

Chapter 1: Requirements and Policies



Regional Transportation Plan: What Is the Region Required to Do?

Maximize2040: A Performance-Based Transportation Plan is the long-range transportation plan for the Baltimore region. This region covers Anne Arundel, Baltimore, Carroll, Harford, and Howard counties and Baltimore City.

This chapter provides an overview of the laws, regulations, and policies the region has followed in developing *Maximize2040*.

Requirements under Federal Law

Moving Ahead for Progress in the 21st Century (MAP-21)

** MAP-21 is the federal law that establishes the requirements of, and authorizes the funding for, federal surface transportation programs.*

MAP-21, enacted in June 2012, provides the framework for Federal Highway Administration and Federal Transit Administration regulations and policies. These regulations and policies guide how federal agencies, states, transit providers, and local jurisdictions plan, fund, and implement projects. *Maximize2040* was developed in accordance with MAP-21 requirements.

Metropolitan Planning Organization

** MAP-21 requires every urbanized area in the U.S. with a population greater than 50,000 to have a metropolitan planning organization (MPO).*

The functions of an MPO include:

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

Baltimore Regional Transportation Board (BRTB)

** The Baltimore Regional Transportation Board is the region's federally designated MPO.*

The BRTB is an 11-member policy board consisting of the chief elected officials of the region and representatives from state agencies. Members include representatives of:

- the cities of Annapolis and Baltimore
- the counties of Anne Arundel, Baltimore, Carroll, Harford, and Howard
- the Maryland departments of Transportation, the Environment, and Planning
- the Maryland Transit Administration.

Several committees and groups advise the BRTB in specific technical and policy areas. More information on BRTB members, committees, and other advisory groups is shown on the BMC website:

<http://www.baltometro.org/about-brtb/brtb-committees>.

Regional Plan / Regional Program

** MAP-21 requires each MPO to develop a transportation plan and a Transportation Improvement Program (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 Transportation Plan

Maximize2040 is the long-range transportation plan for the Baltimore region. This plan supersedes the last plan, developed in 2011. *Maximize2040* establishes the region's broad transportation goals and strategies. These goals and strategies will guide transportation investments over the life of the plan (2020-2040).

Maximize2040 contains a list of the major surface transportation projects the region expects to implement in the period from 2020 to 2040. The plan also shows revenues (federal, state, local, other) the region expects to have available for these projects and estimated costs of these projects.

Transportation Improvement Program

The Transportation Improvement Program (TIP) is the short-range programming element of the regional plan. 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.

Baltimore Metropolitan Council

The Baltimore Metropolitan Council (BMC) provides technical staff to assist the BRTB and its advisory committees. BMC staff 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, the BMC is the host agency for the Regional Information Center, Urban Area Work Group (responsible for coordinating regional emergency preparedness activities), Reservoir Watershed Protection Committee, and Regional Cooperative Purchasing Committee.

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Planning Factors

** MAP-21 requires the metropolitan planning process to provide for consideration of projects and strategies that will address these factors:*



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



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



3. Increase **security** for transportation system users.



4. Increase the **accessibility and mobility** options available to people and for freight.



5. Protect and enhance the **environment**, promote energy conservation, improve 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, for people and freight.



7. Promote efficient system **management and operation**.



8. Emphasize **preservation** of the existing transportation system.

Fiscal Constraint

* *MAP-21 requires regional transportation plans and programs to be fiscally constrained.*

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The regional transportation plan must include a financial plan that shows how the region expects to pay for each project and program. Put simply, *Maximize2040* is not a “wish list” of projects.

For *Maximize2040*, the BRTB, in consultation with the Maryland Department of Transportation, has forecasted the amount of funding from public and private sources the region reasonably anticipates will be available for the period from 2020-2040. The total estimated costs of *Maximize2040* projects and programs cannot exceed the total anticipated revenues. Chapter 3 and Appendix E of this document provide additional details on the anticipated revenues for *Maximize2040*.

For the TIP, fiscal constraint means providing for each project (1) budgets showing committed funding and funding sources and (2) realistic implementation schedules based on when funds will be available.



Performance-Based Approach

* *Under MAP-21, the 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

MAP-21 requires the U.S. DOT to establish national standards for asset condition and system performance for facilities on the National Highway System (NHS). MAP-21 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 MAP-21 national goals (see box on next page).

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.”

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MAP-21 National Performance Goals - Highways

1. **Safety** – Achieve a significant reduction in traffic fatalities and serious injuries on all public roads.
2. **Infrastructure Condition** – Maintain the highway infrastructure asset system in a state of good repair.
3. **Congestion Reduction** – Achieve a significant reduction in congestion on the National Highway System.
4. **System Reliability** – Improve the efficiency of the surface transportation system.
5. **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.
6. **Environmental Sustainability** – Enhance the performance of the transportation system while protecting/enhancing the natural environment.
7. **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.

Performance Measures and Targets – Transit Systems

MAP-21 requires the U.S. 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. “State of good repair” includes objective standards for measuring the condition of capital assets.

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 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 2 covers the specific regional performance measures and targets set by the BRTB, in accordance with MAP-21.

Air Quality Conformity

** “Conformity” means that the projects in Maximize2040 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 certain “criteria pollutants.” The EPA then determines the areas that do not meet these standards.

** The EPA has determined that the Baltimore region does not meet the national standard for ground-level ozone set in 2008.*

As a result, the EPA has classified the region as a “moderate nonattainment” area for ozone. The EPA also has classified the region as a “maintenance” area for fine particulate matter (PM_{2.5}) and carbon monoxide (CO).

State Implementation Plan

The State Implementation Plan (SIP) developed by the Maryland Department of the Environment 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 (e.g., cars, trucks, and buses), the SIP establishes motor vehicle emission budgets. The region must show that its transportation plans and programs conform to the air quality goals in the SIP and are within the motor vehicle emission budgets.

** Maximize2040 demonstrates conformity since the projected emissions levels from its proposed projects are less than the emissions “budgets” established in the State Implementation Plan.*

See Appendix G for technical details of the air quality conformity analysis performed for *Maximize2040*.

Congestion Management Process

** MAP-21 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 H includes technical details on the region’s CMP and how the projects in this plan are consistent with this CMP.



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Consultation with Interested Parties and the Public

** MAP-21 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. Appendix I includes details about the public engagement process during the development of *Maximize2040*.

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.

MAP-21 also stipulates that the public participation plan consider the needs of people and groups traditionally underserved by transportation systems, including low-income and minority households.

Appendix I presents additional details on the BRTB's public participation process and its specific outreach efforts in developing *Maximize2040*.

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 (e.g., this regional transportation plan) and programs must comply with Title VI.

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.

Federal and Regional Policies

While not specifically required by law or regulation, several federal and regional policies have informed the work of the BRTB in developing *Maximize2040*. Examples of these policies follow.

Federal Livability Principles

In June 2009, the U.S. Environmental Protection Agency joined the U.S. DOT and the Department of Housing and Urban Development to form the Interagency Partnership for Sustainable Communities. This partnership developed “livability principles” intended to improve access to affordable housing and transportation alternatives and to reduce costs while protecting the environment, promoting equitable development, and addressing the challenges of climate change. These livability principles inform and support the BRTB’s efforts in planning for an equitable and sustainable transportation system.

- 1. Provide more transportation choices.** Develop safe, reliable, and economical transportation choices to decrease household transportation costs, reduce our nation’s dependence on foreign oil, improve air quality, reduce greenhouse gas emissions, and promote public health.
- 2. Promote equitable, affordable housing.** Expand location- and energy-efficient housing choices for people of all ages, incomes, races, and ethnicities to increase mobility and lower the combined cost of housing and transportation.
- 3. Enhance economic competitiveness.** Improve economic competitiveness through reliable and timely access to employment centers, educational opportunities, services and other basic needs by workers, as well as expanded business access to markets.
- 4. Support existing communities.** Target federal funding toward existing communities—through strategies like transit oriented, mixed-use development, and land recycling—to increase community revitalization and the efficiency of public works investments and safeguard rural landscapes.
- 5. Coordinate and leverage federal policies and investment.** Align federal policies and funding to remove barriers to collaboration, leverage funding, and increase the accountability and effectiveness of all levels of government to plan for future growth, including making smart energy choices such as locally generated renewable energy.
- 6. Value communities and neighborhoods.** Enhance the unique characteristics of all communities by investing in healthy, safe, and walkable neighborhoods—rural, urban, or suburban.

U.S. DOT Planning Emphasis Areas

The FHWA and FTA have jointly developed planning emphasis areas (PEAs) to provide additional policy guidance for carrying out metropolitan and state transportation planning. The PEAs are planning topical areas that FHWA and FTA have emphasized as MPOs and state DOTs develop their respective planning work programs. The PEAs reflect a renewed focus on transportation planning and include:

- Transition to **Performance-Based Planning and Programming** – relates to a statutory requirement; covered in an earlier section of this chapter.
- **Models of Regional Planning Cooperation** – to promote cooperation and coordination across MPO boundaries and across state boundaries where appropriate to ensure a regional approach to transportation planning.
- **Ladders of Opportunity** – to provide access to essential services as part of the transportation planning process and to identify transportation connectivity gaps in access to essential services.

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As shown in the following sections, the BRTB's approach is consistent with the U.S. DOT's directive to MPOs to encourage incorporation of Planning Emphasis Areas into their work programs.

Models of Regional Planning Cooperation

To improve collaboration and decision-making in transportation planning, the FHWA and FTA are leading an initiative on Regional Models of Cooperation – Multi-jurisdictional Coordination to promote inter-agency agreements and improved planning processes that cross agency jurisdictional boundaries.

The benefits of regional planning cooperation and multi-jurisdictional planning include, but are not limited to:

- Improved input for transportation decision-making
- Increased awareness of transportation projects
- Improved public participation
- Reduced project delivery time
- Flexible and combined funding options
- Improved air quality analysis
- Improved freight movement coordination
- Reduced traffic congestion
- Enhanced economic development
- Improved public-private partnerships
- Increased livability
- Improved safety



The BRTB and the staff of BMC have close working relationships with neighboring MPOs. There are regular contacts between staff at all levels, which enables leveraging of combined resources and promotes consistency in planning.

Over the past few years, staff of the National Capitol Transportation Planning Board (TPB), the Delaware Valley Regional Planning Council (DVRPC, Philadelphia area), the Wilmington Area Planning Council (WILMAPCO), and the York Area Metropolitan Planning Organization (YAMPO) have shared details of work programs with the BRTB.

In addition, on behalf of the BRTB, the BMC participates in the State Transportation Innovation Council. This council works to identify "Every Day Counts" initiatives.

Ladders of Opportunity

“Ladders of Opportunity” is one of the U.S. DOT’s Planning Emphasis Areas. Ladders of Opportunity are means to filling transportation connectivity gaps that can limit access to essential services such as housing, employment, health care, and education.

The BRTB’s approach is consistent with the U.S. DOT’s directive to MPOs to encourage incorporation of Planning Emphasis Areas into their work programs. The coordination of the development of *Maximize2040* with the federal livability principles as well as the work of The Opportunity Collaborative represents an important step in this process.

The Opportunity Collaborative – Regional Plan for Sustainable Development

The Opportunity Collaborative is the consortium responsible for developing Baltimore’s *Regional Plan for Sustainable Development* (RPSD) (see <http://www.baltometro.org/our-work/the-opportunity-collaborative> for more information).

The Collaborative is a 25-member coalition consisting of six local governments, the BRTB, three Maryland state agencies, two universities, and local philanthropic and advocacy organizations. Funding for The Collaborative’s work is through a Sustainable Communities planning grant from the U.S. Department of Housing and Urban Development (HUD).

The Opportunity Collaborative has developed a comprehensive RPSD that links the region’s housing, transportation, and workforce development plans and investments. Developing the RPSD included extensive community education and engagement, citizen leadership development, and sub-grant funding for demonstration projects.

In developing the RPSD and its supporting plans, The Collaborative has followed the federal livability principles, with one important addition:

- **Protect the Chesapeake Bay** by promoting location-efficient and low-impact development in the region, and more specifically by developing a Green and Healthy Neighborhoods program aimed at preserving and rehabilitating existing housing in the region in a “green” manner that considers the water downstream.

