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February 24, 2020

Stephanie Pollack
Secretary and Chief Executive Officer
Massachusetts Department of Transportation
10 Park Plaza, Suite 3170
Boston, MA 02116

***Subject: Old Colony Metropolitan Planning Organization
Planning Certification Report***

Dear Secretary Pollack:

The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) have determined that the transportation planning process of the Old Colony Metropolitan Planning Organization (MPO) which encompasses the Boston, MA-NH-RI Transportation Management Area substantially meets the Metropolitan Planning Rule requirements subject to resolution of two corrective actions (23 CFR Part 450 Subpart C and 49 CFR Part 613). FHWA and FTA conditionally certify the transportation planning process of the MPO, effective February 24, 2020.

Once the corrective actions have been resolved and accepted by FHWA and FTA, we will send a letter certifying the transportation planning process of the MPO. This certification shall remain in effect until the next certification to be completed by February 24, 2024.

We are providing you with the final report that summarizes our evaluation of the Old Colony MPO's planning documents and information provided during the public meeting and site visit held on October 15 and November 6, 2019. While the report commends the MPO for its practices in transportation planning, it also contains recommendations and two corrective actions. In response, we request that the MPO submit a draft Action Plan to FHWA and FTA by March 20, 2020. A template for the Action Plan is attached for use by the MPO.


We would like to thank the MPO, Brockton Area Transit Authority and MassDOT planning staff for their cooperation and participation in this process, and we look forward

to working with them in the future. If you have any questions or comments, please contact Brandon Wilcox at (617) 494-3610 or Leah Sirmin at (617) 494-2459.

Sincerely,



Jeffrey H. McEwen, P.E.
Division Administrator
Federal Highway Administration



Peter Butler
Regional Administrator
Federal Transit Administration

Enclosures:

cc: David J. Mohler, OTP Executive Director
Bryan Pounds, Manager, MPO Activities
Michael Lambert, Administrator, Brockton Area Transit Authority (BAT)



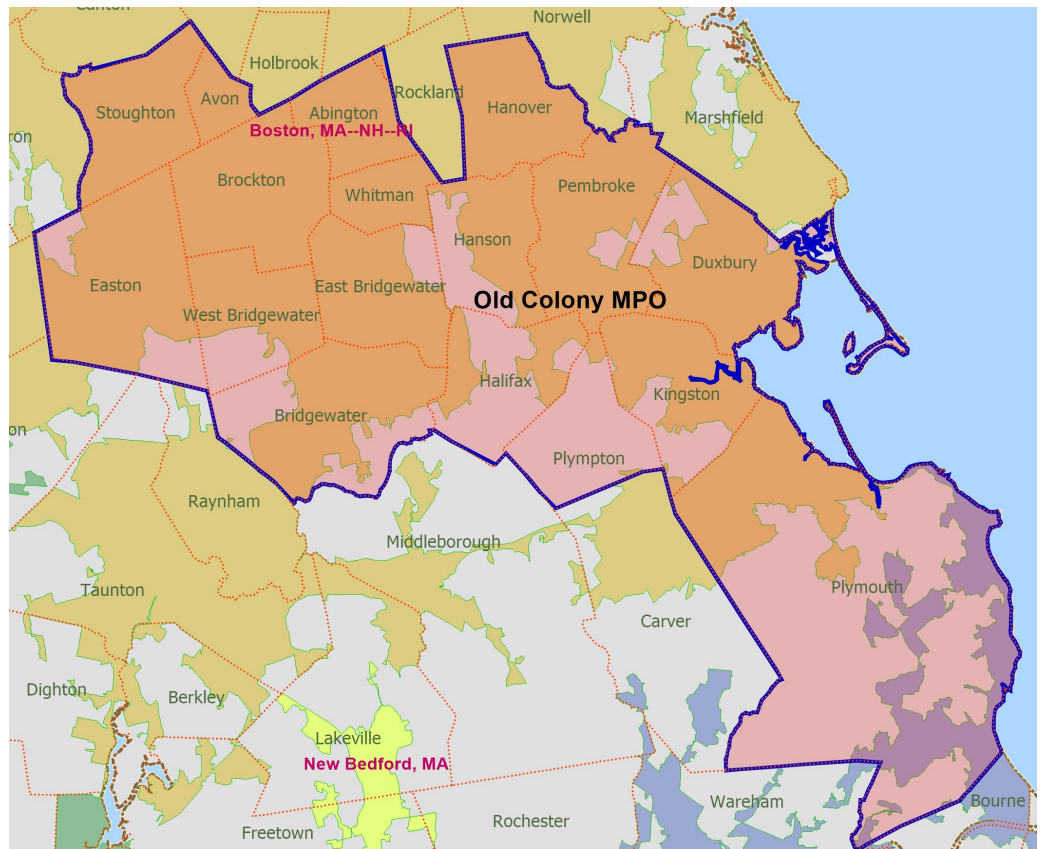
U.S. Department
of Transportation

Federal Highway
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Federal Transit
Administration

Transportation Management Area Planning Certification Review

Old Colony MPO Boston, MA-NH-RI Transportation Management Area



February 2020

Final Report





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1.0 EXECUTIVE SUMMARY

On November 6, 2019, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) conducted the certification review of the transportation planning process for the Boston, MA-NH-RI 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 Summary of Current Findings

The current review found that the metropolitan transportation planning process as conducted in the Boston, MA-NH-RI area substantially meets the Federal planning requirements subject to the resolution of two corrective actions.

As a result of this review, FHWA and FTA are certifying the transportation planning process conducted by Massachusetts Department of Transportation (MassDOT), Old Colony Metropolitan Planning Organization (MPO) and Brockton Area Transit Authority (BAT). There are also recommendations in this report that warrant close attention and follow-up, as well as areas that the MPO is performing very well in, that are to be commended.

Corrective Actions

Metropolitan Transportation Plan: An MPO MTP requires valid forecasts of future demand for transportation services with model outputs that are used to estimate regional vehicle activity and a factor in selecting transportation investments. In all future updates of the MTP the MPO shall include a full discussion of the modeling results, anticipated future demand, and how implementation of the plan will impact that demand and the transportation system within the region.

Regional Planning Agreements and Coordination: MassDOT, in cooperation with the MPOs, public transportation providers, and air quality resource agencies serving the Barnstable UZA, shall establish a written coordination agreement(s) according to the requirements at 23 CFR 450.312(h) and 450.314. Minimally, the resulting agreement shall address the division of responsibilities related to the coordination concerns referenced in the regulations.

Since the on-site review, this corrective action has been acknowledged. On February 18, 2020 a draft MOU was circulated for review and signature by the MPO.

Recommendations

Financial Planning: The MPO should ensure there is a clear demonstration of financial constraint for the MTP by factoring in projects commitments against available revenue throughout the life of the plan.



Annual List of Obligated Projects: The MPO should work with its transit partners to ensure they have the necessary information to be able to accurately report on the obligations that have occurred during the appropriate reporting year.

Metropolitan Transportation Plan: In the next MTP update the MPO should expand its scenario planning discussion by providing a more detailed description of each scenario, how the MPO developed the scenarios, and how the MPO determined its preferred scenario. Further, the MPO should include an analysis of the impact the preferred scenario has on the performance of transportation system.

Metropolitan Transportation Plan: In the next MTP update, the MPO should include specific amendment and administrative modification procedures to guide future MTP updates.

Congestion Management Process: The MPO should update the CMP on a recurring cycle (i.e. each MTP cycle) to reflect the most up-to-date metropolitan transportation plan, UPWP, and TIP and to inform MPO members, partner agencies, the public, and other stakeholders of the region's congestion management problems, needs, and strategies.

Congestion Management Process: The MPO should document and analyze non-recurring congestion related to work zones, special events, crashes, snow management, and other weather events in the next CMP update.

Performance Based Planning and Programming: The MPO should use the terminology "system performance report" for the performance management discussion in the next metropolitan transportation plan to clearly demonstrate compliance with 23 CFR 450.324(f)(4) and avoid any potential confusion among partner agencies and stakeholders moving forward.

Public Outreach and Involvement: The MPO should formally document its public involvement evaluation methodology procedures in its PPP with qualitative and quantitative measures to evaluate and improve its process. Using this methodology, the MPO should regularly produce an evaluation of the effectiveness of its public involvement procedures that assesses the strategies and techniques employed and describe what worked well and what could be improved with recommendations for future efforts.

Title VI Civil Rights: While there is no indication or evidence of non-compliance with Title VI requirements, it is recommended the MPO host a brief training/workshop on disparate-impact discrimination for the representatives of the cities and towns that comprise the region. The intent is to take a proactive approach to ensure all sub-recipients of federal financial aid are knowledgeable of Title VI requirements which bars intentional discrimination as well as disparate-impact discrimination stemming from a neutral policy or practice that has the effect of a disparate impact on protected groups based on race, color, or national origin. MassDOT which is the direct recipient federal financial aid may serve as the source or conduit for the training.



Title VI Limited English Proficiency (LEP) The MPO should consistently document the frequency and number of persons contacted during the community outreach efforts. For example, the estimated number of listeners for radio ads or the number of persons enrolled in the Community Partnership for Adult Education English Class. This will further support the MPO's compliance with the second Four-Factor analysis requirement (the frequency with which LEP individuals come in contact with the program).

Commendations

Public Outreach and Involvement: The MPO is commended for its creative and proactive approaches to engage with community members in the region that are traditionally less likely to participate in the transportation planning process. For example, the MPO established partnerships with local organizations working with LEP communities and those struggling with substance abuse to present information about the transportation planning process and listen to the community members' concerns and challenges that would then be included in the MTP update.

Title VI Limited English Proficiency: The MPO's Title VI Coordinator works proactively to support the organization's compliance with the four-factor analysis requirements. His diligence and outreach efforts were evident with a personal appearance on a local public television program. He was also instrumental in identifying significant modification in the availability of Census Available Data (CAD) in American Fact Finder. He proactively sought the assistance of the research unit at the University of Massachusetts Amherst to further define critical LEP data.

Intermodal Transportation Coordination: We recognize the MPO and BAT for their high degree of inter-agency coordination and integration on transit planning efforts.

2.0 INTRODUCTION

2.1 Background

Pursuant to 23 U.S.C. 134(k) and 49 U.S.C. 5303(k), the Federal Highway Administration (FHWA) and the Federal Transit Administration (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 U.S. Census urbanized areas over 200,000 in population plus four urbanized areas that received special designation. The Boston, MA-NH-RI and Barnstable Town, MA urbanized areas are the two TMAs within the Old Colony Planning Council area. Designated in 1972, the Old Colony Metropolitan Planning Organization (MPO) is one of the federally recognized MPOs responsible for transportation decision-making within these urbanized areas.

In general, the review consists 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 review focuses on compliance with Federal law and regulations, challenges, successes, and experiences of the cooperative relationship among the MPO(s), the State DOT(s), and public transportation operator(s) in the conduct of the metropolitan transportation planning process. Joint FHWA/FTA Certification Review guidelines provide agency field reviewers with latitude and flexibility to tailor the review to reflect regional issues and needs. As a result, 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 the 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 stewardship and oversight activities provide opportunities for this type of review and comment, including Unified Planning Work Program (UPWP) approval, the Metropolitan Transportation Plan (MTP), Statewide and Transportation Improvement Program (S/TIP) findings, Air Quality (AQ) conformity determinations (in nonattainment and maintenance areas), as well as a range of other formal and less formal interactions 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 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 reviewed, whether or not they relate explicitly to formal “findings” of the review.

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, 49 U.S.C. 5303, and 23 CFR 450. In 2005, 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 Old Colony MPO is comprised of membership a consisting of four elected officials (Brockton, Plymouth, and two additional communities elected by the Old Colony Planning Council (currently West Bridgewater and Whitman)), Old Colony Planning Council, Brockton Area Transit Authority (BAT), and



MassDOT. The Old Colony Planning Council provides transportation planning staff support to the MPO. The geographic area covers approximately 300 square miles including 17 cities and towns representing 350,000 residents with Brockton and Plymouth as the largest population centers.

Certification of the planning process is a prerequisite to the approval of Federal funding for transportation projects in the area. The certification review is also an opportunity to provide assistance on 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 initial certification review of the MPO was conducted in 2006 following the designation as a TMA per the 2000 U.S Census. Since then subsequent certification reviews were conducted in 2011 and 2016. This is the fourth federal certification review conducted by FHWA and FTA for the region. A summary of the status of findings from the previous certification review is provided in Appendix D. This report covers the 2019 review, which consisted of a public involvement opportunity and formal site visit conducted on October 15 and November 6, 2019 respectively.

The certification review report is organized around key transportation planning topic areas. Each report section presents the legal and regulatory basis for the review topic area, summarizes the observations of the Review Team, and lists the team's findings. Findings may include corrective actions, recommendations, or commendations. Corrective actions describe items that do not meet the requirements of the transportation statute and regulations, along with the actions that must be taken to attain compliance. Recommendations identify steps that should be implemented to improve processes and planning products that already meet minimum federal requirements. Commendations describe processes and products that are considered notable and identified as best practices.

Participants in the review included representatives of FHWA, FTA, MassDOT, BAT, Old Colony Planning Council staff and Southeastern Regional Planning and Economic Development District (SRPEDD) 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 providers. Background information, current status, key findings



and recommendations are summarized in the body of the report for subject areas identified by FHWA and FTA staff for the on-site review.

3.2 Documents Reviewed

The following MPO documents were requested and evaluated as part of this certification process review:

- Old Colony MPO Memorandum of Understanding (Aug 2018)
- Boston MA-NH-RI Urbanized Area Memorandum of Understanding (Oct 2018)
- Brockton Area Transit Bilateral Memorandum of Understanding (Aug 2019)
- Greater Attleboro Regional Transit Authority Bilateral Memorandum of Understanding (Aug 2019)
- Massachusetts Performance-based Planning and Programming Agreement (April 2019)
- MPO Joint Transportation Committee (JTC) Bylaws (June 2019)
- Old Colony MPO Local Signatory Election Process
- Old Colony MPO Boundary Endorsement (Jan 2018)
- FY 2019 MPO Unified Planning Work Program
- FY 2017 & 2018 Unified Planning Work Program Year End Reports
- FY 2020-2024 Transportation Improvement Plan (TIP)
- FY 2020-2024 State Transportation Improvement Plan (STIP)
- MPO Self-Certification Statement (May 2019)
- FY 2018 Annual Listing of Obligated Projects
- MPO Metropolitan Transportation Plan 2040 (July 2019)
- MPO Public Participation Plan (March 2017)
- Title VI Annual Work Plan Report 2014 & 2018
- Title VI Limited English Proficiency (LEP) and Language Assistance Plan (LAP)
- Old Colony Congestion Management Process (CMP) Year End Report (Aug 2019)
- Coordination Human Service Public Transit Plan (Feb 2015)

4.0 PROGRAM REVIEW

4.1 Transportation Improvement Program



4.1.1 Regulatory Basis

The MPO is required, under 23 CFR 450.326, to develop a TIP in cooperation with the State and public transit providers. The TIP shall cover a period of at least four years, must be updated at least once every four years, and must be approved by the MPO and the governor. If the TIP is updated more frequently, the cycle must be compatible with the State Transportation Improvement Program (STIP) development and approval process.

4.1.2 Observations

The MPO adopts a new TIP annually, following the federal fiscal year. Projects proposed for FHWA funding are scored using the MPO's Transportation Evaluation Criteria (TEC). The TEC, developed in 2004 by MassDOT, applies different criteria depending on the project type (highway-funded preservation projects; highway-funded improvement/expansion projects; highway-funded other enhancements (non-bike/ped) projects; and highway-funded bicycle/pedestrian enhancement projects). Each version of the TEC results in a score converted to a zero- to 100-point scale. After potential projects are score and ranked, other factors including project readiness and financial constraint are used to develop a program of projects for the region's FHWA funding sources. The program of transit projects funded through FTA is proposed by BAT and accepted by the MPO for inclusion in the TIP. The 2020--2024 TIP notes that preservation and state of good repair projects are not evaluated through the TEC as they are considered required projects and are identified through asset management systems.

The Review Team noted that the 2020-2024 TIP, in Appendix L, includes a copy of Greater Attleboro-Taunton Regional Transit Authority (GATRA) TIP projects, which are programmed in the Southeastern Massachusetts MPO TIP. GATRA operates important services within the Old Colony planning region, and the inclusion of its planned investments in Old Colony's documents provides transparency for the public.

4.1.3 Findings

The transportation planning process in the Old Colony region is consistent with the federal requirements for this topic area.

4.2 Financial Planning

The metropolitan planning statutes state that the MTP and TIP (23 U.S.C. 134(j)(2)(B)) must include a financial plan that "indicates resources from public and private sources that are reasonably expected to be available to carry out the program" and demonstrates fiscal constraint for these documents. Estimates of funds available for use in the financial plan must be developed cooperatively by the MPO, public transportation operator(s), and the State (23 CFR 450.314). This cooperative process must be outlined in a written agreement that includes specific provisions for developing and sharing information



related to the development of financial plans that support the metropolitan transportation plan (23 CFR 450.314).

4.2.2 Observations

The financial projections the MPO uses as the basis of its financial plan are provided by MassDOT. Each year for the TIP and every four years for the MTP, MassDOT will request guidance from FHWA on the latest projected federal apportionments. The projected apportionments provided to MassDOT is developed based on historic obligation authority and apportionment levels. MassDOT then determines what portion of those FHWA funds will be deducted to various statewide programs with the remainder split, by formula, between the planning regions in the state (“target funds”). This formula is commonly referred to as the MARPA formula. The MARPA formula was first developed in 1992 and according to the latest Statewide Transportation Improvement Program (STIP), is based on population and lane mileage. Based on feedback from MPO staff, the formula does not include the latest demographic or statistical inputs. For FTA funds, MassDOT looks at recent apportionments to determine anticipated funding for the upcoming planning horizon and then sends these anticipated funding levels to the MPOs. In developing the MTP, MassDOT provides MPOs with a 20-year projection of available funds based on the extrapolation of current and historic authorization of federal funds used for developing the TIPs. For the 2040 MTP, this assumed a 2.2% growth rate beyond the last year of the TIP which is 2025. Together, these projections form the anticipated revenues against which projects are programmed.

The FY 2020-2024 TIP includes two tables for financial constraint- one for highway and one for transit. The highway financial constraint table includes an aggregate of all anticipated funds (Statewide, Regional and Bridge) the MPO expects to receive through FY 2024. A footnote indicates that anticipated funds include regional target categories (CMAQ, STP, HSIP, TAP) and statewide funds in FY 2020, 2021 and 2024. Additional detail is provided in Table 11 which provides a summary of individual program funding categories. The MPO provides a demonstration of financial constraint with on average 10% remaining each year of unprogrammed funds. It is unclear which of the program funding categories has available revenue given the statewide and regional funds are rolled together. MPO staff expressed during the on-site they are open to creative solutions that would provide the flexibility to program these remaining dollars. Transit financial constraint is also demonstrated through FY 2024 and no additional funds are shown available for programming. Details on the funding categories are included in Table 11 which shows that the region receives FTA 5307 funds with State match.

In developing the MTP, the MPO acknowledges the uncertainty of forecasting anticipated transportation revenue over a 20-year planning horizon. The MPO attempts to address this issue by first examining historic spending in the region. By examining highway and bridge spending between FY 1992 – 2019, the MTP Financial Planning estimates if the trend continues, \$13.2 million would be spent annually within the region. Next, with the financial estimates provided by MassDOT, the MPO is expected to receive \$1,206,953,652 in highway funding over the life of the plan. Highway funding is allocated within 5-year time bands with approximately \$250 million available for highway and bridge programming each segment. This equates to an average of \$50-60M million available for spending annually. Given the



latest MTP assumptions, there is a significant difference between historic spending and the latest MassDOT financial assumptions. The MTP does not provide an explanation regarding the difference in historic spending versus anticipated revenue in its financial methodology.

The MTP concludes that financial constraint is demonstrated by comparing projected revenues to transportation needs for highway and transit as outlined on Tables 9-5 & 9-8. In the review of highway projects (Table 9-5), the total project commitments equal available revenue through 2040. The MTP explains that projects are only identified through FY 2029, with the remainder MPO target funds dedicated to maintaining a state of good repair. Highway projects are identified in five-year bands with \$81,640,251 through FY 2024 and \$114,112,611 identified through FY 2029. In contrast to the available funding available shown in Table 9-5, approximately \$20 million of regional funding is available through FY 2024 (Table 9-3) and \$8 million through FY 2029 (Table 9-4). Table 9-5 therefore appears to illustrate available funding rather than a comparison of programmed commitments to revenue. In contrast, the transit financial constraint tables demonstrate that approximately \$66 million is available throughout the life of the plan. However, the MTP lacks in providing sufficient detail on the anticipated transit projects to be funded – e.g. one line in Table 9-8 (2020-2040 Transit Operation and Capital Projects) is for FTA 5307 funds, which could be used for a wide variety of project types though none are specifically identified. Regionally significant projects are shown for both highway and transit but there is no identified prioritization of anticipated year identified for the projects.

4.2.3 Findings

Recommendation: The MPO should ensure there is a clear demonstration of financial constraint for the MTP by factoring in projects commitments against available revenue throughout the life of the plan.

4.3 Annual List of Obligated Projects

4.3.1 Regulatory Basis

MPOs, public transportation providers, and the State DOT must cooperatively develop a listing of projects for which federal funds have been obligated in the previous year in accordance with 23 CFR 450.334. The listing must include all federally funded projects authorized or revised to increase obligations in the preceding program year and, at a minimum, the following for each project:

- The amount of funds requested in the TIP;
- Federal funding obligated during the preceding year;
- Federal funding remaining and available for subsequent years;
- Adequate description to identify the project or phase; and
- Identification of the agencies responsible for carrying out the project or phase.



4.3.2 Observations

The MPO's annual listing of obligated projects for FFY 2019 was released on November 12, 2019 and posted on its website. The document includes both highway and transit projects and clearly shows amounts obligated against amounts programmed for each project from the TIP. The highway portion of the listing includes the MPO's regional target projects as well as statewide projects that affect the Old Colony region (e.g. MassDOT District 4 projects). During the onsite meeting, MPO staff discussed gathering the necessary information for transit obligations; it appeared that there were some challenges in collecting the appropriate data required to be included in the annual report. Additionally, because of how transit projects have been programmed according to the state fiscal year of the state match, the 2018 list of obligated projects, based on projects listed in FFY 2018 of the TIP, was actually reporting on transit projects obligated in FFY 2017, as identified by the obligation date is shown in the listing. Similarly, the 2019 listing included projects obligated in FFY 2018 by BAT, as well as 5310 projects obligated in FFY 2019. This is not consistent with the intent of the requirement to report on federal funding obligated in the preceding year.

4.3.3 Findings

Recommendation: The MPO should work with its transit partners to ensure they have the necessary information to be able to accurately report on the obligations that have occurred during the appropriate reporting year.

4.4 Metropolitan Transportation Plan

4.4.1 Regulatory Basis

23 U.S.C. 134(c), (h) & (i) and 23 CFR 450.324 set forth requirements for the development and contents of the Metropolitan Transportation Plan (MTP). Among the requirements are that the MTP address no less than a 20-year planning horizon and include both long-range and short-range strategies/actions that lead to the development of an integrated multimodal transportation system to facilitate the safe and efficient movement of people and goods to address current and future transportation demand.

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 include the following:

1. Current and projected transportation demand
2. Existing and proposed transportation facilities



3. Performance measures and targets
4. A system performance report on the condition and performance of the transportation system
5. Operational and management strategies to improve performance
6. Discussion of the congestion management process
7. An assessment of capital investment and other strategies to preserve transportation infrastructure, provide for multimodal capacity increases, and reduce vulnerability
8. Transportation and transit enhancements
9. Design concept and design scope descriptions of proposed transportation facilities
10. Discussion of potential environmental mitigation activities
11. A financial plan
12. Pedestrian walkway and bicycle transportation facilities

4.4.2 Observations

The current approved MTP was adopted in July 2019 and covers years 2020-2040. Public and stakeholder outreach included over 22 meetings and events, a comprehensive survey provided in four languages, and a variety of web-based communication tools, including social media, electronic newsletters, and the OCPC website. The MPO continues to grow and implement a continuing, cooperative, and comprehensive performance-based transportation planning process. The MTP update includes nine goals, each with several objectives, and close to 30 performance measures and targets that go beyond the required federal reporting requirements. For the required Federal measures, the MPO decided to support the State's performance targets. After the adoption of the MTP in July 2019, the State DOT finalized its Transportation Asset Management Plan (TAMP), which provides more detail on its system preservation measures for bridge and pavement condition, as well as more current condition data.

The MTP includes a detailed profile on the region, focusing on current and future population, employment, travel trends, and is framed by the region's vision, goals, and needs. This vision includes a region that is safe, sustainable, accessible, and economically vibrant. As with the previous MTP update, the discussion on forecasted population and employment growth provides these projections without outputs from a travel demand management (TDM) model that show the impacts on the region's transportation network. MassDOT continues to provide the statewide travel demand model for all the State's MPOs, but the outputs from this model are not included in the MTP, which is a key piece into understanding the region's needs over the life of the plan, including specific investments to address these needs.

Each modal chapter, as well as the financial chapter, concludes with a list of identified issues and recommendations to move closer to the MPO's vision for the region. These recommendations are compiled in a concluding chapter, which helps frame next steps for the MPO and its partners. While the MPO has identified partners responsible for the specific recommendations, it has not prioritized these



recommendations nor provided any time frame or action plan for implementation. Further, the MPO included a brief high-level discussion on four different planning scenarios to help identify projects and strategies that will best address the region's needs and challenges while considering limited resources. The inclusion of scenario planning is a great step for the MPO, but more detail should be provided that evaluates the various scenarios and describes how the MPO will identify the preferred scenario(s).

Lastly, the MTP does not include any language on amendment and administrative modification procedures. Having clear procedures documented in the MTP demonstrates transparency to the public as well as supports consistency in how changes are handled. The MPO's Public Participation Plan discusses amendment procedures, but only in the context of its public comment period. The MPO should include clear definitions and MPO actions that differentiate procedures taken to execute an amendment and an administrative modification.

4.4.3 Findings

Corrective Action: An MPO MTP requires valid forecasts of future demand for transportation services with model outputs that are used to estimate regional vehicle activity and a factor in selecting transportation investments. In all future updates of the MTP the MPO shall include a full discussion of the modeling results, anticipated future demand, and how implementation of the plan will impact that demand and the transportation system within the region.

Recommendation: In the next MTP update the MPO should expand its scenario planning discussion by providing a more detailed description of each scenario, how the MPO developed the scenarios, and how the MPO determined its preferred scenario. Further, the MPO should include an analysis of the impact the preferred scenario has on the performance of transportation system.

Recommendation: In the next MTP update, the MPO should include specific amendment and administrative modification procedures to guide future MTP updates.

4.5 Congestion Management Process

4.5.1 Regulatory Basis

The State(s) and MPOs must develop a systematic approach for managing congestion through a process that "provides for safe and effective integrated management and operation of the multimodal transportation system. The Congestion Management Process (CMP) applies to transportation management areas (TMAs) based on a cooperatively developed and implemented metropolitan-wide strategy of new and existing transportation facilities eligible for funding under 23 U.S.C. and Title 49 U.S.C., Chapter 53 through the use of travel demand reduction and operational management strategies." (23 CFR 450.322)



4.5.2 Observations

The MPO recently documented its congestion management process (CMP) in a FY 2018 year-end report released on August 2019 (its first year-end report since June 2012) and carries out the CMP through ongoing activities integrated with the UPWP, Metropolitan Transportation Plan, and TIP. The Federal Review Team examined the CMP through the eight-step framework in the FHWA CMP Guidebook from April 2011:

1. Develop regional objectives for congestion management

The MPO has congestion management goals to reduce congestion, improve mobility, and improve access to critical essential services, and 10 objectives to support these goals:

- Promote mode shift by increasing use of transit, carpool/vanpool, and non-motorized transportation modes such as bicycling and walking;
- Reduce traffic congestion and improve level of service and access management;
- Maintain and improve transit system efficiency and capacity;
- Increase automobile and bicycle parking capacity and usage at transit stations and commuter lots;
- Eliminate bottlenecks on limited access highways and on the freight network;
- Improve and expand human service coordination, mobility, and accessibility for all modes;
- Reduce number and size of gaps in the ADA-accessible sidewalk network;
- Increase use of traffic signal priority (hold current green light) for transit vehicles and traffic signal pre-emption for emergency vehicles (override programmed phasing to provide approaching emergency vehicles a green light);
- Monitor utilization and congestion levels at commuter rail and park and ride parking facilities; and
- Improve accessibility for all modes to all users.

2. Define CMP network

The CMP network covers the 17 communities that comprise the MPO region in southeastern Massachusetts. The CMP network includes over 2,000 centerline miles of roadway (680 functional classified and 1,409 local), over 6,000 intersections, and a variety of transit services and facilities (i.e. fix route bus service, commuter rail service, and park and ride lots).

3. Develop multimodal performance measures

The MPO monitors multimodal performance using the following performance measures and metrics:



- Volume to capacity (V/C) ratio;
- Parking utilization for the commuter rail stations and park and ride lots;
- Percentage of TIP funding allocated to projects that significantly improve bicycle and pedestrian mobility;
- Percentage of TIP funding allocated to projects that reduce greenhouse gases (GHGs) while also reducing negative impacts on the natural environment;
- Level of Travel Time Reliability (LOTTR) on the Interstate System and non-Interstate portion of the National Highway System;
- Level of Truck Travel Time Reliability (TTTR) on the Interstate System;
- Percent of Non-Single Occupancy Vehicle (SOV) Travel;
- Annual Hours of Peak Hour Excessive Delay (PHED) Per Capita;
- Total reduction of carbon dioxide from projects funded under the Congestion Mitigation and Air Quality (CMAQ) program;
- Average commute time;
- Number of registered municipalities for Complete Streets policies;
- Number of approved Complete Streets policies;
- Intersection level of service (LOS);
- BAT average daily ridership; and
- BAT passengers per seat (PPS).

4. Collect data / monitor system performance

Each federal fiscal year, the MPO programs funding in the UPWP to collect data and monitor system performance. In FY 2018, the MPO collected traffic counts at 128 locations on the highway network throughout the Old Colony region. The MPO's traffic data collection program provides the CMP with average annual daily traffic (AADT); vehicle speeds; percentages of heavy vehicles; and V/C ratios. In FY 2018, OCPC staff conducted manual intersection Turning Movement Counts (TMCs) at 47 locations throughout the region. The TMCs are typically conducted during the morning (7:00 AM – 9:00 AM) and afternoon (4:00 PM – 6:00 PM) peak traffic periods and include data such as total intersection traffic, peak period traffic, peak hour factors, and percentages of heavy vehicles. The TMC counts provide OCPC staff with the ability to perform intersection LOS analyses.

The CMP also focuses on vehicles per parking space at the peak parking time for the commuter rail stations and park and ride lots. The MPO visits the parking facilities for the commuter rail service twice per year to count the number of parked vehicles and bicycles to determine the availability of peak parking. The MPO also visits the park and ride facilities along the AmVets Memorial Highway (Route 24) and Pilgrims Highway (Route 3) Corridors twice per year to count the number of parked vehicles and bicycles and to determine the availability of peak parking.



These data collection efforts take place in the Spring (April) and Fall (October) of each year, during the mid-week period, and between the hours of 10:00 AM and 2:00 PM.

The MPO also uses BAT Farebox Route Revenue Reports to calculate average daily ridership and determine Passengers per Seat (PPS).

5. Analyze congestion problems and needs

Through the CMP and UPWP, the MPO identifies congested roadway facilities and intersections and the causes of congestion (e.g. demand surges, merges, weaves, narrow lanes, lane drops, signals, traffic controls, intersections, etc.). The MPO uses a V/C ratio of 0.80 or above as a threshold for congested facilities and a LOS of “D” or below as a threshold for congested intersections. For parking utilization at commuter rail stations and park and ride lots, the MPO uses 85 percent as the threshold for capacity.

6. Identify and assess CMP strategies

The MPO uses the CMP, UPWP, and TIP to identify, recommend, and program congestion management strategies for the region.

Congestion Management Strategy	Typical Examples
Travel Demand Management (TDM)	Ridesharing/carpooling; shuttle services; telecommuting options; flexible work schedules; and bicycle and pedestrian accommodations
Access Management	Planning of the design, location, and operation of driveways, median openings, interchanges, and street connections
Promote the Use of Non-motorized Modes of Travel	<p><u>Pedestrian infrastructure improvements</u> – Installing new sidewalks where none currently exist; repairing and/or widening existing sidewalks; removing obstacles; installing pedestrian signals or improving existing signals; installing new and/or improved crosswalks and accompanying appropriate signage; creating buffers between sidewalks and vehicular traffic; and traffic calming</p> <p><u>Bicycle infrastructure improvements</u> – Adding bicycle lanes; creating shared-use paths; and installing bicycle</p>



	parking amenities at transit facilities and other key destinations
Intelligent Transportation Systems (ITS)	Incident management and emergency response; electronic toll collection on highways; fare collection on transit systems; traffic signal control; and congestion management
Public Transportation	Adjust transit schedules by time of day (allowing increased service frequency during peak demand hours by decreasing frequency during low demand hours); increase the coverage area and hours of service; traffic signal priority for transit vehicles; provide real-time transit vehicle information (location / arrival time of vehicles) to users; provision for bicycles at transit facilities and on vehicles; improved bicycle and pedestrian connections to transit facilities; and modernization of facilities and equipment
Highway Capacity	Adding lanes to major, chronically congested highways
Parking Capacity	Increasing parking capacity at transit facilities

7. Program and implement CMP strategies

In the FY 2018 year-end report, the MPO recommended congestion management strategies for congested facilities, including limited access highways and interchanges, arterials, town centers, intersections, and parking facilities at commuter rail stations and park and ride lots. The MPO’s TIP includes implementation schedules, implementation responsibilities, and funding sources for the congestion management strategies that the MPO has decided to implement.

8. Evaluate strategy effectiveness

The MPO uses the CMP performance measures, metrics, and targets to evaluate the effectiveness of the congestion management strategies, and the MPO provided status performance updates in the 2018 year-end report (pg. 31).

Congestion Management Strategy	CMP Performance Measures and Metrics
Travel Demand Management (TDM)	Mode Share (% of people walking, bicycling, using transit, ridesharing)



Access Management	Travel speeds; Intersection and Corridor Delay; Hours of Congestion; Volume to Capacity Ratios
Promote the Use of Non-motorized Modes of Travel	# of Communities with adopted Complete Streets policies; Mode Share; # of Bicycles Parked
Intelligent Transportation Systems (ITS)	Travel speeds; Intersection and Corridor Delay; Hours of Congestion
Public Transportation	Ridership; Parking Lot Utilization (Commuter Rail and Park-and-Ride); On-Time Records
Highway Capacity	Travel speeds; Intersection and Corridor Delay; Hours of Congestion; Volume to Capacity Ratios
Parking Capacity	Parking demand; Frequent 85% or higher utilization (Congested facilities)

4.5.3 Findings

Recommendation: The MPO should update the CMP on a recurring cycle (i.e. each MTP cycle) to reflect the most up-to-date metropolitan transportation plan, UPWP, and TIP and to inform MPO members, partner agencies, the public, and other stakeholders of the region’s congestion management problems, needs, and strategies.

Recommendation: The MPO should document and analyze non-recurring congestion related to work zones, special events, crashes, snow management, and other weather events in the next CMP update.

4.6 Performance Based Planning and Programming

4.6.1 Regulatory Basis

23 U.S.C. 150(b) identifies the following national goals for the focus of the Federal-aid highway program: Safety, Infrastructure Condition, Congestion Reduction, System Reliability, Freight Movement and Economic Vitality, Environmental Sustainability, and Reduced Project Delivery Delays. Under 23 U.S.C. 134(h)(2), the metropolitan planning process shall provide for the establishment and use of a performance-based approach to transportation decision-making to support the national goals, including the establishment of performance targets.

23 CFR 450.306(d) states that each MPO shall establish performance targets to support the national goals and track progress towards the attainment of critical outcomes. Each MPO shall coordinate with the relevant State to ensure consistency, to the maximum extent practicable, and establish performance targets not later than 180 days after the State or provider of public transportation establishes its performance targets. The selection of performance targets that address performance measures described in 49 U.S.C. 5326(c) and 49 U.S.C. 5329(d) shall be coordinated to the maximum extent



practicable, with public transportation providers to ensure consistency with the performance targets that public transportation providers establish under 49 U.S.C. 5326(c) and 49 U.S.C. 5329(d). Additionally, each MPO shall integrate the goals, objectives, performance measures, and targets from other performance-based plans and programs integrated into the metropolitan transportation planning process.

23 CFR 450.314(h) states that the MPO, the State, and the public transportation operator shall jointly develop specific written provisions PBPP, which can either be documented as part of the metropolitan planning agreements or in some other means.

23 CFR 450.324(f) states that MTPs shall include descriptions of the performance measures and performance targets used in assessing the performance of the transportation system, a system performance report evaluating the condition and performance of the transportation system with respect to the performance targets, and progress achieved in meeting the performance targets in comparison with system performance recorded in previous reports.

23 CFR 450.326(d) states that the TIP shall include, to the maximum extent practicable, a description of the anticipated effect of the programmed investments with respect to the performance targets established in the MTP, the anticipated future performance target achievement of the programmed investments, and a written narrative linking investment priorities to those performance targets and how the other PBPP documents are being implemented to develop the program of projects.

23 CFR 450.340 states that MPOs have two years from the effective dates of the planning and performance measures rule to comply with the requirements.

4.6.2 Observations

The MPO, BAT, and MassDOT are working together to coordinate and carry out a performance-based multimodal transportation planning process consistent with the FHWA-FTA joint rule on statewide, nonmetropolitan, and metropolitan transportation planning.

- **Developing jointly agreed upon specific written provisions**

On November 13, 2018, the FHWA Massachusetts Division and FTA Region 1 Office approved the Federal Fiscal Year (FFY) 2019-2023 Statewide Transportation Improvement Program subject to the corrective action that MassDOT, the MPOs, and providers of public transportation jointly agree upon and develop specific written provisions in accordance with 23 CFR 450.314(h) by April 30, 2019.

After consultation with Massachusetts' 13 MPOs and the associated public transportation providers, MassDOT finalized a statewide Performance-Based Planning and Programming



Agreement on May 6, 2019 to satisfy the corrective action and comply with 23 CFR 450.314(h). As the chair of each of the 13 MPOs, MassDOT signed the Agreement on behalf of all the MPOs. BAT signed the Agreement on April 23, 2019. The Agreement includes the following sections:

- Development and sharing of performance management data,
- Selection of performance targets,
- Reporting of performance targets,
- Reporting of progress toward achieving targets,
- Process for dispute resolution, and
- Amendment, termination, and supersession of agreement.

The MPO already has experience sharing performance data with MassDOT as the MPO maintains its own regional pavement management system. The MPO noted that it would like more coordination with the MassDOT pavement management system and data collection efforts in the future to ensure consistency and avoid any potential redundancies.

- **Coordinating and establishing performance targets**

MassDOT, through the Office of Transportation Planning and the Office of Performance Management and Innovation, has been coordinating a statewide performance management advisory council for the FHWA and FTA performance measures, targets, and other associated requirements. The advisory council includes MassDOT program staff for each performance measure and all the MPOs. For the statewide performance targets, the MassDOT Highway Administrator and Secretary review and approve target recommendations from MassDOT staff and the staff disseminates the final targets to the statewide committee for review and consideration.

For the FHWA performance measures, MassDOT translated the statewide performance data into regional datasets so that the MPO could understand the regional performance trends before establishing its metropolitan performance targets. After receiving and reviewing the data, the MPO discussed its target options with the JTC and ultimately decided to support the MassDOT targets for highway safety, pavement condition, bridge condition, travel time reliability, and freight reliability.

For the FTA performance measures, BAT presented its targets for transit asset management to the MPO, and the MPO decided to adopt BAT's targets for the region.

The MassDOT, BAT, and MPO performance targets for the FHWA and FTA performance measures are documented in Appendix E and Appendix F.

- **Evaluating past condition and performance, documenting targets, and reporting progress**



The MPO documented performance goals, objectives, measures, and targets in the FFY 2020-2040 Long Range Transportation Plan. The FFY 2020-2040 plan includes baseline data and targets for the FHWA performance measures for highway safety, pavement condition, bridge condition, travel time reliability, and freight reliability and the FTA performance measures for transit asset management.

The FFY 2020-2040 long range plan also includes regional performance goals, measures, and targets for safety, infrastructure condition, congestion reduction, system reliability, freight movement and economic vitality, environmental sustainability, reduced project delivery delay, resiliency and reliability of the transportation system, and travel and tourism. The MPO first adopted these regional performance goals, objectives, measures, and targets in the 2016 Regional Transportation Plan.

Since the MPO is supporting the performance targets from MassDOT and BAT, the next metropolitan transportation plan update will need to include an evaluation of the progress achieved by MassDOT and BAT in meeting their performance targets. After the respective performance periods are complete, the MPO should work with MassDOT and BAT to assess and document any progress achieved in meeting their performance targets.

- **Linking investment priorities to targets and describing anticipated future target achievement**

The MPO also documented performance goals, objectives, measures, and targets in the FFY 2020-2024 Transportation Improvement Program (TIP). The FFY 2020-2024 TIP includes baseline data and targets for the FHWA performance measures for highway safety, pavement condition, bridge condition, travel time reliability, and freight reliability and the FTA performance measures for transit asset management.

The FFY 2020-2024 TIP also includes regional performance goals, measures, and targets for safety, infrastructure condition, congestion reduction, system reliability, freight movement and economic vitality, environmental sustainability, reduced project delivery delay, resiliency and reliability of the transportation system, and travel and tourism.

The MPO used its Transportation Evaluation Criteria to develop the TIP, program projects, and link investment priorities to the MassDOT and BAT performance targets.

The TIP performance narrative on anticipated future target achievement could be enhanced by identifying specific projects and line-items that support the achievement of the MassDOT and BAT performance targets.

- **Integrating performance-based plans and processes**



The MPO is aware of the requirement to integrate the goals, objectives, performance measures, and targets from other performance-based plan and processes into the metropolitan transportation planning process. The following table describes their approach to integration.

Performance-Based Plan or Program	MPO Approach to Integration into the Metropolitan Transportation Planning Process
Highway Safety Improvement	<ul style="list-style-type: none">• The MPO systematically monitors and reviews crashes involving motor vehicles, pedestrians, and bicycles in the region and evaluates crash clusters to determine current needs and progress towards mitigation.• The MPO frequently programs funding in the UPWP to study crash locations and identify short-term and long-term projects that can be implemented by municipalities and/or the State to improve safety and reduce serious injuries and fatalities.
Strategic Highway Safety Plan (SHSP)	<ul style="list-style-type: none">• The MPO is integrating the SHSP emphasis areas for lane departures, intersections, pedestrians, and bicyclists into its planning documents, planning studies, and technical assistance activities.
State Asset Management Plan for the National Highway System	<ul style="list-style-type: none">• The MPO will use the State Asset Management Plan goals, objectives, asset condition data, and identification of vulnerable assets to inform future planning documents, planning studies, and technical assistance activities.• The MPO will use the State Asset Management Plan to inform the Transportation Evaluation Criteria, develop the TIP, and track progress towards attainment of critical outcomes and metrics.
State Freight Plan	<ul style="list-style-type: none">• The MPO will use the State Freight Plan goals, objectives, mobility trends, freight gateways, corridors, bottlenecks, and improvement strategies to inform future planning documents, planning studies, and technical assistance activities.• The MPO will use the State Freight Plan to inform the Transportation Evaluation Criteria and develop the TIP.



<p style="text-align: center;">Congestion Management Process (CMP)</p>	<ul style="list-style-type: none"> • The MPO has a continuous CMP and incorporates congestion management strategies into planning documents, planning studies, and technical assistance activities. • The MPO frequently programs funding in the UPWP to analyze transit system ridership, study park and ride facilities, analyze roadway and intersection capacity, and identify bottlenecks.
<p style="text-align: center;">Transit Asset Management Plan</p>	<ul style="list-style-type: none"> • The MPO uses the BAT Transit Asset Management Plan to inform the development of planning documents, goals, objectives, and performance metrics. • The MPO uses the BAT Transit Asset Management Plan to inform the Transportation Evaluation Criteria, develop the TIP, and track progress towards attainment of critical outcomes.
<p style="text-align: center;">Public Transportation Agency Safety Plan</p>	<ul style="list-style-type: none"> • The MPO will use the Public Transportation Agency Safety Plan to inform the development of planning documents, goals, objectives, and performance metrics. • The MPO will use the Public Transportation Agency Safety Plan to inform the Transportation Evaluation Criteria, develop the TIP, and track progress towards attainment of critical outcomes.

4.6.3 Findings

Recommendation: The MPO should use the terminology “system performance report” for the performance management discussion in the next metropolitan transportation plan to clearly demonstrate compliance with 23 CFR 450.324(f)(4) and avoid any potential confusion among partner agencies and stakeholders moving forward.

4.7 MPO Organizational Structure

4.7.1 Regulatory Basis

Federal legislation 23 U.S.C. 13(d) requires the designation of an MPO for each urbanized area with a population of more than 50,000 individuals. When an MPO representing all or part of a TMA is initially designated or redesignated according to 23 CFR 450.310(d), the policy board of the MPO shall consist of (a) local elected officials, (b) officials of public agencies that administer or operate major modes of transportation within the metropolitan area, including representation by providers of public transportation, and (c) appropriate State transportation officials. The voting membership of an MPO that was designated or redesignated prior to December 18th, 1991, will remain valid until a new MPO is



redesignated. Designation is required whenever the existing MPO seeks to substantially change the proportion of voting members representing individual jurisdictions or the State or the decision-making authority or procedures established under MPO bylaws.

The addition of jurisdictional or political bodies into the MPO or of members to the policy board generally does not require a designation of the MPO.

4.7.2 Observations

The latest Memorandum of Understanding (MOU) in which the Old Colony MPO operates under was signed on August 2018. This MOU supersedes the 2011 MOU which was updated to include additional considerations for public comment and provisions to support a performance-based planning program. Since 2002, the eight-voting member MPO structure has remained the same with two representatives from MassDOT, the OCPC, the Brockton Area Transit Authority (BAT), the City of Brockton, the Town of Plymouth, and two additional communities to be elected by the Old Colony Planning Council. The two communities are elected at-large by OCPC and are split with one seat designated for a town with a population of less than 14,000 and the other seat for a town with a population of greater than 14,000. This population threshold was developed by the MPO based on the median population in the region and is reevaluated each decennial Census. The term of office for the two at-large seats is two years which rotates between even and odd years (one seat up in even years, the other in odd years). Despite 15 towns being eligible for election, over the past 15 years it has been observed that West Bridgewater and Whitman have been elected 75% and 56% of the times respectfully. During the onsite review, MPO staff expressed that even though these towns disproportionately represented on the board, they have the support of their sub-group communities and overall add value by contributing to the planning process. An evaluation of the local signatory trend analysis has been conducted and MPO staff still feel the existing representative configuration is not problematic however they will continue to monitor and evaluate into the future.

The latest JTC bylaws were reviewed and adopted June 2019 based on a prior federal certification recommendation to revisit the prior 1975 version. Language was added to include federal performance-based planning and programming and updated to document the JTC's role in the region's planning process, including development and adoption of the 3C documents. Unlike the MPO MOU, there is no provision to reevaluate and endorse the by-laws on a regular basis. Membership is open to all 17 communities and includes MassDOT, BAT, and Brockton Traffic Commission. The JTC Chairperson and OCPC can extend membership to interested parties as mutually agreed upon. MPO staff have expressed interest in the potential of extending members to the three regional chambers of commerce in the region. There is no quorum required to operate business for the JTC and decision-making takes a consensus-based approach. The JTC receives mixed attendance among members but overall wide support and participation with an average attendance around 30 participants.

4.7.3 Findings



The transportation planning process in the Old Colony region is consistent with the federal requirements for this topic area.

4.8 Regional Planning Agreements and Coordination

4.8.1 Regulatory Basis

In accordance with 23 U.S.C. 134 and 23 CFR 450, MPOs must consult with agencies and officials responsible for other planning processes when developing TIPs and MTPs and must carry out a planning process that is “continuing, cooperative, and comprehensive” (3C). This includes establishing MOUs identifying the mutual roles, responsibilities, and procedures governing their cooperative efforts. These agreements must identify the designated agency for air quality planning under the Clean Air Act and address the responsibilities and situations arising from there being more than one MPO in a metropolitan area.

More specifically, 23 CFR 450.314(e) states:

“If more than one MPO has been designated to serve an urbanized area there shall be a written agreement among the MPOs, the State(s), and the public transportation operator(s) describing how the metropolitan transportation planning processes will be coordinated to assure the development of consistent metropolitan transportation plans and TIPs across the MPA boundaries, particularly in cases in which a proposed transportation investment extends across the boundaries of more than one MPA. If any part of the urbanized area is a nonattainment or maintenance area, the agreement also shall include State and local air quality agencies. The metropolitan transportation planning processes for affected MPOs should, to the maximum extent possible, reflect coordinated data collection, analysis, and planning assumptions across the MPAs. Alternatively, a single metropolitan transportation plan and/or TIP for the entire urbanized area may be developed jointly by the MPOs in cooperation with their respective planning partners. Coordination efforts and outcomes shall be documented in subsequent transmittals of the UPWP and other planning products, including the metropolitan transportation plan and TIP, to the State(s), the FHWA, and the FTA.”

On April 23, 2014, then United States Department of Transportation Secretary Anthony Foxx outlined three Planning Emphasis Areas for FY 2016. These are not regulations, but rather are topic areas that MPOs and State departments of transportations are encouraged to focus on when conducting their planning processes and developing their planning work programs. One of these Planning Emphasis Areas is Models of Regional Planning Cooperation, which reads:

“Promote cooperation across MPO boundaries and across State boundaries where appropriate to ensure a regional approach to transportation planning. This is particularly important where more than one MPO or State serves an urbanized area or adjacent urbanized areas. The



cooperation could occur through the metropolitan planning agreements..., through the development of joint planning products, and/or by other locally determined means.”

4.8.2 Observations

The Old Colony MPO is party to the Boston, MA-NH-RI urbanized area agreement which was ratified in January 2019. The agreement supersedes the previous 2003 agreement and reflects the collective planning responsibilities as a result of the 2010 Census urbanized boundary as well as changes in federal transportation planning requirements. The agreement includes 11 contiguous Metropolitan Planning Areas spanning across three states and includes appropriate reference to the coordinated data collection, analysis, and planning assumptions requirements across the MPAs. The agreement also makes reference to the separate air quality and performance-based planning responsibilities as required in statute. Separate agreements have been created to cover these joint responsibilities including the “Conduct of Air Quality Planning Coordination for Transportation Conformity” recently updated October 2019 and the “Performance-based Planning and Programming Agreement” created on April 2019.

MassDOT has been the lead agency in updating the Boston, MA-NH-RI agreement among the parties thus creating a framework that can be implemented elsewhere. Although most of the Old Colony region is within the Boston UZA, a portion of the the Barnstable UZA which is also served by the Southeast Massachusetts MPO and the Cape Cod MPO is within the Old Colony region. These three MPOs coordinate through the sharing of draft planning documents, ad hoc participation in each other’s MPO and JTC meetings, and coordination on multi-regional planning studies; however, formal agreements are yet to be executed.

4.8.3 Findings

Corrective Action: MassDOT, in cooperation with the MPOs, public transportation providers, and air quality resource agencies serving the Barnstable UZA, shall establish a written coordination agreement(s) according to the requirements at 23 CFR 450.312(h) and 450.314. Minimally, the resulting agreement shall address the division of responsibilities related to the coordination concerns referenced in the regulations.

Since the on-site review, this corrective action has been acknowledged. On February 18, 2020 a draft MOU was circulated for review and signature by the MPO.

4.9 Public Outreach and Involvement

4.9.1 Regulatory Basis

MPOs are required to engage in a metropolitan planning process that creates adequate opportunities 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, which requires the MPO to develop and implement a documented public participation plan that includes explicit procedures and strategies to include the public and other interested parties in the transportation planning process. Additionally, 23 CFR 450.324 and 23 CFR 450.326 require the MPO to create opportunities for public involvement, participation, and consultation throughout the development of the MTP and TIP, respectively.

Specific requirements include: providing adequate and timely notice of opportunities to participate in, or comment on, transportation issues and processes; employing visualization techniques to describe MTPs and TIPs; making public information readily available in electronically accessible formats; holding public meetings at convenient and accessible locations and times; demonstrating explicit consideration of, and responding to, public input; and periodically reviewing the effectiveness of the procedures and strategies contained in the public participation plan to ensure a full and open participation process

4.9.2 Observations

The MPO's Public Participation Plan (PPP) update was endorsed in March 2017. The PPP describes the public comment periods for the endorsement of the key certification documents (i.e., MTP, TIP, UPWP) and includes amendment and administrative modification procedures. Documented in the PPP, and reiterated during the on-site review, the MPO makes it clear that the PPP is a living document that will be reviewed at least once every five years, but could be reviewed and updated more often based on Federal and state requirements as well as ideas and feedback from the community. The MPO explained the methodology it uses to measure the effectiveness of its public involvement strategies (e.g., tracking the number of public outreach events, participants at meetings, public comments, survey responses), but these evaluation procedures are not well documented in the PPP, nor are the results of the effectiveness evaluation documented.

The MPO continues to demonstrate a strong public participation program that is framed by goals and guiding principles that reflect a process striving to be fully inclusive, fair, and accessible. The MPO uses a "toolbox of techniques" in order to increase the effectiveness of its public participation on its overall transportation planning process. Face-to-face techniques include public meetings and hearings, open houses, workshops, and targeted outreach gatherings. The MPO also utilizes a mix of outreach methods to distribute information, including the OCPC website, press releases, print advertisements, mailing and e-newsletters, brochures and fact sheets at local events, and various social media platforms.

The MPO provides evidence in its PPP of its efforts to have a fully inclusive public participation process, regularly and proactively reaching out to communities throughout the region that are traditionally underserved and underrepresented, including minorities and persons with disabilities and limited English proficiency. For example, the PPP includes protocols, templates, and checklists for planning and implementing different types of public outreach opportunities. This includes such things as outreach considerations (e.g., communities impacted by a project, cultural sensitivities) to meeting set-up (e.g., location and time, ADA compliant, language needs). The MPO regularly references its demographic data to understand where and when to increase its outreach efforts for particular Title VI populations, but at



a minimum publishes announcements in multiple languages that represent the region (e.g., Portuguese, Cape Verdean Creole, Haitian Creole, and Spanish). The MPO also consults with community leaders and community-based organizations to gather input on both community concerns as well as meeting times/locations and types of outreach methods that would maximize public involvement.

The MPO has been utilizing technology-based approaches in its public involvement efforts. Beyond utilizing its social media platforms and website to publish announcements and documents, the MPO administers electronic surveys, produces visualizations to present information more clearly, and utilizes real-time polling tools to collect feedback at various events. Other creative approaches in its “toolbox of techniques” stem from the MPO’s goal to provide solutions to cultural barriers. For instance, the MPO has developed a partnership with adult learning centers in the region that hold English classes for LEP students. During the recent MTP update, MPO staff brought materials to the classroom and led a discussion on the aspects of the planning process. Similarly, the MPO has worked with Stairway to Recovery in Brockton, MA to conduct outreach with community members struggling with addiction. MPO staff reached out to this group to learn about their challenges, particularly those who have lost licenses and are dependent on transit services, to help understand where transit and alternative transportation investments should be made throughout the region.

4.9.3 Findings

Commendation: The MPO is commended for its creative and proactive approaches to engage with community members in the region that are traditionally less likely to participate in the transportation planning process. For example, the MPO established partnerships with local organizations working with LEP communities and those struggling with substance abuse to present information about the transportation planning process and listen to the community members’ concerns and challenges that would then be included in the MTP update.

Recommendation: The MPO should formally document its public involvement evaluation methodology procedures in its PPP with qualitative and quantitative measures to evaluate and improve its process. Using this methodology, the MPO should regularly produce an evaluation of the effectiveness of its public involvement procedures that assesses the strategies and techniques employed and describe what worked well and what could be improved with recommendations for future efforts.

4.10 Title VI Civil Rights

4.10.1 Regulatory Basis

It has been the long-standing policy of U.S. DOT to actively ensure nondiscrimination under Title VI of the Civil Rights Act of 1964. Title VI 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.” Title VI



bars intentional discrimination (i.e., disparate treatment) as well as disparate-impact discrimination stemming from neutral policy or practice that has the effect of a disparate impact on protected groups based on race, color, or national origin. The planning regulations 23 CFR 450.336 require an MPO to self-certify that “the planning process . . . is being carried out in accordance with all applicable requirements of . . . Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21.” More specifically, the following authorities address the requirements for Notification and Complaint Procedures: 49 CFR 21.9(d); 28 CFR 35.107; 23 CFR 200.9 (b) (3); FTA C4702.1B, Chapter III, 5 & 6.

4.10.2 Observations

The analysis included the MPO as well as the various towns/cities which participate in the overall planning process to determine compliance with Title VI requirements. The review included complaints, access to meetings and evidence of continual analysis of census data to ensure members of protected groups identified under Title VI and other nondiscrimination statutes and those traditionally underserved by transportation service/facilities, are provided full opportunities to engage in the Old Colony MPO’s process. This analysis included the organization’s efforts to eliminate obstacles to allow/encourage full engagement in the planning process as well as areas for potential disparate impact discrimination stemming from neutral policies or practices which result in a disparate impact on protected groups based on race, color, or national origin.

The MPO is proactive in keeping apprised of the varying demographics within the community by utilizing Census Available Data (CAD) such as American Fact Finder and MassDOT Engage Tool. MassDOT’s Engage Tool is particularly noteworthy because it includes a Title VI feature that uses geospatial mapping to identify protected groups and those traditionally underserved by transportation.

The review of the MPO’s website revealed an easily located Title VI page. The information on the Title VI page clearly explains the federal Title VI/Non-discrimination requirements, Massachusetts State protections and an explanation of Environmental Justice. Furthermore, the Title VI page includes easily discerned information on how to file a Title VI Complaint, the MPO’s Title VI Coordinator, MassDOT’s Title Specialist and links to Old Colony Planning Commission (OCPC) Radio Ads in English, Spanish and Portuguese. This is demonstrative of the MPO’s concerted effort to allow/encourage the full engagement of the community.

4.10.3 Findings

Recommendation: While there is no indication or evidence of non-compliance with Title VI requirements, it is recommended the MPO host a brief training/workshop on disparate-impact discrimination for the representatives of the cities and towns that comprise the region. The intent is to take a proactive approach to ensure all sub-recipients of federal financial aid are knowledgeable of Title VI requirements which bars intentional discrimination as well as disparate-impact discrimination stemming from a neutral policy or practice that has the effect of a disparate impact on protected



groups based on race, color, or national origin. MassDOT which is the direct recipient federal financial aid may serve as the source or conduit for the training.

4.11 Title VI - Limited English Proficiency (LEP)

4.11.1 Regulatory Basis

As part of the planning and project development processes, seeking out and considering the needs of traditionally underserved, including Title VI /EJ populations, as well as providing timely notification to ensure ample opportunity to participate, is required. The following authorities address these requirements: 23 CFR 450.316(a) (1) (ii); 23 CFR 450.316(a) (1) (vii); 23 CFR 771.111(h) (2) (IV); FTA C4702.1B, Chapter III, 8.

4.11.2 Observations

The review team's analysis of Old Colony's compliance with Limited English Proficiency (LEP) included the organization's use of Census Available Data (CAD), MassDOT's Engage Tool and additional sources of data of LEP communities which assists in the planning, evaluation, and prioritization of projects. The analysis also included Old Colony's compliance LEP's four-factor which are:

- 1) The number or proportion of LEP person eligible to be served or likely to be encountered by the program or grantee;
- 2) The frequency with which LEP individuals come in contact with the program;
- 3) The nature and importance of the program, activity, or service provided by the program to people's lives; and
- 4) The resources available to the grantee/recipient or agency, and costs.

As referenced in the Title VI Section above, the MPO utilizes Census Available Data (CAD) – American Fact Finder, MassDOT's Engage Tool and other sources to keep abreast of the Title VI and LEP communities. In addition, the MPO closely collaborates with local community groups with constituents whose primary language is Spanish, Portuguese, Chinese, Haitian Creole, French Creole as well as other communities with the assistance of local community groups. In fact, representatives of the MPO teamed up with Community Partnership for Adult Education English class for students with Limited English Proficiency and discussed the Long-Range Transportation Planning process. Old Colony MPO prides itself in bringing transportation information to people in their own settings. The transportation planning organization demonstrates compliance with the requirements for Limited English Proficiency, however as learned from the on-site discussion, MPO staff have not fully developed a method to document their encounters with limited English speakers.

4.11.3 Findings



Commendation: The MPO's Title VI Coordinator works proactively to support the organization's compliance with the four-factor analysis requirements. His diligence and outreach efforts were evident with a personal appearance on a local public television program. He was also instrumental in identifying significant modification in the availability of Census Available Data (CAD) in American Fact Finder. He proactively sought the assistance of the research unit at the University of Massachusetts Amherst to further define critical LEP data.

Recommendation: The MPO should consistently document the frequency and number of persons contacted during the community outreach efforts. For example, the estimated number of listeners for radio ads or the number of persons enrolled in the Community Partnership for Adult Education English Class. This will further support the MPO's compliance with the second Four-Factor analysis requirement (the frequency with which LEP individuals come in contact with the program).

4.12 Environmental Mitigation

4.12.1 Regulatory Basis

The specific requirements for environmental mitigation are set forth at 23 CFR 450.324(f)(10), (g)(1)(2) and (j) – Development and content of the metropolitan transportation plan, and 23 CFR 450.316(a)(1)(2)(3) and (b) – Interested parties, participation and consultation. The specific requirements for climate resiliency are set forth at 23 CFR 450.324(f)(7) – Development and content of the metropolitan transportation plan

4.12.2 Observations

The latest MTP includes a discussion on the public participation and outreach consultation process that occurred during the development of the plan. The outreach and consultation process included and involved appropriate interested parties and environmental groups, including but not limited to, the Massachusetts Department of Environmental Protection, U.S. Environmental Protection Agency, and the Mashpee Wampanoag Tribe. As stated in the MTP, multiple stakeholder events (seven visioning workshops, eight open houses, and seven table events) were held to provide opportunities for the public, stakeholders, and interest groups to express their views on and become active participants in the transportation process. Information on these events was distributed through board briefings, press releases, printed ads, media packages, mailings and posted on the OCPC website. Environmental mitigation efforts, environmental protection, and climate change were discussed during the public visioning workshops and identified as vision initiatives of the Old Colony Region over the next twenty years.

Chapter 2 of the MTP identifies regional goals, objectives, and performance measures for the Old Colony region. Environmental Sustainability is listed as a goal within the region and is supported by seven objectives, two of which are further supported by targets and performance measures related to the



Congestion Mitigation and Air Quality (CMAQ) Program and reduction of greenhouse gas emissions and ground-level ozone by all transportation modes. Resiliency and Reliability of the Transportation System is also listed as a goal within the region and is supported by four objectives, one of which states: “Protect and strengthen transportation systems vulnerable to climate change through identification of at-risk transportation assets and development of protection measures for each category of asset.” To implement the MTP goals and objectives in project selection, the Old Colony MPO’s TIP Evaluation Criteria include -3 to +3 points which can be given to projects that meet (or do not meet) the Environmental and Air Quality / Climate Effects criteria.

Chapter 7 of the MTP focuses on transportation, the environment and climate. Sea level rise, changes in precipitation, rising temperatures, ocean warming and acidification, and extreme weather are noted as key climate change interactions that the region has faced and will continue to face. During the on-site review, the Old Colony MPO mentioned portions of Route 3A in Kingston and Plymouth have already been identified as vulnerable and at risk of 100-year coastal storm flooding events, as has the commuter rail in this area. The MPO also shared a 2010 Climate Change Transportation Impact Study during the on-site review, which studied the impacts climate change could have on the region’s transportation and land use infrastructure and included a series of maps that highlighted flood-prone areas along federal-aid and other eligible routes. The MPO appears to have a good understanding of resiliency in the region, as was highlighted when they mentioned resiliency consists of more than coastal flooding and sea-level rise; in 2015, their region experienced extreme snowstorm events.

4.12.3 Findings

The transportation planning process in the Old Colony region is consistent with the federal requirements for this topic area.

4.13 Intermodal Transportation Coordination

4.13.1 Regulatory Basis

Federal regulation makes clear the need for coordination across modes during the transportation



planning process. According to 23 CFR 450.306, the scope of the metropolitan planning process must include:

- Consideration of both motorized and non-motorized users;
- Enhancing the integration and connectivity of the transportation system, across and between modes, for people and freight; and
- Preparation of the coordinated public transit-human services transportation plan in coordination with the metropolitan transportation planning process.

Furthermore, 23 CFR 450.316 calls for a planning process that incorporates input from public transit riders, pedestrians, bicyclists, providers of private transportation, and airports; and 23 CFR 450.324 specifies that the MTP should include consideration of “pedestrian walkways and bicycle facilities.”

4.13.2 Observations

It is evident that the MPO has a very close relationship with Brockton Area Transit (BAT), the region’s primary public transit agency. During the on-site review, both the MPO and BAT commented on the high level of cooperation and coordination between the two agencies. BAT contracts with the Old Colony MPO to do most of their planning work and the BAT Administrator serves as Vice-Chair of the MPO. This relationship fosters a close working relationship between the two agencies and makes them aware of each other’s activities.

The MPO provides technical assistance and guidance related to multi-modal Complete Streets projects. For example, the successful redevelopment of Main Street in Brockton was highlighted. The two-way traffic flow was altered to a one-way traffic flow to enhance bicycle and pedestrian amenities and overall safety throughout the corridor. The MPO’s technical expertise and extensive public outreach were instrumental since the inception of the project.

There is a small, but growing, bicycle and pedestrian advocacy movement in the Old Colony region. The JTC has a bicycle and pedestrian advisory sub-committee which meets quarterly. MPO staff serve on the Massachusetts Bicycle and Pedestrian Advisory Board, coordinate closely on a regional bicycle plan with SRPEDD, and are developing a Bicycle and Pedestrian Plan to study where the most beneficial improvements could be made throughout the Old Colony region.

4.13.3 Findings

Commendation: We recognize the MPO and BAT for their high degree of inter-agency coordination and integration on transit planning efforts.



4.14 Safety

4.14.1 Regulatory Basis

49 U.S.C. 5303 requires MPOs to consider safety as one of the eight planning factors. As stated in 23 CFR 450.306, the metropolitan transportation planning process provides for consideration and implementation of projects, strategies, and services that will increase the safety of the transportation system for motorized and non-motorized users.

4.14.2 Observations

The MPO reports that the Strategic Highway Safety Plan (SHSP) process had been collaborative, with coordination between MassDOT, MPOs and public safety agencies (e.g. state police). MPO staff have been involved in emphasis area working groups, and selected emphasis areas are included in regional plans, based on what is within MPO's purview.

As part of its MTP, the MPO has adopted safety performance measures and targets beyond the federally required measures. The regionally-developed measures include programming of highway safety funds, transit safety measures for fixed route and demand response services, and implementation of the Safe Routes to School (SRTS) program. As reflected by inclusion as a performance measure, the region has continued its emphasis on SRTS participation by area schools. The MPO also continues its practice of conducting road safety audits, reviewing crash data, and considering safety strategies as part of its safety management system, as documented in its UPWP.



4.14.3 Findings

The transportation planning process in the Old Colony region is consistent with the federal requirements for this topic area.





APPENDIX A - ON-SITE MEETING SIGN-IN SHEETS


OLD COLONY PLANNING COUNCIL
 70 SCHOOL STREET
 BROCKTON, MA 02301-4097
 www.ocpcrpa.org
 

Metropolitan Planning Organization (MPO)
ATTENDANCE SHEET
 DATE: October 15, 2019 - 10:00 A.M.

NAME	TOWN/AGENCY	EMAIL
Kyle Mowatt	OCPC	
Brandon Wilcox	FHWA	brandon.wilcox@dot.gov
Leah Simon	FTA	leah.simon@dot.gov
JAMES DOWNEY	PLYMOUTH	jdawney@townhall.plymouth.ma.us
Nicholas Gregoratos	Brockton - Mayor's Office	ngregoratos@brockton.ma.us
Melissa Lambert	DAT	
Stephen Wulfel	MassDOT	Steve.Wulfel@state.ma.us
Pamela Hazzen	MassDOT	Pamela.Hazzen@state.ma.us
DAVID SALUCCI	Whitman BOS	
ELDON F. MORFITT	WEST BARNSTABLE	
Will McNulty	OCPC	wmcnulty@ocpcrpa.org
Charles Kima	OCPC	ckima@ocpcrpa.org
Joe Scardino	Town of Stoughton	josephscardino@yahoo.com
John Norcen O'Toole	JTC	notoole1234@yahoo.com
Ryan Bartlett	FTA	ryan.bartlett@dot.gov
Wz Williams	MassDOT	elizabeth.e.williams@state.ma.us
Ben Muller	MassDOT	Benjamin.Muller@state.ma.us
Michelle Grenier	Haverhill - Planner	michelle.grenier@haverhill-ma.gov
Mary Waldron	BSU / CEDS chair	mary.waldron@brockton.ma.us
Robert Moran	City of Brockton	robert.moran@nationalgrid.com
John Bailey	OCPC	
Phil Shepard	MassDOT - Retired	
Pat Ciaramella	OCPC	
Anna Hughes	OCPC	ahughes@ocpcrpa.org
Cheryl Ann Senior	MassDOT	cherylann.senior@state.ma.us
Chris Timmel	FHWA	CHRIS.TIMMEL@DOT.GOV
Raymond Guarino	OCPC	
Paul Chevrolet	OCPC	pchevrolet@ocpcrpa.org



FHWA/FTA Transportation Planning Certification Review (2019)

Old Colony Metropolitan Planning Organization

70 School Street, Brockton, MA 02301

Sign in Sheet – MPO Certification Mtg November 6, 2019

Name	Affiliation	Contact
Brandon Wilcox	FHWA	brandonwilcox@dot.gov
Leah Simm	FTA	leah.simm@dot.gov
Chris Timmel	FHWA	Chris.timmel@dot.gov
Cassie Ostrander	FHWA	cassandra.ostrander@dot.gov
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Jacqueline Jones	SRPEDD	jjones@srpedd.org
Noreen O'Toole	JTC/	notoole1234@yahoo.com



APPENDIX B – ON-SITE MEETING AGENDA

Old Colony Metropolitan Planning Organization Transportation Planning Certification Review

70 School Street
Brockton, MA 02301
November 6, 2019
Teleconference +1 (872) 240-3311 : Guest Code 612-176-205

Agenda

- 8:30 -8:45 **Introductions & Opening Remarks**
- 8:45-9:15 **Old Colony MPO Showcase**
- Activities/Accomplishments
- 9:15-9:45 **MPO Organizational Structure & Involvement**
- MPO Memorandum of Understanding
 - Joint Transportation Committee (JTC) Involvement
- 9:45-10:45 **Metropolitan Planning Process and Key Documents**
- Performance-Based Planning and Programming
 - Financial Planning & Project Programming
 - Long-Range Transportation Plan
- 10:45-11:00 *15-Minute Break*
- 11:00-12:00 **Metropolitan Planning Process and Key Documents (cont.)**
- Congestion Management Process
 - Transportation Improvement Program
- 12:00-12:30 *Lunch Break*
- 12:30 – 2:00 **Brockton Area Transit (BAT) Site Visit**
- 2:00-3:00 **Coordinated, Cooperative, and Comprehensive Planning Process**
- Intermodal Coordination
 - Environmental Mitigation/Climate Resiliency
 - Regional Models of Cooperation
- 3:00-3:15 *15-Minute Break*
- 3:15-3:45 **Civil Rights & Public Participation**
- Public Involvement Process
 - Title VI & EJ/LEP Populations
- 3:45-4:15 **Planning Focus Areas**
- Safety Planning
 - Emerging Technologies
- 4:15-4:30 **Certification Wrap up**



APPENDIX C – NOTIFICATION LETTER AND PUBLIC NOTICE



U.S. Department
of Transportation

Federal Highway Administration
MA Division
55 Broadway, 10th Floor
Cambridge, MA 02142-1093
617-494-3657
617-494-3355 (fax)

Federal Transit Administration
Region I
55 Broadway, Suite 920
Cambridge, MA 02142-1093
617-494-2055
617-494-2865 (fax)

September 10, 2019

Stephanie Pollack
Secretary and Chief Executive Officer
Massachusetts Department of Transportation
10 Park Plaza, Suite 3170
Boston, MA 02116

Subject: Old Colony Metropolitan Planning Organization Planning Certification Review


Dear Secretary Pollack:

Fixing America's Surface Transportation (FAST) Act continues the requirement for certification of the transportation planning process in urbanized areas with populations exceeding 200,000. The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) jointly conduct these reviews on a four-year cycle for each Metropolitan Planning Organization (MPO) within these areas. The purpose of these reviews is to certify the cooperative planning process conducted by the MPO, State, and operators of public transportation. Our approach is to provide an open forum for the exchange of information and ideas that will serve to identify effective practices, as well as opportunities for improvement.

The FHWA and FTA will conduct their next joint certification review of the Old Colony MPO scheduled for November 6, 2019. This review will be located at the Old Colony Planning Council, 70 School Street, Brockton, MA 02301. All participants in the planning process are encouraged to attend.

If you have any questions, please feel free to contact Brandon Wilcox, FHWA Community Planner, at (617) 494-3610 or Leah Sirmin, FTA Community Planner, at (617) 494-2459.

Sincerely,


Jeffrey H. McEwen, P.E.
Division Administrator
Federal Highway Administration


Peter Butler
Regional Administrator
Federal Transit Administration

cc: David Mohler, Executive Director, Office of Transportation Planning
Pasquale Ciaramella, Executive Director, Old Colony Planning Council
Charlie Kilmer, Transportation Program Manager, Old Colony Planning Council
Michael Lambert, Administrator, Brockton Area Transit
Bryan Pounds, Manager of MPO Activities, Office of Transportation Planning



U.S. Department
of Transportation

Public Meeting by
Federal Highway Administration and Federal Transit Administration
on the
Old Colony Metropolitan Planning Organization (MPO)
Transportation Planning Process
Date: Tuesday, October 15, 2019
Time: 10:00 am – 12:00 pm
Location: Old Colony Planning Council
70 School Street
Brockton, MA 02301

You are invited to participate in an evaluation of the transportation planning process in the Old Colony region.

Every four years, the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) are required by law to review the metropolitan transportation planning process conducted by the Old Colony MPO and its partners in order to certify that they are carrying out the process in accordance with all applicable Federal requirements.

As part of this review, the Federal agencies would like to hear from members of the public on their views of how the metropolitan transportation planning process is conducted in the region.

Please attend the public meeting conducted by FHWA and FTA, to be held during the regularly scheduled Old Colony MPO meeting. If you are unable to attend, you may also submit your comments or observations in writing before November 8, 2019 to:

FHWA: Jeffrey McEwen, Division Administrator
55 Broadway, 10th Floor, Cambridge, MA 02142
Email: brandon.wilcox@dot.gov

OR

FTA: Peter Butler, Regional Administrator
55 Broadway, Suite 920, Cambridge, MA 02142
Email: leah.sirmin@dot.gov

Please note that the meeting location is accessible via the Brockton Area Transit (<http://www.ridebat.com/>) and the MBTA Commuter Rail (<http://mbta.com/>). In addition, OCPC has secure bicycle parking available.

This meeting is accessible to people with disabilities and those with limited English proficiency. Accessibility accommodations and language services will be provided free of charge, upon request, as available. Please contact Pat Ciaramella at 508-583-1833 Extension 202 for more information.



APPENDIX D - PREVIOUS FINDINGS AND DISPOSITION

The last certification review for the Old Colony MPO was conducted in 2016 with an on-site meeting on March 17, 2016. The joint FHWA/FTA recertification letter and final report was issued on August 25, 2016. The 2016 Certification Review recommendations and their dispositions are summarized as follows.

Old Colony MPO 2016 Certification Findings (as of 9/30/19)

Recommendations from 2015	Status
<p>(1) MTP - In all future updates of the MTP the MPO should include a full discussion of the modeling results, anticipated future demand, and how implementation of the plan will impact that demand and the transportation system within the region. Additionally, the adoption of performance metrics and targets will likely expand the use of the model as a predictive tool for understanding trade-offs among regional investment priorities, further increasing the importance of including a discussion of forecasting processes and results.</p> <p>In the next MTP update, the MPO should ensure the plan establishes clear priorities and includes implementation steps for regional partners to advance any recommended strategies, along with specific capital projects.</p>	<p>(1) Completed. The 2020-2040 Long Range Transportation Plan includes discussion in Chapters 3 and 4. Chapter 3 - Regional Profile and Livability provides an overview of the socio-economic forecasts through 2040. Chapter 4 - Regional Highway System provides information and discussion on traffic volume trends, existing bottlenecks, and provides recommendations to manage traffic growth and demand.</p> <p>Completed. Chapter 10 - Conclusion, Potential Planning Scenarios, and Recommendations of the 2020-2040 MTP provides a discussion and listing of specific fiscally constrained capital projects.</p>
<p>(2) TIP - A financial constraint demonstration for all modes (i.e., transit) should be cooperatively developed among MassDOT, BAT, and the MPO. This will require the need for an early exchange of financial information and coordination of an acceptable format for all parties.</p>	<p>(2) Completed. The endorsed FFY 2020-2024 Old Colony TIP demonstrate financial constraint by providing a direct comparison of available revenue and regional targets to projects and expenditures programmed. In addition, each highway program year contains a fiscal constraint analysis. Regarding transit, a fiscally constrained listing of transit projects (Operations and Capital) is provided through GrantsPlus (after review and concurrence by MassDOT Rail & Transit and MassDOT OTP). Additionally, fiscal constraint summary tables are provided for both highway and transit projects.</p>



<p>(3) Financial Planning - The MPO, MassDOT, and transit providers should ensure their planning agreements reflect the joint responsibility of developing financial revenue projections that meet the needs of all parties.</p>	<p>(3) In Progress- Development of a planning agreement has not begun. However, the MPO is working to collect examples of applicable agreements</p>
<p>(4) List of Obligated Projects - The MPO, MassDOT, and transit authority should better define their collaborative role in completing the annual listing of obligated projects. Further, the report should contain all the required elements and projects as required in 23 CFR 450.332.</p>	<p>(4) In Progress - This overall topic was discussed at the November 14, 2017 meeting of the Transportation Program Managers Group. It was suggested that a utility be added to GrantsPlus to generate an obligation report for the transit providers. This would allow the MPOs to use GrantsPlus to consistently obtain the information. MassDOT OTP currently provides the non-transit obligations (both regional and statewide projects).</p> <p>OCPC worked with BAT and MassDOT to obtain the FFY 2017 Obligations and subsequently prepared the FFY 2017 Obligation reported and it is posted on the OCPC Website. http://www.ocpcrpa.org/docs/mpo/FFY_2017_Annual_Listing_of_Obligated_Projects.pdf</p> <p>OCPC worked with BAT and MassDOT to obtain the FFY 2018 Obligations and subsequently prepared the FFY 2018 Obligation reported and it is posted on the OCPC Website. http://www.ocpcrpa.org/docs/mpo/FFY_2018_Annual_Listing_of_Obligated_Projects.pdf</p>
<p>(5) Self-Certifications - The Review Team recommends the MPO provide due consideration of the self-certification compliance statement to ensure board members have time to review and understand the requirements. This may be done through a discussion of the requirements prior to adoption of the TIP.</p>	<p>(5) Completed.</p> <p>Due consideration of the self-certification compliance statement was provided at the May 21, 2019 Old Colony MPO Meeting. The self-certification compliance statement was included as its own agenda item. The OCPC Staff discussed and provided an overview of the self-certification statement and summarized each of the ten (10) items in the statement. Such due consideration will be provided annually.</p>
<p>(6) Congestion Management Process - In accordance with 23 CFR 450.320(c)(5), the MPO should develop a method to ensure proposed strategies consistently have an identified implementation schedule, implementation responsibilities, and possible funding sources.</p>	<p>(6) In Progress -The MPO staff is researching examples of such method(s).</p>



(7) MPO Organization Structure - The Old Colony MPO must work with the Boston Region MPO to clearly define and document its metropolitan planning area boundaries to ensure no overlap occurs. In accordance with 23 CFR 450.312(j), once the Governor has approved the MPA boundaries, the MPO should provide a copy of the boundaries to FHWA and FTA for informational purposes.

The MPO should conduct a comprehensive review of local representation on the board, including gathering specific feedback from entities that are not currently voting members, to determine if a change to the voting structure is warranted.

The JTC should develop updated by-laws, consistent with the latest MOU.

The MPO should look for ways to formalize roles and responsibilities for performance-based planning and programming, either in the MPO's MOU or other related documents.

(7) In Progress - Correspondence explaining the circumstance was sent to the common communities in June 2017. The correspondence requested that the common communities each select which MPO (Old Colony or Boston) that they want to be affiliated with for the metropolitan transportation planning process. All four common communities chose the Old Colony MPO. Copies of the community correspondence documenting their respective decision has been provided to FHWA and MassDOT.

At the January 16, 2018 Old Colony MPO Meeting, the Old Colony MPO reviewed and approved the Adjusted MPO Boundary to include the four (4) common communities in their entirety.

The Old Colony MPO is coordinating with FHWA and MassDOT as to what the next steps would entail.

A review and trend analysis of the local signatory representation date back to 2003 has been completed. From the analysis, communities have served the local signatory spots even if they did not have projects in the TIP. From the review, it was determined that no changes to the voting structure are warranted at this time.

Completed.
On June 6, 2019, the Old Colony JTC approved the updated Old Colony JTC By-Laws.

Completed.
On April 16, 2019, the Old Colony MPO endorsed the Performance-Based Planning and Programming Agreement (by and among MassDOT, MBTA, MPOs, and RTAs).



<p>(8) Interagency Agreements and Consultation- The MPO should update its regional inter-agency MOU to include all MPOs in the Boston UZA, as defined by the 2010 U.S. Census.</p> <p>The Review Team recommends updating the current MOU between the MPOs, MassDOT, the Department of Environmental Protection (DEP), and providers of public transportation, with the intent to recognize the reorganization of the various transportation agencies under the MassDOT umbrella. This agreement was signed in 1996 and there is a need to develop a new MOU that will recognize the roles of all agencies including MassDOT.</p>	<p>(8) Completed. The Draft Boston UZA MOU was presented and discussed the October 2018 Old Colony MPO Meeting. Review and endorsement of the Draft Boston UZA MOU took place at the November 2018 Old Colony MPO Meeting.</p> <p>Completed. The Revised Draft Air Quality Planning MOU was reviewed and endorsed by the Old Colony MPO at their July 16, 2019 Meeting.</p>
<p>(9) Intermodal Coordination - Transit projects should be programmed on the TIP by the MPO in which a community sits. Transit projects located within the boundary of Plymouth should be reflected on the Old Colony TIP, at a minimum for informational purposes. Additionally, language should be added to the MPO's Metropolitan Planning Agreement committing to increased planning coordination across RTA boundaries.</p>	<p>(9) Completed - The endorsed FFY 2020-2024 Old Colony TIP contains the GATRA Transit projects and service in the Appendix for informational purposes.</p>
<p>(10) Public Outreach - It is unclear if the PPP includes a provision that provides for additional opportunity for public comment if their TIP or MTP released for public review differs significantly from the version that was made available to the public. The MPO should include a provision in the PPP that addresses this regulatory requirement.</p>	<p>(10) Completed. This recommendation has been addressed. The PPP endorsed by the Old Colony MPO on March 21, 2017 contains the recommended provision.</p>



<p>(11) Title VI Notice and Compliant Procedures– The MPO should test its web site translator to determine if any changes in text formatting would make it more effective. With respect to the MPO’s Title VI/Nondiscrimination Complaint Procedures, the MPO should seek the assistance of MassDOT’s Title VI Specialist to identify areas for revision in light of the above discussion. For example, the MPO might find it appropriate to delete Section 3.0, “Appeals,” but transfer some of the content to Section 2.0, “Resolution,” which should also advise complaints that they may file directly with FHWA, as well as FTA, or, simply, U.S. DOT.</p>	<p>(11) Completed. Ongoing checks underway</p> <p>The following is the Title VI/ Nondiscrimination Procedure and it is posted on the Old Colony Website (it is also provided in multiple languages: http://www.ocpcrpa.org/docs/title_vi/Title_VI_Complaint_Form.pdf</p>
<p>(12) Title VI and Nondiscrimination Data – The MPO is encouraged to continue expanding its data collection and analysis to encompass all persons protected under the Environmental Justice Order, Title VI and other nondiscrimination authorities. The MPO should continue to use data relevant to each of its analysis by planning component (i.e., transit or highway) to identify trends or patterns affecting access or equity in the program.</p>	<p>(12) Ongoing - The MPO continues the recommended data collection, analysis, and identification in ongoing planning efforts.</p>
<p>(13) Title VI and Nondiscrimination Outreach – The MPO should conduct a self-assessment regarding its consistency in notifying the public of how to request public meeting accommodations. In all of its public meetings, whether intended to provide an active exchange with the public or merely “open” to the public, the MPO should</p>	<p>(13) Ongoing – The MPO notifies via electronic mail, website, paper mail etc. The following information is included on Meeting Agenda: “This meeting is accessible to people with disabilities and those with limited English proficiency. Accessibility accommodations and language services will be provided free of charge, upon request, as available. Please contact Pat Ciaramella at 508-583-1833 Extension 202 for more information.” In addition, at the start of the JTC and MPO meetings, a Title VI/ Nondiscrimination Notice of Protection Statement and an Accessibility Statement is read aloud by the Chairperson.</p>



<p>(14) Limited English Proficiency (LEP)</p> <p>The MPO should continue to sustain its work in this area. In this regard, the MPO should continue to seek innovative methods to ensure cost-effective communication and meaningful access to LEP persons. In its next revised Four-factor Analysis, the MPO should articulate more specifically how it is applying the safe harbor provisions, particularly with respect to vital information that is a “one- time” cost and made available without request vs. the type of written information that is periodically revised and more voluminous. The MPO’s method for providing this information should be grounded in its Four-factor analysis.</p>	<p>(14) Ongoing -</p> <p>Staff is continuing the update of the Four-factor analysis.</p>
<p>(15) Environmental Mitigation</p> <p>The Review Team recommends that the MPO include more robust discussions of the resources present in the Old Colony region including the threats to and potential mitigation strategies. These discussions would also include maps depicting the locations of the regional environmental resources. The Review Team also recommends that the MPO map projects included in the MTP related to the locations of the various regional environmental resources and use that information to help inform potential mitigation strategies.</p>	<p>(15) – Ongoing</p> <p>Chapter 7 - Transportation, the Environment, and Climate of the 2020-2040 MTP includes a discussion of the various regional environmental resources and how they may inform potential mitigation strategies.</p>



APPENDIX E – FHWA Performance Measures and Targets

Performance Area	Performance Measure	Performance Period	Performance Target	Date MassDOT Established Target	Date MPO Established Target
Highway Safety	Number of fatalities	January 1, 2014 to December 31, 2018	352	August 30, 2017	January 16, 2018
		January 1, 2015 to December 31, 2019	353	August 31, 2018	January 15, 2019
	Rate of fatalities	January 1, 2014 to December 31, 2018	0.61/100 million VMT	August 30, 2017	January 16, 2018
		January 1, 2015 to December 31, 2019	0.58/100 million VMT	August 31, 2018	January 15, 2019
	Number of serious injuries	January 1, 2014 to December 31, 2018	2896	August 30, 2017	January 16, 2018
		January 1, 2015 to December 31, 2019	2801	August 31, 2018	January 15, 2019
	Rate of serious injuries	January 1, 2014 to December 31, 2018	5.01/100 million VMT	August 30, 2017	January 16, 2018
		January 1, 2015 to December 31, 2019	4.37/100 million VMT	August 31, 2018	January 15, 2019
	Number of non-motorized fatalities and	January 1, 2014 to December 31, 2018	541	August 30, 2017	January 16, 2018



	non-motorized serious injuries	January 1, 2015 to December 31, 2019	541	August 31, 2018	January 15, 2019
Pavement Condition	Percentage of pavements of the Interstate System in good condition	January 1, 2018 to December 31, 2021	70% for 2020 and 2022	May 20, 2018	October 16, 2018
	Percentage of pavements of the Interstate System in poor condition	January 1, 2018 to December 31, 2021	4% for 2020 and 2022	May 20, 2018	October 16, 2018
	Percentage of pavements of the non-Interstate NHS in good condition	January 1, 2018 to December 31, 2021	30% for 2020 and 2022	May 20, 2018	October 16, 2018
	Percentage of pavements of the non-Interstate NHS in poor condition	January 1, 2018 to December 31, 2021	30% for 2020 and 2022	May 20, 2018	October 16, 2018
Bridge Condition	Percentage of NHS bridges classified as in good condition	January 1, 2018 to December 31, 2021	15% for 2020 and 16% for 2022	May 20, 2018	October 16, 2018
	Percentage of NHS bridges classified as in poor condition	January 1, 2018 to December 31, 2021	13% for 2020 and 12% for 2022	May 20, 2018	October 16, 2018



Travel Time Reliability	Percent of the person-miles traveled on the Interstate that are reliable	January 1, 2018 to December 31, 2021	68% for 2020 and 2022	May 20, 2018	September 18, 2018
	Percent of the person-miles traveled on the non-Interstate NHS that are reliable	January 1, 2018 to December 31, 2021	80% for 2020 and 2022	May 20, 2018	September 18, 2018
Freight Reliability	Truck Travel Time Reliability (TTTR) Index	January 1, 2018 to December 31, 2021	1.85 for 2020 and 2022	May 20, 2018	September 18, 2018

APPENDIX F – FTA Performance Measures and Targets

Category	Class	Metric	Performance Target for FY 2019	Total Number of Vehicles	# of Vehicles that exceed ULB - FY 2018	% of Fleet that exceeds ULB - FY 2018
Rolling Stock	Buses	X% of fleet that exceeds default ULB of 14	0.00%	46	0	0.00%
	Cutaway Buses	X% of fleet that exceeds default ULB of 10	0.00%	4	0	0.00%



	Vans	X% of fleet that exceeds default ULB of 8	5.00%	58	6	10.34%
Equipment	Non-Revenue Service Vehicle	X% of non-revenue service vehicles that exceeds default ULB of 8	20.00%	10	2	20.00%
Facilities	Admin/Maintenance Facility	X% of facilities rated under 3.0 on Term scale	0.00%	3	0	0.00%



APPENDIX G – Federal Review Team

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APPENDIX H – LIST OF ACRONYMS

ADA: Americans with Disabilities Act
CAA: Clean Air Act
CFR: Code of Federal Regulations
CMP: Congestion Management Process
DOT: Department of Transportation
EJ: Environmental Justice
FAST: Fixing America’s Surface Transportation Act
FHWA: Federal Highway Administration
FTA: Federal Transit Administration
HSIP: Highway Safety Improvement Program
LEP: Limited-English-Proficiency
MAP-21: Moving Ahead for Progress in the 21st Century
MPA: Metropolitan Planning Area
MPO: Metropolitan Planning Organization
MTP: Metropolitan Transportation Plan (also known as “Long-Range Transportation Plan” or “Regional Transportation Plan”)
NPMRDS: National Performance Measures Research Data Set
PIP: Public Involvement Plan
SHSP: Strategic Highway Safety Plan
STIP: State Transportation Improvement Program
TDM: Travel Demand Management
TIP: Transportation Improvement Program
TMA: Transportation Management Area
U.S.C.: United States Code
UPWP: Unified Planning Work Program
USDOT: United States Department of Transportation





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