

CT Department of Transportation

Handbook for Councils of Governments and Metropolitan Planning Organizations

**Prepared by the CT DOT, RPO Coordination Unit
in coordination with the
Federal Highway Administration
Federal Transit Administration
CT Councils of Governments**

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INTRODUCTION

The handbook is intended to be a resource for the staff of the Connecticut Department of Transportation (CTDOT or Department) and the staff of Connecticut's Councils of Governments (COGs) that conduct transportation planning in the State of Connecticut through a highly structured transportation planning process mandated by the federal government. It explains what COGs, Metropolitan Planning Organizations (MPOs) and rural COGs are and what they do, provides information on Connecticut's COGs, and discusses the roles and responsibilities of CTDOT and these organizations relative to the following tasks:

- the development of the regions' Unified Planning Work Programs (UPWPs) and Long-Range Transportation Plans (LTRPs);
- the coordination of MPOs' Transportation Improvement Programs (TIPs), including air quality conformity and the Congestion Mitigation Air Quality Improvement Program;
- the fulfillment of the single audit requirements;
- certification of the MPOs' transportation planning process by the USDOT; and
- compliance with Title VI / Nondiscrimination requirements.

Information is also provided on the roles of the COGs and CTDOT and the process and the procedures for the following:

- the Corridor Study Process,
- the Surface Transportation Urban Program (STPU)
- the Local Transportation Capital Improvement Program (LOTICIP),
- the Congestion Mitigation and Air Quality Improvement Program (CMAQ), and
- the FAST Act Surface Transportation Block Grant Program (STBG) set-aside funding for transportation alternatives (TA), formerly MAP-21 Transportation Alternatives Program (TAP).

CHAPTER 1: METROPOLITAN PLANNING ORGANIZATIONS, RURAL COUNCILS OF GOVERNMENTS AND REGIONAL TRANSPORTATION PLANNING ORGANIZATIONS: INFORMATION, FORMATION AND MODIFICATION

Purpose

This chapter defines Regional Council of Governments (COGs), Metropolitan Planning Organizations (MPOs) and rural Council of Governments as well as transportation management areas (TMAs). It also discusses the Federal designation and re-designation requirements for MPOs.

Connecticut's Regional COGs, MPOs and Rural COGs

In Connecticut, as required by Connecticut General Statutes (CGS)¹, all regional planning organizations are structured as regional councils of governments (COGs). Regional COGs are political subdivisions of the state that are statutorily created. CGS § 4-124j provides that local communities are authorized to organize a membership and create a “Regional Council of Governments.” Each municipal member of the council is entitled to one representative who casts a single vote (CGS § 4-124k). Councils must adopt bylaws and annually elect a chairman, a secretary, a treasurer and other officials from among the representatives (CGS § 4-124n).

The primary duty of a Regional Council of Governments is to create a plan of development for its members (the “Plan”) (CGS § 4-124o). This statute requires that the Plan conform to the requirements of CGS § 8-35a, such as recommendations for the general use of the geographical area of the members including land use, housing, principal highways and freeways, bridges, airports, parks, playgrounds, recreational areas, schools, public institutions and public utilities. These recommendations incorporate studies of physical, social, economic and governmental conditions and trends, whose intent is to promote the general welfare and prosperity of the people.

Each regional COG may receive funds from private, state and federal government sources (CGS § 4-124p). In addition, any town, city or borough participating in a council must annually appropriate funds for its operations. Consequently, a council may hire employees and enter into contracts with public or private entities to carry out its purposes.

In Connecticut, the regional COGs function as the host agencies for MPOs; COG staffs perform the transportation planning activities for the MPOs and the rural planning regions. The COGs in Connecticut conduct transportation planning activities for specific geographic areas within the state in cooperation with the Connecticut Department of Transportation (CTDOT or

¹ Connecticut General Statutes Section 8-31b of the 2014 Supplemental (PA 13-247, Sec. 250) requires that any regional planning agency or regional council of elected officials be reconstructed to form a regional council of governments (COG) by January 1, 2015.

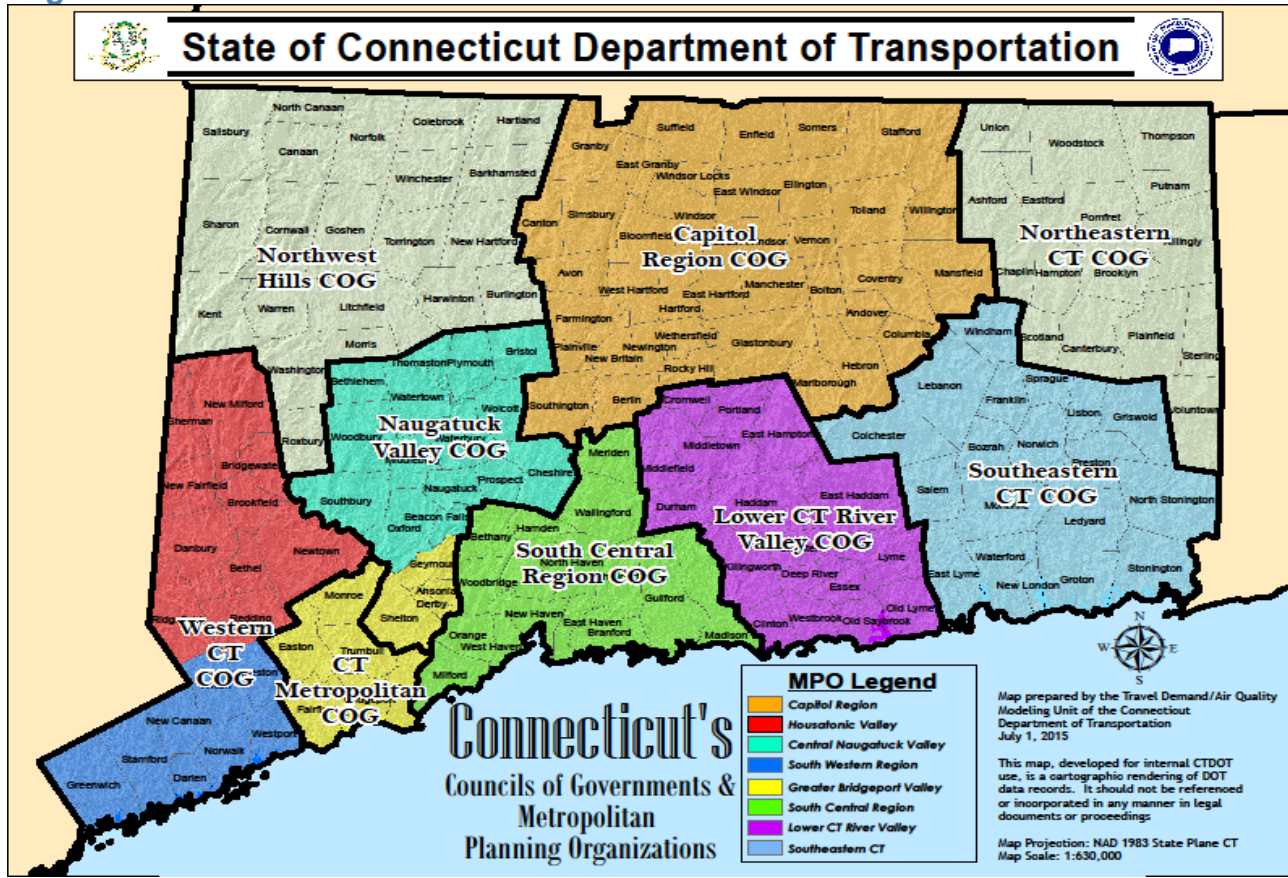
Department). COGs and MPOs have an intrinsic part in the planning of transportation studies and projects and in the development of transportation programs. In addition to conducting planning activities for their specific geographic areas within the state, they work extensively to assist municipalities with planning and administrative services and coping with the ever more complex municipal management and planning practices. COGs also provide a forum for addressing inter-municipal concerns; and COG policy board members and COG staffs represent their municipalities in providing input and addressing issues and concerns pertaining to state and federal programs.

The State is made up of nine COGs that include eight MPOs and two rural areas. The boundaries and names of these COGs and MPOs are shown in Figure 1-1. A listing of all Connecticut's MPOs and rural COGs and their contact information is included as Appendix 1-1.

What is an MPO?

An MPO is a federally mandated and federally funded transportation policy board of an organization created and designated by the Governor and local officials to carry out the metropolitan planning process in an urbanized area. It is made up of representatives from local government and governmental transportation authorities. Each urbanized area with a population of more than 50,000 individuals (as determined by the U.S. Bureau of the Census) must be designated as an MPO to carry out the metropolitan transportation planning process and to qualify for federal funding [23 CFR 450.310(a)]. MPOs serving urban areas with a population of 200,000 or more have additional authorities and responsibilities, and are required by law to consist of "local elected officials; officials of public agencies that administer or operate major modes of transportation in the metropolitan area, including representation by providers of public transportation; and appropriate State officials." MPOs were created to ensure that existing and future expenditures for transportation projects and programs were based on a continuing, cooperative and comprehensive (3-C) planning process. Federal funding for transportation projects and programs is channeled through an MPO.

FIGURE 1-1: Connecticut’s Councils of Governments & Metropolitan Planning Organizations



What does an MPO do?

In accordance with federal regulations, MPOs are required to carry out metropolitan transportation planning in cooperation with the state and with operators of publicly owned transit services. The transportation planning process in Connecticut is a cooperative process designed to promote involvement by all users of the transportation system, such as the general public, the travelling public, the business community, environmental organizations and freight operators, through a proactive public participation process conducted by the MPOs, CTDOT, and transit operators.

An MPO carries out five core functions in the transportation planning process:

1. The establishment and management of a fair and impartial setting for effective regional decision making in the metropolitan area.
2. The development and maintenance of the Metropolitan Transportation Plan (MTP) for the metropolitan area covering a planning horizon of no less than 20 years.
3. The update and approval of the Transportation Improvement Program (TIP), a four-year listing/program for highway and transit improvements that fall within the MPO boundary.
4. The development and adoption of the Unified Planning Work Program (UPWP) that

identifies planning priorities and activities to be carried out within the metropolitan area by the MPO.

5. Coordination of the involvement of the general public and other affected constituencies in the four essential functions listed above.

In addition to the five core functions outline above, MPOs in Connecticut also perform other transportation planning functions on behalf of their member towns, such as representing their member municipalities and transportation agencies in addressing issues and concerns pertaining to state and federal transportation programs, and assisting members to improve governmental efficiency to save tax dollars through shared services and other direct service initiatives.

How do TMAs, MPOs and Rural COGs differ from each other?

TMAs, MPOs and rural COGs differ with respect to the population each represents, the authority these entities have in the project selection process outlined in federal laws and regulations, and the authority they have to develop and guide a project. These key differences are presented in Figure 1-4. Additional information on these entities is provided in the following pages.

- A TMA has an urbanized area population over 200,000 and is served by an MPO or MPOs. It selects projects in consultation with CTDOT and transit operators, and it has veto authority over projects in the TMA that are proposed for inclusion in the TIP.
- An MPO has a population over 50,000, CTDOT and transit operators devise and guide projects in cooperation with the MPO, and the MPO has veto authority over projects in the MPO that are proposed for inclusion in the TIP.
- A Rural COG has a population under 50,000, and CTDOT devises and guides projects in cooperation with local officials.

Connecticut has four TMAs: Bridgeport/Stamford, New Haven, Norwich/New London, and Hartford urbanized areas as shown in Figure 1-2. Connecticut has nine COGs, seven of which are urban COGs and two of which are Rural COGs, as shown in Figure 1-3. The relationships and authorities of COGs, TMAs, MPOs and Rural COGs are shown in Figure 1-4.

FIGURE 1-2: Connecticut's Transportation Management Areas

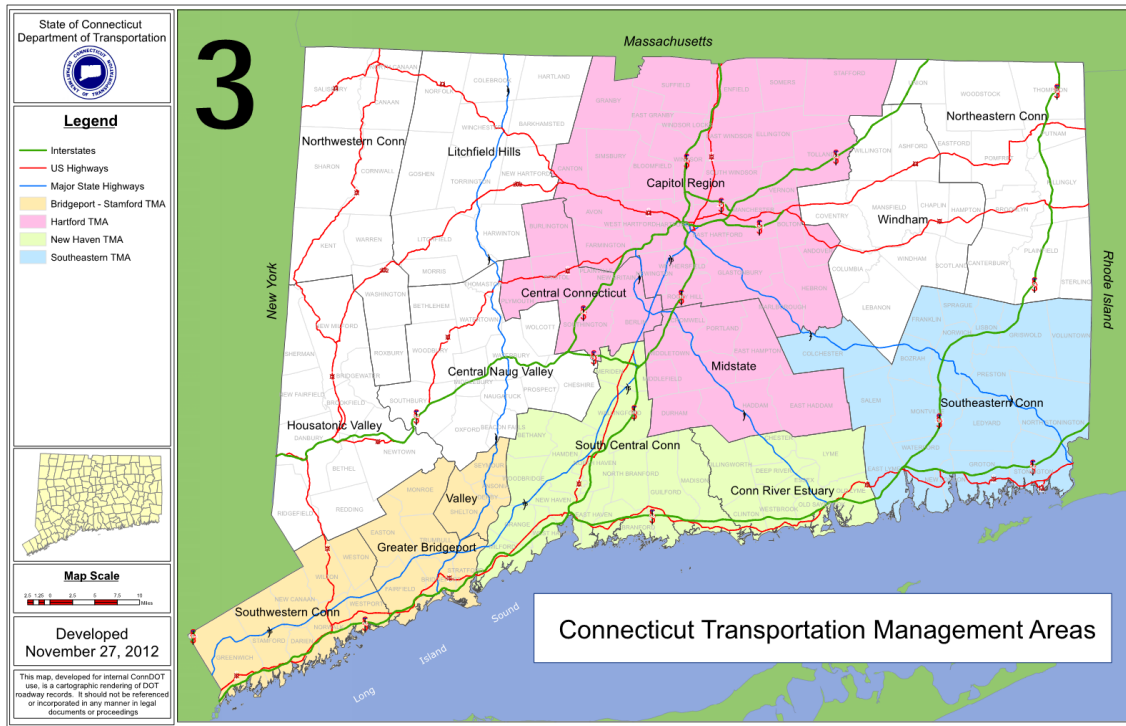


FIGURE 1-3: Connecticut's Councils of Governments (COGs)

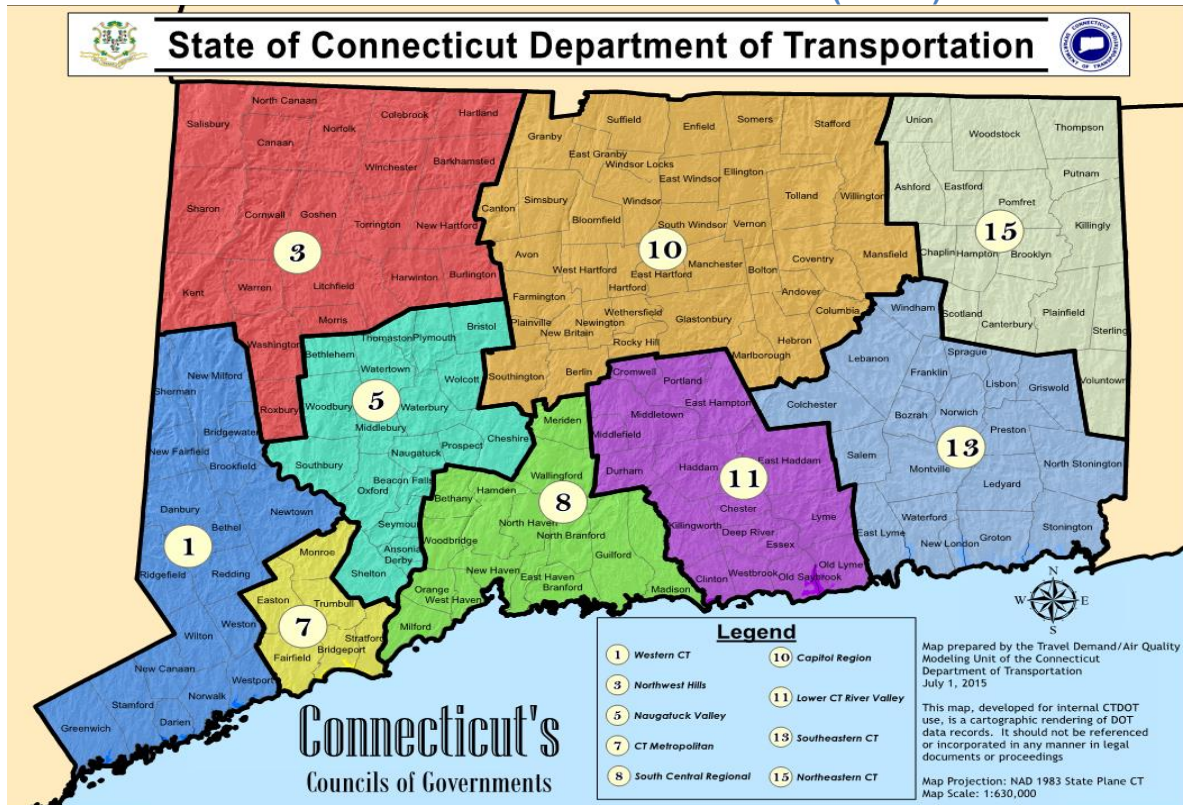
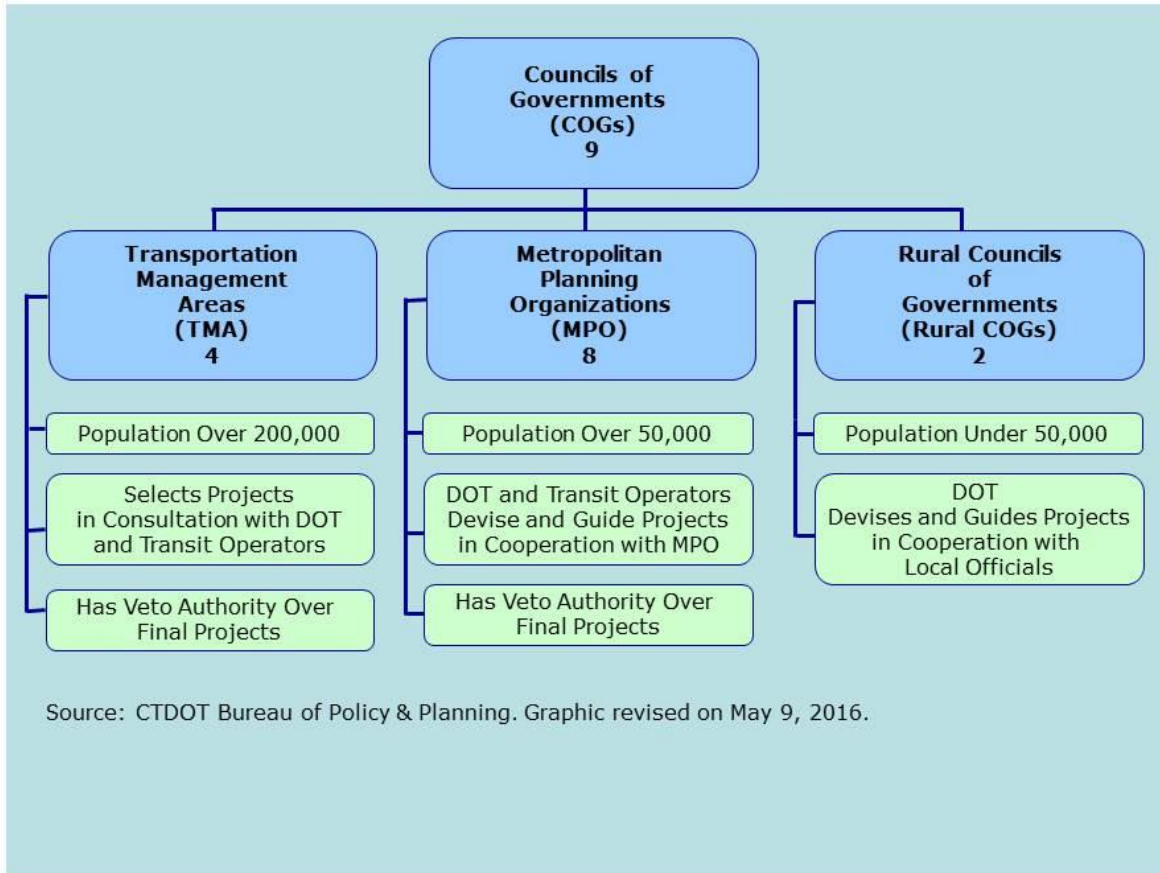


Figure 1-4: Relationships & Authorities of COGs, TMAs, MPOs and Rural COGs



Relationships of COGs to MPOs, Rural COGs and TMAs

In Connecticut the regional planning organizations are COGs. The COGs function as host agencies for the MPOs and the rural COGs. MPOs, which serve urbanized areas that have a population of more than 50,000, are designated, in accordance with federal laws and regulations, by the Governor. (See Appendix 1-2.) As specified in the federal legislation, these MPOs have a specific role in conducting regional transportation planning and programming activities. Federal laws and regulations mandate that the MPO, in cooperation with the state and with operators of publicly owned transit services, shall be responsible for carrying out the metropolitan transportation planning process. The MPO, the state, and transit operator(s) must cooperatively determine their mutual responsibilities in the conduct of the planning process, including corridor refinement and transit studies. The MPO must cooperatively develop the following transportation planning documents:

- the unified planning work program (UPWP),
- the metropolitan transportation plan (MTP) and

- the transportation improvement program (TIP). An MPO has veto authority over projects in the MPO that are proposed for inclusion in the TIP.

MPO Board Composition

Typically, the full voting members of the MPOs in Connecticut consist of the CEOs from its member municipalities. However, MAP-21 amended Title 23 of the United States Code (USC) Section 134(d)(2), and Title 49 USC 5303(d)(2) to read:

[MPO] Structure.--Not later than 2 years after the date of enactment of MAP-21[October 1, 2012], each metropolitan planning organization that serves an area designated as a transportation management area shall consist of-- (A) local elected officials; (B) officials of public agencies that administer or operate major modes of transportation in the metropolitan area, including representation by providers of public transportation; and (C) appropriate State officials.

MPO Boards, Committees and Staffing

The regional COGs, which function as host agencies for the MPOs in their planning regions, provide staff support to the MPO(s) policy board(s) and the MPO(s) technical advisory committee(s) which consist of transportation professionals working for the municipalities, such as planners, engineers, and public works employees. COG staff members assist the MPO board(s) by preparing documents, fostering interagency coordination, facilitating public input and feedback, and managing the planning process. COG staff may also provide MPO boards and committees with technical assessments and evaluations of proposed transportation initiatives. COG staff, on behalf of an MPO board, may also engage consultants to generate needed data. An MPO's transportation technical advisory committee meets prior to the MPO's policy board meetings to develop recommendations for presentation to the policy board members.

Transportation Management Areas (TMAs)

Urbanized areas with populations of over 200,000 individuals are designated as Transportation Management Areas (TMAs). A TMA may include more than one MPO. Seven of Connecticut's nine MPOs are located in the state's four TMAs (Bridgeport/Stamford, New Haven, Norwich/New London, and Hartford urbanized areas). Generally, TMAs have the ability to select, with CTDOT's consent, projects funded under certain federal funding programs. TMAs select projects in consultation with CTDOT and transit operators. The funds under the STP Block Grant Program, formerly the STP-Urban program are sub allocated per TMA and must be spent in these regions. TMAs must plan and implement a Congestion Management Process (CMP) providing for effective management and operation to combat congestion; they must have a congestion management system that identifies strategies and actions to reduce congestion and increase mobility. (After a TMA is identified, the phase-in schedule for compliance with the CMP may not be sooner than one year.) Federal regulations require that the CMP be a key element of regional long-range transportation plans, and should result in multimodal system performance measures and strategies. Federal certification of TMAs must occur at least once every four years.

Rural COGs

A COG with a population of less than 50,000 individuals is called a Rural COG. Unlike MPOs, which are designated based on federal statutes as determined by the latest census information, Rural COGs are designated by the State of Connecticut’s Office of Policy and Management (OPM) based on CGS Sec. 8-31a and Sec. 4-124.

Federal Rules for MPO Redesignation

The following sections of Title 23 of the Code of Federal Regulations (CFR) Section 450.310 pertain to the redesignation of MPOs:

(g) An MPO designation shall remain in effect until an official redesignation has been made in accordance with this section.

(h) An existing MPO may be redesignated only by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the existing metropolitan planning area population (including the largest incorporated city, based on population, as named by the Bureau of the Census).

(j) For the purposes of redesignation, units of general purpose local government may be defined as elected officials from each unit of general purpose local government located within the metropolitan planning area served by the existing MPO.

(k) Redesignation of an MPO (in accordance with the provisions of this section) is required whenever the existing MPO proposes to make:

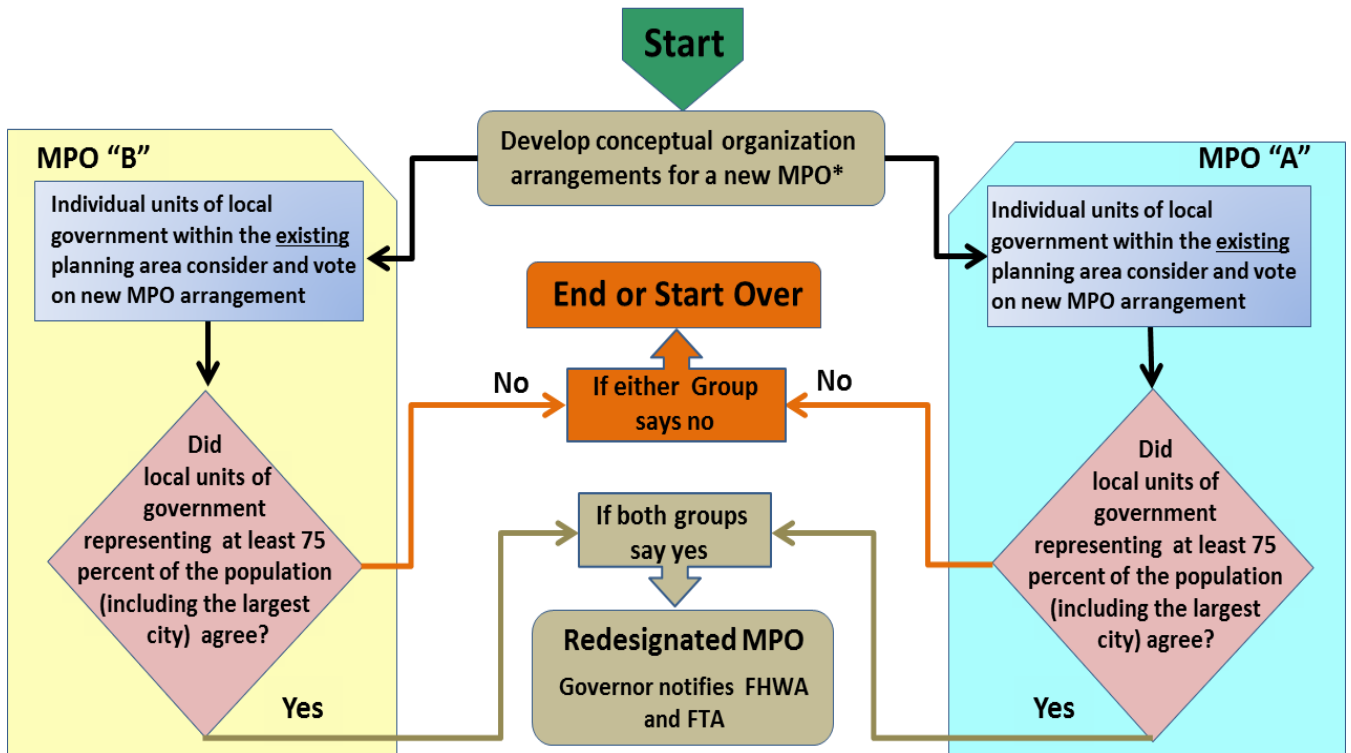
- (1) A substantial change in the proportion of voting members on the existing MPO representing the largest incorporated city, other units of general purpose local government served by the MPO, and the State(s); or
- (2) A substantial change in the decision-making authority or responsibility of the MPO, or in decision-making procedures established under MPO by-laws.

(l) The following changes to an MPO do not require a redesignation (as long as they do not trigger a substantial change as described in paragraph (k) of the section):

- (1) The identification of a new urbanized area (as determined by the Bureau of the Census) within an existing metropolitan planning area;
- (2) Adding members to the MPO that represent new units of general purpose local government resulting from expansion of the metropolitan planning area;
- (3) Adding members to satisfy the specific membership requirements for an MPO that serves a TMA; or
- (4) Periodic rotation of members representing units of general-purpose local government, as established under MPO by-laws.

Figure 1-5_ MPO Consolidation “General Process/Timeline

MPO Consolidation “General” Process/Timeline



CHAPTER 2: UNIFIED PLANNING WORK PROGRAM (UPWP)

Purpose

The purpose of this chapter is to outline the process used by the Connecticut Department of Transportation (CTDOT or Department) and the Metropolitan Planning Organizations (MPO) s/ Rural Councils of Governments (COGs) in the development and adoption of the Unified Planning Work Programs (UPWPs).

The UPWP is a federally mandated planning document that identifies the transportation planning priorities and activities to be carried out within the planning region area by the MPO or Rural COG, as well as the roles and responsibilities of MPOs and State DOTs. Although historically UPWPs have often been developed separately by each MPO/Rural COG, where multiple MPOs serve the same urban area they are encouraged to develop a single comprehensive UPWP for the region.

Metropolitan and Statewide Transportation Planning, Statewide Planning and Research (SPR), and data collection and reporting activities are legislated under¹ P.L. 112-141, the Fixing America's Surface Transportation (*FAST*) Act 23 CFR Parts 450 and 771 and 49 CFR Part 613.

The Metropolitan Transportation Planning process establishes the national policy that the MPO designated for each urbanized area is to carry out a continuing, cooperative, and comprehensive multimodal transportation planning process, including the development of a metropolitan transportation plan [§ 450.322] and a transportation improvement program (TIP) [§ 450.324], that encourages and promotes the safe and efficient development, management, and operation of surface transportation systems to serve the mobility needs of people and freight (including accessible pedestrian walkways and bicycle transportation facilities) and foster economic growth and development, while minimizing fuel consumption and air pollution. This process is implemented via the COGs' UPWPs.

The Department makes all federal transportation planning (PL) funds available to the MPOs in accordance with a formula developed by the Department, in consultation with the MPOs, and approved by the Federal Highway Administration (FHWA) Division Administrator [23 U.S.C. 104(f)]. Funds are also made available to the Rural COGs using the federal SPR Funds designated for Department. Every MPO/Rural COG develops a UPWP to define the transportation-related work activities done by the COG staff on behalf of the MPO or the Rural COG.

The UPWP lists the transportation studies and tasks to be performed by the MPO/Rural COG staff or a member agency as well as transportation studies that are being or will be performed in the planning area by other entities (municipalities, transit districts, private non-profit organizations, etc.). Because the UPWP reflects local issues and strategic priorities, the contents of UPWPs differ from one planning area to another. The UPWP covers a one- to two-year period. It typically contains several elements:

- The planning tasks (e.g., data collection and analysis, public outreach, and preparation of the plan and TIP), the supporting studies, and the products that will result from these activities;
- All federally funded studies as well as all relevant state and local transportation planning activities conducted without federal funds;
- Funding sources identified for each project;
- Staffing requirements;
- A schedule of activities; and
- The agency responsible for each task or study.

Steps in UPWP Approval Process

Every two years Connecticut's MPOs/Rural COGs are required to prepare a Unified Planning Work Program (UPWP). The UPWP runs on the State FY calendar with the start date beginning 07/01/XXXX and the end date 06/30/XXXX.

January: The process begins in early January of every other year. The COG Coordination office coordinates this process with FHWA, FTA and the Bureau of Public Transportation to solicit input to prepare the draft letter to the MPOs/Rural COGs.

February: February CTDOT mails a detailed letter to each MPO/Rural COG. (Copy of letter is included as Appendix 2-1.) Letter outlines requirements for inclusion in each UPWP. Each UPWP is required to address the major transportation issues facing each COG. It should also clearly identify the planning tasks that will address each of these issues. Each planning task is addressed/ should be addressed in accordance with requirements contained in SAFETEA-LU/MAP-21 and applicable federal planning regulations.

March: The COG submits a draft UPWP to CTDOT, FHWA, and FTA by early March.

April: In April, after receipt of COG's draft UPWP, CTDOT staff, FHWA and FTA staff independently conduct their reviews of the document. (Copy of UPWP checklist used for review is included as Appendix 2-2.) In end of April, CTDOT holds meeting with FHWA and FTA to discuss and consolidate all comments.

May: CTDOT forwards consolidated comments to each COG by early May. Each COG incorporates the comments into its draft UPWP. COG then submits five (4) copies of final approved UPWP to their RPO Coordinator.

May 30: CTDOT submits approved UPWP to FHWA by May 30. (Copy of transmittal letter included as Appendix 2-3).

Unified Planning Work Program Amendment Process

Guidance:

A key in understanding the process of UPWP adoption or amendment is that the USDOT (FHWA and FTA) has final UPWP approval authority. As Connecticut is one of only a few states who participate in the Consolidated Planning Grant program, joint approval on budgetary and program matters is essential. The State, as the USDOT grantee, makes subgrants to the MPOs and approves the UPWP, either as part of its state administrative process and/or as a portion of its overall state program. The State's approval of the UPWP would be in addition to the approval by USDOT as per 23 CFR 420.105(c). In the case of amendments, procedures should be developed to define how to process amendments and must be developed through consultation between FHWA/FTA, CTDOT, and the MPOs.

23 CFR 420.115(a) states that *“The State DOT and its subrecipients must obtain approval and authorization to proceed prior to beginning work on activities to be undertaken with FHWA planning and research funds. Such approvals and authorizations should be based on final work programs or other documents that describe the work to be performed. The State DOT and its subrecipients also must obtain prior approval for budget and programmatic changes as specified in 49 CFR 18.30 or 49 CFR 19.25 and for those items of allowable costs which require approval in accordance with the cost principles specified in 49 CFR 18.22(b) applicable to the entity expending the funds.”*

Additional regulations regarding the revision of budget and program plans can be found in 49 CFR 19.25(c).

The above noted regulations require that grantees (CTDOT) or subgrantees (MPOs) shall obtain the prior approval of the awarding agency (USDOT) whenever any of the following changes is anticipated under a nonconstruction award:

- Any revision which would result in the need for additional funding.
- Unless waived by the awarding agency, cumulative transfers among direct cost categories, or, if applicable, among separately budgeted programs, projects, functions, or activities which exceed or are expected to exceed ten percent of the current total approved budget, whenever the awarding agency's share exceeds \$100,000.

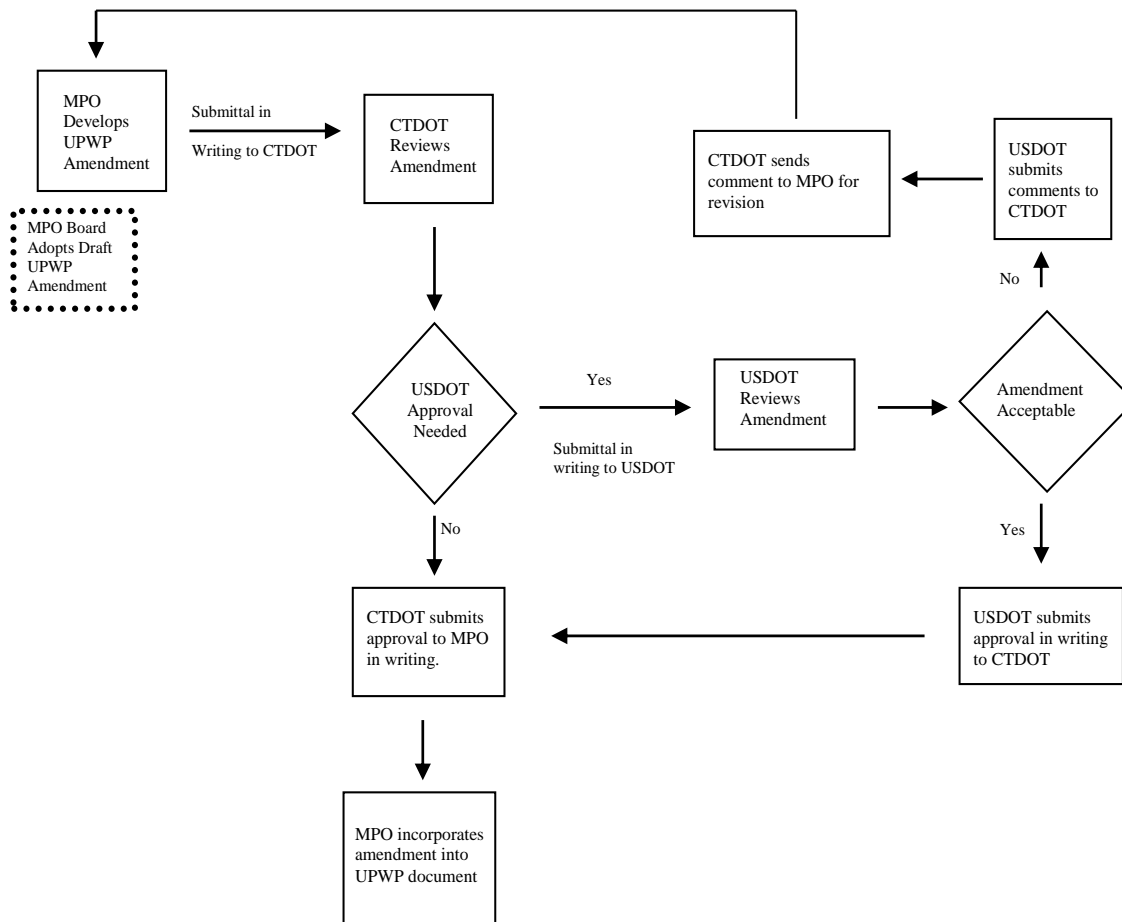
- Any revision of the scope or objectives of the project or program, regardless of whether there is an associated budget revision requiring prior approval.
- Need to extend the period of availability of funds.
- Changes in key persons in cases where specified in an application or a grant award. In research projects, a change in the project director or principal investigator shall always require approval unless waived by the awarding agency.
- Contracting out, subgranting (if authorized by law) or otherwise obtaining the services of a third party to perform activities which are central to the purposes of the award. Unless described in the application and funded in the approved awards, the subaward, transfer or contracting out of any work under an award. This approval requirement does not apply to the procurement of equipment, supplies, and general support services, these purchases are handled through procurement procedure guidance and do not require UPWP amendment.
- The absence for more than three months, or a 25 percent reduction in time devoted to the project, by the approved project director or principal investigator.
- The need for additional Federal funding.
- The transfer of funds allotted for training allowances (direct payment to trainees) to other categories of expense.

49 CFR 18.30(f) defines the process through which prior approval is requested. There are two basic rules; the first is that the request for prior approval of any budget revision will be in the same budget format used in the original UPWP accompanied by a narrative justification for the proposed revision. The second is that a request by an MPO to amend the UPWP will be addressed in writing to the CTDOT. The CTDOT will promptly review such request and shall approve or disapprove the request in writing. The CTDOT will not approve any budget or project revision which is inconsistent with the purpose or terms and conditions of the Federal grant to the MPO. If the revision, requested by the MPO would result in a change to the UPWP which requires prior Federal approval, the CTDOT will obtain the Federal agency's approval before approving the MPO's request.

Process:

Figure 2-1 is a flow diagram of the process of amending a UPWP. Where it is stated that a written submittal is required, the information may be submitted in as a hard copy (paper) or electronically depending on the preference of the MPO or CTDOT. Approvals may also be done electronically or in paper format.

Figure 2-1: Process for Amending a Unified Planning Work Program



CHAPTER 3: AGREEMENTS

This chapter identifies the types of agreements that the Connecticut Department of Transportation (CTDOT) uses, and it provides guidance to personnel of CTDOT and the Councils of Governments (COGs) in understanding, developing, and managing their FY SPR-PL Planning agreements. It also provides guidance and information relative to the development of project-specific agreements and supplemental agreements between the COGs and CTDOT. An agreement processing checklist is included in Appendix 3-1.

Master Planning Agreement for the Councils of Governments

The Department has developed a process that will streamline the non-competitive agreements such as those with the COGs. The Master Council of Governments Agreement contains all of the provisions necessary for the Department to enter into an agreement with a COG. As monies for specific projects become available these funds can be passed to the COG by way of a letter referencing the Master COG Agreement. The letter will be referred to as a Project Authorization Letter (PAL) and will comprise 3 to 5 pages. Implementation of this process will take a fraction of time to complete as compared to executing a new agreement for each project. See Appendix 3-2 for a sample of the current master agreement.

Types of Planning Agreements

The Department uses several types of agreements: SPR/ PL-funded agreements, project-specific agreements and supplemental agreements. The type of funding a COG anticipates using will determine the agreement format to be used.

SPR/ PL-Funded Agreements

An SPR/ PL-funded agreement is used to accomplish three things:

1. provide federal financial assistance to the COGs for transportation-related planning activities identified in the Unified Planning Work Program (UPWP);
2. establish the terms and conditions for accepting that federal assistance; and
3. create the framework of cooperation between the CTDOT and the COG for development of the UPWP.

There is a separate agreement format for the use of FHWA SPR/ PL-funded Fiscal Year Term Agreements. (Appendix 3-3) The Fiscal Year Term Planning Agreement is the standard document used between the COG and the Department to undertake the planning activities listed in each COG's UPWP.

The audit requirements and procedures for FHWA SPR/ PL-funded agreements are outlined in Chapter 5.

Project-Specific Agreements

Project-specific agreements are used for projects that are funded from a source other than FHWA SPR/PL funds. Examples of other funding sources for transportation projects include, but are not limited to, FHWA Surface Transportation Funds, FTA Funds, State Funds, or a combination of each. A slightly different agreement format is used when a project is not funded with FHWA SPR/PL funds. The non FHWA SPR/PL-funded agreements are not necessarily executed on a Fiscal Year basis. The term can commence at a time when the funds become available. Normally the expiration dates for such agreements are the Completion of Work. Such agreements are considered project-specific. (Appendix 3-4) Examples of such projects are listed below:

- A. I-84 Hartford Viaduct Study
- B. Stamford Bus Shuttle Study
- C. Transit Analysis System Wide Study
- D. Naugatuck Valley Greenway Study Route 6 Traffic Study
- E. Boston Post Rd. Route 1 Study
- F. Ridgefield TOD Study
- G. Route 169 Scenic Byways Study

The audit requirements and procedures for project-specific agreements are outlined in Chapter 5. If the COG is contracting these assignments out to a consultant, the COG must follow the Procurement Process outlined in chapter 6, and ensure that CTDOT staff has reviewed and approved the consultant agreement before it is executed.

Supplemental Agreements

A third type of agreement would be a supplemental agreement. (Copy of agreement format included as Appendix 3-5). A supplemental agreement may be necessary under the following circumstances:

- A. Change in Funding Source
- B. Extension of an Agreement's Term
If the term of an original agreement is being extended through a supplemental agreement, said supplemental agreement must be executed prior to the expiration date of the original agreement. Failure to do so causes the original agreement to lapse or expire. In such a case, a new original agreement extending the term of the expired original agreement must be prepared.
- C. Additional Funding
- D. Agreement Assignments

If two or more COGs dissolve and merge into one new COG, an assignment agreement must be prepared. Generally an assignment agreement will be done as a supplemental agreement. It states that the dissolving COG is transferring all its activities and responsibilities to the newly formed COG. (Appendix 3-6)

The COGs may also enter into state agreements with the Department or other State agencies. These could include but not be limited to the LOTCIP program, the Transit-Oriented Development grant program and the Community Connectivity Program. Those agreement parameters will be outlined in the specific program guidance manuals.

Disadvantaged Business Enterprises / Small Business Enterprises/ Small Business Participation Pilot Program

For each Federal Fiscal Year (FFY), the Department, through its Office of Contract Compliance, is required to develop Disadvantaged Business Enterprise (DBE), Small Business Enterprise (SBE) and Small Business Participation Pilot Program (SBPPP) goals for Department projects that involve contracting out to provide funding to a consultant, construction company, etc., to do work for CTDOT. The definitions of and requirements for a DBE, a SBE and the SBPPP are as follows:

- The Disadvantaged Business Enterprise (DBE) goal is only applicable to projects that are Federally Funded in whole or in part. Firms must be certified by the Connecticut Department of Transportation (CTDOT) to be eligible to meet the DBE goal. The overall agency DBE goal is established annually by the CTDOT's Office of Contract Compliance (OCC).

- The Small Business Enterprise (SBE) set-aside is only applicable to projects that are 100% State Funded. Firms must be certified by the Connecticut Department of Administrative Services (DAS) to be eligible to meet the SBE requirement. The overall SBE set-aside is established by State Statute; and is administered by DAS.

- The Small Business Participation Pilot Program (SBPPP) is a pilot program that CTDOT has established in order to provide an opportunity for Small Economically Disadvantaged consultant firms to compete and participate as prime consultants. When recommending this program, you are encouraged to coordinate with the Office of Contract Compliance. To be eligible to participate in the SBPPP firms must be currently certified as one of the following:
 - A Connecticut Department of Transportation certified Disadvantaged Business Enterprise (DBE);
 - A Connecticut Department of Administrative Services certified Small Business Enterprise (SBE) or Small/Minority Business Enterprise (SBE/MBE); or
 - Certified under one of the United States Small Business Administration's Programs; (8(a) firm; Small Disadvantaged Business (SDB); HUBZone; US SBA Loan recipient (Loan Note documentation required).

Once it is determined that funding will be provided to a consultant, a COG, Town, or other party to undertake a project or study, the following procedures are followed to develop a DBE/SBE/SBPPP goal:

1. The Project Manager needs to provide information to the Bureau's Screening Committee Coordinator as outlined below:

- a. Name of Second Party
- b. Dollar Value of Project
- c. Project Description
- d. Specify Funding Source(s)- example FHWA, FTA, or State
- e. Scope of Work or document showing project **tasks** broken down, ideally, into a **line item format**
- f. Information should be provided at least one week prior to Screening Committee meeting

2. Goal Preparation

- a. Bureau Screening Committee Coordinator reviews each line item task description
 - Federally funded projects have a DBE goal
 - Coordinator reviews CTDOT's DBE Directory
 - State funded projects have an SBE goal
 - Coordinator reviews DAS SBE Director
- b. In reviewing each Directory, the DBE Coordinator should enter key word(s) from each task description
- c. The names of appropriate DBE/SBE firms will come up
- d. Coordinator reviews each firm to determine if their work experience is applicable to the line item task description
- e. Coordinator determines which line item descriptions can be subcontracted to a DBE or SBE
- f. Coordinator then recommends a goal and discusses it with Project Manager
- g. Coordinator submits email to Screening Committee Secretary with the recommended goal for each project

3. Goal Recommendation and Submittal

- a. Coordinator attends Screening Committee meeting, with Project Manager
- b. Coordinator presents recommended goal(s) to Screening Committee
- c. Screening Committee may ask questions about the project
- d. Screening Committee then either:
 - approves recommended goal,
 - assigns higher goal, or
 - assigns lower goal

4. Goal Assignment

- a. Screening Committee Secretary submits email to Coordinator showing Committee's approval of goal(s) for project(s)
- b. Coordinator forwards email to Project Manager
- c. Project Manager maintains email in project files

Agreement Authorization

CTDOT is authorized to enter into each Agreement in accordance with provisions of Title 23 of the U.S. Code and/or the Connecticut General Statutes identified below.

Universal Citation: CT Gen Stat § 13a-165 (2013)

This state having assented to the provisions of the act of the Congress approved July 11, 1916, entitled "An Act to Provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", the Commissioner of Transportation is authorized (a) to set aside, from time to time, from any sums appropriated for the improvement of state highways in the state, a sufficient sum to make available to this state the amounts apportioned to it for the construction and maintenance of highways under federal law and to enable the state to carry out and conform with the provisions of federal law with respect thereto, (b) to apply for and to obtain moneys, grants or other benefits from the United States or any agency thereof in connection with roads, bridges or highways and (c) to approve all programs, conclude all agreements, accept all deeds, make all claims for payment, certify all matters and do any and all other acts and things necessary or desirable to meet the requirements of and obtain such moneys, grants or benefits from the United States or any agency thereof.

Universal Citation: CT Gen Stat § 13b-4 (2013)

The commissioner shall have the following general powers, duties and responsibilities:

- (1) To coordinate and develop comprehensive, integrated transportation policy and planning to include a long-range master plan of transportation for the state;*
- (2) To coordinate and assist in the development and operation of a modern, safe, efficient and energy-conserving system of highway, mass transit, marine and aviation facilities and services;*
- (3) To promote the coordinated and efficient use of all available and future modes of transportation;*
- (4) To study commuter and urban travel and in cooperation with federal, regional and local agencies and persons to formulate and implement plans and programs to improve such travel;*
- (5) To study means of providing facilities for parking motor vehicles so as to encourage travel by the combination of motor vehicle and other modes of transportation and in cooperation with federal, regional and local agencies and persons to formulate and implement plans and programs for this purpose;*
- (6) To study means of improving transportation safety and to formulate and implement plans and programs and adopt regulations, in accordance with chapter 54, for this purpose;*
- (7) To cooperate with federal, state, interstate and local agencies, organizations and persons performing activities relating to transportation;*
- (8) To exercise and perform such other duties and responsibilities as may be conferred under*

this chapter and title 13a or as may otherwise be conferred by law;

(9) To prepare a plan setting forth a recommendation for a restructured system of regional transit districts within the state. Said plan shall be based on: (A) Established patterns of commuter traffic within the state; (B) federal requirements for receiving aid under the Urban Mass Transportation Act of 1964; and (C) present planning regions. On or before February 1, 1978, the commissioner shall present such plan to the General Assembly;

(10) To prepare pertinent reports, including but not limited to, detailed reports of energy use analysis by mode of transportation;

(11) To provide for the planning and construction of any capital improvements and the remodeling, alteration, repair or enlargement of any real asset that may be required for the development and operation of a safe, efficient system of highway, mass transit, marine and aviation transportation, provided (A) the acquisition, other than by condemnation, or the sale or lease, of any property that is used for such purposes shall be subject to the review and approval of the State Properties Review Board in accordance with the provisions of subsection (f) of section 4b-3, and (B) any contract for the planning, construction, remodeling, alteration, repair or enlargement of any public building which is estimated to cost more than five hundred thousand dollars shall be advertised and awarded in accordance with section 13b-20n; and

(12) To participate, subject to the availability of funds, in transit-oriented development projects at or near transit facilities.

CHAPTER 4: AUDIT REQUIREMENTS & PROCEDURES

Purpose

The purpose of this chapter is to outline the audit requirements that each Council of Governments (COG) must adhere to. The requirements apply to both the FHWA/SPR PL-funded Planning Agreements and Project Specific Agreements.

COG Audit Requirements

In October of each year, CTDOT sends out its Audit Requirement letter to each of the COGs. (A copy of a Sample Letter is included as Appendix 4-1.) Each COG is required to submit the following documents to the Department by the end of the calendar year:

- Basic Financial Statements
- State Single Audit Report (If necessary)
- Federal Single Audit Report (if necessary)
- Indirect Cost Audit Report

The Department's **Office of External Audits** is required to conduct a desk review of each of the documents listed above. The review determines if the document(s) meets OMB Circular A-133 (Currently 2 CFR Part 200, Subpart F) and the State Single Audit Act requirements.

The review also examines the audited indirect cost rate calculation, as developed by the COG's Certified Public Accountant with an opinion whether it is in accordance with 2 CFR Part 200. After the rate calculation is approved, the **Office of External Audits** issues to each COG its new FY Indirect Cost Rate.

Upon receipt of the approval, by the Office of External Audits, of the new FY Indirect Cost Rate, each COG is then required to use this new rate, when preparing and submitting invoices. Should the COG choose, it can apply this new rate retroactively to invoices previously submitted during the Fiscal Year.

FHWA/SPR PL Fiscal Year Planning Agreement Audit Requirements

Authority

Audit requirements are explained in detail in the following boilerplate language that is included in each COG's FHWA/SPR/PL Fiscal Year Agreement:

Maintenance and Audit of Records

(a) **SINGLE AUDITS**: The COG receiving federal funds must comply with the [**Federal Single Audit Act of 1984, P.L. 98-502 and the Amendments of 1996, P.L. 104-156.**] The agency receiving state funds must comply with [**Connecticut General Statutes § 7-396a, and the State Single Audit Act, §§ 4-230 through 236 inclusive,**] and regulations promulgated thereunder.

The Audit Reports shall include the requirements as outlined in 2 CFR Part 200 "Audits of States, Local Governments, and Non-Profit Organizations" and the State Single Audit Act, when applicable. Such Audit Reports shall include management letters and audit recommendations.

The audited COG shall provide supplementary schedules with the following program/grant information: the program/grant number, CTDOT project number, Federal project number, phase and expenditures by phase. The sum of project expenditures should agree, in total, to the program/grant expenditures in the Audit Reports. Federal and State programs/grants should be listed separately.

Some programs/projects may have a "Matching" requirement, the matching portion of which must be met from local funds. Where matching requirements exist, the audit must cover the complete program/project, including all expenditures identified with or allocated to the particular program/project at the local level, whether the expenditures are from Federal, State or local Funds.

Any differences between the project expenditures identified by the auditor and those amounts approved and/or paid by the Connecticut Department of Transportation must be reconciled and resolved immediately.

Except for those projects advertised by the State, the COG agrees that all fiscal records pertaining to the project shall be maintained for three (3) years after expiration termination of this Agreement or three (3) years after receipt of the final payment, whichever is later. If any litigation, claim, or audit is started before the expiration of the three (3) year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been finally and irrevocably resolved. These records shall include the contract, contractor's monthly and final estimates and invoices, construction orders, correspondence, field books, computations, contractor's payrolls, EEO/AA records/ reports, and any other project related records. Such records will be made available to the State, State Auditors of Public Accounts and/or Federal Auditors upon request.

The audited Agency must obtain written approval from the appropriate division within the Connecticut Department of Transportation prior to destruction of any records and/or documents pertinent to this Agreement.

The Agency shall require that the work papers and reports of the independent Certified Public Accountant ("CPA") be maintained for a minimum of five (5) years from the date of the Audit Reports.

The State, including the State Auditors of Public Accounts, reserves the right to audit or review any records/ of the entity or municipality and the CPA pertaining to the Agreement.

The COG also agrees it shall make arrangements with its Certified Public Accountant to have copies of its working papers forwarded to the Office of External Audits of the Connecticut Department of Transportation when requested.

Audit Requirements for COGs' Project-Specific Agreements

The language shown above is also included in all COG project-specific agreements. However, in those instances where the COG hires a consultant to undertake the project, upon notifying the Department's project manager that the project is complete, the Department submits an audit request to the Office of External Audits. A final report is prepared showing how much money, if any, is due the Consultant/COG as retainage. In some instances, certain costs may be disallowed and the Consultant/COG may owe CTDOT money. After the Consultant/COG is either paid retainage or pays CTDOT what is owed, the Purchase Order (PO) for the Project is submitted to the Office of Purchasing. The Office of Purchasing then closes out the PO. The project close out process and procedures are outlined below.

Project Close Out Process and Procedures

After the COG has completed work on its project, it should submit its final invoice to CTDOT for payment. It should also inform the Project Manager that work on the project is complete.

Once this has been done, the Project Manager informs the person in the Department's Bureau of Finance and Administration who processes the project invoices (Financial Contact) that the project is complete.

The Financial Contact will then prepare a memo transmitting the audit request to the Office of External Audits. A copy of the transmittal memo is included as Exhibit xxxxx. The transmittal memo should include the **COG Name** and the **Project Number**, and it should reference hard copies or PDF copies of the following attachments:

- Copy of Invoice Spreadsheet
- Copy of all invoices
- Copy of Original Agreement and any Supplemental Agreement(s) between the COG and CTDOT. The agreements may be included via hard copies or electronically by PDF.
- If the COG has hired a Consultant to undertake the project, the COG should submit to CTDOT a hard copy or a PDF copy of the Agreement between the COG and the Consultant.
- The Division of Financial Management and Support will reduce the Purchase Order to expenditures.

Additionally, DBE usage/ computation should be submitted with the audit request.

The Office of External Audits conducts its review of the project. This Office prepares a final report. This report is then submitted to the Bureau. The report contains findings and recommendations. Examples of such findings and recommendations are shown below:

- The Department may owe the COG XXXX \$
- The COG may owe the Department XXXX \$ as a result of adjustments that disallow certain costs
- There may be nothing owed by either the COG or the Department

The Office of External Audits will prepare a letter and send the report directly to the COG.

If the Department owes the COG money, the Office of External Audits prepares a non-PO voucher and forwards it to Accounts Payable for processing.

If the COG owes the Department money, the Office of External Audits requests the Office of Revenue Accounting to prepare an invoice which is included with the letter and report to the COG.

The email requests that Purchasing close the PO in accordance with procedures dictated by Financial Management. This is normally completed within a day.

Audit Requirements & Project Close Out Procedures for Projects Funded with State Grant Awards

The audit requirements for projects funded with State grant awards (such as the State-funded 2011 TOD Pilot Program grant projects), may be satisfied by the State Single Audit. However, CTDOT's Office of External Audits will need some additional information from CTDOT's program/ project manager and the grant recipient (municipality or COG) since the Single Audit will not likely include enough detail.

After the project has been completed, the CTDOT program/project manager should notify the Director of CTDOT's Office of External Audits that the project has been completed and is ready for his review. The grant recipient will need to provide the following backup financial documentation to the Office of External Audits:

- Copies of the quarterly reports the grantees financial officer signed certifying the expenses
- A report detailing all project expenditures
- A report on SBE usage as required by the grant

The CTDOT project manager will not need to request invoicing for refunds of unused funds; CTDOT's Office of External Audits will do this automatically based on the office's review of the financial data.

CHAPTER 5: COG REIMBURSEMENTS: PROCEDURES & ELIGIBLE COSTS

Purpose

This chapter provides guidance to personnel of the Connecticut Department of Transportation (CTDOT) and the Councils of Governments (COGs) regarding planning expenses for which federal planning (PL) funds may be used, the processing of invoices submitted by a COG to CTDOT as payment for work performed or for goods or services purchased, and the disposal of goods (equipment and furniture) that a COG purchased and was reimbursed with PL funds.

Eligible Planning Costs

Costs that are eligible for reimbursement with Federal PL funds are identified in 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (Super Circular). The link to it is as follows: http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl

Some sections to look at are: 200.472 training and education costs, 200.474 travel costs, 200.431 compensation-fringe benefits, 200.416 cost allocation plans and indirect cost proposals and then section 200.412-415 covers direct and indirect costs also.

The state compliance supplement can be found at:

<http://www.ct.gov/opm/cwp/view.asp?a=2984&q=383180>

It has cost standards in Part 6 which may be useful to review.

Invoicing Procedures

Depending on the funding source of a project, invoices submitted by a COG will generally fall into two categories. They are as follows:

- **SPR-PL Funds Invoice**-These invoices are submitted under the terms of the ten year "Master COG Agreement Concerning Regional Transportation Planning Programs and Projects" along with its accompanying Project Authorization Letters (PALs). Depending on the COG, such invoices can be submitted monthly, quarterly, or on whatever basis the COG deems appropriate.
- **STP Urban Funds Invoice**-These invoices were previously submitted under the terms of a project specific agreement but future projects will be submitted under the Master agreement outlined above. Shown below are several examples of invoices submitted under such agreements:
 - 1)** Westport Bus Service Operations and Needs Study
 - 2)** Route 110 Study Stratford
 - 3)** Ridgefield TOD Study

Each invoice submitted by a COG to CTDOT for payment shall be certified and signed by an authorized official of the COG, attesting to the accuracy of the invoice based on their examination of supporting records pertaining to said invoice. To each invoice a certified percentage shall be added to cover overhead, burden, and fringe costs in accordance with applicable State and Federal Regulations (Office of Management and Budget (“OMB”) (2CFR Part 200).

The steps and procedures required to process an invoice for payment are listed below.

- A PAL is developed with a COG to provide funding for the COG to undertake a project.
- Before a PAL can be sent to a COG, a Purchase Order must be prepared. The Purchase Order is a document that provides funding for the project on which the COG is to undertake work. Once the Purchase Order is approved, it is dispatched to the COG. The COG is then able to begin work on the project.
- To receive payment for work done on a project, a COG must prepare an invoice. The invoice is submitted to the Department for processing.
- Invoices may be submitted to the Department on a monthly basis, a quarterly basis, or on whatever basis the COG deems appropriate.
- Any manual changes made to an invoice should be initialed and dated by the COG staff who made the change.

- An invoice should include the following documents:
 - ✓ An ISP Form Copy included as(Appendix 5-2)
 - ✓ An Invoice Summary Sheet (Appendix 5-3)
 - ✓ Direct Cost Non-salary Breakdown (Appendix 5-4)
 - ✓ Timesheets for each staff member
 - ✓ Supporting documents if required
 - Receipts for Meals – ensure legible
 - Parking Receipts
 - Mileage sheets
 - Direct charge approval forms
 - Travel authorization forms
 - Sub-consultant direct charges
 - ✓ DBE sub-contractor/cost analysis forms
 - Consultant Progress reports

- After the COG has assembled it’s invoice, including the documents shown above, it should mail the invoice to the following address, which is printed on the ISP form:

Connecticut Department of Transportation
Division of Financial Management & Support-Room 1329
2800 Berlin Turnpike
PO Box 317546
Newington, CT 06131-7546

- ❑ All invoices for Bureau projects are then delivered to the appropriate inbox in the Bureau of Policy and Planning
- ❑ The project manager reviews each invoice for accuracy in terms of correct agreement and contract numbers, accurate math calculations, appropriate backup documentation as outlined above, required signatures, BFO rates, retainage, etc.
- ❑ After finishing the review, the Project Manager then completes an invoice checklist (Appendix 5-1). Any changes made by the project manager, must be initialed, dated and noted by the project manager on the Invoice Checklist.
- ❑ The Project Manager then submits the invoice with checklist to the Bureau of Policy and Planning's Invoice Coordinator in the Bureau of Finance and Administration.
- ❑ The Invoice Coordinator reviews each invoice for accuracy and electronically enters the financial data the Department's financial management system (CORE). CORE electronically assigns each invoice a receipt ID No. The Invoice Coordinator maintains detailed excel spreadsheets for each project.
- ❑ After the invoice is assigned a receipt ID Number, it is hand-carried to the Office of Accounts Payable, where the invoice is processed for payment. The check is then either mailed or transferred via Automated Clearing House (ACH) to the COG. Normally the check arrives within 5-7 days of the day it is processed.
- ❑ On average, it takes approximately 18 to 30 days from the time an invoice arrives at the Department to the time the COG receives payment.

Procurement Process

At times, an MPO or COG may need to purchase equipment or specialized outside assistance and would like to hire a consultant to use Federal/State contracted planning funds.

The MPO/COG should follow the Procurement Procedures / Consultant Selection Requirements outlined in Appendix 5-5.

Procedure for Disposing of Equipment Purchased with Federal Funds

When a COG disposes of equipment (including furniture) purchased with federal funds, it must follow federal and state guidelines. More specifically, it must comply with the federal Uniform Act, which typically means the COG would follow State procedures for disposal of Federal property. (A copy of PART 18—UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS, Subpart C—Post-Award Requirements, Section 18.32 Equipment, is included in Appendix 5-6.

If the property was purchased with PL funds, CTDOT must determine whether it would want to take that property into its inventory. The COG staff should contact the person in CTDOT's Asset Management section in the Bureau of Finance and Administration who is responsible for surplus equipment to discuss the property that the COG wants to dispose of and the time frame in which the COG needs to have it moved out of the office. This person can arrange to have someone come to your office to remove the property. Contact the COG's RPO

Coordination Unit liaison for assistance in obtaining the name of and contact information for the individual responsible for surplus equipment.

Travel Policy for the COGs

At times, employees of a COG may need to travel for work-related tasks and training. The travel policy for COG staff is based on the State of Connecticut's Travel Policy for State employees. Meal reimbursement rates are the same as the rates for State managers. Federal GSA per diem rates are not applicable. COG employees should follow the Travel Policy for the COGs outlined in Appendix 5-7.

CHAPTER 6: REGIONAL TRANSPORTATION PLANS

Purpose

This chapter provides guidance to personnel of the Connecticut Department of Transportation (CTDOT) and the Metropolitan Planning Organizations (MPOs) in developing, implementing and managing the MPO's federally mandated Metropolitan Transportation Plan (MTP), the official multimodal transportation plan addressing no less than a 20-year planning horizon that the MPO develops, adopts, and updates through the metropolitan transportation planning process. The Department encourages the COGs in nonmetropolitan areas to also prepare a long-range transportation plan (LRTP), although federal regulation does not require that they do so unless they are officially designated as Regional Transportation Planning Organizations (RTPOs).

Scope

In metropolitan areas, the transportation plan outlines the ways the region plans to invest in the transportation system over a minimum of a 20-year planning horizon as of the effective date. Per the federal regulations **[23 CFR 450.324(b)]**, the plan shall "include both long-range and short-range program strategies/actions that lead to the development of an integrated intermodal transportation system that facilitates the efficient movement of people and goods."

The MPO is responsible for developing a MTP that addresses no less than a 20-year planning horizon from the date of the plan update adoption. The Department sets the planning horizon for the MPOs' MTPs and the long range transportation plans for nonmetropolitan areas, it and usually sets a 25 year horizon. The intent and purpose of the MTP is to encourage and promote the safe and efficient management, operation, and development of a cost feasible intermodal transportation system that will serve the mobility needs of people and freight within and through urbanized areas of this state, while minimizing transportation-related fuel consumption and air pollution. The MTP must include long-range and short-range strategies consistent with state and local goals and objectives.

Projects in an MPO's Transportation Improvement Program (TIP) are typically drawn from its MTP. The MPO's TIP, which covers four years, is essentially an incremental implementation of its MTP.

Plan Development

There is no single methodology or process that must be used for developing metropolitan transportation plans. However, CFR 450.306 requires that metropolitan planning organizations designated under § 450.310, in cooperation with the State and public transportation operators, must develop long-range transportation plans through a performance-driven, outcome-based approach to planning for metropolitan areas of the State.

The metropolitan transportation planning process must be continuous, cooperative, and comprehensive, and provide for consideration and implementation of projects, strategies, and

services that will address the following factors:

- (1) Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
- (2) Increase the safety of the transportation system for motorized and non-motorized users;
- (3) Increase the security of the transportation system for motorized and non-motorized users;
- (4) Increase accessibility and mobility of people and freight;
- (5) 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 development patterns;
- (6) Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
- (7) Promote efficient system management and operation;
- (8) Emphasize the preservation of the existing transportation system;
- (9) Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and
- (10) Enhance travel and tourism.

The degree of consideration and analysis of the aforementioned factors should be based on the scale and complexity of many issues, including transportation system development, land use, employment, economic development, human and natural environment (including Section 4(f) properties as defined in 23 CFR 774.17), and housing and community development.

Long-range transportation plans should reflect the goals, objectives and values of each MPO. Each MPO, at the beginning of the process, must establish factors considered important to the local citizenry and address state and federal requirements. These factors should also be consistent with the current CTDOT's Statewide LRTP. Although historically, MTPs have often been developed separately by each MPO, where multiple MPOs serve the same urban area, they are encouraged to develop a single comprehensive MTP for the region.

The public involvement in the development of the MPOs' metropolitan transportation plans should be based on the public involvement policy of the individual MPOs in accordance with CFR 450.316. Specific requirements are outlined in Chapter 10: TITLE VI / NONDISCRIMINATION GUIDANCE FOR METROPOLITAN PLANNING ORGANIZATIONS.

Based on federal regulation **[23 CFR 450.324(f)]**, at a minimum, the MPO MTP shall include the following:

- (1) The current and projected transportation demand of persons and goods in the metropolitan planning area over the period of the transportation plan;
- (2) Existing and proposed transportation facilities (including major roadways, public

transportation facilities, intercity bus facilities, multimodal and intermodal facilities, nonmotorized transportation facilities (e.g., pedestrian walkways and bicycle facilities), and intermodal connectors) that should function as an integrated metropolitan transportation system, giving emphasis to those facilities that serve important national and regional transportation functions over the period of the transportation plan.

(3) A description of the performance measures and performance targets used in assessing the performance of the transportation system in accordance with §450.306(d).

(4) A system performance report and subsequent updates evaluating the condition and performance of the transportation system with respect to the performance targets described in §450.306(d), including—

(i) Progress achieved by the metropolitan planning organization in meeting the performance targets in comparison with system performance recorded in previous reports, including baseline data; and

(ii) For metropolitan planning organizations that voluntarily elect to develop multiple scenarios, an analysis of how the preferred scenario has improved the conditions and performance of the transportation system and how changes in local policies and investments have impacted the costs necessary to achieve the identified performance targets.

(5) Operational and management strategies to improve the performance of existing transportation facilities to relieve vehicular congestion and maximize the safety and mobility of people and goods;

(6) Consideration of the results of the congestion management process in TMAs that meet the requirements of this subpart, including the identification of SOV projects that result from a congestion management process in TMAs that are nonattainment for ozone or carbon monoxide.

(7) Assessment of capital investment and other strategies to preserve the existing and projected future metropolitan transportation infrastructure, provide for multimodal capacity increases based on regional priorities and needs, and reduce the vulnerability of the existing transportation infrastructure to natural disasters. The metropolitan transportation plan may consider projects and strategies that address areas or corridors where current or projected congestion threatens the efficient functioning of key elements of the metropolitan area's transportation system.

(8) Transportation and transit enhancement activities, including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated, and including transportation alternatives, as defined in 23 U.S.C. 101(a), and associated transit improvements, as described in 49 U.S.C. 5302(a), as appropriate;

(9) Design concept and design scope descriptions of all existing and proposed transportation facilities in sufficient detail, regardless of funding source, in nonattainment and maintenance areas for conformity determinations under the EPA's transportation conformity regulations (40 CFR part 93, subpart A). In all areas (regardless of air quality designation), all proposed improvements shall be described in

sufficient detail to develop cost estimates;

(10) A discussion of types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the metropolitan transportation plan. The discussion may focus on policies, programs, or strategies, rather than at the project level. The MPO shall develop the discussion in consultation with applicable Federal, State, and Tribal land management, wildlife, and regulatory agencies. The MPO may establish reasonable timeframes for performing this consultation;

(11) A financial plan that demonstrates how the adopted transportation plan can be implemented.

The Department provides the following assistance to the MPOs in the development of their MTPs:

1. Provides a financial plan with anticipated funding allocations for the MPOs MTP update. This plan also includes the list of Major Projects that are Regional and/or Statewide significant being funded with FHWA and FTA funds to be included in the MPOs' MTPs.
2. Sets the planning horizon for the MPOs' MTPs.
3. Requests copies of draft MTPs from the MPO/COGs when due.
4. Ensures schedule of MTP update is in line with federal requirements.
5. Coordinates review of COG's MTPs with various offices within the Department.
6. Conducts air quality conformity determination on the MPOs' MTPs.
7. Ensures MTP is fiscally constrained based on funding allocations prepared by the Department.
8. Ensures all federal requirements are met
9. Attends MPO/COGs' public meetings on MTPs and
10. Coordinates review by other state agencies

Update Frequency

The MPO shall review and update the MTP at least every four years in air quality nonattainment and maintenance areas, and every five years in attainment areas. During these updates, the MPO shall confirm the plan's validity and its consistency with current and forecasted transportation and land use conditions and trends. **[23 C.F.R. 450.324(c)]** The entire state of Connecticut is classified as a nonattainment area; therefore the Connecticut's MPOs are required to update their MTP at least every four years.

The MPO may revise the transportation plan at any time using the procedures in this section without a requirement to extend the horizon year. The schedule for the four year update of the MTP will be determined cooperatively by the MPO, the Department, the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA). Copies of any updated or revised transportation plans must be provided to the FHWA and the FTA.

Checklist Used to Review MPOs' MTPs

The checklist in Appendix 6-1 is used by the Department to review the draft MTPs from the MPOs and LRTPs from the nonmetropolitan areas.

CHAPTER 7: TRANSPORTATION IMPROVEMENT PROGRAM

Purpose

This chapter briefly explains the Transportation Improvement Program (TIP). It provides a general overview of the key federal requirements for developing the TIP. In recognition of the fact that the bylaws of an Metropolitan Planning Organization (MPO) are unique to that MPO and are adhered to when developing the TIP, this chapter will be limited to Moving Ahead for Progress in the 21st Century Act (MAP-21) TIP requirements for MPOs. See figure 7-1 which outlines the MPOs in Connecticut.

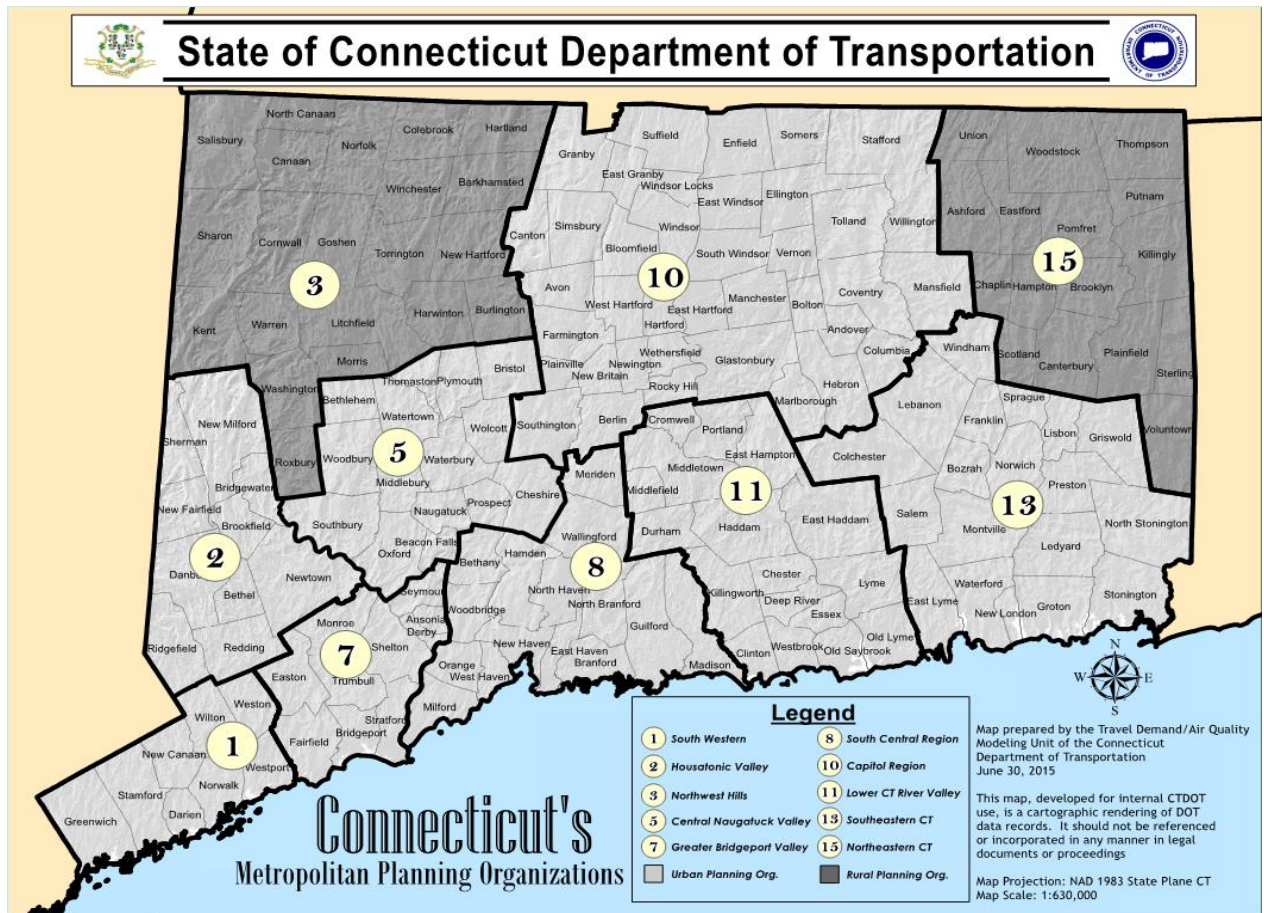
What is the TIP?

The TIP is a four-year financial document that lists all state and local projects expected to be funded in full or partial within those four years with Federal funds. The TIP is updated periodically throughout its life. The MPOs in cooperation with the Connecticut Department of Transportation (CTDOT), municipalities and transit operators within that MPO will develop their respective TIPs. Although historically TIPs have often been developed separately by each MPO, where multiple MPOs serve the same urban area, they are encouraged to develop a single comprehensive TIP for the region.

The TIP is developed in accordance with the terms and provisions of MAP-21 and the Clean Air Act Amendments of 1990 and all regulations issued pursuant thereto. According to these regulations, a TIP:

1. must be developed at least once every four years;
2. must cover a minimum of four years;
3. must list projects in order by year;
4. must be financially constrained by year;
5. must include a financial plan that demonstrates which projects can be implemented using current and anticipated revenue sources;
6. must include all significant projects that could affect air quality;
7. must come from conforming MPO Metropolitan Transportation Plans;
8. must be found in conformity with the State Implementation Plan (SIP); and
9. individual project entries must contain the following information:
 - Project description, including sufficient detail to identify the project phase and, in non-attainment or maintenance areas, sufficient description to permit air quality analysis according to the U.S. Environmental Protection Agency's (EPA) conformity regulations.
 - Specific project budget, including, total cost, Federal share and source by year, other funding shares and sources, by year and
 - Identification of the Americans with Disabilities Act implementation project elements.
10. must under a public involvement process to meet the Environmental Justice and Title VI requirements.

FIGURE 7-1: MPOs IN CONNECTICUT



TIP Updates

Due to a number of reasons, changes may need to be made to TIP projects outside of the regular update cycle. The following are example of reasons to update the TIP:

- Change in funding category
- Change in cost estimate (increase/decrease)
- Move from one fiscal year to another
- Add/delete a project
- Change in project scope and description
- Adding or deleting of project phase (Design (PD/FD), Rights of Way, or Construction)

Changes that do not significantly affect the total project scope or cost estimate are handled as an Action that requires the MPO’s agreement and signature. Upon receipt of an MPO’s signed Action, the STIP is automatically updated, and notification is made to Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA).

Changes that significantly affect the total project scope and cost estimate call for an Amendment of the TIP. The Amendment process differs from the process used for Actions. It requires (in some MPOs), review and recommendation of the MPO's Transportation Technical Committee and the approval of the MPO's Policy Board. These changes are often reviewed for compliance to Air Quality requirement. Appendix 7-1 outlines the TIP/STIP Administrative Action/Amendment/Notification process.

Any project included in the approved updated TIP/STIP list is eligible for authorization of federal funding under which it is listed.

Public Involvement

MAP 21 requires that the MPO develop and use a documented public participation plan. In addition, the MPO shall periodically review the effectiveness of the procedures and strategies contained in the public participation plan. The public participation plan defines the process for public input into the TIP.

The MPO shall provide all interested parties reasonable opportunity to comment on the TIP. In addition, in nonattainment area Transportation Management Areas (TMAs), the MPO shall provide at least one formal public meeting during the TIP development process, which should be addressed through the participation plan. Those "interested parties" include citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, pedestrian walkways, bicycle transportation facilities, and the representatives of the disabled. When the Metropolitan Planning Area (MPA) includes Indian Tribal Lands, the MPO shall appropriately involve Indian Tribal Governments in the process. In addition, if the MPA includes Federal Public Lands, the MPO shall appropriately involve Federal Land Management Agencies in the process.

In addition the MPO shall do the following when developing the TIP.

1. Provide adequate and timely notice about public participation activities;
2. Provide opportunity to comment at key decision points;
3. Provide reasonable access to information about transportation issues and processes;
4. Use visualization techniques to describe the TIP;
5. Make public information available in electronic formats such as the World Wide Web;
6. Hold public meetings at convenient times and locations;
7. Demonstrate explicit consideration and response to public input;
8. Seek out and consider the needs of those traditionally underserved by existing transportation systems such as low-income and minority households;
9. Provide additional opportunity for public comment if the Final TIP differs significantly from the Draft TIP;
10. Provide a summary, analysis, and report on the comments received on the TIP if there were a significant number of comments received;

11. Consult with state and local agencies that are responsible for other types of planning within the metropolitan area (such as planned growth, economic development, environmental protection, airport operations, and freight movements);
12. When the MPA includes Indian Tribal lands, the MPO shall appropriately involve the Indian Tribal government(s); and
13. When the MPA includes Federal public lands, the MPO shall appropriately involve the Federal land management agencies.

Financial Constraint

The MPO must demonstrate that the TIP is financially constrained by year and maintain that financial constraint. It is highly recommended that the TIP include a table(s) that compares the funding sources and amounts by year to the total project costs by year. The TIP shall include a financial plan that demonstrates how the approved TIP can be implemented, indicates resources from public and private sources that are reasonably expected to be made available to carry out the TIP, and recommends any additional financing strategies for needed projects and programs. When developing the TIP, the MPO, State, and public transportation operator(s) shall cooperatively develop estimates of funds that are reasonably expected to be available.

The TIP shall include a project or phase of a project only if full funding can reasonably be anticipated for the time period contemplated to complete the project.

Projects to be Included in the TIP

The TIP must include:

- (1) Capital and non-capital surface transportation projects proposed for funding under Title 23 and Title 49 Chapter 53 (including transportation enhancements, Federal Lands Highway projects, and safety projects included in the Strategic Highway Safety Plan, trail projects, pedestrian walkways, and bicycle facilities).
- (2) All regionally significant projects requiring an action by FHWA or FTA regardless of funding source.
- (3) For information purposes, all regionally significant projects proposed to be funded with Federal funds other than those administered by the FHWA or FTA, as well as all regionally significant projects to be funded with non-Federal funds.
- (4) In areas with Americans with Disabilities Act required paratransit and key station plans, identification of those projects that will implement these plans.
- (5) Only projects consistent with the MTP.

CHAPTER 8: AIR QUALITY CONFORMITY

Purpose

The purpose of this chapter is to explain the Transportation Air Quality Conformity process in Connecticut pursuant to the requirements of the federal Clean Air Act (CAA) section 176(c) (42 U.S.C.7506(c)). This chapter focuses on conformity relating to on-road mobile sources of air pollution, including the process followed by metropolitan planning organizations (MPOs) and the Connecticut Department of Transportation (CTDOT) to remain eligible for federal funds.

The quality of air has a direct effect on human health as well as the environment. The federal government through the U.S. Environmental Protection Agency (EPA) has established allowable concentrations and exposure limits for certain pollutants called National Ambient Air Quality Standards (NAAQS) in order to ensure that the air will be healthy. Air pollution is generated from several sources:

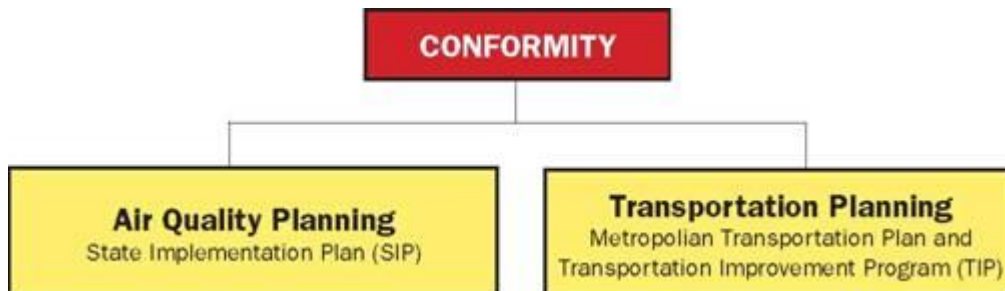
- Mobile—on road (cars, trucks and buses) and non-road (construction and farm equipment, airplanes, boats and trains)
- Stationary – factory and power plants
- Area – smaller dispersed sources such as dry cleaners or painting operations; and
- Naturally occurring – windblown dunes, wildfires and volcanic eruptions.

Transportation Conformity

Transportation conformity serves as a bridge to connect air quality and transportation planning activities and ensures that highway and transit project activities receiving federal funds are consistent with (“conform to”) the purpose of the State Implementation Plan (SIP). Conformity to a SIP is achieved if transportation programs or transit project activities:

- Do not cause or contribute to any new air quality violations,
- Do not worsen existing violations, and
- Do not delay timely attainment of the relevant NAAQS.

Figure 8-1. Conformity Links Air Quality and Transportation Planning

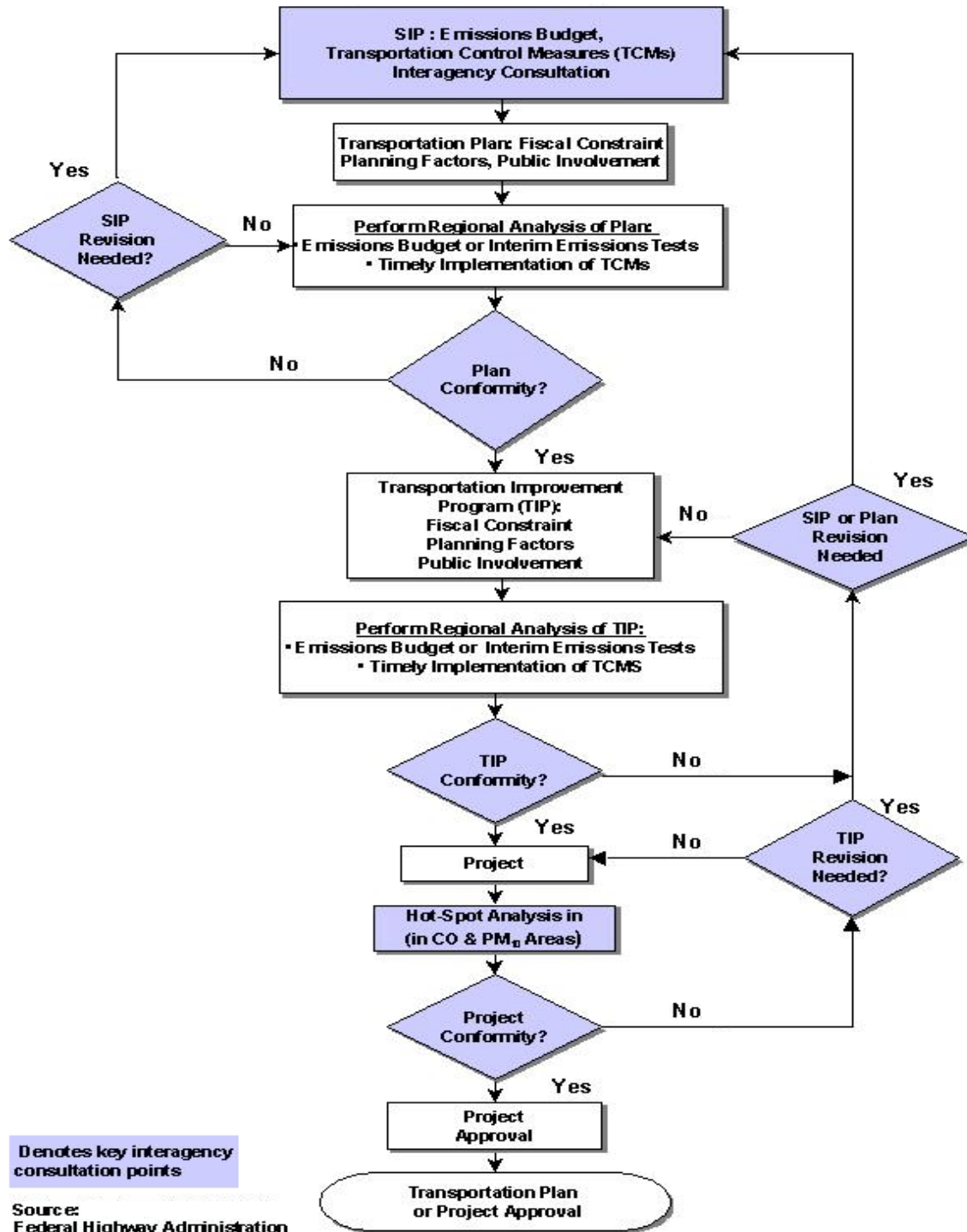


The CAA Amendments of 1990 were enacted with the power to penalize states by taking federal transportation monies away from projects if air quality standards are not met. The CTDOT (Acting on behalf of the state's MPO's) must demonstrate conformity for all federally funded projects in Metropolitan Transportation Plans (MTPs) and Transportation Improvement Programs (TIPs) located in either nonattainment or maintenance areas. In order to receive federal transportation funds, the CTDOT and the MPOs in Connecticut must cooperatively work to develop and endorse an Air Quality Conformity Determination Report, which certifies to the federal government that all TIPs and regional long range transportation plans within the State of Connecticut collectively conform to the requirements of the CAA. The MPOs and CTDOT regularly update the individual TIPs in accordance with the terms and provisions of the current federal transportation bill, the CAA and all regulations issued pursuant thereto. As part of the transportation plan and TIP development process, CTDOT conducts air quality assessments and prepares conformity reports for both Ozone and PM2.5.

Mobile Vehicle Emission Budgets (MVEBs) are developed by the lead air quality agency, the CT Department of Energy and Environmental Protection (CTDEEP), in cooperation with the CTDOT, as part of the transportation conformity planning process. The goal is to ensure that emissions from the transportation sector are balanced with those from the other source sectors such that NAAQS attainment and maintenance requirements are met in a timely fashion.

Transportation conformity currently applies to areas designated as nonattainment or maintenance for the following transportation-related criteria pollutants: ozone, particulate matter (PM2.5 and PM10), carbon monoxide (CO), and nitrogen oxides (NOx). Lead and sulfur dioxide are two of the six criteria pollutants but are not transportation related. Transportation conformity also applies to "maintenance areas", i.e. areas that have been redesignated by EPA to attainment after 1990. Figure 8-2 is a flowchart depicting the transportation conformity process and how the elements of a Conformity Determination interact. Figure 8-3 shows a map of the nonattainment areas in Connecticut for Ozone, the attainment/maintenance areas for PM and figure 8-4 shows the Connecticut's CO attainment and maintenance areas as of January 2016.

Figure 8-2: Transportation Conformity Process²



² Federal Highway Administration. www.fhwa.dot.gov/environment/conformity/ref_guid/sectiona.htm November 2008.

Figure 8-3: Connecticut Ozone Non-Attainment Areas and PM2.5

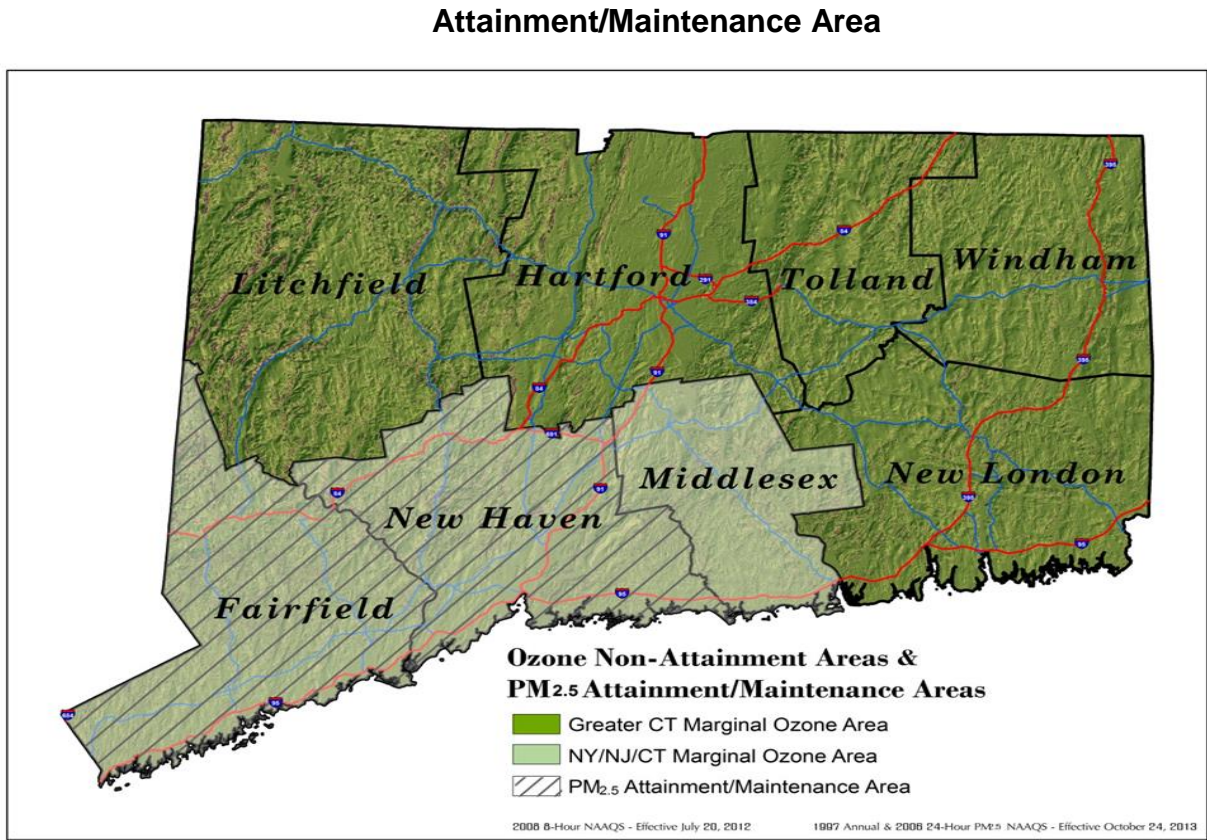
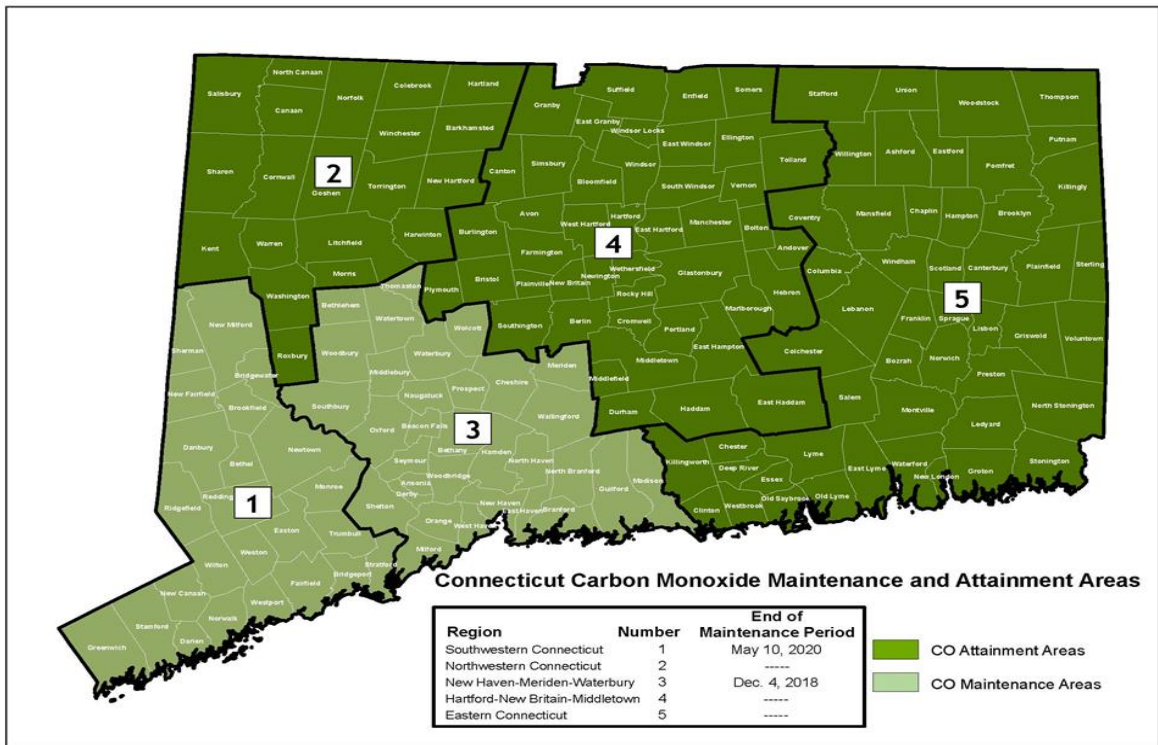


Figure 8-4: Connecticut CO Attainment and Maintenance Areas



Conformity Determinations are developed by CTDOT and the MPOs in consultation with CTDEEP and EPA. The Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) agencies of the United States Department of Transportation (US DOT) review the CTDOT/MPOs submittals and make a Conformity Determination. It is customary that USEPA's regional office provides USDOT with a letter of comment regarding the Connecticut air quality conformity report submittal.

Conformity Determinations consist of the following components:

- Regional emissions analysis;
- Transportation modeling requirements;
- Latest planning assumptions and emissions model;
- Timely implementation of transportation control measures (TCMs) approved in the SIP;
- Interagency consultation;
- Public participation (consistent with US DOT regulations);
- Fiscal constraint (consistent with US DOT regulations);
- Determination of exempt projects and projects exempt from the air quality analysis; and
- May include Hot-spot air quality analyses.

The regional emissions analysis is the primary component, which incorporates either a "budget" test for areas or states with approved SIP budgets, or an interim emissions test for areas without adequate or approved SIP budgets. Budgets are developed using various transportation and emissions models. Local modeling inputs are cooperatively developed by CTDEEP and CTDOT, using US EPA recommended methods where applicable. Generally, CTDOT's estimated mobile air emissions from the MPOs' and Rural Council of Governments (COGs) MTPs and MPOs TIPs and the Statewide Transportation Improvement Program (STIP) must not exceed the transportation on-road mobile budgets established by the CTDEEP's Bureau of Air Management, in cooperation with CTDOT and US EPA, as part of the SIP development process.

Frequency of Conformity

Conformity Determinations for MTPs, TIPs and FHWA/FTA projects must be made according to 40 CFR 93.104. FHWA/FTA must make a Conformity Determination at least every four years or when MTPs or TIPs are updated or amended to include or delete non-exempt projects. Additionally, conformity findings are triggered within twenty-four (24) months of:

- The effective date of US EPA's finding that Motor Vehicle Emissions Budgets (MVEB) from an initially submitted control strategy implementation plan or maintenance plan are adequate;
- The effective date of US EPA's approval of a SIP that creates or revises a budget that has not yet been used in a Conformity Determination; and
- The effective date of US EPA's promulgation of a Federal Implementation Plan (FIP) which creates or revises a budget.

Conformity must also be demonstrated within 12 months of EPA's designation of an area as nonattainment for any transportation-related criteria pollutant.

MPO/RPO MTP updates should be provided to the Travel Demand/Air Quality Modeling Unit by the RPO Coordination Staff. Any changes or revisions to the TIPs should be provided to the Travel Demand/Air Quality Modeling Unit by the STIP Unit on a routine basis. The timing of the STIP schedule will be determined by CTDOT's STIP Unit in coordination with the MPOs. Interagency consultation will be used to determine if a conformity determination is triggered, and if triggered whether the current air quality conformity analysis may be used to re-determine conformity.

Whenever an air quality non-exempt project from the MTP is to be amended into the TIP, a Conformity Determination will be triggered.

Transportation Conformity Process

Project List Review

Each MPO/RPO will submit their MTP project list to the CTDOT RPO Coordination Unit. The RPO Coordination Unit will forward copies of the lists to the CTDOT Travel Demand/Air Quality Modeling Unit. Each MPO will submit their TIP project list to the CTDOT STIP Unit. The STIP Unit will include all statewide, multi-regional and district projects into one consolidated list. The list will include each project only once and will be forwarded to the Travel Demand/Air Quality Modeling Unit.

The Travel Demand/Air Quality Modeling Unit will provide an Air Quality code for each project and determine the project construction completion date from the available project descriptions and/or the project manager. The project completion date is needed to determine into which network year the project should be included in the travel modeling process.

The Travel Demand/Air Quality Modeling Unit may determine a project is included in one of the existing categories of exempt projects (see Appendix 8-1 and 20 CFR 93.126 Table 2 – Exempt Projects) "Safety", "Mass Transit", "Air Quality", or "Other". Exempt projects mean that the project is exempt from the requirement to determine transportation conformity and may proceed toward implementation even in the absence of a conforming transportation plan and TIP.

If a project is an amendment to the TIP, the following procedures are to be followed:

- The MPO/RPO submits any new projects to the STIP Unit for Air Quality review.
- The STIP unit will forward all MPO/RPO projects and state sponsored projects to Travel Demand/Air Quality Modeling Unit for initial Air Quality review.

- a. If a project is determined to be “exempt”, by the list in 93.126, 93.127 and 93.128, it will not trigger the need for a new Air Quality conformity determination. Section 93.105 (c)(1)(iii) of the interagency consultation provisions of the Transportation Conformity Rule requires the evaluation of “exempt” projects to see if they are truly exempt or if in this case should be evaluated in the air quality conformity analysis. “Evaluating whether projects otherwise exempted from meeting the requirements of this subpart (see §§93.126 and 93.127) should be treated as non-exempt in cases where potential adverse emissions impacts may exist for any reason”. Exempt projects can be added to the MPO TIP and CTDOT can add the exempt project to the STIP.
- b. If a project is deemed to be “regionally significant” or “not regionally significant”, an Interagency Consultation meeting is necessary for concurrence by all participants. Each MPO shall reaffirm the latest Air Quality Conformity Report at their next Policy Board meeting and then add the project to their TIP. A resolution stating concurrence must be provided to CTDOT. CTDOT will coordinate the STIP approval.
- c. If a project is deemed to be “non-exempt”, the interagency consultation process must be followed including an Interagency Consultation meeting, MPO concurrence of air quality project coding, preparation of a new Air Quality Transportation Conformity Determination report, public review and comment period, and MPO resolution by the Policy Board. The MPO may add this project to their TIP upon their approval of the new Air Quality CTDOT. CTDOT will coordinate the STIP approval.

Figure 8-5 shows the MPO action needed for Air Quality Conformity.

Figure 8-5: Project Conformity Determination Requirements

	No Action	Interagency Consultation Process	Reaffirm Current Emission Analysis	New Model	MPO Resolution Needed
Exempt Project	X				
Not Regionally Significant		X	X		X
Regionally Significant		X	X		X
Non-Exempt Project		X		X	X

Interagency Consultation Group Meeting

The Interagency Consultation Group (ICG) meeting should include, but not be limited to: MPO/RRPOs, CTDEEP, CTDOT, FHWA, FTA and US EPA. The list of not regionally significant and non-exempt projects will be provided to the ICG one week prior to the scheduled ICG meeting. Participants will provide comments on regional significance and exempt status. If comments are received, the appropriate MPO, or CTDOT, if applicable, will provide a response. In the case of a new STIP, all projects will be submitted for review.

CTDOT will schedule an ICG meeting with a conference call option, to discuss the following analysis items, as well as any AQ coding issues:

- MTP horizon years
- AQ Conformity analysis years
- Motor Vehicle Emissions Budgets
- Latest planning assumptions
- Latest available emissions model
- Schedule milestone dates:
 1. submittal of MTP projects to RPO Coordination Staff
 2. submittal of TIP projects to STIP Staff
 3. projects forwarded to Travel Demand/Air Quality Modeling Unit
 4. start of AQ conformity analysis by Travel Demand/Air Quality Modeling Unit
 5. MPO 30 day public review of draft plan and AQ analysis
 6. Latest possible date for MPO endorsement of the final Conformity Determination plan and AQ conformity resolution to CT DOT and FHWA.
- AQ Conformity test (if applicable)
- Validation (baseline) year

Concurrence Form

An email concurrence of the AQ codes and planning assumptions discussed at the Interagency Consultation Meeting shall be submitted to the CTDOT by all MPOs. The CTDOT will schedule a meeting, with a conference call option, to be held within 10 days in order to discuss any unresolved issues from the previous ICG meeting, if applicable. All decisions from the meeting shall be referenced by the CTDOT for inclusion in the AQ Conformity Determination report.

A sample copy of a concurrence form utilized for the 2015-2018 STIP/TIP AQ conformity analysis is shown below.

Interagency Consultation Concurrence Form

2015-2018 TIP/STIP

April 22, 2014

This is notification to the Connecticut Department of Transportation

that the _____
(Agency/Organization Name)

staff concurs with the air quality codes and analysis years discussed and
agreed upon at the April 22, 2014 Interagency Consultation Meeting.

Print Name: _____

Signed: _____

Title: _____

Date: _____

Travel Demand Modeling

Once the STIP Unit has a complete list of projects and the Travel Demand/Air Quality Modeling Unit has reviewed the MPO/COGs' MTPs for projects, CTDOT's Travel Demand/Air Quality Modeling Unit updates/revises their highway and transit networks to incorporate the MTP/TIP projects. The Travel Demand/Air Quality Modeling Unit will then run the statewide travel model for all modeling years agreed upon at the initial ICG meeting. Speed and Vehicle Miles of Travel (VMT) data will be used to develop the emission factors using the US EPA approved emissions model agreed to through interagency consultation.

Air Quality Modeling and Emissions Estimation

The emission factors derived from the emission model will be used to estimate vehicle emissions. These estimated vehicle emissions are compared to the Motor Vehicle Emissions Budgets (MVEB) in the SIP or interim emission test if there is no MVEB available for the nonattainment/maintenance area. If the estimated emissions are equal to or less than the MVEB, then CTDOT can proceed with the AQ Conformity Determination report. If the estimated emissions are greater than the MVEB, then the MPO/CTDOT will need to revise the project list and then go back through the travel demand modeling and emissions factors development process.

Preparation of AQ Conformity Determination Report

CTDOT's Travel Demand/Air Quality Modeling Unit will prepare the AQ Conformity Determination Report for the nonattainment/maintenance area(s). Depending upon the location of project additions or revisions, an Ozone and/or Particulate Matter (PM_{2.5}, PM₁₀ and precursors) Report will be prepared. If, in the future, additional areas of the State are determined to be in non-attainment for other pollutants or for new NAAQS, this same process will be followed.

AQ Conformity Determination Report Review

Upon completion of the analysis and report, the Travel Demand/Air Quality Modeling Unit will distribute an electronic copy of the AQ Conformity report(s) to all MPO/COG's, CTDEEP, FHWA, FTA and US EPA for their review and comment. An electronic version will also be posted on the CT DOT website. The reports will be in electronic format per Governor Rell's Executive Directive Number #3. The public review period is 30 days. This is a critical juncture in the process to address and resolve any major AQ conformity issues. The MPO/COG/CTDOT will provide responses to all comments.

Public Review and Comment Period

Each MPO will follow its public involvement procedures to notify the public that a new AQ Conformity Analysis has been prepared. This document will be made available for a 30-day comment period, and a public meeting on this document will be held in conjunction with the public meeting on the MPO's TIP and/or MTP. Copies of pertinent transportation and air quality documents will be made available in the MPO/COG's office for review by the general public. The public may also attend an MPO/COG's monthly meeting to deliver comments on the AQ Conformity Determination. All comments received on an AQ Conformity document will be incorporated by reference in the MPO's approval submittal to the CTDOT who, in turn, will forward to FHWA and FTA.

Response to Public Comments

MPO's/CTDOT should address ALL public comments. These responses should be documented and will be included in the final AQ Conformity report if applicable. Written responses will be provided for comments including non-Federally funded or approved projects and their emissions which are reflected in the regional analysis supporting the AQ Conformity Determination.

MPO Policy Board Approval/Adoption of Conformity Determination Report

Each MPO Policy Board approves and adopts the Conformity Determination report and the MTP/TIP. These resolutions need to be documented and sent to CTDOT STIP (TIP amendments) or RPO Coordination Unit (MTP submittals). The appropriate CTDOT unit will forward these resolutions to FHWA, FTA and EPA for final AQ Conformity Determination.

Amendments to STIP

Amendments to the STIP for non-exempt projects will require a public comment period and a resolution from the MPOs affected by the amendments. Adding or deleting non-exempt projects for the STIP may trigger the need for a new Conformity Determination. Each MPO must make a positive conformity determination for its MTP and/or TIP in combination with any and all MTP/TIPs in the nonattainment/maintenance area before the MTP/TIP may be approved. The entire conformity review and public comment process should be completed within 30 days.

Federal Review Process

CTDOT's Travel Demand/Air Quality Modeling Unit submits the AQ Conformity Determination Report to US EPA, FHWA and FTA for a 30 day Federal review period. US EPA submits a review and comment letter to FHWA and FTA. FHWA and FTA submit a joint letter for the US DOT AQ Conformity Determination.

The date of the US DOT AQ Conformity Determination letter starts the four-year clock for the next MTP and TIP AQ Conformity Determinations. An AQ Conformity Determination relying on previous air quality analysis (in accordance with Section 93.122(g) of the Transportation Conformity Rule) does not re-start the four-year clock.

Miscellaneous Information

In the future, if additional areas of the State are determined to be in non-attainment for other pollutants, this same process will be followed.

The latest Air Quality Transportation Conformity Reports for both Ozone and PM2.5 as well as the "Air Quality Conformity Interagency Consultation Process" reports are available at the following website: <http://www.ct.gov/dot/aqconformity>

See Appendix 8-2 for copies of draft Air Quality Conformity resolutions for the PM2.5 Attainment/Maintenance Area and for both Ozone Non-attainment Areas.

CHAPTER 9: CERTIFICATION OF THE METROPOLITAN TRANSPORTATION PLANNING PROCESS

Purpose

This chapter provides guidance to personnel of the Connecticut Department of Transportation and the Metropolitan Planning Organizations (MPOs) for the certification of the metropolitan transportation planning process conducted by the MPOs as well as the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA).

Scope

The metropolitan planning regulations require that the FHWA and the FTA jointly review and evaluate the transportation planning process conducted in each urbanized area or Transportation Management Area (TMA) with a population over 200,000 no less than every four years. This review includes meeting the requirements of the Metropolitan Planning Regulations and, in air quality non-attainment or maintenance areas, evaluation of the process to ensure conformity of plans and programs to the EPA Air Quality Conformity regulations. Upon completion of this review, the FHWA and FTA will jointly Certify, Certify with Corrective Action or Decertify the Metropolitan Planning Process.

“Consistent with 23 U.S.C 134(k)(5) and 49 U.S.C 5303(k)(5), the primary purpose of a certification review is to formalize the continuing oversight and day-to-day evaluation of the planning process. The certification review process ensures that the planning requirements of 23 U.S.C. 134 and 49 U.S.C. 5303 are being satisfactorily implemented. In a broader sense, the certification review process is a valuable opportunity to provide advice and guidance to a Transportation Management Area (TMA), defined as an urbanized area with a population over 200,000, for enhancing the planning process and improving the quality of transportation investment decisions.” (*Transportation Management Area Planning Certification Review Primer*, http://www.planning.dot.gov/documents/primer/intro_primer.asp) Each MPO in a TMA is subject to this review.

Areas of review can include, but are not limited to, the following:

Metropolitan planning area boundary (MPA)	Agreements and contracts	UPWP development	Air quality
Transportation planning process	Metropolitan Transportation Plan (MTP) development	Financial planning	TIP – development /approval/amendment/ project selection
Public involvement	Self-certification	Title VI and related requirements	Annual project listing
Congestion Management Process	Consultation and coordination	Management and operation	Safety
Security	Freight	Visualization	Environmental mitigation

Documentation of planning process	Travel demand models	Intelligent Transportation Systems (ITS)	Livability/sustainability
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Source: TMA Certification Process Field Handbook (2011)

Federal Certification Review in Connecticut

The Federal Certification Review in Connecticut consists of two major processes:

- 1) a desk review of required TMA MPO documents with a background compliance questionnaire; A desk audit is the preliminary review of basic requirements in 23 CFR (such as MOUs, boundary documentation, membership), including many of the core documents (MTP, UPWP, TIP, PPP). The desk audit is sent to the MPO at least 3 months in advance of the on-site meeting.

and

- 2) an on-site review, which is typically one full day of reviewing required topics on an agreed-upon agenda with selected staff from the FHWA Connecticut Division, FTA Region I, and CTDOT Planning Bureau.

In Connecticut, Federal Certification Reviews are undertaken for the MPOs that are located in the state’s four TMAs (Bridgeport/Stamford, New Haven, Norwich/New London, and Hartford urbanized areas).

The responsibilities of USDOT, MPO and CTDOT are outlined below:

- The onsite meeting date and agenda are negotiated between the USDOT and the MPO. This meeting should be publically noticed.
- The MPO is responsible to invite guests - for its members and working partners (transit district, CTDOT partners, and other coordinating organizations). USDOT will invite other Federal staff for expertise (Civil Rights, Management and Operations, etc.). Any invited parties can, in turn, ask for appropriate members of their staffs to attend.
- USDOT will include the CTDOT RPO Coordinator when contacting the MPO to set up the Certification
- CTDOT’s role is to provide input on the transportation planning process of the MPO, answer programmatic questions that may arise, etc.
- USDOT takes notes and prepares the draft report. This report contains findings, recommendations, commendations and corrective actions for each topic on the agenda and the desk audit.
- The draft report is sent to the MPO and CTDOT for review and comment before final report is drafted.
- The final report may include specific deadlines for corrective actions to take place. The USDOT can request progress reports at any time on the recommendation, but the MPO must report on progress every four years.

CHAPTER 10: TITLE VI / NONDISCRIMINATION GUIDANCE FOR METROPOLITAN PLANNING ORGANIZATIONS

Purpose

This chapter provides guidance for reviewing metropolitan planning process consistency with Title VI of the Civil Rights Act of 1964, other nondiscrimination authorities and to outline federal regulations for public involvement.

Title VI

Title VI of the Civil Rights Act of 1964 provides that “No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance.”

Title VI prohibits discrimination on the basis of race, color, or national origin. Recipients may not:

- Deny any individual service, financial aid, or benefits on the basis of race, color, or national origin
- Provide any service, financial aid, or benefit that is different from that provided to others
- Subject an individual to segregation or separate treatment.
- Restrict an individual in the enjoyment of any advantage or privilege enjoyed by others
- Treat individuals differently in terms of whether they satisfy admission, eligibility, or membership
- Deny an individual the opportunity to participate in the provision of services
- Deny a person the opportunity to participate as a member of a planning or advisory body

Title VI applies to “persons” and its protections are not limited to citizens. An individual may bring a cause of action under Title VI if they are an intended beneficiary of, an applicant for, or a participant in a federally assisted program.

The broader application of nondiscrimination law is found in other statutes, regulations, and assistance. The authorities for nondiscrimination include but are not limited to the following:

- The *Civil Rights Restoration Act of 1987* as amended defines the word “program” to make clear that discrimination is prohibited throughout the entire agency if any part of the agency receives Federal financial assistance. This statute restored the intent of Title VI and the broad, institution-wide scope and coverage of nondiscrimination statutes to include **all** programs and activities. Therefore, the term “program or activity” applies to (1) Grants and loans of federal funds. (2) a department, agency, special purpose district, or other instrumentality of a State or of a local government; or (3) the entity of such State or local government that distributes such assistance and each such department or agency (and each other State or local government entity) to which the

assistance is extended, in the case of assistance to a State or local government. A Regional Planning Organization receiving federal assistance satisfies this definition.

- Receiving federal financial assistance through the State—Federal financial assistance is the award or grant of money. In addition, Federal financial assistance may be in non-monetary form. Federal financial assistance may include the following: use or rent of Federal land or property at below market value, Federal training, a loan of Federal personnel, subsidies, and other arrangements with the intention of providing assistance. Federal financial assistance **does not** include the following: contracts of guarantee or insurance, regulated programs, licenses, procurement contracts by the Federal government at market value, or programs that provide direct benefits.
- The nondiscrimination law requirement under Section 504 Rehabilitation Act of 1973 protects qualified individuals from discrimination based on their disability. Under this law, Section 504 forbids organizations and employers from excluding or denying individuals with disabilities an equal opportunity to receive program benefits and services. It defines the rights of individuals with disabilities to participate in, and have access to, program benefits and services.
- Title IX of the Education Amendments of 1972 protects people from discrimination based on sex in education programs or activities which receive Federal financial assistance. Title IX states that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.
- In addition to these statutory authorities, the 1994 Executive Order 12898, "*Federal actions to Address Environmental Justice in Minority Populations and Low-Income Populations*," requires Federal agencies to achieve environmental justice as part of their mission by identifying disproportionately high and adverse human health or environmental effects of their program, policies, and activities on minority and low-income populations. For more information please use the following link:
<https://www.transportation.gov/sites/dot.gov/files/docs/eo12898.pdf>
- The Executive Order 13166, "*Improving Access to Services for Persons with Limited English Proficiency (LEP)*," requires Federal agencies to examine their services, develop and implement processes by which limited English proficient persons can meaningfully access those services. For more information please use the following link:
<https://www.transportation.gov/sites/dot.gov/files/docs/eo13166.pdf>
- FTA Title VI Circular, FTA C 4702.1B, *Title VI Requirements and Guidelines for Federal Transit Administration Recipient*, provides recipients of Federal Transit Administration funds with guidance and instructions necessary to carry out the USDOT Title VI regulations.

As a direct recipient of federal funds, it is the Department's (CTDOT) responsibility to monitor that all sub recipients are in compliance with Title VI regulations. All sub recipients are required to provide a copy of their organization's Title VI Program, upon request from CTDOT. Elements of the Title VI Program that are required by all recipients of federal funds (whether they are a direct recipient or a sub recipient) are:

- Title VI Notice to the Public
- Title VI Complaint Process and Procedures that are in Compliance with the Connecticut Department of Transportation's Title VI Complaint Process and Procedures.
- Title VI Complaint Form
- Title VI Complaint Log
- Public Participation Plan
- Language Assistance Plan
- Additional elements are required depending on the type of funds the organization receives. Please consult with the Office of Contract Compliance if you need additional clarification or guidance on what is required from your organization to ensure compliance with Title VI.

Environmental Justice

Executive Order 12898 ("Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations") required each federal agency to develop a written strategy to identify and address disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income communities. This can be realized through the development and implementation of an integrated approach towards Environmental Justice (EJ) through the collection, analysis, and dissemination of understandable and useful information on the adverse environmental and health impacts on protected populations. Through the National Environmental Policy Act of 1969 (NEPA) process, the EJ analysis is included as an individual section of the environmental document and is thereby disseminated to the public. For a COG, the EJ analysis is included as another area of study under Title VI during the Planning process for transportation projects, plans and programs. Additionally, COGs should analyze the impact of benefits provided by the COG upon low-income and minority communities within the COG's boundaries. This should include providing LEP populations and minority and low-income communities' access to public information and the opportunity for public participation in the planning process.

There are three fundamental EJ principles. These principles are as follows:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations;
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process; and
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by

minority and low-income populations.

- The EJ analysis requires that you obtain the basic socioeconomic information about the people who live and/or work in the communities where the projects or activities will take place. Without this information, you cannot determine whether your proposed activity will have an effect on minority and/or low-income populations

Environmental Justice is applicable to persons belonging to any of the following groups:

- **Black**—a person having origins in any of the black racial groups of Africa.
- **Hispanic**—a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
- **Asian**—a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent.
- **American Indian and Alaskan Native**—a person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition.
- **Native Hawaiian or Other Pacific Islander**—a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- **Low-Income**—a person whose household income (or in the case of a community or group, whose median household income) is at or below the U.S. Department of Health and Human Services poverty guidelines.

Once you know your community, you can develop targeted public engagement plans to encourage the full and fair participation by all members of the affected communities.

Engagement of EJ populations in all aspects of your transportation decision-making process is fundamental to making the principles of environmental justice part of your goal. Engage EJ populations at all project development stages by:

- Knowing your community through analyzing community data
- Developing an engagement plan that responds to the community
- Consider proposed projects and the likely adverse effects and benefits
- Select alternative, and incorporate mitigation as needed.

By ensuring that environmental justice populations are engaged in the decision-making process, you can develop transportation plans, program, and projects that will address the transportation needs of minority and/or low-income populations, and will include their priorities.

Limited English Proficiency

Executive Order 13166 (“Limited English Proficiency”) affirmed the obligation to eliminate limited English proficiency (LEP) as an artificial barrier to full and meaningful participation in all federally assisted programs and activities. In addition, the Executive Order expanded the

obligation to address the language needs of LEP persons beyond federally assisted programs and activities to include federally conducted programs and activities.

A recipient is required to evaluate how a LEP person's inability to understand oral and written information provided by and about a federally assisted program or activity might adversely impact his or her ability to fully participate in or benefit from that program or activity. The guiding principle of the LEP Guidance is a four-factor analysis outlined as follows:

- **Factor 1: Number or proportion of LEP persons in the eligible service population** – The greater the number or proportion of LEP persons from a particular language group served or encountered in the eligible service population, the more likely language services are needed;
- **Factor 2: The frequency with which LEP individuals come in contact with the program** – Recipients should assess, as accurately as possible, the frequency with which they have or should have contact with LEP individuals from different language groups seeking assistance, as the more frequent the contact, the more likely enhanced language services will be needed;
- **Factor 3 - The importance of the service provided by the program; and The resources available to the recipient** – The more important the activity, information, service, or program, or the greater the possible consequences of the contact to the LEP individuals, the more likely language services are needed;
- **Factor 4 – The resources available to the recipients and costs** - The resources available to the recipient and costs A recipient's level of resources and the costs imposed may have an impact on the nature of the steps it should take in providing meaningful access for LEP persons

Utilizing these four-factors, a COG should determine what, if any, language mitigation measures are reasonably necessary to eliminate or minimize LEP as a barrier to participation in or receipt of the benefits of a federally assisted program or activity.

The USDOT published policy guidance on Title VI's prohibition against national origin discrimination as it affects LEP persons. A synopsis of the USDOT guidance can be found in Appendix B; this synopsis was provided to each MPO and Rural Region in the State.

Coordinated Relationship

Within the planning process, each COG should have a Title VI area of analysis for all federally assisted transportation projects as well as programs and activities (e.g. MTP or TIP). As a part of this Title VI analysis, a study should be performed to ensure that development and urban renewal benefiting a community, as a whole, should not be unjustifiably purchased through the disproportionate allocation of its adverse environmental and health burdens on the targeted communities (low-income and minority communities). This should include providing minority and low-income communities' access to public information on, and an opportunity for public participation in, matters relating to human health or the environment as it is affected by transportation projects and programs.

Four strategies that may be pursued to implement this analysis are as follows:

- Promote enforcement of all health and environmental statutes in areas with minority

- and low-income populations;
- Ensure greater public participation;
- Improve research and data collection relating to the health of and environment of minority and low-income populations; and
- Identify differential patterns of consumption of natural resources among minority and low-income populations.

As a portion of this analysis, a study of impacts relating to outreach to LEP persons should be performed. LEP populations (if any) should be identified and a decision made as to the need to provide additional resources to promote participation in the public process.

Regarding a benefits analysis, if a COG is offering public transportation, studies involving possible impacts to minority/low-income communities and LEP persons should be performed as part of the Title VI analysis.

Guidance to Achieve Compliance with Title VI, Environmental Justice, and Limited English Proficiency

Below is a list of basic guidance to assist the COGs to achieve compliance with the many aspects of Title VI, EJ and LEP legislative requirements. This guidance as well as the legal requirements discussed above should be reviewed and where applicable implemented by the Regional Planning Organizations. The guidance is grouped into two categories: Planning Processes and Products, and Public Outreach.

Planning Processes and Products

- Integrate the EJ process into the Title VI Process.
- Emphasize Title VI in the Planning Process.
- Produce a Title VI Action Plan.
- Expand the identification process for LEP groups.
- Incorporate LEP procedures in the Public Participation Plan, including identification procedures.
- Examine the use of Block Groups as opposed to Census Tracts to identify the location of the targeted groups.
- Update the targeted group locations using the most recent U.S. Census Data
- Publish Public Participation Plan electronically
- Review and expand the project selection criteria to include Title VI elements, in particular the STP Urban Program and the FTA 5310 vehicle selection process.
- Identify and analyze the benefits and burdens of the planning process and products, as well as projects, and implement the recommended changes.

Public Outreach

- Identify Community Based Organizations, and expand public outreach to the targeted community groups during TIP adoption and MTP update
- Evaluate public outreach efforts, including a review of the effectiveness of the process to identify what is working and opportunities for improvement
- Indicate access to LEP documentation on COG websites, agendas, and other means, including an indication of availability of documentation in the alternative language.
- Consider the translation of brochures, pamphlets, and documents where practical.
- Expand the mailing list to include alternative language newspapers and Community Based Organizations
- Post notices in all transportation vehicles, shelters, meeting rooms and public access areas
- Include notice on all public notices and/or advertisements that if information is needed in other languages, to contact recipient, and also include language assistance will be provided at no additional cost.
- Participation of representatives from targeted communities on COG boards.
- Ensure that public meetings are conducted at convenient and accessible locations at convenient times
- Establish a Title VI/EJ Advisory Committee.
- Examine and update website to include alternative language information.

Public Involvement Procedures of MPOs

Federal Statewide Planning and Metropolitan Planning Regulations (23 CFR Part 450 and 771 & 49 CFR Part 613, May 27, 2016) require that MPOs develop public involvement procedures. Pursuant to these regulations, the MPO establishes a proactive, public involvement process that is accessible to the public and identifies and addresses transportation-related issues early in the project development process. An effective metropolitan planning process must incorporate input from both local and state jurisdictions as well as the public.

The federal regulations are as follows:

§450.316 Interested parties, participation, and consultation.

a) The MPO shall develop and use a documented participation plan that defines a process for providing individuals, affected public agencies, representatives of public transportation employees, public ports, freight shippers, providers of freight transportation services, private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program), representatives of users of public transportation, representatives of users of pedestrian

walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process.

(1) The MPO shall develop the participation plan in consultation with all interested parties and shall, at a minimum, describe explicit procedures, strategies, and desired outcomes for:

(i) Providing adequate public notice of public participation activities and time for public review and comment at key decision points, including a reasonable opportunity to comment on the proposed metropolitan transportation plan and the TIP;

(ii) Providing timely notice and reasonable access to information about transportation issues and processes;

(iii) Employing visualization techniques to describe metropolitan transportation plans and TIPs;

(iv) Making public information (technical information and meeting notices) available in electronically accessible formats and means, such as the World Wide Web;

(v) Holding any public meetings at convenient and accessible locations and times;

(vi) Demonstrating explicit consideration and response to public input received during the development of the metropolitan transportation plan and the TIP;

(vii) Seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services;

(viii) Providing an additional opportunity for public comment, if the final metropolitan transportation plan or TIP differs significantly from the version that was made available for public comment by the MPO and raises new material issues that interested parties could not reasonably have foreseen from the public involvement efforts;

(ix) Coordinating with the statewide transportation planning public involvement and consultation processes under subpart B of this part; and

(x) Periodically reviewing the effectiveness of the procedures and strategies contained in the participation plan to ensure a full and open participation process.

(2) When significant written and oral comments are received on the draft metropolitan transportation plan and TIP (including the financial plans) as a result of the participation process in this section or the interagency consultation process required under the EPA transportation conformity regulations (40 CFR part 93, subpart A), a summary, analysis, and report on the disposition of comments shall be made as part of the final metropolitan transportation plan and TIP.

(3) A minimum public comment period of 45 calendar days shall be provided before the initial or revised participation plan is adopted by the MPO. Copies of the approved participation plan shall be provided to the FHWA and the FTA for informational purposes and shall be posted on the World Wide Web, to the maximum extent practicable.

(b) In developing metropolitan transportation plans and TIPs, the MPO should consult with agencies and officials responsible for other planning activities within the MPA that are affected by transportation (including State and local planned growth, economic development, tourism, natural disaster risk reduction, environmental protection, airport operations, or freight movements) or coordinate its planning process (to the maximum extent practicable) with such planning activities. In addition, the MPO shall develop the metropolitan transportation plans and TIPs with due consideration of other related planning activities within the metropolitan area, and the process shall provide for the design and delivery of transportation services within the area that are provided by:

(1) Recipients of assistance under title 49 U.S.C. Chapter 53;

(2) Governmental agencies and non-profit organizations (including representatives of the agencies and organizations) that receive Federal assistance from a source other than the U.S. Department of Transportation to provide non-emergency transportation services; and

(3) Recipients of assistance under 23 U.S.C. 201-204.

(c) When the MPA includes Indian Tribal lands, the MPO shall appropriately involve the Indian Tribal government(s) in the development of the metropolitan transportation plan and the TIP.

(d) When the MPA includes Federal public lands, the MPO shall appropriately involve the Federal land management agencies in the development of the metropolitan transportation plan and the TIP.

(e) MPOs shall, to the extent practicable, develop a documented process(es) that outlines roles, responsibilities, and key decision points for consulting with other governments and agencies, as defined in paragraphs (b), (c), and (d) of this section, which may be included in the agreement(s) developed under §450.314.

CHAPTER 11: ADDITIONAL PROGRAM PROCESSES

COG Corridor Study Process

The Department has developed a Corridor Study Process for the solicitation of possible corridor study ideas from the COGs. This process is used for studies being funded with PL funds, FHWA/FTA project funds or Local Transportation Capital Improvement Program (LOTICIP) funds. This process, along with the application, is outlined in Appendix 11-1.

Surface Transportation Program Urban (STP-U)

Surface Transportation Program Urban funds are a flexible funding stream that can be used for a variety of road and transit capital projects. The funds generally can be used for any roads or transit system, including National Highway System (NHS) roads that are not classified as local or rural minor collectors. Related projects to these roadways may also be considered on an individual basis and include safety and capacity improvements. The projects must be located within the geographic area of a metropolitan planning organization (MPO) or within an urban cluster in a council of governments (COG) classified as rural. The Department works in cooperation with the COGs to select and program STPU projects. Projects may be considered on an individual basis. Upon completion of review and approval the project is programmed based upon available funding. For more information please use the following link:

http://www.ct.gov/dot/lib/dot/Documents/dpolicy/pamphlets/RefSeriesTIC_02_v1.4_FedAidSrcs_TEXT_ONLY.pdf

Local Transportation Capital Improvement Program (LOTICIP)

LOTICIP is the Departments new local roads program. The program was constructed in response to the requests from the regions and member towns to devise a less complex process for the funding of local roadway projects. The department has designed a program funded in such a way that overall there are less constraints and direct burdens placed upon the towns and regions. With the advent of a less cumbersome application process along with many primary project responsibilities either guided by the regions or in direct control of the cities and towns, the LOTICIP program is responsive to a wide variety of local projects. For more information please use the following link:

http://www.ct.gov/dot/lib/dot/documents/dconsultdesign/LOTICIP_guidelines_March_2016.pdf

LOTICIP Activities eligible to be funded under PL:

- COGs solicit project proposals (may pre-screen proposals with municipalities)
- COG reviews each application for eligibility and completeness
- COG requests additional information from municipality if needed
- COG prioritizes projects and forwards to CTDOT
- Public review during selection process

LOTICIP Activities not eligible to be funded under PL:

- Administering the project once selected
- Technical review of the design
- Public review during design
- ROW administration
- Certifications
- Final submission of Plans, Specifications and Estimates (PSE) to the CTDOT
- Construction oversight or Inspection
- Project updates and final package submitted to CTDOT
- Quarterly reporting on project's progress

Transportation Alternatives Program (TA)

The FAST Act eliminates the MAP-21 Transportation Alternatives Program (TAP) and replaces it with a set-aside of Surface Transportation Block Grant (STBG) program funding for transportation alternatives (TA). These set-aside funds include all projects and activities that were previously eligible under TAP, encompassing a variety of smaller-scale transportation projects such as on and off-road pedestrian and bicycle facilities, multi-use trail projects,, safe routes to school projects, community improvement activities, and infrastructure projects for improving non-driver access to public transportation and enhanced mobility.

Under the Federal FAST Act regulations, all TA funded projects must be part of a competitive selection process. The CTDOT is responsible for selecting TA projects through a competitive process for funds sub allocated to small urban areas (5k<areas<200k) and nonurban areas (areas<5,000) per 23U.S.C. 213(c)(4)(A). For urbanized areas with populations over 200,000, the MPO should develop criteria to rank and select the TA projects through a competitive process in consultation with the CTDOT (23U.S.C.213(c)(5)). The MPO should solicit eligible entities as allowed by the FAST Act 1109; 23 U.S.C. 133(h). Under the Federal FAST Act regulations, TA funds now have the potential to lapse if not expended within 4 years. To receive funding a project must be submitted by an eligible entity with a complete application. (see CT Surface Transportation Block Grant Program Application, appendix 11-2)

For more information please use the following link:

http://www.fhwa.dot.gov/environment/transportation_alternatives/

A list of Frequently Asked Questions has been developed for the TA program and is included as Appendix 11-3.

Congestion Mitigation Air Quality (CMAQ)

The Congestion Mitigation and Air Quality (CMAQ) Improvement Program is a mode flexible Federal program that funds transportation projects and programs that contribute to the attainment or maintenance of National Ambient Air Quality Standards (NAAQS) in non-attainment or air quality maintenance areas for ozone, carbon monoxide, or particulate matter

under provisions in the Clean Air Act (CAA), Title 42, United States Code. The CMAQ Program was established by the 1991 Federal Intermodal Surface Transportation Efficiency Act (ISTEA) and was reauthorized with subsequent transportation bills including the more recent Moving Ahead for Progress in the 21st Century Act (MAP-21).

As a non-attainment area for ozone and an attainment/maintenance area for particulate matter (PM_{2.5}), Connecticut receives Federal CMAQ Improvement Program funds based on the population in the non-attainment and maintenance areas of the state and the severity of air quality problems. As shown in Figure 9-2, Connecticut has two separate nonattainment areas for the 8-hour ozone standard, embodying the entire state. The Greater Connecticut area is classified as marginal nonattainment and consists of Hartford County, Litchfield County, New London County, Tolland County, and Windham County. The Connecticut portion of the New York/Northern New Jersey/Long Island, NY-NJ-CT area is also classified as marginal nonattainment and consists of Fairfield County, Middlesex County, and New Haven County. In addition, Fairfield and New Haven Counties were part of the New York/Northern New Jersey/Long Island, NY-NJ-CT nonattainment area for PM_{2.5}. Effective October 24, 2013, the Connecticut portion of the NY-NJ-CT area was re-designated to attainment when the U.S. Environmental Protection Agency (EPA) approved Connecticut's maintenance plan that ensures continued attainment through the year 2025.

The Department's CMAQ Program Guide was created for the State's MPOs/Rural COGs to assist their member municipalities and organizations that are interested in the CMAQ Program as a potential funding source. This document provides information on the CMAQ Program, outlines the procedures used by the Connecticut Department of Transportation (the Department) to select projects that are eligible for CMAQ funding, and also provides instructions for completing the Department's CMAQ application. The goal of the Department's CMAQ Program for the MPOs/Rural COGs is to deliver quality projects on budget that expand or initiate transportation services with air quality benefits for the State of Connecticut. See Appendix 11-4 for the Department's CMAQ Program Guide.

Five -Year Capital Plan

The Department sends a *draft* of a proposed 5-year Capital Plan to the COGs for review and comment in the summer of each calendar year. The draft list will reflect input that the Department received from the COGs during the COG consultation process on the previous year's plan. This consultation process consists of annual meetings with each COG to address comments and concerns and on the selection of projects for the outer years of the Plan. The goal of the Department is to publish a *final* Plan by the end of each calendar year.

Regional Transportation Safety Plan (TSP)

Transportation Safety Planning (TSP) is a comprehensive, system-wide, multimodal, proactive process that better integrates safety into surface transportation decision-making. Federal law

requires that the State and Metropolitan transportation planning processes be consistent with Strategic Highway Safety Plans. It is important for the processes to consider projects and strategies to increase the safety of the transportation system for motorized and non-motorized users. The mission of TSP is to reduce transportation fatalities and serious injuries. Upon completion of each COG's regional transportation safety plan, it is important to evaluate and update it to reflect the changing transportation safety conditions. The Plan should be a living document and regular reviews will allow stakeholders to identify what is working well and what needs improvement. Updating the Plan helps the COG address changing conditions and emerging safety issues. As part of each COG's UPWP, a regular evaluation and update cycle should be established to maximize the Plan's effectiveness.

CHAPTER 12: TRANSPORTATION PLANNING IN NON METROPOLITAN AREAS: CONNECTICUT’S PROCESS FOR CONSULTATION AND COOPERATION WITH LOCAL OFFICIALS IN NON-METROPOLITAN AREAS (rev2015)

Purpose and Background

The Connecticut Department of Transportation (Department) has, for the past 20 years, involved the rural Regional Planning Organizations (rural RPOs) in the preparation of the State Transportation Improvement Program (STIP) and the Statewide Long-Range Transportation Plan (LRTP). In 23 CFR 450.210 there is a requirement that each State develop a documented process for consulting with non-metropolitan local officials in the statewide transportation planning process. The following process is designed to fulfill this requirement by documenting the involvement of the rural RPOs in the statewide transportation planning process.

Specifically, 23 CFR 450.210(b) states that “The State shall have a documented process (es) for consulting with non-metropolitan local officials representing units of general purpose local government and/or local officials with responsibility for transportation that is separate and discrete from the public involvement process and provides an opportunity for their participation in the development of the long-range statewide transportation plan and the STIP.” In Connecticut, effective January 1, 2015, as required by State statutes, all RPOs became Councils of Government (COGs). There are two rural COGs: the Northeastern Connecticut Council of Governments and the Northwest Hills Council of Governments. In accordance with Connecticut General Statutes, COG Boards are made up of local elected officials; therefore, local governments in the rural areas are involved, and will continue to be involved in the Transportation Planning Process through their participation in the rural COGs.

The Department’s Regional Planning Organization (RPO) Coordination section, serves as the liaison between the Department and the rural COGs, and consists of a staff of full-time liaisons. The liaisons are assigned to specific regions to enable them to develop both ongoing and mutually beneficial relationships with the local elected officials, as well as a good working knowledge of the issues and concerns specific to each region. The liaisons are in continuous contact with the rural COGs.

The rural COG Boards help the Department to coordinate transportation planning, research, project selection and project development, and also help to resolve inter-municipal transportation issues. Each fiscal year, the Department provides state and federal planning funds to the rural COGs for highway and transit planning. The Department also assists the rural COGs in developing their Unified Planning Work Programs (UPWPs) that identify the major transportation issues in their regions and outline the planning tasks necessary to address them. In addition, the rural COGs conduct other transportation planning activities, such as undertaking transit and highway corridor studies, and providing

technical assistance to local municipalities.

Long-Range Transportation Plan

To ensure statewide planning coverage, the Department recommends and encourages each rural COG to update its LRTP every four years, which is consistent with the requirement on the Metropolitan Planning Organizations (MPOs) in non-attainment areas [23 CFR 450.322(c)]. As the rural COGs develop their LRTPs, there is a continuous consultative review of and comment on the documents by the Department prior to adoption by the Region. The needs and priorities identified in the LRTP are taken into consideration in the development of the State's LRTP.

State Transportation Improvement Plan

The Department drafts the STIP for rural portions of the state, consistent with 23 CFR 450.216(c). Member towns submit projects through their rural COGs for eventual inclusion in the STIP under several federal programs (Surface Transportation Program (STP)-Other Urban, STP-Rural, STP- Transportation Alternatives Program (TAP), Congestion Mitigation Air Quality (CMAQ), and the Scenic Byways Program). The Department scopes the proposed projects and, depending on complexity, need, and funding availability, includes them in the draft STIP. The Department submits the draft STIP to the rural COGs for review and comment on the projects listed for their area. The rural COGs make this document available to the elected officials of their member towns, as well as to the public, for local review and discussion at publicly noticed rural COG meetings. There is also a review and comment period of 30 days for any Transportation Improvement Program amendments and/or administrative actions submitted to a rural COG by the Department. Any comments forwarded to the Department by the rural COGs are addressed, and the rural portion of the STIP is incorporated into the final STIP.

STP-Rural Funding is made available to each rural COG through the Department's STP-Rural Major/Minor Collector Program. Funding has been increased from \$1 million to \$2 million per year, and the non-federal share to municipalities has been decreased from 20 percent to 10 percent with the Department absorbing the additional 10 percent. A portion of CMAQ funding is set aside for the rural COGs and MPOs for projects selected on a competitive basis. It is the rural COG's responsibility to solicit its member towns and to develop projects for both of these programs.

The Department uses other methods to consult with rural COGs. It holds for the rural COGs and the MPOs Quarterly COG Coordination Meetings at the Department with an option to participate remotely, and holds monthly COG Teleconference Meetings during the other eight months of the year. These meetings provide a forum for the rural COGs, MPOs, the CTDOT and the USDOT to discuss and find solutions to common problems and present and discuss relevant information. The Department requests that each rural COG review and comment on the draft Statewide LRTP and on the Department's draft Capital Plan. In each of its four Districts, the Department has a Municipal Systems Action Team (MSAT) that assists the municipalities with the construction administration required on Federally-funded projects.

