

# **MPO Primer**



# July 2024

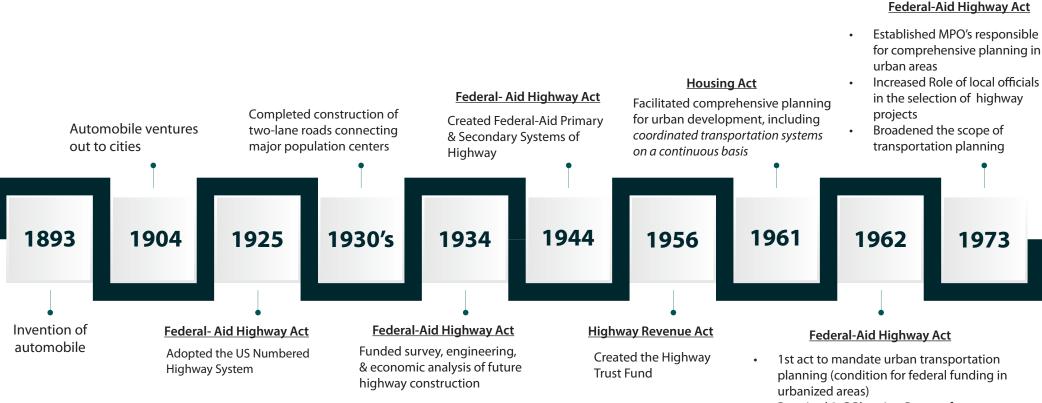
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# **Evolution of Transportation Planning**



 Required 3-C Planning Process for federal-aid highway projects in urbanized areas (with population of 50,000 or more)



"Our mission statement is: "to set transportation related policy, identify existing and future local transportation needs in cooperation with TxDOT, and propose and recommend projects for all modes of transportation including mass transit and active transportation, with special attention to freight."

– Laredo & Webb County Area MPO

# NTRODUCTION

The Metropolitan Planning Organization (MPO) Primer provides information about the MPO's role in the transportation planning process. Knowledge of our community's transportation needs is a valuable addition to the planning process as it enables the MPO to plan the region's shared vision for the future. The MPO's function is to ensure local and regional input, and provide decision-making authority to local elected officials on transportation projects.

# MPO OVERVIEW

# WHAT IS AN MPO?

Metropolitan Planning Organizations (MPOs) serve a critical and federally mandated role in the planning and decision-making process of the transportation system. In 1962, Congress passed the Federal Highway Act, which requires that all urbanized areas with populations of 50,000 or more establish MPOs to ensure that federally funded transportation projects and programs are based on a continuous, cooperative, and comprehensive planning process (3-C planning process).

The establishment of MPOs provides the regional view that enables transportation projects to be planned and delivered at a scale that is specifically tailored to the region. The regional view enables agencies to form connections across jurisdictional boundaries that facilitate cooperation in priority-setting as well as in the decision-making process for all modes of transportation. Transportation planning requires developing strategies for operating, managing, maintaining and financing the transportation system whilst furthering long-range goals. The MPO's role is to plan and program transportation improvements based on the local priorities and needs, as defined by the region's city and county governments. These local priorities and needs are then integrated into a state's Department of Transportation improvement program and directly impact how the state will build and manage the Interstate Highway System and state roads. That is, how well the transportation system performs, i.e. meets regional goals, affects current and long-range public policy concerns at the local, regional, state, and federal levels.

#### What is the Role of an MPO?

- MPO is a transportation policy-making and planning body that facilitates the allocation of transportation funds to member jurisdictions.
- Federal law requires regional transportation planning to reflect the region's shared vision for its future using a comprehensive, cooperative and continuing process (3-C Planning Process).
  - The MPOs coordinate with appropriate partners (local, regional, state, federal)
- MPO approval is required for any federally funded transportation project or program:
  - Included in the Long Range Transportation Plan
  - Included in the Transportation Improvement Program

### How are MPOs Designated?

- Title 23 CFR 450 mandates Metropolitan Planning Organization (MPOs) to be established in areas with urbanized area population of 50,000 or more.
  - MPOs are designated by agreement between the governor and local governments that together represent at least 75 percent of the affected population (including the largest incorporated city, based on population) or in accordance with procedures established by applicable state or local law as per 23 U.S.C. 134 (d).
- There are 24 MPOs in the State of Texas
  - The Laredo & Webb County Area MPO (LWCAMPO) is the designated MPO for the Laredo Urbanized Area

# **Key Points about MPOs**



Federally mandated to ensure local & public participation in the transportation planning process



Governed locally by Policy Boards (membership is determined locally)



Required to develop long-range transportation plans and programs and conduct short-range planning



Primarily funded by the federal government

# **MPOs in The State of Texas**

**Metropolitan Planning Organization (MPO)** 

MPO that is a Transportation Management Area (TMA)

**Abilene MPO** Alamo Area MPO **Amarillo MPO Bryan-College Station MPO Capital Area MPO Corpus Christi MPO Eagle Pass MPO** El Paso MPO **Houston-Galveston Area Council Killeen-Temple MPO** Laredo Webb County Area MPO Longview MPO Lubbock MPO **North Central Texas Council of Governments Permian Basin MPO Rio Grande Valley MPO** San Angelo MPO **Grayson County MPO South East Texas Regional Planning Commission** Texarkana MPO Tyler MPO Victoria MPO Waco MPO Wichita Falls MPO

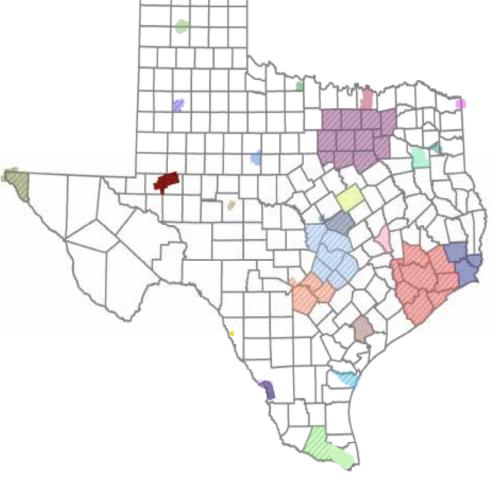


Figure 1. Texas Metropolitan Planning Organizations and Transportation Management Areas.

Source: Texas A&M Transportation Institute: Metropolitan Planning Primer

#### WHO IS LWCAMPO?

The Laredo & Webb County Area Metropolitan Planning Organization (LWCAMPO) is the federally designated MPO to develop and implement the 3-C planning process for the Laredo Urban area. The Laredo Urbanized Area, as determined by the 2010 Census, has surpassed 200,000 in population and was designated a Transportation Management Area (TMA) effective July 18, 2012.

The TMA is currently designated as an attainment area for the purpose of compliance with the Clean Air Act. The current TMA extends to the city limits of the City of Laredo, the City of Rio Bravo as well as portions of the County of Webb.

# Key Term:

#### **Transportation Management Area**

A Transportation Management Area, or TMA, is an urbanized area with a population of 200,000 or more, as defined by the United States Bureau of the Census and designated by the Secretary of Transportation, or any additional area where TMA designation is requested by the Governor and the Metropolitan Planning Organization (MPO) and designated by the United States Secretary of Transportation.

 An MPO is the Policy Board for transportation decision-making in urbanized areas

# Key Term:

#### **Attainment Area**

If the air quality in a geographic area meets or is cleaner than the national standard, it is called an attainment area (designated "attainment/ unclassifiable") as per 40 CFR 81.300.

 Areas that don't meet the national standard are called *nonattainment areas*.

#### How do MPOs & TMA Relate?

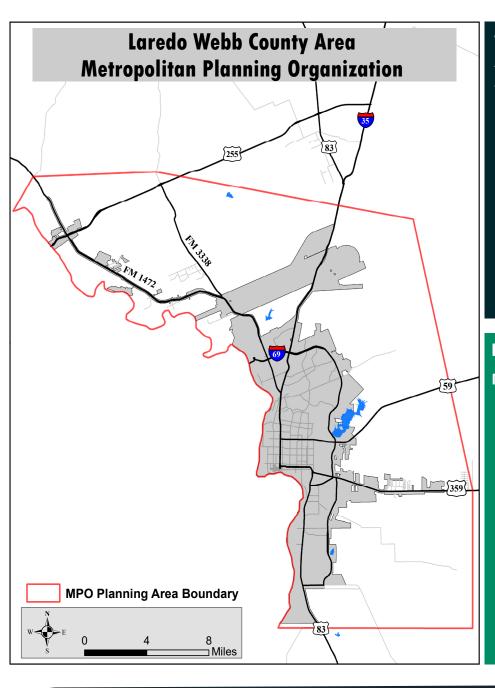
As described in 49 U.S.C. 5303(k), and in recognition of the greater complexity of transportation issues in large urban areas, an MPO in a TMA has a stronger voice, in setting priorities for implementing projects listed in the Transportation Improvement Program (TIP) and are responsible for additional planning products.

- The planning processes in MPOs in TMAs also must be certified by the Secretary of DOT as being in compliance with federal requirements.
- FTA and FHWA conduct a review of the metropolitan planning process within each TMA and jointly issue this certification on behalf of the DOT Secretary, in accordance with 49 U.S.C. 5303(k).





# MPO BOUNDARY



### What is LWCAMPO's Political Boundary?

The Metropolitan Planning Area (MPA) Boundary is the designated political boundary of an MPO.

- LWCAMPO's MPA includes the city limits of Laredo and Rio Bravo as well as portions of Webb County.
  - This planning area has been designated as a TMA.



- As per 23 CFR 450.312 the boundaries of a metropolitan planning area (MPA) shall be determined by agreement between the MPO and the Governor.
- At a minimum, the MPA boundaries shall encompass the entire existing urbanized area (as defined by the Bureau of the Census) plus the contiguous area expected to become urbanized within a 20-year forecast period for the metropolitan transportation plan
- The MPA boundaries may be further expanded to encompass the entire metropolitan statistical area or combined statistical area, as defined by the Office of Management and Budget.

"A Metropolitan Planning Organization can be a stand-alone agency. However, some local governments form their Metropolitan Planning Organization as an agency within a city, county, or council of government organization"

-TxDOT 2021-2022 Educational Series: Metropolitan Planning organizations

### LWCAMPO STRUCTURE

Each Metropolitan Planning Organization has a governing policy board, which adopts the Metropolitan Planning Organization's policy, bylaws, and organizational procedures. MPOs may also form advisory boards and/or committees to assist them in their decision making process.

LWCAMPO functions under a committee structure that is composed of a policy committee, technical committee, and planning staff to support transportation planning activities. A set of by-laws establishes the structure and representation of the MPO.

#### THE MPO POLICY COMMITTEE (POLICY COMMITTEE)

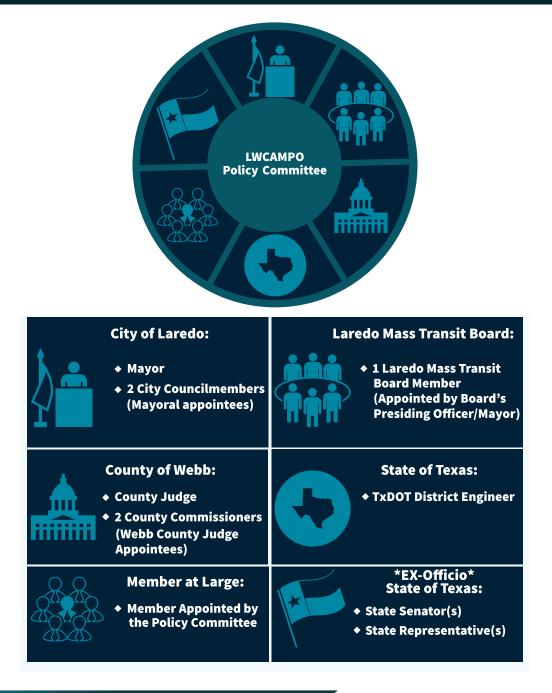
The MPO Policy Committee was established pursuant to 23 USC 134 and is designated to implement the metropolitan planning process. The Policy Committee is comprised of those governmental agencies identified in the original designation agreement and those agencies or organizations subsequently added to the membership of the board.

Voting members of the Policy Committee must include representation of local elected officials, agency officials that administer or operate major modes or systems of transportation, and appropriate state officials, as per 23 CFR 450.310.

#### What is the Role of the MPO Policy Committee?

The Policy Committee is the governing body of the MPO and as such, has decision making authority over issues such as:

- Adopting policy, bylaws, and organizational procedures:
  - The Metropolitan Transportation Plan (MTP)
  - The Transportation Improvement Program (TIP)
  - The Unified Planning Work Program (UPWP)
  - The Congestion Management Plan (CMP)



MPO Primer

#### THE MPO TECHNICAL COMMITTEE (TECHNICAL COMMITTEE)

The Technical Committee is the body of the MPO responsible for professional and technical review of work programs, policy recommendations, and transportation planning activities.

The Technical Committee is composed of representatives of the City of Laredo, the County of Webb, the Texas Department of Transportation (TxDOT), and private sector representatives.

### What is the Role of the MPO Technical Committee?

The Technical Committee shall review issues for accuracy and advise the Policy Committee on recommended actions.



### LWCAMPO Subcommittee: The Active Transportation Committee (ATC)

The Active Transportation Committee is a subcommittee of the MPO that holds meetings to provide ongoing recommendations, information, and feedback on MPO active transportation related activities, e.g. improving and promoting active modes of mobility, to the Policy Committee. Members of the ATC consist of members of the community such as stakeholders, advocacy groups, etc., as per 23 CFR 450.316(a) and 23 CFR 450.316(b).

**Note:** As mentioned in <u>Part III — The Bipartisan Infrastructure Law (BIL)</u>, the BIL will include housing considerations in the metropolitan transportation planning process, including—

Adding affordable housing organizations to a list of stakeholders MPOs are required to provide a reasonable opportunity to comment on the metropolitan transportation plan; and [§ 11201(d)(4)(B); 23 U.S.C. 134(i)(6)(A)]

#### What are the responsibilities of the Active Transportation Committee (ATC)?

The responsibilities of the ATC shall include the following:

- Monitor the implementation of the Laredo and Webb County Active Transportation Plan
- Recommend active transportation related planning studies to be conducted
- Provide recommendations to the MPO Policy Committee regarding active transportation planning activities
- Advise the MPO Policy Committee on active transportation related technical and policy issues
- Explore and recommend funding options and opportunities for active transportation related projects
- Promote community outreach efforts such as bicycle and pedestrian safety campaigns and educational programs



ACTIVE

transportation plan

& WERB COUNTY AREA METROPOLITAN PLANNING ORGANIZ

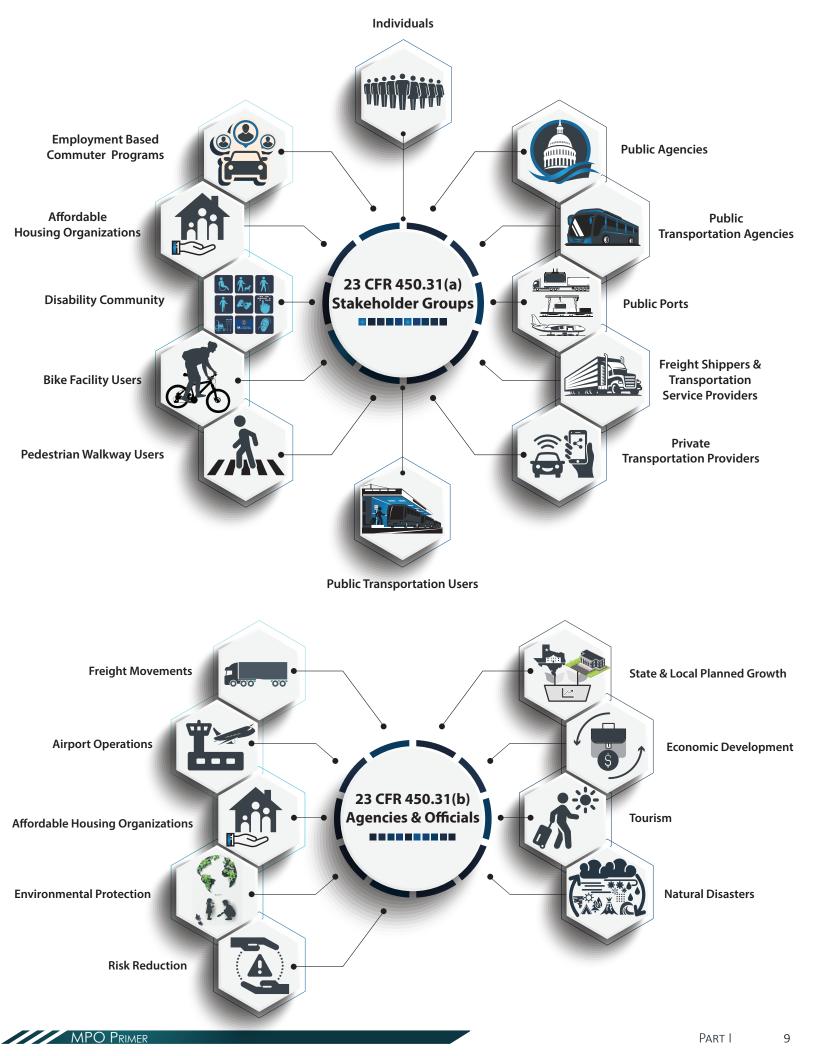
# The Active Transportation Plan (ATP)

The Laredo & Webb County Active Transportation Plan was adopted by the City of Laredo on February 22, 2021:

#### **Objective:**

- To enhance mobility in our region by providing safe, accessible, and alternate modes of transportation for the future of Laredo and Webb County residents.
  - The Active Transportation Plan is a collaborative effort undertaken by LWCAMPO in conjunction with the City of Laredo and County of Webb, to create and develop connectivity between bicycle, pedestrian, and transit networks.





# Part 2: TheTransportationPlanningProcess: Responsibilities of the MPO

# THE TRANSPORTATION PLANNING PROCESS

"By getting involved in the transportation decision making-process in your community, YOU can help bridge the divides created by those old transportation barriers and help to prevent new ones from being built."

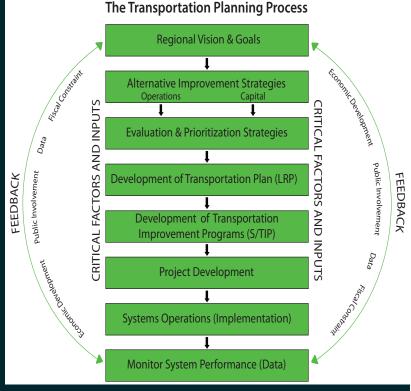
–U.S. Department of Transportation (USDOT) Transportation Toolkit

### What is The Transportation Planning Process?

Transportation planning is a cooperative, performance-driven process by which long- and short-range transportation improvement priorities are determined.

Metropolitan planning organizations (MPOs), States, and transit operators conduct transportation planning, with active involvement from:

- ◆ The public
- The business community
- Community groups
- Environmental organizations
- Freight operators



### What is the Role of Transportation Planning?

Source: FHWA Transportation Planning Capacity Building (TPCB)

Transportation planning plays a critical role in a State's, region's, or community's vision for its future. It includes:

- 1. A comprehensive consideration of possible strategies
- 2. An evaluation process that encompasses diverse viewpoints
- 3. The collaborative participation of relevant transportation-related agencies and organizations
- 4. Open, timely, and meaningful public involvement

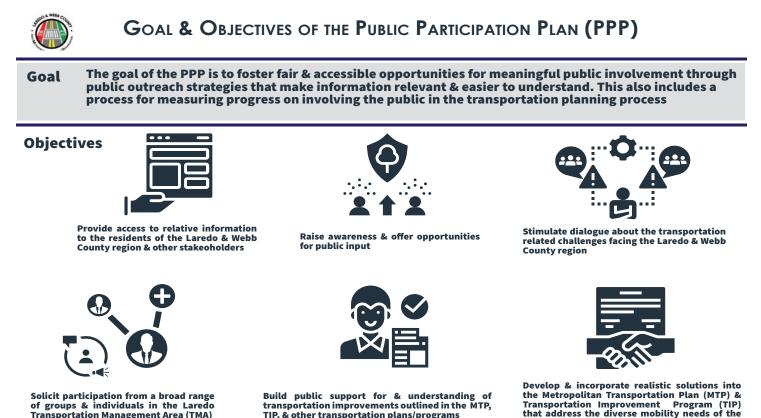
#### **RESPONSIBILITIES OF THE MPO**

MPOs are responsible for conducting the urban transportation planning process that reflects the vision, goals, and objectives that have been established as desirable "futures for the community", i.e. work together with federal, state, and local stakeholders to balance the transportation needs of local communities with the need for statewide connectivity. In accordance with federal and state mandates, the MPO develops is responsible for developing the following primary planning related documents:

- Metropolitan Transportation Plan (MTP)
- Transportation Improvement Plan (TIP)
- Unified Planning Work Program (UPWP)

### Other Responsibilities of The MPO

MPOs are responsible for developing a Public Participation Plan that outlines the goals and strategies for involvement of the general public and other affected constituencies related to the essential decision making elements of transportation planning. In addition, MPOs must comply with any additional requirements in accordance with specific designations, e.g. TMA, Attainment, etc.



#### Measures of Effectiveness

**Transportation Management Area (TMA)** 

The Measures of Effectiveness (MOE's) review process will measure the effectiveness of public outreach strategies & update public outreach activities based on qualitative & quantitative evaluation as well as assure the compliance of all federal & state guidelines

TIP, & other transportation plans/programs

region's residents, businesses, & visitors

#### What Other Responsibilities does LWCAMPO Have?

#### **Performance Targets**

As per federal requirements, LWCAMPO is required to establish and track targets for surface and public transportation that include:

- Assessment of bridge and pavement conditions
- Roadway performance
- Roadway safety
- Congestion
- ◆ Air quality
  - LWCAMPO is currently designated with an Attainment status (this status is subject to revision as per the scope of 40 CFR 81.300).

#### TMA

As a TMA LWCAMPO is required to maintain a Congestion Management Process (CMP).

- CMP identifies actions and strategies for reducing congestion and improving mobility (for consideration of inclusion in the MTP and TIP)
- In TMAs, MPOs play a lead role project selection for most program funding categories

# Statewide & MPO Transportation Planning Products

### Statewide Long Range Transportation Plan



Metropolitan Transportation Plan



Statewide Transportation Improvement Plan



2021-2024 Statewide Transportation Improvement Program

INTRODUCTION

Transportation Improvement Program



Public Involvement Plan



Public Participation Plan



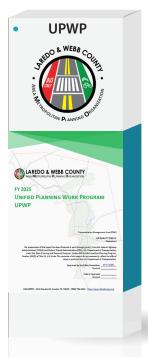


Unified Transportation Plan





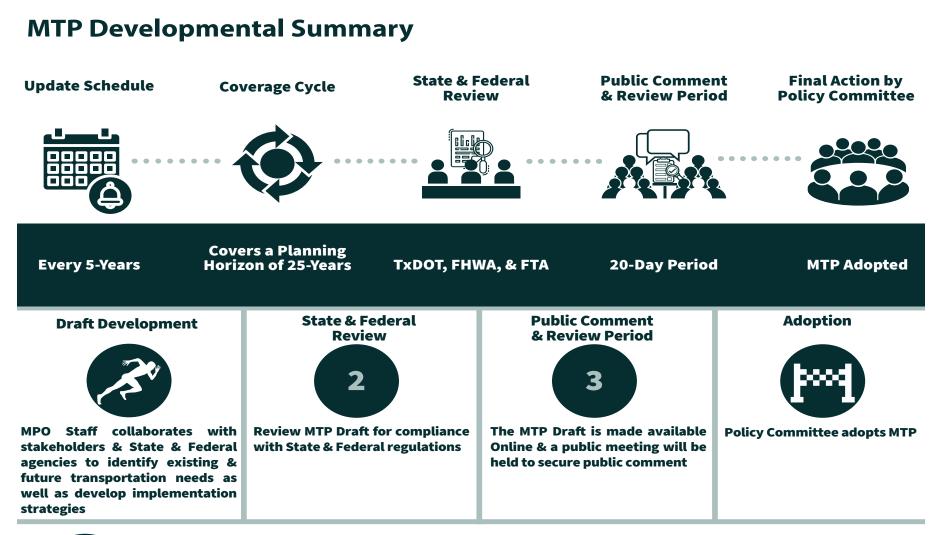
Unified Planning Work Program



### **MPO PLANNING DOCUMENTS**

# METROPOLITAN TRANSPORTATION PLAN (MTP)

The MTP is the long-range, financially constrained transportation plan for the region covering a planning horizon of 25 years. LWCAMPO's MTP identifies the existing and future transportation needs and develops coordinated strategies to provide the necessary transportation facilities essential for the continued mobility and economic vitality of the Laredo-Webb County area. These coordinated transportation strategies include roadway development and operations, truck and rail freight movement, transit operations, bikeways and pedestrian facilities. The MTP must demonstrate that there is a balance between the expected revenue sources for transportation investments and the estimated costs of the projects and programs described in the plan, i.e. fiscally (or financially) constrained.

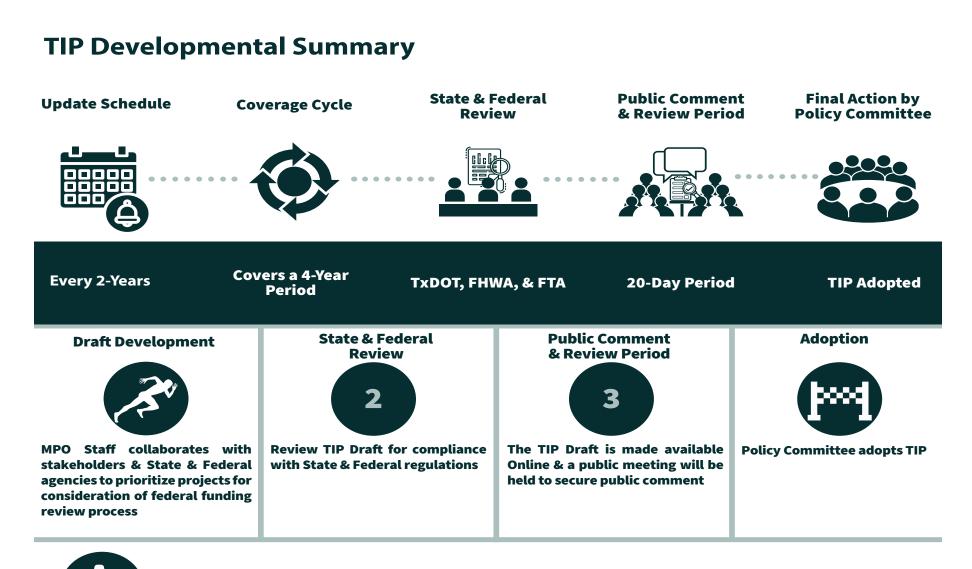


Maintanence

MPO Staff collaborates with State & Federal agencies to make revisions to the MTP, as deemed necessary, between the document's update schedule

### TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

The TIP is a federally required short-range program of transportation projects based on the long-range MTP and covers a period of 4 years. The TIP serves as a short-term programming document that lists approximately four (4) years of funded, i.e. committed from local, state, and federal sources, transportation projects. These projects are designed to construct, complete, implement, operate and maintain regional and statewide transportation systems in accordance with the recommendations of the long-range statewide transportation plan and LWCAMPO's MTP.



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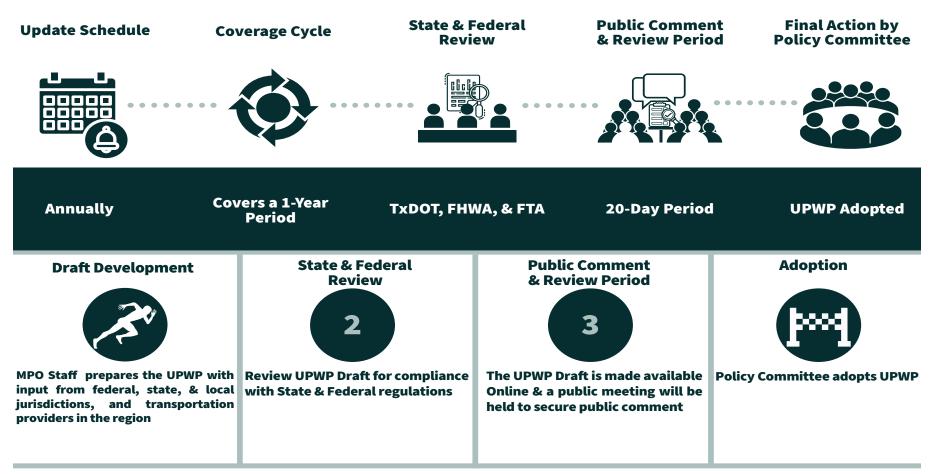
MPO Staff collaborates with State & Federal agencies to make revisions to the TIP, as deemed necessary, between the document's update schedule

# UNIFIED PLANNING WORK PROGRAM (UPWP)

The Unified Planning Work Program (UPWP) is an annual statement of work identifying planning priorities and activities to be carried out within LWCAMPO's MPA, i.e. Laredo, TX and portions of Webb County. Additionally, the UPWP includes a description of the planning work and coordinated efforts to carry out the continuing, cooperative and comprehensive transportation planning process for the aforementioned MPA. An MPO is required to perform all planning tasks set forth in federal laws and regulations, i.e. 23 CFR 450.308(c), many of which are conducted annually.

The UPWP is a one-year transportation planning work program which describes in detail transportation planning programs, and activities to be performed in LWCAMPO for FY2022. However, some tasks require more than one year to complete and are carried forward from one UPWP to the next. To effectively identify all work tasks, the Laredo MPO prepares the UPWP with input from federal, state and local jurisdictions, and transportation providers in the region. A detailed description of the UPWP Planning. Factors can be found in **"Appendix A: MPO Planning Factors" on page II**.

# **UPWP Developmental Summary**





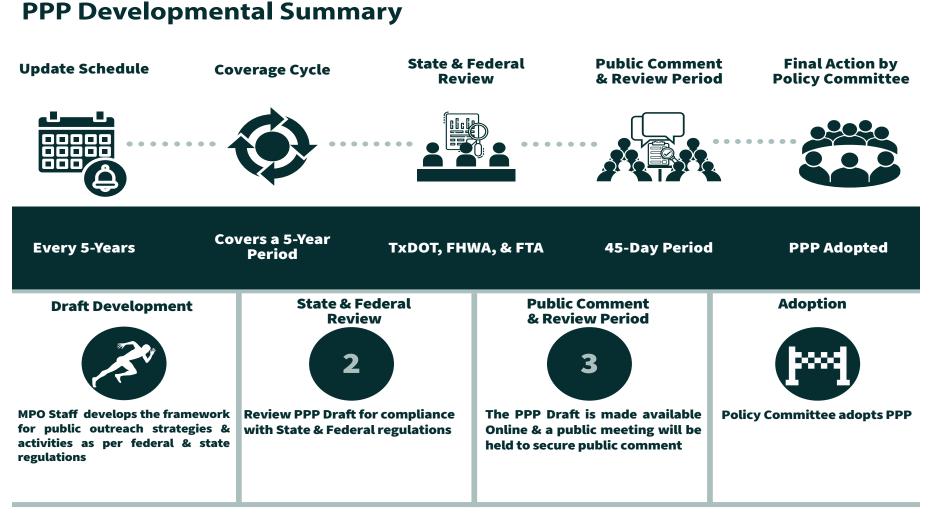
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MPO Staff collaborates with State & Federal agencies to make revisions to the UPWP, as deemed necessary, between the document's update schedule

# PUBLIC PARTICIPATION PLAN (PPP)

LWCAMPO believes that when the public is engaged in the planning process, the needs of the community are better addressed and met. The PPP serves as a tool to provide MPO staff with the framework to facilitate communication and consultation between agencies making decisions and the communities affected by them.

The result of effective and inclusive public engagement in the transportation planning process offers opportunities for the cooperative development of transportation projects and plans that reflect the needs of the community as well as provide community members with fair and accessible opportunities for meaningful public involvement.





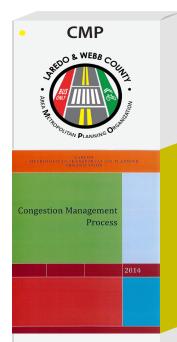
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MPO Staff collaborates with State & Federal agencies to make revisions to the PPP, as deemed necessary, between the document's update schedule

OTHER MPO TRANSPORTATION PLANNING PRODUCTS

# Congestion Mitigation

# Congestion Management Process



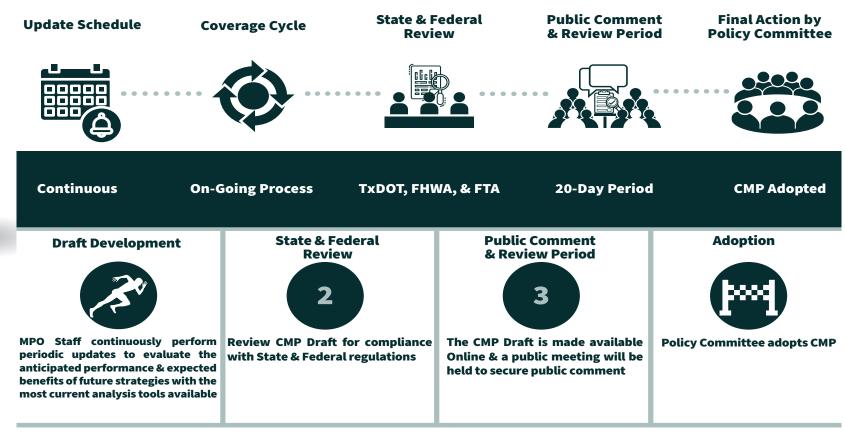
CONGESTION MANAGEMENT PROCESS (CMP)

A Congestion Management Process (CMP) is a systematic and regionally accepted approach for managing congestion. It provides accurate, up-to-date information on transportation system performance and assesses alternative strategies for congestion management that meet state and local needs. As per 23 CFR 450.322, MPOs are required to develop and implement a CMP within their designated TMA.

The CMP is intended to move congestion management strategies into the funding and implementation stages of project development. Congestion management is the application of congestion management and reduction strategies to improve transportation system performance and reliability by reducing the adverse impacts of congestion on the movement of people and goods.

Development of the CMP is a flexible process that allows MPOs to develop and design their own approaches and processes to fit their individual needs. The CMP is an on-going process, continuously progressing and adjusting overtime as goals and objectives change, new information sources become available, and new strategies are identified and evaluated.

# **CMP Developmental Summary**





MPO Staff collaborates with State & Federal agencies to make revisions to the CMP, as deemed necessary, on a continuous basis as goals & objectives change, new information sources become available, & new strategies are identified and evaluated.

#### **MPO FUNDING**

### How are MPOs Funded?

MPOs receive funding from:

- Federal Planning (PL) funds
- Surface Transportation Program– Urbanized Allocation
- State & Local matching funds
- Competitive grants

#### How are Federal Transportation Funds Spent?

Federal transportation funds are limited and thus, are spent in maintenance of our existing transportation system, i.e. making sure it is safe and in a state of good repair. Investment in new transportation projects should be focused on:

- Expand travel choices and capacity
  - Identifying priority projects & strategies from the MTP that are sufficiently high priority to include in the TIP
  - Identifying and selecting projects already listed in the TIP that are next in line for grant award funding
- Make our transportation system resilient (i.e. as per the 2021 Planning Emphasis Areas )

### How does TxDOT & LWCAMPO Know How Much Money is Going to be Available?

Federal surface transportation legislation requires that MPOs, State DOTs, and public transit agencies cooperatively develop revenue forecasts for each metropolitan region. These forecasts let agencies determine how much funding is likely to be available for transportation projects and services in their respective region.

- Financial revenue forecasting, while tailored to each region, must be consistent and compatible with other revenue forecasting within a State, i.e. fiscally (or financially) constrained.
- Please refer to the <u>TPCB Briefing Book</u> for more detailed information

# Key Terms: Fiscal Constraint

A demonstration of sufficient funds, from Federal, State, local, and private sources, which will be used to implement proposed transportation system improvements, as well as to operate and maintain the entire system.

 This demonstration is carried out by comparing revenues and costs

# **Federal Funds**

Appropriated by Congress through the Federal Highway Trust Fund

### **State Funds**

Appropriated by the Texas Legislative through the State Highway Fund

- Organized into 12 funding categories in the UTP
  - These funding categories are primarily from federal sources, state funding may also be used (See

Transportation Programs in the UTP Categories" on page IV

### **Other State & Local Funds**

Include the Texas Mobility Fund, bond revenue, concessions and regional toll revenue, and local funds

# **TXDOT FUNDING SOURCES BY UTP CATEGORY**

12	FUNDING CATEGORIES	FEDERAL FUNDS	STATE FUNDS	OTHER STATE AND LOCAL FUNDS
1.	Preventive Maintenance and Rehabilitation	Yes	Yes	No
2.	Metro and Urban Area Corridors	Yes	Yes	No
3.	Non-Traditionally Funded Projects	No	Yes	Yes
4.	Statewide Connectivity Corridors	Yes	Yes	No
5.	Congestion Mitigation and Air Quality*	Yes	No	No
6.	Structures Replacement (Bridges)	Yes	Yes	No
7.	Metropolitan Mobility and Rehabilitation*	Yes	No	No
8.	Safety	Yes	Yes	No
9.	Transportation Alternatives*	Yes	No	No
10.	Supplemental Transportation Projects	Yes	Yes	No
11.	District Discretionary	Yes	Yes	No
12.	Strategic Priority	Yes	Yes	No

Source: 2023 UTP





# BIPARTISAN INFRASTRUCTURE LAW (BIL)

The Infrastructure Investment And Jobs Act (IIJA) (Public Law 117-58, also known as the "Bipartisan Infrastructure Law (BIL)") was signed by President Biden on November 15, 2021. The BIL will provide:

- Significant investment opportunities in transportation infrastructure
- Additional funding for existing transportation programs
- New competitive grant programs

TH	THE BIL WILL DELIVER FOR TEXAS						
In rego	ard to transportation, the BIL v	vill:					
Repair & Rebuild Ou Roads & Bridges	r BIL will focus on climate change mitigation, resilience, equity, & safety for all users, including cyclists & pedestrians	Texas can expect to receive: <ul> <li>\$27.4 Billion (over 5-years) in Federal highway formula funding for highways &amp; bridges (26.4% more than under current law)</li> </ul>					
	Texas can compete for:	Texas also expects to receive: Approx. \$641 Million (over					
	<ul> <li>\$12.5 Billion Bridge Investment Program (for economically significant bridges);</li> </ul>	5-years) in formula funding to reduce transportation-related emissions					
×	<ul> <li>\$15 Billion for megaprojects that will deliver substantial economic benefits to communities</li> </ul>	<ul> <li>An additional \$729 Million (over 5-years) to increase resilience of the transportation system</li> </ul>					
		eral aid dollars towards climate safety projects					
nprove The Safety Of Transportation Syster		<ul> <li>Local &amp; tribal governments can compete for:</li> <li>\$6 Billion for new Safe Streets for All Program (direct funding to support "Vision Zero" &amp; related safety improvements)</li> </ul>					
	<ul> <li>Texas will receive (over 5-years):</li> <li>Approx. \$153 Million in 402 formula funding for highway safety programs (29% increase over FAST Act levels on avg. annual basis)</li> </ul>	<ul> <li>Texas can expect to receive:</li> <li>\$267 Million (over 5-years) through Federal Motor Carrier Safety Administration Program (to reduce Commercial Motor Vehicle (CMV) crashes)</li> <li>This represents an estimated 63% increase in funding (compared to Fast Act levels)</li> </ul>					
	Texas will be able to apply for:						

- Funds to modernize data collection system (to collect real time data on all reported crashes, including fatal ones) to enhance safety & allow the Department to identify, analyze, & address trends
- Texas also includes eligible communities that can apply for grants to community owned utilities to support repair or replacement of leaky or unsafe cast iron & bare steel natural gas distribution pipelines (some of which are over 100 years old)



Ir

# THE BIL WILL DELIVER FOR TEXAS

Improve Healthy, Sustainable Transportation Options For Millions Of Americans	<ul> <li>Texans who take public trans</li> <li>Spend an extra 80.8% of the time commuting</li> <li>Non-White households are to times more likely to communia public transit</li> <li>12% Of transit vehicles in the state are past useful life-cyce</li> </ul>	<ul> <li>eir</li> <li>\$3.4 Billion (over 5-years) for statewide improvement of public transportation (based on Formula funding alone)</li> <li>About 32% increase over 2021 Fast Act formula</li> </ul>	
Build Network Of EV Chargers To Facilitate Long-distance Travel & Convenient Charging Options	electric vehicle Texas expects \$408 M expansion of EV Texas will also have th	build 1st ever national network of e (EV) chargers in the U.S. iillion (over 5-years) to support the charging network in the state ne opportunity to apply for grants lion available for EV charging	
Modernize & Expand Passenger Ro Improve Freight Rail Efficiency & Sa	fety Amtrak maintenance service to areas out Texas will be eligible \$5 Billion for	on (above baseline) to eliminate e backlog & bring world-class rail side the northeast & mid-Atlantic e to compete for: rail improvement & safety grants grade crossing improvements	
Improve Our Nation's Airports	<ul> <li>Under BIL, airports in Texas would receive:</li> <li>Approx. \$1.2 Billion for infrastructure development for airports (over 5-years)</li> <li>Funding addresses air-sid &amp; land-side needs at airports such as:</li> <li>Improving runways, taxiwa airport-owned towers, term development projects &amp; n reduction projects</li> </ul>		
	<ul> <li>In addition, \$5 Billion in discretionary is available (over 5-years) for airport terminal development projects that:</li> <li>Address the aging infrastructure of our nation's airports</li> <li>Includes projects that expand accessibility for persons with disabilities, improve access for historically disadvantaged populations, improve energy efficiency, &amp; improve airfield safety</li> </ul>		

Note: The BIL makes several changes to include housing considerations in the metropolitan transportation planning process, including—

Adding affordable housing organizations to a list of stakeholders MPOs are required to provide a reasonable opportunity to comment on the metropolitan transportation plan; and [§ 11201(d)(4)(B); 23 U.S.C. 134(i)(6)(A)]

# **Title VI Nondiscrimination Plan**

Statutory/Regulations Authorities 42 U.S.C. § et seq., 78 stat. 252 49 C.F.R Part 21 28 C.F.R Part 50.3

#### Overview of Title VI Regulatinal Requirements

All programs funded in whole or in part from federal financial assistance are subject to Title VI regulational requirements, i.e. MPO (direct recipient of federal financial assistance) & to its sub-recipients (e.g., contractors, consultants, local governments, etc.). • Further extended by Civil Rights Restoration Act of 1987

• Further defined by Executive Order 12898 & Executive Order 13166

# **Key Terms:**

### **Civil Rights Restoration Act of 1987**

Extended Title VI Regulational Requirements to all programs within an agency that receives federal assistance regardless of the funding source for individual programs.

#### Executive Order 12898

Environmental Justice (EJ) – Federal action that identifies & addresses disproportionately high & adverse human health & environmental effects of programs or activities on minority & low-income populations, with the goal of achieving environmental protection for all communities.

#### **Executive Order 13166**

Improving access to services for persons with Limited English Proficiency (LEP)

### **Executive Order 13985**

Equity – Seeks to advance equity through various efforts, including, but not limited to, coordinating across the Federal government, identifying methods to assess equity, allocating Federal resources to advance fairness & opportunity.

#### Justice40 Initiative

Includes investments that can benefit disadvantaged communities across one or more of the following seven areas: climate change, clean energy & energy efficiency, clean transit, affordable & sustainable housing, training & workforce development, remediation & reduction of legacy pollution, & the development of critical clean water & wastewater infrastructure.

#### WHAT DOES TITLE VI AUTHORIZE?

Title VI authorizes and directs federal agencies to enact "rules, regulations, or orders of general applicability" to achieve the statute's objectives.

#### WHERE CAN I FIND THE TITLE VI IMPLEMENTATION REGULATIONS FOR USDOT & FHWA?

The U.S. Department of Transportation (USDOT) implemented its Title VI program in 49 C.F.R. Part 21 whilst the Federal Highway Administration's (FHWA) implementing regulations can be found in 23 C.F.R. Part 200.

#### WHAT IS LWCAMPO STAFF'S RESPONSIBILITY UNDER TITLE VI & RELATED STATUSES?

As staff of the Laredo & Webb County Area Metropolitan Planning Organization (LWCAMPO), it is everyone's responsibility to prevent, minimize, & eradicate any form of discrimination across the MPO's provisions, services, and/or activities.

#### WHAT ARE THE PROHIBITED FORM OF DISCRIMINATIONS?

- The denial of services, financial aid, or other benefits provided under a program;
- Distinctions in the quality, quantity, or manner in which a benefit is provided;
- Segregation or separation of persons in any part of the program;
- Restriction in the enjoyment of any advantages, privileges, or other benefits provided to others;
- Differing standards or requirements for participation;
- Methods of administration that directly or indirectly, or through contractual relationships would defeat or impair the accomplishment of effective nondiscrimination; (and/or)
- Discrimination in any activities or services related to a highway, infrastructure or facility built or repaired in whole or in part with federal funds.

#### WHAT IS THE PURPOSE OF THE TITLE VI NONDISCRIMINATION PLAN?

The purpose of this plan is to inform the public on the Title VI regulations & requirements applicable to the MPO, as well as outline the method(s) of administration to ensure compliance across LWCAMPO's plans, programs & activities.

#### WHAT DOES THE TITLE VI NONDISCRIMINATION PLAN CONSIST OF?

- Title VI Complaint Procedures provides guidance, timeline, & contact information in regard to processing complaints alleging discrimination in the MPO's provisions, services, or activities.
- Limited English Proficiency (LEP) Plan addresses the responsibilities and outlines implementation procedures to meet the needs of individuals with limited English proficiency skills
- Infrastructure Investment And Jobs Act (IIJA / also known as Bipartisan Infrastructure Law (BIL)) — provides updated federal regulations & requirements in regard to the transportation planning process, e.g. Executive Order 13985 & Justice40 Initiative.
- Data Collection & Analysis provides the methodology, e.g. tools & techniques, the MPO utilizes to fulfill the requirements outlined by federal legislation to identify public outreach strategies, & facilitate public participation activities



The Laredo & Webb County Area Metropolitan Planning Organization (LWCAMPO), as a recipient of Federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person shall on the grounds of race, religion, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any Department programs and activities.

# LIMTED ENGLISH PROFICIENCY (LEP) PLAN

#### PURPOSE OF LEP PLAN

This plan addresses LWCAMPO's responsibilities (as a recipient of federal financial assistance) & outlines implementation procedures to meet the needs of individuals with Limited English Proficiency (LEP) skills.

#### LAWS & POLICIES GUIDING LEP PLAN

LWCAMPO outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, & how to notify LEP persons that assistance is available.

Key Federal Action	Executive Order (EO) 13166: Improving Access to Service for individuals with Limited English Proficiency.
Federal Certification Review	According to federal regulations, LWCAMPO's LEP Plan will be evaluated by the Federal Highway Administration (FHWA) & the Federal Transit Administration (FTA) as a part of the MPO's regular federal certification review.

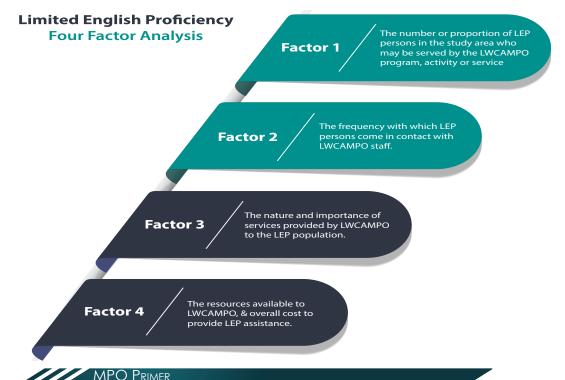
#### PERTINANT INFORMATION TO LWCAMPO'S FEDERAL CERTIFICATION REVIEW

The following table illustrates the laws, policies, & considerations pertinent to the LEP Plan & the MPO's review:

	Title VI of the Civil Rights Act of 1964	LEP Executive Order No. 13166
Law or Policy	Federal Law	Federal Policy
Enactment Year	1964	August 2000
Consideration(s)	All Individuals	Eligible Populatoins
Law/Policy Content	Contains monitoring & oversight compliance review requirements	Contains monitoring & oversight compliance review requirements
Requirement(s)	<ul> <li>Factor criteria is required</li> <li>no numerical or percentage thresholds</li> </ul>	<ul> <li>Factor criteria is required</li> <li>no numerical or percentage thresholds</li> </ul>
Outcome	Provides protection based on race, color, & national origin	Provides protection based on national origin
Focus	Eliminating discrimination in federally funded programs	Providing LEP Individuals with meaningful access to services using four factor criteria
Annual Accomplishment & Upcoming Goals	Report to FHWA	Report to FHWA

#### How Does LWCAMPO DETERMINE THE DEGREE OF OF LEP SERVICES TO PROVIDE?

LWCAMPO provides language assistance measures, to the degree that funding permits, based on the following factors:



#### IMPLEMENTING THE LEP PLAN

#### IDENTIFYING LEP INDIVIDUALS

Based on the four-factor analysis:

- Majority of LEP persons are Spanishspeaking
- The remaining language groups combined total is approx. 1% of LEP persons

Language assistance services will be focused towards the Spanish speaking LEP language group.

 LWCAMPO will continue to assess the need for language assistance to other LEP language group

#### LANGUAGE ASSISTANCE MEASURES

The MPO's language assisted measures include :

- Translation (in Summary) of vital documents in Spanish
- Posting advertisements/public notices
   of public meetings in Spanish
- Providing Outreach literature in Spanish (includes brochures, pamphlets, handouts, etc.)
- Provide oral interpreter services at any MPO public meeting or public hearing (advanced notice required)
  - Interpreter to include foreign language & the hearing impaired

#### **STAFF TRAINING**

MPO Staff will be training includes, but is not limited to:

- LWCAMPO's LEP policies & procedures
  Environmental Justice (EJ) policies &
- procedures
- Data Collection Methodology

#### TITLE VI PROGRAM VISIBILTY

Providing Notice to LEP Persons:

 LWCAMPO will provide statements in public information & public notices, as per Public Participation Plan, (with reasonable advance notice to the MPO).

#### MONITORING & UPDATING THE LEP PLAN

LWCAMPO will update the LEP Plan as required by Federal guidelines

At a minimum, the plan will be reviewed & updated when new data from the U. S. Census becomes available

#### MONITORING & UPDATING THE LEP PLAN

Copies of the LEP Plan will be provided, on request, to any person(s) requesting the document via:

phone, in person, by mail, or email.

**Note:** translation of the LEP Plan will be provided *in summary* (upon request)

#### **Key Terms**

#### LEP INDIVIDUAL / PERSONS

As defined by DOJ & the Federal Interagency Working Group on Limited English Proficiency:

"Individuals who do not speak English as their primary language [&] who have a limited ability to read, speak, write, or understand English..."

#### SAFE HARBOR STIPULATION

A "safe harbor" means that if a recipient provides written translations in certain circumstances, such action will be considered strong evidence of compliance with the recipient's written-translation obligations under Title VI & LEP Requirements

This safe harbor provision applies to the translation of written documents only.

Part III

# **N**ONDISCRIMINATION & ENVIRONMENTAL JUSTICE

#### WHAT IS LWCAMPO'S ROLE IN NONDISCRIMINATION & ENVIRONMENTAL JUSTICE (EJ)?

#### **Key Federal Actions**

**Key Term** 

Equity

- 1. The 1964 Civil Rights Act & Title VI of the Act (Nondiscrimination)
- 2. Executive Order (EO) No. 12898 (Environmental Justice (EJ))

Equity in transportation seeks fairness in mobility and accessibility to meet

the needs of all community members.

Signed by President Clinton in 1994

As per the Federal Highways Administration (FHWA), MPOs serve as the primary forum where state transportation departments, transit providers, local agencies & the public develop regional transportation plans & programs to address a metropolitan area's transportation needs.

As a recipient of Federal financial assistance, LWCAMPO is subject to provisions of Title VI of the Civil Rigths Act, including Environmental Justice (EJ)

#### WHAT ARE LWCAMPO'S RESPONSIBILITITES UNDER TITLE VI & EJ?

#### As per FHWA, MPO's are requiered to:

- Enhance their analytical capabilities to ensure that the [long-range] Metropolitan Transportation Plan (MTP) & the [short-range] Transportation Improvement Program (TIP) comply with Title VI;
- · Identify residential, employment, & transportation patterns of low-income & minority populations so that their needs can be identified & addressed, & the benefits & burdens of transportation investments can be fairly distributed, i.e. mitigated;
- Evaluate & where necessary improve their public involvement processes to • eliminate participation barriers & engage minority & low-income populations in transportation decision making.

### WHAT ARE THE DIFFERENCES BETWEEN TITLE VI & EJ?

Title VI focuses on non-discrimination whilst Environmental Justice (EJ) seeks to ensure full & fair consideration of minority & low-income populations in [all phases of] transportation planning.

- Title VI compliance is involved in plans, programs, & activities of planning
- EJ concerns are more frequently raised during project development & are addressed by MPO's via public participation & [project impact] analysis
  - Public Participation ensures that protected populations have real & equitable opportunities to influence decisions
  - Analysis Assesses the distribution of benefits & impacts on protected populations

### **OTHER KEY DIFFERENCES**

Title VI of the Civil Rights Act of 1964 Establishes Prohibition of Discrimination on basis of:

- Race, Color, or National Origin
  - Applies to any "program or activity receiving federal financial assistance."

#### **EJ** — Fundamental Principles

- - Applies to all activites of federal-aid recipients, sub-recipients, & contractors regardless of whether a particular activity is receiving federal funding.
- 1. To avoid, minimize, or mitigate disproportionately high & adverse human health & environmental effects, including social & economic effects, on minority populations & low-income populations;
- 2. To ensure the full & fair participation by all potentially affected communities in the transportation decision-making process;
- 3. To prevent the denial of, reduction in, or significant delay of these protections for minority & low-income populations.

### MPO Primer

Part III 25

Subsequent Legislation (1994) - Extended

Protections Sex, Disablity, Age, & Income

# Title VI Complaint Procedure Overview

#### Identify / Cite Alleged Discrimintation



#### Title VI

Focuses on Non-Discrimination

#### Environmental Justice (EJ)

 Seeks to ensure full & fair considereation of minority & low-income populations in transportation planning

**Note:** While a person, or persons, cannot bring a legal claim under any of the EJ orders, such person, or persons, can bring a claim under Title VI.

#### **Deadline To File A Complaint**



A complaint must be filed no later than **180 days** after the date of the alleged discrimintaion

#### Exceptions:

- The discrimination is ongoing
- Time for filing is extended by FHWA

**Note:** The *<u>Filing Date</u> is the day the complainant(s) complete(s), sign(s), & mail(s)/submit(s) the complaint form (i.e. postmark / online submission timestamp date should be within the alloted 180-day filing period)* 

#### **Processing A Complaint**



- A Complaint Is Received By LWCAMPO
   Filed online or hard copy
- Complaint Is Logged Into Tracking Database
  Basic data will be maintaied per complaint recieved
- Determine Jurisdiction
   Forwarded to appropriate agency (where applicable)
- 4. Initial Written Notice to Complainant
   Confirmation receipt sent within 10 working days
- Investigation of Complaint
- Timeframe varies by nature and/or circumstance(s)6. Determination of Investigation
- Completed within 60 days of receiving complaint7. Notification of Determination
  - Sent within 10 days of completing investigation

#### Where To File a Title VI Complaint

Laredo & Webb County Area Metropolitan Planning Organization (LWCAMPO) Administration Administration Administration - Texas Division

1413 Houston Street

Laredo, Texas 78040

Email: jmendive@ci.laredo.tx.us Telephone: 956-794-1605

MPO)	Federal Highway Adminstration	Federal Highway Administration — Texas Division	Federal Transit Administration Office of Civil Rights	Texas Department of Transportation
	Office of Civil Rights HCR-20, Room E81-320 1200 New Jersey Avenue, SE Washington, DC 20590	Attn: Civil Rights Specialist 300 E. 8 <sup>th</sup> St. Austin, TX 78701	Attn:Complaint Team East Building, 5 <sup>th</sup> Floor – TCR 1200 New Jersey Avenue, SE Washington, DC 20590	Civil Rights Division Attn: Title VI Program Administrator 125 E. 11 <sup>th</sup> St. Austin TX, 78701



# GLOSSARY OF ACRONYMS

MPO Primer				
Abbreviations /	Definition			
Acronyms	Demition			
ATC	Active Transportation Committee			
АТР	Active Transportation Plan			
BIL / IIJA	Bipartisan Infrastucture Law / Infrastructure Investment and Jobs Act			
CFR	Code of Federal Regulations			
СМР	Congestion Management Process			
FAST Act	Fixing America's Surface Transportation Act			
FHWA	Federal Highway Administration			
FTA	Federal Transit Administration			
LWCAMPO	Laredo & Webb County Area Metropolitan Planning Organization			
MAP-21	Moving Ahead for Progress in the 21st Century Act			
МРА	Metropolitan Planning Area			
МРО	Metropolitan Planning Organization			
МТР	Metropolitan Transportation Plan			
PIP	Public Involvement Plan			
РРР	Public Participation Plan			
SLRTP	Statewide Long-Range Transportation Plan			
STIP	Statewide Transportation Improvement Program			
ТІР	Transportation Improvement Program			
ТМА	Transportation Management Areas			
ТРСВ	Transportation Planning Capacity Building			
TxDOT	Texas Department of Transportation			
UPWP	Unified Planning Work Program			
USC / U.S.C.	United States Code			
UTP	Unified Transportaion Program			
UZA	Urbanized Area			

I

# Definitions

**Attainment Area** – If the air quality in a geographic area meets or is cleaner than the national standard, it is called an attainment area (designated "attainment/unclassifiable") as per 40 CFR 81.300.

Federal Funds – Appropriated by Congress through the Federal Highway Trust Fund.

**Fiscal Constraint** – A demonstration of sufficient funds, from Federal, State, local, and private sources, which will be used to implement proposed transportation system improvements, as well as to operate and maintain the entire system.

**Metropolitan Planning Area (MPA)** – As per 23 CFR 450.312 the boundaries of a metropolitan planning area (MPA) shall be determined by agreement between the MPO and the Governor.

**Other State & Local Funds** – Include the Texas Mobility Fund, bond revenue, concessions and regional toll revenue, and local funds.

**State Funds** – Appropriated by the Texas Legislative through the State Highway Fund.

**Transportation Management Area** – A Transportation Management Area, or TMA, is an urbanized area with a population of 200,000 or more, as defined by the United States Bureau of the Census and designated by the Secretary of Transportation, or any additional area where TMA designation is requested by the Governor and the Metropolitan Planning Organization (MPO) and designated by the United States Secretary of Transportation.





# APPENDIX A: MPO PLANNING FACTORS

### FAST Act Planning Factors

FAST Act contains ten (10) planning factors that should be considered when developing plans and programs. The work tasks contained in this UPWP have considered the following areas, some more directly than others:

- 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 storm water impacts of surface transportation; and
- 10. Enhance travel and tourism.

Further, the work tasks consider the federal performance goals (23 USC § 150.b) in the following seven areas:

- 1. **Safety**: achieve a significant reduction in traffic fatalities and serious injuries on all public roads.
- 2. Infrastructure Condition: maintain the highway infrastructure asset system in a state of good repair.
- 3. **Congestion Reduction:** achieve a significant reduction in congestion on the National Highway System.
- 4. **System Reliability:** improve the efficiency of the surface transportation system.
- 5. **Freight Movement and Economic Vitality:** Improve the national freight network, strengthen the ability of rural communities to access national and international trade markets, and support regional economic development.
- 6. **Environmental Sustainability:** enhance the performance of the transportation system while protecting and enhancing the natural environment.
- 7. **Reduced Project Delivery Delays:** reduce project costs, promote jobs and the economy, and expedite the movement of people and goods by accelerating project completion through eliminating delays in the project development and delivery process, including reducing regulatory burdens and improving agency work practices.

#### Performance Management

MAP-21 instituted Performance Management to provide greater accountability and transparence and help achieve the most efficient and effective investment of transportation resources. The FAST Act continued MAP-21's overall performance management approach, within which States invest resources in projects that collectively will make progress toward national goals.

The U.S. Secretary of Transportation in consultation with stakeholders establishes performance measures to chart progress toward accomplishment of national goals established in MAP-21: safety, infrastructure condition, interstate system condition, congestion reduction, system reliability, freight movement and economic vitality, environmental sustainability, and reduced project delivery delays. Performance targets established by the State and MPO will be based on national performance measures and will improve decision making through performance- based planning and programming.

The FAST Act adjusts the timeframe for States and metropolitan planning organizations to make progress toward meeting their performance targets under the National Highway Performance Program and clarifies the significant progress timeline for the Highway Safety Improvement Program performance targets.

The MPO believes in the proactive involvement of citizens, affected public agencies, representatives of transportation agencies, private providers of transportation, and other interested parties in the development and updates of transportation plans and programs. The Laredo MPO has a Public Participation Plan (PPP) intended to provide an opportunity for meaningful, active, ongoing public participation and involvement for citizens, groups, agencies, and public providers of transportation. The Laredo MPO conducts all planning activities in accordance with the adopted (PPP).

The MPO continues to engage interested parties during the development of the Public Participation Plan (PPP), and the short-term and long-term transportation plans. Per 23 CFR 450.316, interested parties such as those listed below, shall have reasonable opportunities to comment on projects of the short-term and long-term transportation plans:

- Affected public agencies
- Freight shippers
- Private providers of transportation services
- Representatives of public transportation employees
- Representatives of the disabled
- Representatives of users of public transportation
- Representatives of users of pedestrian walkways and bicycle transportation facilities
- Other interested parties The MPO continues to consult and cooperate with federal, state, and local agencies and tribal nations responsible for land use, natural resources, and other environmental issues during the adoption of long and short-term plans. The MPO consults with agencies responsible for historic preservation, natural resource conservation, environmental protection, and land use management, as appropriate, in the development of the short and long-term transportation plans.

# Appendix B: Federal Transportation Programs in the UTP Categories

# FEDERAL TRANSPORTATION PROGRAMS IN THE UTP CATEGORIES

	FEDERAL TRANSPORTATION PROGRAMS						
UTP CATEGORY	Surface Transportation Block Grant Program (STBGP)	National Highway Performance Program (NHPP)	National Highway Freight Program (NHFP)	Highway Safety Improvement (HSIP)	Congestion Mitigation and Air Quality Improvement (CMAQ)	Metropolitan Planning/PL	Transportation Alternatives Set-Aside (TASA)
1	Yes	Yes	Yes	No	No	No	No
20	Yes	Yes	Yes	No	No	No	No
2M	Yes	Yes	Yes	No	No	No	No
4U	Yes	Yes	Yes	No	No	No	No
4R	Yes	Yes	Yes	No	No	No	No
5	Yes	Yes	No	No	Yes	No	No
6	Yes	Yes	Yes	No	No	No	No
7	Yes	Yes	Yes	No	No	No	No
8	Yes	Yes	No	Yes	No	No	No
9	Yes	Yes	No	No	No	No	Yes
10	Yes	Yes	No	No	No	Yes	No
11	Yes	Yes	Yes	No	No	No	No
11 ENERGY SECTOR	Yes	Yes	Yes	No	No	No	No
RIDER 11B	Yes	Yes	Yes	No	No	Yes	No
12 CLEAR LANES	Yes	Yes	Yes	No	No	No	No
12 STRATEGIC PRIORITY	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Source: 2023 UTP

\*Note: TxDOT receives federal transportation funding through multiple apportionment programs, each with different purposes. Some federal programs have broad requirements and are eligible to fund projects across all UTP categories, while other programs have narrower focuses and may only be used in select categories



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