

MEMORANDUM

TO: DCHC MPO Board
 FROM: Doug Plachcinski, AICP, CFM, Executive Director
 DATE: February 4, 2023
 RE: **MPO BOARD LEGISLATIVE PRIORITIES**

The DCHC MPO Board requested staff propose legislative priorities for the 2023 North Carolina Legislative Session based on previous joint policy statements developed with the Capital Area Metropolitan Planning Organization in 2021 (document attached). Staff reviewed the previous joint statement and other advocacy from aligned organizations and groups then arranged potential recommendations according to the adopted 2050 Metropolitan Transportation Plan's goals.

I. PROTECT THE HUMAN AND NATURAL ENVIRONMENT AND MINIMIZE CLIMATE CHANGE

- a) **EMISSION REDUCTIONS** Projects submitted for prioritization should include emissions reduction information like carbon and particulate matter. Each tier's qualitative criteria should include air quality impacts (§ 136-189.11.(d)).
- b) **TRANSIT ORIENTED DEVELOPMENT** The Transportation Investment Strategy Formula should provide a Regional Impact Projects preference for multimodal projects that support mixed use developments that encourage by-right housing (minimum 15 units/acre and 10% affordability) within a 10-minute walk of a public transportation corridor (NCGS § 136-189.11.(d)(2)a.).

II. ENSURE EQUITY AND PARTICIPATION

- a) **SMALL TOWN AND RURAL COUNTY PROJECT COMPETITIVENESS** The Transportation Investment Strategy Formula includes Surface Transportation Block Grant (STBG-DA) funding directly attributed to the DCHCMPO for programming. If the MPO's funding is added to STI funds excluded from formula (NCGS § 136-189.11.(b)) then small towns and our adjacent rural counties can better compete for Division Need tier funding.
- b) **MOBILITY DISPARITIES** At a minimum, the STI should require all projects explain how they impact and benefit rural, suburban, tribal, and urban communities facing barriers to affordable, equitable, reliable, and safe transportation. Ideally, the STI should require a benefit-cost measure specifically addressing populations facing decades of transportation underinvestment in the qualitative scoring criteria for each tier in NCGS § 136-189.11.(d).
- c) **REGIONAL INVESTMENT**. Regional Impact Projects and Division Need Projects receive less funding than Statewide Strategic Mobility Projects. The distribution should be adjusted to 1/3 for each tier in § 136-189.11(d).

III. CONNECT PEOPLE AND PLACES

- a) **INTERCITY RAIL** Intercity rail should be included in Statewide Strategic Mobility projects definition and eligibility. Currently only freight capacity and safety improvements to Class I freight rail corridors are eligible in the Statewide Strategic Mobility project tier. (NCGS §136-189.10.(4)h.)

- b) **LIMIT ON STATE PARTICIPATION IN LIGHT RAIL PROJECTS** NCGS § 136-189.11.(d1) does not allow state funding for light rail projects unless all construction funding is identified. This section should be removed or amendment to allow state participation in pre-construction project phases.
- c) **RESEARCH TRIANGLE REGIONAL PUBLIC TRANSPORTATION AUTHORITY FUNDING** The MPO supports GoTriangle's efforts to move away from regressive revenue policies and towards stable, long-term operational funding solutions.

IV. ENSURE THAT ALL PEOPLE HAVE ACCESS TO MULTIMODAL AND AFFORDABLE TRANSPORTATION CHOICES

- a) **REMOVE THE BICYCLE AND PEDESTRIAN LIMITATION** The STI law does not allow NCDOT to financially support independent bicycle and pedestrian improvement projects at the Division Tier. Removing NCGS § 136-189.11.(d)(3)c. allows Division Needs funding for non-motorized priorities that improve transportation access and safety for our most vulnerable travelers. Definitions in NCGS § 136-189.10. also limit programming eligibility; non-motorized improvements should be eligible in each project tier.
- b) **PROJECT EVALUATION** The STI focuses technical evaluation on highways. All transportation projects should be compared regardless of mode. Suggestions for improving the Transportation Investment Strategy Formula (NCGS § 136-189.11(d)) include eliminating congestion, lane width, shoulder width as criteria; replacing "pavement" condition with "infrastructure" condition; add VMT and environmental quality as criteria; include accessibility as criteria for statewide projects.

V. PROMOTE SAFETY, HEALTH, AND WELL-BEING

- a) **SAFETY AUDITS** In an effort to reduce serious injury and fatal crashes, each project funded at the Regional Impact and Statewide Strategic Mobility Tiers must have a roadway safety audit as part of the design process.

VI. IMPROVE INFRASTRUCTURE CONDITION AND RESILIENCE

- b) **ASSET MANAGEMENT** NCDOT and the State Transportation Board should promote asset management practices statewide to enhance and coordinate surface transportation facility maintenance beyond federally required MAP-21 performance measures. This effort should include transportation stakeholders at all levels with transparency, education, and innovation.
- c) **HAZARD MITIGATION PLANNING** The MPO supports efforts to align NC Department of Emergency Management hazard mitigation planning services, training, grant administration, grant application assistance, or any other service requested by a qualifying local government with regional Councils of Governments. We encourage regional councils to incorporate MPO and RPO stakeholders in the hazard mitigation planning process.

VII. MANAGE CONGESTION & SYSTEM RELIABILITY

- a) **STATEWIDE TIER CAP** The project cap in NCGS § 136-189.11.(d)(1)b. limits investment on the I-40 corridor to ten (10%) of the Statewide Strategic Mobility tier's available funding over any five (5) year period. This cap limits effective investment on North Carolina's busiest highway and the Triangle's most critical corridor and should increase to 20%.
- b) **TRANSPORTATION MITIGATION IMPACT ORDINANCES** Repeal NCGS §160A-204 and 153A-145.1. sections that prohibit Transportation Mitigation Impact Ordinances and limit home-rule decision making.
- c) **TRAVEL DEMAND MANAGEMENT AND INTELLIGENT TRANSPORTATION SYSTEMS** The STI should allow travel demand management program funding at the Division Needs level. The STI should also suggest concurrency with appropriate ITS architecture as a condition of project eligibility at each project tier.

VIII. STIMULATE INCLUSIVE ECONOMIC VITALITY

- a) **ECONOMIC DEVELOPMENT FUNDING** The STI law should be amended to establish dedicated funding outside the long and constrained SPOT process for multi-modal investments serving job hubs in small towns, rural areas, and along major metro mobility corridors. This investment should target shovel-ready projects benefitting regionally identified priority industries to stimulate economic investment, expansion, and retention. Several other states, including Minnesota and Michigan, have robust Transportation Economic Development Fund programs that are more defined than the STI's time-critical job creation opportunities exemption (NCGS § 136-189.11.(d)(3)b.4.)