

From the FHWA New Hampshire Division Office and FTA Region I Office

New Hampshire Planning Emphasis Areas (PEAs) for: **2022/2023 Statewide Planning & Research (SPR) Program, Part 1; and** **2022/2023 Unified Planning Work Programs (UPWPs)**

The following PEAs are provided to New Hampshire's partner planning agencies for consideration in the development of the 2022/2023 SPR Part 1 Program, and MPO and rural RPC 2022/2023 UPWPs. In addition, FHWA and FTA encourage NHDOT and planning agency sub-recipients to review any outstanding recommendations from joint agency STIP Planning Findings, MPO Planning Reviews, or TMA Certification Reviews that were recently completed, to consider these also in the development of the pending work programs.

Planning Process and Factors

Federal transportation planning regulations, most recently updated in 2016, detail the requirements for the State and metropolitan planning organizations to carry out a continuing, cooperative, and comprehensive planning process. The regulations outline core required documents and associated update cycles as well as identifying the other agencies and stakeholders with whom coordination is necessary. The regulations include ten planning factors to be considered as part of the planning process:

- (1) Support the economic vitality of the United States, the States, metropolitan areas, and nonmetropolitan areas, especially by enabling global competitiveness, productivity, and efficiency;
- (2) Increase the safety of the transportation system for motorized and non-motorized users;
- (3) Increase the security of the transportation system for motorized and non-motorized users;
- (4) Increase accessibility and mobility of people and freight;
- (5) Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
- (6) Enhance the integration and connectivity of the transportation system, across and between modes throughout the State, for people and freight;
- (7) Promote efficient system management and operation;
- (8) Emphasize the preservation of the existing transportation system;
- (9) Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and
- (10) Enhance travel and tourism.

NHDOT's SPR Program and New Hampshire's MPO UPWPs should continue to identify resources and work elements as necessary to ensure that the State and each MPO considers the Planning Factors and complies with all statewide and metropolitan

planning and programming requirements consistent with timeframes established in legislation, rulemaking, and guidance.

Performance Based Planning & Programming Requirements

Requirements for a statewide and metropolitan long-range plan and a short-term statewide and metropolitan transportation improvement program (S/TIP) continue, with the long-range plan to incorporate performance plans required for specific programs. The long-range plan must describe the performance measures and targets used in assessing system performance and progress in achieving the performance targets. The statewide and metropolitan TIP must also be developed to make progress toward established performance targets and include a description of the anticipated achievements.

With performance-based planning requirements, New Hampshire's DOT and MPOs must integrate system performance measures into their planning and programming processes. Benefits of advancing a performance based approach to planning include better alignment of the long-range transportation plan and S/TIP with strategic goals, enhanced communication, cooperation and consensus building, increased accountability to the public, and a clear demonstration of transportation plan and program value. In addition to congestion, other baseline measures and planning horizon year targeted measures including, but not limited to those related to pavement conditions, bridge ratings, transit state of good repair, transit system safety performance, and crash fatality and injury rates must be considered.

Agencies should be working to continue to achieve and maintain compliance with all requirements including establishing performance measures, plans and targets, and written provisions. Any gaps or shortcomings that may exist could jeopardize ongoing FHWA/FTA approval of STIP Updates and Amendments.

NHDOT's SPR Program and New Hampshire's UPWPs should include work elements and activities to continue to cooperatively develop and monitor measures and targets, and collect data in support of establishing baseline and targeted performance measures, consistent with performance-based planning requirements.

Urbanized Area Set-asides, Suballocation and Project Selection

Given that the Nashua and Boston UZA's are designated Transportation Management Areas (TMAs), we remind New Hampshire that the FAST Act also includes the following requirements regarding set-asides and suballocation of Federal-aid funds, and metropolitan area project selection:

Set-asides

The following are to be set aside from a State's STBG apportionment:

- Funding for Transportation Alternatives (See the "Transportation Alternatives" fact sheet for additional information). [23 U.S.C. 133(h)]
- 2% for State Planning and Research (SPR). [23 U.S.C. 505]

- Funding for bridges not on Federal-aid highways (see “Off-system bridges” below). [23 U.S.C. 133(f)]

Additionally, from the portion of a State’s STBG apportionment available for use in any area of the State, the Governor of a border State may designate up to 5% for border infrastructure projects eligible under the SAFETEA-LU Coordinated Border Infrastructure Program. [FAST Act § 1437]

Suballocation

A percentage of a State’s STBG apportionment (after set-asides for Transportation Alternatives) is to be obligated in the following areas in proportion to their relative shares of the State’s population:

- *Urbanized areas with population greater than 200,000.* This portion is to be divided among those areas based on their relative share of population, unless the Secretary approves a joint request from the State and relevant MPO(s) to use other factors.
- *Areas with population greater than 5,000 but no more than 200,000.* The State is to identify projects in these areas for funding, in consultation with regional planning organizations, if any.
- *Areas with population of 5,000 or less.* [23 U.S.C. 133(d)]

Regarding the metropolitan project selection process, the FAST Act requires that MPOs serving a TMA select all federally funded projects from their approved Transportation Improvement Program (TIP) (except those on the National Highway System (NHS)) in consultation with the state and any affected public transportation operator(s). Project selection procedures should be designed to reflect the multimodal nature of the planning process, and of ‘flexible’ funding streams such as the Surface Transportation Block Grant Program (STBGP), Congestion Mitigation and Air Quality (CMAQ) program, and 5303/PL planning funds. Projects on the NHS are selected from the approved TIP by the state in cooperation with the MPO(s) designated for the area [23 USC 134(k)(4)]. In non-TMA MPO planning areas, the state selects all Title 23 funded projects from the approved TIP in cooperation with the MPO, and the designated recipient of public transportation funding selects Title 49 Chapter 53 projects from the approved TIP in cooperation with the MPO [23USC134(j)(5)].

FHWA and FTA recognize that the existing MOU between NHDOT and New Hampshire’s MPOs and transit operators concerning the federal certification requirements for MPOs has helped establish a framework for a compliant planning and programming process. NHDOT, New Hampshire’s MPOs, transit operators and rural RPCs should continue to work collaboratively to ensure that these set-aside, suballocation and project selection requirements are implemented as required, and the collaboration needed to do so should be evident in the work programs.

Census 2020- UZA Boundary Smoothing, MPO/TMA Designation/Re-Designation and Functional Reclassification

Census 2020 Urbanized Area (UZA) and MPO/TMA designations and boundaries are estimated to be available sometime in the Spring or Summer of 2022. Based on experience, the release of this information will trigger much work related to potential UZA boundary smoothing and functional reclassification activities for example. Should there be new UZAs and/or TMAs to designate or re-designate based on these developments, this may also require much effort.

These activities in response to the 2020 Census will be critical to ensure that proper MPO and/or TMA specific requirements are compliant, including funding sub-allocation and project programming requirements. Changes may also trigger the need for New Hampshire to re-visit the status of existing agreements in place to comply fully with requirements under 23 CFR 450.314 – Metropolitan planning agreements.

NHDOT's 2022-2023 SPR Program and New Hampshire's 2022-2023 MPO UPWPs should budget resources for the review, adjustment and incorporation of potential changes that will occur when Census 2020 information as described, becomes available.

Congestion Management Process (CMP) Implementation

To help achieve significant reductions in congestion on the NHS, and to advance development of transportation plans for implementing congestion reduction strategies using an objectives-driven, performance-based approach, New Hampshire MPOs impacted by the larger Boston Urbanized Area (UZA)/Transportation Management Area (TMA) and the Nashua UZA/TMA (RPC, SNHPC and NRPC) should continue to advance their Congestion Management Processes (CMPs). Now that these CMPs are established, effective implementation will require ongoing efforts to monitor and evaluate the performance of the identified multimodal transportation system/network. Where CMPs have been established, work should continue to establish a coordinated program for data collection and system performance monitoring to define the extent and duration of congestion, to contribute in determining the causes of congestion, and to evaluate the efficiency and effectiveness of implemented actions.

Under the FAST Act, there are provisions to establish an optional Congestion Management Plan (23 CFR 450.322(h)) – separate from the CMP that includes projects and strategies to be considered in the TIP.

The three MPOs as noted should include resources and work elements in their UPWPs that are necessary to support data collection and other system monitoring activities that will provide for an effective CMP consistent with requirements. CMP-related recommendations from FHWA/FTA TMA Certification Reviews and MPO Planning Reviews should be addressed as necessary to ensure appropriate scope of CMP efforts, and integration with the metropolitan planning and programming process.

Freight Planning

MAP-21 substantially ramped up consideration of freight in statewide and metropolitan planning processes, and the FAST Act continued this ramping up, linking continued access to a new category of National Highway Freight Program formula funds to the development of federally compliant statewide freight plans.

To receive funding under the National Highway Freight Program (23 U.S.C. 167), the FAST Act requires each State to develop a State freight plan, which must comprehensively address the State's freight planning activities and investments (both immediate and long-range). A State may develop its freight plan either separately from, or incorporated within, its statewide strategic long-range transportation plan required by 23 U.S.C. 135. Among other requirements, a State freight plan must—

- cover a five-year forecast period;
- be fiscally constrained;
- include a “freight investment plan” with a list of priority projects; and
- describe how the State will invest and match its National Highway Freight Program funds.

The State must update its freight plan at least every five years, and may update its freight investment plan more frequently than the overall freight plan. [49 U.S.C. 70202(e)]

The FAST Act also requires that USDOT encourage each State to establish a freight advisory committee composed of a representative cross-section of public- and private-sector freight stakeholders. The role of the State freight advisory committee is to:

- Advise the State on freight-related priorities, issues, projects, and funding needs;
- Serve as a forum for discussion for State transportation decisions affecting freight mobility;
- Communicate and coordinate regional priorities with other organizations;
- Promote the sharing of information between the private and public sectors on freight issues; and
- Participate in the development of the freight plan of the State.

NHDOT has established a FAST Act-compliant Statewide Freight Plan and Statewide Freight Advisory Committee. NHDOT and New Hampshire's MPOs are encouraged to identify resources and work elements as necessary to maintain state and metropolitan freight plans that assess the condition and performance of New Hampshire's critical freight network, and identify solutions to freight bottlenecks and other deficiencies.

Fiscal Constraint and Financial Planning

Fiscal Constraint and Financial Planning requirements are continued under the FAST Act and remain an area for emphasis. The fiscal constraint requirement is intended to ensure that metropolitan long-range transportation plans, TIPs, and the STIP reflect realistic

assumptions about future revenues, rather than being lists that include many more projects than could realistically be completed with available revenues. Given this basic purpose, compliance with the fiscal constraint requirement entails an analysis of revenues and costs. The basic question to be answered is *"Will the revenues (Federal, State, local, and private) identified in the TIP, STIP, or metropolitan long-range transportation plan cover the anticipated costs of the projects included in this TIP, STIP, or metropolitan long-range transportation plan, along with operation and maintenance of the existing system?"*

The FAST Act continues requirements that the metropolitan long-range transportation plan and TIP must include a financial plan that "indicates resources from public and private sources that are reasonably expected to be available to carry out the program". A long-range transportation plan and TIP can include only projects for which funding can reasonably be expected to be available. For the purposes of developing the metropolitan long-range transportation plan and TIP, the MPO, State DOT, and transit agency must cooperatively develop estimates of revenues that will be available to support plan and program implementation.

Additionally, the STIP may include a similar financial plan. New Hampshire's TIP/STIP process makes the STIP financial plan a critical element to determine and demonstrate financial constraint for New Hampshire's MPO TIPs. The purpose of the financial plan is to demonstrate fiscal constraint, and the metropolitan long-range transportation plan, TIP and STIP should all include appropriate financial plan documentation that demonstrates financial constraint. By inclusion in these documents, the financial plan is also made available for public comment consistent with federal requirements.

Regarding project costs, financial plans should reflect the estimated costs of constructing, maintaining and operating the total (existing plus planned) transportation system, including portions of the system owned and operated by local governments. MPOs and State DOTs should review their processes to help ensure that project cost estimates are updated in the metropolitan plan and TIP to reflect the latest available information.

NHDOT's SPR Program and New Hampshire's MPO UPWPs should identify resources and work elements as necessary to ensure that the STIP, metropolitan long-range transportation plans, and TIPs include financial plan documentation and processes that meet the above-referenced requirements and demonstrate financial constraint by year. The federal agencies expect that financial constraint documentation for the referenced planning documents will demonstrate constraint by year and funding category.

NHDOT should continue to coordinate the statewide cooperative revenue estimate process that provides regional funding estimates/targets to the MPOs for use in developing their TIPs and long-range transportation plans within the various highway and transit funding categories.

The federal agencies recognize that NHDOT has been helpful to MPOs and rural RPCs in developing more accurate planning-level project estimates, and some MPOs and rural RPCs are also considering, or have implemented consultant on-call contracts with engineering firms to assist with these cost estimates. Resources and work elements should continue to be identified to support the periodic updating of project scopes and estimates during the planning and programming stage of project development, and estimating tools that can be consistently utilized by RPCs/MPOs, municipalities, or other agencies for typical transportation projects during the planning stage should be developed.

Metropolitan and Statewide Travel Demand Model Maintenance

A robust metropolitan travel demand model is essential to the development and content of the metropolitan transportation plan, the CMP in Transportation Management Areas, transportation planning studies and project development, and the EPA's conformity process for non-attainment and maintenance areas, as detailed under Title 40, CFR Part 93. FHWA and FTA have reviewed all MPO modeling activities in New Hampshire through ongoing MPO Planning Reviews that are conducted each year on a four-year cycle with each New Hampshire MPO, including the Nashua TMA Certification Review process. Through these reviews, recommendations have been made by the federal agencies to improve the state of the practice.

In addition, a robust statewide travel demand model provides data collection and analysis to support coordination of statewide transportation planning and programming priorities and decisions, and to support corridor or other planning and project development studies. In New Hampshire, the statewide model has been useful for developing interregional and cross-border projects such as I-93 (SEIS, Transit Investment Study), and Capitol Corridor rail service. The statewide model can be used to provide technical analysis for the 10 Year Plan process, particularly in the non-MPO areas, and to support the statewide long-range transportation plan process. New Hampshire's statewide model could provide useful information and support traffic and commodity flow mapping for setting congestion-related performance measures on the NHS, interregional corridor studies, freight planning, or efforts to develop the tiered statewide highway system network. Other prospective uses would include modeling for conformity for an ozone non-attainment area that includes non-metropolitan areas, as rural RPCs may not have suitable models for conformity, and to help determine potential impacts of projects on greenhouse gases (GHGs), particularly in non-MPO areas.

NHDOT's SPR Program and New Hampshire's MPO UPWPs should continue to identify resources and work elements as necessary to ensure that metropolitan and statewide travel demand models are being maintained and used to provide technical support to New Hampshire's metropolitan and statewide planning processes, and are continuously improved, consistent with previous TMA Certification Review and MPO Planning Review recommendations. FHWA and FTA acknowledge the work that has been accomplished by New Hampshire's Partnering For Performance (PFPNH) and

Model Users Group (MUG) to address various modeling challenges and share knowledge and expertise, and we encourage such collaboration to continue.

Data Collection for HPMS, Performance Measures, and 500 Series Reporting

FHWA's Highway Performance Monitoring System (HPMS) and 500 Series reporting data is used for many purposes including the apportionment of formula based Federal-aid funds to states for surface transportation improvements and maintenance. HPMS data is also critical to the establishment of system performance measures and targets related to the use and condition of the state highway network. It is the expectation of FHWA that HPMS data and reports, traffic counts, 500 Series reports and any other required highway statistical and finance related reporting will be submitted to FHWA in a timely and complete manner, consistent with Federal requirements. The federal agencies also recognize the importance of maintaining data collection activities to support the ongoing implementation of TPM measures and targets related to pavement and bridge conditions, as well as safety and congestion-related outcomes.

With NHDOT continuing to request that New Hampshire's RPCs collect data on the local roadway system, both NHDOT's SPR Program and New Hampshire's UPWPs must include resources and work elements as necessary to provide for complete traffic counting and other data for maintaining New Hampshire's statewide HPMS data. Resources identified to support the required traffic counting, pavement condition monitoring and other activities should be provided at a level that will ensure complete, timely and robust data collection in support of New Hampshire's statewide HPMS data. Critical resources to ensure timely 500 Series reporting and to maintain and expand NHDOT's WIM capacity as necessary to facilitate timely and complete classification counts should be included. The SPR program should also recognize the need for maintaining access and supporting use of the NPMRDS data set for NHDOT as well as their MPO partners.

Project Monitoring and Planning Work Program Reporting

Effective project monitoring is critical to the planning process and to timely project delivery. Project monitoring in turn allows for project readiness to be assessed so that project listings by phase in the TIP/STIP accurately reflect the year of obligation for funds associated with those programmed activities. Project monitoring by NHDOT and New Hampshire's MPOs will help:

1. Support efforts to reduce inactive obligations for federal-aid projects;
2. Support efforts to advance New Hampshire's STIP projects during the FY that they are programmed in the updated STIP;
3. Lead to the development of annual listings of obligated highway and transit projects;
4. Assure that highway and transit project cost estimates are updated to reflect the latest available information.

Reporting requirements for SPR and PL CPG planning funding recipients and sub-recipients listed under 23 CFR 420.117 and referenced under 23 CFR 450.308 must be complied with. This includes the timely provision of performance and expenditure reports, due 90 days after the end of the reporting period for annual and final reports. Delayed or deficient reporting may jeopardize the uninterrupted flow of available funds to support ongoing planning activities, and may also delay pending approval actions for subsequent work programs.

NHDOT's SPR Program and New Hampshire's MPO UPWPs should identify resources and work elements as necessary to support effective project monitoring and the development of MPO annual listings of obligated highway, bike/pedestrian and transit projects, as well as work that will be required to provide complete and timely reporting required of all federal planning funding recipient and sub-recipient agencies.

Climate Adaptation and Resilience

FHWA and FTA confirm the eligibility of climate adaptation activities for Federal-aid funds, including planning elements. Transportation planning elements tied to climate adaptation in the metropolitan or State planning processes that are deemed necessary to support the planning process are eligible for PL and/or SPR funds. FHWA provides States and MPOs the discretion and flexibility to apply planning funds, subject to Division Office approval. All activities should be included in the appropriate State or metropolitan work program.

Examples include:

- Conducting vulnerability or risk assessments of the transportation assets in a particular area or region.
- Updating and digitizing datasets on the elevation (or other characteristics) of an area's roads, highways, bridges, etc.
- Support for a reasonable portion of the costs needed to develop information on climate effects, in cooperation with other stakeholders.

In addition, New Hampshire's planning partners should be aware of requirements for NHS and non-NHS roads under 23 CFR 667.7, regarding periodic evaluation of facilities repeatedly requiring repair and reconstruction due to emergency events. Beginning November 23, 2020, NHDOT must prepare this evaluation for all NHS and non-NHS roads, highways and bridges prior to including any project relating to such facility in its STIP.

NHDOT and New Hampshire's MPOs are encouraged to include consideration of these evaluations during the development of transportation plans and programs including the STIP and TIPs.

Emerging Technologies

Currently, there are no Federal regulations in the transportation planning process that mandate consideration of connected and automated vehicles (CAVs) or transportation network companies (TNC) that provide ridesharing services. However, in recent years, there has been an increased focus towards understanding and researching how CAVs and TNCs, and other changes in travel patterns such as shifts towards telecommuting and online shopping, will impact transportation.

USDOT has partnered with stakeholders, launched national meetings, conducted research, and published documents to facilitate this new era of transportation, ensuring that our country remains a leader in automation. USDOT has published several documents to provide guidance to help states and locals prepare for planning for CAVs. Other technological advances are impacting transit, micro-mobility options, and vehicle types. FHWA and FTA continue to encourage states, locals, and MPOs to engage in preparing for the advent of these new technologies, as they serve an important role in planning for how these changes in transportation patterns impact our communities and transportation network.

FHWA and FTA recommend that New Hampshire's 2022-2023 SPR Program and MPO UPWPs consider emerging CAV, TNC and micro-mobility technologies in the statewide and metropolitan planning process and long-range planning activities. NHDOT and New Hampshire's MPOs should explore opportunities to integrate emerging technologies into future planning and coordination activities with their many stakeholders.