

# Ohio Department of Transportation

John R. Kasich, *Ohio Governor*

Jerry Wray, *ODOT Director*

# **TRAC**

**Transportation Review Advisory Council**

## **Policy & Procedures**

Draft - May 5, 2011



DRAFT

# TRAC

Transportation Review Advisory Council

## Policy & Procedures

### Table of Contents

<b>TRAC Policies and Procedures for Selecting Major New Capacity Projects</b> .....	5
<b>Aligning Major New Project Selection Criteria with ODOT’s Strategic Initiatives</b> .....	6
<b>TRAC Funding Eligibility</b> .....	7
<b>Criteria and Scoring Methodology for Major New Capacity Projects</b> .....	8
<b>Major New Project Scoring Criteria</b> .....	8
Transportation Factors .....	9
Road Project Scoring .....	9
Public Transit .....	11
Intermodal Freight: Water Port and Rail Capacity Projects .....	13
Transportation Benefit versus Cost.....	15
Air Quality .....	16
Functional Classification .....	16
Intermodal Connectivity .....	17
Community Economic Growth & Development Factors .....	17
Project Sponsor Investment Factors .....	21
<b>Additional Funding Policies</b> .....	<b>22</b>
Dollar Threshold for TRAC Review of Major New Capacity Projects .....	22
Level of Participation.....	22
Consideration of Congressional Earmarks .....	23
Projects Not Located on the State Highway System .....	23
Incidental Transfer of State Highway System Mileage to Local Jurisdictions .....	23
Using Major New Capacity Funding for Intelligent Transportation System Projects .....	24
<b>Protocols and Procedures</b> .....	<b>25</b>
Duties and Mission of the TRAC .....	25



Nominating and Ranking Projects ..... 25

Conformance with Local Transportation Plans..... 25

Nominating Forms ..... 25

Timing of Nominations..... 26

Annual Cycle ..... 26

Scores ..... 27

Selection of Projects..... 27

TRAC Options for Selection of Projects ..... 27

**TRAC Decision-Making Process ..... 29**

    Arranging Projects in Tiers..... 29

    The Role of Environmental Analysis ..... 30

    Project Cost Increases..... 31

**TRAC Rules of Order..... 32**

    Rules of Order ..... 32

    Officers ..... 32

    Number of Meetings..... 32

    Notice of Meetings ..... 32

    Vote Notice ..... 32

    Proxies ..... 32

    Quorums..... 33

    Votes..... 33

    Minutes..... 33

    Project Summaries and Record ..... 33

    TRAC Review and Comment..... 33

    Public Review ..... 34

    Report to the Public and General Assembly ..... 34



---

## **TRAC Policies and Procedures for Selecting Major New Capacity Projects**

---

The Transportation Review Advisory Council (TRAC) was established by the Ohio General Assembly in 1997, and charged with developing and overseeing a project selection process for major new transportation capacity projects (ORC 5512.02), or projects in what is now known as the “Major New Capacity program.” These are projects costing more than \$12 million which add transportation capacity, and are critical to the mobility, economic development, and quality of life of the citizens of Ohio.

The Major New Capacity project selection process operates under the purview of the TRAC. The council was established by Ohio Revised Code in 1997 at ODOT’s request. It is a permanent body of predominantly non-ODOT personnel which develops and modifies a project selection process and which approves major new projects for funding.

The TRAC has nine members and is chaired by the Director of the Ohio Department of Transportation. Six members are appointed by the Governor and one each by the Speaker of the Ohio House of Representatives and the President of the Ohio Senate. Members have overlapping terms. In accordance with the law, the Director of Transportation biennially provides the TRAC with a report on the money available for new construction for the following four-year period. The Director provides funds for new construction only after assuring that system preservation needs have been met. The use of the new construction funds is the responsibility of the TRAC, but the TRAC does not have authority over other aspects of the Department of Transportation.

Formally, the TRAC defines Major New Capacity projects as those projects greater than \$12 million which increase the capacity of a transportation facility or reduce congestion. All projects that cost ODOT greater than \$12 million and add capacity to a transportation facility must come before the TRAC. The goal of the TRAC is to envision the transportation system of the future, and select transportation investments that will allow us to realize that vision. We can achieve this by choosing the best transportation investments to best serve the people of Ohio.

Since its inception, the purpose of the TRAC is to help make decisions on major statewide and regional transportation investments. It was not created to fund local roadway and bridge projects. In fact, ODOT has several programs to aid local transportation investments.

This document summarizes the TRAC policies and procedures for selecting Major New Capacity projects. It includes the principles for selecting the scoring criteria and how the criteria are used to score projects. It also contains scoring tables and protocols on how the process will be conducted.



---

## **Aligning Major New Project Selection Criteria with ODOT’s Strategic Initiatives**

---

The TRAC enabling legislation (ORC Chapter 5512) requires the Director of ODOT to develop strategic initiatives for the department and submit them to the TRAC for review. Subsequently, the department is required to develop a project selection process for the prioritization of new transportation capacity projects, and describe how the criteria advance the department’s strategic initiatives.

### **System Preservation**

The Department is committed to the preservation of its existing infrastructure by embracing a “Fix –It-First” strategy. Preservation and management of the existing system shall be accomplished by funding system preservation needs first and providing funds for new construction only after the basic maintenance needs of the existing transportation system are being achieved.

Annually, ODOT staff shall present to the TRAC how the preservation and maintenance of the existing system can be met with existing ODOT funds, and how much funding is available to the Major New Capacity program.

### **Economic Development**

The Major New Capacity program is committed to enhancing Ohio’s comparative economic advantage and quality of life. Promoting the expansion and diversity of Ohio’s economy requires creating and maintaining a safe, convenient, and efficient transportation system that is sensitive to regional differences and is socially and environmentally responsible. The department emphasizes economic development in its project selection process and encourages a new spirit of cooperation and innovation in order to maximize and capitalize on economic development opportunities and create jobs.

### **Local Partnerships**

The Major New program is committed to being a partner, not a barrier, to local governments and will continue to aid in the delivery of their projects statewide. In addition, the Major New program is committed to transport people, goods, and services while focusing on growing Ohio’s economy. ODOT stands ready to partner with local governments while making itself more accessible and understandable.

### **Efficient Project Delivery**

The Major New program is committed to work more efficiently and to maintain our lead in the logistics industry (which is a \$12 billion a year industry here in Ohio). In order to maintain our transportation system as a whole, the Major New program is committed to finding new ways to deliver projects more efficiently while exploring lower cost options. Innovative funding strategies such as Public-Private Partnerships (P3) can be used to harness the ingenuity and financing capabilities of the private sector.



---

## TRAC Funding Eligibility

---

TRAC funding is comprised of state and federal gas tax revenues. Each of these sources has funding restrictions associated with its enabling legislations. Therefore projects using TRAC funding must meet the following criteria in order to be eligible:

Ohio Revised Code section 5735.27 outlines how Ohio gas tax revenues are dispersed between state, county, township, and municipal entities. In defining how gas tax revenue is dispersed, this code stipulates that the state (ODOT) portion of the Ohio gas tax must be used on the state highway system (i.e. state, US and interstate routes). This means that ODOT is prohibited by Ohio Revised Code from using state gas tax revenue on roadway improvements on county, township, or municipal roads that do not carry a state, US, or interstate route designation. Improvements to other transportation modes (such as rail, air, water and transit facilities) are not eligible for state gas tax revenue.

The United States Code - Title 23, along with federal authorization and appropriate bills, defines how federal gas tax funding may be dispersed among several different federal aid programs. While there are a myriad of regulations, in general federal gas tax revenue may only be used on the federal aid system, which is a collection of state, US, interstate, and higher functional class roadways. Federal gas tax funds may be used, under certain conditions, on other modes (such as rail, air, water and transit facilities) so long as there is a benefit to the roadway system and/or air quality.

Due to federal limitations placed on funding received from Federal Highway Administration, ODOT can only fund transit and Freight projects under the following conditions:

- The project location is within a US EPA designated air quality area, and
- The project location is determined to be eligible for Congestion Mitigation and Air Quality (CMAQ) funding (i.e. VMT will be reduced)

As a result, TRAC applications for transit or freight facilities can only be considered under the above conditions.



## Criteria and Scoring Methodology for Major New Capacity Projects

This section presents the criteria and scoring methodology for Major New Capacity projects. Transportation factors make up 55 percent of the available scoring for major new capacity projects, with growth factors and local project financing making up 25 and 20 percent of the scoring, respectively. It is the policy of the TRAC to provide equal consideration of all modes of transportation – road, transit, intermodal, and eligible freight projects. To accomplish this policy, the TRAC has devised scoring criteria that can be applied equally to any mode, or surrogate criteria so that modal benefits can be compared in an equal fashion across modes.

<b>Major New Project Scoring Criteria</b>				
<b>Transportation Factors</b>				
<b>Evaluation Factors</b>	<b>Road</b>	<b>Transit</b>	<b>Freight</b>	<b>Points</b>
Traffic	V/C Ratio	Existing Peak Hour Ridership/Capacity	Existing Freight Volume/Capacity	10
	Safety	Proposed Peak Hour Capacity Increase	Proposed Freight Capacity Increase	10
	ADTT	VMT Reduction	Truck Reduction	5
Benefit and Cost	Benefit/Cost	Cost/VMT Reduction	Cost/Truck Reduction	10
Air Quality	Emission Reduction			5
Functional Class				10
Intermodal Connectivity				5
<b>Total Transportation Points Available:</b>				<b>55</b>
<b>Community and Economic Growth and Development Factors</b>				
Adopting Appropriate Land Use Measures				4
Positioning Land for Redevelopment				6
Economic Impact – Return on Investment				10
Considering Factors of Economic Distress				5
<b>Community &amp; Economic Growth and Development Points Available:</b>				<b>25</b>
<b>Project Sponsor Investment Factors</b>				
Project Sponsor Investment as percentage of total Project Cost				<b>20</b>
<b>Total Points Available:</b>				<b>100</b>



## Transportation Factors

### Road Project Scoring

There are a number of capacity deficiencies on Ohio's 19,000-mile state highway system, and requests to improve the state highway system to provide better access to poorly served areas. The TRAC scoring seeks to identify the most deficient capacity and safety portions of the highway system, so that public dollars are directed to the areas with the most need, and quantify the benefit of proposed projects, so that public dollars are generating the greatest return possible. To achieve these policy objectives, the TRAC will consider congestion, safety, and truck traffic criteria.

#### Volume-to-Capacity Ratio, 10 points

Volume-to-Capacity (V/C) ratio is a simple, accurate, universally recognized measure of road congestion. Use of V/C ratio advances the following policy objectives:

- It is neutral in terms of the functional class or number of lanes on a facility, so using V/C ratio treats rural and urban areas equally, and high volume and low volume roads equally;
- Reducing congestion reduces travel time, which increases economic efficiency for individuals and businesses.

ODOT will calculate the V/C ratio for roadway projects, using a weighted average V/C ratio over the length of the project.

#### Safety, 10 points

Crash frequency/density, severity, and crash rate are used to evaluate safety conditions for potential highway projects. Because of the importance of identifying safety deficiencies, these criteria ensure safety is a primary consideration in the development and design of ODOT projects.

By using a combination of crash frequency, severity, and crash rate, locations with high numbers of accidents, typically on high volume roads, will be recognized in the scoring process without ignoring severe locations on lower volume roads.

The crash frequency is the number of crashes occurring at an intersection, while crash density is the number of crashes per mile occurring along a section of highway (3 points). The relative severity index represents the relative cost to society of a specific type of crash (e.g., head on, rear end, angle) and is worth a total of 4 points. The crash rate is the rate of crashes per million miles of vehicular travel occurring on a route (3 points). All these factors will be based on the data for the most recent consecutive three year period, with crash factors weighted over the length of the project. The weightings and scale are presented in the table below.

V/C	Points
0	0
0.55	1
0.60	2
0.65	3
0.70	4
0.75	5
0.80	6
0.85	7
0.90	8
0.95	9
1.00 +	10



### Safety Criteria Scoring

Crash Frequency/Density	Points	Relative Severity Index	Points	Crash Rate	Points
0 – 29	0	0 - 19,999	0	0 – 0.99	0
30 – 59	1	20,000 - 24,999	1	1 – 1.99	1
60 – 89	2	25,000 – 29,999	2	2 – 2.99	2
90+	3	30,000 – 34,999	3	3+	3
		35,000+	4		

#### Average Daily Truck Traffic (ADTT), 5 points

Ohio is a crossroads in the nation’s freight transportation network, and efficient freight movement is vital to the state’s economic competitiveness. In addition, truck noise, vibration, and pollution can have a deleterious effect on the quality of life of smaller urban areas. For these reasons, ODOT encourages projects that:

- Improve freight flow;
- Reduce the impacts of truck traffic on the quality of life of Ohioans.

The TRAC will award points based on truck volume calculated as the Average Daily Truck Traffic (ADTT) over the length of the project. The scale for this criterion is shown in the accompanying table to the right.

### ADTT Scoring

ADTT	Points
0-2,400	1
2,401 – 4,800	2
4,801 – 7,200	3
7,201 – 9,600	4
9,601 +	5



## Public Transit

To promote the development of multi-modal transportation, the TRAC will use a surrogate measure to capture the existing peak hour ridership/capacity-of a public transit project.

### Existing Peak Hour Ridership/Capacity 10 points

The TRAC adopts a measure called Existing Peak-Hour Ridership/Capacity, with the following rationale: transit ridership is heavily concentrated in the peak work commute periods, so traffic benefits occur when highway V/C ratios are measured; strong ridership in the peak hour equates to the most heavily congested hour for roads, and significant ridership in the peak hour will improve roadway congestion.

This measure captures the existing ridership divided by the capacity measured in seats available. Projects providing new transit service where service did not previously exist, will receive no points for this factor. Instead, applications for new transit service will receive double points for Proposed Peak Hour Capacity Increase.

<i>Ridership/Capacity</i>	
<b>Ridership/Capacity</b>	<b>Points</b>
0	0
0.55	1
0.60	2
0.65	3
0.70	4
0.75	5
0.80	6
0.85	7
0.90	8
0.95	9
1.00	10

### *Added Peak Hour Capacity*

<b>Seats</b>	<b>Points</b>
0-474	0
475-699	1
700-924	2
925-1149	3
1150-1374	4
1375-1599	5
1600-1824	6
1825-2049	7
2050-2274	8
2275-2499	9
2500 +	10

### **Added Peak Hour Capacity, 10 points**

This measure allows the TRAC to evaluate the extent to which proposed project will increase the capacity of the transit service. The increase in the number of seats available will show the potential for new individuals to be served by the proposed improvement.



**Reduction in Vehicle Miles Traveled (Daily), 5 points**

In addition to providing recognition for the number of passengers carried by an urban transit or intercity rail facility, the TRAC seeks to measure and award points for a project’s daily reduction in vehicular traffic in the corridor served by the project.

Most project feasibility studies will readily provide such estimates of a project’s impact and the values provided in these reports can be used. If a Project Sponsor does not have this information, the Department will calculate the VMT reduction based on the Statewide Traffic and Forecasting Model.

<i>Reduction in Vehicle Miles Traveled</i>	
<i>VMT Reduction</i>	<i>Points</i>
5,000 – 49,000	1
50,000 – 74,999	2
75,000 – 124,999	3
125,000 – 150,000	4
150,000 +	5

DRAFT



## Intermodal Freight: Water Port and Rail Capacity Projects

The TRAC seeks to promote the efficient movement of freight in Ohio, capitalizing on the logistics industry as an economic development tool that gives the state a competitive advantage. At the same time, the state highway system is becoming overburdened with truck traffic, so balancing freight traffic across all modes of transportation is a sensible approach to support the advanced logistics industry, while mitigating road and bridge maintenance costs, road congestion, and improving air quality.

### Intermodal Freight Congestion, 10 points

Achieving intermodal balance in freight movement could require capital investment in ports, rail lines, and intermodal facilities. The TRAC seeks to target investment toward mitigating the existing intermodal freight capacity constraints, using a congestion scale that is analogous to the highway volume-to-capacity ratio. Just as roads have a capacity based on speed limits, type of roadway, and number of lanes, water and rail facilities have similar capacity measures. And as with road V/C ratios, a congestion ratio can be calculated for intermodal facilities based on the volume of freight they carry, compared with their capacity.

Freight capacity projects will be scored based on the table at the right. The table below provides the analogous relationship of volume and capacity factors for different transportation modes.

### Intermodal Freight Congestion: V/C Ratio Scoring

V/C	Points
0	0
0.55	1
0.60	2
0.65	3
0.70	4
0.75	5
0.80	6
0.85	7
0.90	8
0.95	9
1.00+	10

### Equivalent Factors for Evaluating Volume-to-Capacity Ratio for Different Modes of Freight Transportation

	Road	Port	Railroad	Intermodal Terminal
Volume Inputs	Traffic volume: <ul style="list-style-type: none"> <li>Autos</li> <li>Trucks</li> <li>Peak hour factor</li> </ul>	Port volume: <ul style="list-style-type: none"> <li>Break bulk tons</li> <li>Containers (TEUs)</li> <li>Dry bulk tons</li> <li>Liquid bulk gallons</li> </ul>	Train traffic, expressed as: <ul style="list-style-type: none"> <li>No. of railcars</li> <li>No. of trains</li> <li>Train length</li> </ul>	Terminal throughput: <ul style="list-style-type: none"> <li>Containers (TEUs)</li> <li>Other transfer measure (e.g., rail/barge, rail/truck)</li> </ul>
Capacity Inputs	<ul style="list-style-type: none"> <li>Type of road</li> <li>Number of lanes</li> <li>Speed limit</li> <li>Terrain</li> <li>% truck traffic</li> <li>Etc.</li> </ul>	Per hour or per diem capacity expressed in tons, TEUs, etc.	Per hour or per day capacity (expressed in railcars, trains, etc.), as controlled by: <ul style="list-style-type: none"> <li>No. of tracks</li> <li>Signalization</li> <li>At grade crossings</li> </ul>	Per hour or per day transfer capacity, for example, containers (TEUs) per day.



### Freight Capacity Increase

The TRAC will consider increase freight Capacity by capturing the total increased number of TEU's to be processed through a freight facility. The twenty-foot equivalent unit (often TEU or teu) is an inexact unit of cargo capacity often used to describe the capacity of container ships and container terminals. It is based on the volume of a 20-foot-long (6.1 m) intermodal container, a standard-sized metal box which can be easily transferred between different modes of transportation, such as ships, trains and trucks.

<i>Freight Capacity Increase</i>	
<b>TEU's per Day</b>	<b>Points</b>
0 - 50	0
60 - 99	1
100 - 149	2
150 - 199	3
200 - 249	4
250 - 299	5
300 - 349	6
350 - 399	7
400 - 449	8
450 - 499	9
500+	10

### Reduction in Truck Miles Travelled, 5 points

The TRAC will recognize intermodal freight balance by awarding points to port and rail projects that reduce truck traffic on the road system. TRAC will accept this factor as the daily reduction of truck miles travelled (TMT) in the State of Ohio.

Truck reduction on an individual facility can be easily derived. The volume of freight moving by rail or port can be converted into a number of trucks by equating one twenty-foot equivalent unit (TEU) to one truck. The applicant can use this conversion factor to represent the number of trucks reduced from an adjacent roadway, and calculate this reduction in terms of total truck miles travelled from the facility to the state line.

The other method is to calculate a regional truck traffic reduction, which would be represented as the reduction of truck miles travelled for the area of impact defined by the project applicant. For example, a region could be within an MPO, within the state of Ohio, or within some subarea designated by the project applicant. A feasibility study is required to validate this calculation and will be required as an attachment to the application.

<i>Reduction in Truck Miles Travelled</i>	
<b>TMT Reduction</b>	<b>Points</b>
0 - 2,499	0
2,500 - 24,999	1
25,000 - 49,999	2
50,000 - 74,999	3
75,000 - 99,999	4
100,000 +	5



## Transportation Benefit versus Cost

Benefits of a project are a very important factor of consideration which helps the TRAC understand the value an individual project provides the citizens of Ohio. This factor is intended to quantify project value and convert that value into a score. This is done by calculating a benefit-to-cost ratio. Project benefits are ascribed a monetary value and compared to the total estimated cost.

**Benefit/Cost (Road)** – The benefit-to-cost ratio will be calculated by ODOT for road projects. The benefits will be based on roadway user benefits calculated by ODOT’s Statewide Model.

**Cost/VMT Reduction (Transit)** – The cost to VMT reduction will be calculated by ODOT for transit projects. The calculation will seek to quantify a unit cost for removing one vehicle mile of traffic from the transit corridor.

**Cost/TMT Reduction (Freight)** – The cost to TMT reduction will be calculated by ODOT for freight projects. The calculation will seek to quantify a unit cost for removing one truck mile traveled and replacing it with a rail, water or air trip.

### Transportation Benefit and Cost

Roadway		Transit		Freight	
Benefit/Cost	Score	Cost/VMT	Score	Cost/TMT	Score
0.00-0.74	0	\$5.00+	0	\$20.00+	0
0.75-0.99	1	\$4.50-\$4.99	1	\$18.00-\$19.99	1
1.00-1.24	2	\$4.00-\$4.50	2	\$16.00-\$17.99	2
1.25-1.49	3	\$3.50-\$3.99	3	\$14.00-\$15.99	3
1.50-1.74	4	\$3.00-\$3.50	4	\$12.00-\$13.99	4
1.75-1.99	5	\$2.50-\$2.99	5	\$10.00-\$11.99	5
2.00-2.24	6	\$2.00-\$2.50	6	\$8.00-\$9.99	6
2.25-2.49	7	\$1.50-\$1.99	7	\$6.00-\$7.99	7
2.50-2.74	8	\$1.00-\$1.50	8	\$4.00-\$5.99	8
2.75-2.99	9	\$0.50-\$0.99	9	\$2.00-\$3.99	9
3.00	10	\$0.00-\$0.49	10	\$0.00-\$1.99	10



## Air Quality

In advancing its transportation program, ODOT seeks to be a good steward of the environment. All projects developed by ODOT must conform to National Environmental Policy Act (NEPA) laws and regulations, and regional transportation plans must conform to the National Ambient Air Quality Standards (NAAQS) embodied by the Clean Air Act and its associated amendments (CAAA).

<i>Air Quality Scoring</i>	
<b>Factor</b>	<b>Points</b>
Reduction in Fuel Consumption	2.5
Reduction in Ozone Precursors	2.5

While ODOT will ensure its projects meet all NEPA and CAAA law and regulation, a criterion for lower emissions provides additional emphasis on environmental stewardship. Processes to measure project-level air toxics are immature, so to advance air quality goals, ODOT will analyze transportation projects for their reduction to ozone precursors (NO<sub>x</sub> and hydrocarbons), and their net impact on fuel consumption.

In order to make the scoring for air quality factors more consistent the following analysis methods for air quality will be used:

- Road projects – air quality factors will be calculated based on build and no-build conditions programed into ODOT’s travel demand forecasting model. For smaller projects (e.g. single intersections or interchanges), air quality factors can be calculated using other modeling software such as Synchro.
- Transit projects – air quality factors will be calculated based on the reduction in VMT and applying standard emission rates.
- Freight projects – air quality factors will be calculated based on the reduction in TMT and applying standard emission rates.

## Functional Classification

Functional classification is the process by which streets and highways are grouped into classes, or systems, according to the character of service they are intended to provide. Basic to this process is the recognition that individual roads and streets do not serve travel independently in any major way. Rather, most travel involves movement through a network of roads. It becomes necessary then to determine how this travel can be channelized within the network in a logical and efficient manner.

The TRAC will award points based on the Functional Classification (per FHWA) displayed in the table to the right.

<i>Functional Classification Scoring</i>	
<b>Class</b>	<b>Points</b>
Local	0
Collector	2
Minor Arterial	4
Principle Arterial	6
Freeway or Expressway	8
Interstate	10



## Intermodal Connectivity

A project will receive up to 5 points for intermodal connectivity if all or part of its purpose and need involves connecting two or more modes of transportation. Examples would include park-and-ride lots; public road or rail service into ports, airports, or transit centers; road/rail connections to other intermodal facilities; and accommodations for the mobility and safety of two or more modes of transportation.

For freight-related projects, the intent of TRAC investment is to make the state a destination for freight, with attendant logistics business development, rather than to simply encourage the mere passage of freight through the state.

## Community Economic Growth & Development Factors

In addition to selecting the best transportation projects, it is the policy of the TRAC to target investments toward projects that spur responsible growth – in terms of employment, job creation, business retention, and property development.

Unlike transportation factors which are confined to the transportation system, community and economic development factors are assessed within the geographic area associated with the project. In most instances, the project applicant is required to designate the geographic area associated with the transportation project, and provide data related to the scoring factor under consideration (e.g., employment). ODOT may have—or may develop in the future – the ability to provide independent assessment of such scoring factors. Regardless of who provides the data, the TRAC will be the final arbiter of the quality of data submitted by the project applicant. Community and economic development factor criteria description and scoring are presented below.

### *Defining the Area for Analysis of Community and Economic Development Factors:*

For community growth and economic development factors, the TRAC will require the project sponsor to define the geographic area for analysis and calculation of public benefits.

Highway projects: generally, a feasibility study will have some level of traffic impact analysis, either associated with development or associated with the road project (e.g., an interchange). The traffic impact study would indicate the traffic changes on roads in the vicinity of the transportation improvement, which in turn would provide an indication of the geographic extent of the project, so that social benefits can be measured.

Transit projects have similar project “footprints,” with the geographic sphere of influence is defined by proximity to the transit project, by walking or biking; proximity to transit stations; or proximity to park-and-ride lots. For example, if there is an application for a transit-oriented development, the project “footprint” would reasonably be considered to be within one-half mile of the transit facility, which is a comfortable walking distance.

Intermodal freight projects could have widely varying geographic areas of analysis, depending on their purpose. For example, long haul freight facilities might have statewide significance, while freight bottleneck relief projects might have a more localized geographic benefit area.



### **Adopting Appropriate Land Use Measures, 4 points**

The linkage between transportation and land use is well established: transportation improvements have the potential to stimulate real estate development, and indeed that is the goal of some local project sponsors. However, transportation projects and their associated development can have unintended negative consequences, which can act to burden other state and local budgets. Such unintended, negative consequences most often occur when local agencies do not coordinate or plan for the impacts of a transportation project on growth. The result can be wasteful development patterns, or future need to retrofit transportation projects after they are built.

The TRAC finds it to be in the public interest to adequately plan for both land use and transportation investments in concert with one another. Therefore, the TRAC will provide eight incentive points to project applications that have the following characteristics:

- A comprehensive land use plan, strategic plan, thoroughfare plan, neighborhood plan, or master community plan adopted by the city, county, or township for the geographic area that is reasonably expected to be impacted by the project under consideration. The plan must be less than twelve years old or show evidence of regular updates reflecting development patterns in the coverage area. (1 points).
- The land use plan should be coordinated with the transportation plan or project (1 points).
- The appropriate city or county has zoning in place that is conducive to the project under consideration (1 points).
- The project is part of a metropolitan planning organization (MPO) long range plan, regional planning commission (RPC) transportation/thoroughfare plan, or ODOT’s statewide transportation plan. (1 points).

As noted previously, it will be the responsibility of the project applicant to define the geographic area impacted by the transportation project under consideration.

### **Positioning Land for Redevelopment, 6 points**

Land development and associated employment growth are natural and worthy aspirations of state and local governments. To be sure, there are certain areas where population is growing and must be accommodated, and it is vital to attract new business and industry to keep Ohio competitive in the global market.

In some regions of the state, growth occurs in undeveloped – and perhaps un-annexed – parcels of land, where public and private infrastructure must be expanded, while other land parcels lay fallow due to factors such as dilapidated property, closed businesses, or soil contamination.

The TRAC recognizes the benefits of land development, but wants to provide incentives for the redevelopment of parcels that were previously developed, but are now vacant or underused. Former industrial sites are notable examples, but there are many other examples as well, such as vacant retail and other development.

<b><i>Positioning Land for Redevelopment</i></b>	
<b>Percentage of “Developed” Land Served by the Project<sup>1</sup></b>	<b>Points</b>
Less than 60%	0
61 – 65	1
66 – 70	2
71 – 75	3
76 – 80	4
81 – 85	5
86% +	6

<sup>1</sup>Geographic area as defined by project applicant, or as default, within one mile of the project.



To provide incentives for redevelopment, the TRAC will request an estimate of the percentage of developed acreage within the geographic area served by the project – it is the responsibility of the local project sponsor to provide this analysis and calculation. For purposes of definition, “developed” land means property that had, or currently has, use as manufacturing, light industrial, warehouse, commercial, or residential development, with associated infrastructure (such as water, sewer, electricity), and which may also be classified as a brown field. “Undeveloped” land means property that was never used for such development, has no buildings or associated infrastructure, and might have had current or former use as cropland, pasture, woodland, or other use that does not include roadway or utility services. The TRAC will provide a point value to percentage of developed land based on the accompanying scale.

**Economic Impact – Return on Investment, 10 points**

Transportation investments have the potential to lower logistics costs for businesses in Ohio, providing these companies a competitive edge over their nation and global competitors. Transportation also provides improved access and makes areas more attractive for business and industrial expansion. TRAC specifically encourages such investments for their benefit to employment, job creation, and business retention.

TRAC also recognizes the potential for improving growth opportunities which increase land values, ultimately lead to increased revenues for local communities and the state to fund infrastructure projects. With this in mind, TRAC will work with the Ohio Department of Development to analyze multiple factors which will calculate the potential Return on Investment (ROI) the transportation project can provide to the state. The ROI analysis will include many factors which could be improved by construction of the project, or which would be at risk if the project were not built. The complexity of the analysis ranges from potential new income tax, to CAT and sales taxes, to interest and principal generated by businesses affected by the proposed transportation improvement. The existing businesses in the area of the project will be included, as well as potential businesses which could be supported by the project.

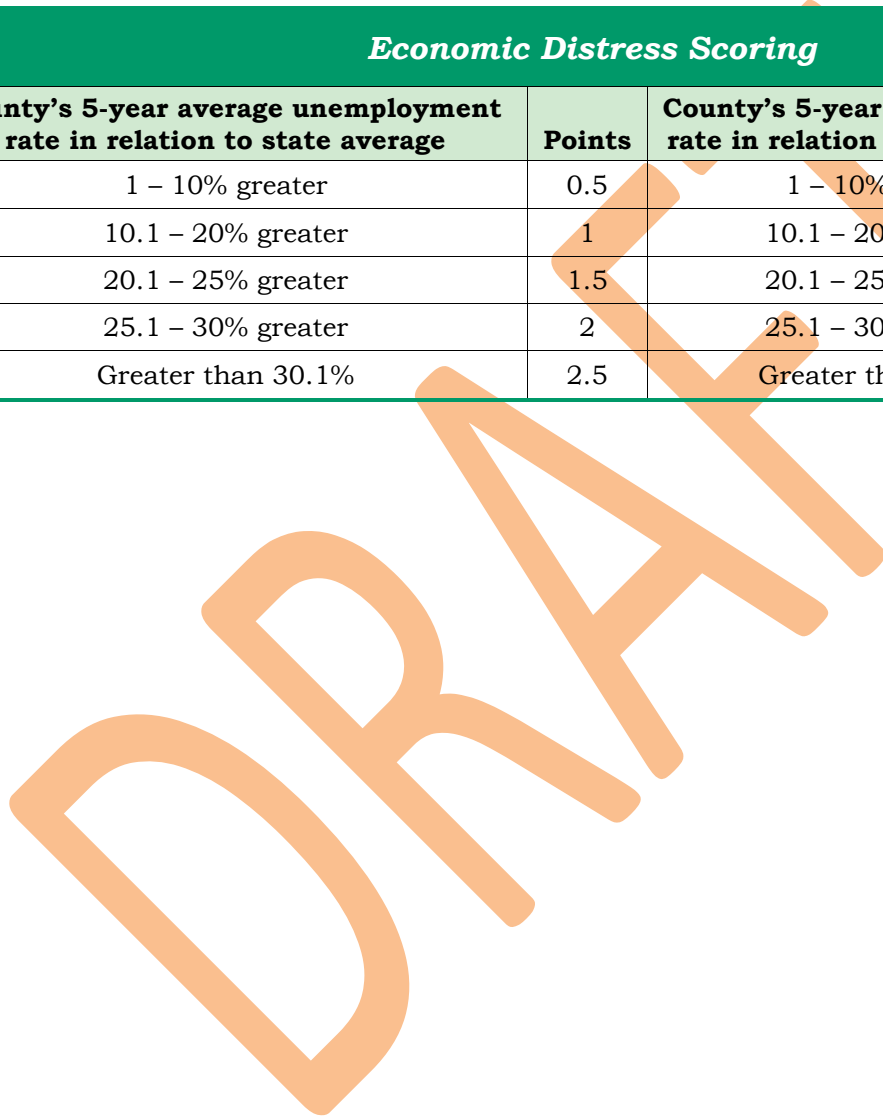
The Department of Development in coordination with the TRAC will award up to 10 points for this category.



**Considering Factors of Economic Distress, 5 points**

The TRAC recognizes that local sponsors seek transportation projects in order to improve a region’s economic fortunes, and that some regions are at an inherent disadvantage due to economic distress. To promote transportation investment in economically disadvantaged areas, TRAC will award up to 5 points based on an area’s unemployment and poverty rate, using the scale below. ODOT will use a county-level unit of analysis as a standard unit of measure, but if the project sponsor provides defensible data at a sub-county or census tract level, the TRAC will consider that level of geographic analysis for scoring, at its discretion.

<i>Economic Distress Scoring</i>			
<b>County’s 5-year average unemployment rate in relation to state average</b>	<b>Points</b>	<b>County’s 5-year average poverty rate in relation to state average</b>	<b>Points</b>
1 – 10% greater	0.5	1 – 10% greater	0.5
10.1 – 20% greater	1	10.1 – 20% greater	1
20.1 – 25% greater	1.5	20.1 – 25% greater	1.5
25.1 – 30% greater	2	25.1 – 30% greater	2
Greater than 30.1%	2.5	Greater than 30.1%	2.5



## Project Sponsor Investment Factors

Over the past several years, a convergence of events has brought transportation finance to the forefront of the critical issues facing the transportation community, including the TRAC. Federal, state, and local transportation programs are all experiencing similar issues with revenue shortfalls and construction cost inflation. Given this environment, the TRAC finds it imperative to maximize all sources of revenue to make critical transportation investments.

Simplistically, there are four sources of transportation project funding: federal, state, local and private. The TRAC seeks to both maximize these revenue sources in financing projects, and where appropriate, to capture to value of transportation projects in order to provide a stream of revenue for their finance and construction. TRAC financing policies will be in concert with existing and emerging financing tools for state and local transportation investment, and local project sponsors will be able to use any new financing tools that are available.

It is TRAC policy to encourage local and private entities to leverage the state's transportation capital by contributing additional funds for projects. This policy allows Ohio to increase its infrastructure investment, give local project proponents additional means to complete projects which otherwise would not be possible, and encourages those who benefit most from projects to participate in their construction. The TRAC will maximize public investment by assigning points to projects based on the amount of private funding, local public funding, or project-related revenue (e.g., tolls) dedicated to the project by its sponsor.

A variety of local funding will be considered as eligible to demonstrate local investment, including federal-aid highway funds sub-allocated to MPOs and County Engineers, and state grants such as from the Ohio Department of Development or the Ohio Public Works Commission.

The scoring for a project sponsor's investment is presented in the accompanying table. Maximum scoring is 20 points.

<b>Maximizing Public Investment</b>	
<b>Local investment as percent of total project cost</b>	
0 – 14%	0
15 – 19%	5
20 – 24%	10
25 – 29%	15
30% +	20



---

## Additional Funding Policies

---

### Dollar Threshold for TRAC Review of Major New Capacity Projects

As stated above, the TRAC defines Major New Capacity projects as those projects greater than \$12 million which increase the capacity of a transportation facility or reduce congestion. All projects that cost ODOT greater than \$12 million and add capacity to a transportation facility must come before the TRAC. Although \$12 million is the threshold for the definition of a major new capacity project, the project sponsor may request, or the TRAC may choose to fund, less than \$12 million of the total project cost. For example, the TRAC recently contributed \$1.9 million to a transit project which cost a total of \$17.9 million.

Reconfigurations of existing interchanges due to congestion are not subject to TRAC review. Further discussion of interchange projects is provided below.

---

### Level of Participation

As a responsible steward of taxpayer dollars, the TRAC encourages the project sponsor to quantify the problem and develop transportation strategies to address the needs. With an emphasis on efficiency, safety, and cost, the TRAC is doing its part to identify fiscally responsible solutions while encouraging local and private-sector investments.

The intent of the TRAC is to establish priority transportation needs with baseline funding for project development and construction. If the project sponsor wants to consider alternate transportation betterments with project costs exceeding the Department's base commitment, then the local will have to provide the additional funds, obtaining them from other sources to ensure the proposed project is adequately funded.

The TRAC may or may not require the interchange proponent to pay for the entire cost of improvements to the general purpose highway lanes affected by the project. However, at least 50 percent of the cost of the interchange itself must be provided by non-TRAC controlled funds. When general purpose lanes are required to offset the impact of the interchange upon the level of service, the TRAC will negotiate the contribution required.

When new interchanges, or interchange modifications, serve primarily new retail development, 90 percent of the cost of the interchange shall be required from non-TRAC controlled funds. If the interchange is for a predominantly tourism-oriented development, the amount of the contribution will be commensurate with the amount of economic activity generated and by the length of the tourism season involved. Because tourism can be seasonal, the traffic impacts are as well. If the tourist season is short-lived and the economic impacts are not year-round, ODOT will expect the local interchange beneficiaries to contribute a higher percentage of the cost.

This policy does not apply to intersections that are upgraded to interchanges because of safety or capacity justification. Such projects are not intended to create new access for economic development, and generally they restrict access by making a site fully limited access. High-volume intersections or high-accident intersections often warrant expansion to interchanges as the only means to reduce the accidents or alleviate the congestion.

The 50 percent local match also does not apply if an existing interchange is being expanded to accommodate congestion. However, local participation will be strongly encouraged and often may be



the only way the project will score highly enough to be funded by the TRAC. Many interchanges were built years ago. Increased traffic volumes have made the ramps and merge lanes highly congested, which can lead to increased accidents. Every instance of ramp improvement or interchange improvement does not necessarily require a 50 percent minimum local match. However, the 50 percent minimum local match is required when new interchanges, or interchange expansions, are requested for economic development or for access to new land to be used for economic expansion.

An interchange justification study must be completed by the project sponsor before the TRAC will approve any new interchange or interchange modification for Tier I construction.

---

### **Consideration of Congressional Earmarks**

Federal-aid highway funds obtained through project-specific congressional designation (commonly known as “earmarks”), will not be considered part of the local investment in the project. Such appropriations are in essence a contribution of the limited transportation funds available to the TRAC, and do not fulfill the spirit of increasing local or private project investment, which is the intent of the TRAC. The exception to this principle is if the earmark – for example, some Federal Transit Administration earmarks – represents additional funding to the state of Ohio, rather than a reduction in the amount of funds appropriated to the state.

---

### **Projects Not Located on the State Highway System**

For projects not located on the State Highway System, and not statutorily the responsibility of ODOT, the project sponsor will be required to fund the project development and a minimum of 20 percent of the construction cost.

---

### **Incidental Transfer of State Highway System Mileage to Local Jurisdictions**

When the addition, relocation, or realignment of a portion of the State Highway System (State or U.S. Route) occurs, jurisdiction over the existing section of roadway shall be transferred to the appropriate local authorities (County, Township, Municipality) through the abandonment process set forth in the Ohio Revised Code and in accordance with ODOT’s Policy on Changes to the State Highway System (Policy No. 20-005(P)) and Standard Procedure for Preparation and Distribution of Director’s Journal Entries (Standard Procedure No. 321-001(SP)). As part of the application process, the TRAC shall require the local government(s) to submit a letter of acknowledgement stating that it recognizes that existing section(s) of state highway will revert to their jurisdiction once the new bypass or realigned state highway is constructed, and that the local government will accept jurisdiction of these existing section(s).

The TRAC recognizes that it is within the sole discretion of the Director to determine whether suitable repairs should be made to existing sections of the State Highway System prior to their final abandonment to a local governmental agency. If ODOT determines that repairs are warranted, a scope of work, a schedule for such work and a budget for any repairs shall be submitted jointly by ODOT and the local government to the TRAC, for TRAC review, prior to expenditure of funds on the roadway to be abandoned.

It should be noted that ODOT has no legal duty under Ohio law to make any repairs to the existing highway prior to its abandonment. It is ODOT’s intention to abandon existing highways in an



acceptable condition, however, ODOT reserves the right to abandon a highway in “as is” condition per Section 5511.01 of the Ohio Revised Code. Once abandonment has occurred and jurisdiction has been transferred, ODOT’s responsibility for any future maintenance of the existing roadway shall terminate.

---

## Using Major New Capacity Funding for Intelligent Transportation System Projects

Intelligent Transportation Systems (ITS) are defined as computer hardware, software, electronic data collection/dissemination systems, and traffic control devices designed to improve the operation of an individual roadway, or the multi-modal operation of a regional transportation system.

The policy of the TRAC is to use ODOT’s Major New Capacity funding to improve the federal and state transportation network. In keeping with this policy, only ITS projects on the state and federal system are eligible for Major New Capacity program funding. While local and county road systems are important to mobility and economic development, other funding sources exist (and indeed have historically been used) to fund ITS projects on such roadways.

In terms of priority, Major New Capacity program investments in ITS will be focused on the following functional classifications of roadways:

- Urban Interstates
- Other urban freeways/expressways (i.e., “interstate look-alikes”)
- Rural Interstates
- Other rural freeways/expressways (i.e., “interstate look-alikes”).

Major New program funding is limited to the capital cost of ITS projects, defined to include field devices, hardware and software, telecommunications, preliminary engineering, design, and systems integration costs associated with the start-up of such systems. Annual operating and maintenance costs of ITS are ineligible for funding from the Major New Capacity program.

TRAC will consider only ITS projects that are sponsored, planned and designed by ODOT. This does not imply that local public agencies cannot be partners in an ITS project, co-sponsors in its operation, and/or co-sponsors of its capital and operating cost. Indeed, such cooperation is encouraged in the development and operation of the eventual system. However, the TRAC is very concerned with the effective management of these systems, and finds that a leadership role by ODOT is of paramount importance to successful ITS projects. Therefore, all TRAC applications for ITS projects should be submitted by the ODOT district deputy director. Ranking of ITS applications will follow the Major New project selection criteria to the extent possible.



---

## Protocols and Procedures

---

### Duties and Mission of the TRAC

The powers, duties and responsibilities of the Transportation Review Advisory Council (TRAC) are delineated in Ohio Revised Code 5512.02 to 5512.09. To summarize the duties of the TRAC:

- Prioritize Major New Capacity projects for the Ohio Department of Transportation.
- Publish a selection process explaining how it prioritized the Major New Capacity construction projects.
- Keep the Major New Capacity Program in reasonable fiscal balance.

As cited in the state statute, the TRAC's duties are limited to ODOT's Major New Capacity Program. The TRAC is not involved in the day-to-day operations of ODOT, nor is it involved in other areas such as the selection of projects to repair deficient bridges or pavements. The TRAC's role is limited to the Major New Capacity Program.

---

### Nominating and Ranking Projects

The TRAC's process of prioritizing projects begins with the nomination of a project. The TRAC does not initiate projects. It reviews and ranks projects submitted to it.

Projects may be nominated by:

- The Ohio Department of Transportation
- The Ohio Rail Development Commission
- Metropolitan planning organizations
- County engineers
- Transit authorities
- County commissions
- Municipalities
- Port authorities
- Other public infrastructure development authorities authorized by the Ohio Revised Code.

The TRAC discourages members of the general public from nominating projects. The TRAC encourages members of the general public who desire a project to secure a local governmental entity as the sponsor. The TRAC desires to construct projects that are compatible with local planning priorities. If a project is proposed by individuals, it will have to be referred to the local planning officials to ensure its compatibility with local plans. Therefore, it would be preferable for local project advocates to consult with their local officials before approaching the TRAC.

---

### Conformance with Local Transportation Plans

The TRAC's project selection criteria reflects the goals of ODOT and takes into consideration regional and local priorities by strongly encouraging metropolitan planning organizations (MPOs) to submit priority project lists. In addition, no project application will be accepted unless approved or reviewed and commented on by the appropriate MPO, or ODOT district in non-MPO areas.

---

### Nominating Forms

To nominate a project, an entity must submit a project application signed by the sponsoring agency and the appropriate ODOT deputy director, signifying his or her awareness of the project. In addition,



the application form must be signed by the appropriate MPO, if applicable, signifying that it had been approved or reviewed and commented on.

The project sponsor must submit a resolution from its governing body authorizing the submission of the application to the TRAC. Since one of the guiding principles of the TRAC is to foster an open process that benefits Ohio's overall transportation system, the TRAC strongly urges that project sponsors notify in writing all local governments that might reasonably be believed to be affected by construction of the project. The notification can be made about the time of the TRAC application's submission.

The intent of the application form is to provide the TRAC with an understanding of the project and enough information to rank it. In addition, the TRAC wants to ensure the following screening questions have been answered:

- Is there a local consensus that the project truly is a priority?
- How does the project's priority compare to other locally requested projects?
- Has a transportation problem been clearly identified and does the project solve the identified problem?
- Have lower cost alternatives been considered?
- What is the economic development potential of the project?

---

## Timing of Nominations

Typically, the TRAC will operate on an annual cycle. Sponsors nominating projects mid-cycle probably will wait until a new statewide projects list is published before receiving an official response to their nomination. Nominations normally will occur by May and a draft list of projects will be published approximately in December. A final project list usually will be adopted by June 30.

Although, in an effort to advance Major New projects that are crucial economic drivers, have statewide or regional significance and have committed public and private sector partners, sponsors may submit an application any time during the year that meet the following criteria:

- The project has statewide or regional economic development and job creation opportunities and needs prompt TRAC action.
- The project needs TRAC approval to secure funding for competitive federal grants and to meet the time requirements of this funding source.
- The project is in more advanced stages of project development and can be ready for construction award within a year after TRAC approval. In addition, the project has a large percentage of local investment and is seeking a small amount of TRAC dollars or no TRAC dollars to construct the project.

---

## Annual Cycle

The typical annual cycle will be as follows:

**May** - MPOs, ODOT districts and other responsible parties submit project nomination requests to the TRAC.

**August through October** - TRAC holds up to six public hearings and other working meetings to review nominated projects.



**October to December** - ODOT and MPOs begin process to update the biennial Statewide Transportation Improvement Program (STIP).

**December** - Draft Major New Construction Program released for public comment.

**January through March** - MPOs and ODOT districts hold public meetings on projects under their jurisdiction to be included in the upcoming State Transportation Improvement Program.

**April 1** - The draft STIP is to be published for public comment.

**July** - Updated, four year Major New Capacity program published by TRAC to coincide with State Transportation Improvement Program. The STIP will include all categories of projects, with the Major New Capacity program as one component.

These annual dates are tentative. Because of the large number of federal approvals necessary for adoption of the STIP, the final adoption can occur as late as October. However, these dates represent the desired annual cycle.

---

## Scores

ODOT will conduct the technical analyses of projects to provide the TRAC with recommended scores. The staff will review the various transportation components of a project to award a draft score. As part of the hearing and public comment process, any interested party can comment on the sufficiency and accuracy of ODOT's draft scores. ODOT staff will meet with interested parties and review data provided by them. Staff will consider whether attributes such as traffic volumes, levels of congestion and accident rates need to be revised based on the information presented by interested parties.

The ODOT staff will make recommendations to the TRAC as to the score of each project. If a score is disputed by the project advocate, ODOT staff shall inform TRAC members that a score has been appealed. The TRAC will make final decisions on what project scores should be.

---

## Selection of Projects

It should be emphasized that the TRAC process does not require that a selected project have a numeric ranking nor that the TRAC must fund projects in order of their ranking. The ranking is a means to help the TRAC generally prioritize and rank projects in order of their transportation and community/economic development benefits.

Periodically, unique projects will be nominated to the TRAC – such as transit stations or intelligent transportation systems – which may not lend themselves to the analysis and ranking criteria that is used for other transportation projects. ODOT does not have a formal ranking process to cover non-traditional projects, so the TRAC will evaluate such projects based on factors such as cost; consistency with local transportation plans; the stated preference of local officials for the project in comparison with other local requests; the effect of the project on the movement of goods and people; the extent to which the project advances other transportation goals; the estimated volume of usage and comparison of that usage to other transportation projects' ability to transport goods and people.

It is explicit TRAC policy that projects can be selected regardless of their score, ranking, cost, or functional class. The reason is that no ranking system can completely measure all project attributes. If other factors arise that the TRAC finds important to a project, the TRAC can select the project for funding.

---

## TRAC Options for Selection of Projects

The TRAC has several options after it reviews a project. It may:

- Agree to fund a project for construction during the following four-year period.
- Agree to share funding of a project with another entity.



- Agree to fund some phase of project development, such as preliminary engineering, design or right of way acquisition to prepare it for construction funding in a later year.
- Ask the staff to provide a more in-depth feasibility analysis to clarify the potential cost and benefits of a project if few project details are certain.
- Ask the project sponsor to scale back the project and re-submit the project in a lesser form.
- Reject the request for funding.

DRAFT



---

## TRAC Decision-Making Process

---

### Arranging Projects in Tiers

After reviewing all project requests for a given year, the ODOT staff will present a draft, updated Major New Construction program to the TRAC. The program will be divided into four categories: Tier I, Tier II, Tier III and Tier IV.

The following definitions and policies will apply to the tiers:

**Tier I** - The group of projects recommended for construction during the upcoming four-year construction period. Tier I projects will exceed the funding available for new construction by no more than 25 percent over the four-year period. The 25 percent figure will provide a reserve of projects so that more projects can be ready for construction if funding exceeds projections or if scheduled projects are delayed. If the TRAC decides to over program by more than 25 percent, this higher percentage must be approved by a two-thirds majority vote. However, the TRAC cannot exceed 35% over programing.

**Tier II** - The group of projects funded for additional environmental, design or right of way development activities necessary before the projects would be available for construction. Projects will reside in Tier II until an environmental document is completed. The dollar volume of projects under development in Tier II should not exceed 50 percent of the likely funding level for an eight-year period.

**Tier III** - The group of projects with previous phases funded for environmental, design, right of way or construction but are not currently under development.

**Tier IV** - The group of projects that have requested funding during the current TRAC application cycle and are not recommended to receive funds. Tier IV will only be present on draft TRAC lists and will not appear on the final TRAC list.

While Tier I projects are the projects selected for construction in the next four-year period, Tier II comprises the projects under development for the period beyond the current four-year planning horizon. In other words, projects in Tier II are projects under development without committed construction funding.

Tier II projects also comprise a pool of ready projects that could be accelerated should additional funding become available during the four-year period. The dollar volume of projects under development in Tier II should not exceed 50 percent of the likely funding level for an eight-year period.

Included in Tier II could be projects that are under review for feasibility but are not undergoing full-scale environmental studies or actual design. Because some project requests are only generally described and lack environmental or engineering details, some low-cost feasibility analysis may be necessary before a project can be adequately ranked. The TRAC does not fund feasibility studies. Projects undergoing such a feasibility study would be placed in Tier II. Subsequent analysis, however, could result in a decision not to fund the project.

By placing a project in Tier II, the TRAC is not obligated to fund that project sometime in the future. Most Tier II projects are expected to eventually be constructed but it is possible that each year new, higher priority projects will be proposed. These projects could lead to the halting of work on other Tier



II projects. In other words, Tier II projects are under active development but they are not guaranteed construction funding in later years. They merely are the most promising of the many projects which are not presently funded for construction.

Tier III projects accommodate large transportation improvements with multiple project phases which may have projects on both Tier I and II. In order to facilitate accurate calculations for Tier II over programming, Tier III will be used to accommodate projects that are not active but do have active phases on Tiers I or II.

Tier IV projects are for projects not being approved. The fourth tier will only appear on the draft TRAC list, and not the final TRAC list. Once a project appears on Tier IV, it will not appear on a draft TRAC list again unless a new funding application is submitted.

---

## The Role of Environmental Analysis

The TRAC does not directly rate projects based upon their environmental impact. However, the environmental impact has a significant influence on whether a project is constructed and in what form the project is constructed.

The first environmental screening comes at the local planning stage. MPO adopts a long-range plan. The TRAC can fund only projects which are included in the long range plan. If a region does not want projects in environmentally sensitive areas, it can exclude such projects from its plans. Neighborhoods, parklands, agricultural areas, historic districts, well fields and other such resources can be protected if the MPO keeps out of its plan projects any which would impact those areas.

Separate from the TRAC and the MPO planning process is the long-standing federal environmental process commonly referred to as the NEPA process, for the National Environmental Policy Act process. This federal process involves evaluating each proposed project individually for its impact on the natural and human environment. This analysis occurs prior to the design of the project. This stage would normally be a Tier II activity. The TRAC will make a specific and explicit decision whether to invest the funds necessary into a Tier II project to complete the expensive and time-consuming environmental process. As a result of the environmental process, three outcomes are possible:

- The project could be built as envisioned.
- The project could be altered to avoid environmental impact.
- The impacts could be determined to be so great that the “No Build” option is selected.

The decision not to build a project because of its environmental impact is always an alternative in the environmental process.

Project sponsors should realize that placement in Tier II and the commencing of environmental studies does not guarantee a project will be built. At the end of the environmental phase, the TRAC will have to reconsider each project to determine if its costs and its benefits have been altered as a result of the environmental process. It is possible for a project’s cost to rise significantly during the environmental process as alignments are changed to avoid impacts.



---

## Project Cost Increases

As projects progress through the development process, it is not unusual for the cost estimate of a project to increase. Often, an accurate cost estimate cannot be determined until well into the final design. Because the TRAC is dealing with a four year program of projects, it is necessary to select projects for construction prior to the completion of the design stage. To ensure that all projects are treated fairly during the selection process, the TRAC adopts the following guidelines:

- Cost increases less than 10 Percent: ODOT may approve project cost increases up to 10 percent if the costs are justified. The Major New Capacity program manager will work with the ODOT district and local public agency (LPA) sponsor to review the reasons for the cost increase.
- Cost increases between 10 and 20 percent: The ODOT Major New program manager and the TRAC staff will review the justification for the cost increase with the project sponsor. Depending on the cause, the program manager and TRAC staff can approve the increase or refer it to the TRAC for consideration.
- Cost increases over 20 Percent: The project sponsor must request a supplemental increase from the TRAC.
- Cost increases in excess of \$5 Million: All cost increases greater than \$5 million, regardless of the percentage cost increase, will be referred to the TRAC for consideration. If a project is under construction and necessitates immediate attention, the ODOT Director may approve additional funding for the project. The TRAC will be notified by the Director of such action.



---

## TRAC Rules of Order

---

### Rules of Order

All open meetings of the TRAC shall be conducted under Roberts Rules of Order, Newly Revised.

### Officers

The officers of the TRAC shall be a Chairman and a Vice Chairman. The officers shall perform the duties described in the TRAC Rules of Order. The Director of ODOT shall serve as TRAC Chairman. The Vice Chairman shall be elected annually to serve a term of one year and until a successor is elected. The Vice Chairman shall preside at all meetings of the TRAC when and while the Chairman is absent.

The Chairman shall appoint an ODOT staff member to act as secretary to the TRAC. The Secretary shall attend all meetings of the TRAC and keep accurate records of the proceedings. In the absence of the Secretary, a Secretary pro tempore shall be appointed by the Chairman.

### Number of Meetings

By law, the TRAC is to hold up to six public hearings annually.

### Notice of Meetings

Notice of meetings shall be provided as specified in Section 5512-1-01 of the Administrative Code. A public hearing held pursuant to Section 5512.05 of the Revised Code is a regular meeting of the TRAC, and notice shall be given as required for a regular meeting. The TRAC may schedule a working session or any other meeting as a special or emergency meeting, and appropriate public notice shall be provided. Meetings may be called by the chairman, vice chairman or a majority of the TRAC members.

ODOT Central Office and district staff may assist any interested party in preparing presentations to the TRAC if the interested party requests assistance.

### Vote Notice

No vote on a policy or project can occur unless all TRAC members have been given 14 day notice that the vote is to occur. To waive the 14-day rule, at least two-thirds of the members in attendance must vote to waive the 14-day notice.

ODOT staff will make every reasonable effort to schedule all TRAC meetings 30 days in advance so that all TRAC members can attend. It shall be ODOT's goal to schedule all working meetings and all hearings so that all TRAC members may attend.

### Proxies

The TRAC members may not send representatives to the meetings in their place and members may not vote by proxy.



---

## Quorums

A quorum shall consist of a majority of the TRAC members. Quorums must be present for the following actions:

- A change of any TRAC policy.
- A decision regarding the disposition of any project.
- The adoption of any draft or final Major New Capacity program.

---

## Votes

Actions of the TRAC require a formal, recorded vote of the TRAC members. Five affirmative votes are needed to approve:

- A change of any TRAC policy.
- A decision regarding the disposition of any project.
- Adoption of any draft or final Major New Capacity Program.

All other votes require an affirmative vote of a majority of the quorum present.

---

## Minutes

All open meetings of the TRAC shall be audio or audio/video recorded. The Secretary shall maintain and secure all minutes, recordings, correspondence, records, documents and files of the TRAC. The written minutes shall specify the date, time and place of the meeting, which members were in attendance, and a copy of the agenda. The minutes shall also contain a written summary of all motions and votes. The summary shall include the date, time, issue, and the number of yeas, nays and abstentions. Upon approval of the TRAC, the minutes shall be signed by the secretary.

Any person may receive a copy of the written minutes and recording, upon request and the payment of the actual cost of copying.

---

## Project Summaries and Record

A written, official summary of each project considered by the TRAC shall be recorded. The disposition of each project also shall be recorded. The written, secure record of each project shall be kept by the ODOT and shall include at least the following:

- The official project application form.
- The official economic development background and scoring form.
- Any written material presented by project advocates or opponents.
- A formal, written staff recommendation to the TRAC regarding the disposition of the project.
- A formal, written explanation of the TRAC's disposition of that project.

---

## TRAC Review and Comment

When reviewing the draft and final projects list, members will have the right to challenge any project score. Any projects so identified will be pulled from the draft list for discussion and review by the TRAC members. Ultimately, if a consensus is not reached, the Chair will at some point call for a vote on each disputed project and a majority vote of five members will decide the disposition of any individual project.



In deciding on the disposition of a project, the TRAC can consider additional factors beyond a project's score. Issues that can be considered include but are not limited to:

- Timing of the project's development in relationship to other governmental or private sector activities, such as economic or urban development schedules.
- Whether the project has valid attributes which are not captured by the scoring system.
- Emergencies such as natural disasters or catastrophic infrastructure failures.
- Very low or very high costs associated with projects. Inordinately high costs may preclude funding despite a project's score whereas low-cost projects may be funded with a lower score.
- Previously unanticipated delays to a project's readiness which may force a delay regardless of the project's score.

---

## Public Review

Once the TRAC has agreed to the disposition of all projects, the projects will be assigned to a tier and to a stage of development or study. A draft Major New Construction program shall be published and submitted to a public comment period. To the extent possible, ODOT will attempt to coordinate this public comment period with the update of the State Transportation Improvement Program. The details of the public comment process for the State Transportation Improvement Program are available under separate cover. In summary, the STIP process calls for a public comment period for all MPO project lists and for the statewide projects list.

After the public comment period, the TRAC will review the comments received. It may alter or amend the Major New Construction program based upon the comment. Again, the altering or amending of any project must be subjected to a vote of the TRAC. A final, complete, four-year Major New Construction program will be subjected to a final vote by the TRAC before its final adoption.

---

## Report to the Public and General Assembly

At least once every biennium, the TRAC shall publish a summary of its policies, its project list and its decision-making process in developing the project list. In addition, this report will demonstrate how the preservation and maintenance of the existing system is assured, in accord with the department's Fix-it-First policies. This report shall be the official report of the TRAC to the General Assembly as required by the Ohio Revised Code.

