



U.S. Department
of Transportation

Federal Highway
Administration

Federal Transit
Administration

Transportation Management Area Planning Certification Review

Tri-Cities Area Metropolitan Planning Organization



April 2022
Summary Report

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1.0 EXECUTIVE SUMMARY

On August 25, 2021, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) conducted the certification review of the transportation planning process for the Tri-Cities Area Metropolitan Planning Organization (TCAMPO) 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 every four years to determine if the process meets the Federal planning requirements.

The Tri-Cities Area Metropolitan Planning Organization (TCAMPO) is the federally designated Metropolitan Planning Organization (MPO) that serves as the cooperative forum for regional transportation planning and decision-making for the Tri-Cities metropolitan planning area. The MPO Policy Board also provides direction over the selection of projects receiving Federal funds that are suballocated to the region. The TCAMPO planning area is the southern portion of the Richmond, Virginia Urbanized Area. The 2010 Decennial Census population for the Richmond, Virginia Urbanized Area was 953,556, and the Transportation Management Area (TMA) includes the Cities of Colonial Heights, Hopewell, Petersburg, and the Counties of Chesterfield, Dinwiddie and Prince George (a portion of Chesterfield County is within the Richmond Regional Transportation Planning Organization (RRTP) Planning Area boundary where they are also a member of the (RRTP)).

According to the TCAMPO's 2040 Metropolitan Transportation Plan (MTP), the MPO expects population and employment to grow between 2016 and 2040. Additionally, the MPO expects the counties to grow faster than the cities. The MPO expects to growth of around 1.2% per year. Most of the growth is expected to occur in Chesterfield and Dinwiddie Counties. The proportion of elderly in the Tri-Cities MPO area has increased steadily from 1960 to 2020. As a result, the population over 65 is expected to continue to grow, potentially requiring more paratransit or demand response transit services.

The Tri-Cities MPO is positioned with access to the international gateway at the Port of Virginia and is proximate to major U.S. population centers. Due to the MPO's geographic location, it is important to maintain and improve the transportation corridor and access to the Port of Virginia facilities. Due to the MPO being situated in between the Washington D.C. to North Carolina corridor; there are many logistics facilities located within the MPO area. It is of importance to the MPO to maintain and improve these corridors and access to the Port of Virginia facilities, in support of region's economic vitality.

The region continues to grow to accommodate more jobs and more people (including shifting employment and employment centers) and as jobs and households become increasingly further apart, greater demands will be placed on the transportation system. The increase in transportation demand will require the MPO to collaborate with member and neighboring jurisdictions to meet the projected transportation demand, to include system preservation and expansion needs.



1.1 Summary of Current Findings

The current review found that the metropolitan transportation planning process conducted in the TCAMPO area MEETS Federal planning requirements.

As a result of this review, FHWA and FTA are certifying the transportation planning process conducted by the Virginia Department of Transportation (VDOT), Tri-Cities Area Metropolitan Planning Organization (TCAMPO) and Virginia Department of Rail and Public Transportation (VDRPT) subject to addressing the corrective action. There are also recommendations in this report that warrant close attention and follow-up, as well as areas that MPO is performing very well in that are to be commended.

Review Area	Finding	Action	Corrective Actions/ Recommendations/ Commendations	Resolution Due Date
Metropolitan Transportation Plan 23 U.S.C. 134(c), (h)&(i) 23 CFR 450.324	The MPO meets the Federal requirements for development of the long-range metropolitan transportation plan, as well as consultation and coordination.	Commendation	The Federal Review Team extends commendations to the MPO with regards to cooperatively working with VDOT and VDRPT to develop a financial plan for the MTP. By accounting for an inflation adjusted funding stream along with an estimate of likely variability of funding based on historic data; the MPO has allowed for a transparent and accountable process for how public funds are being programmed and expended.	N/A
		Recommendation	As part of the current MTP 2045 update, the MPO should develop their own goals and objectives consistent with federal planning factors and performance measures, to better address the region's specific transportation needs.	N/A



		Recommendation	The MTP contains a fiscally constrained list of highway projects. However, the list of fiscally constrained rail and public transportation projects contained in the MTP only include projects scheduled to be implemented within the first six years, not meeting the spirit of the 20-year planning horizon. The Federal team strongly recommends the MPO identify transit projects over the entire span of the MTP. The MPO should coordinate with VDRPT to provide 20 years of forecasted transit revenues for inclusion into the MTP.	N/A
		Recommendation	The MPO should also consider the inclusion of a regional vision statement for the next MTP update.	N/A
Transportation Improvement Program 23 U.S.C. 134(c)(h) & (j) 23 CFR 450.326	The MPO meets the Federal requirements for development of the Transportation Improvement Program.	Commendation	The TCAMPO has demonstrated an excellent transparency with the inclusion of a comment log summary within their MTP and TIP. The comment log summary provides a summary of comments received from stakeholders and a summary of the MPO's response to the comments. The MPO is commended on their accountability to the policy board and public stakeholders by appending the comment log to their planning documents.	N/A
		Recommendation	The TIP should contain a narrative linking investment priorities to highway and transit performance targets listing specific dollar amounts (or percentage of total TIP amount) utilized toward achievement of targets, as appropriate.	N/A



MPO Structure and Bylaws 23 U.S.C. 134(d) 23 CFR 450.310(d)(3)	The MPO meets the Federal requirements for their organizational structure and bylaws.	None	None	N/A
Metropolitan Planning Area Boundaries 23 U.S.C. 134(e) 23 CFR 450.312(a)	The MPO meets the Federal requirements for Metropolitan Planning Area Boundaries	None	None	N/A
MPO Agreements and Contracts 23 CFR 450.314(a)	The MPO meets the Federal requirements for Agreements and Contracts.	Commendation	The TCAMPO has a dedicated staff that have the skillset to meet new challenges, requirements, and expectations as the organization makes necessary updates for successful local coordination with its planning partners and stakeholders.	N/A
		Recommendation	It is recommended that TCAMPO, once guidance is released for the Bipartisan Infrastructure Bill (BIL), to reexamine their 3-C Agreement's to ensure it is in compliance.	N/A
Unified Planning Work Program 23 CFR 450.308	The MPO meets the Federal requirements for developing the Unified Planning Work Program.	Commendation	The Review Team commends TCAMPO for expressing the unique needs, activities, and accomplishments of the region within the UPWP. One unique activity includes using safety conscious planning to further evaluate candidate projects for RSTP funding and inclusion on the TIP and MTP.	N/A



<p>Multimodal Planning / Integrations in Freight 23 U.S.C. 134(h) 23 U.S.C. 134(i)(2) 23 CFR 450.306 23 CFR 450.318</p>	<p>The MPO meets the Federal requirements for multimodal planning and integrating freight in the planning process.</p>	<p>Commendation</p>	<p>The Review Team commends the MPO for improving their MTP selection process to include freight more directly to identify regionally significant projects. It is also commendable that TCAMPO is taking initiative to improve planning efforts for the public who use Park and Ride facilities or carpooling services by collaborating with GRTC.</p>	<p>N/A</p>
<p>Civil Rights, Non-discrimination, and Public Participation 23 U.S.C. 324 23 U.S.C. 134(i)(6) 23 CFR 450.316 & 450.326(b)</p>	<p>MPO and State DOT attention is required</p>	<p>Corrective Action</p>	<p>FHWA and FTA are requesting that the MPO include a task and activities in the upcoming UPWP that reflects a prioritized need to update and better manage the MPO's website for the public consumption of information.</p>	<p>1 Year</p>
		<p>Recommendation</p>	<p>VDOT provide procedures and documentation to FHWA to support the State's self-certification statement pursuant to 23 CFR 450.336 that the metropolitan transportation planning process is being carried out in accordance with Section 504, ADA, The Older Americans Act, and 23 USC 324. [23 CFR 200.7]</p>	<p>During PL and SPR Program submittal to FHWA</p>
		<p>Recommendation</p>	<p>VDOT provide documentation and procedures on the process for monitoring MPO (subrecipient) compliance with Title VI of the Civil Rights Act of 1964 and other nondiscrimination authorities that are certified by the MPO. (See Section 4.8 for further explanation)</p>	<p>During PL and SPR Program submittal to FHWA</p>
		<p>Recommendation</p>	<p>We recommend Title VI and Nondiscrimination training for MPO staff and the new Executive Director.</p>	<p>N/A</p>



		Recommendation	We recommend that the VDOT and VDRPT have a conversation with MPO staff, during the next PL and Section 5303 formula review, to assess their staffing needs; and if necessary, reassess the Tri-Cities receipt of Federal PL and Section 5303 formula funding to determine whether additional resources can be made available to assist the MPO in meeting the responsibilities required of a TMA.	During the next PL/5303 formula review.
Public Transportation, Coordination, and Transit Planning 49 U.S.C. 5303 23 U.S.C. 134 23 U.S.C. 134(g) & (i) 23 CFR 450.316, 23 CFR 450.324(g) 49 U.S.C. 5303 23 U.S.C. 134 23 CFR 450.314	The MPO, State DOT and transit agencies are in compliance with Federal regulations.	Recommendation	Continued MPO support toward a more comprehensive, equitable and convenient transit network in the Petersburg area, particularly in historically underrepresented and underserved communities. This includes timely replacement of aging bus fleets and more frequent (or possibly expansive) express service provided with new CVTA revenues.	N/A
Financial Planning/Financial Constraint, Annual Listing Projects 23 U.S.C. 134 (j) (2) (B)) 23 CFR 450.334	The MPO, State DOT and transit agencies are in compliance with Federal regulations	Recommendation	The MPO should cooperatively develop (with VDOT and VDRPT) a more complete Annual Listing of Obligated Projects report on an annual basis, no later than 90 calendar days following the end of the program year for review by Federal Partners and made available to the general public.	No later than 90 calendar days following the end of the program year

Details of the certification findings for each of the above items are contained in this report.



2.0 INTRODUCTION

2.1 Background

Pursuant to 23 U.S.C. 134(k) and 49 U.S.C. 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 every four years. A TMA is an urbanized area, as defined by the U.S. Census Bureau, with a population of over 200,000. After the 2010 Census, the Secretary of Transportation designated 183 TMAs – 179 urbanized areas over 200,000 in population plus four urbanized areas that received special designation. In general, the reviews consist of three primary activities: a site visit, a review of planning products (in advance of and during the site visit), and preparation of a Certification Review Report that summarizes the review and offers findings. The reviews focus on compliance with Federal regulations, challenges, successes, and experiences of the cooperative relationship between the MPO(s), the State DOT(s), and public transportation operator(s) in the conduct of the metropolitan transportation planning process. Joint FTA/FHWA Certification Review guidelines provide agency field reviewers with latitude and flexibility to tailor the review to reflect regional issues and needs. Consequently, the scope and depth of the Certification Review reports will vary significantly.

The Certification Review process is only one of several methods used to assess the quality of a regional metropolitan transportation planning process, compliance with applicable statutes and regulations, and the level and type of technical assistance needed to enhance the effectiveness of the planning process. Other activities provide opportunities for this type of review and comment, including Unified Planning Work Program (UPWP) approval, the MTP, metropolitan and statewide Transportation Improvement Program (TIP) findings, air-quality (AQ) conformity determinations (in nonattainment and maintenance areas), as well as a range of other formal and less formal contact provide both FHWA/FTA an opportunity to comment on the planning process. The results of these other processes are considered in the Certification Review process.

While the Certification Review report itself may not fully document those many intermediate and ongoing checkpoints, the “findings” of Certification Review are, in fact, based upon the cumulative findings of the entire review effort.

The review process is individually tailored to focus on topics of significance in each metropolitan planning area. Federal reviewers prepare Certification Reports to document the results of the review process. The reports and final actions are the joint responsibility of the appropriate FHWA and FTA field offices, and their content will vary to reflect the planning process reviewed whether or not they relate explicitly to formal “findings” of the review.

To encourage public understanding and input, FHWA/FTA will continue to improve the clarity of the Certification Review reports.



2.2 Purpose and Objective

Since the enactment of the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, the FHWA and FTA, are required to jointly review and evaluate the transportation planning process in all urbanized areas over 200,000 population to determine if the process meets the Federal planning requirements in 23 U.S.C. 134, 40 U.S.C. 5303, and 23 CFR 450. The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), extended the minimum allowable frequency of certification reviews to at least every four years.

The TCAMPO is the designated MPO for the Tri-Cities Region that is made up by the cities of Colonial Heights, Hopewell, and Petersburg, Virginia. Virginia DOT is the responsible State agency and DRPT is the responsible public transportation operator. Current membership of the TCAMPO consists of elected officials and citizens from the political jurisdictions in Central Virginia. The study area includes the majority of Central Virginia with the Cities of Colonial Heights, Hopewell, and Petersburg creating the largest population center.

Certification of the planning process is a prerequisite to the approval of Federal funding for transportation projects in such areas. The certification review is also an opportunity to provide assistance on new programs and to enhance the ability of the metropolitan transportation planning process to provide 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

This report details the 2021 review, which consisted of a formal site visit and a public involvement opportunity, conducted in August 2021.

Participants in the review included representatives of FHWA, FTA, Virginia DOT, VDRPT, and TCAMPO staff. A full list of participants is included in Appendix A.

A desk audit of current documents and correspondence was completed prior to the site visit. In addition to the formal review, routine oversight mechanisms provide a major source of information upon which to base the certification findings.

The certification review covers the transportation planning process conducted cooperatively by the MPO, State, and public transportation operators. Background information, current status, key findings, and recommendations are summarized in the body of the report for the following subject areas selected by FHWA and FTA staff for on-site review:

- Metropolitan Transportation Plan
- Transportation Improvement Program



- MPO Organizational Structure and Bylaws
- Metropolitan Planning Area Boundaries
- MPO Agreements and Contracts
- Unified Planning Work Program
- Multimodal Planning / Integration in Freight Planning
- Civil Rights and Nondiscrimination
- Public Transportation, Coordination, and Transit Planning
- Financial Planning / Financial Constraint & Annual Listing Projects

3.2 Documents Reviewed

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

- Financially Constrained Long-Range Transportation Plan (CLRTP)
 - 2040 MTP Tri-Cities
 - Plan2045 website: Plan 2045
 - SE Data Report (2017-2045)
- Organizational Structure (including Committees), Board Membership and Planning Boundaries
 - Policy Committee membership
 - Technical Advisory Committee membership
 - MPO Planning Boundaries
- Metropolitan Transportation Improvement Program (MTIP) FFY 2021-24 MTIP
- Unified Planning Work Program (UPWP)
 - Final FY21
 - Draft FY22
- Copy of TCAMPO Organizational Chart
- Public Participation Plan (included any amendments made due to the COVID-19 pandemic)
- Project Selection Procedures for RSTP
 - RSTP procedures being updated with help of GAP consultant and TAC subcommittee
 - Interim CMAQ procedures were used for FY22-27 SYIP
- Title VI, ADA, DBE, Environmental Justice documents/procedures/State reviews
 - Title VI and Public Participation Plan (2015/2016)
 - 2019 Title VI Assurance
 - Title VI Complaint Procedures
 - Self-certification resolution (2020)



- Title VI Program Review
- Congestion Management Process
 - 2016 report
- List of Obligated Projects
 - FFY 2021 Obligation Reports
 - Tri-Cities FFY20 MPO STIP Transaction Report
 - Tri-Cities FFY20 MPO STIP Transaction Report Appendix
 - TCAMPO Virginia Transit Obligated Funds FFY20
- Travel Demand Forecasting documentation
- Agreements and Contracts (including 3C and PL)
 - Master Agreement for TCAMPO with COV, PAT and Crater PDC
 - Cooperation Agreement with RRTPO, GRTC, PAT, etc.
 - FY21 PL LOA
- Performance Measures documentation/Annual Report
 - Letter with Targets (will be comparing targets to performance in Plan2045)
- Financial Planning/Fiscal Constraint Documentation
 - Pages 62-64 of the FFY 2021-24 MTIP
- Approved Bylaws for MPO and Committees (Transportation Technical Committee) (including Committee membership/structure)
 - Adopted June 11, 2020
- Consultation and Coordination with Federal, State and local agencies (i.e., formal memoranda or agreements)
 - Master Agreement with DRPT
 - Cooperation Agreement
- Transit Plan/Programs
 - Petersburg Area Transit's 2019 Transit Development Plan
 - Coordinated Human Service Transportation Plan (2014)
 - 2017 Multimodal Station EA Executive Summary
- Bike/Pedestrian/Multimodal Plan
 - 2013 Bikeways Plan
- Freight Plan
 - Intermodal Strategies Plan (2010)



4.0 PROGRAM REVIEW

4.1 Metropolitan Transportation Plan

4.1.1 Regulatory Basis

23 U.S.C. 134(c), (h) & (i) and 23 CFR 450.324 set forth requirements for the development and content of the Metropolitan Transportation Plan (MTP). Among the requirements are that the MTP address at least a 20-year planning horizon and that it include both long and short range strategies that lead to the development of an integrated and multi-modal system to facilitate the safe and efficient movement of people and goods in addressing current and future transportation demand.

The MTP is required to provide a continuing, cooperative, and comprehensive multimodal transportation planning process. The plan needs to consider all applicable issues related to the transportation system's development, land use, employment, economic development, natural environment, and housing and community development.

23 CFR 450.324(c) requires the MPO to review and update the MTP at least every 4 years in air quality nonattainment and maintenance areas, and at least every 5 years in attainment areas, to reflect current and forecasted transportation, population, land use, employment, congestion, and economic conditions and trends.

Under 23 CFR 450.324(f), the MTP is required, at a minimum, to consider the following:

- Projected transportation demand
- Existing and proposed transportation facilities
- Operational and management strategies
- A description of the performance measures and performance targets used
- A system performance report
- 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
- A financial plan



4.1.2 Current Status

TCAMPO's Long-range Metropolitan Transportation Plan (MTP) process brings together project recommendations from local governments, the Virginia DOT, PAT, and other transportation providers (i.e. RideFinders). The priorities established by these stakeholders are the primary source of projects submitted for the region's long-range transportation plan. The 2040 MTP, adopted in August 2017, is a multi-modal planning document, with the emphasis on roadway, congestion, freight rail and transit to ensure the efficient movement of goods and services.

At the regional level the MPO identifies problems and needs by monitoring current travel conditions and forecasting future travel demand through the Congestion Management Process (CMP), which has been integrated into the MTP. However, the current MTP does not appear to have region-specific goals and objectives, opting to utilize the ten federal planning factors under FAST Act to guide decision-making over the next 20 years. The Tri-Cities Plan 2045 – the update to the 2040 MTP - is currently in development. The MTP should seek to link land use and transportation planning in the region and should address planning factors outlined in 23 CFR 450.306(b). The ten planning factors in Federal legislation under FAST-ACT are identified throughout the planning process and products of the MPO. TCAMPO addresses the planning factors through their constrained long-range 2040 MTP.

The MTP provides a critical opportunity for the planning agencies to communicate the priorities, critical choices, and general directions for the region to a broad audience, including planning partners, other stakeholders, elected officials, and the public. The project prioritization process should be developed and adopted through an interactive process with the MPO policy board that covers policy options, transportation needs analysis, alternative transportation investment options and development scenarios, and analysis of reasonably available financial resources and alternative funding options. TCAMPO's candidate projects were prioritized for the 2040 MTP based on rating criteria developed by the Technical Advisory Committee (TAC).

The federal requirement states that the MTP must cover at least a 20-year planning horizon and identify projected transportation demand for the movement of persons and goods in the metropolitan planning area over that period. The Federal Team noted that TCAMPO's MTP includes a list of fiscally constrained rail and public transportation projects contained in the MTP scheduled to be implemented within the first six years and not the remaining time bands, which does not meet the spirit of the 20-year planning horizon.

A comprehensive and inclusive public involvement effort that complies with Title VI and the Executive Order on Environmental Justice (EJ) should support the analysis within the MTP. The MPO's EJ assessment of the MTP identifies the concentration and distribution of minority populations, employment, zero vehicle households, limited English proficiency, percent of persons in living poverty, percent population over 65 years old, and percent of persons with



disabilities. However, the MTP does not analyze the impacts to EJ populations from the priorities, program and project within the MTP.

4.1.3 Findings

The MPO meets the Federal requirements for development of the long-range metropolitan transportation plan, as well as consultation and coordination.

Commendation:

The Federal Review Team extends commendations to the MPO with regards to cooperatively working with VDOT and VDRPT to develop a financial plan for the MTP. By accounting for an inflation adjusted funding stream along with an estimate of likely variability of funding based on historic data; the MPO has allowed for a transparent and accountable process for how public funds are being programmed and expended.

Corrective Action:

None

Recommendation:

1. As part of the current MTP 2045 update, the MPO should develop their own goals and objectives consistent with federal planning factors and performance measures, to better address the region's specific transportation needs.
2. The MTP contains a fiscally constrained list of highway projects. However, the list of fiscally constrained rail and public transportation projects contained in the MTP only include projects scheduled to be implemented within the first six years, not meeting the spirit of the 20-year planning horizon. The Federal team strongly recommends the MPO identify transit projects in the next MTP 2045 update. The MPO should coordinate with VDRPT to provide 20 years of forecasted transit revenues for inclusion into the MTP update.
3. The MPO should also consider the inclusion of a regional vision statement for the next MTP update.

4.2 Transportation Improvement Program

4.2.1 Regulatory Basis

23 CFR 450.326(d) states that the TIP shall include, to the maximum extent practicable, a description of the anticipated effect of the programmed investments with respect to the performance targets established in the MTP, the anticipated future performance target



achievement of the programmed investments, and a written narrative linking investment priorities to those performance targets and how the other PBPP documents are being implemented to develop the program of projects.

23 U.S.C. 134(c), (h) & (j) set forth requirements for the MPO to cooperatively develop a Transportation Improvement Program (TIP). Under 23 CFR 450.326, the TIP must meet the following requirements:

- Must cover at least a four-year horizon and be updated at least every four years.
- Surface transportation projects funded under Title 23 U.S.C. or Title 49 U.S.C., except as noted in the regulations, are required to be included in the TIP.
- Make progress toward achieving the performance targets.
- A description of the anticipated effect of the TIP toward achieving the performance targets (to the maximum extent practicable).
- List project description, cost, funding source, and identification of the agency responsible for carrying out each project.
- Projects need to be consistent with the adopted MTP.
- Must be fiscally constrained.
- The MPO must provide all interested parties with a reasonable opportunity to comment on the proposed TIP.

4.2.2 Current Status

The TCAMPO 2021-2024 TIP was developed in cooperation with the VDOT, VDRPT, local public transportation operators, and the local governments encompassing the urbanized area's transportation system. The preparation of the TIP is driven, in large part, by the Six-Year Improvement Program (SYIP2). The Commonwealth Transportation Board (CTB) has lead responsibility for selecting and programming federally funded Interstate Maintenance, Bridge, National Highway Performance Program, Statewide (non-metropolitan) Surface Transportation Block Grant (STBG), Highway Safety Improvement Program (HSIP), Enhancement and projects, while local governments have lead responsibility for selecting projects within the urban and secondary roadway systems. The MPO however has lead responsibility for the project review, selection and funds-allocation process for Regional STBG, CMAQ, and Transportation Alternatives (TA) programs. The project selection process involves coordination and consultation among all parties. Federal transit capital funds under the Section 5310 program for elderly individuals and individuals with disabilities are administered at the State level by the VDRPT. Qualified local agencies apply to VDRPT for Section 5310 grants on an annual basis for eligible projects.

STBG and CMAQ funds are apportioned by the State to their TMAs within Virginia. TCAMPO's STBG and CMAQ project selection is a cooperative process between the MPO, VDOT, and VDRPT. The procedure for selecting and prioritizing projects includes the development of



candidate project lists by the MPO's Technical Advisory Committee (TAC). The results of the ratings and project recommendations are reported to the MPO Policy Board for funding consideration. The SMARTSCALE selection process is led by the State and is documented on-line and included in the MPO's TIP process.

The TIP should be developed and adopted through an interactive process with the MPO policy board, interested stakeholders, and the public. The process must be supported by a comprehensive and inclusive public involvement effort that complies with Title VI and the Executive Order on Environmental Justice. TCAMPO has demonstrated this interactive process with the MPO policy board, interested stakeholders, and the public through meeting agendas, meeting minutes, and discussions with board members. The public involvement process for the TIP development provided stakeholder groups with complete information, a timely notice, and full public access to key decisions.

TCAMPO's TIP contains regionally significant projects funded by FTA and FHWA. Project listings for "roadway" and transit sections included sufficient descriptive material and total project costs. In accordance with the TCAMPO's Public Participation Plan, the public was afforded several opportunities to comment upon the development the 2021-2024 TIP.

The TIP shall include information for each project including: sufficient descriptive material to identify the project or phase; estimated total cost; amount of Federal funds proposed to be obligated during each program year; proposed source of Federal and non-Federal funds; identification of funding recipient/project sponsor; in nonattainment and maintenance areas, identification of TCMs and sufficiently detailed description for conformity determination [23 CFR 450.326(g)]. TCAMPO has demonstrated compliance with the federal planning regulations by including sufficient detail for individual line item projects.

Projects that are not considered to be of appropriate scale for individual identification may be grouped by function by MPOs through regional consensus with stakeholders [23 CFR 450.326(h)]. When applied correctly, these categories can be an effective tool for streamlining the process. The Federal Team identified TCAMPO's appropriate use of grouping projects as well as listing out the projects contained within the group in Appendix A of the TIP document. The listing of individual grouped projects continues to demonstrate the level of transparency illustrated by the MPO.

The USDOT has published rules (under MAP-21 and FAST Act) for states and MPOs to collect data and establish performance targets that will support performance-based investment decisions. To this end, the MPO has set regional targets in the areas of roadway safety, pavement condition, bridge condition, roadway performance, and freight, as well as transit asset management and transit safety.

FTA's final rule on Transit Asset Management (TAM) requires transit agencies receiving FTA funding to develop asset management plans and monitor performance for public transportation assets, including vehicles, facilities, equipment, and transit infrastructure. Since



PAT is a Tier II agency (defined as a small transit agency running 100 or fewer vehicles), the Virginia Department of Rail and Public Transportation (VDRPT) has sponsored a Statewide Tier II Group TAM Plan in 2018, as well as the Statewide Public Transportation Agency Safety Plan (PTASP) in 2020. Annual targets developed from the State in coordination with the transit agency are then incorporated by the MPO into their planning processes. FY 2020 targets for both the TAM and transit safety were identified in the FY 21 TIP, however a description of the anticipated effect of programmed investments toward achieving these transit performance targets was incomplete.

4.2.3 Findings

The TCAMPO meets the Federal requirements for development of the Transportation Improvement Program.

Commendation:

The TCAMPO has demonstrated an excellent transparency with the inclusion of a comment log summary within their MTP and TIP. The comment log summary provides a summary of comments received from stakeholders and a summary of the MPO's response to the comments. The MPO is commended on their accountability to the policy board and public stakeholders by appending the comment log to their planning documents.

Corrective Action:

None

Recommendations:

The TIP should contain a narrative linking investment priorities to highway and transit performance targets listing specific dollar amounts (or percentage of total TIP amount) utilized toward achievement of targets, as appropriate.

4.3 MPO Organizational Structure and Bylaws

4.3.1 Regulatory Basis

23 U.S.C. 134(d) and 23 CFR 450.314(a) state the MPO, the State, and the public transportation operator shall cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process. These responsibilities shall be clearly identified in written agreements among the MPO, the State, and the public transportation operator serving the MPA. Additionally, 23 CFR 450.314(h) states that the MPO, the State, and the public transportation operator shall jointly develop specific written provisions for cooperatively developing and sharing information related to transportation performance data, the selection of performance targets, the reporting of performance targets, the reporting of performance to



be used in tracking progress toward attainment of critical outcomes for the region of the MPO, and the collection of data for the State asset management plans for the National Highway System. Furthermore, 23 CFR 450.314(g) states if part of an urbanized area that has been designated as a TMA overlaps into an adjacent MPA serving an urbanized area that is not designated as a TMA, the adjacent urbanized area shall not be treated as a TMA. However, a written agreement shall be established between the MPOs with MPA boundaries, including a portion of the TMA, which clearly identifies the roles and responsibilities of each MPO in meeting specific TMA requirements (e.g., congestion management process, Surface Transportation Program funds suballocated to the urbanized area over 200,000 population, and project selection).

4.3.2 Current Status

The TCAMPO is the organization responsible for conducting the continuing, comprehensive, and coordinated (3-C) planning process for the region in accordance with Federal requirements. Staff of the transportation planning division of the Crater District Planning Commission (CPDC) performs the day-to-day operations of the TCAMPO including providing technical staff, administrative support, and serving as the TCAMPO's contracting agent. Staff members also prepare materials for use at Board and Committee meetings.

The MPO structure consists of a Policy Board and one standing advisory group, the Technical Advisory Committee (TAC). The Policy Board consists of nine voting members. The voting membership of the Policy Board consists of one representatives each from the City of Petersburg, the City of Hopewell, the City of Colonial Heights; and the Counties of Chesterfield, Dinwiddie and Prince George; and the Petersburg Area Transit, the Virginia Department of Transportation, Virginia Department of Rail and Public Transportation (VDRPT), and the Crater Planning District Commission. Other agencies with non-voting membership on the MPO Policy Board include: the FHWA, FTA, Fort Lee, Petersburg National Battlefield, and RideFinders (a Division of GRTC). Policy Board and TAC meetings are open to the public and held at a location that is accessible by local transit and is American with Disability Act (ADA) compliant.

The Transportation Advisory Committee (TAC) serves in an advisory role to the Policy Board of the TCAMPO. TAC also coordinates with the staffs of the Crater District Planning Commission, PAT, VDOT, VDRPT, and other stakeholders on any proposal related to regional transportation within the MPO area. The TAC is specifically charged with advising the MPO in the development of the regional constrained long-range Metropolitan Transportation Plan (MTP), the Transportation Improvement Program, the Congestion Management Process (CMP) Plan and the Unified Planning Work Program (UPWP) within the Richmond Virginia urbanized area.

The statutory requirement in 23 U.S.C. 134(d) is for all MPO's to consist of local elected officials, officials of public agencies that administer or operate major modes of transportation in the MPA, and appropriate State transportation officials. A staff person from the Crater Planning District Commission is noted within the MTP and TIP as a voting member of the Policy Board Committee. MPO's may increase their representation of local elected officials, public



transportation agencies, or appropriate State officials on their policy boards and other committees. However, the planning regulations in 23 CFR 450.310 continues the reference to “local elected officials.” Under Federal law, an appointed or other non-elected person does not satisfy the requirement of “local elected official.”

It is noted that the current MPO Bylaws states that there will be one (1) non-voting representative designated by and representing Petersburg Area Transit. It is understood that PAT serves as the transit operator within the Metropolitan Planning Area (MPA). The current Memorandum of Understanding on Metropolitan Transportation Planning Responsibilities for the Tri-Cities Area designates one (1) representative of the Public Transit Operator (in this case PAT) as a voting member of the Policy Board Committee. As documented in the MPO’s Policy Board committee meeting minutes, PAT has been designated as a voting member.

The VDRPT is a state agency that administers Federal transit funds apportioned to Virginia and to the TCAMPO. VDRPT is responsible for representing the Commonwealth on local and regional committees having the responsibility for “passenger and freight rail, transportation demand management, ridesharing and public transportation;” [Code of Virginia (section 33.2-285)].

During previous Federal reviews of the TCAMPO, FHWA and FTA have required the transportation planning process to consider all modes of travel in the development of plans and programs. Since the last Federal review, VDRPT has been made a voting member of the TAC allowing for the TAC to be represented by a State official representing the VDOT agency as well as a State official representing the VDRPT agency.

4.3.3 Findings

The TCAMPO meets the Federal requirements for their organizational structure and bylaws.

Commendation:

None

Corrective Action:

None

Recommendations:

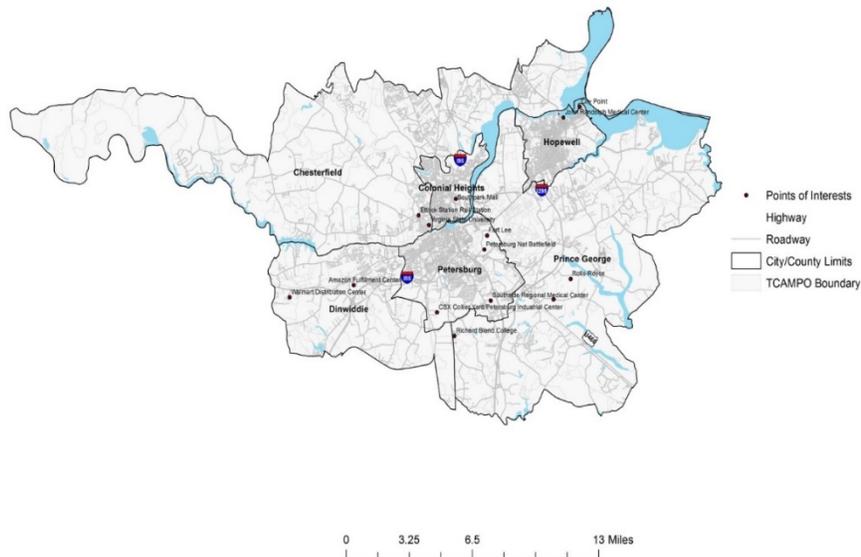
None



4.4 Metropolitan Planning Area Boundaries

4.4.1 Regulatory Basis

The metropolitan planning area (MPA) boundary refers to the geographic area in which the metropolitan transportation planning process must be carried out. The MPA shall, at a minimum, cover Census-defined, urbanized areas (UZA's) and the contiguous geographic area(s) likely to become urbanized within the 20-year forecast period covered by the Metropolitan Transportation Plan (MTP). Adjustments to the UZA as a result of the transportation planning process are typically referred to by FHWA and FTA as the urbanized area boundary. In accordance with 23 U.S.C. 134 (e), the boundary should foster an effective planning process that ensures connectivity between modes and promotes overall efficiency. The boundary should include Environmental Protection Agency (EPA)-defined nonattainment and/or maintenance areas, if applicable, in accordance with the National Ambient Air Quality Standard (NAAQS) for ozone or carbon monoxide.



4.4.2 Current Status

The TCAMPO is the federally designated regional transportation planning organization that serves as the cooperative forum for regional transportation planning and decision-making for the TCAMPO metropolitan planning area. The Tri-Cities area forms the southern portion of the Richmond, Virginia Urbanized Area. The 2010 U.S. Census population estimate for the Richmond, Virginia Urbanized Area is 953,556. The MPA for TCAMPO encompasses the cities of



Colonial Heights, Petersburg, Hopewell, and parts of Chesterfield County, Dinwiddie County, and Prince George County.

In 2000, the census-defined urbanized areas of the Richmond and Tri-Cities merged and created one urbanized area – Richmond/Tri-Cities urbanized area. Instead of combining MPOs to serve the new urbanized area, the Richmond MPO and Tri-Cities MPOs decided to maintain separate MPOs but would agree to coordinate planning activities.

4.4.3 Findings

The TCAMPO meets the Federal requirements for metropolitan planning area boundaries.

Commendation:

None

Corrective Action:

None

Recommendations:

None

4.5 MPO Agreements and Contracts

4.5.1 Regulatory Basis

In accordance with 23 U.S.C. 134 and 23 CFR 450.314, MPOs are required to establish relationships with the State and public transportation agencies under the cover of specified agreements between the parties to carry out a continuing, cooperative, and comprehensive (3 C's) metropolitan planning process. The agreements must identify the mutual roles and responsibilities and procedures governing their cooperative efforts.

Where applicable, agreements must identify the designated agency for air quality planning under the Clean Air Act and address the responsibilities and situations arising from there being more than one MPO in a metropolitan area or serving one urbanized area (23 CFR 450.314(e)).

4.5.2 Current Status

The Federal Team has reviewed the MPOs agreements with MPO staff and has concluded that TCAMPO has a documented 3-C Agreement (Memorandum of Understanding on Metropolitan Transportation Planning Responsibilities for the Tri-Cities Area) that was executed on July 18, 2018 between the Commonwealth of Virginia, Tri-Cities Area MPO, Petersburg Area Transit



(PAT), and Crater Planning District Commission. There is a second agreement (Memorandum of Understanding for Coordination of Regional Transportation and Air Quality Planning in the Richmond and Tri-Cities MPOs) that describes how the planning process will be coordinated to assure the development of consistent metropolitan transportation plans and TIPs across the MPA boundaries. This agreement was executed on February 26, 2019 between the Richmond Regional Transportation Planning Organization (RRTPPO), Tri-Cities Area MPO, Virginia Department of Transportation (VDOT), Virginia department of Rail and Public Transportation (VDRPT), Virginia Department of Environmental Quality (DEQ), Metropolitan Richmond Air Quality Committee (MRAQC), GRTC, and PAT.

Since the last Federal Review the TCAMPO and its partners have successfully updated the 3-C agreements to accurately reflect the roles and responsibilities among stakeholder agencies participating in the planning process and ensuring compliance with the Fixing America's Surface Transportation Act (FAST Act) and the requirements associated with transportation performance management. For the next Federal Review, these agreements may need to be reviewed and potentially updated to ensure compliance with the Bipartisan Infrastructure Law (BIL).

4.5.3 Findings

The TCAMPO meets the Federal requirements for Agreements and Contracts.

Commendation:

The TCAMPO has a dedicated staff that have the skillset to meet new challenges, requirements, and expectations as the organization makes necessary updates for successful local coordination with its planning partners and stakeholders.

Corrective Action:

None

Recommendations:

It is recommended that TCAMPO, once guidance is released for the Bipartisan Infrastructure Bill (BIL), to reexamine their 3-C Agreement's to ensure it is in compliance.

4.6 Unified Planning Work Program

4.6.1 Regulatory Basis

23 CFR 450.308 sets the requirement that planning activities performed under Titles 23 and 49 U.S.C. be documented in a Unified Planning Work Program (UPWP). The MPO, in cooperation with the State and public transportation operator, shall develop a UPWP that includes a



discussion of the planning priorities facing the MPA 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.

4.6.2 Current Status

TCAMPO cooperatively develops an annual UPWP that describes all federally funded transportation planning activities and explains the work products that the MPO expects to deliver during fiscal year 2022. TCAMPO staff works together to draft a priority task list and collaborates with local municipalities, VDOT and FHWA to develop a draft UPWP. Once the draft is approved by the MPO Board and a 30-day public comment period is completed, the MPO adopts the final UPWP. TCAMPO adopted their 2022 UPWP on June 24, 2021 which also identifies the budget for all federal, state, and local funding sources allocated to the MPO for implementing UPWP tasks.

In addition to some routine transportation planning tasks, such as MPO administration and TIP or MTP development, TCAMPO's UPWP also includes unique tasks such as safety conscious planning. Safety conscious planning examines hazardous traffic locations and accident information to further evaluate candidate projects for RSTP funding and inclusion on the TIP and MTP. The UPWP also mentions MPO accomplishments from the 2021 UPWP, some of which include development of a new Transit Strategic Plan (in coordination with VDRPT and PAT) and progress on their performance-based planning and programming (PBPP) process in collaboration with VDOT's Office of Intermodal Planning and Investment (OIPi).

The MPO sufficiently seeks alternative funding to implement special projects, especially for projects large in scale. Additionally, staff is open to pursuing other innovative finance opportunities to close the gap in funding. Funding sources used for special projects include RSTP and RAISE funds. TCAMPO collaborates with VDOT and VDRPT for assistance with smaller scale projects such as Strategically Targeted Affordable Roadway Solutions (STARS) studies and corridor and intersection improvements.

Staff resources are limited compared to the transportation planning needs of the region, which have increased over the years and continues to rise. State resources such as SmartScale and technical assistance from FHWA has supported the MPO in monitoring the workload and task priorities of the UPWP. Data from the 2020 Census would provide an opportunity for the MPO and VDOT to adjust the formulas for federal allocations. TCAMPO anticipates a potential



increase of funds to help meet project needs as well as administrative needs, such as hiring new staff.

4.6.3 Findings

The TCAMPO meets the Federal requirements for developing the Unified Planning Work Program (UPWP).

Commendation:

The Review Team commends TCAMPO for expressing the unique needs, activities, and accomplishments of the region within the UPWP. One unique activity includes using safety conscious planning to further evaluate candidate projects for RSTP funding and inclusion on the TIP and MTP.

Corrective Action:

None

Recommendations:

None

4.7 Multimodal Planning / Integration in Freight Planning

4.7.1 Regulatory Basis

The MAP-21 established in 23 U.S.C. 167 a policy to improve the condition and performance of the national freight network and achieve goals related to economic competitiveness and efficiency; congestion; productivity; safety, security, and resilience of freight movement; infrastructure condition; use of advanced technology; performance, innovation, competition, and accountability, while reducing environmental impacts.

In addition, 23 U.S.C. 134 and 23 CFR 450.306 specifically identify the need to address freight movement as part of the metropolitan transportation planning process. Specific requirements include giving adequate and timely notice of opportunities to participate in or comment on transportation issues and processes, employing visualization techniques to describe metropolitan transportation plans 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, and a periodically reviewing of the effectiveness of the participation plan.



4.7.2 Current Status

To date, and in recent years, TCAMPO has examined positive trends in freight and in non-motorized transportation in the region and bike/pedestrian planning have increased in priorities. In 2003, the MPO updated their Bikeways Plan and since then, different localities have enhanced their infrastructure to better accommodate and promote cycling and walking.

The Appomattox River Trail to Capital Trail Study is a regional approach to bike/pedestrian planning done in collaboration with various stakeholders including federal land management agencies, Virginia Commonwealth University (VCU), and the Friends of the Lower Appomattox River (FOLAR). TCAMPO and other planning partners continue to seek funding, with guidance from VDOT, for trail investments and to also seek funding to develop a regional bike plan. Another factor of multimodal planning is the use of Park and Ride facilities and carpooling services. TCAMPO is collaborating with the Greater Richmond Transit Company (GRTC) to develop a map of distribution centers which will help the MPO improve their ability to plan for the public in their travel to and from work.

Regarding freight planning, TCAMPO works to improve their outreach and engagement efforts in the freight community. A 2010 freight study was completed in collaboration with RRTPO as well as the Commerce Road Corridor Study. VDOT's Office of Intermodal Planning and Investment (OIP) has greatly assisted the MPO in their performance-based planning and programming process through the help of on-call consultants in the Growth and Accessibility Planning Technical Assistance Program (GAP). GAP has helped TCAMPO address bottlenecks and identify freight corridors. TCAMPO, with assistance from OIP's data resources and the MPO's updated congestion management process, will discuss freight as a factor in selecting regionally significant projects and address priority needs for the 2045 MTP.

4.7.3 Findings

The TCAMPO meets the Federal requirements for multimodal transportation planning and integration of freight into the planning process.

Commendation:

The Review Team commends the MPO for improving their MTP selection process to include freight more directly to identify regionally significant projects. It is also commendable that TCAMPO is taking initiative to improve planning efforts for the public who use Park and Ride facilities or carpooling services by collaborating with GRTC.

Corrective Action:

None



Recommendations:

None

4.8 Civil Rights and Nondiscrimination and Public Participation

4.8.1 Regulatory Basis

Title VI of the Civil Rights Act of 1964, prohibits discrimination based upon race, color, and national origin. Specifically, 42 U.S.C. 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.” Title VI bars intentional discrimination (i.e., disparate treatment) as well as disparate-impact discrimination stemming from neutral policy or practice that has the effect of a disparate impact on protected groups based on race, color, or national origin. In addition to Title VI, there are other related authorities and nondiscrimination statutes that afford legal protection. These include:

1. **Title VI of the Civil Rights Act of 1964**, 42 U.S.C. 2000d, provides: 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.
2. **Section 504 of the Rehabilitation Act of 1973**, 42 U.S.C. 794, et seq., provides: No qualified handicapped person shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, be subjected to discrimination under any program or activity that receives or benefits from Federal financial assistance.
3. **Title II of the Americans with Disabilities Act of 1990**, 42 U.S.C. 12131, et seq., provides: No qualified individual with a disability shall, by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination by a department, agency, special purpose district, or other instrumentality of a State or local government.
4. **Older American Act/Age Discrimination Act of 1975**, 42 U.S.C. 6101, provides: No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
5. **Federal Aid Highway Act of 1973**, 23 U.S.C. 324, provides: No person shall, on the ground of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance under this Title or carried on under this Title.



Authorities:

1. **E.O. 12898**, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations
2. **E.O. 13166**, Improving Access to Services for Persons with Limited English Proficiency

The planning regulations [23 CFR 450.336] require the MPO and State to jointly *certify* that the planning process is being carried out in accordance with all applicable Federal transportation planning and programming requirements and:

- In nonattainment and maintenance areas, sections 174 and 176(c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506(c) and (d)) and 40 CFR part 93;
- Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
- 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity.
- Section 1101(b) of the FAST Act (Pub. L. 114-357) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in DOT funded projects;
- 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38;
- The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

Sections 134(i)(5), 134(j)(1)(B) of Title 23 and Section 5303(i)(5) and 5303(j)(1)(B) of Title 49, require a Metropolitan Planning Organization (MPO) to provide adequate opportunity for the public to participate in and comment on the products and planning processes of the MPO. The requirements for public involvement are detailed in 23 CFR 450.316(a) and (b), which require the MPO 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.

4.8.2 Findings

TCAMPO is a federally mandated MPO with a policy board that is comprised of representatives from local, state, and federal governments, the local transit provider, and other stakeholders.



As mentioned above, the structure of the policy board meets TMA requirements. TCAMPO did have a Title VI Plan and at the time of the review the Plan was scheduled for an update.

To administer the Title VI Plan, the MPO is required to have a Title VI Coordinator. During the 2017 review, the MPO explained that the Executive Director served as the Title VI Coordinator of Crater Planning Commission and MPO. Since our review in 2017, a new Executive Director had been hired. We recommend Title VI and Nondiscrimination training for MPO staff and the new Executive Director.

The MPO's website is a critically important information and public engagement tool. It provides the public with information regarding where and when Federal, State, and local funds will be invested in transportation infrastructure, the elected officials making the investment decisions, the availability of plans, programs, and performance metrics for review, and opportunities for the public to get involved in the decision-making process.

Contained in the 2017 certification report of the TCAMPO, FHWA and FTA recommended that the MPO's website be kept up to-date, especially regarding timely posting of meeting agendas and minutes.

We revisited the MPO's Public Participation Plan (PPP) and public website before and during this review and remain concerned about the effective management and the updating of the information contained on the website (e.g. broken links, inaccurate and difficult to find information, etc.). Additionally, we noticed that meeting dates and times are not included in the PPP. The TCAMPO must strive to improve public access to information about transportation issues and processes via the TCAMPO website and the PPP.

As a **corrective action**, the FHWA and FTA are requesting that the MPO include a task and activities in the upcoming UPWP that reflects a prioritized need to update and manage the MPO's website for the public consumption of information. [23 CFR 450.316 (a)(1) (i-ii) and(iv)]

During our discussion, the MPO staff expressed a historical concern with the lack of resources to appropriately staff the MPO to more effectively and creatively accomplish the additional Federal requirements that are required of transportation management areas. This includes being more creative with the organization's website and creating and exploring nontraditional outreach and engagement opportunities to consider the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services.

In response to the MPO's staffing concerns, we recommend that the VDOT and VDPRT, during the next PL and Section 5303 formula review, have a conversation with MPO staff to assess their staffing needs; and if necessary, reassess the Tri-Cities receipt of Federal PL and Section 5303 formula funding to determine whether additional resources can be made available to assist the MPO in meeting the responsibilities required of a TMA. We ask that during the



conversation, consideration be given to the Governor's approval of the Tri-Cities region to TMA status.

During our 2017 review and with respect to Civil Rights, we found that the MPO lacked a Title VI and Nondiscrimination Assurance (DOT Order 1050.2a). While it was immediately addressed, the FHWA and FTA recommended that the VDOT conduct a Title VI Program review of the MPO.

During this review, we assessed VDOT's Title VI review report of the MPO and we noticed that absent from the VDOT Title VI and Nondiscrimination review report were several nondiscrimination statutes that are contained in the joint certification statement signed by the Tri-Cities MPO and VDOT. These statutes include:

1. Section 504 of the Rehabilitation Act of 1973, 42 U.S.C. 794
2. Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. 12131
3. Federal Aid Highway Act of 1973, 23 U.S.C. 324
4. The Older Americans Act/Age Discrimination Act of 1975, 42 U.S.C. 6101

The VDOT is required to monitor subrecipients (MPOs) to ensure that they are in compliance with Title VI and related non-discrimination authorities.

While several non-discrimination statutes were not included as part of the VDOT Title VI and Nondiscrimination review of the Tri-Cities MPO, VDOT followed the latest guidelines provided by the FHWA on the Title VI Program which removed the EJ, Section 504, ADA, 23 U.S.C. 324 , and Age nondiscrimination components from the subrecipient Title VI Program review template.

Since the non-discrimination statutes that are codified in planning program's joint certification statement were removed from VDOT's Title VI Program Review template (that had historically been used as a basis to also support the VDOT's planning certification), FHWA is requesting that VDOT provide procedures and documentation to FHWA to support the State's self-certification statement pursuant to 23 CFR 450.336 that the metropolitan transportation planning process is



being carried out in accordance with Section 504, ADA, The Older Americans Act, and 23 USC 324. [23 CFR 450.336]

Additionally and for our review, we are requesting that VDOT provide documentation and procedures on the process for monitoring MPO (subrecipient) compliance with Title VI of the Civil Rights Act of 1964 and other nondiscrimination authorities that are certified by the MPO.

These include:

- Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR Part 21;
- 49 U.S.C. Section 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex or age in employment or business opportunity;
- Section 1101(b) of the FAST Act (Pub. L. 114-357) and 49 CFR Part 26 regarding the involvement of disadvantaged business enterprises in DOT funded projects;
- 23 CFR Part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR Parts 27, 37, and 38;
- Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- 23 U.S.C. Section 324, regarding prohibition of discrimination based on gender;
- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR Part 27 regarding discrimination against individuals with disabilities;
- Executive Order 12898 (Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations); and
- Executive Order 13166 (Improving Access to Services for Persons with Limited English Proficiency)

[23 CFR 200.7, 23 CFR 450.336, 23 CFR 420.121(c), 23 CFR 420.121(h), DOT Order 1050.2A (Standard Title VI and Non-Discrimination Provisions)]

Commendation:

None

Corrective Action:

The FHWA and FTA are requesting that the MPO include a task and activities in the upcoming UPWP that reflects a prioritized need to update and better manage the MPO's website for the public consumption of information. The Federal Team will review the progress periodically throughout the next Federal fiscal year.



Recommendations:

1. VDOT provide procedures and documentation to FHWA to support the State's self-certification statement pursuant to 23 CFR 450.336 that the metropolitan transportation planning process is being carried out in accordance with Section 504, ADA, The Older Americans Act, and 23 USC 324.
2. VDOT provide documentation and procedures on the process for monitoring MPO (subrecipient) compliance with Title VI and other nondiscrimination authorities that are certified by the MPO.
3. We recommend Title VI and Nondiscrimination training for MPO staff and the new Executive Director.
4. We recommend that the VDOT and VDRPT have a conversation with MPO staff, during the next PL and Section 5303 formula review, to assess their staffing needs; and if necessary, reassess the Tri-Cities receipt of Federal PL and Section 5303 formula funding to determine whether additional resources can be made available to assist the MPO in meeting the responsibilities required of a TMA. 4.9 Public Transportation, Coordination, and Transit Planning

4.9.1 Regulatory Basis

49 U.S.C. 5303 and 23 U.S.C. 134 require the transportation planning process in metropolitan areas to consider all modes of travel in the development of their plans and programs. Federal regulations cited in 23 CFR 450.314 state that the MPO in cooperation with the State and operators of publicly owned transit services shall be responsible for carrying out the transportation planning process.

4.9.2 Current Status

The primary transit agency in the MPO planning area is the Petersburg Area Transit (PAT). PAT provides fixed route and demand response transit service, along with ADA paratransit services in the cities of Petersburg, Colonial Heights, and portions of the counties of Prince George, Dinwiddie, and Chesterfield. PAT is a voting member on the MPO Policy Board, as well as Technical Advisory Committee.

RideFinders, a not for profit affiliated with the Greater Richmond Transit Company (GRTC), provides ridesharing services in the Tri-Cities MPO. GRTC also provides intercity bus service connecting downtown Petersburg to downtown Richmond with this popular express route service. Amtrak provides passenger rail service at the Petersburg Station located in the Ettrick portion of Chesterfield County.

Representatives from both the Virginia Department of Rail and Public Transportation (VDRPT) and PAT participated in the Tri-Cities Planning Certification site visit. From this discussion and



review of the 2040 MTP and the FY21 TIP, it appears the MPO's plans and programs are cooperatively developed.

In 2020 the General Assembly of Virginia created the Central Virginia Transportation Authority (CVTA), allowing the greater Richmond region to use newly specified tax revenues to fund transportation needs of the region. Starting in FY2021, GRTC will receive 15% of CVTA funding to support public transportation and provide new transit and mobility services. This 15% transit component of CVTA funds is projected to generate approximately \$28 million per year or \$168 million over a six-year period.

While the GRTC Board is comprised of six directors: three from the City of Richmond and three from Chesterfield County, the CVTA member jurisdictions include eight counties and cities (including Chesterfield County but excluding City of Petersburg, City of Hopewell and City of Colonial Heights) in the Richmond area. During the site visit potential concerns were discussed arising from localities expressing interest in GRTC Board representation for their CVTA tax contributions, as well as interest in expanded GRTC service to CVTA membership areas now tied indirectly to the transit agency.

4.9.3 Findings

Transit planning does not appear to be at the forefront of the MPO planning efforts, most likely due to staff resource and financial constraints. The 2019 Transit Development Plan for PAT (jointly developed by the MPO and PAT and funded by VDRPT) does however outline service improvements and some capital investment needs over the next ten years. While the current 2040 MTP contains a multi-modal approach to achieving the region's goals, there are no regionally significant transit projects identified in the constrained list of projects.

The TPO, state DOT and transit agencies are in compliance with Federal regulations.

Commendation:

None

Corrective Action:

None

Recommendations:

Continued MPO support toward a more comprehensive, equitable and convenient transit network in the Petersburg area, particularly in historically underrepresented and underserved communities. This includes timely replacement of aging bus fleets and more frequent (or possibly expansive) express service provided with new CVTA revenues.



4.10 Financial Planning/Financial Constraint & Annual Listing Projects

4.10.1 Regulatory Basis

The metropolitan planning statutes state that the long-range transportation plan and TIP (23 U.S.C. 134 (j) (2) (B)) must include a "financial plan" that "indicates resources from public and private sources that are reasonably expected to be available to carry out the program." The purpose of the financial plan is to demonstrate fiscal constraint. These requirements are implemented in transportation planning regulations for the metropolitan long-range transportation plan, TIP, and STIP. These regulations provide that a long-range transportation plan and TIP can include only projects for which funding "can reasonably be expected to be available" [23 CFR 450.322(f) (10) (metropolitan long-range transportation plan), 23 CFR 450.324(h) (TIP), and 23 CFR 450.216(m)(STIP)]. In addition, the regulations provide that projects in air quality nonattainment and maintenance areas can be included in the first two years of the TIP and STIP only if funds are "available or committed" [23 CFR 450.324(h) and 23 CFR 450.216(m)]. Finally, the Clean Air Act's transportation conformity regulations specify that a conformity determination can only be made on a fiscally constrained long-range transportation plan and TIP [40 CFR 93.108].

The TIP is a short-term capital programming document that is used to implement the MTP. The TIP shall be financially constrained by year and shall include a financial plan identifying projects that can be implemented using current revenue sources and projects requiring proposed additional sources. The State and the transit operators must provide the MPO with estimates of Federal and State funds available for the transportation system serving the metropolitan area.

In metropolitan planning areas, on an annual basis, no later than 90 calendar days following the end of the program year, the State, public transportation operator(s), and the MPO shall cooperatively develop a listing of projects (including investments in pedestrian walkways and bicycle transportation facilities) for which funds under 23 U.S.C. or 49 U.S.C. Chapter 53 were obligated in the preceding program year [23 CFR 450.334].

4.10.2 Current Status

The MPO's financial planning for the FY21 TIP and 2040 MTP relies mostly on information provided by VDOT or VDRPT and from the transit operator. This process is described in the Financial Plan sections of the TIP and briefly in the MTP. The financial estimates for both revenues and costs are given in year of expenditure dollars and reflect modest growth assumptions and corresponding inflation factors. VDOT cost estimates are from the VDOT Project Cost Estimating System. For projects not administered by the state, cost estimates are developed cooperatively through the MPO or responsible local governments and agencies.

Fiscal constraint by year is demonstrated over separate tables for highway and transit in the FY21 TIP (under Table C and D) and 2040 MTP showing a balance of anticipated revenues in comparison to project costs over the length of the respective planning document. For transit,



GRTC has agreed to split federal funding with PAT. Currently, the two agencies use a 90/10 split between GRTC/PAT for FTA's Section 5307 formula funds. The 2040 MTP has a constrained list of regional projects in Section 6 of the 2040 MTP appendix, for which funding can reasonably be expected to be available as demonstrated in the Financial Plan. Alternatively, projects for which funds are not committed can be found in a separate table for illustrative purposes or for when funding comes available. The Federal Team did not identify any public transportation investments in the 2040 MTP constrained list of regionally significant projects.

The Tri-Cities MPO did not have a complete Annual Listing of Obligated Projects report available to the Federal team. However, the MPO did provide links (on the MPO's website) to separate spreadsheets showing Federal FY 20 funds that have been authorized and committed by the state or designated recipients (e.g., Petersburg Area Transit) for expenditure on projects programmed in the in the preceding program year. Obligated grouped projects were listed as well.

4.10.3 Findings

The MPO, State DOT and transit agencies are in compliance with Federal regulations.

Commendation:

None

Corrective Action:

None

Recommendations:

The MPO should cooperatively develop (with VDOT and VDRPT) a more complete Annual Listing of Obligated Projects report on an annual basis, no later than 90 calendar days following the end of the program year for review by Federal Partners and made available to the general public.



5.0 CONCLUSION AND RECOMMENDATIONS

The FHWA and FTA review find that the metropolitan transportation planning process conducted in the Tri-Cities area **MEETS** Federal planning requirements with the following corrective action:

- The FHWA and FTA are requesting that the MPO include a task and activities in the upcoming UPWP that reflects a prioritized need to update and better manage the MPO's website for the public consumption of information.

The FHWA and FTA are certifying the transportation planning process conducted by VDOT, TCAMPO, VDPRT and Petersburg Area Transit subject to addressing the Corrective Action stated above. There are also recommendations in this report that warrant close attention and follow-up, as well as areas that the MPO is performing very well that are to be commended. We will revisit the TCAMPO planning process within a year to determine if the corrective action has been addressed.

5.1 Corrective Actions

The FHWA and FTA are requesting that the MPO include a task and activities in the upcoming UPWP that reflects a prioritized need to update and better manage the MPO's website for the public consumption of information.

5.2 Recommendations

The following are recommendations that would improve the transportation planning process:

1. As part of the current MTP 2045 update, the MPO should develop their own goals and objectives consistent with federal planning factors and performance measures, to better address the region's specific transportation needs.
2. The MTP contains a fiscally constrained list of highway projects. However, the list of fiscally constrained rail and public transportation projects contained in the MTP only include projects scheduled to be implemented within the first six years, not meeting the spirit of the 20-year planning horizon. The Federal team strongly recommends the MPO identify transit projects over the entire span of the MTP. The MPO should coordinate with VDRPT to provide 20 years of forecasted transit revenues for inclusion into the MTP.
3. The MPO should also consider the inclusion of a regional vision statement for the next MTP update.



4. The TIP should contain a narrative linking investment priorities to highway and transit performance targets listing specific dollar amounts (or percentage of total TIP amount) utilized toward achievement of targets, as appropriate.
5. It is recommended that TCAMPO, once guidance is released for the Bipartisan Infrastructure Bill (BIL), to reexamine their 3-C Agreement's to ensure it is in compliance.
6. VDOT provide procedures and documentation to FHWA to support the State's self-certification statement pursuant to 23 CFR 450.336 that the metropolitan transportation planning process is being carried out in accordance with Section 504, ADA, The Older Americans Act, and 23 USC 324.
7. VDOT provide documentation and procedures on the process for monitoring MPO (subrecipient) compliance with Title VI of the Civil Rights Act of 1964 and other nondiscrimination authorities that are certified by the MPO. (See Section 4.8 for further explanation)
8. We recommend Title VI and Nondiscrimination training for MPO staff and the new Executive Director.
9. We recommend that the VDOT and VDRPT have a conversation with MPO staff, during the next PL and Section 5303 formula review, to assess their staffing needs; and if necessary, reassess the Tri-Cities receipt of Federal PL and Section 5303 formula funding to determine whether additional resources can be made available to assist the MPO in meeting the responsibilities required of a TMA.
10. Continued MPO support toward a more comprehensive, equitable and convenient transit network in the Petersburg area, particularly in historically underrepresented and underserved communities. This includes timely replacement of aging bus fleets and more frequent (or possibly expansive) express service provided with new CVTA revenues.
11. The MPO should cooperatively develop (with VDOT and VDRPT) a more complete Annual Listing of Obligated Projects report on an annual basis, no later than 90 calendar days following the end of the program year for review by Federal Partners and made available to the general public.

5.3 Commendations

The following are noteworthy practices that the TCAMPO is doing well in the transportation planning process:

1. The Federal Review Team extends commendations to the MPO with regards to cooperatively working with VDOT and VDRPT to develop a financial plan for the MTP. By accounting for an inflation adjusted funding stream along with an estimate of likely



variability of funding based on historic data; the MPO has allowed for a transparent and accountable process for how public funds are being programmed and expended.

2. The TCAMPO has demonstrated an excellent transparency with the inclusion of a comment log summary within their MTP and TIP. The comment log summary provides a summary of comments received from stakeholders and a summary of the MPO's response to the comments. The MPO is commended on their accountability to the policy board and public stakeholders by appending the comment log to their planning documents.
3. The TCAMPO has a dedicated staff that have the skillset to meet new challenges, requirements, and expectations as the organization makes necessary updates for successful local coordination with its planning partners and stakeholders.
4. The Review Team commends TCAMPO for expressing the unique needs, activities, and accomplishments of the region within the UPWP. One unique activity includes using safety conscious planning to further evaluate candidate projects for RSTP funding and inclusion on the TIP and MTP.
5. The Review Team commends the MPO for improving their MTP selection process to include freight more directly to identify regionally significant projects. It is also commendable that TCAMPO is taking initiative to improve planning efforts for the public who use Park and Ride facilities or carpooling services by collaborating with GRTC.



APPENDIX A - PARTICIPANTS

The following individuals were involved in the Tri-Cities Area MPO on-site review:

FHWA Virginia Division

- Richard Duran
- Ronnique Bishop
- Ivan Rucker

FTA Region III

- Ryan Long

Tri-Cities Area

- Ron Svejkovsky
- Alec Brebner
- Jay Ruffa

County of Chesterfield

- Barbara Smith
- Chessa Walker

City of Colonial Heights

- Todd Flippen
- Keith Chisholm

County of Dinwiddie

- Mark Bassett

City of Hopewell

- Johnny Butler
- Austin Anderson

County of Prince George

- Julie Walton



City of Petersburg

- Reginald Tabor
- Charles Koonce
- Stephanie Harris

Virginia Department of Transportation

- Marsha Fiol
- Mark Riblett
- Liz McAdory
- Jacob Herman
- Sandra Norman
- Ferrell Solomon
- Todd Scheid

Virginia Department of Rail and Public Transportation

- Tiffany Dubinsky

PAT

- Stephanie Harris

Fort Lee

- Fritz Brandt



APPENDIX B – PUBLIC COMMENTS

Public input was an important part of this certification review, utilizing both direct public comments solicited from the TPO's website over a 60-day period, as well as input from a public listening session held with the Federal Team (via Zoom) on August 26, 2021. This was a joint public meeting to review both the Tri-Cities MPO and Richmond Regional TPO planning processes.

Specifically, we heard that many of the TPO/MPO regional public engagement and community advisory groups CAC (Petersburg)/CTAC (Richmond) efforts are going well. The general sentiment was that the TPO/MPO does a good job with respect to public engagement, however there is a challenge to expand outreach to low income or minority populations.

YouTube Link: https://www.youtube.com/watch?v=4gWH1e-U_6g

Public Participants' Comments

- TPO does a good effort to reach out to the public. Working to do more multimodal efforts.
- Good Vision Zero planning process. Health and Transportation linkages can be a new topic to be undertaken by MPO. State and Federal partnership.
- Good working relationship between inclusive groups that supports MPOs. They have a good working relationship with both MPOs.
- Part of MTP advisory panel for Richmond MTP update. Richmond TPO has made good strides but need to keep the engagement continuously. There is a potential for some groups outside the transportation field feeling their participation was not particularly valued.
- Looking to address needs from rural counties – transit and connectivity between systems. Needs new growth to supporting elderly needs. Congestion on secondary roads is an issue – volumes are much higher than designed. Safety concerns.
- Partnership for Smarter Growth - Made a general comment on the importance of a citizen's advisory committee. Make sure public involvement early and often, help shapes better. Equity and accessibility issues are important. Chet commented on how the CTAC and how it evolved and its role to the TPO. CTAC provides a report to the monthly Board meeting. Climate change factors might be a good factor to use in the future.



APPENDIX C - LIST OF ACRONYMS

ADA: Americans with Disabilities Act
AMPO: Association of Metropolitan Planning Organizations
CAA: Clean Air Act
CFR: Code of Federal Regulations
CMP: Congestion Management Process
CO: Carbon Monoxide
DOT: Department of Transportation
EJ: Environmental Justice
FAST: Fixing America's Surface Transportation Act
FHWA: Federal Highway Administration
FTA: Federal Transit Administration
FY: Fiscal Year
HSIP: Highway Safety Improvement Program
ITS: Intelligent Transportation Systems
LEP: Limited-English-Proficiency
M&O: Management and Operations
MAP-21: Moving Ahead for Progress in the 21st Century
MPA: Metropolitan Planning Area
MPO: Metropolitan Planning Organization
MTP: Metropolitan Transportation Plan
NAAQS: National Ambient Air Quality Standards
NO₂: Nitrogen Dioxide
O₃: Ozone
PM₁₀ and PM_{2.5}: Particulate Matter
SHSP: Strategic Highway Safety Plan
STIP: State Transportation Improvement Program
TDM: Travel Demand Management
TIP: Transportation Improvement Program
TMA: Transportation Management Area
U.S.C.: United States Code
UPWP: Unified Planning Work Program
USDOT: United States Department of Transportation





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