

CHAPTER TWO

FEDERAL AND STATE PLANNING REGULATIONS AND POLICY GUIDANCE

The purpose of this chapter is to provide a brief overview of existing Federal and State regulations and policy guidance documents related to the development of Long Range Transportation Plans to ensure that the WATS Long Range Transportation Plan is adequately addressing all planning requirements and considers related guidance to ensure consistency between County and local planning and federal and state law and policy direction. It is important to fully recognize and understand that federal and state laws and policy guidance related to long range transportation planning have been constantly evolving in a manner that is strengthening the overall linkage between land use, transportation, environmental preservation and community livability while giving MPO/RPO transportation planning agencies the necessary tools to conduct a more effective transportation planning and programming process that also promotes strong public involvement in decision-making.

FEDERAL REGULATORY REQUIREMENTS



In 1962, Congress established requirements that transportation planning in the United States be conducted in a “comprehensive, continuous, and coordinated” manner. This 3-C process eventually was further formalized with the enactment of the Federal Aid Highway Act of 1973 mandating the creation of Metropolitan Planning Organizations, (MPO’s) in each urbanized area with a population of 50,000 or greater as defined in the U.S. Census.

However, it wasn’t until the passage of the *Intermodal Surface Transportation Efficiency Act, (ISTEA) of 1991* that transportation planning requirements along with the roles of MPO’s in transportation planning and decision-making was significantly strengthened. The ISTEA law enabled States and MPO’s, in cooperation with transit agencies, to develop regional metropolitan transportation plans that reflect unique state and local priorities. The purpose of the law was to improve the linkage between overall transportation planning and the programming of federal funds for specific transportation projects in a more formalized way that addressed transportation and its related impacts, however ISTEA regulatory requirements were broadly defined, non-prescriptive and lacked sufficient specific guidance to define core elements of long range transportation plans. Therefore, MPO plans varied widely in content and implementation.

In 1998, Congress enacted the *Transportation Equity Act for the 21st Century, (TEA-21)*. Although, many regulatory requirements were similar to ISTEA, better guidance was provided for the development of long range transportation plans with related planning regulations published in the Code of Federal Regulations (CFR), Part 23. The Federal Highway Administration and Federal Transit Administration re-examined planning regulations, however major changes to ISTEA were not deemed to be necessary and were never instituted.

After two years of time extensions, Congress finally approved a new transportation reauthorization bill in August, 2005 entitled the *“Safe, Accountable, Flexible, Efficient Transportation Equity Act” A Legacy for Users (SAFETEA-LU)*. This law required MPO’s adopting Long Range Transportation Plans after July 1, 2007 to be in compliance with new requirements that consist of:

► *Development of a Public Participation Plan*

MPO’s 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 long range transportation plan. The Public Participation Plan must be developed prior to updating the long range plan and input from stakeholders and other interested parties shall be provided by the MPO. Further the MPO public participation plan shall include basic provisions such as opportunity for public meetings to be held at convenient and accessible locations; employment of visualization techniques in plan presentation such as geographic information system (GIS) maps, graphs, charts and other visual methods of interpreting

data and information, using electronic accessible formats and means, such as websites to disseminate plan information in order to afford reasonable opportunities for all parties and the general public to comment on the public participation plan and long range transportation plan with a minimum 45 day advertised public comment period provided by the MPO prior to plan adoption.

► **FEDERAL PLANNING FACTORS**

SAFETEA-LU establishes eight planning factors that all MPO Long Range Transportation Plans must address:

- 1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.*
- 2. Increase the safety of the transportation system for motorized and non-motorized users*
- 3. Increase the security of the transportation system for motorized and non-motorized users.*
- 4. Increase the accessibility and mobility for people and for freight.*
- 5. 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.*
- 6. Enhance the integration and connectivity across and between modes, for people and freight.*
- 7. Promote efficient system management and operation.*
- 8. Emphasize the preservation of the existing transportation system.*

► **DEVELOPMENT OF PUBLIC TRANSIT/HUMAN SERVICES TRANSPORTATION PLAN**

The MPO should develop a public transit/human services transportation plan that is consistent with the transportation planning process.

► **IDENTIFY TRANSPORTATION FACILITIES**

The MPO Long Range Transportation Plan shall include an identification of transportation facilities, including major roadways, multi-modal and intermodal facilities and intermodal connectors.

► IDENTIFY MITIGATION ACTIVITIES

The MPO Long Range Transportation Plan 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.

► CONSULTATION AND COORDINATION

The MPO is required to consult with Federal, State and Tribal land management, wildlife, and regulatory agencies regarding long range plan environmental mitigation / opportunities discussions. Additional consultation, as appropriate, with State and local agencies responsible for land use, natural resources, environmental protection, conservation and historic preservation during plan development is also required.

► FINANCIAL PLAN

The MPO shall develop a financial plan that demonstrates how the adopted long range transportation plan 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. The MPO's, transit operators and State shall cooperatively develop estimates of funds that will be available to support plan implementation and total dollar amounts for projects must account for a projected rate of inflation.

► IDENTIFY OPERATIONAL AND MANAGEMENT STRATEGIES

The MPO shall include operational and management strategies in the long range transportation plan in order to improve performance of the existing transportation facilities, to relieve vehicular congestion and maximize safety and mobility of people and goods.

► SAFETY ISSUES

The MPO should include a safety element in the long range transportation plan that incorporates and summarizes the goals such as reduction of fatalities, priorities and projects that will reduce serious injury crashes and fatalities consistent with the State Strategic Highway Safety Plan.

► SECURITY ISSUES

The MPO should include a security element that incorporates and summarizes the goals, priorities and projects that are contained in emergency relief and disaster preparedness plans that support homeland security and the personal security of the public as part of the long range transportation plan.

► PLAN UPDATE CYCLE

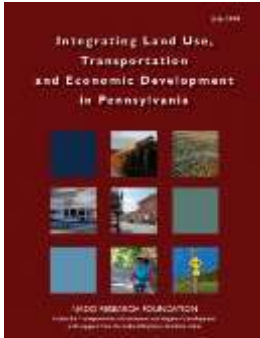
In air quality attainment areas, (such as Lycoming County) the MPO shall update the long range transportation plan at least every five years.

On July 6, 2012, President Obama signed the current transportation reauthorization bill into law entitled *Moving Ahead for Progress in the 21st Century (MAP-21) following Congressional passage*. Along with consolidating a number of federal transportation funding programs and promoting accelerated project delivery, environmental sustainability, more efficient freight movement, increased safety, congestion reduction and system reliability this legislation continues metropolitan and statewide transportation planning processes and incorporates performance goals, measures, and targets into the process of identifying needed transportation improvements and project selection.

For the first time, the statewide and metropolitan long range transportation plan must describe the performance measures and targets used in assessing system performance and progress in achieving the performance targets. It is important to note that the US Department of Transportation Secretary is required to establish criteria for the evaluation of the new performance-based planning processes. This process is to consider whether States developed appropriate performance targets and made progress toward achieving the targets. The legislation requires the Secretary to provide reports to Congress evaluating the overall effectiveness of performance based planning and the effectiveness of the process in each State and for each MPO. Currently, MAP-21 federal rulemaking is being drafted by the US Department of Transportation with regard to these provisions and is not expected to have final rulemaking issued prior to the WATS Long Range Plan adoption in 2013. However, the WATS MPO will use this opportunity to begin the discussion of performance measures as part of this Long Range Plan Update and will further amend the plan at the appropriate time once new federal rulemaking is issued. This plan update is developed in a manner consistent with all current Statewide and Metropolitan Transportation Planning Regulations issued by US DOT in February 2007.

STATE POLICIES FOR LONG RANGE TRANSPORTATION PLANNING

Over the last decade, The Commonwealth of Pennsylvania has encouraged much stronger connections between land use, economic and community development and transportation investments. Several of the most prominent statewide plans, programs and policies are highlighted in this section as core tenants to be embraced in the WATS Long Range Transportation Plan



In 2002, Pennsylvania was one of six states to participate in the National Governors Association Policy Academy. **The Land Use, Transportation and Economic Development (LUTED) initiative** was created to find ways for PA to better integrate transportation and land use planning to promote economic development,

improve livability and conserve limited state financial resources. A sense of urgency to prioritize state agency resources toward this effort stemmed from the fact that PA ranked 12th in the nation in the rate of land consumption, yet ranked 45th in the nation regarding population growth.

In May 2003, PennDOT, PA Department of Community and Economic Development, PA Department of Environmental Protection and PA Department of Conservation and Natural Resources hosted a statewide conference with several hundred stakeholders in attendance. The consensus was that the Commonwealth agencies needed to better engage in regional planning processes and better integrate agency decision-making with regional planning. In 2004, a statewide action plan was prepared by this interagency team along with the PA Department of Agriculture and the Office of the Governor “to foster sustainable economic development and improve the quality of life in PA’s diverse urban, suburban and rural communities through the adoption and coordination of Commonwealth agency policies, programs and actions to increase economic prosperity; promote orderly and fiscally responsible development; respect the environment; and conserve natural, historic, rural and recreational resources.”

In 2005, a series of regional conferences entitled Transportation and Land Use for Economic Development were held throughout PA. Lycoming County Planning Commission staff coordinated the Central Region Conference in Williamsport, PA held on May 18, 2005 for Centre, Clinton, Columbia, Juniata, Mifflin, Montour, Northumberland, Snyder, Union and Lycoming Counties. Over 60 participants from these 10 counties developed a vision along with objectives for the Central Region Counties to implement LUTED. The consensus for the overall Central Region vision consists of:

- *Designated growth areas, supported by Commonwealth policies, located in core communities, villages, cities, and along major transportation arteries.*
- *Development that incorporates land use controls, striking a balance between economic needs and the preservation and conservation of natural resources.*
- *Increased access to improved, integrated, multi-modal transportation system.*
- *Regionally managed infrastructure systems that support the coordinated development and economic advancement of the region.*

- *Industries and businesses that are attractive to young people, yet varied enough to support a diverse workforce and economy.*
- *Educational opportunities, involving public schools and higher education institutions, that prepare the workforce for the region's businesses and that support new economic development.*
- *A tax structure that is equitable, not burdensome.*
- *Community pride and civic responsibility on the part of all the region's citizens in preserving and maintaining environmental, cultural, and historic assets.*
- *True interagency, county, and municipal cooperation with a focus on the greater good of all.*

Valley Vision 2020



Following the conference, the SEDA-Council of Governments began the preparation of Valley Vision 2020, a regional plan that would apply and implement the LUTED planning framework. The Lycoming County Planning Commission / Williamsport MPO was meaningfully involved throughout the Valley Vision 2020 plan development process and strongly supported the plan recommendations as part of the development of the Lycoming County and Multi-municipal comprehensive plan updates in 2006. Therefore, the state-wide LUTED initiative, and more specifically Valley Vision 2020, led to much better integration of land use, transportation and economic development within the SEDA-COG region, including Lycoming County setting the stage for regional planning and decision-making embraced in the overall WATS Long Range Transportation Plan. The LUTED process continues to be used by various state agencies such as the PA DCED to coordinate funding from multiple agencies for high impact, multi-faceted projects consistent with LUTED core principles and regional action strategies supporting sustainable communities.



KEYSTONE PRINCIPLES

In May 2005, Governor Rendell's Economic Development Cabinet adopted *Keystone Principles and Criteria for Growth, Investment and Resource Conservation* that was developed by the Interagency Land Use Team over two years in coordination with the LUTED process. These Keystone Principles

established general goals and objectives for economic development and resource conservation agreed upon among the participating state agencies along with criteria designed to measure the extent to which particular projects accomplish the goals.

The 10 Keystone Principles

1. *Redevelop First*
2. *Provide efficient infrastructure*
3. *Concentrate Development*
4. *Increase Job Opportunities*
5. *Foster Sustainable Businesses*
6. *Restore and Enhance the Environment*
7. *Enhance Recreational and Heritage Resources*
8. *Expand Housing Opportunities*
9. *Plan Regionally; Implement Locally*
10. *Be Fair*

There are 5 core criteria that are given primary consideration in all investment decisions made by Commonwealth agencies when making grants or loans to public or private projects using agency funds.

1. *Project avoids or mitigates high hazard locations (e.g., floodplain, subsidence or landslide prone areas)*
2. *Project / infrastructure does not adversely impact environmentally sensitive areas, productive agricultural lands or significant historic resources.*

3. *Project in suburban or rural area: Project and supporting infrastructure are consistent with multi-municipal or county & local comprehensive plans and implementing ordinances, and there is local public/private capacity, technical ability, and leadership to implement project.*
4. *Project in “core community” (city, borough or developed area of township): Project is supported by local comprehensive vision and plan, and there is local public/private capacity, technical ability, and leadership to implement project.*
5. *Project supports other state investments and community partnerships.*

In addition, there are 11 “Preferential Criteria” that expand upon the scope of the core criteria which are further used by state agencies in making decisions regarding Commonwealth investments to fund specific projects.

The WATS Long Range Transportation Plan strongly incorporates the Keystone Principles as part of Chapter 3 (Vision, Goals and Objectives) so that transportation infrastructure investments programmed by WATS support well planned growth, sustainable economic development and environmental resources conservation.

SMART TRANSPORTATION-LIVABILITY

Consistent with regional strategies identified in the LUTED process and the Keystone Principles noted earlier, PennDOT launched a companion initiative to establish a Smart Transportation Program to better integrate land use and transportation planning. Smart Transportation focuses on transportation investments that are safe, efficient, affordable and tailored to the specific needs of each project to better manage capacity and enable access for all users using an approach based on context-sensitive solutions in which roadway design considers the different contexts such as financial, community, land use, transportation and the environment.



In March 2008, PennDOT and New Jersey DOT published the “Smart Transportation Guidebook to integrate Smart Transportation themes as part of doing business. There are 10 Themes of Smart Transportation outlined in the Guidebook along with statewide livability evaluation criteria that should be incorporate in the overall long range transportation planning process prior to making final decisions on specific transportation investments by PennDOT, MPO’s/RPO’s and other funding and stakeholder organizations:

SMART TRANSPORTATION THEMES / EVALUATION CRITERIA

❖ Money Counts

- *Shall identify scalable cost estimates (baseline costs) and schedules for projects on the Long Range Transportation Plan*
- *Should identify innovative funding sources and opportunities to leverage transportation investments.*
- *Should identify cost/benefit effective transportation options for all modes that are scaled to the size of the problem*

❖ Leverage and Preserve Existing Investments

- *Shall identify preservation goals and maintenance needs.*

❖ Choose Projects with High Value/Price Ratio

- *Shall identify project evaluation criteria for maintenance of roads and bridges, capacity improvements, transit, goods movement, safety and enhancements.*

❖ Safety Always and Maybe Safety Only

- *Shall develop and implement safety initiatives that lead to the reduction of serious crashes and fatalities*
- *Shall identify high crash locations and implement improvements to measure reduction in serious injury crashes and fatalities*

❖ Look Beyond Level of Service

- *Shall document community and government involvement during project purpose and needs identification*
- *Should identify opportunities to incorporate environmental justice concerns, natural resource features, and preservation of wetlands, surface and groundwater resources, and air quality.*
- *Should identify opportunities to preserve the unique features and resources of the project area.*
- *Should identify opportunities to make adaptive reuse of significant architectural or historic resources.*
- *Should identify strategies to reduce greenhouse gas emissions/energy use and sustain environmentally sensitive land for health, habitat and bio-diversity.*

❖ Accommodate All Modes of Travel

- *Shall identify strategies to maximize transit, ridesharing, walking, and biking, as well as, commuting options including the connections between the modes and support facilities/minimize single occupancy vehicles.*
- *Shall identify strategies for goods movement that maximize air, rail, water, and truck modal contributions including connections between the modes and support facilities.*

❖ Enhance Local Network

- *Should identify multi-modal transportation system solutions and / or accessibility improvements.*
- *Should identify strategies to improve connectivity and accessibility (including ADA requirements) throughout the transportation network.*

❖ Build Towns Not Sprawl

- *Shall identify regional growth areas in coordination with county/counties, municipal governments, and the public.*
- *Should identify opportunities to rehab/reuse/improve existing transportation infrastructure and / or public or private water or sewer capacity and services.*

❖ Understand the Context; Plan and Design Within the Context

- *Should identify opportunities to preserve the unique features and resources of the project area.*
- *Shall identify projects that are cost effective and meet the established purpose and need.*

❖ Develop Local Governments as Strong Land Use Partners

- *Shall document community and government involvement efforts during the development of the Long Range Transportation Plan.*

The WATS Long Range Transportation Plan approach strongly supports and incorporates all ten of the Smart Transportation themes and livability evaluation criteria so that better integration between land use and transportation planning and decision-making can occur in a manner that revitalizes our existing communities, guides development to appropriate locations and discourages sprawl, allows for wise use of limited transportation investment dollars to be strategically targeted to the highest priority needs while preserving livability and our outstanding quality of life in Lycoming County.

PA MOBILITY PLAN

Adopted in 2007, the Pennsylvania Mobility Plan is the current statewide long-range transportation plan. This plan sets direction for transportation investments through the year 2030. The

Mobility Plan articulates the following vision and goals for the future of the Commonwealth's Transportation System:



MOBILITY PLAN VISION

Provide the best performing transportation system for people, business and places

MOBILITY PLAN GOALS

Move people and goods safely and securely

Improve quality of life by linking transportation, land use, economic development, and environmental stewardship

Develop and sustain quality transportation infrastructure

Provide mobility for people, goods, and commerce

Maximize the benefit of transportation investments

The Lycoming County Planning Commission / Williamsport MPO participated in the extensive plan development process which culminated in the formulation of a list of nearly 90 actions designed to achieve the above stated vision, goals and numerous other objectives. The Mobility Plan also refers to the establishment of a Core Transportation System. The Mobility Plan does not list long lists of transportation capital projects to undertake as this task is the primary responsibility of MPO/RPO planning partners as part of their long range plans. WATS Long Range Transportation Plan is being developed to be consistent with this important statewide transportation plan.



PennDOT has recently begun an update to the statewide long range transportation plan called “ PA On Track” which will include a comprehensive freight movement plan component. This plan will provide the WATS MPO with valuable freight movement data to support a more in-depth analysis of freight issues and trends impacting the Northcentral PA region and Lycoming County and will be further useful as a key tool in the establishment and refinement of the Core Transportation System.

Once PA On Track is completed, it may be necessary to further update the WATS Long Range Plan to incorporate new information derived from this statewide planning process.