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December 2, 2009

Mr. David L. Stroik, Chairman  
Southeastern Wisconsin Regional Planning Commission  
W239 N1812 Rockwood Drive  
P.O. Box 1607  
Waukesha, WI 53187-1607

Dear Mr. Stroik:

The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) conducted a review of the metropolitan transportation planning processes carried out in the Milwaukee TMA by the Southeastern Wisconsin Regional Planning Commission (SEWRPC) during the fall of 2008. The basis for this review lies in 23 USC § 134, which requires a review of the transportation planning process for all urbanized areas with populations greater than 200,000 at least every four years. The objective of the certification review is to determine whether the metropolitan transportation planning process meets the Federal transportation planning requirements outlined in 23 CFR Part 450.300 and to assure that an adequate process exists to ensure conformity of plans and programs in accordance with procedures contained in 50 CFR Part 51.

The 2008 certification review was based on routine FHWA and FTA interaction in day-to-day MPO operations, a review of SEWRPC planning products and processes, a field review meeting with staff from SEWRPC, WisDOT, and local transit operators October 22-23, 2008, a public comment period from October 8 – November 8, 2008, and a public open house meeting on the evening of October 23, 2008.

The enclosed report documents evaluation of SEWRPC planning practices relative to fourteen elements specified in federal metropolitan transportation planning regulations. FHWA and FTA received substantial public input in response to the public comment opportunities. The comments were considered in the evaluation of the corresponding planning elements. The report includes specific findings based on the federal requirements and cites good practices and recommendations to improve SEWRPC's metropolitan transportation planning process and activities.



Based on the reviews conducted and ongoing oversight by FHWA and FTA, the Southeastern Wisconsin Regional Planning Commission's metropolitan transportation planning process is certified as meeting the Federal transportation planning requirements.

On behalf of the review team, we express our appreciation for the courtesy, cooperation and professionalism the Commission staff extended during the review. If you have any questions regarding the certification review process or report, please contact Dwight McComb (FHWA) at 608-829-7518 or Stewart McKenzie (FTA) at 312-353-2866.

Sincerely yours,



Allen R. Radliff  
Division Administrator  
Federal Highway Administration

Sincerely yours,



Marisol Simon  
Regional Administrator  
Federal Transit Administration

Enclosures

cc: Mr. Kenneth Yunker, Executive Director, SEWRPC  
Ms. Sandra Beaupre, Director, WisDOT, DTIM, Bureau of Planning & Economic  
Development  
Ms. Sheri Schmit, Systems Planning Manager, WisDOT, DTSD, SE Region  
Federal Review Team



**Federal Highway Administration**

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**Federal Transit Administration**

**2008  
Certification Review  
Of the  
Metropolitan Transportation Planning  
Process**

**Southeastern Wisconsin  
Transportation Planning Area**

Prepared by:

Federal Highway Administration

Federal Transit Administration

November 2009

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## PREFACE

Pursuant to 23 U.S.C. 134(k)(5)(A)(i) and 49 U.S.C. 5303 (k)(5)(A)(i)(e), at least every four years the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) must jointly certify that the metropolitan transportation planning process in Transportation Management Areas (TMA) is being carried out in accordance with applicable provisions of Federal law. A TMA is an urbanized area, as defined by the U.S. Census, with a population of over 200,000. In general, certification is focused around a comprehensive review consisting of three primary phases:

1. A review of the various planning products of the TMA conducted by the reviewing agencies prior to the site visit.
2. A site visit where Metropolitan Planning Organization (MPO) staff as well as staff from the State Department of Transportation (DOT) and local transit providers meet with the review team and review the planning activities carried out in the TMA. Also an opportunity is provided for public officials and the general public to comment on the transportation planning activities conducted in the area; and
3. The preparation of a report that summarizes the review, documents good practices and recommended improvements, and states the joint FHWA/FTA determination.

The transportation planning certification review is structured around compliance with federal regulations, but also examines the challenges, successes, and experiences of the cooperative relationship among local jurisdictions, the State DOT, transit operators, and the MPO staff and the overall effectiveness of the metropolitan planning process. Joint FTA/FHWA certification review guidelines provide agency field reviewers with latitude and flexibility to tailor the review to reflect local issues and needs as well as current national and regional priority areas. As a consequence, the scope and depth of certification review reports vary significantly between TMAs and review cycles. Each review builds on previous reviews.

The certification review is only the culmination of USDOT oversight and assistance interaction with the MPOs. The compliance and quality of local metropolitan planning processes are routinely monitored, assessed, and guided through Federal agency participation on MPO technical and advisory committees; review of the MPO Unified Planning Work Program, the long range transportation plan, Metropolitan and Statewide Transportation Improvement Program findings, and air quality conformity determinations (in non-attainment and maintenance areas); and numerous other formal and less formal contacts. The results of these other processes are considered in the certification review process. While the planning certification review report itself may not fully document these many intermediate and ongoing checkpoints, the findings of the certification review, in fact, are based upon the cumulative findings of the entire Federal oversight effort.

The transportation planning certification 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 content will vary to reflect the planning process reviewed, whether or not they relate explicitly to formal findings of the review.

## **NOTICE**

On August 25, 2008 a complaint of discrimination was filed with the U.S. Department of Transportation, Federal Transit Administration and Federal Highway Administration by the American Civil Liberties Union of Wisconsin Foundation on behalf of the Good Jobs and Livable Neighborhood Coalition. The complaint concerns February 28, 2008 action by SEWRPC amending the TIP to accelerate the construction of an expanded interchange at IH 94 and CTH P in Oconomowoc, Waukesha County, Wisconsin. The complaint alleges that the process by which SEWRPC made this decision, and the underlying decision itself, are actions and methods of administration that have a discriminatory effect on persons of color in the region under SEWRPC's jurisdiction. The complaint remains under investigation by the Federal Transit Administration. The certification review was conducted outside of the scope of this investigation. The conclusions of the certification review are independent of any conclusions that may be reached concerning the specific complaint.

## EXECUTIVE SUMMARY

At least every four years the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) must jointly certify that the metropolitan transportation planning process carried out by Metropolitan Planning Organizations (MPO) in Transportation Management Areas (TMA) is being carried out in accordance with applicable provisions of Federal law. The certification is not just a review of the MPO or the MPO staff, but rather covers all of the agencies (local governments, State, and transit operators) that are charged with cooperatively carrying out the process on a daily basis. The regulatory foundation for the Certification Review supports the goal of enhancing the quality of the transportation planning process.

Certification is based on routine FHWA and FTA interaction in day-to-day MPO operations, participation in planning studies and the development of required planning products, periodic meetings with staff, topical review activities, and the detailed review of the overall transportation planning process. Specific review activities conducted as the basis for this determination relative to the Southeastern Wisconsin Regional Planning Commission (SEWRPC) included a desk review of SEWRPC planning products and processes conducted in September 2008, a field review meeting with staff from SEWRPC, WisDOT, and local transit operators October 22-23, 2008, a public comment period from October 8 – November 8, 2008, and an open house/public meeting on the evening of October 22, 2008.

The full report documents evaluation of SEWRPC planning practices relative to basic elements specified in federal metropolitan transportation planning regulations. Public comments were considered in the evaluation of the corresponding planning elements. The report provides the foundation for the joint FHWA-FTA determination regarding certification.

Overall, FHWA and FTA find that SEWRPC is in compliance with federal metropolitan transportation planning requirements. The SEWRPC transportation planning process provides comprehensive information and analysis that serve as a solid basis for policy decisions to guide investments in transportation that serve the needs of Southeastern Wisconsin. The certification findings cite good practices and recommendations in a number of areas to more fully meet the objectives attendant to federal goals and requirements and to enhance the effectiveness of the metropolitan transportation planning process.

Good practices cited include the following:

- Strong support for transit, including advocacy for development of a sustainable dedicated source for local funding; and
- Extensive outreach to involve environmental resource agencies in transportation plan development and account for impacts of plan alternatives on the natural and manmade environment.

Key recommendations for improvements include the following areas:

- Public Communication and Access to Information  
Update the structure and organization of the SEWRPC website and adopt plain language, visual and concise styles and formats for summary documents and public communications of key issues, analyses, and policy decisions;

- **Effectiveness of Public Involvement**  
Develop and document a public participation evaluation methodology outlining specific public participation objectives with corresponding measures and procedures to guide evaluation and refinement of techniques to improve the effectiveness of public involvement for transportation planning activities, including targeted outreach to minority and low income communities;
- **Outreach to Minority and Low Income Communities**  
Continue to cultivate established relationships with minority and low income groups and the EJTF, work with the groups to further interaction with other groups within the minority and low income communities, and provide feedback on how their input is used in transportation planning processes; and
- **Congestion Management Process**  
Fully develop the CMP to further function as a mechanism to develop and prioritize a regional program of projects that implement the congestion management strategies.

The FHWA and FTA find that the broad context of federal public involvement and Title VI requirements provides opportunity to examine the public expectations expressed in comments and consider appropriate changes to improve SEWRPC metropolitan transportation planning. The certification recommendations listed herein recognize SEWRPC's past willingness to consider critique of their processes and improve their practices to address valid concerns. Responsibility for these improvements falls on SEWRPC, the local governments, WisDOT, and the transit operators, as well as the concerned citizens, interest groups, and public officials who seek changes. FHWA and FTA expect to be closely involved in monitoring implementation of these recommendations to better understand the basis for the concerns, interest, and commitment of all parties to constructively improve the processes.

Based on the reviews conducted and ongoing oversight by FHWA and FTA, the Southeastern Wisconsin Regional Planning Commission's transportation planning process is certified as meeting the transportation planning requirements of 23 U.S.C. 134 and 49 U.S.C. 5303.

# INTRODUCTION

## Review Scope

FHWA and FTA conducted previous SEWRPC metropolitan transportation planning certification reviews in 1995, 1998, 2001, and 2004.

A necessary component in the certification of a MPO transportation planning process is the routine oversight that takes place on a day-to-day basis. Ongoing oversight is provided to the Southeastern Wisconsin Regional Planning Commission by the Wisconsin Division office of FHWA and by the Region 5 FTA office. Staffs from both offices are responsible for reviewing and approving the MPO's annual planning work program and monitoring the progress of the MPO in completing activities contained in the work program. This is accomplished through meetings with staff, periodic reviews, attendance at various policy and technical advisory committee meetings, and through participation in other activities. Additionally, the FHWA and the FTA review and comment on the transportation improvement program (TIP), the transportation plan, and other MPO documents, and review and act upon requests for changes in these documents.

This certification review of the metropolitan transportation planning process conducted by SEWRPC for the Milwaukee, Wisconsin TMA consisted of two major components: a desk review conducted in September 2008 and a site visit on October 22-23, 2008.

## Desk Review

The overall objective of the desk review was to review and document SEWRPC's compliance with each of the Federal metropolitan transportation planning requirements and determine those items requiring further evaluation and discussion during the site visit. Planning products required by 23 CFR 450 and various other SEWRPC documents were evaluated. In addition, the previous certification review report was reviewed to determine if any unresolved issues remained. The results of the desk review are included in the report. Following this desk review, a listing of discussion issues and an agenda for the site visit were prepared and provided to review participants (Attachment A).

## Site Visit

The site visit portion of the review took place on October 22-23, 2008 at the SEWRPC offices in Pewaukee. The review team consisted of the following:

- Dwight McComb, Planning & Program Development Engineer, FHWA Wisconsin Division
- Carlos Pena, Community Planner, FHWA Wisconsin Division
- David Jolicoeur, Community Planner, FHWA Wisconsin Division
- Jienki Synn, Community Planner, Office of Planning, Environment, and Realty, FHWA Headquarters,

- William Stark, Transportation Program Coordinator/Civil Rights Specialist, FHWA Wisconsin Division
- Stewart McKenzie, Community Planner, FTA, Region V
- Dwight Sinks, Civil Rights Officer, FTA Region V

Review participants included the following:

- Phil Evenson, Executive Director, SEWRPC
- Ken Yunker, Assistant Director, SEWRPC
- Christopher Hiebert, Chief Transportation Engineer, SEWRPC
- Ryan Hoel, Principal Engineer, SEWRPC
- Sheri Schmit, Planning Chief, WisDOT Southeast Region
- Donna Brown, Group Manager, WisDOT Southeast Region
- Claudia Orvis, Planning Analyst, WisDOT Bureau of Planning & Economic Development
- Robert Johnson, City of Waukesha, Metro Transit
- Steve Nigh, Milwaukee County
- Dan Boehm, Milwaukee County Transit System

Each topic identified during the desk review served as a starting point for discussion. SEWRPC staff responded to the specific issues raised. Subsequent questions and discussion frequently lead to tangential topics of interest. Significant findings from those discussions are included in the report.

## **SEWRPC's EFFORT TO IMPLEMENT THE 2004 CERTIFICATION REVIEW RECOMMENDATIONS**

Following is a summary of the SEWRPC's progress in addressing the 2004 certification review recommendations:

**Study Area Organizational Structure** - Following completion of the *Regional Freeway System Reconstruction Plan for Southeastern Wisconsin* in 2003, SEWRPC restructured its regional transportation planning committee to provide local agency representation on a population proportional basis with chief elected officials making the appointments to the Committees. The transportation advisory committees also include representatives of the Wisconsin Department of Transportation and Wisconsin Department of Natural Resources. Federal agency representatives from the Federal Highway and Federal Transit Administrations and U. S. Environmental Protection Agency serve on the committees in an advisory, non-voting capacity. The Transportation Improvement Programming Committees of the Commission have been population proportional with appointments made by local elected officials since 1975. The Commission continues to ask that the local elected officials consider appointing individuals that will represent the interests, concerns, and diversity of their communities.

**Agreements and Contracts** – On May 2, 2008, the SEWRPC, the Wisconsin Department of Transportation, and each of the seven transit operators within southeastern Wisconsin signed an updated cooperative agreement. In 2005, the Commission entered into an agreement with the Chicago Area Transportation Study for the coordination of land use transportation planning in the Round Lake Beach, Illinois – Wisconsin urbanized area. The agreement is currently in the process of being updated with the new Northeastern Illinois Metropolitan Planning Organization, the Chicago Metropolitan Agency for planning (CMAP).

**Transportation Planning Process** – The SEWRPC staff collaborated with WisDOT, FHWA, and FTA and other Wisconsin MPOs to identify transportation system performance indicators to be used to monitor transportation system performance, achievement of transportation plan objectives and plan implementation. The Commission has also prepared a staff memorandum entitled “Tracking Regional Transportation Plan Forecasts and Measuring Regional Transportation Plan Performance”, which sets forth additional measures to be applied in Southeastern Wisconsin.

**Public Involvement** – To address some of the public concerns raised during the certification the SEWRPC collaborated with concerned interest groups and created an Environmental Justice Task Force, whose role is to enhance the consideration and integration of environmental justice in the regional planning process. Attendance of Commissioners and advisory committee members at key transportation planning public meetings has increased.

**Title VI** – As part of this effort the Commission continues to encourage the appointment of minorities and females to the Commission and its advisory committees. Of the Commission's current 21 members, two are African-American, and one is Hispanic. Five of the 21

Commissioners are female. The Commission has made inroads with respect to its outreach to minority and low-income populations. The principal part of this outreach has been through letters, follow-up phone calls, and meetings with the membership, board, and staff of more than 50 low-income and minority organizations.

Congestion Management System (CMS) – The SEWRPC CMS was integrated in development of the 2035 transportation plan, including definition of performance measures of existing and future congestion, assessment of existing and historic trends, and the development, evaluation, and recommendation of actions to address congestion.

## **Public Input to the Certification Review**

The federal review team conducted a public meeting on the metropolitan transportation planning process carried out by SEWRPC, WisDOT, transit operators and local agencies in Southeastern Wisconsin on October 22, 2008 from 5:00 pm to 7:00 pm at the Milwaukee Downtown Transit Center. The meeting was conducted in an open house format. Notice of the meeting was published in Milwaukee area newspapers beginning on October 8, and included a solicitation for written comments to be submitted 30 days from the date of publication directly to the FHWA Wisconsin Division via mail, email, or fax. The meeting notice was also published on the SEWRPC website. The open house meeting was attended by 40 individuals. Oral comments were provided by 15 of the attendees. The oral comments received were recorded by court reporters and published in a transcript of the public meeting. Twenty-five persons or groups submitted written comments. Some persons submitted comments in more than one format. All the comments received were posted on the SEWRPC's website for public review.

A total of 37 individuals or groups provided comments during the certification review public meeting and written comment period. The predominant comments relating to the SEWRPC transportation planning process can generally be characterized among the following themes:

- Non-representative Commission structure
  - The population or interests of the City of Milwaukee and Milwaukee County are underrepresented;
  - The Commission lacks minority and low-income representation in decision-making structure, therefore, not equitably representing its constituents;
- Planning process provides inadequate consideration or support for mass transit improvements and favors road expansion;
- Lack of public involvement relating to Commission's public participation process.
- Decisions are not responsive to the public input received;
- SEWRPC has not made meaningful efforts to investigate and address the needs of low income and minority communities in their planning process;
- Concerns with the Commission's support to expand I-94 and I-43 to eight lanes within the City of Milwaukee;
- Commendable work done to improve the bicycle facilities in the region. There was some concern expressed regarding a number of bicycle accidents that have occurred; and
- Recognition for SEWRPC involvement with the newly formed transportation coalition that is working on trying to achieve a dedicated source of funding to meet the needs of mass transit in the region.

Among those who attended the open house, an organized group was critical of the certification review team decision to conduct the public meeting in an open house format. In their words, "the open house was done to deliberately discourage public input and to avoid a response to their concerns." The open house format was used by the federal review team to facilitate previous review recommendations for SEWRPC to better inform the community about their role as an MPO, their organizational structure and major planning initiatives and to be more accessible to the public. To this end, SEWRPC, WisDOT, and area transit operators were present with

displays and information about their planning and project activities. Several SEWRPC Commissioners were present at the open house and available to field questions and concerns directly from the public. Three court reporters were available to document public comments.

The review team examined the public comments within the context of the corresponding federal transportation planning requirements.

## Review Findings

### MPO Structure

**Requirement:** Federal statute requires that an MPO be designated for an urbanized area with a population of more than 50,000 to carry out the metropolitan transportation planning process. The MPO serving a TMA (urbanized area with a population of more than 200,000), when newly designated or redesignated, shall consist of local elected officials, officials of public agencies that administer or operate major modes of transportation in the metropolitan planning area, and appropriate State transportation officials on the policy board. Designation of a metropolitan planning organization shall remain in effect until the metropolitan planning organization is redesignated. An existing MPO may be redesignated only by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the existing metropolitan planning area population (including the largest incorporated city). Redesignation of an MPO is required whenever the existing MPO proposes to make a substantial change in the proportion of voting members on the existing MPO representing the largest incorporated city, other units of general purpose local government, and the State. Existing MPOs may add members to address the specific membership requirements for an MPO that serves a TMA, provided the changes are not substantial.

**Findings:** The Southeastern Wisconsin Regional Planning Commission is the designated MPO for the Milwaukee, Racine, Kenosha and Wisconsin portion of the Round Lake Beach urbanized areas. Several other Wisconsin Regional Planning Commissions are designated as the MPO for urbanized areas, including the East Central Wisconsin Regional Planning Commission as the MPO for the Appleton and Oshkosh urbanized areas and the Bay-Lake Regional Planning Commission as the MPO for the Sheboygan urbanized area.

Considerable public comment received reflected views that the current SEWRPC Commission structure does not provide equitable representation of the general population or adequately represent minority and low-income populations in the region. The membership and appointing authority for Wisconsin Regional Planning Commissions are dictated by state statute. Thus, short of legislative change or redesignation, the current Commission structure consisting of three members from each of the seven counties cannot be changed to address ongoing concerns.

To address the recurring concerns about equitable representation within SEWRPC, the Commission transitioned to population-proportional representation on major public policy related transportation study and advisory committees. Local elected officials appoint committee members to represent their communities, making the advisory committees more directly accountable to the public they serve. Further, working with groups critical of the representational structure, SEWRPC established an Environmental Justice Task Force to improve input from minority and low income communities in decision-making.

The certification review team invites SEWRPC to seek out approaches to communicate to the constituents it serves the Commission's decision-making process, including the population

proportional advisory committee structure and the public participation opportunities imbedded therein. The Commission should also consider potential mechanisms within the constraints of state and federal statutes that could further contribute to representative decision-making. Rhetoric from misinformation and misunderstanding continues to divert attention away from the core transportation planning functions the Commission performs on behalf of the interests and needs of the region. It is the responsibility of SEWRPC, the transit operators, the State and local governments to take a more proactive role in improving public understanding.

The needs of the City of Milwaukee may be different from the priorities of the Region as a whole. But the welfare of the central city is key to the strength and vitality of the Region. The Commission should consider further opportunities to invest SEWRPC's planning expertise to help the City of Milwaukee and Milwaukee County address central city needs.

As further supported in previous certification reviews, the county-based SEWRPC Commission organizational structure as dictated by state statute is strictly compliant with Federal transportation planning requirements. FHWA and FTA do not have authority to require redesignation of an MPO that meets federal requirements.

### **Public Outreach**

**Requirement:** Federal transportation planning statutes pertaining to public involvement were revised in SAFETEA-LU. Federal regulations were subsequently revised to implement the revised statute. Metropolitan planning organizations shall provide interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process. The MPO shall develop and use a documented participation plan, including explicit procedures, strategies, and desired outcomes for:

- Providing adequate public notice of public participation activities and time for public review and comment at key decision points and reasonable access to information about transportation issues and processes;
- Holding any public meetings at convenient and accessible locations and times;
- Seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services;
- Demonstrating explicit consideration and response to public input received;
- Making public information (technical information and meeting notices) available in electronically accessible formats and means, such as the World Wide Web);
- Employing visualization techniques to describe metropolitan transportation plans and TIPS;
- Periodically reviewing the effectiveness of the procedures and strategies contained in the participation plan to ensure a full and open participation process.

The metropolitan transportation plan and transportation improvement program shall be published or otherwise made readily available by the MPO for public review, including (to the maximum extent practicable) in electronically accessible formats and means, such as the World Wide Web.

**Findings:** Public involvement was among the primary concerns expressed in comments during the 2004 certification review and during this review. The 2004 certification review report

included recommendations aimed at enhancing a fundamentally compliant public involvement process. Since the 2004 review SEWRPC staff engaged interested parties in discussion of public involvement and environmental justice issues, leading to formation of the Environmental Justice Task Force and initiation of a regional housing study. SEWRPC Commissioners have increasingly attended key public meetings related to transportation planning to make themselves accessible to public concerns.

In 2007, SEWRPC updated the Transportation Planning Public Participation Plan to comply with SAFETEA-LU requirements and to incorporate changes in practice and public comments. Significant changes included incorporation of the Environmental Justice Task Force, opportunity for public comment at Commission and transportation advisory committee meetings, and inclusion of non-traditional means to obtain public involvement and input. The review team would like to see SEWRPC implement and evaluate some of these techniques in conjunction with transportation planning efforts.

The updated public participation requirements state the objective of providing reasonable opportunity for interested parties to be involved. Communication of information is a vital aspect of this objective. SEWRPC has leveraged the accessibility of the World Wide Web to expand public access to notices, documents, and information and opportunity to review and comment on planning efforts underway. However, the SEWRPC website is not structured to facilitate easy access to transportation planning information or to invite users to seek additional information about the Commission and its activities. A well designed and user friendly website could help inform the public about concerns that have been expressed in comments and on-going rhetoric.

Similarly, SEWRPC reports and information continue to be styled in a detailed, analytic, professional convention that is neither easily understood nor appealing to the general public. Many transportation agencies have adopted plain language, visual and concise methods to better communicate key technical information to the public and decision-makers. The Commission should consider changes in style and presentation of written materials to make transportation planning information more easily accessible, understandable and inviting to the general public. Accurate information about the Commission and transportation planning processes and products should be readily accessible and easily understood.

Some comments to the certification review continue to reflect concerns about lack of outreach to minority and low income communities. SEWRPC staff provided evidence of significant efforts to contact and meet with community organizations and leaders and provide information and opportunities for involvement within minority and low income neighborhoods. SEWRPC maintains communication with over 50 minority and low income community organizations and has achieved varying success in finding opportunities to further discussion of transportation issues and plans. Staff works to further cultivate effective relationships with responsive groups and seeks insight to develop interaction with additional groups. The Transportation Planning Public Participation Plan has been provided to the Environmental Justice Task Force for review and discussion, including additional strategies to engage community groups. SEWRPC has staffed a new public information and outreach position to expand interaction with minority and low income communities. SEWRPC should consider documenting targeted outreach efforts and making the information available on their website to improve public understanding of and input

to community outreach. WisDOT provided an example of a visual display developed to inform the public of extensive outreach opportunities for a recent highway project.

The review team found SEWRPC's approach to documenting public comments received and response to the comments to be extremely thorough. The documentation is provided to the appropriate transportation advisory committee for consideration during the study process prior to action. As noted in the 2004 certification review report, decision-makers must weigh varied and often conflicting issues, concerns, and perspectives, and consider the needs of those less motivated or unable to provide input on an issue, in determining a course of action that best serves the greater public. The result is not always consistent with the majority of public comments received. The public involvement process is not expected to satisfy everyone's concerns. But those who choose to participate deserve to know that the decision-makers have heard and considered their concerns. Use of public input and feedback on how input contributed to decisions should result in a more involved and informed public and interested parties that better understand the role of SEWRPC as the MPO for Southeastern Wisconsin.

SEWRPC performs and documents an evaluation of public involvement techniques used following each major planning effort. However, the evaluations are largely subjective, lacking objectives and criteria by which to judge whether specific procedures, strategies and techniques were successful in achieving desired outcomes. The evaluation should also identify recommended changes in techniques to improve participation. The MPO should be able to demonstrate the value of public participation, including the quantity and quality of input, and to describe the impact of this input on the planning process. Some MPOs have developed a public involvement evaluation handbook to document goals, objectives, measures, and procedures that guide assessment and improvement of the public participation process.

The review team concludes that the SEWRPC public participation process, as documented and implemented, meets the federal transportation planning requirements. SEWRPC remains receptive to constructive improvements in public outreach and has incorporated changes recommended by interested parties. Opportunities remain to continue improving public awareness and participation.

### **Recommendations:**

- We strongly recommend that SEWRPC develop and document a public participation evaluation methodology to use in assessing and improving public participation in planning processes. Documentation should include specific public participation objectives and corresponding measures and procedures to guide evaluation and refinement of techniques, including targeted outreach to minority and low income communities;
- The World Wide Web has become a primary source for public information. SEWRPC should consider updating the organization and presentation of their website to make it an appealing, user friendly and effective tool for communicating with the public.
- SEWRPC should investigate the practices of other public agencies and adopt plain language, visual and concise styles and formats for brochures and summary documents as

a means to improve public communication of key issues, analyses, and policy decisions supported by detailed technical documentation.

## **Title VI**

**Requirement:** Consistent with Title VI of the Civil Rights Act of 1964, 49 CFR part 21, Title VI assurance executed by each State under 23 USC 324 and 29 USC 794, the Executive Order 12898 on Environmental Justice of 1994, and the 1997 US DOT Order on Environmental Justice, the MPO has certain outlined responsibilities to ensure that the process and outcome of the transportation planning process does not unfairly deprive of benefit, or unduly burden, any person based on race, income, or heritage.

The MPO must:

- Conduct an analysis showing the extent to which members of minority and low income populations are beneficiaries of the current and planned transportation system (49 CFR 21.9(b) and the US DOT Order on Environmental Justice).
- Attempt to conduct an environmental justice equity analysis assessing the regional benefits and burdens of transportation system investments. Quantify the specific impacts of the current and planned transportation system on different racial and low income groups.
- Analyze regional data to identify minority and low-income population concentrations within the region. Document how the technical resources (models, GIS, databases and analysis, etc.) are being used for Title VI-related planning and analysis.
- Provide member agencies with regional data that assist them in identifying minority and low-income populations in their sub-region or service area.
- Establish appropriate standards, measures, benchmarks, and analyze the transportation plan, TIP, and other MPO actions, plans, and investments to ensure they are consistent with and do not violate Title VI of the Civil Rights Act and the Executive Order on Environmental Justice.
- Ensure that members of low-income and minority communities, including Indian Tribal governments, are provided with full opportunities to engage in the regional transportation planning process. This includes actions to eliminate language, mobility, temporal, and any other type of obstacles to allow them to fully participate in the process.
- Where appropriate, monitor the activities of member agencies and other transportation agencies in the region regarding compliance with Title VI and Environmental Justice requirements.
- Evaluate the regional transportation system to ensure that services are accessible to persons with disabilities.

**Findings:** The 2004 certification review included recommendations to increase the representation and participation of minority and low-income populations in the transportation planning process, expand environmental justice evaluation as appropriate to address the needs and circumstances in Southeastern Wisconsin, and to collaborate with interested parties to

identify community issues and appropriate regional initiatives that can be pursued to address community needs related to economic development, land use, and transportation. As previously noted, collaboration with interested parties led to formation of the SEWRPC Environmental Justice Task Force to enhance consideration and integration of environmental justice throughout the regional planning process. Collaboration also led to the start of a regional housing plan.

Title VI related public comments to the certification review included concerns with underrepresentation of minorities on the Commission and advisory committees, affordable housing and access to jobs, lack of priority for transit in plan implementation and service for transit dependent residents, regional planning priorities not consistent with priority needs of urban population in City and County of Milwaukee, underrepresentation on SEWRPC staff, and the location of the Commission's office inaccessible to minority and low income constituents.

SEWRPC's targeted outreach efforts and creation of the Environmental Justice Task Force indicate substantial commitment to seeking participation of minority and low income groups in the transportation planning process. SEWRPC should continue to cultivate relationships with responsive groups and the EJTF and seek means to further relationships with other groups within the minority and low income communities. EJTF members represent a limited number of community groups. SEWRPC and the EJTF members should establish and maintain communication with representatives of other groups to keep them informed of and engaged in ongoing issues and activities.

Despite SEWRPC's efforts, elements of the community continue to voice concerns about SEWRPC's commitment to address the needs of those traditionally underserved. SEWRPC needs to evaluate what has worked, and what is not working with respect to those initiatives already undertaken to document and educate opposing views.

Comments to the certification review team included concerns that input from the Environmental Justice Task Force was not implemented. A SEWRPC Commissioner chairs the EJTF and represents their perspective to the Commission. However, SEWRPC should provide documentation to the EJTF as to how recommendations were considered and used in Commission decisions. SEWRPC should be able to demonstrate the value of discussions with public representatives and advisory groups and how their input can affect or impact the overall transportation needs of the region.

It is important that SEWRPC and collaborating interested parties help position the EJTF to succeed. The task force meeting agendas and minutes reflect a wide range of issues and concerns. The EJTF should consider focusing on completion of a limited number of planning related tasks to help realize accomplishment and value for their efforts as an advisory group to the Commission.

Some public comments reflect misunderstanding and lack of trust by elements of the community. SEWRPC should continue and expand efforts to educate public officials and community leaders as to the MPO role and inclusive processes. SEWRPC should consider documenting and publishing specific outreach activities to minority communities to make the public aware of their efforts. SEWRPC should also consider means to inform minority and low income communities

of the strong commitment to transit in the regional transportation plan and their substantial efforts to develop a dedicated source of funding to support transit operations and expansion.

Concerns remain about minority and low income communities' access to SEWRPC. To build trust within the communities, SEWRPC should examine opportunities to get closer to the communities. The recent creation and staffing of a new public involvement manager position should assist this effort. Locating a satellite office in the City of Milwaukee, which is under consideration by SEWRPC, could also contribute to stronger relationships.

Given concerns raised about the accessibility of minorities and low-income groups to jobs and affordable housing, SEWRPC should work with local transit providers in identifying related service deficiencies and system impacts. SEWRPC is encouraged to engage local transit providers as a technical advisory committee for dialogue and development of guidance with respect to the transit investments and service needs of underserved communities in the region.

Federal requirements do not specify standards or methods by which the impacts or benefits of transportation plans and programs on minority and low-income populations must be analyzed. SEWRPC should remain current with practices of other MPOs and adopt techniques as appropriate to enhance evaluation of benefits and impacts within SE Wisconsin. SEWRPC should also use the EJ analysis in discussions with minority and low income community groups to help identify transportation service and system needs at the front end of the planning process.

#### **Recommendations:**

- SEWRPC should continue to cultivate established relationships with minority and low income groups and the EJTF, work with the groups to further interaction with other groups within the minority and low income communities, and provide feedback on how their input is used in transportation planning processes.
- SEWRPC should continue to refine the EJ analysis methods and expand use of the tools to identify transportation service and system needs. The methodology and analysis should be reviewed with the EJTF and other minority and low income groups to correlate with community experiences and identify potential impacts.

#### **Congestion Management Process**

**Requirement:** The result of an effective congestion management process (CMP) should be serious consideration and implementation of strategies that advance the most efficient and effective use of existing and future transportation facilities through an objectives-driven, performance-based approach to determining and selecting programs and projects. A CMP applies to transportation management areas (TMAs) and is a systematic approach for managing congestion through a process that “provides for safe and effective integrated management and operation of the multimodal transportation system, based on a cooperatively developed and implemented metropolitan-wide strategy, of new and existing transportation facilities eligible for funding under title 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 450.320(a)).

**Findings:** While there is not a single standard model of a CMP, the SAFETEA-LU Final Planning Rule stipulates that several key aspects of a CMP be conspicuous and evident in its implementation (23 CFR 450.320(a)-(e) where applicable). Pursuant to these requirements, a CMP must address congestion through a process, must result in multimodal system performance measures that can be reflected in the regional transportation plan and TIP development, and must include strategies to manage demand, reduce single occupant vehicle (SOV) travel, and improve transportation system management and operations. A CMP must also include definition of congestion, and must identify methods to monitor and evaluate the performance of the region's transportation systems.

ISTEA (1991) introduced Federal provisions requiring that any recommended highway expansion project in a nonattainment TMA be the result of a congestion management process. SEWRPC developed its congestion management methodology as a core process within the transportation plan development process to implement this requirement. The SEWRPC CMP is a systematic and sequential process for evaluating and identifying recommended strategies for land use control, demand management, system management and operation, and transit service in reducing forecast traffic congestion before identifying highway expansion needed to address congestion that remains. The CMP provides a set of performance measures to analyze the performance of the regional transportation system. Additionally, the SEWRPC CMP involves important interested parties such as freight shippers and regional transit operators. CMAQ project selection procedures were updated in 2007 to include priority consideration for projects that implement the CMP strategies. In all, the review team considers SEWRPC's CMP to minimally meet the federal requirements for CMP.

The congestion management concept has evolved substantially since inception to be a dynamic and distinct process that provides for effective management and operations of the transportation system as a whole. The SEWRPC CMP is so integrated into the regional transportation plan development process that it does not readily function outside of that process to facilitate prioritization and implementation of the various demand and systems management strategies. It is essential for SEWRPC to enhance and refine its CMP to function beyond the transportation plan development process as a mechanism used to identify and prioritize a program of projects that will implement the multimodal congestion management strategies, including specific applications, facilities, schedule, responsibilities, and resources. The program should be closely linked to the evaluation component of the CMP to assess the effectiveness of implemented strategies as the basis for refinements. This program should involve the implementing agencies and transit operators in the region and consultation with transportation agencies in Illinois to coordinate congestion management across the state line.

Many management and operations strategies to address congestion management in a CMP are closely related to ITS. It is desirable for SEWRPC to strengthen the CMP linkage to the regional ITS architecture.

**Recommendations:**

- Enhance and refine the SEWRPC CMP to further function as a mechanism to identify and prioritize a program of projects to implement the congestion management strategies;
- Clarify implementation details of the CMP, including facilities, schedule, responsible agencies, funding sources for given strategies, and timely evaluation and assessment;
- Strengthen the CMP linkage to the regional ITS architecture;
- Consult with the affected transportation agencies in Illinois to coordinate CMP implementation efforts across the state line.

**Annual List of Obligated Projects**

**Requirement:** Federal law requires publication of an annual list of obligated projects.

*Obligated projects* means strategies and projects funded under 23 USC and 49 USC for which the supporting Federal funds were authorized and committed by the State or designated recipient in the preceding program year, and authorized by FHWA or awarded as a grant by FTA. The annual listing must be a cooperative effort of the MPO, State, transit operators and local governments and information must include an adequate description of project scope, location and limits of the project, the original amount programmed and the amount actually obligated. It is also encouraged that visualization techniques be applied to this publication to promote an improved understanding of transportation programs. Emphasis has been added to the inclusion of investments in pedestrian walkways and bicycle facilities. The list must be published within 90 days of the end of the reporting year.

**Finding:** SEWRPC provides the Annual List of Projects on its website under Transportation Planning. There are two separate listings, highway and transit, both by calendar year. The certification review team commends SEWRPC for the highway listing which includes projects with highway, bicycle, and pedestrian elements in a manner that is consistent with their listing in the TIP/STIP. However, the publication of the transit projects, while covering more than a twelve month period, is somewhat confusing, is not consistently formatted between years and does not provide complete information for projects and their funding.

The link on the website identifies the listing of transit projects as calendar year 2007. However, most of the projects depicted are from calendar year 2008. It would be helpful to create separate links for the two years. Also, the projects should be depicted in a format similar to highway in that the projects can be referenced back to their listing in the TIP/STIP. The listing of completed projects should include FTA grant project identification number as the federal project, date of grant award as an obligation date, federal funding source as federal program, total cost, federal cost, etc. Because SEWRPC has a positive relationship with its transit operators, it is not unreasonable for them to consult with the transit operators at the end of the year to ascertain what projects have been obligated. This will also foster ongoing dialogue for making sure that any projects that were programmed in the TIP, not yet obligated, get programmed or moved to the appropriate year for funding.

**Recommendation:** It is recommended that SEWRPC consult and work closely with WisDOT and FTA prior to publishing the list of transit projects to ensure accuracy. It is also recommended that SEWRPC consider highlighting the transit projects in a single regional map to

help provide a context for where resources have actually been committed. This would be especially helpful for the JARC, New Freedom and Elderly Persons and Persons with Disabilities projects to show investments and services for disadvantaged populations. Finally, it is recommended that SEWRPC take every opportunity to publicize the annual listing of obligated projects, via newsletters and public meetings, to identify where transit investments occur and where they are still needed. This will allow for increased public feedback and will enhance the metropolitan planning process for transit service and heighten public awareness of federal, state and local funding issues.

### **Transit Planning**

**Requirement:** The MPO in cooperation with the State and with the operators of publicly owned transit services shall be responsible for carrying out the metropolitan transit planning process. The following planning factors under 23 CFR 450.306 provide for the consideration and strategies that support public transportation coordination and development:

- Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity and efficiency;
- Increase the safety and security of the transportation system for motorized and non-motorized users;
- Increase the accessibility and mobility options available to people and for freight;
- Protect and enhance the environment, promote energy conservation, and improve quality of life;
- Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
- Promote efficient system management and operations; and
- Emphasize the preservation of the existing transportation system.

**Findings:** There is consensus among the several transit operators (Milwaukee County, City of Kenosha, City of Racine and Waukesha Metro transit systems) that SEWRPC is being responsive to their needs and makes every effort to be inclusive and coordinate the impact of SEWRPC's transportation planning efforts in the metropolitan area. Transit operators are directly involved in the review of the TIP and TIP amendments. The Transit Development Plans developed by SEWRPC in conjunction with the transit operators, have identified the need for expansion of the transit system in the region. The transit advisory group included in that process has been a great forum to discuss cross-jurisdictional service coordination and pursue other specific transit issues affecting the public transportation needs of the area. It is evident from the participation of the transit operators during the certification review and the open house that there is strong cooperation among the transit providers and SEWRPC. Unfortunately, all of the transit operators present agreed that the single most important challenge facing the region is securing a dedicated source for local transit funding.

**Commendation:** SEWRPC is instrumental in proposing and promoting transit alternatives in the region. SEWRPC serves as project sponsor for the Kenosha-Racine-Milwaukee (KRM) Commuter Rail project. SEWRPC allocates staff resources in support of Milwaukee County Transit System's bus rapid transit project currently proposed for FTA very small starts funding.

SEWRPC also staffs the current Southeastern Wisconsin Regional Transit Authority. SEWRPC has demonstrated commitment in support for planning and implementation of transit in the region. SEWRPC is recognized for their involvement with transit operators, local governments, the current regional transit authority, and a newly formed transportation coalition that are all working to achieve a dedicated source of funding to meet the needs of mass transit in the region.

### **Coordinated Human Services Transportation Plan (CHSTP)**

**Requirement:** SAFETEA-LU requires that proposed projects under three FTA formula funding programs, Special Needs of Elderly Persons and Persons with Disabilities (5310), Job Access and Reverse Commute (5316), and New Freedom (5317), must be derived from a locally developed public transit-human services transportation plan. This plan must be developed through a process that includes representatives of public, private, and non-profit transportation and human services providers, as well as the public. Local officials are to determine the appropriate lead for developing the plan which can be, but is not required to be, the MPO. Preparation of the plan should be fully coordinated and consistent with the metropolitan transportation planning process.

**Finding:** The designated recipient for Section 5310, 5316, and 5317 funds for the metropolitan urbanized area is WisDOT. SEWRPC, in conjunction with WisDOT assumed the lead for the Coordinated Public Transit-Human Services Transportation Plan (CHSTP). In 2006 and 2007, SEWRPC worked with WisDOT to host public coordination meetings in each county within the region. Because WisDOT is the designated recipient, SEWRPC is not responsible for the competitive selection process required under SAFETEA-LU. However, SEWRPC does send out a call for projects for all interested transportation providers in each county to make them aware of the availability of funds for each program.

Once the State has identified projects for funding, they are brought back to SEWRPC to amend into the TIP giving the public and stakeholders an additional opportunity for input. Again, this effort provides SEWRPC with an opportunity to increase its public involvement with underserved and/or disadvantaged populations.

**Recommendation:** SEWRPC's coordinated planning process can and should continue to explore and identify human service transportation providers while providing details of existing and needed services. The CHSTPs should evaluate the adequacy of those services in relation to identified disadvantaged populations and those with special needs. The plans should ultimately provide strategies/activities and yield projects that address transport deficiencies such as gaps and duplication of services.

The appropriate transportation providers, stakeholders, and the public have been involved in the planning activities that led to adopted CHSTP documents for each county. Limited coordination between counties was achieved by conducting joint planning sessions for pairs of adjacent counties in the region. The certification review team recommends that SEWRPC continue to work with and encourage WisDOT to develop an even broader, more regionalized coordinated planning effort that addresses the mobility needs of the target populations in a manner that extends throughout the entire Region.

## **Freight**

**Requirement:** It is in the national interest to encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and between States and urbanized areas, while minimizing transportation related fuel consumption and air pollution through metropolitan and statewide transportation planning processes and encourage the continued improvement and evolution of the metropolitan and statewide transportation planning processes by MPOs, State departments of transportation, and public transit operators as guided by the planning factors. Three of the eight SAFETEA-LU planning factors identified within title 23 U.S.C. include freight-related provisions that should be addressed as part of the metropolitan and Statewide transportation planning process (23 U.S.C. §134(h) and §450.306).

**Findings:** SEWRPC has been actively engaging the private sector in its freight planning efforts. SEWRPC has established the Freight Operators Task Force to involve freight shippers and providers of freight transportation services that include rail, air and port operators as well as economic development partners in the region. Also, the Task Force aims to market pertinent freight data and information to strengthen the tie between transportation planning and freight planning. The transportation planning linkage to freight is well underway at SEWRPC.

There exist several areas of immediate opportunity for SEWRPC to enhance and advance its freight planning efforts. Freight-specific goals and objectives in the regional transportation plan will further fortify the linkage between freight planning and the transportation plan, TIP and CMP. Also, freight-specific performance measures have not been developed by the Commission to monitor, document, and evaluate freight-related system performance. The actions identified in the regional transportation plan are not adequate to begin developing and integrating a multi-modal transportation system that facilitates the safe and efficient movement of people and goods.

**Recommendation:** The certification review team recommends that SEWRPC continue to engage and build relationships with freight shippers and providers of freight transportation services in the region including economic development partners. The review team also recommends that SEWRPC consider freight-specific regional transportation plan goals and objectives to reflect freight transportation consideration in the overall transportation planning process. Such goals and objectives will attest to the Commission's commitment to a multimodal transportation system that emphasizes the mobility of people and goods in the region. SEWRPC may also consider using its survey of truck travel to identify and categorize notable freight corridors. These recognitions can provide the general public and transportation policy decision-makers with a defensible reference to the current and proposed transportation system as part of SEWRPC's public participation plan as well. SEWRPC should also work closely with the Canadian Pacific Railroad to enhance the integration and connectivity of the rail transportation system by bringing together key players from the public and private sector to study the possibility of re-routing the Canadian Pacific trains from the passenger terminal to give passenger trains more efficient access, and improve operations, between Milwaukee and Chicago.

## **Security**

**Requirement:** Federal legislation has separated security as a stand-alone element of the planning process (both metropolitan and statewide planning). Prior to SAFETEA-LU, safety and security were combined into one planning factor. Decoupling the two concepts in SAFETEA-LU signified a heightened importance of both safety and security to transportation decision-making (23 CFR 450.306(a) (3)). The regulations also state that the degree and consideration of security should be based on the scale and complexity of many different local issues. The Transportation Plan should include “(as appropriate) emergency relief and disaster preparedness plans and strategies and policies that support homeland security (as appropriate) and safeguard the personal security of all motorized and non-motorized users” (23CFR 450.322(h)).

**Findings:** The Commission is aware of the requirement for a security element in the metropolitan transportation plan. The SEWRPC Transportation Plan recommends a number of incident management measures designed for timely detection, confirmation, and removal of traffic incidents. The Transportation Plan also recommends measures which, as an ancillary benefit, could enhance transit system security. It is noted that the largest transit operator in the region, the Milwaukee County Transit System (MCTS) recently received a Congestion Mitigation and Air Quality (CMAQ) improvement grant to install 100 security cameras on MCTS buses.

Opportunities exist for the Commission to enhance and advance its security planning efforts. SAFETEA-LU has signified a heightened importance for both safety and security in the transportation planning process. The established WisDOT Traffic Incident Enhancement (TIME) Program provides a forum which the Commission could utilize to advance discussion of transportation security planning efforts in the region. Discussion of or reference to emergency relief and/or disaster preparedness planning efforts in southeastern Wisconsin should be identified in the SEWRPC regional transportation planning documents. Additionally, Commission staff should be involved in WisDOT sponsored transportation security planning efforts in southeast Wisconsin.

### **Recommendations:**

- SEWRPC should engage WisDOT to familiarize itself with those security related transportation policies and planning efforts recently completed and underway in southeastern Wisconsin, including WisDOT’s *Emergency Transportation Operations Plan*, downtown Milwaukee evacuation routes, and emergency alternate routes to I-94 in Waukesha County. The review team further recommends that SEWRPC incorporate, and note as appropriate, these security policies and efforts in their metropolitan transportation planning process and products.
- SEWRPC should monitor and assist WisDOT in implementing the security recommendations in *Connections 2030*. The Wisconsin Department of Transportation has identified a number of action items in that plan where MPO participation is appropriate, such as coordinating border county evacuation plans with Illinois, developing the transportation element of the National Response Framework, coordinating evacuation plans for Wisconsin’s 12 largest communities, studying the needs of essential

freight movement, developing the Wisconsin Airport Security Plan, offering security planning assistance to local transit agencies, and developing local plans that can be integrated into statewide emergency relief and disaster preparedness plans, strategies, and policies. As appropriate, the Commission's plans and programs should also identify projects and funding to address mitigation of priority security needs.

## **Safety**

**Requirement:** SAFETEA-LU continues to require MPOs to consider safety as a planning factor. 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. Safety was identified in TEA-21 as a planning factor, in combination with security. SAFETEA-LU emphasized the importance of safety by separating safety and security into individual considerations in the planning process, thus highlighting the importance of each issue.

**Findings:** SEWRPC has coordinated with WisDOT and other safety partners to develop the Strategic Highway Safety Plan (SHSP) that identifies key safety needs in the region that are consistent with statewide safety goals and planning process. The SHSP is incorporated in the Commission's safety planning efforts, and proposes safety projects to regional transportation plan and TIP project development. As part of the SHSP, safety-specific performance measures have also been developed.

Several areas of opportunity exist for advancing safety planning considerations. The regional transportation plan includes a safety-specific goal and broad objectives (standards) by which to evaluate alternatives. SEWRPC should affirm its commitment to safety by adopting more aggressive and defined safety-specific goals and objectives in the regional transportation plan. Such goals and objectives will become a catalyst to identify regional safety concerns in the transportation plan. Recent work by WisDOT has made safety data readily available in a useful format that MPOs can use in monitoring system performance to support plan goals and recommendations and track the impact of implemented projects. SEWRPC should consider the opportunity to coordinate a regional safety focus using the data to develop a short term safety plan to elevate and inform programming of safety projects in the TIP.

### **Recommendations:**

- Define more aggressive and performance related safety goals and objectives in the transportation plan.
- Consider coordinating development of a short term safety implementation plan to guide implementation of safety improvements in the Region.

## **Intelligent Transportation System**

**Requirement:** The FHWA Final Rule and FTA Policy on Intelligent Transportation Systems (ITS) Architecture and Standards require that all ITS projects funded by the Highway Trust Fund and the Mass Transit Account conform to the national ITS architecture, as well as to USDOT-adopted ITS standards. A regional ITS architecture must be in place to guide development and

implementation of ITS projects. All ITS projects shall be developed using a systems engineering process. Project compliance with the regional ITS architecture must be demonstrated as a condition of Federal funding.

**Findings:** The WisDOT has taken the lead in the development, update, and maintenance of the regional ITS architecture with SEWRPC participating in that process. The regional ITS architecture was first adopted in June, 2000, and was last updated in December, 2005. Development of the regional ITS architecture should be consistent with the transportation planning process for the Statewide and Metropolitan Transportation Planning. As noted previously, SEWRPC should ensure consistency between the architecture and operational strategies in the regional transportation plan and the CMP.

It is not inherently clear based upon a review of SEWRPC planning documents whether ITS projects implemented in the region or programmed in the TIP conform with the regional ITS architecture. This is not a MPO responsibility. However, SEWRPC is positioned to work with WisDOT and heighten awareness of the ITS architecture, recommended strategies and systems engineering requirements with all transportation providers in the region. This systems engineering analysis should describe how the ITS project fits into the regional architecture, roles and responsibilities of participating agencies, and an analysis of alternative system options.

### **Modeling**

**Requirement:** Federal transportation planning legislation requires each MPO to develop a transportation plan as part of its planning process (23 U.S.C. 134(i) and 49 U.S.C. 5303(i)). This plan must cover at least a 20-year planning horizon and “shall 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” [23 CFR 50.322(b)].

A transportation plan requires valid forecasts of future demand for transportation services. These forecasts are frequently made using travel demand models, which allocate estimates of regional population, employment and land use to person-trips and vehicle-trips by travel mode, route, and time period. The outputs of travel demand models are used to estimate regional vehicle activity for use in motor vehicle emissions models for transportation conformity determinations in nonattainment and maintenance areas, and to evaluate the impacts of alternative transportation investments, being considered in the transportation plan.

The Transportation Conformity Rule established a regulatory requirement that includes minimum specifications for travel models used to forecast vehicle activity for regional emissions analyses in conformity determinations in TMAs that are also serious, severe, or extreme ozone or serious carbon monoxide nonattainment areas.

**Findings:** SEWRPC has a long established travel demand model that is currently in compliance with all applicable regulations within the transportation conformity rule. SEWRPC currently uses Cube Base as the user interface for their modeling modules, Cube Voyager for the travel demand model, and MOBILE 6.2 for their regional emissions analysis.

The certification review team finds SEWRPC's modeling capabilities meet and exceed the requirements of the transportation conformity rule. The team suggests that SEWRPC convene a peer review of its travel forecasting methods, continue to demonstrate the commitment to their travel forecasting technical process, and to assist in developing and prioritizing both short-term and long-term travel demand model enhancements. USDOT supports peer reviews of MPO travel demand models through the Travel Model Improvement Program (TMIP) by assisting MPOs in panel assembly, logistics, and funding for travel.

### **Air Quality**

**Requirement:** Section 176 (c) (1) of the Clean Air Act Amendments of 1990 (CAAA) states: *"No metropolitan planning organization designated under section 134 of title 23, United States Code, shall give its approval to any project, program, or plan which does not conform to an implementation plan approved or promulgated under section 110."* The Intermodal Surface Transportation Efficiency Act of 1991 and subsequent highway legislation included provisions responsive to the mandates of the CAAA. Implementing regulations have maintained this strong connection.

Provisions governing air-quality-related transportation planning are incorporated in a number of metropolitan transportation planning requirements. For MPOs in designated air quality nonattainment or maintenance areas, there are many special requirements in addition to the basic requirements for a metropolitan planning process. These include formal agreements to address air-quality-planning requirements, requirements for setting metropolitan planning area boundaries (MPAs), interagency consultation, MTP content and updates, requirements for the CMP, public meeting requirements, and conformity findings on MTPs and TIPs.

**Findings:** The six-county SEWRPC metropolitan planning area has been in air quality non-attainment status since being designated a severe non-attainment area under the one-hour ozone standard in 1990. The six-county area is currently designated as a moderate non-attainment area under the 8-hour ozone standard. Conformity on the SEWRPC MTP and TIP was last determined by USDOT on June 20, 2007.

SEWRPC staff is active in SIP development and discussion of air quality issues through participation on the Wisconsin Clean Air Act Task Force and the Wisconsin Department of Natural Resources (WDNR) Conformity Work Group. SEWRPC maintains the travel model, data and inventories used by the WDNR in developing emissions inventories for the six-county area. The Commission honors the interagency consultation process outlined in their agreement with WDNR and WisDOT. Staff maintains a consistent dialog with FHWA, WisDOT and WDNR on air quality issues. WDNR has representatives on the SEWRPC land use and transportation planning advisory committees. SEWRPC is also a key partner with WisDOT and WDNR in analyzing and prioritizing CMAQ project proposals and estimating emissions benefits for projects.

SEWRPC is well experienced in conformity analyses for their regional transportation plans and TIPs. Their documents provide clear identification of projects subject to regional emissions analysis as well as those determined to be exempt.

FHWA and FTA review and evaluation of the transportation planning process concludes that the process is adequate to ensure conformity of plans and programs in accordance with procedures contained in 40 CFR part 51.

**Commendation:** SEWRPC is commended for air quality leadership within the Wisconsin transportation community and their pro-active approach to air quality issues within Wisconsin. SEWRPC has been a leader in air quality planning, and in facilitating communication among the agencies involved in air quality planning and regulation. The Commission places high priority on air quality expertise and invests resources to remain current with the very complex and dynamic air quality and conformity rules.

### **Environmental Mitigation**

**Requirement:** A long-range transportation plan shall include a discussion of types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan.

**Findings:** Prior to the preparation of the SEWRPC year 2035 regional transportation plan, SEWRPC staff identified the need to enhance the connection between the regional transportation planning process and project level preliminary engineering. The SEWRPC moved forward with a pilot-program designed to collaborate and consult with Federal and State environmental resource agencies. The intent of this effort was to improve SEWRPC staff understanding of the resource agency missions, objectives, and issue areas, as well as to improve resource agency staff understanding of the transportation alternatives considered at the system planning level. Additionally, the sharing by the resource agencies of their data sets allowed SEWRPC staff to enhance the consideration and evaluation of environmental impacts of regional transportation plan alternatives. This pilot effort was initiated with SEWRPC hosting the National Highway Institute (NHI) course – *Linking Planning and NEPA*. Following the NHI course, SEWRPC continued to implement the pilot program; including creating and holding numerous meetings of a resource agency workgroup throughout the regional transportation plan development process. This effort led to consideration and evaluation of plan alternative impacts on additional resources not previously considered as that data was made available by the resource agencies to SEWRPC. Examples of additional natural resource data sets available where impacts were considered and evaluated included Wisconsin DNR (WDNR) managed lands, WDNR Land Legacy Places, and land trust or other conservation organization lands. Discussion at the workgroup meetings also included consideration of how potential impacts might be mitigated.

Individual staff members of some of the resource agencies have noted their appreciation to FHWA for the SEWRPC effort, for the opportunity to participate in the regional transportation plan development process, and for a better understanding of the alternatives considered at the systems planning level. The WisDOT staff stated during the site visit that the investment made by SEWRPC to educate and provide the opportunity for resource agency participation during regional transportation plan development is being realized and acknowledged as the WisDOT submits NEPA documentation to those agencies for review. The success, lessons learned, and

identification as a good practice of the pilot program has been acknowledged by SEWRPC's peers as they have been asked to present on this work at national and regional conferences such as the Association of Metropolitan Planning Organizations (AMPO) Annual Conference, Institute of Transportation Engineers (ITE) Annual Meeting, and Midwest Transportation Planning Conference, among others.

**Commendation:** SEWRPC is commended for the environmental consultation pilot program and for placing emphasis on the consideration and evaluation of plan alternative impacts on the natural and manmade environment, including those additional resources and accompanying data identified and provided by the resource agencies. The FHWA and FTA recognize this as a good practice and an example for other MPOs.

### **Consultation**

**Requirement:** In developing metropolitan transportation plans and TIPs, the MPO should consult with agencies and officials responsible for other planning activities within the MPA that are affected by transportation or coordinate its planning process (to the maximum extent practicable) with such planning activities. MPOs shall, to the extent practicable, develop a documented process (es) that outlines roles, responsibilities, and key decision points for consulting with other governments and agencies.

The metropolitan planning organization shall consult, as appropriate, with State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation concerning the development of a long-range transportation plan. The consultation shall involve, as appropriate, comparison of transportation plans with State conservation plans or maps, if available; or comparison of transportation plans to inventories of natural or historic resources, if available.

**Findings:** SEWRPC documented extensive consultation with public agencies and private groups in preparation of the year 2035 regional transportation plan. Consultation efforts with freight interests and environmental resource agencies are cited as good practice elsewhere in this report. The documentation identified the groups contacted and methods of involvement and sets a process for consultation in future plan updates. The documentation is not readily available nor does it include processes associated with TIP development.

**Recommendation:** SEWRPC should update and expand the documented transportation planning consultation process to more clearly identify the roles, responsibilities and key decision points that will involve consultation with the agencies and officials, and include procedures applicable to TIP development. The consultation process should be readily accessible information for agency officials. SEWRPC should maintain documentation of communications with consulted officials.

## **Conclusion**

Based on the reviews conducted and ongoing oversight by FHWA and FTA, the Southeastern Wisconsin Regional Planning Commission's transportation planning process is certified as meeting the transportation planning requirements of 23 U.S.C. 134 and 49 U.S.C. 5303.

The FHWA and FTA find that the broad context of federal public involvement and Title VI requirements provides opportunity to examine the public expectations expressed in comments and consider appropriate changes to improve SEWRPC metropolitan transportation planning. The certification recommendations listed herein recognize SEWRPC's past willingness to consider critique of their processes and improve their practices to address valid concerns. Responsibility for these improvements falls on SEWRPC, the local governments, WisDOT, and the transit operators, as well as the concerned citizens, interest groups, and public officials who seek changes. FHWA and FTA expect to be closely involved in monitoring implementation of these recommendations to better understand the basis for the concerns, interest, and commitment of all parties to constructively improve the processes.

FHWA and FTA request that SEWRPC provide an annual update on status of progress in implementing the recommendations herein.

The federal review team found the review to be very informative and productive and thanks the SEWRPC staff and the regional planning partners for their input and cooperation.

## Attachment A

### Agenda Southeastern Wisconsin Regional Planning Commission Certification Review October 22–23, 2008

Wednesday, October 22, 2008

<b>Time</b>	<b>Review Topic</b>
9:00	Purpose and Introductions
	MPO Presentation of the Status of Regional Transportation Planning - including: Disposition of Previous Review Findings, SEWRPC Organizational Structure, Committees and voting Structure, Planning Area Boundaries, Agreements & Contracts, MOUs, Interstate/Intraregional Coordination
	Public Outreach
10:30-10:45	Break
	The status of Freight and Safety Planning Efforts in the Region
12:30-1:30	Lunch
	CMP and M&O
	Status of the Long Range Transportation Plan, TIP, UPWP development, Fiscal Constraint in the LRTP and TIP, Prioritization Process, List of Projects and Amendments
3:00–5:00	Break/Travel to Public Meeting in Milwaukee
5:00-7:00	Public Meeting

Thursday, October 23, 2008

<b>Time</b>	<b>Review Topic</b>
8:00	Transportation Planning Process, Transit Coordination, Human Services Public Transportation Coordination/Plan, Transit Development Plans, Job Access, Transit agency involvement
	Status of Non-Motorized Planning *Bicycle/Pedestrian Planning
	Demographic Projections, Travel Demand Model, Transit Modeling, Deficiency identification
10:00-10:15	Break
	Financial Plan, Revenue Estimates, Project Cost Estimates
	Air Quality – Mobile 6, Revised Maintenance Plan, Conformity/Interagency Consultation, 8 hr. Ozone standard, PM 2.5
	Environmental Justice/Title VI Activities

12:00-1:00	Lunch
	Technical Capabilities – GIS, ITS, Incident Management
	Coordination with other cooperating agencies e.g. EPA, DNR, DHHS etc.
	Review Team Caucus
	Close Out/Questions