)**

Wood-Washington-Wirt Interstate Planning Commission

P.O. Box 247

531 Market St.

Parkersburg, WV 26101

Urbanized Area: Parkersburg, WV. - Belpre, Ohio

MPO Area: Wood County, WV and Belpre, Dunham, Fearing, Marietta, Muskingum, Newport, and Warren townships in Washington County, Ohio

**Sandusky (ERPC)**

Policy Committee of the Erie Regional Planning Commission

2900 Columbus Ave.

Sandusky, OH 44870

Urbanized Area: Sandusky

MPO Area: Erie County and the city of Vermilion in Lorain County

**Springfield (CCSTCC)**

Clark County-Springfield Transportation Coordinating Committee

76 East High St.

Springfield, OH 45502

Urbanized Area: Springfield

MPO Area: Clark County

**Toledo (TMACOG)**

Board of Trustees of the Toledo Metropolitan Area Council of Governments

P.O. Box 9508

300 Central Union Terminal

Toledo, OH 43697-9508

Urbanized Area: Toledo

MPO Area: Lucas and Wood counties in Ohio and Whiteford, Bedford, and Erie townships in Monroe County, Michigan

**Weirton-Steubenville (BHJTS)**

Policy Committee of the Brooke-Hancock-Jefferson Transportation Study

124 North Fourth St., Second Floor

Steubenville, OH 43952

Urbanized Area: Steubenville, Ohio - Weirton, WV

MPO Area: Jefferson County, Ohio and Brooke and Hancock counties in West Virginia

**Wheeling (BOMTS)**

Bel-O-Mar Regional Council and Interstate Planning Commission

P.O. Box 2086

105 Bridge Street Plaza

Wheeling, WV 26003

Urbanized Area: Wheeling, WV

MPO Area: Belmont County, Ohio and Ohio and Marshall counties in West Virginia

**Youngstown (EASTGATE)**

General Policy Board of the Eastgate Regional Council of Governments

Austin Square Building

5121 Mahoning Ave.

Youngstown, OH 44515

Urbanized Area: Youngstown-Warren

MPO Area: Mahoning and Trumbull counties





Section Three

# Public Involvement Process and Environmental Justice

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The Ohio Department of Transportation embraces early and continuing public involvement in compliance with Federal law. Public involvement plans (PIP) are documented and implemented for all ODOT planning programs, studies, and decision-making processes. Documentation requirements are found in a variety of ODOT manuals, guidance documents, plans, agreements, web sites, and standard procedures.

The *ODOT Public Involvement Processes Executive Summary*, for example, identifies where the ODOT public involvement process is documented, how

#### **Authority**

- Title 23 United States Code Section
- 23 Code of Federal Regulations parts 450 and 771
- Title VI of the Civil Rights Act of 1964
- Executive Order 12898
- Ohio Revised Code 5511.01

citizens, elected and appointed officials are identified and engaged, and how ODOT informs them about opportunities for participation in the decision-making process. The *Summary* can be found online at:

**[www.dot.state.oh.us/planning/ODOT%20Standards/pip/ExecutiveSummary.pdf](http://www.dot.state.oh.us/planning/ODOT%20Standards/pip/ExecutiveSummary.pdf)**

Public involvement is one of the fundamental principles of the National Environmental Policy Act (NEPA). NEPA extensively employs public involvement to make sure that the public has an opportunity to participate in the decision-making process. Public involvement also is important to NEPA in that it helps to ensure that all the social, environmental, and economic impacts of a project are considered.

Public involvement is also a critical element of the MPO planning process. Federal law and regulations require each MPO to have an adopted, proactive public involvement process. The process is to provide complete information, timely public notice, full public access to key decisions, and support early and continuing involvement of the public in developing plans and programs.

As stated on page 4, each MPO must formally adopt a public involvement process. This must define public involvement activities an MPO will perform in the conduct of its urban transportation planning program inclusive of the Transportation Plan and TIP development, and any other special studies that may be conducted. The initial public involvement process must have a 45-day public review prior to being adopted by the MPO board or policy committee.

Most of the Ohio MPO processes include a matrix of public involvement activities crossed with individual planning activities which require public involvement, such as planning studies, development of the TIP and Transportation Plan, newspaper legal notices, media announcements of public meetings, and opportunities to review draft documents.

Federal requirements for the public involvement process include:

- Provide timely information to citizens, affected public agencies, transportation agencies, private providers of transportation, affected community segments,
- Provide reasonable public access to technical and policy information used to develop plans and programs,
- Require adequate public notice of public involvement activities,
- Demonstrate explicit consideration of comments,
- Seek out and consider needs of traditionally underserved populations,
- Include summary, analysis, and report on disposition of comments received in final document,
- Provide additional opportunity for comment if final is substantially different from draft circulated,
- Review process periodically for effectiveness,
- Review by Federal agencies to assure full and open access to decision-making, and
- Coordinate with statewide public involvement process.

It is important that public involvement efforts be flexible, broad-based, and inclusive. This is best accomplished by developing a formal, documented public involvement plan (PIP) early in any planning process that identifies stakeholders and provides a variety of outreach methods and forums for input. In general, a successful public involvement effort is based on the following basic actions:

- Begin early,
- Carefully identify potential stakeholders,
- Be flexible,
- Identify the needs and desires of interested and affected parties,
- Develop trust and credibility among stakeholders,
- Solicit information and ideas from affected stakeholders,
- Openly share and exchange information and ideas related to the project or a particular design or alignment,
- Ensure that all state and Federal regulations relevant to the project are met,
- Reach agreements cooperatively by discussing, consulting, coordinating, and negotiating issues and areas of disagreement related to the plan, program, or project, and
- Improve or adapt the final delivered project to better meet the needs and desires of the public, agencies, individuals, and groups affected.

ODOT's *Public Involvement Guide* provides information and recommendations to determine the best plan of action for creating and sustaining public involvement. It is a template for all projects, and can serve as a road map to assist in the development of a comprehensive public involvement plan that identifies opportunities and encourages appropriate public input.

## **Environmental Justice**

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Environmental Justice requirements flow from Title VI of the Civil Rights Act of 1964, which describes intentional discrimination as well as disparate impact discrimination. A February 1994 Executive Order amplified provisions of Title VI.

In response to Federal law and the Executive Order, ODOT developed *Guidance and Best Practices for Incorporating Environmental Justice into Ohio Planning and Environmental Processes*. This document was developed with input from various planning agencies and provides guidance on addressing EJ requirements in transportation planning.

Prior to expending any Federal funds, a close examination of Environmental Justice and Title VI issues is required. MPO planning processes must assure that transportation plans, TIPs, and projects do not result in "disproportionately high and adverse" effects on minority or low income populations. Any review of environmental justice issues requires examination of disparate harm on specific groups, and whether EJ populations actively are engaged in the decision-making process. The planning processes must include an analytical process for

assessing regional impacts of transportation system investments for different socio-economic groups. The process needs to include a demographic profile identifying the locations of low-income and minority populations, an assessment of the distributions (financial) and conditions across these groups, and public involvement activities aimed at engaging minority and low-income populations in transportation decision-making.

The MPO process and products impacted by EJ requirements are the Public Involvement Process, the Transportation Plan, and the TIP. The Public Involvement Process must identify EJ populations within the MPO area and specific activities to engage these populations. The Plan and TIP must include specific public involvement activities and an analysis of the benefits and adverse impacts to EJ populations from the projects and programs funded. The goal of EJ in these programs is the equitable distribution of benefits and proportionate distribution of negative impacts.

EJ is more than a set of legal and regulatory obligations. Properly implemented, EJ principles and procedures improve all levels of transportation decision-making by:

- Making better transportation decisions that meet the needs of all people,
- Designing transportation facilities that fit more harmoniously into communities,
- Enhancing the public involvement process and strengthening community-based partnerships,
- Improving data collection, monitoring and analysis tools that assess the needs of minority and low-income populations,
- Avoiding disproportionately high and adverse impacts on minority and low-income populations, and
- Minimizing or mitigating unavoidable impacts by identifying concerns or issues early in the planning process.

Identification of the geographic area likely to be impacted by particular programs and activities will vary depending on their intended purpose. For example, if an MPO is developing or updating its long-range plan, the geographic area to be evaluated encompasses the entire MPO region. If the program or activity is dedicated to a specific project area or corridor, then the geographic area for the EJ analysis would include, at a minimum, all areas within the logical termini of the project area as well as adjacent areas that may reasonably be impacted. Many transportation projects have far-reaching impacts. It is, therefore, probable that the area of impact may be a considerably larger area than the project termini.

## Section Four

# Transportation Plan

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The MPO Transportation Plan is an important statement of the direction the region will be taking in transportation system investment. The Plan identifies the multimodal and intermodal transportation policies and facilities needed to meet the MPO's travel demand for a 20-year planning horizon. The plan should include both short- and long-term strategies designed to result in an integrated transportation system that facilitates the efficient movement of people and goods.

### Authority

- Title 23 United States Code Section 134(g)
- 23 Code of Federal Regulations Part 450.322
- Title VI of the Civil Rights Act of 1964
- Executive Order 12898
- Clean Air Act Amendments of 1990
- 40 Code of Federal Regulations Parts 51 and 93

## Federal Requirements

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The Federal MPO Transportation Plan requirements include the following:

- 20 year planning horizon,
- Short- and long-range strategies,
- An update at least every three years for air quality nonattainment and maintenance areas, and update every five years for attainment areas,
- Consideration of planning factors (see page 25),

- Approval by the MPO,
- Projected demand on transportation system over the planning period,
- Congestion management strategies with a systematic approach to current and future demand,
- Pedestrian and bicycle transportation facilities,
- Congestion Management System used in project prioritization (in TMAs only),
- Preservation and efficient use of the existing system,
- Sufficient project detail to permit conformity determination (in nonattainment and maintenance areas) and cost estimates,
- A multimodal evaluation of major investment impacts: transportation, socioeconomic, environmental, and financial,
- Corridors and subareas identified for further study,
- Land use plans, development objectives, housing strategies, community development and employment plans, overall area social, economic, environmental, and energy conservation goals,
- Transportation enhancement activities,
- A financial plan demonstrating consistency of proposed transportation investments with available and projected sources of revenue,
- Public official and citizen involvement in accordance with an adopted public involvement process, formal public meeting, and publication, and
- Conformity determination in air quality nonattainment and maintenance areas.

U.S. DOT does not have approval of the MPO Transportation Plan. However, in air quality nonattainment and maintenance areas, a U.S. DOT Conformity Determination is required on any new or revised plan. In air quality attainment areas, copies are distributed to Federal agencies for their use in determining MPO Transportation Improvement Program consistency with the Transportation Plan.

Federal law requires an Environmental Justice analysis of improvements included in the Transportation Plan for their impact or disproportionate harm on EJ populations. EJ issues are outlined in Section Three.

**An MPO Transportation Plan must:**

- Encompass a 20-year planning horizon
- Be updated every five years for areas that are within air quality attainment standards
- Be updated every three years in air quality nonattainment and maintenance areas
- Consider the seven Federal planning factors

## Development

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### Updating an Existing MPO Transportation Plan

In air quality attainment areas, the Transportation Plan must be updated every five years. In nonattainment and maintenance areas, the Transportation Plan and the conformity determination must be updated every three years.

The update may begin with a Public Involvement Plan that describes how and when planning partners, public officials, and the general public will be engaged. The first actual public involvement activity may be later into the update process; however, it is critical that the decisions on how and when public involvement will be encouraged and coordinated be made at the beginning of the update process.

Another critical activity in the update process should be the review of existing goals and objectives from the existing Transportation Plan.

A third early activity includes either a reaffirmation of existing goals and objectives by the MPO board or the adoption of an updated set of goals and objectives to reflect changing regional conditions or priorities. Later in the process, these goals and objectives will be used to evaluate needs and solutions.

#### MPO Transportation Plan Timeline

- Review existing transportation goals and objectives through the Public Involvement Process
- Assess existing and future transportation conditions and needs
- Involve the public and other stakeholders
- Identify alternative solutions
- Involve the public and other stakeholders
- Develop a financial plan for the next 5 to 10 years
- Submit financial plan to ODOT District Office
- Revise financial plan, if necessary, to address ODOT comments
- Adopt alternative solutions in conjunction with ODOT District Office
- Complete air quality conformity analysis
- Revise or adjust alternatives, if necessary, to reach air quality conformity
- Involve the public and other stakeholders
- Secure MPO board approval and air quality conformity determination
- Submit draft Plan to ODOT District and OUCP for review and comment
- ODOT OUCP transmits the final plan to Federal agencies



Once goals and objectives are reaffirmed or reestablished, the planning staff should review transportation accomplishments in the region since adoption of the previous Transportation Plan. This may be done as part of the goal review.

The next activity in the plan update may be assessment of the transportation needs, both current and future, for all transportation modes. This assessment must include freight and people movement needs. One tool to use in this assessment is a travel demand model. The travel demand model is an empirically based system of mathematical formulas that generate travel patterns across alternatives. The model depicts current conditions in the region and can project future conditions based on specific assumptions. Inputs include population, land use, employment centers, and the transportation network with traffic counts. One set of these inputs depicts current conditions; using growth assumptions, the model can project future conditions. The network can be altered to reflect proposed improvements to test their effect on the entire system.

A project must be included in an area's Transportation Plan in order to qualify for funding assistance from the Federal Highway Administration or the Federal Transportation Administration.

### **The Seven Federal Planning Factors**

- Support the economic vitality of the metropolitan planning area, especially by enabling global competitiveness, productivity, and efficiency
- Increase the safety and security of the transportation system for motorized and non-motorized users
- Increase the accessibility and mobility options available to people and for freight
- Protect and enhance the environment, promote energy conservation, and improve quality of life
- 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 efficient preservation of the existing transportation system

The travel demand model commonly is used for analyzing systemwide congestion. In addition to traffic forecasts, its data is used in establishing mobile air quality emission estimates among transportation alternatives.

The needs assessment may also include some of the following components:

- A level of service analysis of the system or its major parts,
- A volume/capacity ratio analysis,
- Time/delay studies,
- Origin/destination studie
- A review of traffic and accident data, a determination of the physical condition of system design factors
- Environmental factors, and
- Identification of Environmental Justice populations.

A combination of several of these components is the best approach, so long as the seven Federal planning factors (listed on page 25) are taken into consideration. Each MPO decides which techniques will give its decision-makers the best information for the region. A Geographic Information System (GIS) is an excellent means to depict a variety of factors for evaluation.

Urbanized areas with populations of 200,000 or more are designated by the U.S. Department of Transportation as Transportation Management Areas (TMA). There are specific requirements for TMAs outlined in Federal regulations, including development of a Congestion Management System (CMS). A CMS identifies congestion in the region, specifies strategies to address it, and evaluates the impact of proposed improvements. This system is used as one factor in the process of evaluating alternative solutions and their funding.

A later activity in the plan update process is the identification of alternative solutions to transportation needs

Near the completion of the transportation system needs assessment, the first public involvement activity may be conducted.

A later activity in the plan update process is the identification of alternative solutions to transportation needs. The MPO should look beyond capital project solutions to

identify potential modal policy and administrative solutions to projected needs. Other approaches include a review of other MPO or transportation stakeholder creative solutions, a review of multimodal and intermodal alternatives, and consideration of transportation management techniques and alternatives. Each alternative must also have a basic planning-level cost estimate.

Between identification of alternative solutions and their evaluation, another public involvement event may take place.

The evaluation of alternatives should be based on a variety of reasonable, comparative measures, including technical criteria and goals and objectives identified through public involvement. The purpose is to qualitatively and quantitatively evaluate each alternative. It is important to review the factors decision-makers have expressed as being important, in addition to the factors that the public has labeled as important. After determining factors and techniques to be used to evaluate alternatives, a ranking process is to be developed that puts different weights and values on factors. Environmental Justice factors must be included.

Federal agencies do not have formal approval of the Transportation Plan. They do review whether it substantially meets Federal planning regulations.

The next step usually involves cost estimates. Current transportation funding from all sources within the region must be considered. Then using a 5- to 10-year trend, these funds should be projected to the end of the plan update. A second phase of the financial plan is the determination of funds needed to preserve the existing system (operation and maintenance) and efficiently use the existing facilities. Generally, this is expressed in terms of a percentage of funds projected to be available. The financial plan must demonstrate consistency of proposed investments with available and projected sources of revenue.

When the financial plan is complete, the MPO submits the plan to the ODOT District for its review and forwarding to the ODOT Central Office. OUCP will review the plan and may provide comments on it. Comments must be addressed in the final Transportation Plan update adopted by the MPO board. The financial plan must be submitted to ODOT through the District Office at least 30 days prior to inclusion in the draft plan update.

Following completion of the analysis of alternatives and the financial plan, the MPO selects a set of alternative solutions to identified transportation needs. The process used to identify alternatives must be documented. This process uses evaluation criteria such as funding availability, air quality conformity, regional distribution, and an implementation time frame. This set of alternatives may include recommendations on policies, programs, and projects. Each alternative included in the set must include specific projects or programs with a cost estimate, realistic funding source, sponsor, and timetable. The first five years of the plan update should include major projects currently in the MPO TIP and those expected to be included in the next TIP. The set of alternatives may also include problem corridors or subareas identified as needing further study prior to identification of specific alternatives. In addition, the set of alternatives may include policy or program recommendations for other agencies.

The plan must be approved by the MPO board and submitted to the ODOT Office of Urban and Corridor Planning, which in turn reviews the plan and forwards it to the FHWA.

## **Air Quality**

There are specific Federal air quality conformity regulations which apply to the Transportation Plan. These regulations stem from the Federal Clean Air Act amendments of 1990. The legislation provides for identification of geographic regions of the country which do not meet national clean air standards. These areas were designated as “nonattainment” areas.

A “maintenance area” with respect to clean air standards is any geographic region of a state that originally was designated as in nonattainment, but subsequently redesignated to attainment status subject to the requirement to develop and implement a plan to assure maintenance with Federal air quality standards.

Each State is required to develop a State Implementation Plan (SIP), which describes the strategies the State will implement in each area to reduce the pollution levels in sufficient

amounts for the areas to meet and maintain National Ambient Air Quality Standards (NAAQS). The Ohio SIP is developed and maintained by the Ohio EPA.

The Federal Transportation Conformity Rule ties together air quality conformity from the Clean Air Act Amendments and transportation programs. Accordingly, the transportation plans, programs, and projects for nonattainment and maintenance areas must demonstrate conformity with the SIP. The conformity process involves a quantitative analysis comparing estimates of the emissions generated from vehicles on the area's existing transportation system and on the system with proposed improvements. The MPOs covering designated counties are responsible for developing these programs. These programs include the Transportation Plan and the TIP.

ODOT coordinates an Air Quality interagency consultation process to facilitate air quality conformity for the MPO Transportation Plan and the TIP. This process brings the U.S. and Ohio EPAs, FHWA, FTA, ODOT and Ohio MPOs together to identify procedures to be used for air quality conformity. A meeting is held as needed to discuss changes to the analysis procedures, updates in analysis software, and any new air quality issues. The process addresses issues unique to each nonattainment/maintenance area and for the entire State.

Another activity which must be completed by those MPOs in non-attainment and maintenance areas during the development of alternatives is air quality conformity analysis. Once a draft set of alternatives is chosen, an analysis must be done to assure that an air quality conformity determination is possible. The initial set of alternatives may need to be revised to meet air quality requirements.

The draft set of alternatives/projects list should be taken to the public for review and comment prior to the MPO board's adoption of the plan update, as outlined in the MPO's Public Involvement Process. The MPO must submit copies of the draft plan to ODOT for review and comment. This review will ensure prompt forwarding of the Transportation Plan to Federal agencies by ODOT's OUCP.

## **Format and Content**

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Federal regulations and ODOT do not specify the format for the MPO Transportation Plan. The MPO may format its plan to meet regional needs and desires. Federal agencies do not approve a local plan, but do certify that it meets Federal planning regulations and is in conformity with Federal air quality standards.

The Transportation Plan must meet Federal and State regulations listed at the beginning of this section. Basic chapters or components of the plan must include goals and objectives, the plan development process, the methodology for assessing existing and future transportation system needs, the prioritization process, a list of projects or set of alternatives, a financial plan, various modal options, a bicycle and pedestrian plan, an air quality conformity analysis, a status of corridor studies, compliance with Federal and State

planning requirements, planning assumptions, public involvement, and an Environmental Justice analysis.

### **ODOT District Office Checklist**



- Participate with MPO in goals and objectives development process
- Participate with MPO in reevaluation of its Public Involvement Plan
- Consult with MPO on its area's needs assessment, consistency of plans with the state plan, identification and evaluation of alternatives, and costs
- Review MPO financial plan and transmit it to ODOT's Office of Urban and Corridor Planning
- Coordinate ODOT comments with MPO
- Consult with MPO on selection of alternatives and projects
- Conduct, where applicable, air quality analysis
- Transmit draft plan from MPO to ODOT Central Office OUCP
- Review draft
- Coordinate ODOT Central Office comments with MPO
- Transmit plan as adopted by MPO board to ODOT Central Office

## Section Five

# Transportation Improvement Program

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The Transportation Improvement Program (TIP) is a four year program of transportation projects and strategies formally implementing the MPO Transportation Plan. As such, it is the region's means of allocating limited transportation resources to projects and programs, and in the process, establishing a clear set of short-term transportation priorities. Every two years, each MPO must develop a four-year TIP. The 17 Ohio MPO TIPs are then incorporated into Ohio's Statewide Transportation Improvement Program (STIP). The resulting STIP is comprised of 18 chapters - one for each MPO area and one for the non-MPO areas of the State.

## Federal Requirements

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Federal requirements for the TIP include:

- Development in cooperation with ODOT and public transit operators,
- An update every two years,
- A reasonable opportunity for public comment,
- Consideration of civil rights and Environmental Justice,
- A minimum three-year time line (ODOT requires a four-year time line with a priority list of projects by year),
- Financial constraint by year,
- Consistency with the Transportation Plan,

- Phase, cost, and description of projects,
- Conformity with the SIP,
- A list of Federal and State financed highway, transit, bicycle, enhancement, and other Title 23 United States Code eligible transportation projects, and
- Compliance with a 3-C MPO planning process.

## State Requirements ---

In addition to the 11 Federal requirements listed above, the State requires that the TIP:

- Cover four years instead of the Federal minimum of three years,
- Be updated according to the established schedule,
- List funding sources by phase for each project,
- Include a table of statewide line items, and
- Incorporate amendments by established procedure.

ODOT's Office of Urban and Corridor Planning has published *Guidance and Best Practices for Incorporating Environmental Justice into Ohio Transportation Planning and Environmental Processes*, to provide MPOs and ODOT staff with assistance in addressing Environmental Justice issues.

### Authority

- Title 23 United States Code 134(h) and (i)
- 23 Code of Federal Regulations Parts 450.312, 450.324, 450.326, 450.328, 450.330, and 450.332
- Title VI of the Civil Rights Act of 1964
- Executive Order 12898
- Clean Air Act amendments of 1990
- 40 Code of Federal Regulations Parts 51 and 93
- ODOT Standard Procedures for Developing Statewide Transportation Improvement Program and Ohio Metropolitan Planning Organization Transportation Improvement Programs
- ODOT policy on Local Government Suballocation Funds Program Management

### **MPO TIP Timeline**



- Review projects begun during previous two years, including funding status
- Review projects anticipated during next two years, including funding status
- Assess fiscal constraint of all projects and adjust accordingly
- Send project changes, if any, to ODOT District Office
- Involve public and other stakeholders
- Conduct air quality conformity analysis
- Secure MPO board approval
- Submit TIP to ODOT District Office for transmittal to ODOT Central Office
- Amend as necessary, but amendments must be submitted to ODOT by resolution for inclusion in the State TIP at the beginning of each fiscal quarter - January, April, July, and October

## **Development**

The TIP records improvement priorities for the MPO area, including projects and strategies sponsored by a variety of agencies, such as county engineers, local governments, ODOT, and local transit agencies. While the TIP is a Federal requirement, it also serves as a focal point of the planning process as partners cooperatively set project selection and funding priorities. Each partner has a responsibility in the development of the TIP. Most partners bring Federal, State, or local funds to the process. The ultimate decision on particular projects depends on the source of funds. Certain Federal funds allow the State the final decision in cooperation with the MPO, while other Federal funds allow the MPO the final decision in collaboration with the State. Local project sponsors have the final lead on projects funded primarily with local funds, and the State has final lead on State funded projects.

The process to update a TIP begins with a review of the projects in the last two years of the current TIP and the current funding status for each project. This review includes analysis of current schedules, costs, and agency budgets. The first stage of review is done by the MPO staff. Following review of the projects in the remaining two years of the current TIP, projects currently scheduled for the next two years are reviewed for schedule and cost, and possible inclusion in the TIP under development. Projects included within the TIP must be entered into ODOT's ELLIS database and updated regularly.

The second stage of review must include all project sponsors in the region. This includes all ODOT program managers. ODOT funds various programs such as pavement, bridges,

enhancement, and safety. Each of these programs is assigned a manager and is allocated funding. The program manager is responsible for delivery of the projects in his or her program. During the review process, a meeting should take place with the sponsors. The local project sponsors must provide the MPO with current project information. ODOT

#### **A Transportation Improvement Program must:**

- Cover four years
- Be consistent with the MPO's Transportation Plan
- Be updated every two years
- Address civil rights and Environmental Justice through a public involvement plan and analysis
- Be financially constrained

Districts provide the MPO with current project schedule and cost information. The MPO provides the ODOT District with current project schedule and cost information for Federal projects in order to update ODOT's project tracking system (Ellis).

In the third stage of review, the MPO assesses fiscal constraint of TIP projects. Following this, appropriate changes are made to the TIP project list. The changes in project information shall then be sent by the MPO to the ODOT District. The MPO confirms fiscal constraint for projects financed with MPO sub-allocated funds. ODOT confirms fiscal constraint through the STIP for projects financed with ODOT controlled funds.

Each MPO is required to adopt a public involvement process. This process must include specific activities which allow the public access to the TIP development process and adequate opportunity to comment on the TIP. This public involvement process must include consideration of Environmental Justice. PI and Environmental Justice issues are outlined in Section Three.

The normal period for the TIP development process is November to May. The key to the process is communication among all partners of reliable information concerning projects and strategies.

### **Essential Components**

While ODOT does not specify a format for an MPO TIP, essential components from a Federal perspective include:

- Documentation of public involvement activities, including Environmental Justice factors, written comments and their disposition,
- Environmental Justice assessment of disproportionate, adverse impacts and equitable distribution of benefits among targeted populations,
- A process to prioritize projects and strategies for transportation with limited

- resources,
- Air Quality Conformity documentation, including emission burdens and projects in each analysis scenario,
  - Financial analysis, including projects funded, limits on project funding, and any special funding arrangements,
  - Accomplishments and delays on major projects from previous TIP,
  - Documentation demonstrating that the existing transportation facilities are adequately operated and maintained, and
  - A project list according to ODOT specifications.

## **Distribution and Review**

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MPO TIPs are submitted to the appropriate ODOT District by established due dates in the ODOT STIP / TIP Development Standard. The ODOT District submits copies to ODOT's Office of Urban and Corridor Planning for further review. Comments are returned to the ODOT District to coordinate with the MPO.

The ODOT District reviews the draft TIP for content and for project specific detail. It is the ODOT District's responsibility to review each State project for accuracy in description, schedule, cost, and funding. The ODOT Central Office program managers must communicate and coordinate their individual program details to the ODOT Districts to facilitate District review of the MPO TIPs.

ODOT's Office of Urban and Corridor Planning has about two weeks to review the first draft TIP and compile comments from other reviewers. This review time is critical to the MPO meeting the second draft completion requirements. The following page contains the check list used by ODOT to review MPO TIPs.

## Checklist used by ODOT to review MPO TIPs

- **Consistency** with MPO Transportation Plan and its goals
- **Previous accomplishments**, including projects completed and delayed
- **Process for prioritizing** projects
- **Prioritized list** of projects by year
- Standard table to confirm **fiscal constraint**, by year, for each category of MPO controlled funds
- **Operation and maintenance** discussion, including specific percentages of expenditures on maintenance versus capacity-adding projects.
- **Project list**, including each project (highway, transit, bikeway, pedestrian, enhancements) by phase (preliminary engineering, right-of-way, construction), by year of phase, type of funding and amount for each phase (Federal, State, local/IM, NH, STP, CMAQ, and other), project description, PID, air quality type (exempt or non-exempt), air quality conformity analysis status (base year, out year, etc.), and sponsor. Projects must cover four years. List must include statewide line items and project groupings. List of abbreviations used should be included
- **Public involvement** (should be complete in final), including details on information distributed, meeting and document notices/announcements, meeting attendees, comments received, and responses to comments
- **Environmental Justice**, including a map of the MPO study area showing the race/income composition of specifically defined subareas (neighborhoods, census tracts, or other groupings). An analysis of the distribution of benefits and impacts from the projects (transit and highway) included in the TIP must also be present
- **Conformity** determination and documentation (should be complete in the second draft with an emission budget comparison), with a list of projects included in the analysis and in which portion of the analysis



## Content of the TIP

- Public involvement activities
- Environmental Justice
- Prioritized projects and strategies
- Air Quality Conformity
- Financial analysis
- Accomplishments
- Adequate operation and maintenance of the existing transportation facilities
- Project list

Multiple copies of the second draft TIP are submitted to the appropriate ODOT District for the same distribution as described on page 35 for the first draft. In addition, one copy of the second draft is sent to each ODOT District and each Ohio MPO for use in ODOT's STIP public involvement. Each reviewer shall ensure that comments on the first draft were addressed. ODOT Districts must check the project list again for State-sponsored projects, consistent with schedule, cost, funding, and description. This draft must also include air quality conformity information. This draft is used as part of ODOT's STIP Public Involvement Process.

Upon completion of the public involvement processes of both the State and the individual MPO, and the incorporation of any comments received, the MPO TIP can be adopted.

## Approval

The MPO TIP must be adopted by the MPO board following completion of the MPO public involvement process. Following board action, copies of the TIP, including air quality conformity documentation, must be submitted to the appropriate ODOT District. The ODOT District will forward copies to the ODOT Central Office. After Federal review and approval, ODOT's

Once approved, projects listed in the first three years of the TIP are eligible for Federal authorization.

Office of Urban and Corridor Planning will notify the District Office and the MPO. Projects listed in the first three years of the newly approved TIP then are eligible for Federal authorization.

## Amendments

The MPO TIP may be amended as necessary to address regional needs; however, there are several circumstances in which an amendment to the TIP is required. A change in an existing project status from the fourth year of the TIP to the third year of the TIP, for

example, requires an amendment. A change in the major source of funding of an existing project is another situation that mandates an amendment to the TIP. The STIP, however, is only amended at the beginning of each State fiscal quarter. An amendment to an MPO TIP is not complete until the change has also been included in the STIP. Therefore, Federal funds cannot be authorized for a project amended to an MPO TIP until the project is also amended into the STIP.

New projects that must be amended into an MPO TIP include:

- All projects financed in whole or in part with Federal surface transportation funds, projects requiring Federal approval, and other regionally significant projects.
- Any Title 23 United States Code improvement project.
- Federal aid transferred to FTA or to MPO planning programs.

ODOT's Office of Urban and Corridor Planning compiles MPO TIP amendments and submits them as an amendment to the STIP on the first business day of January, April, July, and October.

Prior to ODOT submitting a project authorization request to FHWA, the ODOT District should verify that the project is properly listed in the TIP. This verification check needs to be coordinated in advance of the District's submission of the project authorization request to Central Office. The verification check should provide time to identify that the project funding and schedule information in the TIP is

consistent with the current project status. If the information is not consistent, the District will notify the MPO of the need to process either a letter of concurrence or a formal TIP amendment for the change. The MPO should conduct this verification check for projects funded with MPO controlled funds prior to submission of a project authorization request to the ODOT District.

For any amendment to the TIP, the MPO must submit to the ODOT District a signed MPO board resolution approving it. A project list which includes the project changes must accompany the resolution. The ODOT District will submit the resolution and request to the ODOT Office of Urban and Corridor Planning STIP Coordinator at least two weeks prior to the beginning of the State fiscal quarter in which the TIP amendment is to be included. For example, the deadline for submitting a project to ODOT for the April 1 STIP amendment is March 15.

For project amendment requests that involve FTA funds, the request should be submitted to the ODOT Office of Transit.

Upon Federal approval of any amendments, the ODOT Central Office notifies Districts that, in turn, notify MPOs of Federal approval.

## ODOT District Office Checklist



- Coordinate TIP and STIP development with MPO according to STIP/TIP standard
- Transmit first draft from MPO to ODOT Central Office
- Review first draft
- Compile ODOT Central and District Office comments and forward to MPO
- Transmit second draft from MPO to ODOT Central Office
- Review second draft
- Compile ODOT Central and District Office comments and forward to MPO
- Transmit final TIP as adopted by MPO board to ODOT Central Office
- Transmit ODOT Central Office approval of TIP to MPO
- Submit requests for ODOT projects, as appropriate, to MPO for TIP amendment
- Transmit signed resolution from MPO to ODOT Central Office for all project amendments



## Section Six

# Annual MPO Work Program

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Each year, each MPO must develop a work program consistent with Federal and State regulations. The program must discuss the MPO's planning priorities as well as describe area transportation-related activities - including air quality activities - expected during the next one or two year period. The program must discuss these activities regardless of funding source, and in sufficient detail to indicate who will perform the work, the schedule for completing it, and the product or products that will be produced. The process and review procedure among the MPO, the District Office and ODOT's Office of Urban and Corridor Planning is the same as with respect to updating the Transportation Plan and Transportation Improvement Program.

### **Authority**

- 23 Code of Federal Regulations Parts 450.314, 420.109, and 420.111

## **Development and Review of the Work Program**

The ODOT District and ODOT's Office of Urban and Corridor Planning are responsible for coordinating review of the Work Program and advising the MPO on its content and format. The FHWA and the FTA issue a joint approval for final Work Programs.

### Work Program Timeline

January	<ul style="list-style-type: none"> <li>• Mid-fiscal year Work Program progress report from MPO submitted to ODOT and Federal officials by the 31<sup>st</sup></li> </ul>
February	
March	<ul style="list-style-type: none"> <li>• By the first Friday, MPO transmits the draft Work Program for the next fiscal year to ODOT District Office</li> <li>• ODOT District Office forwards the draft MPO Work Program to Central Office</li> <li>• ODOT District Office sets up Work Program review meeting with MPO</li> <li>• ODOT reviews MPO Work Program for consistency and overall statewide goals</li> </ul>
April	<ul style="list-style-type: none"> <li>• ODOT comments on MPO draft Work Program returned to MPO within 30 days of MPO submission of draft</li> </ul>
May	<ul style="list-style-type: none"> <li>• By the first Friday, MPO submits final Work Program to ODOT District</li> <li>• Within 10 days of receipt, ODOT forwards MPO final Work Program to Federal officials for their review</li> </ul>
June	
July	<ul style="list-style-type: none"> <li>• Deadline for FHWA / FTA approval of MPO final Work Program is July 1</li> </ul>
August	
September	<ul style="list-style-type: none"> <li>• Final progress report on previous fiscal year's Work Program submitted by MPO to ODOT and Federal officials by the 30<sup>th</sup></li> </ul>
October	
November	
December	<ul style="list-style-type: none"> <li>• By the 15<sup>th</sup>, provide ODOT District and MPO statewide tasks or emphasis areas for the next fiscal year's draft Work Program</li> </ul>

### Work Program Development and Review Process

The Work Program describes the planning process and associated programs and activities to be performed by the MPO staff in the ongoing conduct of its urban planning process, with costs and their sources attributed to individual work elements. The Work Program and budget record the MPO's progress in developing and keeping current the Prospectus, Transportation Plan, Transportation Improvement Program, Public Involvement Process, Congestion Management System (in TMAs), and periodic reporting of activities. The final

Work Program shall be adopted by the MPO Board.

### **Timeline**

By December 15 of the preceding fiscal year, the ODOT Office of Urban and Corridor Planning shall provide to the MPO through the ODOT District any Federal or statewide tasks or emphasis areas which are to be included in the new draft Work Program. Included will also be the most recent estimates of Metropolitan Planning (PL) funds and FTA (5303) funds combined into the CPG. At any time during the Work Program development process that the MPO and ODOT identify an issue that may involve FHWA and/or FTA, these agencies shall be consulted early to avoid delays in Work Program approval.

### **Draft Review**

By the first Friday in March, the MPO shall transmit the draft Work Program to the appropriate ODOT District to be forwarded to the ODOT Central Office. ODOT offices will review the Work Program for consistency with ODOT direction and goals and other requirements. All reviews should be completed within 30 days and comments on content and format should be forwarded to the Central Office, then to the District and eventually to the MPO.

Between March 20 and April 15, the ODOT District, in cooperation with the Central Office of Urban and Corridor Planning, will set up a draft Work Program Review Meeting. The invited agencies shall include:

- ODOT OUCP,
- ODOT Transit,
- ODOT Technical Services,
- FHWA Ohio Division,
- FTA Region 5, and
- Corresponding agencies in other states (applicable for multi-state MPOs only).

Comments on format and content will be discussed, including those submitted prior to the meeting.

The MPO will coordinate with the ODOT District and address all comments and finalize the Work Program for adoption early in the calendar year. For comments which cannot be addressed immediately, the MPO should indicate to the District the problem and when the comment will be addressed. The District will transmit this information to OUCP for disposition. If deemed necessary, OUCP will coordinate with FHWA and FTA.

By the first Friday in May, the MPO shall submit the final Work Program to the appropriate ODOT District for transmission to OUCP. OUCP will forward the final Work Program to other internal ODOT offices and to FHWA and FTA for approval within 10 days. ODOT will review the final Work Program within 10 days of receipt to ensure that comments have been addressed.

## Approval

Work Programs received on or prior to the first Friday in May, and that adequately address the comments provided on the draft, will receive approval from FHWA/FTA by July 1. The work tasks contained in the approved Work Program will be eligible for Federal reimbursement for the entire fiscal year covered by the Work Program. If FHWA/FTA have comments on the Work Program, the agencies will transmit them to OUCP. Upon receipt of the Federal approval letter, ODOT will notify the MPO between July 1 and July 10 to proceed with implementation of the tasks. Any tasks that have not been approved by FHWA/FTA are excluded from Federal reimbursement until FHWA/FTA are satisfied with the task and approve it through document revision or Work Program amendment. A copy of the FHWA/FTA approval letter with comments shall be provided to the MPO.

## Content and Format

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The general format and content for the Work Program have been used by Ohio MPOs for some time and are acceptable to Federal agencies. They cover the basic elements which are consistent among MPOs. There will be some MPOs (especially those in more than one state) which have additional elements or a slight variation of these basic elements to address specific needs.

The basic Work Program should have an **introduction** which describes the MPO Study Area with map, the top planning priorities for the MPO, reference to the agency Prospectus, and general coordination efforts between MPO, ODOT, FHWA, and FTA. A **narrative** within the basic Work Program will contain documentation of specific projects and planning activities in which the agency will engage in the next fiscal year. Standard categories in the narrative include short range planning, the TIP, surveillance, the Transportation Plan, service, and corridor studies. Two **budget tables** are required. One is a revenue table by work element, by revenue source (with distinction between carryover funds and current year funds), and by State. The second is an expenditure table by work element, state, person hours, direct labor, fringe benefits, contract services, other direct costs, and indirect costs. A checklist of items reviewed in the final Work Program is at the end of this section and additional details are outlined in ODOT OUCP's *Financial Reimbursement Guidelines for Local Planning Agencies Managing the Urban Transportation Planning Process and Other Transportation Programs*.

If the MPO expects to transfer Surface Transportation Program (STP) or CMAQ capital funds to the Work Program for planning activities, this must be clearly identified in the budget tables. In addition, if the study or activity covers more than one year, a table showing the anticipated annual expenditures is required. A discussion of the Consolidated Planning Grant and the MPO Cost Allocation Plan is contained Section 8.

## **Work Program Modification**

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The MPO should initiate a Work Program modification when it appears that an individually invoiced CPG or FHWA funded work element will overrun or underrun by more than 10 percent. A modification is also required for changes in the scope of work of an approved Work Program work element. The MPO board must adopt the revised budget and submit it to the ODOT District Office, which reviews the request and forwards it to OUCP.

After review of the proposed Work Program revision by ODOT, the request is forwarded to the FHWA for approval. Once approved, the ODOT Central Office will forward it to the District, which will forward the approval to the MPO. Work by the MPO may be charged to any new work element beginning the day of FHWA approval.

Any Work Program budget revision request must include revised budget tables, with any applicable work element narrative change pages describing a requested change in scope. The revisions must maintain the percentages of participation set in the originally approved Work Program. New budget tables are not required for Work Program scope of work-only changes.

Some budget revisions only redistribute funding to account for staff time requirements. Other budget revisions result from changes in the scope of work for a particular work element, i.e., cancelling an activity. These types of changes usually include offsetting changes in other work elements to balance the budget. Some scope changes can be accommodated within existing budgets and only require submission of a scope of work change request.

In addition, the respective ODOT District shall monitor invoices for overruns by comparing work element expenditure amounts with approved work element amounts. The ODOT District, after reviewing invoices, shall notify the MPO of the need to modify the Work Program if FHWA funded work elements have been overrun. This review provides a secondary check to the MPO's monitoring of its funds usage. The respective ODOT District shall monitor delivery of Work Program products with the invoices requesting reimbursement for corresponding progress.

## **Progress Reports**

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Federal regulations require periodic reporting on the progress of the planning process. The current Ohio requirement is that the MPO produce two progress reports each fiscal year. One is a mid-year report covering the first six months of the fiscal year and the second is the completion report covering all 12 months of the fiscal year.

The progress reports will include:

- Tasks completed for each work element,
- Status expenditures by half year for each work element,

- Progress in meeting product schedules with explanation of delays,
- Approved Work Program revisions, and
- Other related supporting data.

The six-month progress report is due January 31. The completion report is due September 30 for the previous fiscal year ending June 30. Copies of each report will be sent to the appropriate ODOT District to be forwarded to the ODOT Central Office.

Between October 1 and mid-November, ODOT's Office of Urban and Corridor Planning will schedule a meeting to review the completion report with the MPO, ODOT Technical Services, ODOT Transit, FHWA Ohio Division, FTA Region 5, and, in multi-state MPOs, the corresponding agencies in the other states. Correction pages to the completion report may be requested following the meeting and are to be submitted to the ODOT District within 30 days.

## ODOT Checklist to review draft and final Work Program

- Title page credit to FHWA/FTA/ODOT
- Table of Contents
- Introduction
- MPO definition
- General map of the study area
- Reference to the agency Prospectus
- Reference to ODOT's Work Efforts
- Status of Annual Report
- Work Element Review
  - Objective
  - Previous work
  - Methodology
  - Products
  - Relationships shown
  - Product dates
- Public Involvement in the TIP
- Public Involvement in the Transportation Plan
- Conformity Analysis on TIP and Plan
- Rationale for funding
- Budget tables
  - By Work Element
  - By funding sources
  - By Subcategory stratified by direct, indirect ETS
  - Anticipated Annual Expenditures on multi-year special studies/activities
  - Detail relative to FHWA/ODOT funding may be found in ODOT's disposition of approved planning and research funds
  - Work by responsible agency
- Staff profile
- Cost allocation plan
  - Approved fiscal year plan
- Comments





## Section Seven

# Transportation Planning Process Certification

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Federal planning regulations require the State and the MPO certify to the FHWA and the FTA annually that the planning process is addressing major issues facing the metropolitan area and is being conducted in accordance with Federal requirements.

### **Federal Requirements**

FHWA and FTA are required to review and evaluate the metropolitan transportation planning process for MPOs within designated Transportation

Management Areas (TMAs) at least once every three years. FHWA and FTA jointly conduct these certification reviews on a multi-year cycle, ensuring that these MPOs will be Federally certified, at a minimum, every three years.

### **Authority**

- 23 United States Code Section 134(i)(5)
- 49 United States Code Section 5323(k)
- 23 Code of Federal Regulations Part 450.220
- 42 United States Code Section 7504, 7506(c)(d)
- Civil Rights Act of 1964
- Americans with Disabilities Act

## **TMA Certification**

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In TMAs, once every three years, FHWA Division Office and FTA Region 5 will conduct a certification review. The purpose is to review the regional transportation planning process and its three core products: Transportation Plan, the TIP, and the Work Program. Federal agencies coordinate with the MPOs directly for the initial desk audit. The desk audit generally requires the MPO to send to the Federal agencies its planning process documents, the Transportation Plan, the TIP, the Work Program with the latest progress report, and the Public Involvement Process/Policy.

Following the desk audit, the lead agency, FHWA or FTA, contacts the MPO and ODOT to set a date for the MPO site visit. The lead Federal agency will compile an agenda for distribution prior to the site visit. The site visit is an opportunity for Federal agencies to visit the MPO offices and review areas identified in the desk audit. The MPO will make meeting site arrangements. ODOT District and OUCP, and the ODOT Office of Transit will attend the site visit. At the conclusion of the site visit, the Federal agencies will give initial conclusions (certified or not), findings, commendations, and recommendations.

A written report will be issued documenting the certification review. If the TMA MPO is certified, an official announcement and presentation will be made by the Federal agencies to the MPO board. If the MPO is not certified or certified with findings, the MPO board will be given an explanation of the actions necessary to become certified.

## **Annual Self-Certification**

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As described above, each MPO is required annually to certify that the planning process addresses major transportation issues of the region. In the May meeting cycle each year, each MPO board must adopt a resolution stating that the MPO is conducting the planning process and meeting Federal requirements.

In odd-numbered years when a new TIP is being submitted as part of a new STIP, the self-certification resolution must be submitted with the final TIP. This resolution must be included in the State's submission of the TIP for Federal approval. The State, as part of the STIP submittal, must also certify that each MPO and the State are conducting the planning process and addressing major issues for Federal approval of the STIP.

## **Quality Assurance Review**

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In 2001, the ODOT Office of Urban and Corridor Planning established a Quality Assurance Review (QAR) process to evaluate Ohio's MPOs. The TMA MPOs are evaluated through the Federal certification review as described above. The non-TMA MPOs had not previously been evaluated in a similar manner. While the Federal review focuses on the "big picture" process relating to the planning requirements, the QAR process reviews details of the documents and products resulting from the MPO's planning activities.

Each year, four Ohio MPOs are reviewed using the ODOT QAR process so that each TMA MPO is reviewed on a revolving basis at least once every three years. The QAR review for TMAs will coincide with the Federal certification review. The schedule for non-TMA MPOs is merged with the TMA schedule.

The ODOT QAR process is intended to focus on MPO compliance with law to identify areas of concern in the MPO planning process to avoid complex, future difficulties. MPO member government voting procedures are determined by the MPO, and are not part of the ODOT QAR process. Communication is the key to a successful transportation planning process.

### **QAR Process**

The current QAR process used by the ODOT Office of Urban and Corridor Planning includes:

- Schedule QAR with MPO staff,
- Provide QAR form to MPO at least two weeks prior to QAR,
- Conduct QAR on-site or desk interview with MPO staff,
- Record results of interview using the QAR form,
- Send completed draft QAR form to MPO for review,
- Write QAR results report, and
- Present final QAR results to MPO.

### **QAR Form**

The QAR Form is a set of specific questions grouped into general categories. General categories covered include:

- Metropolitan planning factors,
- Transportation Plan,
- Transportation Improvement Program,
- Congestion Management System,
- Air Quality conformity,
- Travel Demand Modeling,
- Public Involvement Process,
- Environmental Justice, and
- Annual MPO Work Program.

#### **ODOT District Office Checklist**

- Participate with Central Office in Federal review of MPO
- Ensure MPO adopts annual self-certification resolution
- Participate in ODOT QAR of MPO with ODOT Office of Urban and Corridor Planning



## **Checklist of products for MPO and District**

### **Annual**

- Draft Work Program
- Draft Work Program review meeting
- Final Work Program
- Self certification
- Work Program revisions
- Project schedule, scope, and cost revisions
- TIP revisions
- STIP revisions

### **Every other year**

- Meeting to review current TIP projects and new projects for inclusion in new TIP
- 1<sup>st</sup> draft TIP
- 2<sup>nd</sup> draft TIP
- Final TIP

### **Other schedule**

- Transportation Plan development
- Special planning studies participation

## Section Eight

# Finance

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Federal Metropolitan Planning funds (PL plus Section 5303) are appropriated annually by Congress and distributed to the states by Federal formula. The State then allocates the funds to the individual MPOs for work detailed in the Work Program. This State allocation is based on a formula agreed to by the MPOs, the State, FHWA, and FTA. Funds are distributed through a reimbursement process outlined on page 53.

### **Consolidated Planning Grant**

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Ohio currently participates in a pilot Federal program known as the Consolidated Planning Grant (CPG). Under this grant, PL funds are transferred to FTA and combined with FTA Section 5303 Funds. These combined CPG funds must be awarded by FTA, and State funds must be committed to support the annual Work Program by July 1.

Following FHWA/FTA approval of the Work Program, the ODOT Office of Transit will ask FTA to approve CPG funds for the MPO's approved, annual Work Program. This action gives the State the authority to commit funds for the reimbursement of the MPO's expenditures on its approved annual Work Program. The ODOT Office of Transit will then request an encumbrance of the Federal and State funds through the ODOT Office of Payroll and Accounting - Federal Accounting Section. Upon receipt of the individual MPO encumbrances, the Office of Transit will notify the ODOT Office of Urban and Corridor Planning. OUCP will forward the encumbrance information to the ODOT District, which then forwards the information to the MPO for use in preparing invoices for reimbursement.

If sufficient Federal funds are not available on July 1 to fund the total amount for the MPO's annual Work Program, partial authorizations will be requested by the ODOT Office of Transit to finance Work Programs until additional Federal funds become available.

### **Certification of State Funds**

The Federal CPG funds require a 20 percent match by any combination of State and local funds. ODOT currently provides a 10 percent match of State funds to the MPO CPG funds. The MPO must provide the remaining 10 percent from local funds. If ODOT elects not to provide the 10 percent match from State funds, the MPO would be required to provide the entire 20 percent match from local funds.

Ohio Revised Code Section 126.07 requires the certification by the Ohio Office of Budget and Management that sufficient funds have been appropriated by the Ohio General Assembly to ODOT for the purposes of the MPO/ODOT agreements. The MPO/ODOT agreements require the commitment of funds for the implementation of the MPO's annual Work Program to be effective July 1.

The MPOs may incur eligible costs upon approval of the Work Program. The ODOT encumbrance process cannot begin until after July 1, when State funds for a new fiscal year become available. The actual encumbrance information will be forwarded to the MPO when that process is complete.

### **Audit**

Each year, the MPO monetary handling agency shall conduct an audit in accordance with U.S. Office of Management and Budget Circular A-133 and ODOT's guidelines.

### **Cost Allocation Plan**

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MPO handling agencies typically receive funding from a variety of funding sources. One of the specific requirements of the reimbursement process is development of a Cost Allocation Plan (CAP). The CAP covers all overhead costs to be allocated to the services proposed in the Work Program. Indirect agency expenses are distributed proportionately among the respective funding sources of the monetary handling agency. Indirect costs are those that have been incurred for common or joint purposes. The CAP distributes agency indirect costs proportionately among these funding sources. More detail is available in OMB Circular A-87, which can be obtained from OUCP or on the Web at <http://www.whitehouse.gov/omb/circulars/a087/a087-all.html>.

OMB Circular A-87 requires CAP agreements to be approved six months before the start of the MPO monetary handling agency's fiscal year. ODOT, as FHWA's agent, is the cognizant approval agency for most MPO handling agencies. For MPOs which cover multiple states, one state shall be designated as the cognizant, or responsible state. If ODOT is not the cognizant agency, then the MPO must only provide to ODOT documentation of an approved CAP. Any costs incurred after the beginning of the fiscal year, but prior to approval of the CAP, will be reimbursed only upon approval of the CAP.

## Reimbursement

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### Monthly invoice

ODOT will provide reimbursement of Federal and State assistance for eligible costs incurred no more than once a month and upon receipt of an original and two copies of a package of forms consisting of:

- An invoice,
- A Distribution of Eligible Costs by Work Program Subcategory, and
- A Program Financial Status Report.

The reimbursement package must include:

- Signature of the director of the MPO or his or her appointed authority. By affixing a signature, the individual certifies that all costs claimed are eligible for reimbursement and were incurred for work performed during the billing period.
- Name of payee.
- Federal Tax Identification Number.
- Project Identification and ODOT Agreement numbers.
- State Job and Encumbrance numbers.
- Invoice number.
- Fiscal period covered.
- Amount of Federal and State reimbursement requested, shown separately and as a total amount.

Requests for reimbursement shall be transmitted to the ODOT District Office, which then will review the request to ensure compliance. Upon determining that the invoice is satisfactory, the District will provide the ODOT Central Office an approval signature from the District Deputy Director, the name and title of the reviewer and a date stamp. The District will retain one copy of the reimbursement package and forward the original and two copies to the ODOT Central Office for processing through accounting.

### Year-end invoice

The year-end invoice reimbursement package must clearly identify the invoice as “final.” The year-end invoice is due no later than 90 days after the end of the fiscal year. The MPO may not carry CPG funds and State Planning and Research funds remaining at the end of a fiscal year into a subsequent Work Program without prior ODOT approval. ODOT approval will be secured through the normal annual Work Program review process.

Year-end indirect cost adjustments for MPOs using a provisional indirect cost rate will be prorated according to total direct labor hours reported, based on supporting documentation. Final payment from ODOT may be withheld until the MPO submits the mid-year and year-end progress reports and other reports required by Federal regulation.

## **MPO and Large Cities Sub-allocated Funds Program**

### **Overview**

ODOT annually sub-allocates FHWA capital (construction) funding to each Ohio MPO and to the four large cities outside MPO areas with populations between 25,000 and 50,000: Findlay, Lancaster, Marion, and Zanesville. The funds are comprised of three separate Federal fund types: Surface Transportation Program (STP), Transportation Enhancement Program (TE), and Congestion Mitigation and Air Quality Program (CMAQ). The MPOs and four cities each receive an annual STP allocation. Each MPO also receives an annual TE allocation totaling 10 percent of its STP amount. MPOs within air quality areas also receive annual CMAQ allocations.

ODOT recognizes the MPOs and large cities as program managers for these funds. As program managers, the MPOs and large cities are responsible for establishing and monitoring the development and implementation of a multi-year program of local government sponsored transportation system improvement projects within available programmatic budgets. These projects are to address identified system needs and are to result in measurable improvements to local transportation network conditions.

### **Eligible Activities**

STP funding is eligible for a wide variety of multimodal maintenance, operational, and new construction projects. Enhancement funds are eligible for historical, scenic, and pedestrian/bicycle transportation system amenity projects. CMAQ funding is limited to specific air quality designated areas for projects that will result in reductions in transportation related pollutants.

### **Funding Participation**

The standard Federal participation rate for STP, CMAQ, and enhancement program projects is 80 percent. Local government project sponsors generally are responsible for providing 20 percent matching funds. Certain project types, as defined in Title 23 Section 120(c), are eligible for 100 percent Federal funding participation. Ohio Toll Revenue credits may also be used, based on availability, to increase the Federal participation rate. MPOs are to establish written funding policies for administration of these funds, specific to their respective areas. A typical MPO policy would address the maximum amount of Federal funds the MPO will allocate to a particular project or project phase.

### **Program Management Responsibilities**

- Identify, prioritize, schedule, and monitor the development and implementation of a fiscally constrained, multi-year program of projects, balanced among STP, TE, CMAQ funds.
- Record projects, phases, and funding on STIP/TIP.
- Assure all sub-allocated fund projects are established in ODOT's Ellis data base.
- Monitor the Ellis data base to assure consistency with MPO and large city program

- management project funding and scheduling decisions.
- Assure project funding cap data is recorded in the Ellis data base.
  - Monitor local government sponsors' adherence to Ellis's project development milestone dates.

### **Contacts**

Contact OUCP for additional information regarding the MPO and large cities Sub-allocated Funds Program.

### **NOTE: PH-P-702 Standard Operating Procedures for MPO Reimbursement**

PH-P-702, and its accompanying "Guidelines for MPO Reimbursement," issued June 3, 1993, establishing cost principles, administrative requirements and financial principles applicable to MPOs, is being revised and will be re-issued under separate cover from this Manual.



# Glossary

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## **Air Quality Maintenance Area**

Any geographic region of the United States previously designated by the Clean Air Act amendments as nonattainment, then redesignated to attainment status subject to continued compliance with clean air requirements.

## **Air Quality Nonattainment Area**

Any geographical region of the United States which has been designated by the U.S. EPA under the Clean Air Act amendments as not meeting National Ambient Air Quality Standards.

## **Census Block**

The basic unit for tabulation of urban data by the U.S. Census. It is a geographic area wholly contained within a census tract and bounded on all sides either by streets, natural features, waterways, railways, transmission lines, or property lines of public and semi-public tracts.

## **Census Tract**

A small statistical subdivision of a county as defined by the U.S. Census with generally stable boundaries containing between 2,500 and 2,800 residents that represents a relatively homogenous area in population characteristics, economic status, and living conditions.

## **Census Urbanized Area**

A geographical region, defined by the U.S. Census, comprising an incorporated or census designated place and the surrounding densely settled areas which meet certain density criteria and together have a minimum population of 50,000.

## **Central City**

The U.S. Census designates central cities or places within each urbanized area pursuant to criteria identified in Federal regulations.

## **Certification of Metropolitan Planning Process**

The annual review and evaluation of the continuing, cooperative, and comprehensive metropolitan transportation planning process by the MPO and ODOT. In designated transportation management areas, the FHWA and FTA jointly certify the transportation planning process at least once every three years to determine if the MPO has met the requirements for transportation planning as provided in Federal regulations.

## **Clean Air Act and Clean Air Act Amendments**

Combined, these two pieces of legislation regulate Federal and state approaches to addressing air quality issues and mandating programs to curb acid rain, urban air pollution, and toxic air emissions. Areas that are in noncompliance or nonattainment with regulations are required to implement emission reduction measures.

**Conformity**

A requirement under the Clean Air Act which stipulates that approved transportation projects, plans, and programs must comply with a state's Implementation Plan for maintaining and enforcing Federal air quality standards.

**Congestion Management System (CMS)**

A requirement of Transportation Management Areas, it is a systematic approach to addressing congestion in the MPO's region by identifying locations of existing and future congestion, specifying strategies to minimize or eliminate it, and evaluating the effectiveness of implemented strategies. The CMS is an input into the MPO Transportation Plan.

**Congestion Mitigation and Air Quality Program (CMAQ)**

A program under the Federal Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21) that directs Federal transportation funds to nonattainment and maintenance areas (former nonattainment areas that have attained compliance with the Clean Air Act) for ozone and carbon monoxide to implement projects that reduce emissions.

**Council of Governments**

A voluntary consortium of local government representatives from contiguous communities formed to cooperatively address regional issues and problems.

**Emissions Budget**

The part of the State Implementation Plan used to meet emission reduction milestones, attainment, or maintenance demonstrations. It identifies the allowable emission levels for certain pollutants emitted from mobile, stationary, and area sources.

**Emissions Budget for Motor Vehicles**

The portion of the total allowable emissions defined in the State Implementation Plan that is allocated to highway and transit vehicles for a certain date to demonstrate reasonable progress toward stated milestones.

**Emissions Inventory**

A list of all sources and amounts of pollutant emissions within a specific area and time frame.

**Enhancement Program**

A Federal program established in the Intermodal Surface Transportation Efficiency Act of 1991 and continued in TEA-21 to help integrate transportation facilities into their surrounding communities and the natural environment through historic and archaeological enhancement and/or the inclusion of pedestrian and bicycle facilities.

**Environmental Justice**

A Federal requirement, imposed by Executive Order 12898, that prohibits disproportionately high and adverse impacts on minority and low income populations with

respect to human health and the environment, including the planning, programming, and implementation of transportation programs and projects.

### **FHWA Adjusted Urbanized Area Boundary**

A boundary recognized by the Federal Highway Administration which encompasses the entire Census Urbanized Area as well as a surrounding geographic area as agreed upon by ODOT, FHWA, and the MPO. This boundary is used by ODOT, FHWA, and the MPO to delineate highways by Federal functional classification.

### **Federal Action**

Any activity that involves Federal funding, approvals, or permits.

### **Federal Aid Highway**

A highway or roadway that is eligible for Federal assistance under Title 23 United States Code. All roads with the exception of local roads and most rural minor collector roads are eligible for Federal assistance.

### **Functional Classification**

The grouping of roads, streets, and highways into a hierarchy within an integrated network based on their relative importance to mobility and access to adjoining land. The hierarchy of roadway classification is divided between rural and urban areas:

Rural Areas - Principal Arterials, Minor Arterials, Major Collectors, Minor Collectors, and Local roads.

Urban Areas - Principal Arterials, Minor Arterials, Collectors, and Local streets.

### **Major Investment Study**

A study of modal alternatives for a proposed major transportation investment in an urbanized area that requires the MPO, ODOT, transit operators, and other local decision makers to address transportation needs on a corridor or regional scale and advance a design concept and scope for a preferred alternative.

### **Metropolitan Planning Area**

The geographic area for which the MPO conducts transportation planning. It must cover the existing urbanized area and the contiguous area likely to become urbanized within 20 years, and may encompass the entire metropolitan statistical area or consolidated metropolitan statistical area as defined by the U.S. Census.

### **Metropolitan Planning Organization (MPO)**

An organization governed by a board required by United States Code 134 and 49 Code of Federal Regulations Chapter 53, composed of local elected officials and designated by the governor that, in cooperation with the state, is responsible for transportation planning in an urbanized area.

### **Monetary Handling Agency**

The agency through which MPO funding is processed. This may be different from the

agency which staffs the MPO.

### **Regional Planning Commission**

A local agency mandated under state and Federal laws to conduct studies and develop plans for transportation, housing, zoning, economic development, and other issues in metropolitan areas or regions that will guide unified development and eliminate duplicate and overlapping planning efforts.

### **Scope of Service**

A document that details specific project requirements and responsibilities. Used for both consultant and in-house planning, environmental, design, and construction services.

### **State Fiscal Year**

In Ohio, July 1 through June 30.

### **State Implementation Plan**

A plan mandated by the Clean Air Act that contains a state's policies and procedures for monitoring, controlling, maintaining, and enforcing compliance with National Ambient Air Quality Standards.

### **Statewide Transportation Improvement Program (STIP)**

A staged, fiscally constrained, multimodal statewide program that lists all transportation projects and activities to be undertaken and funded during a specified period. In Ohio, the STIP covers four years and includes the 17 MPO Transportation Improvement Programs by reference.

### **Statewide Transportation Plan**

Known as *ACCESS OHIO* in Ohio, it is a long-range planning document that identifies future statewide transportation needs, formulates policies, goals, and strategies for addressing identified needs and produces a financially constrained and viable program of intermodal and multimodal projects, facilities, and activities that, when implemented, function as an integrated transportation system.

### **Study Area Boundary**

The geographic area that includes the metropolitan area and any additional areas anticipated to become urbanized within 20 years, or areas impacting the travel entering the urbanized area.

### **Transportation Improvement Program (TIP)**

The staged, four year program of transportation improvement projects developed by the MPO for its unique region.

### **Transportation Management Area (TMA)**

An urbanized area with a population of 200,000 or more as determined by the 2000 U.S.

Census and officially designated by the secretary of the U.S. Department of Transportation.

**Transportation Plan**

Documentation of the region's strategy for preserving and improving the transportation system within reasonable financial limits. It must cover at least 20 years.

**Urbanized Area**

A central area with densely settled surrounding contiguous territory that together has a population of 50,000 or more, as defined by the U.S. Census.