2010 WORKING DRAFT

California Regional Transportation Plan Guidelines

NOVEMBER 23, 2009

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2010 Regional Transportation Plan Guidelines

Adopted by the California Transportation Commission
on _____, 2010

Pursuant to California Government Code Section 14522

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Chapter 1

Introduction

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1.1 Why Conduct Long-Range Transportation Planning?

Transportation planning and land use planning became more closely linked in California following the passage of Senate Bill 375 (Chapter 728, Statutes of 2008) in September 2008. As a result of this legislation, the reduction of greenhouse gases (GHG) has become one of the key priorities in the transportation planning process in addition to improving transportation mobility, addressing federal air quality criteria pollutants and ensuring that the statewide regional transportation system addresses local, regional and statewide mobility and economic needs.

Transportation helps shape an area's economic health and quality of life. Not only does the transportation system provide for the mobility of people and goods, it also influences patterns of growth and economic activity through accessibility to land. Furthermore, the performance of this system affects such public policy concerns as air quality, environmental resource consumption, social equity, smart growth, affordable housing, jobs/housing balance, economic development, safety, and security. Transportation planning recognizes the critical links between transportation and other societal goals. The planning process is more than merely listing highway and transit capital investments; it requires developing strategies for operating, managing, maintaining, and financing the area's transportation system in such a way as to advance the area's long-term goals.

The Regional Transportation Plan (RTP), also called a Metropolitan Transportation Plan (MTP) or Long-Range Transportation Plan is the mechanism used in California by both Metropolitan Planning Organizations (MPOs) and Regional Transportation Planning Agencies (RTPAs) to conduct long-range (minimum of 20 years) planning in their regions.

1.2 Background and Purpose of the RTP Guidelines

The purposes of these Guidelines are to:

1. Promote an integrated, statewide, multimodal, regional transportation planning process and effective transportation investments;

2. Set forth a uniform transportation planning framework throughout California by identifying Federal and State requirements and statutes impacting the development of RTPs;

3. Promote a continuous, comprehensive, and cooperative transportation planning process that facilitates the rapid and efficient development and implementation of projects while maintaining California's commitment to public health and environmental quality; and,

4. Promote a planning process that considers the views of all the stakeholders.

The purpose of RTPs is to encourage and promote the safe and efficient management, operation and development of a regional intermodal transportation system that will serve the mobility needs of goods and people. The RTP Guidelines are intended to provide guidance so that MPOs and RTPAs will develop their RTPs to be consistent with Federal and State transportation planning requirements. This is important because State statues require that

RTPs serve as the foundation of the Federal Transportation Improvement Program (FTIP). The FTIPs are prepared by MPOs and identify the next four years of transportation projects to be funded for construction. The CTC cannot program projects that are not identified in the RTP.

Since the mid-1970s, with the passage of AB 69, (Chapter 1253, Statute of 1972) California State law has required the preparation of RTPs to address transportation issues and assist local and State decision-makers in shaping California's transportation infrastructure.
Pursuant to SB 375, the RTP Guidelines are to be developed pursuant to California Government Code sections 14522 and 65080 which State:

> *14522. In cooperation with the regional transportation planning agencies, the commission may prescribe study areas for analysis and evaluation by such agencies and guidelines for the preparation of the regional transportation plans.*
>
> *14522.1. (a) (1) The commission, in consultation with the department and the State Air Resources Board, shall maintain guidelines for travel demand models used in the development of regional transportation plans by federally designated metropolitan planning organizations.*
> *(2) Any revision of the guidelines shall include the formation of an advisory committee that shall include representatives of the metropolitan planning organizations, the department, organizations knowledgeable in the creation and use of travel demand models, local governments, and organizations concerned with the impacts of transportation investments on communities and the environment. Before amending the guidelines, the commission shall hold two workshops on the guidelines, one in northern California and one in southern California. The workshops shall be incorporated into regular commission meetings.*
> *(b) The guidelines shall, at a minimum and to the extent practicable, taking into account such factors as the size and available resources of the metropolitan planning organization, account for all of the following:*
> *(1) The relationship between land use density and household vehicle ownership and vehicle miles traveled in a way that is consistent with statistical research.*
> *(2) The impact of enhanced transit service levels on household vehicle ownership and vehicle miles traveled.*
> *(3) Changes in travel and land development likely to result from highway or passenger rail expansion.*
> *(4) Mode splitting that allocates trips among automobile, transit, carpool, and bicycle and pedestrian trips. If a travel demand model is unable to forecast bicycle and pedestrian trips, another means may be used to estimate those trips.*
> *(5) Speed and frequency, days, and hours of operation of transit service.*
>
> *65080 (d) Except as otherwise provided in this subdivision, each transportation planning agency shall adopt and submit, every four years, an updated regional transportation plan to the California Transportation Commission and the Department of Transportation. A transportation planning agency located in a federally designated air quality attainment area or that does not contain an urbanized area may at its option adopt and submit a regional transportation plan every five years. When applicable, the plan shall be consistent with federal planning and programming requirements and shall conform to the regional transportation plan guidelines adopted by the California Transportation Commission. Prior to adoption of the regional transportation plan, a*

public hearing shall be held after the giving of notice of the hearing by publication in the affected county or counties pursuant to Section 6061.

The California RTP Guidelines were first adopted by the CTC in 1978 and subsequently revised in 1982, 1987, 1991, 1992, 1994, 1999, and 2007.

The 1999 revision of the Guidelines was prepared to achieve conformance with State and Federal transportation planning legislation and was based on the Federal Transportation Equity Act for the 21st Century (TEA-21) and California Senate Bill 45 (SB 45, Chapter 622 Statutes 1997). A 2003 Supplement was also prepared that was based on a 2003 RTP Evaluation Report completed for the CTC. The latest Federal surface transportation reauthorization bill called the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) was signed into law in 2005. The 2007 revision of the RTP Guidelines was prepared in order to address changes in the planning process resulting from SAFETEA-LU.

Subsequent to the passage of California Assembly Bill (AB) 32 (California Global Warming Solutions Act of 2006), an addendum to the 2007 RTP Guidelines was adopted by the CTC in May 2008 to address a request from the California Legislature to ensure climate change issues were incorporated in the RTP process. That addendum was adopted by the CTC prior to the September 2008 passage of SB 375.

This 2010 update was prepared to incorporate new planning requirements as a result of SB 375 and to incorporate the addendum to the 2007 RTP Guidelines. SB 375 requires the 18 MPOs in the State to identify a forecasted development pattern and transportation network that will meet greenhouse gas emission reduction targets specified by the California Air Resources Board (ARB) through their RTP planning processes. These requirements do not pertain to the 26 rural RTPAs that also prepare RTPs.

While the guidelines include both state and federal requirements, MPOs and RTPAs have the flexibility to be creative in selecting transportation planning options that best fit their regional needs. The guidelines recognize that "one size does not fit all." Solutions and techniques used by a large, urban MPO will be different than those used by a small, rural RTPA. Recommendations and suggestions for providing documentation that is needed to meet the project eligibility requirements of the Federal Transportation Improvement Program (FTIP) and the State Transportation Improvement Program (STIP) are also included.

The 2010 RTP Guidelines continue to use the words "Shall" and "Should", a convention established by the previous RTP Guidelines. Where the RTP Guidelines reflect a state or federal statutory or regulatory requirement, the word "Shall" is used with a statutory or regulatory citation. The word "Should" will be used where the Guidelines reflect a permissive or optional statutory reference such as may or should. Each section ends with federal and state requirements (Shalls), federal and state recommendations (Shoulds), and "Best Practices" discussions where appropriate. Changes to federal statute are implemented by the Code of Federal Regulations (CFRs) that are also known as the "final rules". SAFETEA-LU section 6001, transportation planning is codified in the final rule that was issued for Title 23 CFR Part 450 on February 14, 2007. The majority of citations in these guidelines refer to the implementing regulations i.e. the CFR section.

Because there are a variety of names used for the programming document that is prepared by an MPO, the RTP Guidelines will refer to the programming document that accompanies an RTP as the FTIP. The FTIP is defined as a constrained four-year prioritized list of all transportation

projects that are proposed for *federal, state and local* funding. The FTIP is developed and adopted by the MPO and is updated every two years. It is consistent with the RTP and it is required as a prerequisite for federal funding. In this document the words FTIP and Regional Transportation Improvement Program (RTIP) are used interchangeably. In a similar fashion, the federal terminology for congestion management program is also referred to in this document as a congestion management process or plan.

It should be noted that the CTC is requiring the non-MPO RTPAs to address the federal planning requirements during the development of their RTPs. The justification is that federal planning regulations address metropolitan planning organizations (MPOs) and statewide planning for non-MPO areas of the State. The State of California addresses some of the federal statewide planning regulations through the California Transportation Plan (CTP). The CTP is a policy document prepared by the California Department of Transportation (Caltrans). It is not project specific. The state relies on the non-MPO RTPAs to address some of the federal statewide planning requirements. While the CTP is prepared by Caltrans, it is developed in collaboration with various stakeholders and includes public involvement.

1.3 Metropolitan Planning Organizations and Regional Transportation Planning Agencies in California

In cooperation with the Governor, 18 federally designated Metropolitan Planning Organizations (MPOs) and 26 state statutorily created Regional Transportation Planning Agencies (RTPAs) prepare Regional Transportation Plans in California. MPOs must adhere to federal planning regulations during the preparation of their RTPs. California statutes and the RTP Guidelines identify the RTP requirements for both RTPAs and MPOs. The planning requirements specified in SB 375 pertain only to the state's 18 MPOs.

MPOs are federally designated while the majority of state designated RTPAs (specifically those responsible for preparing RTPs) are described under California Government Code Section 29532 et seq. Federal legislation passed in the early 1970's required the formation of an MPO for any urbanized area with a population greater than 50,000. MPOs were created in order to ensure that existing and future expenditures for transportation projects and programs were based on a continuing, cooperative and comprehensive (3-C) planning process. One of the core functions of an MPO is to develop an RTP through the planning process.

An MPO has five core functions:

1. Maintain a setting for regional decision-making;
2. Prepare an Overall Work Program (OWP);
3. Involve the public in this decision-making;
4. Prepare an RTP; and,
5. Develop a Transportation Improvement Program (FTIP).

MPOs federally required responsibilities are identified in Title 23 U.S.C. Section 134 and Title 23 Code of Federal Regulations (CFR) 450.300. To carry out various transportation planning functions, MPOs receive annual federal metropolitan planning funds from the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA). Twenty-six designated RTPAs receive annual State planning funds called rural planning assistance (RPA) to carry out their respective planning requirements.

The map on the next page identifies the 18 MPOs (in darker shade) and the 26 RTPAs that prepare RTPs (in lighter shade or dot pattern).

1.4 Purpose of the Regional Transportation Plan

RTPs are planning documents developed by MPOs and RTPAs in cooperation with FHWA, FTA, Caltrans and other stakeholders. Following the passage of SB 375, MPOs also need to work closely with the California Air Resources Board (ARB) and the California Department of Housing and Community Development (HCD) (Government Code Section 65080 et seq.). MPOs are required to prepare these long-range plans per federal statute (Title 23 U.S.C. Section 134). The purpose of the RTP is to establish regional goals, identify present and future needs, deficiencies, and constraints, analyze potential solutions, estimate available funding and propose investments.

California statute refers to these documents as "Regional Transportation Plans" or RTPs. In California planning circles, these long range planning documents normally use the term "RTP". However several California MPOs refer to RTPs using the term "Metropolitan Transportation Plan or MTP" which is used in federal planning regulations. "RTP" or "MTP" are terms used to describe the same document.

Pursuant to Title 23 CFR 450.322 et seq. FHWA describes the development and contents of RTPs as follows:

> *"The transportation plan is the Statement of the ways the region plans to invest in the transportation system. The plan shall "include both long-range and short-range program strategies/actions that lead to the development of an integrated intermodal transportation system that facilitates the efficient movement of people and goods." The plan has several elements, for example: Identify policies, strategies, and projects for the future; Determine project demand for transportation services over 20 years; Focus at the systems level, including roadways, transit, non-motorized transportation, and intermodal connections; Articulate regional land use, development, housing, and employment goals and plans; Estimate costs and identify reasonably available financial sources for operation, maintenance, and capital investments); Determine ways to preserve existing roads and facilities and make efficient use of the existing system; be consistent with the Statewide transportation plan; and Be updated every five years or four years in air quality nonattainment and maintenance areas. MPOs should make special efforts to engage interested parties in the development of the plan. In cases where a metropolitan area is designated as a nonattainment or maintenance area, the plan must conform to the SIP for air quality."*

Transportation planning by MPOs/RTPAs is a collaborative process, led by the MPO/RTPA, State and other key stakeholders in the regional transportation system. The process is designed to foster involvement by all interested parties, such as the business community, community groups, environmental organizations, the general public, and local jurisdictions through a proactive public participation process conducted by the MPO/RTPA in coordination with the State and transit operators. It is essential to extend public participation to include people who have been traditionally underserved by the transportation system and services in the region. Neglecting public involvement early in the planning stage can result in delays during the project stage.

While specific federal SAFETEA-LU requirements are addressed in Section 1.6 of these guidelines, the traditional steps undertaken during the regional planning process include:

1. Providing a long-term (20 year) visioning framework;
2. Monitoring existing conditions;
3. Forecasting future population and employment growth;
4. Assessing projected land uses in the region and identifying major growth corridors;
5. Identifying alternatives and needs and analyzing, through detailed planning studies, various transportation improvements;
6. Developing alternative capital and operating strategies for people and goods;
7. Estimating the impact of the transportation system on air quality within the region; and,
8. Developing a financial plan that covers operating costs, maintenance of the system, system preservation costs, and new capital investments.

The overall scope of the RTP (prepared by MPOs) has expanded as a result of SB 375 to require the inclusion of a Sustainable Communities Strategy (SCS):

1. Transportation projects identified in the RTP must be modeled to determine their impacts on regional greenhouse gas (GHG) emissions.
2. The RTP must contain an SCS that includes a forecasted development pattern for the region, which, when integrated with the transportation network, and other transportation measures and policies, will reduce the GHG emissions from automobiles and light trucks to achieve, if feasible, the GHG emission reduction target approved for the region by the California Air Resources Board (ARB). The MPO will need to increase its coordination with cities and counties within the region to work towards strategies that will reduce regional GHG emissions.
3. The MPO must prepare an Alternative Planning Strategy (APS) if the SCS is unable to reduce GHG emissions to achieve the GHG emissions reduction targets established by the ARB. The APS shall be a separate document from the RTP, but it may be adopted concurrently with the RTP.

The RTPs are developed to provide a clear vision of the regional transportation goals, objectives and strategies. This vision must be realistic and within fiscal constraints. In addition to providing a vision, the RTPs have many specific functions, including:

1. Providing an assessment of the current modes of transportation and the potential of new travel options within the region;
2. Projecting/estimating the future needs for travel and goods movement;
3. Identification and documentation of specific actions necessary to address the regions mobility and accessibility needs;
4. Identification of guidance and documentation of public policy decisions by local, regional, State and Federal officials regarding transportation expenditures and financing;
5. Identification of needed transportation improvements, in sufficient detail, to serve as a foundation for the: (a) Development of the Federal Transportation Improvement Program (FTIP), and the State Transportation Improvement Program (STIP), (b) Facilitation of the National Environmental Protection Act (NEPA)/404 integration process and (c) Identification of project purpose and need.
6. Employing performance measures that demonstrate the effectiveness of the transportation improvement projects in meeting the intended goals.

7. Promotion of consistency between the California Transportation Plan, the regional transportation plan and other plans developed by cities, counties, districts, Native American Tribal Governments, and State and Federal agencies in responding to Statewide and interregional transportation issues and needs;
8. Providing a forum for; (1) participation and cooperation and (2) to facilitate partnerships that reconcile transportation issues which transcend regional boundaries; and,
9. Involving community-based organizations as part of the public, Federal, State and local agencies, Native American Tribal Governments, as well as local elected officials, early in the transportation planning process so as to include them in discussions and decisions on the social, economic, air quality and environmental issues related to transportation.

1.5 California Transportation Planning and Programming Process

The State of California and federal transportation agencies allocate millions of dollars of planning funds annually to help support California's transportation planning process. State and Federal planning and programming legislation has been initiated and is periodically revised to provide guidance in the use of these funds to plan, maintain and improve the transportation system.

The planning and programming process is the result of state and federal legislation to ensure that:

1. The process is as open and transparent as possible;

2. Environmental considerations are addressed; and,

3. Funds are allocated in an equitable manner to address transportation needs.

The chart in Appendix A provides a simple diagram of a complex process. Each entity in the chart reflects extensive staff support and legislative direction. The result is the planning and programming process that reflects the legislative and funding support of the California transportation system.

1.6 SAFETEA-LU Items Impacting the Development of RTPs

Public Participation Plan/Outreach – Each MPO shall provide citizens, affected public agencies, representatives of public transportation employees, freight shippers, private transportation providers, representatives of public transportation users, representatives of pedestrian walkways and bicycle transportation facilities users, representatives of the disabled, and other interested parties with a "reasonable opportunity" to comment on the RTP. The public participation plan must be developed prior to updating the RTP and FTIP and shall provide for input from the stakeholders during its preparation. (Title 23 CFR 450.316)

Changes to Federal Planning Factors – The planning factor to "protect and enhance the environment, promote energy conservation and improve quality of life" was expanded to also include "promote consistency between transportation improvements and State and local planned growth and economic development patterns." Equally important, safety and

security were separated into individual planning factors to highlight the importance of each issue. (Title 23 CFR 450.306)

Contents of the Participation Plan Shall Include: Development of the RTP in consultation with all interested parties; Provision that all interested parties have reasonable opportunities to comment on the contents of the RTP; All public meetings are held at a convenient and accessible locations; Employment of visualization techniques to describe the RTP (such as geographic information systems (GIS), maps, graphs, charts and other visual methods of interpreting data and information); and, making the information available to the public in electronic accessible format and means, such as the World Wide Web in order to afford a reasonable opportunity for all parties including the general public to comment on the RTP. A minimum public comment period of 45 days shall be provided before the initial or revised participation is adopted by the MPO. (Title 23 CFR 450.316)

RTP Cycle Updates – An RTP shall be updated every four years, or more frequently, if the MPO elects to do so. In attainment regions, MPOs may elect to update their RTPs every five years. (Title 23 CFR 450.322(c))

Identify Transportation Facilities – An RTP shall include an identification of transportation facilities, including major roadways, multimodal and intermodal, facilities, and intermodal connectors. (Title 23 CFR 450.322(e)(2))

Identify Mitigation Activities – An RTP shall include a discussion of types of potential environmental mitigation activities and potential areas to carry out these activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan. (Title 23 CFR 450.322(f)(7))

Consultation and Coordination – The RTPs environmental mitigation discussions shall be developed in consultation with Federal, State and Tribal land management, wildlife, and regulatory agencies (Title 23 CFR 450.322(f)(7)). Additional consultation, as appropriate, with State and local agencies responsible for land use, natural resources, environmental protection, conservation and historic preservation during development of RTP is required. (Title 23 CFR 450.322(g))

Financial Plan – A Financial Plan shall demonstrate how an adopted RTP can be implemented, indicate resources that can reasonably be expected to be available to carry out the plan, and recommend any additional financing strategies for needed projects and programs. Total dollar amount for projects included in the FTIP must take into account a projected rate of inflation. The MPO, transit operators and State shall cooperatively develop estimates of funds that will be available to support plan implementation. (Title 23 CFR 450.322(i))

Identify Operational and Management Strategies - Operational & Management Strategies shall be included in order to improve the performance of the existing transportation facilities, to relieve vehicular congestion and maximize the safety and mobility of people and goods. (Title 23 CFR Part 450.322(f)(3))

Identify Capital Investment Strategies – Capital investment strategies and other strategies shall be included to preserve the existing and projected future metropolitan transportation infrastructure, and provide for multimodal capacity increases based on regional priorities and needs. (Title 23 CFR Part 450.322(f)(5))

Congestion Management Process – The Congestion Management Process (CMP) should be an integral part of developing RTPs and FTIPs for MPOs that also serve as Transportation Management Areas (TMAs). (Title 23 CFR 450.320(c))

Visualization Techniques and RTP/MTP Publication – An RTP shall include visualization techniques such as GIS-based, graphs, maps, bar charts, pie charts and other visual aids that a public participant understands without great technical detail. The RTP shall be available on a website and for the life of the plan. (23 CFR Part 450.316(a))

Safety Issues – SAFETEA-LU separated "safety" and "security" as planning factors. (Title 23 CFR Part 450.322)

Security Issues – RTPs should include a safety element that incorporates and summarizes the goals, priorities and projects that are contained in the California Strategic Highway Safety Plan as well as emergency relief and disaster preparedness plans that support homeland security and the personal security of the public. (Title 23 CFR Part 450.322(7)(h))

Public Transit/Human Services Transportation Plan – A public transit/human services transportation plan as required by 49 U.S.C. 5310, 5316 and 5317 should be consistent with the metropolitan transportation planning process. (Title 23 CFR 450.306(g))

1.7 Key Additions to the 2010 RTP Guidelines

SB 375 Related

1. Section 2.2 – Outline of Climate Change legislation, including SB 375 and the integration of regional Blueprint Planning efforts with the Sustainable Communities Strategy.
2. Section 2.7 – Outlines the sequencing of RTP adoption, Regional Housing Needs Allocation (RHNA), conformity determination and Sustainable Communities Strategy (SCS) and/or Alternative Planning Strategy (APS) review by ARB.
3. Chapter 3 (Modeling) – The modeling chapter has been revised to provide guidance on addressing SB 375 in RTPs.
4. Sections 4.2, 4.5 and 4.6 (Public Participation) – These sections were expanded to include new SB 375 consultation and public participation requirements as well as a discussion on Interagency Coordination (IAC) during SCS Development.
5. Section 6.15 – Outlines the types of programmed transportation projects that are exempt from SB 375.
6. Section 6.22 – Section added to discuss SB 375 required regional GHG reduction targets specified by the ARB.
7. Sections 6.23 through 6.25 - Outline the state requirements and process for creating a Sustainable Communities Strategy.
8. Appendix G – Contains the statutory language of SB 375
9. Appendix H – Contains information on SB 375 Impacts to the RTP Process
10. Appendix I – Contains information on the statutory requirements for preparing an APS.
11. Appendix J – Provides information on best practices strategies to reduce regional GHG through land use and transportation demand system management strategies.
12. Appendix K – Contains information on SB 375 CEQA provisions.
13. Appendix L – RHNA/Housing Element and RTP Statutory Process Timeline

Other Key Additions to the 2010 RTP Guidelines

1. Section 2.6 - Includes information and recommendations regarding consideration of the planning processes associated with Corridor System Management Plans, Complete Streets, Context Sensitive Solutions and the Smart Mobility Framework.
2. Section 6.12 – Expanded to include a new state requirement to ensure that MPOs/RTPAs located along the coast address the California Coastal Trail in their RTPs.
3. Section 6.27 – Provides guidance and recommendations for how non-MPO rural RTPAs can address GHG emissions in their RTPs without the statutory mandate of SB 375.
4. Section 6.28 – Provides information and guidance regarding addressing climate change adaptation issues in the RTP.

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Chapter 2

Regional Transportation Plan Process

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2.1 State Requirements

California statute relating to the development of the RTPs is primarily contained in Government Code Section 65080. State planning requirements apply to both federally designated MPOs and state designated RTPAs.

Just like changes resulting from the federal SAFETEA-LU legislation, Government Code Section 65080 requires that MPOs located in nonattainment regions update their RTPs at least every four years. State statute requires MPOs located in air quality attainment regions and all RTPAs that prepare RTPs to update their RTPs every five years.

When applicable, RTPs shall be consistent with Federal planning and programming requirements and shall conform to the RTP Guidelines adopted by the California Transportation Commission (CTC) pursuant to Government Code Section 65080 (d). In addition, the CTC cannot program projects in the State Transportation Improvement Program (STIP) that are not identified in an RTP.

Section 65080 states RTPs shall address the following:

1. Policy Element
2. Sustainable Communities Strategy (MPOs only)
3. Action Element
4. Financial Element

SB 375 added additional requirements to an MPO's RTP process; those requirements can be found in the RTP Guidelines sections identified in Section 1.7.

The following California Government Code Sections apply to the development of RTPs:

Government Code Section 65080.3 - An MPO/RTPA with a population exceeding 200,000 persons may prepare at least one "alternative planning scenario" during the development of the RTP. The purpose of the alternative planning scenario is to address attempts to reduce growth in traffic congestion, make more efficient use of existing transportation infrastructure, and reduce the need for costly future public infrastructure.

Government Code Section 65080.5 - Prior to adoption of the RTP, a public hearing shall be held after publishing notice of the hearing. After the RTP is adopted by the MPO/RTPA, the plan shall be submitted to the CTC and Caltrans. One copy should be sent to the CTC. Two copies should be submitted to the appropriate Caltrans district office. The Caltrans district office will send one copy to the headquarters Division of Transportation Planning.

Government Code Section 65080.1 – Each MPO or RTPA whose jurisdiction includes a portion of the California Coastal Trail, or property designated for the trail shall coordinate with the State Coastal Conservancy, the California Coastal Commission and Caltrans regarding the development of the trail. The trail must be identified in the RTP.

Government Code Section 65081.1 - Regions that contain a primary air carrier airport (defined by the Federal Aviation Administration as an airport having at least 10,000 annual scheduled passenger boardings) shall work collaboratively to include an airport ground access improvement program within the RTP. This program shall address airport access improvement

projects, including major arterial and highway widening and extension projects, with special consideration given to mass transit.

Requirements (Shalls)
Federal: None
State: Government Code Sections 65080, 65080.1, 65081.1

Recommendations (Shoulds)
Federal: None
State: None

Best Practices: None

2.2 Background on Regional Blueprint Planning and Climate Change Legislation

The political leadership in California has been quite active in addressing climate change issues. Greenhouse gases (GHG) have been identified as specific air pollutants that are responsible for global warming and climate change. California has focused on six GHGs (Carbon Dioxide, Methane, Nitrous Oxide, Hydro fluorocarbons, perfluorocarbons, and Sulfur Hexafluoride). Carbon Dioxide (CO2) is the most prevalent GHG. All other GHGs are referenced in terms of a CO2 equivalent. As of 2009, the transportation sector represents 37% of CO2 emissions in California.

Regional Blueprint Planning Program

The Regional Blueprint Planning Program provides assistance for MPOs and rural RTPAs to engage in public outreach to select community preferred growth scenarios for the future. Through Regional Blueprints, MPOs and RTPAs attempt to balance transportation planning with land use planning, housing needs, resource protection and other planning issues in order to achieve more sustainable regional growth patterns and improve the quality of life for Californians. The program has been underway by many MPOs and RTPAs for several years with financial support from Caltrans.

The blueprint scenarios developed by the MPOs could greatly assist in completing a sustainable communities strategy and, if needed, an alternative planning strategy. In general, blueprints are broader documents than the SB 375 created sustainable communities strategy, insofar as they analyze regional growth and development from a broader set of perspectives than greenhouse gas reduction. MPOs may find ways to blend the blueprint planning that has been done in the past as a means of developing a sustainable communities strategy. If MPOs elect to not continue a regional blueprint program, it is recommended they do continue a balanced approach to regional planning to consider transportation, land use and a wide range of environmental issues such as public health and open space issues.

AB 32 – The California Global Warming Solutions Act of 2006

As a result of AB 32, California statute specifies that by the year 2020, GHG emissions within the state must be at 1990 levels. The California Air Resources Board is the primary state agency responsible for implementing the necessary regulatory and market mechanisms to achieve reductions in GHG emissions to comply with the requirements of AB 32.

AB 32 directed the California Air Resources Board to begin developing actions to reduce greenhouse gases, including the preparation of a scoping plan to identify how best to reach the 2020 goal.

SB 375

SB 375 was signed into law in September 2008. The bill addressed four primary areas:

1. Requires the ARB to develop regional GHG emission reduction targets for cars and light trucks for each of the 18 MPOs in California.
2. Through their respective planning processes, each of the MPOs during the next update of their RTPs are required to prepare a sustainable communities strategy (SCS) that will specify how the GHG emission reduction target set by ARB will be achieved for the region. If the target cannot be met through the SCS, then an alternative planning strategy (APS) shall be prepared.
3. Provides streamlining of California Environmental Quality Act (CEQA) requirements for specific residential and mixed-use developments that are consistent with the SCS or APS.
4. Synchronizes the regional housing needs assessment (RHNA) process with the RTP process; requires local governments to rezone their general plans, consistent with the updated housing element within three years of adoption, and provides that RHNA allocations must be consistent with the development pattern in the SCS. Moves RHNA to an eight-year cycle from five-year cycle.

Executive Orders on Climate Change Issues

Governor Schwarzenegger issued three Executive Orders to address climate change: S-3-05 (June 1, 2005) that calls for a coordinated approach to address the detrimental air quality effects of GHGs; S-20-06 (October 18, 2006) that requires State agencies to continue their cooperation to reduce GHG emissions and to have the Climate Action Team develop a plan to outline a number of actions to reduce GHG, and S-13-08 that directs the Natural Resources Agency to develop the State's first Climate Adaptation Strategy (CAS) guide. Information on climate change and California climate change activities can be found at the following links:

http://www.climatechange.ca.gov/

http://www.arb.ca.gov/cc/facts/facts.htm

2.3 Federal Requirements

Federal requirements for the development of RTPs are directed at the federally designated MPOs. The primary federal requirements regarding RTPs are addressed in the metropolitan transportation planning rules – Title 23 CFR Part 450 and Title 49 CFR Part 613. These federal regulations incorporating both SAFETEA-LU and TEA-21 changes were updated by FHWA and FTA and published in the February 14, 2007 Federal Register. The final guidance is commonly referred to as the Final Rule.

In the Final Rule, the metropolitan transportation planning process provides for consideration of the following federal planning factors:

1. Economic vitality and global competitiveness, productivity and efficiency;
2. Safety of the transportation system;
3. Security of the transportation system;
4. Accessibility and mobility of people and freight;
5. Protection of the environment, energy conservation, quality of life, and consistency between (regional) transportation improvements and local as well as State planned growth;
6. Integration and connectivity of the transportation system across modes for both people and freight;
7. Efficient transportation management and operations; and,
8. Preservation of the transportation system.

Federal Clean Air Act conformity requirements pursuant to the Amendments of 1990, apply in all MPO/RTPA nonattainment areas. Section 176(c) of the Clean Air Act (CAA), as amended (42 U.S.C. 7401 *et seq.*), and the related requirements of 23 U.S.C. 109(j), "transportation conformity" requirement ensures that Federal funding and approval are given to transportation plans, programs and projects that are consistent with the air quality goals established by a State Implementation Plan (SIP). For MPO nonattainment regions, the MPO, FHWA, and FTA are responsible for making the RTP conformity determination. Under the U.S. DOT Metropolitan Planning Regulations and EPA's Transportation Conformity Rule requirements, the RTP needs to meet four tests: 1.) Regional emissions analysis, 2.) Timely implementation of Transportation Control Measures, 3.) Financial constraints analysis, and 4.) Interagency consultation and public involvement analysis. The transportation conformity rule (40 CFR Part 93) sets forth the policy, criteria, and procedures for demonstrating and assuring conformity of transportation activities.

Title VI ensures that all people have equal access to the transportation planning process. It is important that MPOs/RTPAs comply with this federal civil rights requirement during the RTP development process. Title VI states that: all people regardless of their race, sexual orientation or income level, will be included in the decision-making process.

Requirements (Shalls)
Federal: Title 23 CFR part 450 and Title 40 CFR Part 93
State: None

Recommendations (Shoulds)
Federal: None
State: None

Best Practices: None

2.4 Relationship Between the RTP, OWP and FTIP

The three key planning documents produced by the MPOs and RTPAs are:

1. Regional Transportation Plan – Looks out over a 20 plus-year period providing a vision for future demand and transportation investment within the region.

2. Overall Work Program – The OWP lists the transportation planning studies and tasks to be performed by the MPO, RTPA or member agency during that fiscal year. Note: the

OWP is also referred to as a Unified Planning Work Program (UPWP) in Federal regulations.

(MPOs Only):

3. Federal Transportation Improvement Program – The FTIP is a financially constrained four-year program listing all federally funded and regionally significant projects in the region.

Key Planning Documents Produced by MPOs/RTPAs

	Time/Horizon	***Contents***	***Update Requirements***
RTP	*20+ Years*	*Future Goals, Strategies & Projects*	*Nonattainment MPOs – Every 4 Years* *Attainment MPOs – Every 5 Years* *RTPAs – Every 5 Years*
OWP	*1 Year*	*Planning Studies and Tasks*	*Annually*
FTIP (MPOs Only)	*4 Years*	*Transportation Projects*	*Every 2 Years*

2.5 Consistency with Other Planning Documents

It is very important that the RTP be consistent, as appropriate, with other plans prepared by local, State, Federal agencies and Native American Tribal Governments. This consistency will ensure that no conflicts would impact future transportation projects. While preparing an updated RTP, MPOs/RTPAs should, as appropriate, incorporate or consult such local/regionally prepared documents as:

1. General Plans (especially the Circulation and Housing Elements);
2. Airport Land Use Compatibility Plans;
3. Air quality State Implementation Plans (SIPs);
4. Short- and Long-Range Transit Plans;
5. Habitat Conservation Plans; and,
6. Urban Water Management Plans.
7. California Transportation Plan

MPOs/RTPAs also should consult State prepared transportation planning documents such as:

1. California Transportation Plan;
2. California Rail Plan;
3. Interregional Transportation Strategic Plan;
4. Transportation Concept Reports;
5. California Aviation System Plan;
6. Goods Movement Action Plan;
7. Strategic Highway Safety Plan;
8. California Strategic Highway Safety Plan, and
9. Corridor System Management Plans.

Federal regulations as a result of SAFETEA-LU, require MPOs to consult with resource agencies during the development of the RTP. This consultation should include the development of regional mitigation and identification of key documents prepared by those resource agencies that may impact future transportation plans or projects. MPO staff should make a concerted effort to ensure any actions in the RTP do not conflict with conservation strategies and goals of the resource agencies.

2.6 Coordination with Other Planning Processes

RTPs are prepared within the context of many other planning processes conducted by federal, state, regional and local agencies. This section provides background information and recommendations for how MPOs and RTPAs can integrate the planning processes associated with Complete Streets, Context Sensitive Solutions and the Smart Mobility Framework into development of the RTP.

Complete Streets

A "Complete Street" is a transportation facility that is planned, designed, operated and maintained to provide safe mobility for all users, including bicyclists, pedestrians, transit riders, and motorists appropriate to the function and context of the facility.

The California Complete Streets Act of 2008 (AB 1358) ensures that the transportation plans of California cities and counties meet the needs of all users, including pedestrians, transit, bicyclists, the elderly, motorists, and the disabled. AB 1358 requires cities and counties to identify how the jurisdiction will provide accommodation of all users of roadways during the revision of the circulation element of their general plan. The bill directs the Governor's Office of Planning and Research to amend guidelines for the development of the circulation element to accommodate all users.

Planning for Complete Streets will enable local governments to provide healthier lives by encouraging physical activity. Complete streets encourage physical activity. Public health studies have demonstrated that people are more likely to walk in their neighborhood if it has sidewalks. Also, studies have found that people with safe walking environments within a 10 minute walking radius are more likely to meet recommended physical activity levels. The integration of sidewalks, bike lanes, transit amenities, and safe crossings into initial design of projects is more cost-effective than making costly retrofits later. Complete Streets is also a key strategy in the reduction of greenhouse gas emissions. Providing community residents with the option that gets them out of their cars is a proven strategy for improving communities, reducing air pollution, and generating local business.

While AB 1358 provides no statutory requirement for MPOs and RTPAs, the consideration and integration of Complete Streets policies is recommended:

MPOs and RTPAs should integrate Complete Streets policies into their Regional Transportation Plans, identify the financial resources necessary to accommodate such policies, and should consider accelerating programming for projects that retrofit existing roads to provide safe and convenient travel by all users.

MPOs and RTPAs should encourage all jurisdictions and agencies within the region to ensure that their circulation elements and street and road standards, including planning, design,

construction, operations, and maintenance procedures, address all users of the transportation system, to the extent practicable.

Regional planning agencies should also include "Complete Streets" improvements in MPO/RTPA funded transportation system projects to the extent feasible.

Requirements (Shalls)
Federal: None
State: None

Recommendations (Shoulds)
Federal: None
State: Government Code 65040.2 Section (2) (h) (h). It is the intent of the Legislature to require in the development of the circulation element of a local government's general plan that the circulation of users of streets, roads, and highways be accommodated in a manner suitable for the respective setting in rural, suburban, and urban contexts, and that users of streets, roads, and highways include bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, public transportation, and seniors.

Best Practices Complete Streets policies and practices are best implemented with a comprehensive and integrated approach of all agencies involved.

Additional information regarding Complete Streets is available at the following links:

http://assets.aarp.org/rgcenter/il/2009_02_streets_5.pdf

http://planning.org/research/streets/

http://www.mtc.ca.gov/planning/bicyclespedestrians/routine_accommodations.htm

http://www.californiatransportationplan2035.org/Content/10029/Complete_Streets.html

http://www.completestreets.org/

Context Sensitive Solutions

Context Sensitive Solutions (CSS) is an inclusive approach to planning, designing, constructing, maintaining, and operating the transportation system. It integrates and balances community, aesthetic, historic, and environmental values with transportation safety, maintenance, and performance goals. Context sensitive solutions are reached through a collaborative, interdisciplinary process involving all stakeholders. CSS attempts to balance transportation goals with community goals and natural environments. This requires careful, imaginative, and early planning, and continuous community involvement.

The context of all projects and activities being planned is a key factor in reaching sustainable decisions. The context should be considered for all transportation and support facilities when defining, developing, and evaluating options. When considering the context, issues such as funding feasibility, maintenance feasibility, needs of all users, needs of the community, traffic demand, impact on alternate routes, impact on safety, and relevant laws and regulations must be addressed.

In towns and cities across California, the State highway may be the only through street or may function as a local street. These communities may desire that their main street be an economic, social, and cultural asset as well as provide for the safe and efficient movement of people and goods. In urban areas, communities may want transportation projects to provide opportunities for enhanced non-motorized travel and visual quality. In natural areas, projects can fit aesthetically into the surroundings by including contour grading, aesthetic bridge railings, and special architectural and structural elements. Addressing these needs throughout the planning and development process will help ensure that transportation solutions meet more than transportation objectives. More information is available at the following links:

http://www.dot.ca.gov/hq/oppd/context/index.htm

http://www.contextsensitivesolutions.org/

Requirements (Shalls)
Federal: None
State: None

Recommendations (Shoulds)
Federal: None
State: None

Best Practices: None

Smart Mobility Framework

The Smart Mobility Framework emphasizes travel choices, healthy communities, livable communities, reliable travel times for people and freight, and safety for all users. This vision supports the goals of climate change intervention and energy security.

The sustainability principles - the "3Es" of environment, economy, and equity form a basis for decisions and actions that comprehensively address contemporary challenges. Caltrans has embraced the principles and incorporated these principles into the California Transportation Plan (CTP).

The CTP and other Caltrans activities, notably the Department-sponsored Regional Blueprint Planning Programs, reflect the recognition that a full set of transportation strategies includes initiatives to address land use and development. In addressing the mobility crunch faced by the State's households and businesses, Smart Mobility emphasizes new concepts and tools alongside well-established ones. It calls for participation and partnership by agencies at all levels of government, as well as private sector and community involvement.

Smart Mobility is an approach that addresses:

- The State's mandate to address climate change.
- The need to reduce per capita vehicle miles traveled.
- Demand for a safe transportation system that gets people and goods to their destinations.
- The commitment to create a transportation system that advances social equity and environmental justice.

In order to illustrate the far-reaching consequences of this new approach, the following are some of the implications of the Smart Mobility Framework:

- Shifts in Transportation Agencies' Roles.
- Interregional Network Role.
- An Emphasis on Integrated Transportation and Land Use Planning.
- Respecting unique, locally-based approaches to Smart Mobility.
- Positioned to respond to emerging requirements for sustainable communities planning.
- Continued innovation with respect to sustainability and Smart Mobility practices.

More information can be found at:

http://www.dot.ca.gov/hq/tpp/offices/ocp/smf.html

Corridor System Management Planning (CSMP)

The Corridor System Management Plan (CSMP) is a guide used by Caltrans, MPOs, RTPAs, cities, and counties to manage and operate mainly urban freeway corridors for highest productivity. The plan is developed through a multi-step approach:

1) Corridor limits defined.
2) Corridor team established.
3) Preliminary performance assessment performed.
4) Detailed comprehensive performance assessment that identifies causality of congestion performed.
5) Micro-simulation model and test improvement scenarios and alternatives for most effective mix of projects, strategies and actions developed.
6) Alternatives selected and CSMP prepared. The Plan should be accepted or adopted by the MPO/RTPA and cities and counties as a guide for corridor management.

The RTP should identify urban freeway corridors with current and projected recurrent daily vehicle hours of delay that are a priority for preparing CSMPs. The RTP should include by corridor all strategies, actions and improvements identified in the adopted CSMP that are needed to restore capacity and describe how the corridor will be managed across jurisdictions and modes to preserve corridor productivity based upon performance measurement. The RTP should include a reasonable time-line for each urban freeway corridor to be restored to full capacity and identify actions to preserve capacity restoration. The financial element of the RTP should identify funding by corridor to implement the CSMP. The RTP should describe roles and relationships among units of local government, modal agencies, the California Department of Transportation and related agencies for managing the corridor for highest mobility benefits and for measuring and evaluating performance.

Requirements (Shalls)
Federal: None
State: None

Recommendations (Shoulds)
Federal: None
State: Governor's Executive Order S-02-07, issued January 24, 2007, mandating the development and implementation of an accountability plan for Corridor Mobility Improvement Account and Bond project funds.

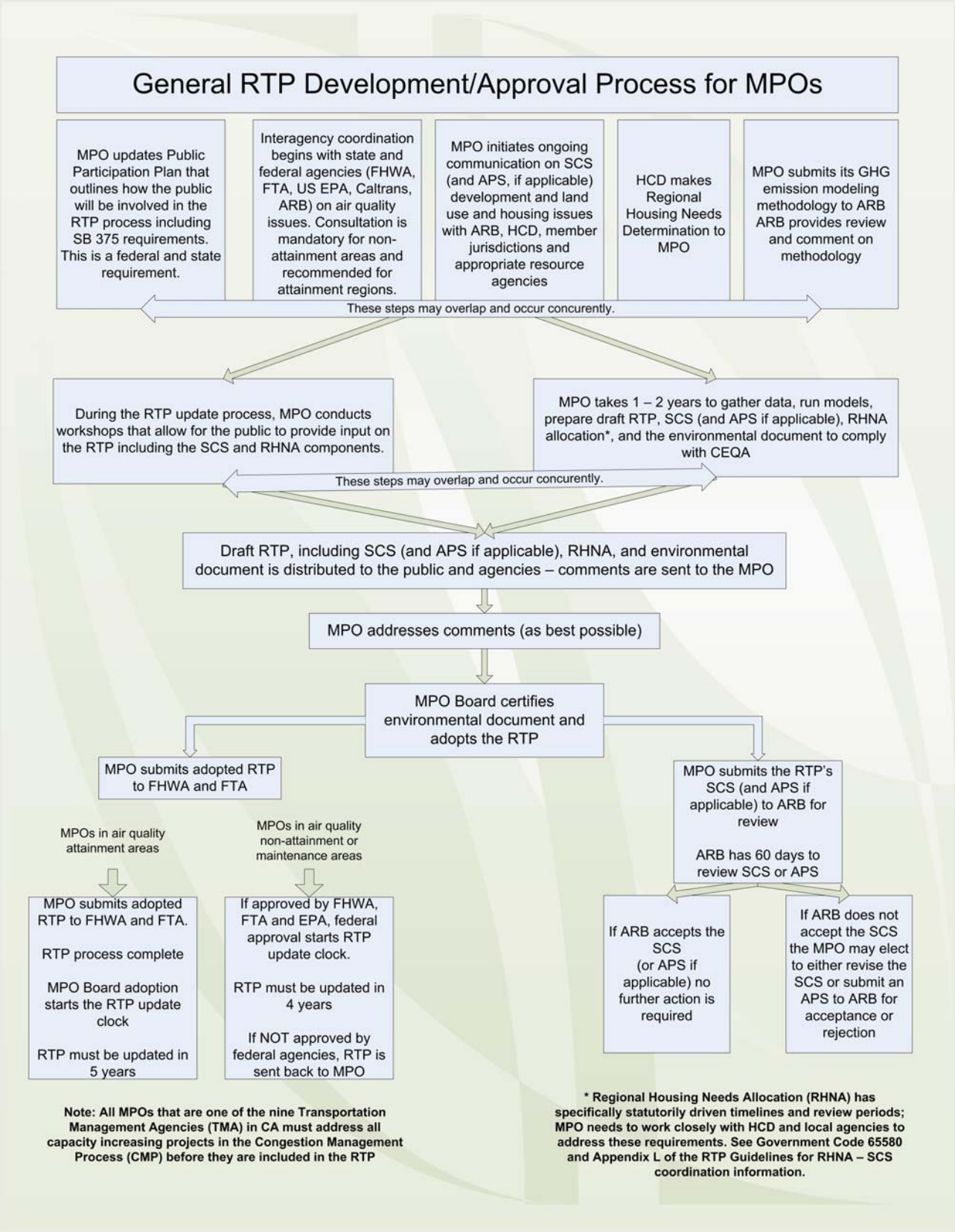
Best Practices: None

2.7 RTP Development Sequencing Process

SB 375 added additional complexity for MPOs to ensure various public agencies are able to provide input during the RTP development process. Prior to SB 375, MPOs located in federal air quality non-attainment areas were required to ensure that their respective RTP conformed to the regional air quality plan. This federal conformity determination is prepared by the FHWA, FTA and U.S. EPA. MPOs were not specifically required to consult or coordinate with other state agencies during development of the RTP.

Following SB 375, MPOs will need to coordinate with the California Air Resources Board and the California Department of Housing and Community Development – perhaps more so than they may have done in the past. MPOs are encouraged to communicate with ARB as early in the RTP development as possible to obtain input from ARB to increase the likelihood of ARB's acceptance of an SCS and/or APS. ARB must review the SCS and possibly the APS after the documents are prepared. Communication between the MPO and HCD should also take place as early in the RTP process as possible to ensure the regional housing needs assessment (RHNA) is incorporated in the development of the SCS.

In summary, early communication and coordination with all appropriate levels of government, elected officials and the public is very important to avoid delays that may impede the final federal air quality conformity determination; the approval from ARB of either an SCS or APS, or successful incorporation of the RHNA in the SCS.
The flowchart below titled: "General RTP Development/Approval Process for MPOs" was prepared to help summarize the overall steps that MPOs must undertake to ultimately reach an RTP that has been approved by the proper federal agencies or accepted by ARB. The process outlined in this flowchart is very complex and may take several years from RTP inception to final approval from the federal and state agencies.


General RTP Development/Approval Process for MPOs
MPO updates Public Participation Plan that outlines how the public will be involved in the RTP process including SB 375 requirements. This is a federal and state requirement.
Interagency coordination begins with state and federal agencies (FHWA, FTA, US EPA, Caltrans, ARB) on air quality issues. Consultation is mandatory for non-attainment areas and recommended for attainment regions.
MPO initiates ongoing communication on SCS (and APS, if applicable) development and land use and housing issues with ARB, HCD, member jurisdictions and appropriate resource agencies
HCD makes Regional Housing Needs Determination to MPO
MPO submits its GHG emission modeling methodology to ARB ARB provides review and comment on methodology
These steps may overlap and occur concurently.
During the RTP update process, MPO conducts workshops that allow for the public to provide input on the RTP including the SCS and RHNA components.
MPO takes 1 – 2 years to gather data, run models, prepare draft RTP, SCS (and APS if applicable), RHNA allocation*, and the environmental document to comply with CEQA
These steps may overlap and occur concurently.
Draft RTP, including SCS (and APS if applicable), RHNA, and environmental document is distributed to the public and agencies – comments are sent to the MPO
MPO addresses comments (as best possible)
MPO Board certifies environmental document and adopts the RTP
MPO submits adopted RTP to FHWA and FTA
MPOs in air quality attainment areas
MPO submits adopted RTP to FHWA and FTA.
RTP process complete
MPO Board adoption starts the RTP update clock
RTP must be updated in 5 years
MPOs in air quality non-attainment or maintenance areas
If approved by FHWA, FTA and EPA, federal approval starts RTP update clock.
RTP must be updated in 4 years
If NOT approved by federal agencies, RTP is sent back to MPO
MPO submits the RTP's SCS (and APS if applicable) to ARB for review
ARB has 60 days to review SCS or APS
If ARB accepts the SCS (or APS if applicable) no further action is required
If ARB does not accept the SCS the MPO may elect to either revise the SCS or submit an APS to ARB for acceptance or rejection
Note: All MPOs that are one of the nine Transportation Management Agencies (TMA) in CA must address all capacity increasing projects in the Congestion Management Process (CMP) before they are included in the RTP
* Regional Housing Needs Allocation (RHNA) has specifically statutorily driven timelines and review periods; MPO needs to work closely with HCD and local agencies to address these requirements. See Government Code 65580 and Appendix L of the RTP Guidelines for RHNA – SCS coordination information.

Requirements (Shalls)
Federal: Title 23 CFR part 450
State: Government Code Section 65080

Recommendations (Shoulds)
Federal: None
State: None

Best Practices: None

2.8 Adoption - Update Cycles and Amendments

Regional transportation planning is a dynamic process requiring continuous monitoring and periodic updating. Updating an RTP ensures the MPOs planning process is valid and consistent with current and forecasted transportation and land use conditions and trends for at least a 20-year planning horizon.

MPOs/RTPAs may revise the transportation plan at any time using the procedures in this section without a requirement to extend the horizon year. The transportation plan (and any revisions or amendments) shall be approved by the MPO's Board and submitted for informational purposes to the CTC and Caltrans. Copies of any revised or amended transportation plans must be provided to the FHWA and the FTA.

California State law, (Government Code Section 65080(d)) mirrors the Federal update requirement and states that nonattainment MPOs must update their RTPs at least every four years and attainment MPOs at least every five years. Failure of an MPO to adhere to the State and Federal required update period could result in the FHWA not approving the region's FTIP. Non-MPO RTPAs are required by State statute to update their RTPs at least every five years, regardless of whether they are located in an air quality nonattainment or maintenance area. Failure of an MPO or RTPA to adhere to the required update period could result in a lack of state and federal funding as projects that are programmed for state or federal funding in the STIP and FTIP must be included in the approved RTP.

An MPO or RTPA that is not within an MPO, that is required to adopt a regional transportation plan not less than every five years, may elect to adopt the plan not less than every four years in order that their member cities and counties can revise their housing elements every 8 years pursuant to Government Code Sections 65080 (b) (2) (L) and 65588 (b).

RTPs can be amended or modified. The U.S. DOT identified two types of revision methods for an RTP (1) A major revision that is an "amendment" and, (2) A minor revision that is an "administrative modification."

The definitions in SAFETEA-LU, Title 23 USC 101(a) and 49 USC 5302 clarify major and minor amendments to RTPs.

RTP Amendment (major)
RTPs must be amended whenever a plan revision takes place such as the addition or deletion of a project or a major change in project scope, cost and schedule. Other potential triggers for an RTP Amendment could include changing programmed project phases or any major change in design concept or design scope (e.g. changing project termini or the number of through traffic lanes). Amendments require public review for possible comments, demonstration of fiscal

constraint and conformity determination (for MPOs located in nonattainment and maintenance areas).

RTP Administrative Modification (minor)
As stated in SAFETEA-LU, Administrative Modification means a minor revision to an RTP that includes minor changes to project/project phase costs, minor changes to funding sources of previously included projects, and other minor changes to projects/project phase initiation dates.

An RTP administrative modification is much more flexible and open to wide interpretation. An administrative modification is a revision that does not require public review and comment, re-demonstration of fiscal constraint, or a conformity determination (in nonattainment and maintenance areas).

Re-Adopting Existing RTPs

Re-adopting the existing RTP is an option if no significant factors have occurred within the region that would impact the existing RTP. However, this option would require close evaluation of the current status of the RTPs fiscal constraint, conformity determination and any changes to the project scope, cost and schedule of the FTIPs. Re-adopting an RTP could mean that no new projects are presented in the document, nor will there be new projects in the current update cycle of the RTP.

When an MPO/RTPA Board prepares an RTP amendment or update, they also need to be aware that a conformity determination may need to be conducted, depending on the type of changes, modifications or amendments. An amendment that makes any of the following changes to the RTP would require a new conformity determination for the RTP:

1) The amendment adds or deletes a non-exempt project;
2) The amendment significantly changes the design concept or scope of a regionally significant project; or
3) The amendment changes the implementation year such that it affects a transportation conformity analysis year.

Amendments Prior to an Approved SCS (Grace Period):

An MPO is not required to implement an SCS or other consistency requirements until the first 4 or 5 year complete RTP update after the greenhouse gas targets are available for their region.

Requirements (Shalls)
Federal: Title 23 USC 450.322 (c), mandatory RTP update cycles for MPOs.
State: CA Government Code Section 65080 (d), mandatory RTP update cycles for RTPAs

Recommendations (Shoulds)
Federal: None
State: None

Best Practices:
It is recommended that MPOs/RTPAs coordinate with Caltrans district regional planners on reviewing, commenting and at times facilitating the determination of what constitutes an RTP Amendment or Administrative modification.

2.9 RTP Checklist

The RTP Checklist is contained in Appendix C of this document. The purpose of the RTP Checklist is to establish a minimum standard for developing the RTP. The checklist of transportation planning requirements has been updated in order to conform to federal and state RTP requirements.

MPOs/RTPAs should include the page numbers indicating where the Checklist items are addressed in the region's RTP. This requirement of identifying page numbers will assist the general public, federal, state and local agencies to locate the information contained in the RTP.

The checklist should be completed by the MPO/RTPA and submitted to the CTC and Caltrans along with the draft and final RTP. This checklist will be available electronically from Caltrans planning staff. Each MPO/RTPA is encouraged to complete the checklist electronically. Following its completion, the MPOs or RTPAs Executive Director (or designated representative) must sign the Checklist to indicate that the information is complete and correct.

Requirements (Shalls)
Federal: None
State: Pursuant to California Government Code, Section 14032(a), which authorizes the CTC to request an evaluation of all RTPs statewide to be conducted by Caltrans. All MPOs/RTPAs are required to submit an RTP Checklist with their **Draft** and **Final** RTP when the document is submitted to Caltrans and the CTC.

Recommendations (Shoulds)
Federal: None
State: None

Best Practices: None

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Chapter 3

Modeling

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3.1 Transportation Modeling/Projecting Future Demand

Modeling is one method of forecasting future demands on the transportation system, and is an important source of information used to analyze various transportation alternatives. Typically the larger MPOs have the staff expertise and funding to conduct their own modeling. Smaller MPOs and RTPAs typically use subcontractors or rely on a review of existing documents. Current FHWA and FTA planning regulations require only that the MPO have an analytical process in place for evaluating projects and Transportation Conformity Regulations require that areas with significant air quality problems that exceed minimum population levels must meet specific modeling requirements.

Travel demand models are statistical and algorithmic attempts to model human travel behavior. They endeavor to forecast potential outcomes of various transportation scenarios. The models provide essential information about the regions transportation system operations, conditions and performance and they are used to predict future transportation needs. Typical factors that are included in the models are a region's demographic profile, general plan designations, highway and transit networks, distribution of trips and existing travel patterns including morning and evening peak hour travel demand, trip generation, and modal split among automobile (SOV and HOV), transit, bicycle, and pedestrian trips.

The models are used to evaluate alternative travel patterns and their implications before a regional transportation plan is adopted. California Code §65080(b)(1) gives MPOs with a population of over 200,000 the option to quantify various indicators of their regional transportation needs. The models are also used to conduct special studies, such as corridor studies that would assess the potential impacts of a new freeway or transit line.

Periodically the federal government reviews the policies and practices of the regional agencies, including an assessment of the travel demand models used in the development of the regional transportation plans.

Assumptions play a key role in the assessment of all travel modeling efforts. Three key assumptions are typical of transportation demand models:

(1) Key characteristics of the system can be described in terms of quantifiable variables (e.g., number of automobiles per household, household size, etc.);

(2) A relationship between the variables described and behavior exists (e.g., the more automobiles per household, the greater the number of automobile trips per household); and,

(3) Relationships between the variables can be expressed in quantitative terms. This relationship is assumed constant over time. Discrete population groups are often identified to help better understand the relationship between demographic and economic characteristics, such as age, income, gender, and employment, and travel behavior.

Model results are only as good as the data that go into the model. MPOs must use the most current household travel surveys, demographics, socio-economic and census data available, especially if the region is growing rapidly. The most current household travel survey will provide key inputs on travel behavior such as the trip characteristics and trip rates to the four-step models and tour/activity-based models.

Described below is the traditional four-step process for modeling transportation demand. For the past 40 years, transportation professionals have used a four-step approach in modeling transportation demand. Most modeling approaches use some form of these steps today. Once some understanding has been established as to what the land use, population, and employment levels are in a study area, the four modeling steps are:

Trip generation: Estimates the number of trips generated in a zone or at a particular location, and attracted to a zone or a particular location, based on the assumed relationship among socio-economic factors, land use characteristics, and the number of trips. Trip generation then leads to:

Trip distribution Estimates the number of trips that originate in every zone in the study area, with destinations to every other zone. The result is a trip table that is used in:

Mode split: Estimates, for the number of trips predicted between each origin and destination, the number of trips made via each type of mode that is available for that trip. Thus, "x" percent are likely to drive alone, "y" percent are likely to take transit, "z" percent are likely to ride-share, etc. Mode split leads to:

Network assignment: Estimates the number of trips via a particular mode that will take specific paths through a road or transit network. The result, when all trips are assigned to a network, is an estimate of the total number of trips, by mode, that will use each link in the network. When compared to the capacity of this link, planners can forecast future conditions, such as the level of congestion that will occur at that location on the highway system and ridership for specific transit lines. This becomes the basis for assessing the performance of the transportation system.

Four-step models are commonly used to predict the demand for transportation services. More sophisticated 4-step models will include some form of feedback loop to provide traveler reaction to the state of the network and will redistribute trips based on the feedback outputs. Transportation planners and engineers also use other types of models to analyze and evaluate the performance of transportation systems and resulting impacts. Impact models determine the likely effects that constructing and operating transportation facilities will have on the surrounding environment and community. For example, planners often use air quality models, noise models, and community impact models in analyzing transportation alternatives. Cost models estimate the likely costs of transportation facilities and services. For example, cost models estimate the unit cost per component of a facility (e.g., dollars per linear foot of rail line), and multiply this by the estimated number of units needed. Most recent cost-modeling approaches incorporate a life cycle costing perspective that requires the planner to estimate expected costs, both capital and operating, for a possible project over the expected life of that project.

MPO's have considered for years how best to reflect the interactions between transportation investment decisions and land development patterns. Various forms of land use models are now part of the modeling process for analysis of growth, growth allocation, and study of land use impacts resulting from land use policy decisions. Integrating land use and transportation is expected to become a major part of advancement in transportation modeling. Improvements focus on the need to improve current MPO/RTPA travel modeling capabilities, particularly the land use-transportation connection, broaden mode choice, and enhance transportation alternative assessment.

Additional research, development, and attention is being given to tour/activity-based modeling, an approach which is a significant advance over the traditional trip-based modeling approach. Tour/activity-based models better recognize the complex interactions between activity and travel behavior. These models require more information on travel activity, particularly travel time, focusing on the chains and sequences of activity, plus more detailed data on person and household travel characteristics. The models also require significant time investments in data assembly and model development and resources, which are major challenges typically best addressed by the largest MPOs. Because of these formidable challenges, only a handful of major MPOs across the country are in the relatively early stage of development and/or application. The main stream and the state-of-the-practice in travel demand modeling still remains the traditional 4-step trip-based models. However, there are significant add-ons and enhancements to this approach that are improving our land use/transportation assessment capabilities.

For now, it is recommended that development of "tour/activity- based" transportation models" be required of only the largest MPO's in serious and above non-attainment areas, rather than applying this tool small-medium size MPO's and RTPA's. Such action would not mandate that all MPOs immediately jump to tour/activity based models that are still under development and application. This will allow a smoother transition of activity-based models to more MPO's as the state of the practice develops, hopefully in the near future.

In tour/activity-based models, travel choices for trips within a trip chain, or tour, are not treated as independent of one another. A tour-based model is agent-based; that is, both households and individuals are modeled, interpersonal household constraints on vehicle usage are modeled, and the auto passenger mode is modeled as a joint decision between the driver and passenger(s) to ride-share. Each person is assumed to choose the "best" combination of modes available to execute each tour, subject to auto availability constraints that are determined at the household level. The household's allocation of resources (i.e., cars to drivers and drivers to ride-sharing passengers) is based on maximizing overall household utility, subject to current household resource levels. Therefore, tour-based models provide both trip chaining (tour) and multi-modal trip level analysis.

Compared to Four-Step models, Tour/Activity-based models:

- Provide improved representation of demographic, spatial, and time variations in the population.
- Get rid of "Non-Home Based Trips." Because the Non-Home Based trips are almost always part of a chain of trips that starts or ends at the trip maker's place of residence or work they will become a part of those trip chains.
- Improve accountability of causes and impacts of travel and transportation investments.

Tour-based models assume that a list of activities leads to travel; Activity-based models assume that a list of activities *mostly* leads to travel, and:

- More personal time & activity is simulated
- Telecommuting and internet shopping can be considered
- More data on intra-household interactions and time schedules are required

The goal of applying transportation models and analytical techniques, as part of the RTP process, is to enhance the quality of information and analysis presented to educate public decision makers and the public at large regarding the implications of various policy options, while recognizing that the final decisions on policy choices are their responsibility.

For preparation of the RTP required under Sections 65080 et seq. of the Government Code, by July 1, 2008, each MPO or RTPA over 200,000 in population is urged to establish transportation modeling and analytical techniques that facilitate its evaluation of one or more alternative planning scenarios under the provisions of California Code §65080.3.

Requirements (Shalls)
Federal: None
State: None

Recommendations (Shoulds)
Federal: None
State: California Code §65080(b)(1) gives MPOs with a population of over 200,000 the option to quantify various indicators of their regional transportation needs.

3.2 RTP Modeling Requirements and Recommendations

As part of the four-year RTP process each MPO or RTPA should strive to enhance its modeling and analytical techniques in order to improve its assessment of the likely implications of key policy options. Such improvements should educate decision-makers and the public regarding how such options would potentially affect trip making, choice of travel modes, VMT, major land use development decisions, equity and quality of life issues.

To evaluate the effectiveness of policies to reduce GHG, the California Air Resources Board (ARB) and others need to compare modeling outputs across all regions in the State. To be able to compare travel projections across regions in California, some basic recommended modeling protocols are set forth below. They are specific to groups of regions, according to policy problems encountered.

Modeling Performance Measures for Scenario Comparison

The term Performance Measures is used to cover a variety of quantitative measures. Modeling performance measures are those developed to analyze future year scenarios using a transportation, land use, sketch or other future modeling tool. Other performance measures track progress toward a goal. These tracking performance indicators monitor VMT or emissions using data derived from tools such as traffic counters and monitoring stations.

3.2.1 RTP Modeling Requirements and Recommendations Grouped by Modeling Needs

MPOs, RTPAs and CMAs may be grouped according to modeling needs. For each group, we define: Model features and data, possible applications of the model, and policy analysis capabilities.

California MPO and RTPA Travel Model Requirement Groupings

County	2008 Population	Type	Grouping	Rationale
Alpine	1,222	RTPA	A	
Colusa	21,910	RTPA	A	
Del Norte	29,419	RTPA	A	
Glenn	29,195	RTPA	A	
Lassen	35,757	RTPA	A	
Modoc	9,702	RTPA	A	
Mono	13,759	RTPA	A	
Plumas	20,917	RTPA	A	
Sierra	3,400	RTPA	A	
Siskiyou	45,695	RTPA	A	
Trinity	13,966	RTPA	A	
Inyo	18,152	RTPA	B	Rural non-attainment area
Amador	37,943	RTPA	C	Non-attainment
AMBAG	751,516	MPO	C	
Calaveras	46,127	RTPA	C	Non-attainment
Humboldt	132,821	RTPA	C	
Kings	154,434	MPO	C	< 200,000 population
Lake	64,059	RTPA	C	
Madera	150,887	MPO	C	< 200,000 population
Mariposa	18,406	RTPA	C	Non-attainment
Mendocino	90,163	RTPA	C	
Nevada	99,186	RTPA	C	
San Luis Obispo	267,154	MPO	C	
Santa Barbara	425,710	MPO	C	
Shasta	181,380	MPO	C	
TRPA*	--	MPO	C	
Tehama	62,419	RTPA	C	
Tuolumne	56,799	RTPA	C	Non-attainment
BCAG	220,407	MPO	D	
Fresno	931,098	MPO	D	
Kern	817,517	MPO	D	
Merced	255,250	MPO	D	
San Joaquin	680,183	MPO	D	
Stanislaus	525,903	MPO	D	
Tulare	435,254	MPO	D	
MTC	7,276,378	MPO	E	
SACOG*	2,304,411	MPO	E	
SANDAG	3,146,274	MPO	E	
SCAG	18,636,934	MPO	E	

Source: CA Department of Finance; http://www.counties.org/default.asp?id=399
MPOs are shown in bold; RTPAs shown by county name only.
*SACOG population includes that of SACOG + TRPA

These recommendations are cumulative, with each set of model guidelines including the earlier ones on the list.

A. Counties with very slow growth in population and jobs, little or no congestion, and no significant new road or transit construction plans (i.e., Modoc, Inyo, Siskiyou, which have 1990-2000 population growth rates below 3%)

These counties do not need to run a network travel model. Road congestion is not increasing rapidly. Emission changes from higher-MPG vehicles can be factored or derived from the ARB inventory.

B. Regions with attainment Air Quality (AQ), slow growth, or virtually no transit, plus the rural, isolated non-attainment areas.

Recommendations:

1. The use of 3-step models can continue for the next few years. The models should be run to a reasonable convergence towards equilibrium.

2. The models should account for the effects of land use characteristics on travel, either by incorporating effects into the model process or by post-processing *(See Section 3.3, Post-Processing for additional guidance).*

3. The models should address changes in regional demographic patterns.

4. Geographic Information Systems (GIS) capabilities should be developed in these counties, leading to simple land use models in a few years.

5. All natural resources data should be entered into the GIS.

6. Parcel data should be developed within a few years and an existing land use data layer created.

Policy analysis capabilities:

1. Agencies can define and evaluate trend forecast, combined general plans, and preferred RTP.

2. These models can be used to evaluate increased density and mix, urban growth limits, and improved neighborhood walkability and bikeability.

C. Regions with moderate to rapid growth, nonattainment AQ, or the potential for significant transit use.

Recommendations:

1. All the recommendations of Group B, above.

2. These regions should develop 4-step travel models as soon as is possible. In the near-term, post-processing should be used.

3. The travel model set should be run to a reasonable convergence towards equilibrium across all model steps.

4. Simple land use models should be used, such as GIS rule-based ones, in the short term.

5. Economic, market-based land use models should be developed within a few years.

6. Parcel data and an existing urban layer should be developed as soon as is possible.

7. A digital general plan layer should be developed in the short-term.

8. A simple freight model should be used.

9. A simple vehicle choice model should be used.

10. Several employment types should be used, along with several trip purposes.

11. The models should have sufficient temporal resolution to adequately model peak and off-peak periods.

12. All road capacities and speeds should be validated with surveys.

13. The urban development footprint in GIS should be used to calculate environmental impacts on terrestrial and aquatic ecosystems and/or inform the model of areas to be avoided in order to help drive the alternative development.

Policy analysis capabilities:

1. More policy scenarios can be run. The same policies as in *Group B* could be run, plus one or more transit improvement proposals, as well as demand management, pricing strategies, and housing affordability.

2. In addition to the policies and performance measures in *Group B*, these agencies can evaluate policies for their effects on lower-income households, as required by Federal and State law. This can be done by evaluating traveler welfare measures based on the mode choice log sums for each household income class, or based on travel costs for them. In addition, these agencies can evaluate simple road pricing, parking charges, and higher fuel taxes or carbon taxes in the plan or in the alternative planning scenario as outlined in California Code §65080.3 alternative.

D. Regions with serious and above ozone or CO non-attainment with a metropolitan planning area containing a population over 200,000.

Requirements:

1. These regions shall achieve the requirements of the Transportation Conformity Regulations of 40 CFR §93.

2. Network-based travel models must be validated against observed counts (peak- and off-peak, if possible) for a base year that is not more than 10 years prior to the date of the

conformity determination. Model forecasts must be analyzed for reasonableness and compared to historical trends and other factors, and the results must be documented. (*40 CFR §93.122* (b)(1)(i))

3. Land use, population, employment, and other network-based travel model assumptions must be documented and based on the best available information. (*40 CFR §93.122* (b)(1)(ii)) *(See Section 4.41 for additional guidance)*

4. Scenarios of land development and use must be consistent with the future transportation system alternatives for which emissions are being estimated. The distribution of employment and residences for different transportation options must be reasonable. (*40 CFR §93.122* (b)(1)(iii))

5. A capacity-sensitive assignment methodology must be used, and emissions estimates must be based on a methodology which differentiates between peak- and off-peak link volumes and speeds and uses speeds based on final assigned volumes. (*40 CFR §93.122* (b)(1)(iv))

6. Zone-to-zone travel impedances used to distribute trips between origin and destination pairs must be in reasonable agreement with the travel times that are estimated from final assigned traffic volumes. Where use of transit currently is anticipated to be a significant factor in satisfying transportation demand, these times should also be used for modeling mode splits. (*40 CFR §93.122* (b)(1)(v))

7. Network-based travel models must be reasonably sensitive to changes in the time(s), cost(s), and other factors affecting travel choices. (*40 CFR §93.122* (b)(1)(vi))

8. Reasonable methods in accordance with good practice must be used to estimate traffic speeds and delays in a manner that is sensitive to the estimated volume of travel on each roadway segment represented in the network-based travel model. (*40 CFR §93.122* (b)(2))

9. Highway Performance Monitoring System (HPMS) estimates of vehicle miles traveled (VMT) shall be considered the primary measure of VMT within the portion of the nonattainment or maintenance area and for the functional classes of roadways included in HPMS, for urban areas which are sampled on a separate urban area basis. For areas with network-based travel models, a factor (or factors) may be developed to reconcile and calibrate the network-based travel model estimates of VMT in the base year of its validation to the HPMS estimates for the same period. These factors may then be applied to model estimates of future VMT. In this factoring process, consideration will be given to differences between HPMS and network-based travel models, such as differences in the facility coverage of the HPMS and the modeled network description. Locally developed count-based programs and other departures from these procedures are permitted subject to the interagency consultation procedures of §93.105(c)(1)(i). (*40 CFR §93.122* (b)(3))

<u>Recommendations:</u>

1. All the recommendations of Group C, above.

2. Agencies should, at a minimum, have four-step models with full feedback across travel model steps and some sort of land use modeling.

3. In addition to the conformity requirements, these regions should also add an auto ownership step and make this step and the mode choice equations for transit and walk and bike and the trip generation step sensitive to land use variables and transit accessibility.

4. Walk and bike modes should be explicitly represented.

5. Small Traffic Analysis Zones (TAZ) should be used, to increase sensitivity to infill potential near to rail stations and in Bus Rapid Transit (BRT) corridors. Parking quantity and cost should be represented in the travel model.

6. The carpool mode should be included, along with access-to-transit sub modes.

7. Feedback loops should be used and take into account the effects of corridor capacity, congestion and bottlenecks on travel speed and emissions.

8. The regions should implement simple land use models for the next RTP and develop formal economic land use models in the next few years.

9. Freight models should be implemented in the short term and commodity flows models within a few years.

10. Simple Environmental Justice analyses, such as effects of transportation and development scenarios on low-income or transit-dependent households, should be done using travel costs or mode choice log sums, as in Group *C.*

11. Agencies should develop models that test joint(or simultaneous)-choice of mode and destination.

12. These regions should monitor the large RTPAs and MPOs, in *E* below, as they develop tour/activity-based travel models.

13. The next household travel survey should include activities and tours.

14. Floor space rent data should be collected in the case where an agency is anticipating development of an integrated economic/land use (or microeconomic land use) model.

Policy analysis capabilities:

1. A full range in performance and impact measures could be developed, for economic, environmental, and equity effects, as required by SAFETEA-LU, National Environmental Policy Act, CEQA, and other laws. Traveler welfare could be measured and, if possible, locator welfare. Various measures of economic development could also be created, such as wages, jobs, production, and exports.

E. The largest four MPOs and RTPAs with rapid growth and established transit systems.

Recommendations:

1. All the recommendations of Group D, above

2. If not already developed and validated for use for the current RTP cycle, MPOs are encouraged to transition to activity-based travel demand models for the following RTP cycle. This can be a phased approach by first developing tour-based travel demand models and then moving to more advanced activity-based travel demand models or moving directly to an activity-based model without a phased approach.

3. They should also build formal microeconomic land use models, as soon as is practical, so that they can be used to analyze and evaluate the effects of growth scenarios on economic welfare (utility), including land prices, home affordability, jobs-housing fit, and the combined housing-transportation cost burden, and economic development (wages, jobs, exports).

4. Travel demand processes should incorporate freight movement.

5. Information from the statewide freight model, when available, local trip-based truck demand models, or more advanced commodity flows models could be used.

6. Commercial movements with truck and van tours should be accommodated in a commodity flow model.

7. Freight data collection programs should be emphasized with coordination with statewide efforts.

8. Household travel surveys should be activity-based and include a tour table. GPS sampling is encouraged or extra emphasis should be placed on accurate geocoding of households, workplace locations, and stops. Regions should take care in the design and data collection procedures of the survey to ensure survey results are appropriate to the type of model being utilized. Coordination with Caltrans' travel survey efforts is encouraged.

9. Stated preference surveys of households and firms should be performed, as necessary, for use in location choice models.

10. Microsimulation of households and firms should be investigated and developed, if feasible.

Policy analysis capabilities:

1. Economic measures from the land use model could be implemented. These measures are more complete than those from the travel model and include locator welfare, wages, and exports. Equity analysis could include change in welfare by household income class. Water quality, housing affordability, and fire hazard analysis are examples of the measures that such model sets can also produce. These microsimulation land use models can evaluate the energy use and GHGs produced by households and workers in building space. Economic development impacts may be comprehensively evaluated with this model set. Time-of-day road tolls can be evaluated.

PROPOSED ALTERNATIVE LANGUAGE TO ITEM 1 ABOVE:

Integrating land use modeling with transportation demand modeling can provide a reliable assessment of complex interactions of proposed changes in land use, economic, and transportation systems.

2. Agencies can take transit capacity constraints into consideration. The SCS does not have to assume that patrons need to ride on overcrowded buses and trains. For the large regions, the model improvement program could consider transit capacity constraints on trunk routes as there is a direct relationship to the amount of transit service and transit capital and operating funding levels.

3.2.2 RTP Modeling Requirements and Recommendations Applied Statewide

The following additional requirements and recommendations apply to all MPOs except those that fall under Group A as defined above.

Requirements:

1. Each MPO shall model a range of alternative scenarios in the regional transportation plan Environmental Impact Report based on the policy goals of the MPO and input from the public. *(See Sections 4.33 through 4.37 for additional guidance)*

2. MPO models shall be capable of estimating future transportation demand at least 20 years into the future. *(23 CFR §450.322(a))*

3. For federal conformity purposes, each MPO shall model criteria pollutants from on-road vehicles as applicable. Emission projections should be performed using modeling software approved by ARB. *(40 CFR §93)*

4. Each MPO shall quantify the reduction in greenhouse gas emissions projected to be achieved by the sustainable communities strategy. *(California Code §65080(b)(2)(G))*

5. The MPO, the State(s), and the public transportation operator(s) shall validate data utilized in preparing other existing modal plans for providing input to the regional transportation plan. In updating the regional transportation plan, the MPO shall base the update on the latest available estimates and assumptions for population, land use, travel, employment, congestion, and economic activity. *(See Section 4.41 for additional guidance.)* The MPO shall approve regional transportation plan contents and supporting analyses produced by a transportation plan update. *(23 CFR §450.322(c))*

6. The metropolitan transportation plan shall include the projected transportation demand of persons and goods in the metropolitan planning area over the period of the transportation plan. *(23 CFR §450.322(f)(1))*

Recommendations:

1. For the current RTP cycle (post last adoption), MPOs should use their current travel demand model for federal conformity purposes, and a suite of analytical tools, including but not limited to, travel demand models (as described in Categories B through E above), small area modeling tools, and other generally accepted analytical methods for determining the emissions, VMT, and other performance factor impacts of sustainable communities strategies being considered pursuant to SB 375.

2. Measures of means of travel should include percentage share of all trips (work and non-work) made by all single occupant vehicle, multiple occupant vehicle, or carpool, transit, walking, and bicycling.

3. To the extent practical, travel demand models should be calibrated using the most recent observed data including household travel diaries, traffic counts, gas receipts, Highway Performance Monitoring System (HPMS), transit surveys, and passenger counts.

4. It is recommended that transportation agencies have an on-going model improvement program to focus on increasing model accuracy and policy sensitivity. This includes on-going data development and acquisition programs to support model calibration and validation activities.

5. For models with a mode choice step, if the travel demand model is unable to forecast bicycle and pedestrian trips, another means may be used to estimate those trips.

6. When the transit mode is modeled, speed and frequency, days, and hours of operation of service should be included as model inputs.

7. When the transit mode is modeled, the entire transit network within the region should be represented.

8. Agencies are encouraged to participate in the California Inter-Agency Modeling Forum. This venue provide an excellent opportunity to share ideas and help to ensure agencies are informed of current modeling trends and requirements.

9. MPOs should work closely with State and Federal agencies to secure additional funds to research and implement the new land use and activity-based modeling methodologies. Additional research and development is required to bring these new modeling approaches into main stream modeling practice.

Co-Benefits

MPOs should quantify, to the extent possible, the co-benefits associated with the achievement of their greenhouse gas reduction targets, as a means of increasing public understanding and support. Promote the development and use of planning models that can accurately estimate the potential global warming and co-benefits of various land use scenarios in the development of the targets and the SCS.

The MPOs should identify and quantify to the extent possible, co-benefits. Co-benefits include the following:

1. Increased Mobility. Congestion Relief, More Transportation Choices, Reduced Commute Time, and Increased Productivity.

2. Economic Benefits. Traveler Savings, Taxpayer Savings, Neighborhood Economic Development, and Lower up-front infrastructure costs.
3. Reduced Air and Water Pollution. Less Air Pollution and Improved Water Supply and Quality.
4. Conservation of Open Space, Farm Land and Forest Land. These resources also are capable of sequestering carbon in plant and tree matter as well as in soil. Small parks can obviate the need for automobile trips.
5. Healthier, More Equitable and Sustainable Communities. More Opportunities for Active Lifestyles, Less Dependence on Foreign Oil, Improved Safety, Greater Housing Choices, and More Equitable Communities.

Post-Processing

During the development period of more sophisticated/detailed travel demand models, there may be ~~is~~ a need to augment the models with other methods to achieve reasonable levels of sensitivity. Post-processing can be applied by MPOs to adjust outputs of their travel demand model such that they account for areas where the model lacks capability, or is insensitive to a particular policy or factor. The most commonly referred to post-processor is a "D's" post-processor, but post-processors could be developed for other non-D factors and policies, too.

Sketch Modeling of Scenarios

Each MPO will be adopting a public participation plan, for development of the sustainable communities strategy and an alternative planning strategy. A component of this plan is to hold workshops to inform the public about the issues and policies being addressed as part of the SCS/APS process. Each workshop, to the extent practicable, shall include urban simulation computer modeling to create visual representations of the sustainable communities strategy and the alternative planning strategy. *(California Code §65080(b)(2)(E)(iii))*

Agencies should develop fast turnaround sketch modeling tools for testing scenarios in public workshops. These tools could be different from any tools developed by affected MPOs as part of their public participation plan. A sketch model can be as simple as a single formula in a spreadsheet to as complex as a transportation model modified to run expeditiously enough to provide results within required time constraints.

These sketch models allow the rapid input of land uses and produce rough estimates of changes for the area being analyzed. After a range of scenarios capable of meeting the policy goals of the Agency are identified from these exercises, the final set of scenarios is evaluated with the official travel model and land use model, to get accurate and detailed performance measures. The best scenarios may then be included in the various RTP, SCS, and APS processes.

Interregional Travel and Modeling

Interregional travel is defined as the sum of the following:

1. Trips beginning outside a given MPO's boundary and ending within it (X-I trip)
2. Trips beginning inside a given MPO's boundary and ending outside it (I-X trip)
3. Trips beginning outside a given MPO's boundary, traveling across some portion of the region and ending outside the boundary (X-X trip)

The Statewide Travel Demand Model (STDM), when updated and fully implemented, will provide interregional trip data to be considered in MPO regional models. The STDM should go through the same model validation and calibration process as the RTPA and MPO models, along with the production of associated model documentation *(See Section 3.3 on Model Validation below for additional guidance).*

In those instances where adjacent MPO models produce dissimilar interregional volumes, the STDM will act as a point of reference which the MPO regional models should reasonably consider. The Department of Transportation will act as facilitator in these situations to help reach consensus.

Requirements (Shall)

Federal: 40 CFR §93 implements §176(c) of the Clean Air Act with respect to the conformity of transportation plans, programs, and projects which are developed, funded, or approved by the United States Department of Transportation (DOT), and by metropolitan planning organizations (MPOs) or other recipients of funds under title 23 U.S.C. or the Federal Transit Laws (49 U.S.C. Chapter 53). 40 CFR §93.122 details procedures for determining regional transportation related emissions. 23 CFR §450.322 defines the development and content of the metropolitan transportation plan. 40 CFR §93 implements §176(c) of the Clean Air Act with respect to the conformity of transportation plans, programs, and projects which are developed, funded, or approved by the United States Department of Transportation (DOT), and by metropolitan planning organizations (MPOs) or other recipients of funds under title 23 U.S.C. or the Federal Transit Laws (49 U.S.C. Chapter 53). 40 CFR §1502.14 defines the alternatives to be considered in the Environmental Impact Statement.

State: California Code §65080(b)(2)(G) requires the metropolitan planning organization to quantify the reduction in greenhouse gas emissions projected to be achieved by the sustainable communities strategy.

Recommendations (Should)

Federal: None

State: None

3.3 Regional Economic and Land Use Model Requirements and Recommendations

Based on the guiding federal and state statutes regarding RTP development, the California Transportation Commission has developed the following transportation modeling guidelines to support these policy objectives.

Requirements:

1. Socioeconomic models shall include capabilities to measure the impacts of transportation investments on low income and minority communities as required under federal and state law.

Recommendations:

~~1. Regional land use and demographic projections should be consistent with existing local general plans and/or local policies. If a forecast horizon is beyond the horizon of local~~

~~general plans, the MPO should work with local officials to define a best guess scenario for development beyond the general plan horizon.~~
<<Item 1 above pending rewrite from housing sub-committee>>

2. Microeconomic land use models should be developed for use with activity-based travel demand models. Microeconomic land use models should be used to analyze and evaluate the effects of growth scenarios on economic welfare (utility) , including land prices, home affordability, jobs-housing fit, and the combined housing-transportation cost burden, and economic development (wages, jobs, exports). Geocoded employment data with occupational code should be purchased for two or more past years. Floor space quantity and rent data should be gathered.

3. Regional models should consider population growth based on birth and mortality and international and domestic migration.

4. Socioeconomic models should provide projections on future employment indicators including jobs by sector and income.

5. Land use models should be sensitive to transportation scenarios such that the effects of land use and transportation policies can interact with feedback in an integrated transportation and land use model.

Requirements (Shall)

Federal: 23 U.S.C. §109(h) Federal-Aid Highways. Executive Order No. 12898 (1994), U.S. DOT Order §5610.2 and U.S. DOT Order §6640.23 regarding environmental justice in minority and low-income populations.
State: None

Recommendations (Should)

Federal: None
State: None

3.4 RTP Modeling Quality Control and Consistency

The following recommendations for quality control through model consistency and peer review are essential in creating confidence in modeling results. These process recommendations should be implemented by all agencies as soon as is possible.

E. Consistency of RTP Modeling

Recommendations:

~~1. For modeling groups *C*, *D*, and *E*, the No Action alternative and the Proposed Plan alternative in an RTP should be modeled consistently, if not employing an integrated/land use model. For modeling groups C, D, and E, in the RTP the Proposed Plan or SCS, and any other scenarios should be modeled consistently. This means both should be done using the same land use model and the same travel model. The inputs for the models, including alternative land use policies; will be different, of course, resulting in different distributions of land uses. This practice~~

~~will reduce the arbitrariness of zonal projections for households and employment in travel models.~~
<<Item 1 is in process of being rewritten>>

2. Modeling practices should be consistent between California Department of Transportation (Caltrans) District Offices, MPOs, RTPAs, cities, counties, and Congestion Management Agencies (CMA).

3. The same land use model used in the RTP modeling should be used in the impact assessment for the No Action alternative, the Proposed Plan alternative, and the Environmentally Preferable Alternative. Only in this way, will all of the outputs in the RTP and EIR be comparable. An alternative-planning scenario under California Code §65080.3 should also be evaluated with the same models.

4. All Agencies should be consistent on how and when post processing should be applied or approached.

Model Peer Review, Testing and Documentation

Requirements:

1. A metropolitan planning organization shall disseminate the methodology, results, and key assumptions of whichever travel demand models it uses in a way that would be useable and understandable to the public.

Recommendations:

1. Each Agency should participate in a peer review program every ten years or after a major model enhancement such as transitioning from a four-step to a tour/activity based travel demand model. The four largest MPOs (SCAG, MTC, SANDAG, and SACOG) should use the Federal Highway Administration's Travel Model Improvement Program (TMIP) peer review process, but include a modeler from another California MPO of similar size for their understanding of California laws. Other agencies should set up reviews using California modelers. Peer reviews should be made publicly available with the model documentation.

2. The travel forecasting methods used by an MPO should be addressed in the FHWA/FTA certification review to ensure that they adequately support the applications for which they are being used.

3. The travel demand model, and regional economic and land use model if applicable, should be documented, including all statistical goodness-of-fit measures derived from sub-model specification. The documentation should be placed on the Agency's website and included in the RTP / SCS / APS review submittal sent to ARB under SB 375.

4. The model documentation should include a comprehensive list of output metrics the model is capable of producing. To the extent practical, the documentation should include potential uses for each metric.

5. Key model validation statistics should be documented, showing the correspondence of the model prediction for a validation year to empirical data.

6. Results of experimental sensitivity tests, wherein a single factor or variable is adjusted higher and lower from its baseline value, with the corresponding changes in model output variables shown should be documented. Minimally, the outputs shown would be: total VMT; light-duty vehicle VMT total and per capita; light-duty vehicle greenhouse gas total and per capita; total person trips; person trips by automobile modes; person trips by transit modes; and person trips by bike and walk modes.

7. Results of planning scenario tests, wherein the modeled results of planning scenarios are tabulated and correlated to show the overall sensitivity of the travel demand model to a combination of factors and policies included in the planning scenario should be documented.

8. The documentation of the sensitivity tests should identify the range of reasonable sensitivity based on research literature, and account for where in this range the travel demand model sensitivity falls.

9. Where results of planning scenario tests are reported, the MPO must show a correspondence between the planning scenario test results and the experimental, single factor sensitivity testing. Part of this documentation should assess the degree of interaction of factors and policies (i.e. the difference between the sum of all scenario variables taken individually, and the total change in modeled results).

10. Model assessment and documentation should identify areas where the model lacks capacity for analysis of a factor or policy, and any factors or policy for which the model sensitivities fall outside the range of results documented in research literature.

Model Validation

Validating the ability of a model to predict future behavior requires comparing its predictions with information other than that used in estimating or calibrating the model. The model output is compared with observed or empirical travel data, and parameters are adjusted until the output falls within an acceptable range of error.

Validation testing for a travel demand forecasting (TDF) model should include both static and dynamic tests. Static validation tests compare the model's base year traffic volume estimates to traffic counts using the statistical measures listed below and the threshold criteria contained in Table 2 as specified in the *Travel Forecasting Guidelines*, Caltrans, 1992. Below is a list of possible validation measures and thresholds.

- Volume-to-count ratio – is computed by dividing the volume assigned by the model and the actual traffic count for individual roadways model-wide. This value provides a general context for the relationship (i.e., high or low) between model volumes and counts.

- Percent of Links Within Caltrans Deviation Allowance – the deviation is the difference between the model volume and the actual count divided by the actual count. The Caltrans deviation thresholds recognize that allowances shrink as the count increases (i.e., lower tolerance for differences between the model volume estimates and counts).

- Correlation Coefficient – estimates the correlation (strength and direction of the linear relationship) between the actual traffic counts and the estimated traffic volumes from the model.

- Percent Root Mean Square Error (RMSE) – is the square root of the model volume minus the actual count squared divided by the number of counts. It is a measure similar to standard deviation in that it assesses the accuracy of the entire model.

Table 2 – Static Validation Criteria and Thresholds

Validation Item	Criteria for Acceptance
Percent of links with volume-to-count ratios within Caltrans deviation allowance	At Least 75%
Correlation Coefficient	At Least 0.88
Percent Root Mean Squared Error (RMSE)	Below 40%

Dynamic validation determines the model's sensitivity to changes in land uses and/or the transportation system. These types of tests are recommended in the *Model Validation and Reasonableness Checking Manual* (Travel Model Improvement Program, FHWA, 1997). The results of dynamic validation tests are inspected for reasonableness in the direction and magnitude of the changes. Dynamic validation can include the following model sensitivity tests, as appropriate given the type of regional model and alternatives under evaluation.

- Add lanes to a link
- Add a link
- Delete a link
- Change link speeds
- Change link capacities
- Add 100 households to a TAZ
- Add 1,000 households to a TAZ
- Add 5,000 households to a TAZ
- Add 10,000 households to a TAZ
- Increase/Decrease toll rates
- Increase/Decrease transit fares
- Increase transit speeds

Review of the dynamic validation tests should indicate changes to the model volumes occurred in the appropriate direction and magnitude before the model is used in policy analysis or planning *(See Section 3.3 on Model Peer Review, Testing and Documentation above for additional guidance).*

Key model validation statistics should be documented, showing the correspondence of the model prediction for a validation year to empirical data.

Model Sensitivity

MPOs currently use macro level trip-based or activity-based travel demand models to estimate and forecast vehicle miles of travel (VMT) or VMT stratified by speed as inputs to air pollution and greenhouse gas (GHG) emissions models. As macro level models, traffic flow efficiency and its effect on fuel consumption, and therefore GHG emissions, is not fully captured by these

models or performance measures. Further, many of these models don't contain feedback processes to trip generation or land use forecasts, which could under- or over-state VMT related forecasts due to induced or suppressed travel effects. These limitations are inherent in RTP and SB 375 related analysis until such time that the models are improved. Each MPO should be working to improve model sensitivity and accuracy related to measuring GHG emissions associated with both land use or transportation network decisions.

Experimental sensitivity testing could be performed on all exogenous input variables (e.g. age, income, automobile operating costs), recognizing policy makers have little control over such variables, and for as many policy variables as are feasible given the structure and complexity of the model (e.g. transit fares, highway capacity, density, mix of use, pedestrian environment, transit proximity, etc.). Ideally, the range of reasonable sensitivity to key factors and policy variables should be determined through a coordinated research synthesis and review process, the results of which would be a standard reference for all MPOs in the state.

Recommendations:

1. Models should be tested for sensitivity to changes in inputs, parameter values, and policies. Elasticities for several variables should be calculated and compared to theory and other models.

2. As part of the model development process, all models should, as applicable to the region, be sensitive to the following items:
    a. Price sensitivity, such as in tolling or congestion-pricing applications
    b. Destination-proximity: accessibility of an area to other activities
    c. Density, or clustered development
    d. Diversity, or mixture of land uses
    e. Distance to transit
    f. Design and layout of an area's transportation facilities
    g. Evaluation of development in known industrial areas
    h. Equity and environmental justice sensitivities, such as effects of transportation and development scenarios on low-income or transit-dependent households
    i. Sensitivity to different types of transportation options, including transit, walking and bicycles

3. Results of experimental sensitivity tests, wherein a single factor or variable is adjusted higher and lower from its baseline value, with the corresponding changes in model output variables shown should be documented. Minimally, the outputs shown would be: total VMT; light-duty vehicle VMT total and per capita; light-duty vehicle greenhouse gas total and per capita; total person trips; person trips by automobile modes; person trips by transit modes; and person trips by bike and walk modes.

4. Results of planning scenario tests, wherein the modeled results of planning scenarios are tabulated and correlated to show the overall sensitivity of the travel demand model to a combination of factors and policies included in the planning scenario should be documented.

5. The documentation of the sensitivity tests should identify the range of reasonable sensitivity based on research literature, and account for where in this range the travel demand model sensitivity falls.

6. Where results of planning scenario tests are reported, the MPO should show a correspondence between the planning scenario test results and the experimental, single factor sensitivity testing. Part of this documentation should assess the degree of interaction of factors and policies (i.e. the difference between the sum of all scenario variables taken individually, and the total change in modeled results).

7. Model assessment and documentation should identify areas where the model lacks capacity for analysis of a factor or policy, and any factors or policy for which the model sensitivities fall outside the range of results documented in research literature.

Requirements (Shall)

Federal: None

State: California Code §14522.2 requires the metropolitan planning organization to share modeling documentation in a transparent manner with the public.

Recommendations (Should)

Federal: None

State: RTAC Final Report to ARB.

3.5 RTP Modeling as a Policy Tool

The RTP analyses should provide to decision-makers and the public:

1. A clear explanation of the modeling and analytical techniques applied in assessing the implications of the land use scenarios or other alternatives studied;
2. Reasonable transparency to that modeling and analytical process;
3. An understanding of the sensitivity of the forecast results to various policy assumptions; for example, where feasible, offering estimates of the elasticities and cross elasticities of demand for various modes of travel with respect to critical variables such as access time, travel time, reliability, safety, privacy, and cost;
4. The degree to which analytical results can be expected to be more indicative of a general expected trend or order of magnitude change rather than a quantifiably valid forecast; For quantifiably valid forecasts, provide a qualitative sense of each forecast's expected reliability; and
5. Any insights gained through market-based research into the variables that most influence consumer choices with respect to housing in transit-oriented and mixed-use developments, the use of transit services, and decision to use single occupant vehicles.

3.6 Modeling References

Richard G Dowling; National Cooperative Highway Research Program.; National Research Council (U.S.). Transportation Research Board.; American Association of State Highway and Transportation Officials.; et al. "Predicting Air Quality Effects of Traffic-Flow Improvements." NCHRP Report 535 2005 Transportation Research Board. http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_rpt_535.pdf.

Robert Johnston and Mike McCoy, UC Davis for Caltrans. “Assessment of Integrated Transportation/ Land Use Models.” 2006. http://www.ice.ucdavis.edu/um/.

DKS Associates, with UC Irvine and UC Santa Barbara, for Caltrans. “Assessment of Local Models and Tools for Analyzing Smart-Growth Strategies.” 2007. http://www.dot.ca.gov/hq/research/researchreports/reports/2007/accessment_local_models_tools_growth_strategies.pdf.

“Traveler Response to Transportation System Changes, Interim Handbook,” TCRP Web Document 12 (Project B-12), March 2000 http://onlinepubs.trb.org/onlinepubs/tcrp/tcrp_webdoc_12.pdf.

Committee for Determination of the State of the Practice in Metropolitan Area Travel Forecasting. “Metropolitan Travel Forecasting: Current Practice and Future Direction.” TRB Special Report 288 2007 Transportation Research Board. http://onlinepubs.trb.org/onlinepubs/sr/sr288.pdf.

Robert A. Johnston, “Review of U.S. and European Regional Modeling Studies of Policies Intended to Reduce Transportation Greenhouse Gas Emissions.” 2007 Victoria Transport Policy Institute. http://www.vtpi.org/johnston.pdf.

JHK & Associates, Dowling Associates, US DOT. “Travel Forecasting Guidelines.” 1992 Caltrans. http://onramp.dot.ca.gov/hq/traffops/otrafsaf/research/safetyresearch/00000019.pdf.

Barton-Aschman Associates Inc. and Cambridge Systematics, Inc. “Model Validation and Reasonableness Checking Manual“ 1997 Federal Highway Administration. http://tmip.fhwa.dot.gov/resources/clearinghouse/docs/mvrcm/.

Chapter 4

RTP Consultation and Coordination

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Consultation and Coordination

4.1 Consultation & Coordination

Transportation planning is a collaborative process, led by the MPO/RTPA and other key stakeholders in the regional transportation system. Transportation planning activities include visioning, forecasting population/employment, identifying major growth corridors, projecting future land use, assessing needs, developing capital and operating strategies to move people and goods, and developing a financial plan. The required planning processes are designed to foster involvement by all interested parties, such as the business community, community groups, walking and bicycling representatives, environmental organizations, the Native American community, neighboring MPOs/RTPAs and the general public through a proactive public participation process.

Coordination is the cooperative development of plans, programs and schedules among agencies and entities with legal standing in order to achieve general consistency. Consultation means that one or more parties confer with other identified parties in accordance with the established process and, prior to taking action(s), considers the views of the other parties and periodically informs them about action(s) taken. It is very important for the development of the RTP to be conducted both in coordination and consultation with interested parties.

In addition to having an extensive public participation process, each MPO/RTPA should coordinate its regional transportation planning activities with all transportation providers, facility operators such as airports, appropriate federal, state, local agencies, Native American Tribal Governments, environmental resource agencies, air districts, pedestrian and bicycle representatives and adjoining MPOs/RTPAs. The RTP shall (Title 23, CFR Section 450.316(a)(13)) reflect consultation with resource and permit agencies to ensure early coordination with environmental resource protection and management plans.

RTPs are required to be developed in coordination with local and regional air quality planning authorities (Title 23, Section 134 (g)(3)) and shall (Title 40 CFR Section 93.105 (b)) reflect specific consultation activities with air quality agencies on the development of the RTP. MPOs/RTPAs participate in air quality planning by providing vehicle counts for emissions inventories. They also develop methods to reduce transportation related emissions. This participation helps lay the groundwork for future SIP conformity determinations. All MPOs/RTPAs in nonattainment and maintenance areas must coordinate the development of their RTPs with the Air Quality Management District(s) located within the MPOs region, the California Air Resources Board, Caltrans, local transportation agencies, EPA, and US DOT in order to ensure conformity with the SIP. The federal Clean Air Act Amendments of 1990 requires SIP development to be coordinated with the transportation planning process (Title 42, Section 7504(b)). Detailed requirements may also be found in 40 CFR 51 and 93 (Transportation Conformity rules).

Due to the importance of including a wide range of various parties in the development of the RTP, non-MPO RTPAs will also need to conform to the same coordination and consultation requirements as MPOs. Development of the Public Participation Plan and the RTP shall include consultation and coordination with all interested parties and shall, at a minimum, describe explicit procedures, strategies and desired outcomes.

Consultation shall not be limited to a public hearing notice to the general public and stakeholders. Providing access to information to the general public, incorporating public comments and input on plans, programs and policies should also be embraced.

In summary, the consultation process shall:

1. Provide adequate public notice and the opportunity to comment on proposed RTPs and public participation plans;
2. Employ visualization techniques to describe the RTP;
3. Make the RTP electronically accessible, such as placing it on the Internet;
4. Hold public hearings at convenient and accessible locations and times;
5. Demonstrate explicit consideration and response to public input on the RTP (documentation);
6. Seek out and consider the needs of those traditionally underserved by existing transportation systems, such as low income and minority households;
7. Provide additional opportunities to comment on the RTP and the FTIP, if the final version differs due to additional comments;
8. Coordinate with the state transportation planning and public involvement processes; and,
9. Periodically review intended RTP outcomes, products and/or services.

Requirements (Shalls)
Federal: Transportation Conformity Regulations of 40 CFR § 93.105
State: None

Recommendations (Shoulds)
Federal: Title 23 CFR part 450.316 encourages MPOs to develop a process and mechanism in which all parties may provide comments/input on the MPOs public participation plan and in the development of the RTP.
State: None

Best Practices: By documenting how specific comments are considered, the MPO/RTPA can demonstrate its responsiveness to community input during the consultation and coordination process. Responsiveness to community input provides increased assurance of an open and collaborative planning process. The links below provide examples of plans that demonstrate extensive consultation, coordination and consideration of public input.

http://www.sjcog.org/Programs%20&%20Projects/Transportation_files/RTP.htm

http://www.mcagov.org/publications/trans.html

4.2 Participation Plan

Involving the public in planning and project development poses a major challenge. Many people are skeptical about whether they can truly influence the outcome of a transportation project. Others feel that transportation plans, are too abstract and long-term to warrant attention.

The RTP is one of the key processes an MPO/RTPA undertakes. It is a primary avenue for public participation in the long-range transportation planning process. Title 23 CFR Part 450.316(a) states the following concerning participation and consultation:

"The MPO shall develop and use a documented participation plan that defines a process for providing citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process."

The purpose of the MPOs/RTPAs participation plan is to establish the process by which the public can participate in the development of regional transportation plans and programs. The public participation plan should be designed to assist MPO/RTPA staff in implementing an effective public participation process through a variety of strategies. It provides MPO/RTPA staff with a menu of techniques or activities from which they can tailor their specific program's input process. Which public participation methods the MPO/RTPA uses will require a careful analysis of what is wished to be accomplished as well as the scope of the particular transportation project(s). Plenty of flexibility is available to MPOs/RTPAs in developing specific public involvement programs. Every given situation or region in California is different, and each approach to a specific public involvement challenge will be unique.

When significant written and oral comments are received on the draft RTP and as a result of the participation process or the interagency consultation process required under the EPA transportation conformity regulations (40 CFR part 93), a summary, analysis and report of the proposed comments shall be made as part of the final RTP.

It is important to note that the public participation plan should be prepared prior to the development of the RTP. The public participation plan should have public input during its preparation and have a 45-day comment period before the MPOs/RTPAs board adopts it. This enhanced public participation plan is a new requirement as a result of SAFETEA-LU.

Title 23 CFR part 450.316(a)(1)(iii) now requires the participation plan to use visualization techniques to describe the RTP and FTIP. Visualization techniques range from a simple line drawing or hand written chart to technologically complex web cast public meetings and GIS modeling and computer generated maps. The specific type of visualization technique is determined by the MPO/RTPA.

The public participation plan, the draft and adopted RTP shall be posted on the Internet to the maximum extent practicable and for the life of the RTP. It is also recommended that MPOs/RTPAs place hard copies of the draft and adopted copies of RTPs in local libraries and other locations where the public would have access to these documents.

Public involvement programs for regional transportation plans in California are required to follow state and federal requirements. If the minimum State and federal requirements are inadequate for the region, the MPO/RTPA may develop a more specialized public involvement program if that proves to be more effective.

In developing RTPs, the MPO/RTPA should consult with agencies and officials responsible for other planning activities within their region that are affected by transportation or at least coordinate the planning process to incorporate input. These areas include, but are not limited to, the listed examples:

1. State and local growth;

2. Housing;
3. Economic development;
4. Environmental protection;
5. Airport operations; and,
6. Goods Movement.

When the MPO/RTPA region includes Indian Tribal Lands, the MPO/RTPA shall appropriately involve the federally recognized Native American Tribal Government(s) in the development of the RTP. The MPO/RTPA should also seek input even from tribes that are not federally recognized or from other "interested parties" that may have a background and/or history of Native American culture within the region.

Similarly, when the MPO/RTPA region includes federal public lands, the MPO/RTPA shall appropriately involve the federal land management agencies in the development of RTP.

The MPO shall also, to the extent practicable, develop a documented process that outlines roles, responsibilities, and key decision points for consulting with other governments and agencies. Non-MPO public participation efforts shall at minimum develop a documented process that outlines roles, responsibilities and provides outreach efforts to all sectors of the local community.

Non-MPOs (RTPAs) may include a separate Public Participation Plan, however non-MPOs shall at minimum include a detailed discussion of public participation efforts within the RTP. For example, public hearings, workshops, surveys, brochures and other methods that invite comments or input for the public participation efforts and RTP development.

MPOs and RTPAs are also encouraged to involve the media as a tool to promote public participation in the RTP development, review and commenting process.

For MPOs only, SB 375 increased the minimum level of public participation required in the regional transportation planning process including collaboration between partners in the region during the development of a Sustainable Communities Strategy (see Sections 4.5 and 4.6). MPOs currently have a Public Participation Plan per federal requirements. The public participation requirements for development of the SCS can be incorporated into the existing plan.

Public Participation and Consultation for the development of an RTP remains an essential element of the overall RTP process. Mapping and visualization tools should be used to facilitate open and efficient consideration of proposed scenarios and a well-informed public selection of RTP alternatives, including the SCS, and APS if applicable. The development of the SCS further emphasizes the need for community and stakeholder outreach and involvement. A Public Participation Plan includes public outreach, public awareness, and public input beginning with the planning stage.

The MPO shall adopt a Public Participation Plan in advance of developing an SCS and/or APS to include:

- Outreach efforts encouraging the active participation of a broad range of stakeholders in the planning process, consistent with the agency's adopted Federal Public Participation Plan. This includes, but is not limited to, affordable housing advocates, transportation advocates, neighborhood and community groups, environmental advocates, home

builder representatives, broad-based business organizations, landowners, commercial property interests, and homeowner associations.

- Consultation with congestion management agencies, transportation agencies, and transportation commissions.
- Regional public workshops with information and tools providing a clear understanding of policy choices and the issues. At least one workshop in each county. At least three workshops for counties with a population greater than 500,000. To the extent practicable, each workshop shall include urban simulation computer modeling to create visual representations of the SCS and APS.
- Preparation and circulation of a draft SCS (and APS, if one is prepared) not less than 55 days before adoption of a final RTP.
- For multiple-county MPOs at least three public hearings shall be held on the draft SCS in the RTP (and APS, if any). For a single county MPO, at least two public hearings shall be held. To the maximum extent feasible, the hearings shall be in different parts of the region to maximize the opportunity for participation by members of the public throughout the region.
- A process enabling the public to provide a single request to receive notices, information and updates.

Pursuant to Government Code Section 65080 (b) (2) (A) (ii), the MPO shall hold at least one public workshop within the region, after receiving the Regional Targets Advisory Committee (RTAC) recommendation report regarding methods and factors for setting regional GHG targets (which was released on September 29, 2009).

This public participation plan is not required to be reviewed or approved by any state agency and is not necessary to be included as part of the RTP. However, the MPO should maintain a record of its public participation efforts relative to the SCS and APS if applicable, and therefore, it is recommended these additional requirements should be included in the federally required public participation plan.

For additional information on the consultation process with elected officials please refer to Section 4.5.

Social Equity/Environmental Justice Issues

The inclusion of the entire community in the development of the RTP is a key element in the process. Providing more transportation and mobility choices such as increased transit, bicycle, and pedestrian facilities as well as housing choices near job centers, increases opportunities for all of the population within the region (regardless of income). Each region is encouraged and challenged to plan for and implement transportation system improvements that will benefit all residents. Each MPO and RTPA should be sensitive to how all residents may be impacted by possible transportation and land use changes identified in the RTP. Existing federal regulations require MPOs and RTPAs to ensure that any planned regional transportation improvements do not adversely impact low income or other under-represented groups.

As part of the SCS, or APS if applicable, Government Code 605080 (b)(2)(B)(ii) specifies that MPOs "identify areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period of the regional transportation plan taking into account net migration into the region, population growth, household formation and employment growth."

Incorporation of social equity factors is complimentary to the civil rights and environmental justice considerations already required of regional transportation plans by federal and state law. Social equity factors include but are not limited to, housing and transportation affordability, displacement/gentrification, and the jobs/housing fit.

Social equity policies and practices have the potential to reduce Greenhouse Gas (GHG) emission levels, and can be considered Best Practices for MPOs to consider in developing their SCS, or APS if applicable. Affordable housing, transportation and access to employment play a critical role in determining where Californians live, how much they travel. This affects the level of achievable GHG reduction. Land use based GHG reduction strategies could have beneficial effects on social equity concerns such as housing affordability (increased land prices), transportation access and affordability, displacement, gentrification, and a changing match between jobs, required skill levels and housing cost ("jobs – housing fit"). Implementation of SB 375 should work in concert with state housing element law to achieve the state housing goals, and look for ways in which social equity strategies could improve GHG reduction.

Each MPO is encouraged to develop and enhance visioning tools enabling public and policymakers to clearly see social equity impacts of various planning scenarios and make informed choices. These include impacts on air quality, access to transit, household transportation costs, housing costs and overall housing supply.

Requirements (Shalls)
Federal: Title 23 CFR Part 450.316, the MPO shall develop and use a documented participation plan that defines a process for providing reasonable opportunities for all parties to comment and be involved in the metropolitan transportation planning process.
State: Government Code Section 65080

Recommendations (Shoulds)
Federal: None
State: None

Best Practices:

http://www.mtc.ca.gov/get_involved/participation_plan.htm

http://www.mtc.ca.gov/planning/2035_plan/outreach.htm

http://www.sandag.org/programs/transportation/comprehensive_transportation_projects/2030rtp/2007rtp_C_final.pdf

http://www.sandag.org/index.asp?publicnoticeid=141&fuseaction=notices.detail

http://www.tehamacountypublicworks.ca.gov/Transportation/index.htm

http://www.sjcog.org/Programs%20&%20Projects/Transportation_files/RTP.htm

Federal guidance for Environmental Justice analysis can be found at

http://www.fhwa.dot.gov/environment/ej2.htm

4.3 Private Sector Involvement

Private sector involvement relates to how the goods movement industry and other business or commercial interests are represented in the development of the RTP. Trucks, freight trains, taxis, limousines all use the transportation network and are an integral part of the regional transportation system. Other examples of private sector involvement in the development of the RTP include Transportation Management Associations, private transit operators, developers, and Chambers of Commerce. Their absence in the regional transportation planning process adversely impacts the efficiency of the transportation network.

In most urbanized areas of California, the number of trucks on the highway system has substantially increased. This has had a direct impact on traffic congestion within these areas. An increased level of truck activity has also had an impact in rural areas of the state, although primarily on the principle routes in rural counties. For these reasons, an RTP that does not include the "Private Sector" in the planning process is not a viable plan. The impact of the private sector on the transportation system is just too significant not to be included and documented in the RTP process.

Unfortunately, in many plans, the private sector is not identified as a planning partner. Where addressed, goods movement is discussed in the abstract with minimal long-range assumptions identified or assessed.

MPOs/RTPAs should take necessary actions to ensure major trucking firms, large employers and business organizations are formally invited to participate in the preparation of the RTP. The MPO/RTPA should strive to include any major long-range plans of these organizations that may have an impact on the regional transportation system. The purpose is to provide private sector transportation providers a process of communication and involvement into the region's transportation planning process. The specific outreach techniques developed and ultimately used is dependent on the size and composition of the region. These efforts to solicit input into the long-range regional transportation planning process should be documented in the RTP.

Requirements (Shalls)
Federal: Federal regulations require private sector involvement as a component of the regional transportation planning process. Title 23 USC part 134 (g)(4), Title 23 USC part 135(e) and Title 23 CFR part 450.316 (a) require the transportation planning process include input from the goods movement industry and other transportation organizations.
State: None

Recommendations (Shoulds)
Federal: None
State: California Government Code §14000(d) recommends that a comprehensive multimodal transportation planning process should be established which involves all levels of government and the private sector in a cooperative process to develop coordinated transportation plans.

Best Practices:

http://www.sacog.org/goodsmovement

4.4 Consultation with Interested Parties

The U.S. DOT defines consultation as: "*one or more parties confer with other identified parties in accordance with an established process and, prior to taking action(s), considers the views of the other parties and periodically informs them about action(s) taken*." Some areas of consultation could include transportation, land use, employment, economic development, housing, community development and environmental issues.

The U.S. DOT definition of "interested parties" to be engaged in statewide and metropolitan transportation planning has been expanded. The MPO/RTPA shall provide the following interested parties with reasonable opportunity to comment on the proposed RTP:

1. Citizens;
2. Affected public agencies;
3. Representatives of public transportation employees;
4. Freight shippers;
5. Private providers of transportation;
6. Representatives of users of public transportation;
7. Representatives of users of pedestrian walkways and bicycle transportation facilities;
8. Representatives of people with disabilities;
9. Providers of freight transportation services; and,
10. Other interested parties.

Requirements (Shalls)
Federal: Consulting with interested parties on plans, programs and projects shall include individuals or organizations that are mentioned in Title 23 CFR Part 450.316(a). Title 23 CFR part 450.316(d) requires MPOs to consult with federal land use management agencies as appropriate during the development of RTP. RTPAs shall comply as well. Title 23 CFR part 450.322(g) states that MPOs shall consult as appropriate with State and local agencies responsible for land use management, natural resources, environmental protection, conservation and historic preservation during the development of their RTP. RTPAs shall comply with this as well.
State: None

Recommendations (Shoulds)
Federal: None
State: None

Best Practices:

http://www.sjcog.org/Programs%20&%20Projects/Transportation_files/RTP.htm

http://www.scag.ca.gov/rtp2004/2004/FinalPlan.htm

http://www.edctc.org/_rtp.htm

4.5 Input/Consultation with Local Elected Officials on SCS Development

This section applies only to federally-designated Metropolitan Planning Organizations that are required to prepare a Sustainable Communities Strategy (SCS) , and Alternative Planning Strategy (APS), if applicable .

Existing federal regulations require MPOs to ensure the general public, resource agencies and Native American Tribal Governments are consulted during the development of the RTP. As a result of SB 375, this consultation requirement has been expanded.

During the development of the SCS (and APS if applicable), the MPO must conduct at least two informational meetings in each county for members of the board of supervisors and city councils. Only one informational meeting is needed in each county if it is attended by representatives of the county board of supervisors and city councils that represent a majority of the cities representing a majority of the population in the incorporated areas of that county. The purpose of this meeting (or meetings) shall be to discuss the SCS (and APS if applicable), including the key land use and planning assumptions, with the members of the board of supervisors and city council members in that county and to solicit and consider their input and recommendations. Notices of these meetings are to be sent to the clerk of the board of supervisors and city councils.

Continuing with a collaborative transportation planning process, MPOs work and consult with local elected officials as key stakeholders in the regional transportation system. While local elected officials serve on regional agency boards, expanded consultation is required to provide outreach to all local elected officials and their member jurisdictions affected by the SCS (and APS if applicable). This is particularly significant in those regions where not all cities and counties have a permanent seat on the MPO board. Early consultation with all member agencies may avoid future conflicts with implementation of the RTP including the SCS (and APS, if applicable). Pursuant to Government Code Section 65080 (b) (2) F), in preparing an SCS, the MPO shall consider spheres of influence that have been adopted by Local Agency Formation Commissions (LAFCOs) within the region. In addition to consultation with local elected officials and LAFCOs, MPOs should also consult, as appropriate, with special districts that provide property-related services within the region during development of an SCS (and APS if applicable). For additional information on the consultation process please refer to Section 4.1.

4.6 Interagency Coordination (IAC) on SCS Development

As the MPO works on RTP development and approval, interagency coordination with both federal and state agencies provides necessary information for the RTP, and notification to all interested parties. Advanced and continuous coordination with all appropriate agencies is highly recommended. MPO development of the RTP should include interagency coordination with, but not limited to, the following entities:

1. Federal agencies (including FWHA, EPA and FTA)
2. California Department of Housing and Community Development (HCD)
3. California Air Resources Board (ARB)
4. California Department of Transportation (Caltrans)
5. Appropriate Resources Agencies (see list in Section 4.8)

The California Transportation Commission (CTC) also encourages State agencies to work with the MPOs to provide the best data and information available as they develop their GHG emission modeling methodology together with ARB.

The MPOs are also encouraged to work with HCD to incorporate the appropriate Regional Housing Needs Allocation (RHNA) within their RTPs.

A Sequencing Flowchart showing the RTP development and approval process for MPOs as they work with these entities is located in Section 2.7 of the RTP Guidelines.

4.7 Native American Tribal Government Consultation and Coordination

During the development of the RTP, Tribal Government ***consultation*** can be described as the MPO/RTPA conducting meetings with representatives of the federally recognized Tribal Government during the preparation of the RTP prior to taking action(s) on the plan and making sure to consider input from the tribe. Tribal Government ***coordination*** is the comparison of the MPOs/RTPAs transportation plans, programs, projects and schedules with similar documents prepared by the tribe. The MPO/RTPA needs to ensure consistency with tribal plans and the RTP.

Currently there are 108 federally recognized tribes in California. The federally recognized Tribal Governments hold inherent power of limited sovereignty and are charged with the same responsibility as other governmental authorities. In addition, California is home to the largest Native American population in the country, including non-federally recognized tribes, and urban Indian communities.

The MPO or RTPA should include a discussion of consultation, coordination and communication with federally recognized Tribal Governments when the tribes are located within the boundary of an MPO/RTPA. The MPO/RTPA should establish a government-to-government relationship with each tribe in the region. This refers to the protocol for communicating between the MPOs/RTPAs and the Tribal Governments as a sovereign nation. This consultation process should be documented in the RTP. The initial point of contact for Tribal Governments should be the Chairperson for the tribe.

The MPO/RTPA should develop protocol and communication methods for outreach and consultation with the Tribal Governments. However these protocol/communication methods should be re-evaluated if the agencies are un-successful in obtaining a response during the development of the RTP.

It is important to ensure that efforts in establishing channels of communication are documented in the RTP. For further information and assistance in the consultation process, contact the California Department of Transportation Native American Liaison Branch.

As mentioned above, California is home to many non-federally recognized tribes as well as Native Americans living in urban areas. MPOs/RTPAs should involve the Native American communities in the public participation processes. Establishing and maintaining government-to-government relations with federally recognized Tribal Governments through consultation is separate from, and precedes the public participation process.

Requirements (Shalls)
Federal: Title 23 CFR part 450.316(c) requires MPOs to involve the federally recognized Native American Tribal Government in the development of the RTP and FTIP. RTPAs shall comply as well. Title 23 CFR part 450.316 (a)(1), the participation plan shall be developed by the MPO in consultation with all interested parties and shall, at a minimum, describe explicit procedures, strategies and desired outcomes. The requirement of including interested parties in the development of the participation plan and the RTP would include federally recognized or non-federally recognized tribes.
State: None

Recommendations (Shoulds)
Federal: None
State: None

Best Practices:
U.S. Department of Transportation Order 5301.1 ensures that programs, policies and procedures administered by the U.S. DOT are responsive to the needs and concerns of Native Americans. This Order provides a very thorough overview of the various Federal regulations and Executive Orders on this subject. This Order is available at:

http://environment.fhwa.dot.gov/guidebook/vol2/5301.1.pdf

In addition to the best practice noted above, it is recommended that federally and non-federally recognized Tribal Governments be consulted when historic, sacred sites, subsistence resources or traditional collecting properties are present in the MPOs jurisdiction.

A current example of tribal government coordination in California can be found at:

http://www.sandag.org/?subclassid=105&fuseaction=home.subclasshome

4.8 Consultation with Resource Agencies

Current federal regulations require MPOs to consult with resource agencies, State and local agencies responsible for land use management, environmental protection, conservation, and historic preservation concerning the development of the RTP.

The consultation efforts shall involve:

1. Comparing transportation plans with State conservation plans, maps and other data, if available; and,

2. Comparing transportation plans with inventories of natural and historic resources, if available.

New federal requirements seek to receive input/comments from resource agencies early in the planning process. The reason for proactive consultation and engagement is to prevent project delays at a later time. In other words, coordinating and consulting with resources agencies early in the planning process, may lead to better coordination, minimal litigation, possible project cost savings and an upfront understanding of resource agency issues.

Some examples of resource agencies that could be included in a more seamless multi-agency process, but are not limited to California Environmental Protection Agency (CalEPA), California Coastal Commission, and US Fish and Wildlife, U.S. Army Corp of Engineers, California Department of Fish and Game and California Department of Parks and Recreation.
An MPO/RTPA shall coordinate and consult with resource agencies on data or information sharing, if available. The following is a preliminary list of resource agencies that should be consulted in the development of the RTP:

1. Federal Highways Administration;
2. Federal Transit Administration;
3. U.S. Environmental Protection Agency;
4. U.S. Army Corps of Engineers;
5. NOAA Fisheries Services;
6. U.S. National Park Service;
7. U.S. National Marine and Fishery Service;
8. U.S. Fish and Wildlife Service;
9. California Coastal Commission;
10. California Energy Commission;
11. California Office of Planning and Research;
12. California Environmental Protection Agency;
13. California Resources Agency;
14. California Water Resources Control Board;
15. California Regional Water Quality Control Board;
16. California Department of Fish and Game;
17. California Integrated Waste Management Board;
18. California Air Resources Board;
19. California Department of Parks and Recreation;
20. California Department of Conservation State Mining and Geology Board;
21. Any additional California Environmental, energy, resource and permit agencies;
22. Bay Conservation and Development Commission (Bay Area);
23. Regional Air Quality Management Districts, and;
24. Private sector carpools / rideshare coordinators.

The challenge is obtaining timely response and comments to the RTP, its programs and projects. It is understandable that these efforts will depend on the specific region. MPOs in the Sacramento Valley and Southern California have chosen to send letters requesting comment/s on plans, programs and projects. When responses are not received these MPOs follow-up on the request by asking for a reason from the resource agency as to why a response was not received.

Interagency Consultation for Transportation Conformity – The transportation conformity rule requires that State and local agencies establish formal procedures to ensure interagency coordination on critical transportation conformity issues. Nonattainment and maintenance areas have adopted consultation procedures to meet these requirements. These procedures are federally enforceable and should be followed for each conformity determination.

Additional guidance regarding federally required consultation with resource agencies during the RTP development process is available in Section 5.3 SAFETEA-LU Environmental Requirements.

Requirements (Shalls)
Federal: Title 23 CFR part 450.322(g)(1) & (g)(2) requires that the MPO shall consult, as appropriate, with State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation concerning the development of the transportation plan. The consultation shall involve, as appropriate: (1) Comparison of transportation plans with State conservation plans or maps, if available; or (2) Comparison of transportation plans to inventories of natural or historic resources, if available. In addition, the discussion of mitigation activities required by SAFETEA-LU section 450.322(f)(7) (and described more fully in Section 5.3) shall be developed in consultation with Federal, State, and Tribal land management, wildlife, and regulatory agencies.
State: California Environmental Quality Act (CEQA), consultation with agencies, governments or individuals that could potentially be impacted by transportation projects in the RTP.

Recommendations (Shoulds)
Federal: None
State: None

Best Practices: Two prime examples of resource agency consultation relating to Habitat conservation plans can be found at San Joaquin Council of Governments' Habitat Programs and Projects websites:

http://www.sjcog.org/Programs%20&%20Projects/Transportation_files/RTP.htm

http://www.sjcog.org/Programs%20&%20Projects/Habitat_files/Participation.htm

http://www.sandag.org/index.asp?projectid=263&fuseaction=projects.detail

http://www.scag.ca.gov/rtp2004/2004/FinalPlan.htm

4.9 Coordinated Public Transit/Human Services Transportation Plans

The aim of the Coordinated Public Transit/Human Services Transportation Plan is to improve transportation services for persons with disabilities, older adults and individuals with lower incomes by ensuring that communities coordinate the available transit resources. Coordination enhances transportation access, minimizes duplication of services and facilitates the most appropriate cost-effective transportation system possible with available resources.

Federal transit law requires that projects selected for funding under the following Federal Transit Administration (FTA) programs be derived from a coordinated plan: Elderly Individuals and Individuals with Disabilities Program (49 U.S.C Section 5310), Job Access and Reverse Commute Program (49 U.S.C Section 5316), and New Freedom Program (49 U.S.C Section 5317). Information on these programs can be found at:

http://www.dot.ca.gov/hq/MassTrans.

MPOs/RTPAs are not required to be the lead agency in the development of the coordinated plan. Federal guidance states that the coordinated plan may be developed separately or as a part of the metropolitan transportation planning process. In any case, MPOs/RTPAs should ensure that the plan is coordinated and consistent with their regions metropolitan transportation planning process.

The coordinated plan must be developed through a process that includes representatives of public, private, and non-profit transportation and human services providers and participation by members of the public. The public participation requirements may be shared with those for the development of the RTP.

As with all FTA programs, transit projects selected for funding must be consistent with the RTP and FTIP. Further, the annual list of obligated projects is a planning requirement that will necessitate active involvement by the MPO in those programs.

Requirements (Shalls)
Federal: None
State: None

Recommendations (Shoulds)
Federal: Title 23 CFR 450.306(g) states the regional planning process should be coordinated and consistent with the preparation of the coordinated public transit-human services transportation plan as required by 49 U.S.C. 5310, 5316 and 5317.
State: None

Best Practices: None

Chapter 5

RTP Environmental Considerations

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RTP ENVIRONMENTAL CONSIDERATIONS

5.1 Introduction

This section will briefly discuss the context for environmental requirements, options for RTP environmental document preparation, SAFETEA-LU requirements and recommendations, key environmental considerations for best practices and finally, a description of air quality and transportation conformity will be provided.

The federal government has shown its commitment to the environment through the passage of the National Environmental Policy Act (NEPA) in 1969, which requires federal agencies to consider the environmental impacts of their actions. In a similar vein, California passed the California Environmental Quality Act (CEQA) in 1970, which was designed to ensure that public agencies consider the environmental impacts of their decisions.

In California, the environmental review associated with the RTP and the subsequent project delivery process is two-fold. MPOs and RTPAs are responsible for the planning contained in the RTP that precedes project delivery. Typically, either a local government, consultant or Caltrans is responsible for the actual construction of the project i.e. project delivery. CEQA applies to the planning document (RTP) while both NEPA and CEQA may apply to the individual projects that implement the RTP during the project delivery process.

Given that protection of the environment is an important public policy goal and it is an important aspect of public acceptance during project delivery, best regional planning practices would seek to plan and implement transportation projects that would avoid or minimize environmental impacts.

5.2 Environmental Documentation

The RTP planning document as well as the projects listed in it are considered to be projects for the purposes of CEQA. Subsequent RTP amendments or updates are discretionary actions that can also trigger CEQA compliance. As defined in CEQA statute section 21065, a project means “an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and which is any of the following: (a) An activity directly undertaken by any public agency or (b) An activity undertaken by a person which is supported, in whole or in part, through contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies”.

To initiate CEQA compliance the MPO as the lead agency determines if the proposed action is a project and whether the project is statutorily or categorically exempt. If the project is not exempt from CEQA, an Initial Study or equivalent environmental assessment is completed. Based on the outcome of the Initial Study the appropriate type of environmental document is then prepared. The initial Study can indicate the use of an Environmental Impact Report (EIR), a Mitigated Negative Declaration (MND) or a Negative Declaration (ND). Additionally, there are several types of EIRs such as a Master EIR, a Project EIR or a Program EIR.

Program EIR

Many MPOs prepare a program Environmental Impact Report to analyze the environmental impacts of implementing their RTP. The purpose of the program EIR is to enable the MPO to

examine the overall effects of the RTP i.e. broad policy alternatives, program wide mitigation, growth inducing impacts and cumulative impacts can be considered at a time when the agency has greater flexibility to avoid unnecessary adverse environmental effects. Additionally, environmental documents subsequently prepared for the individual projects contained in the RTP can be tiered off of the Program EIR thus saving time and reducing duplicative analysis (See glossary for a definition of 'tiering'). The program EIR is a device that was originally developed by federal agencies under NEPA. The County of Inyo v. Yorty court case established its use under CEQA.

Changes to the RTP/FTIP

When the MPO/RTPA modifies its RTP/FTIP, it must determine whether the proposed changes have the potential to impact the environment and trigger CEQA review. Often changes to the RTP do not require the detailed analysis of an EIR. An abbreviated or focused type of CEQA document will usually suffice. The most common alternatives to an EIR, MND or ND are an Addendum, a Supplement, or a Subsequent environmental document.

Addendum

An Addendum may be prepared when minor technical changes or additions are made to the RTP. The Addendum makes the prior EIR, MND or ND adequate when the proposed changes to the RTP do not create any new or substantially more severe significant environmental impacts. An addendum does not require public circulation.

Supplement

A Supplement to the previous environmental document contains only the information necessary to make the previous EIR, MND or ND adequate in addressing minor additions or changes that result in a significant environmental impact. The supplement only needs to meet the circulation and public review requirements of a *draft* EIR.

Subsequent

A Subsequent EIR, MND or ND is used when there are substantial or major changes in the project, in the circumstances of the project or when new environmental information is discovered. A subsequent EIR, MND or ND is intended to be a complete environmental document and it requires the same full level of circulation and public review as the previous EIR,MND or ND.

NEPAs Applicability to the RTP

NEPA does not apply to the RTP. In the *Atlanta Coalition on the Transportation Crisis, Inc. v. Atlanta Regional Commission*, 559 F.2d 1333 (5th Cir. 1979) court case, federal judges found that "Congress did not intend NEPA to apply to State, local or private actions…". The courts recognized the development of the RTP and TIP as a matter of State and local sovereignty.

However, NEPA review does apply to the individual projects identified in the RTP during the project delivery process when the individual projects are federally funded and/or a Federal approval is required (e.g. a permit for wetlands impacts).

Requirements (Shall)

Federal: None

State: Public Resources Code 21000 et seq, Environmental Protection, and CEQA guidelines section 15000 et seq.

Recommendations(Should)
Federal: None
State: None

Best Practices: None

5.3 SAFETEA-LU Environmental Requirements

SAFETEA-LU requirements in section 6001, Metropolitan Transportation Planning, ~~that~~ are intended to enhance the consideration of environmental issues in the transportation planning process. Pursuant to Title 23 CFR 450.322, the RTP must provide a discussion of potential environmental mitigation activities and areas, including those mitigation activities that might maintain or restore the environment that is affected by the plan. This mitigation discussion must happen in consultation with Federal, State and Tribal land management and wildlife regulatory agencies. Additionally, SAFETEA-LU contains a planning process mandate that requires the MPO to compare the RTP with available State conservation plans or maps and inventories of natural or historic resources. This comparison is facilitated by the requirement to "consult as appropriate with State and local agencies responsible for land use management, natural resources, environmental protection, conservation and historic preservation".

Requirements (Shall)
Federal:
Title 23 CFR Part 450.322(f)(7):
Requires that the RTP shall include a discussion of types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the metropolitan transportation plan. The discussion shall be developed in consultation with Federal, State, and Tribal land management, wildlife, and regulatory agencies.
Title 23 CFR Part 450.322(g)(1) and (2):
Requires that the MPO shall consult, as appropriate, with State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation concerning the development of the transportation plan. The consultation shall involve, as appropriate: (1) Comparison of transportation plans with State conservation plans or maps, if available; or (2) Comparison of transportation plans to inventories of natural or historic resources, if available.
Title 23 CFR Part 450.306(a)(5):
Requires that the metropolitan transportation planning process shall be continuous, cooperative, and comprehensive, and provide for consideration and implementation of projects, strategies, and services that will address the following factors…Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns. See Section 4.37 and below for key environmental considerations for best practices.
State: None

Recommendations(Should)
Federal: None
State: None

Best Practices: Advanced mitigation planning to identify areas for mitigation prior to project-by-project discussion is a best practice. Elkhorn Slough Early Mitigation Project and Regional Advanced Mitigation Planning (RAMP) are important examples of such efforts. Coordinating

early with agencies responsible for project-level permitting can lead to identification of regional priority conservation areas and to more effective mitigation.

http://elkhornslough.ucdavis.edu/

http://www.environment.fhwa.dot.gov/ecological/eco_index.asp

5.4 SAFETEA-LU Environmental Recommendations

Appendix A - Linking the Transportation Planning and NEPA processes
Appendix A of Title 23 CFR part 450 encourages environmental information developed during the transportation planning process to be applied to the project delivery process. The goal is to make planning decisions more sustainable and to maximize the effectiveness of mitigation strategies. Appendix A is optional. It provides details on how the information and analysis from the RTP can be incorporated into and relied upon in the NEPA documents prepared for the individual projects that will implement the RTP in the future. Appendix A presents environmental review as a continuum of sequential study, refinement, and expansion of information. The actual text of Appendix A to Title 23 CFR part 450 is contained in Appendix D of this document. More guidance is available in Appendix E , which addresses the legal aspects of integrating planning and project delivery.

Requirements (Shalls)
Federal: None
State: None

Recommendations (Shoulds)
Federal: Title 23 CFR 450.300 Appendix A to Part 450 "Linking Planning and NEPA" describes the steps for streamlining the project delivery process by providing environmental information in the RTP.
State: None

Best Practices: Implementation of the strategies contained in Appendix A of Title 23 CFR Part 450 is a state of the art best practice.

5.5 Key Environmental Considerations for Best Practices

The intent of this section is to highlight those environmental resources that typically require avoidance alternatives and mitigation. Taking these environmental resources and laws into account during the transportation planning process can expedite the delivery of the projects that are contained in the RTP. The transportation planning process and the NEPA environmental analysis required during project delivery can work in tandem with the results of the transportation planning process informing the NEPA process. The RTP can identify plan-level environmental constraints and consider potential impacts that could allow projects in the plan to be modified to avoid or minimize impacts. For a more in-depth discussion of potential environmental impact and resource areas, please see Volume 1 of the Standard Environmental Reference at:

www.dot.ca.gov/SER.

During project delivery SAFETEA-LU Section 6002, (Efficient Environmental Reviews for Project Decision-making) sets forth a new environmental review process. The first step under Section 6002 is to initiate the environmental review process by notifying FHWA's Secretary of the type of work, termini, length, general location of the project, and a listing of anticipated federal permits. One means of initiating the process is to include the required information in the discussion of each EIS-level project that is contained in the RTP. The resource areas of concern are enumerated below.

Wetlands

Wetlands and other waters are protected under a number of laws and regulations, including the federal Clean Water Act, federal Executive Order for the Protection of Wetlands (E.O. 11990), and state Porter-Cologne Water Quality Control Act and parts of the state Fish and Game Code. Section 404 of the Clean Water Act establishes a permit program that prohibits any discharge of dredged or fill material into wetlands or other "waters of the United States" if a practicable alternative exists that is less damaging to the aquatic environment or if the nation's waters would be significantly degraded. The Section 404 permit program is run by the U.S. Army Corps of Engineers (ACOE) with oversight by the U.S. Environmental Protection Agency (U.S. EPA).

The Executive Order for the Protection of Wetlands (E.O. 11990) states that a federal agency, such as the Federal Highway Administration, cannot undertake or provide assistance for new construction located in wetlands unless the head of the agency finds that there is no practicable alternative to the construction and the proposed project includes all practicable measures to minimize harm.

At the state level, primarily the Department of Fish and Game (CDFG) and the Regional Water Quality Control Boards (RWQCB) regulate wetlands and waters. (In certain circumstances, the California Coastal Commission or Bay Conservation and Development Commission may also be involved.) Impacts on wetlands, lakes, streams or rivers may require a Lake or Streambed Alteration agreement with CDFG. The RWQCB issues water quality certifications in compliance with Section 401 of the Clean Water Act.

Parks, Refuges, Historic Sites

Section 4(f) of the Department of Transportation Act (49 U.S.C. 303) states that FHWA and FTA may not approve the use of land from a significant publicly-owned park, recreation area, wildlife and waterfowl refuge, or any significant historic site unless a determination is made that there is no other feasible and prudent alternative to the use of that land. Section 4(f) evaluations require the development of an avoidance alternative, however, if no feasible choices exist, extensive planning must be done to minimize harm to the property resulting from such use.

Floodplains

Executive Order 11988 (Floodplain Management) directs all federal agencies to refrain from conducting, supporting, or allowing actions in floodplains unless it is the only practicable alternative.

Threatened and Endangered Species

The primary federal law protecting threatened and endangered species is the federal Endangered Species Act (ESA) (16 USC 1531 et seq.). This act provides for the conservation of endangered and threatened species and the ecosystems upon which they depend. Under Section 7 of this act, federal agencies, such as the Federal Highway Administration, are required to consult with the U.S. Fish and Wildlife Service (USFWS) and the National Marine

Fisheries Service (NOAA Fisheries) to ensure that they are not taking actions likely to jeopardize the continued existence of listed species or destroy or adversely modify critical habitat.

California has enacted a similar law at the state level, the California Endangered Species Act (CESA)(Fish and Game Code, 2050, et seq.). CESA emphasizes early consultation to avoid potential impacts to rare, endangered, and threatened species and to develop appropriate planning to offset project caused losses of listed species populations and their essential habitats.

Cumulative Impacts

As defined in CEQA, cumulative impacts refer to "two or more individual impacts that, when considered together, are considerable or that compound or increase other environmental impacts". Because the RTP addresses long-range future transportation improvements, cumulative impacts are inherent and need to be fully discussed within the environmental document. Guidance on preparing cumulative impact analysis is available at:

http://www.dot.ca.gov/ser/cumulative_guidance/approach.htm.

Growth-Related Indirect Impacts

Growth-related indirect impacts are those impacts associated with a project or plan that would encourage or facilitate development or would change the location, rate, or type, or amount of growth. RTPs typically contain proposed actions that will be built along a new alignment and/or provide new access and those are the types of projects that will typically require a growth-related impact analysis. Where such impacts are identified, appropriate and reasonable steps to avoid or minimize indirect impacts can be considered early in the process, and incorporated into the RTP and its associated environmental document. Additional guidance on growth-related indirect impacts is available at:

www.dot.ca.gov/ser/Growth-related_IndirectImpactAnalysis/gri_guidance.htm

Requirements (Shalls)

Federal: Title 23 CFR part 450.306(a)(5) requires that the metropolitan planning process addresses protection and enhancement of the environment, among other planning factors

State: None

Recommendations (Shoulds)

Federal: Title 23 CFR 450.300 Appendix A to Part 450 "Linking Planning and NEPA" describes the steps for streamlining the project delivery process by providing environmental information in the RTP.

State: None

Best Practices: Voluntarily addressing all of the applicable topics noted above during the preparation of the RTP would be considered as a best practice. As a best practice to comply with the requirements of CA Government Code Section 65080(b)(2)(b) as well as SAFETEA-LU sections 450.322(f)(7), 450.322(g)(1) and (2), MPOs may develop a Regional Open Space and Conservation Area Framework, or "Greenprint" which identifies existing resource areas such as farm and ranchland, parkland, forests and other natural resource areas with high carbon storage or sequestration capacity, designated conservation areas, as well as those targeted for existing or future protection due to presence of sensitive resources, high value aquatic resources, vernal pools, sensitive habitat, wildlife movement corridors, floodplains, etc. This would support the

SAFETEA-LU requirements to "include a discussion of types of potential environmental mitigation activities and potential areas to carry out these activities" as well as supporting sustainable, livable communities.

5.6 Project Intent Statements/Plan Level Purpose and Need Statements

The 2003 RTP Guidelines Supplement referred to "**Project Intent Statements**" which were defined as **Plan Level Statements of Purpose and Need**. A Plan level Statement of Purpose and Need is a short statement, which serves as a justification for a project or a group of projects. These brief plan level justifications would be contained in the RTP. An example of a Plan Level Statement of Purpose and Need would be the problem of reducing congestion on a specific route. The Plan Level Statements of Purpose and Need briefly identify the transportation needs or problems and describe the intended outcome of the project(s) that would meet these needs or solve the identified problems.

A more detailed, project specific **Project level Purpose and Need Statement** is written during the project delivery process and is contained in the project initiation document (Project Study Report) and the subsequent environmental document.

MPOs/RTPAs may wish to prepare Plan Level Statements of Purpose and Need during the development of the RTP for the following reasons:

1. To provide justification for the lead agency's projects in the RTIP
2. To justify expenditure of transportation funds to the public and the CTC
3. During project selection, to provide the rationale for selecting specific projects over other projects
4. To provide the foundation for Project Level Purpose and Need information in the environmental documents.
5. To provide consistent project justification from planning through project Implementation.

Requirements (Shalls)
Federal: None
State: None

Recommendations (Shoulds)
Federal: None
State: The 2003 RTP Guidelines Supplement states that the RTP should include a project justification that identifies the specific need for the project and describes how these needs or problems will be addressed.

Best Practices

http://www.stancog.org/rtp.shtm

5.7 Air Quality and Transportation Conformity

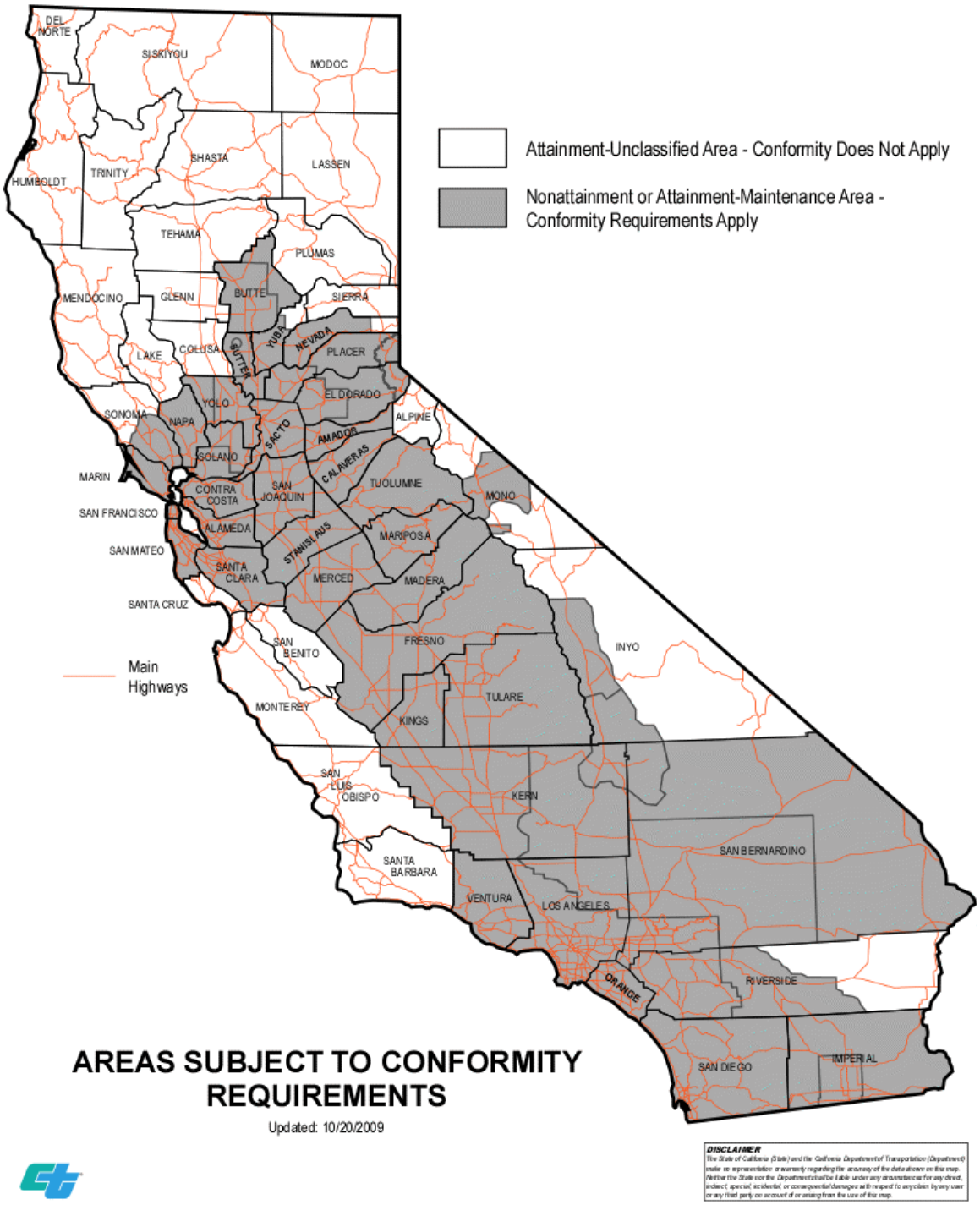
Federal and State Clean Air Act
The Clean Air Act as amended in 1990 is the primary federal law that governs air quality. This law sets the standards for the quantity of pollutants that can be in the air. These standards are

called National Ambient Air Quality Standards (NAAQS). Standards have been established for six criteria pollutants that have been linked to health concerns; the criteria pollutants are: carbon monoxide (CO), nitrogen dioxide (NO_2), ozone (O_3), particulate matter (PM), lead (Pb), and sulfur dioxide (SO_2). The State Implementation Plan (SIP) is the statewide plan for achieving the goals of the Clean Air Act and describes how the NAAQS will be met. The SIP has both statewide and regional components. The California Air Resources Board is responsible for submitting the SIP to the U.S. Environmental Protection Agency (EPA), and for developing and implementing statewide control measures such as those related to on-road mobile sources (vehicle emission controls).

There is a California Clean Air Act in the Health and Safety Code that is generally similar in concept to the Federal Clean Air Act. Under the California Clean Air Act, the California Air Resources Board sets and updates State air quality standards. The State air quality standards are usually more stringent than the Federal, but the State air quality planning structure does not include the fixed attainment deadlines and conformity process found in the Federal program.

Air pollution control and air quality management districts (APCD or AQMD) perform regional air quality planning in consultation with the MPO/RTPA, including development of on-road mobile source emission budgets that are part of the State Implementation Plan (SIP) required by the Federal Clean Air Act. APCDs and AQMDs are the main implementation agencies for stationary source emission control programs.

The U.S. EPA designates an area as “attainment” if the area meets the national ambient air quality standards (NAAQS) mandated by the Clean Air Act. If the area does not meet the NAAQS, it is designated as a non-attainment area. Once a non-attainment area attains a NAAQS, if the area develops a maintenance SIP and submits a re-designation request, the U.S. EPA can re-designate the area as a “maintenance” area. The shaded areas on the map below illustrate the areas of the State that have not attained, or have attained with a maintenance SIP, the National Ambient Air Quality Attainment Standards. All of California except Lake County fails to attain one or more of the State ambient air quality standards.



SIP Conformity requirement

In nonattainment and maintenance areas, federal regulations require that RTPs, FTIPs and Federally funded or approved highway and transit projects demonstrate transportation conformity. Under the 1990 Federal Clean Air Act Amendments, the U.S. Department of Transportation cannot fund, authorize, or approve Federal actions to support programs or projects that are not first found to conform to the SIP (Clean Air Act Section 176 (c), codified in

42 USC 7506(c)). The U.S. EPA has issued extensive regulations covering how conformity is determined for transportation planning, programming, and projects in 40 CFR 93 Subpart A. Under the EPA regulations, the RTP's regional conformity analysis must include all regionally significant transportation (road and transit) projects regardless of funding source.

RTP Conformity

Transportation conformity is intended to ensure that Federal funding and approval are given to those transportation activities that support the purpose and goals of the SIP. Conformity ensures that these transportation activities do not degrade air quality and that they support attainment of the NAAQS. The MPO and the U.S. DOT (FHWA/FTA) have a responsibility to ensure that the RTP conforms to the SIP.

Transportation conformity requirements apply to all U.S.EPA designated non-attainment and maintenance areas. When areas are designated as non-attainment for the first time, or for a new NAAQS, a conformity determination must be made within one year of the effective date of the designation. RTP and FTIP amendments, Federal project approvals and Federal funding are all contingent upon the conformity determination that shows that the total emissions projected in the RTP and FTIP are within the motor vehicle emission limits or 'budgets' established in the SIP.

No new transportation conformity requirements were created by SAFETEA-LU. However, previous requirements were modified to shorten or lengthen the time period for conformity determinations and re-determinations, to add or substitute transportation control measures (TCMs) in an approved SIP, and to adjust the frequency of conformity determinations. The Clean Air Act section 176(c) (42 USC 7506(c)) was amended, and U.S. EPA regulations at 40 CFR 93 Subpart A have been amended to conform to the Clean Air Act changes, as noted below.

Requirements (Shalls):

Federal: RTPs prepared by MPOs in areas subject to conformity requirements shall meet the requirements of 42 USC 7506(c) and 40 CFR 93 Subpart A regarding transportation conformity.

40 CFR 93.104(b)(3) and (c)(3) sets the required frequency of transportation conformity determinations for RTPs and FTIPs at four years; 42 USC 7506(c)(2)(E) and 40 CFR 93.104(e) provide two years to determine conformity after new SIP motor vehicle emissions budgets are either found adequate, approved or promulgated; 42 USC 7506(c)(9) adds a one-year grace period before the consequences of a conformity lapse apply; 42 USC 7506(c)(4)(e) and 40 CFR 93.105 streamline requirements for conformity SIPs; and, 42 USC 7506(c)(8), 40 CFR 93.113, and EPA's policy January 2009 guidance (EPA420-B-09-002) identify procedures for areas to use in substituting or adding transportation control measures (TCMs) to approved SIPs.

Transportation Control Measures

The RTP shall discuss ways in which activities in the plan will conform to the SIP, including TCM implementation. To achieve consistency between the RTP and the SIP, all TCMs identified in the SIP must be identified in the RTP by MPOs in areas subject to conformity requirements (40 CFR 93.113).

The conformity analysis prepared for the RTP shall describe both completed TCMs and TCMs that are underway. TCMs that are included in the SIP must be implemented in a timely fashion. Implementation of the TCMs must be coordinated with the SIP implementation schedule. When there is a delay in TCM implementation, the conformity analysis document must describe the

measure and the steps that the MPO/RTPA is taking to address the delay. TCM projects must receive priority for funding.

Interagency Consultation
There is a formal interagency consultation requirement in areas subject to conformity requirements; see 40 CFR 93.105. Consultation for key decisions related to the conformity analysis (and to many individual projects in areas subject to conformity because of particulate matter NAAQS nonattainment or maintenance) must include FHWA, FTA, U.S. EPA, ARB, Caltrans, the MPO, and local transit providers. The air pollution control/air quality management districts(s) shall also be included. Identifying the consultation partners and defining the form of local consultation procedures is the core of the "Conformity SIP" required by 40 CFR 51.390.

State: None. There is no conformity process in the California Clean Air Act. However, air quality is normally addressed as part of the CEQA environmental documentation for the RTP.

Recommendations (Shoulds)
Federal: 42 USC 7506(c)(7)(A) and 40 CFR 93.106 provide an option for reducing the time period addressed by conformity determinations. Normally, a regional conformity analysis must cover at least 20 years, but under certain circumstances the time period covered may be reduced to not less than 10 years.

State: None

Best Practices The conformity analysis should be prominently referenced in the RTP document. For more detailed information about transportation conformity please see the following key websites:

http://www.dot.ca.gov/hq/env/air/index.htm

http://www.fhwa.dot.gov/environment/aqupdate/index.htm

http://www.epa.gov/otaq/stateresources/transconf/index.htm

Chapter 6

Regional Transportation Plan Contents

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6.1 Summary of RTP Components

The development of the RTP is based on state and federal statutory and regulatory requirements in addition to CTC policy direction. As per Government Code 65080, each MPO/RTPA shall prepare and adopt an RTP directed at achieving a coordinated and balanced regional transportation system including, but not limited to, local streets and roads, mass transportation, highway, railroad, maritime, bicycle, pedestrian, goods movement and aviation. In addition, the RTP shall be action oriented and pragmatic, considering both short-term (0-10 years) and long-term (10-20 years) periods. The RTP shall be an internally consistent document and shall include all of the following:

The Policy Element

The purpose of the Policy Element is to identify legislative, planning, financial and institutional issues and requirements, as well as any areas of regional consensus. The Policy Element presents guidance to decision-makers of the implications, impacts, opportunities, and foreclosed options that will result from implementation of the RTP. Moreover, the Policy Element is a resource for providing input and promoting consistency of action among state, regional and local agencies including; transit agencies, congestion management agencies, Employment Development Departments, the California Highway Patrol, private and public groups, tribal governments, etc. California statutes state that each RTP shall (Government Code Section 65080 (b)) include a Policy Element that:

1. Describes the transportation issues in the region;
2. Identifies and quantifies regional needs expressed within both short and long-range planning horizons (Government Code Section 65080 (b) (1));and,
3. Maintains internal consistency with the Financial Element and fund estimates.

State law requires that the objectives shall (Government Code Section 65080 (b) (1)) be linked to short-range and long-range transportation implementation goals or horizons. Each objective should be consistent with the needs identified in the RTP as a means of strengthening the linkage between statewide system planning and ultimate project implementation. The RTP shall consider factors specified in Section 134 of Title 23 of the United States Code.

The Policy Element should clearly convey the region's transportation policies. As part of this Element, the discussion should; (1) relay how these policies were developed, (2) identify any significant changes in the policies from the previous plans and (3) provide the reason for any changes in policies from previous plans.

MPOs/RTPAs with populations that exceed 200,000 persons have the option to quantify a set of indicators including, but not limited to, all of the following:

A. Measures of mobility and traffic congestion;
B. Measures and needs for road and bridge maintenance and rehabilitation;
C. Measures of means of travel;
D. Measures of safety reliability and security;
E. Measures of equity and accessibility;
F. Other sources of data and information may also be used, such as a regions own source/s of information and data.

The Sustainable Communities Strategy (SCS)

The second component as required by Government Code Section 65080 states that MPOs shall prepare a Sustainable Communities Strategy (SCS). The SCS is statutorily required to:

1. Identify the general location of uses, residential densities, and building intensities within the region.
2. Identify areas within the region sufficient to house all the population of the region, including all economic segments of the population over the course of the planning period of the regional transportation plan taking into account net migration into the region, population growth, household formation and employment growth.
3. Identify areas within the region sufficient to house an eight-year projection of the regional housing need for the region pursuant to Government Code Section 65584.
4. Identify a transportation network to service the transportation needs of the region.
5. Gather and consider the best practically available scientific information regarding resource areas and farmland in the region as defined in subdivisions (a) and (b) of Government Code Section 65080.01.
6. Consider the state housing goals specified in Sections 65580 and 65581.
7. Utilize the most recent planning assumptions, considering local general plans and other factors.
8. Set forth a forecasted development pattern for the region, which, when integrated with the transportation network, and other transportation measures and policies, will reduce the greenhouse gas emissions from automobiles and light trucks to achieve, if there is a feasible way to do so, the greenhouse gas emission reduction targets approved by the ARB.
9. Provide consistency between the development pattern and allocation of housing units within the region (Government Code 65584.04 (i) (1)
10. Allow the regional transportation plan to comply with Section 176 of the federal Clean Air Act (42 U.S.C. Section 7506)

The Action Element

The third major component as required in Government Code Section 65080 states that RTPs shall have an "Action Element". The Action Element of the RTP consists of short and long-term activities that address regional transportation issues and needs. All transportation modes (highways, local streets and roads, mass transportation, rail, maritime, bicycle, pedestrian and aviation facilities and services) are addressed. In addition, the Action Element should also identify investment strategies, alternatives and project priorities beyond what is already programmed.

The Action Element is divided into two sections. The first section includes a discussion of the preparatory activities such as identification of existing needs, assumptions, and forecasting and potential alternative actions. The second section addresses the data and conclusions.

The Financial Element

The financial element is also statutorily required. The Financial Element is fundamental to the development and implementation of the RTP. It identifies the current and anticipated revenue sources and financing techniques available to fund the planned transportation investments described in the Action Element. The intent of the Financial Element is to define realistic financing constraints and opportunities. Finally, with this financing information, alternatives are developed and used by State and local decision-makers to determine which projects should be planned for funding.

There are six major components that constitute the Financial Element:

1. Summary of costs to operate and maintain the current transportation system;
2. Estimate of costs and revenues to implement the projects identified in the Action Plan;
3. Inventory of existing and potential transportation funding sources;
4. List of candidate projects if funding becomes available;
5. Potential funding shortfalls; and,
6. Identification of alternative policy directions that affect the funding of projects.

Government Code Section 65080 (b)(4)(C) states that the MPO or county transportation agency, whichever entity is appropriate, shall consider financial incentives for cities and counties that have resource areas or farmland, as defined in Government Code Section 65080.01, for the purposes of, for example, transportation investments for the preservation and safety of the city street or county road system and farm to market and interconnectivity transportation needs. The MPO or county transportation agency, whichever entity is appropriate, shall also consider financial assistance for counties to address countywide service responsibilities in counties that contribute towards the greenhouse gas emission reduction targets by implementing policies for growth to occur within their cities.

It is very important that RTPs reflect the transportation needs of the specific region. There are State statutory content requirements for the Policy, Action and Financial elements of the RTP; however, there is flexibility in choosing a format for the presentation of this information. Most MPOs/RTPAs use the categories of Policy, Action and Financial to organize their RTP.

Consistency Between the SCS and the RTP Policy, Financial and Action Elements

The RTP shall be an "internally consistent" document. This means that the contents of the Policy, Action, Financial elements, and Sustainable Communities Strategy must be consistent with one another. Transportation investments should be consistent with or supportive of the forecasted development pattern contained in the SCS.

For more detailed information regarding the contents of an SCS please refer to Section 6.23 of the RTP Guidelines.

Other RTP Contents:

The RTP should also include the following:

1. Executive Summary – An Executive Summary of the RTP as an introductory chapter. The Executive Summary should provide a regional perspective, and identify the challenges and transportation objectives to be achieved.
2. Reference to regional environmental issues and air quality documentation needs.

Requirements (Shalls)
Federal: 23 USC 450.322
State: California Government Code Section 65080

Recommendations (Shoulds)
Federal: None
State: None

6.2 Financial Overview

Federal statute and regulations and California State statute requires RTPs to contain an estimate of funds available for the 20-year planning horizon. This discussion of financial information is fundamental to the development and implementation of the RTP. The financial portions of the RTP identify the current and anticipated revenue sources and financing techniques available to fund the planned transportation investments described in other portions of the RTP. The intent is to define realistic financing constraints and opportunities. All projects, except illustrative projects i.e. unconstrained projects, must be fully funded in order to be included in the RTP. With this financing information, alternatives are developed and used by the MPO/RTPA, local agencies and State decision-makers in funding transportation projects. During programming and project implementation the total cost of the project is refined and broken out by cost per phase.

Section 6001 of Public Law 109-59, (SAFETEA-LU) requires each transportation plan and each transportation improvement program prepared by the MPO to include a financial plan that demonstrates how the adopted Plan and TIP can be implemented. The Financial Plan should also indicate resources from public and private sources that are reasonably expected to be made available to carry out the transportation plan and FTIP, identify innovative financing techniques to finance projects, programs and strategies, and recommend any additional financing strategies for needed projects and programs. The Federal statutory requirements are codified in Title 23 USC 134(i)(2)(C) and 134(j)(2)(B). Federal regulations pertaining to financial planning and constraint for Statewide and metropolitan transportation plans and programs are codified in Title 23 CFR part 450.

There are six major components that should be addressed in the financial portion of the RTP:

1. Projected Available Funds – The MPO/RTPA, public transit operators and the State shall cooperatively develop estimates of funds that will reasonably be available to support RTP implementation. All anticipated public and private financial resources available over the next 20 years, including estimated highway, local streets and roads, bicycle and pedestrian and transit funds, shall be identified. The financial plan shall include recommendations for additional financing strategies. New funding sources and strategies shall also be identified. Beginning December 11, 2007, all revenue estimates for the financial plan must use an inflation rate that reflects the "year of expenditure dollars" developed cooperatively by the MPO, State and transit operators.

2. Projected Costs – The MPO shall take into account all projects and strategies proposed for funding with Federal, State, local and private fund sources in developing the financial plan. Estimate of costs to implement the projects identified in the four year FTIP and the RTP must be included. Beginning December 11, 2007, both the revenue and construction cost estimates must use inflation rates to reflect "year of expenditure dollars" based on reasonable financial principles and information developed cooperatively by the MPO/RTPA, State and public transportation operators.

3. Projected Operation and Maintenance Costs – The financial plan shall contain system level estimates of costs and revenue sources that are reasonably expected to be available to adequately operate and maintain Federal-aid highways and public transportation. Best practices in developing the RTP financial plan would also include revenue sources for the operation and maintenance of local streets and roads as well as bicycle and pedestrian facilities. A summary of costs to operate and maintain the current

transportation system should be included. This should be identified by mode and include the cumulative cost of deferred maintenance on the existing infrastructure. Financial plans that support the RTP process must assess capital investment and other measures necessary to ensure the preservation of:

A) The existing transportation system, including requirements for operational improvements;
B) Resurfacing, restoration, and rehabilitation of existing and future major roadways, as well as operations, maintenance, modernization, and rehabilitation of existing and future transit facilities.

4. Constrained RTP - Financially constrained list of candidate projects with the available funding (short and long-term).

5. Un-Constrained (Illustrative) List of Projects - Un-constrained (Illustrative) list of candidate projects if additional funding becomes available (short and long-term). The financial plan may include additional projects that would be included in the adopted transportation plan if additional resources were to become available.

6. Potential Funding Shortfall. The short and long-term needs for system operation, preservation, and maintenance can be enormous. Simply maintaining the existing system can demand a huge investment, while system expansion demands investments of a similar scale. At times, the combination of these competing demands can cause temporary shortfalls to an MPOs or RTPAs budget. To the extent there appear to be shortfalls, the MPO/RTPA must identify a strategy to address these gaps in funding prior to the adoption of a new RTP - or the amendment of an existing RTP. The strategy should include an action plan that describes the steps to be taken that will make funding available within the time frame shown in the financial plan and needed to implement the projects in the long-range transportation plan. There should be, among other things, a range of options to address projected shortfalls. The strategy may rely upon the MPO/RTPAs or transit operators' past record of obtaining funding. If it relies on new funding sources, the MPO/RTPA must demonstrate that these funds are reasonably expected to be available.

Requirements (Shalls)
Federal: Title 23 CFR part 450.322(f)(10)
State: California Government Code Section 65080(b)

Recommendations (Shoulds)
Federal: None
State: None

Best Practices:

http://www.mtc.ca.gov/planning/2030_plan/index.htm

http://www.bcag.org/__planning/2004_RTP.html

6.3 Fiscal Constraint

Fiscal constraint is the demonstration of sufficient funding (Federal, State, local and private) to operate and maintain transportation facilities and services and to implement planned and programmed transportation system improvements. Fiscal constraint can also be thought of as the description of fully funded projects in the RTP based on the projected available revenues during the 20 plus year planning horizon.

Title 23 CFR 450.104 provides the following definition of fiscal constraint or fiscally constrained: " (it) means that the metropolitan transportation plan, TIP, and STIP includes sufficient financial information for demonstrating that projects in the metropolitan transportation plan, TIP and STIP can be implemented using committed, available or reasonably available revenue sources, with reasonable assurance that the federally supported transportation system is being adequately operated and maintained. For the TIP and the STIP, financial constraint/fiscal constraint applies to each programming year. Additionally, projects in air quality nonattainment and maintenance areas can be included in the first two years of the TIP or STIP only if funds are 'available' or 'committed'."

To support air quality planning under the 1990 Clean Air Act Amendments, a special requirement has been placed on air quality nonattainment and maintenance areas, as designated by the U. S. Environmental Protection Agency (EPA). Specifically, projects in air quality nonattainment and maintenance areas can be included in the first two years of the FTIP only if funds are "available or committed" (Title 23 CFR 450.324(e)). Available funds include those derived from an existing source of funds dedicated to or historically used for transportation purposes. For Federal funds, authorized and/or appropriated funds and the extrapolation of formula and discretionary funds at historic rates of increase are considered "available." Committed funds include funds that have been bound or obligated for transportation purposes. For State funds that are not dedicated to or historically used for transportation purposes, only those funds over which the Governor has control may be considered as "committed." For local and private sources not dedicated to or historically used for transportation purposes, a commitment in writing/letter of intent by the responsible official or body having control of the funds constitutes a "commitment." Additionally, EPA's transportation conformity regulations specify that an air quality conformity determination can only be made on a fiscally constrained RTP and FTIP (40 CFR 93 Part 108). Therefore, nonattainment and maintenance areas may not rely on proposed new taxes or other new revenue sources for the first two years of the FTIP. New funding for RTP projects from a proposed gas tax increase, a proposed regional sales tax, or a major funding increase still under debate would not qualify as "available or committed" until it has been enacted by legislation or referendum i.e. the period of time between the sunset date of the current regional sales tax and before the next legislative or referendum action to restore or increase funding.

Requirements (Shalls)
Federal: :Title 23 CFR part 450.322(f)(10)
State: California Government Code Section 65080(b)

Recommendations (Shoulds)
Federal: None
State: None

Best Practices:

http://www.sandag.org/index.asp?projectid=292&fuseaction=projects.detail

http://www.scag.ca.gov/rtp2004/2004/FinalPlan.htm

6.4 Listing of Constrained and Un-constrained Projects

In addition to the current list of financially constrained projects identified in the RTP, each Plan should contain a list of needed unconstrained projects (Illustrative projects). illustrative projects are additional transportation projects that may (but is not required to) be included in the RTP if reasonable additional resources were to become available. This unconstrained list will identify projects that are recommended by the MPO/RTPA without a funding source identified. The list should be included separately from the financially constrained project list. It is also preferred that projects on the unconstrained list be identified by transportation corridor within the region.

The following is accomplished by including a list of regionally desired un-funded (Illustrative) transportation projects in the RTP:

1. Identifies projects that could be funded, should additional funding become available.
2. Allows for a more accurate determination of overall transportation needs.

Requirements (Shalls)
Federal: Title 23 CFR part 450.322 (f)(10) Requires a fiscally constrained list of projects.
State: None

Recommendations (Shoulds)
Federal: Title 23 CFR part 450.322 (f)(10)(vii) For illustrative purposes, the list of projects may include additional projects if an additional source of funds is located.
State:

Best Practices:

http://www.mtc.ca.gov/planning/2035_plan/

http://www.sacog.org/mtp/2035

6.5 Revenue Identification and Forecasting

Revenue forecasts for RTPs can take into account new funding sources that are "reasonably expected to be available." New funding sources are revenues that do not currently exist or that may require additional steps before the MPO/RTPA or transit agency can commit such funding to transportation projects. As required in SAFETEA-LU, strategies for ensuring the availability of these planned new revenue sources must be clearly identified. Future revenues may be projected based on historical trends, including consideration of past legislative or executive actions. The level of uncertainty in projections based on historical trends is generally greatest for revenues in the "outer years" (10 years or more) of an RTP.

According to Title 23 CFR part 450.322 (f)(10)(iv), the MPO shall take into account all projects and strategies proposed for funding under Title 23 U.S.C.; Title 49 U.S.C. Chapter 53; other Federal funds; State transportation funds; local funding sources and private sources of funds for

transportation projects. Beginning December 11, 2007, funding estimates contained in the RTP must use an inflation rate to reflect "year of expenditure dollars".

Title 23 CFR 450.322(f)(10)(viii) states: "In cases that the FHWA and the FTA find a metropolitan transportation plan to be fiscally constrained and a revenue source is subsequently removed or substantially reduced (i.e. by legislative or administrative actions), the FHWA and FTA will not withdraw the original determination of fiscal constraint; however, in such cases, the FHWA and FTA will not act on an updated or amended metropolitan transportation plan that does not reflect the changed revenue situation." The same policy applies if project costs or operations/maintenance cost estimates change after an RTP or FTIP is adopted. Such a change in cost estimates does not invalidate the adopted transportation plan or program. However, the revised costs must be provided in new or amended RTPs and FTIPs. In such cases, FHWA will expect the MPO to identify alternative sources of revenue as soon as possible. In such cases the FHWA/FTA will not act on new or amended RTPs or FTIPs unless they reflect the changed revenue and project cost situation. If FHWA and FTA find an RTP or FTIP to be fiscally constrained and the planned/programmed projects are included based on outdated or invalid cost estimates, then FHWA/FTA will not make funding or environmental approval actions for the listed project(s) unless the RTP and FTIP are updated or amended to reflect the latest project cost estimate.

The estimated revenue by existing revenue source (local, State, Federal and private) available for transportation projects shall be determined and any shortfalls identified. Proposed new revenues and/or revenue sources to cover shortfalls shall be identified, including strategies for ensuring their availability for proposed investments. Existing and proposed revenues shall cover all forecasted capital, operating, and maintenance costs. All cost and revenue projections shall be based on the data reflecting the existing situation and historical trends. For nonattainment and maintenance areas, the financial plan element shall address the specific financial strategies required to ensure the implementation of projects and programs (TCMs) to reach air quality compliance

Requirements (Shalls)
Federal: Title 23 CFR part 450.322(f)(10)
State: California Government Code Section 65080(b)

Recommendations (Shoulds)
Federal: None
State: None

Best Practices:

http://www.bcag.org/__planning/2004_RTP.html

http://www.fresnocog.org/document.php?pid=320&x=272

6.6 Estimating Future Transportation Costs

As a result of SAFETEA-LU (Title 23 CFR Part 450.322(f)(10)(iv)), costs of future transportation projects must use "year of expenditure dollars" rather than "constant dollars" in cost and revenue estimates to better reflect the time-based value of money. After December 2007, MPOs/RTPAs must ensure project costs identified in both the RTP and FTIP are in year of

expenditure dollars. This is particularly crucial for large-scale projects with construction/implementation dates stretching into the future. For those MPOs located in air quality nonattainment and maintenance areas the financial plan developed by the MPO shall address the specific financial strategies and funding sources required to ensure the implementation of TCM's whether or not the TCM's are identified in the SIP pursuant to Title 23 CFR 450.322 (f)(10)(vi).

Reporting the costs in year of expenditure dollars will provide the proper context to express a more realistic estimate of future construction costs. After cost estimates are prepared for the RTP and FTIP, the costs should be expressed in year of expenditure dollars. This can be done by assigning an inflation rate per year to the proposed midpoint of construction. Make certain that the selected year of expenditure reflects a realistic scenario, taking into account project planning and development durations, as well as construction. Inflation rates may be different for specific cost elements (e.g. construction vs. right-of-way). The RTP should clearly specify how inflation is considered in the estimate and clearly State that the estimate is expressed in year of expenditure dollars. Consider multiple sources for determining the inflation rate, including nationwide and local references. Include consideration of any locality-specific cost factors that may reflect a growth rate significantly in excess of the inflation rate, such as land acquisition costs in highly active markets. The inflation rate(s) should be based on sound, reasonable financial principles and information, developed cooperatively by the MPO/RTPA and transit agencies. To ensure consistency, similar financial forecasting approaches ideally should be used for both the RTP and FTIP. In addition, the financial forecast approaches, assumptions, and results should be clear and well documented.
Revenues and related cost estimates for operations and maintenance should be based on a reasonable, documented process. Some accepted practices include:

Trend analysis - A functional analysis based on expenditures over a given duration, in which costs or revenues are increased by inflation, as well as a growth percentage based on historic levels. This analysis could be linear or exponential. When using this approach, however, it is important to be aware of new facilities or improvements to existing facilities. Transit operations and maintenance costs will vary with the average age of the bus or rail car fleet.

Cost per unit of service – Examples include: lane-mile costs; centerline mile costs; traffic signal cost; transit peak vehicles by vehicle type; revenue hours; and vehicle-miles by vehicle type.

Regardless of the methodology employed, the assumptions should be adequately documented by the MPO/RTPA and transit agency. Estimating current and reasonably available new revenues and required operations and maintenance costs over a 20-year planning horizon is not an exact science. To provide discipline and rigor, MPOs/RTPAs and transit operators should attempt to be as realistic as possible, as well as ensure that all costs assumptions are publicly documented.

Requirements (Shalls)
Federal: Title 23 CFR part 450.322(f)(10)
State: California Government Code Section 65080(b)

Recommendations (Shoulds)
Federal: Title 23 CFR 450.322 (f)(10)(v) authorizes the option to use aggregate cost ranges or bands in the outer years of the RTP.
State: None

Best Practices: In keeping with the Federal and State efforts to streamline the project delivery and NEPA review process at the project level by providing environmental information at the earliest point in time, it is recommended that the RTP also include a preliminary cost estimate for the mitigation activities that are identified.

6.7 Asset Management

From increased vehicle miles traveled, growing population, and greater congestion to aging infrastructure and escalating operating costs, today's challenging circumstances put demands greater than ever on the transportation system. The goal of asset management is to minimize the life-cycle costs for managing and maintaining transportation assets, including roads, transit, bridges, tunnels, runways, rails, and roadside features.

The American Association of State Highway and Transportation Officials (AASHTO) define asset management as:

> *"A strategic and systematic process of operating, maintaining, upgrading, and expanding physical assets effectively through their life cycle. It focuses on business and engineering practices for resource allocation and utilization, with the objective of better decisionmaking based upon quality information and well defined objectives."*

Through the use of management systems, engineering and economic analysis, and other tools, MPOs/RTPAs and transit operators can more comprehensively view the big picture and evaluate collected data before making decisions as to how specific resources should be deployed. Asset management principles and techniques should be applied throughout the planning process, from initial goal setting and long-range planning to development of the TIP and then through operations, preservation, and maintenance.

MPOs/RTPAs should ensure the transportation system is managed to meet both current and future demands and that expenditures are optimal. Asset management principles and techniques are valuable tools that can be applied by an MPO/RTPA and result in more effective decisionmaking. The MPO/RTPA role in a successful asset management program includes defining performance measures for assets through public involvement, serving as a repository for asset data, and promoting standard data collection and technology applications. MPOs/RTPAs can also educate the public and decisionmakers and work cooperatively with stakeholders across transportation modes.

Title 23 CFR Part 450.306(e) states the following concerning asset management:

> *"In carrying out the metropolitan transportation planning process, MPOs, States, and public transportation operators may apply asset management principles and techniques in establishing planning goals, defining TIP priorities, and assessing transportation investment decisions, including transportation system safety, operations, preservation, and maintenance, as well as strategies and policies to support homeland security and to safeguard the personal security of all motorized and non-motorized users."*

MPOs/RTPAs should consider including asset management principles in the development of their RTPs. The following are the benefits of applying transportation asset management during the planning process:

1. Maximize transportation system performance.
2. Improve customer satisfaction.
3. Minimize life-cycle costs.
4. Match service provided to public expectations.
5. Make more informed, cost-effective program decisions and
6. Better use of existing transportation assets.

Additional information is available from the FHWA at:

http://www.fhwa.dot.gov/infrastructure/asstmgmt/tpamb.cfm

Requirements (Shalls)
Federal: None
State: None

Recommendations (Shoulds)
Federal: Title 23 CFR Part 450.306(e) - MPOs, States, and public transportation operators may apply asset management principles and techniques in establishing planning goals, defining TIP priorities, and assessing transportation investment decisions.
State: None

Best Practices:

http://www.sjcog.org/Programs%20&%20Projects/Transportation_files/RTP.htm

http://www.hcaog.net/docs/RTP.2006

Modal Discussion

The RTP is the key document prepared by the MPO/RTPA that reflects future plans of the transportation system for the region. This future vision includes all modes of transportation and is one of the key functions of the RTP.

Both federal regulations and State statute require RTPs to address each transportation mode individually. Title 23 CFR 540.322(b)—states: "*the transportation plan shall include strategies/actions that lead to the development of an integrated multimodal transportation system to facilitate the safe and efficient movement of people and goods in addressing current and future transportation demand*."

Title 23 CFR 450.322(f)(2) requires that RTPs address both existing and proposed transportation facilities such as major roadways, transit lines (both rail and primary bus routes), multimodal and intermodal connector facilities, pedestrian walkways and bicycle facilities.

California Government Code Section 65080(a) states that transportation planning agencies shall prepare and adopt an RTP directed at achieving a coordinated and balanced regional transportation system that includes mass transportation, highway, railroad, maritime, bicycle, pedestrian, goods movement, and aviation facilities.

6.8 Highways, Local Streets & Roads

The section of the RTP discussing highways, local streets and roads should consider the following:

1. An overview of the primary highway and arterial road system within the region;
2. Dual access of the local road system with bicycles;
3. National and State highway system, and regionally significant streets and roads;
4. Any corridor preservation processes for possible future transportation projects (i.e. right of way, historic highways, abandoned rails);
5. Local maintenance and rehabilitation needs (including deferred maintenance);
6. Maintenance of State highways;
7. Data collection and other infrastructure requirement for ITS; and,
8. Unmet highway needs.

Requirements (Shalls)
Federal: Title 23 CFR 450.322(b) requires short and long-range strategies for an integrated multimodal transportation system.
State: Government Code Section 65080(a) requires that the RTP shall be directed at achieving a coordinated and balanced regional transportation system.

Recommendations (Shoulds)
Federal: None
State: None

Best Practices:

http://www.scrtpa.org/RTplan.htm

http://www.pctpa.org/library/rtp2027/rtp2027_final.htm

http://www.trpa.org/default.aspx?tabindex=13&tabid=317

6.9 Transit

Transit plays a key role in the regional effort to reduce traffic congestion, VMT and vehicle emissions particularly in urbanized areas. The increased use of transit by the general public will also be a key element to meeting SB 375 requirements and reducing greenhouse gas emissions that contribute to global warming. Transit systems also play an important role in the mobility of youth and the elderly, people who are low-income, and people with disabilities. Given these reasons, it is crucial for MPOs/RTPAs to engage in a continual dialogue with the transit operators within their region.

The section of the RTP addressing mass transportation issues (including regional transit services and urban rail systems) should address:

1. Identification of passenger transit modes within the region (bus, light and heavy rail, etc.);
2. Integration with transit, highway, street and road projects (including identification of priorities);

3. Implementation plans, operational strategies and schedule for future service (including construction and procurement);
4. Operational integration between transit fleets, and other modes (passenger rail, aviation, taxis, etc.);
5. Summation of the short and long range transit plans along with the capital finance plans for the 20-year period of the RTP;
6. Short and long-range transit plans and capital finance plans for the 20-year RTP period;
7. Inventory of bus fleets by fuel type (diesel, natural gas, and other alternative fuels);
8. Unmet transit needs;
9. Urban and commuter rail project priorities; and,
10. ITS elements to increase efficiency, safety and level of service.

Requirements (Shalls)
Federal: Title 23 CFR part 540.322(b) requires short and long-range strategies for an integrated multimodal transportation system.
State: Government Code Section 65080(a) the RTP shall be directed at achieving a coordinated and balanced regional transportation system.

Recommendations (Shoulds)
Federal: None
State: None

Best Practices: None

6.10 Goods Movement (Maritime/Rail/Trucking/Aviation)

Goods movement is at the heart of California's economy. With the vast array of products that need to get from here to there, the importance of the multi-modal transportation system is paramount. Infrastructure degradation would have a crippling effect on the business, safety and quality of life.

The RTP section discussing goods movement should identify the following:

1. The role of goods movement within the region (this general discussion will include intermodal connectivity between all applicable maritime facilities, freight rail lines, inventory of major routes used for trucking, major warehouses and freight transfer facilities, and aviation cargo facilities);
2. Plans for future expansion of seaport and airport cargo handling facilities and issues regarding access to these ports;
3. Projections for future expansion of freight rail lines within the region;
4. Freight rail and maritime port access issues (if applicable);
5. USA/Mexico border crossing issues (if applicable);
6. State maritime policy and plans; and,
7. ITS issues relating to goods movement.

Requirements (Shalls)
Federal: Title 23 CFR 450.322(b) requires short and long-range strategies for an integrated multimodal transportation system.
State: Government Code Section 65080(a) requires that the RTP shall be directed at achieving a coordinated and balanced regional transportation system.

Recommendations (Shoulds)
Federal: None
State: None

Best Practices:

http://www.mtc.ca.gov/planning/rgm

http://www.scag.ca.gov/rtp2004/2004/FinalPlan.htm

6.11 Regional Airport System

Airports are a major contributor to the local, state and national economy. The value of the State's air cargo is approximately $173 billion and the California share of the U.S. travel market is approximately twelve percent.

The RTP section addressing aviation should identify the following:

1. An overview of the role the airport system within the region;
2. An airport inventory of the commercial and general aviation airports within the region. This should include a general description of each airport (number of commercial flight, based aircraft, number of annual operations, etc.);
3. Airport ground access and required ground access plans - If region contains primary air-carrier airport(s), the RTP shall include an Airport Ground Access Improvement Program as specified in California Government Code 65081. A primary air-carrier airport is defined by the Federal Aviation Administration as having 10,000 annual passenger enplanements;
4. Short and long-range capital improvement plans and projects for the airports within the region;
5. Outcomes of the California Aviation System Plan and regional aviation system planning efforts; and,
6. The identification of the State required Airport Land Use Commission within the region and discussion of the Airport Land Use Compatibility Plan.

Requirements (Shalls)
Federal: Title 23 CFR 450.322(b) requires short and long-range strategies for an integrated multimodal transportation system.

State: California Government Code 65081.1 requires each RTPA with a primary air-carrier airport to have an Airport Ground Access Improvement Program for mass transportation.

Recommendations (Shoulds)
Federal: None
State: None

Best Practices:

http://www.actc-amador.org/projects/reports.php

6.12 Bicycle & Pedestrian – Including AB 1396

The use of bicycles and walking as a means of transportation has increased dramatically in California over the last 20 years. Both modes of transportation promote a healthy lifestyle and reduce environmental impacts. Additional information regarding the Complete Streets planning process which emphasizes bicycle and pedestrian access and circulation is available in Section 2.6. The RTP section discussing bicycle and pedestrian issues should identify the following:

1. Bicycle routes within the region (including bicycle routes on local streets);
2. Policies, plans and programs used to promote the usage of bikes and walking;
3. Transit interface with bicyclists and pedestrians; and,
4. Unmet bicycle and pedestrian needs.

AB 1396 – California Coastal Trail

Enacted in 2007, AB 1396 added Section 65080.1 to the Government Code which requires transportation planning agencies whose jurisdictions include a portion of the California Coastal Trail (or property designated for the coastal trail) to coordinate with specified agencies regarding development of the coastal trail, and to include provisions for the coastal trail in their Regional Transportation Plans.

Additional information and maps regarding the California Coastal Trail is available from the State Coastal Conservancy at:

http://www.coastalconservancy.ca.gov/Programs/cct/Coastal_Trail.htm

http://www.coastal.ca.gov/access/coastal-trail-map.pdf

Requirements (Shalls)
Federal: Title 23 CFR 450.322(f)(8) requires MPOs to include a discussion of pedestrian walkways and bicycle transportation facilities in accordance with Title 23 USC 217(g)

State: Government Code Section 65080(a) requires that the RTP shall be directed at achieving a coordinated and balanced regional transportation system.
Government Code Section 65080.1 requires that transportation planning agencies whose boundaries include a portion of the California Coastal Trail or property designated for the trail, coordinate with appropriate agencies including the State Coastal Conservancy, the California Coastal Commission and the Department of Transportation regarding development of the California Coastal Trail, and include provisions for the California Coastal Trail in their Regional Transportation Plan.

Recommendations (Shoulds)
Federal: None
State: None

Best Practices:

http://www.ambag.org/planning/MTP.html

Programming/Operations

6.13 Transportation System Operations & Management

The RTP shall address operational and management strategies aimed at improving the performance of the existing regional transportation system in order to reduce transportation congestion issues and maximize the safety and mobility of people and goods. Examples of operational and management include: (a) Traffic incident management (b) Travel information services(c) Roadway weather information (d) Freeway management (e) Traffic signal coordination and (f) and bicycle and transit trip planning.

Although operational and management strategies may be implemented on a regional, area-wide, or project-specific basis, those strategies included in an RTP should typically be those that have importance on a regional level.

RTPs shall include existing and proposed transportation facilities (including major roadways, transit, multimodal and intermodal facilities, pedestrian walkways and bicycle facilities and connectors) that should function as an integrated regional transportation system with emphasis on those facilities that serve important national and regional needs.

If applicable, the locally preferred alternative selected from an Alternative Analysis under the FTA's Capital Investment Grant Program (Section 5309) needs to be adopted as part of the RTP as a condition for funding under 49 USC 5309.

Requirements (Shalls)
Federal: Title 23 USC Section 134, 450.322 (f)(3) requires strategies for improving the regional transportation system and reducing congestion.
State: None

Recommendations (Shoulds)
Federal: None
State: None

Best Practices: A U.S. Department of Transportation document titled; "Management & Operations in the Metropolitan Transportation Plan: A Guidebook for Creating an Objectives-Driven, Performance-Based Approach" provides a very good overview on how to integrate transportation system management and operations into the planning process.

6.14 Coordination With Programming Documents

The Federal Transportation Improvement Program (FTIP) is a four-year prioritized listing of federally funded and non-federally funded regionally significant transportation projects that is developed and formally adopted by an MPO as part of the metropolitan transportation planning process. MPOs work cooperatively with public transportation agencies as well as other local, state, and federal agencies to propose projects for inclusion in the FTIP. Each project or project phase in the FTIP must be consistent with the approved RTP. The FTIP must be updated at least every four years. MPOs may also refer to the FTIP as the Metropolitan

Transportation Improvement Program (MTIP). Specific requirements for the development and content of the FTIP are contained in Title 23 CFR Part 450.324.

As with the RTP, some MPOs refer to their four-year FTIP by other terms. Below is table outlining the various terms used by federal, state and the MPOs to refer to the same documents, the four-year FTIP prepared by the MPOs and the five-year State Transportation Improvement Program (STIP), which is prepared by Caltrans and the RTPAs, and adopted by the CTC.

Federal Term Used	State Term Used	Terms Used by MPOs
TIP	FTIP	TIP, MTIP, FTIP, RTIP
FSTIP	STIP	FSTIP

Projects included in the FTIP may include projects from two other State programming documents: (1) the State Highways Operation and Protection Program (SHOPP), and (2), the State Transportation Improvement Program (STIP). The purpose of the SHOPP program is to maintain safety, operational integrity and rehabilitation of the State Highway System. The STIP is a five-year capital improvement program of transportation projects on and off the State Highway System funded with revenues from the State Highway Account and other sources. Caltrans manages the SHOPP program, while the CTC manages the STIP. The STIP is a five-year document and is updated every other year. The SHOPP is a ten-year document and is adopted by the CTC in August of each odd numbered year. These two programs are major components of the FTIP.

The Federal Statewide Transportation Improvement Program (FSTIP) is a compilation of the FTIPs prepared by the 18 MPOs. It also includes projects in rural areas of the state not represented by an MPO (the Department acts as the MPO for the rural areas). The FSTIP is prepared by Caltrans and submitted to the Federal Highway Administration and Federal Transit Administration for approval. The FSTIP covers a four-year period and must be updated at least every four years. States have the option to update more frequently, if desired. Federally funded projects or non-federally funded regionally significant projects cannot be added to the FTIP or FSTIP unless they are included in the RTP. Specific requirements for the development and content of the FSTIP are contained in Title 23 CFR part 450.216.

The diagram in Appendix B illustrates the federal/state programming process.

Requirements (Shalls)
Federal: Title 23 CFR part 450.324(a) requires MPOs to prepare a transportation improvement program (TIP).
State: None

Recommendations (Shoulds)
Federal: None
State: None

Best Practices: None

6.15 Transportation Projects Exempted from Senate Bill 375

Government Code Section 65080 (b) (2) (K) provides that projects programmed for funding on or before December 31, 2011, are not required to be subject to the provisions required in Government Code Section 65080 (b) (2), a sustainable communities strategy and alternative planning strategy, if they are:

- Contained in the 2007 or 2009 Federal Statewide Transportation Improvement Program, or
- Funded pursuant to the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, Chapter 12.49 (commencing with Section 8879.20) of Division 1 of Title 2, or
- Were specifically listed in a ballot measure prior to December 31, 2008, approving a sales tax increase for transportation projects.

Nothing in Government Code Section 65080 (b) (2) (K) shall require a transportation sales tax authority to change the funding allocations approved by the voters for categories of transportation projects in a sales tax measure adopted prior to December 31, 2010. For purposes of this subparagraph of the Government Code, a transportation sales tax authority is a district, as defined in Section 7252 of the Revenue and Taxation Code, that is authorized to impose a sales tax for transportation purposes.

The Commission recognizes that this section of law requires input from various agencies with respect to its implementation. Therefore, how the exemption is applied in the GHG target setting and modeling process is not provided in these guidelines. MPOs are encouraged to work with ARB, and others, including the Legislature, to further clarify the intent and implementation of the exemption allowed.

NOTE: In recognition that the provision in the law referencing "projects programmed for funding on or before December 31, 2011" may be interpreted differently by various stakeholders, the Commission is working with the stakeholders to develop clarifying guidance. This guidance is expected to be incorporated in the next RTP Guidelines draft for comment.

Requirements (Shalls)
Federal: None
State: California Government Code Section 65080 (b) (2) (K)

Recommendations (Shoulds)
Federal: None
State: None

Best Practices: None

6.16 Regionally Significant Projects

40 CFR Part 93.101 defines regionally significant projects as follows:

> *"Regionally significant project means a transportation project (other than an exempt project) that is on a facility which serves regional transportation needs (such as access to and from the area outside of the region, major activity centers in the region, major planned developments such as new retail malls, sports complexes, etc., or transportation terminals as well as most terminals themselves) and would normally be included in the modeling of a metropolitan area's transportation network, including at a minimum all principal arterial highways and all fixed guide way transit facilities that offer an alternative to regional highway travel."*

All regionally significant projects must be included in an RTP air quality conformity determination by the MPO and FHWA regardless of its funding source. These regionally significant projects should be specifically identified and noted in the project-listing portion of RTP.

Requirements (Shalls)
Federal: Title 23 CFR part 450.324(d) requires all regionally significant projects be included in the TIP regardless if the projects are to be funded with federal funds or not.
State: None

Recommendations (Shoulds)
Federal: None
State: None

Best Practices: None

6.17 Regional ITS Architecture

Intelligent transportation systems (ITS) encompass a broad range of wireless and wire line communications-based information and electronics technologies. When integrated into the transportation system's infrastructure, and in vehicles themselves, these technologies relieve congestion and improve safety. ITS is one way to increase the efficiency, safety and security of a transportation system. ITS involves the use of advanced computer, electronic and communications technologies and emphasizes *enhancing travel on existing infrastructure* (highways, streets, bridges, trains). Some examples of ITS technologies include advanced traffic signals, roadway and weather monitoring stations, bus and maintenance vehicle location systems, electronic roadside information signs and automated vehicle control systems.

The National ITS Program was established by ISTEA in 1991. Further federal regulations focused on extending ITS to regional planning efforts and training transportation professionals to deal with the range of issues associated with the adoption of advanced transportation technology. The development of the regional ITS architecture is not meant to compete with the formal transportation planning process. In fact, key ITS projects and initiatives are targeted early in the planning process. When updating RTPs, MPOs/RTPAs should be sure to comply with current federal regulations. Title 23 CFR part 450.306 (f) states that "*The metropolitan*

transportation planning process shall, to the maximum extent practicable, be consistent with the development of applicable regional intelligent transportation systems (ITS) architectures, as defined in Title 23 CFR part 940."

Title 23 CFR part 940 establishes the protocol for developing a regional architecture plan that, in turn, conforms to national ITS architecture standards. The ITS regulations defines the responsibilities for creating and maintaining Regional ITS Architecture (RA) frameworks. Architecture maintenance is the process of updating a regional architecture with references to new projects and activities, new stakeholders; additions, retirement or replacement of equipment; and, changes to standards and protocols. Maintenance is an ITS program responsibility under Title 23 CFR part 940.

The intent of the federal ITS requirement is to encourage reciprocal consistency. Title 23 CFR part 940.5, Intelligent transportation system architecture and standards, calls for the "development of the regional ITS architecture (to) be consistent with the (Metropolitan) transportation planning process…". It is important to coordinate the general RTP planning efforts with plans for specific projects that entail the use of ITS technology. These 'nested' plans should be developed in an open forum and they should be consistent. The resultant plans would reflect consideration of both documents during the planning process.

The National ITS Architecture and other related resources can be found at the United States Department of Transportation's (US DOT's) Architecture website:

http://www.its.dot.gov/arch/arch.htm

Requirements (Shalls)
Federal: Title 23 CFR part 450.306(f) states that the RTP shall (to the extent practicable) be consistent with the development of applicable regional ITS architectures as defined in Title 23 CFR part 940.
State: None

Recommendations (Shoulds)
Federal: None
State: None

Best Practices:

http://www.bcag.org/ planning/2004_RTP.html

6.18 Performance Measures

Transportation performance measures consist of a set of objectives, measurable criteria used to evaluate the performance and effectiveness of the transportation system, government policies, plans and programs. Performance measures use statistical evidence to determine progress toward specific and defined objectives. This includes both evidence of fact, such as measurement of pavement surface smoothness (quantitative) and measurement of customer perception determined through customer surveys (qualitative). Performance measures help set goals and outcomes, detect and correct problems, and document accomplishments.

These performance measures in the RTP set the context for judging the effectiveness of the FTIP as a program, by further RTP goals and objectives, whereas, the STIP Guidelines address

performance measures of specific projects. Government Code Section 14530.1 (b) (5) requires more detailed project specific "objective criteria for meeting system performance and cost effectiveness of candidate projects" in the STIP Guidelines (Section 19). The program level performance measures in the RTP set the context for judging the effectiveness of the FTIP, as a program, in furthering the goals and objectives of the RTP, while the STIP Guidelines address performance measurements of specific projects.

For additional information on the State Transportation Improvement Program (STIP) and the Fund Estimate (FE), please refer to Caltrans Division of Transportation Programming website at:

http://www.dot.ca.gov/hq/transprog/stip.htm

In small urban areas or rural areas, we recommend developing partnerships with neighboring jurisdictions, and collecting data and information in order to make a good case for more funding such as for re-pavement or rehabilitation of road projects.

The policy element could mention the goals and objectives, and the Action element is what would provide the result/s. For example, the Action element should provide a comparison of what is being measured, how it's measured and the results and analysis of the eventual outcomes.

On highway projects Caltrans considers system performance measurements for interregional planning and the setting of State planning and programming activities. The State performance measures will focus on interregional trips between, into and through the regions. Caltrans coordinates its performance measure activity with MPOs/RTPAs. MPOs/RTPAs should develop and implement their own performance measures on regional roads, transit, rail, etc. Examples of performance measures include:

1. Improve Mobility/Accessibility;
2. Preserve the Transportation System;
3. Safety & Security;
4. Reliability;
5. Economic Well Being;
6. Equity;
7. Cost-effectiveness;
8. Environmental Quality; and,
9. Customer Satisfaction.

An example of how regions could use the following criteria in their RTP discussion for measuring performance of specific projects:

1. Change in vehicle occupant, freight and goods travel time or delay;
2. Change in collisions and fatalities;
3. Change in vehicle and system operating costs;
4. Change in access to jobs, markets and commerce;
5. Change in frequency and reliability of rail/transit service;
6. Change in air pollution emissions and greenhouse gas emissions; and,
7. Change in passenger, freight and goods miles carried.

Regions should consider the following criteria for measuring cost-effectiveness of specific projects in their RTP:

1. Decrease in vehicle occupancy travel, freight and goods time per thousand dollars invested;
2. Decrease in collisions and fatalities per thousand dollars invested;
3. Decrease in vehicle and system operating cost per thousand dollar invested;
4. Improved access to jobs, markets and commerce per thousand dollars invested;
5. Increased frequency reliability of rail/transit service per thousand dollars invested;
6. Decrease in air pollution emissions per thousand dollars invested; and,
7. Increase in annual passenger, freight and goods miles carried per thousand dollar invested.

The goals and objectives in the RTP should be linked and consistent with the goals and objectives of the FTIPs/RTIP and ITIP. Each MPO/RTPA and Caltrans is being asked to provide a quantitative and/or qualitative evaluation of their FTIPs/RTIP and ITIP, commenting on each of the performance indicators and performance measures outlined in Table A of the STIP Guidelines. Attachment 1 has been developed to assist agencies with this task. Furthermore, Attachment 1 will be considered the evaluation report and will fulfill the requirement outlined in Section 19 of the STIP Guidelines, which can be accessed from the Caltrans Division of Programming website at:

http://www.dot.ca.gov/hq/transprog/stip.htm

Requirements (Shall)
Federal: None
State: California Government Code Section 14530.1(b)(5) requires more detailed project specific information.

Recommendations (Should)
Federal: None
State: None

Best Practices: Caltrans recommends using performance measures to measure the progress of regional projects. MPOs/RTPAs should take into account the benefits of using performance measures to establish a base of measurement and cross-reference the measurement with the performance measure outcome/results. These measurements can be used to justify the need for funding on specific projects. The scientific data may support regional needs and highlight the justification for funding a project that demonstrates the potential for improved performance on the Caltrans system or regional road network.

Caltrans has also developed a guidebook on how to implement performance measures in rural and small urban regions. This guidebook provides a toolbox from which to select appropriate methodologies for performance measures in your rural or small urban area. The Guidebook on "Performance Measures for Rural Transportation Systems" can be accessed at:

http://www.dot.ca.gov/perf

6.19 Transportation Safety

While Caltrans supports consideration of security as separate from safety as a planning area, it also recognizes that security and emergency responses efforts are often inextricably linked. Clearly both are linked to ensuring system security and availability of emergency response services in the event of a natural or human-caused disaster. Due to unexpected large-scale security incidents or natural disasters, the potential for the necessity of a wide scale evacuation exists in almost every area of California.

Under the prior federal surface transportation reauthorization known as TEA-21, safety and security were lumped together in one federal planning factor. SAFETEA-LU has changed this in order to signal the importance of these two items. Safety and security are now separate federal planning factors. According to Title 23 CFR part 450.306(a), these two planning factors are:

1. Increase the safety of the transportation system for all motorized and non-motorized users; and,
2. Increase the ability of the transportation system to support homeland security and to safeguard the personal security of all motorized and non-motorized users

The public expects, and demands, that the transportation system be safe and efficient for all users. Addressing the improvement of transportation safety can help alleviate a myriad of health, financial, and quality-of-life issues for travelers. Fatalities and injuries from motor vehicles crashes are a major public health problem. Historically, transportation safety has not been included as part of the transportation planning process. A clear need has developed for safety to be considered as part of planning process instead of as a reactionary consideration as it as been. To be adequately addressed, safety must be a key goal within the process. Improving the safety of the transportation network requires an active, conscious approach to monitoring the transportation system for safety problems and anticipating problems before they occur.

SAFETEA-LU requires MPOs to draw a strong link between the Strategic Highway Safety Planning process described in Title 23 U.S.C. 148 and the regional planning process. Federal regulations also require MPOs to summarize the priorities, goals, countermeasures or projects of the Strategic Highway Safety Plan in their RTPs. As a result of new requirements contained in SAFETEA-LU, each State must have a Strategic Highway Safety Plan (SHSP) in place by October 1, 2007 to receive its full share of federal transportation funds. RTPAs will also be held to this same level of addressing safety in during the development of their RTPs.

Each MPO and RTPA should review the California SHSP during the preparation of the portion of the RTP addressing safety. The SHSP:

1. Highlights challenges to roadway user safety on California's roads;
2. Provides a descriptive account of fatalities experienced on California's roads;
3. Proposes high-level strategies to reduce fatalities for each challenge; and,
4. Serves as a guide for the implementation of specific projects and activities through 2010.

The California SHSP is available on the Caltrans website at:

http://www.dot.ca.gov/hq/traffops/survey/SHSP/

Requirements (Shall)
Federal: Title 23 CFR part 450.306(a)(2) states the planning process will address the safety of the transportation system for the public.
State: None

Recommendations (Should)
Federal: Title 23 CFR Part 450.306(h) states that RTPs should be consistent with the California Strategic Highway Safety Plan (SHSP) and other transit safety and security planning and review processes.
Title 23 CFR 450.322(h) states the RTP should include a safety element that incorporates or summarizes the priorities, goals, countermeasures or projects for the MPOs region contained in the SHSP.
State: None

Best Practices: None

6.20 Transportation Security

A report was prepared by the American Highway Users Alliance titled "Emergency Evacuation Report Card 2006". The report stated: *"The principal resources of urban evacuation are private cars and publicly provided highways. As a result of the threat of terrorism, the interstate system is reasserting itself as a major element of national security (and defense), principally due to its capacity for handling mass evacuations."* The report conducted an initial evacuation capacity evaluation for the 37 largest urbanized areas in the United States. These urbanized areas were graded from "A" to "F". Of the four California urbanized areas identified in the report, three (San Diego, San Francisco and Los Angeles) received a grade of "F". Sacramento, the fourth California city identified in this report received a "D".

Due to unexpected large-scale security incidents or natural disasters, the potential for the necessity of a wide scale evacuation exists in almost every area of California. One of the lessons learned from the terrorist attack on the World Trade Center in New York City was that effective coordination and communication among the many different operating agencies in a region is absolutely essential. Such coordination is needed to allow law enforcement and safety responses to occur in an expeditious manner, while at the same time still permitting the transportation system to handle the possibly overwhelming public response to the incident. Complementary to this is the need to make sure the public has clear and concise information about the situation and what actions they should take.

Although the immediate organizational response to security incidents and disasters will be the responsibility of law enforcement/safety agencies, there is an important role that MPOs/RTPAs can play in promoting coordinated planning among first responders and transit agencies in anticipation of unexpected events or natural disasters. In addition, MPOs/RTPAs could also provide a centralized location of information on transportation system conditions and the responses that might be useful in an emergency.

The RTP should identify the primary agencies responsible for preparing the necessary plans should a wide scale evacuation be necessary. The MPO/RTPA should consult the appropriate emergency plan for the region to determine what evacuation plans are in place. Examples of strategies that could be addressed in regional mass evacuation plans could include:

1. Signaling – Allows traffic signals to extend for up to four minutes in either red or green to allow large amounts of vehicles or pedestrians to proceed in one direction;
2. Traffic Control Guides – Deploy traffic control personnel to problem intersections to manually direct traffic;
3. Roadblocks and Barricades – Deploy various methods such as portable signs, cones or barrels;
4. Electronic Signage – Changeable message signs have been installed along a number of major routes that could be used to provide information to evacuees;
5. Lane Expansion – Involves the use of using road shoulders to increase vehicle capacity of evacuation routes;
6. Contra flow Lanes – Contra flow or lane reversal involves directing traffic to use lanes in both directions to move a large amount of vehicles in one direction;
7. Use of Mass Transit – Transit could be used to assist in the evacuation of the public should it become necessary; and,
8. Airport Use – Airports can be used as staging areas for medical and food supplies as well as evacuation.

Requirements (Shalls)
Federal: Title 23 CFR part 450.306(a)(3) states the planning process will address the security of the transportation system for the public.
State: None

Recommendations (Shoulds)
Federal: Title 23 CFR 450.322(h) states that RTPs should be consistent with emergency relief and disaster preparedness plans, strategies and policies that support homeland security and safeguard the personal security of all motorized and non-motorized users.
State: None

Best Practices: None

6.21 Congestion Management Process

The RTP shall describe and identify the transportation system management (TSM) and operations strategies, actions and improvements it will employ to manage and operate the urban freeway system, its corridors and major local parallel arterials for highest productivity. These shall include at a minimum traffic detection, traffic control, incident response and traveler information. Transportation demand strategies shall also be identified and can include, but are not limited to: Pricing, Transportation Planning, and Investment Strategies. Section 6.25 and Appendix J of the Guidelines contain additional information on strategies that can be used to manage congestion and reduce regional greenhouse gas emissions. The approach to TSM and operations shall be integrated into the Corridor System Management Plans (CSMPs). TSM and operations strategies shall be identified on non-urban freeway and rural corridors to the extent applicable.

Coordination of Programming Projects

Programming of projects shall be scheduled so that project sequencing in a corridor achieves the most effective mobility gains. In congested urban freeway corridors the CSMP shall identify the most effective project sequencing including for major local arterials.

Congestion Management Process in the RTP

The RTP shall identify urban freeway corridors with current and projected recurrent daily vehicle hours of delay that are a priority for preparing corridor system management plans (CSMPs). The RTP shall include by corridor all strategies, actions and improvements identified in the adopted CSMP that are needed to restore capacity and describe how the corridor will be managed across jurisdictions and modes to preserve corridor productivity based upon performance measurement. The RTP shall include a reasonable time-line for each urban freeway corridor to be restored to full capacity and identify actions to preserve capacity restoration. The financial element of the RTP shall identify funding by corridor to implement the CSMP.

The RTP shall describe roles and relationships among units of local government, modal agencies, the California Department of Transportation and related agencies for managing the corridor for highest mobility benefits and for measuring and evaluating performance.

23 CFR 450.320 applies only to the MPOs below and are federally designated Transportation Management Areas (TMAs). These TMAs shall develop a congestion management process that results in a multimodal system performance measures and strategies that can be reflected in the RTP. TMAs are defined as an urbanized area with a population over 200,000 as defined by the U.S. Census Bureau. As of 2010, there are a total of nine designed TMAs in California. These MPOs designated as TMAs are:

1. Southern California Association of Governments (SCAG);
2. Metropolitan Transportation Commission (MTC);
3. San Diego Association of Governments (SANDAG);
4. Sacramento Area Council of Governments (SACOG);
5. Council of Fresno County Governments (COFCG);
6. Kern Council of Governments (KCOG);
7. San Joaquin Council of Governments (SJCOG);
8. Stanislaus Council of Governments (StanCOG); and,
9. Santa Barbara County Association of Governments (SBCAG) – Does not meet the 200,000 population threshold however the MPO requested to be designated a TMA

Requirements (Shalls)
Federal: Title 23 CFR part 450.320 (c) states the congestion management process shall be developed, established and implemented as part of the planning process.
State: None

Recommendations (Shoulds)
Federal: Title 23 CFR part 450.320(b) states the congestion management process should result in performance measures that can be reflected in the RTP.
State: None

Best Practices: None

Regional Greenhouse Gas Emissions Requirements and Considerations in the RTP

6.22 Greenhouse Gas Emissions and Targets Background

Current law requires that no later than September 30, 2010, the California Air Resources Board (ARB) shall provide each MPO with the region's greenhouse gas emission (GHG) targets for automobile and light trucks for 2020 and 2035. These targets are established with consideration given to methodology recommendations from an appointed Regional Targets Advisory Committee (RTAC). The RTAC released its Recommendation Report entitled: *Recommendations of the Regional Targets Advisory Committee (RTAC) Pursuant to SB 375* on September 29, 2009 which is available at the following link:

http://www.arb.ca.gov/cc/sb375/rtac/report/092909/finalreport.pdf

6.23 Contents of the Sustainable Communities Strategy (SCS):

SCS Overview/Background

Integrating transportation, land use, and housing, in the planning process is vital to reducing regional greenhouse gas (GHG) emissions from cars and light trucks. The Sustainable Communities Strategy or SCS, was added as a new component of the RTP following the passage of SB 375 in September 2008, pursuant to Government Code section 65080(b)(2). The SCS is designed to encourage regional agencies and local government to adopt policies and make investments that will reduce regional greenhouse gas emissions, to the extent that each is feasible. The SCS is part of the RTP and policies within the SCS shall be consistent with the other elements of the RTP. The development of the RTP is the primary long-range regional planning process through which MPOs and local government target transportation investments, collaborate on land use patterns and consider feasible growth strategies that strive toward reducing regional GHGs.

For over 30 years, the primary purpose of the RTP has been to identify the transportation projects, programs and services needed to address both current conditions and future regional growth and to specify the major transportation projects to be programmed given the financial resources available. The SCS will require MPOs to continue to work with local land use authorities to determine reasonable land use assumptions, ensure the regional housing needs allocation is consistent with the forecasted development pattern and develop transportation measures and policies needed to achieve the regional GHG reduction target set by the California Air Resources Board. If the RTP, including the SCS, does not achieve the regional GHG reduction target, the MPO can elect to either revise the SCS or prepare an Alternative Planning Strategy (APS) that is separate from the RTP.

There is great variation among the 18 MPOs in the state and flexibility is an important component in preparing the SCS. The information in the section below is intended to identify the specific requirements of what constitutes an SCS and also what items would be beneficial to be included in an SCS.

SCS Contents

California Government Code Section 65080(b)(2) requires that all MPOs prepare an SCS as part of their RTP addressing the following areas :

1. **Regional Land Uses:**

   Required: Identification of general land uses, residential densities, and building intensities within the region. The SCS shall set forth a forecasted development pattern for the region, which, when integrated with the transportation network, and other transportation measures and policies, will reduce the regional greenhouse gas emissions from automobiles and light trucks to achieve, if feasible, the regional greenhouse gas emissions reduction targets approved by the California Air Resources Board.

   Suggested: A map of current land uses, including residential densities and other building intensities. A map or series of maps illustrating the forecasted development pattern for the region, highlighting changes from current land uses, changes in residential densities and building intensities. A narrative description of how the forecasted development pattern reduces GHG emissions from automobiles and light trucks to meet the regional target set by the ARB

2. **Regional Housing Needs:**

   Required: The SCS shall identify areas within the region sufficient to house all of the current and projected population of the region, including all economic segments, over the course of the planning period of the Regional Transportation Plan. In projecting future housing needs, the MPO shall take into account net migration into the region, population growth, household formation, and employment growth. The SCS shall identify areas within the MPO boundary sufficient to house the projection of the Regional Housing Needs Allocation (RHNA) as established pursuant to Housing Element Law (Government Code 65584) and in consultation with the California Department of Housing and Community Development (HCD). The allocation of the region's housing needs shall be consistent with the development pattern contained within the SCS (Government Code Section 65584.01 (i) (1). State housing goals as specified in Government Code sections 65580 and 65581 must be considered in the SCS.

   Suggested: A map of how the forecasted development pattern in the SCS accommodates the housing need for all economic segments of the population over the RHNA projection period. A narrative description could also be provided of how the forecasted development pattern will accommodate the housing need for the projected population of the region, including all economic segments, over the planning period of the RTP. "All economic segments" means the very low, low, moderate, and above moderate income categories, as those categories are defined and used for purposes of the region's Regional Housing Needs Assessment pursuant to Section 65584 of the Government Code. "Areas sufficient to house" could mean an aggregate number of acres designated at densities consistent with Section 65583.2(c)(3)(b) of the Government Code to accommodate the housing needs of very low and low income households.

3. Resource Areas and Farmland:

Required: Gather and consider the best practically available scientific information regarding resource areas and farmland in the region, as defined in Government Code 65080.01 (a) and (b) including:

1. All publically owned parks and open space;
2. Open space or habitat areas protected by natural community conservation plans, habitat conservation plans and other adopted natural resource protection plans;
3. Habitat for species identified as candidate, fully protected, sensitive, or species of special status by local, state, or federal agencies or protected by the federal Endangered Species Act, the California Endangered Species Act or the Native Plant Protection Act;
4. Lands subject to conservation or agricultural easements for conservation or agricultural purposes by local governments, special districts, or non profit 501(c)(3) organizations;
5. Areas of the state designated by the State Mining and Geology Board as areas of statewide or regional significance pursuant to Section 2790 of the Public Resources Code, and lands under Williamson Act contracts;
6. Areas designated for open-space or agricultural use in adopted open space elements or agricultural elements of the local general plan or by local ordinance;
7. Areas containing biological resources as described in Appendix G of the California Environmental Quality Act (CEQA) guidelines that may be significantly affected by the sustainable communities strategy or alternative planning strategy and;
8. Areas subject to flooding where a development project would not, at the time of development in the judgment of the agency, meet the requirements of the National Flood Insurance Program or where the area is subject to more protective provisions of state law or local ordinance.

Suggested: As a best practice and to assist MPOs in addressing resource areas and farmland in their development of an SCS, maps of farmland and resource areas, developed in consultation with the appropriate resources agencies, identifying regional priority areas for conservation and mitigation efforts could be prepared. These areas could include but certainly are not limited to:

- Areas important for the maintenance of endemic, rare, or imperiled plant and animal species and communities,
- Areas that provide connectivity between natural habitats, especially in areas with high rates of land use conversion including riparian areas and areas with low levels of fragmentation from human land uses and infrastructure,
- Natural areas adjacent to existing public or privately protected areas that serve to buffer and improve habitat values,
- Existing farm and ranch land,
- Natural areas important for carbon storage and sequestration including forest land as well as,
- Areas that can serve to buffer developed areas from natural disturbance such as floodplains or natural fire breaks.

In addition to the development of maps, the SCS could also contain a narrative description of how the forecasted development pattern: incorporates and considers the best practically available scientific information regarding resource areas and farmland, was developed in consultation with appropriate resource agencies, and determines priority areas for conservation and mitigation efforts. Please refer to Sections 5.3 and 5.5 of the Guidelines for more information regarding best management practices for the consideration of environmental resource areas and farmland in RTP development.

4. **Regional Transportation System**

Required: The SCS shall identify a transportation network to service the transportation needs of the region.

Suggested: A map of the transportation network included in the RTP. A narrative description of how the forecasted development pattern and the forecasted transportation network are consistent with one another. The SCS may also identify transportation policies such as strategies for Transportation Demand Management (TDM) and Transportation System Management (TSM).

The SCS shall be "internally consistent" with the other sections of the RTP. This means that the contents of the Policy, Action and Financial elements, and Sustainable Communities Strategy shall be consistent with one another. Transportation investments should be consistent with or supportive of the forecasted development pattern contained in the SCS.

Specific SCS Development Requirements for MPOs in Multi-County Regions

There are five Multi-County MPO's within California:

- Association of Monterey Bay Area Governments (AMBAG): covers a three county region.
- Metropolitan Transportation Commission (MTC): covers a nine county region in the San Francisco Bay Area.
- Southern California Association of Governments (SCAG): covers a six county region.
- Sacramento Area Council of Governments (SACOG): covers a six county region.
- Tahoe Metropolitan Planning Organization (TMPO): covers a portion of Placer and El Dorado Counties.

Government Code Section 65080(b)(2)(C), (D) and (N) assigns certain responsibilities and collaboration requirements or options for the development of an SCS in multi-county MPO regions and in the San Joaquin Valley. The AMBAG and SACOG multi-county MPO regions are not specifically addressed in 65080(b)(2)(C), (D) or (N) however, these regions are still required to fully comply with the SCS requirements outlined in 65080(b)(2)(B).

San Francisco Bay Area – Pursuant to Government Code Section 65080(b)(2)(C)(i), within the nine county San Francisco Bay Area region, the Association of Bay Area Governments (ABAG) is responsible for the land use and housing related issues in the SCS. The Metropolitan Transportation Commission is responsible for identifying the regional transportation needs. ABAG and MTC are jointly responsible for setting forth a forecasted development pattern for the region that, when integrated with the transportation network, measures and policies, will reduce

GHG emissions from passenger vehicles and if, feasible, achieve GHG reduction targets set by the ARB.

Southern California Association of Governments (SCAG) – Within the SCAG region, there are six county level councils of governments (COGs) and fourteen sub-regional COGs. Government Code Section 65080(b)(2)(C) allows each of these COGs to prepare the SCS and APS (if needed). SCAG has developed a document titled: "*Framework and Guidelines by the Southern California Association of Governments for the Development of a Sub-Regional SCS/APS*". This document is intended to provide guidance for each of the fourteen SCAG sub-regions and should be consulted prior to any SCS/APS related work. SCAG shall include this sub-regional work within their overall SCS contained in SCAG's RTP, to the extent that the sub-regional work is consistent with the provisions of Government Code 65080 and federal law. Please see Government Code 65080 (b)(2)(C) for specific requirements.

San Joaquin Valley - The following eight counties constitute the MPOs located in the San Joaquin Valley: Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus and Tulare. These eight counties are located in one air quality basin and the MPOs have a long history of collaborating on the preparation of their respective RTPs particularly as it relates to the federal air quality conformity determination. Government Code section 65080 (N) stipulates that two or more of these MPOs may work together on the development of a joint SCS or APS, should they choose to do so.

Tahoe Metropolitan Planning Organization (TMPO) – Pursuant to Government Code Section 65080(b)(2)(C)(ii), within the jurisdiction of the Tahoe Regional Planning Agency, as defined in Sections 66800 and 66801, TMPO shall use the Regional Plan for the Lake Tahoe Region as the sustainable community strategy, provided it complies with Government Code Section 65080(b)(2)(B)(vii) and (viii).

The following 2 proposals have been submitted for inclusion in this section, it is requested that subcommittee members provide comments as to which proposal is preferred.

Proposal #1 – The following language is proposed:

Role of Existing General Plans and Spheres of Influence

In developing an SCS, an MPO shall consult with cities and counties about their existing general plans and foreseeable changes to their general plans over the period covered by the RTP. An MPO shall also consult with relevant Local Agency Formation Commissions (LAFCOs) about current spheres of influence and municipal service review boundaries as well as foreseeable changes to those boundaries over the period covered by the RTP.

To the extent they are reasonable and consistent with federal requirements, an MPO may base an SCS on planning assumptions that differ from and/or go beyond existing plans and boundaries. In the event MPOs include assumptions that differ from and/or go beyond existing plans and boundaries, federal, state, and local agencies should be consulted on whether the land use assumptions are reasonable, best available, and consistent with the transportation system planned.

Addressing Housing Needs in the SCS

This sub-section is pending further input from the RTAC Coordination and Land Use and Housing Workgroups.

Coordination of SCS with the Regional Housing Need Allocation Process

The Regional Housing Need Allocation (RHNA) of State Housing Element Law is to be synchronized with the development of a Sustainable Communities Strategy (SCS). The RHNA establishes a minimum amount of housing development capacity for the housing element. Each city and county must demonstrate this capacity with adequate sites, and development standards and programs to accommodate the RHNA within the planning period of an updated housing element. The development pattern of the SCS and the RHNA adopted by each council of governments1 are to be consistent for corresponding time periods. With a minimum twenty year horizon, the Regional Transportation Plan (RTP) covers a much longer time period than the projection period of the RHNA.

State law requires that 24-26 months prior to the housing element due date, the RHNA process begins with determining the regional housing need following consultation between each council of governments and the California Department of Housing and Community Development (HCD). The RHNA development process includes an opportunity for a revision of draft allocations by the MPO, and is subject to final acceptance by HCD. As the interagency consultation for federal air quality conformity for the RTP is a separate process, consultation with HCD may or may not occur at the same time as the interagency consultation with transportation and air quality agencies. Any considerations during the conformity consultation process affecting the RHNA should be discussed by the MPO with HCD prior to HCD's regional housing need determination. For the RHNA/housing element and RTP statutory process timelines, see Appendix L..

When there is a RHNA update scheduled prior to an RTP update, the growth forecast for the portion of the SCS planning period which includes the (shorter) RHNA period should not be finalized prior to HCD's regional housing needs determination. In addition to other factors required by State housing law, the MPO provides key data assumptions during the consultation. This includes employment projections, ages, gender, and the labor force portion of the projected population. This is a primary basis for comparing population and employment projections.

The housing capacity distribution of the housing element planning period within the region is determined by the RHNA plan adopted by the MPO. The RHNA factors required to be considered for the RHNA methodology (GC 65584.04(d)) should be considered in the SCS development. The land use designations and zoning of specific sites is within the authority of the local governments. Consistency determinations of the SCS with the RHNA are applicable only at the boundaries of individual cities and counties, and not for individual sites within the city or an unincorporated county.

Reconciliation of SCS Land Use Assumptions

An SCS does not regulate the use of land, and does not supersede the land use authority of cities and counties within the region. City and county land use policies, including general plans, are not required to be consistent with the RTP, the SCS or the APS. However, federal

1 For the SCS of the Metropolitan Transportation Commission's RTP. the RHNA Plan with the allocations for member cities and counties are adopted by the Association of Bay Area Governments (ABAG).

regulations require assumptions regarding the distribution of employment and housing to be reasonable. Issues relating to State planning law requirements should be considered in the development of the land use assumptions of the SCS. MPOs should consult with local governments and Local Agency Formation Commissions (LAFCOs) when developing land use assumptions for the SCS.

The SCS is updated more often than local general plans or LAFCO plans, and considers other factors. The SCS planning period extends beyond the time period covered in many existing general plans. The SCS could include assumptions beyond what is included in existing general plans for this, and other reasons, related to other provisions of State law. For example, existing general plans may not yet include land use designations with zoning and development standards accommodating the existing RHNA for local governments which have not yet adopted a housing element for the current update cycle, or may not yet have completed a scheduled rezoning program of an adopted housing element. Further, existing general plans may not be able to accommodate the next RHNA with which the RTP is to be integrated without amendment of land use designations and rezoning. As reductions of the RHNA based on local measures limiting building permits are prohibited by State law, such assumptions shall not be incorporated into the SCS growth forecast for the corresponding RHNA period. The SCS, including the process for revision of the draft SCS, should consider the provisions potential for the revisions between the draft and final RHNA pursuant to Government Code Section 65584.05(g) to maintain a basis for determining consistency of the RHNA.

The RHNA allocates housing capacity categorized in four income categories, to be accommodated by each local government within the region. These categories are very low income, low income, moderate income, and above moderate income households. Each housing element must demonstrate that allowable densities and other development standards accommodating all income categories will be available during the housing element planning period. The SCS forecasted development pattern should accommodate all economic segments of the population throughout the life of the RTP in a manner compatible with the RHNA allocation plan. To accomplish this, the SCS should incorporate land use assumptions for a variety of housing types, including higher densities that could accommodate housing affordable to all economic segments of the population. This should include a development pattern that reflects multifamily uses, including higher densities, sufficient to accommodate the lower income portion of the RHNA over the RHNA projection period, for each local government. The default densities of Housing Element law, or an equivalent standard, should be considered in formulating the SCS development pattern relative to the consistency determination for accommodating the lower income portion of the RHNA.

The amount of housing forecast to be sufficient to house the region's population over the term of the SCS must bear a reasonable relationship to the amount of housing determined pursuant to the RHNA portion of the SCS planning period, including to DOF's population projections. For example, the 20-year projection might be double that of the shorter-term RHNA period.

Requirements (Shall):
Federal: none.
State: Government Code 65584.01 (c) & (d), Government Code 65583.2 (c), Government Code 65584.04 (d), (f) & (i), Government Code 65584.05 (g)

Recommendations (Should):
Federal: none.
State: none.

Relevant Links:

http://www.hcd.ca.gov/hpd/housingelement2/SIA home.php

Appendix 1 of HCD Memorandum: Amendment of State Housing Element Law – AB 2348, Listing of Default Densities by Jurisdiction:

http://www.hcd.ca.gov/hpd/hrc/plan/he/ab2348stat04ch724.pdf

END PROPOSAL #1

Proposal #2 –The following language is proposed for inclusion as an alternative to Proposal #1

Current Planning Assumptions

The SCS includes a forecasted development pattern that is part of the fiscally constrained analysis. The forecast, however, does not regulate the use of land, and does not supersede the land use authority of cities and counties within the region. City and county land use policies, including general plans, are not required to be consistent with the RTP, the SCS or the APS. However, federal regulations require assumptions to be best available, and consistent with the transportation system planned to meet federal guidance on land use.

The issues upon which assumptions may be made varies widely, but often includes housing, employment distribution, growth, availability of revenues, and other market, regulatory, or environmental trends. The MPO shall consult with cities and counties about their existing general plans and foreseeable changes to their general plans over the period covered by the RTP. A MPO shall consult with relevant Local Agency Formation Commissions (LAFCOs) about current spheres of influence. Further, MPOs should consult LAFCOs regarding municipal service review boundaries as well as foreseeable changes to those boundaries and service capacities over the period covered by the RTP.

The following is a non-exclusive list of when making an assumption may be appropriate:

1. Account for new market, regulatory, or environmental trends that are likely to influence development choices, particularly in circumstances when it has been several years since a general plan has been updated.
2. The MPO likely increases or decreases in state, federal, or local funding of programs that influence whether or not particular programs are implemented.
3. Issues relating to State planning law requirements, including Article 10.6 (the housing element law). For example, assumptions would be appropriate when a local agency's zoning and development standards have not been amended to accommodate the RHNA for the current or past update cycle, or to assure that there is adequate opportunity within the jurisdiction to develop multi-family housing at densities consistent with the housing needs of all economic segments of the population.

Because it is part of federal air quality conformity requirements, the ultimate determination of whether or not an assumption is reasonable is left to the federal Environmental Protection Agency. Thus, MPOs should refer to Part 450 of Title 23, and Part 93 of Title 40 of the Code of

Federal Regulations, as well as the EPA document *Guidance for the Use of Latest Planning Assumption in Transportation Conformity Determinations (Revision to January 18, 2001 Guidance Memorandum).*

Where the assumptions in the forecast are different than historical trends, federal, state and local agencies should be consulted to reach agreement that the assumptions are reasonable, best available, and consistent with the transportation system planned to meet federal guidance on land use. Where the assumptions are significantly different from historical trends, the consultation process should be used to determine why these assumptions are appropriate. The RTP should explain why the assumptions are appropriate. In subsequent conformity determinations, land use assumptions should be reevaluated through the consultation process.

Addressing Housing Needs in the SCS

This sub-section is pending further input from the RTAC Coordination and Land Use and Housing Workgroups.

Coordination of SCS with the Regional Housing Need Allocation Process

To coordinate and integrate housing planning with the regional transportation plan the regional needs allocation plan shall allocate housing units within the region consistent with the development pattern included in the sustainable communities strategy. The final housing need allocation plan shall demonstrate that the plan is consistent with the methodologies described in housing element process (Government Code Sections 65584.04(d)(1) through (10) as well as the sustainable communities strategy in the regional transportation plan. (Government Code Sections 65584.04 (i) (1) and (3).

The Regional Housing Need Allocation (RHNA) of State Housing Element Law synchronizes with the development of a Sustainable Communities Strategy (SCS). The RHNA establishes the region's fair share housing responsibility as determined by the state. Each city and county must demonstrate that it can meet its assigned need with adequate sites, and development standards, and programs within the planning period of an updated housing element. The development pattern of the SCS and the RHNA are to be consistent to the extent that the RTP planning period (a minimum of 20 years) includes the RHNA planning period (8 years). .

According to the timeline in the Government Code (24-28 months prior to the housing element due date), the RHNA process begins with determining the regional housing need as a result of consultation between each Metropolitan Planning Organization (MPO) and the California Department of Housing and Community Development (HCD). The RHNA development process includes an opportunity for a revision of draft allocations by the MPO, and is subject to final acceptance by HCD. As the interagency consultation for federal air quality conformity for the RTP is a separate process, consultation with HCD may or may not occur at the same time as the interagency consultation with transportation and air quality agencies. Any considerations during the conformity consultation process affecting the RHNA should be discussed by the MPO with HCD prior to HCD's regional housing need determination.
For the RHNA/housing element and RTP statutory process timelines, see Appendix L for the RHNA/Housing Element and RTP Statutory Process Timeline.

The housing capacity distribution of the housing element planning period within the region is determined by the RHNA plan adopted by the MPO. The land use designations and zoning of specific sites is within the authority of the local governments. Consistency determinations of the

SCS with the RHNA are applicable only at the boundaries of individual cities and counties, and not for individual sites within the city or an unincorporated county.

Requirements (Shall):
Federal: none.
State: Government Code 65584.01 (c) & (d), Government Code 65583.2 (c), Government Code 65584.04 (d), (f) & (i), Government Code 65584.05 (g)

Recommendations (Should):
Federal: none.
State: none.

Relevant Links:

http://www.hcd.ca.gov/hpd/housingelement2/SIA home.php

Appendix 1 of HCD Memorandum: Amendment of State Housing Element Law – AB 2348, Listing of Default Densities by Jurisdiction:

http://www.hcd.ca.gov/hpd/hrc/plan/he/ab2348stat04ch724.pdf

END PROPOSAL #2

Identifying Land Uses in the SCS

MPOs and local jurisdictions should jointly develop a forecasted development plan for the region that, when integrated with the regional transportation network and other transportation measures and policies, will reduce regional greenhouse gas emissions from cars and light trucks to meet regional targets set by ARB. In preparing the forecasted development plan, empirical relationships between land use, transportation and the resulting GHG emissions should be considered. Such factors may include but are not limited to:

- Destination-proximity, or the accessibility of an area to other activities.
- Density and clustering of land uses, typically measured by the number of dwelling units, shops, and/or employees per acre or square mile, according floor area ration (FAR), and other similar measurements.
- Diversity or mixture of land uses, including residential, commercial, and business land uses within buildings and/or in proximity to one another.
- Distance to transit, including rail, bus, and/or ferry.
- Design and layout of an area's transportation facilities to accommodate multiple modes of transportation.

In developing the forecasted development plan for the SCS, local context should also be considered. MPOs, local jurisdictions, and other stakeholders should strive to create a supportive consensus on an SCS, so that the SCS may guide local jurisdictions in future general plan updates.

Addressing Regional Transportation Needs in the SCS

The SCS requirements for an RTP do not change the process used to establish transportation needs for the region. Government Code Section 65080 (2) (B) (iv) states that an SCS shall identify a transportation system to service the transportation needs of the region. It is up to each region to decide how to meet transportation needs and help to achieve regional greenhouse gas emissions targets as well as achieve other regional goals including but not limited to: accessibility, economic benefit, equity, environmental protection and air quality conformity. Decisions to expand or modify the transportation system should be made in recognition of the following relationships between land use and transportation:

- Transit investments need supporting levels of land use density and intensity.
- Placing land uses closer together and minimizing unnecessary barriers to circulation increases travel choices such that transit, walking, and bicycling become viable while also reducing transportation sector energy use and GHG emissions.

MPOs may also consider other transportation strategies that reduce GHG emissions. These may include Transportation Demand Management (TDM) strategies, Transportation Systems Management (TSM) strategies, Transportation Investments, and Land Use Strategies. Additional information regarding these strategies is available in Section 6.25 and Appendix J.

6.24 Sustainable Communities Strategy (SCS) Process, Review and Acceptance:

Regional GHG Reduction Targets

State statute requires the ARB to set regional GHG emission reduction targets for each MPO. Before setting the target for a region, ARB will exchange technical information with each MPO and the affected air quality management district. The MPO may recommend a target for its respective region during this process. Advanced and continuous communication and consultation between the ARB and each MPO is highly recommended until the final target is adopted.

Questions regarding regional GHG emission reduction targets should be directed to ARB.

SCS Public Participation and Input/Consultation with Local Elected Officials

SB 375 increased the minimum level of public participation in the regional transportation planning process as well as the consultation required with local elected officials during the development of a SCS (and APS, if applicable). For more detailed information regarding these requirements for the development of an SCS (and an APS, if applicable) please refer to Sections 4.2 and 4.5 of the RTP Guidelines.

California Air Resources Board Review of the SCS

Prior to starting the public participation process adopted pursuant to Government Code 65080 (b) (2) (E), the MPO shall submit a description to the state board of the technical methodology it intends to use to estimate the greenhouse gas emissions from its SCS and, if appropriate, its APS. ARB shall respond to the MPO in a timely manner with written comments about the technical methodology, including specifically describing any aspects of the methodology it concludes will not yield accurate estimates of greenhouse gas emissions, and suggested

remedies. The MPO is encouraged to work with the ARB until the state board concludes that the technical methodology operates accurately.

After adoption, a MPO shall submit a SCS or an APS, if one has been adopted, to the ARB for review, including the quantification of the greenhouse gas emission reductions the strategy would achieve and a description of the technical methodology used to obtain that result. Review by the ARB shall be limited to acceptance or rejection of the MPO's determination that the strategy submitted would, if implemented, achieve the greenhouse gas emission reduction targets established by ARB. The ARB shall complete its review within 60 days.

If ARB determines that the strategy submitted would not, if implemented, achieve the greenhouse gas emissions reduction targets, the MPO shall revise its strategy or adopt an APS, if not previously adopted, and submit the strategy for review pursuant to the paragraph above. At a minimum, the MPO must obtain ARB acceptance that an APS would, if implemented, achieve the greenhouse gas emission reduction targets established for that region by the state board.

A flowchart depicting the General RTP Development/Approval Process for MPOs including ARB review of the SCS, and APS if applicable, is available in Section 2.7. For additional information on the SCS Review process please refer to the California Air Resources Board SB 375 Implementation website:

http://www.arb.ca.gov/cc/sb375/sb375.htm

6.25 Land Use and Transportation Strategies to Address Regional GHG Emissions

Better land use and transportation strategies have always been important to both MPOs and RTPAs in developing their RTPs to meet local, regional and statewide mobility and economic needs. Now, with SB 375 and AB 32, these suggested strategies may be even more useful in their efforts to reduce Greenhouse Gas (GHG) emissions. These suggested strategies include, but are not limited to:

- Pricing Strategies (can include Congestion Pricing, HOT lanes and Toll roads, and Alternative Mode Programs)
- Transportation Planning and Investment Strategies
- Urban and suburban infill, clustered development, mixed land uses, New Urbanist design, transit-oriented development, and other "smart-growth" strategies: Strategies incorporating the "D factors" (Professor Robert Cervero research)
- Congestion Management
- Transportation Demand Management

And, as regions explore various land use and transportation strategies to reduce GHG emissions in the Sustainable Communities Strategy, MPOs should consider identifying and to the extent possible, quantifying the co-benefits associated with GHG reduction strategies throughout the RTP implementation processes. Co-benefits are positive externalities that result from reducing GHG such as increased mobility, reduced air and water pollution, economic opportunities, and healthier, more equitable and sustainable communities.

The strategy suggestions listed above, and in more detail in Appendix J, may be used by both MPOs and RTPAs. Links to various Best Practices information are also available in Appendix J.

Requirements (Shall)
Federal: None
State: None

Recommendations (Should)
Federal: None
State: None

Best Practices: Available in Appendix J

6.26 Alternative Planning Strategy (APS) Overview

Pursuant to California Government Code Section 65080 (b) (2) (H), if the SCS, prepared in compliance with 65080 (b) (2) (B) or (C), is unable to reduce greenhouse gas emissions to achieve the greenhouse gas emission targets established by the ARB, the MPO shall prepare an APS to the SCS showing how those greenhouse gas emission targets would be achieved through alternative development patterns, infrastructure, or additional transportation measures and policies. The APS shall be a separate document from the RTP. In preparing the APS, the MPO: 1.) Shall identify the principal impediments to achieving the targets within the SCS, 2.) May include an alternative development pattern for the region pursuant to 65080 (b) (2) (B) to (F) inclusive, 3.) Shall describe how the greenhouse gas emission reduction targets would be achieved by the APS, and why the development pattern, measures, and policies in the APS are the most practicable choices for achievement of the greenhouse gas emission reduction targets, 4.) An alternative development pattern set forth in the APS shall comply with Part 450 of Title 23 of, and Part 93 of Title 40 of, the Code of Federal Regulations, except to the extent that compliance will prevent achievement of the greenhouse gas emission reduction targets approved by the ARB, 5.) For purposes of the California Environmental Quality Act (CEQA), an APS shall not constitute a land use plan, policy or regulation, and the inconsistency of a project with an alternative planning strategy shall not be a consideration in determining whether a project may have an environmental effect.

For additional information on the Alternative Planning Strategy (APS) please refer to Appendix I

6.27 Non-MPO Rural RTPA Addressing Greenhouse Gas Emissions

Rural transportation planning agencies have a unique set of challenges compared to urbanized areas to reduce regional transportation related greenhouse gas (GHG) emissions. Lower land use densities, limited transit options and higher average VMT contributes to the challenges to address methods aimed at reducing these emissions. More efficient vehicles and low-carbon fuels present the highest payoff for rural counties to reduce transportation related carbon dioxide emissions. However rural RTPAs should strive to incorporate strategies to reduce their GHG emissions during their planning process.

RTPAs that are not located within a boundary of an MPO are not subject to any provisions of SB 375, or the resultant requirements to address regional GHG targets in their RTPs. This includes the requirement to prepare a sustainable communities strategy (SCS) to meet a regional GHG emission reduction target.

Beginning in 2007, several MPOs received notification from the California Attorney General's Office stating they should address the possible climate change impacts of any new transportation projects identified in the RTPs environmental document. This notification was based on new statutory requirements as a result of AB 32 – The California Global Warming Solutions Act of 2006. These climate change impacts are codified under the California Environmental Quality Act (Public Resources Code, Section 21000, et seq). The Attorney General's Office stated the RTP's environmental document should evaluate the global warming impacts of the projects and priorities in the RTP.

It is suggested that in preparing the environmental document for their RTP, RTPAs ensure that any GHG emissions during either construction or as a result of the project be addressed, as appropriate.

The Rural Policy Research Institute prepared a brief paper titled: "Climate Change and Rural Counties in the U.S." dated August 2009. Although the paper does not specifically address transportation issues, it does help set the overall framework of rural GHG issues. The paper is located at the following link:

http://www.rupri.org/Forms/Climate_Change_Brief.pdf

[**Note:** Caltrans and CTC are currently working with the Rural Counties Workgroup to further develop language and best practices for this section.]

Requirements (Shalls)
Federal: None
State: Public Resources Code, Section 21000, et seq.

Recommendations (Shoulds)
Federal:
State:

Best Practices:

6.28 Adaptation of the Regional Transportation System to Climate Change

Recent science suggests that further effects of climate change are inevitable despite planned and implemented mitigation efforts. There are a number of studies (Pacific Institute[1], UC Merced and RAND Corporation[2], Next10 and U.C. Berkeley[3]) that estimate the high costs associated with rising sea levels, changing precipitation, and wildfire damage resulting from changes in the climate.

A new focus on adaptation planning is rapidly becoming important for cities and counties across California. Because of its geographic diversity, California is extremely susceptible to a wide range of climate change effects – many of which we have already begun experiencing. Examples include; increase in temperatures, earlier snowpack melt, changed precipitation patterns, increased severity of wildfires, sea level rise, extreme weather events, and numerous changes and effects on biodiversity and habitats.

The impacts listed above have had negative impacts on the transportation system specifically including flooded airports, interstate highways and roads, landslides resulting in disrupted rail lines, heat waves causing roadways to buckle, and fire damaged watersheds that have resulted in mudslides. The degree of risk for the State's transportation infrastructure depends on regional and local characteristics including the natural and human built environment, as well as the location, types and functions of transportation facilities and assets.

In an effort to begin protecting these assets, Governor Schwarzenegger signed Executive Order (EO) S-13-08. This order provides direction on developing California's first statewide adaptation effort. It requires the California Natural Resources Agency to develop the State's first comprehensive Climate Adaptation Strategy (CAS) guide. The CAS was developed with the input of numerous stakeholders including state agencies and seven climate adaptation working groups.

The CAS requests the National Academy of Sciences to establish an expert panel to report on sea level rise impacts on California every two years, and to inform state planning and development efforts in high climate change risk areas. The guide contains numerous adaption strategies for sea level rise for new (or planned) projects and a report on existing infrastructure vulnerable to sea level rise. The strategies in the guide address water management, public health, agriculture, biodiversity and habitat, forestry, energy and transportation infrastructure.

Chapter 10 of the CAS contains the strategies for the State's transportation infrastructure. The transportation strategies address the need for significant changes in the planning, design, construction, operation and maintenance of California's infrastructure. The changes necessary to protect the State's transportation infrastructure will require collaboration between multiple state, regional and local agencies. Although the CAS focuses on state level efforts, regional planning agencies (MPO's, RTPA's) should also incorporate these practices in the implementation of transportation strategies in conjunction with Caltrans, to the extent that they are feasible. The CAS guide can be found at the link below.

http://www.climatechange.ca.gov/adaptation/

References:
1. http://www.pacinst.org/reports/sea_level_rise/
2. http://www.energy.ca.gov/2009publications/CEC-500-2009-048/CEC-500-2009-048-D.PDF
3. http://www.energy.ca.gov/2009publications/CEC-500-2009-014/CEC-500-2009-014-D.PDF

Requirements (Shall)
Federal: None
State: None

Recommendations (Should)
Federal: None
State: California Environmental Quality Act, Public Resources Code 21000, et seq.

Best Practices

Notwithstanding a lack of available data identifying the future impacts of sea level rise, precipitation changes, or extreme heat events, there is a need for MPO's and RTPA's begin to address climate change in their long range transportation plans. There are numerous ways planning agencies can

begin preparing for climate change adaptation on the transportation infrastructure including preliminary mapping of infrastructure that is vulnerable to changes in precipitation, heat, and sea level rise. It is also recommended that design and planning standards be re-evaluated to accommodate potential changes. It is important to ensure that planned infrastructure is engineered and built in locations that can withstand future climate change impacts.

In the San Francisco Bay Area, the Bay Conservation and Development Commission (BCDC) has taken a lead role in adaptation planning for the Bay Area. BCDC prepared a report, *Living with a Rising Bay,* that provides information on the region's vulnerability to sea level rise and strategies for adaptation. BCDC has also proposed a series of findings and policies to be amended into the Bay Plan which regulates development within the 100-year floodplain of the Bay. One proposed policy is to develop a regional strategy to identify areas where development should be protected and areas where development should be removed and the Bay should be allowed to migrate inland.

http://www.bcdc.ca.gov/proposed_bay_plan/bp_amend_1-08.shtml

APPENDICES

A. Federal and State Transportation Planning Flowchart

B. State and Federal Programming Process Flowchart

C. Regional Transportation Plan Checklist (to be completed by MPO/RTPA prior to submitting the draft RTP to Caltrans and CTC)

D. Title 23 CFR Part 450 Appendix A – Linking Transportation Planning and NEPA Processes

E. Integration of the Planning and NEPA Processes

F. Air Quality Conformity Checklists
   1. MPO Conformity Checklist
   2. Rural Area Conformity Checklist

G. SB 375 Statutory Language

H. SB 375 Impacts to the RTP Process

I. Land Use and Transportation Strategies to Reduce Regional GHG Emissions

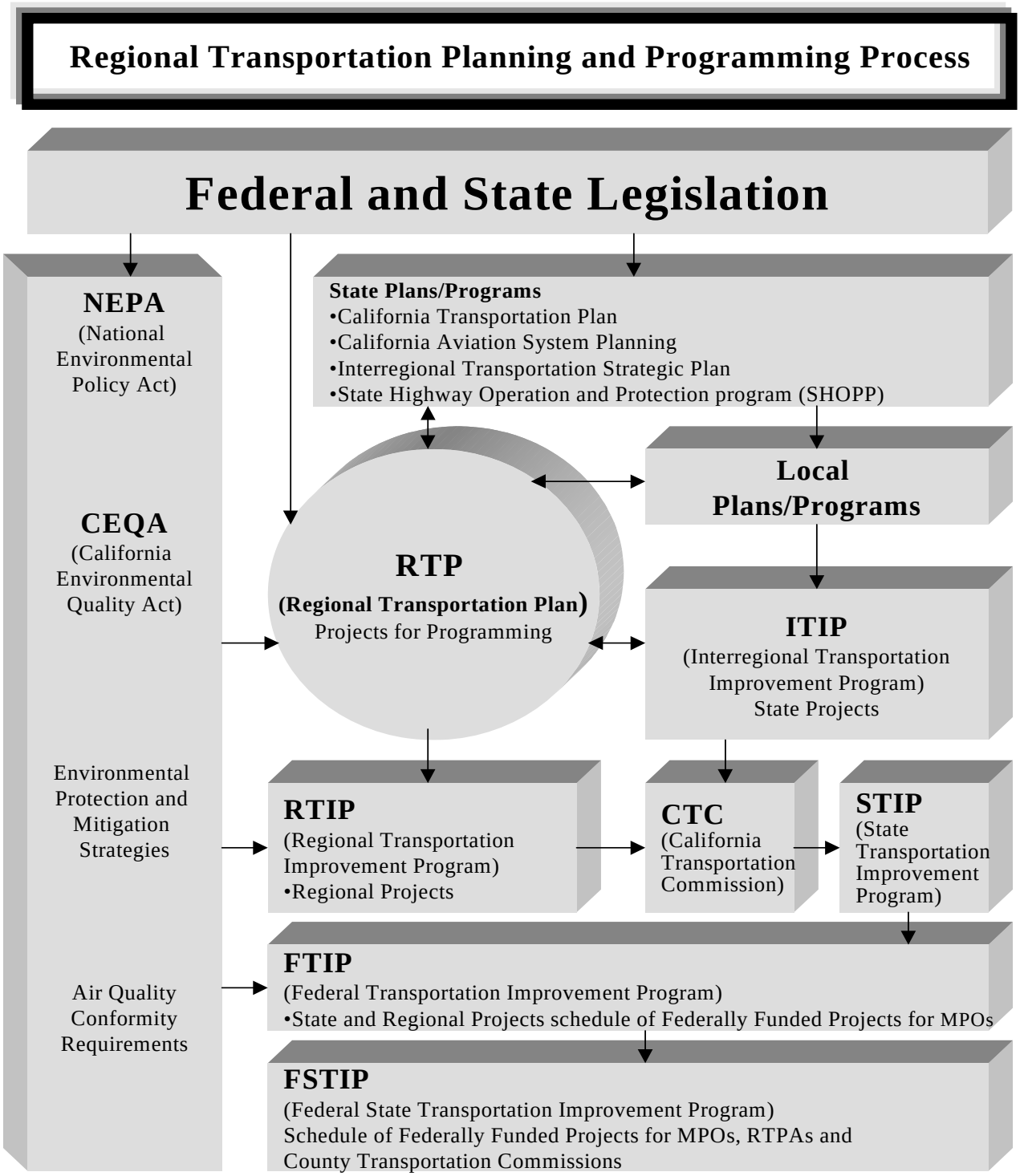
J. CEQA Information

K. Caltrans Regional Planning Staff Contacts

L. Glossary of Transportation Terms

Appendix A

Federal and State Transportation Planning Process Flowchart



Notes: •Regional projects appear in the RTP, local plans, the ITIP, and the FTIP.

•NEPA & CEQA requirements first impact the RTP. All major projects must conform to air quality requirements in all plans and programs.

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Appendix B

State and Federal Programming Process Flowchart

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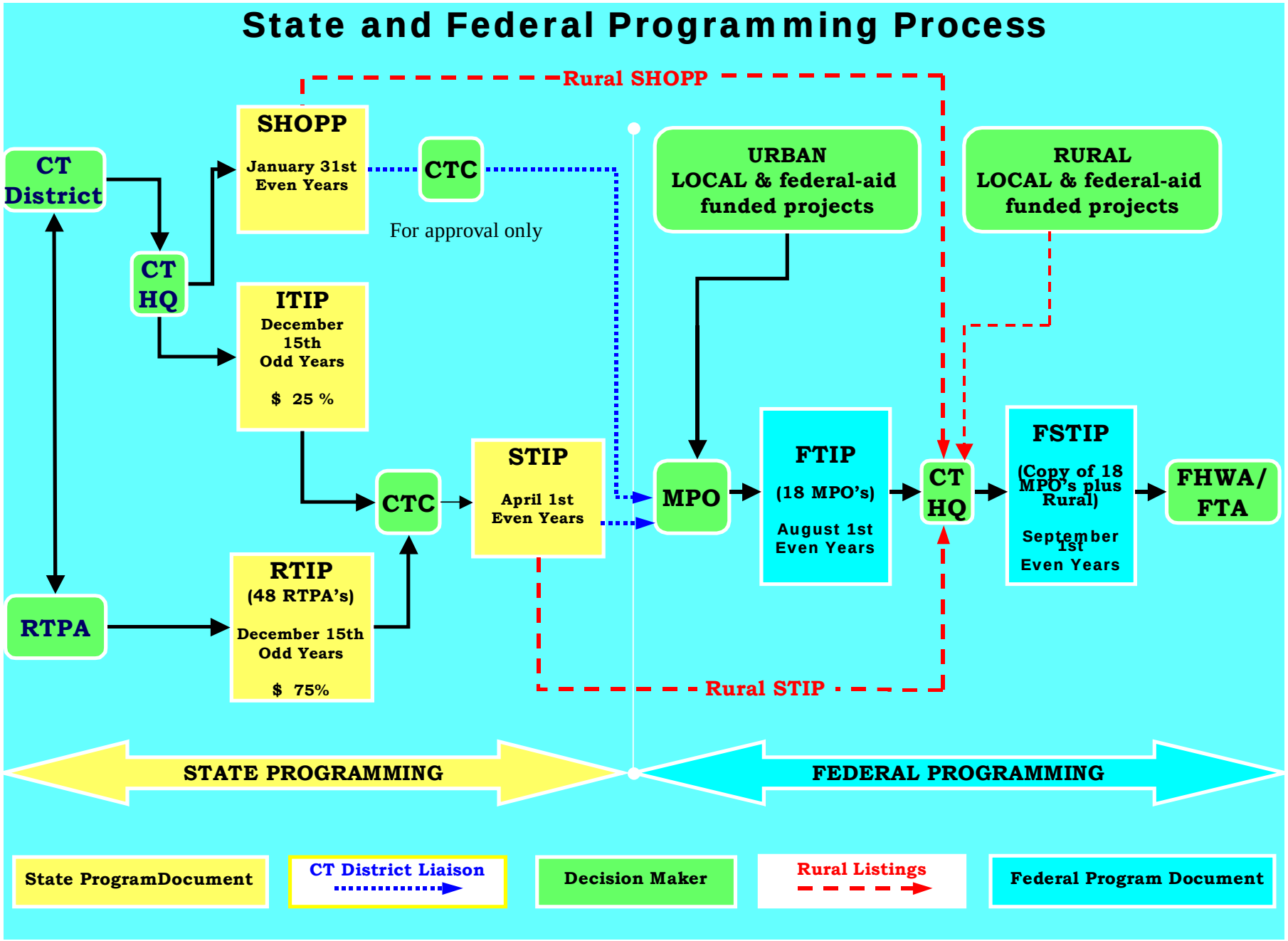
State and Federal Programming Process
Rural SHOPP
SHOPP
January 31st
Even Years
CTC
For approval only
CT District
CT HQ
ITIP
December 15th
Odd Years
$ 25 %
URBAN
LOCAL & federal-aid funded projects
RURAL
LOCAL & federal-aid funded projects
STIP
April 1st
Even Years
CTC
MPO
FTIP
(18 MPO's)
August 1st
Even Years
CT HQ
FSTIP
(Copy of 18 MPO's plus Rural)
September 1st
Even Years
FHWA/ FTA
RTPA
RTIP
(48 RTPA's)
December 15th
Odd Years
$ 75%
Rural STIP
STATE PROGRAMMING
FEDERAL PROGRAMMING
State ProgramDocument
CT District Liaison
Decision Maker
Rural Listings
Federal Program Document

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Appendix C

Regional Transportation Plan Checklist

UNDER CONSTRUCTION

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Regional Transportation Plan Checklist

(Revised September 2007)

(To be completed electronically in Microsoft Word format by the MPO/RTPA and submitted along with draft RTP to the Calif. Department of Transportation)

Name of MPO/RTPA: _____

Date Draft RTP Completed: _____

RTP Adoption Date: _____

What is the Certification Date of the Environmental Document (ED)? _____

Is the ED located in the RTP or is it a separate document? _____

By completing this checklist, the MPO/RTPA verifies the RTP addresses all of the following required information within the RTP.

Regional Transportation Plan Contents

	General	Yes/No	Page #
1.	Does the RTP address no less than a 20-year planning horizon (Title 23 CFR 450.322(a))?		
2.	Does the RTP include both long-range and short-range strategies/actions (Title 23 CFR 450.322(b))?		
3.	Does the RTP address issues specified in the policy, action and financial elements identified in California Government Code Section 65080?		
4.	Does the RTP include Project Intent i.e. Plan Level Purpose and Need Statements?		
	Consultation/Cooperation		
1.	Does the MPO have a public participation plan that meets the requirements of Title 23, CFR 450.316 (1)(i-x)?		
2.	Did the MPO/RTPA consult with the appropriate State and local officials responsible for airport, transit, and freight operations, environmental protection, and economic development during the preparation of the RTP? (Title 23CFR 450.316(b)		

		Yes/No	Page #
3.	Did the MPO/RTPA who has Federal lands within its jurisdictional boundary involve the Federal land management agencies during the preparation of the RTP?		
4.	Where does the RTP specify that the appropriate State and local agencies responsible for land use, natural resources, environmental protection, conservation and historic preservation consulted? (Title 23 CFR 450.322(g))		
5.	Did the RTP include a comparison with the California State Wildlife Action Plan and (if available) inventories of natural and historic resources? (Title 23 CFR 450.322(g))		
6.	Did the MPO/RTPA who has a Federally recognized Native American Tribal Government(s) and/or historical and sacred sites or subsistence resources of these Tribal Governments within its jurisdictional boundary address tribal concerns in the RTP and develop the RTP in consultation with the Tribal Government(s)? (Title 23 CFR 450.316(c))		
7.	Does the RTP address how the public and various specified groups, including the nonmortorized community, were given a reasonable opportunity to comment on the plan using the participation plan developed under Title 23 CFR 450.316(a) and (a) (1) (i)?		
8.	Does the RTP contain a discussion describing the private sector involvement efforts that were used during the development of the participation plan? (Title 23 CFR 450.316(a))		
9.	Does the RTP contain a discussion describing the coordination efforts with regional air quality planning authorities (Title 23 CFR 450.316(3)(b)? (MPO nonattainment and maintenance areas only)		
10.	Is the RTP coordinated and consistent with the Public Transit-Human Services Transportation Plan?		
11.	Were the draft and adopted RTP posted on the Internet? (Title 23 CFR 450.322(j))		

Modal Discussion

1.	Does the RTP discuss intermodal and connectivity issues?		
2.	Does the RTP include a discussion of highways?		
3.	Does the RTP include a discussion of mass transportation?		
4.	Does the RTP include a discussion of the regional airport system and its ground access improvement program?		
5.	Does the RTP include a discussion of regional pedestrian needs?		
6.	Does the RTP include a discussion of regional bicycle needs?		
7.	Does the RTP include a discussion of rail transportation?		

		Yes/No	Page #
8.	Does the RTP include a discussion of maritime transportation (if appropriate)?		
9.	Does the RTP include a discussion of goods movement?		

Programming/Operations

1.	Is a congestion management process discussed in the RTP? (MPOs designated as TMAs only) (Title 23 CFR 450.450.320(b))		
2.	Is the RTP consistent (to the maximum extent practicable) with the development of the regional ITS architecture?		
3.	Does the RTP address both safety and security issues?		
4.	Does the RTP identify the objective criteria used for measuring the performance of the transportation system?		
5.	Does the RTP contain a list of un-constrained projects?		

Financial

1.	Does the RTP include a financial plan that meets the requirements identified in Title 23 CFR 450.322(f)(10)?		
2.	Does the RTP contain a consistency Statement between the first 4 years of the fund estimate and the 4-year STIP fund estimate? (2006 STIP Guidelines, Section 19)		
3.	Do the projected revenues in the RTP reflect Fiscal Constraint (Title 23 CFR 450.322(f)(10)(ii))?		
4.	Does the RTP contain a list of financially constrained projects? Any regionally significant projects should be identified. (Government Code 65808(3)(A))		
5.	Do the cost estimates for implementing the projects identified in the RTP reflect "year of expenditure dollars" to reflect inflation rates? (Title 23 CFR 450.322(f)(10)(iv))		
6.	After 12/11/07, does the RTP contain estimates of costs and revenue sources that are reasonably expected to be available to operate and maintain the freeways, highway and transit within the region (Title 23 CFR 450.322(f)(10)(i))?		
7.	Does the RTP contain a Statement regarding consistency between the projects in the RTP and the ITIP (2006 STIP Guidelines section 33)?		
8.	Does the RTP contain a Statement regarding consistency between the projects in the RTP and the FTIP (2006 STIP Guidelines section 19)?		

		Yes/No	Page #
9.	Does the RTP address the specific financial strategies required to ensure the identified TCMs from the SIP can be implemented? (nonattainment and maintenance MPOs only) (Title 23 CFR 450.322(f)(10)(vi)		

Environmental

1.	Did the MPO/RTPA prepare an EIR or a program EIR for the RTP in accordance with CEQA guidelines?		
2.	Does the RTP contain a list of projects specifically identified as TCMs, if applicable?		
3.	Does the RTP contain a discussion of SIP conformity, if applicable? **(MPOs only)**		
4.	Does the RTP specify mitigation activities? (Title 23 CFR part 450.322(f)(7))		
5.	Where does the EIR address mitigation activities?		
6.	Did the MPO/RTPA prepare a Negative Declaration or a Mitigated Negative Declaration for the RTP in accordance with CEQA guidelines?		
7.	Does the RTP specify the TCM's to be implemented in the region? **(Federal nonattainment and maintenance areas only)**		

I have reviewed the above information and concur that it is correct and complete.

(Must be signed by MPO/RTPA
Executive Director
or designated representative)

Date

Print Name

Title

Appendix D

Title 23 CFR Part 450 Appendix A – Linking Transportation Planning and NEPA Processes

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Appendix A to Title 23 CFR Part 450--Linking the Transportation Planning and NEPA Processes

Background and Overview

This Appendix provides additional information to explain the linkage between the transportation planning and project development/National Environmental Policy Act (NEPA) processes. It is intended to be non-binding and should not be construed as a rule of general applicability.

For 40 years, the Congress has directed that Federally funded highway and transit projects must flow from metropolitan and Statewide transportation planning processes (pursuant to 23 U.S.C. 134-135 and 49 U.S.C. 5303-5306). Over the years, the Congress has refined and strengthened the transportation planning process as the foundation for project decisions, emphasizing public involvement, consideration of environmental and other factors, and a Federal role that oversees the transportation planning process but does not second-guess the content of transportation plans and programs.

Despite this statutory emphasis on transportation planning, the environmental analyses produced to meet the requirements of the NEPA of 1969 (42 U.S.C. 4231 et seq.) have often been conducted de novo, disconnected from the analyses used to develop long-range transportation plans, Statewide and metropolitan Transportation Improvement Programs (STIPs/TIPs), or planning-level corridor/subarea/feasibility studies. When the NEPA and transportation planning processes are not well coordinated, the NEPA process may lead to the development of information that is more appropriately
developed in the planning process, resulting in duplication of work and delays in transportation improvements.

The purpose of this Appendix is to change this culture, by supporting congressional intent that Statewide and metropolitan transportation planning should be the foundation for highway and transit project decisions. This Appendix was crafted to recognize that transportation planning processes vary across the country. This document provides details on how information, analysis, and products from transportation planning can be incorporated into and relied upon in NEPA documents under existing laws, regardless of when the Notice of Intent has been published. This Appendix presents environmental review as a continuum of sequential study, refinement, and expansion performed in transportation planning and during project development/NEPA, with information developed and conclusions drawn in early stages utilized in subsequent (and more detailed) review stages.

The information below is intended for use by State departments of transportation (State DOTs), metropolitan planning organizations (MPOs), and public transportation operators to clarify the circumstances under which transportation planning level choices and analyses can be adopted or incorporated into the process required by NEPA. Additionally, the FHWA and the FTA will work with Federal environmental, regulatory, and resource agencies to incorporate the principles of this Appendix in their day-to-day NEPA policies and procedures related to their involvement in highway and transit projects.

This Appendix does not extend NEPA requirements to transportation plans and programs. The Transportation Efficiency Act for the 21st Century (TEA-21) and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) specifically exempted transportation plans and programs from NEPA review. Therefore, initiating the NEPA process

as part of, or concurrently with, a transportation planning study does not subject transportation plans and programs to NEPA.

Implementation of this Appendix by States, MPOs, and public transportation operators is voluntary. The degree to which studies, analyses, or conclusions from the transportation planning process can be incorporated into the project development/NEPA processes will depend upon how well they meet certain standards established by NEPA regulations and guidance. While some transportation planning processes already meet these standards, others will need some modification.

The remainder of this Appendix document utilizes a ``Question and Answer'' format, organized into three primary categories (``Procedural Issues,'' ``Substantive Issues,'' and ``Administrative Issues'').

I. Procedural Issues:

1. In what format should the transportation planning information be included?

To be included in the NEPA process, work from the transportation planning process must be documented in a form that can be appended to the NEPA document or incorporated by reference. Documents may be incorporated by reference if they are readily available so as to not impede agency or public review of the action. Any document incorporated by reference must be ``reasonably available for inspection by potentially interested persons within the time allowed for comment.'' Incorporated materials must be cited in the NEPA document and their contents briefly described, so that the reader understands why the document is cited and knows where to look for further information. To the extent possible, the documentation should be in a form such as official actions by the MPO, State DOT, or public transportation operator and/or correspondence within and among the organizations involved in the transportation planning process.

2. What is a reasonable level of detail for a planning product that is intended to be used in a NEPA document? How does this level of detail compare to what is considered a full NEPA analysis?

For purposes of transportation planning alone, a planning-level analysis does not need to rise to the level of detail required in the NEPA process. Rather, it needs to be accurate and up-to-date, and should adequately support recommended improvements in the Statewide or metropolitan long-range transportation plan.

The SAFETEA-LU requires transportation planning processes to focus on setting a context and following acceptable procedures. For example, the SAFETEA-LU requires a ``discussion of the types of potential environmental mitigation activities'' and potential areas for their implementation, rather than details on specific strategies. The SAFETEA-LU also emphasizes consultation with Federal, State, and Tribal land management, wildlife, and regulatory agencies.

However, the Environmental Assessment (EA) or Environmental Impact Statement (EIS) ultimately will be judged by the standards applicable under the NEPA regulations and guidance from the Council on Environmental Quality (CEQ). To the extent the information incorporated from the transportation planning process, standing alone, does not contain all of the information or analysis required by NEPA, then it will need to be supplemented by other information contained in the EIS or EA that would, in conjunction with the information from the plan, collectively meet the requirements of NEPA. The intent is not to require NEPA studies in the transportation planning process. As an option, the NEPA analyses prepared for project

development can be integrated with transportation planning studies (see the response to Question 9 for additional information).

3. What type and extent of involvement from Federal, Tribal, State, and local environmental, regulatory, and resource agencies is needed in the transportation planning process in order for planning-level decisions to be more readily accepted in the NEPA process?

Sections 3005, 3006, and 6001 of the SAFETEA-LU established formal consultation requirements for MPOs and State DOTs to employ with environmental, regulatory, and resource agencies in the development of long-range transportation plans. For example, metropolitan transportation plans now ``shall include a discussion of the types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the [transportation] plan,'' and that these planning-level discussions ``shall be developed in consultation with Federal, State, and Tribal land management, wildlife, and regulatory agencies.'' In addition, MPOs ``shall consult, as appropriate, with State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation concerning the development of a long-range transportation plan,'' and that this consultation ``shall involve, as appropriate, comparison of transportation plans with State conservation plans or maps, if available, or comparison of transportation plans to inventories of natural or historic resources, if available.'' Similar SAFETEA-LU language addresses the development of the long-range Statewide transportation plan, with the addition of Tribal conservation plans or maps to this planning-level ``comparison.''

In addition, section 6002 of the SAFETEA-LU established several mechanisms for increased efficiency in environmental reviews for project decision-making. For example, the term ``lead agency'' collectively means the U. S. Department of Transportation and a State or local governmental entity serving as a joint lead agency for the NEPA process. In addition, the lead agency is responsible for inviting and designating ``participating agencies'' (i.e., other Federal or non-Federal agencies that may have an interest in the proposed project). Any Federal agency that is invited by the lead agency to participate in the environmental review process for a project shall be designated as a participating agency by the lead agency unless the invited agency informs the lead agency, in writing, by the deadline specified in the invitation that the invited agency:

(a) Has no jurisdiction or authority with respect to the project; (b) has no expertise or information relevant to the project; and (c) does not intend to submit comments on the project.

Past successful examples of using transportation planning products in NEPA analysis are based on early and continuous involvement of environmental, regulatory, and resource agencies. Without this early coordination, environmental, regulatory, and resource agencies are more likely to expect decisions made or analyses conducted in the transportation planning process to be revisited during the NEPA process. Early participation in transportation planning provides environmental, regulatory, and resource agencies better insight into the needs and objectives of the locality. Additionally, early participation provides an important opportunity for environmental, regulatory, and resource agency concerns to be identified and addressed early in the process, such as those related to permit applications. Moreover, Federal, Tribal, State, and local environmental, regulatory, and resource agencies are able to share data on particular resources, which can play a critical role in determining the feasibility of a transportation solution with respect to environmental impacts. The use of other agency planning outputs can result in a transportation project that could support multiple goals (transportation, environmental, and community). Further, planning decisions by these other agencies may have impacts on long-

range transportation plans and/or the STIP/TIP, thereby providing important input to the transportation planning process and advancing integrated decision-making.

4. What is the procedure for using decisions or analyses from the transportation planning process?

The lead agencies jointly decide, and must agree, on what processes and consultation techniques are used to determine the transportation planning products that will be incorporated into the NEPA process. At a minimum, a robust scoping/early coordination process (which explains to Federal and State environmental, regulatory, and resource agencies and the public the information and/or analyses utilized to develop the planning products, how the purpose and need was developed and refined, and how the design concept and scope were determined) should play a critical role in leading to informed decisions by the lead agencies on the suitability of the transportation planning information, analyses, documents, and decisions for use in the NEPA process. As part of a rigorous scoping/early coordination process, the FHWA and the FTA should ensure that the transportation planning results are appropriately documented, shared, and used.

5. To what extent can the FHWA/FTA provide up-front assurance that decisions and additional investments made in the transportation planning process will allow planning-level decisions and analyses to be used in the NEPA process?

There are no guarantees. However, the potential is greatly improved for transportation planning processes that address the ``3-C'' planning principles (comprehensive, cooperative, and continuous); incorporate the intent of NEPA through the consideration of natural, physical, and social effects; involve environmental, regulatory, and resource agencies; thoroughly document the transportation planning process information, analysis, and decision; and vet the planning results through the applicable
public involvement processes.

6. What considerations will the FHWA/FTA take into account in their review of transportation planning products for acceptance in project development/NEPA?

The FHWA and the FTA will give deference to decisions resulting from the transportation planning process if the FHWA and FTA determine that the planning process is consistent with the ``3-C'' planning principles and when the planning study process, alternatives considered, and resulting decisions have a rational basis that is thoroughly documented and vetted through the applicable public involvement processes. Moreover, any applicable program-specific requirements (e.g., those of the Congestion
Mitigation and Air Quality Improvement Program or the FTA's Capital Investment Grant program) also must be met.

The NEPA requires that the FHWA and the FTA be able to stand behind the overall soundness and credibility of analyses conducted and decisions made during the transportation planning process if they are incorporated into a NEPA document. For example, if systems-level or other broad objectives or choices from the transportation plan are incorporated into the purpose and need Statement for a NEPA document, the FHWA and the FTA should not revisit whether these are the best objectives or choices among other options. Rather, the FHWA and the FTA review would include making sure that objectives or choices derived from the transportation plan were: Based on transportation planning factors established by Federal law; reflect a credible and articulated planning rationale; founded on reliable data; and developed through transportation

planning processes meeting FHWA and FTA statutory and regulatory requirements. In addition, the basis for the goals and choices must be documented and included in the NEPA document. The FHWA/FTA reviewers do not need to review whether assumptions or analytical methods used in the studies are the best available, but, instead, need to assure that such assumptions or analytical methods are reasonable, scientifically acceptable, and consistent with goals, objectives, and policies set forth in long-range transportation plans. This review would include determining whether: (a) Assumptions have a rational basis and are up-to-date and (b) data, analytical methods, and modeling techniques are reliable, defensible, reasonably current, and meet data quality requirements.

II. Substantive Issues

General Issues To Be Considered:

7. What should be considered in order to rely upon transportation planning studies in NEPA?

The following questions should be answered prior to accepting studies conducted during the transportation planning process for use in NEPA. While not a ``checklist,'' these questions are intended to
guide the practitioner's analysis of the planning products:

a. How much time has passed since the planning studies and corresponding decisions were made?

b. Were the future year policy assumptions used in the transportation planning process related to land use, economic development, transportation costs, and network expansion consistent with those to be used in the NEPA process?

c. Is the information still relevant/valid?

d. What changes have occurred in the area since the study was completed?

e. Is the information in a format that can be appended to an environmental document or reformatted to do so?

f. Are the analyses in a planning-level report or document based on data, analytical methods, and modeling techniques that are reliable, defensible, and consistent with those used in other regional transportation studies and project development activities?

g. Were the FHWA and FTA, other agencies, and the public involved in the relevant planning analysis and the corresponding planning decisions?

h. Were the planning products available to other agencies and the public during NEPA scoping?

i. During NEPA scoping, was a clear connection between the decisions made in planning and those to be made during the project development stage explained to the public and others? What was the response?

j. Are natural resource and land use plans being informed by transportation planning products, and vice versa?

Purpose and Need:

8. How can transportation planning be used to shape a project's purpose and need in the NEPA process?

A sound transportation planning process is the primary source of the project purpose and need. Through transportation planning, State and local governments, with involvement of stakeholders and the public, establish a vision for the region's future transportation system, define transportation goals and objectives for realizing that vision, decide which needs to address, and determine the timeframe for addressing these issues. The transportation planning process also provides a potential forum to define a project's purpose and need by framing the scope of the problem to be addressed by a proposed project. This scope may be further refined during the transportation planning process as more information about the transportation need is collected and consultation with the public and other stakeholders clarifies other issues and goals for the region.

23 U.S.C. 139(f), as amended by the SAFETEA-LU Section 6002, provides additional focus regarding the definition of the purpose and need and objectives. For example, the lead agency, as early as practicable during the environmental review process, shall provide an opportunity for involvement by participating agencies and the public in defining the purpose and need for a project. The Statement of purpose and need shall include a clear Statement of the objectives that the proposed action is intended to achieve, which may include: (a) Achieving a transportation objective identified in an applicable Statewide or metropolitan transportation plan; (b) supporting land use, economic development, or growth objectives
established in applicable Federal, State, local, or Tribal plans; and (c) serving national defense, national security, or other national objectives, as established in Federal laws, plans, or policies.

The transportation planning process can be utilized to develop the purpose and need in the following ways:

(a) Goals and objectives from the transportation planning process may be part of the project's purpose and need Statement;

(b) A general travel corridor or general mode or modes (e.g., highway, transit, or a highway/transit combination) resulting from planning analyses may be part of the project's purpose and need Statement;

(c) If the financial plan for a metropolitan transportation plan indicates that funding for a specific project will require special funding sources (e.g., tolls or public-private financing), such information may be included in the purpose and need Statement; or

(d) The results of analyses from management systems (e.g., congestion, pavement, bridge, and/or safety) may shape the purpose and need Statement.

The use of these planning-level goals and choices must be appropriately explained during NEPA scoping and in the NEPA document. Consistent with NEPA, the purpose and need Statement should be a Statement of a transportation problem, not a specific solution. However, the purpose and need Statement should be specific enough to generate alternatives that may potentially yield real solutions to the problem at-hand. A purpose and need Statement that yields only one alternative may indicate a purpose and need that is too narrowly defined.

Short of a fully integrated transportation decision-making process, many State DOTs develop information for their purpose and need Statements when implementing interagency NEPA/Section 404 process merger agreements. These agreements may need to be expanded to include commitments to share and utilize transportation planning products when developing a project's purpose and need.

9. Under what conditions can the NEPA process be initiated in conjunction with transportation planning studies?

The NEPA process may be initiated in conjunction with transportation planning studies in a number of ways. A common method is the ``tiered EIS,'' in which the first-tier EIS evaluates general travel corridors, modes, and/or packages of projects at a planning level of detail, leading to the refinement of purpose and need and, ideally, selection of the design concept and scope for a project or series of projects. Subsequently, second-tier NEPA review(s) of the resulting projects would be performed in the usual way. The first-tier EIS uses the NEPA process as a tool to involve environmental, regulatory, and resource agencies and the public in the planning decisions, as well as to ensure the appropriate consideration of environmental factors in these planning decisions.

Corridor or subarea analyses/studies are another option when the long-range transportation plan leaves open the possibility of multiple approaches to fulfill its goals and objectives. In such cases, the formal NEPA process could be initiated through publication of a NOI in conjunction with a corridor or subarea planning study. Similarly, some public transportation operators developing major capital projects perform the mandatory planning Alternatives Analysis required for funding under FTA's Capital Investment Grant program [49 U.S.C. 5309(d) and (e)] within the NEPA process and combine the planning Alternatives Analysis with the draft EIS.

Alternatives:

10. In the context of this Appendix, what is the meaning of the term ``alternatives''?

This Appendix uses the term ``alternatives'' as specified in the NEPA regulations (40 CFR 1502.14), where it is defined in its broadest sense to include everything from major modal alternatives and location alternatives to minor design changes that would mitigate adverse impacts. This Appendix does not use the term as it is used in many other contexts (e.g., ``prudent and feasible alternatives'' under Section 4(f) of the Department of Transportation Act, the ``Least Environmentally Damaging Practicable Alternative'' under the Clean Water Act, or the planning Alternatives Analysis in 49 U.S.C. 5309(d) and (e)).

11. Under what circumstances can alternatives be eliminated from detailed consideration during the NEPA process based on information and analysis from the transportation planning process?

There are two ways in which the transportation planning process can begin limiting the alternative solutions to be evaluated during the NEPA process: (a) Shaping the purpose and need for the project; or (b) evaluating alternatives during planning studies and eliminating some of the alternatives from detailed study in the NEPA process prior to its start. Each approach requires careful attention, and is summarized below.

(a) Shaping the Purpose and Need for the Project: The transportation planning process should shape the purpose and need and, thereby, the range of reasonable alternatives. With proper documentation and public involvement, a purpose and need derived from the planning process can legitimately narrow the alternatives analyzed in the NEPA process. See the response to Question 8 for further discussion on how the planning process can shape the purpose and need used in the NEPA process.

For example, the purpose and need may be shaped by the transportation planning process in a manner that consequently narrows the range of alternatives that must be considered in detail in the NEPA document when:

(1) The transportation planning process has selected a general travel corridor as best addressing identified transportation problems and the rationale for the determination in the planning document is reflected in the purpose and need Statement of the subsequent NEPA document;

(2) The transportation planning process has selected a general mode (e.g., highway, transit, or a highway/transit combination) that accomplishes its goals and objectives, and these documented determinations are reflected in the purpose and need Statement of the subsequent NEPA document; or

(3) The transportation planning process determines that the project needs to be funded by tolls or other non-traditional funding sources in order for the long-range transportation plan to be fiscally constrained or identifies goals and objectives that can only be met by toll roads or other non-traditional funding sources, and that determination of those goals and objectives is reflected in the purpose and need Statement of the subsequent NEPA document.

(b) Evaluating and Eliminating Alternatives During the Transportation Planning Process: The evaluation and elimination of alternatives during the transportation planning process can be incorporated by reference into a NEPA document under certain circumstances. In these cases, the planning study becomes part of the NEPA process and provides a basis for screening out alternatives. As with any part of the NEPA process, the analysis of alternatives to be incorporated from the process must have a rational basis that has been thoroughly documented (including documentation of the necessary and appropriate vetting through the applicable public involvement processes). This record should be made available for public review during the NEPA scoping process.

See responses to Questions 4, 5, 6, and 7 for additional elements to consider with respect to acceptance of planning products for NEPA documentation and the response to Question 12 on the information or analysis from the transportation planning process necessary for supporting the elimination of an alternative(s) from detailed consideration in the NEPA process.

For instance, under FTA's Capital Investment Grant program, the alternatives considered in the NEPA process may be narrowed in those instances that the planning Alternatives Analysis required by 49 U.S.C. 5309(e) is conducted as a planning study prior to the NEPA review. In fact, the FTA may be able to narrow the alternatives considered in detail in the NEPA document to the No-Build (No Action) alternative and the Locally Preferred Alternative. Alternatives must meet the following criteria if they are deemed sufficiently considered by a planning Alternatives Analysis under FTA's Capital Investment Grant program conducted prior to NEPA without a programmatic NEPA analysis and documentation:

During the planning Alternatives Analysis, all of the reasonable alternatives under consideration must be fully evaluated in terms of their transportation impacts; capital and operating costs; social, economic, and environmental impacts; and technical considerations;

There must be appropriate public involvement in the planning Alternatives Analysis;

The appropriate Federal, State, and local environmental, regulatory, and resource agencies must be engaged in the planning Alternatives Analysis;

The results of the planning Alternatives Analysis must be documented;

The NEPA scoping participants must agree on the alternatives that will be considered in the NEPA review; and

The subsequent NEPA document must include the evaluation of alternatives from the planning Alternatives Analysis.

The above criteria apply specifically to FTA's Capital Investment Grant process. However, for other transportation projects, if the planning process has included the analysis and stakeholder involvement that would be undertaken in a first tier NEPA process, then the alternatives screening conducted in the transportation planning process may be incorporated by reference, described, and relied upon in the project-level NEPA document. At that point, the project-level NEPA analysis can focus on the remaining alternatives.

12. <u>What information or analysis from the transportation planning process is needed in an EA or EIS to support the elimination of an alternative(s) from detailed consideration</u>?

The section of the EA or EIS that discusses alternatives considered but eliminated from detailed consideration should:

(a) Identify any alternatives eliminated during the transportation planning process (this could include broad categories of alternatives, as when a long-range transportation plan selects a general travel corridor based on a corridor study, thereby eliminating all alternatives along other alignments);
(b) Briefly summarize the reasons for eliminating the alternative; and
(c) Include a summary of the analysis process that supports the elimination of alternatives (the summary should reference the relevant sections or pages of the analysis or study) and incorporate
it by reference or append it to the NEPA document.

Any analyses or studies used to eliminate alternatives from detailed consideration should be made available to the public and participating agencies during the NEPA scoping process and should be reasonably available during comment periods.

Alternatives passed over during the transportation planning process because they are infeasible or do not meet the NEPA ``purpose and need'' can be omitted from the detailed analysis of alternatives in the NEPA document, as long as the rationale for elimination is explained in the NEPA document. Alternatives that remain ``reasonable'' after the planning-level analysis must be addressed in the EIS, even when they are not the preferred alternative. When the proposed action evaluated in an EA involves unresolved conflicts concerning alternative uses of available resources, NEPA requires that appropriate alternatives be studied, developed, and described.

Affected Environment and Environmental Consequences:

13. <u>What types of planning products provide analysis of the affected environment and environmental consequences that are useful in a project-level NEPA analysis and document</u>?

The following planning products are valuable inputs to the discussion of the affected environment and environmental consequences (both its current State and future State in the absence of the proposed action) in the project-level NEPA analysis and document:

Regional development and growth analyses;
Local land use, growth management, or development plans; and
Population and employment projections.

The following are types of information, analysis, and other products from the transportation planning process that can be used in the discussion of the affected environment and environmental consequences in an EA or EIS:

(a) Geographic information system (GIS) overlays showing the past, current, or predicted future conditions of the natural and built environments;
(b) Environmental scans that identify environmental resources and environmentally sensitive areas;
(c) Descriptions of airsheds and watersheds;
(d) Demographic trends and forecasts;
(e) Projections of future land use, natural resource conservation areas, and development; and
(f) The outputs of natural resource planning efforts, such as wildlife conservation plans, watershed plans, special area management plans, and multiple species habitat conservation plans.

However, in most cases, the assessment of the affected environment and environmental consequences conducted during the transportation planning process will not be detailed or current enough to meet NEPA standards and, thus, the inventory and evaluation of affected resources and the analysis of consequences of the alternatives will need to be supplemented with more refined analysis and possibly site-specific details during the NEPA process.

14. What information from the transportation planning process is useful in describing a baseline for the NEPA analysis of indirect and cumulative impacts?

Because the nature of the transportation planning process is to look broadly at future land use, development, population increases, and other growth factors, the planning analysis can provide the basis for the assessment of indirect and cumulative impacts required under NEPA. The consideration in the transportation planning process of development, growth, and consistency with local land use, growth management, or development plans, as well as population and employment projections, provides an overview of the multitude of factors in an area that are creating pressures not only on the transportation system, but on the natural ecosystem and important environmental and community resources. An analysis of all reasonably foreseeable actions in the area also should be a part of the transportation planning process. This planning-level information should be captured and utilized in the analysis of indirect and cumulative impacts during the NEPA process.

To be used in the analysis of indirect and cumulative impacts, such information should:

(a) Be sufficiently detailed that differences in consequences of alternatives can be readily identified;
(b) Be based on current data (e.g., data from the most recent Census) or be updated by additional information;
(c) Be based on reasonable assumptions that are clearly Stated; and/or
(d) Rely on analytical methods and modeling techniques that are reliable, defensible, and reasonably current.

Environmental Mitigation:

15**.** How can planning-level efforts best support advance mitigation, mitigation banking, and priorities for environmental mitigation investments?

A lesson learned from efforts to establish mitigation banks and advance mitigation agreements and alternative mitigation options is the importance of beginning interagency discussions during the transportation planning process. Development pressures, habitat alteration, complicated real estate transactions, and competition for potential mitigation sites by public and private project proponents can encumber the already difficult task of mitigating for ``like'' value and function and reinforce the need to examine mitigation strategies as early as possible.

Robust use of remote sensing, GIS, and decision support systems for evaluating conservation strategies are all contributing to the advancement of natural resource and environmental planning. The outputs from environmental planning can now better inform transportation planning processes, including the development of mitigation strategies, so that transportation and conservation goals can be optimally met. For example, long-range transportation plans can be screened to assess the effect of general travel corridors or density, on the viability of sensitive plant and animal species or habitats. This type of screening provides a basis for early collaboration among transportation and environmental staffs, the public, and regulatory agencies to explore areas where impacts must be avoided and identify areas for mitigation investments. This can lead to mitigation strategies that are both more economical and more effective from an environmental stewardship perspective than traditional project-specific mitigation measures.

III. Administrative Issues:

16. Are Federal funds eligible to pay for these additional, or more in depth, environmental studies in transportation planning?

Yes. For example, the following FHWA and FTA funds may be utilized for conducting environmental studies and analyses within transportation planning: FHWA planning and research funds, as defined under 23 CFR Part 420 (e.g., Metropolitan Planning (PL), Statewide Planning and Research (SPR), National Highway System (NHS), Surface Transportation Program (STP), and Equity Bonus); and FTA planning and research funds (49 U.S.C. 5303 and 49 U.S.C. 5313(b)), urban formula funds (49 U.S.C. 5307), and (in limited circumstances) transit capital investment funds (49 U.S.C. 5309).

The eligible transportation planning-related uses of these funds may include: (a) Conducting feasibility or subarea/corridor needs studies and (b) developing system-wide environmental information/inventories (e.g., wetland banking inventories or standards to identify historically significant sites). Particularly in the case of PL and SPR funds, the proposed expenditure must be closely related to the development of transportation plans and programs under 23 U.S.C. 134-135 and 49 U.S.C. 5303-5306.

For FHWA funding programs, once a general travel corridor or specific project has progressed to a point in the preliminary engineering/NEPA phase that clearly extends beyond transportation planning, additional in-depth environmental studies must be funded through the program category for which the ultimate project qualifies (e.g., NHS, STP, Interstate Maintenance, and/or Bridge), rather than PL or SPR funds.

Another source of funding is FHWA's Transportation Enhancement program, which may be used for activities such as: conducting archeological planning and research; developing

inventories such as those for historic bridges and highways, and other surface transportation-related structures; conducting studies to determine the extent of water pollution due to highway runoff; and conducting studies to reduce vehicle-caused wildlife mortality while maintaining habitat connectivity.

The FHWA and the FTA encourage State DOTs, MPOs, and public transportation operators to seek partners for some of these studies from environmental, regulatory, and resource agencies, non-government organizations, and other government and private sector entities with similar data needs, or environmental interests. In some cases, these partners may contribute data and expertise to the studies, as well as funding.

17. What staffing or organizational arrangements may be helpful in allowing planning products to be accepted in the NEPA process?

Certain organizational and staffing arrangements may support a more integrated approach to the planning/NEPA decision-making continuum. In many cases, planning organizations do not have environmental expertise on staff or readily accessible. Likewise, the review and regulatory responsibilities of many environmental, regulatory, and resource agencies make involvement in the transportation planning process a challenge for staff resources.

These challenges may be partially met by improved use of the outputs of each agency's planning resources and by augmenting their capabilities through greater use of GIS and remote sensing technologies (see http://www.gis.fhwa.dot.gov/ for additional information on the use of GIS). Sharing databases and the planning products of local land use decision-makers and State and Federal environmental, regulatory, and resource agencies also provide efficiencies in acquiring and sharing the data and information needed for both transportation planning and NEPA work.

Additional opportunities such as shared staff, training across disciplines, and (in some cases) reorganizing to eliminate structural divisions between planning and NEPA practitioners may also need to be considered in order to better integrate NEPA considerations into transportation planning studies. The answers to the following two questions also contain useful information on training and staffing opportunities.

18. How have environmental, regulatory, and resource agency liaisons (Federally- and State DOT-funded positions) and partnership agreements been used to provide the expertise and interagency participation needed to enhance the consideration of environmental factors in the planning process?

For several years, States have utilized Federal and State transportation funds to support focused and accelerated project review by a variety of local, State, Tribal, and Federal agencies. While Section 1309(e) of the TEA-21 and its successor in SAFETEA-LU section 6002 speak specifically to transportation project streamlining, there are other authorities that have been used to fund positions, such as the Intergovernmental Cooperation Act (31 U.S.C. 6505). In addition, long-term, on-call consultant contracts can provide backfill support for staff that are detailed to other parts of an agency for temporary assignments. At last count (as of 2003), 246 positions were being funded. Additional information on interagency funding agreements is available at: http://environment.fhwa.dot.gov/strmlng/igdocs/index.htm.

Moreover, every State has advanced a variety of stewardship and streamlining initiatives that necessitate early involvement of environmental, regulatory, and resource agencies in the project

development process. Such process improvements have: addressed the exchange of data to support avoidance and impact analysis; established formal and informal consultation and review schedules; advanced mitigation strategies; and resulted in a variety of programmatic reviews. Interagency agreements and work plans have evolved to describe performance objectives, as well as specific roles and responsibilities related to new streamlining initiatives. Some States have improved collaboration and efficiency by co-locating environmental, regulatory, and resource and transportation agency staff.

19. What training opportunities are available to MPOs, State DOTs, public transportation operators and environmental, regulatory, and resource agencies to assist in their understanding of the transportation planning and NEPA processes?

Both the FHWA and the FTA offer a variety of transportation planning, public involvement, and NEPA courses through the National Highway Institute and/or the National Transit Institute. Of particular note is the Linking Planning and NEPA Workshop, which provides a forum and facilitated group discussion among and between State DOT; MPO; Federal, Tribal, and State environmental, regulatory, and resource agencies; and FHWA/FTA representatives (at both the executive and program manager levels) to develop a State-specific action plan that will provide for strengthened linkages between the transportation planning and NEPA processes.

Moreover, the U.S. Fish and Wildlife Service offers Green Infrastructure Workshops that are focused on integrating planning for natural resources (``green infrastructure'') with the development, economic, and other infrastructure needs of society (``gray infrastructure'').

Robust planning and multi-issue environmental screening requires input from a wide variety of disciplines, including information technology; transportation planning; the NEPA process; and regulatory, permitting, and environmental specialty areas (e.g., noise, air quality, and biology). Senior managers at transportation and partner agencies can arrange a variety of individual training programs to support learning curves and skill development that contribute to a strengthened link of the transportation planning and NEPA processes. Formal and informal mentoring on an intra-agency basis can be arranged. Employee exchanges within and between agencies can be periodically scheduled, and persons involved with professional leadership programs can seek temporary assignments with partner agencies.

IV. Additional Information on this Topic

Valuable sources of information are FHWA's environment website(http://www.fhwa.dot.gov/environment/index.htm) and FTA's environmental streamlining website (http://www.environment.fta.dot.gov). Another source of information and case studies is NCHRP Report 8-38 (Consideration of Environmental Factors in Transportation Systems Planning), which is available at http://www4.trb.org/trb/crp.nsf/All+Projects/NCHRP+8-38. In addition, AASHTO's Center for Environmental Excellence website is continuously updated with news and links to information of interest to transportation and environmental professionals (www.transportation.environment.org).

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Appendix E

Integration of the Planning and NEPA Processes

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Date:	February 22, 2005
Subject:	Integration of Planning and NEPA Processes
In Reply Refer To:	HCC-30
From:	D.J. Gribbin /s/ Chief Counsel, Federal Highway Administration Judith S. Kaleta /s/ Acting Chief Counsel, Federal Transit Administration
To:	Cindy Burbank, Associate Administrator Office of Planning, Environment and Realty, FHWA David A. Vozzolo, Deputy Associate Administrator Office of Planning and Environment, FTA

I. Issue

You have asked for guidance regarding the extent to which the results of the transportation planning process can be used in and relied upon in the NEPA process.

In response to your request, this memorandum outlines the current law; describes the transportation planning products that can be used in the NEPA process and under what conditions; and explains the roles of Federal agencies and the public in reviewing transportation planning products used in NEPA analyses and documents.

II. Background

The transportation planning process required by 23 U.S.C. 134 and 135 and 49 U.S.C. 5303-5306 sets the stage for future development of transportation projects. As part of the transportation planning process, States and local metropolitan planning organizations (MPOs) must develop long-range transportation plans to address projected transportation needs. In addition, they must create transportation improvement programs (TIPs or STIPs), which identify a list of priority projects to be carried out in the next three years to implement the plan. To receive Federal funding, transportation projects must come from a TIP or STIP. As a result, much of the data and decision making undertaken by state and local officials during the planning process carry forward into the project development activities that follow the TIP or STIP. This means that the planning process and the environmental assessment required during project development by the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4231 *et seq.*) should work in tandem, with the results of the transportation planning process feeding into the NEPA process. Congress has put great emphasis on the transportation planning process for shaping transportation decisions, and has retained and refined that emphasis in surface transportation law over decades.

In practice, though, the environmental analyses produced during the NEPA process are sometimes disconnected from the analyses used to prepare transportation plans, transportation improvement programs, and supporting corridor or subarea studies. Analyses and decisions occurring during transportation planning can be ignored or redone in the NEPA process, resulting in a duplication of work and delays in implementation of transportation projects. The

sharp separation between the work done during the transportation planning process and the NEPA analysis and documentation process is not necessary. In fact, current law provides authority for and even encourages the integration of the information and products developed in highway and transit planning process into the NEPA process. This memorandum provides guidance on how this information and these products can be incorporated into and relied upon in NEPA analyses and documents under existing laws.

III. Legal Analysis of Current Law on Integrating Planning and NEPA

The transportation planning process is a detailed, Congressionally mandated procedure for developing long-range transportation plans and shorter-range transportation improvement programs. These procedures were initially enacted in the 1960s and were codified in Title 23 and Title 49 of the U.S. Code. See 23 U.S.C. 134 and 135 and 49 U.S.C. 5303-5306. In 1991, the Intermodal Surface Transportation Efficiency Act of 1991 substantially expanded the planning provisions. They have been subsequently revisited and refined by Congress in various transportation bills, but the basic framework has remained intact. The procedures identify the State and local agencies with primary responsibility for transportation planning. They also identify agencies and other interested parties who should be given an opportunity to participate in the transportation planning process and describe their appropriate level of involvement. The statute spells out the planning factors that must be considered, including, among other factors, the protection and enhancement of the environment. 23 U.S.C. 134(f) and 135(c).1 The transportation planning process undertaken by States and MPOs is periodically reviewed and, if found to be adequate, certified by FHWA and FTA. The Federal government does not approve the transportation plans developed by State or local officials, and although FTA and FHWA jointly approve the Statewide TIP such an approval does not constitute a Federal action subject to review under NEPA.2 This is the process that Congress constructed to shape transportation decisions for Federally funded projects.

In order to be eligible for Federal funding, projects must come from a plan created by this process. Federal action subject to NEPA is needed to approve these Federal aid projects. Because of the continuity between the planning and project development processes, the NEPA analysis for a transportation project needs to be reviewed in the context of this transportation planning process.

NEPA and the government-wide regulations that carry out NEPA (40 C.F.R. Parts 1500 *et seq.*) clearly contemplate the integration of the NEPA process with planning processes. Specifically, Section 102(2)(A) of NEPA direct all Federal agencies to "utilize a systemic, interdisciplinary approach which will insure the integrated use of natural and social sciences and the environmental design arts in *planning* and decision making. [Emphasis added] The regulations issued by the President's Council on Environmental Quality (CEQ) amplify the statutory directive:

- 40 C.F.R. 1501.1(a) requires decision makers to "integrate[e] the NEPA process *into early planning* to ensure appropriate consideration of NEPA's policies and to eliminate delay;
- 40 C.F.R. 1501.1(b) emphasizes the need for "cooperative consultation among agencies *before the environmental impact statement is prepared*, rather than "submission of adversary comments on a completed document;

- 40 C.F.R. 1501.1(d) emphasizes the importance of "[I]identifying at an early stage the significant environmental issues deserving of study, by de-emphasizing "insignificant issues and "narrowing the scope of the environmental impact statement accordingly;
- 40 C.F.R. 1501.2 requires that Federal agencies "integrate the NEPA process with *other planning at the earliest possible time* to ensure that planning and [agency] decisions reflect environmental values. . .

Likewise, the NEPA regulations adopted by the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) emphasize the tie between NEPA and transportation planning:

- 23 C.F.R. 771.105(a) provides that "To the fullest extent possible, all environmental investigations, reviews and consultations be coordinated as a single process. . . and
- 23 C.F.R. 771.105(b) directs that "Alternative courses of action be evaluated and decisions be made in the best overall public interest based upon a balanced consideration of the need for safe and efficient transportation; of the social, economic and environmental impacts of the proposed transportation improvement; and of national, State and local environmental protection goals.

Thus, the organic statute, the government-wide NEPA regulations, and the specific FHWA and FTA regulations all strongly support the integration of the NEPA process with the transportation planning process.

Case law on the issue of the use of transportation planning studies and decisions in the NEPA process is not extensive. However, to the extent they exist, court decisions have consistently supported the reliance in the NEPA process on work done in the planning process. For example, in *North Buckhead Civic Association v. Skinner*, 903 F. 2d 1533 (11th Cir. 1990), the Plaintiffs challenged the purpose and need articulated in the EIS for a multi-lane limited access highway connecting two existing highways. The purpose and need was derived from a series of planning studies conducted by the Atlanta Regional Commission. Plaintiffs argued that the purpose and need was crafted in a way that the proposed highway was "conclusively presumed to be required and a rail alternative perfunctorily dismissed for its failure to fully satisfy the objectives of the project. The Court of Appeals disagreed with the Plaintiffs, stating that their objections reflected "a fundamental misapprehension of the role of federal and state agencies in the community planning process established by the Federal-Aid Highway Act. The Court went on to explain that the Federal-Aid Highway Act contemplated "a relationship of cooperation between federal and local authorities; each governmental entity plays a specific role in the development and execution of a local transportation project. The Court emphasized that federal agencies did not have responsibility for long range local planning, and found that the "federal, state and local officials complied with federally mandated regional planning procedures in developing the need and purpose section of the EIS. 903 F.3d at 1541-42. Although the Court in *Buckhead* acknowledged the validity of a purpose and need based on the results of the planning study, it did not in any way scale back the holdings of other cases relating to purpose and need which caution agencies not to write purpose and need statements so narrowly as to "define competing ‘reasonable alternatives' out of consideration (and even out of existence). *Simmons v. U.S. Army Corps of Engineers*, 120 F.3d 664 (7th Cir. 1997). (In this case, the Army Corps of Engineers failed to question city's insistence on one approach for supplying water and gave no independent thought to the feasibility of alternatives, both single source and separate source supply options. On this basis, the EIS was found to be inadequate.)

In *Carmel-by-the-Sea v. U.S. DOT*, 123 F.3d 1142 (9th Cir. 1997), the Plaintiffs challenged the sufficiency of an EIS for failing to adequately consider the proposed project's growth-inducing effects. The Ninth Circuit disagreed, finding that the EIS satisfied this requirement by referencing several local planning documents that specifically included construction of the highway in their growth plans and which discussed overall growth targets and limits. In addition, the Court found that achieving "Level of Service C, an objective derived from the local congestion management plan, was an appropriate part of the purpose and need statement (although ultimately the EIS was found inadequate on cumulative impact grounds). Similarly, in *Laguna Greenbelt, Inc. v. U.S. DOT*, 42 F.3d 517 (9th Cir. 1994), the court held that the absence of a more thorough discussion in an EIS of induced growth, an issue that was sufficiently analyzed in referenced state materials, does not violate NEPA. However, regardless of the source, the analysis of induced growth must be in sufficient detail and must provide an analytical basis for its assumptions in order to be adequate under NEPA. See *Senville v. Peters*, 327 F.Supp.2d 335, 349 (Vt. 2004) (In this case, the District Court found an FEIS, before it was supplemented by FHWA, to be inadequate because it contained only a "sketchy discussion of induced growth and failed to support its assumptions with any analysis.)

In *Utahns for Better Transportation v. U.S. DOT*, 305 F.3d 1152 (10th Cir. 2002), *as modified on rehearing*, 319 F.3rd 1207 (10th Cir. 2003), Plaintiffs contended that the FEIS was inadequate because it failed to consider reducing travel demand through alternative land use scenarios in combination with mass transit. Noting that "reasonable alternatives must be non-speculative, the Tenth Circuit found that Plaintiffs had not demonstrated a deficiency in the FEIS on this basis (although it was ultimately found inadequate on other grounds). The Court stated that "Land use is a local and regional matter, and that, in this case, the corridor at issue would involve the jurisdiction of several local and regional governmental entities whose cooperation would be necessary to make an alternative land use scenario a reality. The fact that these entities had clearly declined to alter their land use plans in such a way was justification for not considering this alternative. 305 F.3d at 1172. 3

In *Sierra Club v. U.S. Department of Transportation*, 310 F.Supp.2d 1168 (D. Nevada 2004), Plaintiffs made several challenges to the EIS for a proposed highway project. One of these challenges alleged that FHWA relied on understated population and traffic forecasts. However, the Nevada District Court found that FHWA's reliance on the forecasts and modeling efforts of the designated metropolitan planning organization responsible for developing transportation plans and programs for the area was reasonable. In addition, Plaintiffs argued that the EIS had improperly rejected a fixed guideway as a reasonable alternative under NEPA. The Court disagreed, finding that FHWA reasonably relied on a "major investment study4 conducted as part of its planning process to establish that such an alternative (1) would not meet the project's purpose and need, even when considered as part of a transportation strategy, (2) was too costly and (3) depended on connections to other portions of such a system for which construction was uncertain.5

As demonstrated by these cases, Courts have sanctioned the use of information from the planning process in a NEPA analysis and document. This is consistent with the opening language in NEPA advocating the integration of environmental considerations in both planning and decision-making. Consequently, products from the transportation planning process can be used in the NEPA analysis and documentation prepared for a transportation project.

IV. Legal Guidance on How Products from the Planning Process Can Be Used In the NEPA Process

For studies, analyses or conclusions from the transportation planning process to be used in the NEPA process, they must meet certain standards established by NEPA. This is because the information and products coming from the planning process must be sufficiently comprehensive that the Federal government may reasonably rely upon them in its NEPA analysis and documentation. Transportation planning processes vary greatly from locality to locality. Some transportation planning processes will already meet these standards, while others might need some modification to do so. Below is a discussion of where products from the transportation planning process might be incorporated into a NEPA analysis and documentation (purpose and need, alternatives, affected environment, and, to a more limited extent, environmental consequences in terms of land use, indirect and cumulative impacts, etc.), along with the NEPA standards they must first meet.

In addition to what is discussed below, these planning products must come from a transportation planning process that complied with current transportation planning requirements (e.g., provided an opportunity for public involvement and considered relevant planning factors). Interested State, local, tribal and Federal agencies should be included in the transportation planning processes, and must be given a reasonable opportunity to comment upon the long range transportation plan and transportation improvement program. Finally, any work from the planning process must have been documented and available for public review during the planning process. Such documentation should be in a form that can easily be appended to the NEPA document or incorporated by reference.6

Purpose and Need

The "purpose and need statement in a NEPA document is where the planning process and the NEPA process most clearly intersect. A sound planning process is a primary source of the project purpose and need. It is through the planning process that state and local governments determine what the transportation needs of an area are, which of transportation needs they wish to address, and in what time frame they wish to address them. Indeed, that is what the law requires from the planning process and actually prevents projects that do not come from the planning process from going forward.

The purpose and need statement, at a minimum, is a statement of the transportation problem to be solved by the proposed project. It is often presented in two parts: broad goals and objectives, and a description of the transportation conditions (congestion, safety, etc.) underlying the problem. The long-range transportation plan also includes goals and objectives similar to "purpose and need but on a broader scale, since it typically covers a wider area and spans at least twenty years. These goals and objectives are often identified through extensive public outreach, sometimes called "visioning or "alternative futures exercises. The purpose and need statement for a transportation project should be consistent with and based on the goals and objectives developed during the planning process.

Getting input from Federal agencies as transportation goals and objectives are developed during the planning process is advisable and would be consistent with the cooperative relationship envisioned by statute and reinforced by courts. Such participation would give Federal agencies a better insight into the needs and objectives of the locality and would also provide an important opportunity for Federal concerns to be identified and addressed early in

the process. These concerns could include issues that might be raised by Federal agencies in considering permit applications for projects designed to implement the transportation plan. However, the responsibility for local planning lies with the metropolitan planning organization or the State, not the Federal government.

In many cases, the goals and objectives in the transportation plan are supported by a needs assessment and problem statement describing current transportation problems to be addressed. Although the goals and objectives in the long-range transportation plan will be broader than what is appropriate for a specific project, they can be the foundation for the purpose and need to be used in a NEPA document. For example, they can be used to generate corridor-level purpose and need statements, during planning, for use in NEPA documents. The challenge is to ensure what comes from the long-range transportation plan is not so general as to generate a range of alternatives that are not responsive to the problem to be solved.

NEPA calls for a purpose and need statement to briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action. A purpose and need statement can be derived from the transportation planning process. The purpose and need statement:

- Should be a statement of the transportation problem (not a statement of a solution);
- Should be based on articulated planning factors and developed through a certified planning process;
- Should be specific enough so that the range of alternatives developed will offer real potential for solutions to the transportation problem;
- Must not be so specific as to "reverse engineer a solution; and
- May reflect other priorities and limitations in the area, such as environmental resources, growth management, land use planning, and economic development.

Alternatives

Under NEPA, an EIS must rigorously explore and objectively evaluate all reasonable alternatives, and briefly explain the rationale for eliminating any alternatives from detailed study.7 "Reasonable alternatives are described in Council on Environmental Quality (CEQ) guidance as including "those that are practical or feasible from the technical and economic standpoint and using common sense. *Forty Most Asked Questions Concerning CEQ's NEPA Regulations*, Question #2a (March 23, 1981). An alternative is not "reasonable if it does not satisfy the purpose and need,8 but it may be reasonable even if it is outside the jurisdiction of the proposing agency to implement.

The transportation planning process frequently takes steps to refine the purpose and need statement that results in narrowing or screening the range of alternatives. Regional planning considerations may be the basis for refining the purpose and need statement, which might then have the effect of eliminating some alternatives from detailed consideration. For example, network connectivity across a geographic barrier such as a river may dictate a particular transportation mode or a general alignment. The plan may also identify where a locality wants housing, commercial development, agriculture, etc.—all of which might drive the need for transportation improvements in particular corridors.

When a long- range transportation plan leaves open the possibility of multiple approaches to fulfill its goals and objectives, a subarea or corridor study could be conducted to "zoom in on a

particular area. This study would evaluate alternative investment strategies, engineering constraints, fiscal constraints, and environmental considerations in this area, and could narrow the range of possible alternatives to those that will meet the goals and objectives of the broader long-range transportation plan in that particular subarea or corridor. At the conclusion of such a study, the remaining alternatives might simply consist of a single corridor or mode choice with location and design options.

On a broad scale, a decision about whether projects located in particular subareas or corridors would satisfy the transportation goals and objectives of a locality can be made in these subarea or corridor studies. These studies can therefore be used in and relied on in an EIS to refine the purpose and need statement, thereby narrowing the range of alternatives to be considered by eliminating some alternatives from further detailed study. When conducting subarea or corridor screening studies during the planning process, State and local agencies should keep in mind the principles of NEPA and should be sure to document their procedures and rationales. To be incorporated into an EIS, the analysis of alternatives conducted in the subarea or corridor study should be consistent with the standard of NEPA requiring consideration of reasonable alternatives. Alternatives that remain "reasonable after the planning level analysis must be addressed in the NEPA process, even when they are clearly not the preferred alternative.[9] Alternatives passed over during the transportation planning process because they are infeasible or because they do not meet the NEPA "purpose and need can be omitted from the detailed analysis of alternatives in the NEPA analyses and documentation, so long as the rationale for omitting them is documented in the NEPA document. That documentation can either be appended to the EIS or the specific transportation planning documents can be summarized in the EIS and incorporated by reference. The NEPA review would then have to consider the alternatives that survive the planning study, plus any additional reasonable alternatives identified during NEPA scoping that may not have been considered during the planning process. All reasonable alternatives considered in the draft and final EIS should be presented in a "comparative form that sharply defines the issues and provides a clear basis for a choice by the decision maker and the public. 40 C.F.R. 1502.14.

Finally, any planning study being relied upon as a basis for eliminating alternatives from detailed study should be identified during the NEPA scoping process and available for public review. Since a major purpose of the scoping process is to identify alternatives to be evaluated, the public should be given the opportunity to comment on determinations made in the planning process to eliminate alternatives.

Therefore, if the planning process is used to screen or narrow the range of alternatives, by excluding certain alternatives from detailed study or by prescribing modes or corridors for transportation development which results in eliminating alternative modes or corridors from detailed study, then the planning-based analysis of alternatives:

- Should describe the rationale for determining the reasonableness of the alternative or alternatives;
- Should include an explanation of why an eliminated alternative would not meet the purpose and need or was otherwise unreasonable; and
- Should be made available for public review during the NEPA scoping process and comment period.

Under FTA's New Starts program, the alternatives considered during the NEPA process may be narrowed even further by eliminating alternatives from detailed study in those instances when

the Alternatives Analysis required by 49 U.S.C. 5309(e) is conducted as a planning study prior to the NEPA review.10 In fact, FTA may narrow the alternatives considered in detail in the NEPA analysis and documentation to the No-Build (No-Action) alternative and the "Locally Preferred Alternative". The following criteria must be met if alternatives are eliminated from detailed study by a planning Alternatives Analysis conducted prior to the NEPA review:

- During the planning Alternatives Analysis, all of the reasonable alternatives under consideration must be fully evaluated in terms of their transportation impacts, capital and operating costs, social, economic, and environmental impacts, and technical considerations;
- There must be appropriate public involvement in the planning Alternatives Analysis;
- The appropriate Federal, State, and local resource agencies must be engaged in the planning Alternatives Analysis;
- The results of the planning Alternatives Analysis must be documented;
- The NEPA scoping participants must agree on the alternatives that will be considered in the NEPA review; and
- The NEPA document must incorporate by reference the evaluation of alternatives from the planning Alternatives Analysis.

If, during the NEPA process, new reasonable alternatives not considered during the planning Alternatives Analysis are identified or new information about eliminated alternatives comes to light, those alternatives must be evaluated during the NEPA process.

Affected Environment and Environmental Consequences

The EIS must present a description of the environment in the area that would be affected by the proposed action and alternatives and their environmental consequences. 40 C.F.R. 1502.15 and 1502.16. In the development of the long-range transportation plan and a corridor or subarea studies, a similar assessment of the environment in the area and environmental consequences should typically have been conducted. Such planning-level assessments might include developing and utilizing geographic information system overlays of the area; providing information on air- and water-sheds; identifying the location of environmental resources with respect to the proposed project and alternatives; conducting environmental "scans of the area of impact; and utilizing demographic trends and forecasts developed for the area. The discussion in the planning process of development growth, and consistency with local land use, growth management or development plans, as well as population and employment projections, would be particularly valuable for use in determining the affected environment and the scope of cumulative impacts assessment and possible indirect impacts of the proposed transportation improvement. Any relevant parts of such transportation planning process analysis, conducted in the planning process or by other sources and used in plan development, can be incorporated by reference and relied upon in the NEPA analysis and documentation.

The CEQ regulations require the action agency preparing an EIS to assess the environmental consequences of the proposed action and any reasonable alternatives. The CEQ regulation contains a detailed list of all of the types of environmental consequences that must be discussed, including direct, indirect and cumulative impacts and their significance, as well as means to mitigate adverse environmental impacts. These consequences must be discussed for each alternative and should be presented in a comparative form. 40 C.F.R. 1502.16. In transportation planning, the development of transportation plans and programs is guided by seven planning factors (23 U.S.C. 134(f)(1) and 23 U.S.C. 135(c)(1)), one of which is to "protect

and enhance the environment, promote energy conservation, and improve the quality of life. As such, there generally is a broad consideration of the environmental effects of transportation decisions for a region.11 To the extent relevant, this analysis can be incorporated into the "environmental consequences section of an environmental assessment or impact statement performed under NEPA. However, in most cases the assessment of environmental consequences conducted during the planning process will not be detailed enough to meet NEPA standards and thus will need to be supplemented.

Nonetheless, the planning process often can be a source of information for the evaluation of cumulative and indirect impacts required under NEPA. 40 C.F.R. 1502.16, 1508.7 and 1508.8. The nature of the planning process is to look broadly at future land use, development, population increases, and other growth factors. This analysis could provide the basis for the assessment of cumulative and indirect impacts required under NEPA. Investigating these impacts at the planning level can also provide insight into landscape, watershed or regional mitigation opportunities that will provide mitigation for multiple projects.

An EIS may incorporate information regarding future land use, development, demographic changes, etc. from the transportation planning process to form a common basis for comparing the direct, indirect and cumulative impacts of all alternatives. When an analysis of the environmental consequences from the transportation planning process is incorporated into an EIS it:

- Should be presented in a way that differentiates among the consequences of the proposed action and other reasonable alternatives;
- Should be in sufficient detail to allow the decision maker and the public to ascertain the comparative merits and demerits of the alternatives; and
- Must be supplemented to the extent it does not adequately address all of the elements required by the CEQ and FHWA/FTA NEPA regulations.

V. Legal Guidance on Weight to be Given to Planning Products Incorporated into NEPA Analyses and Documents

Responsibility for NEPA analyses and documents on Federally funded or approved highway and transit projects ultimately rests with FHWA and FTA, since they are taking the federal action subject to NEPA. FHWA and FTA have an obligation to independently evaluate and review a NEPA analysis and document, even when some of the information contained in it has been prepared by the State or other local agency. 42 U.S.C. 4332(2)(D); 40 C.F.R. 1506.5 Under NEPA and other relevant environmental laws such as the Endangered Species Act, the Clean Water Act, or the Clean Air Act, other agencies also must be given an opportunity to review and comment on NEPA documents and analysis. Federal agencies that have jurisdiction by law have an independent responsibility under NEPA and, upon the request of the lead agency, shall be "cooperating agencies.12 Tribes and state and local agencies with jurisdiction by law and all agencies with special expertise may, upon the request of the lead agency, be "cooperating agencies in the NEPA process. 40 C.F.R. 1501.6 and 1508.5.

However, while imposing on Federal agencies the obligation to independently evaluate information in NEPA analyses and documents, Congress also affirmed that NEPA does not apply to the transportation planning process because it is not a Federal action:

"Since plans and programs described in this [transportation planning] section are subject to a reasonable opportunity for public comment, since individual projects included in the plans and programs are subject to review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and since decisions by the Secretary concerning plans and programs described in this section have not been reviewed under such Act as of January 1, 1997, any decision by the Secretary concerning a plan or program described in this section shall not be considered to be a Federal action subject to review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)."

23 U.S.C 134(o) and 135(i). The transportation planning process is a local function, which, by statute, is undertaken by State and local governments. The Department of Transportation has an oversight role, but it does not conduct the process and, therefore, there is no Federal action to trigger the application of NEPA. This is different than the "big picture planning processes undertaken by other Federal agencies with respect to lands that they manage, where action by the Federal agency is involved and NEPA applies.13

The affirmation in Sections 134(o) and 135(i) that the decisions made by State and local governments during the transportation planning process are exempt from NEPA is based on a Fifth Circuit decision, *Atlanta Coalition on the Transportation Crisis, Inc. v. Atlanta Regional Commission*, 599 F.2d 1333 (5th Cir. 1979). In this case, plaintiffs sought declaratory judgment that an EIS was required for a regional transportation plan developed by the Atlanta Regional Commission in compliance with the FHWA and FTA planning regulations. The plan proposed a comprehensive transportation system for the Atlanta area. It included an analysis of projected regional transportation needs through the year 2000 and identified the general location and the mode (i.e. highway or transit) for recommended transportation corridors to meet those needs. The Fifth Circuit denied plaintiff's request for an EIS, finding that "Congress did not intend NEPA to apply to state, local or private actions; hence, the statute speaks only to 'federal agencies' and requires impact statements only as to 'major federal actions.' 559 F.2d at 1344. Specifically, the Court stated:

"The fact is that the [regional plan] was developed by ARC in conjunction with state and local authorities, and no federal agency had any significant hand in determining, or made any decision concerning, its substantive aspects. Under the statutes, those decisions are entrusted to the state and local agencies, not FHWA or [FTA]. Moreover, the plan, as a plan will never be submitted to a federal agency for review or approval. And while the planning process was so structured so as to preserve the eligibility for federal funding of projects included within the resulting plan, it has been consistently held that the possibility of federal funding in the future does not make the project or projects 'major federal action' during the planning stage."

[Cites omitted] 599 F.2d at 1346. The Court further found that certification or funding of the planning process by FHWA and FTA did not amount to a "major federal action as defined in the NEPA regulations. 559 F.3d at 1344; 40 C.F.R. 1508.18. The Court concluded by again emphasizing: "We have no doubt but that the [regional plan] embodies important decisions concerning the future growth of the Atlanta area that will have a continuing and significant effect on the human environment. But at the risk of belaboring the point, we reemphasize that those decisions have been made by state and local authorities, will not be reviewed by any federal agency, and obligate no federal funds. The defendants therefore need not prepare an impact statement on the [regional plan]. 559 F.3d at 1349.

This theme is echoed in other court decisions involving local planning processes. Early in the development of NEPA law, Courts recognized that deference to local planning was appropriate in the NEPA process. In *Maryland-National Capital Park and Planning Commission v. U.S. Postal Service*, 487 F.2d 1029 (U.S. App. D.C. 1973), the Postal Service determined that the construction of a bulk mail facility would have no significant impact since, under the locality's zoning laws, the postal facility was a "permitted use at the location proposed by the Postal Service. In analyzing this issue, the Court noted: "The question of significance takes on a distinctive case in the context of land use planning. The Court went on to state: "When local zoning regulations and procedures are followed in site location decisions by the Federal Government, there is an assurance that such 'environmental' effects as flow from the special uses of land—the safety of the structures, cohesiveness of neighborhoods, population density, crime control, and esthetics-will be no greater than demanded by the residents acting through their elected representatives. 487 F.2d at 165-66. The Court acknowledged, however, that local planning was not sufficient to effectuate NEPA, and that actions of the Federal government might have implications beyond those evaluated in the planning process: "For example, whereas the Federal Government might legitimately defer to New York City zoning in matters of, say, population density, a different issue would be posed by the location within the city of an atomic reactor. Its peculiar hazards would not be limited to the citizens of New York, nor could they control them. 487 F.2d at 166. *See also Preservation Coalition, Inc. v. Pierce*, 667 F.2d 851 (C.A. Idaho 1982) (citing *Maryland-National Capital Park* and upholding a finding of no significant impact when a Federal project conformed to existing land use patterns, zoning and local plans).

The Fifth Circuit followed a similar line of reasoning in *Isle of Hope Historical Association v. U.S. Army Corps of Engineers*, 646 F. 2d 215 (5th Cir. 1981). In this case, the Court held that, in preparing an EIS, the Corps of Engineers properly relied on information and answers from the local government regarding planning and zoning issues. The Corps had consulted with county officials to determine whether planning documents had been adopted and whether there was any inconsistency between the proposed project and the local zoning regulations. Plaintiffs challenged this part of the EIS, alleging that it had not adequately discussed the planning documents at issue nor disclosed inconsistencies between the zoning regulations and the proposed project. The Court upheld the Corps' reliance on the county officials' responses, stating that "For the Corps in this case to follow planning documents which the county had not adopted or to engage independent analysis of inconsistencies which those specifically charged with zoning enforcement did not find would make the Corps in effect a planning and zoning review board. . . The proper function of the Corps was to assess the environmental impact of the [proposed project], not to act as a zoning interpretation or appeal board. 646 F.2d at 221.[14]

This respect for local sovereignty in making planning decisions has been reinforced more recently in the context of transportation planning. In *North Buckhead Civic Association v. Skinner* (discussed previously in Section III of this Memorandum), the 11th Circuit emphasized that "NEPA does not confer the power or responsibility for long range local planning on Federal or state agencies. 903 F. 3d at 1541-42. See also *Sierra Club v. U.S. Department of Transportation*, 350 F.Supp.2d 1168, 1193 (D. Nevada 2004), where the Court said: "[A] federal agency does not violate NEPA by relying on prior studies and analyses performed by local and state agencies. This approach is also consistent with the statutory provision describing the Federal-State relationship for the Federal-aid highway program: "The authorization of the appropriation of Federal funds or their availability for expenditure under this chapter shall in no way infringe on the sovereign rights of the States to determine which projects shall be federally financed. 23 U.S.C.

145(a). In conducting its NEPA analysis, FHWA and FTA must take into account Congressional direction regarding its statutory authority to act. See *Citizens Against Burlington, Inc. v. Busey*, 938 F.2d 190 (C.A.D.C. 1991).15

When it enacts a provision of law, Congress is presumed to have in mind previous laws relating to the same subject matter. To the greatest extent possible, new statutes should be read in accord with prior statutes, and should be construed together in harmony. N. Singer, *Statutes and Statutory Construction*, 6th Ed., Vol. 2B, Sec. 51.02. A Federal agency's independent obligation to evaluate planning products incorporated into the NEPA process must be performed in a way that is consistent with the Congressional direction that NEPA does not apply to local transportation planning and consistent with court decisions recognizing the sovereignty of local governments in making local transportation planning decisions. Federal agencies should ensure transportation planning decisions have a rational basis and are based on accurate data, but should not use the NEPA process as a venue for substituting federal judgment for local judgment by requiring reconsideration of systems-level objectives or choices that are properly made during the local transportation planning process.16

The transportation planning process and the NEPA process work in harmony when the planning process provides the basis or foundation for the purpose and need statement in a NEPA document. To the extent regional or systems-level analyses and choices in the transportation planning process help to form the purpose and need statement for a NEPA document, such planning products should be given great weight by FHWA and FTA, consistent with Congressional and Court direction to respect local sovereignty in planning. This approach is also consistent with a letter to Secretary Mineta dated May 12, 2003, from James Connaughton, Chairman of CEQ, on purpose and need statements in NEPA documents:

"Federal courts generally have been deferential in their review of a lead agency's ‘purpose and need' statements, absent a finding that an agency acted in an arbitrary or capricious manner. They have recognized that federal agencies should respect the role of local and state authorities in the transportation planning process and appropriately reflect the results of that process in the federal agency's NEPA analysis of purpose and need [citing to *North Buckhead*]."

Further, in his letter, the Chairman states that, even though other Federal agencies must be provided an opportunity to comment, they "should afford substantial deference to the transportation agency's articulation of purpose and need when the proposal is a transportation project.17

Therefore, if transportation planning studies and conclusions have properly followed the transportation planning process, then they can be incorporated into the purpose and need statement and, further, can be used to help draw bounds around alternatives that need to be considered in detail. For example, if systems-level or other broad objectives or choices18 from the transportation plan are incorporated into the purpose and need statement used in a NEPA document, FHWA and FTA should not revisit whether these are the best objectives or choices among other options. Rather, their review would include making sure that objectives or choices derived from the transportation plan were based on transportation planning factors established by federal law; reflect a credible and articulated planning rationale; are founded on reliable data; and were developed through a transportation planning process meeting FHWA and FTA statutory and regulatory requirements. In addition, the basis for the objectives and choices must be documented and included in the NEPA document. In such cases, alternatives falling outside

a purpose and need statement derived from objectives or choices identified in the planning process do not need to be considered in detail.

FHWA and FTA should independently review regional analyses or studies of transportation needs conducted during the transportation planning process at a similar level. FHWA and FTA reviewers do not need to review whether assumptions or analytical methods used in the studies are the best available, but, instead, need to assure that such assumptions or analytical methods are reasonable and scientifically acceptable. This review would include determining whether assumptions have a rational basis and are up-to-date and data, analytical methods, and modeling techniques are reliable, defensible, and reasonably current. This approach preserves the sovereignty of state and local governments in making local planning decisions but in a way that is consistent with the principles and procedures of NEPA.

Nonetheless, additional scrutiny may be required if the results of the planning process are more specific than needed for regional or systems-level planning. Such results might actually be part of project development, which is outside of the planning jurisdiction of local agencies. Project development often involves a Federal action and therefore would be subject to NEPA. See 23 U.S.C. 134(o) and 135(i). In addition, the information the Federal agencies rely upon in the NEPA process based on underlying transportation planning work cannot be inaccurate, false or misleading. See *Sierra Club v. U.S. Army Corps of Engineers,* 701 F. 2d 1011, 1035 (where the court required a supplementation or re-evaluation of the NEPA analyses and documentation where the Corps unquestioningly relied on inaccurate information and did not investigate, on its own, the accuracy of the fisheries data submitted to it to support a permit for a landfill in the Hudson river to accommodate the Westway highway project.)

In conducting reviews under NEPA, Federal agencies should defer to planning products incorporated into the NEPA process to the extent that they involve decisions or analysis within the jurisdiction of the local planning agency. The focus of the Federal agency's review should be whether the planning information is adequate to meet the standards of NEPA, not whether the decisions made by the planning authority are correct. This would be consistent with the specific roles assigned by Congress to local and Federal authorities and consistent with court decisions admonishing Federal agencies to respect the sovereignty of local authorities in developing local plans.

VI. Conclusion

This memorandum provides guidance on how transportation planning level information and products may be used to focus the documentation prepared to comply with NEPA when Federal approvals are needed to build a transportation project. Federal law and regulations and best practices ensure that much information that is relevant to the NEPA process is in fact developed during the planning process. Both Federal transportation law and NEPA law strongly suggest that to the extent practicable, the NEPA process should use and build on the decision made and information developed during the planning process. Of course, where the transportation planning process fails to address or document issues, the NEPA analyses and documentation may have to supplement the information developed during the planning process.

Original signed by D.J. Gribbin and Judith S. Kaleta

1 Protection of the environment is reinforced in the FHWA and FTA regulations clarifying the factors to be considered in the transportation planning process (e.g., States and MPOs must analyze the "overall social, economic, energy and environmental effects of transportation decisions. . . 23 CFR 450.208 and 450.316.

2 As stated in the planning provisions of Title 23, "any decision by the Secretary concerning a plan or program described in this section shall not be considered to be a Federal action subject to review under NEPA. 23 U.S.C. 134(o); see also 23 U.S.C. 135(i). These provisions are discussed more fully in Section V of this memorandum.

3 Note, however, an alternative is not "speculative or "unreasonable merely because it is outside the jurisdiction of the proposing agency. 40 C.F.R. 1402.14 (c). In some cases, an agency might be required to consider an alternative outside its jurisdiction. For example, in *Muckleshoot Indian Tribe v. United States Forest Service*, 177 F.3d 800 (9th Cir. 1999), the Ninth Circuit Court of Appeals found that the lack of funds for an alternative was not sufficient to render it "speculative when the Forest Service could have at least made a request for additional funding. The facts in the *Muckleshoot* case are different than the *Utahns* case, where the local agencies had clearly declined to exercise the alternative.

4 Corridor-level "Major Investment Studies were for a time required under FTA and FHWA's planning regulations where a need for a major metropolitan transportation investment was identified and Federal funds were potentially involved. Major investment studies were intended to refine the system-wide transportation plan and lead to decisions on the design concept and scope of the project, in consultation with other interested agencies. In addition, they were intended to be used as input to EISs and EAs. 23 C.F.R. 450.318. In Section 1308 of the Transportation Equity Act for the 21st Century, the Secretary was directed to eliminate the separate requirement for major investment studies and instead to integrate it with the planning analyses required under the FTA and FHWA planning statutes "as part of the analyses required to be undertaken pursuant to the planning provisions of Title 23, United States Code and Chapter 53 of Title 49, United States Code, and the National Environmental Policy Act of 1959 (42 U.S.C. 4321 et seq.) for Federal-aid highway and transit projects.. Pub.. 105-178 (June 9, 1998). Although no longer required, "major investment studies continue to be allowed at the discretion of the State or local agency.

It is telling, however, that a good many State and local agencies continue to prepare "major investment studies (and similar corridor and sub-area analyses) on their own volition, because they have found it very valuable to vet the merits and weaknesses of various alternatives—both modal and alignment--before they even initiate the NEPA analyses and documentation. Moreover, FTA requires Metropolitan Planning Organizations and/or transit agencies contemplating major capital investment ("new starts) projects to prepare a planning-level corridor study, know as an "Alternatives Analysis, either before or during a Draft Environmental Impact Statement for the purpose of narrowing the range of alternatives for study in a subsequent NEPA analysis and document(s) by eliminating some alternatives from further detailed study. See also footnote 10.

5 Plaintiffs have appealed this decision, and the Ninth Circuit has stayed further construction on the project pending the outcome of the appeal. *Order Granting Stay*, Ninth Circuit Court of Appeals, No. CV-02-00578-PMP (July 27, 2004).

6 Documents may be incorporated by reference if they do not impede agency or public review of the action. Any document incorporated by reference must be "reasonably available for inspection by potentially interested persons within the time allowed for comment. Incorporated materials must be cited in the NEPA document and their contents briefly described. 40 C.F.R. 1502.21.

7 40 C.F.R. 1502.14 The term "alternatives is also used in many other contexts (for example, "prudent and feasible alternatives under Section 4(f) of the Department of Transportation Act, the "Least Environmentally Damaging Practicable Alternative under the Clean Water Act, or the "Alternatives Analysis under FTA's New Starts program). This memorandum only uses the term as defined under NEPA. At the planning stage of any project, however, a determination should be made as to whether the alternatives to be considered will need to be used to satisfy multiple requirements at the planning and NEPA review stages. If so, during planning the alternatives chosen for consideration and the analysis of those alternatives should reflect the multiple statutory objectives that must be addressed.

8 In some cases, an alternative may be reasonable even if it just partially satisfies the purpose and need. See *NRDC v. Morton*, 458 F.2d 827, 836 (C.A.D.C. 1972).

9 Under the requirements for FTA's New Starts Program, however, under the appropriate circumstances, reasonable alternatives may be eliminated from detailed study during a rigorous planning-level Alternatives Analysis (including an evaluation of environmental consequences) conducted before the issuance of a NEPA Notice of Intent to prepare an Environmental Impact Statement. This is discussed later in this section.

10 FTA offers applicant sponsors the opportunity to conduct the Alternatives Analysis before NEPA begins or alternatively, to conduct the Alternatives Analysis concurrently with the NEPA DEIS.

11 Specifically, the FHWA/FTA transportation planning regulations (23 C.F.R. Part 450 and 49 C.F.R. Part 613) require inclusion of the overall social, economic, energy and environmental effects of transportation decisions (including consideration of the effects and impacts of the plan on human, natural and man-made environment such as housing, employment and community development, consultation with appropriate resource and permit agencies to ensure early and continued coordination with environmental resource protection and management plans, and appropriate emphasis on transportation-related air quality problems). 23 C.F.R. 450.316(a)(13).

12 Nonetheless, a cooperating agency may, in response to a lead agency's request for assistance in preparing an EIS, reply that other program commitments preclude any involvement or the degree of involvement requested in the action that is subject to the EIS. 40 C.F.R. 1501.6(c).

13 For example, NEPA applies to the general management plans prepared and approved by the National Park Service for each unit of the National Park System (Chapter 2, "Management Policies, at www.nps.gov/policy/mp/chapter2.htm), and applies to resource management plans prepared and approved by the Bureau of Land Management to maximize resource values of federal lands and resources (43 C.F.R. 1601.0-6).

14 Of course, the reliance on the underlying local plan does not excuse the analysis of the impacts of the project within the context of that plan. Cf. *Sierra Club Illinois Chapter v. U.S. Department of Transportation*, 962 F. 2d 1037, 1042 (N.D. Ill. 1997).

15 In this case, plaintiffs challenged the Federal Aviation Administration's EIS on an application by the Toledo Port Authority for a cargo hub in Toledo. Plaintiffs alleged that the FAA should have considered alternatives outside of Toledo. The Court disagreed, finding that Congress had made clear that the location of cargo hubs was to be made by local authorities and not by the Federal government, stating: "Where the Federal government acts, not as a proprietor, but to approve and support a project being sponsored by a local government or private applicant, the Federal agency is necessarily more limited. In the latter instance, the Federal government's consideration of alternatives may accord substantial weight to the preferences of the applicant and/or sponsor in the sitting and design of the project. 938 F.2d at 197.

16 This would not constrain the Environmental Protection Agency's authority under Section 309 of the Clean Air Act to refer concerns to the President's Council on Environmental Quality regarding impacts on public health or welfare or environmental quality. 42 U.S.C. 7609.

17 See, also, *Citizens Against Burlington, Inc. v. Busey*, *id*., At 938 F.2d 190, 195-96 (C.A.D.C. 1991), stating "When an agency is asked to sanction a specific plan, see 40 C.F.R. § 1508.18(b)(4), the agency should take into account the needs and goals of the parties involved in the application. [Citations omitted]; *Louisiana Wildlife Federation, Inc. v. York*, 761 F.2d 1044 (5th Cir. 1985), stating "Under [the Corps'] Guidelines, therefore, not only is it permissible for the Corps to consider the applicant's objective; the Corps has a duty to take into account the objectives of the applicant's project. Indeed, it would be bizarre if the Corps were to ignore the purpose for which the applicant seeks a permit and to substitute a purpose it deems more suitable.

18 Examples of such planning objectives or choices that courts have accepted for use in the purpose and need statement for a NEPA document are (1) the need for a multi-lane highway connecting two other highways (*North Buckhead Civic Association v. Skinner*, 903 F.2d at 1537) and (2) the need for a particular level of service (*Carmel-by-the-Sea v. U.S. DOT,* 123 F.3d at 1156). In *Atlanta Coalition on the Transportation Crisis v. Atlanta Regional Commission*, the court discusses the distinction between "systems planning and "project planning, and describes the Atlanta "systems plan as "an analysis of projected regional transportation needs through the year 2000 [identifying] the general location and the mode (i.e., highway or mass transit) of recommended transportation corridors to meet those needs. 599 F.2d at fn.2 and at 1341

Appendix F1

MPO Conformity Checklist

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Conformity Analysis Documentation

FHWA Checklist for MPO TIPs/RTPs

June 27, 2005

40 CFR	Criteria	Page	Comments
§93.102	Document the applicable pollutants and precursors for which EPA designates the area as nonattainment or maintenance. Describe the nonattainment or maintenance area and its boundaries.		
§93.104 (b, c)	Document the date that the MPO officially adopted, accepted or approved the TIP/RTP and made a conformity determination. Include a copy of the MPO resolution. Include the date of the last prior conformity finding.		
§93.104 (e)	If the conformity determination is being made to meet the timelines included in this section, document when the new motor vehicle emissions budget was approved or found adequate.		
§93.106 (a)(2)ii	Describe the regionally significant additions or modifications to the existing transportation network that are expected to be open to traffic in each analysis year. Document that the design concept and scope of projects allows adequate model representation to determine intersections with regionally significant facilities, route options, travel times, transit ridership and land use.		
§93.108	Document that the TIP/RTP is financially constrained (23 CFR 450).		
§93.109 (a, b)	Document that the TIP/RTP complies with any applicable conformity requirements of air quality implementation plans (SIPs) and court orders.		
§93.109 (c-k)	Provide either a table or text description that details, for each pollutant and precursor, whether the interim emissions tests and/or the budget test apply for conformity. Indicate which emissions budgets have been found adequate by EPA, and which budgets are currently applicable for what analysis years.		
§93.110 (a, b)	Document the use of latest planning assumptions (source and year) at the "time the conformity analysis begins," including current and future population, employment, travel and congestion. Document the use of the most recent available vehicle registration data. Document the date upon which the conformity analysis was begun.		
USDOT/EPA guidance	Document the use of planning assumptions less than five years old. If unable, include written justification for the use of older data. (1/18/02)		
§93.110 (c,d,e,f)	Document any changes in transit operating policies and assumed ridership levels since the previous conformity determination. Document the use of the latest transit fares and road and bridge tolls. Document the use of the latest information on the effectiveness of TCMs and other SIP measures that have been implemented. Document the key assumptions and show that they were agreed to through Interagency and public consultation.		
§93.111	Document the use of the latest emissions model approved by EPA.		
§93.112	Document fulfillment of the interagency and public consultation requirements outlined in a specific implementation plan according to §51.390 or, if a SIP revision has not been completed, according to §93.105 and 23 CFR 450. Include documentation of consultation on conformity tests and methodologies as well as responses to written comments.		
§93.113	Document timely implementation of all TCMs in approved SIPs. Document that implementation is consistent with schedules in the applicable SIP and document whether anything interferes with timely implementation. Document		

40 CFR	Criteria	Page	Comments
	any delayed TCMs in the applicable SIP and describe the measures being taken to overcome obstacles to implementation.		
§93.114	Document that the conformity analyses performed for the TIP is consistent with the analysis performed for the Plan, in accordance with 23 CFR 450.324(f)(2).		
§93.118 (a, c, e)	For areas with SIP budgets: Document that emissions from the transportation network for each applicable pollutant and precursor, including projects in any associated donut area that are in the Statewide TIP and regionally significant non-Federal projects, are consistent with any adequate or approved motor vehicle emissions budget for all pollutants and precursors in applicable SIPs.		
§93.118 (b)	Document for which year's consistency with motor vehicle emissions budgets must be shown.		
§93.118 (d)	Document the use of the appropriate analysis years in the regional emissions analysis for areas with SIP budgets, and the analysis results for these years. Document any interpolation performed to meet tests for years in which specific analysis is not required.		
§93.119 [i]	For areas without applicable SIP budgets: Document that emissions from the transportation network for each applicable pollutant and precursor, including projects in any associated donut area that are in the Statewide TIP and regionally significant non-Federal projects, are consistent with the requirements of the "Action/Baseline", "Action/1990" and/or "Action/2002" interim emissions tests as applicable.		
§93.119 (g)	Document the use of the appropriate analysis years in the regional emissions analysis for areas without applicable SIP budgets.		
§93.119 (h,i)	Document how the baseline and action scenarios are defined for each analysis year.		
§93.122 (a)(1)	Document that all regionally significant Federal and non-Federal projects in the nonattainment/maintenance area are explicitly modeled in the regional emissions analysis. For each project, identify by which analysis it will be open to traffic. Document that VMT for non-regionally significant Federal projects is accounted for in the regional emissions analysis		
§93.122 (a)(2, 3)	Document that only emission reduction credits from TCMs on schedule have been included, or that partial credit has been taken for partially implemented TCMs. Document that the regional emissions analysis only includes emissions credit for projects, programs, or activities that require regulatory action if: the regulatory action has been adopted; the project, program, activity or a written commitment is included in the SIP; EPA has approved an opt-in to the program, EPA has promulgated the program, or the Clean Air Act requires the program (indicate applicable date). Discuss the implementation status of these programs and the associated emissions credit for each analysis year.		
§93.122 (a)(4,5,6)	For nonregulatory measures that are not included in the STIP, include written commitments from appropriate agencies. Document that assumptions for measures outside the transportation system (e.g. fuels measures) are the same for baseline and action scenarios. Document that factors such as ambient temperature are consistent with those used in the SIP unless modified through interagency consultation.		
§93.122 (b)(1)(i) [ii]	Document that a network-based travel model is in use that is validated against observed counts for a base year no more than 10 years before the date of the conformity determination. Document that the model results have been analyzed for reasonableness and compared to historical trends and		

40 CFR	Criteria	Page	Comments
	explain any significant differences between past trends and forecasts (for per capita vehicle-trips, VMT, trip lengths mode shares, time of day, etc.).		
§93.122 (b)(1)(ii) [2]	Document the land use, population, employment, and other network-based travel model assumptions.		
§93.122 (b)(1)(iii) [2]	Document how land use development scenarios are consistent with future transportation system alternatives, and the reasonable distribution of employment and residences for each alternative.		
§93.122 (b)(1)(iv) [2]	Document use of capacity sensitive assignment methodology and emissions estimates based on a methodology that differentiates between peak and off-peak volumes and speeds, and bases speeds on final assigned volumes.		
§93.122 (b)(1)(v) [2]	Document the use of zone-to-zone travel impedances to distribute trips in reasonable agreement with the travel times estimated from final assigned traffic volumes. Where transit is a significant factor, document that zone-to-zone travel impedances used to distribute trips are used to model mode split.		
§93.122 (b)(1)(vi) [2]	Document how travel models are reasonably sensitive to changes in time, cost, and other factors affecting travel choices.		
§93.122 (b)(2) [2]	Document that reasonable methods were used to estimate traffic speeds and delays in a manner sensitive to the estimated volume of travel on each roadway segment represented in the travel model.		
§93.122 (b)(3) [2]	Document the use of HPMS, or a locally developed count-based program or procedures that have been chosen through the consultation process, to reconcile and calibrate the network-based travel model estimates of VMT.		
§93.122 (d)	In areas not subject to §93.122(b), document the continued use of modeling techniques or the use of appropriate alternative techniques to estimate vehicle miles traveled		
§93.122 (e, f)	Document, in areas where a SIP identifies construction-related PM10 or PM 2.5 as significant pollutants, the inclusion of PM10 and/or PM 2.5 construction emissions in the conformity analysis.		
§93.122 (g)	If appropriate, document that the conformity determination relies on a previous regional emissions analysis and is consistent with that analysis.		
§93.126, §93.127, §93.128	Document all projects in the TIP/RTP that are exempt from conformity requirements or exempt from the regional emissions analysis. Indicate the reason for the exemption (Table 2, Table 3, traffic signal synchronization) and that the interagency consultation process found these projects to have no potentially adverse emissions impacts.		

[1] Note that some areas are required to complete both interim emissions tests.
[1] 40 CFR 93.122(b) refers only to serious, severe and extreme ozone areas and serious CO areas above 200,000 population

Disclaimers
This checklist is intended solely as an informational guideline to be used in reviewing Transportation Plans and Transportation Improvement Programs for adequacy of their conformity documentation. It is in no way intended to replace or supercede the Transportation Conformity regulations of 40 CFR Parts 51 and 93, the Statewide and Metropolitan Planning Regulations of 23 CFR Part 450 or any other EPA, FHWA or FTA guidance pertaining to transportation conformity or Statewide and metropolitan planning. This checklist is not intended for use in documenting transportation conformity for individual transportation projects in nonattainment or maintenance areas. 40 CFR Parts 51 and 93 contain additional criteria for project-level conformity determinations.

MPO Checklist: http://www.dot.ca.gov/hq/env/air/documents/AQConfCklst_MPOs.doc

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Appendix F2

Rural Area Conformity Checklist

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Conformity Analysis Documentation

FHWA/EPA Checklist for Isolated Rural Nonattainment Areas

March 7, 2005

40 CFR	Criteria	Page	Comments
§93.102	Document the applicable pollutants and precursors for which EPA designates the area as nonattainment or maintenance. Describe the nonattainment or maintenance area and its boundaries.		
§93.104 (d)	Document whether a new conformity determination is required per this section: this is a new project; a significant change in design concept and scope; three years since the most recent step to advance the project; a supplemental EA/EIS was initiated for air quality purposes.		
§93.109 (a, b)	Document that the regional emissions analysis complies with any applicable conformity requirements of air quality implementation plans or court orders.		
§93.109 (l)	Provide a table that shows, for each pollutant and precursor, whether the interim emissions tests and/or the budget test apply for conformity. Indicate which emissions budgets have been deemed adequate and/or approved by EPA, and which budgets are currently applicable for what analysis years. Indicate what test is being used for analysis years after the attainment year (budget, interim, dispersion modeling) and if hot spot analyses are included.		
§93.110 (a,b)	Document the use of latest planning assumptions (source and year) at the "time the conformity analysis begins," including current and future population, employment, travel and congestion. Document the use of the most recent available vehicle registration data. Document the date upon which the conformity analysis was begun.		
USDOT/EPA guidance	Document the use of planning assumptions less than five years old. If unable, include written justification for the use of older data. (1/18/02)		
§93.110 (c,d,e,f)	Document any changes in transit operating policies and assumed ridership levels since the previous conformity determination. Document the use of the latest transit fares and road and bridge tolls. Document the use of the latest information on the effectiveness of TCMs and other SIP measures that have been implemented. Document the key assumptions and show that they were agreed to through Interagency and public consultation.		
§93.111	Document the use of the latest emissions model approved by EPA.		
§93.112	Document fulfillment of the interagency and public consultation requirements outlined in a specific implementation plan according to §51.390 or, if a SIP revision has not been completed, according to §93.105 and 23 CFR 450. Include documentation of consultation on conformity tests and methodologies as well as responses to written comments.		
§93.113 (a,d)	Document timely implementation of all TCMs in approved SIPs. Document that the project does not interfere with the implementation of TCMs.		
§93.116(a) [III]	Document that the project does not cause or contribute to any new localized PM or CO violations.		
§93.116(b) [IV]	Document how the project contributes to eliminating or reducing the severity and number of localized CO violations.		
§93.117 [V]	Document that the project complies with any PM10 or PM2.5 control measures in the applicable attainment plan.		
§93.118 (a, c, e)	<u>For areas with SIP budgets:</u> Document that emissions from the transportation network, including projects in the isolated rural nonattainment area that are in the Statewide TIP and regionally significant non-Federal projects, are consistent with any adequate or approved motor vehicle emissions budget(s) for all pollutants and precursors in applicable SIP(s).		

40 CFR	Criteria	Page	Comments
§93.118 (b)	Document for which year's consistency with motor vehicle emissions budgets must be shown.		
§93.118 (d)	Document the use of the appropriate analysis years in the regional emissions analysis for areas with SIP budgets, and the analysis results for these years. Document any interpolation performed to meet tests for years in which specific analysis is not required.		
§93.119 [VI]	For areas without applicable SIP budgets: Document that emissions from the transportation network for each applicable pollutant and precursor, including projects in the isolated rural nonattainment area that are in the Statewide TIP and regionally significant non-Federal projects, are consistent with the requirements of the "Action/Baseline", "Action/1990" and/or "Action/2002" interim emissions tests as applicable.		
§93.119 (g)	Document the use of the appropriate analysis years in the regional emissions analysis for areas without applicable SIP budgets.		
§93.119 (h,i)	Document how the baseline and action scenarios are defined for each analysis year.		
§93.122 (a)(1)	Document that all regionally significant Federal and non-Federal projects in the nonattainment/maintenance area are explicitly modeled in the regional emissions analysis. For each project, identify by which analysis year it will be open to traffic. Document that VMT for non-regionally significant Federal projects is accounted for in the regional emissions analysis.		
§93.122 (a)(2, 3)	Document that only emission reduction credits from TCMs on schedule have been included, or that partial credit has been taken for partially implemented TCMs. Document that the regional emissions analysis only includes emissions credit for projects, programs, or activities that require regulatory action if: the regulatory action has been adopted; the project, program, activity or a written commitment is included in the SIP; EPA has approved an opt-in to the program, EPA has promulgated the program, or the Clean Air Act requires the program (indicate applicable date). Discuss the implementation status of these programs and the associated emissions credit for each analysis year.		
§93.122 (a)(4,5,6)	For nonregulatory measures that are not included in the STIP, include written commitments from appropriate agencies. Document that assumptions for measures outside the transportation system (e.g. fuels measures) are the same for baseline and action scenarios. Document that factors such as ambient temperature are consistent with those used in the SIP unless modified through interagency consultation.		
§93.122 (d)	Document the continued use of modeling techniques or the use of appropriate alternative techniques to estimate vehicle miles traveled.		
§93.122 (e, f)	Document, in areas where a SIP identifies construction-related PM10 or PM 2.5 as contributing, the inclusion of PM10 and/or PM 2.5 construction emissions in the conformity analysis.		
§93.123	Document how the required procedures were met for CO quantitative and qualitative and PM10 qualitative hot spot analyses.		
§93.126, §93.127, §93.128	Document all projects in the isolated rural nonattainment area that are in the Statewide TIP and exempt from conformity requirements or exempt from the regional emissions analysis. Indicate the reason for the exemption (Table 2, Table 3, signal synchronization) and that the interagency consultation process found these projects to have no potentially adverse emissions impacts.		

[1] Applies for hot spot analyses in rural CO and PM10 nonattainment and maintenance areas only.
[1] Applies for hot spot analyses in rural CO nonattainment areas only.
[1] Applies for project-level conformity determinations in rural PM10 and PM2.5 nonattainment areas only.
[1] Note that some isolated rural areas are required to complete both interim emissions tests.

Disclaimers

This checklist is intended solely as an informational guideline to be used in reviewing Transportation Plans and Transportation Improvement Programs for adequacy of their conformity documentation. It is in no way intended to replace or supercede the Transportation Conformity regulations of 40 CFR Parts 51 and 93, the Statewide and Metropolitan Planning Regulations of 23 CFR Part 450 or any other EPA, FHWA or FTA guidance pertaining to transportation conformity or Statewide and metropolitan planning. This checklist is not intended for use in documenting transportation conformity for individual transportation projects in nonattainment or maintenance areas. 40 CFR Parts 51 and 93 contain additional criteria for project-level conformity determinations.

Non-MPO Air Quality Checklist:
http://www.dot.ca.gov/hq/env/air/documents/AQConfCklst_IsolatedRuralAreas.doc

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Appendix G

SB 375 STATUTORY LANGUAGE

UNDER CONSTRUCTION

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Appendix H

SB 375 IMPACTS TO THE RTP PROCESS

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Appendix I

ALTERNATIVE PLANNING STRATEGY (APS)

UNDER CONSTRUCTION

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Appendix I

Alternative Planning Strategy

Background

California Government Code section 65080(H) states MPOs shall prepare an APS if the MPO determines the region will not be able to achieve ARB's regional GHG emission reduction targets through the sustainable communities strategy (SCS). It should be noted that an SCS must be prepared as part of the RTP - regardless if the MPO can achieve the regional GHG emission reduction target or not. The APS however is not a part of an RTP.

APS Statutory Language

Below is the specific statutory language from California Government Code Section 65080(H) relating to the preparation of an APS:

> Calif. Government Code Section 65080(H)
> (H) If the sustainable communities strategy, prepared in compliance with subparagraph (B) or (C), is unable to reduce greenhouse gas emissions to achieve the greenhouse gas emission reduction targets established by the state board, the metropolitan planning organization shall prepare an alternative planning strategy to the sustainable communities strategy showing how those greenhouse gas emission targets would be achieved through alternative development patterns, infrastructure, or additional transportation measures or policies. The alternative planning strategy shall be a separate document from the regional transportation plan, but it may be adopted concurrently with the regional transportation plan. In preparing the alternative planning strategy, the metropolitan planning organization:
>
> (i) Shall identify the principal impediments to achieving the targets within the sustainable communities strategy.
> (ii) May include an alternative development pattern for the region pursuant to subparagraphs (B) to (F), inclusive.
> (iii) Shall describe how the greenhouse gas emission reduction targets would be achieved by the alternative planning strategy, and why the development pattern, measures, and policies in the alternative planning strategy are the most practicable choices for achievement of the greenhouse gas emission reduction targets.
> (iv) An alternative development pattern set forth in the alternative planning strategy shall comply with Part 450 of Title 23 of, and Part 93 of Title 40 of, the Code of Federal Regulations, except to the extent that compliance will prevent achievement of the greenhouse gas emission reduction targets approved by the state board.
> (v) For purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code), an alternative planning strategy shall not constitute a land use plan, policy, or regulation, and the inconsistency of a project with an alternative planning strategy shall not be a consideration in determining whether a project may have an environmental effect.

Appendix J

LAND USE AND TRANSPORTATION STRATEGIES TO REDUCE REGIONAL GHG EMISSIONS

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Appendix J

Land Use and Transportation Strategies to Address Regional GHG Emissions

Pricing Strategies

(Legislation (local/state) is required to implement various pricing strategies and should be researched prior to incorporating into the RTP development process)

Other Strategies include pricing and alternative mode programs, and can also be considered part of Smart Growth/Land Use. These Strategies are suggested to encourage reduced driving to reduce GreenHouseGas (GHG) emissions, and include, but are not limited to:

1. Using alternative mode programs, congestion pricing, toll roads, and parking strategies. Examples are:

   i. Road pricing and High Occupancy Toll (HOT) lanes. To reduce VMT, MPOs should model adding pricing to existing lanes, not just as a means for additional expansion. Variable/congestion pricing should be considered.
   ii. User fees such as fuel taxes and parking charges.
   iii. Free or reduced fare transit fares.
   iv. Expansion of Parking Cash-Out Programs.
   v. Strategies to reduce the impacts of pricing strategies on low-income individuals.
   vi. Improve the cost-efficiency of transit investments and transit operations.

2. Consider utilizing revenues from these pricing strategies for projects, such as mass transit, that improve mobility without increasing VMT or GHG emissions.

Road pricing can be found at:

"Opportunities to Improve Air Quality through Transportation Pricing Programs", U.S. Environmental Protection Agency, September 1997.
http://www.epa.gov/oms/market/pricing.pdf

"Sacramento Transportation & Air Quality Collaborative Final Report, Volume III: Supplemental Text for Agreements", December 2005.
http://www.sacta.org/pdf/STAQC/FinalReportIII.pdf

Transportation Planning and Investment Strategies:

1. Consider shifting transportation investments towards improving and expanding urban and suburban core transit, programs for walkability, bicycling and other alternative modes, transit access, housing near transit, and local blueprint plans that coincide with the regional blueprint and the SCS. A market-based approach to transit infrastructure and service planning is required to comply with AB 32's requirement of reducing GHG emissions, to achieve smart growth, and improve the region's economic competitiveness.

2. Provide funds and technical assistance to local agencies to develop and implement blueprint strategies and the SCS.

3. Implement operational efficiencies that reduce congestion in vehicle throughput on roadways or improve transit access or other alternative access without physical expansion of the roadways.

4. For purposes of allocating transportation investments, recognize the rural contribution towards GHG reduction for counties that have policies that support development within their cities, and protect agriculture and resource lands. Consideration should be given to jurisdictions that contribute towards these goals for projects that reduce GHG or are GHG neutral, such as safety, rehabilitation, connectivity and for alternative modes.

5. In setting priorities, consider transportation projects that increase efficiency, connectivity and/or accessibility or provide other means to reduce GHG.

Link regarding Transportation Demand Management (TDM)

The Victoria Transport Policy Institute at http://www.vtpi.org/tdm/index.php contains an Encyclopedia that is a comprehensive source of information about innovative management solutions to transportation problems. It provides detailed information on various demand management strategies, plus general information on TDM planning and evaluation techniques. It is produced by the Victoria Transport Policy Institute to increase understanding and implementation of TDM.

For example, TDM related Chapters include:

- Incentives to Use Alternative Modes and Reduce Driving
- Parking and Land Use Management
- TDM Programs and Program Support
- TDM Planning and Evaluation

Links regarding Land Use and Transportation Strategies to Reduce Regional Greenhouse Gas Emissions and RTP policies that support Smart Growth Land Use principles:

MTC's T2035 Plan called for modifying the Transportation for Livable Communities (TLC) program to support Priority Development Areas which were identified as a part of FOCUS, the Bay Area's blueprint planning process. The TLC program offers capital grants to cities, counties, and transit agencies to construct projects that support compact development near transit. See:
http://apps.mtc.ca.gov/meeting.packet.documents/agenda.1343/ TLC.Guidelines.Final.v1.pdf

MTC's Resolution 3434 TOD Policy ties regional discretionary funds for new transit extension projects (funded via Resolution 3434) to supportive land uses. This policy establishes targets for new housing units in each transit corridor and calls for station area plans and corridor working groups to help achieve the housing targets. Station area plans to meet the housing targets must be adopted by local municipalities prior to receiving MTC discretionary funding for construction of Resolution 3434 funds. See:
http://www.mtc.ca.gov/planning/smart.growth/tod/TOD.policy.pdf

Appendix K

CEQA INFORMATION

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Appendix L

RHNA AND RTP DEVELOPMENT INFORMATION

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Regional Housing Need Allocation (RHNA) *(Timelines indicated are statutory)*	**Regional Transportation Plan (RTP)** (w/Sustainable Communities Strategy -SCS)
REGIONAL DETERMINATION (*Regions may request to use RTP Projections, specified data and a six-year planning period: 6 mos. before HCD determination of region's need/30 mos. before housing element (HE) due date)* *(Region's housing need determination with subregions: 26 mos. before HE adoption)* *(Deadline to create Subregional Entity/COG notification: 28 mos. before HE adoption)* *(Allocation to subregions: 25 mos. before HE adoption)* • HCD and COG consult; **HCD issues regional determination: 24 mos. before HE adoption** (w/o subregional option) **METHODOLOGY DEVELOPMENT** 1. Request/Obtain factor data from local jurisdictions: not more than 6 mos. prior to the proposed release of the RHNA methodology (*can begin prior to above., but note 6 mos. caveat)* 2. COG issues proposed distribution methodology: 24 mos. before HE adoption (60-day public comment period) 3. COG adopts the final RHNA methodology **DRAFT ALLOCATIONS** 4. **COG issues Draft Allocations consistent with development pattern of SCS:** *at least* 18 mos. before HE adoption due date (before RTP adoption) 5. Local Jurisdictions may request revision of Draft Allocation: Within 60 days following receipt of the Draft Allocation 6. COG responds to requests for revision of Draft Allocation: Within 60 days of requested revision **LOCAL APPEALS** 7. Jurisdictions may appeal Draft RHNA: 60 days after the date established to hear appeals 8. COG reviews and responds to appeal requests (within 45 days after appeal hearing) 9. COG issues proposed Final RHNA, **with SCS development pattern consistency findings;** adopts within 45 days after completion of 60 day appeal period, inclusive of public hearing **HCD APPROVAL** 10. Review of Final RHNA by HCD: within 60 days of adoption of Final RHNA (*HCD may revise RHNA if not consistent with initial regional determination)*	*(add regional variations- for SJV, ABAG-MTC & for SCAG, add congestion management agency-subregional processes)* 1. MPO gathers data, develops models, begins update of regional growth forecast 2. MPO adopts public participation plan for SCS and possibly an APS 3. Prior to public participation process, MPO submits proposed methodology for estimating GHG reduction from its SCS (and APS if desired) to ARB for review and comment 4. MPO conducts outreach & public workshops, at least 1-3 workshops per county 5. MPO conducts inter-agency consultation pursuant to federal conformity requirements **6. MPO prepares draft SCS which must accommodate HCD's regional determination** 7. Draft EIR/RTP is prepared & reviewed by the public and agencies for comment *MPO must issue Draft SCS not less than 55 days before RTP adoption; must hold at least 2 if a single-county or 3- if a multi-county, public hearings on SCS* 8. MPO makes any revisions to Draft SCS/responds to DEIR comments 9. MPO Certifies EIR & Adopts RTP within either 4 years of its prior conformity date, or 5 yrs. of its prior adoption date if attainment MPO 10. MPO submits RTP to FHWA/FTA for conformity 11. MPO Submits SCS for review to ARB within 60 days of RTP adoption (*if regional target not met, MPO either amends RTP-SCS or submits Alternative Planning Strategy (APS*) ********** *For non-attainment regions, subsequent SCS (4 yrs. hence) must presumably integrate with prior RHNA, as new RHNA to be determined only for one of two RTP updates within 8 yrs.*
Housing Element Adoption: within 18 mos. after RTP is adopted; must be adopted w/in 120 days of due date to avoid a 4-yr. update cycle. HCD 9.28.09	*If approved by FHWA, FTA & EPA, federal approval starts RTP update clock for non-attainment MPOs: RTP must be updated within 4 years*

Appendix M

Caltrans Regional Planning Staff Contacts

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California Department of Transportation Regional Planning Staff Contacts, Headquarters and District

Location	Name	Phone Number	E-Mail
District 1 – Eureka	Jan Bulinski	(707) 445-6399	jan.bulinski@dot.ca.gov
District 2 – Redding	Michelle Millette	(530) 229-0517	michelle.millette@dot.ca.gov
District 3 – Marysville	Jeff Pulverman	(916) 274-0638	jeff.pulverman@dot.ca.gov
District 4 – Oakland	Blesilda Gebreyesus	(510) 286-5575	blesilda.gebreyesus@dot.ca.gov
District 5 – San Luis Obispo	Dave Murray	(805) 549-3168	David.M.Murray@dot.ca.gov
District 6 – Fresno	Paul-Albert Marquez	(559) 445-5867	Paul-albert.marquez@dot.ca.gov
District 7 – Los Angeles	David Sosa	(213) 897-0409	david.sosa@dot.ca.gov
District 8 – San Bernardino	R.B. Balanza	(909) 383-5926	r.b.balanza@dot.ca.gov
District 9 – Bishop	Ryan Dermody	(760) 872-0659	ryan.dermody@dot.ca.gov
District 10 – Stockton	Tom Dumas	(209) 941-1921	Tom.dumas@dot.ca.gov
District 11 – San Diego	Chris Schmidt	(619) 220-7360	Chris.Schmidt@dot.ca.gov
District 12 – Irvine	Maureen El Harake	(949) 724-2086	Maureen.el.harake@dot.ca.gov
Headquarters - Sacramento	Dara Wheeler	(916) 653-2355	dara.wheeler@dot.ca.gov
Headquarters - Sacramento	Garth Hopkins	(916) 654-8175	garth.hopkins@dot.ca.gov

Appendix N

Glossary of Transportation Terms

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APCD	Air Pollution Control District, a county agency that adopts regulations to meet State and Federal air quality standards.
AQMD	Air Quality Management District, a regional agency formed by two or more counties, which adopts regulations to meet State and Federal air quality standards.
ATTAINMENT AREA	Attainment Area, is any geographic area in which levels of a given criteria air pollutant (e.g., ozone, carbon monoxide, PM10, PM2.5, and nitrogen dioxide) meet the health-based National Ambient Air Quality Standards (NAAQS) for that pollutant. An area may be an attainment area for one pollutant and a nonattainment area for others. A "maintenance area" (see definition below) is not considered an attainment area for transportation planning purposes.
BLUEPRINT PLANNING	Blueprint Planning, is a Caltrans sponsored voluntary discretionary competitive grant program designed to assist MPOs in developing a regional vision that considers transportation, land use, housing, environmental protection, economic development and equity.
CAPACITY	Capacity, is a transportation facility's ability to accommodate a moving stream of people or vehicles in a given time period.
CARB	California Air Resources Board, the State agency responsible for implementation of the Federal and State Clean Air Acts. Provides technical assistance to air districts preparing attainment plans; reviews local attainment plans and combines portions of them with State measures for submittal of the State Implementation Plan (SIP) to U.S. EPA.
CASP	California Aviation System Plan, prepared by Caltrans Division of Aeronautics every five years as required by PUC Section 21701. The CASP integrates regional aviation system planning on a Statewide basis.
CEQA	California Environmental Quality Act, State law that requires the environmental effects associated with proposed plans, programs and projects to be fully disclosed.
CMA	Congestion Management Agency, the county agency responsible for developing, coordinating and monitoring the Congestion Management Program.
CMP	Congestion Management Program is a countywide integrated program that addresses congestion in a coordinated and cooperative manner. The program contains 5 elements: a Level of Service element, a transit standards element, a TDM and trip reduction element, a land use analysis element, and a capitol improvement program element. To effectively address this goal, the appropriate land use, transportation and air quality agencies need to integrate their planning processes, share information

and respond to congestion using a coordinated approach. In 1996 AB 2419 amended government code section 65088.3 to allow counties to opt out of this previously mandatory program.

CTC California Transportation Commission, a decision making body established by AB 402(Alquist / Ingalls) of 1977 to advise and assist the Secretary of Transportation and the legislature in formulating and evaluating State policies and plans for transportation programs.

CTP California Transportation Plan, The CTP is a long-range transportation policy plan that is submitted to the Governor. The CTP is developed in collaboration with partners, presents a vision for California's future transportation system, and defines goals, policies, and strategies to reach the vision. It is developed in consultation with the State's regional transportation planning agencies, is influenced by the regional planning process, and provides guidance for developing future RTPs. RTPs should be consistent with and implement the vision and goals of the CTP. As defined by State statute, the CTP is not project specific.

DSMP District System Management Plan, a District's long-range plan for management of the State highway transportation system in its jurisdiction.

FAA Federal Aviation Administration, the agency of the U.S. Department of Transportation charged with regulating air commerce to promote its safety and development, encouraging and developing civil aviation, air traffic control and air navigation, and promoting the development of the national airport system.

EMISSIONS BUDGET Emissions Budget, is the part of the State Implementation Plan (SIP) that identifies the allowable emissions levels, mandated by the National Ambient Air Quality Standards (NAAQS), for certain pollutants from mobile, stationary, and area sources. The emissions levels are used for meeting emission reduction milestones.

FHWA Federal Highway Administration, a component of the U.S. Department of Transportation, established to ensure development of an effective national road and highway transportation system. FHWA and FTA, in consultation with US EPA, make Federal Clean Air Act Conformity findings for Regional Transportation Plans, Transportation Improvement Programs, and Federally funded projects.

FISCAL CONSTRAINT Fiscal constraint, the metropolitan transportation plan, TIP, and STIP includes sufficient financial information for demonstrating that projects in the metropolitan transportation plan, TIP, and STIP can be implemented using committed, available, or reasonably available revenue sources, with reasonable assurance that the Federally supported transportation system is being adequately operated and maintained. For

the TIP and the STIP, financial constraint/fiscal constraint applies to each program year. Additionally, projects in air quality nonattainment and maintenance areas can be included in the first two years of the TIP and STIP only if funds are ‘‘available’’ or ‘‘committed.’’

FTA Federal Transit Administration, a component of the U.S. Department of Transportation, responsible for administering the Federal transit program under the Federal Transit Act, as amended, and SAFETEA-LU.

FSTIP Federal State Transportation Improvement Program is a multi-year Statewide, financially constrained, intermodal program of projects that is consistent with the Statewide transportation plan (CTP) and regional transportation plans (RTPs). The FSTIP is developed by the California Department of Transportation and incorporates all of the MPOs *and* RTPAs FTIPs by reference. Caltrans then submits the FSTIP to FHWA.

FTIP Federal Transportation Improvement Program is a constrained 4-year prioritized list of all transportation projects that are proposed for *Federal and local* funding. The FTIP is developed and adopted by the MPO/RTPA and is updated every 2 years. It is consistent with the RTP and it is required as a prerequisite for Federal funding.

IIP Interregional Improvement Program is one of two component funding source programs that ultimately make up the State Transportation Improvement program. The IIP receives 25% of the funds from the State Highway account. The IIP is the source of funding for the ITIP.

ILLUSTRATIVE PROJECT An illustrative project means an additional transportation project that may (but is not required to)be included in a financial plan for the RTP or FTIP if reasonable additional resources were to become available.

INTERMODAL Intermodal refers to the connections between modes of transportation.

ITIP Interregional Transportation Improvement Program is a Statewide program of projects, developed by Caltrans for interregional projects that are primarily located outside of urbanized areas. The ITIP has a 4-year planning horizon and is updated every two years. It is submitted to the CTC along with the FTIP and taken together they are known as the STIP.

ITS Intelligent Transportation Systems are electronics, photonics, communications, or information processing used singly or in combination to improve the efficiency or safety of a surface transportation system.

ITSP Interregional Transportation Strategic Plan describes the framework in which the State will carry out its responsibilities for the Interregional Transportation Improvement Program (ITIP).

MIS	Major Investment Study was a Federally mandated study required for major transportation improvements under ISTEA. An MIS was a planning analysis done on a corridor or sub-regional area that included social, economic and environmental considerations early in the planning process and integrated these considerations into the project development stage. Although SAFETEA-LU has deleted this requirement, Section 450.318(a) and Appendix A retains the option to link early environmental considerations in the RTP to the subsequent project specific environmental review that takes place during the project delivery process.
MODE	Mode is a specific form of transportation, such as automobiles, buses, trains or planes.
MPO	Metropolitan Planning Organization, a planning organization created by Federal legislation charged with conducting regional transportation planning to meet Federal mandates.
NATIONAL AMBIENT AIR QUALITY STANDARDS	NAAQS are the acceptable limits that are set for various pollutants by the US EPA. Air quality standards have been established for the following six criteria pollutants: ozone, carbon monoxide, particulate matter, nitrogen dioxide, lead and sulfur dioxide.
NEPA	National Environmental Policy Act is Federal legislation that created a national policy and procedures that require Federal agencies to consider the environmental effects of their actions and to inform the public that their decisions reflect this environmental consideration. NEPA applies to most transportation projects because they are jointly funded with a combination of Federal, State and sometimes local money.
NONATTAINMENT	Nonattainment, any geographic region of the United States that has been designated by the EPA as a nonattainment area under section 107 of the Clean Air Act for any pollutants for which an NAAQS exists.
PERFORMANCE MEASURES	Performance measures are indicators of how well the transportation system is performing with regard to such things as average speed, reliability of travel and collision rates. They are used as feedback in the transportation planning and decision-making process.
RIP	Regional Improvement Program is one of two component funding source programs that ultimately make up the State Transportation Improvement program. The RIP receives 75% of the funds from the State Highway account. This 75% is then distributed to the MPOs and RTPAs by a formula. The RIP is the source of funding for the FTIP.

RTIP	Regional Transportation Improvement Program, is a synonym for the FTIP and it refers to the programming done by the MPO/RTPA as part of the development of the RTP.
RTP	Regional Transportation Plan, a Federal and State mandated planning document prepared by MPOs and RTPAs. The plan describes existing and projected transportation needs, conditions and financing affecting all modes within a 20-year horizon.
RTPA	Regional Transportation Planning Agency, a State designated single or multi-county agency responsible for regional transportation planning. RTPAs are also known as Local Transportation Commissions or Councils of Governments and are usually located in rural or exurban areas.
SHA	State Highway Account, the SHA account is the State's primary source of funding for transportation improvements. The SHA account is composed of revenues from the State's gasoline and diesel fuel tax, truck weight fees and Federal highway funds. The SHA is primarily used for STIP, SHOPP and local assistance projects as well as non-capitol projects such as maintenance, operations, and support.
SHOPP	State Highway Operations and Protection Program is a legislatively created program to maintain the integrity of the State highway system. It is tapped for safety and rehabilitation projects. SHOPP is a multi-year program of projects approved by the Legislature and Governor. It is separate from the STIP.
SIP	State Implementation Plan, as defined in section 302(q) of the Clean Air Act (CAA), the portion (or portions) of the implementation plan, or most recent revision thereof, which has been approved under section 110 of the CAA, or promulgated under section 110(c) of the CAA, or promulgated or approved pursuant to regulations promulgated under section 301(d) of the CAA and which implements the relevant requirements of the CAA.
SMART GROWTH	Smart Growth, is a set of policies designed by local governments to protect, preserve and economically develop established communities as well as natural and cultural resources. Smart growth encompasses a holistic view of development.
SPRAWL	Sprawl is an urban form based on the movement of people from the central city to the suburbs. Concerns associated with sprawl include loss of farmland and open space due to low-density land development, increased public service costs including transportation, and environmental degradation.
STIP	State Transportation Improvement Program, a Statewide or bundled prioritized list of transportation projects covering a period of four years that is consistent with the long-range Statewide transportation plan,

metropolitan transportation plans and FTIPs, and required for projects to be eligible for funding under Title 23 U.S.C. and title 49 U.S.C. Chapter 53.

TCM — Transportation Control Measures, any measure that is specifically identified and committed to in the applicable SIP that is either one of the types listed in section 108 of the Clean Air Act or any other measure for the purpose of reducing emissions or concentrations of air pollutants from transportation sources by reducing vehicle use or changing traffic flow or congestion conditions. Notwithstanding the above, vehicle technology-based, fuel-based, and maintenance-based measures that control the emissions from vehicles under fixed traffic conditions are not TCMs.

TIERING — Section 15385 of the CEQA guidelines defines tiering as the coverage of general matters in broader EIRs with subsequent narrower EIRs incorporating by reference the general discussions and concentrating solely on the issues specific to the EIR that is being subsequently prepared. Tiering allows agencies to deal with broad environmental issues in EIRs at the planning stage and then to provide a more detailed examination of specific effects in EIRs for later development projects that are consistent with or that implement the plan.

TITLE VI — Title VI of the Civil Rights Act of 1964, prohibits discrimination in any program or project receiving Federal financial assistance.

TDM — Transportation Demand Management refers to policies, programs and actions that (1) decrease the demand on the highway system and (2) encourage the shifting or spreading out of peak hour travel periods.

TSM — Transportation System Management refers to the use of relatively inexpensive transportation improvements that are used to increase the efficiency of transportation facilities. TSM can include carpool and vanpool programs, parking management, traffic flow improvements, high occupancy vehicle lanes, and park-and-ride lots.

U.S. EPA — United States Environmental Protection Agency is the Federal agency that approves the SIP and the emissions budgets that are the basis of the RTP conformity assessments.