



## NORTHEAST OHIO AREAWIDE COORDINATING AGENCY

### MEMORANDUM

**TO:** NOACA Board of Directors

**FROM:** Grace Gallucci, Executive Director

**DATE:** June 3, 2016

**RE:** Resolution 2016-023 – Regional Transportation Investment Policy Revisions

#### **ACTION REQUESTED**

The Board of Directors is asked to approve revisions to the Regional Transportation Investment Policy (RTIP). Specifically, this action approves revisions to RTIP Chapter III. Project Planning Requirements and Guidance and Chapter IV. Plan and TIP Update and Amendment.

The Policy Committee recommends this action.

#### **BACKGROUND/JUSTIFICATION FOR CURRENT ACTION**

The RTIP represents NOACA's policy for planning, programming and prioritizing federal-aid transportation investments for the region. It contains policy sections related to project planning requirements, Long-range Transportation Plan (Plan) and Transportation Improvement Program (TIP) amendment, funds management, and public involvement. Per the policy, all revisions will be presented to the Board of Directors for approval.

The RTIP was updated in 2015 with general revisions to bring it up to date with organizational and legislative changes since its last revision, and for specific policy sections related to Urban Core Communities, Environmental Justice Urban Core Communities, Toll Credits, and Management of Project Cost Increases. At that time, staff committed that it would continue to work with the committee to achieve a comprehensive evaluation of the RTIP's policies and procedures and recommend additional revisions as appropriate. NOACA staff has completed its evaluation and has developed recommended revisions to review with the Committee related to the following policy areas:

1. Chapter III. Project Planning Requirements and Guidance – Project planning requirements to be met by projects wanting to advance to the Plan and TIP.
2. Chapter IV. Plan and TIP Update and Amendments – NOACA's process for identifying, evaluating, programming and modifying projects to/on the Plan and TIP.

The foundation for the proposed revisions is the Board approved NOACA Regional Strategic Plan: *Going Forward, Together*. These revisions will direct staff, Committees and the Board in the prioritization of resources in the periodic update of the Plan and TIP. While ensuring that all areas of the region have access to funding resources and that they are distributed fairly and equitably.

Staff presented this item for information to the Policy Committee at its January 2016 meeting, and for recommendation of approval at its April 8, 2016. The revised draft policy documents are attached.

**FINANCIAL IMPACT**

There is no financial impact at this time.

**CONCLUSION/NEXT STEPS**

Pending Board approval, the revisions will be incorporated into the RTIP document and will be utilized to guide the evaluation and amendment of projects to the NOACA Plan and TIP.

GG/r/2915b

## **DRAFT RTIP Chapter III - Planning Requirements and Guidance for Transportation Projects**

### **A. NOACA Planning Requirements**

The planning requirements are utilized by NOACA staff and committees during Project Planning Review (PPR) to evaluate proposed projects and develop conditions to be addressed prior to advancement to the NOACA Transportation Improvement Program (TIP). Project sponsors must demonstrate compliance with the following planning requirements throughout project development, construction, maintenance and operation.

#### **STRENGTHEN regional cohesion**

- (1) NOACA will prioritize resources for projects that are the result of regional collaboration, providing far reaching cross-jurisdictional benefit. Sponsors are encouraged to develop projects that promote partnership in the funding, implementation and maintenance of projects.
- (2) Proposed projects must be identified as a need in and be consistent with adopted planning documents such as a master plan, capital improvement program, NOACA's plans, or other special area study.
- (3) Project sponsors must demonstrate coordination with all impacted parties responsible for the construction, maintenance and operation of the facility – including, but not limited to local jurisdictions, ODOT districts, county engineers, transit agencies, utilities, and sewer districts and other service providers impacted by the project.
- (4) Project sponsors must demonstrate that the project is a result of thorough public involvement and consensus. Project sponsors are required to ensure the participation of all potentially affected communities in the decision-making process, including review by adjacent jurisdictions and other stakeholders that would be impacted by the project.

#### **PRESERVE existing infrastructure**

- (5) NOACA will prioritize resources for projects that preserve or enhance currently developed areas of the region, connect existing activity centers, reinvigorate existing communities, ensure efficient freight movement, and support development in higher density areas.
- (6) Projects must meet established NOACA preservation targets. Project sponsors are advised that when identifying local priority projects, federal funding is prioritized for preservation and system enhancement projects that create regional and national benefits.
- (7) Projects are encouraged to align different preservation needs within one project; including but not limited to modal improvements, utilities, sewer work, storm water, and green infrastructure.
- (8) The NOACA share for highway capacity projects or highway projects with capacity elements (e.g. new roadways, major widening) is limited to up to 50 percent funding participation, requiring a 50 percent non-federal match.
- (9) Projects that meet the Ohio Transportation Review Advisory Council (TRAC) policy criteria must be approved as a TRAC priority project (Tier I, II, or III) prior to being eligible for NOACA administered funds.

**BUILD a sustainable multimodal transportation system**

- (10) NOACA will prioritize resources toward projects that ensure the safe and efficient operation of the roadway and corridor for all users, including but not limited to pedestrians, bicyclists, users of mass transit, people with disabilities, the elderly, motorists, freight providers, emergency responders, and adjacent land users.
- (11) Sponsors are required to consider bicycles, pedestrians and transit access improvements in the planning and design of their proposed project. In particular, sidewalks, bike facilities, street crossings (including over- and under-crossings), pedestrian signals, signs, street furniture, transit stops and facilities, and all connecting pathways should be designed, constructed, operated and maintained so that all modes and pedestrians, including people with disabilities, can travel safely and independently. The project may not warrant consideration if one or more of the following conditions are met:
- The project is limited exclusively to resurfacing or other maintenance type activities. In these cases pavement striping for bike lanes, cross walks, signage, or other low-cost bicycle and pedestrian countermeasures may still be recommended.
  - Bicyclists and pedestrians are prohibited by law from using the transportation corridor. In this instance, a greater effort may be necessary to accommodate bicyclists and pedestrians as an alternate to the transportation corridor.
  - The cost of establishing bikeways or walkways that meet applicable standards would exceed 20% of the cost of the larger transportation project. This percentage is not a target for expenditure; it is a benchmark for assessing when provision of bicycle or pedestrian facilities is too costly for consideration.
  - There are extreme topographic or natural resource constraints.
  - The project is located on a low-volume roadway that is not projected to carry significant bicycle or pedestrian usage, or that does not carry or provide access to fixed route transit service.
- (12) The design and development of the transportation facility should improve conditions for all users by:
- a. Designing context-appropriate facilities in accordance with available standards and guidance that best ensures safety and efficient operation for all users. The design of facilities for bicyclists, pedestrians and transit facilities should follow recognized design guidelines and standards, such as the AASHTO Guide for the Development of Bicycle Facilities, AASHTO's Policy on Geometric Design of Highways and Streets, the ITE Recommended Practice "Design and Safety of Pedestrian Facilities", Americans with Disabilities Act Accessibility Guidelines, or other recognized and acceptable design publication.
  - b. Prioritizing safety and acceptable levels of service equally for all modes. Safety improvements for any one mode will not be minimized in order to achieve improved level of service for any one mode. Designing intersections and interchanges to accommodate bicyclists, pedestrians, and transit riders in a manner that is safe and accessible.

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- (13) Sponsors must demonstrate how the project advances multi-modal connectivity and access to adjacent land uses and destinations within the corridor.
- (14) The project sponsor must anticipate likely future demand for all modes and not preclude the provision of future improvements.

**SUPPORT economic development**

- (15) NOACA will prioritize resources for projects that support economic development where the existing infrastructure system can accommodate the development, with special emphasis given to projects involving designated intermodal connectors. If a project is expected to increase freight traffic, the project sponsor must demonstrate the effect this increased volume will have on the facilities adjacent to the proposed project.
- (16) Project sponsors must demonstrate how their project contributes to closing the regional job-housing disconnect by identifying impacted populations, job centers served by the transportation project, and multi-modal access provided by the corridor and by specifying improvements to the corridor.
- (17) To demonstrate benefits from economic development that is anticipated as a result of the corridor improvements, project sponsors are required to submit a cost-benefit-analysis, illustrating anticipated revenue from development and documenting new jobs that will be created for the region and how residents of the NOACA region as a whole are made better off as a result of the project. Projects providing a stated commitment from tax-paying or job creating entities will be prioritized over speculative development.
- (18) Where system expansion is necessary to accommodate economic growth, project sponsors are required to leverage the benefits that private entities will accrue due to the construction of the project (through public-private partnerships, tax increment financing, business improvement districts, or other best practices) to cover construction and maintenance costs.

**ENHANCE quality of life in northeast Ohio**

- (19) NOACA will prioritize resources for projects that improve safety, reduce congestion, reduce environmental impacts, and support multi-modal transportation options to enhance livability for all users on or adjacent to the transportation system.
- (20) Project sponsors must address all existing or projected safety issues for all users of the transportation facility. The proposed project must contain appropriate counter measures that mitigate identified safety issues.
- (21) Project sponsors are required to coordinate and comply with NOACA's water quality management plan.
- (22) Project sponsors must demonstrate how environmental issues will be addressed throughout the design, construction and operation of the project. This includes, but is not limited to, water quality, air quality, environmental justice, and other human and natural environmental issues such as archeological and historical preservation, energy conservation and noise.
- (23) The project must support appropriate best management practices to mitigate storm water and flooding, and manage wastewater. Thus, project sponsors must demonstrate how the project will handle storm-water control, mitigation, and vegetation during design, construction, and during post-construction long-term performance (operation and maintenance). Sponsors may use the

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Ohio Department of Natural Resources Rainwater and Land Development Manual to demonstrate sound design practices.

- (24) Project sponsors are required to implement context sensitive solutions, including but not limited to, historic and cultural districts, along scenic rivers and parks, for special view sheds, and if the impacted communities have specific plans for the corridor.
- (25) Project sponsors are required to avoid, minimize, or mitigate disproportionately high and adverse human health, socioeconomic, and environmental effects of transportation projects on minority populations and low-income populations (Executive Order 12898).

## **DRAFT RTIP Chapter IV. Long Range Transportation Plan and Transportation Improvement Program Update and Amendment**

This policy guides the periodic update and amendment of regional transportation projects and programs to the NOACA Long-range Transportation Plan (Plan) and the Transportation Improvement Program (TIP).

### **Purpose**

A primary function of NOACA is the development and update of the Long-range Transportation Plan (Plan) and the Transportation Improvement Program (TIP), in compliance with Metropolitan Planning requirements established in federal regulations (23 U.S.C. §134 and 23 CFR §450). The Plan, updated every four years, addresses current and future transportation demand for a 20-year horizon. It includes both long and short-range strategies that support the maintenance and investment of a multimodal transportation system to facilitate the safe and efficient movement of people and goods. The TIP, updated every two years, is a 4 year program that reflects and implements the investment priorities established in the Plan.

All proposed transportation projects for which federal funds are planned for expenditure must be listed in the Plan and the TIP prior to implementation. NOACA must amend or modify the Plan and TIP as needed to include new projects or revise existing programmed projects.

This policy directs an approach for the comprehensive update and amendment to the Plan and TIP that allows for the evaluation and prioritization of projects proposed for improvement to the region's transportation system. The intent is for projects to advance from the Plan to the TIP based on established criteria and processes to better inform project planning and utilization of resources.

### **Project Planning Requirements**

All projects and programs proposed for update or amendment to the Plan and TIP must be evaluated in accordance with the following planning requirements, as defined in the NOACA Regional Transportation Investment Policy (RTIP) and associated guidance.

- I. Planning Policies and Guidance – Project planning, financial, multimodal, environmental, and economic development requirements for projects being incorporated into the Plan or TIP. These requirements are contained in Chapter III of the NOACA RTIP.
- II. Project Planning Review (PPR) / Intergovernmental Review and Consultation (IGRC) –PPR and IGRC procedures, as defined in the NOACA RTIP, must be completed for Major projects identified in the 20 year Plan and for all Minor projects proposed for years 5-6 of the Plan. Major and Minor projects are defined as:

Major Projects – Projects that meet any of the following criteria:

- i. Exceed \$12 million in cost
- ii. Require Air Quality Conformity Analysis
- iii. Meet the federal definition of Regionally Significant project

Minor Projects – All other projects not meeting the definition of a Major Project

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The PPR procedure fulfills the following goals:

1. Determines if a proposed project helps to achieve one or more of the Transportation Plan goals to enhance the region's transportation system and quality of life;
2. Assesses if proposed projects fulfill the NOACA planning requirements;
3. Enables staff to work with the applicant to develop a project that meets or exceeds NOACA planning requirements;
4. Provides opportunity to project sponsors to revise projects if they do not meet NOACA planning requirements and goals;
5. Creates accountability between project sponsors and the NOACA board;
6. Ensures that public concerns and intergovernmental issues are being addressed by project sponsors as the project evolves.

Projects successfully completing PPR will receive a NOACA Board of Directors' Resolution stating that the project has fulfilled staff, Board and public review against NOACA's planning requirements enabling the project to be amended to the Plan and/or TIP. The Resolution may contain comments and/or recommendations that must be addressed by the project sponsor prior to funding commitment in the TIP.

- III. **Fiscal Constraint Analysis** – Financial plans for proposed projects or programs must identify all funding sources that are reasonably expected to be available to finance implementation within the timeframe of the Plan. Furthermore, funding must be available and committed to the project or program in the four year period for TIP consideration.
- IV. **Air Quality Conformity Analysis ("Conformity")** – Conformity, required by 40 CFR Part 93 in implementation of the Clean Air Act, Section 176(c), is a way to ensure that proposed transportation projects and programs are consistent with Federal air quality goals. Conformity applies to all projects and plans proposed for implementation in the NOACA region, as a designated air quality nonattainment area.

### **Long-Range Transportation Plan**

Federal regulations require NOACA to update its Plan every four years, amend it thereon after as needed, and to identify the transportation projects and programs proposed for implementation over the 20 year life of the Plan. NOACA will amend the Plan annually for new projects, or quarterly for projects eligible for concurrent Plan and TIP amendment as described Section IV. Concurrent Plan and TIP Amendments. The following policies will guide NOACA in the identification and prioritization of those projects and programs.

#### **I. Plan Update and Amendment (Annually)**

##### **A. Project Identification**

1. NOACA will identify transportation system deficiencies and needs over the 20 year Plan utilizing available system management tools and processes including, but not limited to:
  - i. Transportation Asset Management – Roadway and bridge deficiencies.
  - ii. Congestion Management Process – Congested locations and corridors.



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- iii. Safety Plans/Studies, Safe Routes to School Travel Plans, and Regional Safety Audits – Intersections and segments with existing or predicted safety issues, with emphasis on serious injury or fatal crash reduction.
  - iv. Regional Bike Plan and Transportation for Livable Communities Studies – Bicycle and pedestrian priority system gaps and enhancements.
  - v. Transit Agency Plans – Vehicle and infrastructure replacement schedules and Service Upgrade plans for new or improved service operations.
2. NOACA will coordinate with transportation system owners and providers (local governments, regional transportation agencies, external funding agencies, etc.) to review identified needs to ensure consistency and completeness.
  3. Identified needs will be incorporated into the Plan in an optimum year to address the targeted deficiency. Being on the Plan indicates that the project will be targeted for implementation within the timeframe of the Plan. It does not guarantee a project's funding and implementation schedule in relation to other projects in the region for investment of NOACA funds.
  4. Once on the Plan, staff will work with sponsors to develop complete projects which address the identified system need.
- B. Plan Project Evaluation and Prioritization –Project evaluation and prioritization criteria will be utilized to evaluate all projects proposed for Plan and TIP incorporation.
1. Non-NOACA Administered Funds – Evaluated in accordance with NOACA performance measures and targets. Projects will also will be evaluated against the priority criteria established by the proposed external funding program.
  2. NOACA Administered Funds – Evaluated in accordance with NOACA performance measures and targets. In addition, projects planned for years 5-6 of the Plan will be evaluated and prioritized in accordance with regional benefit prioritization criteria that is aligned with NOACA goals.

**Transportation Improvement Program (TIP)**

**II. TIP Update (Biennially)**

- A. Project Identification and Evaluation
1. NOACA will update the TIP with new projects every two years. Existing projects in first two years of the TIP will remain in those years pending reevaluation against TIP screening criteria.
  2. Projects can only be amended to the TIP if they have previously been incorporated into the Plan or if they meet the conditions of Section IV. Concurrent Plan and TIP Amendments.
  3. Projects will be advanced for TIP Update in accordance with the prioritization established in years 5-6 of the Plan, contingent upon meeting TIP screening criteria for project readiness:

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- i. All conditions resulting from Project Planning Review, if applicable, have been addressed to the satisfaction of the appropriate NOACA committees, subcommittees and/or councils.
- ii. Final scope has been approved and is consistent with NOACA goals
- iii. Implementation schedule is realistic and accounts for all necessary project development milestones.
- iv. Project funding plan is committed for the year of implementation citing reasonably expected revenues to be available for the demonstration of fiscal constraint.

**III. TIP Amendment (Quarterly)** – Amendments are major revisions to the TIP that require federal (FTA and/or FHWA) approval, public comment, re-demonstration of fiscal constraint, and, if the project adds capacity, a conformity determination. In context of the long-range transportation planning process, an amendment is a revision approved by NOACA in accordance with its public involvement process.

A. Amendments requiring Board of Director's Resolution are those that:

1. Add or delete a project or project phase into or out of the current TIP that are not categorized as statewide line items or administrative modifications.
2. Significant revision to a project or project phase cost estimate.
3. Significant change to a project or project phase description or scope, including initiation dates, termini and proposed work.
4. Affect fiscal constraint or affect air quality conformity (regardless of funding source).

**IV. Concurrent Plan and TIP Amendments (Quarterly)**

A. Most projects should be amended to the Plan and TIP through the process laid out in the Plan Update and TIP Amendment sections of this policy. However, the NOACA Board of Directors can concurrently amend projects to the Plan and TIP if any of the following occur –

1. Projects are eligible in accordance with ODOT Statewide Line Item guidance
2. Funds are demonstrated to be available for new projects to be advanced in the Plan and TIP outside of the periodic update cycles. Funds may become available due to a variety of reasons, including:
  - i. New revenue made available to the region
  - ii. Previous State Fiscal Year carry forward
  - iii. Delayed or cancelled projects
  - iv. Bids awarded under estimate
  - v. Adjustments for actual material and/or labor quantities

**V. Administrative Modifications (Quarterly)** - Modifications are minor revisions to the TIP that do not require Board of Director's resolution. Administrative Modifications are performed by staff and are documented through an Administrative Modification memorandum. Administrative Modifications include:

1. Revisions to project description without causing significant change to the project scope or conflict with the environmental document.

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2. Revisions to a project's fiscal year within the current TIP.
3. Revisions to funding source or type of funds.
4. Combining or splitting projects (if combining, both projects must be on current TIP), without causing significant change to the project scope, environmental document, or air quality conformity.
5. Change in the project sponsoring agency
6. Other technical modifications, clerical errors, bookkeeping, line-item project descriptions and other reasons that do not impact NOACA policy implementation or funding balances.



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**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE  
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

**WHEREAS**, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain and Medina, and the areawide water quality management agency for the same region; and

**WHEREAS**, the Regional Transportation Investment Policy (RTIP) represents NOACA's policy for the planning, programming and prioritization of federal-aid transportation dollars for the region; and

**WHEREAS**, the RTIP is regularly reviewed for compliance with federal, state and NOACA directives and regulations; and

**WHEREAS**, the RTIP was last updated in 2015 with general revisions to bring it up to date with organizational and legislative changes, and for specific policy sections related to Urban Core Communities, Environmental Justice Urban Core Communities, Toll Credits, and Management of Project Cost Increases; and

**WHEREAS**, staff committed that it would continue to work with the committee to achieve a comprehensive evaluation of the RTIP's policies and procedures and recommend additional revisions as appropriate; and

**WHEREAS**, staff has completed an evaluation of and has developed recommended revisions to review with the Committee related to the following policy areas:

Chapter III. Project Planning Requirements and Guidance – Project planning requirements to be met by projects wanting to advance to the Plan and TIP

Chapter IV. Plan and TIP Update and Amendments – NOACA's process for identifying, evaluating, programming and modifying projects to/on the Plan and TIP; and

**WHEREAS**, the recommended revisions will direct staff, Committees and the Board in the prioritization of resources in the periodic update of the Plan and TIP, while ensuring that all areas of the region have access to funding resources and that they are distributed fairly and equitably; and

**WHEREAS**, the recommended RTIP revisions have been reviewed and recommended for approval by the NOACA Policy Committee.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of 45 principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina that:

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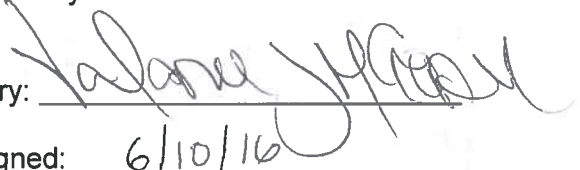
**Section 1.** Revisions to Chapter III: Planning Requirements and Guidance for Transportation projects and Chapter IV: Plan and TIP Update and Amendment (attached) is approved for incorporation to the NOACA Regional Transportation Investment Policy (RTIP, June 2016).

**Section 2.** The Executive Director is authorized to transmit certified copies of this resolution to the appropriate federal, state, and local agencies.

Certified to be a true copy of a Resolution of the Board of Directors of the Northeast Ohio Areawide Coordinating Agency adopted this 10<sup>TH</sup> day of June 2016.

Secretary: \_\_\_\_\_

Date Signed: \_\_\_\_\_



Attachments: Draft RTIP Chapter III: Planning Requirements  
Draft RTIP Chapter IV: Plan and TIP Amendments