



The Transportation Planning Process of the Strafford Metropolitan Planning Organization

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PREPARED BY:

STRAFFORD REGIONAL PLANNING COMMISSION
150 Wakefield Street, Suite 12
Rochester NH 03876

This document was prepared by the Strafford Regional Planning Commission, under contract to the New Hampshire Department of Transportation, in cooperation with the Federal Transit Administration and the Federal Highway Administration of the U.S. Department of Transportation

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Strafford Metropolitan Planning Organization: Prospectus

Resolution of Adoption

Resolution Adopting the Prospectus for the Strafford Metropolitan Planning Organization

WHEREAS, the urban transportation planning process is required to have a **PROSPECTUS** which delineates currently valid organizational responsibilities, operating procedures, and a summary of the planning program; and

WHEREAS, the **PROSPECTUS** establishes the multi-year framework within which the Unified Planning Work Program for transportation planning in the Strafford Metropolitan Planning Organization Study Area is accomplished; and

WHEREAS, the responsibilities for cooperatively carrying out the urban transportation planning process are clearly defined in the **PROSPECTUS** and via executed agreements or memorandum of understanding attached to the **PROSPECTUS**.

NOW THEREFORE BE IT RESOLVED THAT:

The Metropolitan Planning Organization originally adopted the **PROSPECTUS** dated May 29, 2008.
The Metropolitan Planning Organization adopted the revision to Section 7.5.1 on May 16, 2014.
The Metropolitan Planning Organization adopted a fully edited revision on January 18, 2018

The undersigned duly qualified Chair of the Strafford Regional Planning Commission hereby certifies that the foregoing is a true and correct copy of a resolution, adopted at legally convened meeting of the Strafford MPO Policy Committee held on the following date:

Handwritten signature of Victoria Parmele in blue ink.

Victoria Parmele, Chair
Strafford Regional Planning Commission

Handwritten date "1/19/18" in blue ink.

Date

Record of Amendments

Section(s)	Date Amendment Adopted
1. ALL	May 29, 2008
2. Sections 3.1, 3.2, 3.3. 3.4. Sections 6.4.4, 6.4.4.1, 6.4.5.1, 6.4.6.1, 6.4.7, 6.5 Section 7.5.1	January 28, 2010
3. Section 4.6, 5.4, 6, 7.5.3, 8.4, Appendix C	December 14, 2011
4. Section 7.5.1	May 16, 2014
5. ALL	January 2018

Acronyms & Initialisms

ADA.....	Americans with Disabilities Act of 1990
CAAA.....	Clean Air Act Amendments of 1990
CFR.....	Code of Federal Regulations
CMAQ.....	Congestion Mitigation/Air Quality Program
COAST.....	Cooperative Alliance for Seacoast Transportation
FAST.....	Fixing America’s Surface Transportation Act
FHWA.....	Federal Highway Administration
FTA.....	Federal Transit Administration
GACIT.....	Governor’s Advisory Commission on Intermodal Transportation
ITS.....	Intelligent Transportation Systems
ISTEA-21.....	Intermodal Surface Transportation Efficiency Act of 1991
MAP-21.....	Moving Ahead for Progress in the 21 st Century
MPO.....	Metropolitan Planning Organization
NHDES.....	New Hampshire Department of Environmental Services
NHDES-ARD.....	New Hampshire Department of Environmental Services – Air Resources Division
NHDOT.....	New Hampshire Department of Transportation
NHS.....	National Highway System
PDA.....	Pease Development Authority
PfPNH.....	Partnering for Performance New Hampshire
RPA.....	Regional Planning Agency
RPC.....	Regional Planning Commission
RPC.....	Rockingham Planning Commission
SAFETEA-LU.....	Safe Accountable Flexible Efficient Transportation Equity Act: A Legacy For Users
SIP.....	State Implementation Plan
SMRPC.....	Southern Maine Planning & Development Commission
SRPC.....	Strafford Regional Planning Commission
Strafford MPO.....	Strafford Metropolitan Planning Organization
STIP.....	State Transportation Improvement Program
TAC.....	Technical Advisory Committee
TAP.....	Transportation Alternatives
TEA-21.....	Transportation Equity Act of the 21 st Century
TCM.....	Traffic Congestion Management
TIP.....	Transportation Improvement Program
UNH.....	University of New Hampshire
UPWP.....	Unified Planning Work Program
UZA.....	Urbanized Area
3C.....	Continuing, Comprehensive, and Cooperative Transportation Planning

Section 1 – Introduction

The Prospectus is a common reference for all parties interested and involved in the regional transportation planning process in the Strafford region. In addition to specifying how the Strafford Metropolitan Planning Organization (Strafford MPO) implements that process, The Prospectus serves these three important functions:

- It provides an overview of the federally mandated “3C” (comprehensive, continuing, cooperative) transportation planning process as redefined by the Safe Accountable Flexible Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).
- It specifies the roles and responsibilities of the federal, state, and local agencies and entities involved in the MPO transportation planning process.
- It documents the interagency agreements that have been entered into between the Strafford MPO, the New Hampshire Department of Transportation (NHDOT), the Cooperative Alliance for Seacoast Transportation (COAST), Wildcat Transit (at the University of New Hampshire [UNH]), the Air Resources Division of New Hampshire Department of Environmental Services (NHDES-ARD), and the Rockingham Planning Commission MPO (RPC-MPO). These agreements further define the responsibilities and obligations of each agency.

The remainder of the document provides the following information in five sections:

- Description of the Strafford MPO.
- Overview of the transportation planning process.
- Description of the roles and responsibilities of the involved agencies.
- Detailed explanation of the required elements of transportation planning under 23 Code of Federal Regulations (CFR) 450 (the federal rules for Metropolitan Transportation Planning and Programming), including the procedures to be used by the Strafford MPO in developing and amending the metropolitan transportation plan and the transportation improvement program (TIP).
- Description of the public involvement procedures that will be used throughout the planning and programming process.

The appendices contain copies of the memoranda of understanding, which specify agency obligations in carrying out the planning process, including federal requirements for performance target setting and reporting.

Section 2 – Strafford Metropolitan Planning Organization

2.1 Metropolitan Planning Organization Designation

On September 8, 1982, Gov. Hugh Gallen established the Seacoast Metropolitan Planning Organization to implement the 3C transportation planning process in the New Hampshire portion of the Portsmouth-Dover-Rochester NH-ME urbanized area. The Seacoast MPO comprised the Strafford Regional Planning Commission (SRPC), the Rockingham Planning Commission (RPC), and a transportation policy committee that advised the RPC. The urbanized area had become eligible for MPO designation after the 1980 census determined that Portsmouth, Dover, and Rochester met the minimum population requirement of 50,000 in a central city or, as in this case, contiguous cities.

In New Hampshire's three other metropolitan areas (Manchester, Nashua, and Salem-Plaistow), the regional planning agency (RPA) had been designated the MPO. The unique three-party configuration of the Seacoast MPO was due to the fact that the Portsmouth-Dover-Rochester urbanized area had been divided into two RPAs formed in 1982, the SRPC and the RPC. As originally constituted, the Seacoast MPO contained 10 urbanized area communities. Dover, Rochester, Somersworth, Durham, Madbury, and Rollinsford were within the jurisdiction of the SRPC, while Portsmouth, Newington, New Castle, and Rye were within the RPC's jurisdiction.

In 1993, several changes were made to the Seacoast MPO's structure as a result of the Clean Air Act Amendments of 1990 (CAAA) and the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). First, the MPO's study area was expanded to include the entire air quality non-attainment area within the SRPC's and the RPC's jurisdictions. This expansion was necessary to comply with 23 CFR 450.308, which requires either that MPOs assume planning responsibility for adjacent rural communities that are not attaining federal ambient air quality standards, or that the state implement a transportation planning process for those communities. With the exception of Wakefield, which was added to the SRPC area in 1991, the entire RPC and SRPC planning regions were classified at that time as "non-attainment" for ozone pollution.

Second, on April 16, 1993, Gov. Stephen Merrill re-designated the Seacoast MPO to include only the SRPC and the RPC, which would jointly function as the MPO's policy committee. (The external committee that had been advising the RPC on transportation matters when the Seacoast MPO was formed in 1982 had been abolished in 1992 to make the Seacoast MPO's organization consistent with that of the other MPOs in New Hampshire.) Now, the commissioners from the 35 communities in the Seacoast MPO study area—along with the relevant state, federal, and local agencies—would review and approve all of the Seacoast MPO's transportation plans, programs, and policies.

In 2001, the town of Brookfield joined the SRPC. Like Wakefield, Brookfield had been part of the Lakes Region Planning Commission, and, like Wakefield, was outside the air quality non-attainment area (i.e., not in Strafford County).

As a result of the 2000 census, the Portsmouth-Dover-Rochester NH-ME urbanized area was divided into the Dover-Rochester NH-ME UZA and the Portsmouth-Kittery NH-ME UZA. This change led Gov. John Lynch to replace the Seacoast MPO with two new MPOs whose boundaries were contiguous with those of the SRPC and the RPC, thereby consolidating transportation planning with the

commissions' other regional planning functions. The Strafford MPO and the Rockingham Metropolitan Planning Organization (RMPO) were designated by Gov. Lynch on July 21, 2007.

The new Strafford MPO inherited core planning and programming documents from the Seacoast MPO, including the Prospectus, Bylaws, Long Range Transportation Plan, Transportation Improvement Plan, regional travel demand model, air quality conformity analyses, and Public Participation Plan. These documents were revised to align with the new MPO designations. Also in place in 2007 were contracts for the Intelligent Transportation Systems Plan and the Architecture and Coordinated Plan that were to be completed for the Seacoast MPO region. Four documents continue to be maintained by both SRPC and RPC: the travel demand model, air quality conformity analysis, the ITS Plan and Architecture, and the Coordinated Public Transit & Human Services Transportation Plan.

In 2017, the four MPOs in New Hampshire formed the Partnering for Performance NH workgroup to collaboratively develop frameworks and plans for implementing new federal requirements for performance measures and targets.

2.2 Planning Area

The Strafford MPO planning area comprises 18 communities, six of which are in an urbanized area. Figure 1 shows the Strafford MPO planning area and the associated urbanized and non-urbanized area communities. They are as follows:

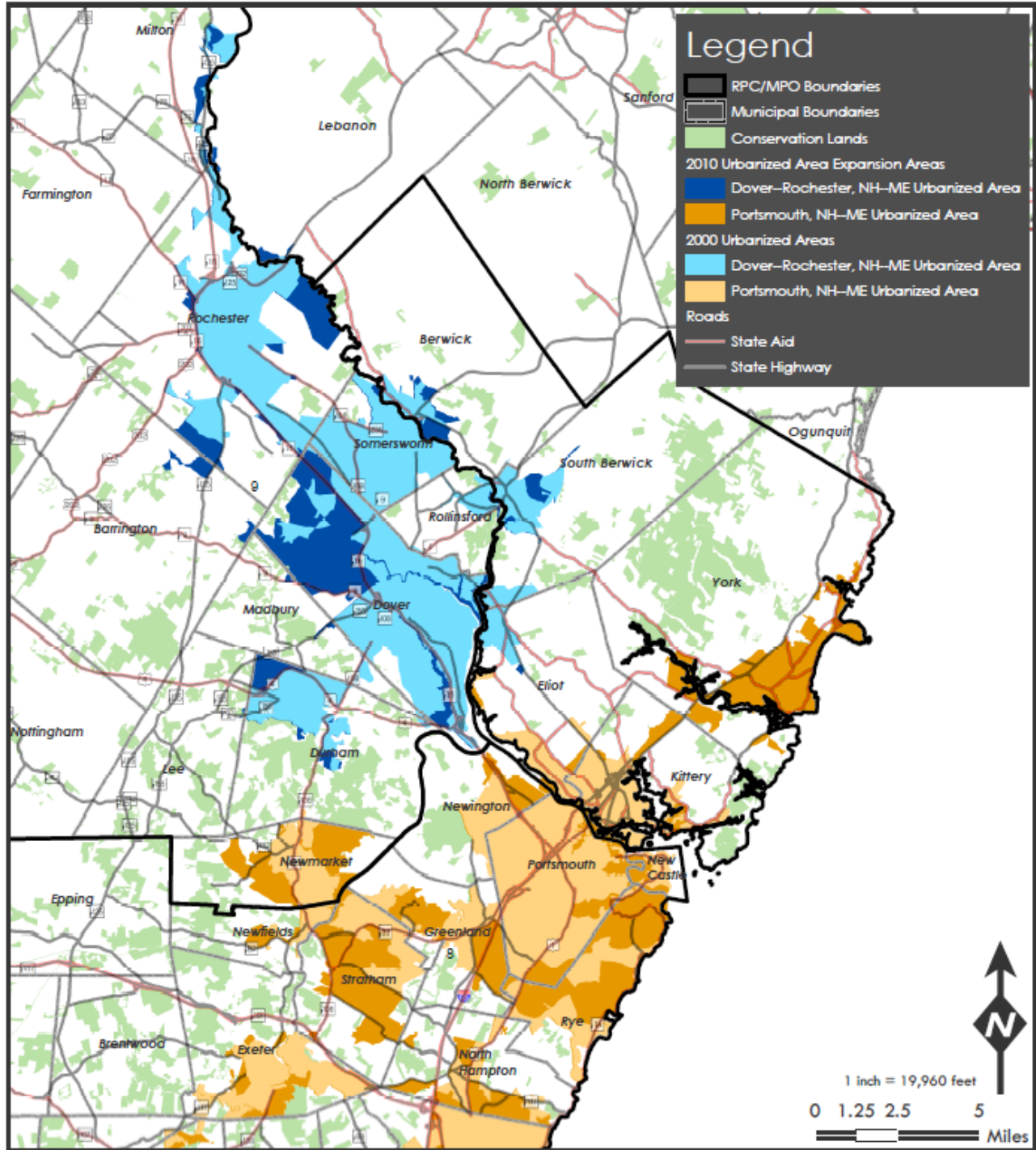
- *Municipalities in an Urbanized Area:* Dover, Durham, Milton, Newmarket, Rochester, and Somersworth.
- *Urbanized Cluster Communities:* Farmington.
- *Non-Urbanized Municipalities:* Barrington, Lee, Madbury, Middleton, New Durham, Northwood, Nottingham, Brookfield, Rollinsford, Strafford, and Wakefield.

2.3 Representations and Structure

The Strafford MPO has a policy committee, an executive committee, and a technical advisory committee (TAC). The policy committee consists of the regularly appointed SRPC commissioners, an appointed representative from any non-member community, and representatives from other participating agencies. The functional responsibilities of these three bodies and of the other agencies and participants that play a role in the planning process are described in the following section.

Figure 1: Strafford Metropolitan Planning Organization Study Area

2000-2010 CENSUS URBANIZED AREA COMPARISON



Section 3 – Strafford Metropolitan Planning Organization Committees & Staff

3.1 Policy Committee

The policy committee provides policy-level recommendations, approvals, and endorsements concerning transportation issues that have a bearing on a continuing, cooperative, and comprehensive metropolitan transportation planning process – known as the “3Cs” process – according to federal regulations (23 CFR §450.300). Its role and responsibilities include the following:

- Establish the policy directives of the Strafford MPO through its adopted plans and policy statements.
- Recommend procedures and requirements for allocating funds and making them available.
- Adopt the Unified Planning Work Program (UPWP), Metropolitan Transportation Plan, Transportation Improvement Plan (TIP), Public Participation Plan, Coordinated Plan, and meeting other federal requirements.
- Review and comment on individual projects, programs, plans, and reports relative to the Strafford MPO’s adopted transportation policies and positions.
- Review and endorse technical reports and studies prepared by the Strafford MPO staff or consultants.
- Ensure compliance with the 1990 CAAA by making conformity determinations for MPO TIPs and MPO transportation plans, with assistance from NHDOT.
- Adopt and revise policies relative to the findings of the TAC, including technical reports and memoranda.
- Facilitate and broaden public involvement in transportation planning and decision making.

Membership on the Strafford MPO policy committee includes duly appointed SRPC commissioners (in accordance with RSA 36:46) plus NHDOT, NHDES-ARD, COAST, UNH Wildcat Transit, non-member communities, other state and federal transportation officials, and other participants. (See Strafford MPO bylaws, adopted September 27, 2007, and as amended.)

3.2 Technical Advisory Committee

The policy committee established the Technical Advisory Committee (TAC) as a standing committee of the Strafford MPO. The TAC has two main purposes:

- To provide technical guidance and recommendations to the SRPC staff concerning transportation issues that have a bearing on the 3Cs planning process.
- To review major work products prepared by the staff as part of the transportation planning program.

The TAC also provides the policy committee with technical and policy-level advice on major transportation issues in the region. It does not establish policies for the Strafford MPO.

The TAC's membership includes representatives from SRPC member and non-member communities plus UNH, NHDES-ARD, NHDOT, COAST, UNH Wildcat Transit, other state and federal transportation officials, and other participants. (See SMPO bylaws)

3.3 Strafford Executive Committee

The Executive Committee oversees the administration of the Strafford MPO through the Executive Director, ensuring that TAC recommendations are brought before the policy committee and that the policy committee's decisions are implemented. Other duties of the Executive Committee include the following:

- Ensure that the directives of the Strafford MPO voting membership are carried out.
- Oversee the affairs of the Strafford MPO policy committee between its regular meetings and act on the committee's behalf in emergencies. (An emergency in this case is defined as an action necessary to carry out the responsibilities of the Strafford MPO when waiting for a regular policy committee meeting would jeopardize the MPO's ability to carry out its responsibilities.)
- Oversee the Strafford MPO's operating expenditures.

The members of the Executive Committee represent large and small municipalities. The committee is composed of a chairperson, a vice-chairperson, a secretary/treasurer, and four members elected at the SRPC Annual Meeting. Officers of the SRPC and the Strafford MPO serve concurrently as the Executive Committee.

The Executive Committee meets on the third Friday of every month at 8 a.m. at the SRPC office. Special meetings can be called by the Executive Committee chair or the Strafford MPO executive director. Notices of Executive Committee meetings must be posted on the SRPC website and at the SRPC office.

3.4 Strafford Metropolitan Planning Organization Staff

The Strafford MPO staff consists of the transportation planning, land use, economic development, communications and outreach, and data and GIS staff of SRPC. The MPO staff, under the direction of the executive director, have the major responsibility for the preparation of the metropolitan transportation plan and the TIP. Other agencies involved in the 3Cs process provide input or are responsible for performing specific tasks as specified in memorandums of understanding (see Appendix B). The MPO staff is also responsible for the following:

- Compile a biennial UPWP specifying work to be accomplished over a period of two state fiscal years, staff required, and estimated costs for each participating agency.
- Prepare and maintain the metropolitan transportation plan and other required documents for the MPO study area.
- Prepare and maintain the TIP for the MPO study area.
- Conduct research and prepare planning studies to carry out the MPO planning process.
- Prepare, with the assistance of NHDOT, air quality conformity determinations for the metropolitan transportation plan and TIPs adopted by the Strafford MPO to ensure that they comply with the requirements of the 1990 CAAA.
- Provide municipalities with technical assistance for local transportation planning. This includes development of projects suitable for submission to the NH Statewide Ten Year Plan, and federal funding such as CMAQ, Transportation Alternatives, and HSIP.
- Prepare and maintain the Public Participation Plan. Providing public information (through news releases, articles, and meetings) regarding the transportation planning program in the Strafford MPO study area.
- Ensure coordination of transportation planning with local, state, federal, and other agencies.
- Prepare performance-based planning materials. This includes data collection and analysis, and annual reporting documents.

Section 4 – Overview of the Transportation Planning Process

4.1 The 3C Process

Large-scale highway construction during the 1950s and 1960s often had serious unintended consequences for the communities it was intended to serve and for the environment. These problems were exacerbated by the fact that citizens were not adequately informed about the impacts of these projects. In response, the Federal Highway Administration (FHWA) and the Urban Mass Transportation Administration (UMTA)—now the Federal Transit Administration (FTA)—developed the 3C transportation planning process in the early 1970s to ensure effective, coordinated multi-modal transportation planning and project implementation nationwide. Their goal was a planning process that was continuing, cooperative, and comprehensive—hence, the 3Cs:

- *Continuing* in that long- and short-term transportation issues are identified and considered on an ongoing basis.
- *Cooperative* in that effective coordination is maintained among all public officials and other public and private partners are included in the process.
- *Comprehensive* in that all modes of transportation—as well as non-transportation elements such as land use, economic development, and environmental issues—are considered in the planning process.

To implement this policy, the federal government empowered states to create MPOs consisting of local and state agencies charged not only with implementing the 3C process but also with ensuring that a cooperative decision-making process is in place in urban areas.

The importance of MPOs was strengthened by the Transportation Equity Act for the 21st Century (TEA-21) and its successors: the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU); Moving Ahead for Progress in the 21st Century (MAP-21) from 2012; and the current Fixing America’s Surface Transportation (FAST) Act from 2015. These laws and their implementing regulations define the role of MPOs in programming highway improvement, multi-modal, and transit projects. They direct MPOs to develop comprehensive, project-specific, and financially realistic (i.e., “constrained”) transportation plans with 20-year horizons. From these plans projects are selected and implemented.

The MPO transportation planning process involves local, regional, state, and federal agencies. Section 5 of this document discusses the functional responsibilities of each agency that is a party to the process.

4.2 Performance Based Planning

MAP-21 established formal responsibilities and deadlines for states and MPOs to implement a performance-based approach to transportation planning. This approach is based on seven national performance goals:

Safety - Achieve a significant reduction in traffic fatalities and serious injuries on all public roads.

Infrastructure Condition - Maintain the highway infrastructure asset system in a state of good repair.

Congestion Reduction - Achieve a significant reduction in congestion on the National Highway System.

System Reliability - Improve the efficiency of the surface transportation system.

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.

Environmental Sustainability - Enhance the performance of the transportation system while protecting and enhancing the natural environment.

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 agencies' work practices.

23 CFR 490 defines specific measures for tracking progress related to the seven goals above (See Appendix B). States and MPOs are required to integrate these measures into STIPs, TIPs, and metropolitan transportation plans, and show a link between programmed transportation funds and improvements in the performance of the transportation system. States and MPOs will track performance measures by setting targets (e.g. a specific percent reduction in crashes resulting in fatal and serious injuries).

All States and MPOs must have established formal performance targets for each of the national performance measures as defined in 23 CFR 490 by August 30th, 2018. Additionally, MOUs between MPOs, states, public transportation providers, and other stakeholders must be updated to include provisions related to performance target setting, data sharing, and reporting. MOUs and performance targets must be adopted concurrently. The currently adopted MOU between Strafford MPO, NHDOT, COAST, and UNH Wildcat Transit is in Appendix C.

4.3 Unified Planning Work Program

The UPWP describes in detail the planning activities and tasks to be conducted over the course of two state fiscal years and provides a budget for the work. In addition to describing the proposed activities and their estimated costs for each task, the UPWP identifies the products that will be prepared and the funding sources that will be used. It also relates the proposed work program to the major planning priorities confronting the region.

Under Metropolitan Planning Rules, the Strafford MPO must develop its UPWP in cooperation with the state and with the regional public transit operator (i.e., COAST) in order to develop a multi-modal transportation system for the region.

4.4 Metropolitan Transportation Plan

The Strafford MPO metropolitan transportation plan contains both policies and projects and is a strategy for action in the region. Updated every five years, it comprises a 20-year planning horizon, policy goals, and a list of broadly defined projects (known as “out-years” projects) to be completed within a twenty year timeframe.

4.5 Transportation Improvement Program

The TIP is a list of transportation improvement projects to be conducted within the Strafford region over the next 4 years. No transportation project may use federal funds (Title 23 USC or FTA funds) unless it is part of an approved, conforming TIP. Funding from federal, state, and local sources is “programmed” in each of the four years to complete one or more project phases (e.g. Preliminary Engineering, Right-of-Way Acquisition, and Construction). In even-numbered years the Strafford MPO coordinates with NHDOT to update its TIP, which is part of the STIP.

New Hampshire state law requires NHDOT to develop a plan for investment of transportation funds over a ten year period – this is known as the Ten Year Plan. In odd-numbered years Strafford MPO works with the TAC and policy committees, municipalities, partner agencies, and NHDOT to propose projects to be incorporated into the last two years of the Ten Year Plan. These projects are developed as they move forward through the Ten Year Plan, eventually becoming programmed into the four year TIP.

To coordinate project planning and development, the metropolitan transportation plan includes out-years projects, projects in the Ten Year Plan, and projects in the TIP – thus incorporating long, mid, and short-term planning. The TIP requires regular updates to reflect any changes in project cost and scope. Because the TIP is integrated into the Metro Plan, any change to the TIP requires a concurrent change to metropolitan transportation plan to ensure continuity and fiscal constraint.

4.6 Transportation Planning and Air Quality Conformity

The Clean Air Act Amendments of 1990 include requirements to ensure that transportation plans and programs developed by MPOs contribute to—and not detract from—the goal of reaching national ambient air quality standards. The law required that all plans and TIPs adopted by MPOs be found, through a quantitative analysis of the proposed projects, to help reduce mobile source emissions.

Since New Hampshire's air quality attainment area includes the state's four metropolitan planning areas, the air quality conformity review process requires extensive coordination. This review and coordination between agencies occurs via the interagency consultation process, which involves monthly meetings of representatives from FHWA, FTA, EPA, NHDOT, NHDES, the MPOs and the RPCs to review and discuss projects to help determine air quality impacts.

Through the interagency consultation process, participating agencies work to attain national air quality standards for required areas of New Hampshire. Conformity with these standards was achieved in 2009, but the interagency process continues as a tool for coordinating the management of projects and ensuring New Hampshire continues to make progress on improving air quality. Since the Strafford region is currently in attainment of air quality standards, a conformity analysis is not typically required as part of the regular maintenance of the TIP.

Section 5 – Roles & Responsibilities of Involved Agencies

5.1 Strafford Regional Planning Commission

As noted above in Section 2, when functioning as the Strafford MPO, the SRPC commissioners—plus members from the relevant state, federal, and transit agencies—act as the policy committee representing municipalities in the Strafford MPO area. The policy committee reviews and approves all MPO transportation plans and the UPWP, Prospectus, Bylaws, programs, and policies.

The SRPC provides the Strafford MPO, under the direction of the Executive Director, with planning, communications, data, and administrative staff in accordance with federal regulations administered by the NHDOT. SRPC is reimbursed from federal funds for up to 90 percent of the total services, as determined by the UPWP contract agreement with NHDOT. The remaining costs are paid with local matching funds from member communities.

5.2 Local Communities

Each community in the Strafford MPO study area can participate in the Strafford MPO transportation planning process through direct representation on the technical advisory and policy committees. The role of the community-appointed TAC members is to represent and bring forward local project-level transportation needs and priorities and to provide technical guidance to the MPO staff. The role of their counterparts on the policy committee is to review, evaluate, and approve (or disapprove) MPO documents, principally the metropolitan transportation plan and TIP; in this way, they represent the short- and long-range needs of their communities and the region. TAC and policy committee members also have the critical responsibility of ensuring ongoing communication between the MPO and the local officials in their communities.

In exchange for the services and benefits provided through the UPWP scope of work—including maintaining a viable MPO process—communities are assessed and expected to provide a share of the local match of 10 percent of the total UPWP contract. A community that does not contribute its share of the local match is afforded only one voting representative on the TAC and the policy committee. Member communities receive prioritized services, while non-member communities pay a surcharge on hourly billing rates for staff.

5.3 New Hampshire Department of Transportation

NHDOT has statutory authority under New Hampshire law to plan, design, build, and maintain the highways and public transportation facilities of the state. The department maintains administrative oversight of the MPO planning process. In addition to sitting on the MPO policy committee and the TAC, NHDOT has a wide range of responsibilities related to the MPO transportation planning program. They include infrastructure construction, data collection, and air quality analysis support, as well as preparing special studies and providing advice and technical assistance to the MPOs. NHDOT's responsibilities with respect to the Strafford MPO transportation planning process are specified in the memorandum of understanding between the Strafford MPO, NHDOT, and COAST and UNH Wildcat (See Appendix C).

5.4 New Hampshire Department of Environmental Services – Air Resource Division

The Air Resources Division’s representatives on the technical advisory and policy committees keep each MPO informed about the status of the SIP and of state regulations pertaining to air quality compliance. NHDES–ARD reviews air quality conformity determinations prior to FHWA approval and provides comments on Congestion Mitigation Air Quality (CMAQ) projects. The department works with the MPOs to identify and develop transportation projects that improve air quality, including Traffic Congestion Management (TCM) projects, which may be considered in future SIP revisions. TCM projects incorporated in the SIP are given high priority for implementation by the MPO. Appendix D contains the administrative rule for air quality conformity determinations and SIP revisions.

5.5 Cooperative Alliance for Seacoast Transportation

Established under special purpose legislation to provide both fixed route and demand-responsive transit service in the Seacoast area, COAST is the principal public transit operator in the Strafford MPO region. The COAST service area consists of the urbanized areas of Stafford County and the Portsmouth Urbanized area in Rockingham County. COAST is represented on the Strafford MPO TAC and policy committee, and SRPC has a designated seat on the COAST board of directors. COAST is responsible for identifying transit needs and objectives and for providing other inputs into the development of the Strafford Metropolitan Transportation Plan, its Transit Plan component, and other relevant documents. COAST is responsible for identifying short-term project needs for inclusion in the TIP. In addition, COAST assists with the development and implementation of a Coordinated Human Services Transportation Plan for its service area. COAST provides operational and financial data for the Strafford MPO to use in developing its required certifications.

The Strafford MPO provides COAST with planning services, as requested, that are identified in the UPWP. The Strafford MPO is required to certify each year that COAST has the financial capacity to continue to operate at its planned level of service and that it is planning for capital replacement needs. The MPO must also annually certify that the Americans with Disabilities Act (ADA) plan adopted by COAST is consistent with the Strafford MPO metropolitan transportation plan.

5.6 Southern Maine Planning & Development Commission & Rockingham Planning Commission

The Southern Maine Planning & Development Commission and the Rockingham Planning Commission are non-voting members of the Strafford MPO policy committee and TAC. This arrangement promotes on-going coordination across and within regional and state boundaries in highway, multi-modal, and transit planning. Maine municipalities served by COAST are represented on the COAST board of directors to ensure good communication across state boundaries.

5.7 Federal Highway Administration and Federal Transit Administration

The FHWA and the FTA have non-voting representation on the Strafford MPO TAC and the policy committee. Their responsibilities include the following:

- Provide federal funds (administered by NHDOT) to support the 3Cs transportation planning process through the UPWP.

- Provide guidance and advice to the Strafford MPO staff, TAC, and policy committee at MPO meetings and by thoroughly reviewing and commenting on work products.
- Make the joint air quality conformity finding for the metropolitan transportation plan and the TIP.
- Provide regular guidance regarding the interpretation and fulfillment of federal metropolitan transportation planning rules and requirements, as well as through a formal planning review of the MPO.

5.8 U.S. Environmental Protection Agency

The U.S. Environmental Protection Agency (EPA) is responsible for commenting on the technical merits of the air quality conformity determination made for the metropolitan transportation plan and the TIP and for reviewing the CMAQ projects recommended for implementation in the region. EPA participates in coordinating meetings of the NH Interagency Consultation Group.

5.9 University of New Hampshire

The main campus of the University of New Hampshire (UNH) is in Durham. UNH maintains facilities in Madbury and Lee. Some 13,000 undergraduate and 2,000 graduate students are enrolled at the main campus. UNH is the largest employer in the region, and its daytime population during a typical school year can exceed 15,000. The Durham campus is the hub of Wildcat Transit, which provides fixed route service to Dover, Portsmouth, and Newmarket. Amtrak passenger rail service is available from the rail station on campus.

Section 6 – Development of the Metropolitan Transportation Plan & Transportation Improvement Program

6.1 Background

The MPO transportation planning process consists of a number of interrelated elements and actions. This section describes them and explains how the Strafford MPO develops and amends its transportation plan and TIP, which are the foundational documents of the planning process. Integral to the transportation plan and the TIP are three other key elements:

- The determination that the plan and the TIP both conform to the SIP for Air Quality.
- The consideration of financial constraints in developing the plan and TIP.
- The use of an effective public involvement process throughout the plan and TIP development.

Federal requirements for the MPO planning process (such as developing transportation plans and TIPs) are laid out in federal Metropolitan Planning Rules - 23 CFR 450. Updates to federal transportation authorization often lead to new or refocused planning requirements for states and MPOs. For instance, the most recent federal transportation authorization – The *Fixing Americas Surface Transportation Act* (or FAST Act) – set a formal timeline for states and MPOs to implement a performance based planning approach.

6.2 Development Process – Metropolitan Transportation Plan

6.2.1 – Plan Requirements

The requirements to develop a metropolitan transportation plan are specified in section 450.324 of the Metropolitan Planning Rules (23 CFR 450). The key requirements for the transportation plan that differ from pre-SAFETEA-LU planning requirements—and which fundamentally alter them—are the following:

- The plan must have a **20-year horizon** (except in some circumstances that are not applicable to the Strafford MPO).
- The plan must be **project specific**, not merely goal oriented.
- The plan must include a **financial plan** that identifies the amount of funding reasonably expected to be available to implement the projects identified.
- The plan must **conform** to the SIP for Air Quality based on a **quantitative analysis** of the combined effects of implementing the projects identified in the transportation plan.

- The plan must include *long-range and short-range strategies* and actions that lead to the development of an integrated, intermodal transportation system.
- The plan must be *reviewed and updated at least every five years* (four years in air quality non-attainment areas).
- The plan must be developed with early and effective opportunities for *public involvement*.

Other requirements call for the plan to do the following:

- Project demand for various transportation modes over the period of the plan.
- Identify adopted and planned congestion management strategies.
- Identify and plan for pedestrian and bicycle facilities.
- Incorporate relevant information and results from the six transportation management systems being developed by NHDOT (congestion, pavement, bridge, safety, public transportation, and intermodal facilities).
- Assess capital investment and operational needs to preserve and make optimum use of existing transportation facilities.
- Provide a multimodal evaluation of the plan's impact, especially regarding proposed major transportation investments.
- Consider the region's long-range land use, economic development, and other related plans.

In December 2017, the metropolitan transportation plan was substantially revised to improve readability and incorporate new content relevant to performance based planning requirements from the FAST Act. The revised Metro Plan includes an introduction and four primary chapters:

- Baseline information about geography, landuse, demographics, and economics
- Information about the regional transportation system such as road miles, traffic volumes, and transit ridership
- Information about regional freight movement and planning issues
- A new chapter that links current and future transportation projects to national performance goals, and incorporates performance a new performance reporting section.

This 2017 revision was intended to transition to a focus on project development through a performance based approach. Projects in the metropolitan transportation plan, Ten Year Plan, and TIP are maintained through a dedicated project database. Strafford MPO updates the database to reflect the current scope, timing, and funding levels for each planned or programmed project in the region. The project database is an integral part of the Strafford MPO planning process.

6.2.2 – Financial Plan

The metropolitan transportation plan’s financial component must show that available and projected revenues are sufficient to fund the proposed transportation improvements—including acquisition, construction, and operation of the entire system—over the plan’s 20-year period. If the analysis performed during plan development projects a revenue shortfall, either new revenue sources are identified or the plan is modified to eliminate expenditures.

MPOs in New Hampshire supplement expected expenditures from the State’s Ten Year Plan with their own estimates based on a regional apportionment of federal funds and a statewide inflation rate. Based on the region’s population (U.S. Census) and number of miles of federal aid eligible highway miles, Strafford MPO’s regional apportionment is currently 9.2 of federal transportation funds per year. The current inflation rate used by NHDOT and MPOs is 2.55% (as established in 2016).

6.2.3 – Project-Specific Requirements

Transportation plans must be “project specific.” According to the metropolitan planning rules, sufficient details on individual projects must be provided to permit conformity determinations under the EPA conformity regulations (40 CFR 51). In general, this means that a design concept for each project must be identified and sufficient details provided to permit costs to be estimated.

6.2.4 – Plan Development Schedule and Process

In accordance with 23 CFR 450, an MPO must update its metropolitan transportation plan at least every four years in air quality non-attainment (and maintenance) areas, and every five years in attainment areas. Updates must, at a minimum, confirm the validity and consistency of the plan’s major assumptions concerning land use forecasts and transportation. To maintain consistency with the state’s two-year update cycle of its Ten Year Plan, an MPO is expected to update the project-specific portions of its metropolitan transportation plan every two years, concurrent with the biennial TIP development (See Section 6.3).

6.3 Development Process - Transportation Improvement Program

6.3.1 – TIP Requirements

The TIP can be compared to a capital improvements program for a community, which is derived from the community’s master plan. Similarly, under federal rules the content of the TIP must come from the project-specific recommendations of the transportation plan.

The requirements of TIP development are spelled out in Section 450.326 of the Metropolitan Planning Rules. The key requirements for the development process and TIP content are summarized below:

- The TIP must be developed as part of the 3C process and in cooperation with the state and the public transit operator.

- The TIP must be updated at least every two years and approved by the MPO policy committee and the Governor. The update schedule must be compatible with the state transportation STIP development and approval process.
- The TIP development process must provide early and effective opportunities for public involvement, and it must include at least one formal public meeting.
- The TIP must cover a period of at least four years. Additional years may be included, but only if information about project cost, funding sources, and priority is provided. For the first four years, the TIP must prioritize projects at least by year.
- If TCM projects become part of the New Hampshire SIP in the future, the TIP must give those projects priority to ensure their timely implementation.
- The TIP must be financially constrained and must include a financial plan that identifies which projects can be implemented with existing funding sources and which, if any, will use proposed sources.
- The TIP may include only projects that are consistent with the transportation plan.
- The TIP must include all transportation projects to be implemented within the MPO study area that are proposed for funding under Title 23 USC and the Federal Transit Act.

6.3.2 – TIP Content

The TIP must include the following types of projects:

- All transportation projects in the MPO study area proposed for federal funding under Title 23 USC or the Federal Transit Act, CMAQ, HSIP, and TA.
- Only projects consistent with (i.e., contained within) the project-specific recommendations of the transportation plan.
- All **regionally significant** transportation projects that meet any of the following conditions:
 - They require FHWA or FTA approval, regardless of funding source.
 - They are to be conducted for informational purposes and for air quality analysis and are proposed to be funded with federal funds.

The TIP identifies each project’s cost, the amount of federal funds to be used in each program year, the federal and non-federal funding sources, the funding recipient and agency responsible for project implementation, whether the project is categorized as TCM in the state SIP, and whether the project is part of ADA paratransit plan implementation. The information presented is sufficiently detailed—in terms of project design, scope, and timing—to conduct quantitative air quality analysis in accordance with EPA conformity requirements (40 CFR 51).

6.3.3 – Financial Plan

The TIP financial plan must show that the TIP is *fiscally constrained*, by year. The financial plan for the Strafford MPO’s TIP update is developed with the assistance of NHDOT, COAST, and UNH Wildcat. They provide information necessary to reasonably project revenues by funding source and category.

Omitted from the TIP are projects for which, according to the financial analysis, operating and construction funds cannot reasonably be expected to be available. Funding sources to be considered include Title 23 USC, FTA, Enhancement and CMAQ, Surface Transportation Program Flexible Funds, and local, state, and private-sector sources. Proposed new funding sources are not considered unless the MPO determines there is reasonable expectation that the funds will be available to implement projects.

6.3.4 – Relationship to the STIP

The Metropolitan Planning Rules require that the TIP, if adopted by the MPO and approved by the governor, be included without modification in the STIP. Prior to the TIP’s inclusion in the STIP, the FTA and FHWA must find that TIP conforms to the New Hampshire SIP for Air Quality. Under New Hampshire’s STIP development process, NHDOT receives from the MPO an adopted draft TIP, which is subject to revision not only by NHDOT but also by the governor, the Governor’s Advisory Commission on Intermodal Transportation (GACIT), and the state legislature. After final action by the legislature, the MPO will be asked to adopt a final TIP—which may include changes to the adopted draft that were not considered by the MPO. The MPO will review the final draft for such changes and adopt it, if the following are determined:

- The TIP continues to conform to the New Hampshire SIP.
- The TIP remains fiscally constrained.
- The projects selected are consistent with and supported by the MPO project selection criteria.
- The TIP reflects the project-specific content of the adopted MPO transportation plan and the region’s transportation improvement priorities.

6.3.5 – Monitoring Progress in Implementation: Annual Listing of Obligated Projects

The MPO’s TIP identifies any major projects that have been significantly delayed and provides reasons for those delays to the extent that they can be determined.

Each year, the MPO lists the projects for which FHWA and FTA funds (United States Code Titles 23 and 49) were obligated in the preceding program year. This list is based on information supplied by NHDOT, contains similar project information to that found in the TIP, and is published on the MPO website according to the MPO public participation process.

6.3.6 – TIP Development Schedule and Process

TIP development follows a two-year cycle that alternates with development of the Ten Year Plan. The Ten Year Plan is developed in odd-numbered years, and the STIP and TIPs are developed in even-numbered years. This is an iterative process in which projects from the Metro Plan are proposed by Strafford MPO for the Ten Year Plan, which flows into the STIP. Thus, the Metro Plan, Ten Year Plan, and TIP are updated concurrently. Below, key events expected to occur during the development of the TIP and Ten Year Plan are presented. The timeframes shown depend on the required information and precedents being in place in the expected timeframe.

Even-Numbered Years

Transportation Improvement Program Development Process

Timeframe	Event/Action
	<p>The STIP is updated every two years in even numbered years. The STIP comprises the first four years of the Statewide Ten Year Plan, so the STIP development process follows the development of the Ten Year Plan after it is signed into law (New Hampshire RSA 228:99 and RSA 240).</p>
August – September	<p>Strafford MPO works with NHDOT, transit providers, and partner MPOs to confirm projects to be included in the new TIP. New individual projects may be derived from years 5 and 6 of the current Ten Year Plan. Statewide programmatic are not included in fiscal constraint calculations.</p>
October – November	<p>MPO staff prepares draft TIP for public review. This includes project scope details, financial information, and overall fiscal constraint. Fiscal constraint of the TIP affects the Metro Plan (the Ten Year Plan is included in the fiscal constraint, but it is managed by the state), so overall constraint of both plans is updated in the financial chapter of the metropolitan transportation plan during development of the new TIP. Air quality conformity determination may be required for larger projects, or if region falls out of attainment.</p>
November – December	<p>Strafford MPO distributes a draft TIP update for a 30-day public review, which includes a presentation at TAC, and a public hearing at the policy committee. Nominally the public hearing comes at the end of the public comment period. The following protocol is followed:</p> <ul style="list-style-type: none">• Publish/post notice of availability of draft document for 30-day public comment period;• Copies of the draft document are made available in the region;• Summary materials are prepared for distribution to interested parties;• A public hearing is held on the draft plan or TIP to present the document(s) and take input from the public.• At the close of the public comment period, input is reviewed and final TIP is prepared;• Summary of public comments prepared;• Following approval by the Policy Committee, the TIP is sent to NHDOT, FHWA, FTA, and NHDES.

Odd-Numbered Years

Ten Year Plan Development Process

Timeframe	Event/Action
	Projects for the New Hampshire Statewide Ten Year Transportation Improvement Plan (Ten Year Plan) are developed on a continuous basis in direct collaboration with municipalities in the Strafford region. These projects are included in the Strafford MPO Metro Plan as out-years projects. As projects are developed with a scope and cost estimate, they are reviewed for inclusion in the Ten Year Plan.
January – March	Strafford MPO reviews potential projects with municipalities and TAC and Policy members to develop a list of regional priority projects. Projects are scored and ranked based on criteria related to state and region performance measures and targets.
By April 1 st	Per RSA 228:99 - TAC and Policy Committee review and approve the ranked a prioritized list of projects to be submitted to NHDOT for consideration for inclusion in the draft Ten Year Plan. Strafford MPO staff work with NHDOT staff to review priority projects.
May – Sept.	NHDOT develops a draft Ten Year Plan to be reviewed with members of the Governor’s Advisory Commission on Intermodal Transportation (GACIT).
Sept. – Nov.	GACIT holds public hearings throughout New Hampshire. Strafford MPO staff give a present at each hearing in the region on the project development and selection process.
Nov – Dec	GACIT and NHDOT review draft Ten Year Plan prior to vote by GACIT to submit to the Governor for review.
Jan-June	Before January 15 th , RPCs hold public information meeting on the draft Ten Year Plan Draft Ten Year Plan prior to Legislative review process. Due date for NH Legislators to vote on draft plan for Governor signature: June 30 th – Ten Year Plan is signed into law. The first four years of the Ten Year Plan become the STIP and regional TIPs.

6.4 Plan and TIP Amendment Procedures

NHDOT maintains the STIP. Federal rules require the STIP and the MPOs' TIPs to be consistent. NHDOT frequently revises its approved STIP to incorporate changes in schedules, funding requirements, scope, and other aspects of projects. But before the STIP can be revised, the TIPs of the MPOs in whose area the affected projects are being implemented must be updated.

Changes to the TIP may be initiated by NHDOT or by the MPO, but coordination NHDOT and affected stakeholders is critical. NHDOT facilitates an interagency consultation process with representatives from FHWA, FTA, EPA, NHDES, MPOs, and RPCs to discuss issues related to STIP revisions, including their effects and requirements. Other issues discussed include MPO public comments and participation periods, statewide comment periods, and determinations of financial constraint and air quality conformity.

The procedure used to formally amend the STIP depends on the nature of the proposed revision. The interagency consultation process has yielded criteria describing the thresholds and triggers that will determine the type of action required to revise the STIP. As described in 23 CFR 450, two types of STIP revision are possible: an amendment and an administrative modification (also known as a minor revision, or "minor"). A third category of change, information only, has been included in this process to facilitate the exchange of information and to provide an expedited process when specific minor changes are made to projects in the STIP. To ensure that the STIP remains financially constrained as revisions are made, NHDOT and MPOs coordinate to incorporate regular project changes in the STIP and TIPs.

6.4.1 – Definitions

Amendment: The highest tier of a revision. Requires a public comment period of 10 to 30 days; interagency consultation; adoption by NHDOT, approval by an MPO, or both; approval by FHWA or FTA; and, in non-attainment or maintenance areas, a finding of conformity. Consistent with the definitions at 23 CFR 450.104, amendments are classified as major revisions.

Administrative Modification (or "minor"): A revision requiring interagency consultation; approval by NHDOT, by a designee of an MPO, or both; and notification of FHWA or FTA. Consistent with the definitions at 23 CFR 450.104, administrative modifications are known as minor revisions, or "minors".

Air Quality Conformity Determination: Required under federal rules for areas that are classified as non-attainment or in maintenance of national ambient air quality standards. The determination certifies that the area meets criteria pollution limits specified in the New Hampshire SIP.

Exempt Status: A classification, exempt or non-exempt, given through interagency consultation to all projects in non-attainment or maintenance areas. A project's status is reported in the STIP under the heading "CAA Code." Exempt projects receive a numeric code, which is associated with the federal list of exempt activities.

Expedited Project Selection Procedures: A process outlined in federal rules that permits a change in the years of implementation of a project, or a phase of a project, provided that the original date(s) and revised date(s) were specified in an approved STIP. For the urban areas of a state, any MPO that wants

to use these expedited procedures must adopt them in its prospectus. Under these procedures, this type of change falls in the information-only tier of revision.

Illustrative Projects: Projects included in the STIP in anticipation of the receipt of federal or other funds. Illustrative projects are not required to be included in financial constraint information or in an air quality analyses. Such projects are not eligible for federal funding until they are officially added by amending the STIP. The primary reasons to add projects for illustrative purposes are to document the projects, spur open discussion among stakeholders, and identify the need for additional resources.

Information Only: The lowest tier of a revision requiring interagency consultation and approval by NHDOT, by a designee of an MPO, or both. Consistent with the definitions at 23 CFR 450.104, information-only revisions are classified as minor revisions.

Phase: A component of a project defined as preliminary engineering (PE), right of way (ROW), or construction (C) programmed with a dollar amount and a fiscal year.

Regional Emissions Analysis: The process to identify and document a project's anticipated effects on air quality. An analysis is conducted for projects in non-attainment or maintenance areas. Project changes that could affect an analysis include any that affect capacity, congestion, travel speeds, project areas, or the exempt status of a project. Any change to an analysis requires an amendment and a new determination.

Regionally Significant: A determination discussed through interagency consultation made by an MPO or the state and documented in a TIP, conformity document, or other plan. Federal rules generally define regionally significant projects to include those that serve regional transportation needs, specifically identifying principal arterials. Most revisions made to a designated regionally significant project will qualify as amendments. Work completed on the interstate, turnpike, or national highway system (NHS) would typically qualify as regionally significant.

Revision: Any change to a project in the STIP.

6.4.2 – Decision Thresholds

The following thresholds were established by NHDOT in consultation with the MPOs and rural RPCs, FHWA, FTA, EPA, and NHDES to establish a transparent and consistent decision-making process for managing changes to projects in the STIP. The sliding scale shown in Table 2 is used to determine which category of revision is required when project costs change. Such cost changes are measured from the last approved STIP to account for incremental changes.

Amendment

- Any change to a project that affects the regional emissions analysis used for the current conformity determination. It primarily affects non-exempt projects with year or scope changes.
- Adding or removing a regionally significant or non-exempt project or phase of a project (See Appendix D for definition).
- Adding or removing a federally funded project or phase of a project.

- Changing the scope of work of a project that uses state or federal funds, or of any regionally significant projects regardless of the funding source.
- A significant change in the total cost of a project (See Table 1).
- A change in the fiscal year of any phase of a project, or portion of a phase, in areas where expedited project selection procedures have not been adopted.
- Officially adding a project that had been included for illustrative purposes.

Administrative Modification – “minor”

- A moderate change in the total cost of a project (See Table 1).
- Minor changes to the scope of work or description of a project that do not affect the regional emissions analysis or otherwise trigger a conformity determination.
- Combining or separating two or more projects that are part of an approved STIP.
- Combining or separating phases of a project that are part of an approved STIP.
- Identifying a specific project that was part of a general parent project and adjusting the parent project accordingly.
- Changing the funding category(s) identified in an approved STIP for a project.
- A change in the fiscal year of any phase or portion of a phase of a project in areas where expedited project selection procedures have been adopted, provided they are advanced or delayed within the STIP years and do not affect the financial constraint of the STIP. Procedures are currently in effect for the entire state of New Hampshire.

Administrative Modifications: (Information Only)

- Minor changes to the total cost of a project (See Table 1).
- Typographical corrections to project information.

Table 1: Project Cost Change Threshold

Total Cost of Project within approved STIP Years	Full Amendment*	Administrative Modification	
		Major	Minor
	<i>Action needed if the change in cost from the amount approved in the most current STIP is:</i>		
< \$1 Million	>75%	Up to 75%	<10%
		(\$750k limit)	
\$1 Million to \$5 Million	>30%	Up to 30% (\$750k limit)	<8% (\$200k limit)
> \$5 Million to \$10 Million	>20%	Up to 20% (\$1.5 million limit)	<5% (\$300k limit)
> \$10 Million to \$50 Million	>10%	Up to 10% (\$3.5 million limit)	<4% (\$400k limit)
Over \$50 Million	>5%	Up to 5% (\$5 million limit)	<1% (\$500k limit)

**also applies to Post Authorization Revisions*

6.4.3 – Interagency Consultation

Before a STIP revision can be adopted by NHDOT or recommended for approval by FHWA or FTA, and before any public comment periods begin, the proposed changes are discussed in interagency consultations such as meetings, telephone conferences, or correspondence. Such consultations are held whether the changes are proposed by the MPO or NHDOT. They cover all projects eligible for amendments or administrative modifications, as well as most information-only changes. Representatives from FHWA, FTA, EPA, NHDOT, NHDES, MPOs, and RPCs participate in the monthly discussions. Any public input that has been received should be presented by the planning commission staff in attendance or by the agencies.

Interagency consultation provides a forum to determine whether a proposed revision will require a conformity determination. Interagency consultation provides one of the first opportunities for MPOs, the relevant federal agencies, and other interested parties to view and comment on potential STIP revisions. Comments received through the consultation process may affect how the state decides to categorize the revisions before distributing them for public comment and formal review by the relevant MPOs.

Dispute Resolution

Disagreements over any aspect of a STIP revision that cannot be satisfactorily and amicably resolved by the parties involved are discussed during the consultation process. The interagency group may provide guidance to the parties involved in the dispute and to the agency or agencies that have the final approval authority. Any such guidance is documented in the meeting notes; however, although the guidance provided through interagency consultation should weigh heavily on decisions made to resolve the dispute, it is not binding.

6.4.4 – Amendments

Amendments are major revisions to address substantial changes to projects or changes in either scope or cost that may affect air quality conformity or financial constraint. The amendment process also provides an opportunity to process all administrative modifications and information-only changes that may have been approved since the last time the STIP was amended. Amendments require a public comment period of 10 to 30 days, a conformity determination (if deemed necessary through interagency consultation), and subsequent approvals; they may also require a review of or update to the air quality analysis (regional emissions analysis). In rural areas, an amendment will likely be adopted in about three months. In MPO areas, adoption will likely take at least three months and may take up to five months if there are air quality conformity issues. As much as possible, amendments to the STIP will be processed quarterly.

The interagency consultation group will recommend for each amendment a public comment period of between 10 and 30 days. The length of the recommended periods will be based on such factors as the magnitude of the proposed changes, the relative sensitivity of the projects involved, and any factors that require timely actions, for example, emergencies or federal lapses. In urban areas, the MPOs will implement the public comment period, and in rural areas NHDOT will.

When TIP and STIP amendments involve revisions to projects that are grouped by function, work type, or geographic area, consistent with the requirements in 23 CFR 450.326 and 23 CFR 450.216, NHDOT will, in a timely manner, provide RPCs or MPOs with the individual, specific changes to the affected projects in their regions. Upon request, NHDOT will also provide project-specific listings by RPC or MPO for grouped projects that are included in STIP updates.

Metropolitan Areas

Whether project changes are initiated by the MPO or NHDOT, the MPO policy committee must revise the approved TIP to reflect the changes, consistent with 23 CFR 450.326. The MPO must provide a public participation process consistent with its public participation plan including a public comment period of 10 to 30 days. After formally endorsing the amendment at a public meeting, the MPO must provide copies to the state, FHWA, and FTA. Any amendment to the TIP in non-attainment or maintenance areas must be accompanied by a corresponding conformity determination by the MPO. Depending on the results of interagency consultation, that conformity determination may require a new air quality analysis.

For its part, the state must incorporate the amendment into the STIP, show that the STIP remains financially constrained, and submit the amended STIP to FHWA and FTA for their approval. Each amendment is dated and numbered sequentially. The FHWA and FTA can approve or disapprove the STIP amendment as a whole, or may choose to exclude specific projects from their approval. If the amendment consists of only highway or only transit projects and no conformity determination is required, FHWA or FTA may approve the amendment unilaterally. Otherwise, they must provide a joint letter of approval. The state will forward copies of the approval to the affected MPOs, which, in turn, will notify the affected transit operator(s), if transit projects are involved.

6.4.5 – Administrative Modification: Major

Consistent with the definitions at 23 USC 101(a) and 49 USC 5302, administrative modifications are revisions intended to expedite, where suitable, relatively small changes to projects. Administrative modifications can be made based on the thresholds established above in Section 6 (Table 1). This option is available for projects at the discretion of the MPO or, in rural areas, the state. Unlike the process for approving full amendments, an MPO may delegate approval of modifications to a person or committee, for example its executive director or executive committee.

A list of all projects potentially eligible for administrative modifications will be reviewed during interagency consultation. Following that review, each affected MPO and RPC will receive a list of projects in their jurisdiction and the proposed changes to them. NHDOT will certify that the STIP will remain financially constrained after taking into account the proposed project changes and will notify FHWA and FTA of the project changes. Administrative modifications should typically take about one month to process.

To ensure consistency with federal regulations regarding air quality conformity, any project identified as potentially affecting the air quality determination of a non-attainment or maintenance area will be discussed during interagency consultation. If, through consultation, a proposed administrative modification is identified as having an impact on the air quality determination, the proposed modification will be upgraded to an amendment.

Metropolitan Areas

A list of projects potentially eligible for expedited selection will be reviewed during interagency consultation. Following that review, each affected MPO will receive a list of proposed schedule changes to projects in their jurisdiction. The entity designated by the MPO as having approval authority as part of the expedited project selection procedure will review the list of projects and issue a letter to NHDOT stating concurrence with or disapproval of the proposed changes.

In the Strafford MPO, the executive director has the authority to review administrative modifications, and can request the advice of TAC members to complete the review. The executive director may recommend that the executive committee concur with, or disapprove of, administrative modifications or procedural changes to elevate an administrative modification to an amendment. A letter to NHDOT indicating their decision will be issued by the executive director. Copies of the letter will be provided to the TAC and policy committee members.

NHDOT will notify FHWA or FTA of the approval of administrative modifications. The federal agencies will place these adjustment letters on file with the STIP, and the state will update the STIP to include the modifications as full amendments or administrative modifications. If the person or entity with designated approval authority decides not to approve an administrative modification, that change can still be pursued through the full amendment process. FHWA and FTA will review modifications and will accept or not accept them; however, no formal approval is required.

6.4.6 Administrative Modification: Minors (Information Only)

Technical corrections and minor cost adjustments (See Table 1) will be treated as information only administrative modifications only when timeliness is critical. Otherwise, the changes will be processed

as major administrative modifications. Information only administrative modifications will be discussed through the interagency consultation process but do not require formal approval. They will be reported in the STIP when future amendments or STIP updates are processed.

6.4.7 – Submission of STIP Updates

The FHWA and FTA may accommodate STIP amendments for single projects; however, federal regulations strongly suggest that the state bundle projects for approval and submit an updated STIP project list including a group of amendments, administrative modifications, and information-only changes quarterly, or less frequently if the STIP was not changed during the previous quarter. Each amendment request is dated and sequentially numbered. Three copies are submitted to FHWA and one copy to FTA. This approach facilitates tracking of the current STIP by the state, the federal agencies, and the MPOs.

6.5 Air Quality Conformity

Any changes that may trigger a conformity determination are discussed during interagency consultation so potential impacts can be identified early in the revision process. STIP amendments that involve non-exempt projects must include an updated conformity determination.

If a proposed revision to the STIP is non-exempt or will affect the existing air quality determination, a new analysis and a new determination are required; such revisions always require an amendment to the STIP. If the air quality analysis is revised, the new analysis must be amended into the metropolitan transportation plan (consultation and public notice procedures apply). The amended STIP conformity determination would then be based on the amended metropolitan transportation plan air quality analysis. The STIP amendment, the supporting plan, and a conformity statement will then be submitted to FHWA and FTA for approval. The FHWA and FTA approval letter will reflect approval of the new conformity determination.

If the proposed revision to the STIP does not affect the existing regional emissions analysis—but does trigger a determination of conformity for other reasons—it shall be explicitly reflected in the amendment with a statement that the finding of conformity relies on the previous (existing) regional emissions analysis.

6.6 Transportation Project Development and Studies

The Strafford MPO may undertake a corridor or sub-area planning study as part of the metropolitan transportation planning process. The results of such transportation planning studies may be incorporated into the project development process to the extent that they meet the requirements of the National Environmental Policy Act (NEPA) of 1969 and associated implementing rules (23 CFR part 771 and 40 CFR parts 1500–1508). These corridor or subarea studies may be used to produce any of the following for a proposed transportation project:

- Purpose, need or goals, and objective statement(s).
- General travel corridor or general mode(s) definition (i.e., highway, transit, or a highway/transit combination).

- Preliminary screening of alternatives and elimination of unreasonable alternatives.
- Description of the affected environment.
- Preliminary identification of environmental impacts and environmental mitigation. These planning studies will aid in better integration of land use and transportation and in better projects.

6.7 Relationship to State Management Systems

Under federal regulations, NHDOT must develop statewide management systems for transportation that address bridges, pavement, safety, congestion, public transportation, intermodal facilities, and traffic monitoring. Congestion management, public transportation, and intermodal facility management are required to be part of the MPO planning process to the extent appropriate. The management systems help improve transportation investment decisions, particularly in the project or alternatives identification and selection phase of the process.

Section 7 – Public Involvement Process

7.1 Purpose and Objectives

Federal rules pertaining to metropolitan planning, as required in the current surface transportation enabling legislation, contain specific minimum requirements for public involvement in transportation planning.

Every MPO must develop, adopt, and implement formal procedures for effective public participation during the development of MPO documents, including the metropolitan transportation plan and TIP. Strafford MPO's Public Participation Plan presents specific goals and benchmarks for public for effective engagement. This section presents the Strafford MPO's process to ensure effective public involvement in its transportation planning activities and to comply with applicable federal rules, including 23 CFR 450.316.

The principal objectives of the Strafford MPO's public involvement process are the following:

- Seek input and involvement from a wide variety of individuals, groups, and organizations affected by the transportation system.
- Ensure effective public involvement early in the planning process, before key decisions are made and while there is ample opportunity to affect decisions.
- Promote informed public input into decision making by providing timely access to needed information.
- Consider public input fully and provide a reasonable response.
- Consider a range of transportation options and the social, economic, energy, and environmental effects of transportation decisions.
- Develop transportation plans, programs, and projects that reflect local, regional, and state priorities and needs.

7.2 Federal Standards for Public Involvement

The federal rules governing metropolitan planning for transportation specify minimum standards that each MPO's public involvement process must meet (23 CFR 450.316). In addition to following the procedures for metropolitan transportation plan and TIP development identified in Sections 6.3, 6.4, and 6.5 of this document, Strafford MPO's public participation process complies with the following standards:

- Require a minimum public comment period of 45 days before the public involvement process is initially adopted or amended.

- Provide timely information about transportation issues and processes to citizens, affected public agencies, representatives of transportation agency employees, private providers of transportation, and other interested parties and segments of the community affected by transportation plans, programs, and projects.
- Provide reasonable public access to technical and policy information used in the development of plans and TIPs and hold open public meetings where matters related to the federal-aid highway and transit programs are being considered.
- Require a minimum of 30 days public notice for public review and comment before approval of metropolitan transportation plans and TIPs; a shorter lead time is permitted for public informational meetings. Public notice requirements will be met prior to key decision points.
- Provide the required public notice and comment period of 10 to 30 days for TIP amendments, as determined through the interagency consultation process. Notices and comment periods must be followed by a public hearing and MPO policy committee approval.
- Provide timely notice of public involvement opportunities by, for example, posting notices in public places and directly notifying interested parties identified in the process.
- Seek out and consider the needs of those who are commonly under-served by existing transportation systems, including households with low-income, minority, or disabled individuals.
- Demonstrate explicit consideration of and response to the public input received during the planning, program development, and public hearing processes.
- Provide the opportunity for additional public comment, prior to adoption, whenever substantive changes are made to a proposed draft metropolitan transportation plan or TIP after it has been released for public comment.
- Coordinate the MPO public involvement process with the statewide public involvement process wherever possible to enhance public consideration and understanding of the issues, plans, and programs and to reduce redundancies and costs.
- Review and self-certify every two years that this public involvement process is being followed, is meeting its stated purpose, objectives, and criteria, and is providing full and open access to all.
- Ensure that all meetings concerning MPO business development are open to the public and held in accessible locations that can accommodate the needs of the disabled, and that the provisions of RSA 91-A (“Access to Public Records and Meetings”) are followed.

7.3 Public Involvement Procedures for the Development of the Metropolitan Transportation Plan

The following elements and procedures are part of the public involvement process when the metropolitan transportation plan is developed or updated.

7.3.1 – List of Interested and Affected Parties

The Strafford MPO maintains a list of interested and affected parties whose input is actively sought during plan development. The list includes the following:

- Select boards and city and town councils from study area communities.
- Planning boards, traffic safety committees, and public works officials and road agents.
- Public and private transit and taxi operators, including public and private demand-responsive operators.
- Human service agencies with low-income, elderly, or disabled clients.
- Representatives from adjoining MPOs.
- Traffic safety and enforcement agencies.
- Chambers of commerce and economic development organizations.
- Members of the state legislature who represent study area communities.
- Appropriate state and federal agencies, among them NHDOT (including divisions or bureaus of planning, public transportation/railroads, and aeronautics), NHDES-ARD, NH Port Authority, Pease Development Authority, Bureau of Economic Affairs, FHWA, FTA, Federal Aviation Administration, Economic Development Administration, and EPA.
- Individuals and groups who have shown an interest in transportation issues.
- Major businesses and business and industry associations.
- Schools and colleges.
- Transportation and highway user groups.
- Neighborhood associations.
- Populations underserved by the transportation system.
- Current members of the Strafford MPO TAC and policy committee not otherwise listed.
- Contacts from newspapers, radio, and television (broadcast and local-access cable).

Strafford MPO keeps these individuals, groups, and agencies informed about the transportation plan's development and notifies them of opportunities for public involvement. The MPO periodically updates the list, at a minimum at the start of the metropolitan transportation plan and TIP development cycle.

7.3.2 – Public Notification of Metropolitan Transportation Plan Development

Strafford MPO provides notice of its intent to develop or update the metropolitan transportation plan at the start of the development process. This notice is published online, posted in a newspaper of general circulation in the metropolitan planning area, and sent to interested and affected parties. The MPO tries to reach potentially interested parties in the plan's development through other appropriate means, which may include newsletters, social media, transit distribution, public service announcements, and local-access cable TV programming.

At a minimum, the notice provides the following information:

- A brief description of the anticipated planning process and action to be taken.
- An explanation of how the plan may affect the region.
- A general schedule of the plan's development or amendment.
- An explanation of the opportunities for public comment and participation.
- An MPO contact who can provide further information.

7.3.3 – Establish A Transportation Plan Advisory Committee

Like any MPO, Strafford MPO may establish an advisory committee of citizens to provide technical and policy guidance to the TAC, the MPO policy committee, and the MPO staff in the development of the draft plan. The advisory committee's role includes the following functions:

- Help MPO staff identify transportation system deficiencies and potential solutions.
- Give interested and affected parties an opportunity for direct involvement in the plan's development.
- Act as a conduit for information to and from broader community and agency interests.

An MPO that establishes an advisory committee is responsible for ensuring that the committee's representation is balanced and drawn from a variety of transportation interests. If a separate advisory committee is not established, the TAC and policy committee will advise the MPO staff during the plan's development. For their part, the MPO staff provides information to the advisory committee (or the TAC and policy committees if there is no advisory committee) in the form of handouts, summaries, draft plan sections, presentations, and other materials to facilitate their informed input into the process.

7.3.4 – Public Informational Meetings

At appropriate points during the metropolitan transportation plan’s development, Strafford MPO holds public information meetings to discuss aspects of the plan, including transportation system deficiencies, alternative solutions, project priorities, and other issues as appropriate. At least one public information meeting is held to initiate the metropolitan transportation plan development process and collect, in an informal setting, opinions and ideas for the plan. A 30-day public notice is provided for this initial meeting.

Public notices for these meetings are published in at least one newspaper of general circulation in the region, posted in each city hall (Dover, Rochester, and Somersworth), and sent to the groups and agencies on the list of interested and affected parties at least 10 days prior to each meeting. Strafford MPO may also use a variety of other approaches to foster effective public involvement.

7.3.5 – Public Hearing on Draft Plan

Upon completion of the draft metropolitan transportation plan, Strafford MPO schedules a public hearing to collect comments on the plan’s contents. Individuals and organizations on the interested and affected parties list are notified and offered the opportunity to participate or offer comments. In addition, a public notice of the hearing is published, posted, and distributed as discussed above. The notice encourages anyone unable to attend the hearing to submit written comments within 30 days after the date of the notice. When the hearing notice is published, the draft plan is made available for inspection at accessible locations including the SRPC offices.

At the public hearing, the MPO distributes a handout summarizing the draft plan’s contents. Strafford MPO staff members also provide a presentation on the methodology and analysis conducted during the plan’s development, and discuss the plan’s contents. Attendees are encouraged to comment on the draft plan, and MPO staff members document all substantive comments received during the hearing. All written comments received will be acknowledged in writing to the extent feasible.

7.3.6 – Preparation of the Final Plan

Strafford MPO uses the public input obtained during the previous steps to prepare the final metropolitan transportation plan. If the MPO received substantive written or oral comments on the draft plan, either through the public involvement process or the interagency consultation process, the final plan will include a summary, analysis, and report on the disposition of those comments. It also includes a discussion of the public involvement process used in the plan’s development.

If the final plan is substantively different from the draft plan that was made available for public comment—or if the final plan raises new material issues that interested parties could not have reasonably foreseen from the public involvement efforts—Strafford MPO must provide a duly noticed public comment period on the new plan of not less than 10 days.

Once the metropolitan transportation plan is finalized, it must be made available for public. Strafford MPO posts the plan on the SRPC website and provides one copy to each town or city hall and each public library in the study area, and retains additional copies for lending to interested parties. Individuals and organizations on the list of interested and affected parties are also notified of the plan’s availability.

7.4 Public Involvement Procedure for the Development of the TIP

7.4.1 – General

With one exception, the MPO public involvement process for developing the TIP is essentially the same as that for developing the metropolitan transportation plan described above in Section 6.2. Whenever changes in the project selection criteria for the TIP are proposed, the additional public involvement steps presented below in Sections 7.4.2 and 7.4.3 must be followed.

7.4.2 – Development of Project Selection Criteria

The selection criteria define the process, procedures, and standards for adding projects to the TIP. MPOs in New Hampshire develop their criteria in consultation with their TACs and with NHDOT, NHDES-ARD, and other agencies and organizations that they deem appropriate. The initial development, and subsequent amendment, of the TIP project selection criteria is done before the start of the biennial TIP development process. Before beginning work on the criteria, the MPO must notify the public of its intention to develop TIP selection criteria and hold at least one public informational meeting to gather input. Before adopting new or revised TIP project selection criteria, Strafford MPO will provide time for a public review and comment process described above in Section 7.3.5.

7.4.3 – Concurrent Plan and TIP Development

Strafford MPO may opt to develop the TIP and the metropolitan transportation plan at the same time. In that case, the only separate public involvement procedures required for the TIP are those specified in Section 7.4.2.

7.5 Public Involvement Process for Amending Plans and TIPs

By federal rule, the Strafford MPO metropolitan transportation plan must be updated at least every five years and the TIP must be updated at least every two years. Whenever amendments to either the plan or the TIP are proposed during the period between updates, Strafford MPO carries out, at a minimum, the following sections of the regular public involvement process.

7.5.1 – Public Notice and Public Hearing on Amended Plan and TIP

A public hearing must be scheduled on any proposed amendment to the metropolitan transportation plan or TIP. Individuals and organizations on the interested and affected parties list are notified of the hearing and given the opportunity to participate or offer comments.

Strafford MPO publishes, posts, and distributes a public notice of the hearing, as prescribed above in Section 7.3.4. In addition to announcing the MPO's intention to amend the metropolitan transportation plan or TIP, the notice provides, at a minimum, the following information:

- A brief description or summary of the proposed amendment(s) and the actions to be taken.
- An explanation of why the amendment is being proposed.

- An explanation of the opportunities there will be to receive public comments.
- Details of the hearing itself, including the date, time, and location.
- A contact at the Strafford MPO for further information.

The draft plan or TIP amendments must be made available for inspection—at the MPO office, on the SRPC website, and at least two other publicized locations in the study area—at the time of the hearing notice. The public must have 10 to 30 days beginning from the date of the hearing notice to submit comments for consideration.

At the hearing, Strafford MPO staff members present the amendment(s) and provide summary explanations. After the hearing, MPO staff members document all substantive comments received during the proceedings. Comments are acknowledged and responded to in the final document.

7.5.2 – Preparation of Final Metropolitan Transportation Plan or TIP Amendments

Substantive written or oral comments on the proposed amendments received by Strafford MPO through the public involvement or interagency consultation process are summarized and analyzed, and their disposition is reported in the final amendment to the metropolitan transportation plan or the TIP.

If the final amendment is substantively different from the draft amendment that was made available for public comment—or if the final amendment raises new material issues that interested parties could not have reasonably foreseen—the MPO must hold an additional public hearing on the revised amendment in accordance with the provisions of Section 7.3.6, above.

The final amendments to the metropolitan transportation plan or TIP must include summaries of all public comments received and the Strafford MPO's responses to them. The final amendments must be made available to the public. Strafford MPO posts documents on the SRPC website, provides one copy to each town or city hall and each public library in the study area, and maintains additional copies to lend to interested parties. A public notice of the metropolitan transportation plan or the TIP's availability must be published and distributed to the individuals and organizations on the list of interested and affected parties.

Section 8 – Amendments to the Prospectus

8.1 Review

The signatory to this Prospectus shall, at least every two years, review the contents of the document to identify changes that should be made to reflect current circumstances. Following their review and the preparation of any proposed changes, the signatory agency shall readopt the Prospectus.

8.2 CFRs and Rules

Future revisions to federal regulations and administrative rules found in a Prospectus that has undergone the required public review process and has been approved by the appropriate overseeing legislative body will be considered technical revisions to the Prospectus, not requiring an additional public review period. Changes will be noted in the Record of Amendments section of the Prospectus as “Technical Revisions.”

Appendix A - Federal Planning Factors

Current Federal Planning Factors for Continuing, Cooperative, and Comprehensive Transportation Planning

President Barak Obama signed the Fixing America's Surface Transportation Act (FAST Act) into law in December 2015. The legislation authorized critical federal funding for transportation and emphasized the implementation of a performance-based approach to planning. The FAST Act includes the following planning factors that support the 3C framework (23 CFR §450.206):

1. Support the economic vitality of the United States, the States, metropolitan areas, and nonmetropolitan areas, 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,
6. and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
7. Enhance the integration and connectivity of the transportation system, across and between modes throughout the State, for people and freight;
8. Promote efficient system management and operation;
9. Emphasize the preservation of the existing transportation system;
10. Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and
11. Enhance travel and tourism.

Appendix B – Federal and Supplemental Performance Measures

FHWA Final Performance Measures	
Safety	Number of fatalities
	Rate of fatalities
	Number of serious injuries
	Rate of serious injuries
	Number of non-motorized fatalities and non-motorized serious injuries
Infrastructure Condition	Percentage of pavements of the Interstate System in Good condition
	Percentage of pavements of the Interstate System in in Poor condition
	Percentage of pavements of the non-Interstate NHS in Good condition
	Percentage of pavements of the non-Interstate NHS in Poor condition
	Percentage of NHS bridges classified as in Good condition
	Percentage of NHS bridges classified as in Poor condition
System Performance	Percent of the Person-Miles Traveled on the Interstate That Are Reliable
	Percent of the Person-Miles Traveled on the Non-Interstate NHS That Are Reliable
	Truck Travel Time Reliability (TTTR) Index
	Annual Hours of Peak Hour Excessive Delay Per Capita
	Percent of Non-Single Occupancy Vehicle Travel
	Total Emissions Reduction

FTA Final Performance Measures	
Transit Asset Management Final Rule State of Good Repair	Equipment: Percentage of vehicles met or exceeded Useful Life Benchmark
	Rolling Stock: Percentage of vehicles met or exceeded Useful Life Benchmark
	Infrastructure: Percentage of assets in a State of Good Repair
	Facilities: Percentage of assets with condition rating below 3.0 on FTA TERM scale

Performance Based Planning Workgroup's Supplemental Performance Measures	ID	Supplemental Measures
	24	Total transportation-related GHG emissions
	39	Percent of Transit fleet powered by alternative fuels
	128	Percent of major employers that are served by public transit
	141	Percent of total population within 0.25 mile of transit stop and percent of low-income population within 0.25 miles of transit
	229	Number of rides provided for fixed route bus
	285	Percent of non-NHS federal aid system and non-NHS nonfederal aid system that is in good vs. poor condition
415	Remaining Useful Life of Public Transit Fleet (Vehicle Life Remaining)	

Appendix C – Statewide MOU

MEMORANDUM OF UNDERSTANDING
by and between the
NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION
and the
NASHUA REGIONAL PLANNING COMMISSION METROPOLITAN PLANNING
ORGANIZATION
and the
ROCKINGHAM PLANNING COMMISSION METROPOLITAN PLANNING
ORGANIZATION
and the
SOUTHERN NEW HAMPSHIRE PLANNING COMMISSION METROPOLITAN
PLANNING ORGANIZATION
and the
STRAFFORD REGIONAL PLANNING COMMISSION METROPOLITAN PLANNING
ORGANIZATION
and
UNIVERSITY OF NEW HAMPSHIRE WILDCAT TRANSIT
and the
COOPERATIVE ALLIANCE FOR SEACOAST TRANSPORTATION

MEMORANDUM OF UNDERSTANDING

by and between the
NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION
and the
NASHUA REGIONAL PLANNING COMMISSION METROPOLITAN PLANNING ORGANIZATION
and the
ROCKINGHAM PLANNING COMMISSION METROPOLITAN PLANNING ORGANIZATION
and the
SOUTHERN NEW HAMPSHIRE PLANNING COMMISSION METROPOLITAN PLANNING ORGANIZATION
and the
STRAFFORD REGIONAL PLANNING COMMISSION METROPOLITAN PLANNING ORGANIZATION
concerning the
FEDERAL CERTIFICATION REQUIREMENTS for METROPOLITAN PLANNING ORGANIZATIONS

WHEREAS, the Federal Highway Administration ("FHWA") and the Federal Transit Administration ("FTA") jointly recommended that a written agreement be established between the Nashua Regional Planning Commission Metropolitan Planning Organization ("NRPC MPO"), Rockingham Planning Commission MPO ("RPC MPO"), Southern New Hampshire Planning Commission ("SNHPC MPO"), Strafford Regional Planning Commission ("SRPC MPO") and the New Hampshire Department of Transportation ("NH DOT") to clearly identify the roles and responsibilities for cooperatively carrying out transportation planning and programming in a comprehensive, continuous manner as required under 23 USC 134 and Section 5303 of the Federal Transit Act, as amended; and;

WHEREAS, the State of New Hampshire, through its Department of Transportation has statutory responsibility to serve as the principal source of transportation planning in certain non-metropolitan regions of the State, and provides statewide and metropolitan transportation planning and programming stewardship and oversight functions for the State of New Hampshire; and
WHEREAS, all communities in an urbanized area with a population greater than 50,000 are required to be considered in the metropolitan planning process; and

WHEREAS, any community that is within a metropolitan urbanized area, but outside of the planning area of the respective MPO must have representation in the metropolitan planning process.

WHEREAS, the Governor of New Hampshire and local communities within the Nashua, Manchester, Portsmouth, Dover-Rochester and Boston urbanized areas (hereinafter referred to as the "Urbanized Areas"), through their authorized representatives, have designated the NRPC MPO, RPC MPO, SNHPC MPO and SRPC MPO to carry out metropolitan transportation planning activities for the Urbanized Areas; and

WHEREAS, all parties to this agreement participate in the continuing, comprehensive and cooperative ("3C") transportation planning process carried out by the MPOs; and

WHEREAS, each MPO must establish and maintain a memorandum of understanding with transit providers serving their respective metropolitan planning areas; and

WHEREAS, all parties agree that they will coordinate with each other to ensure consistency and transparency among their respective transportation planning policies and programs.

NOW THEREFORE, this MOU memorializes each Signatory's commitment to coordinate and promote sound transportation planning as follows:

General Agreement:

1. All parties will ensure the mutual exchange of information and expertise, and the transmittal for review of all pertinent transportation planning documents.
2. All parties will ensure notification of, and participation in, meetings concerned with matters of mutual interest including cooperation and consultation on plans and programs. If inconsistencies or conflicts arise, the affected parties shall meet and employ their best efforts to develop a satisfactory resolution.
3. The staff of NH MPOs with adjoining borders agrees to meet together at least once each year to consult on projects, plans, studies and other transportation issues of mutual interest and potential impact.
4. The NRPC MPO is responsible for the Metropolitan Transportation Planning Process in the Transportation Management Area that is the Nashua UZA and has programming authority over TAP and STP funds in the Nashua UZA.
5. The NHDOT, RPC MPO, SNHPC MPO and NRPC MPO cooperatively participate in the Metropolitan Transportation Planning Process for communities located within the Boston UZA Transportation Management Area. It is also recognized that there are Massachusetts organizations that are part of the Boston UZA. NHDOT, RPC MPO, SNHPC MPO and NRPC MPO will continue to strive to cooperate, coordinate, collaborate, and share information with their respective partners in Massachusetts. An example would be to do so for the development and implementation of CMPs for cross-border highway or transit corridor facilities.
6. Transportation Alternatives Program funds and Surface Transportation Funds for population areas greater than 200,000 will be divided between the Nashua UZA and Boston UZA based on population as described in Appendix C.
7. In the interest of effective performance-based planning and programming, all parties shall seek to ensure that the Transit Agencies, local, regional, and statewide stakeholders and partners are active participants in the development of performance goals, measures, and targets and shall seek to align their goals, objectives, measures, and targets.
8. All parties will comply with applicable sub agreements included in Appendix A and Appendix B of this document.

MPO Responsibilities:

The MPOs shall be responsible for and shall be considered the lead agencies in conducting the following transportation planning and programming activities pursuant to 23 CFR 450:

1. Formulating, approving and periodically updating long range Metropolitan Transportation Plans for the MPOs Planning Areas which shall conform to all applicable federal requirements, management systems and work program content and schedules.
2. Developing and adopting, on a biennial basis, the transportation improvement programs (TIPs) for the metropolitan planning areas, in cooperation with NH DOT and transit providers, which shall conform to all applicable federal requirements, and shall cover a period of 4 years.

3. Coordinating development of the transportation plans with the development process for the State Implementation Plan (SIP) for meeting the National Ambient Air Quality Standards (NAAQS) under the Clean Air Act, in order to account for transportation control measures which may be required.
4. If necessary, assess the air quality conformity of the metropolitan area transportation plans and TIPs with the State Implementation Plan (SIP).
5. Preparing, in cooperation with the NHDOT and transit providers, biennial Unified Planning Work Programs (UPWPs) which shall identify all transportation-related planning activities and technical assistance to be funded with local and federal financial aid, and carried out in accordance with the provisions of this Memorandum of Understanding.
6. Provide a forum for cooperative transportation planning and decision making, including establishing public involvement processes that: a) ensure opportunities for early and continuing involvement of communities, transit operators, other interested parties and the general public in the review and evaluation of all transportation plans and programs; and b) satisfy Federal Transit Administration (FTA) requirements under 49 USC Section 5307 for public participation in the development of the Annual Program of Projects (POP) for local and regional transit providers and the NH Department of Transportation.
7. Considering and implementing planning guidance from the NHDOT, FHWA and FTA to the fullest extent consistent with local and regional goals and Federal requirements and available funding.
8. Developing data, assumptions, criteria, methodology and analyses available in a timely manner to support NHDOT and other MPO participants when requested.
9. Providing NHDOT and transit providers with copies of all transportation plans, programs and relevant work products produced under the UPWP contract and all resolutions concerning their adoption or endorsement.
10. Providing NHDOT with a self-certification, to coincide with the S/TIP update, that the MPOs' transportation planning processes conform with all applicable federal requirements pursuant to 23 CFR 450.
11. Establishing, in cooperation with NHDOT and Federal Highway Administration (FHWA), the functional classification of roadways and assisting with updates of the National Highway System route designations within the metropolitan areas.
12. Conducting studies and travel demand model analyses relative to the highway network and proposed alternatives of transit services.
13. Preparing and updating Coordinated Public Transit Human Service Transportation plans in conformance with the Federal transportation planning requirements.
14. Preparing Public Participation Plans, Intelligent Transportation System Plans and Congestion Management Processes in conformance with Federal transportation planning requirements.
15. Preparing MPO Performance Reports and Annual Lists of Obligated Projects for submittal to NHDOT, FHWA, and FTA.
16. Each MPO shall notify the adjoining MPO of, and invite the other MPO to, its MPO meetings and shall notify the adjoining MPO of specific actions it undertakes as part of its Public Participation Program.

17. Each MPO agrees to cooperate and actively contribute to the development of performance measures and targets related to regional and statewide performance-based planning frameworks, according to 23 USC 119, 134-135, 148-150.
18. Each MPO agrees to cooperate in the project selection process and the establishment of performance measures and targets for plans and programs including, but not limited to, the Congestion Management Process and Intelligent Transportation Systems.
19. Each MPO agrees to share GIS and transportation data along common boundaries and Travel Demand Model Data for the purposes of calibration and other applications.

NHDOT Responsibilities

NHDOT shall be responsible for and shall be considered the lead agency in conducting the following transportation planning and programming activities:

1. Informing the MPOs of the availability, or anticipated availability, of state and federal financial aid and technical assistance for their metropolitan transportation planning activities, including the provision of regional revenue forecasts for development of financially constrained MPO TIPs and long-range metropolitan transportation plans.
2. Providing information relative to the proposed programming of state and federal financial aid for metropolitan transportation improvements and services which fall under state or local programming jurisdiction, in detail adequate to meet financial constraint requirements under 23 CFR part 450, including specific allocations for the New Hampshire portion of the Boston MA-NH Urbanized Area and the Nashua NH Urbanized Area. This includes annual disclosure to the MPO of the proposed programming of Surface Transportation Program (STP) funds and Transportation Alternatives Program (TAP) funds apportioned for Urbanized Areas with population exceeding 200,000.
3. Providing information relative to the Annual List of Obligated Projects for each MPO.
4. Informing the MPOs of federal or state statutes, policies, regulations and guidelines which bear upon metropolitan transportation planning and programming activities and contractual arrangements.
5. Coordinating the development of the schedule and procedures for biennial submittal and interagency review and approval of the transportation Unified Planning Work Programs (UPWPs).
6. Developing and issuing statewide guidance for the preparation of transportation plans and TIPs.
7. Providing technical support, data and information collected or maintained by NHDOT, and to the extent feasible, data from other state agencies that are pertinent to the transportation planning work to be performed by the MPOs under this Agreement.
8. Developing, implementing and providing appropriate access to the management and monitoring systems required by 23 U.S.C. 303 in cooperation with the MPOs and Transit Providers.
9. Utilizing the MPO transportation plans as a guide in statewide planning and programming activities.
10. Actively soliciting the involvement of the MPOs as appropriate in any major study to be undertaken by the NHDOT in any MPO study area.
11. Forwarding the MPO TIPs to the Governor for approval.
12. Actively participating in the 3C process MPO Technical Advisory Committees (TACs), Policy Committees and Interagency Consultation; including providing information to the MPOs during the

development of their TIPs and Long Range Plans regarding NHDOT priorities for transportation improvements, and adequate project detail necessary to inform MPO action on TIP amendments.

13. Preparing, updating or amending the Statewide Long Range Transportation Plan and State Transportation Improvement Program (STIP), including the metropolitan planning areas, pursuant to the provisions of 23 U.S.C. 135, in cooperation with the MPOs and Transit Providers.
14. Coordinating the Ten Year Project Selection Process and preparing the Ten Year Transportation Improvement Plan pursuant to NH RSA 228:99 and NH RSA 240.
15. Coordinating the reconciliation of MPO transportation plans and programs with statewide plans and programs, as necessary, to ensure connectivity and consistency within transportation systems in consultation with the MPOs.
16. Monitoring the MPOs' transportation planning processes to ensure compatibility with State and USDOT programs and objectives, and ensure compliance with applicable federal requirements.
17. Seeking input from the MPOs on the development and periodic updates of the National Highway System route designations and establishing the functional classification of roadways within the urban area.
18. Developing and implementing a public participation process that fulfills federal requirements for early and continuous involvement that is consistent and coordinated with the MPOs' public involvement processes.
19. NHDOT shall ensure that inter-departmental coordination occurs across Divisions and Bureaus (including, but not limited to: Safety; Planning and Community Assistance; Maintenance and Operations; Aeronautics, Rail and Transit; and Environment) related to the development of performance-based planning and programming. NHDOT shall ensure that performance-based planning and programming at the MPO level aligns with state and federal guidelines.
20. Providing the MPOs and transit providers an opportunity to comment on NHDOT's draft biennial SPR part 1 work program describing its use of federal funds.

Funding and Payment

1. Funding levels for the continuing metropolitan transportation planning process shall result from the mutually approved PL and Section 5303 formulas, and will be reviewed and agreed to by the NHDOT and MPOs biennially in conjunction with the preparation, review and approval of the UPWPs.
2. Upon inclusion of the MPOs' and transit providers planning elements into the UPWPs, adoption by the MPOs, and approval by NHDOT and by USDOT funding agencies, the UPWPs shall be deemed to constitute a part of this Memorandum of Understanding with respect to the scope of work and funding arrangements. Specific terms or conditions governing the financial aspects of the UPWPs will be set forth in NHDOT's biennial contracts.
3. All costs incurred during the progress of the metropolitan transportation planning work activities under this Memorandum of Understanding shall be shared by the MPOs and the other participating agencies on the basis of the cost allocation schedule set forth in the approved UPWPs.
4. The USDOT share of program costs administered by NHDOT, together with any NHDOT share, will be made available to the MPOs following the receipt of properly executed contracts and documented, supported, and completed invoices and a detailed status of expenditures reports in a format compatible with the approved UPWPs.

5. Progress reports containing a narrative and financial account of the work accomplished to date shall be furnished by the MPOs to the NHDOT on a monthly basis. An Annual MPO Performance Report shall be provided to the NHDOT within 90 days after the completion of the fiscal year. The mid-UPWP contract review may be used as the annual performance report. NHDOT will provide timely reimbursements of eligible charges. However, it may withhold or delay approval of invoices from an MPO if the MPO fails to submit progress reports or scheduled products in timely and satisfactory manner.

Scope of Work and Geographic Area

1. The cooperative metropolitan transportation planning process shall be carried out in accordance with Unified Planning Work Programs approved by the MPOs, NHDOT, and USDOT in consultation with appropriate transportation providers, and made a part of this Memorandum of Understanding which shall constitute the scope of work to be performed under this Memorandum of Understanding.
2. It is the intent of this MOU that the metropolitan transportation planning process appropriately address any Planning Emphasis Areas issued by FHWA and FTA, and the planning factors identified under 23 USC 134; and that the statewide transportation planning process appropriately address the same factors identified in 23 USC 135.
3. The UPWPs shall set forth a description of the specific metropolitan transportation planning activities and products anticipated to be completed. Responsibilities for the following planning activities shall be identified in the UPWPs where applicable:
 - a. Preparing technical and other reports to assure documentation of the development, refinement and updates of the transportation and transit plans, and
 - b. Conducting detailed corridor, subarea, or transit studies to evaluate major transportation or transit needs, investment alternatives and their social, economic and environmental impacts pursuant to 23 CFR 450.
4. Upon adoption of the UPWPs by the MPOs, and approval by NHDOT and by USDOT funding agencies, NHDOT shall, in writing, authorize the MPOs to proceed with the UPWPs in accordance with the terms and conditions of such approval. The UPWPs may be amended during the course of the contract upon written request of the MPOs and subject to (1) the concurrence of NHDOT and USDOT funding agencies, and (2) the availability of funding if applicable.
5. The cooperative metropolitan transportation planning process to be conducted under this MOU and governed by the provisions of 23 CFR 450 shall encompass the metropolitan planning areas, as determined by agreements between the Governor and the MPOs.

Organization/Administration

The governing bodies of the MPOs shall appoint and maintain such policy, citizen and/or technical advisory committees as deemed appropriate to effectively carry out the comprehensive transportation planning process under this MOU. NHDOT and transit providers shall be represented on all technical advisory committees and MPO Policy Committees.

The MPOs may enter into such institutional arrangements, service contracts or agency agreements as they deem necessary to carry out the scope of work under this MOU with the understanding that the MPOs shall remain accountable for completion of planning products in accordance with the UPWPs. All such contracts, subcontracts, agreements or other written understandings for services shall conform to

the appropriate provisions of 49 CFR 18 (common rule) as supplemented by FHWA & FTA Circular 4220.1F and any changes or revisions thereto; and other applicable guidance the FTA or FHWA may issue.

Effective Date, Duration and Termination

This MOU shall become effective upon execution by the NHDOT, the MPOs and shall remain in force until terminated or until superseded by a new agreement.

This MOU may be amended periodically as facts or circumstances warrant or as may be required by state or federal laws, administrative regulations, or other orders or guidelines having the full force and effect of law. Changes in community affiliation to a specific RPC shall not invalidate this agreement or necessitate its amendment so long as they continue to be represented in the MPO process. The NHDOT or the MPOs may terminate this MOU by giving sixty (60) day written notice of such termination to the other parties. In the event of termination, the MPOs will be entitled to receive just and equitable compensation for any satisfactory work completed under this MOU to the effective date of such termination.

APPENDIX A: UZA SUB-AGREEMENTS
SUB-AGREEMENT REGARDING THE NASHUA UZA

Recital:

WHEREAS, the Nashua Urbanized Area includes the communities of Amherst, Hollis, Hudson, Litchfield, Merrimack, Milford, Mont Vernon, Nashua, Wilton, Auburn, Derry, Londonderry, and Windham;

WHEREAS, the communities of Auburn, Derry, Londonderry and Windham are part of the SNHPC MPO and the communities of Amherst, Hollis, Hudson, Litchfield, Merrimack, Milford, Mont Vernon, Nashua, Wilton are part of the NRPC MPO;

WHEREAS, the NRPC MPO is the responsible for the Metropolitan Transportation Process in the Nashua Transportation Management Area ("NTMA");

WHEREAS the NRPC MPO has the programming authority over a sub-allocation, based on percentage of UZA population, of Surface Transportation Funds (STP) and Transportation Alternatives Program funds in areas greater than 200,000 population in the Nashua UZA;

NOW THEREFORE, this sub agreement memorializes the commitment of NRPC MPO and SNHPC MPO to coordinate and promote sound transportation planning as follows:

1. The NRPC MPO and SNHPC MPO will coordinate the TIP development process so that projects from Auburn, Derry, Londonderry and Windham are reflected in the NRPC and SNHPC TIP's and Long Range Metropolitan Transportation Plan.
2. Representatives of the NRPC MPO and SNHPC MPO will program the Surface Transportation Program (STP) funds in Population Areas greater than 200,000 for the communities of Amherst, Hollis, Hudson, Litchfield, Merrimack, Milford, Mont Vernon, Nashua, Wilton, Auburn, Derry, Londonderry, and Windham. Representatives of these communities will meet to review the statewide priority ranking of STP projects for projects in the Nashua TMA and select the project(s) to be programmed in the Nashua UZA.
3. Representatives of the NRPC MPO and SNHPC MPO will program the Transportation Alternatives Program (TAP) Funds for the communities of Amherst, Hollis, Hudson, Litchfield, Merrimack, Milford, Mont Vernon, Nashua, Wilton, Auburn, Derry, Londonderry, and Windham. Representatives of these communities will meet to review the priority ranking of TAP projects for projects in the Nashua TMA and select the project(s) to be programmed in the Nashua UZA.

**APPENDIX A: UZA SUB-AGREEMENTS
SUB-AGREEMENT REGARDING THE BOSTON UZA**

Recital:

WHEREAS, the Boston Urbanized Area includes the communities of Atkinson, Chester, Danville, East Kingston, Epping, Fremont, Hampstead, Hampton Falls, Kensington, Kingston, Newton, Pelham, Plaistow, Raymond, Salem, Sandown, Seabrook, South Hampton;

WHEREAS, the communities of Chester and Raymond are part of the SNHPC MPO and the communities of Atkinson, Danville, East Kingston, Epping, Fremont, Hampstead, Hampton Falls, Kensington, Kingston, Newton, Plaistow, Sandown, Seabrook, and South Hampton are part of the RPC MPO and the community of Pelham is part of the Nashua MPO;

WHEREAS, the NHDOT in consultation with NRPC MPO, RPC MPO and SNHPC MPO, are responsible for programming Surface Transportation Funds (STP) in areas greater than 200,000 population and Transportation Alternatives Program funds for population over 200,000 in the Boston UZA;

NOW THEREFORE, this sub agreement memorializes the commitment of NRPC MPO, RPC MPO and SNHPC MPO to coordinate and promote sound transportation planning as follows:

1. The RPC MPO, SNHPC MPO and NRPC MPO will cooperate with the NHDOT in the programming of Surface Transportation Funds (STP) in areas greater than 200,000 population for the Boston UZA.
2. The RPC MPO will ensure that projects for the towns of Atkinson, Danville, East Kingston, Epping, Fremont, Hampstead, Hampton Falls, Kensington, Kingston, Newton, Plaistow, Salem, Sandown, Seabrook, South Hampton are considered in the Metropolitan Transportation Planning Process and included in the RPC MPO TIP.
3. The NRPC MPO will ensure that projects for the Town of Pelham are considered in the Metropolitan Transportation Planning Process and included in the NRPC MPO TIP.
4. SNHPC MPO will ensure that projects for the towns of Chester and Raymond are considered in the Metropolitan Transportation Planning Process and included in the SNHPC MPO TIP.
5. Representatives of the NRPC MPO, RPC MPO and SNHPC MPO in consultation with NHDOT will program the Transportation Alternatives Program (TAP) Funds for the Boston UZA communities. MPO representatives will meet to review the priority ranking of TAP projects for the Boston UZA and approve a final award of funds.
6. Representatives of the NRPC MPO, RPC MPO and SNHPC MPO will collaborate with Massachusetts and Maine based MPOs as needed for projects and transportation initiatives of cross-state interest.

APPENDIX A: UZA SUB-AGREEMENTS
SUB-AGREEMENT REGARDING THE PORTSMOUTH, NH UZA

Recital:

WHEREAS, the Portsmouth NH Urbanized Area includes the communities of Exeter, Greenland, Hampton, New Castle, Newfields, Newington, Newmarket, North Hampton, Portsmouth, Rye, Seabrook, and Stratham, New Hampshire;

WHEREAS, the communities of Exeter, Greenland, Hampton, New Castle, Newfields, Newington, North Hampton, Portsmouth, Rye, Seabrook, and Stratham are part of the RPC MPO and the community of Newmarket is a member of the SRPC MPO;

WHEREAS, the RPC MPO is responsible for the Metropolitan Transportation Planning Process in the Portsmouth NH Urbanized Area;

NOW THEREFORE, this sub agreement memorializes the commitment of SRPC MPO and RPC MPO to coordinate and promote sound transportation planning as follows:

The SRPC MPO will ensure that the town of Newmarket is covered under the Metropolitan Transportation Planning Process and include projects from the Town of Newmarket in the regional Transportation Improvement Program and Metropolitan Transportation Plan.

APPENDIX A: UZA SUB-AGREEMENTS
SUB-AGREEMENT REGARDING THE MANCHESTER, NH UZA

An Agreement to address the expansion of the Manchester UZA into the Central Regional Planning Commission has been developed as a standalone document. The following is provided for information only:

WHEREAS, the Manchester NH Urbanized Area includes the communities of Allenstown, Bow and Pembroke;

WHEREAS, the communities of Allenstown, Bow and Pembroke are members of the Central New Hampshire Regional Planning Commission;

WHEREAS, the SNHPC MPO is responsible for the Metropolitan Transportation Planning Process in the Manchester NH Urbanized Area;

NOW THEREFORE, this sub agreement memorializes the commitment of CNHRPC and SNHPC to coordinate and promote sound transportation planning as follows:

The SNHPC MPO will ensure that the towns of Allenstown, Bow and Pembroke are covered under the Metropolitan Transportation Planning Process and will include projects from the towns of Allenstown, Bow and Pembroke in the regional Transportation Improvement Program and Metropolitan Transportation Plan.

APPENDIX B: TRANSIT PROVIDER SUB-AGREEMENTS
SUB-AGREEMENT BETWEEN NRPC MPO AND NASHUA TRANSIT SYSTEM

Recital:

WHEREAS, the Nashua Urbanized Area (UZA) has a population over 200,000 as defined by the Bureau of the Census and is designated as a Transportation Management Area (TMA) by the USDOT includes the communities of Amherst, Hollis, Hudson, Litchfield, Merrimack, Milford, Mont Vernon, Nashua, Wilton, Auburn, Derry, Londonderry, and Windham;

WHEREAS, the Nashua Regional Planning Commission (NRPC) Region includes the communities of Amherst, Brookline, Hollis, Hudson, Litchfield, Lyndeborough, Mason, Merrimack, Milford, Mont Vernon, Nashua, Pelham and Wilton;

WHEREAS, Nashua Transit System (NTS) provides public transportation services within the UZA and in other portions of the NRPC region; and

WHEREAS, NTS is a designated recipient in the Nashua UZA for Federal Transit Administration (FTA) capital and operating aid under Sections 5307, 5310, 5339 and 5340 of the Federal Transit Act, as amended; and

WHEREAS, the NRPC serves as the Metropolitan Planning Organization (MPO) is the responsible for the Federal Metropolitan Transportation Process in the Nashua TMA;

THEREFORE, BE IT RESOLVED, that the following provisions of this Memorandum of Understanding are agreeable to all parties.

MPO Responsibilities:

1. Participate in negotiation process to split FTA 5307 Urbanized Area Formula Funds, 5340 Growing States and High Density States funds, 5310 Enhanced Mobility for Seniors and Individuals with Disabilities funds, and 5339 Bus and Bus Facilities Program funds apportioned to the Nashua NH-MA Urbanized Area.
2. Assist with data collection efforts for both the fixed-route and paratransit operations that are necessary for various types of route level, system and regional analysis. These include, but are not limited to, passenger counts, on-board passenger surveys, surveys of the general public, land use and demographic data, and system operating data.
3. Develop route level productivity indicators and otherwise evaluate the efficiency and viability of fixed-route and paratransit operations.
4. Assist in the development of a marketing program in order to promote the use of transit throughout Nashua.
5. Assist in the development of Congestion Mitigation and Air Quality funding applications for transit projects.
6. Provide technical assistance to the Nashua Transit System as requested by the Nashua Transit System or Division of Community Development.

7. Conduct studies relative to the expansion of transit service beyond Nashua's boundaries. In developing recommendations for service expansions, NRPC will consider projected ridership, the capital and operating costs that would be incurred and the commitment of local communities to fund their share of transit operations.
8. Incorporate key data, analyses, findings and recommendations pertaining to the provision of regional transit services in the multi-modal NRPC Metropolitan Transportation Plan (Plan). The NRPC will seek the input of the NTS in the development of short and long-range recommendations in the Plan. The Plan is updated on a biennial basis.
9. Incorporate transit projects into the Transportation Improvement Program. NRPC will identify sources of funding, ensure that the projects are financially constrained, rank projects by regional priority, conduct air quality conformity analysis and undertake a public participation process that meets Federal requirements.

NTS Responsibilities:

NTS shall be responsible for and shall be considered the lead agency in conducting the following transportation planning and programming activities:

1. Coordinating with and assisting the MPOs in the development and update of the Transit component(s) of their Transportation Plans, which may include, but not be limited to, transit system policies and service demands, transit service modifications and extensions, transit fares, and transit system capital facilities needs;
2. Complete annual negotiation process with transit providers providing service in the Nashua UZA to split FTA 5307 Urbanized Area Formula Funds, 5339 Growing States and High Density States funds 5310 Enhanced Mobility for Seniors and Individuals with Disabilities funds, and 5339 Bus and Bus Facilities Program funds.
3. Providing information to the MPOs relative to the proposed programming of federal, state and local funds for metropolitan transit system improvements and services which fall under NTS's jurisdiction;
4. Preparing and submitting applications for state and federal mass transportation capital and operating assistance grants and administering approved grants;
5. Conduct or facilitate studies relating to public transportation capital facilities, including but not limited to transit stations, shelters, bus stop signs, garages, maintenance buildings, operator buildings, and rolling stock and sharing this information with the MPOs, NHDOT, and FTA;
6. Conducting detailed operational planning necessary to establish or modify transit routes, schedules, fares, stop locations, transfer points, vehicle assignments, and other operating procedures in accord with the proposals contained in transit component(s) of the MPO Transportation Plans, and sharing this information with the MPOs, NHDOT, and FTA;
7. Seeking MPO planning assistance as part of the MPOs' biennial UPWPs to complete various transit technical assistance, coordination, or planning activities;
8. Preparing and updating paratransit service plans in conformance with all FTA reporting requirements.
9. Endorsing or providing timely comment on the MPOs' transportation plans for use as a guide in local transit planning and programming activities;

10. Conducting planning for NTS's transit program, including but not limited to the conduct of market surveys, the design of user information materials, and the development of transit promotion programs;
11. Conducting transit management planning, including but not limited to activities related to personnel policies and training programs, maintenance policies, fare collection and handling procedures, and accounting practices; and
12. Collecting data to meet the requirements of Section 5335 of the Federal Transit Act (the National Transit Database) and make these data available to the NHDOT and MPOs as appropriate to their transit planning needs.
13. Consult with the MPOs at an early stage when preparing significant changes in routes, fares or schedules or when proposing major investments in the public transportation infrastructure.
14. Review, evaluate and provide timely recommendations to the MPOs regarding federally funded public transportation projects proposed in the region.
15. Complete all monthly, quarterly and annual reporting consistent with FTA requirements
16. Coordinate the collection and development of performance data to support local regional and statewide data metrics.

**APPENDIX B: TRANSIT PROVIDER SUB-AGREEMENTS
SUB-AGREEMENT BETWEEN RPC MPO, SNHPC MPO, NRPC MPO AND
COOPERATIVE ALLIANCE FOR REGIONAL TRANSPORTATION (CART)**

Recital:

WHEREAS, CART provides public transportation services within the Nashua NH-MA and Boston MA-NH-RI Urbanized Areas and in other portions of the two MPO regions; and

WHEREAS, CART is a Designated Recipient in the Urbanized Area for Federal Transit Administration (FTA) capital and operating aid under Sections 5307, 5310, 5339 and 5340 of the Federal Transit Act, as amended; and

WHEREAS, the RPC and SNHPC MPO's have transportation planning responsibilities overlapping the CART service area;

WHEREAS the NRPC MPO shares transportation planning responsibilities for the Nashua Urbanized Area communities within the CART service area;

THEREFORE, BE IT RESOLVED, that the following provisions of this Memorandum of Understanding are agreeable to all parties;

MPO Responsibilities:

1. Participate in negotiation process to split FTA 5307 Urbanized Area Formula funds, 5340 Growing States and High Density States funds, 5310 Enhanced Mobility for seniors and Individuals with Disabilities funds, and 5339 Bus and Bus Facilities Program funds apportioned to the Nashua NH-MA Urbanized Area..
2. Assist with data collection and analysis efforts necessary for various types of route level, system and regional planning. These include, but are not limited to, passenger counts, on-board passenger surveys, surveys of the general public, land use and demographic data, and system operating data.
3. Provide other technical assistance to the CART transit system as requested by CART.
4. Incorporate key data, analyses, findings and recommendations pertaining to the provision of regional transit services in the multi-modal RPC & SNHPC Metropolitan Transportation Plans. RPC and SNHPC will seek the input of CART in the development of short and long-range recommendations in their Plans. The Plans are updated on a biennial basis.
5. Incorporate transit projects into the Transportation Improvement Program. RPC and SNHPC will identify sources of funding, ensure that the projects are financially constrained, rank projects by regional priority, conduct air quality conformity analysis and undertake a public participation process that meets Federal requirements.

CART Responsibilities

CART shall be responsible for and shall be considered the lead agency in conducting the following transportation planning and programming activities:

1. Coordinating with and assisting the MPOs in the development and update of the Transit component(s) of their Transportation Plans, which may include, but not be limited to, transit system

policies and service demands, transit service modifications and extensions, transit fares, and transit system capital facility's needs;

2. Participate in the negotiation process to split FTA 5307 Urbanized Area Formula Funds, 5340 Growing States and High Density States funds, 5310 Enhanced Mobility for Seniors and Individuals with Disabilities funds, and 5339 Bus and Bus Facilities Program funds apportioned to the Nashua NH-MA Urbanized Area.
3. Providing information to the MPOs relative to the proposed programming of federal, state and local funds for metropolitan transit system improvements and services which fall under CART's jurisdiction;
4. Preparing and submitting applications for state and federal mass transportation capital and operating assistance grants and administering approved grants;
5. Conducting preliminary engineering and final design studies relating to public transportation capital facilities, including but not limited to transit stations, shelters, bus stop signs, garages, maintenance buildings, operator buildings, and rolling stock and sharing this information with the MPOs, NHDOT, and FTA;
6. Conducting detailed operational planning necessary to establish or modify transit routes, schedules, fares, stop locations, transfer points, vehicle assignments, and other operating procedures in accord with the proposals contained in transit component(s) of the MPO Transportation Plans, and sharing this information with the MPOs, NHDOT, and FTA;
7. Seeking MPO planning assistance utilizing Section 5303 or 5304 FTA funds as part of the MPOs' biennial UPWPs to complete various transit technical assistance, coordination, or planning activities;
8. Preparing and updating paratransit service plans in conformance with the Americans with Disabilities Act of 1990;
9. Endorsing or providing timely comment on the MPOs' transportation plans for use as a guide in local transit planning and programming activities;
10. Conducting planning for CART's transit marketing program, including but not limited to the conduct of market surveys, the design of user information materials, and the development of transit promotion programs;
11. Conducting transit management planning, including but not limited to activities related to personnel policies and training programs, maintenance policies, fare collection and handling procedures, and accounting practices; and
12. Collecting data to meet the requirements of Section 5335 of the Federal Transit Act (the National Transit Database) and make these data available to the NHDOT and MPOs as appropriate to their transit planning needs.
13. Consult with the MPOs at an early stage when preparing significant changes in routes, fares or schedules or when proposing major investments in the public transportation infrastructure.
14. Review, evaluate and provide timely recommendations to the MPOs regarding federally funded public transportation projects proposed in the region.

**APPENDIX B: TRANSIT PROVIDER SUB-AGREEMENTS
SUB-AGREEMENT BETWEEN RPC MPO, SRPC MPO AND
COOPERATIVE ALLIANCE FOR SEACOAST TRANSPORTATION (COAST)**

Recital:

WHEREAS, COAST provides public transportation services within the Urbanized Areas and in other portions of the two MPO regions; and

WHEREAS, COAST is a sub-recipient in the Urbanized Area for Federal Transit Administration (FTA) operating aid under Section 5307 of the Federal Transit Act, as amended; and

WHEREAS; the RPC and SRPC MPO's have transportation planning responsibilities overlapping the COAST service area;

THEREFORE, BE IT RESOLVED, that the following provisions of this Memorandum of Understanding are agreeable to all parties;

MPO Responsibilities

1. Assist with data collection and analysis efforts necessary for various types of route level, system and regional planning. These include, but are not limited to, passenger counts, on-board passenger surveys, surveys of the general public, land use and demographic data, and system operating data.
2. Provide other technical assistance to the COAST transit system as requested by COAST.
3. Incorporate key data, analyses, findings and recommendations pertaining to the provision of regional transit services in the multi-modal RPC & SRPC Metropolitan Transportation Plans. RPC and SRPC will seek the input of COAST in the development of short and long-range recommendations in their Plans. The Plans are updated on a biennial basis.
4. Incorporate transit projects into the Transportation Improvement Program. RPC and SRPC will identify sources of funding, ensure that the projects are financially constrained, rank projects by regional priority, conduct air quality conformity analysis and undertake a public participation process that meets Federal requirements.

COAST Responsibilities

COAST shall be responsible for and shall be considered the lead agency in conducting the following transportation planning and programming activities:

1. Coordinating with and assisting the MPOs in the development and update of the Transit component(s) of their Transportation Plans, which may include, but not be limited to, transit system policies and service demands, transit service modifications and extensions, transit fares, and transit system capital facilities needs;
2. Providing information to the MPOs relative to the proposed programming of federal, state and local funds for metropolitan transit system improvements and services which fall under COAST's jurisdiction;
3. Preparing and submitting applications for state and federal mass transportation capital and operating assistance grants and administering approved grants;

4. Conducting preliminary engineering and final design studies relating to public transportation capital facilities, including but not limited to transit stations, shelters, bus stop signs, garages, maintenance buildings, operator buildings, and rolling stock and sharing this information with the MPOs, NHDOT, and FTA;
5. Conducting detailed operational planning necessary to establish or modify transit routes, schedules, fares, stop locations, transfer points, vehicle assignments, and other operating procedures in accord with the proposals contained in transit component(s) of the MPO Transportation Plans, and sharing this information with the MPOs, NHDOT, and FTA;
6. Seeking MPO planning assistance utilizing Section 5303 or 5304 FTA funds as part of the MPOs' biennial UPWPs to complete various transit technical assistance, coordination, or planning activities;
7. Preparing and updating paratransit service plans in conformance with the Americans with Disabilities Act of 1990;
8. Endorsing or providing timely comment on the MPOs' transportation plans for use as a guide in local transit planning and programming activities;
9. Conducting planning for COAST's transit marketing program, including but not limited to the conduct of market surveys, the design of user information materials, and the development of transit promotion programs;
10. Conducting transit management planning, including but not limited to activities related to personnel policies and training programs, maintenance policies, fare collection and handling procedures, and accounting practices; and
11. Collecting data to meet the requirements of Section 5335 of the Federal Transit Act (the National Transit Database) and make these data available to the NHDOT and MPOs as appropriate to their transit planning needs.
12. Consult with the MPOs at an early stage when preparing significant changes in routes, fares or schedules or when proposing major investments in the public transportation infrastructure.
13. Review, evaluate and provide timely recommendations to the MPOs regarding federally funded public transportation projects proposed in the region.

APPENDIX B: TRANSIT PROVIDER SUB-AGREEMENTS
SUB-AGREEMENT BETWEEN SNHPC MPO AND MANCHESTER TRANSIT AUTHORITY (MTA)

Recital:

WHEREAS, MTA provides public transportation services within the Urbanized Area; and

WHEREAS, MTA is a Designated Recipient in the Urbanized Area for Federal Transit Administration (FTA) operating aid under Section 5307 of the Federal Transit Act, as amended; and

WHEREAS, the SNHPC MPO has transportation planning responsibilities overlapping the MTA service area;

THEREFORE, BE IT RESOLVED, that the following provisions of this Memorandum of Understanding are agreeable to all parties;

MPO Responsibilities

1. Assist with data collection and analysis efforts necessary for various types of route level, system and regional planning. These include, but are not limited to, passenger counts, on-board passenger surveys, surveys of the general public, land use and demographic data, and system operating data.
2. Provide other technical assistance to the MTA transit system as requested by MTA.
3. Incorporate key data, analyses, findings and recommendations pertaining to the provision of regional transit services in the multi-modal SNHPC Metropolitan Transportation Plan. SNHPC will seek the input of MTA in the development of short and long-range recommendations in their Plan. The Plans is updated on a biennial basis.
4. Collaborate with MTA on updates to the Short Range Transit Plan providing a five-year program for the continuing development of MTA's fixed-route bus and ADA complementary paratransit services.
5. Incorporate transit projects into the Transportation Improvement Program. RPC and SNHPC will identify sources of funding, ensure that the projects are financially constrained, rank projects by regional priority, conduct air quality conformity analysis and undertake a public participation process that meets Federal requirements.

MTA Responsibilities

MTA shall be responsible for and shall be considered the lead agency in conducting the following transportation planning and programming activities:

1. Coordinating with and assisting the MPO in the development and update of the Transit component(s) of their Transportation Plan, which may include, but not be limited to, transit system policies and service demands, transit service modifications and extensions, transit fares, and transit system capital facilities needs;
2. Collaborate with SNHPC on updates to the Short Range Transit Plan providing a five-year program for the continuing development of MTA's fixed-route bus and ADA complementary paratransit services.

3. Providing information to the MPO relative to the proposed programming of federal, state and local funds for metropolitan transit system improvements and services which fall under MTA's jurisdiction;
4. Preparing and submitting applications for state and federal mass transportation capital and operating assistance grants and administering approved grants;
5. Conducting preliminary engineering and final design studies relating to public transportation capital facilities, including but not limited to transit stations, shelters, bus stop signs, garages, maintenance buildings, operator buildings, and rolling stock and sharing this information with the MPO, NHDOT, and FTA;
6. Conducting detailed operational planning necessary to establish or modify transit routes, schedules, fares, stop locations, transfer points, vehicle assignments, and other operating procedures in accord with the proposals contained in transit component(s) of the MPO Transportation Plan, and sharing this information with the MPO, NHDOT, and FTA;
7. Seeking MPO planning assistance utilizing Section 5303 or 5304 FTA funds as part of the MPOs' biennial UPWPs to complete various transit technical assistance, coordination, or planning activities;
8. Preparing and updating paratransit service plans in conformance with the Americans with Disabilities Act of 1990;
9. Endorsing or providing timely comment on the MPO's transportation plan for use as a guide in local transit planning and programming activities;
10. Conducting planning for MTA's transit marketing program, including but not limited to the conduct of market surveys, the design of user information materials, and the development of transit promotion programs;
11. Conducting transit management planning, including but not limited to activities related to personnel policies and training programs, maintenance policies, fare collection and handling procedures, and accounting practices; and
12. Collecting data to meet the requirements of Section 5335 of the Federal Transit Act (the National Transit Database) and make these data available to the NHDOT and MPOs as appropriate to their transit planning needs.
13. Consult with the MPOs at an early stage when preparing significant changes in routes, fares or schedules or when proposing major investments in the public transportation infrastructure.
14. Review, evaluate and provide timely recommendations to the MPOs regarding federally funded public transportation projects proposed in the region

**APPENDIX C: TRANSIT PROVIDER SUB-AGREEMENTS
SUB-AGREEMENT BETWEEN RPC MPO, SRPC MPO AND
UNIVERSITY OF NEW HAMPSHIRE WILDCAT TRANSIT**

Recital:

WHEREAS, the University of New Hampshire Wildcat Transit services (“UNH Wildcat Transit and Campus Connector”) provides university and regional transportation services that are open to the general public within the Urbanized Areas and in other portions of the two MPO regions; and

WHEREAS, UNH Wildcat Transit receives capital and capital operating funding assistance under the federal Congestion Mitigation & Air Quality (CMAQ) program (which when awarded is granted under the FTA 5307 program), may receive capital funding assistance under the FTA 5339 Bus and Bus Facilities Program, and may also receive FTA 5307 capital funding assistance, as authorized for transfer by the NHDOT from the Boston UZA and other new programs that may become available; and

WHEREAS, the RPC and SRPC MPO’s have transportation planning responsibilities overlapping the UNH Wildcat Transit service area;

THEREFORE, BE IT RESOLVED, that the following provisions of this Memorandum of Understanding is agreeable to all parties;

MPO Responsibilities

1. Incorporate key data, analyses, findings and recommendations pertaining to the provision of regional transit services in the multi-modal RPC & SRPC Metropolitan Transportation Plans. RPC and SRPC will seek the input of UNH Wildcat Transit in the development of short and long-range recommendations in their Plans. The Plans are updated on a biennial basis.
2. Incorporate transit projects into the Transportation Improvement Program. RPC and SRPC will identify sources of funding, ensure that the projects are financially constrained, rank projects by regional priority, conduct air quality conformity analysis and undertake a public participation process that meets Federal requirements.
3. Provide other technical assistance to the system as requested by UNH Wildcat Transit and mutually agreed upon by the two agencies.

UNH Wildcat Transit Responsibilities

UNH Wildcat Transit shall be responsible for and shall be considered the lead agency in conducting the following transportation planning and programming activities:

1. Coordinating with and assisting the MPOs in the development and update of the Transit component(s) of each agency’s Transportation Plans, which may include, but not be limited to, transit system policies and service demands, transit service modifications and extensions, transit fares, and transit system capital facilities needs;
2. Providing information to the MPOs relative to the proposed programming of federal, state and local funds for metropolitan transit system improvements and services which fall under UNH Wildcat Transit’s jurisdiction;

3. Preparing and submitting applications for state and federal mass transportation capital and capital operating assistance grants and administering approved grants;
4. Conducting preliminary engineering and final design studies relating to university and public transportation capital facilities, including but not limited to transit stations, shelters, bus stop signs, garages, maintenance buildings, operator buildings, and rolling stock and sharing this information with the MPOs, NHDOT, and FTA;
5. Conducting detailed operational planning necessary to establish or modify transit routes, schedules, fares, stop locations, transfer points, vehicle assignments, and other operating procedures in accord with the proposals contained in transit component(s) of the MPO Transportation Plans, and sharing this information with the MPOs, NHDOT, and FTA;
6. Seeking MPO support with various transit technical assistance, coordination, or planning activities as resources in MPO biennial UPWPs allow;
7. Preparing and updating paratransit service plans in conformance with the Americans with Disabilities Act of 1990;
8. Endorsing or providing timely comment on the MPOs' transportation plans for use as a guide in local transit planning and programming activities;
9. Conducting planning for UNH Wildcat Transit's transit marketing program, including but not limited to the conduct of market surveys, the design of user information materials, and the development of transit promotion programs;
10. Conducting transit management planning, including but not limited to activities related to personnel policies and training programs, maintenance policies, fare collection and handling procedures, and accounting practices; and
11. Collecting data to meet the requirements of Section 5335 of the Federal Transit Act (the National Transit Database) and make these data available to the NHDOT and MPOs as appropriate to their transit planning needs.
12. Consult with the MPOs at an early stage when preparing significant changes in routes, fares or schedules or when proposing major investments in their transit infrastructure.
13. Review, evaluate and provide timely recommendations to the MPOs regarding federally funded public transportation projects proposed in the region.

**MEMORANDUM OF UNDERSTANDING (MOU)
FOR
COORDINATION OF TRANSPORTATION PLANNING**

BETWEEN THE:

STATE OF NEW HAMPSHIRE, DEPARTMENT OF TRANSPORTATION

CENTRAL NEW HAMPSHIRE REGIONAL PLANNING COMMISSION, AND

SOUTHERN NEW HAMPSHIRE PLANNING COMMISSION

**RECEIVED
JUN 29 2015**

1. Background and Purpose

BY authority of the Governor of New Hampshire, the Southern New Hampshire Planning Commission (SNHPC) is the designated Metropolitan Planning Organization (MPO) for the Manchester Urbanized Area (UZA); and the Central New Hampshire Regional Planning Commission (CNHRPC) is the Regional Planning Commission (RPC) for the towns of Allenstown, Bow and Pembroke. The purpose of this MOU is to establish the MPO planning area boundaries and transportation planning and programming responsibilities as they relate to the towns of Allenstown, Bow and Pembroke that include portions of the Manchester UZA extending into the CNHRPC RPC.

- A. As shown in Figure 1, the Year 2010 Census Manchester UZA extends into the Town of Bow along NH 3A and into the towns of Allenstown and Pembroke along the US3/NH 28 corridor. By Federal statute, an MPO is required where there is a UZA. In this case, the Manchester UZA, of which SNHPC is the designated MPO, extends into the CNHRPC RPC planning area.
- B. The CNHRPC is responsible for the transportation planning and programming activities for the towns of Allenstown, Bow and Pembroke.

2. General Points of Understanding and Agreement

- A. CNHRPC and SNHPC, in direct consultation with NHDOT agree that, as SNHPC is the designated MPO for the Manchester UZA, SNHPC will be responsible for maintaining the continuing, comprehensive, and coordinated (3-C) MPO planning process for the Manchester UZA including the towns of Allenstown, Bow and Pembroke. This agreement does not alter the current makeup of the CNHRPC and SNHPC member communities.
- B. Each agency agrees to carry out the transportation planning and programming processes in their respective areas in a cooperative and coordinated fashion, and in compliance with federal planning regulations for each respective area.
- C. Staff from each agency will communicate regularly, share information, and meet as needed to achieve the required level of cooperation and coordination. Particular regard to this coordination should be carried out for projects, plans and programs within or including the portions of the Manchester UZA in the towns of Allenstown, Bow and Pembroke.
- D. This agreement will be reviewed when a signatory agency identifies the need for a review.

3. Specific Points of Understanding and Agreement

A. MPO Metropolitan Planning Area (MPA) Boundary

The boundary of the SNHPC MPO MPA will be modified to include the portions of the Manchester UZA in Allenstown, Bow and Pembroke. These communities will be designated as voting members of the SNHPC MPO in order to ensure that they are allowed every opportunity to actively participate in a 3-C planning process for the Manchester UZA.

B. Membership in SNHPC MPO TAC

The Towns of Allenstown, Bow and Pembroke will be invited to become voting members of the SNHPC TAC in order to actively participate in the MPO planning process for the Manchester UZA. CNHRPC will continue as a non-voting member of the SNHPC TAC.

C. CNHRPC/SNHPC TIP/RTP

Federally funded transportation improvement projects or other regionally significant projects located in those portions of the towns of Allenstown, Bow and Pembroke within the Manchester UZA will appear in both the CNHRPC and SNHPC Transportation Improvement Program (TIP) and long-range regional transportation plans (RTP). Procedures used to select projects within these areas for inclusion in TIPs and RTPs will be mutually agreed upon by CNHRPC, SNHPC and NHDOT. These agreed upon procedures will be coordinated through NHDOT and the FHWA New Hampshire Division Office.

D. Air Quality Planning

Portions of the Southern New Hampshire area were designated as non-attainment for ground level ozone by the US Environmental Protection Agency in April of 2004. The area was re-designated as "unclassifiable/attainment" in May of 2012 taking effect in July, 2013. SNHPC currently maintains a regional travel demand model which is used for air quality planning in the SNHPC MPO area. In order to continue to utilize the SNHPC regional travel demand model for air quality planning, the model will be updated to incorporate at a minimum the towns of Allenstown, Bow and Pembroke. CNHRPC will assist SNHPC in this update by making available information pertaining to the composition and operation of their current regional travel demand model. The update will be accomplished to the extent possible through the use of the traffic analysis zones, model network and trip table of the current CNHRPC model as well as any other available inputs from the CNHRPC model as appropriate.

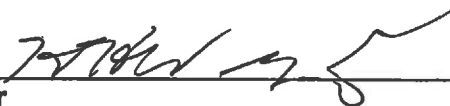
E. SNHPC UPWP Plans, Programs and Projects

The SNHPC Unified Planning Work Program (UPWP) has been designed to: 1) meet local needs; 2) be consistent with the 3C planning requirements; 3) address Federal planning requirements and 4) comply with New Hampshire's 2014 – 2015 Planning Emphasis Areas (PEA's) as established by the New Hampshire Division of FHWA and FTA Region I. SNHPC and CNHRPC will cooperate and coordinate regarding the participation of Allenstown, Bow and Pembroke in projects included in the SNHPC UPWP that may have a bearing on the maintenance of the 3-C planning process for the Manchester UZA and SNHPC MPO area. Projects considered in this fashion may include but not be limited to the following:

- ITS Architecture for the SNHPC Region
- Congestion Management Process for the SNHPC Region
- Specific corridor studies
- HSIP projects
- CMAQ/TAP grant applications
- TIP update
- RTP update
- Highway Functional Classification/NHS Updates
- Multi-modal planning and coordination

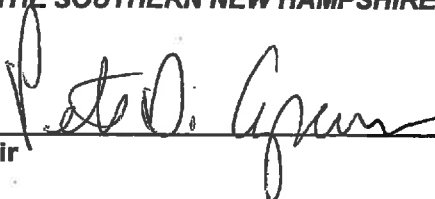
IN WITNESS WHEREOF, the parties have hereto caused this Memorandum of Understanding to be executed by their proper officers and representatives.

FOR THE CENTRAL NEW HAMPSHIRE REGIONAL PLANNING COMMISSION:

by 
Chair

Date 6/19/15

FOR THE SOUTHERN NEW HAMPSHIRE PLANNING COMMISSION:

by 
Chair

Date 30 June '15

FOR THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION:

by 
Commissioner or Designee

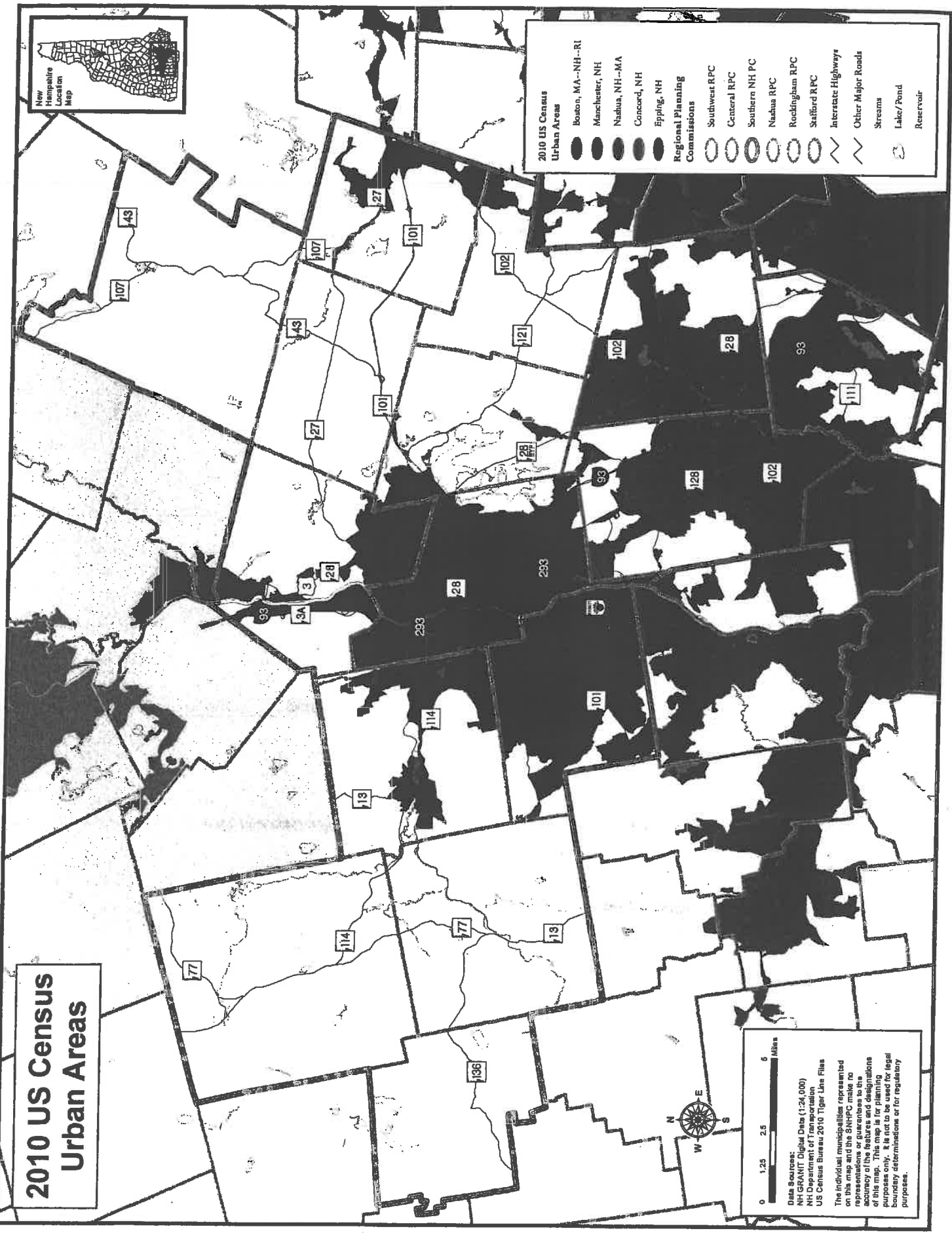
Date 7/7/15

2010 US Census Urban Areas



2010 US Census Urban Areas

- Boston, MA--NH--RI
- Manchester, NH
- Nashua, NH--MA
- Concord, NH
- Epping, NH
- Regional Planning Commissions
- Southwest RPC
- General RPC
- Southern NH PC
- Nashua RPC
- Rockingham RPC
- Stafford RPC
- Interstate Highways
- Other Major Roads
- Streams
- Lake/Pond
- Reservoir



0 1.25 2.5 6 Miles

Data Sources:
 NH GRANIT Digital Data (1:24,000)
 NH Department of Transportation
 US Census Bureau 2010 Tiger Line Files

The individual municipalities represented on this map and the SNHPC make no representations or guarantees to the accuracy of the features and designations of this map. This map is for planning purposes only. It is not to be used for legal boundary determinations or for regulatory purposes.



IN WITNESS WHEREOF, the parties have hereto caused this Memorandum of Understanding to be executed by their proper officers and representatives.

Signed, Sealed and Delivered in the presence of:

FOR THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION:

By William Case
Commissioner or Designee, NH DOT

Date 8/6/15

Witness Sharon L Allaire

Date 8/6/15

IN WITNESS WHEREOF, the parties have hereto caused this Memorandum of Understanding to be executed by their proper officers and representatives.

Signed, Sealed and Delivered in the presence of:

FOR THE NASHUA REGIONAL PLANNING COMMISSION:

By 
Chair, Nashua Regional Planning Commission

Date 6/17/15

Witness Karen M. Baker

Date 6/17/15

IN WITNESS WHEREOF, the parties have hereto caused this Memorandum of Understanding to be executed by their proper officers and representatives.

Signed, Sealed and Delivered in the presence of:

FOR THE ROCKINGHAM PLANNING COMMISSION:

By Phillip E. Wilson
Chair, Rockingham Planning Commission

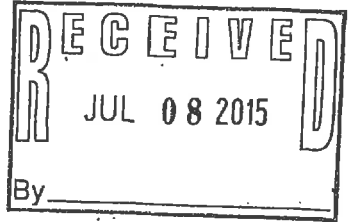
Date 29 July 15

Witness Cliff Sinnott
(Cliff Sinnott)

Date 7-29-2015

IN WITNESS WHEREOF, the parties have hereto caused this Memorandum of Understanding to be executed by their proper officers and representatives.

Signed, Sealed and Delivered in the presence of:



FOR THE SOUTHERN NEW HAMPSHIRE PLANNING COMMISSION:

By Pete O. Gynn
Chair, Southern NH Planning Commission

Date 1 July '15

Witness Linda Moore

Date 7/1/15


IN WITNESS WHEREOF, the parties have hereto caused this Memorandum of Understanding to be executed by their proper officers and representatives.

Signed, Sealed and Delivered in the presence of:

FOR THE STRAFFORD REGIONAL PLANNING COMMISSION:

By 
Chair, Strafford Regional Planning Commission

Date 7/17/2015

Witness 

Date 7/17/2015

IN WITNESS WHEREOF, the parties have hereto caused this Memorandum of Understanding to be executed by their proper officers and representatives.

Signed, Sealed and Delivered in the presence of:

FOR THE CITY OF NASHUA/NASHUA TRANSIT SYSTEM

BY *Frankie Ryan*
Mayor, City of Nashua

Date *June 10-2015*

Witness *Brenda J. Cloutier*

Date *6/10/15*

IN WITNESS WHEREOF, the parties have hereto caused this Memorandum of Understanding to be executed by their proper officers and representatives.

Signed, Sealed and Delivered in the presence of:

FOR THE COOPERATIVE ALLIANCE FOR REGIONAL TRANSPORTATION (CART):

By  Date 8/4/15
Vice Chair, CART Board of Directors

Witness  Date 8/4/15

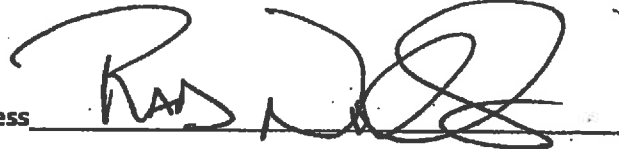
IN WITNESS WHEREOF, the parties have hereto caused this Memorandum of Understanding to be executed by their proper officers and representatives.

Signed, Sealed and Delivered in the presence of:

FOR THE COOPERATIVE ALLIANCE FOR SEACOAST TRANSPORTATION (COAST):

By 
Chair, COAST Board of Directors

Date 6/24/15

Witness 

Date 6/24/15

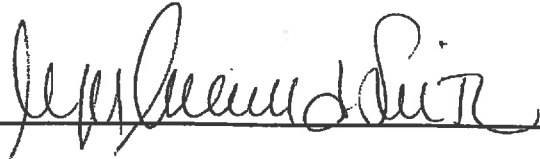
IN WITNESS WHEREOF, the parties have hereto caused this Memorandum of Understanding to be executed by their proper officers and representatives.

Signed, Sealed and Delivered in the presence of:

FOR THE MANCHESTER TRANSIT AUTHORITY

By 
Executive Director, Manchester Transit Authority

Date 11 Jun 2015

Witness 

Date 6/11/15

IN WITNESS WHEREOF, the parties have hereto caused this Memorandum of Understanding to be executed by their proper officers and representatives.

Signed, Sealed, and Delivered in the presence of:

FOR UNIVERSITY OF NEW HAMPSHIRE WILDCAT TRANSIT SERVICE:

By  Date 11/22/16

Witness  Date 11/22/16

Appendix D – Air Quality Rules

ADMINISTRATIVE RULE FOR AIR QUALITY CONFORMITY DETERMINATION AND SIP REVISIONS GOVERNING CONFORMITY DETERMINATIONS OF: TRANSPORTATION PLAN, PROGRAMS AND PROJECTS (pursuant to approved modifications or amendments by the New Hampshire Legislative Body)

ENV-A 1500 - TRANSPORTATION CONFORMITY

2011-80 Adopted to be effective 10-01-11

<http://des.nh.gov/organization/commissioner/legal/rules/documents/env-a1500.pdf>

Effective October 1, 2011, Env-A 1500 reads as follows:

CHAPTER Env-A 1500 CONFORMITY

Statutory Authority: RSA 125-C:4, I(a)

PART Env-A 1501 PURPOSE AND APPLICABILITY

Env-A 1501.01 Purpose.

The purpose of this chapter is to implement §176 of the Clean Air Act (the Act), as amended, and 40 CFR 93, relative to conformity determinations for transportation plans, programs, and projects and federal actions, to ensure that the purpose and intent of the state implementation plan (SIP) are being met.

Env-A 1501.02 Applicability.

This chapter shall apply as specified in Env-A 1503.02 and Env-A 1504.02.

PART Env-A 1502 REFERENCES AND DEFINITIONS

Env-A 1502.01 References.

- (a) For the purpose of this chapter, unless otherwise specified all references to 23 CFR 450 shall be to the April 1, 2011 edition.
- (b) For the purpose of this chapter, unless otherwise specified all references to 40 CFR 93, including any subpart thereof, shall be to the July 1, 2011 edition.

Env-A 1502.02 Federal Definitions Incorporated.

Except as specified in Env-A 1502.03 or Env-A 1504.03, the definitions contained in and referred to in 40 CFR §93.101 shall apply to the terms used in this chapter.

Env-A 1502.03 Definitions.

- (a) “Interagency consultation” means a meeting or other formal consultation process convened or initiated pursuant to Env-A 1503.08.

(b) “Large scale development” means a development that is expected to generate 10,000 or more vehicle trip ends on any typical summer day.

(c) “Long-range statewide transportation plan” means “long-range statewide transportation plan” as defined in 23 CFR §450.104, namely “the official, statewide, multimodal, transportation plan covering a period of no less than 20 years developed through the statewide transportation planning process.”

(d) “Maintenance area” means any geographic region of New Hampshire previously designated as a nonattainment area pursuant to the Act, and subsequently redesignated to attainment subject to the requirement to develop a maintenance plan that is subject to transportation conformity measures under §175A of the Act.

(e) “Metropolitan planning organization (MPO)” means “metropolitan planning organization” as defined in 23 CFR §450.104, namely “the policy board of an organization created and designated to carry out the metropolitan transportation planning process.”

(f) “Nonattainment area” means any geographic region in New Hampshire designated as a nonattainment area by EPA under §107 of the Act for any pollutant for which a NAAQS exists.

(g) “Provide access to” means:

(1) For any document(s) for which access is being provided to a specific entity (recipient entity), to do one or more of the following:

a. Send a paper or electronic copy of each document to each recipient entity;

b. Post a copy of each document on a web site that is accessible by each recipient entity and notify the recipient entity(ies) of the document’s URL; or

c. Make a paper or electronic copy of each document available for inspection at the providing entity’s office and notify each recipient entity of the availability of the document for inspection; or

(2) For documents for which access is being provided to the public, to comply with the requirements of RSA 91-A:4.

(h) “Regional planning commission (RPC)” means any specific planning region as delineated by the office of energy and planning or otherwise established as specified in RSA 36:45 through RSA 36:58. For the purposes of this chapter, the reference to RPCs includes only those RPCs with municipalities located in a nonattainment or maintenance area.

(i) “Significant comments” means, for purposes of conformity findings, comments relating to any issue or data that have the potential to change the outcome of a conformity determination, including but not limited to the following:

(1) Incorrect project design concept and scope that could affect emissions analysis;

(2) Improper or missing analysis years;

(3) Regionally significant projects improperly reflected in the emissions analysis;

(4) Incorrect emission factors;

(5) Missing pollutant analyses;

(6) Projects improperly placed in a baseline scenario;

(7) Incorrect comparison with SIP emissions budgets; and

(8) Failure to list not exempt projects as specified in Env-A 1503.14 in the emissions analysis.

(j) “Statewide transportation improvement program (STIP)” means “a statewide transportation improvement program (STIP)” as defined in 23 CFR §450.104, namely “a statewide prioritized listing/ program of transportation projects covering a period of four years that is consistent with the long-range statewide transportation plan, metropolitan transportation plans, and TIPs, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.”

(k) “Transportation improvement program (TIP)” means “a transportation improvement program (TIP)” as defined in 23 CFR §450.104, namely “a prioritized listing/program of transportation projects covering a period of four years that is developed and formally adopted by an MPO as part of the metropolitan transportation planning process, consistent with the metropolitan transportation plan, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.”

PART Env-A 1503 TRANSPORTATION CONFORMITY

Env-A 1503.01 Purpose. The purpose of this part is to implement the following provisions relating to transportation conformity:

(a) The consultation procedures required by 40 CFR §93.105;

(b) The control measures required by 40 CFR §93.122(a)(4)(ii); and

(c) The mitigation measures required by 40 CFR §93.125(c).

Env-A 1503.02 Applicability. This part shall apply as specified in 40 CFR §93.102.

Env-A 1503.03 Conformity to State and Federal Implementation Plans.

(a) All transportation plans, programs, and projects developed, funded, or approved by the state of New Hampshire shall conform to the SIP or federal implementation plan (FIP) developed pursuant to §110 and §§171 through 193 of the Act.

(b) Conformity determinations shall be made in accordance with §176 of the Act and 40 CFR 93, Subpart A.

Env-A 1503.04 Metropolitan Planning Organizations (MPOs).

(a) When used in this chapter, the term “metropolitan planning organizations (MPOs)” shall include the Southern New Hampshire MPO, the Nashua MPO, the Strafford MPO, and the Rockingham MPO.

(b) Each MPO shall serve as a forum for cooperative transportation decision-making.

Env-A 1503.05 Roles and Responsibilities of the Department. The department shall:

(a) Develop and implement the SIP and its revisions;

(b) Monitor progress in achieving the NAAQS;

(c) Consult with representatives of the NH department of transportation (NHDOT), MPOs, RPCs, EPA, Federal Highway Administration (FHWA), and Federal Transit Administration (FTA) at the initiation of and during the development of SIP revisions pertaining to mobile sources, including those relating to inventories, budgets, forecasts, and strategies for reduction of emissions, transportation control measures (TCMs), transportation conformity, general conformity, area classifications, and redesignations;

(d) Coordinate with EPA on issues related to the SIP and transportation;

(e) Coordinate with NHDOT, MPOs, RPCs, and EPA to determine inputs for air quality analysis emissions modeling on MPO transportation improvement programs (TIPs), transportation plans, and projects;

(f) Provide assistance to NHDOT, RPCs, and MPOs during transportation planning processes relating to air quality, including but not limited to emissions modeling, emissions budget comparisons, exempt/not exempt project lists, and regionally significant projects;

(g) Review and provide comments on the conformity determinations for metropolitan transportation plans, TIPs, and NHDOT regional emissions analyses of transportation projects outside MPO areas or in areas covered by more than one MPO; and

(h) Forward unresolved disputes regarding conformity determinations to the governor of New Hampshire for resolution in accordance with Env-A 1503.18.

Env-A 1503.06 Roles and Responsibility of NHDOT. In implementing 23 CFR 450, NHDOT shall:

(a) Act as the lead agency responsible for coordinating and planning multi-regional and statewide transportation systems;

(b) Develop a long-range statewide transportation plan and a statewide transportation improvement program (STIP) as specified in RSA 228:99;

(c) Obtain required FHWA and FTA approvals for the STIP;

(d) Develop, in coordination with MPOs and the department, current estimates of vehicle miles traveled (VMT) for each nonattainment or maintenance area and forecasts of VMT necessary for input to the SIP;

(e) Provide assistance to MPOs in performing analysis leading to transportation conformity determinations in their regions;

(f) Conduct analyses and make transportation conformity determinations for all projects outside MPO boundaries, but within nonattainment or maintenance areas;

(g) Make project-level conformity determinations as required by 40 CFR 93.116, including hot-spot analyses in carbon monoxide (CO) nonattainment or maintenance areas, for all projects in the STIP;

(h) Coordinate interagency consultation with MPOs, the department, RPCs, EPA, FHWA, and FTA at the initiation of and during the transportation conformity determinations and transportation planning processes relating to air quality issues such as VMT and speed estimates, exempt/not exempt project lists, emissions modeling, emissions budget comparisons, and regionally significant projects;

- (i) Coordinate conformity determinations in nonattainment or maintenance areas consisting of more than one MPO area;
- (j) Evaluate, select, maintain, and update a statewide transportation model capable of emissions analysis in non-attainment areas outside MPO boundaries, in consultation with the department;
- (k) Coordinate and consult with the department and EPA to determine appropriate data inputs into air quality models used for emissions analysis in conformity determinations to ensure consistency with the SIP;
- (l) Consult with MPOs, RPCs, and the department in the selection and development of TCMs if determined to be necessary or desirable to attain the NAAQS and in the preparation of the SIP with respect to these measures;
- (m) Provide assistance and comments to the department on SIP revisions dealing with mobile source issues;
- (n) Notify the department, MPOs, RPCs, FHWA, FTA, and EPA of STIP amendments which add or delete exempt and non-exempt projects;
- (o) Document timely implementation of TCMs which are in the SIP and transportation projects in the STIP which have positive air quality impacts; and
- (p) In cooperation with MPOs, develop a list of regionally significant public or private transportation projects in accordance with Env-A 1501.14(c).

Env-A 1503.07 Roles and Responsibilities of MPOs. In implementing 23 CFR 450, each MPO shall:

- (a) Develop a metropolitan transportation plan;
- (b) Develop TIPs;
- (c) Assist the department and NHDOT in determining current estimates of VMT and forecasts of VMT necessary for input to the SIP development process;
- (d) Implement public involvement procedures in the development of its metropolitan transportation plan and TIPs including conformity determinations;
- (e) Make conformity determinations for its metropolitan transportation plan and TIPs, with assistance from NHDOT and the department;
- (f) Coordinate and consult with NHDOT, EPA, and the department to determine appropriate data inputs into emissions analysis models used for emissions analysis in conformity determinations to ensure consistency with the SIP;
- (g) Consult with the department and NHDOT in the selection and development of TCMs for the MPO area, if the department determines that TCMs are necessary or desirable to attain the NAAQS, and assist in the analysis of these measures for inclusion in the SIP;
- (h) Provide assistance and comments to the department on SIP revisions dealing with mobile source issues in the MPO area;
- (i) Consult with the department, NHDOT, EPA, FHWA, RPCs, and FTA in transportation conformity determinations and transportation planning processes relating to air quality issues including but not limited to

VMT, speed estimates, emissions modeling, and emissions budget comparisons, exempt/not exempt project lists, and regionally significant projects;

(j) Notify NHDOT, FHWA, FTA, EPA, other MPOs, RPCs, and the department of any amendments to the MPO's metropolitan transportation plan or TIPs that add or delete exempt and non-exempt projects;

(k) Evaluate, select, maintain, and update regional transportation models in nonattainment or maintenance areas in cooperation with NHDOT, RPCs, and the department;

(l) Document implementation of TCMs which are in the SIP and transportation projects in the MPO's metropolitan transportation plan and TIPs which have positive air quality impacts;

(m) Through interagency consultation, develop a list of regionally significant projects in the MPO's area and provide the list to NHDOT and the department; and

(n) Provide preliminary conformity findings to the department.

Env-A 1503.08 Interagency Consultation.

(a) To facilitate the consultation required by 40 CFR §93.105, NHDOT shall schedule and convene consultation meetings relating to the transportation conformity process as follows:

(1) Regular meeting shall be held no less frequently than semi-annually; and

(2) Additional meetings may be held as needed to facilitate interagency communications.

(b) NHDOT shall invite the department, MPOs, RPCs, EPA, FHWA, and FTA to participate in each meeting convened pursuant to (a), above, provided however that a meeting shall qualify as a regular meeting under (a)(1), above, only if representatives of NHDOT, the department, and MPOs are present. One or more representatives may participate by electronic means provided the individual can hear and be heard simultaneously by all other attendees.

(c) Any invitee listed in (b), above, may request NHDOT to schedule an interagency consultation meeting at any time.

(d) The purpose of regular interagency consultation meetings shall be to discuss topics relevant to transportation conformity requirements, including but not limited to the following:

1) Development of a SIP or SIP revisions, including but not limited to those involving transportation-related issues and mobile sources;

(2) Development of a metropolitan transportation plan or TIP, minor revisions to a TIP, or any amendment(s) to a TIP, and any determination of conformity for such plans;

(3) Emissions budgets;

(4) TCMs and mitigation measures pursuant to 40 CFR 93.125(c) and 93.122(a)(4)(ii), respectively, that are in the SIP or are being considered for inclusion in the SIP;

(5) Evaluation and determination of events that will trigger new conformity determinations; and

(6) Coordination of emissions analyses for transportation activities that cross the borders of

MPOs or nonattainment or maintenance areas or include areas outside of MPO boundaries.

Env-A 1503.09 Access to Materials.

- (a) NHDOT or each MPO, as appropriate, shall provide access to the following materials to the department no later than at the start of the public comment period for the metropolitan transportation plan, TIP, or regional emissions analyses performed by NHDOT outside MPO areas:
- (1) Lists of exempt/not exempt projects and regionally significant projects, regardless of funding source;
 - (2) Metropolitan transportation plans, TIPs, and corresponding air quality analyses and conformity determinations and analyses of all projects outside MPO boundaries, but within the nonattainment or maintenance area;
 - (3) Amendments to the metropolitan transportation plans and TIPs and significant changes in project design and scope since the previous conformity determination;
 - (4) Notices of public hearings and public comment periods for the metropolitan transportation plans, TIPs, or regional emissions analyses performed by NHDOT;
 - (5) All correspondence received from EPA, FHWA, FTA, or MPOs regarding conformity determinations and/or transportation planning processes relating to air quality issues; and
 - (6) STIP amendments in nonattainment or maintenance areas outside MPO areas.
- (b) The department shall provide access to the following materials to NHDOT, EPA, FHWA, FTA, MPOs, and RPCs for comment during the SIP development process and conformity determination process:
- (1) SIP revisions pertaining to mobile sources including inventories, budgets, forecasts, and strategies for reduction of emissions, TCMs, transportation conformity, general conformity, area classifications, and redesignations;
 - (2) Proposed and final inputs to emissions analyses models necessary for SIP development and conformity determinations;
 - (3) Comments and guidance from EPA to the department regarding SIP development issues relating to mobile sources and transportation; and
 - (4) Notices of public hearings and public comment periods on SIP revisions regarding mobile sources or emissions budgets.
- (c) Each MPO shall provide access to its metropolitan transportation plan and TIPs that have received a final conformity determination by the MPO to NHDOT and to the department.
- (d) NHDOT shall provide access to the following materials as noted:
- (1) The metropolitan transportation plans and TIPs to FHWA, EPA, and FTA for conformity findings; and
 - (2) Any final regional emissions analysis for non-attainment or maintenance areas outside MPO boundaries to the department, each MPO, the affected RPC, EPA, FHWA, and FTA.
- (e) Access to all materials specified in (b) through (d), above, also shall be provided to the public for review and comment.

Env-A 1503.10 Responding to Comments.

(a) After reviewing comments received on conformity determinations performed for TIPs, metropolitan transportation plans, and any non-attainment or maintenance areas outside the MPO areas, NHDOT shall:

(1) Document and respond to significant comments; and

(2) Include a compilation of written comments and responses in any final conformity determinations.

(b) After reviewing comments received on draft conformity determinations for the metropolitan transportation plan and TIP, each MPO shall:

(1) Document and respond to significant comments; and

(2) Include a compilation of written comments and responses in the final metropolitan transportation plan and TIP conformity determination.

(c) If any significant comment requires additional analysis, NHDOT, the department, and the appropriate MPO(s) shall establish the appropriate course of action pursuant to 40 CFR 93, Subpart A.

Env-A 1503.11 Transportation Control Measures.

(a) If, after consultation as described in Env-A 1503.05(c), the department determines the need for TCMs in the SIP, the following actions shall occur:

(1) The department shall request NHDOT to coordinate an interagency consultation to identify the quantity of emissions reductions necessary;

(2) The department, NHDOT, affected MPO(s), and RPCs shall each prepare a list of appropriate TCM(s) which potentially achieve the emissions reductions required, quantify the emissions benefits from their proposed projects, and review funding availability, scheduling, and permitting issues for the proposed TCM(s);

(3) NHDOT shall coordinate an interagency consultation to discuss the list of TCM(s) and corresponding emissions benefits to be incorporated into the SIP;

(4) The TCM(s) selected shall be incorporated into the affected metropolitan transportation plan(s), affected TIP(s), and the STIP, if necessary, and go through the applicable public participation process(es) necessary to amend the STIP, TIP(s), and/or metropolitan transportation plan(s);

(5) The TCM(s) shall include a written commitment to implement the measure from the responsible entity per 40 CFR 93.122(a)(4)(ii); and

(5) The department shall develop a SIP revision in accordance with §110 of the Act which incorporates the selected TCM(s) according to the implementation time frame agreed to by the affected MPO(s), NHDOT, and the department.

(b) If TCMs are incorporated into the SIP, NHDOT shall:

(1) Track the implementation of the TCM project and provide periodic updates no less than annually on implementation to the department, the affected MPO(s), and RPCs;

- (2) Prepare an update on TCM(s), if any, identified in the SIP prior to conformity determinations and provide the update to the department, affected MPO(s) and RPCs; and
- (3) Coordinate an interagency consultation if TCM(s) are not on schedule or if funding for the project is in jeopardy.

Env-A 1503.12 Regionally Significant Projects.

(a) Projects that are considered regionally significant for purposes of regional emissions analysis shall include any transportation project that:

- (1) Is not otherwise required to be included in the metropolitan transportation plan, TIPs, or STIP;
- (2) Is not considered exempt according to the federal transportation conformity rule, 40 CFR §93.126 and 40 CFR §93.127; and
- (3) Is expected to have a significant impact on travel patterns, consistent with the definition of regionally significant in 40 CFR §93.101 and as determined through interagency consultation.

(b) Each MPO shall:

- (1) Maintain a list of regionally significant projects for inclusion in the conformity determinations in its area based on information requested from communities in the MPO through established committees including technical advisory committees and other public participation; and
- (2) Provide access to the list of regionally significant projects to NHDOT and the department.

(c) Pursuant to 23 CFR 450, NHDOT shall:

- (1) Develop a list of regionally significant projects in nonattainment or maintenance areas outside an MPO area based on information regarding state funded or permitted projects and on information gathered from RPCs in the nonattainment or maintenance areas;
- (2) In cooperation with the MPOs and RPCs, combine the list described in (1), above, with the list of regionally significant projects, described in (b)(1), above, from the MPOs and RPCs;
- (3) Provide access to the combined list described in (2), above, to the department, the MPOs, RPCs, EPA, FHWA, and FTA as part of conformity determinations of the metropolitan transportation plan, TIP or regional emissions analyses of projects outside MPO areas; and
- (4) Provide information on regionally significant projects within MPO and RPC areas to the affected MPO(s) and RPCs.

(d) When an application is received from a major traffic generator for access to a state-maintained highway, NHDOT shall:

- (1) Notify the affected MPO and RPC to make the MPO and RPC aware of potential traffic impacts from major traffic generators; and
- (2) If the application results in a transportation project which meets the criteria of a regionally significant project, include that project on its list of regionally significant projects circulated as specified in (c), above.

Env-A 1503.13 Emissions and Transportation Modeling. Pursuant to 23 CFR 450:

(a) NHDOT shall coordinate an interagency consultation for the evaluation and selection of both microscale and mesoscale emissions models used in the conformity determination process for metropolitan transportation plans, TIPs, and projects.

(b) MPOs shall:

(1) Evaluate and select the appropriate travel demand models for their area with input from NHDOT;

(2) At the time of initial model selection or at the time when an MPO has decided to change to a new model, notify EPA, FHWA, FTA, and the department; and

(3) If MPOs are located in nonattainment or maintenance areas, maintain regional transportation models.

(c) NHDOT, FHWA, and FTA shall have an opportunity to comment on the development and maintenance efforts of these models through approval of the unified planning work program.

(d) In areas where transportation models exist currently or are required in the future, MPOs shall update, at least every 2 years, land use assumptions in the model to reflect any large scale developments approved subsequent to the date of the last update.

Env-A 1503.14 Exempt/Not Exempt Project Lists. Pursuant to 23 CFR 450:

(a) Prior to making any conformity determinations, MPOs and NHDOT shall:

(1) Review all projects within nonattainment or maintenance areas that are on the STIP and TIPs, to determine whether the projects are exempt under 40 CFR §§93.126 and 93.127; and

(2) Determine if any exempt projects shall be classified as not exempt because of potential emissions impacts.

(b) NHDOT and MPOs shall provide access to the department, RPCs, EPA, FHWA, and FTA for review and comment a list of projects and their exempt/non-exempt status as part of conformity determinations of metropolitan transportation plans, TIPs, and regional emissions analyses performed outside the MPO areas.

Env-A 1503.15 Projects in PM_{2.5} and Nonattainment or Maintenance Areas. - RESERVED

Env-A 1503.16 Notification of Metropolitan Transportation Plan, TIP, or STIP Proposed Amendments of Exempt Projects. Pursuant to 23 CFR 450:

(a) NHDOT shall notify the appropriate MPO(s), the department, affected RPCs, EPA, FHWA, and FTA of any proposed STIP amendment which adds or deletes an exempt or non-exempt project as listed in 40 CFR §93.126 and §93.127.

(b) MPOs shall notify NHDOT, the department, EPA, FHWA, and FTA of any proposed amendment to a metropolitan transportation plan or TIP that adds or deletes an exempt or non-exempt project as listed in 40 CFR §93.126 and §93.127.

Env-A 1503.17 Conformity in Nonattainment or Maintenance Areas Outside MPO Areas or Containing More Than One MPO Area. Pursuant to 23 CFR 450:

- (a) In portions of nonattainment or maintenance areas that are not included in an MPO area or that contain more than one MPO area, NHDOT shall determine conformity of TIPs, metropolitan transportation plans, and plans for any nonattainment or maintenance areas outside the MPO boundaries, incorporating the most recent emissions analysis from the currently conforming metropolitan transportation plan and TIP for all MPOs which are within the nonattainment or maintenance area.
- (b) In nonattainment or maintenance areas which contain more than one MPO, each MPO shall consider the most recent emissions analysis from the other currently conforming metropolitan transportation plans and TIPs within the region.
- (c) NHDOT shall coordinate conformity determinations in nonattainment or maintenance areas with more than one MPO.

Env-A 1503.18 Resolving Conflicts.

- (a) During the public comment period on conformity determinations of metropolitan transportation plans, TIPs, and NHDOT regional emissions analyses of transportation projects, the department shall:
 - (1) Review the conformity determination of such metropolitan transportation plans, TIPs, and NHDOT regional emissions analyses;
 - (2) Submit written comments on the conformity determinations to the appropriate MPO and to NHDOT as soon as possible but no later than the close of the public comment period; and
 - (3) Include in the comments specified in (2), above, a clear finding of concurrence or nonconcurrence on the conformity determinations and a list of issues to be addressed, if any.
- (b) If the department does not concur with the conformity determination, NHDOT or the appropriate MPO, as applicable, shall submit a written response(s) to the department within 14 calendar days of the receipt of the department comments, which clearly addresses each of the stated issues either by revising the determination or by explaining why the determination was not revised.
- (c) If the issues cannot be resolved, the provisions of 40 CFR 93.105(d) relative to resolving conflicts shall apply.
- (d) Pursuant to 23 CFR 450, if a conflict arises among MPOs with respect to conformity determinations, NHDOT shall:
 - (1) Act as the arbitrator; and
 - (2) Invite the department to any meetings held to resolve the conflict.

Env-A 1503.19 Public Consultation.

- (a) Pursuant to 23 CFR 450, NHDOT, the department, and MPOs, RPCs, EPA, FHWA, and FTA shall implement all applicable federal and state required public notification and public participation processes throughout the interagency consultation process.
- (b) MPOs shall provide a minimum of 10 days for receipt of public comment prior to taking a formal action on conformity determinations of MPO transportation plans and MPO TIPs.

(c) NHDOT shall provide a minimum of 10 days for receipt of public comment prior to taking formal action on conformity determinations of NHDOT regional emissions analysis in areas outside MPO areas or in areas covered by more than one MPO.

Env-A 1503.20 Commitments for Regional Emissions Analysis.

In accordance with 40 CFR 93.122(a)(4)(ii), an MPO shall not include emissions reduction credits from control measures that are not included in its metropolitan transportation plan or TIP and that do not require a regulatory action in the regional emissions analysis used in the conformity determination unless the MPO, FHWA, or FTA obtains written commitments, as defined in 40 CFR 93.101, from the appropriate entities to implement those control measures.

Env-A 1503.21 Commitments for Project-Level Mitigation and Control Measures.

(a) In accordance with 40 CFR 93.125(c), prior to making a project-level conformity determination for a transportation project, the FHWA or FTA shall obtain from the project sponsor or operator a written commitment, as defined in 40 CFR 93.101, to implement any project-level mitigation or control measure in the construction or operation of the project identified as a condition for NEPA process completion.

(b) Prior to making a conformity determination for a metropolitan transportation plan or TIP, the MPO shall ensure that any project-level mitigation or control measures for which a written commitment has been made are included in the project design concept and scope and are appropriately identified in the regional emissions analysis used in the conformity analysis.

(c) Written commitments shall be obtained before such mitigation or control measures are used in a project-level hot-spot conformity analysis for a project-level determination.

PART Env-A 1504 CONFORMITY OF GENERAL FEDERAL ACTIONS

Env-A 1504.01 Purpose.

The purpose of this part is to implement §176(c)(4) of the Clean Air Act (the Act), as amended and 40 CFR 93, Subpart B, with respect to the conformity of federal actions to the SIP, to ensure that the purpose and intent of the SIP are met.

Env-A 1504.02 Applicability.

(a) Pursuant to §176(c)(1) of the Act, this part shall apply to any federal department, agency, or instrumentality which meets the applicability criteria as specified in 40 CFR §93.153.

(b) This part shall not apply to any entity subject to a conformity determination for a federal action related to a transportation plan, program, or project developed, funded, or approved under 23 USC §§101 et seq. or the Federal Transit Act, as amended, 49 USC §§1601 et seq.

Env-A 1504.03 References.

For the purpose of this part, unless otherwise specified all references to 40 CFR 93, Subpart B, shall be to the July 1, 2011 edition.

Env-A 1504.04 Federal Definitions Incorporated.

(a) The definitions contained in and referred to in 40 CFR §93.152 shall apply to the terms used in this part.

Env-A 1504.05 Conformity to State and Federal Implementation Plans.

- (a) Pursuant to §176(c)(1) of the Act, no applicable federal entity shall engage in, support in any way or provide financial assistance for, license or permit, or approve any activity which does not conform to the SIP or FIP developed pursuant to §110 and §171 through §185 of the Act.
- (b) Such determination that a federal activity conforms to the SIP or FIP shall be made in accordance with §176 of the Act and 40 CFR 93, Subpart B.

Appendix E – MPO Designation

DOCUMENTATION OF STRAFFORD METROPOLITAN PLANNING ORGANIZATION DESIGNATION



JOHN H. LYNCH
Governor

State of New Hampshire
OFFICE OF THE GOVERNOR
107 North Main Street, State House - Rm 208
Concord, New Hampshire 03301
Telephones (603) 271-2121
www.nh.gov/governor
governorlynch@nh.gov

July 19, 2007

Ms. Kathleen Laffey
Division Administrator
Federal Highway Administration
NH Division Office
19 Chenell Drive, Suite 1
Concord, NH 03301

Dear Ms. Laffey:

In response to a July 12, 2007 request from the New Hampshire Department of Transportation, the following regional planning commissions are hereby designated as the cognizant Metropolitan Planning Organizations (MPOs) in the southeastern area of New Hampshire:

1. For the Dover-Rochester urbanized area:

Stafford Regional Planning Commission
2 Ridge Street, Suite 4
Dover, NH 03820

2. For the Portsmouth, NH-ME urbanized area (NH Portion) and the Boston MA-NH-RI urbanized area (NH portion within the Rockingham Planning Commission region):

Rockingham Planning Commission
156 Water Street
Exeter, NH 03833

This represents the redesignation of the two predecessor MPOs known as the Seacoast MPO (covering the former Portsmouth-Dover-Rochester urbanized area) and the Salem-Plaistow-Windham MPO (covering the NH portion of the former Lawrence-Haverhill MA-NH urbanized area). Under the federal MPO designation rules, a "split" MPO/RPC was initially required due to the Census definition of one urbanized area for the Seacoast region. As of the 2000 Census, there are now two urbanized areas for the Seacoast, thereby allowing for the MPO and the regional planning boundaries to become the same entity. This redesignation will correct the current inefficiencies experienced with the Seacoast MPO being staffed by two regional planning commissions.

Ms. Kathleen Laffey
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The local governing bodies, representing over 90 percent of the affected population of the area, have concurred with this redesignation. This percentage exceeds the federal requirement of 75 percent approval by the regional population.

The State of New Hampshire has a continued, strong interest in the allocation of federal funds to support the metropolitan transportation planning process set forth in the current Federal surface transportation act (SAFETEA-LU) and related rules (23-CFR-450 and 49-CFR-613). Therefore, I am requesting, by copy of this letter, that the Commissioner of the New Hampshire Department of Transportation, or his designee, establish with the designated MPOs the procedures and requirements whereby appropriate metropolitan transportation planning funds are allocated and made available. These funds will be used in accordance with the adopted unified planning work programs for each MPO.

The policy-making body for each MPO will be, respectively, the Strafford Regional Planning Commission and the Rockingham Planning Commission, plus those appropriate State and Federal agencies necessary to approve transportation plans and programs.

Enclosed are a support letter from the Department of Transportation to the Regional Planning Commissions dated February 23, 2007, a briefing letter from the Department to the Governor's Office dated February 5, 2007, and formal request letters from each Regional Planning Commission documenting that the redesignation requirements are met.

We appreciate the opportunity to carry out this redesignation of two metropolitan planning organizations in New Hampshire and look forward to continued coordination of transportation planning at the local, regional and state levels.

Sincerely,

John H. Lynch
Governor

Enclosure