



U.S. Department
of Transportation

Federal Highway
Administration

Federal Transit
Administration

Transportation Management Area Planning Certification Review

Minneapolis – St. Paul Metropolitan Council



March 19, 2021
Summary Report





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1.0 EXECUTIVE SUMMARY

On December 8-9, 2020, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) conducted a certification review of the transportation planning process for the Minneapolis – St. Paul, MN-WI urbanized area. FHWA and FTA are required to jointly review and evaluate the transportation planning process for each urbanized area over 200,000 in population at least once every four years to determine if the process meets federal planning requirements. The federal planning requirements are defined in Chapter 134 of Title 23 of the United States Code (USC) and Part 450 of Title 23 of the Code of Federal Regulations (CFR).

The 2020 certification review used a risk-based approach to identify focus areas. Based on the review's outcome, FHWA and FTA could issue one of three actions for each focus area: a commendation, recommendation, or corrective action.

Key definitions used throughout this report are defined below:

- **Current Status and Findings:** Statements of fact, interpretations and conclusions regarding the conditions found during the review. These statements provide the primary basis for determining the federal actions (commendations, recommendations, or corrective actions), if any, contained in the report.
- **Commendations:** Best practices that demonstrate innovative, highly effective, well-thought-out procedures for implementing the planning requirements. Procedures addressing issues that have frequently posed problems nationwide could be cited as noteworthy practices. Commendations may also be cited for significant improvements and/or resolution of past findings.
- **Recommendation:** Procedures that could improve regulatory compliance and/or represent best planning practices. While recommendations are somewhat less substantial than a corrective action, they are significant. FHWA and FTA hope that the relevant planning partners will implement them accordingly.
- **Corrective Action:** Practices that fail to meet requirements identified in the transportation statutes and regulations, and seriously impacting the outcome of the overall process. The report clearly defines the expected changes and timelines for resolution.

1.1 Previous Findings and Status

FHWA and FTA conducted the first certification review for the Minneapolis – St Paul urbanized area in 1992. Since then, FHWA and FTA have completed certification reviews every four years, with the last review taking place in 2016. The 2016 review findings and their status are listed in Appendix B and summarized Table 1.



Table 1: 2016 Certification Review Findings and Status

2016 Finding	2016 Action	2016 Recommended Steps	2020 Status Update
The memorandum of understanding (MOU) does not include the new requirements to improve planning coordination/transparency.	Recommendation	Improve and update the MOU by: <ul style="list-style-type: none"> • Including missing regulatory citations/requirements. • Clarifying Metropolitan Council’s correct structure (the Council is the MPO). • Adding primary “opt-out” transit operators as signatories. • Including procedures for compliance with performance-based planning. 	The MOU was updated in to comply with the recommendation.
The Unified Planning Work Program (UPWP) is presented only as a program document with little external exposure. It receives little input from the public and stakeholders.	Recommendation	Elevate and recognize the UPWP as a critical planning document by: <ul style="list-style-type: none"> • Clarifying context of UPWP studies. • Specifying work task relation to MTP goals. • Discussing project ranking process. • Further breaking down funding and staff time. • Making UPWP publicly available beyond Transportation Advisory Board (TAB)/Transportation Advisory Committee (TAC) meetings. 	The Council has updated and enhanced the UPWP’s usability on a nearly annual basis. Partners have appropriate time for review and comment. In 2019 a new appendix (Description of Consultant Studies) was added to improve fiscal transparency, breaking down consultant costs planned by year. The UPWP is reviewed by partners through the TAC/TAB process, and the public has better access to the document through the Council’s website.
The metropolitan transportation plan (MTP)/planning process does not include the new requirements for performance-based planning and programming.	Recommendation	Collaboratively develop the required performance metrics/targets with the planning partners for inclusion in an updated MTP.	In addition to the required federal transportation performance measures, the Council enhanced its MTP through the inclusion of a Council specific performance-based planning framework. Within this context, the Council measures, assesses and technically steers high level policy decisions.



2016 Finding	2016 Action	2016 Recommended Steps	2020 Status Update
<p>The MTP does not evaluate alternative policies beyond the existing investment option per the new Fixing America’s Surface Transportation (FAST) Act scenario planning language. This could be considered.</p>	<p>Recommendation</p>	<p>Integrate scenario planning into the MTP for investments, projects, and/or population/employment distribution alternatives.</p>	<p>The MTP, updated in 2018 and 2020, now includes not only the Current Revenue (most likely) funding scenario, but also examines Increased Revenues and No Build scenarios. The No Build scenario is premised on the concept that no significant transportation capacity improvements will be made to the region from the base year to the horizon year. The Increased Revenue Scenario assumes a realistic level of increased funding that might become available to the region and identifies potential projects for funding.</p>
<p>The parameters for major capital project selection are unclear.</p>	<p>Recommendation</p>	<p>Improve procedures and transparency of rating/selecting capital projects. Consider quantitative methodology such as benefit-cost analysis.</p>	<p>The Council worked with MnDOT on developing MnDOT’s Project Selection Policy, particularly on the Twin Cities Mobility Highway project selections. The Council is also completing the Twin Cities Highway Mobility Needs Analysis that will identify performance measures which can aid in identifying the level of mobility needs in the region. These measures are to be included in MnDOT’s update of its State Highway Investment Program and will also aid in corridor level analyses and the selection of preferred project alternatives.</p>
<p>The MTP financial plan does not identify regionally significant projects and categories of projects in the year of expenditure throughout the 20 years of the plan.</p>	<p>Recommendation</p>	<p>Include non-expansion regionally significant projects for each of the first four years and subsequent five year bands through the MTP horizon.</p>	<p>The MTP financial plan now considers all revenues over the 20-year horizon, creating five-year estimation bands of Projected Revenue and Expenditure Tables that categorize highway and transit projects relative to expected inflation. Specific regionally significant projects are identified in Appendix C Long Range Project List.</p>
<p>The Transportation Improvement Program (TIP) includes projects without committed federal funding in the first two years, which is non-compliant with 23 CFR 450.326(k).</p>	<p>Recommendation</p>	<p>Move projects that do not have federal funding committed from years one and two of the TIP to years three or four.</p>	<p>The Council completed this action in February 2017. The TIP now does not include projects within the first two years without committed funds.</p>



2016 Finding	2016 Action	2016 Recommended Steps	2020 Status Update
The TIP lacks clarity on change procedures and Year of Expenditure (YOE) dollars. Time is also not allocated for federal input on the TIP/STIP.	Recommendation	Add criteria for amendments, administrative modifications, inflation rate to the TIP. Revise the procedures for federal TIP/Statewide Transportation Improvement Program review to allow for revisions.	The YOE discussion is now shown on the top of page 13 in the 2020-2023 and 2021-2024 TIPs. Council staff now shares the draft TIP with federal partners well in advance of the public comment period, and this practice should continue.
The TIP's investment categories and subcategories are incomplete.	Recommendation	Complete a system-level assessment to determine the level of performance/ investment need for the regional solicitation.	The Council completed a regional solicitation return on investment before and after study in 2019. A second study is ongoing with recommendations expected in early 2021, which are expected to guide potential changes to the 2022 regional solicitation.
The public participation plan (PPP) is lacking in certain areas. It only provides a high-level conceptual overview of the methods and procedures indicated. Visualization techniques, methods for engaging the public and public comment consideration practices are missing.	Recommendation	Update and enhance the PPP. Areas updated should include: <ul style="list-style-type: none"> • Improving potential stakeholder engagement methods. • Adding visualization techniques. • Demonstrating a clear process for public comment consideration. • Documenting a process for evaluating the PPP's overall effectiveness. 	The Council developed an updated PPP to focus specifically on federal planning requirements in 2017. The document included evaluation criteria and the other requirements cited in 2016.
The benefits and burdens analysis is incomplete.	Recommendation	Analyze plan impacts on disadvantaged communities, overall regional populations in terms of travel distances, and times and air quality by mode.	The updated MTP includes a benefits and burdens analysis. In addition, the MTP Work Program chapter calls for conducting a regional Equity Evaluation of Transportation Investment. This study, expected to begin in 2021, plans to use an "equity lens" to evaluate the region's transportation funding, planning and programming processes, identify practices that lead to inequities and make recommendations for strategies and practices that will help reduce these disparities.



2016 Finding	2016 Action	2016 Recommended Steps	2020 Status Update
The Partner Agency Work Group supported environmental mitigation in the MTP's development, but it is unclear what input was provided. It is also unclear how this group and other agencies and officials were involved in TIP and UPWP development. Greater transparency is needed.	Recommendation	Improve the process by: <ul style="list-style-type: none">• Documenting consultation with federally-recognized tribes.• Documenting procedures for environmental mitigation and coordination in support of the MTP.• Updating natural and historic resources and document in MTP.	The updated MTP addresses these issues. The Council consulted with the Shakopee Mdewakanton Sioux Community (SMSC) on the 2018 and 2020 MTP updates and no comments were received. The Air Quality and Environment chapter of the updated MTP now contains a full section on environmental mitigation (including maps of the regional wetlands inventory and historic resources against planned regionally significant transportation investments).
The safety and mobility needs for the system are not fully developed.	Recommendation	Follow the Principal Arterial Intersection Conversion Study (PAICS) by more detailed corridor planning studies that look at lower-cost alternatives. Explore options that can be quickly and realistically funded and constructed.	The Council implemented a new regional solicitation funding category in the 2020 funding cycle. It called for Spot Mobility and Safety to focus on lower-cost, at-grade intersection improvements. This category will fund several intersection improvements that were identified as low priority for a full interchange conversion in the PAICS but provide low cost safety and mobility improvements. In addition, the PAICS identified specific corridors which contain adjacent intersections that ranked high or medium in terms of mobility and safety issues.



2016 Finding	2016 Action	2016 Recommended Steps	2020 Status Update
<p>The Congestion Management Process (CMP) is not fully compiled, summarized and implemented.</p>	<p>Recommendation</p>	<p>Improve the CMP to fully comply with 23 CFR 450.322 and the 8-step federal process. Specific areas for improvement include:</p> <ul style="list-style-type: none"> • Analyzing non-freeway principal and minor arterials. • Including SMART regional objectives. • Incorporating greater public transparency of CMP implementation. • Documenting steps taken to consider potential CMP strategies. • Evaluating previously implemented strategies. • Integrating the CMP into the project selection process. • Evaluating project benefits and costs in relation to congestion mitigation. • Defining operation problems and expected solutions/benefits. 	<p>A CMP process now exists. The Council continues to work on iterative CMP changes focused on improvement. A quarterly CMP Advisory Committee steers CMP direction. Following the 2016 TMA Certification, this group led creation of a CMP Policies and Procedures using the 8-step federal process. Beginning in 2021, the Council plans to develop a CMP Corridor Analysis Handbook. This will allow regional partners to conduct their own CMP analysis, using approved strategies, for their own corridors. Additionally, the Council is producing a web-based interface with detailed congestion and performance measure data. This is anticipated to be complete in 2021. Finally, starting in 2018, the Council also implemented congestion as a scoring measure for the Regional Solicitation.</p>

1.2 Summary of Current Findings

The 2020 certification review determined that the metropolitan transportation planning process conducted in the Minneapolis – St. Paul, MN – WI urbanized area meets the federal planning requirements.

As a result of this review, FHWA and FTA are certifying the transportation planning process conducted by the Minnesota Department of Transportation (MnDOT), the Metropolitan Council Metropolitan Planning Organization (MPO) and the public transportation operators of the region – Metro Transit, Maple Grove Transit, Minnesota Valley Transit Authority, Plymouth Metrolink, SouthWest Transit, and University of Minnesota. While this report does not contain corrective actions, it does have several recommendations that warrant close attention and follow-up. The report also identifies areas in which the MPO is performing very well and is to be commended. Table 2 summarizes the 2020 certification review topics areas, findings and actions.



Table 2: 2020 Certification Review Areas, Findings and Action

Review Area	Finding	Action	Corrective Actions/ Recommendations/ Commendations	Resolution Due Date
Metropolitan Transportation Plan 23 USC 134(c),(h) and (i) 23 CFR 450.324 and Public Participation 23 USC 134(i)(6) 23 CFR 450.316 and 23 CFR 450.326(b)	The Council’s 2020 MTP update meets federal requirements.	Commendation	The Council is commended for the process used to consider the public comments received during the MTP update. The Council used a transparent process. It provided clear responses to public comments in the 2020 MTP update. It is an exceptional example of response to public comments that can be emulated nationally.	Not applicable
Travel Demand Forecasting 23 CFR 450.324(f)(1)	The Council’s travel demand forecasting process meets federal requirements.	Commendation	The Council is commended in its efforts to study how people travel in the region using the Travel Behavior Inventory. This survey, along with other data, helps define how travel trends have changed and evolved. The survey is very thorough, and by updating the data regularly, it stays relevant as the travel patterns change. A noteworthy practice, it serves as a model that could be emulated nationally.	Not applicable
Travel Demand Forecasting 23 CFR 450.324(f)(1)	The Council’s travel demand forecasting process meets federal requirements.	Commendation	The Council is commended for its efforts to quickly develop a survey and continue to track how COVID-19 impacts travel demand, congestion and teleworking. The Council’s process to study COVID-19 travel-related impacts is an example other MPOs can use on how to address unique situations that may impact travel demand.	Not applicable



Review Area	Finding	Action	Corrective Actions/ Recommendations/ Commendations	Resolution Due Date
Nonmotorized Planning/Livability 23 USC 134(h) 23 USC 217(g) 23 CFR 450.306 23 CFR 450.324(f)(2)	The Council's bicycle and pedestrian planning meets federal requirements.	Commendation	The Council is commended for its robust bike and pedestrian planning. The MPO conducted a Regional Bicycle Barriers Study and developed a Regional Bicycle Transportation Network and interactive maps that show expressway, rail, and stream barriers using GIS applications. This noteworthy approach can be employed by other MPOs looking to improve non-motorized planning.	Not applicable
Unified Planning Work Program (UPWP) 23 CFR 450.308	The process for developing the UPWP is not documented.	Recommendation	Clarify and document the UPWP development process related to internal processes and how projects are selected.	Next update of the UPWP.
Unified Planning Work Program 23 CFR 450.308	The UPWP does not clarify terms/processes or when a project name changes.	Recommendation	Clarify and provide consistency in terminology used: <ul style="list-style-type: none"> • Provide examples of the types of funds used as local overmatch funds and describe how those local overmatch funds are used. • Provide consistency in UPWP study names. • Clarify what consultant start dates mean. 	Next update of the UPWP.
Unified Planning Work Program 23 CFR 450.308	The scope and cost of consultant projects listed in the UPWP are subject to change.	Recommendation	Provide improved estimates of consultant project costs and work with MnDOT to determine when an amendment is needed if changes occur to the scope/cost of consultant projects identified in the UPWP.	Next update of the UPWP.



Review Area	Finding	Action	Corrective Actions/ Recommendations/ Commendations	Resolution Due Date
Unified Planning Work Program 23 CFR 450.308 & Metropolitan Transportation Plan (MTP) 23 USC 134(c),(h) and (i) 23 CFR 450.324	The UPWP project name is not consistent between the UPWP and the MTP work program.	Recommendation	<ul style="list-style-type: none"> Provide a clear link between the UPWP project name and MTP work program study when applicable. Clarify when a MTP work program study name changes from one MTP update to the next update. 	Next update of the UPWP and MTP.
Transit Planning 23 USC 134, 49 USC 5303, 23 CFR 450.314	The Council does not have a written agreement identifying responsibilities in carrying out the metropolitan planning process with transit providers.	Recommendation	Execute a written agreement with all public transit providers that formalizes their role in the planning process.	Within one year of the release of this report.
Transit Planning 23 USC 134, 49 USC 5303, 23 CFR 450	The Council must improve coordination with all transit providers.	Recommendation	Work with all public transit providers to establish a regular meeting schedule to discuss activities related to transit in the planning process within the region.	Within six months of the release of this report.
Transit Planning 23 USC 134, 49 USC 5303, 23 CFR 450	The Council must improve coordination with all transit providers.	Recommendation	Update the Council's website so that information on all public transit providers is more prominently displayed.	Within six months of the release of this report.
Transportation Improvement Program/Financial Planning 23 USC 134(c)-(h) and (j) 23 CFR 450.326	The TIP financial plan does not provide the process for determining the allocation of federal funds among the area transit providers.	Recommendation	Clarify how funds are distributed among the regional transit providers.	Next update of TIP.
Public Participation 23 USC 134(i)(6) 23 CFR 450.316 and 23 CFR 450.326(b)	A periodic evaluation of the Public Participation Plan (PPP) is required. The PPP metrics need updating.	Recommendation	<ul style="list-style-type: none"> Evaluate the effectiveness of the procedures and strategies identified in the PPP to ensure a full and open participation process. Update the metrics for PPP effectiveness, including a timeline in the PPP for future effectiveness evaluations. 	Within one year of the publication of this report.



Review Area	Finding	Action	Corrective Actions/ Recommendations/ Commendations	Resolution Due Date
Public Participation 23 USC 134(i)(6) 23 CFR 450.316 and 23 CFR 450.326(b)	Tribal coordination is not identified in the PPP.	Recommendation	Update the PPP to include the tribal governments and tribal consultation strategies.	Within one year of the publication of this report.
Public Participation 23 USC 134(i)(6) 23 CFR 450.316 and 23 CFR 450.326(b)	The PPP does not identify an update cycle.	Recommendation	Identify an update cycle for the PPP.	Within one year of the publication of this report.
Environmental Mitigation Consultation 23 USC 450.324(g)(1)&(2) 23 CFR 450.324(f)(10) 23 USC 168 Appx. A 23 CFR Part 450	The MTP does not discuss how coordination with Tribal, State, and resource agencies occurred in discussing land use management, natural resources, and environmental mitigation.	Recommendation	Provide a more detailed environmental mitigation discussion in the MTP. The MTP discusses mitigation in a sentence describing the strategy is to avoid, minimize, and mitigate. No discussion regarding any issues, concerns, or recommendations from outside agencies.	Next update of the MTP.

Section 4.0 describes the certification findings for each of the recommendations listed in Table 2.



2.0 INTRODUCTION

2.1 Background

Under 23 USC 134(k) and 49 USC 5303(k), the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) must jointly certify the metropolitan transportation planning process in Transportation Management Areas (TMAs) at least once every four years.

A TMA is an urbanized area, as defined by the U.S. Census Bureau, with a population over 200,000 persons. After the 2010 Census, the Secretary of Transportation designated 183 TMAs in the United States. These 183 TMAs included 179 urbanized areas over 200,000 in population and four urbanized areas that received special designation.

In general, a TMA certification review consists of three primary activities:

1. A review of planning products before and during the site visit.
2. A site visit.
3. Preparation of a report that summarizes the review and identifies findings.

Certification reviews focus on compliance with federal regulations. The reviews also look at the challenges, successes, and experiences of the cooperative relationship between the MPO(s), the State DOT(s), and public transportation operator(s) in conducting the metropolitan transportation planning process.

Joint FHWA and FTA certification review guidelines allow agency staff to tailor the review to reflect regional issues and needs. For this reason, the scope and depth of certification review reports vary significantly.

The certification review process is only one of several methods used to assess the quality of the regional metropolitan transportation planning process, compliance with applicable laws and regulations, and the level and type of technical assistance needed to enhance the effectiveness of the planning process. Other activities also provide opportunities for this type of review and comment, such as Unified Planning Work Program (UPWP) approval, the Metropolitan Transportation Plan (MTP), and metropolitan and statewide Transportation Improvement Program (TIP) findings. Other formal and less formal contact also provide FHWA and FTA an opportunity to comment on the planning process. The results of these other opportunities are also considered in the certification review process.

The certification review report documents the results of the review process. The report and final actions are the joint responsibility of the appropriate FHWA and FTA field offices.

2.2 Purpose and Objective

Since the Intermodal Surface Transportation Efficiency Act of 1991, FHWA and FTA are required to jointly review and evaluate the transportation planning process in all urbanized areas over 200,000 population. The review determines if the process meets the federal planning requirements identified in 23 USC 134, 49 USC 5303, and 23 CFR 450.



The Metropolitan Council (Council) is the designated MPO for the Minneapolis – St. Paul urbanized area. The Minnesota Department of Transportation (MnDOT) is the responsible State agency. Metro Transit, a component of the Council, is the primary responsible regular route public transit operator in the region while the Metropolitan Council is the primary on-demand public transit operator in the region, including the region’s paratransit service. The region also has five other public transit providers: Maple Grove Transit, Minnesota Valley Transit Authority, Plymouth Metrolink, SouthWest Transit and the University of Minnesota.

The metropolitan planning area includes all areas in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington. The 2010 Census extended the urbanized area to include portions of Sherburne and Wright counties. The 2010 Census also extended the urbanized area to include a small portion of Wisconsin. The City of Minneapolis is the largest population center for the region, as well as the state.

FHWA and FTA must certify the planning process before approving the use of federal funds for transportation projects within the metropolitan planning area. The certification review is an opportunity to provide assistance on new programs and enhance the planning process by providing decision-makers with the knowledge they need to make well-informed capital and operating investment decisions.

3.0 SCOPE AND METHODOLOGY

3.1 Review Process

The Council’s first certification review occurred in 1992. Since then, FHWA and FTA have conducted certification reviews every four years. The most recent review was completed in 2016. Appendix B summarizes the status of the 2016 findings.

This report details the results of the 2020 certification review. Since the review occurred during the COVID-19 pandemic, FHWA and FTA delayed the process several months. Agency staff made several adjustments to the review such as:

- Changing the on-site review meeting to a virtual meeting using Cisco Webex.
- Developing an explanatory video and survey for the public engagement instead of holding an in-person public meeting. See Appendix C for details on the public engagement process and comments received.
- Framing some of the transportation planning questions in the context of a global pandemic.

Participants in the review included representatives of FHWA, FTA, MnDOT, Metro Transit, and MPO staff. Appendix A lists the participants who attended the virtual on-site meeting held on December 8-9, 2020, and those who attended the suburban transit operator virtual meetings held on February 5 and 11, 2021.

FHWA and FTA staff completed a desk audit of current documents and correspondence before the site visit. In addition to the formal review, routine oversight provided a key source of information on which to base the certification findings.



This report covers the transportation planning process developed cooperatively by the MPO, State, and public transportation operators. FHWA and FTA focused on the following subject areas for the review:

- MPO structure and agreements
- Unified planning work program (UPWP)
- Metropolitan transportation plan (MTP)
- Transit planning
- Transportation improvement program (TIP)
- Public participation
- Civil rights (Title VI, environmental justice, limited English proficiency, Americans with Disabilities Act)
- Consultation and coordination
- Environmental mitigation
- Land use planning/livability
- Air quality
- Congestion management process (CMP)/management and operations

For each subject area, the report summarizes background information, current status, key findings and recommendations.

3.2 Documents Reviewed

The following MPO documents were evaluated as part of this planning process review:

- 2040 Transportation Policy Plan Amendment #1, 2019
- 2040 Transportation Policy Plan Amendment #2, 2019
- 2040 Transportation Policy Plan, 2020
- ADA Transition Plan, 2020
- Congestion Management Process Policy and Procedures Handbook, 2020
- Congestion Management Process Plan 2019 Corridor Study Area Report, 2019
- Congestion Management Process Plan Transportation Trends Report, 2020
- Efficient Delivery of Metropolitan Council Services, Final Report and Recommendations Blue Ribbon Panel, 2020
- Establishment of Metropolitan Council Equity Advisory Committee, Business Item No. 2015-244
- Executive Order 20-88, Establishing the Governor's Blue Ribbon Committee on the Metropolitan Council's Structure and Services
- FHWA/FTA Determination Letter on Metropolitan Council MPO Structure, 2016
- FTA Determination Letter on Metropolitan Council MPO Structure, 2018
- Fiscal Year 2019 List of Obligated Projects, 2019
- FTA Determination Letter on Metropolitan Council MPO Structure, 2018
- Government-to-Government Tribal Relationship Policy RF 4-2, 2019
- Local Planning Handbook, 2019
- Memorandum of Agreement regarding Determination of Conformity of Transportation Plans, Programs and Projects to State Implementation Plans, 2014



- Memorandum of Understanding between the Metropolitan Council, Region 7W Transportation Policy Board, Wright and Sherburne Counties, the Cities of Albertville, Elk River, Hanover, Otsego, and St. Michael, 2014
- Metropolitan Council Functional Classification FAQs, 2020
- Metropolitan Council – MnDOT 3-C MOU, 2018
- Metropolitan Council – MnDOT Performance Based Planning and Programming MOU, 2018
- Metropolitan Council – WisDOT Coordination Meeting Minutes, 2020
- MnDOT Functional Classification Change Process, 2016
- MnDOT Unified Planning Work Program Amendment Policy, 2016
- TAB Project Selection Process and Changes Policy, 2012
- Transportation Public Participation Plan, 2017
- TAB Federal Funds Reallocation Policy, 2019
- TAB Scope Change Policy, 2019
- TAB Transportation Improvement Program (TIP) Amendments: Streamlined Process, 2020
- Request for Federal Funds, 2017 through 2019
- Resolution to Adopt Performance Targets to Assess National Highway System Performance and Freight Movement on the Interstate System, Resolutions 2018-2028 and 2019-2029
- Resolution to Adopt Performance Targets for Transit Asset Management, Resolution 2018-30
- Safety Performance Targets, Resolution 2020-04
- Thrive MSP 2040 (State required regional framework), 2014
- Transportation Improvement Program: FY 2020-2023; FY 2021-2024
- Title VI Limited English Proficiency Language Assistance Plan for the Metropolitan Council, Metro Transit, Metro Mobility, and Transit Link, 2020
- Title VI Program, 2020
- Transportation Planning and Programming Guide, 2020
- Unified Planning Work Program, 2017 through 2021

FHWA and FTA also reviewed information on the subject areas provided on the Council's website.



4.0 PROGRAM REVIEW

4.1 MPO Structure and Agreements

4.1.1 Regulatory Basis

23 USC 134(d) and 23 CFR 450.314(a) require the MPO, the State, and the public transportation operator to cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process. These responsibilities must be clearly identified in written agreements between the MPO, the State, and the public transportation operator serving the metropolitan planning area.

23 CFR 450.314(d) states that the MPOs in air quality maintenance areas must have a written agreement with the air quality planning agency that describes each agency's roles and responsibilities for air quality related transportation planning.

4.1.2 Current Status

4.1.2.1 MPO Structure

The Council is the designated MPO for the Minneapolis-St. Paul urbanized area. It consists of a 17-member board. The 17 members consist of one member at large (the chair person) and 16 members who represent specific geographic areas. The governor appoints the 17 members. The current membership does not include elected officials, transportation agency officials or appropriate state officials.

On August 28, 2020, Governor Walz issued Executive Order 20-88, which established a "Blue Ribbon Committee" to review the Council's structure and services. The committee was charged with reviewing the role of elected versus appointed Metropolitan Council members, the Council's role as the MPO and how this federal designation may complement and conflict with the Council's responsibilities under Minnesota law, and the effectiveness of the delivery of regional transit service. The committee released its recommendations in December 2020 which included:

- Council members should continue to be appointed by the Governor and not directly elected to the Council.
- Council members should not be sitting local elected officials.
- The legislature should establish four-year staggered terms for Council members.
- The legislature should expand the nominating committee to include a majority of local elected officials.
- The governor should not change the designation of the Council as the region's MPO.

FHWA and FTA have received several letters regarding the Council's composition and whether the Council qualifies for the exemption provided under 23 USC 134(d)(4). In response to the letters, FHWA and FTA have consistently noted that the Council was designated as the MPO before December 18, 1991, and has not been redesignated since. This allows the Council to qualify for the exemption under 23 USC 134(d)(4) regarding MPO composition requirements. The 2020 TMA certification review upholds this determination.



4.1.2.2 MPO Agreements

The Council has several written agreements related to its planning process:

- 3-C planning process: The Council has two Memorandums of Understanding (MOU) for carrying out a continuing, cooperative and comprehensive (3-C) planning process:
 - In 2014, the Council and the affected areas of Sherburne and Wright Counties executed a MOU that documents each party's roles and responsibilities in carrying out the required federal metropolitan transportation planning activities.
 - 2018: The Council and MnDOT executed a new MOU that documents each agency's roles and responsibilities in carrying out the transportation planning process identified in 23 USC 134 and 135, excluding performance measures.
- Performance measures: In 2018, the Council and MnDOT executed a MOU documenting each agency's roles and responsibilities related to performance measures as required in 23 CFR 450.314(h). As part of the MOU, MnDOT, the Minnesota MPOs and the urban public transit providers developed a procedures document that details the specific requirements of each party. The procedures document was initially developed in 2017, with updates occurring in 2018 and 2019. The MOU is written to allow updates to procedures document without requiring updates to the MOU.
- Coordination with the Wisconsin Department of Transportation (WisDOT): In 2020, the Council and WisDOT established written procedures, detailed in meeting minutes, on each agency's roles and responsibilities related to performance measures as required in 23 CFR 450.314(h). The procedures do not address the UPWP or the MTP. Regarding the TIP, the meeting minutes note that WisDOT will provide the Council with any projects that must be included in the TIP and that the Council will include those projects in the TIP without change. The procedures require the Council and WisDOT to revisit the agreement if any portion of Wisconsin is included in the Council's urbanized area because of the 2020 Census.
- Air quality: Since a small portion of the Council's planning area is classified as a maintenance area for coarse particulate matter (PM₁₀), the Council and the Minnesota Pollution Control Agency have a written agreement that describes the roles and responsibilities of each agency for air quality transportation related planning. The 2014 memorandum of agreement lists the roles and responsibilities of each agency for determining conformity of transportation plans, programs and projects to the State Implementation Plan.

4.1.3 Findings

The Council satisfies the federal requirements related to MPO structure and agreements.

4.2 Unified Planning Work Program

4.2.1 Regulatory Basis

23 CFR 450.308 requires that planning activities performed under Titles 23 and 49 of the United States Code be documented in a UPWP. The MPO, in cooperation with the State and public transportation operator(s), must develop a UPWP that includes a discussion of the planning priorities facing the metropolitan planning area and the work proposed for the next one- or two-year period by major activity



and task in sufficient detail to indicate the agency that will perform the work, the schedule for completing the work, the resulting products, the proposed funding, and sources of funds.

4.2.2 Current Status

The Council adopts an annual UPWP. The draft UPWP is shared with the Council's Technical Advisory Committee (TAC) and Transportation Advisory Board (TAB) members. The draft UPWP is included in committee meeting agendas. The meeting agendas are available to the public and interested stakeholders on the Council's website. The committee meetings are open to the public. For the 2020 UPWP, the Council posted the draft to the website; however, the Council did not post the draft 2021 UPWP to the website.

Chapter 14 of the Transportation Policy Plan, the Council's MTP, identifies work activities to be completed prior to the next MTP update. Overall, the studies identified in the UPWP reflect the work activities identified in the MTP. The UPWP does not discuss how the Council decides which projects will be completed within a given year nor how projects are prioritized in the event more work is proposed than staff and/or funding available. Council staff clarified that:

- Staff select projects based on available budget, need, staff availability and "balance" between the different Tasks identified in the UPWP.
- Staff meet with MnDOT to discuss potential studies each agency would like to complete and identify which agency should take the lead.
- All proposed studies are shared with committees for comment.
- Committees do not provide many ideas for planning studies.
- There have been times that the committees have directed Council staff not to complete a study.

The UPWP lists the consultant projects under each task area. For each project, the UPWP summarizes the scope of the project and identifies the estimated cost and start date. Council staff noted that:

- For consultant projects, the start date identified in the UPWP reflects the date when the contract will be fully executed. For memberships and subscriptions, the start date is always listed as January.
- There are times when the project's scope and/or cost is not known when the UPWP is prepared. For this reason, a project's scope and cost may change once Council staff develop the scope of work for the procurement process.

There are times when a consultant project cannot be completed within one UPWP. When this occurs, the Council identifies the study in the next UPWP. In some of these instances, the FHWA and FTA noticed that the study name changed from one UPWP to another.

Starting with the 2019 UPWP, the UPWP identifies local overmatch funds. The UPWP does not identify the source of the these funds. Council staff clarified the local overmatch funds are Motor Vehicle Sales Tax funds. The Council's policy is to use the federal funds first. Once the federal funds are drawn down, the Council will use local overmatch funds for any remaining UPWP costs.

The Council submits quarterly Requests for Federal Funds (RFF) to MnDOT. The RFFs include an invoice, progress report, expenditures report, payment journal, and documentation of any consultant related



expenses. 2 CFR 200.329(c)(1) and 23 CFR 420.117(c) require annual reports be submitted no later than 90 calendar days after the period of performance end date, and quarterly or semiannual reports be submitted no later than 30 calendar days after the reporting period. Reviewing the RFFs from 2017-2019, the Council often missed the quarterly reporting deadlines. Council staff explained that the delays are due to workload issues. MnDOT noted the Council has been improving in submitting RFFs in a timely manner.

MnDOT developed a UPWP amendment policy that applies to all the Minnesota MPOs. The policy defines when a formal UPWP amendment is required and the actions the MPO must take. The policy also defines the action an MPO must take for an administrative amendment. FHWA and FTA will work with MnDOT and the MPOs to update the policy to clarify what actions are required when the scope or cost of a consultant project change.

4.2.3 Findings

The Council satisfies the federal requirements related to the UPWP. FHWA and FTA identified four recommendations:

- Clarify and document the UPWP development process.
 - Document the process for preparing the annual UPWP. The documentation should include internal processes for preparing the UPWP. In 2020, Council staff did not post the draft 2021 UPWP to the Council's website. Documenting internal processes will help ensure all steps in the preparation of the annual UPWP are completed. Documentation will also assist in training new staff.
 - Clarify and document how projects are selected and prioritized within the UPWP. The UPWP clearly notes how the studies are related to the MTP, but it is unclear how the studies are selected and prioritized. The role the Council's committees in selecting which studies to undertake is also unclear.
- Clarify and provide consistency in terminology used within the UPWP.
 - Provide examples of the types of funds used as local overmatch funds and describe how those local overmatch funds are used.
 - Provide consistency in UPWP study names. In some instances, the study name changed from one UPWP to the next. The Council should note when a name change occurs.
 - Clarify what the consultant project start dates represent.
- Provide improved estimates of consultant project costs. The estimated costs in the UPWP should reflect the estimated total cost of the consultant contract and, for projects that will span more than one UPWP, the amount of work the Council anticipates will occur within the particular UPWP. If changes occur to the planned project scope and/or the estimated costs, the Council should work with MnDOT to determine if a UPWP amendment is required.
- Provide a clear link between the UPWP project name and MTP work program study when applicable.

The recommendations should be implemented with the next annual UPWP.



4.3 Metropolitan Transportation Plan

4.3.1 Regulatory Basis

23 USC 134(c), (h) and (i) and 23 CFR 450.324 identify the requirements for the development and content of the MTP. The MTP is required to provide a continuing, cooperative, and comprehensive multimodal transportation planning process. The plan must:

- Consider all applicable issues related to the transportation systems development, land use, employment, economic development, natural environment, and housing and community development.
- Have at least a 20-year planning horizon.
- Include both long and short range strategies for integrating a safe and efficient multimodal system that moves people and goods.
- Address current and future transportation demand.

MPOs must review and update the MTP at least every four years in air quality nonattainment and maintenance areas. In attainment areas, the MTP must be updated and at least every 5 years to reflect current and forecasted transportation, population, land use, employment, congestion, and economic conditions and trends. At a minimum, the MTP must include:

- Projected transportation demand
- Existing and proposed transportation facilities
- Description of performance measures and performance targets
- System performance report
- Operational and management strategies
- Congestion management process
- Capital investment and strategies to preserve transportation infrastructure and provide for multimodal capacity
- Design concept and design scope descriptions of proposed transportation facilities
- Potential environmental mitigation activities
- Pedestrian walkway and bicycle transportation facilities
- Transportation and transit enhancements
- Financial plan

4.3.2 Current Status

State law requires the Council to adopt a foundational policy plan every 10 years. In 2014, the Council adopted Thrive MSP 2040. Thrive MSP 2040 established the region's 30-year vision and identified five major desired outcomes: stewardship, prosperity, equity, livability and sustainability. The plan provides the overarching policy direction for water resources, regional parks, housing and transportation. The Council develops separate plans that address each of these areas. The transportation plan, commonly called the Transportation Policy Plan, also serves as the MTP.



In 2018, the Council began an interim update of the MTP to better align the MTP update cycle with the Thrive MSP 2040 10-year update cycle. The Council adopted the updated MTP in November 2020. With this update cycle reconfiguration, the MTP is now on schedule for a full update in 2025.

Structurally, the MTP has goals, objectives and strategies that align with the planning factors identified in 23 CFR 450.306 and includes ways to measure and track performance. Detailed sections include sustainable investments in transportation, safety and security, multimodal accessibility, competitive economy, healthy environment, and land use and transportation planning coordination. There are also sections on the status and expectations for transportation finance, highways, transit, bicycle, pedestrian, freight, aviation, equity and environmental justice, work program, compliance with federal requirements, air quality, public participation, the congestion management process, and intelligent transportation systems.

The updated MTP included a more in-depth discussion of the Council's CMP activities. This discussion included the future CMP direction and the creation of several new documents to assist with the CMP rollout (see section 4.12 for more information about the CMP).

The Council is current with all federal performance measure requirements. It has taken significant steps to incorporate performance-based planning into the planning process. The updated MTP reflected the new targets and discusses progress made.

The Council updated the air quality chapter to include a discussion of existing maintenance status for carbon monoxide (CO) and its implications. The chapter also includes a summary of PM₁₀, a pollutant from a non-transportation source in Ramsey County that the US Environmental Protection Agency (EPA) determined must meet transportation conformity (see section 4.11 for more on air quality). In air quality maintenance areas, MPOs are required to update the MTP on a four-year cycle. Ramsey County is expected to exit the PM₁₀ maintenance period on September 24, 2022. The Council would then switch to a five-year MTP update cycle at that time. Also, per 23 CFR 450.324(c), the Council would not be required to request a conformity determination from FHWA and FTA.

The MTP update includes a work program. There were instances when a study name changed from one MTP update to the next update.

The MTP update occurred during the COVID-19 pandemic, which required the Council to adapt its public outreach approach. Rather than traditional face-to-face engagement, the Council focused on virtual engagement techniques such as social media and online open houses. The MTP received over 400 comments from 215 commenters – the most comments for any plan in the MPO's history. The Council included every comment in a detailed appendix along with specific details on how these comments influenced the updated MTP.

4.3.3 Findings

The Council satisfies the federal requirements related to the MTP. FHWA and FTA identified one recommendation:

- Clarify when a MTP work program study name changes from one MTP update to the next update. The recommendation should be implemented with the next MTP update.



4.4 Transit Planning

4.4.1 Regulatory Basis

49 USC 5303 and 23 USC 134 require MPOs to consider all modes of travel when developing their plans and programs. 23 CFR 450.314 states that the MPO, in cooperation with the State and operators of publicly owned transit services, is responsible for carrying out the transportation planning process.

4.4.2 Current Status

The region is served by seven public transit providers: Metropolitan Council contracted services, Metro Transit (operated by the Metropolitan Council), Maple Grove Transit, Minnesota Valley Transit Authority, Plymouth Metrolink, SouthWest Transit, and the University of Minnesota. All public transit providers in the region have a long history of providing transit service – over 30 years in most cases. The Metropolitan Council is the designated recipient of the region’s FTA funds.

The COVID-19 pandemic reduced demand for transit service due to “stay at home” orders and job loss. Social distancing requirements further complicated transit capacity and service planning. This led Metro Transit to focus on providing service to the routes with the highest ridership (as measured before and during the pandemic), communities that rely on transit, and schools and colleges.

The Council coordinated with public transit providers early in the 2020 MTP update process to gather feedback prior to developing the plan. Public transit provider staff are also involved with regional planning studies such as the technical advisory group for the Service Allocation Study.

Public transit provider staff that serve on technical committees (representing three transit providers) were included in policy development discussions for the regional solicitation process in 2017 and 2019. Transit is included as a category in the regional solicitation process. The Council owns the bus fleet for the entire region. Fleet management and replacement is a priority within the region.

FHWA and FTA discussed transit with the Council and Metro Transit staff. FHWA and FTA also met with Maple Grove Transit, Minnesota Valley Transit Authority, Plymouth Metrolink, SouthWest Transit, and the University of Minnesota. These five public transit providers noted several challenges with their involvement in the planning process:

- The five public transit providers are concerned they are not fully included as part of the ongoing development of policies and outcomes that result from the MPO committees. While they serve on many MPO committees, the five public transit providers feel their role is limited to commenting on the final versions of documents.
- The five public transit providers perceive that the transit project selection criteria used in the regional solicitation process favor urban core projects and arterial bus rapid transit projects.
- The five public transit providers would like more transparency regarding the regional distribution of FTA Section 5307 funds and the recent Coronavirus Aid, Relief & Economic Security (CARES) Act funds.



FHWA and FTA asked how the five public transit providers the region's planning process could best include them. Their responses included formalizing their role within the region's planning process, involving them in policy development, and listing links to the transit provider information more prominently on the Council's website. The providers stressed they are partners in the planning process.

4.4.3 Findings

The Council satisfies the federal requirements related to transit planning. FHWA and FTA identified three recommendations:

- Execute a written agreement with all public transit providers that formalizes their role in the planning process. This agreement should be executed within one year of the release of this report.
- Work with all public transit providers to establish a regular meeting schedule to discuss activities related to transit in the planning process within the region. The schedule should be established within six months of the release of this report.
- Update the Council's website so that information on all public transit providers is more prominently displayed. The website should be updated within six months of the release of this report.

4.5 Transportation Improvement Program

4.5.1 Regulatory Basis

23 USC 134(c),(h) and (j) require MPOs to cooperatively develop a TIP. Under 23 CFR 450.326, the TIP must meet the following requirements:

- Cover at least a four-year horizon.
- Be updated at least every four years.
- Include surface transportation projects funded under Title 23 or Title 49 of the United States Code, except as noted in the regulations.
- List project description, cost, funding source, and identification of the agency responsible for carrying out each project.
- Ensure projects are consistent with the adopted MTP.
- Be fiscally constrained.
- Provide all interested parties with a reasonable opportunity to comment on the proposed TIP.

4.5.2 Current Status

The Council updates the TIP annually to cover a four-year period. The current TIP covers years 2021-2024. The TIP includes projects for different modes of transportation including transit, highway, and non-motorized transportation.

The Council held a public meeting on the draft TIP at the June 2020 Metropolitan Council and TAB meetings. The Council also accepted public comments from June 22, 2020 through August 10, 2020. During the comment period, the Council hosted a virtual public meeting.



Changes to the TIP are considered either modifications or amendments. TIP modifications are minor and do not require public participation. TIP amendments follow one of three scenarios:

1. Standard TIP amendment goes through TAB and the Transportation Committee before a recommendation is made to the Council for approval.
2. Regionally significant projects require a 21-day public comment period that is initiated by TAB.
3. Streamlined TIP amendment is reviewed by the TAC and included on TAB's consent agenda.

The Council uses a performance-based planning approach to develop the TIP. The Council adopted targets for the federal performance measures. The TIP discusses the anticipated effect of the TIP projects in helping the Council reach the established performance targets. The TIP also discusses how the investment priorities identified in the MTP guide the selection of projects, and as a result, also assist the region in achieving the performance targets.

The TIP includes a detailed discussion on how projects are selected. The selection process varies by the type of projects and/or source of funds. All of the project selection processes are collaborative and reflect the goals and policies identified in Thrive MSP 2040 and the MTP.

4.5.3 Findings

The Council satisfies the federal requirements related to the TIP. FHWA and FTA identified one recommendation:

- Clarify how funds are distributed among the regional transit providers. The TIP financial plan does not discuss the process for determining the allocation of federal funds among the transit providers. The recommendation should be implemented with the next TIP update.

4.6 Public Participation

4.6.1 Regulatory Basis

23 USC 134(i)(5) and 134(j)(1)(B) and 49 USC 5303(i)(5) and 5303(j)(1)(B) require MPOs provide adequate opportunity for the public to participate in and comment on the MPO's products and planning processes. Public involvement requirements are detailed in 23 CFR 450.316(a) and (b), which require MPOs to develop and use a documented participation plan that includes explicit procedures and strategies to include the public and other interested parties in the transportation planning process. Specific requirements include:

- Giving adequate and timely notice of opportunities to participate in or comment on transportation issues and processes.
- Using visualization techniques to describe MTPs and TIPs.
- Making public information readily available in electronically accessible formats and means such as the world wide web.
- Holding public meetings at convenient and accessible locations and times.
- Demonstrating explicit consideration and response to public input.
- Periodically reviewing the effectiveness of the participation plan.



4.6.2 Current Status

The Council updated its Transportation Public Participation Plan (PPP) in 2017. The PPP identifies public engagement strategies for the major activities associated with the MPO planning process such as UPWP, MTP, TIP and Regional Solicitation.

The PPP does not discuss tribal coordination. The Council has compiled a spreadsheet of contacts for the region and highlighted that tribes have been engaged in the planning process.

The PPP does not identify an update cycle for the PPP.

While the PPP states the Council will evaluate the effectiveness of its public participation efforts, the Council has not yet completed an evaluation to measure the effectiveness of the public participation plan. The evaluation methods identified in the PPP are not written as metrics with SMART (specific, measurable, attainable, relevant, and time-bound) characteristics.

4.6.3 Findings

The Council satisfies the federal requirements related to public participation. FHWA and FTA identified three recommendations:

- Update the PPP to include tribal governments and tribal consultation strategies.
- Identify an update cycle for the PPP. Ideally, this would occur the year before each MTP update.
- Evaluate the PPP for improved effectiveness measures. Update the document based on findings.

The recommendations should be implemented within one year of the release of this report.

4.7 Civil Rights

4.7.1 Regulatory Basis

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color and national origin. Specifically, 42 USC 2000d states that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” In addition to Title VI, other nondiscrimination laws provide legal protection. These laws include:

- Section 162 (a) of the Federal-Aid Highway Act of 1973 (23 USC 324)
- Age Discrimination Act of 1975
- Section 504 of the Rehabilitation Act of 1973
- Americans with Disabilities Act (ADA) of 1990

In addition to the laws noted above, agencies must also meet the requirements of two executive orders:

- Executive Order 12898 (environmental justice) directs federal agencies to develop strategies to address disproportionately high and adverse human health or environmental effects of their



programs on minority and low-income populations. FHWA and FTA issued orders to establish policies and procedures for addressing environmental justice in minority and low-income populations. The planning regulations require that the needs of those “traditionally underserved” by existing transportation systems, such as low-income and/or minority households, be sought out and considered (23 CFR 450.216(a)(1)(vii)).

- Executive Order 13166 (limited English proficiency) requires federal agencies to ensure that individuals with limited English proficiency can meaningfully access the services provided by the agency and without unduly burdening the fundamental mission of the agency. The US DOT issued guidance that identifies four factors recipients should consider when evaluating their programs and activities.

4.7.2 Current Status

The Council approved its Title VI program in January 2020. The program meets the requirements listed in FTA Circular 4702.1B, Title VI Requirements and Guidelines for Federal Transit Administration Recipients. The program identifies the Council’s services and describes how the Council meets the Title VI general requirements, fixed route transit provider requirements, and MPO requirements.

The Council also approved its Title VI LEP Language Assistance Plan in January 2020. The plan is consistent with the US DOT LEP Guidance. The plan identifies the number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee; frequency with which LEP individuals encounter the program; nature and importance of the program, activity, or service provided by the recipient to people’s lives; and resources available to the recipient and costs.

The Council completed an Americans with Disabilities Act Transition Plan in March 2020. The plan identifies significant improvement needs for accessible facilities. As noted in the plan, ongoing monitoring and updates are needed to the plan as changes are made to the facilities.

The Council established an Equity Advisory Committee. The committee advises the Council in its work to advance equity in the metropolitan region and meet the Council’s equity commitments in Thrive MSP 2040.

The Council has committed to completing an Equity Evaluation of Regional Transportation Investment study by 2023. The evaluation will:

- Identify steps and decision-making points in transportation funding, planning and programming processes.
- Consider who has input and involvement, who potentially benefits or is negatively impacted, and who decides during the planning and programming process.
- Develop and prioritize actions for implementation.

4.7.3 Findings

The Council satisfies the federal requirements related to civil rights.



4.8 Consultation and Coordination

4.8.1 Regulatory Basis

23 USC 134(g) and (i)(5)-(6) and 23 CFR 450.316(b)-(e) identify the requirements for consultation when developing the MTP and TIP. Additional consultation requirements are identified in 23 CFR 450.324(g)(1)-(2) regarding MTP development and in 23 CFR 450.324(f)(10) related to environmental mitigation.

In developing the MTP and TIP, the MPO must, to the extent practicable, develop a documented process that outlines roles, responsibilities, and key decision points for consulting with other governments and agencies which include:

- Agencies and officials responsible for other planning activities (State, local, economic development, environmental protection, airport operations, or freight)
- Other providers of transportation services
- Indian Tribal government(s)
- Federal land management agencies

4.8.2 Current Status

The Transportation Planning and Programming Guide, updated in January 2020, provides an overview of the Council's consultation and coordination efforts. The Council's coordination efforts begin with the TAB and TAC. TAB is tasked with leading the solicitation, evaluation, and recommendation of projects selected for the federal transportation funds that are allocated to the metropolitan area through the regional solicitation. TAB has 34 members that include city officials, county commissioners, MnDOT, Minnesota Pollution Control Agency, Metropolitan Airports Commission, a representative for non-motorized transportation, a representative for freight transportation, public transit (including a representative for suburban transit providers), citizens representing each of the Council Districts, and the Metropolitan Council.

The TAC provides technical expertise to the TAB, makes recommendations for action to the TAB Programming Committee or TAB Policy Committee, and provides a public forum for discussion of technical issues that impact the TAB's role and responsibilities. TAC has 29 members that are professional staff from city and county governments and the agencies involved in transportation in the seven-county region.

Discussions are underway to add a tribal representative to the TAB and/or TAC. Other recent changes to the TAC include adding modal representation and representatives from the Wright and Sherburne area (Region 7W).

The Council coordinates with the public transit providers as part of the region's planning efforts. Transit is represented on the TAB and TAC. The Council invites transit provider staff to participate on specific study committees. The Council reaches out to the suburban transit providers at least once a year to ensure they are involved in the planning process.

The Council has several standing committees. Staff regularly work with these standing committees including the Transportation Accessibility Advisory Committee and the Land Use Advisory Committee.



Planning studies initiated by the Council typically include a Technical Advisory Committee and at times a Policy Advisory Committee. Each planning study is evaluated to determine if additional stakeholders are needed to provide proper representation and/or expertise.

4.8.3 Findings

The Council satisfies the federal requirements related to consultation and coordination.

4.9 Environmental Mitigation

4.9.1 Regulatory Basis

23 USC 134(i)(2)(D) and 23 CFR 450.324(f)(10) require MPOs to address environmental mitigation when developing the MTP. MPOs must include a discussion of types of potential environmental mitigation activities for the transportation improvements identified in the MTP and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan.

4.9.2 Current Status

Thrive MSP 2040 provides a policy framework for environmental mitigation. The plan notes the Council will promote land use and development patterns that protect the natural environment and promotes water sustainability. In regards to natural resources, the plan discusses soil, farmland, aggregate and regional parks. Water sustainability addresses surface waters, ground water, and subsurface sewage. The Council's role is to collaborate at different levels to protect, maintain, and enhance these features.

The MTP provides strategies to achieve the policies in Thrive MSP 2040. One MTP goal focuses on healthy and equitable communities which includes policies to reduce impacts for natural, cultural, and developed environments. The MTP does not discuss types of potential environmental mitigation activities or potential areas to carry out mitigation. Instead, the MTP focuses on a strategy to avoid, enhance, and preserve.

Council staff shared that they are working on community climate factors including storyboards related to a heat index and localized flood risk. The storyboards provide a way for communities to improve livability and resiliency. The localized flood risk storyboards show communities areas where pedestrian and bike trails, bus stops, transit lines, and streets may be vulnerable to heavy rainfall events. While the maps are a static snapshot in time, staff monitor news articles on areas that are flooded during heavy rainfall events to identify any correlations with flood prone areas.

Part 1 of the Council's Regional Climate Vulnerability Assessment notes the absence of a region-wide stormwater dataset. This limits staff's ability to analyze potential localized flooding impacts. The Council is undertaking a pilot project to create a Geographic Information System (GIS) layer showing the locations of stormwater infrastructure between communities. A regional stormwater infrastructure GIS layer would allow communities to see issues upstream and downstream of project areas, which would improve stormwater system resiliency and help ensure transportation systems resiliency.



The Council's work on flood risk could assist MnDOT in meeting the requirements of 23 CFR 667. Under these requirements, State DOTs must conduct statewide evaluations to determine if there are reasonable alternatives to roads and bridges that have required repair and reconstruction activities on two or more occasions due to emergency events. FHWA and FTA encourage the Council to continue working with its partners to develop a regional GIS system for stormwater infrastructure.

4.9.3 Findings

The Council satisfies the federal requirements related to environmental mitigation. FHWA and FTA identified one recommendation:

- Provide a more detailed environmental mitigation discussion in the MTP such as wetland mitigation banking or in lieu fee programs for wetland impacts; threatened and endangered species mitigation; stormwater permit program; and associated policies. The recommendation should be implemented with the next MTP update.

4.10 Land Use/Livability

4.10.1 Regulatory Basis

23 USC 134(g)(3) encourages MPOs to consult with officials responsible for other types of planning activities that are affected by transportation in the area (including State and local planned growth, economic development, environmental protection, airport operations, and freight movements) or to coordinate its planning process, to the maximum extent practicable, with such planning activities.

23 USC 134 (h)(1)(E) and 23 CFR 450.306(a)(5) require MPOs plan to protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic.

4.10.2 Current Status

State law requires local governments within the metropolitan area to have comprehensive plans and defines what the comprehensive plans are to include. The required content includes a "transportation plan describing, designating and scheduling the location, extent, function and capacity of existing and proposed local public and private transportation services and facilities."

State law also requires the Council to review local comprehensive plans for consistency with regional plans. To assist the local governments in preparing the comprehensive plans, the Council provides a Local Planning Handbook and prepares system statements for each local government. The system statements inform each community how it is affected by the Council's regional plans.

Local communities are required to update their local comprehensive plans every ten years. If a community does not have an updated comprehensive plan, the community cannot make changes to land use. It also cannot request sewer permits.



Council staff review the local comprehensive plans to verify the plans include required topics, are consistent with Council policies and conform to the Council's system plans such as the MTP. If Council staff find a comprehensive plan "incomplete" (i.e., it is missing a required topic or is inconsistent with Council policies or system plans), staff will work with the community to address the issue(s).

One required comprehensive plan element is roadway functional classification. 23 CFR 470.105(b)(1) requires State DOTs to determine the functional classification of roadways in cooperation with local officials. The Council's functional classification criteria are defined in Appendix D of the MTP. The Council's classification system differs from the FHWA guidelines in that the Council:

- Does not identify different types of principal arterials. Roadways are simply classified as principal arterial.
- Identifies two types of minor arterials, A-minor and other, and further defines four types of A-minor arterials.

When reviewing the functional classification, whether as part of a comprehensive plan review or a review related to proposed roadway functional classification changes, Council staff focus on the principal and minor arterial network. Changes to the principal or minor arterial network are approved by TAB and reflected in the MTP. Changes to the collector and local function are at a community's discretion and do not need approval from TAB.

The Council, MnDOT and local partners are currently undertaking a comprehensive review of functional classification within the seven-county metropolitan area. MnDOT anticipates the review will be completed in 2021. Once the comprehensive review is complete, the Council will:

- Amend the MTP to reflect any changes to the principal and minor arterial systems. Local communities will not be required to update their comprehensive plans to reflect the results of the regional review. The updates will occur as part of the normal comprehensive review update cycle that will begin in the late 2020s. However, if a community proposes any other changes to the principal or minor arterial system, a comprehensive plan amendment will be required if the proposed change is approved by TAB.
- Undertake a functional classification study. The study will update Appendix D, conduct a peer review on how other MPOs process functional classification changes, and update the Council's functional classification website and change processes. The Council should work with the FHWA division office in completing the study.

4.10.3 Findings

The Council satisfies the federal requirements related to land use and livability.

4.11 Air Quality

4.11.1 Regulatory Basis

The air quality provisions of the Clean Air Act (42 USC 7401) and the MPO provisions of Titles 23 and 49 of the United States Code require a planning process that integrates air quality and metropolitan



transportation planning so that transportation investments support clean air goals. 23 CFR 450.324(m) and 23 CFR 450.326(a) require a conformity determination on any updated or amended MTP or TIP in accordance with the Clean Air Act and the EPA transportation conformity regulations (40 CFR Part 93).

4.11.2 Current Status

On November 20, 2019, the Minneapolis – St. Paul area completed a 20-year maintenance period for carbon monoxide (CO) to satisfy the National Ambient Air Quality Standards (NAAQS). The EPA issued a letter documenting that the maintenance plan was not extended and the CO-related transportation conformity requirements no longer applied.

While the area was reaching attainment for CO, a new issue emerged. A portion of Ramsey County is listed as a maintenance area for PM₁₀ (67 Federal Register 48787). The EPA Regional Office and State long considered that on-road emissions were not a significant contributor to the area's PM₁₀ issues. Instead, the violation was caused by the stationary emissions from steel production facilities, a rail yard, and other light manufacturing nearby. For this reason, conformity determinations related to PM₁₀ were not done. FHWA and EPA further reviewed the matter and determined the Clean Air Act does not provide any exceptions from transportation conformity requirements for areas with air quality problems caused by stationary or non-transportation sources.

Therefore, the Council must make conformity determinations for the PM₁₀ maintenance area until the area's 20-year maintenance period ends on September 24, 2022. Since stationary sources caused the violation, the EPA has exempted the MPO from satisfying the regional emissions analysis requirements in 40 CFR 93.118 and 93.119.

FHWA issued a PM₁₀ conformity determination for both the MTP and TIP in late 2020. In air quality maintenance areas, MTP updates are required on a four-year cycle. Ramsey County is expected to exit the PM₁₀ maintenance period on September 24, 2022. Should Ramsey County enter full attainment status and no additional air quality problems are identified within the Council's planning area, the Council will switch to a five-year MTP update cycle at that time and the transportation conformity requirements will no longer apply.

4.11.3 Findings

The Council satisfies the federal requirements related to air quality.

4.12 Congestion Management Process/Management and Operations

4.12.1 Regulatory Basis

23 USC 134(k)(3) and 23 CFR 450.322 require TMAs address congestion management through a defined process. The Congestion Management Process (CMP) is a systematic approach for managing congestion that provides for safe and effective integrated management and operation of the multimodal transportation system. 23 CFR 450.324(f)(5) requires the MTP include management and operations (M&O) of the transportation network as an integrated, multimodal approach to optimize the performance



of the existing transportation infrastructure. Effective M&O strategies include measurable regional operations goals and objectives and specific performance measures to optimize system performance.

4.12.2 Current Status

The 2016 TMA certification review identified fundamental weaknesses in the Council's CMP. The final report required the Council to improve the CMP to fully comply with 23 CFR 450.322 and the 8-step federal process by:

- Analyzing non-freeway principal and minor arterials.
- Including SMART (specific, measurable, agreed-upon, realistic, and timebound) regional objectives.
- Incorporating greater public transparency of CMP implementation.
- Documenting steps taken to consider potential CMP strategies.
- Evaluating previously implemented strategies for effectiveness.
- Integrating the CMP into the project selection process.
- Evaluating project benefits and costs in relation to congestion mitigation.
- Defining operation problems and expected solutions and benefits.

Based on the above recommendations, and following a CMP peer exchange hosted by FHWA in 2017, the Council undertook several activities to improve the CMP:

- The Council hired 1.5 data scientists to assist with CMP analysis. Over several years, staff developed reproducible methods for analyzing and visualizing probe data – both for the CMP and other purposes.
- The Council acquired an annual license for Streetlight data through MnDOT's contract. While the future of MnDOT's specific contract with Streetlight is uncertain, the future use of probe data at MnDOT appears likely. Council staff regularly review the state of probe data marketplace, both for the CMP and for other purposes.
- The Council created the CMP Advisory Committee. The committee meets quarterly and consists of key state, federal and local stakeholders in the effort to handle congestion.
- The Council, with guidance from the CMP Advisory Committee, finalized a CMP Policies and Procedures manual. The manual is updated with each MTP. The CMP Policies and Procedures guide all CMP development including:
 - Analysis procedures for all NHS and A-minor arterial roadways using the V/C ratio (with a transition to Streetlight data expected in 2021).
 - Analyzing "corridors of concerns," which are problem corridors identified by local stakeholders.
 - Documenting the process for selecting corridors for further evaluation under the "Congestion Problems and Needs Analysis" section. The process involves the screening the CMP network for congestion and outlining the procedure for conducting additional analyses on select corridor study areas.
- The Council implemented congestion as a scoring measure for the regional solicitation.
- The Council produces an annual "Transportation Trends Report." The report identifies congested CMP highway network locations, monitors CMP performance measure outcomes and trends, and recommends strategies for further development and implementation by local lead agencies.



The Council has identified additional CMP related activities in the coming years. These activities include:

- Developing an online, interactive, web-based congestion dashboard. The dashboard will display congestion trends, strategies, and performance measures in a user-friendly format for anyone to access. The Council anticipates the dashboard to be completed by 2023.
- Considering methods to further integrate CMP into the regional solicitation by requiring applicants to complete corridor analysis to be eligible for the regional solicitation.
- Developing a CMP Corridor Analysis Handbook to aid local agencies in meeting the regional solicitation eligibility requirement. The handbook will serve as a road map for local agencies to conduct their own CMP analyses using approved strategies. Council staff will check local analyses to ensure the analysis were done in a consistent manner.
- Exploring a system-level look at congestion to help the Council and other agencies prioritize and program congestion mitigation in a strategic manner. The analysis will include an assessment of highway mobility needs and the associated costs to keep congestion at acceptable levels into the future.

4.12.3 Findings

The Council satisfies the federal CMP and M&O requirements.



5.0 CONCLUSION AND RECOMMENDATIONS

The Council's metropolitan transportation planning process meets the federal planning requirements. FHWA and FTA did not identify any corrective actions. FHWA and FTA identified several commendations and recommendations.

5.1 Commendations

FHWA and FTA identified four noteworthy practices:

- The Council is commended in its efforts to study the way people travel in the region using the Travel Behavior Inventory. This survey, along with other data, help define how travel trends have changed and evolved. The survey is very thorough and reaches a diverse cross-section of the population in a convenient manner. By updating the data regularly, it stays relevant as the travel patterns change.
- The Council is commended in its efforts to quickly develop a survey and continue to track how the COVID-19 pandemic impacts travel demand, congestion and teleworking. The results of these efforts will influence current and future studies, as well as updates to the MTP.
- The Council is commended for its robust bike and pedestrian plans for the metropolitan area. The MPO conducted a Regional Bicycle Barriers Study and developed a Regional Bicycle Transportation Network and interactive maps that show expressway, rail, and stream barriers using GIS applications.
- The Council is commended for its MTP public adaptation during the COVID-19 pandemic, the volume of comments received, and the Council's transparency and individualized answers to the comments received. The list of comments, organized by theme in an MTP appendix, contains clear and specific responses on how the public's observations and thoughts influenced the adopted MTP.

5.2 Recommendations

FHWA and FTA identified several recommendations to improve the planning process:

- UPWP recommendation: Clarify and document the UPWP development process related to internal processes and how projects are selected.
- UPWP recommendation: Clarify and provide consistency in terminology used. Provide examples of the types of funds used as local overmatch funds and describe how those local overmatch funds are used.. Provide consistency in UPWP study names. Clarify what consultant start dates mean.
- UPWP recommendation: Provide improved estimates of consultant project costs. Work with MnDOT to determine when an amendment is needed if changes occur to the scope/cost of consultant projects identified in the UPWP.



- UPWP and MTP recommendation: Provide a clear link between the UPWP project name and MTP work program study when applicable. Clarify when a MTP work program study name changes from one MTP update to the next update.
- Transit planning recommendation: Execute a written agreement with all public transit providers that formalizes their role in the planning process.
- Transit planning recommendation: Work with all public transit providers to establish a regular meeting schedule to discuss planning and programming activities within the region.
- Transit planning recommendation: Update the Council's website so that information about all public transit providers is more prominently displayed.
- TIP recommendation: Clarify how funds are distributed among the regional transit providers.
- Public participation recommendation: Evaluate the effectiveness of the procedures and strategies identified in the PPP to ensure a full and open participation process. Update the metrics for PPP effectiveness, including a timeline in the PPP for future effectiveness evaluations.
- Public participation recommendation: Update the PPP to include the tribal governments and tribal consultation strategies.
- Public participation recommendation: Identify an update cycle for the PPP.
- Environmental mitigation recommendation: Provide a more detailed environmental mitigation discussion in the MTP.

5.3 Training/Technical Assistance

FHWA will work with the Council to scope and develop an MPO safety peer exchange in 2021. The exchange will help the Council gain a better understanding of how peer MPOs complete safety planning. If the Council would like assistance in other areas, please let FHWA and FTA know.



APPENDIX A PARTICIPANTS

The following individuals participated in the in the Minneapolis – St. Paul, MN – WI urbanized area virtual on-site review:

- **Federal Highway Administration (FHWA) – Minnesota Division Office**
 - Andrew Emanuele – Community Planner
 - Bobbi Retzlaff – Community Planner
 - Jim McCarthy – Traffic Operations Engineer
 - Kris Riesenbergh – Technical Services Team Leader
 - Phil Forst – Environmental Specialist
 - Wendall Meyer – Division Administrator
- **Federal Highway Administration (FHWA) – North Dakota Division Office**
 - Kristen Sperry – Planning & Environmental Program Manager
- **Federal Transit Administration (FTA) – Region 5**
 - Bill Wheeler – Community Planner
 - Jay Ciavarella – Director, Office of Planning & Program Development
- **Federal Transit Administration (FTA) – Headquarters**
 - Victor Austin – Community Planner
- **Metropolitan Council**
 - Adam Harrington – Director of Service Development
 - Andrew Brody – Manager of Bus Safety, MTS
 - Amy Vennewitz – Deputy Director for Planning and Finance, MTS
 - Charlie Zelle – Metropolitan Council Chair
 - Cole Hiniker – Manager of Multimodal Planning
 - Dave Burns – Senior Highway Planner
 - Dennis Farmer – Planning Analyst
 - Eric Wojchik – Planning Analyst
 - Heidi Schallberg – Senior Planner
 - Joe Barbeau – Senior Planner
 - Jonathan Ehrlich – Manager of Travel Modeling and Research
 - Matt LaTour – Director of Program Evaluation and Audit
 - Mauricio Leon – Senior Researcher
 - Nick Thompson – Director, MTS
 - Sara Maaske – Senior Communications Specialist
 - Steve Peterson – Manager of Highway Planning and the TAB/TAC Process
 - Steve Elmer – Planning Analyst
 - Tony Fischer – Planning Analyst



- **Minnesota Department of Transportation (MnDOT) – Metro District**
 - Jon Solberg – Director – Metro Planning, Program Management and Transit
 - Molly McCartney – Program Management Director
 - Shaker Rabban – Planning Program Coordinator
- **Minnesota Department of Transportation (MnDOT) – Central Office**
 - Anna Pierce – Metropolitan Planning Program Coordinator

The following individuals participated in the virtual meetings held with the suburban public transit operators:

- **Federal Highway Administration (FHWA) – Minnesota Division Office**
 - Andrew Emanuele – Community Planner
 - Bobbi Retzlaff – Community Planner
- **Federal Highway Administration (FHWA) – North Dakota Division Office**
 - Kristen Sperry – Planning & Environmental Program Manager
- **Federal Transit Administration (FTA) – Region 5**
 - Bill Wheeler – Community Planner
- **Federal Transit Administration (FTA) – Headquarters**
 - Victor Austin – Community Planner
- **City of Maple Grove/Maple Grove Transit**
 - Mike Opatz – Transit Administrator
- **Minnesota Valley Transit Authority**
 - Aaron Bartling – Planning Manager
 - Heidi Scholl – Director of Administration
 - Tania Wink – Director of Finance
 - Luther Wynder – Chief Executive Officer
- **City of Plymouth/Plymouth Metrolink**
 - Laurie Hokkanen – Administrative Services Director
- **SouthWest Transit**
 - Matt Fyten – Chief Operations Officer
 - Dave Jacobson – Assistant to the Chief Executive Officer
 - Len Simich – Chief Executive Officer
- **University of Minnesota**
 - Joseph Dahip – Transit Manager, Parking & Transportation Services
 - Lonetta Hanson – Assistant Director, Parking & Transportation Services



APPENDIX B 2016 FINDINGS STATUS

One priority 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. This Appendix identifies recommendations from the previous certification and summarizes discussions of how they have been addressed. The 2016 review did not identify any corrective actions.

Recommendation 1: MPO Structure and Agreements

Finding: The MOU does not include the new requirements to improve planning coordination/transparency.

MPO Actions: Improve and update the MOU by:

- Including missing regulatory citations / requirements.
- Clarifying Metropolitan Council's correct structure (the Council is the MPO).
- Adding primary "opt-out" transit operators as signatories.
- Including procedures for compliance with performance-based planning.

Resolution Date: Within 1 year of the 2016 report

Status: The MOU was updated to comply with the recommendation.

Recommendation 2: Unified Planning Work Program (UPWP)

Finding: The UPWP is presented only as a program document with little external exposure. It receives little input from the public and stakeholders.

MPO Actions: Elevate and recognize the UPWP as a critical planning document by:

- Clarifying context of UPWP studies.
- Specifying work task relation to MTP goals.
- Discussing project ranking process.
- Further breaking down funding and staff time.
- Making UPWP publicly available beyond TAB/TAC meetings.

Resolution Date: Next Updates of the UPWP, MTP, Transportation Planning and Programming Guide, and PPP.

Status: The UPWP has been updated and enhanced on a nearly annual basis. Partners now have appropriate time for review and comment. In 2019 a new appendix (description of consultant studies), breaking down consultant costs planned by year. The UPWP is vetted by partners through the TAC/TAB process, and the public has better access to the document through the Council's website. While substantial progress has been made, the UPWP still contains areas that need improvement beyond the 2016 recommendations. Those new recommendations are highlighted in this report.

Recommendation 3: Metropolitan Transportation Plan (MTP)



Finding: The MTP/planning process does not include the new requirements for performance-based planning.

MPO Actions: Collaboratively develop the required performance metrics/targets with the planning partners for inclusion in an updated MTP.

Resolution Date: Next MTP update (2018).

Status: In addition to the required federal transportation performance measures, the Council added an MPO specific performance-based planning framework. Within this context, the Council measures, accesses and technically steers high level policy decisions.

Recommendation 4: Metropolitan Transportation Plan (MTP)

Finding: The MTP does not evaluate alternative policies beyond the existing investment option per the new FAST Act scenario planning language. This could be considered.

MPO Actions: Integrate scenario planning into the MTP for investments, projects, and/or population/employment distribution alternatives.

Resolution Date: Next MTP update (2018)

Status: The MTP, updated in 2018 (and with a second “interim” update in 2020) now includes not only the Current Revenue (most likely) funding scenario, but also examines Increased Revenues and No Build scenarios. Additionally, further planning scenario concepts will be sketched out for the 2025 MTP update.

Recommendation 5: Metropolitan Transportation Plan (MTP)

Finding: The parameters for major capital project selection are unclear.

MPO Actions: Improve procedures and transparency of rating/selecting capital projects. Consider quantitative methodology such as benefit-cost analysis.

Resolution Date: Next MTP Update (2018)

Status: The Council worked with MnDOT on developing its Project Selection Policy, particularly on the Twin Cities Mobility Highway project selections. The Council is also completing the Twin Cities Highway Mobility Needs Analysis that will identify performance measures which can aid in identifying the level of mobility needs in the region to be included in MnDOT's update of its State Highway Investment Program and will also aid in corridor level analyses and the selection of preferred project alternatives.

Recommendation 6: Metropolitan Transportation Plan (MTP)

Finding: The MTP Financial Plan does not identify regionally significant projects and categories of projects in the year of expenditure throughout the 20 years of the plan.



MPO Actions: Include non-expansion regionally significant projects for each of the first four years and subsequent five year bands through the MTP horizon.

Resolution Date: Next MTP update (2018)

Status: The MTP Financial Plan now considers all revenues over the 20-year horizon, creating five-year estimation bands of Projected Revenue and Expenditure Tables that categorize highway and transit projects relative to expected inflation. Specific regionally significant projects are identified in Appendix C Long Range Project List.

Recommendation 7: Transportation Improvement Program (TIP)

Finding: The TIP includes projects without committed federal funding in the first two years, which is not compliant with 23 CFR 450.326(k).

MPO Actions: Move projects that do not have federal funding committed from years one and two of the TIP to years three or four.

Resolution Date: Within 60 days of the report.

Status: The Council completed this action in February 2017. The TIP no longer includes projects within the first two years without committed funding.

Recommendation 8: Transportation Improvement Program (TIP)

Finding: The TIP lacks clarity on change procedures and Year of Expenditure (YOE) dollars. Time is also not allocated for federal input on the TIP/STIP.

MPO Actions: Add criteria for amendments, administrative modifications, inflation rate to the TIP. Revise the procedures for federal TIP/STIP review to allow for revisions.

Resolution Date: Within 60 days of this report.

Status: The YOE discussion is now shown on the top of page 13 in the 2020-2023 and 2021-2024 TIPs. Council staff now share the draft TIP with federal partners well in advance of the public comment period, and this practice should continue.

Recommendation 9: Transportation Improvement Program (TIP)

Finding: The TIP's investment categories and subcategories are incomplete.

MPO Actions: Complete a system-level assessment to determine the level of performance/investment need for the regional solicitation.

Resolution Date: Prior to or in concert with the next MTP.



Status: The Council completed a regional solicitation return on investment (ROI) before and after study in 2019. A second study is expected in 2021 to guide potential changes to the 2022 regional solicitation. However, neither of the ROI studies occurs at the system-level to determine performance/investment needs for the Regional Solicitation. Depending on time and staffing, FHWA may conduct a process review of the regional solicitation to explore ongoing concerns.

Recommendation 10: Public Participation

Finding: The Public Participation Plan (PPP) is lacking in certain areas. It only provides a high-level conceptual overview of the methods and procedures indicated. Visualization techniques, methods for engaging the public and public comment consideration practices are missing.

MPO Actions: Update and enhance the PPP. Areas updated should include:

- Improving potential stakeholder engagement methods.
- Adding visualization techniques.
- Demonstrating a clear process for public comment consideration.
- Documenting a process for evaluating the PPP's overall effectiveness.

Resolution Date: In time for the next MTP update.

Status: The Council separated their PPP into two pieces – one for public participation in general, and one specific to transportation (and the federal requirements). The latter documented added evaluation criteria, but it could be improved. It did not contain a schedule for regular evaluation.

Recommendation 11: Environmental Justice

Finding: The benefits and burdens analysis is incomplete.

MPO Actions: Analyze plan impacts on disadvantaged communities, overall regional populations in terms of travel distances, travel times and air quality by mode.

Resolution Date: Next MTP update (2018)

Status: The MTP, adopted 2018, included a benefits and burdens analysis. Similar information was included in the 2020 MTP update.

Recommendation 12: Consultation, Coordination and Environmental Mitigation

Finding: The Partner Agency Work Group supported environmental mitigation in the MTP's development, but it is unclear what input was provided. It is also unclear how this group and other agencies and officials were involved in TIP and UPWP development. Greater transparency is needed.

MPO Actions: Improve the process by:

- Documenting consultation with federally-recognized tribes.



- Documenting procedures for environmental mitigation and coordination in support of the MTP.
- Updating natural and historic resources and document in MTP.

Resolution Date: Next Update of the PPP, MTP, TIP, and UPWP.

Status: The Council adopted an updated MTP addressing these issues in 2018. The Council consulted with the Shakopee Mdewakanton Sioux Community (SMSC) on the 2018 and 2020 MTP updates. No comments were received. However, the PPP still did not document tribal consultation, resulted in a recommendation in this certification review.

The Air Quality and Environment of the 2018 MTP contains a full section on environmental mitigation (including maps of the regional wetlands inventory and historic resources against planned regionally significant transportation investments).

Recommendation 13: Transportation Safety

Finding: The safety and mobility needs for the system are not fully developed.

MPO Actions: Follow the Principal Arterial Intersection Conversion Study by more detailed corridor planning studies that look at lower-cost alternatives. Explore options that can be quickly and realistically funded and constructed.

Resolution Date: Ongoing

Status: The Council implemented a new regional solicitation funding category in the 2020 funding cycle. It called for spot mobility and safety to focus on lower-cost, at-grade intersection improvements. This category will fund several intersection improvements that were identified as low priority for a full interchange conversion in the Principal Arterial Intersection Conversion Study.

In addition, FHWA will work with the Council to scope and develop an MPO safety peer exchange in 2021. The exchange will help the Council gain a better understanding of how peer MPOs complete safety planning.

Recommendation 14: Congestion Management Process (CMP)

Finding: The CMP is not fully compiled, summarized and implemented.

MPO Actions: Improve the CMP to fully comply with 23 CFR 450.322 and the 8-step federal process. Specific areas for improvement include:

- Analyzing non-freeway principal and minor arterials.
- Including SMART regional objectives.
- Incorporating greater public transparency of CMP implementation.
- Documenting steps taken to consider potential CMP strategies.
- Evaluating previously implemented strategies.
- Integrating the CMP into the project selection process.



- Evaluating project benefits and costs in relation to congestion mitigation.
- Defining operation problems and expected solutions/benefits.

Resolution Date: Within 2 years of this report, with periodic updates on progress.

Status: A CMP now exists. The Council continues to work on iterative CMP changes focused on improvement. A quarterly CMP Advisory Committee steers CMP direction. Following the 2016 certification review, this group led creation of a CMP Policies and Procedures using the 8-step federal process.

The Council plans to develop a CMP Corridor Analysis Handbook. This will allow regional partners to conduct their own CMP analysis, using approved strategies, for their own corridors.

Additionally, the Council is producing a web-based interface with detailed congestion and performance measure data. This is anticipated to be complete in 2021.

Finally, starting in 2018, the Council also implemented congestion as a scoring measure for the Regional Solicitation. In the future, the Council plans to explore further options for incorporating CMP into the regional solicitation process.



APPENDIX C PUBLIC COMMENTS

From December 8, 2020 through January 22, 2021, the Council hosted a page on its website that described the certification review process and the public's opportunity to comment on the Council's planning process. The website included:

- A video from FHWA planning staff that explained the certification review process, the federal requirement of an MPO, and the public's opportunity to comment.
- A survey about the Council's planning process.
- Instructions on how to submit written comments to FHWA and FTA.

Section C.1 lists the survey results. Section C.2. lists the comments provided to the open-ended questions.

FHWA and FTA also received written correspondence, two letters and one email, as discussed in Section C.3.

Section C.4. summarizes the common themes from the public comments received, and how FHWA and FTA addressed these themes within the certification report.

C.1. Survey Results

Question 1: Have you previously commented or participated in the Met Council's transportation planning process? (N = 62)

- Yes – 24%
- No – 76%

Question 2: Do you represent an agency, city or county professionally or as an elected official? (N = 61)

- Yes – 23%
- No – 77%

Question 3: Are you a member of the Transportation Advisory Board or its technical committees? (N = 13)

- Yes – 23%
- No – 77%

Question 4: Are you a member a member of the Transportation Advisory Board or its technical committees? (N = 45)

- Yes – 4%
- No – 96%

Question 5: Who do you represent on the committee? (N = 2)



- Agency – 50%
- Citizen – 0%
- City – 50%
- County – 0%
- Transportation mode – 0%

Question 6: Which group do you serve on? (N = 2)

- Transportation Advisory Board – 50%
- Transportation Advisory Committee (TAC) – 50%
- TAC Planning Committee – 0%
- TAC Funding and Programming Committee – 0%

Question 7: How effective is the region's transportation planning committee process? (N = 2)

- Very ineffective – 0%
- Ineffective – 0%
- Neutral – 50%
- Effective – 50%
- Very effective – 0%

Question 8: As a committee member, how would you rate the workload? (N = 2)

- Very light – 0%
- Light – 50%
- About right – 50%
- Heavy – 0%
- Too heavy – 0%

Question 9: Do you believe the region's transportation planning process is well-structure to represent all types of communities and modes? (N = 11)

- Yes – 36%
- No – 45%
- I don't know – 18%

Question 10: Would you be interested in seeing any changes in the transportation planning process or the committee structure? (N = 6, respondents could select yes to both)

- Transportation planning process – 6 selections
- Committee structure – 3 selections

Question 11: Do you feel well informed on how to influence and shape the region's transportation policy, goals and funding decisions? (N = 45)

- Not at all informed – 16%



- Less informed – 20%
- Neutral – 20%
- Informed – 31%
- Well informed – 13%

Question 12: How well does the Met Council communicate about the overall transportation division, priorities and strategies for the region? (N = 46)

- Not well at all – 26%
- Less well – 11%
- Neutral – 35%
- Well – 24%
- Very well – 4%

Question 13: Please rate the Met Council's success at reaching traditionally underrepresented people about transportation planning issues. (N = 48)

- Not at all effective – 19%
- Less effective – 25%
- Neutral – 35%
- Effective – 15%
- Very effective – 2%

Question 14: How effective is the Council about providing notice for public input on transportation-related documents/products? (N = 48)

- Not at all effective – 19%
- Less effective – 17%
- Neutral – 31%
- Effective – 23%
- Very effective – 8%
- Not applicable – 2%

Question 15: How would you rate the ability to listen to or attend transportation-related meetings at the Met Council? (N = 48)

- Not at all accessible – 19%
- Less accessible – 17%
- Neutral – 31%
- Accessible – 23%
- Very accessible – 4%
- Not applicable – 6%



Question 16: What transportation-related topics would you most like to see the Met Council be studying or analyzing? (choose top 3 list of topic ideas) (N = 47)

- Transit expansion – 57%
- Equity – 45%
- Walking/biking/rolling – 34%
- Climate change – 32%
- Congestion – 30%
- New technology – 21%
- Electric vehicles – 21%
- Safety – 21%
- Self-driving vehicles – 13%
- Shared bikes/scooters/cars – 6%

Question 17: What else would you like to add about the region's transportation planning process? (N =33)

- See Section C.2. for responses.

Question 18: What is your home ZIP code? (N = 47)

- 55043 – 1
- 55101 – 2
- 55105 – 2
- 55106 – 1
- 55113 – 4
- 55116 – 1
- 55117 – 1
- 55123 – 1
- 55124 – 1
- 55125 – 1
- 55129 – 1
- 55130 – 2
- 55318 – 3
- 55346 – 1
- 55364 – 1
- 55369 – 1
- 55372 – 1
- 55376 – 1
- 55391 – 1
- 55405 – 1
- 55406 – 1



- 55407 – 1
- 55408 – 2
- 55411 – 1
- 55412 – 1
- 55414 – 4
- 55416 – 2
- 55418 – 1
- 55419 – 1
- 55426 – 1
- 55433 – 1
- 55446 – 1
- 56387 – 1
- 56431 – 1

Question 19: What is your age? (N = 47)

- 18 or under – 0%
- 18 to 24 – 4%
- 25-34 – 13%
- 35-44 – 13%
- 45-54 – 17%
- 55-64 – 30%
- 65-74 – 21%
- 75-84 – 2%
- 85 or older – 0%

Question 20: What is your gender? (N = 46)

- Male – 63%
- Female – 37%

Question 21: How do you describe your race, ethnicity and/or origin? Select all that apply. (N = 41)

- White – 98%
- Black or African American – 5%
- Hispanic, Latinx or Spanish origin – 5%
- Asian or Asian American – 2%
- American Indian or Alaskan Native – 0%
- East African – 0%
- Middle Eastern or North African – 0%

Question 22: Which of the following best describes your 2019 household income before taxes? (N = 44)



- Less than \$15,000 – 2%
- \$15,000 to \$24,999 – 7%
- \$25,000 - \$34,999 – 0%
- \$35,000 - \$59,999 – 14%
- \$60,000 - \$99,999 – 30%
- \$100,000 - \$149,999 – 35%
- \$150,000 - \$199,999 – 11%
- \$200,000 or more – 11%

Demographic Notes – There are some trends in the above demographic data worth noting:

- The age of respondents is skewed somewhat older. The highest percentage of respondents (30%) were between the ages of 55-64, followed by 65-73 (21%) and 45-54 (17%). Only 30% of respondents were under 45, which equals the entire block of 55-64-year-old respondents.
- 63% of respondents were male and 37% female.
- Respondents were overwhelmingly white, with 97% those answering identifying themselves as such. “Black or African-American” and “Hispanic, Latinx, or Spanish origin” constituted roughly 5% each, while “Asian or Asian American” was roughly 2.5% (the option to select multiple races is responsible for the percentage above 100).
- Incomes skewed higher, with 87% of respondents having an income of higher than \$60,000 annually.

C.2. Survey Public Comments

Two survey questions allowed respondents to provide additional comments:

- Question 16, What transportation-related topics would you most like to see the Met Council be studying or analyzing, allowed respondents to identify an “other” category.
- Question 17, What else would you like to add about the region’s transportation planning process, was an open-ended question.

The responses to these two questions are listed below. The responses are listed exactly as written and may include mistakes in spelling and grammar.

Question 16: What transportation-related topics would you most like to see the Met Council be studying or analyzing?”

1. *Eliminate expansion of light rail and have dedicated bus lanes instead, providing greater flexibility.*
2. *How the future cost of light rail is to be funded. SWLRT costs \$2B to build, but no mention on how much it will cost to maintain. Total waste of \$2B.*
3. *Analyzes and full accounting of crash costs before and after road construction projects. Are the additional lanes reducing or exacerbating the costs of crashes?*
4. *NONE. It has gone far afield of its charter.*
5. *More lanes in highways. No more paying for commuter lanes.*



6. *Hiways and roads. No more billion dollar trains.*
7. *Limit of public transportation since it is not utilized by the average Minnesotan. Most females ages 20-35 want the option to work from home which will decrease the need for people traveling into the cities. Also, this is a big risk for disease spread to the public on trains and buses that aren't routinely or mandated to be cleaned. Public transport is generally subsidized by the government and isn't pulling it's own weight as a business. It's not practical to add more expense to an already climbing economic debt. It's not fiscally responsible. Above all, people don't use it. The buses are running but no one is on them. I see this all the time. And isn't this contributing to the CO2 emissions? This is one of the reasons that transport is being pushed down our throats> People don't use it. Number one reason we should NOT put these lines in across the metro. Another reason is that they are dangerous and I would never have my mother or any vulnerable adult or single adult use this transportation. With the increasing deaths in both St. Paul and MPLS it will only escalate. If they defund the police things will even get worse and that will include the violence on the transit system. All in all a bad choice to put our dollars into.*
8. *Traffic Noise and Traffic Calming F- They have no respect for the residence. Their approach is most elite*
9. *Impact of freight rail including on public health and safety*
10. *Safety specifically on light rail. Since it's not gated at payment sites, the inner city light rail has experienced a lot of safety issues (and i don't mean homeless people riding the trains). We need more safe monitoring of our transit system; we need less profiling of individuals because they're not white. We need a safe transit system that everyone feels safe to use.*
11. *Transportation as integral to communities for a lifetime/age friendly.*
12. *Handicap bus capacity for more rural areas in metro*
13. *The world has recently changed via the arrival of self driving vehicles and the pandemic. I used to support LRT. However, given the massive changes we are facing, we would be crazy to ignore these changes. It is time to pause, study, contemplate, and adapt to the future world that is coming our way instead of living in a past which will not return.*
14. *STOP wasting tax money on any Street Cars, STOP wasting tax money on LITE RAIL. Both systems are not safe for passengers.*
15. *Be open to connecting to rural public transit efficiently, so that riders can seamlessly flow in and out of the Twin Cities area.*
16. *Why tell you.you dont listen.ypu have your sec8 and fprget those who pay for it*
17. *light rail - solar facilities to recharge EV*

Question 17: What else would you like to add about the regional's transportation planning process?

1. *The engagement of Citizen Representatives is unique and allows for a direct citizen voice within TAB and the TPP process.*
2. *In my opinion, having the largest transit organization in the state under the planning, budgeting, and policy umbrella leads to unavoidable conflicts of interest relating to planning, budgeting, and policy. I have heard personally from Council members saying "we have to take care of ours first". Thoughts like that make it difficult to believe there is a level playing field.*



3. *While the Council does engage in stakeholder engagement, far too often it seems as though final decisions on planning processes and polices have already been made by Met Council staff prior seeking outside input from stakeholders.*
4. *Input from those who use the public transportation system should be gathered by employees of Met Council rising the buses/trains and surveying the people directly. Are signs posted in bus shelters to state plans of the Met Council with a web site or text # to leave opinions.*
5. *This could be issue with Federal Process, but would like more incremental and experimental steps instead of waterfall/study process. As an example, instead of building 15 mile BRT from city center to suburb based on studies, engagement, and planning; utilize less planning more experimental process by running several limited-stop, high-frequency buses to test ridership and routes. Use real data to inform decisions on whether to scale-back, keep as is, or develop routes into BRT. *This assumes comparable level of public awareness campaign as funded for BRT/LRT rollouts.*
6. *I'm an industry professional and even for me Met Council's process is so obscure I can't find the information I need to be an active citizen.*
7. *The types of projects funded through regional solicitation don't match the region's policy goals. Too much funding goes toward roadway construction and expansion. Too little funding goes toward completing the Regional Bicycle Transportation Network. I am particularly concerned about the lack of visionary investments in the pipeline. We are coasting on the legacy of past investments like the Sabo Bridge, Cedar Lake Trail Phase III, and Dinkytown Greenway. I see numerous funding streams for piecemeal active transportation components of roadway projects, but what about standalone regional trail connections? What will be the funding process for completing the missing link in the Minneapolis Grand Rounds, for connecting the Midtown Greenway to the Ayd Mill Trail, or for linking the Cedar Lake Trail to the Northeast Diagonal Trail? Why has the pace of visionary, federally-funded trail investments dropped off over the past decade? How can we reactivate this pipeline and deliver big, legacy regional trail investments again.*
8. *More transparency they along with Hennepin county always work in the shadows and than spring it on the the affected parties like pushing certain aspects of SWLRT but than pulling them off the table like the Hopkin yard that was to bring jobs is now to be a surface parking lot - great planning.*
9. *It just so challenging because you have the core cities that need this and you have the outer counties that need something completely different The core needs public transportation and the other areas need expansion to keep up with the growth and little to no public transportation*
10. *Too much focus on the suburbs and roadway/highway expansion.*
11. *The process involves getting and spending as much money as the region can obtain and absorb. Transportation planning is at best an afterthought.*
12. *It is a sharply partisan initiative with which I disagree fervently.*
13. *Walking/Biking/Rolling is important, but it is the job of the local municipality. Transit expansion is the Met Council's biggest job.*
14. *Stop spending money in the Minneapolis and St. Paul. They are riddled in crime and no one is going there. The suburbs would like expanded roadways. Not light rail!!!! We have families and the light rail doesn't work and they are not safe!*
15. *More on accessible ridership for the handicapped*
16. *DON'T do public transport. Put a police officer on each bus to mange the violence*
17. *I would like to see better interconnection of regional destinations, parks, etc. as part of the regional transportation planning.*



18. *Limit terms, give the people affected by the corridors some say in the processes. Start keeping your word!!! This is not a pedestrian-friendly city and you are at fault.*
19. *Community engagement is invisible, if it exists at all. Met Council does nothing on the topic of freight rail and haz mat transit in urban areas. Made major mistake in approving Minneapolis Comprehensive Plan ("2040") that encourages construction of high density and other housing adjacent to rail yards and rail lines including those handling haz mat commodities. Met Council has failed to act and/or engage on issue of freight rail dangers, including derailments, haz mat commodities and other impacts.*
20. *It over-prioritizes highway expansion.*
21. *Busses are more flexible to population changes and need more attention. Security is concern for residents and employees.*
22. *I am not concerned about the process itself. I am much more interested in the ideologies and policies undertaken. Now is a critical moment to reevaluate our polices from a science based standpoint.*
23. *MET council seems to start out with the end goal decided and attempt to build a consensus to get the MET Council/s goal.*
24. *Would like to see better access to routes during the evening hours!!! Especially the Northwest Suburbs of St Paul and Ramsey Cty.*
25. *Planning for whom.safety issues ig ored.not addressed.no one goesto mpls.crime crime onbuses.crime on street.get it???*
26. *More information on processes of defining future policies, goals, investments, and designs to prepare for future needs to move people and goods to destinations.*
27. *Strategies for moving away from single occupancy vehicle modes of travel.*
28. *Maintenance of the fleet - light rail and infrastructure.*
29. *More traffic speed monitoring; more information about fines and enforcement of marked crosswalks.*
30. *It appears that the Met Council is out of compliance with federal law for MPOs. Why is that allowed to go on? The MPO should be accountable to the region, not the Governor.*
31. *Increasing the use of transit and other multi-modal transportation options is necessary for addressing equity & climate concerns.*

C.3. Public Correspondence

FHWA and FTA received two letters and one email concerning the certification review:

- City of Chaska (Figures C-1 and C-2)
- Minnesota Valley Transit Authority (Figures C-3 and C-4)
- City of Eagan (Figure C-5)



Figure C-1: City of Chaska Letter, Page 1



Chaska

January 21, 2021

Metropolitan Council
Attn: Public Comments Transportation Management Area Certification
390 Robert Street North
St. Paul, MN 55101

RE: Public Comments for region's Transportation Management Area Certification

To whom it may concern:

The City of Chaska would like to take this opportunity to provide public input into the U.S. DOT/FTA/FHA process to recertify the Metropolitan Council for its Transportation Management Area (TMA) and to provide feedback on its transportation planning process.

Being a community on the edge of our Twin Cities Metropolitan Area, issues related to transportation and transit are critical to our community and ultimately to the economic strength of our community within this larger region. Being located where we are means that we rely on efficient transportation connections into not only the core areas of the Twin Cities, but to other economic hubs in the Twin Cities as well, such as the International Airport and other job centers within the region. We also rely on strong transit services that meet the unique needs of our residents to be able to provide them with options for traveling to employment and to get employees from other areas of the Metro to fill the many jobs our businesses have located within our community. While we do live in a community where our residents have multiple transportation options, as our population increases, we have more residents that rely on public transit in their daily lives.

Two recent processes conducted by the Metropolitan Council that we think illustrate the good work that is being completed to help take into consideration suburban community's unique needs are the recently completed Regional Solicitation Process and the work of the Governor's Blue Ribbon Panel to look at the roles of the Met Council in our overall region. Looking at the work of the Transportation Advisory Board on completing the Regional Solicitation Process to distribute Federal Funds to transportation projects around the region, we feel good that the concerns of the suburban communities were adequately considered when coming up with final recommendations for this program. This can be demonstrated in the many critical suburban projects that were funded as a part of this process, and which will greatly enhance commuters experience using our transportation system as we move into the future. Here in Carver County, seeing the continued expansion of Highway 212 to a 4-lane section of road, as well as committing to upgrades of State Highway 41, and Study the Highway 5 corridors are good examples of the work that was supported through this process.

From a transit perspective, we were very pleased with the results of the Blue Ribbon Panel recently completed where it reconfirmed the importance of our Suburban Transit Providers in the overall transit system within the Twin Cities. Being a member city of Southwest Transit, our residents and businesses have directly experienced the importance of the services that are provided by SW Transit, such as the



Figure C-2: City of Chaska Letter, Page 2

direct bus routes into major job centers such as downtown Minneapolis and the University of Minnesota, as well as on-demand services within our community. With their intimate knowledge of our community, SW Transit can provide services that will be used by our residents and businesses, which in turn will help relieve congestion on our highway system in the Twin Cities and help it function as efficiently as possible. We appreciated the input that the Blue Ribbon Panel took on the importance of our suburban transit providers and the findings of the panel that helped reconfirm the importance of the service our STA's provide. Southwest Transit will continue to innovate to meet the needs of our community but will only be able to continue to innovate to meet our community's unique needs if it can continue to have autonomy to manage its own resources, finances, and services.

As we move into the future, it is the City of Chaska's hope that the Met Council continues to address our entire region's transportation and transit needs as they have, and to continue to invest into those things that can meet both our core cities and suburban needs.

We appreciate the opportunity to provide this feedback. If you should have any follow up questions, do not hesitate to contact our City Administrator Matt Podhradsky at 952-227-7523.

Sincerely,

Mark Windschitl
Mayor
City of Chaska



Figure C-3: Minnesota Valley Transit Authority Letter, Page 1



100 East Highway 13
Burnsville, Minnesota 55337

T: (952) 882-7500
F: (952) 882-7600

January 20, 2021

Secretary of Transportation
U.S. Department of Transportation
1200 New Jersey Ave, SE
Washington, DC 20590

RE: Metropolitan Council – Transportation Management Area Certification Public Comment

To whom it may concern:

In response to the public comment request on the Metropolitan Council's Transportation Management Area certification, I would like to offer the following remarks on behalf of the Minnesota Valley Transit Authority (MVTA) Board of Directors.

Traditionally, a Metropolitan Planning Organization (MPO) provides broad-based policy support to transit agencies. However, in the Twin Cities, the largest transit provider, Metro Transit, falls directly under the MPO (Met Council). Due to this unique relationship, MVTA has observed challenges for our transit agency and our member communities to receive equitable support for public transportation. As stated on the FTA website, "In urbanized areas, the transportation planning process is conducted by a Metropolitan Planning Organization, in cooperation with the State Department of Transportation and transit providers."

Suburban transit providers have been left out of regional planning efforts, or at most, are only given a stakeholder role in planning studies. In recent issues relating to service planning and operation, the Metropolitan Council characterized it as merely a contractual issue. Minnesota Valley Transit Authority is a transit provider by definition with a board of elected representatives and not an MPO contractor. Agreements between an MPO and Transit Provider are generally used to pass through funding, not make service level/planning decisions without local elected and public input.

The region's Transportation Policy Plan (TPP) also doesn't fully capture the goals and priorities of suburban providers, nor does it accurately describe the services being provided outside of the central metropolitan area. MVTA and other suburban providers must be included in all planning processes and formulation of regional policies in the transit chapter of the TPP. It is a matter of equality.

Additionally, MVTA is concerned, rightfully, that the current Regional Solicitation process does not follow an equitable allocation formula. It is urban-biased. Outcomes of each cycle are not reflective of the entire region's needs, nor do they reflect critical components of congestion mitigation and Americans with Disabilities Act (ADA) requirements. The current categories for transit do not provide adequate opportunities for projects addressing these needs to compete.

mvta.com



Figure C-4: Minnesota Valley Transit Authority Letter, Page 2

Federal transit dollars are awarded to the top-ranked projects, which tend to be the higher cost services, such as new Bus Rapid Transit (BRT) lines, that fall within the urban core.

Although the Metropolitan Council projects both population and employment growth in the suburbs to significantly outpace the region, funding for transit favors the urban core. While suburban ridership has grown from 1 million passengers per year to more than 5 million passengers per year since the creation of the suburban transit agencies, funding equity has remained an ongoing concern. A 2016 analysis by the Suburban Transit Association found that suburban communities were contributing more than 10 percent to the MVST funding formula but only receiving back under 4 percent of their contribution. Also, MVTA has observed lengthy timelines and delays in obtaining NTD funds through the Met Council.

As stated on the FTA website, "In urbanized areas (with a population of 50,000 or more), federal planning law (49 USC 5303) calls upon local officials to cooperate with states and public transportation providers in undertaking a continuing, comprehensive, and cooperative (3C) multimodal transportation planning process. Well-organized, inclusive transportation planning can help a region meet current needs while preparing for future challenges." An MPO must view all transit providers as equal partners. Equitable engagement and collaboration must be had from all partners, areas and all resource allocations must be born of the same equality. This inclusion of suburban providers is essential to meeting the future needs of all communities.

Respectfully,

Clint Hooppaw
MVTA Board Chair

Kevin Burkart
MVTA Board Vice Chair

Luther Wynder
MVTA Chief Executive Officer



Figure C-5: City of Eagan Email

From: Dave Osberg <DOsberg@cityofeagan.com>

Sent: Wednesday, January 20, 2021 1:08 PM

To: PublicInfo <public.info@metc.state.mn.us>

Subject: Public comment for the region's Transportation Management Area certification

The City of Eagan, a party to the Minnesota Valley Transit Authority (MVTA) Joint Powers Agreement (JPA), appreciates the opportunity to offer comments relating to the Metropolitan Council's Transportation Management Area certification. One of the purposes of a Metropolitan Planning Organization (MPO) is to provide broad-based policy support to transit agencies. In the Twin Cities region, the Metropolitan Council is not only the MPO, but also the operator of the region's largest transit provider, Metro Transit. Due to this unique relationship, MVTA and its JPA member communities have experienced challenges in obtaining equitable support for public transportation operations.

The objective of the Federal Transit Administration (FTA) is to improve public transportation for America's communities. To help achieve this objective, FTA's expectation is that transit providers in urbanized areas will participate in the transportation planning process in cooperation with a Metropolitan Planning Organization and the State Department of Transportation. In the Twin Cities region, our experience has been that suburban transit providers and their member communities either have not been included in regional planning efforts or have been given only a stakeholder role in the planning process. A recent example relating to service planning and operation resulted in a decision by the Metropolitan Council to assume operation of transit service in MVTA's service territory based unilaterally on a contractual determination. MVTA is a transit provider governed by a board of elected representatives and not an MPO contractor. Agreements between an MPO and transit provider generally are used to pass through funding, not make service level/planning decisions without local elected and public input.

In addition, the region's Transportation Policy Plan (TPP) doesn't fully capture the goals and priorities of suburban providers, nor does it accurately describe the services being provided outside of the urban core. Suburban providers such as MVTA deserve a partnership role in planning processes and should have more significant involvement in shaping regional policies in the transit chapter of the TPP.

The Metropolitan Council projects population and employment growth in the suburbs to significantly outpace regional growth, but funding for transit favors the urban core. While suburban ridership has grown from one million passengers per year to more than five million passengers per year since the suburban transit agencies were created, funding equity continues to be an ongoing concern. A 2016 analysis by the Suburban Transit Association found that suburban communities were contributing more than 10 percent to the motor vehicle sales tax funding formula, but receiving less than four percent of this funding in return. Also, Metropolitan Council funding timelines often are lengthy, as exemplified by delays in disbursing NTD funds.

As stated on the FTA website, "In urbanized areas (with a population of 50,000 or more), federal planning law (49 USC 5303) calls upon local officials to cooperate with states and public transportation providers in undertaking a continuing, comprehensive, and cooperative (3C) multimodal transportation planning process. Well-organized, inclusive transportation planning can help a region meet current needs while preparing for future challenges." We believe an MPO should view all transit providers as equal partners in transit and seek similar engagement and collaboration from all partners. The inclusion of suburban providers is essential to meeting the future needs of all communities.

Thank you for the opportunity to offer comments.

Dave Osberg

City Administrator

3830 Pilot Knob Rd | Eagan, MN 55122

Office: 651-675-5007

<https://www.cityofeagan.com>



C.4. Public Comment Influence on Report

Some common themes emerged from the survey responses and letters received:

- The role of transit, particularly light rail, in Council planning compared to other modes and changing behaviors
- Safety
- Transit service
- Investment priorities such as light rail compared to highway expansion
- Lack of transparency and the appearance decisions are made prior to public engagement
- Confusing processes
- Council organization and compliance with federal law

FHWA and FTA addressed these themes in the certification review report:

- Discussed improved scenario planning to better consider automated vehicles within the next version of the MTP.
- Identified an MPO peer exchange to share information on how MPOs address transportation safety.
- Identified several recommendations to improve transparency within the Met Council's planning process such as UPWP project priority and PPP effectiveness improvement.
- Held special interviews with the suburban transit providers (i.e., opt-outs) to discuss their working relationship with the Council (see transit section).
- Provided additional clarification in section 4.1.2 that FHWA and FTA consider the Council meeting the requirements of federal law.



APPENDIX D LIST OF ACRONYMS

ADA: Americans with Disabilities Act
CFR: Code of Federal Regulations
CMP: Congestion Management Process
CO: Carbon monoxide
DOT: Department of Transportation
EPA: Environmental Protection Agency
FAST: Fixing America's Surface Transportation Act
FHWA: Federal Highway Administration
FTA: Federal Transit Administration
FY: Fiscal Year
LEP: Limited English Proficiency
M&O: Management and Operations
MnDOT: Minnesota Department of Transportation
MPO: Metropolitan Planning Organization
MTP: Metropolitan Transportation Plan
PM₁₀: Particulate Matter
STIP: State Transportation Improvement Program
TAB: Transportation Advisory Board
TAC: Technical Advisory Committee
TIP: Transportation Improvement Program
TMA: Transportation Management Area
USC: United States Code
UPWP: Unified Planning Work Program
WisDOT: Wisconsin Department of Transportation



Report prepared by:

FHWA - Minnesota Division
180 East Fifth Street
Suite 930
St. Paul, MN, 55101

FTA - Region 5
200 West Adams Street
Suite 320
Chicago, IL 60606
United States