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Federal Transit Administration

U.S. Department of Transportation

1200 New Jersey Avenue SE

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Washington, DC 20590–0001

FEDERAL TRANSIT ADMINISTRATION:

Grant Programs for Urbanized Areas: Program Guidance and Application Instructions

Introduction

The Association of Metropolitan Planning Organizations (AMPO) is pleased to submit comments on the Federal Transit Administration's (FTA) proposed circular titled "Grant Programs for Urbanized Areas: Program Guidance and Application Instructions."

What is AMPO?

AMPO is a nonprofit membership organization established in 1994 to serve the needs and interests of metropolitan planning organizations (MPOs) nationwide. Federal highway and transit statutes require, as a condition for spending federal highway or transit funds in urbanized areas, the designation of MPOs, which have responsibility for planning, programming, and coordination of federal highway and transit investments. Under federal law MPOs are designated for each urbanized area with a population of more than 50,000 individuals. There are over 400 MPOs in the U.S. as reported in the most recent census. Each Metropolitan Planning Organization (MPO) includes a policy board composed of local and regional elected officials who collaboratively decide what transportation investments will be made within their MPO region. The MPO investment plans must: 1) extend for at least 20 years in the future, 2) be updated every four years, and 3) meet all federal

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planning requirements, including EPA's transportation conformity requirements. In some states there are additional planning requirements for state departments of transportation (DOTs) and MPOs.

Context

AMPO recognizes and appreciates FTA's efforts in consolidating and updating the guidance for grant programs for urbanized areas. While we understand the potential benefits of streamlining and modernizing the guidance, we emphasize the unique needs and challenges faced by MPOs, such as adapting to new regulations and maintaining alignment with local and federal requirements. AMPO's response reflects our commitment to collaborative planning and coordination and offers specific insights and recommendations tailored to the MPOs' operational realities.

Comments

AMPO supports FTA's efforts to consolidate and clarify guidance, enhance efficiency, and introduce flexibility in financial assistance. AMPO also emphasizes the importance of the MPOs role in planning and project development and appreciates the FTA's commitment to transparency and public engagement.

We commend the FTA's effort to consolidate and streamline guidance for the administration and preparation of grant applications in 5303 and 5307. This consolidation will enhance efficiency and reduce confusion for MPOs and other stakeholders.

- **Recommendation:** To further assist MPOs, we recommend that the FTA provide a cross-reference guide to help transition from previous separate circulars and outdated terminology to the new consolidated document.

We appreciate the additional flexibility introduced in the proposed circular, allowing for more versatile use of funds. This flexibility aligns with the diverse needs of metropolitan areas and can foster innovative solutions, enhancing the adaptability of funding to local needs.

- **Recommendation:** FTA could provide examples or case studies to illustrate how this flexibility might be applied in practice, aiding MPOs in leveraging these opportunities.

The amendments regarding planning and project development, including the explicit identification of MPOs as responsible parties for the development and adoption of transportation plans, are appreciated. We support these changes as they reinforce the role of MPOs in the planning process.

- **Recommendation:** FTA should offer additional guidance or training to support MPOs in fulfilling these responsibilities, ensuring that the planning process aligns with both federal requirements and local needs.

We value the FTA's commitment to transparency and public engagement in shaping this guidance document. Continued collaboration with MPOs and other stakeholders will ensure that the final circular reflects the collective expertise and insights of the transportation planning community.

- **Recommendation:** FTA should continue to engage with MPOs and other stakeholders through workshops, webinars, or other collaborative platforms to ensure that the final circular reflects the collective expertise and insights of the transportation planning community.

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AMPO appreciates the opportunity to offer insights into Chapter 2, Section 6 (Recipient Designation Process) within the Circular, specifically addressing the recipient designation and allocation process. The effective allocation of funds plays a pivotal role in ensuring the success of regional transportation planning and project delivery. While Chapter 2 delineates the roles and responsibilities of designated recipients, direct recipients, and subrecipients and explains the process for identifying and changing designated recipients, there is opportunity to enhance collaboration when re-designating a region's designated recipients, resulting in more efficient fund management, and streamlined regional planning.

- **Recommendation:** To further optimize the redesignation process (currently Page II-5), we suggest that the FTA explore a more collaborative approach. We advocate for the Governor or the Governor's designee to consult with the MPO when redesignating a region's designated recipients and that the governor's "written notice of re-designation to the appropriate FTA regional administrator" be accompanied by a letter of concurrence from the MPO who is directly responsible for coordinating with the providers of public transportation service in the UZA. This collaborative strategy aims to foster coordination between state, regional, and transit provider partners. Our rationale for this recommendation is rooted in the acknowledgment that past procedures, often contingent upon achieving unanimous consensus among all transit providers involved, have encountered notable challenges in achieving a timely agreement, thus delaying funding allocations, impeding project delivery, and potentially threatening the financial viability of transit in a region. Lastly, we recommend that the section on redesignation be moved to the end of Chapter 2, Item 6.

We appreciate the opportunity to offer feedback on Chapter 5, Section 5 (Subarea Allocations) in the Circular. Our concern pertains to the language that states, "the MPO(s) should determine the subarea allocation fairly and rationally through a process based on local needs..." This language, particularly the reference to "local needs," raises concerns as it does not adequately encompass the broader context of regional performance-based planning priorities.

- **Recommendation:** To address this concern, AMPO recommends that the FTA revises the language in the circular to emphasize regional performance-based planning over allocations solely rooted in "local needs." Specifically, we suggest changing "local" to "regional" and substituting "needs" with "priorities." This modification would better align with the performance and outcome-based planning principles upheld by MPOs, ensuring that funding decisions prioritize the efficient achievement of regional transportation goals.

While AMPO commends the comprehensive nature of the proposed circular, we recognize that there are specific areas that may require further explanation to ensure that the guidance fully aligns with the practical needs and unique responsibilities of MPOs. AMPO requests information and clarification on the following aspects:

- **The Role of MPOs in the Consolidation of Grants to Insular Areas:** We seek to understand how the proposed changes might affect the coordination and planning responsibilities of MPOs, particularly in insular areas. Insight into this matter would enable MPOs to adapt their strategies accordingly.

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- **Private Sector Guidelines:** Clarity on responsibilities, accountability, and preserving MPOs' central role is needed when partnering with private contractors and transportation network companies (TNCs).
- **Flexibility in Financial Assistance Eligibility:** We request more detailed examples or case studies that illustrate how this flexibility will be implemented and monitored specifically for MPOs. Such information would provide valuable guidance for MPOs in leveraging these opportunities.
- **Transit Asset Management Requirements:** We would appreciate additional clarification on how the updated guidance on transit asset management (TAM) plans will interact with existing MPO planning processes. Understanding this interaction would help MPOs integrate the new requirements.
- **Transportation Improvement Program (TIP) and Statewide Transportation Improvement (STIP) Impacts:** We recommend the FTA provide targeted guidance for TIP and STIP management, ensuring MPOs understand how the circular changes affect program development, approval, and implementation. Such guidance will enable MPOs to enhance collaboration, transparency, and accountability in the TIP and STIP processes.
- **Pre-Award Authority for Capital Expenses:** We seek elaboration on the criteria for categorical exclusion under 23 CFR 771.118 and the associated risks for MPOs incurring capital expenses under pre-award authority. Detailed information on this subject would enable MPOs to make informed decisions regarding capital expenses.

Conclusion

AMPO appreciates FTA's consideration of the evolving landscape of urban transportation planning and investment. The proposed changes are significant, and our comments are offered to enhance the effectiveness and efficiency of federal transit programs from the MPOs' perspective. We reiterate our support for the consolidation of guidance, the introduction of flexibility in financial assistance, and the emphasis on transparency and public engagement. We look forward to continued engagement with FTA and are prepared to provide further insights or clarification. Thank you for considering our perspective.

Sincerely,



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