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French Broad River Metropolitan Planning Organization



REPORT
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Executive Summary

Purpose

Pursuant to 23 United States Code (U.S.C.) 134(i)(5) and 49 U.S.C. 1607, the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) must certify jointly the metropolitan transportation planning process in Transportation Management Areas (TMAs) at least once every four years. According to the 2010 Census, the French Broad River Metropolitan Planning Organization (FBRMPO), hereinafter referred to as the metropolitan planning organization (MPO), had a population of 398,570 and therefore is subject to a planning certification review. The last certification review was approved in November 2016.

Methodology

The review consisted of a desk review and “virtual” on-site review, which was conducted October 2, 2020. In addition to the formal review, routine oversight such as attendance at meetings, day-to-day interactions, review of work products, and working with the MPO on past certification review recommendations and corrective actions provide a major source of information upon which to base the certification findings. After the on-site review is complete, a report is written to document the findings.

Statement of Finding

The FHWA and the FTA find that the transportation planning process substantially meets federal requirements and jointly certify the planning process. The review identified two commendations and five recommendations.

Previous Findings

Update on the Recommendations from the 2016 Certification Review

1. The MPO has not made significant progress in addressing the two new planning factors of Enhancing Travel and Tourism, and Improving the Resiliency and Reliability of the Transportation System and Reducing or Mitigating Storm Water Impacts of Surface Transportation. It is recommended that this be completed. *This recommendation has been satisfied and no longer applies.*
2. The MPO develops revenue forecasts in cooperation with NCDOT; however, no documentation of this exists in the MPO agreements. It is recommended that the MPO document the cooperative process with NCDOT in developing revenue forecasts. *This recommendation has been satisfied and no longer applies.*
3. It is recommended that the MPO develop a process to add projects to the existing architecture and follow a systems engineering process to ensure that locally administered, federally funded ITS projects can be authorized and reimbursed. *This recommendation has been satisfied and no longer applies.*

4. Better coordination amongst the varying entities within the MPO is recommended regarding projects resulting from the HSIP. *This recommendation has been satisfied and no longer applies.*
5. It is recommended that the MPO provide opportunities for participation and consultation by agencies responsible for natural resources, environmental protection, conservation, and historic preservation outside of NCDOT and FHWA participation as part of the MTP development. *This recommendation has been satisfied and no longer applies.*
6. It is recommended that the MPO simplify the method for identifying communities of concern and/or provide an easy to understand explanation of the chosen method. *This recommendation has been satisfied and no longer applies.*
7. It is recommended that the MPO revise demographic maps to make them as reader-friendly as possible by: 1) using easy to understand visuals, 2) identifying boundaries for and labeling municipalities and counties, 3) ensuring that the legends thoroughly document information depicted by each map, and 4) including the timeframes for project implementation. *This recommendation has been satisfied and no longer applies.*
8. It is recommended that the MPO separately map the two largest minority populations – African Americans and Hispanics. *This recommendation has been satisfied and no longer applies.*
9. It is recommended that the MPO develop and add an overlay map comparing past projects to current and planned projects. *This recommendation has been satisfied and no longer applies.*
10. It is recommended that the MPO develop other overlay maps depicting factors such as congestion, level of service, crash data, commute times, transit etc. *This recommendation has been satisfied and no longer applies.*
11. It is recommended that the MPO ensure and document that mailing lists, CACs, and any other outreach methods are appropriately represented by minority and low-income citizens to maximize their participation and input in the transportation decision making process. This methodology should be documented. *This recommendation has been satisfied and no longer applies.*

Current Findings

The Federal Review team identified no corrective actions, and the following commendations and recommendations:



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Commendations:

- The FBRMPO is commended for the Regional Transit Feasibility Study that began in 2020.
- The MPO is commended for recognizing that the area had three specific corridor types with each having different evaluation methods and mitigation strategies.
- The MPO is commended for adding a goal to “Develop a More Equitable Transportation System” with the objectives of increasing the participation of and decreasing adverse impacts to historically underutilized groups, thus ensuring that EJ is being given greater priority.

Recommendations:

- It is recommended that the FBRMPO include FTA obligated funding for all public transit agencies in the annual listing of projects.
- It is recommended that the MPO update its MOU with NCDOT and transit operators.
- It is recommended that the MPO staff identify in Meeting Minutes the jurisdictions members represent.
- It is recommended that the MPO complete the CMP Biennial report in FY21.
- It is recommended that the MPO coordinate with NCDOT to updated the ITS Architecture/Strategic Deployment Plan prior to the next certification review.
- It is recommended that the MPO ensure that the method for determining an EJ community (community of concern) does not overlook EJ populations with less than three indicators.
- It is recommended that in addition to current and planned projects, the MPO develop an overlay map that also includes past projects to ensure that cumulative impacts are considered.

Certification

The FHWA and FTA jointly certify the MPO’s planning process for four years from the date of this Report.

Team Members/Participants

Federal Team Members

Bill Marley, Community Planner, FHWA



Lynise DeVance, Civil Rights Program Manager, FHWA
Mike Dawson, Realty Specialist, FHWA
Joe Geigle, FHWA
Suzette Morales, Community Planner, FHWA
Parris Orr, Community Planner, FTA

Participants

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Introduction

Purpose

Pursuant to 23 U.S.C. 134(i)(5) and 49 U.S.C. 1607, the FHWA and FTA are required to jointly review and evaluate the transportation planning process for urbanized areas over 200,000 in population at least every four years. The certification review process helps to ensure that the planning requirements of 23 U.S.C. 134 and 49 U.S.C. 5303 are being satisfactorily achieved and that federally funded highway and transit projects resulting from that process can be implemented. The certification review is also the appropriate time to ensure an MPO's compliance with other federal regulations and official guidance pertinent to the transportation planning process, such as the Clean Air Act as amended, Title VI of the of the Civil Rights Act of 1964, and requirements pursuant to the Environmental Justice (EJ) Executive Order (EO 12898).

Scope

The federally required transportation planning certification review is an assessment of the transportation planning processes and products conducted by all partners charged with continually, cooperatively, and comprehensively carrying out the transportation planning process required in 23 U.S.C. 134 and 49 5303, and how they meet the Federal requirements.

Methodology

The review consisted of a desk review and a “virtual” on-site review meeting, which was held on October 2, 2020. In addition to the formal review, routine oversight, such as attendance at meetings, day-to-day interactions, review of work products, and working with the MPO on past certification review recommendations provide a major source of information upon which to base the certification review findings. After the on-site review



is complete and all comments have been reviewed, a report is prepared to document the findings.

Certification Report

For each topic reviewed at the on-site review, this report will document the regulatory basis, status, and findings.

Regulatory Basis – Defines where information regarding each planning topic can be found in the Code of Federal Regulations (CFR) and/or the United States Code – the “Planning Regulations” and background information on the planning topic.

Status – Defines what the TMA is currently doing regarding each planning topic.

Findings – Statements of fact that define the conditions found during the review, which provide the primary basis for determining the corrective actions, recommendations, and commendations, if any, for each planning topic. Because many planning topics are interlinked, but may have been reviewed as separate topics, some findings may reference other documents or requirements than the one being covered. Findings of the planning process include:

Commendation – A process or practice that demonstrates 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 commendations. Also, significant improvements and/or resolution of past findings may warrant a commendation.

Recommendation – Technical improvements to processes and procedures that, while somewhat less substantial and not regulatory, are still significant enough that FHWA and FTA are hopeful that State and local officials will act. The expected outcome is change that would improve the process, though there is no federal mandate, and failure to respond could, but will not necessarily result in a more restrictive certification.

Corrective Action – Indicates a serious situation that fails to meet one or more requirements of the transportation planning statute and regulations, thus seriously impacting the outcome of the overall process. The expected outcome is a change that brings the metropolitan planning process into compliance with a planning statute or regulation; failure to respond will likely result in a more restrictive certification.

General Comments

The MPO staff shared the following comments about their experiences conducting the transportation planning process. Coordination between the MPO and the NCDOT’s Division Offices has improved, however, the MPO is concerned about the value of the



points it assigns to projects in the SPOT process. There is not much difference between projects the MPO seeks and those the NCDOT seeks, so the TIP and STIP agree without the need for reconciliation.

Air Quality and Travel Demand Modeling

Regulation: 23 CFR 450.322(d): In nonattainment and maintenance areas for transportation-related pollutants, the MPO, as well as the FHWA and the FTA, must make a conformity determination on any updated or amended transportation plan in accordance with the Clean Air Act and the Environmental Protection Agency (EPA) transportation conformity regulations (40 CFR part 93).

Regulation: 23 CFR 450.322(e): The MPO, the State(s), and the public transportation operator(s) shall validate data utilized in preparing other existing modal plans for providing input to the transportation plan.

Status

The MPO remains in air quality attainment status. The nearby Smoky Mountains experience occasional air quality issues. Should these areas be included in the MPO boundary following the 2020 US Census, the MPO's attainment status may change.

Transit Planning

Regulatory Basis: 49 USC 5303: It is in the interest of the United States, including its economic interest, to foster the development and revitalization of public transportation systems, in acquiring, constructing, supervising, or inspecting equipment or a facility for use in public transportation, and to encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and between States and urbanized areas, while minimizing transportation-related fuel consumption and air pollution through metropolitan and statewide transportation planning processes.

Status

The City of Asheville is the FTA Designated Recipient of 5307 urbanized area funding for the Asheville Urbanized Area (UZA). The French Broad River MPO is currently served by four public transportation providers, which provide a variety of fixed route, deviated fixed route, subscription, and demand- response transit services.

Four public transit providers operate in the Asheville UZA: 1) City of Asheville - Asheville Rides Transit 2) Buncombe County – Mountain Mobility Services 3) Henderson County – Apple Country Transit and 4) Haywood County – Haywood Public



Transit. As the Designated Recipient, the City of Asheville in coordination with the French Broad River MPO apportions 5307 urbanized area funding to the three urban systems in the UZA based on a mutually agreed upon formula/agreement. The City of Asheville applies directly to FTA for the three transit systems. In 2017, the MPO completed a 5307 Suballocation Study that redistributed 5307 funding in the Asheville UZA as a result of the 2010 Census.

It appears that the transit systems are involved in the metropolitan planning process through Transit Representation on the MPO Policy board and being involved in the MTP, UPWP and TIP processes. The FBRMPO kicked off a Regional Transit Feasibility Study in 2020.

NCDOT is the Designated Recipient of FTA 5303/5304 Statewide and Metropolitan Planning funds. The FBRMPO is the sub-recipient of FTA Section 5303 Statewide and Metropolitan Planning program funding awarded and passed through from NCDOT. The FTA Apportionment for Section 5307 Urbanized Area formula funds is to the Asheville Urbanized Area. There is a split agreement in place that is applied to the UZA FTA 5307 Apportionment to divide the funding between each transit agency. The split agreement is provided to FTA annually.

Commendation:

- The FBRMPO is commended for the Regional Transit Feasibility Study that began in 2020.

Recommendation:

- It is recommended that the FBRMPO include FTA obligated funding for all public transit agencies in the annual listing of projects.

Metropolitan Transportation Plan (MTP)/Planning Factors

Regulatory Basis: 23 CFR 450.322 and 306: Development of a transportation plan addressing no less than a 20-year planning horizon. The transportation plan shall include both long-range and short-range strategies/actions that lead to the development of an integrated multimodal transportation system to facilitate the safe and efficient movement of people and goods in addressing current and future transportation demand. The metropolitan transportation planning process shall be Comprehensive, Continuing, and Cooperative (3C), and provide for consideration and implementation of projects, strategies, and services that will address the planning factors.

Regulatory Basis: 23 CFR 450.322: TMAs shall develop a CMP to address congestion through a process that provides for safe and efficient integrated management and operation of the multimodal transportation system, based on a cooperatively developed and implemented metropolitan-wide strategy of new and existing transportation facilities.



Status

The most recent MTP was adopted on September 25, 2020. The MTP contains several large changes from the 2040 MTP. A more optimistic financial plan was developed largely to allow the MTP to be a more helpful tool for the prioritization process. In the past, the MTP has played a very small role in the project prioritization process, leading to frequent amendments when new projects were funded. The MTP financial plan reflects NC's Surface Transportation Investments (STI) law, splitting funding up by funding tier to illustrate where anticipated revenues may be applied. The MTP contains a broader project list due to the optimistic financial forecast, but also including out-year projects beyond the first twenty-five years. The MTP incorporates additional public involvement. MPO staff held several surveys, workshops, and in-person opportunities for members of the public to engage in the planning effort, generating considerable more public input than for past MTPs.

The FBRMPO's Citizen Advisory Committee (CAC) is an on-going committee whose feedback and input have been critical to the development of the MTP and improving overall public involvement in the MPO.

Local transportation and land use plans are integrated into the MTP. For updating socio-economic data, the MPO leans heavily on local governments for proposed developments, local plans, and the vetting of regional projections. The MPO's land use and socioeconomic (SE) projections are incorporated into municipal and county comprehensive planning efforts.

Strategies to implement the provisions of the MTP were developed. The MTP includes recommended projects according to where they are in the current planning phase (committed projects, projects being prioritized, and projects to be considered for future rounds of prioritization.) Each planning factor section contains recommendations for MPO staff or other planning partners to consider for improving planning and coordination.

Planning factors are included in the text of the MTP under "Planning for Mobility" and go through existing conditions, on-going efforts by the MPO or planning partners, and recommendations for future planning and coordination efforts to improve the region's response in each of those realms.

The MTP identifies all regionally significant projects, including those from non-federal funding sources. New amendments are considered on a periodic basis to reflect any changes. The planning factors are addressed in the MTP and other corridor studies.

Commuting between counties within the metropolitan planning area boundary is increasing due in part to affordable housing.



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The City of Asheville is the only jurisdiction that has explicitly planned for smart growth but there are several examples within the City and outside of it. In support of Smart Growth, the City's comprehensive plan lays out urban centers along existing transit lines to reduce vehicular burden. Regionally, smart growth applies to corridors and neighborhoods. In support of Context-Sensitive Solutions, NCDOT has worked with local government partners in Hendersonville, Henderson County, Buncombe County, and the City of Asheville to reduce impacts to surrounding properties and limit the impact of transportation projects to better fit the surrounding context. CSS is one of the goals in the MTP; specifically, "Ensure Changes Respect Our Natural Environments and Unique Places," i.e., transportation projects should be sensitive to urban or unique contexts and sensitive to natural assets. It is especially important in the region due to storm water issues, water quality challenges, rivers and streams, and significant erosion issues due to the terrain. In support of Complete Streets, the City of Asheville's nearly-complete TIGER project, the RADTIP, includes a new greenway, cycle track, sidewalks, and intersection improvements. The MPO has a Complete Streets policy that largely replicates the NCDOT's complete streets policy. All modes are considered during project development. Transit-Oriented Development is supported by the City of Asheville's comprehensive plan, which is largely based on transit lines and transit plans. The MPO's socioeconomic forecast for 2045 laid out three growth scenarios: 1) business-as-usual, 2) growth by existing water/sewer infrastructure, and 3) a smart growth scenario. The study looked at the potential impact to the transportation network based on each scenario and the MPO Board adopted the smart growth scenario.

Bicycle and Pedestrian

The MPO is very supportive of bicycle and pedestrian planning efforts in the region. They fund and continue to offer funding for special bicycle and pedestrian projects and studies. The MPO consults with several Bicycle and Pedestrian groups. In North Carolina, local governments are required to pay a 20% match for stand-alone bicycle/pedestrian projects, so local government buy-in is a required prerequisite in the planning process. Nearly all funding for stand-alone bicycle and pedestrian projects programmed in the MTP are assumed to be funded with MPO direct allocation of Transportation Alternatives Program (TAP), along with local match.

Environmental integration

Outreach activity occurs to consult with agency stakeholders in environmental mitigation. MPO staff have attend annual meetings with NC Wildlife and FHWA regarding wildlife crossings and other environmental mitigation efforts, attend resiliency workgroups and meetings on the state and regional levels, and work with agencies during project development to ensure concerns such as historic resources are being addressed.



Information and data have been assembled identifying environmental features that may be impacted by MTP activities. The MPO maintains several datasets for environmental features including: 1) historic resources, 2) sensitive environmental corridors, 3) water quality hubs, 4) ecology hubs, 5) listings of streams and rivers, 6) floodplains, 7) steep slopes, and 8) land use data. All these datasets are overlaid with MTP projects.

Part of the MTP project scoring process includes potential impacts or ability to positively improve intersections with identified wildlife crossings, water quality hubs, ecology hubs, and historic resources. This data was used to help determine preliminary regional priorities.

Mitigation activities have been identified to restore, improve, and maintain the environment. One effort involves identifying opportunities for wildlife crossings, including proposed crossings on I-40, US 19, and US 25A. The MPO works with NC Wildlife resource agencies and other stakeholders to identify opportunities for these crossings. Another major initiative is resilience. The region has been experiencing increased flooding, landslides, and even wildfires. The MPO has been working on resilience planning with its member jurisdictions to determine the interplay between housing, infrastructure, and natural hazards.

Transportation Improvement Program (TIP)/Statewide Transportation Improvement Program (STIP)/List of Obligated Projects

Regulatory Basis: 23 CFR 450.324: The MPO shall cooperatively develop a TIP that is consistent with the MTP and is financially constrained. The TIP must cover at least a four-year horizon and be updated at least every four years. Additionally, the TIP must list all projects in sufficient detail outlined in the regulations, reflect public involvement, and identify the criteria for prioritizing projects.

Status

The NCDOT STIP development process is driven by State legislation. The STIP is developed every two years. The MPO TIP is updated concurrently. The MPO supports the NCDOT's project prioritization process. There is general agreement between NCDOT and the MPO as to which projects are included in the STIP and TIP. Processes are specified for coordination on project prioritization and selection for the TIP and STIP.

The MPO works with NCDOT Divisions and Local Government representatives to select projects for submittal to the prioritization process. Projects must be identified in a plan such as a Comprehensive Transportation Plan (CTP), MTP, or other adopted plan or arrangements for plan amendments must be in place. The MPO makes the submittal list available for public input before final approval from the TCC and Board. Then, the MPO



works with its Prioritization Subcommittee to develop a methodology to rank projects for local input points. Next, the MPO holds a public survey on general favorability of projects being considered, and presents results to decision-makers. The MPO develops a list of projects receiving local input points, based on the methodology, public input, and input from planning partners. This list is provided for public comment. Finally, the Draft TIP is released for public input at least 30 days prior to adoption.

Estimates of available Federal and State funds provided by the State and transit operators are accurate and timely. The MPO is in the process of receiving updated cost estimates from the State that are greatly above what was originally in the TIP. To develop the TIP, the MPO works with local governments and NCDOT to help determine priority projects to be submitted in the prioritization process. The public is engaged to review the draft list of submittals, and the TCC and Board ultimately approve the draft list. Next, the MPO holds a public survey to gauge public support for projects being considered. Then, the MPO works with local governments and NCDOT to determine projects to receive local input points, and develops a methodology for assigning points. The TCC and Board ultimately approve the list. Finally, the MPO releases the Draft TIP for public comment, which is ultimately approved by the MPO TCC and Board. Similar processes are used for the development of Locally Administered and Transit projects.

TIP projects align with the MTP and serve to carry out its policies and strategies. MPO staff manages the MTP to align with the TIP. Major changes to projects in the TIP are considered by the MPO Board for incorporation in the MTP.

The MPO utilizes social media such as Facebook, on-line surveys, “piggy backing” on events, and holds its own public meetings at transit-accessible locations to acquire public input on the TIP. The MPO also uses maps as well as spreadsheets to enhance its TIP public involvement efforts. Public involvement has affected the content of the TIP regarding placement of the MPO’s local input points. In the last round of TIP development, the MPO recorded more than 2,500 public comments as part of an online survey for TIP priorities. These comments allowed decision-makers to see projects that were heavily supported or projects with considerable concerns from the public. Generally, the MPO did not support projects that had negative comments from the public.

The MPO occasionally avails itself of the opportunity to group projects in the TIP by lump-sum or list by line-item. Projects are sometimes grouped together, depending on project size. Specific criteria are used to determine which projects will be included in the TIP. SPOT is the primary driver of project selection. Projects are often right-sized to be competitive based on the SPOT Prioritization criteria. These projects are coordinated with NCDOT’s Divisions 13 and 14.

List of Obligated Projects



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Information on obligated Federal funds is provided by recipient grantee agencies to the MPO. NCDOT maintains a portal that the MPO can view for Locally Administered Projects such as those funded with Surface Transportation Block Grant (STBG) or Transportation Alternatives Program (TAP) funds. Other federally funded projects are provided by NCDOT. The listing is made available on the MPO website and updated by NCDOT. Projects in the Annual Listing are compared to those in the TIP.

Projects in the listing generally provide more project details in some cases (particularly maintenance and safety projects.) The TIP is more highway-focused due to highway funds being programmed further out than most bicycle/pedestrian or Direct Attributable (DA) funds. NCDOT's Division Offices 13 and 14 regularly report to the MPO TCC and Board on the status of projects.

Financial Planning

Status

The MPO's revenue forecasting approach is cooperative among the MPO, NCDOT, transit operators, and local jurisdictions. The MPO develops revenue forecasts in cooperation with NCDOT.

Federal, State, local, and private revenues are forecasted, project costs are derived, and the costs are consistent among the implementing agencies. Assumptions and the figures used to forecast funding sources are based on NCDOT statewide funding projections.

Nearly all the non-federal funds accounted for in the MTP are comprised of State funds. Local funds make up a very small percentage of overall funding in the MTP and are largely addressed through sections on transit, roadway maintenance, and matching funds for locally administered projects through STP-DA and TAP.

No new sources of transportation funding are identified and no strategies to obtain other sources of funding have been implemented, however, local non-profit groups have assisted local governments in raising local match in some past projects.

The most recent MTP took a more optimistic assumption that transportation revenues would keep up with inflation. This has occurred to account for transfers from general funds at both the state and federal levels, repeated stimulus funds, and other policy changes that have injected more funds into transportation than has been previously forecast. In the 2040 MTP, the assumptions showed inflation deteriorating purchasing power to an extent that the MTP only contained the committed TIP, necessitating multiple amendments to the MTP to incorporate additional projects funded between 2015 and 2020.

The 2045 MTP Financial Plan is largely based on the State's Prioritization Process as mandated by the Strategic Transportation Investments Law. The highway financial plan is



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largely based on that process, which includes both federal and state funds programmed through NCDOT. The transit portion focuses on 5307, 5311, 5310, and 5339 federal funds as well as a budget based on local contributions from each transit agency. The bicycle/pedestrian financial model is based on the primary source of funds (the MPO's STBGDA and TAPDA) as well as a small percentage of federal TAP funds expected to be programmed through the prioritization process including the required local match.

The MPO's Prioritization Subcommittee served as the steering committee for the MTP and included NCDOT representatives to review revenue assumptions. Costs were taken from either the TIP/STIP or were developed using NCDOT's bicycle/pedestrian cost estimation tool or NCDOT's SPOT Online tool.

The operations and maintenance budget was determined from state, federal, and local sources for maintenance.

Metropolitan Planning Area Boundary/Agreements and Contracts/Organizational Structure

Regulatory Basis: 23 CFR 450.312(a): The boundaries of a metropolitan planning area (MPA) shall be determined by agreement between the MPO and the Governor. At a minimum, the MPA boundaries shall encompass the entire existing urbanized area (as defined by the Bureau of the Census) plus the contiguous area expected to become urbanized within a 20-year forecast period for the metropolitan transportation plan.

Status

Metropolitan Planning Area Boundary

The current MPA accounts for all regional transportation modes and needs. It was developed based on federal guidelines and includes areas outside the urbanized area boundary (UZA) for better overlap with census data. The staff worked with all jurisdictions to finalize the boundary. The MPO used the block group as the minimum geography for the boundary to ensure ease of data collection.

MPO staff considers it unlikely the MPA will expand following the 2020 Census. In the event it does expand, the rural areas of Buncombe County, rural areas of Haywood County, Town of Brevard, and Town of Old Fort would be most likely to join the MPA. The municipalities of Brevard and Old Fort are unlikely to be included but commute data suggests an increasingly strong link between the Asheville UZA and those jurisdictions. The Cherokee Indian Tribal Lands are not a part of the MPO.



Agreements and Contracts

Official cooperative agreements and Memorandums of Understanding (MOUs) identifying planning responsibilities have been established among the MPO, State DOT, and public transportation operators with responsibilities for the MPO. The Land of Sky Regional Council is the LPA for the MPO. The addition of public transit representatives to the MPO Board was adopted in a separate Resolution, and not as part of the MOU. The MPO Prospectus complements the planning process descriptions.

Existing agreements conform to regulatory requirements and accurately represent the 3C planning process; however, it is recommended that the MPO update its MOU with the NCDOT and transit operators. Local government participation in the MPO has been increasing and NCDOT has consulted MPO plans during the project scoping process. Transit projects follow similar, albeit considerably more simplified processes. No changes to existing agreements are being considered, however, there have been requests for reconsidering the MPA and the number of votes for each member government.

Organizational Structure

Elected officials are heavily involved in the MPO's planning process. They can be involved on four different committees/workgroups, including: 1) The Board/TAC, 2) The Prioritization Subcommittee (three of seven voting seats are reserved for elected officials), 3) MPO Leadership (Chair and Vice-Chairs of the Board and TCC), and 4) Regional Trail Workgroup (currently includes three elected officials). The MPO Board is made up of at least one elected official from each member jurisdiction:

- City of Asheville (2)
- Buncombe County (2)
- Town of Black Mountain
- Town of Weaverville
- Town of Woodfin
- Town of Montreat
- Town of Biltmore Forest
- Henderson County (2)
- City of Hendersonville
- Town of Laurel Park
- Village of Flat Rock
- Town of Fletcher
- Town of Mills River
- Haywood County
- Town of Waynesville
- Town of Canton
- Town of Clyde
- Town of Maggie Valley
- Madison County

- Town of Mars Hill
- Transylvania County (non-voting seat)

The MPO Prioritization Subcommittee (also known as the “Nitty Gritty Subcommittee”) is made up of three appointed Board members, including representatives from the City of Asheville, Town of Waynesville, and Town of Woodfin. Any Board member is invited to attend and discuss matters at the Prioritization Subcommittee.

Weighted voting is allowed at MPO Board meetings and is structured to allow a jurisdiction that is *directly* impacted by a project to have its vote count doubled when that item comes before the Board. Most recently this was requested during the vote to cascade project I-2513A. The City of Asheville requested weighting votes, doubling their voting power to block the cascading motion, but Buncombe County’s vote was also doubled and the motion narrowly passed.

The TCC and TAC meet once a month with the exception that no meetings are generally scheduled for July or December. If an agenda is light and there are no pressing items, meetings may be canceled based on input from the MPO leadership. In 2020, the MPO held an additional meeting due to CARES Act considerations.

MPO staff provides support to the TCC and TAC in numerous ways. MPO staff have an internal policy to publish agenda packets one week prior to the meeting to allow ample time for members to review. Agenda items are written in a way that explains the overall item and how it impacts the transportation planning process as well as details on the changes being proposed or information being provided. It is recommended that the MPO staff identify in Meeting Minutes the jurisdictions members represent. MPO staff provides an annual orientation to new members that includes NCDOT staff, FHWA staff, and materials developed by the MPO, NCDOT, and FHWA.

Recommendations:

It is recommended that the MPO update its MOU with NCDOT and transit operators.

It is recommended that the MPO staff identify in Meeting Minutes the jurisdictions members represent.

Regional Coordination – Regional and Environmental Agencies

Regulatory Basis: 23 CFR 450.316(b)(c)(d)(e): The MPO should develop and document consultation procedures that outline how and when during the development of MTPs and TIPs, the MPO will consult with agencies and officials responsible for other planning activities within the MPA that are affected by transportation (including state and local planned growth, economic development, environmental protection, airport operations, or freight movements) or coordinate its planning process (to the maximum extent practicable) with such planning activities, as well the MPO should also include Indian Tribal

Governments, and Federal Public Lands, if applicable.

Status

By being a part of the Land of Sky Council of Governments, the MPO has had the benefit of numerous environmental programs that have helped advance the planning process. The MPO maintains a NEPA Merger contact list. The MPO has mapped earthquake fault lines and natural resources, areas vulnerable to rockslides and landslides, and wildlife hubs. This information is included in transportation project dossiers.

Opportunities are provided for agency consultation at key decision points in the transportation planning decision-making process. The MPO makes available several opportunities to agency members during the development of the MTP, TIP, and any other planning process.

Agencies receive feedback on the proposals and questions they put forward. MPO staff incorporate proposals into the planning process and makes comments available to decision-makers.

Agency input may affect the TIP and MTP development, although the MPO has received little input from agencies in TIP and MTP development. The need to pursue wildlife crossings in several projects during TIP development, including US 19, US 25A, and I-40, has occurred. Data provided from agencies has been crucial in noting environmental concerns and potential mitigation efforts.

The effectiveness of the consultation and coordination process has not been evaluated recently. It is recommended that the MPO evaluate its consultation and coordination process.

Congestion Management Process (CMP)/Intelligent Transportation Systems (ITS)/Management and Operations (M&O)

Regulatory Basis: 23 CFR 320: TMAs shall develop a CMP to address congestion through a process that provides for safe and effective integrated management and operation of the multimodal transportation system, based on a cooperatively developed and implemented metropolitan-wide strategy, of new and existing transportation facilities.

Status

The MPO's Congestion Management Process (CMP) follows the 8-Step approach. CMP



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effectiveness is evaluated as progress toward goals is measured, deficient segment data is updated with the latest information, the effectiveness of proposed projects and congestion management strategies are reviewed, and future initiatives are pursued. The CMP was most recently updated in 2018. Consideration is given to examining traffic congestion conditions and problems on a regional basis.

CMP performance measures are tracked and evaluated to ensure strategies are implemented effectively and the MTP includes management and operations strategies proposed for funding that are supported by specific goals and measured objectives contained in the MTP. The CMP network is broken up into three types of corridors for evaluation: 1) Freight Corridors, 2) Mobility Corridors, and 3) Destination Corridors. These corridors are then evaluated differently according to its purpose and have unique congestion mitigation strategies for each corridor purpose. The Regional Integrated Transportation Information System (RITIS) has been an integral tool in the evaluation process.

The MPO's process calls for a biennial performance report to be developed to complete the eighth and final step of the CMP process: Evaluate Strategy Effectiveness. While it was noted that the current version of the CMP is now 2 years old and the biennial performance report will be developed soon, there was no documentation that this step in the process has ever been completed.

Data collection and analysis processes are in place to assess the existing transportation system for management and operational deficiencies. As of now, traffic counts, travel time data, hot spot identification, truck counts, bicycle and pedestrian counts, and crash data is collected by the MPO, NCDOT, and City of Asheville. As mentioned previously, the MPO also uses vehicle probe data from RITIS for travel time and speed data. This information influences projects selected for the MTP.

Freight mobility needs are assessed and addressed through the CMP via traffic volume counts, truck counts, freight corridors, and analysis of freight corridors.

The current Intelligent Transportation Systems (ITS) Regional Architecture is approximately 20 years old and outdated. While it hasn't been an issue for the MPO to date as they have not used federal funds for ITS projects, the document is need of update.

A data collection and analysis process in place to assess the existing transportation system for M&O efficiencies. MPO staff review maintenance plans regularly to examine for the potential of incorporating other improvements into maintenance and smaller operational projects. There have recently been several successes in incorporating pedestrian improvements into a Main Street resurfacing project in Canton, a resurfacing project in Asheville, and an interchange project.

A financial assessment of the costs of M&O of the existing transportation system and the revenue sources available to fund it been conducted. The most recent MTP produced a budget of anticipated revenues for maintenance from local, state, and federal sources. Maintenance is still funded below levels that would be required to maintain the system.



The MPO has several major causes of congestion. Some corridors experience recurring congestion (I-26, Hendersonville Road, Smokey Park Highway, Four Seasons Boulevard, esp.) but according to Travel Time Bottleneck data, landslides have been a major cause of congestion, impacting I-40 and NC 9 in the last two years. Road construction, crashes, and some flooding have also been a cause of non-recurring congestion. Traffic signalization has also been increasingly discussed as being sub-optimal in many places.

The CMP covers all transportation modes. One of the things the CMP accomplishes is identifying where trying to encourage a mode-shift may be more effective and may help to reduce congestion versus areas where longer-range modes (buses) would be more effective, if effective at all.

Recommendations:

It is recommended that the MPO complete the CMP Biennial report in FY21.

It is recommended that the MPO coordinate with NCDOT to update the ITS Architecture/Strategic Deployment Plan prior to the next certification review.

Commendation:

The MPO is commended for recognizing that the area had three specific corridor types with each having different evaluation methods and mitigation strategies.

Unified Planning Work Program (UPWP)/Self-Certification

Regulatory Basis: 23 CFR 450.308 and 23 CFR 420.111: This regulation sets forth requirements for each MPO, in cooperation with the State and public transportation operators, to develop a UPWP that documents planning activities, products, funding, roles and responsibilities, and a timeline for the completion of each activity.

Regulatory Basis: 23 CFR 450.314(a): The MPO, the State(s), and the providers of public transportation shall cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process. These responsibilities shall be clearly identified in a written agreement among the MPO, the State(s) and the providers of public transportation serving the MPA. To the extent possible, a single agreement between all responsible parties should be developed. The written agreement(s) shall include specific provisions for the development of financial plans that support the metropolitan transportation plan (see 23 CFR 450.324) and the metropolitan TIP (see 23 CFR 450.326), and development of the annual listing of obligated projects (see 23 CFR 450.334).

Regulatory Basis: 23 CFR 450.334: No later than 90 calendar days following the end of the program year, the State, public transportation operator(s), and the MPO shall cooperatively develop and publish a listing of projects (including investments in pedestrian



walkways and bicycle transportation facilities) for which funds under 23 U.S.C or 49 U.S.C. Chapter 53 were obligated in the preceding program year.

Status

The MPO is very proactive in developing the UPWP and in what tasks are being undertaken for any given year. The MPO monitors work program tasks and outcomes to ensure they are adequately meeting federal regulations as well as meeting the expectations of the region.

Planning partners are involved in several steps of UPWP development. The MPO holds an annual call for planning projects to determine if there is a need for additional feasibility studies or planning studies. The MPO coordinates with the City of Asheville (the region's designated recipient for all FTA funds) on the 5303 portion of the UPWP. The Draft PWP is made available and presented to the TCC and Board, usually in January. The Final PWP is made available and presented to the TCC and Board, typically in March, including comments from planning partners.

In the past year, the MPO has programmed and spent its annual allotment of Planning (PL) funds and is flexing over a considerable amount of Surface Transportation Block Grant (STBG) funds for planning purposes, both for special studies and, as of February 2020, for staffing purposes.

The MPO has encountered issues with overbudgeting, especially for special studies, when those studies have been unable to begin during the fiscal year they were programmed. There are a variety of factors that have played into this issue, but MPO staff are considering either managing more studies to limit outside factors and simplify contracting issues or adopting stricter policies to ensure funds are being utilized.

The UPWP is considered a good planning tool and provides a framework by which planning is accomplished in the MPO. The UPWP supports the MTP by providing staff support for MTP development. The MPO has always produced the MTP in-house. The MTP goals and priorities are used to help select special studies.

The MPO develops their UPWP annually. Committees provide early input on priorities and the overall MTP development. The process begins in January and the UPWP is adopted in May. The UPWP is amended occasionally, mostly in response to special studies or Transportation Alternatives Program (TAP) projects. The UPWP contains special studies, and stipulates the use of TAP funding. Special studies and functions funded by TAP typically require a UPWP amendment. The UPWP provides for the professional development of MPO staff.

Self-Certification

The MPO annually self certifies their planning process when they are developing their UPWP. The MPO Board annually considers a resolution of self-certification that is made



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available to the public and discussed at the MPO TCC and Board meetings as part of passing the final UPWP. Documentation to support the self-certification is provided to the policy board and the public.

MPO staff make presentations to the TCC and Board regarding the self-certification. Discussions with MPO Leadership, including the Chairman and Vice-Chairman of the TCC and Board, are typically more detailed.

Freight

Status

The MPO has worked with the Chamber of Commerce, members of a regional freight working group, and NCDOT to develop a list of freight contacts. The MPO worked with NCDOT and their consultant on the Statewide Freight Plan.

The MPO held a workshop in 2018 with freight stakeholders to discuss on-going planning initiatives, priorities, and issues. The state freight plan has been incorporated into the MPO's planning efforts, especially recommendations regarding truck parking in the region and the need for more overnight parking. Freight stakeholders are contacted for input into the MTP, CMP, and TIP.

The MPO collects and uses freight-related data, including Average Annual Daily Truck Traffic (AADTT), national freight volume data, and freight data made available from the state freight plan. This data has been incorporated into the MTP, has been used for educational purposes regarding the national freight movement that traverses the region, and has been used as part of scoring methodologies in TIP and MTP development.

The MPO has identified the need for truck climb lanes in various locations due to the mountainous terrain of the area. The efficient movement of freight on large trucks has been considered in area corridor studies. The need to provide for the efficient movement of freight within and through the area has been included as a factor in the MPO's local project prioritization methodology.

The MPO considers and evaluates land use and freight-oriented developments. The MPO's regional SE/land use projections include economic projections for the growth of manufacturing and other freight-reliant industries. At times, freight-reliant industries and their development have caused alterations to projects, such as the Blue Ridge Road interchange, to better accommodate freight traffic.

Safety/Security

Status

The MTP addresses safety and security of the transportation system by mode. The MPO uses NCDOT crash data to determine total number of crashes and causes of those crashes. The MPO uses NCDOT's crash data to identify high crash rate locations that may need to be addressed in the planning process.

The City of Asheville established a Vision Zero task force and the MPO is currently working on a scope for a Regional Safety Plan; however, there are numerous efforts that are somewhat disconnected in many ways. Several member governments have education and enforcement campaigns through Watch for Me NC. NCDOT maintains its use of HSIP and SPOT Safety Funds, and the City of Asheville has worked extensively on pace car programs, traffic calming, and speed limit reductions.

Safety is considered in selecting projects for inclusion in the TIP. The MPO's project submittal process analyzes planned projects and their associated safety data, including crash rate, crash density, crash severity, number of crashes, number of fatalities. The MPO's methodology for assigning local input points weights safety data very high when considering projects for points. Locally administered projects also emphasize safety. Bicycle and pedestrian projects are analyzed for potential obstacles that make routes less safe as well as crash records. Highway projects are evaluated based on the likely crash reduction factor of the proposed project.

The MPO and its partners play a role in State Highway Safety Plan (SHSP) development by ensuring inclusion of the region's safety needs. The MPO monitors regional safety trends and challenges.

The MPO's security planning is coordinated with emergency management, environmental, and safety concerns. Many of the region's critical pieces of infrastructure overlap with emergency management and environmental concerns and are often highlighted by safety concerns.

The MPO coordinates and collaborates to ensure the security of the transportation system. Local governments, NCDOT, and additional individuals associated with resilience planning are consulted. The military does not maintain a presence in this region so they have not been included in security planning at this point.

The MPO works with law enforcement agencies and public health providers to acquire safety data. The MPO is developing safety performance measures, which will be used on a transportation network basis. Projects resulting from the HSIP are coordinated amongst the varying entities within the MPO; however, it was noted that greater coordination is needed.

One example is an intersection improvement project, which did not receive an appropriate amount of coordination. Targets are under development for the Highway Safety Improvement Plan (HSIP).

Public Participation Plan/Visualization

Regulatory Basis: 23 CFR 450.316(a): The MPO shall develop and use a documented participation plan that defines a process for providing citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process.

Status

The MPO maintains several lists of stakeholders, depending on the item being distributed. A list of Public Information Officers is maintained, Press Contacts, Human Service Transportation Operators, Transit Operators, Local Government contacts, elected officials, and members of the public. Stakeholders from the public are any groups or individuals who have engaged the MPO or have asked to be kept on mailing lists for projects.

Online engagement has been the most successful. The MPO engaged more than 2,500 users in its last survey for prioritization. The MPO is also expanding person-to-person engagement strategies. The MPO has found those deeper conversations to be very helpful and informative. These efforts have included the MPO's monthly Coffee with a Transportation Planner, and are opportunities for anyone to come ask questions or give input on the region's transportation network and potential improvements. Due to the Covid issue, the MPO has been working on a virtual platform for public engagement strategies, zoom, public workshops, and broadcasting public meetings. These have been relatively successful

Consideration and response to public comments and feedback are documented. Depending on the type of comment, the MPO may respond in several different ways. If comments are received as part of a very large public input process, they are included in a report or summary for decision-makers to consider. Comments on specific items are either summarized to decision-makers or combined into a general report.

Roadway widenings or improvements, including the I-26 and NC 191 widening, and Kanuga Road and Highland Lake Road modernization, which take considerable right-of-way, have generated the most interest. Multimodal transportation planning garners interest from the public and stakeholders. Bicycle and pedestrian considerations and requests have remained constant although with fewer specific projects and fewer "major turn-out" events.



The MPO's website was rebuilt in 2019 to be more accessible to members and the public. With more meetings and public engagement strategies focused on the online realm, the website plays a crucial role in maintaining information and plans for the public to access and provide comment.

For the TIP, public input is solicited when the MPO compiles a draft list of projects for prioritization, during each tier in which projects are considered for local input points in the prioritization process (SPOT), and during the time in which the draft TIP is considered by the MPO. For the MTP, public input is solicited when the MPO develops draft goals and objectives, and when the draft MTP is available for review. The MPO's PPP requires at least 30 days of public review prior to adoption of the MTP, and at least one public meeting to review and solicit comment on the draft MTP. The MPO offers additional opportunities for public comment if the final MTP or TIP differs significantly from the version that was made available for public comment at the MPO Board meeting where the final adoption is made.

Visualization

The MPO's Public Involvement Plan notes that visuals should be made available that are accessible and simple for the public and members of the MPO to gain a better understanding of the transportation planning process. The MPO uses a variety of methods to provide graphics to explain on-going work, including Microsoft Powerpoint, GIS, Excel, and Adobe Indesign.

MPO staff often request feedback on the efficacy of visual tools and presentations and frequently refresh presentations and materials to enhance and simplify visuals.

The MPO website is updated as needed, often several times per week.

Title VI and Environmental Justice

Regulatory Basis: 23 CFR 450.316(a): The MPO shall develop and use a documented participation plan that defines a process for providing citizens, affected public agencies, representative of private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process.

Legislative Basis: Title VI of the Civil Rights Act of 1964: No person in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Environmental Justice Executive Order 12898: Each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.

Status

Since the last certification review in 2016, the FBRMPO has made several changes regarding their approach to ensuring environmental justice (EJ). First, the MPO has added a new goal to “Develop a More Equitable Transportation System”. The objectives of this goal are to increase the participation of and decrease adverse impacts to historically underutilized groups. We commend the MPO for ensuring that EJ is being given greater priority. Second, to improve the method for determining EJ communities, the MPO altered the demographic criteria or “indicators” used in their methodology. Below is the comparison between the 2016 and current certification review.

2016 Indicators	2020 Indicators
Minorities	Minorities
Households Without a Vehicle	Hispanic or Latino
Elderly	Zero-vehicle Households
Households Below the Poverty Line	Elderly
Disabled	Low-Income
	Limited English Proficiency (LEP)

Based on census block groups, the MPO determined that to qualify as a “community of concern”, there must be at least three indicators present, which yielded 77 total (of 315) communities of concern. While we can appreciate the level of scrutiny the MPO has applied to their methodology, requiring the presence of three indicators could lead to EJ populations being overlooked due to having only one or two indicators, however large they may be.

To analyze the system-wide equity of project impacts on communities of concern, the MPO developed an equity scoring method that accounts for the type of project and the potential net positive, net neutral, and net negative impacts of projects in the MTP. Map 4.4 provides a good visual of the projects that will potentially have negative impacts on EJ communities. As noted in the previous certification review, the MPO should also identify past and currently underway projects to ensure that cumulative impacts are considered. As an enhancement, we also suggest developing other overlay maps depicting factors such as safety data, congestion, level of service, crash data, commute times, transit etc. The EJ section of the MTP contains thorough details of its efforts to quantitatively analyze impacts to EJ communities at a system-wide level. The complexity of the analyses conducted is admirable, however, the MPO must also be cognizant of presenting the information in a manner that is as easily understood as possible.



Recommendations

- It is recommended that the MPO ensure that the method for determining an EJ community (community of concern) does not overlook EJ populations with less than three indicators.
- It is recommended that in addition to current and planned projects, the MPO develop an overlay map that also includes past projects to ensure that cumulative impacts are considered.

Commendation

- The MPO is commended for adding a goal to “Develop a More Equitable Transportation System” with the objectives of increasing the participation of and decreasing adverse impacts to historically underutilized groups, thus ensuring that EJ is being given greater priority.



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Appendixes

- A. Team Members/Participants
- B. Summary List of Current Findings
- C. Certification Review Agenda



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Appendix A:

Team Members/Participants

Team Members

Bill Marley, Community Planner, FHWA

Lynise DeVance, Civil Rights Program Manager, FHWA

Mike Dawson, Realty Specialist, FHWA

Parris Orr, Community Planner, FTA

Participants

Bill Marley, Community Planner, FHWA

Lynise DeVance, Civil Rights Program Manager, FHWA

Mike Dawson, Realty Specialist, FHWA

Parris Orr, Community Planner, FTA

Tristan Winkler, MPO staff

City of Asheville, Transit

NCDOT, Transportation Planning Branch

NCDOT, Transportation Planning Branch

Land of Sky Regional Planning Organization

Land of Sky Regional Council



Appendix B:

Summary List of Current Review Findings

Commendations:

- The FBRMPO is commended for the Regional Transit Feasibility Study that began in 2020.
- The MPO is commended for recognizing that the area had three specific corridor types with each having different evaluation methods and mitigation strategies.
- The MPO is commended for adding a goal to “Develop a More Equitable Transportation System” with the objectives of increasing the participation of and decreasing adverse impacts to historically underutilized groups, thus ensuring that EJ is being given greater priority.

Recommendations:

- It is recommended that the FBRMPO include FTA obligated funding for all public transit agencies in the annual listing of projects.
- It is recommended that the MPO update its MOU with NCDOT and transit operators.
- It is recommended that the MPO staff identify in Meeting Minutes the jurisdictions members represent.
- It is recommended that the MPO complete the CMP Biennial report in FY21.
- It is recommended that the MPO coordinate with NCDOT to updated the ITS Architecture/Strategic Deployment Plan prior to the next certification review.
- It is recommended that the MPO ensure that the method for determining an EJ community (community of concern) does not overlook EJ populations with less than three indicators.
- It is recommended that in addition to current and planned projects, the MPO develop an overlay map that also includes past projects to ensure that cumulative impacts are considered.



Appendix C

Certification Review Agenda

French Broad River MPO Planning Certification Review Friday, October 2, 2020 Agenda

Opening Remarks/Introductions	8:45 – 9:00
Public Transit	9:00 – 10:00
TIP/Financial Planning/UPWP	10:00 – 11:00
MTP/Land Use and Data Collection/Environmental Mitigation/ Planning Factor Integration	11:00 – 12:00
Lunch	12:00 – 1:00
Title VI/Environmental Justice	1:00 – 2:00
Organizational Structure/MPA/Agreements and Contracts	2:00 - 2:30
Congestion Management Program/Management and Operations	2:30 – 2:45
Performance Measures	2:45 – 3:15
Public Involvement/Consultation and Coordination/Visualization	3:15 – 4:15
MPO Concerns/Questions/Etc.	4:15 – 4:30
Next Steps	4:30 – 4:45

*** Breaks will be held as time permits (one in the morning and one in the afternoon)