



U.S. Department  
of Transportation

# Transportation Management Area Planning Certification Review

Federal Highway  
Administration

Federal Transit  
Administration

## **Durham – Chapel Hill - Carrboro Transportation Management Area**

**June 23, 2022**

**Summary Report**



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## 1.0 EXECUTIVE SUMMARY

On December 2 & 11, 2021, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) conducted the certification review of the transportation planning process for the Durham, Chapel Hill, Carrboro (DCHC) urbanized area. FHWA and FTA are required to jointly review and evaluate the transportation planning process for each urbanized area over 200,000 in population at least every four years to determine if the process meets the Federal planning requirements.

### 1.1 Previous Findings and Disposition

The first certification review for the DCHC urbanized area was conducted in 2003. The second, third, fourth, and fifth certification reviews were conducted in 2007, 2011, 2015, and 2019, respectively. The 2019 Certification Review findings and their disposition are summarized as follows.

Finding	Action	Corrective Actions/ Recommendations	Disposition
It is recommended that the MPO seek best practices to improve public involvement efforts during MTP development.	Recommendation		Complete
We recommend that the MPO update its demographic profile before finalizing its EJ analyses, due to the potential change in communities of concern.	Recommendation		Complete

### 1.2 Summary of Current Findings

The current review found that the metropolitan transportation planning process conducted in the DCHC urbanized area meets Federal planning requirements.

As a result of this review, FHWA and FTA are certifying the transportation planning process conducted by the North Carolina Department of Transportation (NCDOT), DCHC Metropolitan Planning Organization (MPO), and Go Triangle. There are also recommendations in this report that warrant attention and consideration for follow-up, as well as areas the MPO is performing very well in that are to be commended.

<b>Review Area</b>	<b>Finding</b>	<b>Action</b>	<b>Corrective Actions/ Recommendations/ Commendations</b>	<b>Resolution Due Date</b>
Public Participation Title 23 Section 134, Title 49 Section 5303, and 23 CFR 450.316	Commendation for Excellent Public Involvement	Commendation	The MPO has excelled at obtaining public participation in their TAC meetings and uses this feedback to guide its decision making	N/A
MPO Structure and Agreements 23 U.S.C. 134(d) 23 CFR 450.314(a)	The Memorandum of Understanding is outdated.	Recommendation	Update the MOU	April 2026
Unified Planning Work Program 23 CFR 450.308	Language describing tasks completed by municipal staff not employed by lead planning agency lacked detail.	Recommendation	It is recommended the UPWP provide more detail on the planning tasks being performed by the staff and the products being developed, particularly for staff not directly employed by the lead planning agency.	April 2026
Metropolitan Transportation Plan 23 U.S.C. 134(c),(h)&(i) 23 CFR 450.324	The descriptions of the assumptions made for some of the identified revenue sources lacked detail.	Recommendation	It is recommended that the next MTP provide better detail of the assumptions made for toll roadway, local, and private revenue forecasts.	April 2026

Details of the certification findings for each of the above items are contained in this report.

## **2.0 INTRODUCTION**

### **2.1 Background**

Pursuant to 23 United States Code (U.S.C). 134(k) and 49 U.S.C. 5303(k), the FHWA and the FTA must jointly certify the metropolitan transportation planning process in Transportation Management Areas (TMAs) at least every four years. A TMA is an urbanized area, as defined by the U.S. Census Bureau, with a population of over 200,000. After the 2010 Census, the Secretary of Transportation designated 183 TMAs – 179 urbanized areas over 200,000 in population plus four urbanized areas that received special designation. In general, the reviews consist of three primary activities: a site visit, a review of planning products (in advance of and during the site

visit), and preparation of a Certification Review Report that summarizes the review and offers findings. The reviews focus on compliance with Federal regulations, challenges, successes, and experiences of the cooperative relationship between the MPO(s), the State Departments of Transportation (DOT)(s), and public transportation operator(s) in the conduct of the metropolitan transportation planning process. Joint FTA and FHWA Certification Review guidelines provide agency field reviewers with latitude and flexibility to tailor the review to reflect regional issues and needs. Consequently, the scope and depth of the Certification Review reports will vary significantly.

The Certification Review process is only one of several methods used to assess the quality of a regional metropolitan transportation planning process, compliance with applicable statutes and regulations, and the level and type of technical assistance needed to enhance the effectiveness of the planning process. Other activities provide opportunities for this type of review and comment, including Unified Planning Work Program (UPWP) approval, the Metropolitan Transportation Plan (MTP), metropolitan and statewide Transportation Improvement Program (TIP) findings, air-quality (AQ) conformity determinations (in nonattainment and maintenance areas), as well as a range of other formal and less formal contact provide both FHWA/FTA an opportunity to comment on the planning process. The results of these other processes are considered in the Certification Review process.

While the Certification Review report itself may not fully document those many intermediate and ongoing checkpoints, the “findings” of the Certification Review are, in fact, based upon the cumulative findings of the entire review effort.

The review process is individually tailored to focus on topics of significance in each metropolitan planning area. Federal reviewers prepare Certification Reports to document the results of the review process. The reports and final actions are the joint responsibility of the appropriate FHWA and FTA field offices, and their content will vary to reflect the planning process review, whether or not they relate explicitly to formal “findings” of the review.

To encourage public understanding and input, FHWA and FTA will continue to improve the clarity of the Certification Review reports.

## **2.2 Purpose and Objective**

Since the enactment of the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, the FHWA and FTA are required to jointly review and evaluate the transportation planning process in all urbanized areas over 200,000 population to determine if the process meets the Federal planning requirements in 23 U.S.C. 134, 40 U.S.C. 5303, and 23 CFR 450. The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), extended the minimum allowable frequency of certification reviews to at least every four years.

The DCHC MPO is the designated MPO for the urbanized area. NCDOT is the responsible State agency and Go Triangle is the responsible public transportation operator. Current membership of the DCHC MPO consists of elected officials and citizens from the political jurisdictions in the

urbanized area. The study area includes all of Durham County, a portion of Orange County, and Northeast Chatham County, with the City of Durham as the largest population center.

Certification of the planning process is a prerequisite to the approval of Federal funding for transportation projects in such areas. The certification review is also an opportunity to assist with new programs and to enhance the ability of the metropolitan transportation planning process to provide decision makers with the knowledge they need to make well-informed capital and operating investment decisions.

## **3.0 SCOPE AND METHODOLOGY**

### **3.1 Review Process**

The representative of FHWA and FTA are required to perform a Certification Review every 4 years in each of North Carolina's 11 MPOs that qualify as Transportation Management Areas. In the past, all 11 reviews have been conducted in a 23-month period which made scheduling very difficult given that each review takes approximately 6 months to complete. To ease the burden on the review staff, the 11 reviews are being spread evenly over the 4-year cycle. As a result of the adjusted schedule, the DCHC MPO review is occurring just over 2 years since the last review. As such, many of the planning documents and processes reviewed (such as the MTP) have not changed since the last review, resulting in an abbreviated report with little change from the last review.

The initial certification review was conducted in 2003. Subsequent certification reviews were conducted in 2007, 2011, 2015, and 2019. This report details the 6th review, which consisted of a formal virtual visit and a public involvement opportunity, conducted in December 2021.

Participants in the review included representatives of FHWA, FTA, NCDOT, Go Triangle, and DCHC MPO staff. A full list of participants is included in Appendix A.

A desk audit of current documents and correspondence was completed prior to the site visit. In addition to the formal review, routine oversight mechanisms provide a major source of information upon which to base the certification findings.

The certification review covers the transportation planning process conducted cooperatively by the MPO, State, and public transportation operators. Background information, current status, key findings, and recommendations are summarized in the body of the report for the following subject areas selected by FHWA and FTA staff for on-site review:

- Metropolitan Planning Area Boundaries
- MPO Structure and Agreements
- Unified Planning Work Program
- Metropolitan Transportation Plan

- Transit Planning
- Transportation Improvement Program
- Public Participation
- Civil Rights
- Financial Planning

The following MPO documents were evaluated as part of this planning process review:

- MPO Master Agreement, 2014
- FY 2022 UPWP for the DCHC MPO
- MPO MTP, 2045
- MPO FY-2020-2029 TIP
- MPO Prospectus 2021
- Congestion Management Process (CMP) 2011
- Public Involvement Policy 2021
- Environmental Justice Report 2020

## **4.0 PROGRAM REVIEW**

### **4.1 MPO Structure and Agreements**

#### **4.1.1 Regulatory Basis**

23 U.S.C. 134(d) and 23 CFR 450.314(a) state the MPO, the State, and the public transportation operator shall cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process. These responsibilities shall be clearly identified in written agreements among the MPO, the State, and the public transportation operator serving the Metropolitan Planning Area (MPA).

#### **4.1.2 Current Status**

The DCHC MPO TAC consists of ten voting members comprised of two from the City of Durham, one from each of the other member jurisdictions, one Board member from the NCDOT, and one from Go Triangle, the primary public transit agency. The City of Durham is afforded two voting members since it contains approximately 57% of the MPO population followed by the Town of Chapel Hill with approximately 13%. Chatham County does not always actively participate in the MPO due to its relatively small land area within the MPO boundary.

Each jurisdiction selects and appoints representatives to the TCC and TAC using different methodologies. Ad hoc committees have been formed to discuss MTP development and federal aid. New Board members are given binders containing pertinent information and materials, and

orientation sessions are held for old and new members in the January to February timeframe wherein questions are answered. Weighted voting is allowed but is seldom invoked. The weighted vote is determined by population and is designed so that the City of Durham can never have a majority vote.

The MPO meets 11 times per year, skipping the month of July. No meetings have been canceled or postponed due to COVID-19. Attendance is always good with quorum routinely met. Alternates attend when needed. The MPO staff noted that the Transportation Advisory Committee (TAC) tends to work better in a person and the Transportation Coordinating Committee (TCC) better in a hybrid setting. Summaries are prepared for the TCC and TAC Boards in advance of meetings. The City's Public Affairs Department dispenses information to the public. Public comments are forwarded to the Board for response.

MPO staff consists of two modelers who work on the CMP and traffic analyses, an application manager who manages the MPO's website, a financial and grants manager, and several planners. One position is being converted from part time to full time. Although employees are cross trained, there is no contingency plan for back filling positions in the event staff retires or leaves. It is recommended that such a plan be developed.

The MPO Prospectus was recently updated and will be placed on the website shortly. The DCHC MPO's Memorandum of Understanding (MOU) is outdated and does not address some of the performance measure regulations. It is recommended that the MPO update its MOU.

#### **4.1.3 Findings**

**Recommendation:** The MPO's MOU is outdated and does not address some of the performance measure regulations. It is recommended that the MPO update its MOU.

**Schedule for Process Improvement:** Update should be considered prior to April 2026.

## **4.2 Unified Planning Work Program**

### **4.2.1 Regulatory Basis**

23 Code of Federal Regulations (CFR) 450.308 sets the requirement that planning activities performed under Titles 23 and 49 U.S.C. be documented in a UPWP. The MPO, in cooperation with the State and public transportation operator, shall develop a UPWP that includes a discussion of planning priorities and the work proposed for the next two-year period by major activity and task in sufficient detail to indicate the agency that will perform the work, the schedule for completing the work, the resulting products, the proposed funding, and sources of funds.

## 4.2.2 Current Status

The MPO's UPWP is a product of a cooperative approach to development of the region's transportation program. Most of the work tasks and products in the UPWP are completed on time, despite the changing schedules and priorities of the various Federal, State, and local agencies. The UPWP tasks are the vehicle for implementing the MTP goals, policies, and recommendations. UPWP emphasis areas include proactive public outreach and dissemination, integration of land use in transportation planning involving low income and minority populations, consideration of safety and security, and environmental and air quality factors.

UPWP activities are developed, selected, and prioritized with the input of the MPO member jurisdictions based on the approved Prospectus. Staff identifies, selects, and prioritizes the work tasks in the UPWP that need to be and can be accomplished. Planning priorities facing the metropolitan area, and all metropolitan transportation and transportation-related air quality planning activities anticipated within the timeframe (one or two years), are typically included in the required narrative text for each work task.

The UPWP development process typically begins in late fall or early winter each year. NCDOT, transit operators, and member jurisdictions are consulted through subcommittee meetings to identify projects, studies, and work tasks that need to be included in the UPWP for the upcoming fiscal year. Their involvement in the development of emphasis areas supports and adheres to Federal requirements and meets the MPO's MTP and other planning objectives. The NCDOT Transportation Planning Branch (TPB) and Public Transportation Division (PTD) calculate and inform the MPO what Section 104(f) Planning (PL) funds, Section 5303 transit planning funds, and SPR funds are available for programming. The total amount of planning funds plus the required 20 percent local match are then used to develop a budget for the MPO staff to pay salaries and benefits, plus operations charges. Surface Transportation Planning Grant – Direct Attributable (STPG-DA) funds are also used to fund salaries and staff operations. Reporting and invoicing narratives are submitted to NCDOT by task code. The budget is then utilized to identify what types and how much work can be accomplished in the fiscal year. The UPWP contains enhanced funding tables to track obligations in real time. The draft UPWP is typically released in December. It is then reviewed by the member jurisdictions and sent electronically to NCDOT's TPB and PTD for review and comment. A public hearing is held prior to Board approval. Any comments or changes are then incorporated into a final UPWP, which is approved by the Board in May. NCDOT provides the DCHC MPO an approval letter by June.

The UPWP is broken into three major components: 1) routine tasks, 2) major emphasis areas, and 3) regional activities such as maintenance of the Triangle Regional Model (TRM). There is a strategic linkage between the UPWP and the implementation of the required 3C planning process as well as the MTP, TIP, Environmental Justice (EJ), air quality, etc. The UPWP accounts for performance measures through the execution of MTP and CMP updates, transportation needs studies, and transit and bicycle and pedestrian plans. The MTP describes the MPO's vision while the UPWP identifies proposed activities to help achieve desired outcomes.

UPWP amendments generally follow the same sequence as the development process beginning with subcommittee review, Board approval, then NCDOT and FHWA approval. Amendments are processed by the Lead Planning Agency (LPA) on an annual basis. They typically occur in late winter or early spring to adjust spending levels in the various UPWP funding categories.

#### **4.2.3 Findings**

The DCHC MPO is found to be fully compliant with applicable laws, regulations, and practices of the development of their UPWP.

**Recommendation:** While using STPG-DA funds to fund salaries and staff operations are eligible activities, it is recommended the UPWP provide greater detail on the planning tasks being performed by the staff and the products being developed, particularly for staff not directly employed by the lead planning agency.

### **4.3 Metropolitan Transportation Plan**

#### **4.3.1 Regulatory Basis**

23 U.S.C. 134(c), (h) & (i) and 23 CFR 450.324 set forth requirements for the development and content of the Metropolitan Transportation Plan (MTP). Among the requirements are that the MTP address at least a 20 year planning horizon and that it includes both long and short range strategies that lead to the development of an integrated and multi-modal system to facilitate the safe and efficient movement of people and goods in addressing current and future transportation demand.

The MTP is required to provide a continuing, cooperative, and comprehensive multimodal transportation planning process. The plan needs to consider all applicable issues related to the transportation systems development, land use, employment, economic development, natural environment, and housing and community development.

23 CFR 450.324(c) requires the MPO to review and update the MTP at least every four years in air quality nonattainment and maintenance areas and at least every 5 years in attainment areas to reflect current and forecasted transportation, population, land use, employment, congestion, and economic conditions and trends.

Under 23 CFR 450.324(f), the MTP is required, at a minimum, to consider the following:

- Projected transportation demand
- Existing and proposed transportation facilities
- Operational and management strategies
- Congestion management process
- Capital investment and strategies to preserve transportation infrastructure and provide for multimodal capacity

- Design concept and design scope descriptions of proposed transportation facilities
- Potential environmental mitigation activities
- Pedestrian walkway and bicycle transportation facilities
- Transportation and transit enhancements
- A financial plan

#### **4.3.2 Current Status**

The DCHC MPO and adjoining Capital Area Metropolitan Planning Organization (CAMPO) adopted jointly an MTP extending to 2045. It incorporates Performance Management and complies with the new planning factors. The planning factors serve as a basis for identifying projects for inclusion in the MTP and TIP. The MPO placed special emphasis on resiliency in the 2045 MTP. It encompasses both MPO's Metropolitan Area Boundaries (MABs).

The MPO, NCDOT, and transit operators practice a participatory and cooperative 3C planning process. Coordination of statewide and metropolitan planning occurs through regular subcommittee meetings, collaborative planning for MTP and Comprehensive Transportation Plan (CTP) projects, inter-agency air quality meetings on the TRM, regional freight, and regional incident management initiatives. The DCHC MPO, CAMPO and NCDOT are finishing a joint Toll Study that should be approved by October 2019. They are also working on a joint Intelligent Transportation Systems (ITS) plan. The Triangle J Council of Governments (COG) coordinates the MTP with CAMPO, which strengthens the MTP. There is a joint staff meeting of the two MPOs every other week, and the two MPO Boards meet twice a year. Regional ITS Architecture recommendations are reflected in the MPO planning process and the MTP. MTP and TIP ITS projects are derived from the Regional ITS Architecture and Deployment Plan. The Regional ITS Architecture tool is used for the evaluation of MTP and TIP ITS projects.

The MTP is multimodal. Funding for highway projects totals 58% while non-motorized projects total 42%. The highway element of the MTP includes contains projects on all major highways within the MAB. A significant amount of non-highway investment is earmarked for bus maintenance, bicycle facilities, and sidewalk maintenance and resurfacing. Pedestrian walkways and bicycle facilities are major components of the MTP. Pedestrian and bicycle facilities are an integral part of the MPO's goal of linking transportation and health issues. Sidewalk, bicycle, and transit projects figure prominently in the MPO's overall transportation initiatives and investments due to the MPO's demographics, which reflect numerous students and persons over 65 years of age.

Consultation is carried out with State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation through the establishment of a demographic forecasting group and the development of a regional land use scenario tool. The MPO meets with resource agencies to apprise them of assumptions and alternatives being evaluated in the MTP process.

The MTP is financially constrained and is well supported by many different sources of revenue. The MPO developed a financial plan that demonstrates how the adopted MTP can be

implemented. It contains cost estimates, analysis of cost components, both traditional and non-traditional revenue forecasts, prioritization, and fiscal constraint.

The MPO identifies transportation and services to determine which projects should be included in the MTP through evaluating deficiencies in the transportation system, gathering project specific studies, reviewing community needs, and requesting and determining the feasibility of obtaining funding over the horizon year timeframe.

The MTP is coordinated with the Triangle Regional Model for purposes of Air Quality Conformity. The Triangle Regional Model is supported by both MPOs, NCDOT, and the transit operators. Community Viz is used to plot socioeconomic data. Demographic, socioeconomic, and land use data are inputs in the TRM, a travel demand forecasting tool for the region. These data are also useful in assessing trip generation and modal choice models. Two alternative scenarios are provided by the MTP: one is based heavily on transit; the other is based heavily on single occupancy vehicles. The MTP also contains two different land use scenarios.

The MPO provides early, proactive, and meaningful public engagement during various stages of the MTP development. Public involvement is incorporated during MTP development via the following means: 1) implementation of the Public Involvement Plan; 2) public notices via email, posters at public sites, including printed material in the MPO's office, on buses, and the MPO website; and 3) public meetings at transit accessible sites. Project maps are provided online. Public workshops are held when the MTP goals, objectives, and performance measures are developed. Public participation in the MTP development has been less than anticipated. The MPO noted that unless there is a controversial project, the public shows no appreciable interest in the MTP. NCDOT's Transportation Planning Branch; its Division 5, 7, and 8 Offices; and the MPO's transit operators all evaluate the MTP, and collaboratively update its plans and projects. The public involvement process complies with Title VI and the Executive Order on Environmental Justice.

Distribution of impacts to different socioeconomic and ethnic minorities is identified and measured through various means. Block group data from the 2010 United States Census was used to establish areas of low-income and minority population concentration.

DCHC MPO staff coordinate with their NCDOT TPD coordinator, and communicate with other NCDOT departments, including Program Development and the PTD. Agreements are in place with transit operators.

Note: while the 2050 was in draft format during the review, it was not evaluated as it had not yet been adopted by the DCHC Board.

### **4.3.3 Findings**

The DCHC MPO is found to be fully compliant with applicable laws, regulations, and practices in the development of their MTP.

## **4.4 Transit Planning**

### **4.4.1 Regulatory Basis**

49 U.S.C. 5303 and 23 U.S.C. 134 require the transportation planning process in metropolitan areas to consider all modes of travel in the development of their plans and programs. Federal regulations cited in 23 CFR 450.314 state that the MPO in cooperation with the State and operators of publicly owned transit services shall be responsible for carrying out the transportation planning process.

### **4.4.2 Current Status**

Public transit service in the Durham Urbanized Area is provided by four transit operators: 1) Go Durham; 2) Go Triangle; 3) Chapel Hill Transit (CHT) and 4) Orange Public Transportation (OPT). Go Durham is a division of Durham City Government and is represented on the MPO Board by the elected representatives of the City of Durham. The City of Durham provides funding for transit service in the City and in Durham County doing business as Go Durham. Go Durham operates both fixed route services and Americans with Disabilities Act (ADA) complementary paratransit services (Go Durham ACCESS). The Research Triangle Regional Public Transportation Authority, doing business as Go Triangle, is a public transportation provider and a regional public transportation authority, known then as Triangle Transit Authority, serving Wake, Durham, and Orange Counties. The service area includes the cities of Apex, Cary, Chapel Hill, Durham, Garner, Hillsborough and Raleigh, the Research Triangle Park and Raleigh-Durham International Airport. GoTriangle has been a voting member of the MPO Board since 2014. Chapel Hill Transit (CHT) serves the communities of Chapel Hill, Carrboro, and the University of North Carolina at Chapel Hill (UNC).

The MPO incorporates the planning factors in all proposed projects. The transit operators and the MPO maintain a positive relationship. Transit operators are involved in all planning phases, including the development of the TIP, STIP, UPWP, and MTP

### **4.4.3 Findings**

The DCHC MPO is found to be fully compliant with applicable laws, regulations, and practices of transit planning.

## **4.5 Transportation Improvement Program**

### **4.5.1 Regulatory Basis**

23 U.S.C. 134(c),(h) & (j) set forth requirements for the MPO to cooperatively develop a Transportation Improvement Program (TIP). Under 23 CFR 450.326, the TIP must meet the following requirements:

- Must cover at least a four-year horizon and be updated at least every four years.
- Surface transportation projects funded under Title 23 U.S.C. or Title 49 U.S.C., except as noted in the regulations, are required to be included in the TIP.
- List project description, cost, funding source, and identification of the agency responsible for carrying out each project.
- Projects need to be consistent with the adopted MTP.
- Must be fiscally constrained.
- The MPO must provide all interested parties with a reasonable opportunity to comment on the proposed TIP.

#### **4.5.2 Current Status**

The MPO TIP is typically developed every two years on a schedule that is compatible with STIP development. It is a consensus-based process whereby the MPO, NCDOT, and transit operators cooperatively develop the TIP through subcommittee meetings and technical meetings. The MPO works with the NCDOT STIP Unit, TPD, PTD, and Bicycle and Pedestrian Unit during the preparation of the draft TIP and STIP. The MPO provides a prioritized list of projects to the NCDOT with relevant local data for inclusion in the Strategic Prioritization Office of Transportation process. The Strategic Prioritization Office on Transportation (SPOT) process involves a data driven quantitative scoring of projects based on the Strategic Transportation Investments (STI) law. The North Carolina State Legislature passed a law requiring each MPO to develop and approve a local prioritization process. The NCDOT SPOT Office provides oversight of this legislation. The draft STIP is released and the MPO provides a local version of the document for the public review. Both the NCDOT and the MPO provide opportunities for the public to make comments on the draft STIP and TIP via public hearings. The STIP and TIP current during the review was dated 2020-2029, as amended.

The TIP serves as a management tool for implementing the MTP by including the policies, investment choices, and priorities identified in the MTP. The MTP's transportation investments between highway and non-highway projects are split approximately 58% highway and 42% non-highway, whereas the STI mode investment split is approximately 75% highway and 25% non-highway. There is a transit tax in Orange and Durham Counties for transit projects, which funds the local match. The MPO believes that the TIP and STIP should better reflect the MPO's MTP priorities and continues to have dialogue with NCDOT on this matter. The SPOT funding methodology does not allow for projects in the TIP to be implemented as planned since it does not afford the same weight to non-highway projects as it does to highway projects. As a result, the MPO uses STP-DA funding for them. The MPO also disagrees with NCDOT's policy to generally not maintain sidewalks and to not include them in its bridge designs. Other concerns include lack of funding for non-highway projects, and difficulty small municipalities have in providing match requirements. Despite differing opinions, the MPO and NCDOT Divisions work together well to assign points to projects when submitting them to the SPOT office. The MPO has had success with their current project ranking and selection methodologies.

The MPO's TIP development process has improved significantly primarily due to the recently created web application that allows for real-time online management of transportation funding

and projects by the MPO. Recent years have seen better coordination from NCDOT during the SPOT process, increased NCDOT Division participation during Board meetings, and a more proactive approach from NCDOT to solving the MPO's transportation issues. The DCHC MPO Board appreciates this.

The MPO maintains a web-based TIP application process to streamline the amendment process. The TIP amendment and modification processes are also working better now that NCDOT submits their proposed amendments within the MPO area to the MPO prior to taking their official action. The NCDOT may ask the MPO to modify and/or amend the TIP based on project scope or time changes, and the MPO may modify or amend the TIP for time, project scope, and/or funding changes. The MPO's TIP amendment procedures define major and minor amendments, what triggers an amendment, and public involvement requirements. The amendment is presented at one Board meeting for information purposes, and is generally brought back for approval at the following meeting. Resolutions and action items are sent to the NCDOT for final approval by the North Carolina Board of Transportation, or vice-versa. If the MPO wishes to modify or amend the TIP, it contacts NCDOT to discuss the proposal. The MPO provides background information on amendments to the Board, and approval by resolution is requested. This documentation is forwarded to NCDOT for final approval.

The MPO's project selection process begins with a call for projects from member jurisdictions. The MPO's project ranking process closely mirrors that used by NCDOT. The MPO developed an STI and TIP prioritization methodology, which was subsequently endorsed by the Board and approved by NCDOT. It focuses on congestion, safety, feasibility, intermodal and multimodal considerations, local funding, and land use compatibility. An initial list of projects is evaluated for need, readiness, and funding feasibility. They are then ranked using the MPO's prioritization process.

The MPO ranks and prioritizes TIP projects using an established methodology, Surface Transportation Program – Direct Allocation (STP-DA), and Transportation Alternatives Program (TAP) project ranking and selection criteria. Projects are then submitted to the NCDOT SPOT Office for inclusion in the 5 and 10-Year Work Programs, which include the TIP.

The MPO follows the guidelines of the SPOT process and submits projects in the MTP for funding. Point assignments are based on joint consideration of the MPO and Divisions 5, 7, and 8 to maximize the potential for projects to be included in the TIP. The TIP contains all regionally significant transportation projects regardless of funding source within the five-year STIP Work Plan.

The allocation of STP-DA funds occurs as needed for different project types such as greenways, bicycle and pedestrian facilities, intersections, small roadway projects, transit, and enhancement projects. Ideally, the STIP matches the time horizons established by the MPO; however, NCDOT funding priorities are subject to change. Also, the general lack of funds for sub-regional projects means that many local projects slip into later horizon years with each successive STIP. There is a renewed commitment by NCDOT to provide more certainty on project delivery within the first five years of the STIP. The NCDOT and public transit operators provide the MPO with estimates of available Federal and State funds for the metropolitan area.

When the final STIP is released, the TIP must match it. Prior to release of the final STIP, if the TIP does not match the STIP, adjustments to funding and minor time changes may be required. In North Carolina, the NCDOT develops the STIP and provides the MPOs with their relevant TIP. Except for STP-DA funds, the NCDOT generally controls the STIP and TIP financial programs. Demonstrating TIP fiscal constraint has been difficult for the MPO at times.

### **4.5.3 Findings**

The DCHC MPO is found to be fully compliant with applicable laws, regulations, and practices of TIP planning and programming.

## **4.6 Public Participation**

### **4.6.1 Regulatory Basis**

Sections 134(i)(5), 134(j)(1)(B) of Title 23 and Section 5303(i)(5) and 5303(j)(1)(B) of Title 49, require a Metropolitan Planning Organization (MPO) to provide adequate opportunity for the public to participate in and comment on the products and planning processes of the MPO. The requirements for public involvement are detailed in 23 CFR 450.316(a) and (b), which require the MPO to develop and use a documented participation plan that includes explicit procedures and strategies to include the public and other interested parties in the transportation planning process.

Specific requirements include giving adequate and timely notice of opportunities to participate in or comment on transportation issues and processes, employing visualization techniques to describe metropolitan transportation plans and TIPs, making public information readily available in electronically accessible formats and means such as the world wide web, holding public meetings at convenient and accessible locations and times, demonstrating explicit consideration and response to public input, and a periodically reviewing of the effectiveness of the participation plan.

### **4.6.2 Current Status**

The MPO's Public Involvement Plan (PIP) conforms to Federal regulations. Its goals are to provide timely notice, education, and information to the public regarding planning activities, and to provide the public reasonable opportunity to share views with decision-makers. It also affords citizens the opportunity to have their views considered and receive responses where appropriate. The MPO records public comments and shares them with the Board members.

The MPO's public involvement is extensive, proactive, and timely. Evaluation metrics include number of email and mail responses received compared to that sent, workshop attendance, Twitter and Facebook comments, number of calls, and feedback. Successful activities include holding "pop up" meetings and specialized workshops, interviewing bus riders, and consultant-run corridor studies meetings. Public involvement and outreach for the MPO's TIP is

coordinated with NCDOT's STIP public involvement and outreach. The MPO routinely evaluates the effectiveness of its public involvement procedures and endeavors to get more people involved early in the MTP process instead of waiting until a project alternative goes through their property. The MPO considers and responds to public input by providing direct responses, providing summaries of responses posted to the MPO's website, and providing responses to the MPO Boards in the agenda packets.

The MPO maintains a robust, public-facing website. The MPO considers its website the backbone of its PIP. The website incorporates Google translate, web based maps, and a traffic data portal, which affords the public access to field collected data such as volumes, speeds, and bicycle and pedestrian counts. The MPO plans to migrate much of the information on its website to a cloud-based platform.

Some public participation items are performed administratively with limited public involvement. Such items do not require a formal public involvement process outside the regular MPO meeting structure. Residents may attend and speak at each Board meeting upon recognition by the Board Chair, who may impose a reasonable time limit for speakers.

The MPO's public involvement process is coordinated with that of NCDOT. The MPO highlights any statewide plans, programs, and workshops that are available for the public. The MPO works closely with the NCDOT when public involvement events are held within the MPO to schedule convenient and appropriate venues, assists in advertising meetings, and attends all NCDOT sponsored events held within a reasonable distance. The MPO coordinates with NCDOT's Divisions 5, 7, and 8 on specific projects. MPO staff also attends project meetings. MPO staff provides local concerns or information during merger and project review meetings. The MPO documents its consideration and response to public input.

Methods and venues that are successful continue to be a part of the MPO's ongoing public outreach, while activities that generate low turnouts have been minimized. The MPO staff works to make the language and concepts in all its documents more understandable and accessible to the public. Piggybacking on other meetings yields successful public input and interaction.

#### **4.6.3 Findings**

The DCHC MPO is found to be fully compliant with applicable laws, regulations, and practices of public involvement.

**Commendation:** The MPO has excelled in obtaining public participation in their TAC meetings and uses this feedback to guide its decision making.

## 4.7 Civil Rights

### 4.7.1 Regulatory Basis

Title VI of the Civil Rights Act of 1964, prohibits discrimination based upon race, color, and national origin. Specifically, 42 U.S.C. 2000d states that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” In addition to Title VI, there are other Nondiscrimination statutes that afford legal protection. These statutes include the following: Section 162 (a) of the Federal-Aid Highway Act of 1973 (23 U.S.C. 324), Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973/Americans with Disabilities Act of 1990. ADA specifies that programs and activities funded with Federal dollars are prohibited from discrimination based on disability.

Executive Order #12898 (Environmental Justice) directs federal agencies to develop strategies to address disproportionately high and adverse human health or environmental effects of their programs on minority and low-income populations. In compliance with this Executive Order, United States Department of Transportation (USDOT) and FHWA issued orders to establish policies and procedures for addressing EJ in minority and low-income populations. The planning regulations, at 23 CFR 450.316(a)(1)(vii), require that the needs of those “traditionally underserved” by existing transportation systems, such as low-income and/or minority households, be sought out and considered.

Executive Order # 13166 Limited English Proficiency (LEP) requires agencies to ensure that limited English proficiency persons cannot meaningfully access the services provided consistent with and without unduly burdening the fundamental mission of each federal agency.

### 4.7.2 Current Status

MPOs must ensure that both benefits and burdens of their transportation plans are equitably distributed, comparing EJ populations to non-EJ populations. To achieve this, MPOs must conduct both *qualitative* analyses as well as *quantitative* analyses to identify potential transportation impacts. Qualitative analyses usually focus on policy analysis and on the results of public involvement efforts.

DCHC has developed specific equity goals and objectives for both its 2050 MTP and for its Public Involvement Plan. The MTP has a specific “Equity and Participation” goal. The PIP places special emphasis on EJ, LEP, and Title VI populations. The DCHC MPO has enhanced their strategies for public engagement to better reach EJ populations through expanded use of social media including Facebook, Twitter, and YouTube. While these methods are reaching more communities of concern, the DCHC MPO has not yet captured demographic data to support this.

As stated above, MPOs must also conduct *quantitative* analyses of its plan to ensure the equitable distribution of transportation impacts on a system-wide level. The DCHC MPO conducted one such analysis which compared transportation investments/funding in EJ areas versus non-EJ areas. The DCHC MPO has identified potential performance measures such as accessibility, mobility, congestion, safety, etc. The DCHC MPO can use those measures to conduct analyses to compare the benefits and burdens to EJ populations as compared to non-EJ populations.

**Finding:**

The DCHC MPO is found to be fully compliant with applicable laws, regulations, and executive orders of the Civil Rights Program.

## **4.8 Financial Planning**

### **4.8.1 Regulatory Basis**

23 CFR 450.324(f)(11) and 23 CFR 450.326(j), (k) outline financial planning requirements to support MTP and TIP implementation as follows:

- Revenue estimates shall be cooperatively developed by State, MPO, and public transportation operator(s), and include all public and private sources reasonably expected to support plan implementation.
- System level cost estimates shall be identified for system Maintenance and Operation (M&O), incorporate inflation rates reflecting Year of Expenditure (YOE), and demonstrates consistency with existing and proposed revenue sources with all forecasted M&O and project costs. For outer years (beyond 10 years), cost ranges or bands are acceptable.
- The financial plan may include additional projects if additional resources outside of the financial plan are identified.
- The TIP shall be fiscally constrained by year and be updated to maintain consistency.

### **4.8.2 Current Status**

The DCHC MPO used a trend line analysis for its financial planning for the years 2020 to 2029. Current year dollars are determined, then an inflation factor is applied. The 2045 MTP used a 3.5% annual inflation rate. The DCHC MPO also uses NCDOT's data to estimate revenues and costs. The DCHC MPO develops cost estimates for operation and maintenance of the transportation system by taking that amount off the top of its revenue assumptions. Adequate funding is provided for operation and maintenance of the federal-aid highway system.

During the desk review, it was noted that Figure 8.1 in the MTP lacked detailed description of the assumptions made for toll roadway, local, and private revenue forecasts. When discussed during the virtual meeting, the DCHC MPO staff provided detailed descriptions of how trend analysis was used to make those revenue forecasts. The DCHC MPO staff analyze local Capital Improvement Programs (CIPs) and developer's improvements to ensure they are in line with established trend line data. A toll optimization model and NCDOT's toll tool are used to develop toll revenue forecasts. A Strategic Tolling Study was developed with the North Carolina Turnpike Authority (NCTA) to develop methodologies and assumptions to forecast revenues and cost estimates. Toll income on several facilities has been forecast. The DCHC MPO should consider adding that level of documented detail to the appropriate figure in the 2050 MTP.

The DCHC MPO coordinates with NCDOT when ensuring fiscal constraint is maintained when amending the MTP and TIP. The DCHC MPO updates its projects cost estimates regularly and uses NCDOT's cost estimate tool to estimate project costs. The database contains project "look-up" tables and allows estimated project costs to be overwritten with actual project costs. Amendments occur on a regular basis and have increased recently due in part to NCDOT's cash situation.

#### **4.8.3 Findings**

The DCHC MPO is found to be fully compliant with applicable laws, regulations, and practices of fiscal planning.

**Recommendation:** It is recommended that the next MTP provide additional details on the assumptions made for toll roadway, local, and private revenue forecasts

## **5.0 CONCLUSION AND RECOMMENDATIONS**

The FHWA and FTA review finds that the metropolitan transportation planning process conducted in the DCHC MPO urbanized area meets Federal planning requirements as follows.

### **5.1 Commendations**

The following is a noteworthy practice that the DCHC MPO is doing well in the transportation planning process:

The MPO has excelled in obtaining public participation in their TAC meetings and the TAC uses this feedback to guide its decision making.

### **5.2 Recommendations**

The following are recommendations that would improve the transportation planning process:

- The MPO's MOU is outdated and does not address some of the performance measure regulations. It is recommended that the MPO update its MOU.
- While using STPG-DA funds to fund salaries and staff operations are eligible activities, it is recommended the UPWP provide greater detail on the planning tasks being performed by the staff and the products being developed, particularly for staff not directly employed by the lead planning agency.
- It is recommended that the next MTP provide better detail of the assumptions made for toll roadway, local, and private revenue forecasts.

## **APPENDIX A - PARTICIPANTS**

The following agencies were involved in the DCHC urbanized area on-site review:

FHWA NC Division

Joe Geigle  
Bill Marley  
Lynise DeVance

FTA Region 6

Parris Orr

DCHC MPO

Aaron Cain  
Andrew Henry  
Dale McKeel  
Mariel Klein  
Yanping Zhang  
Anne Phillips  
Jaehoon Kim

North Carolina Department of Transportation

Julie Bogle

Triangle Joint Council of Governments

Allyson Coltrane

Go Triangle

Margaret Scully  
Brian Fahey

## **APPENDIX B – AGENDA**

### Day 1 - Dec 2nd

12:30 – 1:15 Organization/MOU

1:15 – 2:30 MTP

2:30 – 2:45 Break

2:45 – 3:15 MTP cont./TIP

3:15 – 4:15 Transit/FTA

4:15 – 5:00 Best Practices

### Day 2- Dec 13th

12:30 – 1:00 Congestion Management Process

1:00 - 2:30 UPWP

2:30 – 2:45 Break

2:45 – 3:30 Financial planning

3:00 – 4:00 Public Participation

4:30 – 5:00 Civil Rights/EJ

## APPENDIX C – PUBLIC COMMENTS

No public comments were received. Below is the advertisement.

[DCHC MPO logo]

Regional Transportation Agency Wants to Hear From You

The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) is the regional transportation planning agency for Durham County and parts of Orange and Chatham counties. The DCHC MPO board is releasing the following long-range plan updates and certification review for public comment:

- Certification – federal agencies are conducting a certification review and want public feedback on the MPO planning processes and public outreach.
- Air Quality Conformity Determination Report – this analysis demonstrates that the future transportation system will meet pollutant emission thresholds.
- 2050 Metropolitan Transportation Plan (MTP) full report – this document presents the development, requirements and projects of this 30-year long-range plan.
- Comprehensive Transportation Plan (CTP) Amendment #4 – this amendment makes changes to this long-range plan including the deletion of the Durham-Orange Light Rail Transit.

Information about these documents and opportunities to provide comments and directly address the MPO's board can be found at the MPO's website at [www.dchcmo.org](http://www.dchcmo.org). Comments and question can be sent to [andrew.henry@durhamnc.gov](mailto:andrew.henry@durhamnc.gov) or (919) 560-4366, extension 36419

## APPENDIX D - LIST OF ACRONYMS

**ADA:** Americans with Disabilities Act  
**AQ:** Air Quality  
**CAMPO:** Capital Area Metropolitan Planning Organization  
**CFR:** Code of Federal Regulations  
**CHT:** Chapel Hill Transit  
**CIP:** Capital Improvement Program  
**CMP:** Congestion Management Process  
**COG:** Council of Government  
**CTP:** Comprehensive Transportation Plan  
**DCHC:** Durham Chapel Hill Carrboro  
**DOT:** Department of Transportation  
**EJ:** Environmental Justice  
**FHWA:** Federal Highway Administration  
**FTA:** Federal Transit Administration  
**ISTEA:** Intermodal Surface Transportation Efficiency Act  
**ITS:** Intelligent Transportation Systems  
**LEP:** Limited-English-Proficiency  
**M&O:** Management and Operations  
**MAB:** Metropolitan Area Boundary  
**MAP-21:** Moving Ahead for Progress in the 21<sup>st</sup> Century  
**MOU:** Memorandum of Understanding  
**MPA:** Metropolitan Planning Area  
**MPO:** Metropolitan Planning Organization  
**MTP:** Metropolitan Transportation Plan  
**NCDOT:** North Carolina Department of Transportation  
**NCTA:** North Carolina Toll Authority  
**PIP:** Public Involvement Program  
**PL:** Planning Funds  
**PTD:** Public Transportation Division  
**SAFETEA-LU:** Safe, Accountable, Flexible, Efficient Transportation Efficiency Act – A Legacy for Users  
**SPOT:** Strategic Prioritization Office of Transportation  
**STI:** Strategic Transportation Initiative  
**STIP:** State Transportation Improvement Program  
**STP-DA:** Surface Transportation Planning – Direct Attributable  
**STPG-DA:** Surface Transportation Block Grant  
**TAC:** Transportation Advisory Committee  
**TCC:** Technical Coordinating Committee  
**TDM:** Travel Demand Management  
**TIP:** Transportation Improvement Program  
**TMA:** Transportation Management Area  
**TPB:** Transportation Planning Branch  
**TRM:** Transportation Resource Management  
**U.S.C.:** United States Code  
**UPWP:** Unified Planning Work Program  
**USDOT:** United States Department of Transportation  
**YOE:** Year of Expenditure



Report prepared by:

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