



**United States
Department of Transportation**

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In Reply Refer To:
TRO-02
HPM-NY

April 7, 2022

Mr. Marcus J. Molinaro
County Executive, and Chairman
Dutchess County Transportation Council
22 Market Street
Poughkeepsie, NY 12601

Mr. Steven M. Neuhaus
County Executive, and Chairman
Orange County Transportation Council
255 Main Street
Goshen, NY 10924

Mr. Patrick K. Ryan
County Executive, and Chairman
Ulster County Transportation Council
6th Floor County Office Building
244 Fair Street
Kingston, NY 12401

RE: 2021 Federal Certification Letter and Report for Mid-Hudson Valley
Transportation Management Area

Dear Sirs:

The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) are pleased to submit our 2021 Certification Review report on the transportation planning process in the Mid-Hudson Valley Transportation Management Area (MHVTMA), which comprises three MPOs; the Dutchess County Transportation Council (DCTC), the Orange County Transportation Council (OCTC), and the Ulster County Transportation Council (UCTC). The final report is attached to this letter.

We hereby conditionally certify the MHVTMA planning process, which will change to full certification upon completion of the corrective action listed in the attached report. The report explains our findings in relation to this certification. The report includes commendations to recognize best practices, recommendations for consideration in furthering program excellence, as well as one corrective action that OCTC and UCTC must address. This corrective action is regarding the OCTC and UCTC Long Range Transportation Plan (LRTP), Financial Plan section, which does not include system-level estimates of

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costs as required by 23 CFR 450.324(f)(11). Additionally, OCTC's LRTP financial plan does not include system-level estimates of revenue sources that are reasonably expected to be available to adequately operate and maintain the federally funded highways and public transportation.

The conditional certification will remain in effect until the corrective action, highlighted in the adjoining final report, is satisfied. FHWA and FTA are confident that measures to address this corrective action will be put in place. As long as this corrective action is sufficiently addressed by the deadlines in the report, MHVTMA will be fully certified.

Overall, we find that the transportation planning process meets or exceeds many of the requirements contained in 23 CFR 450.336 and 49 U.S.C. 5303. Included in the Certification Review report are thirteen (13) topic areas related to the federal metropolitan transportation planning process with thirteen (13) recommendations for consideration in furthering program excellence, and seven (7) commendations to recognize best practices.

Our report recognizes many noteworthy achievements. These include: 1) MHVTMA's data-driven Congestion Management Process approach, 2) innovative online tools in publishing the DCTC LRTP and conducting Virtual Public Involvement for the Poughkeepsie 9.44.55 Planning Study, 3) the excellent work in Bicycle, Pedestrian, Trails, and Transit planning emphasizing connections between non-motorized modes and transit to continue building on the infrastructure to be truly a multi-modal transportation system, and 4) DCTC, OCTC, and UCTC's commitment to the transportation planning process during this global pandemic.

We would like to discuss our conclusions and recommendations with the DCTC, OCTC, and UCTC Policy Boards after the three MPOs have had an opportunity to review our findings. Our goal remains to help the Mid-Hudson Valley TMA fulfill the requirements for an effective metropolitan transportation planning process for the good of the public and the overall transportation system.

These past two years have been particularly challenging with a global pandemic and controversies that have impacted many metropolitan areas nationally, including Dutchess, Orange, and Ulster counties and the Mid-Hudson Valley Region. We would like to especially thank Mark DeBald, Julie Richmond, Alan Sorensen, and Dennis Doyle and the DCTC, OCTC, and UCTC staff for their assistance in working with us to conduct the virtual certification review. The professionalism of the MPO staff and the products produced are clear examples of what an effective metropolitan planning processes can achieve.

We thank you for meeting with FHWA and FTA virtually to discuss DCTC, OCTC, and UCTC's planning process. Additionally, we would like to thank the Policy Board members, the Planning

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Committee members, and all stakeholders who participated in the roundtables we conducted, as well as for providing comments during the certification review.

If you have any questions concerning this review, please contact Maria Hayford (FHWA) at Maria.Hayford@dot.gov or Jennifer Terry (FTA) at Jennifer.Terry@dot.gov.

Sincerely,

Richard J. Marquis
Division Administrator
Federal Highway Administration
New York Division

Stephen Goodman
Regional Administrator
Federal Transit Administration
Region II

Enclosure

cc: Lisa Garcia *Regional Administrator*, Environmental Protection Agency, Region 2
Dennis Doyle, *Director*, Ulster County Transportation Council
Mark DeBald, *Director*, Dutchess County Transportation Council
Alan Sorensen, *Director*, Orange County Transportation Council
Lance MacMillan, PE, *Regional Director*, NYSDOT Region 8
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bcc: Corbin Davis, *Planning Oversight & Stewardship Team*, FHWA, Washington, DC
(HEPP-10) (Room E72-109) (enclosure via email)
Victor Austin, *Office of Planning and Environment*, FTA, Washington DC
(TPE-10) (Room E43-303)

MPO File: Planning Day File Reading File

Mid-Hudson Valley TMA Certification Review Report

April 2022

Overview of Federal Certification Requirements

In accordance with 23 U.S.C. 134(k) and 49 U.S.C. 5303(k), the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) are required to review, evaluate, and certify the metropolitan transportation planning process in each Transportation Management Area (TMA), an urbanized area of 200,000 population or more, at least every four years.

As a result, FHWA and FTA jointly undertook the review of metropolitan transportation planning process of the Mid-Hudson Valley TMA which includes the three Metropolitan Planning Organizations (MPOs) of Orange County Transportation Council (OCTC), Dutchess County Transportation Council (DCTC), and Ulster County Transportation Council (UCTC). The intent of the statutory and regulatory requirements is to develop a transportation system that serves the mobility interests of people and freight through a multifaceted metropolitan planning process. The certification review is to assure that the planning process is addressing the major issues facing the area, and that the planning process is being conducted in accordance with:

- (1) 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;*
- (2) In nonattainment and maintenance areas, sections 174 and 176(c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506(c) and (d)) and 40 CFR part 93;*
- (3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;*
- (4) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;*
- (5) Section 1101(b) of the FAST Act (Pub. L. 114-357) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in DOT funded projects;*
- (6) 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;*
- (7) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38;*
- (8) The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;*
- (9) Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and*
- (10) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.*
- (11) Super Circular Reference - 2 CFR Part 200*
- (12) All other applicable provision of Federal law.*

Background on Federal Finding Actions

The Federal certification review evaluates a Metropolitan Planning Organization (MPO's) transportation planning process, identifies strengths and weaknesses (as appropriate), and makes recommendations for improvements. Following the review and evaluation, FHWA and FTA can take one of four certification actions:

- Full certification of the transportation planning process: this allows federally funded programs and projects of any type to be approved in the TIP over the next three years in accordance with the continuing planning process.
- Certification subject to specified corrective actions being taken: this allows all projects to move forward in the process while corrective actions are taken; this option may take the form of a temporary certification for a certain number of months rather than the full three years.
- Limited certification: this allows only certain specified categories of program and project funding to move forward while corrective actions are being taken.
- Certification withheld: approval of funding in whole or in part for attributed FHWA and FTA funds that the metropolitan area receives is stopped until the deficiencies in the planning process are corrected.

Within the context of the certification review, the following terms may be used: Corrective Actions, Recommendations, and Commendations.

- Corrective Actions include those items that fail to meet the requirements of the transportation statute and regulations, thus seriously impacting the outcome of the overall process. The expected change and timeline for accomplishing it are clearly defined.
- Recommendations are those items that, while somewhat less substantial and not regulatory, are still significant enough that FHWA and FTA are hopeful that State and local officials will consider taking some action. Typically, recommendations involve the state of the practice or technical improvements instead of regulatory requirements.
- Commendations and noteworthy practices are those elements that demonstrate innovative, highly effective, well-thought-out procedures for implementing the planning requirements. Elements addressing items that have frequently posed problems nationwide could be cited as noteworthy practices.

Overview of the 2021 Certification Review

The 2021 certification review of the Mid-Hudson Valley TMA began June 29th, 2021 with a joint FHWA/FTA letter to County Executive Marcus J. Molinaro (Dutchess), County Executive Steven M. Neuhaus (Orange), and County Executive Patrick K. Ryan (Ulster), Chairpersons of the Dutchess County Transportation Council (DCTC), Orange County Transportation Council (OCTC), and Ulster County Transportation Council (UCTC) Policy Boards respectively, informing the TMA of the upcoming review and identifying the primary topics for the review ([Appendix A](#)). The dates of the site visit were coordinated with Mr. Mark Debald, Ms. Julie Richmond, and Mr. Dennis Doyle, the Executive Directors of DCTC, OCTC, and UCTC. The New York State Department of Transportation (NYSDOT), the Dutchess County Public Transit (DCPT), Ulster County Area Transit (UCAT), Transit Orange (TO), and the New York State Department of Environmental Conservation (NYSDEC) received individual copies of the letter via email. The MPO staff notified the DCTC, OCTC, and UCTC member agencies and the public about this review.

In preparation for the certification review, FHWA and FTA conducted an internal desk review of the DCTC, OCTC, and UCTC materials listed in the accompanying 2021 individual MPO Desk References.

Virtual Face to Face Certification Review

Due to the global pandemic, the Federal Team did not meet in person for a site visit with DCTC, OCTC, and UCTC, but conducted a Virtual Certification Review from September 27th – October 1st, 2021. The joint virtual face-to-face review was hosted by UCTC, with individual MPO reviews hosted by DCTC, OCTC, and UCTC on Zoom and Microsoft Teams. The Federal Team consisted of Jennifer Terry (FTA, Region 2 Office), Maria (Chau) Hayford, Gautam Mani, Nicole McGrath, Kara Hogan, Tim Crothers, and Tricia Millington (FHWA New York Division Office).

Detailed discussions were primarily with Mark Debald, Julie Richmond, Alan Sorensen, and Dennis Doyle (MPO Directors of DCTC, OCTC, and UCTC respectively), members of the DCTC, OCTC, and UCTC staff, and NYSDOT Representatives (NYSDOT Statewide Planning Bureau and Region 8 Planning and Program Management Group). The members of the DCTC, OCTC, and UCTC Policy Boards and Planning Committees were invited to join the review at their discretion to discuss their perspective and observations on the overall transportation planning process in the region as well as their comments on the DCTC, OCTC, and UCTC Central Staff activities. An agenda of the meeting and a list of participants are in [Appendix C & D](#).

Members, Stakeholders, and Public Input

As part of the certification review process, the Federal Team solicits input from the communities and stakeholders within the region. Stakeholders and members of the public were offered opportunities to participate in a virtual roundtable meeting via Zoom and/or submit written comments via email or postal mail on DCTC, OCTC, and UCTC's transportation planning process. These opportunities were publicized through the press release service from DCTC, OCTC, and UCTC ([Appendix E](#)).

FHWA and FTA conducted interviews with the Policy Board Chairs: County Executive Patrick K. Ryan (UCTC) on September 22nd, 2021, County Executive Steven M. Neuhaus (OCTC) on September 28th, 2021, and County Executive Marcus J. Molinaro (DCTC) on September 30th, 2021 separately. These virtual face-to-face meetings took place on Microsoft Teams and were scheduled with the assistance from DCTC, OCTC, and UCTC staff.

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Additionally, FHWA and FTA met virtually with Policy Board and Planning Committee members for the DCTC on Wednesday, September 22nd, 2021, the Policy Board and Planning Committee for OCTC on Friday, September 24th, 2021, and the Policy Board and Planning Committee for UCTC on Wednesday, September 29th, 2021. FHWA and FTA met with Stakeholders and the Public of the Mid-Hudson Valley TMA on September 22nd, 2021 via Zoom, hosted by UCTC. The arrangements for these roundtables were made through the generous assistance of DCTC, OCTC, and UCTC staff. A summary of comments received through these interviews is in [Appendix F](#) along with written comments received for the review.

Generally, comments received on how the Mid-Hudson Valley TMA conducts the planning process were positive which demonstrates that DCTC, OCTC, and UCTC enjoy an excellent working relationship with their members and stakeholders.

Summary of Commendations, Recommendations, and Corrective action

This section includes the compiled list of corrective action(s), recommendation(s) and commendation(s) from the Federal Team's review of work products and processes that are the result of the MPO transportation planning process. Each of these comments correlate to the finding for the respective Certification topics in the next section. There is one corrective action, 13 recommendations, and seven commendations for DCTC, OCTC, and UCTC as a result of this review. A status of the findings from the previous Certification Review in 2017 can be found in [Appendix B](#).

Corrective Action (1)

Long Range Transportation Plan

OCTC & UCTC

- (1) OCTC and UCTC's LRTP financial plan does not include system-level estimates of costs as required by 23 CFR 450.324(f)(11). Additionally, OCTC's LRTP financial plan does not include cost estimates of revenue sources that are reasonably expected to be available to adequately operate and maintain Federal-aid highways and public transportation, and there isn't a clear demonstration of a fiscally constrained LRTP. OCTC must develop a work plan to address the requirements of 23 CFR 450.324(f)(11) LRTP Financial Plan and submit them to FHWA and FTA by July 29th, 2022 in preparation of their 2023 LRTP update. UCTC must update their LRTP Financial Plan to fulfill the requirements of the aforementioned regulations by September 30th, 2022 and submit the changes to FHWA and FTA prior to amending their LRTP.

Recommendations (13)

Long Range Transportation Plan

OCTC & UCTC

- (1) The Federal Team encourages OCTC and UCTC to use the guidance on LRTP & Financial Planning in development of the updates needed in their financial plan and/or take a training course on developing financial plans that meet Federal requirements such a course from NHI, NTI, or request training from FTA and FHWA resources.

OCTC

- (2) The Federal Team recommends that OCTC consider listing the transportation projects to improve access to Legoland amusement park as a Regionally Significant project as its impact is transformative to the region and consider listing the other two major projects as illustrative projects which would help define these projects more clearly.

Transportation Improvement Program

- (3) For the upcoming TIP update DCTC, OCTC, and UCTC should coordinate with each other to develop a consistent narrative for their financial plan. It should include how the State, MPOs and Public Transit operators cooperatively developed estimates of funds that are reasonably expected to be available to support the TIP for their MPA. This may include a discussion on Region 8's fairness formula found in DCTC's financial plan to provide clarity on how much funding is available to be programmed for

each MPO. Additionally, as each MPO has a defined MPA, DCTC, OCTC, and UCTC should demonstrate fiscal constraint using estimates of funds that are reasonably expected for their MPA.

Transit Activities - Human Services Transportation Plan

- (4) The Federal Team is in agreement with and supportive of many of the recommendations in the Connect Mid-Hudson Regional Transit study, especially those pertaining to 1) Enhancing regional transit connectivity, 2) Helping residents use transit and non-motorized modes, and 3) Creating a Regional Transit Ombudsman, which is consistent with the recently released planning emphasis areas for FTA-FHWA. Additionally, we recommend that the MPOs develop a relationship with Amtrak and Federal Railroad Administration to share comments with them from the public that MHVTMA received and invite them to their planning meetings.

Coordination Cooperation/Public Participation Plan

- (5) Based on comments received during the Certification Review *Policy Board and Planning Committee Roundtable* discussions, the Federal Team recommends that the three MPO Policy Boards consider if the TMA should expand their coordination and cooperation by working together to address larger regional transportation issues such transportation across the three counties to Stewart International Airport or ferry services to NYC to better serve the Region. The TMA should assess if it would be advantageous for the Policy Board members of all three counties to meet once or twice a year to address larger regional issues as a TMA to be more competitive economically and if necessary, consider revising the MHVTMA MOU to reflect the nature of the coordination and cooperation.
- (6) As 23 CFR 450.316(a)(1)(x) cites that MPOs should periodically review the effectiveness of the procedures and strategies contained in the participation plan to ensure a full and open participation process, the Federal Team recommends that DCTC and UCTC revisit and update their public participation plan which was last updated in 2016 and 2015 respectively.

Tribal Nations Consultation

- (7) The Federal Team recommends the following:
- DCTC, UCTC, and OCTC should work with FHWA and FTA to establish relationships with the four Tribal Nations with tribal interest in their MPA which include the 1) Delaware Nation, 2) Delaware Tribe, 3) Stockbridge Munsee Community, and 4) Saint Regis Mohawk Tribe. One opportunity that has been offered is to participate in the upcoming FHWA Tribal Nation Summit.
 - Additionally, the TMA should work with FTA-FHWA to establish a Tribal Nation Consultation Procedure, in consultation with the Delaware Nation, the Delaware Tribe, Stockbridge Munsee Community, and Saint Regis Mohawk Tribe

Title VI - Civil Rights

- (8) We recommend all three MPOs copy the following updated guidance provided by FHWA Headquarters Office of Civil Rights into plans and websites regarding the Title VI complaints process: https://www.fhwa.dot.gov/civilrights/programs/title_vi/titleviqa.cfm. At this time, FHWA

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Headquarters Office of Civil Rights will handle the processing of all Title VI complaints filed. In addition, be sure complaints language associated with Title VI only covers race, color, and national origin. If other protected classes are included, please cite the laws and regulations that cover those specifically.

Bicycle, Pedestrian, Trails

(9) Given the strong track record for non-motorized transportation planning in the Region by DCTC, OCTC, and UCTC, the Federal Team recommends the following:

- The MHVTMA consider formalizing their existing partnerships with the development of a regional bicycle and pedestrian/trails plan.
- All three MPOs should also consider incorporating micromobility needs into future updates of their bicycle and pedestrian plans.
- UCTC should consider updating their Non-Motorized Transportation Plan to complement their ongoing work on Complete Streets. The updated plan would establish a vision and goals for county-wide active transportation and identify additional strategies beyond engineering and design tools that would improve active transportation in the region.

Intelligent Transportation Systems – Congestion Management Process

(10) For ITS Operations and TSMO Planning the Federal Team recommends the following actions and activities for all three MPOs:

- Consider forming a multi-agency committee or working group that could serve as a forum for discussion, coordination, and development of transportation system operations strategies.
- Consider supporting the use of Traffic Signal Performance Measures.
- Ensure that key planning deliverables are consistent with and informed by the Regional ITS Architecture (RITSA).

Resiliency, and Security Planning

(11) The Federal Team recommends the DCTC, OCTC, and UCTC conduct a regional resiliency study following the completion of the individual MPO resiliency studies. Some examples of regional resiliency plans that could be used as examples include:

- South Florida Transportation Vulnerability Assessment:
https://www.fhwa.dot.gov/environment/sustainability/resilience/pilots/2013-2015_pilots/south_florida/
- Climate Change/Extreme Weather Vulnerability and Risk Assessment for Transportation Infrastructure in Dallas and Tarrant Counties:
https://www.fhwa.dot.gov/environment/sustainability/resilience/pilots/2013-2015_pilots/nctog/final_report/nctogfinal.pdf
- Genesee-Finger Lakes Regional Critical Transportation Infrastructure Vulnerability Assessment
https://www.fhwa.dot.gov/environment/sustainability/resilience/case_studies/genesee/index.cfm
- Post-Hurricane Sandy Transportation Resilience Study of NY, NJ, and CT
https://www.fhwa.dot.gov/environment/sustainability/resilience/publications/hurricane_sandy/

Performance-Based Planning

- (12) The Federal Team recommends that DCTC, OCTC, and UCTC each ensure that their PBPP agreements with the transit providers and NYSDOT are in a publicly accessible place on their respective websites, to increase transparency of the performance-based planning and programming process.
- (13) The Federal Team recommends that DCTC, OCTC, and UCTC each continue to look for opportunities to incorporate county-specific data for the FHWA-required performance measures in their LRTP System Performance Reports. Using data at a smaller scale can help make the outcomes of the LRTP process more transparent and allow the MPOs to more easily track how their own investments are contributing towards achieving performance targets over time. Data at a more local scale can be helpful in monitoring system performance for the FHWA-required measures, even if the MPOs continue to choose to support the state targets rather than set their own.

Commendations (7)

Long Range Transportation Plan

DCTC

- (1) *Moving Dutchess Forward*, the Dutchess County Transportation Council's Long Range Transportation Plan, is an innovative and transformative online LRTP that effectively uses the online platform to better communicate to members of the public, stakeholders and member agencies the vision, goals, priorities and strategies to implement the plan. The plan has a special emphasis on equity, climate change, complete streets, and safety, which are part of FTA-FHWA's Planning Emphasis Areas. The materials are thoughtfully presented to encourage visitors to engage with the well-written content, video presentations, drop down tables, graphics, and interactive maps.

Regionally Significant Project (Public Involvement)

DCTC

- (2) DCTC is commended for their work on developing a well-designed and innovative online Virtual Public Involvement tool for the Poughkeepsie 9.44.55 Planning Study. This tool was shared with others around the country during a FHWA/NYS DOT Equity and Virtual Public Involvement Peer Exchange in March 2021 as an example of an interactive planning study site that is user friendly and designed well for public engagement.

Public Participation Plan

OCTC

- (3) OCTC recently developed a new standalone Public Participation Plan (PPP) to address the communication and public involvement strategies for the growing communities in the Orange County Metropolitan Planning Area with a section focused on traditionally underserved and hard to reach populations. This is an excellent example of the type of content that is helpful in being included in a Public Participation Plan and in alignment with FTA-FHWA's Planning Emphasis Area on Equity, Diversity & Inclusion.

Bicycle, Pedestrian, Trails, & Transit

- (4) The MHVTMA and the bicycle, pedestrian, and trails organizations and advocates are commended for their efforts in transforming the Region's transportation system to support and integrate infrastructure to meet walking and bicycling needs for commuting and recreational purposes. Specifically, these efforts include MHVTMA's support in 1) the completion of the Empire State Trail and their continued efforts to provide connections to the trail, 2) data collection efforts, including the digitization of their bicyclist and pedestrian facilities and their respective count programs, 3) completing a regional transit study resulting in concrete ideas to connect rural areas to regional centers and to improve cross-county travel, and 4) emphasizing connections between non-motorized modes and transit leading to opportunities to create effective multi-modal transportation.

Intelligent Transportation Systems – Congestion Management Process

- (5) The MHVTMA MPO staff are to be commended for their data-driven Congestion Management Process approach and associated analyses that address their objectives of analyzing highway congestion, analyzing highway travel time reliability, analyzing freight congestion and reliability, analyzing transit congestion and reliability, and evaluating multi-modal accessibility. In particular, this commendation recognizes the halo effect that their efforts have had on the ability of MPOs statewide to use NPMRDS data with the constantly evolving AVAIL Platform. The development of the MHVTMA CMP was a catalyst to improve the data analysis methods where interaction between the transportation planning practitioner, MHVTMA MPO staff, and data scientist and programmer, AVAIL Team from University at Albany, SUNY, resulted in subsequent improvements to the AVAIL tools to better enable these tools to be used for conducting analyses as part of the CMP, itself a living document. MHV MPO staff have shared these experiences with transportation agencies across New York State, including in a well-received presentation as part of a planning for reliability through transportation systems management and operations workshop delivered by FHWA and NYSAMPO in July 2021.

Resiliency Planning

- (6) In light of COVID-19, DCTC, OCTC, and UCTC are commended for their swift efforts in adapting to new working conditions and continuing the operations of the MPO transportation planning process with their members and stakeholders.

Performance-Based Planning

DCTC

- (7) The Federal Team commends DCTC for its systematic approach to incorporating performance measures into its LRTP. DCTC carefully considered available data resources in choosing what to measure, linked measures specifically to key themes of the Plan and issues facing their MPA, and developed infographics in a web-based format that allows for more frequent updates as conditions in Dutchess County change. The website is easily accessible to the public thereby supporting transparency in the performance-based planning and programming process.

2021 Certification Review Findings

The Federal Team selected several topics to discuss with the MPOs during the certification review. These topics relate to the federal regulations governing MPOs. Topics are typically chosen if it is considered an area of emphasis, a high risk, a new initiative in transportation legislation, or a recurring challenge. They can also be selected to highlight a best practice. The following are the findings from our assessment of these activities. Information on the federal regulatory requirements for these topics can be found in [Reference 1](#). Additionally, for the reader's convenience, topic headings in this report are hyperlinked to their regulatory reference.

The following are the findings from our assessment of these activities and are the bases for *Commendations, Recommendations, and Corrective Actions* found in the previous *Summary* section. Where the MPO employs practices that the Federal Team considers very good but may not rise to the level of a commendation we notate them in these findings as **Notable**. The Federal Team recognizes 9 notable practices in this report.

Transportation Planning Process

[Long Range Transportation Plan](#)

The Metropolitan Transportation Plan or Long-Range Transportation Plan is the official multimodal transportation plan addressing no less than a 20-year planning horizon that the MPO develops, adopts, and updates through the metropolitan transportation planning process.

DCTC

- The *Moving Dutchess Forward* Dutchess County Transportation Council Long Range Transportation Plan 2045 was adopted by the DCTC Policy Board on July 27, 2021 with a planning horizon of 25 years.
- This version of the LRTP is well thought out, innovative, and completely a refresh from past LRTPs in two main ways.
- The first is that the content of the plan focuses on the needs of people, the users of the system, and not solely on the need to operate and maintain the existing infrastructure and transit system. In addition to sections on demographics and regional trends the plan categorizes and assesses the broader issues that impact travelers such as 1) *Barriers to Safety*, 2) *Barriers to Reliable Access* (transit, bicycle pedestrian, congestion), 3) *Barriers to Basic Needs* (housing, jobs, goods & services, education, and recreation), and 4) *Barriers to Equity*. The strategies to address these barriers are categorized into "Transformative Packages" and "Transformative Projects" ¹ which DCTC further stratifies into sub-categories or systems where estimates are derived for operation and maintenance costs as well as capital improvements.
- **Notable:** DCTC's assessments on *Barriers to Equity* and *Climate Change Trends* are excellent and DCTC thoughtfully weaves the importance of these areas into the fabric of the plan and identifies how DCTC plans on addressing them through their

¹ Some of which are Regionally Significant Projects

transformative packages and projects. Particular to equity, the plan's interactive map viewer has the ability to overlay the location of EJ populations to high congestion segments, bus service frequency, high crash areas for pedestrians, bicyclists, and vehicles, to analyze the impacts to these populations.

- The Federal Team notes that the fiscal constraint table assumed transformative projects to obtain federal grants beyond reasonably anticipated federal funds. DCTC should consider moving some of these efforts to illustrative projects until full funding can be reasonably anticipated.
- The second way this LRTP is a significant transformation from previous plans is that it is completely online.² DCTC was intentional to make this LRTP accessible in this manner to members, stakeholders, and the public. The plan is written in 'Plain English' rather than using transportation or regulatory terminology to make it easily understandable. It also was thoughtful to present materials to encourage visitors on their site to engage with the content through video presentations, drop down tables, graphics, and interactive maps.

OCTC

- The *Orange County Long Range Transportation Plan 2045* was adopted by the OCTC Policy Board on November 26, 2019 with a planning horizon of 25 years.
- Contained within the document is a section on how the plan addresses federal planning regulations found in 23 CFR 450.324 and all 10 planning factors. Overall, the plan met many of these requirements and speaks to all the 10 Planning Factors.
- **Notable:** The OCTC completed their LRTP update shortly after Orange County had issued their Comprehensive Plan. They were able to leverage Virtual Public Involvement tools from the Comprehensive Plan to collect comments simultaneously as it pertained to transportation issues. All together there were over 600 comments collected.
- **Regionally Significant Projects:** Given that there are several major transportation infrastructure and transit project efforts being considered in the area the plan cited that it did not include Regionally Significant projects or illustrative projects. The plan highlights the Port Jervis Line Capacity Improvements and Route 17 to I-86 conversion as major projects and explains that specific projects are being developed for these major projects and will be included in future LRTPs and TIPs. The plan also includes that a major project to construct new exits, ramps, and intersection improvements are underway on Route 17 and Route 17M for access to LEGOLAND amusement park. This effort is funded through private developer monies but was not considered a Regionally Significant Project. With the substantial change to the operations of this exit and volume of traffic, this project should be considered a Regionally Significant Project and included in the financial plan.
- **Financial Plan and Fiscal Constraint:** The financial plan within the LRTP touches on the federal requirements but the substance of the financial plan does not satisfy the 23 CFR 450.324(f)(11). The plan should include system level estimates of costs and revenue sources that are reasonably expected to be available to adequately operate and

² On the following website: [Moving Dutchess Forward – Planning for our transportation future.](#)

maintain the Federal-aid highways and public transportation. Even though the discussion in Chapter 5 includes some aspects of capital, operational, and maintenance strategies for groups of specific projects, it doesn't include cost estimates and is not clear how the system is stratified under the three categories found in the financial plan section. The Federal Team found three categories listed in the financial plan section 1) *Operations and Maintenance of State Highway Systems*, 2) *Operations and Maintenance of Local Roads*, and 3) *Operations and maintenance of public transit services and infrastructure*, however it doesn't provide detail on the system itself, number of miles, functional classification, whether it included roads, bridges, other assets and stop short on developing cost estimates for each of the three categories to describe the needs of these three systems which they infrastructure information for in chapter 4. Instead, it provides one general total estimate at \$1.2 billion over the 25 years. It also does not include estimate of revenues that are reasonably expected to be available to adequately maintain the system. Page 165 does include the short term estimates on some of those cost but it is limited to the 2020-2024 TIP. While there is an adequate discussion on available revenue on identified federal, state, and local fund sources³ the cost estimates from these sources were not included in the financial plan.

- It is unclear how the LRTP is fiscally constrained given that the anticipated funding includes all of Region 8 and the anticipated programming only includes the portion of OCTC on this table. Additionally, Urbanized Area Formula Grant 5307 is consistently overprogrammed on this table.

UCTC

- The 2045 Long Range Transportation Plan of the UCTC was adopted by the UCTC Policy Board on September 22, 2020 with a planning horizon of 25 years.
- The plan is well written with helpful graphics and charts to understand the profile of the region, the transportation system, goals and objectives, system performance, financial plan, and the recommended plan of projects. There is a dedicated section on sustainability which includes an analysis on the impacts of climate change and measure the county is taking and considering in the plan to make their Region more resilient which is one of the recently published Planning Emphasis Areas of FTA-FHWA. Overall, the plan met many of these requirements and speaks to all the 10 Planning Factors.
- **Notable:** UCTC developed their LRTP during the COVID pandemic and used creative ways to conduct public involvement strategies such as online meetings and reaching out to minority populations through radio to provide the Spanish speaking population with opportunities to participate in the development of the plan. The plan highlights the comments from the public and how UCTC used their comments to shape the plan's goals and visions.
- **Notable:** During the virtual Certification Review, UCTC illustrated examples and demonstrated the effectiveness of their planning process in the alignment of the goals and objectives of the LRTP to the development of planning studies and public outreach, to project selection and implementation to result in tangible improvements to the City of Kingston and Ulster County.

³ Federal Transit and Federal-aid Highway program funds, MEP, CHIPs and Marchiselli, federal and state administered grants such as BUILD, NYSERDA, REDC, and types of local funding sources such as Developer Contributions, Tax Incremental Financing, taxes on vehicle fleets,

- *Financial Plan and Fiscal Constraint:* UCTC's LRTP financial plan provides a robust discussion on available federal, state, and local revenue sources and includes a reasonable estimate of these revenues for the duration of the LRTP. However, it was not apparent that a system-level estimate of costs was included. A discussion on system level estimate of cost should include a definition of the system being classified, what are the costs associated in maintaining and operating these systems, and then a stratified list or table of these costs estimates in comparison to the estimate of revenues.

Transportation Improvement Program

- The Transportation Improvement Program (TIP) is a prioritized listing/program of transportation projects covering a period of 4 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.
- In the Mid-Hudson TMA, the three MPOs develop and manage their TIPs separately though they meet regularly concerning the TMA requirements. The DCTC and UCTC Policy Boards approved their 2020 – 2024 TIP in June 2019. OCTC's Policy Board approved their 2020 – 2024 TIP in August 2019. The TIPs are programmed for 5 years and overall meet the TIP federal requirements.
- *Financial Planning and Fiscal Constraint:* The Federal Team reviewed the financial plan and fiscal constraint demonstration of the three MPO TIPs and found that it was unclear how fiscal constraint was demonstrated for two of the MPOs and inconsistent between the three MPOs. In the development of the STIP NYSDOT provides planning targets to the 11 Regions in New York State. From these planning targets, each NYSDOT Region is allocated a certain amount of funding from Federal-aid Highway Program fund sources to program projects for their Region. All three MPOs discussed that they share a portion of NYSDOT Region 8 planning targets which consists of 7 counties including non-metropolitan areas, the lower Hudson portion of NYMTC, and the DCTC, OCTC, and UCTC Metropolitan Planning Areas. The understanding between the NYSDOT Region 8 and the MPOs is that fiscal constraint is maintained at the NYSDOT Regional level⁴, however the federal requirement is that the demonstration of TIP fiscal constraint is for the Metropolitan Planning Area (MPA).
- DCTC includes a holistic discussion in their TIP financial plan of the method used in Region 8 to distribute the planning targets through a fairness formula⁵ which incorporates population and other highway data to calculate program targets for each MPO or county. They further discuss the sources of funding and percentage of the Region 8 planning targets that ultimately served as DCTC's program target or suballocation which they used to program projects. DCTC's financial plan includes the distribution of program targets in Table 8 titled *Programmed Federal Transportation Funding* for DCTC, OCTC, UCTC, Columbia County, and MHSTCC (NYMTC) which represents the total funding over the 2020 – 2024 TIP period by fund source. To demonstrate fiscal constraint, DCTC includes the total Region 8 Planning targets by year and fund source, which

⁴ OCTC p.22 Fiscal Constraint rests at the Region 8 Level

⁵ DCTC 2020-2024 TIP p. 12

DCTC uses as their anticipated funding amount while showing their programmed amount by year and fund source. This may have been a sufficient discussion on how NYSDOT Region 8, the MPOs, and county managed the planning targets and could deduce the programmed targets of the MPOs to demonstrate fiscal constraint for the TMA, however, when the Federal Team reviewed OCTC and UCTC fiscal constraint tables their programmed totals were different from DCTC's Table 8.

- Both UCTC and OCTC include in their fiscal constraint tables a comparison of the *funds available* by *funds programmed* by *fund source* but it is not totaled by year which is what is federally required⁶. UCTC provides bar charts that illustrates the breakdown of project sponsors by dollar value, by year, and project type by dollar value, by year and the listing of associated projects, but like OCTC their financial plan does not discuss the process for how their programmed funds were estimated to be available for the MPA.
- It would be helpful for the three MPOs to have a similar discussion in their financial plan on how the State, MPO and Public Transit operators cooperatively developed estimates of funds that are reasonably expected to be available to support the TIP for their MPA such as the discussion on Region 8's fairness formula from DCTC's financial plan. This would provide clarity on how much funding is available to be programmed for each MPO and be consistent across the three MPOs for this TMA. It was unclear how the Transportation Improvement Plan of DCTC, OCTC, and UCTC are fiscally constrained per 23 CFR 450.326(k), as the reasonably anticipated funds uses the planning targets for all of the New York State Department of Transportation's Region 8, which includes several counties not included in the MHV MPA.
- *Obligation Rate of Unamended TIP*: Project delivery continues to be an important focus for FHWA and FTA. FHWA monitors the performance of the STIP annually by the obligation rate of the unamended S/TIP. This includes the number of projects programmed for the construction phase for that federal fiscal year compared to the portion that was obligated. This percentage serves as an indicator that the State and MPO have considered the deliverability of projects during the planning process before it is included in the S/TIP for the year it is programmed. The FHWA National target is 75% obligation on the unamended S/TIPs.

DCTC

- For FFY 2018, 2019, 2020 and 2021, DCTC's obligated rate is 11%, 81.3%, 40%, and 40% respectively, of their unamended TIP. There was no change from 2020 to 2021, but there was a 41.3% drop from 2019 to 2020, their highest obligation rate for the unamended TIP. DCTC staff offered that their amended rate was higher at 65%.
- While DCTC works with their members to monitor the progress of the TIP and right size their program before the beginning of the Federal Fiscal Year (FFY), DCTC staff expressed that the number of local Federal-aid projects in their MPA is very small and that if one or two are not delivered that could change the percentage significantly.

OCTC

- For FFY 2018, 2019, 2020 and, 2021 OCTC's obligated rate is 20%, 26.1%, 54.5% and 45.5% respectively, for their unamended TIP. While there was a 9% drop from 2020 to 2021, OCTC has made steady improvement in raising their unamended obligation over the year by

⁶ 23 CFR 450.326(k)

developing an excellent process where members understand that unobligated Federal-aid funds are missed opportunities for the MPA, members work together to optimize Federal-aid funding annually, and regularly meet to hold each other accountable to realistic project schedules, cost estimates, funding available, the overall project readiness.

- **Notable:** In addition to these measures OCTC staff worked with NYSDOT to bring in project cost estimation training for their members on NYSDOT's new Pavement Cost Estimation Tool (PCET). This training was offered Regionwide and DCTC and UCTC members attended and benefited from the training as well.

UCTC

- For FFY 2018, 2019, 2020 and, 2021 UCTC's obligated 16.7%, 14.3%, 42.9%, and 40% respectively, of their unamended TIP. UCTC has seen a steady improvement to their overall unamended obligation rate. UCTC also meets with their members to review the group of projects in the TIP for the following FFY for project readiness. UCTC offered that while they've seen improvements to the obligation rate with a small number of projects that percentage can the swing either way if one or two projects are not delivered. They haven't had a TIP solicitation for years and are working with a collection of legacy projects that may take several years to deliver those projects and may have a solicitation for new projects if additional Federal aid is available in the future.

Regionally Significant Projects / Planning Environmental Linkage (PEL)

- Regionally Significant Projects (RSP) is a focus area for certification reviews due to their complexity and substantial cost. These are major transportation projects that impact the Region and require federal approval. Planning discussions and decisions to embark in Regionally Significant Projects should be jointly reviewed by the MPO Policy Board members and their state or municipal staff to assess the project's benefit, feasibility, and cost to the Region. Each MPO Policy Board member is an empowered decision-maker on the application of the RSP in their MPA and should vote on the approval of the project based on the assessment of their review.
- RSP should be address during the Federal-aid transportation planning process. They should be included in the Long-Range Transportation Plan and other planning studies either on the program, corridor, and project specific level, and must be addressed in the Transportation Improvement Program.
- In the Mid-Hudson Valley TMA, there are several Regionally Significant Projects that are currently being studied and planned. These include the Poughkeepsie 9.44.55 arterial and interchange redesign and I-84/Route 9D projects in Dutchess County and Route 17 Planning and Environmental Linkage (PEL) Study that spans NYSDOT Region 8 and 9 across Orange and Sullivan County.

DCTC

- The Poughkeepsie 9.44.55 study focuses on the convergence of three major routes in Dutchess County that connect the City of Poughkeepsie to a major state highway and state route known as the Route 9/44/55 Interchange and Route 44/55 Arterials. This is one of the most important interchanges and arterials in the county with very high

volumes of traffic and a high rate of crashes. DCTC is working with NYSDOT, City of Poughkeepsie, and Town of Poughkeepsie with the mission to identify design alternatives for these facilities. The interchange and arterials are listed on their LRTP as Transformative Projects in the long term and medium term, respectively.

- In the development of this study, DCTC created excellent online Virtual Public Involvement tools that were interactive and allowed for the public to participate. These included a sequence of well-designed virtual public meetings, with YouTube videos that display microsimulation of various existing conditions and alternatives and online surveys to engage with participants and collect their comments on travel options and traffic patterns, as well as an online interactive mapping tool. Hosting these opportunities virtually provided a highly accessible option for the public to comment whenever they were available during the commenting period. It was one of the main outreach opportunities in an environment where physical meetings were limited due to COVID restrictions. As a result, there were 408 participants in the interactive mapping tool. FHWA shared information about this well designed and user-friendly tool with participants during the NYSDOT FHWA Every Day Counts (EDC) workshop on Virtual Public Involvement (VPI) and Environmental Justice (EJ) in March of 2021.

OCTC

- PEL is an approach to decision-making that considers environmental and community goals early in the planning stage and carries them through project development, design, and construction.
- **Notable:** NYSDOT Region 8 is near completion of the *Route 17 Planning and Environmental Linkage Study* which is the first PEL study conducted in the State of New York. Region 8 led the study through consultant services and initiated PEL in 2019 prior to the pandemic. Over the two-year study they steadily collected comments from the public, stakeholders, municipalities, and community members across the route through Virtual Public Involvement meetings and other public input opportunities to develop *Purpose and Needs* statements and a range of alternatives. There were several hundred participants who joined in these VPI webinars where they were able to provide feedback through online virtual polls and word clouds. The study was finalized in October 2021.
- OCTC staff and members participated in virtual public involvement forums for the PEL and were fully engaged. OCTC staff worked closely with their members to collect feedback and jointly issue comments, concerns, and coordinate with NYSDOT Region 8 throughout the study.

Transit Activities and Human Services Transportation Plan

- In response to a recommendation from the September 2017 certification review, the TMA conducted the Connect Mid-Hudson Regional Transit Study, which concluded in January 2021. The three MPOs in the TMA pooled their UPWP planning funds for a consultant to create recommendations to focus the MPOs and transit operators the most critical transit needs.
- The result is a document and a website, both of which highlight regional transportation issues, planning

products, concrete projects to improve transit service to meet riders' needs, and funding strategies to implement projects. The recommendations integrate private-sector transportation operators, publicly operated transit, micro transit, ferry, and bicycle-pedestrian infrastructure to improve local and regional transit for residents, workers, and visitors, thereby supporting the ten planning factors.

- The recommendations in the document start the work of integrating county-based transit into an equitable, regional transit system connecting users within and outside the TMA. Furthermore, the MPOs have begun to leverage data and analysis from the updated Congestion Management Plan to focus congestion mitigation efforts on roadways that host transit routes.
- Beyond the regional transit study, during the Federal Team's discussion with the three MPOs evidence was provided that the region is starting to integrate transit planning efforts organically. For example, the three MPOs:
 - Conducted relevant, local studies during the Connect Mid-Hudson process, which helped the MPOs prioritize which follow-up studies and projects to advance based on the results of regional and local planning efforts
 - Shared FTA Section 5307 urbanized area formula funds for transit planning, capital, and operating assistance to meet regional transit needs
 - Coordinated to choose projects for FTA Section 5310 formula funds to enhance mobility for senior citizens and people with disabilities
 - And are upgrading existing on-road and off-road bicycle and pedestrian facilities and building new facilities in a manner that facilitates access to local and regional transit as discussed further in the section on non-motorized transportation
- Despite the decreased ridership and revenue due to the pandemic, the TMAs transit operators, including private bus companies, have funding to continue operations for approximately another 1.5 years through this Administration's efforts to provide federal funding from the CARES Act, CRRSAA, and ARP. This is vital to serving transit users as individuals, families, businesses, and the region recover from the pandemic.
- *Future Opportunities and Challenges:* The three MPOs of the MHVTMA have increased their coordination for true regional planning for the Mid-Hudson Valley, like the recent Congestion Management Plan, the Connect Mid-Hudson Regional Transit Study and initiation of freight planning (ongoing). This should continue.
- One challenge is to reconcile the public's desire to understand and participate in the planning process for Amtrak intercity rail projects with the fact that these projects are not part of the MPO transportation planning process. Stakeholders also want improved coordination between intercity rail and commuter rail projects. Several stakeholders provided detailed written comments on this topic, which are included in report appendix. One strategy is for the MPOs to invite Amtrak and Federal Railroad Administration to their planning meetings. We encourage MPO staff to review these comments and respond or share with the entity best suited to respond.
- Likewise, other stakeholders provided written comments on challenges of using transit, especially for people with disabilities, and the challenges people with disabilities face to participate in the planning process when virtual and online events don't meet their needs. These comments are in the report appendix. Although these comments were specific to one of the MPOs, it would be beneficial if all three

MPOs review these comments and share with their transit and human services transportation providers.

- *Connect Mid-Hudson Regional Transit Study Recommendations*

- 1) Enhance regional transit connectivity: Emerging shifts in commute patterns like reduced commuting to NYC, the closure of local healthcare facilities due to mergers, the construction of new warehousing and distribution facilities in the region and other trends present challenges and opportunities to re-imagine transit to serve the region's residents, businesses and visitors better.
 - Some stakeholders expressed a desire for the MPOs to think more regionally about transit access to rail, Stewart International Airport, and employment in the region and beyond. Noting that 25% of people have a mobility issue, other stakeholders hope the region will move beyond the minimum requirements of the law, adherence to ADA, to create options to serve people with disabilities who have challenges with fixed-route transit or cannot use it at all.
 - To address these issues, the three MPOs, the transit providers, and the human services transportation providers must coordinate fixed-route transit, paratransit, human services transportation and emerging micro-transit options in urban and rural areas to ensure that everyone can access healthcare, shopping, employment, education, government service and other activities of daily living within their counties, in other TMA counties, and key destinations outside the region.
 - Implementing the recommendations from Connect Mid-Hudson is a natural first step. The creation of a regional human services transportation plan to complement the regional transportation plan also could enhance regional connectivity.
- 2) Help residents use transit and non-motorized modes: As the region develops its multi-modal transportation system, it is important that the MPOs, counties, transit providers, and other organizations explain the myriad benefits of transit and non-motorized modes for individuals and the region. Key benefits to individuals include more physical activity and improved physical and mental health, more flexibility and resilience in travel options allowing independent living to later stages of life and reduced personal expenditure for transportation. For the region, benefits include supporting economic development and improving regional resilience to climate change and other environmental factors. Complementary to this, MPOs and transit providers should educate the public on transit and non-motorized transportation options including how to access and use the systems, services, and facilities. While this is critical to help aging residents to maintain their independence and "age in place," it is also critical to serve other people who are or may become unable to drive and dependent on transit and non-motorized modes.
- 3) Create a Regional Transit Ombudsman: Implementing this recommendation from the Connect Mid-Hudson Regional Transit study can improve two-way communication with current riders and with people who do not use existing transit services. Improving communication is key to gathering feedback needed to create services to meet the

needs of current riders and future riders. This is consistent with the recently released [planning emphasis areas](#) for FTA-FHWA.

Cooperation and Coordination

- The Mid-Hudson Valley TMA is nestled between upstate New York, the Lower Hudson, and the Greater New York City Region. After UCTC became an MPO in 2003, DCTC, OCTC, and UCTC signed an agreement in 2006 to form Mid-Hudson Valley TMA. The agreement covered the areas the three MPOs would engage in cooperative and coordinated planning at the staff level which includes a coordinated and collaborative Congestion Management System, FTA 5307 funds and Federal TMA Certification Reviews, data and information sharing, and finance support, staffing, services and decision-making.
- The Federal Team observed that indeed for these areas the cooperation and coordination amongst the staff is well carried out. The staff meet three to four times a year and coordinate on the main work products cited in the agreement and additional ones as the transportation program has evolved to address Regional issues such as the Regional Transit Plan and the forthcoming freight plan.
- When the Federal Team interviewed the three County Executives, we learned that the three counties enjoy a high level of coordination amongst the County Executives with frequent meetings and connections on transportation and many civic areas, especially with concerns during the pandemic.
- The Federal Team also heard from at least one or two Policy Board member at the certification review roundtable, who suggested that with the population growth of the Mid-Hudson Valley since the pandemic, it would be advantageous for the Policy Board members of all three counties to meet once or twice a year to address larger regional transportation planning issues that would help the Region become more competitive economically and to compete for national grants. Areas that were brought up for consideration included ferry service to NYC and a serious discussion on how the Region could work together on transportation to Stewart International Airport to better serve the Region.
- OCTC also participates in the Metropolitan Area Planning (MAP) Forum, which was established to foster coordination among the eight MPOs within and adjacent to the New York City Metropolitan Area in New York, New Jersey, Connecticut, and Pennsylvania. Through this forum the staff are updated on the Greater NYC regional issues as it affects the three other states. They also work jointly on transportation issues, such as truck parking and data sharing. OCTC has found this forum useful as it also serves as a means for peer learning and exchange.

Tribal Nations Consultation Process

- The Tribal Nations consultation is a focus area for certification reviews given the importance of the MPO planning process in project selection. The Federal Team found that while there are no Tribal Nation territories within the boundaries of the Mid-Hudson Valley MPOs, there are four federally recognized Tribal Nations with ancestral history of habitation within the boundaries of

the TMA. They include *Delaware Tribe, Delaware Nation, Stockbridge Munsee Community, and Saint Regis Mohawk Tribe*.

- As such, the Tribal Nations have an expressed interest in transportation projects that occur in this area from the perspective of cultural and historic preservation. These Nations have requested to receive project information earlier, with hopes of finding ways to avoid impacts to resources that are significant to them.
- In general, the three MPOs that make up the Mid-Hudson Valley TMA had some understanding of the Tribal Nation interests in their respective areas, though two had only heard of the interest due to recent discussions with FHWA. One MPO, the UCTC, had experience in working with one of the Tribal Nations, the *Stockbridge Munsee Community*, on mitigating an adverse effect to resources in one of their projects.
- With the *Delaware Tribe, Delaware Nation, Stockbridge Munsee Community, and Saint Regis Mohawk Tribe* ancestral history of habitation within the boundaries of the TMA, DCTC, OCTC, and UCTC should work to establish relationships with the four Tribal Nations and establish a Tribal Nation Consultation Procedure, in consultation with the *Delaware Nation, the Delaware Tribe, the Stockbridge Munsee Community* and the Saint Regis Mohawk Tribe in reference to 23 CFR 450.316(c) and 23 CFR 450.324(f)(10).

Public Participation Plans

OCTC

- OCTC recently developed a new standalone Public Participation Plan (PPP) to address the communication and public involvement strategies for the growing communities in the Orange County Metropolitan Planning Area. With the increase in population and changing demographics, OCTC created this plan to better understand the demographics of the county and strategize effective ways to communicate with the different communities according to their needs and convey that their voices matter.
- Prior to this effort OCTC's Public Participation process was a section in their Operating Procedures that contained their process, but did not have a demographic analysis or alternate strategies to account for the people they were looking to reach out to or specific strategies they would use to reach out to the various populations. It also did not have the newer methods being used, like Virtual Public Involvement, townhall meetings, etc. This new document starts by understanding the demographics of the Region, analyzing their communication needs, devising strategies to meet these needs and then a process in evaluating the effectiveness of these strategies.
- Additionally, with OCTC's commitment to equity there is a focused section on Diversity and Inclusion to outreach to communities who have been traditionally underserved and hard to reach which is further discussed in the *Title VI – Civil Rights* section of this report. OCTC identifies these communities, the barriers that have kept them from participating when there were outreaches, and what are more effective strategies to meet their needs for communication.
- These communities include the traditionally underserved minority and low-income

populations, those who are transportation vulnerable like those with Limited-English Proficiency (LEP), and the senior citizen population (65+), individuals with disabilities, zero car households, and those whose educational attainment is less than high school. The plan includes a comprehensive toolbox with strategies to carefully communicate and provide opportunities for each of these communities to meaningfully participate in the Transportation Planning Process. The strategies contained are versatile from mailings, phone townhall meetings, in-person meetings, public outreach strategies, to Virtual Public Involvement.

- The document is well written, comprehensive, and captures some of the strategies that OCTC is already using and intend to use for public involvement. This is an excellent example of the type of content that is helpful in being included in a Public Participation Plan and in alignment with FTA-FHWA's [Planning Emphasis Area](#) on Equity, Diversity & Inclusion.

DCTC & UCTC

- DCTC and UCTC's Public Involvement process is documented in each MPO's bylaws or operations plan which were updated and adopted in 2016 and 2015 respectively. The Public Involvement process addresses how the MPO will conduct public participation for various planning activities and actions, such as adoption of the Long-Range Transportation Plan, the Unified Planning Work Program, and the Transportation Improvement Program, as well as amendments to these documents.
- DCTC and UCTC recently updated their LRTPs. Each of them developed a Public Participation Plan specific to the LRTP to discuss how they would provide opportunities for the public to provide feedback to them. They outline the timeline, activities, and strategies and methods for outreach each using innovative measures for input given the current pandemic environment. Some of the highlights of these methods include virtual public involvement, taking feedback directly in the online LRTP document, and presenting the LRTP update on Spanish radio to outreach to an LEP population.
- UCTC also expressed that they obtain a lot of public input in more informal and personal ways, through direct connection with their communities at schools, community centers, churches, and piggy backing on existing events. Their method is to adapt to the community.
- As 23 CFR 450.316(a)(1)(x) cites that MPOs should periodically review the effectiveness of the procedures and strategies contained in the participation plan to ensure a full and open participation process, the Federal Team recommends that DCTC and UCTC revisit and update their public participation plans.

Title VI - Civil Rights

- During the previous certification review, there were no recommendations or corrective actions associated with Title VI; however, there was robust discussion regarding all three Title VI programs, specifically how to analyze Title VI in relation to planning efforts and how to consider Title VI in public involvement efforts. Since that time, each of the three MPOs have moved beyond relying on their County's Title VI Plans and either created or revised their own MPO-specific Title VI materials and made great progress in implementing Title VI. These materials were reviewed in comparison

with the requirements for the Title VI Plans in 23 CFR 200 (the regulations do not specify required elements for subrecipient Plans), as well as the requirements NYSDOT has defined for Title VI Plans for subrecipients. The main components include: 1) Title VI Coordinator identified by name, 2) a complaints procedure, 3) a procedure for collecting Title VI data of those impacted by the programs and services, 4) monitoring, 5) training, and 6) dissemination of information to the public.

- The Federal Team also examined how each MPO considered Title VI requirements in their planning efforts and whether they created an equity analysis to incorporate Title VI, Environmental Justice, and other population data into their planning decisions. We congratulate each of the MPOs for their diligent efforts to incorporate these considerations using meaningful methodology.
- The Federal Team also examined Limited English Proficiency procedures and public involvement as it pertains to traditionally underrepresented populations, as well as any ongoing efforts related to the Americans with Disabilities Act Transition Plans. Again, each of the MPOs has been implementing efforts to progress these programs.

OCTC

- Since the last review, OCTC has revised their agency-specific Title VI Plan, which was approved in October 2021, and was found to contain all required elements. The Policy Statement and other key information, such as the coordinator and complaint process are translated into Spanish and posted on their website, in the conference room, and posted on a bulletin board on-site.
- OCTC has been considering Title VI in their planning efforts, including in the TIP 2020-2024, which contains EJ measures that identify areas based on demographics and overlay the projects in the TIP with EJ maps and considers the purpose of projects. This type of information has been included in the TIP narrative for the first time and is a great step.
- In addition, the LEP Plan^[1] was updated this year and includes a four-factor analysis, translation of vital documents, and free language assistance services, often with the assistance of voluntary translators from across the County administration.
- The draft Public Participation Plan from August 2021 was also reviewed and contains multiple elements that are proactive and responsive practices for public outreach strategies for traditionally underserved populations:
 - Identified “Hard-to-Reach” populations and strategies for involvement and created a table that identified various populations, barriers specific to each, and strategies to be responsive to those barriers. For example, for minorities who are identified as experiencing the barriers of being historically disenfranchised and having limited trust in the transportation process and government agencies, recommended strategies include peer-to-peer workshops with community leaders or groups, holding events at non-government locations, and embedding education into the surveys and using visualization techniques.
 - Recognizes that public participation is not a one-size-fits-all model that needs to be tailored for different situations, and utilization of a model that seeks to inform, consult, involve, collaborate, and empower, which is consistent with best practices for public outreach for traditionally underserved populations.

- Includes a process to evaluate and update performance measures and to note the number of community events participated in geographic areas identified as hard-to-reach populations and to identify if the overall approach was effective
- Includes assessment of public outreach that disaggregates minorities to provide the most tailored, specific public outreach possible
- The Federal Team also learned during discussions that staff meet to evaluate public involvement efforts to identify what works and what does not. For example, they used feedback from the LRTP outreach that indicated a need for outreach to rural communities and created an online outreach effort that increased participation to more than 100 participants who otherwise may not have been included. We also learned that many virtual public outreach efforts were utilized that will remain in place due to their success, some of which were specifically beneficial for traditionally underserved populations. For example, OCTC requested the health organization list of stakeholders for EJ communities for vaccine outreach and plans to use that network in their own EJ outreach.
- Finally, the Federal Team checked OCTC's progress with their ADA Transition Plan efforts and learned that since the previous review, they began their effort by collecting data such as digitized crosswalks, ramps, and sidewalks inventoried in GIS. The initial plan was to go out and rate the facilities; however, the pandemic delayed that effort.

DCTC

- Since the last review, DCTC created their 2018 Title VI Policy^[2], which includes many of the required elements, including: Policy Statement, Complaint information, and identified the Title VI Coordinator by role. The Federal Team encourages DCTC to draft a full plan, consistent with the findings from the previous review because some of the required elements are missing, including a Title VI Coordinator identified by name, a procedure for collecting Title VI data of those impacted by the programs and services, monitoring, training, and dissemination of information to the public. While we are aware that many of these requirements are being met, they should be documented in the Plan.
- The Federal Team was very impressed with the implementation of Title VI and Environmental Justice considerations in the *Moving Dutchess Forward* Transportation Plan, which included the creation of a detailed, robust equity analysis and recommendations to reduce equity gaps^[3]:
 - Identified focus areas and populations at the Census tract level, creating an Equity Index for each tract with the plan to update their data when the 2020 Census data becomes available for greater accuracy.
 - A great practice is that they disaggregated race during their focus population identification and identified populations of Black, Asian, and Hispanic among other demographic populations. They also identified high populations of residents with disabilities and LEP.
 - Program information such as high-crash locations (analysis suggests that safe access is unequal), train access (secure, long-term bike parking, sidewalks and bus service), walking and bicycling access (gaps occur in focus populations), traffic congestion (some of the most congested roads travel through the focus areas), and access to

- basic needs (i.e. housing, jobs, education, goods and services, and recreation) were examined as they intersect with transportation projects and planning.
- A best practice is that they identified their role in addressing these identified equity gaps by identifying methods to address equity barriers for specific gaps in specific locations (i.e. to reduce safety, reliability, and access barriers on Routes 9 and 9D).
 - Relationships were developed with community-based organizations in those focus areas, such as attending Poughkeepsie Healthy Black and Latinx Coalition meetings and providing priority in their selection criteria for projects that improve access in identified focus areas.
- **Notable:** The GIS demographics tool^[4] that DCTC created is very useful for examining Title VI and other impacts. It combines demographic data that can be overlaid with maps reflecting crash data, transit information, and barriers to basic needs such as jobs, food, and health care facilities. Not only is this a good practice, but the technology used to visualize this information is beneficial for ease of understanding and decision making.
 - General information about their public involvement, not specifically towards Title VI populations, was found in the Public Participation Plan updated in 2016 and the UPWP; however, during the review, we were told a key goal is to update the Public Participation Plan. This update anticipated including specific information about how to conduct outreach for Title VI and other traditionally underserved populations, as it would be beneficial to document and standardize those practices.
 - DCTC does not appear to have a separate LEP Plan outlining specific policies for translation and interpretation services. The website features translation services and key documents, such as the LRTP Executive Summary and outreach flyers, have been translated into Spanish. Documenting standard policies and procedures could be a helpful practice to ensure consistency of appropriate implementation.
 - Finally, the Federal Team checked DCTC's progress with ADA Transition Plan efforts and learned that since the previous review, DCTC's LRTP educates agencies about the need for Transition Plans and DCTC is assisting Dutchess County with its Transition Plan as well.

UCTC

- The UCTC's Title VI Plan approved March 16, 2017 was reviewed and contained many of the required elements, including a Title VI Coordinator (not identified by name but by role), a complaints procedure, and public involvement considerations. The Federal Team encourages UCTC to draft a full plan, consistent with the findings from the previous review because some of the required elements are missing, including a procedure for collecting Title VI data of those impacted by the programs and services, monitoring, training, and dissemination of information to the public. While we are aware that many of these requirements are being met, they should be documented in the Plan.
- In the LRTP 2045, an identified goal was Goal 8: Transportation Equity, which focused on developing and integrating strategies to mitigate negative effects from transportation systems that can impact various community members, with a specific focus on public outreach efforts to EJ communities. There is mention of equity as a factor for consideration

in the TIP and during the review, we learned more about the procedure, which involved creating various categories to measure (i.e. disability, LEP, minority) and using that data in their assessment. UCTC is optimistic that when they can conduct a call for projects, they will be able to utilize this new selection criteria.

- UCTC's operating procedures reflect LEP procedures for interpretation services upon request and the LRTP summarizes the survey translation into Spanish. During the review, the Federal Team also learned about efforts to customize outreach for LEP needs using the Census data.
- UCTC has general public outreach information contained in its operating procedures; however, in terms of outreach specific to Title VI and traditionally underserved populations, during the review, we learned that the necessity of virtual outreach has improved their public involvement efforts because participation itself has increased and there is a sense that translation services may be more effective in virtual environments using their model because the public can choose which language and not experience two competing voices. Additionally, Kingston Community Radio provides some Spanish speaking sessions, one of which featured an interview of UCTC about the transportation planning process, which resulted in additional sessions focused on project updates since. This great partnership speaks to UCTC's goal to find trusted sources and methods and utilize those existing means to conduct effective outreach with target populations.
- Finally, the Federal Team checked UCTC's progress with their ADA Transition Plan efforts and learned that since the previous review, UCTC has completed its [sidewalk inventory with condition ratings](#), which was completed in January 2021.

Bicycle, Pedestrian, Trails

- The extensive trail system in the Mid-Hudson Valley benefits from a supportive community of non-profit organization that advocates for this system. The three MPOs in the Mid-Hudson Valley Transportation Management Area have strong relationships with local and regional partners and have supported the development of an extensive and well-connected trail system in the region. The trail system attracts tourism, supports the local economy, and provides amenities that benefit residents. The years of work that the MPOs have put into their trail system provided a strong foundation for the statewide Empire State Trail, which was officially completed in December 2020 and runs through both Ulster and Dutchess County.
- All three MPOs are very active in statewide bicycle and pedestrian initiatives as well. For example, all three MPOs participate in NYSAMPO's Bicycle and Pedestrian Working Group, with staff from DCTC and UCTC serving as Chair and Co-Chair. All three MPOs have strong relationships with the respective transit agencies in their areas to plan for first-/last-mile bicycle and pedestrian connections for transit stops.
- The current Congestion Management Process (CMP), which was adopted in 2019, establishes several performance measures that strengthen bicycle and pedestrian accessibility in the region. This includes the mileage of bike paths and dedicated on-street bicycle facilities in the region, the number of bike parking spaces at key intermodal locations, and the percentage of sidewalk

coverage within a certain distance of key transit locations. All three MPOs have been proactive in digitizing their bicycle and pedestrian networks to capture where infrastructure exists, where gaps exist, and condition ratings for existing facilities. In addition, all three MPOs have some form of bicycle and pedestrian count program, which is extremely helpful for identifying what facilities are being used the most and where additional resources should be directed.

DCTC

- DCTC has done a lot of work to digitize their sidewalk and bicycle infrastructure and display this data through their digital LRTP, . The LRTP is a very data-driven plan that identifies where bicycle and pedestrian improvements are needed, particularly in high crash locations, promoting increased bicycle and pedestrian safety. DCTC also has developed a bicycle parking map/app that shows the location and type of bicycle parking in the county. This map is used during site plan reviews to identify where new bicycle parking could be installed during the development process.
- DCTC also has a Complete Streets Checklist that is used by the county during any public works project on a county-owned facility to ensure that all improvements support the county's Complete Streets policy. The checklist is very comprehensive and has been used as a model for other counties (including Orange County). DCTC has encouraged its local municipalities to adopt a similar checklist for their facilities. Other noteworthy planning initiatives that impact bicyclists and pedestrians in the region include the countywide High-End Speeding Analysis and the Bus Stop Accessibility Study.
- DCTC has a solid bicycle and pedestrian count program that includes manual counts and automated count data. The manual count program is conducted on an annual basis using volunteers and focuses on rail trails and key urban centers. Pedestrian and bicycle video counts and bicycle tube counts from their annual traffic count program supplement the manual bicyclist and pedestrian counts.
- DCTC has strong partnerships within the county and the region that help promote bicycle, pedestrian, and trails planning, including DCTC's Bicycle-Pedestrian Advisory Committee, the county's Complete Streets Committee , the Winnakee-Dutchess Trails Roundtable, statewide partners through the NYSAMPO Bicycle and Pedestrian Working Group, support for stakeholders involved in the Hudson Highlands Fjord Trail (<https://www.hudsonfjordtrail.org/>)and the local municipalities through DCTC's Local Pedestrian Planning Initiative.

OCTC

- While OCTC's bicycle and pedestrian plan is dated (1998), they are currently preparing for a plan update. OCTC has also been very intentional about incorporating bicycle and pedestrian needs into their LRTP and their TIP projects. They also have a strong Complete Streets policy and checklist.
- OCTC continues to develop their trail system. One major area of focus has been the county's Heritage Trail, a multi-modal paved trail that currently extends 18-miles from the City of Middletown to the Village of Harriman. The trail has received a lot of support from the local municipalities and the county, supporting OCTC's relationships with these partners.

- OCTC has been focused on creating a connected multi-modal network by identifying potential trail connections utilizing existing rights-of-way that would provide increased opportunities for expansion. OCTC has been working in partnership with public and private agencies, including the County Parks Department to identify where easy opportunities exist to make connections between county-owned parcels and existing parks. OCTC is also focused on developing connections to the Empire State Trail, boosting regional connectivity.
- OCTC is developing a strong data program for their bicycle and pedestrian planning efforts. They've digitized all their sidewalks and crosswalks as well as their trail system, including the mile markers along the trail which helps with emergency response. In addition to their GIS efforts, OCTC began a manual count program using volunteers which is off to a good start. These data gathering efforts will provide an excellent base for their next Bicycle and Pedestrian Plan update.

UCTC

- UCTC serves as one of the leaders in the region when it comes to trails development. The trail work that has been done to date is largely due to the strong partnerships that UCTC has built throughout the region. They worked with Ulster County Trails Advisory Committee to develop the [State of the Trails 2020 Report](#) which documents the benefits that the trail system provides the region, shares the new trail developments that have happened to date, and identifies future trail segments. UCTC is very proactive about multimodal connectivity and is working with their partners at the transit agencies in the region to identify where transit connections for the trail system are needed. All buses in the county are equipped with bicycle racks as well.
- UCTC has strong partnerships with other stakeholders in the region and is actively involved in Ulster County's Complete Streets Advisory Committee, Ulster County's Traffic Safety Board, & NYSAMPO's Bicycle and Pedestrian and Safety Working Groups. UCTC continues to assist their local municipalities with meeting ADA compliance as well, through training and by digitizing the sidewalk data for each municipality. UCTC's sidewalk digitization effort, which includes an assessment of the sidewalk condition, is part of a larger effort to collect bicycle and pedestrian data that will bolster their planning efforts. Their data collection efforts also include Miovision counts and tube counts on trail facilities as well as several permanent count stations.
- UCTC acknowledges that their current Non-Motorized Transportation Plan is old (2008) though they are still implementing the projects and strategies identified in the plan and do not anticipate conducting a plan update in the immediate future. However, as UCTC broadens their focus from trails to focus on bicycle and pedestrian needs on shared facilities, they should consider updating their plan to establish a vision and goals for active transportation at the county-level as well as identify needs and strategies that complement their ongoing Complete Streets planning work.

Freight Planning

- The Federal Team observes that MHVTMA is making substantial progress to address freight needs as part of the planning process. All three MPOs provided input on the 2019 New York State Freight Plan through the NYSAMPO Freight Working Group. The three MPOs have prioritized development of a Regional Freight Plan, as recommended by FHWA and FTA during the previous certification review. The MHVTMA has looked to the State Freight Plan, NCHRP Report 570: Guidebook for Freight Policy and Planning in Small- and Medium- Sized Metropolitan Areas, and NYMTC's freight planning efforts to set a context for its own Regional Freight Plan. Through OCTC's participation in the MAP Forum's Multi State Freight Working Group, the MHVTMA has also gained insight into freight issues impacting the larger Northeast Region. The TMA has recognized that the substantial expansion of warehousing and distribution centers in the region is changing the types, volumes, and modes of goods moved. In particular, all three MPOs observed that the COVID-19 pandemic changed demand for residential deliveries and highlighted the need for effective curb management.
- The MPOs have developed a work program to guide development of a Regional Freight Plan, with a substantial focus on equity and stakeholder engagement. At the current phase of the work plan, the three MPOs have divided duties among points of contact at each MPO to conduct data analysis in-house. Together, the TMA has analyzed freight-related safety data, freight-related congestion (from the updated CMP), and commodity and mode data. The three MPOs have formed a freight work group that meets bi-weekly to track progress and continue advancing the Plan. The next steps are to refine the data analysis and complete a freight profile, identify major development projects in the region, and identify stakeholders to begin outreach. The MPOs specifically emphasized a desire to connect with the region's agricultural sector and with commercial driver's license (CDL) training companies in Orange County to ensure that the Regional Freight Plan includes a broad array of freight stakeholders. The MPOs reported that they intend to continue to do as much of the work in-house as possible, and also that they view freight data as ripe for inclusion in the ArcGIS Hub.

Intelligent Transportation Systems – Congestion Management Process

- The Mid-Hudson Valley TMA has developed a systematic and collaborative approach, incorporating newly developed tools and robust data sets including NPMRDS, to manage congestion within the TMA area. The most recent update to the Congestion Management Process includes methods for evaluating multimodal transportation system performance and informing the development, implementation, and assessment of congestion reduction strategies to meet regionally agreed-upon objectives. It is a data-driven, performance-based approach to congestion reduction, safety improvement, and mobility enhancement which has been thoroughly integrated into the planning process and thus meets the requirements laid out in 23 CFR Part 450 Section 320.
- Adoption of the CMP in 2019 was complemented by completion in early 2020 of two TMA-wide analyses: Multi-Modal Accessibility and Macro-Level Screening. Working closely with the data scientists of the University at Albany's Visualization and Informatics Lab (AVAIL), MPO staff were

able to conduct their macroscopic analysis using the AVAIL NPMRDS Macro Tool to identify high priority locations as ranked using performance measures related to highway, freight, and transit travel time, excessive delay, reliability, and on-time performance. This then was able to inform a micro-level analysis, for which DCTC used the AVAIL NPMRDS's Route Creation Tool and Reports Tool to further analyze identified locations to understand causes of congestion and generate high-level recommendations. The Multi-Modal Accessibility technical analysis captures existing conditions, identifies network gaps impacting accessibility, and provides recommendations based on performance measures for park & ride availability, transit availability, bicycle networks, bicycle parking availability, bicycle racks on buses, and pedestrian networks. Each TMA-wide analysis lends itself to more finely grained county-level analysis and project prioritization.

- The MHVTMA MPO staff are to be commended for their data-driven Congestion Management Process approach and associated analyses that address their objectives of analyzing highway congestion, analyzing highway travel time reliability, analyzing freight congestion and reliability, analyzing transit congestion and reliability, and evaluating multi-modal accessibility. In particular, this commendation recognizes the halo effect that their efforts have had on the ability of MPOs statewide to use NPMRDS data with the constantly evolving AVAIL NPMRDS tools. MHV MPO staff interaction with the AVAIL Team and subsequent improvements to the NPMRDS tools better enabled these tools to be used for conducting analyses as part of the CMP, itself a living document.
- MHV MPO staff have shared these experiences with transportation agencies across New York State, including in a well-received presentation as part of *Planning for Reliability TSMO Seminar* through transportation systems management and operations workshop delivered by FHWA and NYSAMPO in July 2021. Their presentation provided an overview of the change in method in developing a CMP from using a limited scope of manually collected data to the great advancement in using the comprehensive set of NPMRDS data in the AVAIL tools, which allowed them to analyze data as they had never before with days, months, seasons, and years of data. They discussed how their partnership with the AVAIL Lab from the University at Albany helped to develop tools for planning practitioners specific to their needs in order to analyze and prioritize congested areas, devise strategies to address these congested areas, and develop a plan that addresses the Regional Transportation System by focusing on the key locations.
- **Notable:** Another noteworthy effort that advances the objectives of the CMP is UCTC's Traffic Signal Warrant Evaluation for the City of Kingston. UCTC was able to determine that 11 of 12 signalized intersections evaluated did not meet minimum traffic and safety warrants and identified strategies that could better serve the safety and mobility needs of the traveling public across modes. The process of implementing the recommendations of this study have already begun.
- **Notable:** Additionally, DCTC's efforts to educate local municipalities on three emerging technology trends that they've identified as having major significance for the region. Electric vehicle use has grown exponentially in the county and is projected to continue to do so, though the associated benefits are not distributed equitably. Charging infrastructure is seen as the primary barrier to greater adoption and an area where local governments can positively support equitable deployment. Benefits, threats, infrastructure needs, and equity concerns are also identified as vehicles transition to self-driving vehicles. Finally, the region is anticipated to see

increased deployment of ITS for highway and transit systems with associated increased resource demands for the operations and maintenance of these systems. This includes ITS deployments on local roads and greater need for vehicle-to-infrastructure communication. DCTC had identified roles and early steps that municipalities can take to prepare for these changes.

Resiliency, and Security Planning

- Overall, the three MPOs are very engaged in statewide, regional, and county efforts to improve resiliency of the transportation system due to extreme weather events and reliability of the transportation system in the face of other challenges. The three MPOs are active participants in New York State Association of Metropolitan Planning Organizations (NYSAMPO) Climate Change Working Group, an ongoing forum to share best practices in resiliency throughout New York State. All three MPOs work collaboratively with their host counties and provide GIS assistance to their member municipalities to map vulnerable infrastructure and the prevalence of hazards. The three MPOs also coordinate with emergency response and law enforcement personnel to help manage hazards that can degrade reliability of the transportation system, with a particular emphasis on freight reliability on east-west routes throughout the TMA.
- All three MPOs, through their UPWPs, support the implementation of recommendations of the 2013 Mid-Hudson Regional Sustainability Plan, which covers a large region that includes the TMA. All three MPOs also work to address the goals of the Climate Leadership and Community Protection Act (CLCPA), which includes an 85% Reduction in GHG Emissions by 2050. All three MPOs support technology to reduce greenhouse gas emissions, including promoting electric vehicle (EV) infrastructure (such as charging stations)⁷.

DCTC

- DCTC is currently gathering GIS data needed for their planned transportation infrastructure vulnerability study. The groundwork for this vulnerability study was set in their most recent LRTP, through a Flood Vulnerability Map. The anticipated study will build on the existing mapping work and serve as a living tool that captures vulnerabilities and major events in the county and can be updated as needed. DCTC is currently building a scope of services for the study using UCTC's scope as a model. DCTC will work with Dutchess County Public Works, NYSDOT, MTA, and local partners to develop this vulnerability study and to incorporate climate change in transportation projects.
- DCTC also advises Dutchess County on their Climate Smart Communities work (NYSERDA) and helped the county reach Bronze status. Communities at the local level are also pursuing Climate Smart Communities recognition and DCTC is assisting with this process as needed.

OCTC

- The Orange County Planning Department recently started their Countywide Resilience Plan in Summer of 2021, where OCTC and the County DPW are stakeholders. The plan focuses on data gathering and GIS tools; the resulting information will be incorporated

⁷ Equity in access to EVs is important for a just transition to a green economy. MHV may want to consider the gaps in access to EV for people of color and low income.

into the ArchHUB. OCTC anticipates that the final plan recommendations and GIS data will help guide project prioritization for future TIP project selection.

- OCTC is also actively promoting the adoption of EV infrastructure. OCTC staff created an EV Charging Station Suitability GIS toolbox that combines and ranks multiple datasets for cluster locations in Orange County to more easily and efficiently identify areas that may be suitable for installing new EV charging stations.
- OCTC has strong relationships with regional and local stakeholders on resiliency issues, as evidenced by their participation in the Resiliency Working Group with the MAP forum and their support for the Orange County Planning Department's grant from the NYS Department of Conservation (NYSDEC) NYS Climate Smart Community Grant Program to perform a community Greenhouse Gas Inventory (GHGI) and a County-wide Climate Action Plan (CAP).

UCTC

- UCTC recently began their countywide Transportation Infrastructure Resiliency and Vulnerability Assessment Planning Study. This plan will continue the resiliency work already established by the UCTC Year 2045 Long Range Transportation Plan. The LRTP identifies possible performance measures to track emissions reductions over time and improve the transportation system for all modal users.
- UCTC also has strong relationships with local and regional stakeholders. UCTC has direct participation in Ulster County's Climate Smart Communities Recertification process, including development of GHGI and review and development of other transportation-related scoring criteria. Beginning in Summer 2021, UCTC also provided direct support and technical guidance to assist with an application to the NYSERDA Electric Mobility Challenge.

Performance-Based Planning and Programming

- The three MPOs in the MHVTMA continue to effectively coordinate with NYSDOT and their transit agencies to meet federal performance-based planning and programming requirements. In terms of TMA-wide performance management, the MPOs have primarily developed regionwide performance measures through their updated Congestion Management Process (CMP). These measures include highway congestion and reliability, freight congestion and reliability, transit congestion and reliability, and multimodal accessibility. The Federal Team examined performance-based planning and programming practices for each MPO individually in detail.
- *Performance Based Planning and Programming Agreements:* The Federal Team found each MPO (DCTC, OCTC, UCTC), the transit providers within their respective MPAs, and NYSDOT are coordinating on data sharing, target setting, and performance reporting as outlined in their 2018 standalone PBPP agreements. All three MPOs have continued to agree to support state targets for FHWA-required measures where applicable rather than set their own.
- *TIP:* As required in 23 CFR 450.326(d), DCTC, OCTC and UCTC all have sections of their current TIPs that adequately describe the impacts that the program of projects in the TIP will have on achievement of the adopted performance targets for the Federally required measures.

- *LRTP*: As required in 23 CFR 450.324(f)(4), DCTC, OCTC, and UCTC all have system performance reports that adequately detail the performance of the transportation system in relation to achievement of the adopted performance targets for the Federally required measures. All three reports use statewide data for the Federally required measures.

DCTC

- In its web-based LRTP, DCTC took a systematic approach to developing and displaying performance measures. DCTC recognized that they could not reliably and consistently update data for many of the performance measures selected during previous LRTPs, and such measures were not always tied to the goals of the Plan. During development of its LRTP, DCTC considered what data it had access to, and the MPO's capability of displaying, sharing, and mapping that data. DCTC also considered how the performance measures that were developed tied to the Plan's themes of addressing barriers to safe and reliable access, access to basic needs, and transportation equity. For the selected measures, DCTC created infographics and interactive maps in a web-based format to visually communicate performance data. Because of the web-based format, these graphics can be updated and revised more frequently to incorporate significant changes that occur in Dutchess County.

OCTC

- Since the previous Certification Review, OCTC has made strides in using the ArcGIS Online to store and communicate performance data. As a member of the MAP Forum, OCTC has worked with NYMTC, NJTPA, and the other MPOs in the consortium to share and display data effectively, including through the ArcGIS Hub. Most notably, OCTC has used ArcGIS Online to communicate information for the West Central Transportation and Land Use Connection Study.
- In their role as County employees, OCTC staff also collected, compiled, and contributed the required performance data on the County's transportation network towards Orange County's certification under the LEED for Communities rating system. The data on the accessibility and connectivity of both the highway and transit networks helped Orange County to achieve LEED Silver certification in May of 2021.

UCTC

- UCTC has used a performance management approach to successfully advance safety planning within its MPA. While UCTC has not issued a new call for projects recently, the MPO has used safety performance measures to inform roadway safety plans and the Pedestrian Safety Action Plan (PSAP) for Kingston. These data-driven plans have enabled UCTC's member agencies to access HSIP funding, which helps UCTC to simultaneously address safety issues on both the state and local road systems.

Reference 1: Regulatory Basis of Planning Topics

Metropolitan Transportation Plan – Long Range Transportation Plan

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

The MTP is required to provide a continuing, cooperative, and comprehensive multimodal transportation planning process. The plan needs to consider all applicable issues related to the transportation systems development, land use, employment, economic development, natural environment, and housing and community development. 23 CFR 450.324(c) requires the MPO to review and update the MTP at least every four years in air quality nonattainment and maintenance areas and at least every 5 years in attainment areas to reflect current and forecasted transportation, population, land use, employment, congestion, and economic conditions and trends.

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

- *Projected transportation demand*
- *Existing and proposed transportation facilities*
- *Operational and management strategies*
- *Congestion management process*
- *Capital investment and strategies to preserve transportation infrastructure and provide for multimodal capacity*
- *Design concept and design scope descriptions of proposed transportation facilities*
- *Potential environmental mitigation activities*
- *Pedestrian walkway and bicycle transportation facilities*
- *Transportation and transit enhancements*
- *A financial plan*

TIP Development and Project Selection

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

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

Reference 1: Regulatory Basis of Planning Topics (Con't)

Regionally Significant Project

23 CFR 450.104 "Regionally significant project" means a transportation project (other than projects that may be grouped in the TIP and/or STIP or exempt projects as defined in EPA's transportation conformity regulations (40 CFR part 93, subpart A)) that is on a facility that serves regional transportation needs (such as access to and from the area outside the region; major activity centers in the region; major planned developments such as new retail malls, sports complexes, or employment centers; or transportation terminals) and would normally be included in the modeling of the metropolitan area's transportation network. At a minimum, this includes all principal arterial highways and all fixed guideway transit facilities that offer an alternative to regional highway travel.

23 U.S.C. 134(j)(3)(B)(i), 23 CFR 450.326(f) The TIP shall contain all regionally significant projects requiring an action by the FHWA or the FTA whether or not the projects are to be funded under title 23 U.S.C. Chapters 1 and 2 or title 49 U.S.C. Chapter 53 (e.g., addition of an interchange to the Interstate System with State, local, and/or private funds and congressionally designated projects not funded under 23 U.S.C. or 49 U.S.C. Chapter 53). For public information and conformity purposes, the TIP shall include all regionally significant projects proposed to be funded with Federal funds other than those administered by the FHWA or the FTA, as well as all regionally significant projects to be funded with non-Federal funds.

Environmental Mitigation/Planning Environmental Linkage

23 U.S.C. 134(i)(2)(D) 23 CFR 450.324(f)(10) requires environmental mitigation be set forth in connection with the MTP. The MTP is required to include a discussion of types of potential environmental mitigation activities for the transportation improvements and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan.

23 U.S.C. 168 and Appendix A to 23 CFR Part 450 provide for linking the transportation planning and the National Environmental Policy Act (NEPA) processes. A Planning and Environmental Linkages (PEL) study can incorporate the initial phases of NEPA through the consideration of natural, physical, and social effects, coordination with environmental resource agencies, and public involvement. This will allow the analysis in the PEL study to be referenced in the subsequent NEPA document once the project is initiated, saving time and money with project implementation.

Transit

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

Continuing, Cooperative, & Comprehensive

23 U.S.C. 134(c)(3) and 23 CFR 350.306(b) states that the metropolitan transportation planning process of developing the plans and TIPs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems to be addressed in the implementation of projects, strategies, and services that will address the [10 planning factors].

Reference 1: Regulatory Basis of Planning Topics (Con't)

Tribal Consultation

23 CFR 450.316(c) Interested parties, participation, & consultation. When the MPA includes Indian Tribal lands, the MPO shall appropriately involve the Indian Tribal government(s) in the development of the metropolitan transportation plan and the TIP.

23 CFR 450.324(f)(10) Development and content of the metropolitan transportation plan.

A discussion of types of potential environmental mitigation activities... The MPO shall develop the discussion in consultation with applicable Federal, State, and Tribal land management, wildlife, and regulatory agencies. The MPO may establish reasonable timeframes for performing this consultation;

Public Participation

Sections 134(i)(6), 134(j)(1)(B) of Title 23 and Section 5303(i)(5) and 5303(j)(1)(B) of Title 49, United States Code, require a Metropolitan Planning Organization (MPO) to provide adequate opportunity for the public to participate in and comment on the products and planning processes of the MPO. The requirements for public involvement are detailed in 23 CFR 450.316, which requires the MPO to develop and use a documented participation plan that includes explicit procedures and strategies to include the public and other interested parties in the transportation planning process.

Specific requirements include giving adequate and timely notice of opportunities to participate in or comment on transportation issues and processes, employing visualization techniques to describe metropolitan transportation plans and TIPs, making public information readily available in electronically accessible formats and means such as the world wide web, holding public meetings at convenient and accessible locations and times, demonstrating explicit consideration and response to public input, and periodically reviewing the effectiveness of the participation plan.

Civil Rights (Title VI, EJ, LEP, ADA)

Title VI of the Civil Rights Act of 1964, prohibits discrimination based upon race, color, and national origin. Specifically, 42 U.S.C. 2000d states that "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." In addition to Title VI, there are other Nondiscrimination statutes that afford legal protection. These statutes include the following: Section 162 (a) of the Federal-Aid Highway Act of 1973 (23 U.S.C. 324), Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973/Americans with Disabilities Act (ADA) of 1990.

ADA specifies that programs and activities funded with Federal dollars are prohibited from discrimination based on disability.

Executive Order #12898 (Environmental Justice) directs federal agencies to develop strategies to address disproportionately high and adverse human health or environmental effects of their programs on minority and low-income populations. In compliance with this Executive Order, USDOT and FHWA issued orders to establish policies and procedures for addressing environmental justice in minority and low-income populations. The planning regulations, at 23 CFR 450.316(a)(1)(vii), require that the needs of those "traditionally underserved" by existing transportation systems, such as low-income and/or minority households, be sought out and considered.

Executive Order # 13166 (Limited-English-Proficiency) requires agencies to ensure that limited English proficiency persons are able to meaningfully access the services provided consistent with and without unduly burdening the fundamental mission of each federal agency.

Reference 1: Regulatory Basis of Planning Topics (Con't)

Nonmotorized Planning/Livability

23 U.S.C. 217(g) states that bicyclists and pedestrians shall be given due consideration in the comprehensive transportation plans developed by each MPO under 23 U.S.C. 134. Bicycle transportation facilities and pedestrian walkways shall be considered, where appropriate, in conjunction with all new construction and reconstruction of transportation facilities.

23 CFR 450.306 sets forth the requirement that the scope of the metropolitan planning process "will increase the safety for motorized and non-motorized users; increase the security of the transportation system for motorized and non-motorized users; and protect and enhance the environment, promote energy conservation, improve the quality of life.

Freight

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

In addition, 23 U.S.C. 134 and 23 CFR 450.306 specifically identify the need to address freight movement as part of the metropolitan transportation planning process.

Intelligent Transportation Systems

The FHWA Final Rule and FTA Policy on Intelligent Transportation Systems (ITS) Architecture and Standards, issued on January 8, 2001 and codified under 23 CFR Part 940 ITS Architecture and Standards, requires that all ITS projects funded by the Highway Trust Fund and the Mass Transit Account conform to the national ITS architecture, as well as to U.S. DOT-adopted ITS standards. 23 CFR 940 states that:

- *At the issuance date (January 8, 2001) of the Final Rule/Policy, regions and MPOs implementing ITS projects that have not advanced to final design by April 8, 2005, must have a regional ITS architecture in place. All other regions and MPOs not currently implementing ITS projects must develop a regional ITS architecture within four years from the date their first ITS project advances to final design.*
- *All ITS projects funded by the Highway Trust Fund (including the Mass Transit Account), whether they are stand-alone projects or combined with non-ITS projects, must be consistent with the provisions laid out in 23 CFR 940.*
- *Major ITS projects should move forward based on a project-level architecture that clearly reflects consistency with the national ITS architecture.*
- *All projects shall be developed using a systems engineering process.*
- *Projects must use U.S. DOT-adopted ITS standards as appropriate.*
- *Compliance with the regional ITS architecture will be in accordance with U.S. DOT oversight and Federal-aid procedures, similar to non-ITS projects.*

Reference 1: Regulatory Basis of Planning Topics (Con't)

Congestion Management Process

23 U.S.C. 134(k)(3) and 23 CFR 450.322 set forth requirements for the congestion management process (CMP) in TMAs. The CMP is a systematic approach for managing congestion through a process that provides for a safe and effective integrated management and operation of the multimodal transportation system. TMAs designated as non-attainment for ozone must also provide an analysis of the need for additional capacity for a proposed improvement over travel demand reduction, and operational management strategies.

23 CFR 450.324(f)(5) requires the MTP include Management and Operations (M&O) of the transportation network as an integrated, multimodal approach to optimize the performance of the existing transportation infrastructure. Effective M&O strategies include measurable regional operations goals and objectives and specific performance measures to optimize system performance.

Transportation Security Planning

U.S.C. 134(h)(1)(C) requires MPOs to consider security as one of ten planning factors. As stated in 23 CFR 450.306(b)(3), the Metropolitan Transportation Planning process provides for consideration of security of the transportation system.

The regulations state that the degree and consideration of security should be based on the scale and complexity of many different local issues. Under 23 CFR 450.324(h), the MTP may include emergency relief and disaster preparedness plans and strategies and policies that support homeland security, as appropriate.

Performance Based Planning and Programming

23 U.S.C. 150(b) identifies the following national goals for the focus of the Federal-aid highway program: Safety, Infrastructure Condition, Congestion Reduction, System Reliability, Freight Movement and Economic Vitality, Environmental Sustainability, and Reduced Project Delivery Delays. Under 23 U.S.C. 134(h)(2), the metropolitan planning process shall provide for the establishment and use of a performance-based approach to transportation decision-making to support the national goals, including the establishment of performance targets.

23 CFR 450.306(d) states that each MPO shall establish performance targets to support the national goals and track progress towards the attainment of critical outcomes. Each MPO shall coordinate with the relevant State to ensure consistency, to the maximum extent practicable, and establish performance targets not later than 180 days after the State or provider of public transportation establishes its performance targets. The selection of performance targets that address performance measures described in 49 U.S.C. 5326(c) and 49 U.S.C. 5329(d) shall be coordinated to the maximum extent practicable, with public transportation providers to ensure consistency with the performance targets that public transportation providers establish under 49 U.S.C. 5326(c) and 49 U.S.C. 5329(d). Additionally, each MPO shall integrate the goals, objectives, performance measures, and targets from other performance-based plans and programs integrated into the metropolitan transportation planning process.

23 CFR 450.314(h) states that the MPO, the State, and the public transportation operator shall jointly develop specific written provisions PBPP, which can either be documented as part of the metropolitan planning agreements or in some other means.

Reference 1: Regulatory Basis of Planning Topics (Con't)

Performance Based Planning and Programming (con't)

23 CFR 450.324(f) states that MTPs shall include descriptions of the performance measures and performance targets used in assessing the performance of the transportation system, a system performance report evaluating the condition and performance of the transportation system with respect to the performance targets, and progress achieved in meeting the performance targets in comparison with system performance recorded in previous reports.

23 CFR 450.326(d) states that the TIP shall include, to the maximum extent practicable, a description of the anticipated effect of the programmed investments with respect to the performance targets established in the MTP, the anticipated future performance target achievement of the programmed investments, and a written narrative linking investment priorities to those performance targets and how the other PBPP documents are being implemented to develop the program of projects.

23 CFR 450.340 states that MPOs have two years from the effective dates of the planning and performance measures rule to comply with the requirements.

Reference 2: Acronyms

3C	The Continuing, Cooperative, and Comprehensive planning process
AADT	Average Annual Daily Traffic
ADA	Americans with Disabilities Act
ARP	American Rescue Plan
ATMS	Advanced Traffic Management System (ITS)
AVAIL	Albany Visualization and Informatics Lab
BPAC	Bicycle and Pedestrian Advisory Committee
CAA	Clean Air Act
CAP	Climate Action Plan
CARES Act	Coronavirus Aid, Relief, and Economic Security
CDL	Commercial Driver's License
CFR	Code of Federal Regulations – the regulations of federal agencies
CLCPA	Climate Leadership and Community Protection Act
CMAQ	Congestion Mitigation/Air Quality Improvement Program
CMP	Congestion Management Process
CRRSAA	Coronavirus Response and Relief Supplemental Appropriations Act
CSCMP	Council of Supply Management Professionals
DCTC	Dutchess County Transportation Council
DCPT	Dutchess County Public Transit
EDC	Every Day Counts
EJ	Environmental Justice
EV	Electric Vehicle
FAST Act	Fix America Surface Transportation Act
FFY	Federal Fiscal Year
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
GE	General Electric
GHG	Greenhouse Gas
GHGI	Greenhouse Gas Inventory
GIS	Geographic Information System
HELP	Highway Emergency Local Patrol
HSIP	Highway Safety Improvement Program
HSTP	Human Services Transportation Plan
ITS	Intelligent Transportation System
LEED	Leadership in Energy and Environmental Design
LEP	Language English Proficiency
LEPC	Local Emergency Planning Committees
L RTP	Long-Range Transportation Plan (see also MTP)
MAP-21	Moving Ahead for Progress in the 21 Century
MAP Forum	Metropolitan Area Planning (MAP) Forum
MHSTCC	Mid-Hudson South Transportation Coordinating Committee
MHV	Mid-Hudson Valley
MHVTMA	Mid-Hudson Valley Transportation Management Area
MPA	Metropolitan Planning Area
MPO	Metropolitan Planning Organization

Reference 2: Acronyms

MTP	Metropolitan Transportation Plan (or “Plan”, see also LRTP)
NEPA	National Environmental Policy Act
NHS	National Highway System
NJTPA	North Jersey Transportation Planning Authority
NPMRDS	National Performance Measure Research Data Set
NYMTC	New York Metropolitan Transportation Council
NYSAMPO	New York State Association of Metropolitan Planning Organizations
NYSDEC	New York State Department of Environmental Conservation
NYSDOT	New York State Department of Transportation
NYSERDA	New York State Energy Research Development Authority
NYSTA	New York State Thruway Authority
OCTC	Orange County Transportation Council
O&M	Operations and Maintenance
PBPP	Performance Based Planning and Programming
PEA	Planning Emphasis Areas
PEL	Planning Environmental Linkage
PPP	Public Participation Plan
PPP	Public Private Partnership
PSAP	Pedestrian Safety Action Plan
RGRTA	Rochester-Genesee Regional Transportation Authority
RITSA	Regional ITS Architecture
RSP	Regionally Significant Project
SOGR	State of Good Repair
STIP	State Transportation Improvement Program
SUNY	State University of New York
TIM	Traffic Incident Management
TIP	Transportation Improvement Program
TMA	Transportation Management Area
TMC	Traffic Management Center
TO	Transportation Orange
TSP	Transit Signal Priority
TSMO	Transportation System Management and Operations
UCAT	Ulster County Area Transit
UCTC	Ulster County Transportation Council
UPWP	Unified Planning Work Program
USC	United States Code – the codified laws of Congress
USDOE	U.S. Department of Energy
USDOT	U.S. Department of Transportation
USEPA	U.S. Environmental Protection Agency
VPI	Virtual Public Involvement