

Chapter 1

Requirements and Policies

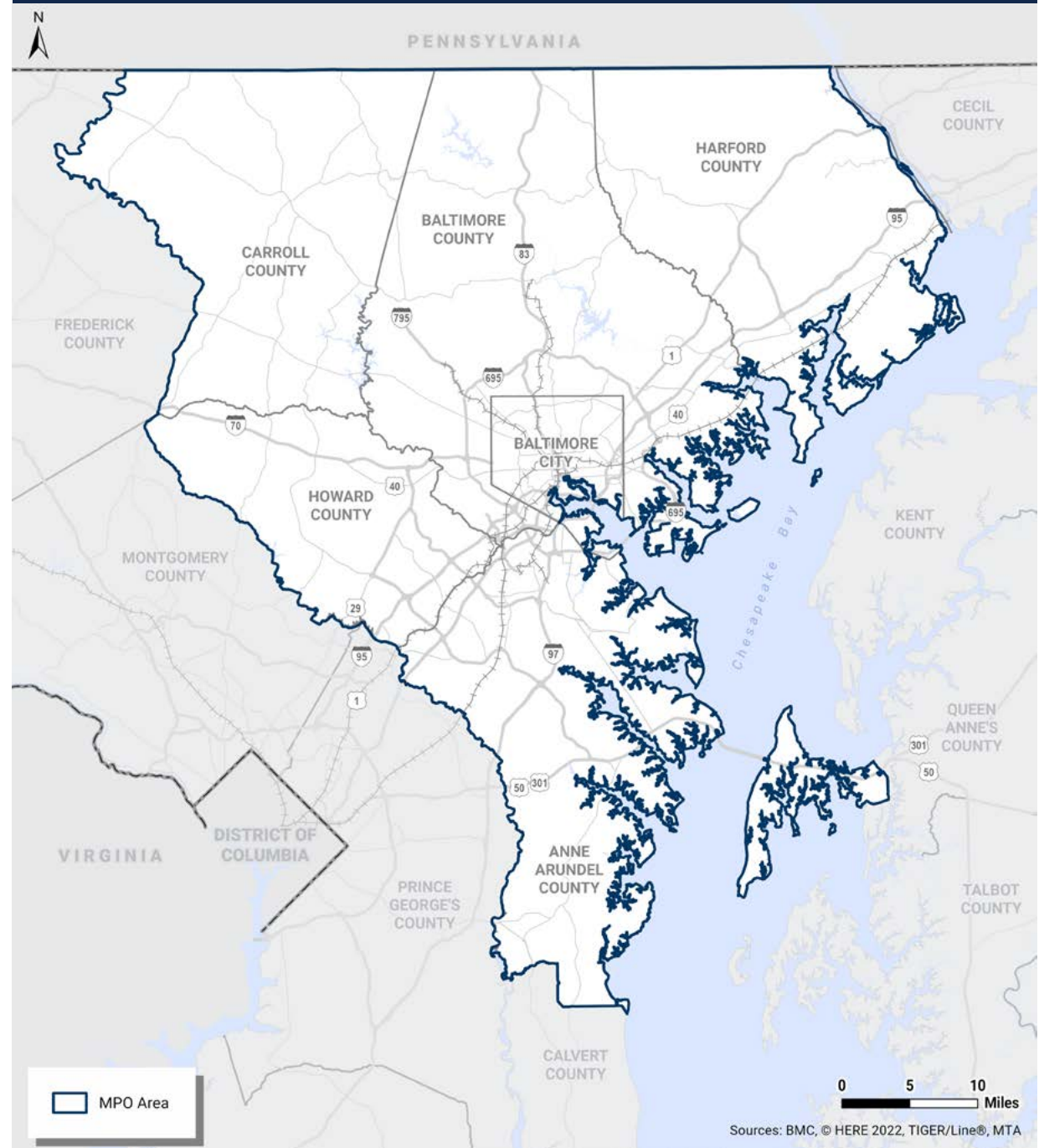
Regional Long-Range Transportation Plan

Resilience 2050: Adapting to the Challenges of Tomorrow is the regional long-range transportation plan (LRTP) for the Baltimore Metropolitan Planning Area (MPA).

This chapter focuses on the legal basis for development of the LRTP. This includes an overview of federal requirements for the planning process, fiscal requirements and civil rights laws.

At a minimum, an MPA must cover the urbanized area and contiguous geographic areas likely to become urbanized within the next 20 years. The Baltimore MPA consists of the city of Baltimore, the counties of Anne Arundel, Baltimore, Carroll, Harford and Howard, as well as a portion of Queen Anne's County (see Map 1).

Map 1 - Baltimore Metropolitan Planning Area



Requirements under Federal Law

The most recent federal transportation legislative program was signed into law on November 15, 2021. The Bipartisan Infrastructure Law, as enacted in the Infrastructure Investment and Jobs Act (IIJA), authorizes the largest federal investment in public transportation in the nation's history. The IIJA provides \$550 billion over fiscal years 2022 through 2026 in new Federal investment in infrastructure, including roads, bridges and mass transit, as well as water infrastructure, resilience and broadband. There will be \$274 billion in spending for transportation programs above current baseline levels. The IIJA creates more than a dozen new highway programs and also creates more opportunities for local governments and other entities.

The prior program, known as the Fixing America's Surface Transportation (FAST) Act, was signed into law on December 4, 2015. The FAST Act preserves the commitment to the metropolitan transportation planning process established in previous federal initiatives. On May 27, 2016, the U.S. Department of Transportation (DOT) issued the latest regulations regarding metropolitan transportation planning, specifically outlining the planning requirements associated with the metropolitan planning process, including the regional LRTP.

Metropolitan Planning Organization (MPO)

Federal law requires every urbanized area in the U.S. with a population greater than 50,000 to have a metropolitan planning organization (MPO). An MPO is a regional policy making organization consisting of representatives of local governments and governmental transportation agencies. The purpose of an MPO is to ensure regional cooperation in transportation planning.

The functions of an MPO include:

- Coordinating federal funding for transportation.
- Conducting transportation planning in cooperation with federal agencies, state agencies and the operators of publicly owned transit services.
- Ensuring that transportation expenditures are based on a continuing, cooperative and comprehensive (3-C) planning process.
- Providing reasonable opportunity for input from the public and interested parties.

Baltimore Regional Transportation Board (BRTB):

The BRTB is the federally-designated MPO acting as the regional transportation planning and policymaking body for the Baltimore region. In this capacity, the BRTB is directly responsible for conducting the continuing, cooperative and comprehensive (3-C) transportation planning process for the Baltimore metropolitan region in accordance with the metropolitan planning requirements.

The BRTB provides policy direction and oversight in the development of the federally-mandated regional LRTP, the Transportation Improvement Program (TIP) and the associated Air Quality Conformity Determination.

The BRTB is a 13-member policy board consisting of the cities of Annapolis and Baltimore, the counties of Anne Arundel, Baltimore, Carroll, Harford, Howard and Queen Anne's, as well as the Maryland Department of Transportation (MDOT), the Maryland Department of the Environment (MDE), the Maryland Department of Planning (MDP), the MDOT Maryland Transit Administration (MTA) and a representative of public transportation.

Voting rights are extended to all members with the exception of MDE, MDP and MDOT MTA. These agencies serve the BRTB in an advisory capacity. The Regional Transportation Agency of Central Maryland (RTA) currently serves the role of "representative of public transportation" on the BRTB, based on a vote of the public transit providers in the region.

Representatives from the local jurisdictions and agencies have been designated and empowered by their respective lead elected official or department secretary to integrate locally-oriented policies and needs.

Baltimore Metropolitan Council (BMC)

Baltimore Metropolitan Council (BMC) provides technical staff to assist the BRTB and its advisory committees. BMC supports regional planning by providing:

- long- and short-range transportation planning
- demographic and economic analyses
- travel demand modeling
- air quality modeling
- environmental coordination
- GIS services
- development monitoring (database of building permits)

In addition, BMC hosts other important regional functions and programs, including the Baltimore Urban Area Homeland Security Work Group (responsible for coordinating regional emergency preparedness activities), Reservoir Watershed Protection Committee, Regional Fair Housing Committee and Regional Cooperative Purchasing Committee.

Regional Plan / Regional Program

Federal law requires each MPO to develop an LRTP and a TIP for its region. The BRTB evaluates and selects projects for plans and programs in accordance with regional goals and policies. This is done in consultation with state agencies, transit providers and local jurisdictions.

Regional Long-Range Transportation Plan

Resilience 2050 is the LRTP for the Baltimore region. It establishes the region's broad transportation goals and strategies, which will guide transportation investments over the life of the LRTP (2028-2050). *Resilience 2050* contains a list of the major surface transportation projects the region expects to implement in the period from 2028-2050. The plan also shows revenues the region expects to have available for these projects and estimated costs of these projects.



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Transportation Improvement Program

The TIP is the short-range programming element of the regional plan. Many of the projects in *Resilience 2050* remain conceptual in nature and do not have detailed project scopes. As projects in *Resilience 2050* move from the conceptual into the implementation phase, they enter the TIP. The TIP shows all of the transportation projects with committed federal funding that the region expects to design and/or implement over the next four years. The TIP ensures consistency between plan recommendations and project implementation in the region. For example, all TIP projects are reviewed for consistency with regional goals, strategies, performance measures and targets.



Planning Factors

Federal law requires the metropolitan planning process to provide for consideration and implementation of projects, strategies and services that will address these factors:

> **Economic Vitality**

Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity and efficiency.

> **Increase Safety**

Increase the safety of the transportation system for motorized and non-motorized users.

> **Increase Security**

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> **Increase Accessibility**

Increase accessibility and mobility options of people and freight.

> **Protect the Environment**

Protect and enhance the environment, promote energy conservation, improve the quality of life and promote consistency between transportation improvements and state and local planned growth and economic development patterns.

> **Enhance Connectivity**

Enhance the integration and connectivity of the transportation system across and between modes for people and freight.

> **Efficiency**

Promote efficient system management and operation.

> **Preservation**

Emphasize the preservation of the existing transportation system.

> **Improve Resiliency**

Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation.

> **Tourism**

Enhance travel and tourism.

**Federal law requires
MPOs to address
ten essential
planning factors.**

Fiscal Constraint

cost ≤ revenues

Federal law requires the LRTP to include a financial plan showing how the region expects to pay for each project and program. In other words, *Resilience 2050* is not a “wish list” of projects, but rather must be fiscally constrained by the revenues anticipated to be available to the region.

For *Resilience 2050*, the BRTB, in consultation with MDOT, has forecast the amount of funding from federal, state, local and private sources the region reasonably anticipates will be available for the period from 2028-2050. *Resilience 2050* improves upon the previous LRTP by including a consistent methodology for estimating local revenues available for transportation investments. This methodology resulted from

a series of discussions with local jurisdiction staff in spring 2022.

The total estimated costs of *Resilience 2050* projects and programs cannot exceed the total anticipated revenues. Chapter 6 of this document provides details on the anticipated revenues and estimated year of expenditure costs for projects and programs in *Resilience 2050*. Chapter 7 provides further details on these projects and programs.

For the TIP, fiscal constraint means that each programmed project must include (1) a budget showing committed funding and funding sources and (2) a realistic implementation schedule based on when funds will be available.



Performance-Based Approach

Under the IIJA and its predecessor, the FAST Act, the metropolitan transportation planning process for both states and MPOs must “provide for the establishment and use of a performance-based approach to transportation decision making.”

Performance Measures and Targets – Highways

Federal law requires the DOT to establish national standards for asset condition and system performance for facilities on the National Highway System (NHS). The IIJA also continues the Highway Safety Improvement Program established under previous legislation. This program is intended to “achieve a significant reduction in traffic fatalities and serious injuries on all public roads.” The performance-based approach found in both the state and the metropolitan planning processes must support national goals (see box).

Each state is required to develop an asset management plan for its NHS facilities and a state highway safety improvement program. This includes a strategic highway safety plan that “identifies and analyzes highway safety problems and opportunities.”

National Performance Goals - Highways

> Safety

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

> Infrastructure Condition

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

> Congestion Reduction

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

> System Reliability

Improve the efficiency of the surface transportation system.

> Freight Movement and Economic Vitality

Improve the national freight network, strengthen the ability of rural communities to access national and international trade markets and support regional economic development.

> Environmental Sustainability

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

> Reduced Project Delivery Delays

Reduce project costs, promote jobs and the economy and expedite the movement of people and goods by accelerating project completion through eliminating delays in the project development and delivery process, including reducing regulatory burdens and improving agencies' work practices.

The state plans must include strategies that will make progress toward achieving targets for asset condition, system performance and safety. States establish state performance measures and targets based on the national standards.

MPOs set the regional performance measures and targets, in consultation with states, to use in tracking progress toward attaining critical outcomes for the region.



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Performance Measures and Targets – Transit Systems

Federal law requires the DOT to implement a national transit asset management system and a national transit safety program.

The National Transit Asset Management System is a “strategic and systematic process of operating, maintaining and improving public transportation capital assets effectively through the life cycle of such assets.” The foundation of this system is the concept of state of good repair.

The purpose of the National Public Transportation Safety Plan is to improve the safety of all public transportation systems. This plan includes:

- Safety performance criteria for all modes of public transportation.
- Minimum safety performance standards for public transportation vehicles used in revenue operations.
- A public transportation safety certification training program.

Each direct recipient of federal transit funds (in this region, this is the MDOT Maryland Transit Administration) develops its own asset management and safety plans, consistent with the national plans.

MPOs develop regional transit system performance targets for asset management and safety in coordination with transit providers.

Performance Measures and Targets – More Information

Chapter 5 covers the specific regional performance measures and targets set by the BRTB, in consultation with MDOT and the federal agencies. Where available, it also includes information on the performance of the regional transportation system to date in relation to these performance measures and targets.

Air Quality Conformity

“Conformity” means that the projects in *Resilience 2050* will not cause or contribute to new air quality violations, worsen existing violations or delay timely attainment of air quality standards.

National Air Quality Standards

To protect public health, the U.S. Environmental Protection Agency (EPA) sets the National Ambient Air Quality Standards (NAAQS) for six criteria air pollutants. The EPA then determines the areas that do not meet these standards. The Baltimore region is designated as a nonattainment area with regard to the 8-hour ozone NAAQS.

The region must show that its transportation plans and programs conform to the air quality goals.

State Implementation Plan

The State Implementation Plan (SIP) developed by MDE establishes a plan for how the region will achieve the NAAQS by the required attainment date. The SIP addresses all sources of pollution in the region. For on-road mobile sources of pollution (such as cars, trucks and buses), the SIP establishes motor vehicle emission budgets.

Conformity Evaluation

The Clean Air Act Amendments (CAAA) require careful evaluation of the relationship between transportation plans and programs and the air quality goals for the state outlined in the SIP. The region must show that its transportation plans and programs do not interfere with the attainment of the NAAQS and are within the EPA-approved motor vehicle emission budgets. *Resilience 2050* demonstrates conformity since the projected emissions levels from its proposed projects are less than the emissions budgets established in the SIP.

See Appendix C for technical details of the air quality conformity analysis performed for *Resilience 2050*.

Congestion Management Process

Federal law requires all metropolitan areas with populations greater than 200,000 to have a Congestion Management Process (CMP).

The CMP identifies actions and strategies to reduce traffic congestion and increase mobility. These include:

- Identifying congested locations.
- Determining the causes of congestion.
- Evaluating the congestion mitigation potential of different strategies.
- Evaluating the effects of previously implemented strategies.

Appendix D includes technical details on the region's CMP and how the projects in *Resilience 2050* are consistent with this CMP.

Consultation with Interested Parties and the Public

Federal law requires MPOs to consult with state and local officials, transit operators and the public when conducting transportation planning.

MPOs are required to develop a public participation plan that defines a process for providing the public and interested parties with reasonable opportunities to be involved in the planning process.

MPOs are encouraged to consult or coordinate with planning officials responsible for other types of planning activities affected by transportation. These activities include planned growth, economic development, environmental protection and freight movement.

Federal law also stipulates that the public participation plan considers the needs of people and groups traditionally underserved by transportation systems, including low-income and minority households.

Appendix E presents additional details on the BRTB's public participation process and its specific outreach efforts in developing *Resilience 2050*.



Title VI of the Civil Rights Act

Regional plans and programs must comply with Title VI. The intent of this law is to ensure that public funds are not spent in a manner that encourages, subsidizes, perpetuates or results in discrimination.

Title VI of the Civil Rights Act of 1964 states that no person in the U.S. shall, on the basis 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.

Because the BRTB receives federal funding in carrying out the metropolitan planning process, its products (such as this LRTP) and programs must comply with Title VI.



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Executive Order – Environmental Justice

Environmental Justice seeks to ensure that the benefits and burdens of transportation investments are shared as equitably as possible among all affected communities.

Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority and Low-Income Populations,” addresses this issue. This Executive Order and its accompanying memorandum reinforce the requirements of Title VI that focus federal attention on environmental and human health conditions in minority and low-income communities.

The DOT’s guiding Environmental Justice principles are summarized as follows:

- To avoid, minimize or mitigate disproportionately high and adverse human health and environmental effects on minority and low-income populations.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- To prevent the denial of, reduction in or significant delay of these protections for minority and low-income populations.

Appendix C includes an analysis of the potential effects of this plan’s major projects on Environmental Justice populations.