

APPENDIX W

SAFETEA-LU PROVISIONS

The federal transportation planning regulations found in SAFETEA-LU revise metropolitan and statewide statutory requirements. The 2040 RTP complies with all of SAFETEA-LU's planning provisions. The planning provision changes, as published by the United States Department of Transportation, FHWA, FTA, and by a memorandum dated September 2, 2005 with the subject: "Interim Guidance on SAFETEA-LU Provisions that Affect Planning, Environment, and Air Quality," are summarized below:

- **Metropolitan Plan Cycles:** Metropolitan transportation plans shall be updated at least every four years in air quality non-attainment and maintenance areas, and at least every five years in attainment areas. The old update cycle was every three years.
- **TIP / STIP Cycles and Scope:** STIPs and metropolitan TIPs must be updated at least every four years and must contain at least four years of projects and strategies.
- **Metropolitan and Statewide Plans - Environmental Mitigation:** Metropolitan and statewide transportation plans must include a discussion of types of potential environmental mitigation activities, to be developed in consultation with Federal, State and Tribal wildlife, land management, and regulatory agencies.
- **New Consultations:** MPOs and States must consult "as appropriate" with "State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation" in developing long-range transportation plans. Additionally for the Long-Range Statewide Transportation Plan, states must consult with federally-recognized Native American tribes and other federal agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation.
- **Consistency of Transportation Plan with Planned Growth and Development Plans:** Revises the previous planning factor related to environment to add "promoting consistency between transportation improvements and State and local planned growth and economic development patterns."
- **Transportation System Security:** SAFETEA-LU calls for the security of the transportation system to be a stand-alone planning factor, signaling an increase in importance from prior legislation, in which security was coupled with safety in the same planning factor.
- **Operational and Management Strategies:** Metropolitan transportation plans shall include operational and management strategies to improve the performance of the existing transportation facilities to relieve vehicular congestion and maximize the safety and mobility of people and goods.
- **Participation Plan:** MPOs must develop and utilize a "Participation Plan" that provides reasonable opportunities for interested parties to comment on the content of the metropolitan transportation plan and metropolitan TIP. Further, this "Participation Plan" must be developed "in consultation with all interested parties". This consultation requirement is

intended to afford parties who participate in the metropolitan planning process a specific opportunity to comment on the plan prior to its approval.

- Visualization Techniques in Plan and Metropolitan TIP Development: As part of transportation plan and TIP development, MPOs shall employ visualization techniques. States shall also employ visualization techniques in the development of the Long-Range Statewide Transportation Plan.
- Publication of Plans and TIP / STIP: MPOs shall publish or otherwise make available for public review transportation plans and TIPs “including (to the maximum extent practicable) in electronically accessible formats and means, such as the World Wide Web”. States also shall use a similar approach for the Long-Range Statewide Transportation Plan.
- Annual Listing of Obligated Projects: SAFETEA-LU specifies that the development of the annual listing “shall be a cooperative effort of the State, transit operator, and MPO” and also shall include two new project types, “investments in pedestrian walkways and bicycle transportation facilities” for which Federal funds have been obligated in the preceding year.
- Congestion Management Processes in Transportation Management Areas (TMAs): Within a metropolitan planning area serving a TMA, there must be “a process that provides for effective management and operations” to address congestion management.
- TMA Certification Cycle: FHWA / FTA must certify each TMA planning process at least every four years (as opposed to the prior legal / statutory requirement of every three years).
- Coordinated Public Transit-Human Services Transportation Plan (Sections 3012, 3018, and 3019): As a condition for receiving formula funding under the following 3 FTA programs, proposed projects must be derived from a locally developed public transit-human services transportation plan: (1) Special Needs of Elderly Individuals and Individuals with Disabilities; (2) Job Access and Reverse Commute; and (3) New Freedom. The plan must have been developed through a process that included representatives of public, private, and non-profit transportation and human services providers, as well as the public.

