



Federal Highway Administration
Federal Transit Administration

2012
Transportation Planning
Certification Review
for
Milwaukee, Wisconsin
and
Wisconsin Portion of the Round Lake
Beach, Illinois-Wisconsin
TMA

Summary Report

Prepared by:
Federal Highway Administration
Federal Transit Administration

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Preface

Pursuant to 23 U.S.C. 134 (k)(5) and 49 U.S.C. 5303(k)(5), 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 each Transportation Management Area (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 Bureau, with a population over 200,000.

In general, the certification is focused around a comprehensive review. The certification review covers the metropolitan transportation planning process conducted cooperatively by the designated Metropolitan Planning Organization (MPO), State, and Transit Operators. The review consists of three primary phases:

- A desk review of the various planning products of the MPO, conducted by the reviewing agencies prior to the site visit;
- A site visit where MPO staff, as well as staff from the State DOT and local transit providers, meet with the Review Team and review the planning activities carried out in the TMA. An opportunity is provided for public officials and the general public to comment on the transportation planning activities conducted in the area; and
- The preparation of a report that summarizes the review and 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 FHWA/FTA 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.

The quadrennial certification review ties in all of the 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, 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 finding of the certification review, in fact, is 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 review 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.

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 in each Transportation Management Area (TMA) is being carried out in accordance with applicable provisions of Federal law. The certification is not just a review of the Metropolitan Planning Organization (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 quadrennial review of the overall transportation planning process.

Specific review activities conducted as the basis for this determination relative to the Milwaukee TMA and Wisconsin portion of the Round Lake Beach TMA included a desk review of the Southeastern Wisconsin Regional Planning Commission (SEWRPC) planning products and processes conducted in March, April and May of 2012, a field review meeting with staff from SEWRPC, the Wisconsin Department of Transportation (WisDOT), and local transit operators on June 26 and June 27, 2012, a public comment period from June 12, 2012 to July 16, 2012, and a public meeting on the evening of June 26, 2012. Local elected officials were also offered the opportunity to meet with the Federal Review Team.

Based on this review and ongoing oversight by the FHWA and the FTA, the transportation planning process carried out in the Milwaukee, Wisconsin and the Wisconsin portion of the Round Lake Beach, Illinois-Wisconsin TMAs is certified as meeting the requirements as described in 23 Code of Federal Register (CFR). The certification findings are detailed within the report, including a number of recommendations intended to enhance the planning process in this region. A summary of recommendations and commendations is included in Appendix B.

Introduction and Background Information

Introduction

The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) are required to jointly review and evaluate the transportation planning process in all urbanized areas over 200,000 in population to determine if the process meets the Federal planning requirements at least every four years. Certification of the planning process is a prerequisite to the approval of Federal funding for transportation projects in such areas. The certification review is also an opportunity to provide assistance on new programs and to enhance the ability of the process to provide decision makers with the knowledge they need to make well-informed capital and operating investment decisions. In addition to the formal certification review, routine oversight mechanisms provide a major source of information upon which to base the certification findings. A necessary component in the certification of the transportation planning process is the routine oversight that takes place on a day-to-day basis. The certification review covers the transportation planning process conducted cooperatively by the Metropolitan Planning Organization (MPO), State, and Transit Operators.

Under state statute, the Southeastern Wisconsin Regional Planning Commission (SEWRPC) is the designated Regional Planning Commission for the seven counties in Southeastern Wisconsin, including Milwaukee, Waukesha, Ozaukee, Washington, Kenosha, Walworth and Racine Counties. Under federal statute, SEWRPC is the designated MPO for the Milwaukee, Racine and Kenosha urbanized areas and that portion of the Round Lake Beach-McHenry, Grayslake IL-WI urbanized area within Wisconsin. The approved metropolitan planning area for purposes of administering federal metropolitan transportation planning requirements includes the six-county area containing Milwaukee, Waukesha, Ozaukee, Washington, Kenosha and Racine Counties. WisDOT is the responsible State agency. There are eleven transit agencies operating in the region. A complete list of transit agencies is provided in Appendix D.

Overview of the MPO

Southeastern Wisconsin Regional Planning Commission

The Southeastern Wisconsin Regional Planning Commission (RPC) was established in 1960 under Section 66.0309 of the Wisconsin Statutes as the official areawide planning agency for Wisconsin's rapidly urbanizing southeastern region, including the seven counties of Kenosha, Milwaukee, Ozaukee, Racine, Washington, Walworth, and Waukesha. As designated in State Statutes, SEWRPC's governing body (Commission) consists of 21 members, three from each of the seven member counties. RPCs are authorized to conduct research, collect and analyze data, conduct studies, prepare plans, etc. that address issues that transcend the corporate boundaries and fiscal capabilities of the individual local units of government.

The Commission is assisted in its work by numerous technical, citizen, and intergovernmental coordinating and advisory committees. These committees include both elected and appointed public officials and interested private citizens with knowledge in the Commission work areas.

The Commission staff consists of a core staff of 70 full-time professional, technical, administrative, and clerical personnel, supplemented by additional temporary staff and consultants as required by the various work programs under way. The staff is broken into seven

areas: transportation, land use, environmental, natural resources, geographic information systems, cartographic and public outreach. The responsibility of the staff is to implement delegated program responsibilities and to advise the Commission and its committees on all key decisions.

As an RPC, SEWRPC provides transportation planning for 154 local units of government, and 11 transit operators, including shared-ride taxi, across 2,689 square miles. SEWRPC serves 2,019,970 people, or 36% of the population in Wisconsin.

Metropolitan Planning Organization

In 1974, the Wisconsin Governor designated the Southeastern Wisconsin Regional Planning Commission (SEWRPC) as the Metropolitan Planning Organization (MPO) for the Kenosha, Milwaukee, and Racine urbanized areas in accordance with the provisions of 23 U.S.C. 134 and 49 U.S.C. 1607 and corresponding regulations. SEWRPC also serves as the MPO for the Wisconsin portion of the Round Lake Beach -McHenry, Grayslake urbanized area (Round Lake Beach). The Milwaukee and Round Lake Beach urbanized areas are designated as TMAs.

The metropolitan planning area includes the six counties of Kenosha, Milwaukee, Ozaukee, Racine, Washington, and Waukesha (see Figure 1). The remaining RPC County, Walworth, receives equal consideration in the SEWRPC Long Range Transportation Plan and TIP, though it is not part of the metropolitan planning area.

The six counties in the metropolitan planning area are currently designated as attainment/maintenance for the 1997 8-hour ozone National Ambient Air Quality Standard. Kenosha County east of Interstate 94 is designated as marginal nonattainment for the 2008 8-hour ozone NAAQS. The three- county area consisting of Milwaukee, Racine, and Waukesha counties is designated as nonattainment for the 2006 fine particulates (PM_{2.5}) 24-hour NAAQS.

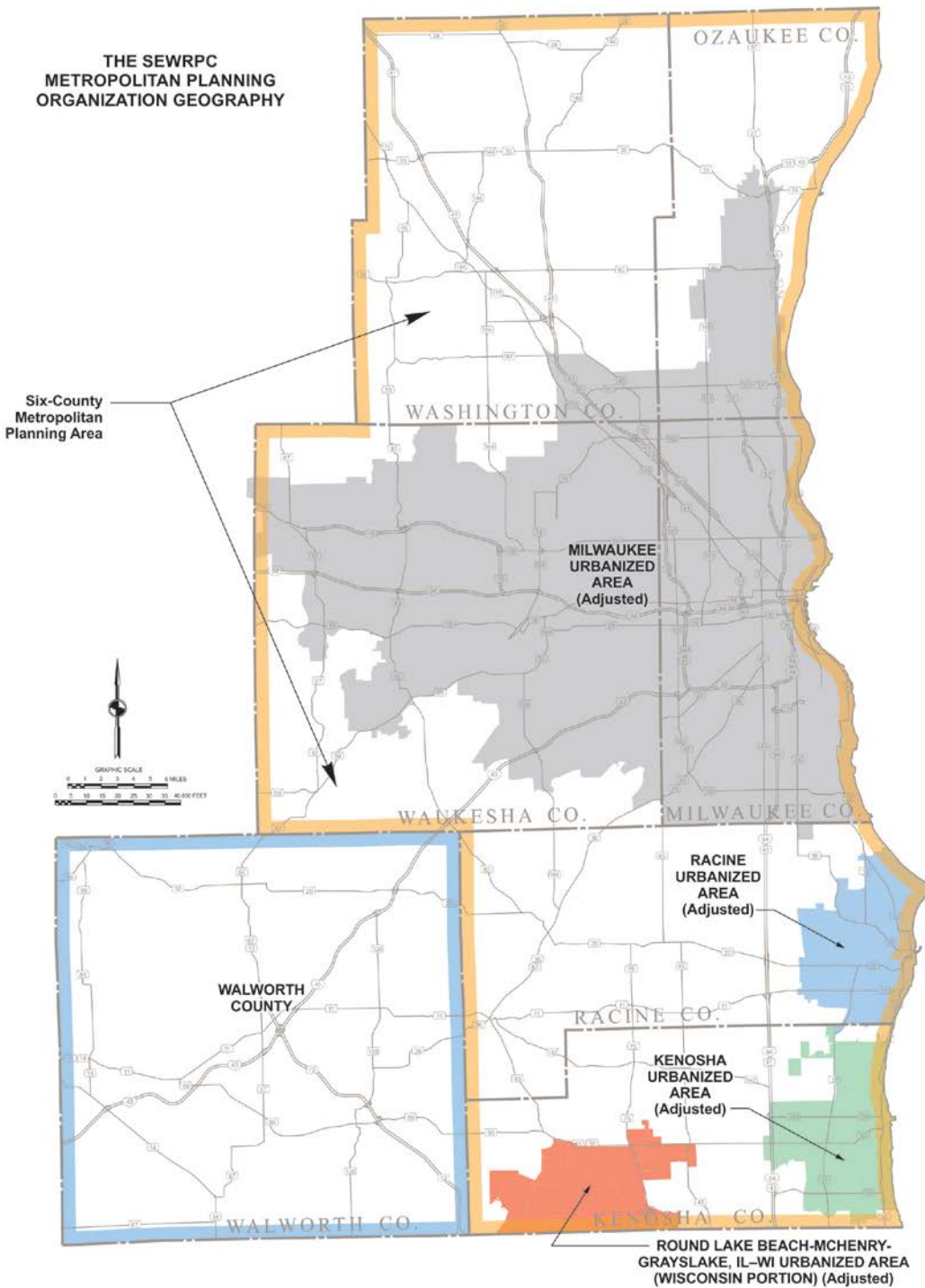
SEWRPC's Commission serves as the MPO. The Commission, as a body, is responsible for establishing overall policy, adopting the annual budget, and adopting regional plan elements. The Commission utilizes its various transportation-related advisory committees for guidance on transportation policy and projects, including the preparation of regional transportation plans and improvement programs. In terms of procedure, the Commission charges each committee with a specific task or tasks. The committee then works with the Commission staff in carrying out that charge, submitting a final report to the Commission for its consideration as the MPO. Historically, the Commission has acted on the recommended plans advanced by appointed transportation advisory committees in their entirety, either accepting or adopting the plan recommendation or, in rare exceptions, returning the entire plan recommendation for reconsideration.

The Wisconsin Department of Transportation is the responsible State agency in the MPO structure. The eleven transit agencies operating in the region are also represented in the MPO's structure. A complete list of transit agencies is provided in Appendix D.

Ongoing Federal 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 regional transportation plan (RTP), and other MPO documents, and review and act upon requests for changes in these documents. This routine oversight is a critical component strongly considered in the certification of a MPO transportation planning process.

Figure 1



Note: The SEWRPC Metropolitan Planning Organization geography extends over six of the seven counties in the SEWRPC Region, and includes the Kenosha, Milwaukee, and Racine urbanized areas, as well as the Wisconsin portion of the Round Lake Beach-McHenry-Grayslake urbanized area that is primarily located in Illinois. While Walworth County is not subject to the MPO planning requirements, it is included within the seven-county SEWRPC Region, and as a practical manner included in all transportation planning activities.

Certification Review

The initial SEWRPC certification review was conducted in 1995. Subsequent certification reviews were conducted in 1998, 2001, 2004, and 2008. A summary of the status of findings from the last review is provided in Appendix C.

This report details the 2012 review, which consisted of a desk review, formal site visit and a public meeting. Participants in the review included representatives of FHWA, FTA, WisDOT, transit operators, and SEWRPC staff. A full list of participants is included in Appendix A.

At the time of the 2012 SEWRPC certification review, the USDOT was operating under an extension of SAFETEA-LU. The review was conducted based on the rules and requirements adopted under SAFETEA-LU. Subsequent reviews will address compliance with the requirements of Moving Ahead for Progress in the 21st Century Act (MAP-21), which was enacted on July 6, 2012 and became effective on October 1, 2012.

Desk Review

FHWA and FTA staff completed a desk audit of current documents and correspondence prior to the site visit. The overall objective of the desk audit was to review and document compliance with each of the Federal metropolitan transportation planning products required by 23 CFR 450 and determine those items requiring further evaluation and discussion during the site visit. Planning products required by 23 CFR 450 and various other MPO documents were evaluated. As part of the desk audit, SEWRPC provided written responses and documentation to address questions from the Review Team. In addition, the previous certification report was reviewed to determine if any unresolved issues remained.

Site Visit

The site visit portion of the review took place on June 26 and 27, 2012 at the SEWRPC offices in Waukesha. The Review Team consisted of the following:

- Alexis Kuklenski, Community Planner, FHWA Wisconsin Division
- Bill Stark, Transportation Specialist / Program Manager, FHWA Wisconsin Division
- Dwight McComb, Systems Planning and Performance Engineer, FHWA Wisconsin Division
- Karla Bauer, Transportation Specialist / Civil Rights, FHWA Wisconsin Division
- Ed Christopher, Metro Planning Specialist, FHWA Resource Center, Chicago
- Jody McCullough, Community Planner, FHWA Washington DC
- Christopher Bertch, Community Planner, FTA Region 5
- Stewart McKenzie, Community Planner, FTA Region 5

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

The topics listed below were discussed during the site visit:

- Organizational Structure of study area
- Metropolitan Planning Area Boundaries (MPA) & Agreements
- Unified Planning Work Program (UPWP) Development
- Transportation Improvement Program (TIP) Development & Project Selection
- List of Obligated Projects
- Metropolitan Transportation Plan Development
- Financial Planning
- Self-Certification
- Congestion Management Process
- Safety & Security
- Public Outreach & Public Participation Plan
- Title VI/Nondiscrimination and Environment Justice
- Consultation and Coordination
- Land Use and Livability
- Freight
- Transit Planning
- Visualization
- Environmental Mitigation
- Travel Demand Modeling

Public Meeting

The Federal Review Team conducted a public meeting on the metropolitan transportation planning program carried out by SEWRPC, WisDOT, and local agencies in Southeastern Wisconsin on June 26, 2012 from 5:00 pm to 7:30 pm at the Tommy G. Thompson Youth Center. Notice of the meeting was published in Milwaukee area newspapers and on the SEWRPC website beginning on June 12, 2012. The public notice also 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 public meeting was conducted in a hybrid combination format. An open house was conducted with displays and information on SEWRPC planning activities. Staff from SEWRPC was available to answer questions. A formal public hearing was also conducted. A presentation on the Certification Review process was given by FHWA after which the Review Team heard oral comments in a town hall format. The oral comments received were recorded by court reporters and published in a transcript of the public meeting. Comments could also be made one-on-one with a court reporter or in writing via supplied comment cards.

The public meeting was attended by approximately 50 individuals. Oral comments were provided by 20 of the attendees and written comments by one attendee. Eight persons or groups submitted written comments directly to the FHWA Wisconsin Division outside of the public

meeting. All of the comments received, including transcripts of the public meeting, were posted on the SEWRPC's website for public review.

Summary of Public Comments

The following is intended to capture the tone of the comments received and major themes heard through the public comment process. In reviewing and summarizing the public comments, the term "communities of color" has been interpreted to mean minority populations.

Predominant among the public comments received were concerns related to the recent decline in transit service resulting from reductions in transit funding, including the impact on transit-dependent populations and perceptions about the MPO's authority and responsibility to sustain funding for transit. The structure of SEWRPC's Commission continued to be a concern among the comments. Many commenters provided suggestions for improving the existing planning process. Many acknowledged that SEWRPC had made progress in addressing public concerns since the last Certification Review. The development of the Environmental Justice Task Force, the Regional Housing Study, and the hiring of an outreach coordinator were given as examples of improvements made. SEWRPC's talented staff, technical expertise and history of preparing good plans were also noted by some commenters. However, progress in implementation of the transit improvements recommended in the transportation plan was a common concern.

Most comments related directly to the specific review elements evaluated during the review and are examined within the context of those elements and requirements in the body of the report. Comments unrelated to the review elements are discussed in this section.

The structure of the SEWRPC Commission relative to equitable representation for the City of Milwaukee is discussed under Organization Structure of the Study Area.

Comments pertaining to the project selection process, criteria that could improve funding for transit projects and MPO authority for project selection are discussed under TIP Development & Project Selection.

Comments concerning fiscal constraint are discussed under Financial Planning.

Concerns were expressed with the engagement of minority, low income, and disability populations' representatives in plan development and project implementation. Commenters suggested that SEWRPC would be more accessible to minority and low income groups, and could better engage them if they had a physical office in the City of Milwaukee accessible by transit. These issues are discussed under Public Outreach & Public Participation Plan.

Concerns were expressed with the level of transit planning implemented and the impact to minority, low income, and disability groups as their primary mode of transportation to achieve and maintain employment and access basic services. Commenters indicated their opinion that SEWRPC did not make a priority of services necessary to help transit dependent populations and that SEWRPC did not adequately seek the input of these groups in the transportation planning process. These issues are discussed under Title VI/Nondiscrimination and Environmental Justice.

Commenters suggested that decision-makers were not exercising the full flexibility allowed by law to use highway funding for transit capital and operating needs. Comments also inferred SEWRPC has the ability to divert funding from roadway projects to transit, and used this as an example of how SEWRPC could encourage implementation of transit projects. These issues are addressed under Transit Planning.

One commenter stated that SEWRPC's hiring, promotion and contracting practices failed to adequately include persons of color. Title VII of the Civil Rights Act of 1964 prohibits employment discrimination based on race, color, religion, sex and national origin. Title VII is frequently referred to as internal EEO and is enforced by the U.S. Equal Employment Opportunity Commission (EEOC). Title VII is not an area included in a FHWA/FTA Certification Review of a MPO planning process. It should be noted, however, that a 2009 complaint filed by the NAACP against SEWRPC alleging discrimination on the basis of race and national origin was investigated and dismissed by the EEOC in 2011.

2012 Review Elements & Findings

A summary of each of the elements considered in this review is provided below. Each element will be discussed in the following format:

1. The background is given for each *requirement*,
2. A summary of the current *status* based on ongoing contacts, review of planning products throughout the year, and input provided in the discussion with the planning partners, and
3. The *findings* of the Review Team on the adequacy of the process. This can include:
 - a. *Commendation* of innovative, highly effective, well-thought-out procedures for implementing the planning requirements, or significant improvements and/or resolution of past findings, or
 - b. *Recommendations* to address general and technical improvements to the processes and / or procedures, or
 - c. A *corrective action*, which indicates a serious situation that fails to meet one or more requirements of the transportation planning statute and regulations, the specific change required by a scheduled date, and the consequences of non-compliance.

Organizational Structure of Study Area

Key Requirements: Section 134(d) of Title 23 and Section 5303 of Title 49 require the designation of an MPO for each urbanized area with a population of more than 50,000 people. The membership of an MPO policy board designated or redesignated after December 18, 1991, and serving a TMA must include local elected officials, officials of local agencies that administer or operate major modes of transportation within the area, and appropriate State officials. Under SAFETEA-LU, existing MPO designations made prior to December 18, 1991 and the associated voting membership remain valid until the MPO 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:

1. 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; or
2. A substantial change in the decision-making authority or responsibility of the MPO, or in decision-making procedures established under MPO by-laws.

Redesignation is not required to add members to address the specific membership requirements for an MPO that serves a TMA or due to designation of a new urbanized area within the existing planning area, provided the changes are not substantial.

Status: The Southeastern Wisconsin Regional Planning Commission (SEWRPC) is the designated MPO for four separate urbanized areas: Milwaukee, Racine, Kenosha and Wisconsin

portion of the Round Lake Beach urbanized area. In March 2012, the Bureau of Census designated the West Bend urbanized area, which consists of an agglomeration of several communities within the existing metropolitan planning area in Washington County. The metropolitan planning area subject to Federal metropolitan transportation planning requirements includes the six counties of Kenosha, Milwaukee, Ozaukee, Racine, Washington, and Waukesha.

As designated in State Statutes, the SEWRPC Commission consists of 21 members, three from each of the seven RPC member counties (Kenosha, Milwaukee, Ozaukee, Racine, Washington, Walworth, and Waukesha). One of the three members from each county is appointed by the County and is typically a county board supervisor or county executive. Two members from each county are appointed by the Governor. One of the gubernatorial appointments comes from a list provided by the county. Each of the 21 members serves a six-year term.

While the SEWRPC Commission is responsible for the final official actions, numerous advisory committees that deal with the MPO-related functions report to and inform the decisions of the Commission and oversee the planning studies and development of final planning documents. To date, the Commission has accepted the recommendations of the advisory committees in regard to MPO activities, or referred the issue back to the advisory committees if further discussion is needed prior to Commission acceptance.

SEWRPC defines a representative population-based composition for the regional transportation plan advisory committee and Milwaukee urbanized area transportation improvement programming (TIP) advisory committee. The respective local elected officials within the urbanized areas appoint their representatives. The Commission seeks appointees with the appropriate expertise and authority to represent each jurisdiction's position and deliver commitment to the decisions they represent. Commission staff encourages elected officials to include representative minorities in their discretionary appointments. The chief administrative officials from appropriate state and federal agencies are also members of the committee.

Other Commission transportation advisory committees, including urbanized area Transportation Improvement Program (TIP) committees, county jurisdictional highway system planning committees, and short range transit plan committees are not deliberately population-proportional. Some include Commission-designated subject experts such as representatives of academia, business, transportation, freight, environment, bicycle and other community interests.

SEWRPC's transportation related advisory committees include:

- Advisory Committee on Transportation System Planning and Programming for the Kenosha Urbanized Area
- Advisory Committee on Transportation System Planning and Programming for the Milwaukee Urbanized Area (population-proportional)
- Advisory Committee on Transportation System Planning and Programming for the Racine Urbanized Area
- Advisory Committee on Transportation System Planning and Programming for the Round Lake Beach-McHenry-Grayslake, IL-WI Urbanized Area (Wisconsin Portion)
- Advisory Committee on Regional Transportation System Planning (population-proportional)
- Advisory Committee on Lake Parkway Extension Study
- Kenosha County Jurisdictional Highway Planning Committee

- Milwaukee County Jurisdictional Highway Planning Committee
- Ozaukee County Jurisdictional Highway Planning Committee
- Racine County Jurisdictional Highway Planning Committee
- Walworth County Jurisdictional Highway Planning Committee
- Washington County Jurisdictional Highway Planning Committee
- Waukesha County Jurisdictional Highway Planning Committee
- Environmental Justice Task Force

Findings: The current organization of the MPO meets the requirements of SAFETEA-LU and the regulation in effect at the time of the review.

The public expressed concerns about the voting structure of SEWRPC’s Commission and if such a structure can provide for equitable consideration of the specific issues of the City of Milwaukee. In response to similar concerns expressed in past reviews, SEWRPC implemented population-proportional representation for transportation study advisory committees in mid-2000. Under the current structure, local elected officials appoint committee members to represent their communities, making the advisory committees more directly accountable to the public they serve. The Commission empowers the advisory committees with the authority to direct the studies and formulate a final recommended plan. Since the Commission has, with rare exception, accepted and adopted advisory committee plan recommendations, the advisory committees have real decision-making authority. Based on the public comments, it appears this decision-making structure is not well known or understood.

Recommendation: SEWRPC uses an extensive committee structure to serve many different purposes and represent many different groups. SEWRPC should consider how information on the structure and representation of these committees could be clearly conveyed to the general public. The intent is to provide the information in a way that illustrates how the committees work together, and how a particular jurisdiction or interest is represented. We recommend considering use of visualization tools to illustrate SEWRPC’s organizational structure, how each community is represented on the Commission and advisory committees and how plans and programs are developed, including how the public can participate. As part of this effort, SEWRPC should continually review its website for opportunities to make it more useful to the general public.

Post-Review Note: MAP-21 modified federal requirements for the structure of metropolitan planning organizations, primarily specifying representation by providers of public transportation. MPOs serving a TMA must have a compliant board membership by October 1, 2014. USDOT rulemaking is expected to help guide MPOs in developing a compliant structure. SEWRPC is aware of the MAP-21 changes. SEWRPC should consider the concerns raised by the public in addressing a structure consistent with the final rule.

Metropolitan Planning Area Boundaries & Agreements

Key Requirements: Section 134(d) of Title 23 and Section 5303 of Title 49 set forth requirements for urbanized areas over 50,000 in population to designate a Metropolitan Planning Organization (MPO) that is responsible for carrying out a continuing, cooperative, and

comprehensive transportation planning process. Regulation 23 CFR 450.314 further requires that responsibilities for carrying out transportation planning activities be clearly identified in an agreement(s) or memorandum(s) of understanding between the MPO, State DOT, and transit operators. In nonattainment or maintenance areas, the agreement shall include State and local air quality agencies.

The U.S. Census Bureau updates the boundaries of urban and urbanized areas based on the decennial census. Federal transportation statutes allow the MPOs and State to cooperatively adjust (increase) the census defined urban area boundary slightly, defining an adjusted Federal-aid urban boundary to facilitate administration of transportation requirements.

The metropolitan planning area is defined in federal regulations as the geographic area in which the metropolitan planning process must be carried out. Section 134(e) of Title 23 and Section 5303 of Title 49 require that the metropolitan planning area boundary include the census defined urbanized area and the contiguous geographic area likely to become urbanized within the twenty year forecast period covered by the transportation plan. The MPO may encompass the entire metropolitan statistical area or consolidated metropolitan statistical area, as defined by the Census Bureau. For areas designated as nonattainment or maintenance areas for transportation related pollutants under the Clean Air Act, the boundaries of the metropolitan planning area must include at least the boundaries of the nonattainment or maintenance areas, except as otherwise provided by agreement between the MPO and the Governor.

Status: The current SEWRPC metropolitan planning area is based on the Milwaukee, Racine, and Kenosha urbanized areas, and the Wisconsin portion of the Round Lake Beach-McHenry, Grayslake, IL-WI urbanized area. The metropolitan planning area includes the entirety of the six SEWRPC counties of Milwaukee, Ozaukee, Washington, Waukesha, Racine, and Kenosha due to their historic designation as an ozone nonattainment area.

In March 2012, revised urbanized area boundaries were defined by the US Census Bureau based on the 2010 Census data. This process made adjustments to all of the existing urbanized area boundaries. Of note was the extension of a finger of the Milwaukee urbanized area into Jefferson County to capture the community of Ixonia, and expansion of the Round-Lake Beach urbanized area into Walworth County. The 2010 Census also identified a new urbanized area within SEWRPC's existing planning area, the West Bend Urbanized Area consisting of the communities of Hartford, Slinger, Jackson, and Kewaskum in Washington County. The West Bend urbanized area is served by shared ride taxi providers. Based on the 2010 Census data, urbanized areas extend into all seven of member RPC counties. SEWRPC currently provides the full complement of transportation planning services required of TMAs to the entire seven-county area.

The following agreements relative to the SEWRPC MPO planning process were in place as of the site visit:

1. Memorandum of Agreement (MOA) between the Wisconsin Department of Natural Resources, Wisconsin Department of Transportation, and SEWRPC regarding Determination of Conformity of Transportation Plans, Programs, and Projects to State Implementation Plans (1998).
2. Cooperative Agreement for Coordination Of Land Use-Transportation Planning in Round Lake Beach—McHenry, Grays Lake, IL-WI Urbanized Area (2009). *This Agreement is*

between SEWRPC, the Chicago Metropolitan Agency for Planning, the Wisconsin Department of Transportation, and the Illinois Department of Transportation.

3. Cooperative Agreement for Continuing Transportation Planning for the Southeastern Wisconsin Region between SEWRPC, the Wisconsin Department of Transportation, and seven transit operators (Milwaukee, Ozaukee, Washington and Waukesha counties and the cities of Kenosha, Racine, and Waukesha) (2008).

Findings: The urbanized area and metropolitan planning area boundaries and agreements need to be updated to reflect the 2010 Census, and other relevant factors as needed.

At the time of the site visit, none of the adjusted boundaries had been completed, which was expected since the data wasn't distributed until March 2012. The adjusted urbanized area boundaries, and the associated metropolitan planning area are critical elements of both the MPO and the State transportation planning process, and substantial effort is required from WisDOT, SEWRPC, and local jurisdictions to define the adjusted boundaries in 2013.

Since the 2010 Census defined urbanized area boundaries extend beyond the existing six-county metropolitan planning area, changes to the metropolitan planning area boundary will need to be evaluated in the near future. It is likely that this will not occur until after the adjusted urbanized area boundaries have been approved. The updated boundary is to be the basis for the next Regional Transportation System Plan due in 2014.

The changes to the 2010 Census defined urbanized area boundaries require that the existing cooperative agreements be updated.

Air quality standards and compliance have changed since the 1998 MOA between WDNR, WisDOT, and SEWRPC was drafted. In 2012, the air quality MOA was updated to reflect the changes resulting from implementation of the 8-hour ozone standard and PM 2.5 standard. SEWRPC, WisDOT, WDNR, FHWA, and FTA approved an updated agreement in 2012. USEPA approved the MOA in April 2013.

Recommendations:

- SEWRPC and WisDOT should continue working to identify and execute the steps necessary to designate SEWRPC as the MPO for the West Bend urbanized area.
- SEWRPC should work with Jefferson County to establish agreement on how transportation planning will be addressed in the area. The form of the agreement is flexible but the document should clearly demonstrate mutual concurrence on an approach that will meet the federal metropolitan planning requirements.
- SEWRPC and WisDOT should complete the approval of adjusted urbanized area boundaries for Milwaukee, Racine, Kenosha, West Bend, and the Wisconsin portion of the Round Lake Beach-McHenry, Grayslake, IL-WI urbanized areas prior to the June 1, 2014 deadline. Delays in establishing final adjusted urban area boundaries for the four urbanized areas do not impact SEWRPC's compliance with transportation planning requirements. However, the boundaries are critical to completing an update of roadway functional classification.
- The metropolitan planning area boundary should be updated prior to June 1, 2014 to include all of the 2010 Census defined urbanized area, areas expected to become

urbanized in the next 20 years, and account for air quality non-attainment and maintenance area boundaries.

- The Cooperative Agreement for Continuing Transportation Planning for the Southeastern Wisconsin Region between SEWRPC, the Wisconsin Department of Transportation, and seven transit operators (Milwaukee, Ozaukee, Washington and Waukesha counties and the cities of Kenosha, Racine, and Waukesha) (2008) should be updated by the time of the next Certification Review to include all of the transit operators in the MPO area, and reflect any relevant adjustments to the urbanized areas, and the metropolitan planning area.
- The Cooperative Agreement for Coordination Of Land Use-Transportation Planning in Round Lake Beach—McHenry, Grays Lake, IL-WI Urbanized Area (2009) should be updated to reflect changes to the Wisconsin portion of the urbanized area, and any relevant adjustments to the planning area by the time of the next Certification Review. In addition, the Federal team recommends that the parties to the agreement not only assert that they will coordinate their activities but also specify how that coordination will take place. This should include how the programming process will be used to ensure that funds are fairly and appropriately distributed, as noted in the current agreement.

Post Review Note: The Governor designated SEWRPC as the MPO for the West Bend urbanized area on October 1, 2013.

Unified Planning Work Program Development

Key Requirements: The MPOs are required to develop a Unified Planning Work Program (UPWP), in cooperation with the State and transit operators, which discusses planning priorities and documents the transportation planning activities anticipated in the area for the next one or two years.

Status: SEWRPC prepares an annual UPWP called the Overall Work Program (OWP), covering all RPC work activities proposed in the calendar year. The OWP discusses the transportation planning priorities for the MPO area, and includes all transportation activities and the funding proposed for each. The transportation elements of the OWP are developed in cooperation with the State and transit operators, as well as local officials. Throughout the year input is gathered on what should be included in the upcoming OWP and the document has opportunities for review before adoption.

In the summer, SEWRPC prepares an Annual Report detailing work done during the previous calendar year. This report is sent to all local partners, the state, and transit operators to keep the partners informed of accomplishments, as well as the type of work that can be provided by SEWRPC.

Findings: The format of the OWP is acceptable, and the description of work to be undertaken is thorough. The requirements of this section of the planning regulations are satisfied.

Disclaimers

Key Requirements: According to 23 CFR 420.117 (e), “Reports prepared for FHWA-funded work must include appropriate credit references and disclaimer statements.” The FHWA Office of Planning recently looked into compliance with this requirement across the nation, and found that many MPO and State DOT work products completed using Federal State Planning and Research (SRP) funding and Metropolitan Planning (PL) Funding specifically did not include the necessary credit/disclaimer statement. As a result, the certification review process has been identified as one way to assure that the addition of such credit/disclaimer statements is implemented.

FHWA does not require a disclaimer statement on routine products such as email, agenda, brochures, announcements, etc, but it is to be included in long-range plans, transportation improvement programs, state transportation improvement programs, planning and feasibility studies, work programs, and other such documents. Below are two generic statements that the State and MPO may consider including in their work products.

"The preparation of this report has been financed in part through grant[s] from the Federal Highway Administration and Federal Transit Administration, U.S. Department of Transportation, under the State Planning and Research Program, Section 505 [or Metropolitan Planning Program, Section 104(f)] of Title 23, U.S. Code. The contents of this report do not necessarily reflect the official views or policy of the U.S. Department of Transportation."

"This report was funded in part through grant[s] from the Federal Highway Administration [and Federal Transit Administration], U.S. Department of Transportation. The views and opinions of the authors [or agency] expressed herein do not necessarily state or reflect those of the U. S. Department of Transportation."

Status: SEWRPC produces several documents using Federal metropolitan planning funds including a metropolitan transportation plan (MTP) called the Regional Transportation Plan (RTP), a Transportation Improvement Program (TIP) and a unified planning work program (UPWP) called the Overall Work Program (OWP).

Findings: During the desk review the SEWRPC documents were reviewed for their credit/disclaimer status. While some of the documents noted that they were paid for in part with Federal funds, none of them stated that the report did not reflect the views of the U.S. Department of Transportation.

Recommendation: Pursuant to 23 CFR 420.117 (e) SEWRPC should immediately include a suitable credit/disclaimer statement on all of its documents prepared with Federal metropolitan planning or SPR funds. The recommendation to include disclaimer statements carries over to relevant State documents as well.

Webpage Enhancements

Key Requirements: 23 CFR 450 is replete with references to putting documents related to the planning process on the worldwide web. 23 CFR 450.210 (a)(1)(vi) specifically states that “to the maximum extent practicable, make public information available in electronically accessible

format and means, such as the World Wide Web...” It has been clear since the advent of the 3C planning process in the Federal-Aid Highway Act of 1962 that Congress was striving for a process that was cooperative and open. Over the years this philosophy was further strengthened with the progression of public involvement and open meetings.

Status: Since the 2008 Certification Review, SEWRPC has revised their website and made significant improvements. While all the major documents are on the website, one member of the Review Team had difficulty finding the Overall Work Program (OWP). It was agreed during the onsite meeting that the location of the OWP and all the required documents of the MPO could be made easier find for those not familiar with the website. Others items of note regarding the website was the lack of links to the transit operators in the region, and a lack of clarity regarding the committee structure hierarchy and the decision making process related to the various transportation related documents.

Findings: SEWRPC’s website contains the required information. However, the structure and content could be revised to make it more accessible to the public.

Recommendation: SEWRPC should continually review and implement improvements to its website. Transportation related efforts, including the relevant portions of the Overall Work Program, should be grouped and easily located by the general public. SEWRPC should look for opportunities to link to websites that may be of interest to its visitors, such as those of the transit operators. In addition, SEWRPC should request that transportation providers and decision makers link to its website to increase awareness of the MPO and its role in regional transportation decisions. The MPO should consider new ways to communicate its committee structures, and processes. This could include maps illustrating the representative for various areas, and charts depicting SEWRPC’s organizational structure, the Commission, committee, and taskforce hierarchy.

TIP Development & Project Selection

Key Requirements: Regulation 23 CFR 450.324 requires that an MPO develop a Transportation Improvement Program (TIP) in cooperation with the State and public transit operators. The TIP must cover at least a four-year program of projects and be updated at least every four years. In non-attainment and maintenance areas subject to conformity requirements, the TIP and any amendments are subject to a conformity determination by the MPO and U.S. DOT. The TIP is to be consistent with the transportation plan and financially constrained. Additionally, the TIP is to include all capital and noncapital surface transportation projects, including bicycle facilities and pedestrian walkways proposed for funding under 23 USC Title 23 and 49 USC Chapter 5, projects are to be listed with the details outlined in the regulations and reflect public involvement. The TIP development timeline should be consistent with the State Transportation Improvement Plan (STIP) development timeline. The TIP can be modified at any time, subject to conformity and appropriate public involvement.

TIP project selection procedures provide that the first year of the approved TIP constitutes an agreed to list of projects for project selection purposes and no further project selection action is required for the implementing agency to proceed with projects. The MPO in consultation with the State and transit operators has authority to select (approve) advancement of a project from

years two through four of the TIP if an agency wishes to proceed, unless the project is on the National Highway System (NHS), in which case WisDOT in cooperation with the MPO must select (approve) the project for advancement.

Other regulations govern different aspects of TIP development and implementation, including 23 CFR 450.326 – TIP Revisions and Relationship to the STIP.

The TIP is the short-term capital programming document that is used to implement the metropolitan transportation plan. The TIP is intended to translate the policies, strategies, and direction of the metropolitan transportation plan into specific decisions on projects and investments during the TIP time period. As such it is required and expected that projects included in the TIP are consistent with and drawn from the metropolitan transportation plan and are supported by comprehensive and inclusive public involvement efforts. The MPO is required to consult with the State and transit operator on project selection for the TIP. The TIP must be fiscally constrained by year and include identification of revenue sources, investment costs, and demonstrate that adequate financial resources are committed to operate and maintain the transportation system at an appropriate level.

Status: SEWRPC prepares a new TIP every two years in cooperation with WisDOT, local governments, and transit operators. The current TIP is for the years 2011 through 2014, and was completed in February 2011. The TIP is organized in sections corresponding to each of the SEWRPC urbanized areas. Each section is developed under the guidance of the respective SEWRPC Advisory Committees for Transportation System Planning and Programming for each area (TIP Committee).

SEWRPC reviews each project proposed for inclusion in the TIP to determine whether it is consistent with and serves to implement the Regional Transportation Plan (RTP) prior to it being included in the TIP. In terms of prioritizing RTP elements through the TIP, it is recognized in the 2035 RTP that each of the plan's five elements - public transportation, bicycle and pedestrian facilities, transportation systems management (TSM), travel demand management, and arterial streets and highways - are considered to have equal priority. Each element needs to be implemented to meet existing and probable future transportation needs, including addressing existing and probable future congestion, and to provide a comprehensive, multi-modal, balanced, high quality transportation system in Southeastern Wisconsin. In regards to TSM measures recommended in the RTP, the Regional Transportation Operations Plan (RTOP), as documented in SEWRPC memorandum report number 202, *Regional Transportation Operations Plan for Southeastern Wisconsin: 2012-2016*, is a short-range plan listing the transportation systems management actions, or transportation systems operations measures, which are recommended for priority implementation over a five year period.

The Commission is directly involved in project selection, specifically, for Congestion Mitigation Air Quality Improvement Program (CMAQ) projects, and Surface Transportation Program – Milwaukee Urbanized Area (STP-M) projects and such project selection is conducted collaboratively. For example, with regard to CMAQ projects, project selection is done cooperatively with Wisconsin Department of Transportation, Wisconsin Department of Natural Resources, and the TIP Advisory Committees. With regard to STP-M projects, the Commission and the Milwaukee TIP Committee have established procedures and guidelines for selecting projects for STP-M funding. At the time of the site review, SEWRPC was considering updating

its STP prioritization process to consider cooperatively developed criteria that could be applied across the MPO planning area.

WisDOT has authority for selection of projects on the NHS and authority to allocate funding to projects statewide within the following federal-aid highway programs: Interstate Maintenance, National Highway System, National Highway Performance, and statewide set-asides for the STP-Flex and Transportation Enhancement/Transportation Alternatives programs. While an MPO has authority to approve inclusion of these projects in their TIP the state is not required to allocate funding should the MPO substitute other projects. Further, the state also has approval authority for the TIP and could choose not to approve such substitutions.

For each new TIP and subsequent amendment, SEWRPC establishes fiscal constraint by comparing the cost of programmed projects to estimated available funds, based upon historic transportation expenditures obtained from Wisconsin Department of Transportation, transit operators, and local units of government, and estimates of available funds from Federal and State programs.

SEWRPC makes the draft TIP available for public review and conducts a public meeting to take comments. Following the public meeting and public comment period, Commission staff, according to the public participation plan, prepares a formal record of the public involvement process. The comments received are grouped by category and theme and then, as appropriate, a response to the comments is provided. The comments received may result in a change to the final TIP. Many projects in the TIP are also part of the public involvement processes used in the development of local annual or State biennial budgets, state and local capital improvement programs, and preliminary engineering and environmental assessment processes.

SEWRPC's TIP approval and amendment process is included the MPO's Public Participation Plan (PPP). The PPP identifies three types of TIP amendment actions – major amendment, minor amendment, and administrative modification – and provides the definition and threshold for each action, and the associated amendment process.

Each proposed TIP project is evaluated and categorized as exempt or nonexempt from air quality conformity analysis. A conformity analysis and determination is provided on each new TIP and relevant TIP amendment. Conformity on the TIP in place at the time of the site visit, *Transportation Improvement Program for Southeastern Wisconsin: 2011 – 2014*, was determined by USDOT on February 17, 2011.

Findings: SEWRPC's 2011 TIP development was not consistent with the STIP development cycle. Work on the 2013 TIP is progressing in accordance with the STIP schedule.

Public comments pertained to the TIP project selection process, criteria that could improve funding for transit projects and MPO authority for project selection. The comments suggest that the public was not well aware of the TIP development process and that project evaluation and selection criteria and processes were not apparent. SEWRPC should document these processes and make them readily available for public review.

In addition, there were comments to the effect that SEWRPC can and should move beyond an advisory role, inferring that MPO project selection authority could be extended to, for example, not approving highway projects until transit projects are implemented.

The MPO has authority to select the projects that are included in the TIP and approval authority over the TIP, including amendments changing, adding or deleting projects. An MPO also has

authority to act on an agency or operator request to advance a project for implementation from the second through fourth years of the TIP, unless the project is on the NHS. Action by SEWRPC to deny an agency request to advance a highway project for funding is not likely to leverage implementation of programmed transit projects. Federally funded improvement projects require state or local matching funds. The MPO does not have authority to require the state or a local government to use their funds for projects that the governing body does not support as a priority.

A discussion of funding eligibility, flexibilities and associated limitations for transit is included in the Transit Planning section.

The SEWRPC TIP and related processes are in compliance with federal transportation planning requirements.

Recommendations:

- SEWRPC should document the TIP development process and criteria and procedures for evaluating and selecting projects under each state funding program that supports inclusion of the projects in the TIP and make the information readily available for public review. Use of visualization is encouraged.
- In consultation with FHWA, FTA and WisDOT, SEWRPC should develop and include brief descriptions of the Federal funding sources included in the TIP. Basic eligibility requirements and flexibilities should be documented and made available to decision makers as part of the TIP development cycle to ensure they have the opportunity to consider the full range of transit and highway funding available to address regional needs and priorities.
- As SEWRPC evaluates updates to the project prioritization process for each funding program, the respective committees should also consider how transit is accounted for in the evaluation criteria and if adjustments are warranted to facilitate implementation of recommended transit improvements. As part of the process, SEWRPC should reach out to the transit representatives and interest groups to make sure they are aware of the issues being considered and encourage them to participate.

Annual List of Obligated Projects

Background: 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.

Status: 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. Included are the listings of obligated projects for the previous three calendar years. The most recent year's list is published within 90 days of the end of the year.

Findings: The Review Team commends SEWRPC for the method and format for which the information is presented. However, the publication of the transit projects does not provide complete information for projects and their funding. It was determined there were four (4) transit projects missing from this listing. With the exception of the missing projects, SEWRPC has conveyed this information in a thorough and sufficient manner.

Recommendations:

- It is recommended that SEWRPC consult with FTA at the end of each year to obtain a complete and accurate list of obligated transit projects.
- Text should be added to the TIP that states when and where the Annual Listing of Obligated Projects will be available.

Metropolitan Transportation Plan Development & Congestion Management Process

Key Requirements: Sections 134(c) and (i) of Title 23 and Section 5303(c) and (i) of Title 49 require Metropolitan Planning Organizations (MPO) to develop long-range transportation plans that cover at least a 20-year horizon and include both long range and short range strategies that lead to an integrated intermodal transportation system that provides for the efficient movement of people and goods. This document is often called a Metropolitan Transportation Plan (MTP). Regulation 23 CFR 450.322 outlines additional requirements, including items to be addressed in the plan, update cycles, and coordination with Environmental Protection Agency conformity rules for areas that are designated as non-attainment or maintenance for National Ambient Air Quality Standards (NAAQS). The transportation goals, objectives, and analyses documented in the metropolitan transportation plan provide the basis for identification of system-wide transportation improvement priorities.

All urbanized areas over 200,000 in population are designated as Transportation Management Areas (TMA). Section 134 (k)(3) of Title 23 requires that all Transportation Management Areas develop and utilize a Congestion Management Process (CMP) in their planning process. An effective CMP is a systematic process for managing congestion that provides information on transportation system performance and on alternative strategies for alleviating congestion and enhancing the mobility of persons and goods. Regulation 23 CFR 450.320 outlines requirements for implementing a CMP and further requires that TMAs designated as non-attainment for ozone provide an analysis of the need for additional capacity for a proposed improvement over travel demand reduction, and operational management strategies. CMP has been defined as a process that tests alternative strategies for alleviating congestion and improving transportation system performance in order to enhance the mobility of people and goods.

Status: SEWRPC’s Metropolitan Transportation Plan (MTP), is called the *Regional Transportation System Plan for Southeastern Wisconsin: 2035* (RTP). The RTP was adopted in 2006 and updated in 2010. SEWRPC plans to prepare the next RTP during the 2012-2015 period, with adoption in 2015. Preparation of the RTP and its subsequent update included several public involvement opportunities and outreach efforts, consistent with SEWRPC’s *Public Participation Plan*. The Advisory Committee on Regional Transportation System Planning (See Appendix E) is responsible for overseeing the development of the RTP. Eleven advisory committees provide input to the regional plan preparation process: four advisory committees that focus on transportation system planning and programming for the Kenosha, Milwaukee, Racine, and Round Lake Beach urbanized areas, respectively, and the seven county jurisdictional highway planning committees. In each case, the Wisconsin Department of Transportation and the transit operating agencies are fully involved in plan development through committee participation.

The 2035 RTP and the RTP reappraisal completed in 2010 consists of five elements—public transit, travel demand management, transportation systems management, bicycle and pedestrian facilities, and the arterial street and highway system. The development of the year 2035 RTP began first with consideration of travel demand management, transportation systems management, bicycle and pedestrian, and public transit improvements and expansion, along with a more efficient future land use pattern as proposed in the regional land use plan, to reduce existing and probable future congestion prior to any consideration given to arterial street and highway system improvement and expansion. Arterial street and highway system improvement and expansion was then considered to address the residual highway traffic volume and traffic congestion which may not be expected to be alleviated by the other measures. The plan included extensive analysis of transportation, socioeconomic, environmental and financial impacts. Early in the planning process, a set of objectives and standards were defined which address all of the above impacts, and plan evaluation considered the extent to which plans met those objectives and standards. This included extensive analysis, as noted above, of the implications on congestion, travel time, and accessibility.

During the development of the year 2035 RTP and the RTP reappraisal completed in 2010, the plan evaluation also addressed socioeconomic impacts including a specific evaluation conducted to determine whether the minority and low-income populations within Southeastern Wisconsin receive a disproportionate share of the estimated impacts—both costs and benefits—of the recommended regional transportation system plan. This evaluation of the impacts of the year 2035 RTP on minority and low-income population in Southeastern Wisconsin is provided as Appendix H to SEWRPC planning report number 49, *A Regional Transportation System Plan for Southeastern Wisconsin: 2035*.

A financial plan was developed during the preparation of the year 2035 RTP and the RTP reappraisal completed in 2010. The financial plan consisted of an evaluation of the average annual cost of the year 2035 RTP over the plan design period - including preservation of the existing transportation system, necessary operations and maintenance, and recommended system improvement and expansion - and estimated available revenues to determine whether the recommended RTP is “fiscally constrained”. The most recent financial plan, last updated in the 2010 update of the RTP, is documented in Appendix A of SEWRPC memorandum report number 197, *Review, Update, and Reaffirmation of the Year 2035 Regional Transportation Plan*. FHWA and FTA issued a joint conformity determination on the *Regional Transportation System*

Plan for Southeastern Wisconsin: 2035 as amended by the 2010 Review, Update, and Reaffirmation of the Year 2035 Regional Transportation Plan on June 16, 2010.

SEWRPC's congestion management process (CMP) is integrated into its planning process and was considered during the development and update of the 2035 RTP. SEWRPC's CMP is documented in SEWRPC report number 203, *Congestion Management Process in Southeastern Wisconsin*. Beginning in 2012 and in response to the 2008 Certification Review, SEWRPC utilizes a Regional Transportation Operations Plan (RTOP) to refine and implement its CMP. The CMP was updated and the RTOP was adopted in early 2012.

Findings: The RTP and CMP substantially comply with Federal planning regulations.

Financial Planning

Background: The requirements for financial plans are contained in 23 CFR 450.322(f)(10) for the Metropolitan Transportation Plan (MTP) and 23 CFR 450.324(e, h-k), for the Transportation Improvement Program (TIP). Separate financial plans demonstrate how the adopted MTP and TIP can be implemented.

The goal is to produce a MTP and TIP that can be reasonably implemented with the revenue anticipated to be available. The requirement eliminates the wish list document syndrome and ultimately bolsters the credibility of the transportation planning process and the cooperating agencies by presenting a priority package of transportation improvements that the public can reasonably expect to be delivered. The requirement for fiscally constrained plans is also tied to air quality conformity determinations, helping to ensure such determinations are based upon an adopted MTP and TIP that can be implemented.

Status: In each TIP and RTP¹, SEWRPC establishes fiscal constraint by comparing the cost of programmed projects to estimated available funds to ensure the proposed program of projects can be delivered with the revenues assumed to be available. Revenue assumptions are based upon average levels of Federal, State, and local revenues for highway and transit operations, maintenance and capital improvements over the last 5 to 15 years. The MPO also assesses the potential availability of discretionary and new funding sources, and includes these in the revenue assumptions as appropriate. Historic transportation expenditures are obtained from Wisconsin Department of Transportation, transit operators and local units of government and are used to project future maintenance and operating costs that are not captured by project specific programming. The cost of projects programmed in either the RTP or TIP is estimated and provided by implementing agencies. All costs and revenues are adjusted to estimated year of expenditure dollars by applying an annual inflation rate. The inflation rate is provided by the Wisconsin Department of Transportation annually for use in the preparation of the statewide TIP, and is based on the average change in the United States Department of Labor's Consumer Price Index over the previous 10 years. The MPO compares costs to revenues to ensure the RTP and TIP are fiscally constrained. In accordance with federal requirements, the MPO reevaluates and revises

¹ SEWRPC calls its Metropolitan Transportation Plan (MTP) the Regional Transportation Plan (RTP).

revenue and cost assumptions included in the RTP as part of the plan reappraisal conducted on a four year cycle.

As part of any amendment of the RTP and TIP and any related transportation air quality conformity assessment, the financial impact of the proposed amendment is estimated, and a determination is made whether costs remain consistent with revenues. The SEWRPC RTP was amended in 2011 and 2012 to account for changes in regionally significant projects. New TIPs were adopted in 2011 and 2012. To account for the decline in transit revenues and lag in implementation of the transit recommendations experienced in the initial years of the RTP, the amendments included revisions delaying the schedule for implementation of the recommended transit improvements.

A financial plan was developed for SEWRPC's RTP, a *Regional Transportation System Plan for Southeastern Wisconsin: 2035*, adopted in 2006. The financial plan was updated for the RTP reappraisal completed in 2010. In accordance with federal requirements, the update included cost estimates and implementation schedules for all regionally significant projects recommended. The financial plan consisted of an evaluation of the average annual cost of the year 2035 RTP over the plan design period, including preservation of the existing transportation system, necessary operations and maintenance, and recommended system improvement and expansion. Reasonably available revenues were identified and evaluated to determine whether the recommended RTP is "fiscally constrained". The financial plan is documented in Appendix A of SEWRPC memorandum report number 197, *Review, Update, and Reaffirmation of the Year 2035 Regional Transportation Plan*. The specific assumptions and data sources for estimated plan funding revenues are documented in the report appendices: Table A-5, Estimate of Year 2035 Plan Arterial Street and Highway Revenues and Table A-6, Estimate of Year 2035 Plan Transit Revenues. The analysis done for the 2010 RTP update demonstrated the plan was fiscally constrained by showing that estimated revenues exceeded estimated costs.

The estimate of revenues available for RTP implementation was based upon an assessment of existing and historic funding levels, and assessment of potential funding sources. New dedicated local funding for public transit from a new state-authorized regional transit authority (RTA) was included in the revenue estimate. The plan recognized that creation of the RTA and local approval for dedicated funding had not yet occurred but was reasonably expected. The Governor's 2009-2011 budget proposal released in July 2009 included proposed legislation to permit enactment of RTAs. The State Legislature rejected the Governor's legislation and instead included in the budget a Milwaukee County transit authority and a Kenosha-Racine-Milwaukee County commuter rail authority. The Governor vetoed the Milwaukee County transit authority, while indicating that he would propose compromise RTA legislation. Compromise legislation was advanced by the Governor in April 2010, but was ultimately rejected by the State Assembly by a single vote. The final 2011-2013 budget, which became effective on July 1, 2011, repealed state authority for RTAs. It should be noted that the SEWRPC RTP assumption of transit revenue from the proposed RTA tax was discussed with FHWA and FTA during plan development and determined to be consistent with FHWA/FTA fiscal constraint guidance on reasonably anticipated revenues based on the circumstances at the time of plan adoption in June 2010.

SEWRPC staff worked extensively on RTA issues as staff of the Southeastern Wisconsin Regional Transit Authority (SEWRTA) from 2009 - 2011. SERTA was an advocate for RTA legislation. SEWRTA was granted limited authority to provide recommendations to the

Governor and Legislature on a permanent RTA structure, funding and authority for transit in the three-county area. SEWRPC staff also served as the staff for the Kenosha-Racine-Milwaukee (KRM) commuter rail authority, also known as the Southeastern Regional Transit Authority (SERTA). SERTA was dissolved in the fall of 2011 by the State Legislature.

Findings: The MPO's financial Plan and methodology are consistent with the expectations of the USDOT and in compliance with federal transportation planning requirements and USDOT financial planning and fiscal constraint guidance.

Public comments challenged the RTP's fiscal constraint analysis and subsequent conformity findings based on the dissolution of RTAs in Wisconsin and the subsequent loss of projected revenues. As noted above, at the time the plan was prepared RTA's were authorized and supported. Based on FHWA/FTA guidance, the pending RTA could be considered a reasonably available source of revenue. The Governor's proposed legislation included support for RTAs, and the voting public in Milwaukee County had indicated its support for a local sales tax for transit. Fiscal constraint requirements allow that removal of a revenue source by legislative action does not immediately withdraw a FHWA/FTA determination of fiscal constraint. Amendments and updates to the RTP and TIP since 2010 include revisions to the schedule for implementation of the transit recommendations based on revised assumptions concerning reasonably expected revenues and the lag in implementation of recommended transit improvements.

Recommendations:

- SEWRPC shall continue to ensure that transit projects that are dependent on future award of discretionary funding, such as Section 5309 funds, are separated from fiscally-constrained projects, such as those funded with FTA formula funds, when identifying proposed projects and costs. Any pending discretionary grants shall be included in the TIP in an illustrative format. If and when discretionary projects are selected for federal funding, those projects shall be amended into the TIP.
- With the onset of the USDOT MAP-21 legislation, there are changes in federal highway and transit funding programs that will need to be identified to ensure consistency with previous financial planning efforts.

Self-Certification

Key Requirements: Self-certification of the metropolitan planning process, at least once every four years, is required under 23 CFR 450.334. The State and MPO shall certify to FHWA and FTA that the planning process is addressing the major issues facing the area, including air quality and Title VI related issues, and is conducted in accordance with all applicable requirements of Federal law and regulation.

Status: The State certifies that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements with approval of the MPO TIP. The self-certification language is included in the MPO adopting resolutions. SEWRPC self-certifies the planning process whenever its governing board:

- Formally adopts the Regional Transportation Plan

- Formally adopts any amendments to the Regional Transportation Plan
- Formally adopts the regional transportation improvement program
- Formally adopts the annual overall work program

SEWRPC has identified two staff manager positions with documented specific responsibilities for establishing an understanding of the Federal requirements attendant to the metropolitan transportation planning process and to insuring that such requirements are met as that process proceeds. The SEWRPC Chief Transportation Planner/Engineer, is explicitly held responsible for insuring that the transportation related planning requirements are communicated to and understood by subordinate staff, and that such planning requirements are fully met. In addition, the SEWRPC Business Manager is similarly held responsible for insuring that all Federal requirements attendant to non-discrimination and other administrative matters are met.

Findings: The FHWA and FTA have accepted each of the MPOs' self-certifications since the last Federal certification review. The self-certifications provided in the adopting resolutions of the TIP and UPWP include all of the applicable FHWA and FTA recommended language. SEWRPC Staff is well versed in the requirements of the Self-certification process, and provide the Commission staff with an overview of intent of the self-certification process regularly to ensure they understand the certification they are making.

Safety & Security

Key Requirements: Federal statute 23 USC 134 (h)(1)(B) and (C) requires that the metropolitan planning process provide for consideration of projects and strategies that will increase the safety and security of the transportation system for motorized and non-motorized users in the development of the metropolitan transportation plan and the TIP.

The intent of safety conscious planning is to consider different aspects of transportation that can be impacted by early decisions regarding land use and site design, access management, transportation operations, traveler behavior, and modal requirements, such as roadway geometrics. By focusing on reducing or avoiding safety conflicts, future crashes may be prevented or the severity of future crashes may be lessened. Efforts should address safety solutions in engineering (infrastructure improvements), enforcement (red light running, speed limits), education (bicycle education, youth alcohol awareness), and emergency services (incident management, emergency access to incident locations).

The MPO is encouraged to address security in a manner that is appropriate for regional needs and address the federal planning factor. Security issues do not have to be a once-in-a-generation event to benefit from collaboration and consideration early in the planning process. Each MPO should be communicating with their state and local counterparts to prepare for expected emergency conditions such as flood or snow closures. It is not expected that the MPO duplicate or parallel security plans already in place, but it is expected that the MPO is aware of these plans and is plugged into updates of these plans.

Status: The MPO transportation planning process considers safety and security through the goals and policy objectives of the Regional Transportation Plan. The year 2035 Regional Transportation Plan (RTP) completed in 2006 included an objective of improved safety, and

measured travel safety based on travel by mode and facility, with transit travel being safer than arterial travel and freeway travel being safer than surface arterial travel.

Commission Staff Memorandum, *Regional Transportation Plan: Safety Element*, completed in 2011, refined and expanded the safety objectives, principles, and standards and recommendations of the Regional Transportation Plan. The safety objective of the RTP is a multi-modal transportation system, including public transportation, bicycle and pedestrian facilities, and arterial streets and highways, which provides for increased travel safety. The standards defined for achieving this objective, include reduction of total traffic crashes, greater travel on transportation facilities and services with the best potential transportation safety, reduction of conflicts between vehicle traffic and bicycle, pedestrian, and public transit travel, and reduction of vehicle traffic conflicts.

WisDOT's 2011-2013 Strategic Highway Safety Plan (SHSP) identifies and prioritizes safety issues with corresponding strategies recommended to be implemented to achieve an overall strategic goal of reducing traffic fatalities, injuries, and total crashes in the State of Wisconsin. The safety goal of the RTP is intended to provide for increased travel safety by all modes through reduction of total traffic crashes, greater travel on transportation facilities and services with the best potential transportation safety, reduction of conflicts between vehicle traffic and bicycle, pedestrian, and public transit travel, and reduction of vehicle traffic conflicts, which supports the overall strategic goal and recommendations of the 2011-2013 SHSP.

In 2011, Commission staff prepared Staff Memorandum, *Regional Transportation Plan: Security Element*, which provides an overview of transportation security, and considers security-related issues and efforts that are ongoing to protect transportation networks and facilities at the Federal, State, and regional levels. In particular, it addresses a variety of transportation security efforts underway at various levels of government, and identifies the Commission's role in regional transportation security efforts.

The Commission does not have a formal Continuity of Operations Plan.

Findings: The MPO's consideration of safety and security meets the requirements in the planning regulations.

Recommendations:

- In developing a prioritization process for STP funds, the MPO should give consideration to safety factors.
- The MPO and WisDOT are encouraged to develop a Regional Safety Implementation Plan to guide investment of safety funding in the region.
- The MPO should consider a Continuity of Operations Plan should some event prevent the use of the Commission's office by staff.

Public Outreach & Public Participation Plan

Key Requirements: Each MPO is required to provide citizens, affected public agencies, representatives of public transportation employees, freight shippers, private providers of transportation, representatives of users of public transportation, representatives of users of

pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with a “reasonable opportunity” to comment on the transportation plan. Furthermore MPOs are required to provide interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process. Finally, each MPO shall develop and use a documented participation plan that is itself developed with public comment. A minimum public comment period of 45 days shall be provided before the initial or revised participation plan is adopted by the MPO. Contents of the Public Participation Plan shall include:

- Developing the transportation plans in consultation with all interested parties;
- Providing that all interested parties have reasonable opportunities to comment on the contents of the RTP;
- Holding public meetings at convenient and accessible locations;
- Employing visualization techniques to describe the RTP (such as GIS, maps, graphs, charts and other visual methods of interpreting data and information); Making the information available to the public in electronic accessible format and means, such as the world wide web;
- Demonstrating explicit consideration and response to public input received;
- Applying the Limited English Proficiency (LEP) four factor analysis to their public contacts to assess language needs and decide what reasonable steps should be taken to ensure meaningful access for LEP persons; and
- Periodically review the effectiveness of the procedures and strategies contained in the participation plan to ensure a full and open participation process.

The above requirements apply to the general MPO public outreach program and the resulting public participation plan consistent with the Congressional expectation that all transportation stakeholders will have a viable opportunity to be involved in the metropolitan transportation planning process. In addition to this general requirement for public outreach there are related but separate requirements for a MPO to engage in targeted outreach to specific protected populations. These requirements arise under a number of titles, including:

- Title VI of the Civil Rights Act of 1964,
- Environmental Justice requirements set forth in Executive Order 12898,
- Section 162 (a) of the Federal-Aid Highway Act of 1973 (23 USC 324)(sex),
- Americans With Disabilities Act of 1990,
- Rehabilitation Act of 1973, Section 504 (disabilities), and
- Age Discrimination Act of 1975.

In addition Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency" requires that recipients of Federal financial assistance examine the services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them. To assist in this process the U.S. Department of Justice has issued a Policy Guidance Document, "Enforcement of Title VI of the Civil Rights Act of 1964 - National Origin Discrimination Against Persons With Limited English Proficiency" that sets forth the compliance standards that recipients must follow to ensure that their programs and activities normally provided in English are accessible to LEP persons and thus do not discriminate on the basis of national origin in violation of Title VI's prohibition against national origin discrimination.

Consequently MPOs have additional and more focused public outreach requirements pertaining to these specific populations. These requirements include but are not limited to seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority persons who may face challenges accessing employment and other services. This section will discuss both the general public outreach and the specific targeted public outreach conducted by SEWRPC. The effectiveness and impact of both of these efforts will be further discussed in the Title VI/Nondiscrimination and Environment Justice section.

Status: Public involvement was among the primary concerns expressed in public comments provided during both the 2004 Certification Review and the 2008 Certification Review. Those reviews contained several recommendations in this area. In response to these concerns, and as a result of substantial focus, investment, and effort, the SEWRPC public involvement program and public participation plan have improved tremendously. The current quality of the SEWRPC public involvement program is reflected in the comments provided for this review, to include an appreciation of the responsiveness of the staff and the high level of performance in providing the public information necessary for the decision-making process. However, there were still comments provided that SEWRPC did not adequately seek the input of low-income and other transit dependent groups in the transportation planning process. Overall SEWRPC has been extremely responsive to the stakeholder concerns and to prior review recommendations and as a result their public outreach program and public participation plan has increased in quality, quantity, and effectiveness.

The SEWRPC goal for public outreach contains three major parts: to ensure early and continuous public notification about regional planning; to provide meaningful information concerning regional planning; and to obtain participation and input to regional planning. Consistent with federal expectations, the SEWRPC public outreach strategy to attain these goals consists of two parallel and complementary approaches. The first is a general public outreach effort to ensure early and continuous public notification about transportation planning and programming, along with providing meaningful information, so that the general public has usable access to information and a viable opportunity to participate. The second approach is to then build on the general public outreach effort in order to engage targeted populations to include, in particular, minority and low-income populations. This involves a more intensive and expansive use of many of the same types of efforts that were used to engage the general public. The SEWRPC public outreach process, including their targeted approach to protected populations, is contained in three related documents: *Public Participation Plan for Regional Planning for Southeastern Wisconsin*; an accompanying Appendix with more narrative detail titled *Public Participation Plan for Transportation Planning*; and a summary brochure titled “*Public Participation in Regional Planning for Southeastern Wisconsin*.” Overall, these documents provide a detailed and successful approach to how SEWRPC provides opportunities for public participation, how they will use the ideas and comments received, and how the organization will evaluate methods and techniques and make improvements.

In 2009 SEWRPC established a Division of Public Involvement and Outreach and hired a manager to serve as Division Chief. The new Public Involvement and Outreach Division provides both a concentrated focus on overall general public outreach as well as providing an increased capacity for targeted outreach to specific populations. In 2011 and 2012 SEWRPC developed and approved a series of key measured activities and evaluation criteria relating to their public participation goals. These are set forth in the public participation plan Appendix on

Transportation Planning. A significant number of these measures are already being exceeded, to include those related to organizational networking with central city, minority, and low-income populations and groups. At the time of the site visit, SEWRPC planned to assess these measured activities at the end of 2012. SEWRPC completes an evaluation of the public participation process after each major planning and programming effort. The evaluation reviews the effectiveness of the public involvement techniques used and is also designed to identify how public involvement and input shaped the planning effort and final plan, and to explain how public comments were incorporated, or not incorporated, into the final plan.

Commenters suggested that SEWRPC would be more accessible to minority and low income groups, and could better engage them if they had a physical office in the City of Milwaukee accessible by transit. At the time of this review SEWRPC planned to open a Milwaukee Satellite Office in the Milwaukee County Government Office Center, which is located in downtown Milwaukee in a predominately minority area. The location would allow SEWRPC staff to work more closely with local community groups as well as the Community Business Development Partners Program, which works with minority and disadvantaged businesses. At the time of the review, SEWRPC had leased a space and was working to resolve utility services. (Post-review note: the SEWRPC downtown Milwaukee office was opened and fully operational in 2013.)

One element of the SEWRPC general public outreach program is especially noteworthy. That is a recognition and appreciation of the fact that diverse audiences and groups will approach regional planning issues from different perspectives, based on different understandings of the potential impact and unique levels of interest and participation. Consequently, SEWRPC uses a range of informational materials, activities, and events to meet these diverse needs and interests. The cornerstone of this approach is a viewing of individuals based on their desired level of involvement, ranging from recipient, attendee, participant, stakeholder, partner, to implementer or plan advocate. Of course identification of an individual's desired level of involvement is only the first step. The success comes in actually providing the appropriate level of information and support that is responsive to each individual level of interest in order to promote their participation.

In addition to their general public outreach effort, SEWRPC also implements a focused outreach effort targeted to protected populations. This targeted effort utilizes the same techniques and methods employed under the general public outreach effort, but does so with much greater intensity and focus. One example is organizational networking. Under their general public outreach SEWRPC has a goal to reach out to the over two million individuals residing within a seven county area, which includes 146 cities, villages and towns in addition to many other public and private interests. Starting in 2009, the Public Involvement and Outreach Division began focusing their outreach efforts as part of a broader strategy of organizational networking and partnership building. To meet both strategies, SEWRPC included all key organizational entities but also specifically focused on entities that serve targeted populations, to include low income areas, areas predominantly servicing communities of color and targeted ethnicities, organizations serving individuals with disabilities, and communities where the issues of transportation, land use, and environmental emphasis may have unique and/or significant impact on long term planning. As a result of these efforts, in 2010 the Public Involvement and Outreach Division representatives attended and participated in approximately 375 events and activities conducted by or with over 225 organizations within the Region. In 2011, Public Involvement and Outreach Division representatives attended and participated in over 350 organizational events and

activities that were conducted with or by about 200 organizations. With the focus towards including targeted outreach entities as part of the overall organizational networking, SEWRPC is effectively meeting their overall public outreach goals in regards to both the general public and to targeted populations.

SEWRPC continues to use their Environmental Justice Task Force as a key component in monitoring and improving their targeted public outreach efforts, as well as playing an ongoing and growing role in providing suggestions and guidance for SEWRPC's overall planning activities. As of the onsite review the Task Force has met 23 times and has provided valuable comments and guidance on planning activities in general and on SEWRPC targeted public involvement efforts in particular. One example is the development of a more focused key organizational contact list representing targeted populations. As part of the 2008 Certification Review SEWRPC was encouraged to work broadly with a large number of organizational networks, but to complement this by also working more closely with those particular entities that could effectively and accurately represent interests and issues most important to protected populations. The Public Involvement and Outreach Division identified a list of 22 primary targeted organizational contacts. The Environmental Justice Task Force reviewed and confirmed the appropriateness of these 22 primary contacts, and added 6 more entities. As a result SEWRPC has a valuable list of 28 active entities that can vigorously present the interests of key targeted populations and groups and that are interested in promoting partnerships and effective transportation planning. SEWRPC continues to explore and expand, where appropriate, the role and input of the Environmental Justice Task Force. The Environmental Justice Task Force performed a review of the proposed scope of work and eventual conduct of the socio-economic impact study for the regional water supply plan, and will review similar social-economic impact studies for other major planning efforts, including an impact assessment for the preliminary regional housing plan recommendations.

The 2008 Review Team concluded that the SEWRPC public participation process, as documented and implemented, met federal transportation planning requirements but made three recommendations. SEWRPC was successful in addressing each recommendation. SEWRPC updated and significantly improved their website to make it more user-friendly and thus more effective for interaction with the general public. As a result the SEWRPC website, www.sewrpc.org, is a valuable and effective source of information to include newsletters, meeting details, draft recommendations, and complete plans as well as providing a viable opportunity for the public to provide comments. However, further enhancements could ensure the public can easily find the information it is looking for. SEWRPC also adopted a practice of using plain language, visual and concise styles and formats to improve public communication. With the guidance of the Environmental Justice Task Force, each study will have a series of newsletters, with summary brochures and introductory pamphlets, in order to provide usable, digestible information to interested parties. Finally, as previously discussed, SEWRPC amended their public participation plan to require and document a public participation evaluation methodology for use in assessing and improving public participation in the planning processes. This includes specific public participation objectives and corresponding measures and procedures to guide the evaluation, for both general public outreach and targeted outreach to specific populations.

Findings: Overall this Review Team finds that SEWRPC has completed the recommendations made in the 2008 review and that the SEWRPC public participation process, as documented and

implemented, continues to meet federal transportation planning requirements. Moreover, SEWRPC's willingness to consider critique of their processes has led to a significant commitment of resources, effort, and focus tailoring the SEWRPC Public Outreach Program to better meet local Milwaukee area issues and expectations for access and involvement. Overall, SEWRPC is effective in achieving their public participation goals for regional planning, including ensuring early and continuous public notification, providing meaningful information and opportunities to participate, and obtaining participation and input. Effective public outreach in general, and especially in regards to targeted populations, requires a dynamic process. Targeted populations grow and shift, as do their concerns, interests, and the groups most able to advocate on their behalf. In order to continue this effectiveness, the Review Team makes the following recommendations.

Recommendation:

- SEWRPC should continue to work with their Environmental Justice Task Force to review and modify as needed their overall methods to engage targeted populations in general and their use of the identified key organizational entities in particular, in order to continue to engage all populations and communities within their planning region.
- In addition, SEWRPC is encouraged to examine how people are learning about the various meetings so the impact of their outreach efforts can be further evaluated and refined.

Title VI/Nondiscrimination and Environmental Justice

Key Requirements: Consistent with Title VI of the Civil Rights Act of 1964, and the implementing US DOT, FHWA, and FTA directives, no person shall, because of their race, color, or national origin, be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance. The Title VI protected classes have expanded under other nondiscrimination laws and regulations. Consequently under the broader Federal Title VI/Nondiscrimination program MPOs are prohibited from engaging in discrimination on the basis of race, color, national origin, age, sex or disability.

In addition, the metropolitan transportation planning program is subject to the 1994 Executive Order 11898, *Federal Actions to Address Environmental Justice (EJ) in Minority and Low-Income Populations* (EO), and the implementing US DOT, FHWA, and FTA directives. Planning and programming activities that have the potential to have a disproportionately high and adverse effect on human health or the environment shall include explicit consideration of the effects on minority populations and low-income populations. Procedures shall be established or expanded, as necessary, to provide meaningful opportunities for public involvement by members of minority populations and low-income populations during the planning and development of programs, policies, and activities (including the identification of potential effects, alternatives, and mitigation measures). Steps shall be taken to provide the public, including members of minority populations and low-income populations, access to public information concerning the human health or environmental impacts of programs, policies, and activities, including information that will address the concerns of minority and low-income populations regarding the health and environmental impacts of the proposed action.

Current Federal implementing directives establish a clear and distinct separation between the EJ requirements set forth in EO 12898 and the prohibitions against discrimination that are set forth in Title VI and the other Nondiscrimination statutes, such as the Americans with Disabilities Act. However, since there are overlapping populations and requirements between these Federal requirements, they will be discussed together in this section. Consistent with Title VI, other Nondiscrimination statutes, and Environment Justice requirements under EO 12898, as well as their implementing directives, the requirements for each MPO include, but are not limited to the following:

- 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 and EJ related planning and analysis.
- Ensure that members of low-income and minority populations, 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.
- Evaluate the regional transportation system to ensure that services are accessible to persons with disabilities.
- 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.
- Establish appropriate standards, measures, and 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.

Status: 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 concerned 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 alleged that the process by which SEWRPC made this decision, and the underlying decision itself, were actions and methods of administration that have a discriminatory effect on persons of color in the region under SEWRPC's jurisdiction. SEWRPC was notified in 2011 that the Federal Transit Administration had completed an investigation and dismissed the complaint.

In a Title VI compliance review that concluded in late 2011, the FTA reviewed the SEWRPC Title VI Program and found that the program complied with FTA requirements and did not contain any deficiencies. Furthermore, the finding in the Public Outreach / Public Participation Plan section of this report covered the SEWRPC focused outreach to Title VI, EJ, disability, and other protected populations. In general, the SEWRPC outreach consists of two parts. The first

part is to conduct a general public outreach that is comprehensive and appropriate for each type of stakeholder, providing information that is understandable and tailored to each individual's interest and motivation. The second part is a more targeted outreach focused on the different protected populations. The targeted outreach builds on the general outreach, but is more intensive and more tailored. That finding was that SEWRPC conducts a well-resourced, focused, and extensive public outreach to Title VI populations, EJ populations, and disability populations, stakeholders and communities. Therefore SEWRPC is in compliance with the Title VI/EJ public outreach requirements.

However, compliance with Title VI and EJ requirements demands more than effective public outreach. Review of the SEWRPC programs and documentation indicate that while there is significant focus on the outreach efforts, SEWRPC does satisfy the other general requirements. In regards to identification of protected populations, the Review Team finds that SEWRPC does maintain a current, valid demographic profile of minority, low-income, disability, and other protected populations. The regional profile was updated from the year 2000 to the year 2010. In addition SEWRPC does share this data with member agencies and does assist them in identifying minority and low-income populations in their sub-region or service area. SEWRPC does a comprehensive job in evaluating the needs of minority, low-income, and other protected populations based in large part on their data analysis and their effective public outreach. In particular, because SEWRPC expands the effort to identify and work collaboratively with organizations representing protected populations and communities, and because these organizations themselves are active, effective and articulate in identifying and expressing the needs of their communities, these organizations provide an extremely valuable contribution to the quality of the transportation planning process, as well as promoting compliance with EJ, Title VI, and other Nondiscrimination laws and regulations.

Furthermore, in the development of regional transportation related plans and documents, SEWRPC does identify the needs of protected populations and does identify their accessibility to transportation as well as the extent to which members of minority, low income, disability, and other protected populations are beneficiaries of the current and planned transportation system, and how they might benefit from or receive the burden of future transportation system investments. SEWRPC does quantify the specific impacts of the current and planned transportation system on different racial, low income, and other protected groups. These defined transportation needs, potential benefits, and potential burdens are then used to assist in the development and the evaluation of alternative transportation plans. In particular, in compliance with both Title VI and EJ, as part of the Regional Transportation Plan SEWRPC conducts an extensive analysis with respect to whether minority, low-income, and related protected populations receive disproportionate impacts from the plan. In regards to service equity, SEWRPC does have an analytical process for assessing the regional benefits and burdens of transportation system investments for different racial, income, and related groups.

Throughout these activities the EJ Task Force along with extensive SEWRPC leadership investment and resources, have contributed largely to extensive progress in communicating and documenting compliance with Title VI and EJ requirements. SEWRPC's targeted outreach efforts building relationships with minority and low income business and community groups and the creation and impact of the Environmental Justice Task Force demonstrate substantial commitment and success in seeking the participation of these groups in the transportation planning process. SEWRPC completed the 2004 certification review recommendations to

increase the representation and participation of minority and low-income populations in the transportation planning process, to 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. That collaboration led to formation of the SEWRPC Environmental Justice Task Force which has evolved to become a critical advocate to enhance consideration and integration of environmental justice, as well as Title VI and other nondiscrimination requirements, throughout the regional planning process. This collaboration also led to the start of a regional housing plan. SEWRPC has also followed the 2008 review recommendations to continue to cultivate established relationships with the Environmental Justice Task Force and groups representing protected populations, and to document how feedback and recommendations from the Environmental Justice Task Force and these groups are used in the transportation planning process. Furthermore, SEWRPC has continued to refine their EJ methods and to expand the use of tools to identify transportation service and system needs. The Environmental Justice Task Force and community groups have been valuable in promoting improvement in this process.

Overall, the public comments provided as part of this certification review generally recognize the professionalism of the SEWRPC staff. Public viewpoints regarding SEWRPC efforts with Title VI and EJ range from some progress to substantial progress. Positive comments were expressed on SEWRPC outreach efforts, as well as their identification and evaluation the needs of protected populations. However, strong concerns were expressed with the level of transit planning implemented and the impact to minority, low income, and disability groups, which are proportionally more dependent on transit as their mode of transportation to achieve and maintain employment and access basic services. As expressed by one commenter, the core point of this perspective is that “The FHWA and FTA’s own guidance explicitly states that “[t]he products of the transportation process – MTP, TIP and UPWP – must demonstrate consistency with Title VI and related requirements and principles. The FHWA and FTA have an obligation to ensure that the MPO for Southeastern Wisconsin is taking active, concrete and specific steps to actually implement the transit plans that ensure that communities of color and persons with disabilities receive a fair share of the benefits of regional transportation system investment.” The SEWRPC developed *products of the transportation process – MTP, TIP and UPWP* – as developed and written, do demonstrate consistency with Title VI, EJ, and related Federal nondiscrimination requirements and principles. The second part of this discussion is that SEWRPC must take active and concrete actions to implement their planning products. Within their authority, SEWRPC does this, as evidenced by their efforts to promote and develop a dedicated source of funding to support transit operations and expansion. However contrary to the opinions provided by several commenters, SEWRPC does not have the authority to act as a super legislative body to coerce, compel, or mandate the implementation of SEWRPC planning documents. Title VI, EJ, and other nondiscrimination requirements do not provide SEWRPC with the obligation or authority to override or ignore the role of Federal, State, or local governments or their valid funding decisions.

One commenter articulated that SEWRPC has failed to set or comply with goals and standards to measure civil rights compliance. The commenter referred positively to the 2035 Plan statement that “public transit recommendations of the regional transportation plan would, in particular, serve minority and low-income populations within Southeastern Wisconsin” but then characterized this statement as the sole civil rights goals or standard. The commenter then

concluded that because SEWRPC has failed to exclude highway projects from the TIP that SEWRPC therefore failed to comply with this “goal.” The lack of authority for SEWRPC to exclude highway projects, or force transit projects, was previously addressed. The objectives of the Title VI/Nondiscrimination program implemented within the MPO planning process are not limited to transit. This commenter’s conclusion overlooks the fact that more minority and low-income populations partake in automotive transportation than in transit. Improvements in highway infrastructure do benefit minority and low-income populations. This does not mean that these populations, and other populations, would not also benefit from transit improvements. But it does mean that one cannot judge the overall MPO Title VI/ Nondiscrimination program on one single self-selected “standard.” Instead it must be judged on the overall process, benefits, and burdens.

This same commenter stated that SEWRPC fails to ensure adequate input and decision-making from diverse community groups and the SEWRPC Environmental Justice Task Force (EJTF). The commenter has played a strong role in shaping the discussion, and improving incorporation of Title VI/Nondiscrimination considerations within the SEWRPC planning process. The growing role and positive impact of the EJTF was previously discussed, as was the extensive SEWRPC outreach with the public in general, and with minority and low-income individuals and organizations. The EJTF representatives are members of minority and low-income communities or groups that serve those communities. Furthermore, the SEWRPC advisory committees include locally elected officials or their appointees who are accountable to their municipalities and their diverse communities. Together the task force and advisory committee members represent and speak for the diverse community groups referenced by the commenter. While the decisions of these representatives may not always be consistent with the commenter’s perspective, there is no basis for the assertion that their decisions are not representative of the diverse community groups in the region.

Within their authority, SEWRPC should continue their efforts to promote improvement in affordable housing; access to jobs; and an increase in funding and priority for transit plan implementation and service for transit dependent residents.

Recommendations: SEWRPC is encouraged to continue to improve and expand relationships with minority and low income community and business groups and the role and involvement of the Environmental Justice Task Force throughout the transportation planning process.

Post-Review Note:

On July 31, 2013, a complaint letter was filed with the FHWA Office of Civil Rights (FTA was not copied) by the Milwaukee Innercity Congregations Allied for Hope, Milwaukee Transit Riders Union, Midwest Environmental Advocates, NAACP-Milwaukee Branch, Black Health Coalition of Wisconsin, Inc., ACLU of Wisconsin, and ATU Local 998, alleging SEWRPC violated Title VI of the Civil Rights Act of 1964 and implementing regulations administered by the United States Department of Transportation. The complaint alleged that SEWRPC violated Title VI of the Civil Rights Act and implementing regulations when SEWRPC developed new criteria to prioritize STP-Urban projects for funding in the Transportation Improvement Program; criteria that had been approved by the Environmental Justice Task Force and the Milwaukee TIP advisory committee. FHWA conducted an on-site visit and desk audit in December, 2013 and determined that the complaint was within the jurisdiction of the FTA. The

FTA Office of Civil Rights has agreed to assume lead responsibility in the disposition of this complaint, and it is currently under review.

Consultation and Coordination

Key Requirements: The requirements for consultation are set forth primarily in 23 CFR 450.316(b-e) which calls for consultation in developing the Metropolitan Transportation Plan (MTP) and Transportation Improvement Plan (TIP). Consultation also is addressed specifically in connection with the MTP in 23 CFR 450.322(g)(1)(2) and (f)(7) related to environmental mitigation.

In developing MTPs and TIPs, the 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 as described below:

- Agencies and officials responsible for other planning activities (State and local growth, economic development opportunities, environmental protection, airport operations or freight movements) that are affected by transportation or coordinate the planning process with such planning activities.
- Transportation service providers to recipients under 49 U.S.C. 53, 23 U.S.C. 204, and non-profit organizations that provide non-emergency transportation services with assistance from Federal agencies other than U.S. DOT.
- Indian Tribal government(s) with tribal lands within the MPA.
- When the MPA includes Federal Public Lands, shall appropriately involve Federal land management agencies.
- State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation. The consultation shall involve, as appropriate (1) comparison of the MTP with State conservation plans or maps, if available, or (2) comparison of the MTP with inventories of natural or historic resources, if available.

In developing and considering potential environmental mitigation to restore and maintain environmental functions affected by the MTP, the MPO shall consult with Federal, State, and Tribal land management, wildlife, and regulatory agencies.

Status: SEWRPC Staff Memorandum, *Regional Transportation Consultation Process*, documents the organizational and procedural mechanisms by which SEWRPC involves various public agencies, tribal governments, community groups and representatives of transportation related industry in transportation planning. The process was updated and is available on the Commission website as recommended in the 2008 Certification Review Report. SEWRPC also produced a summary of consultation activities that have occurred in recent years.

Findings: The MPO's process meets the requirements of the regulations in effect at the time of the site visit.

Recommendation: SEWRPC should consider ways to share its summary of consultation activities with the public.

Land Use and Livability

Background: A new component has been included with the certification which emphasizes livable communities and the linkage between transportation and land use. The land use and livability section identifies goals, objectives and strategies which the MPO encourages local governments to implement in an effort to foster livable communities.

Status: A key component to the integration of land use and transportation is the implementation of the Regional Housing Plan. Work began on the Regional Housing Plan in 2009 and will conclude in 2012. This document provides an additional element of the regional comprehensive plan and further refines recommendations set forth in the regional land use plan. The plan is intended to address the availability, distribution, and density of housing in the Region, with a focus on affordable housing for residents of all income levels, age groups, and special needs. To date, the following work has been completed:

- Development of the plan's vision and objectives;
- Conduct of extensive inventories and analyses related to existing housing, new housing development, the balance between jobs and housing, housing discrimination, the availability of housing accessible to persons with disabilities and the elderly, and existing subsidized housing stock; and
- Review of best housing practices.

Based upon the principal findings and conclusions reached through the extensive study inventories and analyses, and the review of best housing practices, a draft set of preliminary plan recommendations have been made and are currently being considered by the Regional Housing Plan Advisory Committee. Numerous opportunities for public input have been provided, and additional public meetings will be held following the Committee's consideration and the completion of the Regional Housing Plan.

Findings: The MPO has a long history of integrating land use and livability into its transportation planning efforts, and has demonstrated leadership in the advancement of best practices in this area.

Commendation: With the regional housing planning process, SEWRPC has done a commendable job examining the connection between land use and transportation, while providing opportunities for the municipal staff, citizens and business community to provide input throughout the process. The Regional Housing Plan should help serve as a tool to encourage effective collaboration between the citizenry, public officials and other regional stakeholders.

Freight

Key Requirements: The safe, efficient, and effective movement of freight has received increasing emphasis in transportation planning in the past decade. Current metropolitan planning requirements include consideration of freight movement in three of the planning factors and consultation with freight shippers and involvement of providers of freight transportation services in developing the Metropolitan Transportation Plan (MTP) and Transportation Improvement Plan (TIP).

Status: The MPO is continually conducting and refining its efforts related to planning for freight movement in the Region. SEWRPC maintains a freight transportation workgroup to provide input to its Regional Transportation Plan (RTP). The freight transportation workgroup includes representatives of railroads, trucking, water, and air freight transportation and representatives of business and industry that have substantial freight traffic and business organizations. The purpose of the workgroup is to identify issues, problems, and concerns related to moving freight, to suggest potential improvements that should be considered, and to develop and review plan alternatives and the preliminary recommended RTP. The last major engagement with the freight transportation workgroup occurred with the 2035 RTP completed in 2006.

Every 10 years, the MPO collects data on commercial truck travel through a commercial truck travel survey, which is used to inform the Regional Transportation Plan. The MPO also performs an external travel survey which identifies the commercial truck travel travelling through the Region, or starting in, or ending in the region.

In addition to the freight workgroup, which is consulted during preparation of the RTP, the MPO is actively involved with ongoing freight planning efforts concerning the Southeastern Wisconsin Region, such as WisDOT's statewide freight plan. Under the new state administration the Wisconsin Department of Transportation has elevated the importance of freight in planning the transportation system and recently completed a statewide freight study.

The Commission is involved with the efforts of the Milwaukee Gateway Aerotropolis Corporation (MGAC), a non-profit organization which promotes the use of Milwaukee's General Mitchell International Airport (GMIA) as an economic driver for the Region, attempting to efficiently link air, rail, road, and shipping transportation capabilities in the communities in the vicinity of GMIA. The Commission staff is currently participating with MGAC staff in their meetings being conducted with various businesses in the freight industry, from air cargo companies to freight forwarders. These meetings are intended to identify improvements needed to assist in freight movement in and around the GMIA area as well as across the Region.

Findings: The MPO has demonstrated significant effort to consider freight related issues and data in its planning efforts.

Recommendations:

- The MPO should work with WisDOT to incorporate the state-wide freight study into the relevant planning efforts. As part of this effort, the MPO should identify and consider specific major freight corridors in its Regional Transportation Plan.
- Updates to the Regional Transportation Plan should incorporate freight performance measures.

Transit Planning

Background: Section 5303 of Title 49 and Section 134 of Title 23 require the transportation planning process in metropolitan areas to consider all modes of travel in the development of their plans and programs. Federal regulations cited in 23 CFR 450.314 state that the MPO in cooperation with the State and operators of publicly owned transit services shall be responsible for carrying out the transportation 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 of the transportation system for motorized and nonmotorized users;
- Increase the security of the transportation system for motorized and nonmotorized 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, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
- 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.

Status: Transit operators are directly and substantially involved in the work of the Commission as the MPO, particularly in the preparation of the Regional Transportation Plan (RTP) and transportation improvement program (TIP). The Region's transit operators serve on a transit operator task force for the RTP, which helps the staff prepare transit objectives and standards (performance measures), analyze transit trends and performance, prepare and evaluate alternative strategies and plans, and develop preliminary and final recommended plans. The Region's transit operators are also represented on the Advisory Committee on Regional Transportation System Planning which shapes and guides the development of the RTP. Transit operators are also represented on each urbanized area TIP committee and are part of an interagency staff team that prepares the TIP, identifying the specific projects for their transit system, which they recommend for inclusion in the TIP.

The Commission also works with transit operators in special efforts. The MPO staff worked as staff of the Southeastern Wisconsin Regional Transit Authority (SEWRTA) and the Southeastern Regional Transit Authority (SERTA) between 2009 - 2011. SEWRTA was a study committee charged with addressing and making recommendations to the State Legislature and Governor regarding transit dedicated funding and governance and assisting transit operators in pursuit of local dedicated funding by analyzing the need for public transit, the recent decline in public transit, the funding crisis of transit, and the atypical way transit is funded in Wisconsin. SERTA was responsible for implementing the Kenosha-Racine-Milwaukee (KRM) commuter rail line. The Commission assisted SERTA in the preparation of an alternatives analysis/draft environmental impact statement, Federal New Starts application, and request to enter preliminary engineering.

Transit Development Plans (TDP) are prepared by SEWRPC, in conjunction with regional transit agencies. TDPs help serve as the region's strategic planning and needs document. These plans evaluate transit services provided and the growth needs of the region's current and future transit users and provide a program of recommended transit improvements to better serve these needs.

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. It is evident from the participation of the transit operators during the certification review that there is strong cooperation among the transit providers and SEWRPC. Transit operators are directly involved in the development and review of the TIP and TIP amendments. Transit advisory committees in each urbanized area are involved in the compilation of transportation plans, as well as the review of projects to ensure consistency with the regional transportation plan. These committees serve as a forum to discuss cross-jurisdictional service coordination and pursue other specific transit issues affecting the public transportation needs of the region.

The RTP has identified desired expansion of the transit system in the region. However, available funding may impact the extent to which transit improvements can be included in the upcoming plan update if additional reasonably anticipated revenue sources cannot be demonstrated. The next RTP update will need to closely examine transit service expansion projects against available funds to ensure fiscal constraint is achieved.

Public comments from the open house reflected impressions that the current transportation funding structure in Southeastern Wisconsin disproportionately favors highway projects over transit projects. A few commenters suggested that decision-makers were not exercising the full flexibility allowed by law to use highway funding for transit capital and operating needs.

SEWRPC procedures and decisions on use of funding suballocated or subject to MPO prioritization expressly consider transit capital improvements proposed in the Regional Transportation Plan and flexible use of highway (STP) and transit (5307) funding. A January 19, 2011 memorandum to the Milwaukee TIP Advisory Committee (posted on the Commission website) describes the flexibility provisions and process the committee historically used to distribute flexible STP-Urban and FTA 5307 capital funds allocated to the Milwaukee urbanized area between transit and highway modes. The committee has an established guideline to split the combined funding according to the highway and transit capital funding needs established in the current RTP. The modal split established in the RTP was determined to result in 37 percent of the available capital funds for transit and 63 percent for highways. Amounts of STP-Urban and FTA 5307 funding apportioned to the Milwaukee TMA in recent years are as follows:

	STP-Urban	FTA 5307	Total	37% Transit	63% Highway
2010	\$28,140,305	21,311,097	\$49,451,402	\$18,297,019	\$31,154,383
2011	\$29,696,490	20,901,940	\$50,598,430	\$18,721,419	\$31,877,011
2012	\$27,625,220	20,959,831	\$48,585,051	\$17,976,469	\$30,608,582

The Milwaukee TIP Committee has consistently overridden the modal split guideline, which over recent years would have resulted in flexing \$2-\$3 million annually from transit to highways. The committee has directed the full amount of FTA 5307 funding to the transit operators for eligible transit projects. Distribution of the 5307 funding among transit operators is by an agreed formula. The memorandum also describes a process by which a transit operator could request committee consideration of STP funding for a transit capital project.

Transit has similarly benefitted within recent MPO CMAQ program funding decisions. The 2010-13 CMAQ program cycle awarded \$22.6 million of the \$37.5 million of funding available (60%) for transit projects. A special CMAQ program cycle to redistribute \$15 million released from withdrawal of the KRM commuter rail project was restricted to transit projects only and awarded \$12.7 million for Milwaukee County transit projects recommended in the RTP.

Wisconsin statutes and budget acts define state transportation improvement programs and allocate federal highway and transit funding among the programs, limiting both the amount of federal funding and use of the funding within each state program requirements. While consistent with federal funding requirements, the state budget may limit WisDOT and the MPO in exercising funding flexibilities permitted under federal laws. Public comments to the certification review suggesting that the MPO could withhold approval of a WisDOT funded highway project and reallocate the highway funding for transit use infer flexibility that would not be consistent with state statutes, even if permissible within federal funding flexibilities.

A major consideration in flexing funds from highway to transit is the transit operators' capacity to leverage additional capital funding to address service needs. Under FTA requirements, Milwaukee County Transit in particular is restricted in use of capital funding for operations. MCTS staff indicated the transit agency was already maximizing capitalized maintenance provisions permitted by FTA. Further capital investments are limited by the availability of local matching funds. All transit operators participating in the review agreed that the single most important challenge facing the region is securing a dedicated source for local transit funding, particularly to support operations.

Recommendations:

- SEWRPC should document the flexibilities allowed under federal law to use highway funding for transit projects and inform project sponsors and the general public of these opportunities.
- SEWRPC should work with WisDOT to document how funding and programming decisions are made and illustrate the process on the SEWRPC website.
- The next RTP update will need to closely examine reasonably available revenues and the extent of recommended transit improvements to ensure fiscal constraint is achieved.

Travel Demand Forecasting Models

Key Requirements: Travel demand forecasting models are used in the planning process to evaluate the operation of current and future year transportation systems, identify deficiencies and evaluate the impacts of alternative transportation investments. In air quality non-attainment and maintenance areas, the models are also used to estimate regional vehicle activity for use with mobile source emission models that support air quality planning and conformity determinations. Although travel models are not specifically mandated as part of the metropolitan planning process, the forecasting methods used by an MPO are addressed as part of the certification review to ensure they adequately support the applications for which they are being used.

Status: The MPO has developed and maintains a 4-step travel demand mode. The four steps of the model are (1) trip generation (2) trip distribution, (3) mode choice and (4) route assignment.

The MPO uses its model to test and evaluate the transportation network in conjunction with its transportation planning studies, determine conformity of the Plan and TIP, and provide transportation forecasts to the Wisconsin Department of Transportation, counties, and local units of government.

The MPO's current travel demand model was developed as part of the major update to its Regional Transportation System Plan in the early 2000's, and is in its fourth-generation. It was validated in 2005 using estimated year 2001-2002 travel and traffic, and a second time in 2011 with estimated year 2008 travel and traffic. The travel demand model was reviewed and approved by the Advisory Committee on Regional Transportation System Planning in 2005. In 2010, the MPO refined the model's trip distribution methodology to make it sensitive to area type (urban, suburban, rural), and completed a time-of-day assignment methodology which is used to forecast peak hour traffic volumes for the Wisconsin Department of Transportation.

In support of its modeling process, the MPO collects a robust set of data in excess of what is made available from the Census or WisDOT and other government agencies for transportation modeling purposes. For example, the MPO conducts extensive travel surveys (including resident household travel survey, external travel survey, commercial truck travel survey, and transit ridership survey), economic analyses and employment projections, demographic analyses and population forecasts, and regional land use inventories and regional land use plans.

The MPO's planning assumptions and forecasting methods are reviewed as part of the major (10-year) and interim (4-year) update cycles for the Regional Transportation System Plan by the Advisory Committee on Regional Transportation System Planning. In 2010, a review of forecasts attendant to the year 2035 Regional Transportation System Plan, including population, households, employment, vehicle availability, public transit ridership, and vehicle miles of travel indicated that the forecasts remained valid for long range transportation system planning. This review is documented in Chapter 3, "Review of Year 2035 Plan Forecasts" in Commission memorandum report number 197, *Review, Update, and Reaffirmation of the Year 2035 Regional Transportation Plan*. In addition, the Commission convenes a conformity technical workgroup that reviews model inputs (including planning assumptions), as well as the modeling process and methods prior to the initiation of any required conformity analysis associated with the Regional Transportation Plan, or Transportation Improvement Program (TIP). This group is comprised of technical staff from the Wisconsin Department of Transportation, Wisconsin Department of Natural Resources, U.S. Department of Transportation, Federal Highway and Federal Transit Administrations, and the U.S. Environmental Protection Agency. This group will meet as part of the development of RTP and TIP, and when RTP and TIP amendments impacting air quality are being considered.

At the time of the review, the MPO had not convened a peer review or other independent assessment of its travel forecasting methods. However, the MPO does regularly review and compare the travel simulation modeling conducted by its peer agencies. The MPO's review has resulted in recommended near-term and longer term refinements to its model. The specific recommendations made for the MPO's fourth-generation travel simulation model are documented in Chapter VI, "Travel Simulation Models", of SEWRPC planning report number 49, *A Regional Transportation System Plan for Southeastern Wisconsin: 2035*.

The MPO recognizes that robust forecasting and modeling tools are critical to scenario based planning activities and has initiated efforts to develop applications that will address the range of

policy issues and modal options under consideration within the planning horizon. To that end the MPO, since development of the current travel demand model, has continued to develop and enhance its modeling procedures. The model was recently enhanced in 2010 to include a time-of-day assignment. Short-term model improvements under development by the MPO include the development and testing of alternative land use scenarios and the evaluation and implementation of dynamic traffic assignment as an enhancement to the time-of-day assignment model. Long-term (within the next 5 to 10 years) model improvements under evaluation by the MPO include alternative travel demand model structures, specifically consideration of an activity based or a tour based travel demand model. In the future, activity based or tour based travel demand model structures, land use scenario modeling, dynamic traffic assignment, and microsimulation models all may play a role in many planning and programming activities.

The MPO's modeling efforts are funded through its general planning funds, as documented in the UPWP. In addition, the MPO has forecasting contracts with the Wisconsin Department of Transportation in which it is reimbursed for costs associated with the development of forecasts in support of WisDOT roadway projects currently under study. It should be noted that the Commission has had a flat budget for several years, and the WisDOT forecasting contracts essentially cover staff necessary to prepare traffic forecasts. There has not been sufficient funding to allocate staff to modeling research tasks, such as pursuing the development of a tour- or an activity-based model. Model enhancements, like the completion of the time-of-day assignment, have been funded through the WisDOT contracts when a WisDOT project needed this capability. Increased funding for model enhancements would be desirable to enhance and advance Commission modeling practice.

Findings: The MPO has demonstrated the analytical capability to reasonably forecast the future usage and performance of transportation facilities.

Commendations:

- The MPO has established a positive working relationship with WisDOT in relation to travel forecasting, as demonstrated by their contract with the DOT.
- The MPO is committed to improving its modeling processes, as illustrated by their extensive data collection, and model updates.

Recommendations:

- Because model results have the potential to influence so many key decisions, it is recommended that SEWRPC have complete written documentation of the following subject areas. While SEWRPC has much of this data published in various sources, it should be compiled in single, concise format for easy review by interested parties. SEWRPC should work with WisDOT's Travel Forecasting Section in preparing this documentation to ensure it meets the needs of WisDOT, the largest user of traffic modeling outputs in the State.
 1. **Inventory of Current Conditions.** The foundation for any forecast is a comprehensive and objective inventory of current conditions with respect to both transportation supply and demand. This would include data for the highway system, transit system, other transport modes, population, employment, vehicle miles traveled (VMT), transit use, congestion, land use, and special conditions. Sources of this data should be identified as well as the anticipated frequency of updates to the data.

2. **Planning Assumptions.** The principal determinants of any long range travel demand forecast are the planning assumptions about demographic changes and the growth and distribution of population, employment, developed land, and individual travel preferences. Assumptions should be presented in readable terms and strive to convey information in a clear and usable manner.
 3. **Forecasting Methods.** The technical documentation of the travel model should include model specifications, significant changes from the most recent update, calibration data, survey methodology, model validation, network size including the number of analysis zones, and methodology for non-home based travel.
- It is recommended that SEWRPC periodically engage in an open peer review cycle to externally validate its modeling processes.
 - It is recommended that SEWRPC engage WisDOT in a discussion of its modeling process, and identify opportunities to increase consistency with state-wide modeling objectives, as appropriate.

Conclusion

Based on this review and ongoing oversight by the FHWA and the FTA, the transportation planning process carried out in the Milwaukee, Wisconsin and the Wisconsin portion of the Round Lake Beach, Illinois-Wisconsin TMAs is certified as meeting the requirements as described in 23 Code of Federal Register (CFR). The certification findings are detailed within the report, including a number of recommendations intended to enhance the planning process in this region. A summary of recommendations and commendations is included in Appendix B. FHWA and FTA will work with SEWRPC, WisDOT and local governments to track and implement these recommendations.

Appendix A – List of Participants

Participants in the review included representatives of Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Wisconsin Department of Transportation (WisDOT), transit operators, and Southeastern Wisconsin Regional Planning Staff (SEWRPC) staff.

Following is a list of the attendees at the onsite review.

Federal Review Team:

- Alexis Kuklenski, Community Planner, FHWA Wisconsin Division
- Dwight McComb, Systems Planning and Performance Engineer, FHWA Wisconsin Division
- Bill Stark, Transportation Specialist / Program Manager, FHWA Wisconsin Division
- Karla Bauer, Transportation Specialist / Civil Rights, FHWA Wisconsin Division
- Ed Christopher, Metro Planning Specialist, FHWA Resource Center, Chicago
- Jody McCullough, Community Planner, FHWA Washington DC
- Christopher Bertch, Community Planner, FTA Region 5
- Stewart McKenzie, Community Planner, FTA Region 5

Southeastern Wisconsin Regional Planning Staff (SEWRPC):

- Kenneth Yunker, Executive Director
- Christopher Hiebert, Chief Transportation Engineer
- Ryan Hoel, Principal Engineer
- Stephen Adams, Public Involvement & Outreach Manager
- Gary Korb, Regional Planning Educator, UW-Extension
- Albert Beck, Principal Planner
- Eric Lynde, Senior Planner

Wisconsin Department of Transportation (WisDOT):

- John Nordbo, Transportation Planner
- Robert Elkin, Planning Supervisor, SE Region
- Robert Schmidt, Local Program Planning Engineer, SE Region
- Arun Rao, Urban and Regional Planner
- Monica Wauck, Urban and Regional Planner
- Jennifer Murray, Traffic Forecasting Section Chief
- Taqwanya Smith, Title VI Analyst
- Demetri Fisher, Title VI Program Officer

Transportation Operator:

- Steve Nigh, Transportation Business Manager, Milwaukee County
- Michael Giugno, Deputy Director, Milwaukee County Transit System
- Robert Johnson, Transit Director, Waukesha Metro Transit
- Al Stanek, Transit & Parking Systems Manager, City of Racine
- Michelle Dolnik, Mobility Manager/Transportation Coordinator, Kenosha City & County

Appendix B - Listing of Corrective Actions, Commendations and Recommendations

Summary of Corrective Actions

None

Summary of Commendations

Land Use & Livability

- With the regional housing planning process, SEWRPC has done a commendable job examining the connection between land use and transportation, while providing opportunities for the municipal staff, citizens and business community to provide input throughout the process. The Regional Housing Plan should help serve as a tool to encourage effective collaboration between the citizenry, public officials and other regional stakeholders.

Travel Demand Forecasting Models

- The MPO has established a positive working relationship with WisDOT in relation to travel forecasting, as demonstrated by their contract with the DOT.
- The MPO is committed to improving its modeling processes, as illustrated by their extensive data collection, and model updates.

Summary of Recommendations

Organizational Structure of Study Area

- SEWRPC uses an extensive committee structure to serve many different purposes and represent many different groups. SEWRPC should consider how information on the structure and representation of these committees could be clearly conveyed to the general public. The intent is to provide the information in a way that illustrates how the committees work together, and how a particular jurisdiction or interest is represented. We recommend considering use of visualization tools to illustrate SEWRPC's organizational structure, how each community is represented on the Commission and advisory committees and how plans and programs are developed, including how the public can participate. As part of this effort, SEWRPC should continually review its website for opportunities to make it more useful to the general public.

Metropolitan Planning Area Boundaries & Agreements

- SEWRPC and WisDOT should continue working to identify and execute the steps necessary to designate SEWRPC as the MPO for the West Bend urbanized area.
- SEWRPC should work with Jefferson County to establish agreement on how transportation planning will be addressed in the area. The form of the agreement is flexible but the document should clearly demonstrate mutual concurrence on an approach that will meet the federal metropolitan planning requirements.

- SEWRPC and WisDOT should complete the approval of adjusted urbanized area boundaries for Milwaukee, Racine, Kenosha, West Bend, and the Wisconsin portion of the Round Lake Beach-McHenry, Grayslake, IL-WI urbanized areas prior to June 1, 2014. Delays in establishing final adjusted urban area boundaries for the four urbanized areas do not impact SEWRPC's compliance with transportation planning requirements. However, the boundaries are critical to completing an update of roadway functional classification.
- The metropolitan planning area boundary should be updated prior to June 1, 2014 to include all of the 2010 Census defined urbanized area, areas expected to become urbanized in the next 20 years, and account for air quality non-attainment and maintenance area boundaries.
- The Cooperative Agreement for Continuing Transportation Planning for the Southeastern Wisconsin Region between SEWRPC, the Wisconsin Department of Transportation, and seven transit operators (Milwaukee, Ozaukee, Washington and Waukesha counties and the cities of Kenosha, Racine, and Waukesha) (2008) should be updated by the time of the next Certification Review to include all of the transit operators in the MPO area, and reflect any relevant adjustments to the urbanized areas, and the metropolitan planning area.
- The Cooperative Agreement for Coordination Of Land Use-Transportation Planning in Round Lake Beach—McHenry, Grays Lake, IL-WI Urbanized Area (2009) should be updated to reflect changes to the Wisconsin portion of the urbanized area, and any relevant adjustments to the planning area by the time of the next Certification Review. In addition, the Federal team recommends that the parties to the agreement not only assert that they will coordinate their activities but also specify how that coordination will take place. This should include how the programming process will be used to ensure that funds are fairly and appropriately distributed, as noted in the current agreement.

Disclaimers

- Pursuant to 23 CFR 420.117 (e) SEWRPC should immediately include a suitable credit/disclaimer statement on all of its documents prepared with Federal metropolitan planning or SPR funds. The recommendation to include disclaimer statements carries over to relevant State documents as well.

Webpage Enhancements

- SEWRPC should continually review and implement improvements to its website. Transportation related efforts, including the relevant portions of the Overall Work Program, should be grouped and easily located by the general public. SEWRPC should look for opportunities to link to websites that may be of interest to its visitors, such as those of the transit operators. In addition, SEWRPC should request that transportation providers and decision makers link to its website to increase awareness of the MPO and its role in regional transportation decisions. The MPO should consider new ways to communicate its committee structures, and processes. This could include maps illustrating the representative for various areas, and charts

depicting SEWRPC's organizational structure, the Commission, committee, and taskforce hierarchy.

TIP Development and Project Selection

- SEWRPC should document the TIP development process and criteria and procedures for evaluating and selecting projects under each state funding program that supports inclusion of the projects in the TIP and make the information readily available for public review. Use of visualization is encouraged.
- In consultation with FHWA, FTA and WisDOT, SEWRPC should develop and include brief descriptions of the Federal funding sources included in the TIP. Basic eligibility requirements and flexibilities should be documented and made available to decision makers as part of the TIP development cycle to ensure they have the opportunity to consider the full range of transit and highway funding available to address regional needs and priorities.
- As SEWRPC evaluates updates to the project prioritization process for each funding program, the respective committees should also consider how transit is accounted for in the evaluation criteria and if adjustments are warranted to facilitate implementation of recommended transit improvements. As part of the process, SEWRPC should reach out to the transit representatives and interest groups to make sure they are aware of the issues being considered and encourage them to participate.

Annual Listing of Obligated Projects

- It is recommended that SEWRPC consult with FTA at the end of each year to obtain a complete and accurate list of obligated transit projects.
- Text should be added to the TIP that states when and where the Annual Listing of Obligated Projects will be available.

Financial Planning

- SEWRPC shall continue to ensure that transit projects that are dependent on future award of discretionary funding, such as Section 5309 funds, are separated from fiscally-constrained projects, such as those funded with FTA formula funds, when identifying proposed projects and costs. Any pending discretionary grants shall be included in the TIP in an illustrative format. If and when discretionary projects are selected for federal funding, those projects shall be amended into the TIP.
- With the onset of the USDOT MAP-21 legislation, there are changes in federal highway and transit funding programs that will need to be identified to ensure consistency with previous financial planning efforts.

Safety & Security

- In developing a prioritization process for STP funds, the MPO should give consideration to safety and security factors.
- The MPO and WisDOT are encouraged to develop a Regional Safety Implementation Plan to guide investment of safety funding in the region.

- The MPO should develop a Continuity of Operations Plan should some event prevent the use of the Commission's office by staff.

Public Outreach & Public Participation Plan

- SEWRPC should continue to work with their Environmental Justice Task Force to review and modify as needed their overall methods to engage targeted populations in general and their use of the identified key organizational entities in particular, in order to continue to engage all populations and communities within their planning region.
- In addition, SEWRPC is encouraged to examine how people are learning about the various meetings so the impact of their outreach efforts can be evaluated and refined.

Title VI/Nondiscrimination and Environment Justice

- SEWRPC is encouraged to continue to improve and expand relationships with minority and low income community and business groups and the role and involvement of the Environmental Justice Task Force throughout the transportation planning process.

Consultation and Coordination

- SEWRPC should consider ways to share its summary of consultation activities with the public.

Freight

- The MPO should work with WisDOT to incorporate the state-wide freight study into the relevant planning efforts. As part of this effort, the MPO should identify and consider specific major freight corridors in its Regional Transportation Plan.
- Updates to the Regional Transportation Plan should incorporate freight performance measures.

Transit Planning

- SEWRPC should document the flexibilities allowed under federal law to use highway funding for transit projects and inform project sponsors and the general public of these opportunities.
- SEWRPC should work with WisDOT to document how funding and programming decisions are made and illustrate the process on the SEWRPC website.
- The next RTP update will need to closely examine reasonably available revenues and the extent of recommended transit improvements to ensure fiscal constraint is achieved.

Travel Demand Forecasting Models

- Because model results have the potential to influence so many key decisions, it is recommended that SEWRPC have complete written documentation of the following subject areas. While SEWRPC has much of this data published in various sources, it should be compiled in single, concise format for easy review by interested parties. SEWRPC should work with WisDOT's Travel Forecasting Section in preparing this

documentation to ensure it meets the needs of WisDOT, the largest user of traffic modeling outputs in the State.

1. **Inventory of Current Conditions.** The foundation for any forecast is a comprehensive and objective inventory of current conditions with respect to both transportation supply and demand. This would include data for the highway system, transit system, other transport modes, population, employment, vehicle miles traveled (VMT), transit use, congestion, land use, and special conditions. Sources of this data should be identified as well as the anticipated frequency of updates to the data.
 2. **Planning Assumptions.** The principal determinants of any long range travel demand forecast are the planning assumptions about demographic changes and the growth and distribution of population, employment, developed land, and individual travel preferences. Assumptions should be presented in readable terms and strive to convey information in a clear and usable manner.
 3. **Forecasting Methods.** The technical documentation of the travel model should include model specifications, significant changes from the most recent update, calibration data, survey methodology, model validation, network size including the number of analysis zones, and methodology for non-home based travel.
- It is recommended that SEWRPC periodically engage in an open peer review cycle to externally validate its modeling processes.
 - It is recommended that SEWRPC engage WisDOT in a discussion of its modeling process, and identify opportunities to increase consistency with state-wide modeling objectives, as appropriate.

Appendix C - Status of Previous Certification Review

One of the priorities of each certification review is assessing how well the planning partners in the area have addressed corrective actions and recommendations from the previous certification review. The 2008 Milwaukee, Wisconsin TMA Certification Review Report found the TMA to be in compliance with federal requirements, but included recommendations to improve the transportation process. This section identifies the recommendations from the previous certification and summarizes how they have been addressed.

Previous Recommendation (Public Outreach): 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 MPO amended its public participation plan in March 2012 to include public participation objectives and criteria for annual measurement of the achievement of the objectives, and included a detailed appendix for transportation planning with specific evaluation criteria. The amended document continues to emphasize the need to engage minority and low income communities.

SEWRPC has opened a satellite office in the north central area of Milwaukee in order to be more accessible to transit dependent populations, and provide for more targeted outreach to the concentration of minority and low income populations in downtown Milwaukee. SEWRPC's satellite office opened in October 2011. At the time of the Certification Review SEWRPC was working on publicizing the new office, and defining the resources it would offer.

Previous Recommendation (Public Outreach): The MPO should consider updating the organization and presentation of its website to make it an appealing, user friendly and effective tool for communicating with the public.

SEWRPC revised its website in early 2010 to make it more appealing and user friendly. The 2012 review recommended additional refinements to the website.

Previous Recommendation (Public Outreach): The MPO should 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.

For each study, SEWRPC now creates an introductory pamphlet, summary brochures, and a series of newsletters. The Environmental Justice Task Force has guided the development of these materials.

Previous Recommendation (Title VI): Continue to cultivate established relationships with minority and low income groups and the Environmental Justice Task Force, 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 the transportation planning processes.

In order to increase outreach to, and involvement of, minority and low income groups in the work of the Commission, SEWRPC created a Division of Public Involvement and Outreach

in 2009 and hired a Division Manager. The Division of Public Involvement and Outreach continually reviews and refines the list of minority and low income groups engaged in the various aspects of the MPO.

From 2008 to 2012, the number of Environmental Justice Task Force meetings has ranged from 3 to 5 per year. The MPO considered increasing the frequency as a way to improve engagement of minority and transit dependent groups, but interviews with Task Force members conducted in early 2012 indicated that most wanted to meet no more than quarterly, unless necessary.

Since the 2008 Certification Review, a significant element of the Commission public involvement and outreach has been involvement of, and outreach to, the minority and low-income population of the Region. The major focus has been to increase meetings and contacts with the minority and low-income population. The Public Involvement and Outreach Division has annually in 2010 and 2011 been involved in over 350 meetings, with over 200 different groups—the vast majority of which are minority and low-income population groups.

The Commission maintains an expanding list of central city, minority, and low-income groups and organizations. These contacts also include LEP population representatives, key neighborhood organizations, disability/special need interests, and job service-related interests, among others. The list, upon recommendation of the Environmental Justice Task Force, includes 90 contacts.

During major junctures in planning, study newsletters/brochures are transmitted by personal letters to this list; and public meetings and/or key stages in planning efforts are thereby called to the specific attention of these organization contacts. The personal letters routinely identify matters at each respective study juncture intended to interest the recipients. The minority and low-income group representatives are invited by the letters to meet personally with Commission staff at their convenience apart from public open house meetings, as well as being invited to the public meetings. In addition, each recent major transportation study has had a campaign to reach the minority and low-income group representatives by telephone and/or email, often involving multiple attempts.

The Commission, with the Environmental Justice Task Force, has further identified 28 groups from this list of 90 groups as partners, and the Commission is working to deepen relationships with these groups, expanding the understanding of, and input to, the Commission's work.

At the time of the 2012 Certification Review, SEWRPC intended to also begin holding meetings in Milwaukee, Racine, Kenosha, and Waukesha areas in the near future -- those portions of the Region with substantial minority and low income populations. SEWRPC was considering holding meetings two to four times a year with representatives from the principal minority and low income groups - the partners identified above - to brief them on ongoing Commission work efforts and to obtain their input on the Commission's work.

The Commission Staff maintains a report documenting the comments received from the Environmental Justice Task Force, and minority and low income groups, including those related to the transportation plan and planning process, and the Commission's response; including any changes in the planning process and plans.

Previous Recommendation (Title VI): Continue to refine the Environmental Justice (EJ) Analysis methods and expand the use of the tools to identify transportation service and system needs. The methodology and analysis should be reviewed with the Environmental Justice Task Force and other minority and low income groups to correlate with community experiences and identify potential impacts.

The Environmental Justice Task Force reviewed the scope in 2009 and final report in 2010 for the EJ analysis for the Regional Water Supply Plan. In March and May 2011, the Environmental Justice Task Force was asked to review the analysis which was conducted of the year 2035 Regional Transportation Plan to identify refinements and additions. In 2012 the Environmental Justice Task Force initiated a similar review of the EJ analysis of the Regional Housing Plan. The Commission also conducted outreach to minority and low income groups to obtain comments on EJ analyses that have been conducted, and direction on refinements in the analyses.

Previous Recommendation (Congestion Management Process): Enhance and refine the SEWRPC CMP to further function as a mechanism to identify and prioritize a program of projects to implement congestion management strategies.

The congestion management process was incorporated into the preparation and update of the Regional Transportation Plan, and its implementation is refined through supplemental planning efforts, including the Regional Transportation Operations Plan (RTOP). The congestion management process is documented in SEWRPC Staff Memorandum, “Congestion Management Process in Southeastern Wisconsin”, last updated in 2012. The process includes definition of objectives and performance measures (reviewed and refined in regional plan updates every 4 years and plan reevaluations every 10 years); monitoring and assessment of congestion (every 4 years in plan updates and every 10 years in plan reevaluations); development and evaluation of measures to address congestion (plan reevaluation every 10 years and as needed every 4 years in plan updates); identification of implementation schedule, responsibilities, and funding sources (identified in plan reevaluation and updates and in regional transportation and operations plan); and, assessment of effectiveness of recommended plan (reviewed every 4 years in plan updates and every 10 years in plan reevaluation). In addition, the RTOP focuses on the transportation systems management (TSM) element of the plan, documenting existing implementation of TSM measures, providing additional detail for recommended measures, and outlining a schedule and priorities for implementation of candidate measures over the next four years. The schedule and priorities are to be used in evaluating and recommending projects for FHWA CMAQ funding.

Previous Recommendation (Congestion Management Process): Clarify implementation details of the CMP, including facilities, schedule, responsible agencies, funding sources for given strategies, and timely evaluation and assessment;

The year 2035 Regional Plan includes facilities, responsible unit of government, funding sources, and schedule for arterial highway capacity expansion projects. For public transit, the year 2035 Regional Plan identifies facilities and services, responsible unit of government, schedule, and funding sources are all identified. The RTOP provides refinement of the TSM measures in the Regional Plan, including the definition of specific measures, responsible unit of government, schedule, and funding sources.

An evaluation and assessment of transportation plan implementation and transportation system performance is conducted as part of the Regional Transportation Plan review and update to be completed every four years. This was last completed in 2010.

Previous Recommendation (Congestion Management Process): Strengthen the CMP linkage to the regional ITS architecture.

WisDOT is the lead agency in the development, update, and maintenance of regional Intelligent Transportation Systems (ITS) architecture which was first prepared in 2000, updated in 2005, and further refined in 2008, as documented in the “WisDOT Traffic Operations Infrastructure Plan” (TOIP). The TOIP specifies the level of deployment—with respect to surveillance, detection, incident management, traffic flow management, traffic signals, and traveler information—to be implemented by corridor within the State. The level of deployment by corridor is principally related to traffic volume, congestion, and safety, which are the same criteria as applied in the RTOP. The TOIP provides recommendations for each corridor for the level of deployment to be provided on State trunk highways. The corridor traffic signal coordination projects and intersection traffic signal/roundabout installation projects evaluated, prioritized, and proposed for CMAQ funding in the RTOP, support the recommendations in the TOIP. The RTOP projects provide for improved operations on County and municipal arterial streets and highways within the corridors identified in the TOIP, and consequently, serve to further improve operations on the State trunk highways identified in the TOIP.

Previous Recommendation (Congestion Management Process): Consult with the affected transportation agencies in Illinois to coordinate CMP implementation efforts across the state line.

The Commission continues to coordinate with the Chicago Metropolitan Agency for Planning (CMAP), the MPO and regional planning agency for the Chicago area, as well as with the Northeastern Illinois Regional Transit Authority and Metra, the Northeastern Illinois commuter rail agency. The coordination includes discussion of long and short plans and programs focusing on planned and programmed transportation facilities and services at the Wisconsin-Illinois state line. The MPO has formalized its communication with these groups, implementing quarterly meetings with the Executive Directors of the various agencies to ensure focused coordination between the states.

Previous Recommendation (Annual Listing of Obligated Projects): Work closely with WisDOT and FTA prior to publishing the list of transit projects to ensure accuracy.

Obligated USDOT FHWA, and FTA projects are provided and updated on the Commission website. FHWA provides the roadway projects directly to SEWRPC. In response to this recommendation, SEWRPC asked the transit providers to review the list of transit projects prior to publication.

Previous Recommendation (Annual Listing of Obligated Projects): Highlight the transit projects in a single regional map to help provide a context for where resources have actually been committed.

A map displaying project location was added to the web posting of obligated FTA projects.

Previous Recommendation (Annual Listing of Obligated Projects): Publicize the annual listing of obligated projects, via newsletters and public meetings, to identify where transit investments occur and where they are still needed.

The listing and mapping of obligated projects are prominently displayed on the Commission website and displayed at public meetings on the Regional Transportation Plan and improvement program (TIP).

Previous Recommendation (Coordinated Human Services Transportation Plan): Continue to explore and identify human service transportation providers while providing details of existing and needed services.

The coordinated human services transportation plans for the Region were completed in early 2009, and are to be updated every four years (2013). At the time of the site visit, the MPO anticipated having draft plans to the communities for review in early 2013, with adoption in the first quarter of 2013. The plans did, and will continue to inventory and assess existing transportation providers and services, and identify needed services. The Commission staff continues to work with County mobility managers and/or transportation coordination communities to update this information

Previous Recommendation (Coordinated Human Services Transportation Plan): The CHSTPs should evaluate the adequacy of human service transportation 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 current plans include these evaluations, recommendations, and projects. The plan updates and reevaluations to be completed in early 2013 will include this as well.

Previous Recommendation (Coordinated Human Services Transportation Plan): 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.

The current plans were based on the following three sets of joint county meetings: (1) Kenosha, Racine, and Walworth; (2) Milwaukee and Waukesha; and (3) Ozaukee and Washington. Based on comments received during those planning efforts from WisDOT, the 2012 plan updates will include regional meetings. At the time of the site visit, SEWRPC planned to hold a regional meeting, with individual county breakout sessions to identify regional and county specific issues and resources. At the meeting, the need for services, and potential projects, within each county, and also connecting to other counties in the Region will be addressed. Subsequent county meetings will be held as needed to conduct further exploration of issues by individual counties. This effort will result in plans for each county, which are coordinated across all seven counties. This process will be used in the plan updates to be initiated in 2012 and completed in 2013.

Previous Recommendation (Freight): Continue to engage and build relationships with freight shippers and providers of freight transportation services in the region including economic development partners. Consider freight-specific Regional Transportation Plan goals and objectives to reflect freight transportation consideration in the overall transportation planning process. Consider using its survey of truck travel to identify and categorize notable freight corridors.

The Commission's Freight Task Force includes representatives of railroads, trucking, water, and air freight transportation; businesses with substantial freight traffic; and business

organizations. SEWRPC plans to hold a meeting with this group early in the major regional transportation plan reevaluation to discuss freight transportation concerns and problems, and to identify potential alternative actions. The Freight Task Force meeting will also include an identification of freight transportation goals, objectives, and standards to be used in the plan reevaluation. Data to be developed and discussed at the meeting will include an identification of major trucking freight corridors and the commercial truck survey conducted by the Commission in 2012. The Commission, together with the Milwaukee Gateway Aerotropolis Corporation, conducted individual interviews with major area businesses and shippers to address freight issues in 2012. This interview effort will continue in 2013.

Previous Recommendation (Freight): 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.

This project, known as the Muskego Yard bypass, will reroute freight traffic from the Milwaukee downtown Intermodal Station and the Milwaukee central business district. This project will reduce train traffic on at-grade crossings in the Milwaukee downtown area, and has the potential to provide improved accommodation of any future commuter rail use. The Commission has worked with the Southeastern Wisconsin Regional Transit Authority, Wisconsin Department of Transportation (Project Sponsor), City of Milwaukee, and Canadian Pacific Railway in pursuing the implementation of this project.

Previous Recommendation (Security): 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 Commission worked with WisDOT Central and Region offices to become familiar with, and to assist as appropriate, with preparing, refining, and implementing the "Emergency Transportation Operations Plan," downtown Milwaukee evacuation routes, emergency alternate IH 94 routes, and metropolitan area evacuation plans.

Previous Recommendation (Security): Incorporate, and note as appropriate, these security policies and efforts in the metropolitan transportation planning process and products.

In cooperation with WisDOT, and the Advisory Committee for regional transportation planning, the Commission has prepared goals and objectives for the Regional Transportation Plan addressing security, and a plan appendix which provides an overview of transportation security efforts at the Federal, State, and local levels.

Previous Recommendation (Security): Monitor and assist WisDOT in implementing the security recommendations in *Connections 2030*. Specifically:

- 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,
- Developing local plans that can be integrated into statewide emergency relief and disaster preparedness plans, strategies, and policies.

The Commission coordinated with WisDOT Central and Region offices to assist in implementing the following WisDOT Connections 2030 recommendations. The Commission has also monitored the implementation of these recommendations.

- Coordinating border county evacuation plans with Illinois,
- Developing the transportation element of the National Response Framework,
- Coordinating evacuation plans for Southeastern Wisconsin's largest communities,
- Studying the needs of essential freight movement,
- Developing the Wisconsin Airport Security Plan,
- Offering security planning assistance to local transit agencies,
- Developing local plans that can be integrated into statewide emergency relief and disaster preparedness plans, strategies, and policies.

Previous Recommendation (Security): The Commission's plans and programs should also identify projects and funding to address mitigation of priority security needs.

The Commission worked with WisDOT to identify specific projects in Southeastern Wisconsin to be incorporated in the Security Appendix to the Regional Plan.

Previous Recommendation (Safety): 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.

A refinement of the Regional Transportation Plan (RTP) was prepared addressing safety. The refinement reviewed existing RTP safety objectives, RTP recommendations which address safety, and available data on existing and historic transportation safety. The refinement identified an expanded set of transportation safety objectives and standards. The refinement also identified those State highways with the most severe crash rates, crash frequencies, and fatal crash frequencies, and provided recommendations for the State to address these most severe safety problems. This analysis will be expanded to all arterial facilities as safety data becomes available on county and municipal arterials in the next few years. The RTP also addressed safety with crash data being among the criteria used to prioritize operations projects for implementation and CMAQ funding.

Previous Recommendation (Consultation): 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.

The consultation process was reviewed and has been documented as part of the Commission Public Participation Plan, and has been provided on the Commission website.

Previous Recommendation (Consultation): SEWRPC should maintain documentation of communications with consulted officials.

Consultation efforts as part of regional transportation planning and programming have been documented by SEWRPC.

Appendix D – Transit Operators

Listing of transit operators in Southeastern Wisconsin at the time of the site review.

Bus Systems

Milwaukee County Transit System

Kenosha Area Transit

Racine Belle Urban System

Waukesha Metro Transit

Waukesha County Transit (operated by Waukesha Metro Transit)

Western Kenosha County Transit

Bus and Shared-Ride Taxi Systems

Ozaukee Transit

Washington County Transit

Shared-Ride Taxi Systems

Hartford City Taxi

West Bend Taxi

Whitewater Taxi

Appendix E – Advisory Committee on Regional Transportation System Planning

This committee is responsible for preparing the Regional Transportation Plan and for overseeing updates to the Regional Transportation Plan. The committee also promotes coordination, serving as a direct liaison between regional planning and the government entities responsible for implementing plan recommendations. At the time of the site review, the committee consisted of the following positions and members.

Fred Abadi	Director of Public Works, City of Waukesha
Julie A. Anderson	Director of Public Works and Development Services, Racine County
Sandra K. Beaupre	Director, Bureau of Planning, Division of Transportation Investment Management, Wisconsin Department of Transportation
John M. Bennett	City Engineer, City of Franklin
Scott Brandmeier	Director of Public Works and Village Engineer, Village of Fox Point
Kevin M. Brunner	Director of Central Services, Walworth County Public Works Department
Allison M. Bussler	Director, Department of Public Works, Waukesha County
David E. Cox	Village Administrator, Village of Hartland
Brian Dranzik	Interim Director, Milwaukee County Department of Transportation
Robert R. Dreblow	Highway Commissioner, Ozaukee County Highway Department
Jon Edgren	Highway Commissioner, Washington County
Lloyd Grant, Jr.	Managing Director, Milwaukee County Transit System
Thomas M. Grisa	Director, Department of Public Works, City of Brookfield
Susan Hedman	Regional Administrator, Region 5, U.S. Environmental Protection Agency
Ghassan Korban	Commissioner, Department of Public Works, City of Milwaukee
Alexis Kuklenski	Community Planner, Federal Highway Administration, U.S. Department of Transportation
Michael M. Lemens	Director of Public Works and City Engineer, City of Kenosha
George E. Melcher	Director of Planning and Development, Kenosha County

Eric A. Nitschke	Regional Director, Southeast Region, Wisconsin Department of Natural Resources
Jeffrey S. Polenske	City Engineer, City of Milwaukee
William Porter	Director, Department of Public Works, City of Wauwatosa
Sheri Schmit	Systems Planning Chief, Southeast Region, Wisconsin Department of Transportation
Marisol Simón	Regional Administrator, Federal Transit Administration, U.S. Department of Transportation
Bart A. Sponseller	Director, Bureau of Air Management, Wisconsin Department of Natural Resources
Willie Wade	Liason to the Environmental Justice Task Force
Andrea Weddle-Henning	Manager, Transportation Design and Construction Engineering, Milwaukee County Department of Transportation
Mark H. Yehlen	Commissioner of Public Works, City of Racine
Vacant	City of Milwaukee
Vacant	City of Milwaukee