

# FINAL REPORT



## TRANSPORTATION MANAGEMENT AREA STUDY

JOHNSON CITY MTPO

2021

*Prepared by*



*This report was prepared in cooperation with the U.S. Department of Transportation,  
Federal Highway Administration, and the Tennessee Department of Transportation.*

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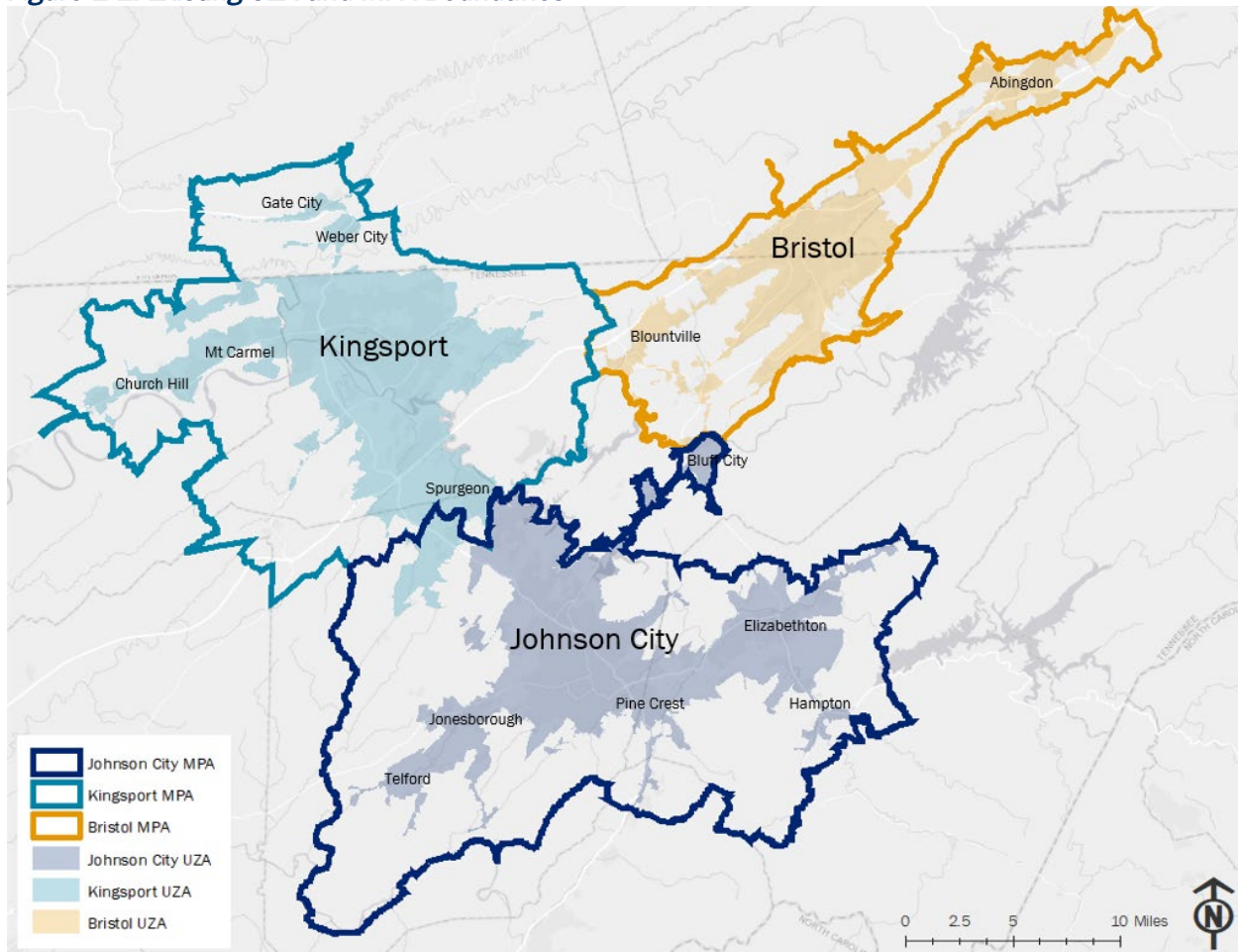
ADA	Americans with Disabilities Act
CRIT	Critical Trips Program
CFR	Code of Federal Regulations
CMAQ	Congestion Mitigation and Air Quality Improvement Program
CPTHSTP	Coordinated Public Transit-Human Services Transportation Plan
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
HSIP	Highway Safety Improvement Program
JCT	Johnson City Transit
KATS	Kingsport Area Transit Service
MPA	Metropolitan Planning Area
MPO	Metropolitan Planning Organization
MTP	Metropolitan Transportation Plan
MTPO	Metropolitan Transportation Planning Organization
NET Trans	Northeast Tennessee Rural Public Transit System
NHPP	National Highway Performance Program
NHS	National Highway System
PL	Planning funds
PPP	Public Participation Plan
RITSA	Regional ITS Architecture
RTA	Regional Transportation Authority
SPR	State Planning and Research funds
STBG	Surface Transportation Block Grant
TA	Transportation Alternatives Program
TCA	Tennessee Code Annotated
TDOT	Tennessee Department of Transportation
TIP	Transportation Improvement Program
TMA	Transportation Management Area
UPWP	Unified Planning Work Program
UROP	Urban Operating Assistance Program
USC	United States Code
UZA	Urbanized Area



## 1.0 Introduction

The Johnson City Metropolitan Transportation Planning Organization (MTPO) was established in 1982 after Johnson City's Urbanized Area population passed the 50,000-person threshold and became a census-designated Urbanized Area (UZA), which is a Census Bureau designation that allows for the creation of Metropolitan Planning Organizations. The MTPO conducts regional transportation planning activities within the metropolitan planning area (MPA), which includes the UZA as well as areas within the region that may become urbanized areas in the next 20 years. The MTPO currently serves the municipalities of Bluff City, Elizabethton, Johnson City, Jonesborough, and portions of Unicoi, Carter, Sullivan, and Washington Counties. Both the Johnson City UZA and MPA boundaries currently abut those of the Kingsport MTPO and Bristol MPO, two neighboring urbanized areas as shown in Figure 1-1. Bristol, Johnson City, and Kingsport are independent municipalities; however, they are connected by proximity, housing, workforces, and amenities.

*Figure 1-1. Existing UZA and MPA Boundaries*



Urbanized Area boundaries may be revised as a result of the 2020 Census, potentially resulting in the designation of a new Transportation Management Area (TMA) with a population surpassing 200,000 people. This is due to both increased population growth in parts of the region as well as the Census Bureau's new methodology for delineating urban and rural areas. TMAs are designated by FHWA for UZAs with populations greater than 200,000, or by request of the Governor and MPO

serving the area, and they ensure that transportation planning within the TMA is continuous, comprehensive, and conducted in partnership with the MPO, the State, and transit providers.

There are at least six scenarios that could result from the 2020 Census, including:

- Johnson City, Kingsport, and Bristol UZA boundaries remain the same or vary slightly but remain under the 200,000-person threshold for TMA designation.
- The boundary between the Kingsport and Johnson City UZAs is dissolved, resulting in a larger UZA with a population greater than 200,000 and a unified MPO.
- The boundary between the Bristol and Johnson City UZAs is dissolved, resulting in a larger UZA with a population greater than 200,000 and a unified MPO.
- The boundary between the Bristol, Kingsport, and Johnson City UZAs is dissolved, resulting in a larger UZA with a population greater than 200,000 and a unified MPO.
- The boundary between any two or more UZAs are dissolved, but the MPOs remain separate entities.
- The Johnson City UZA's population passes the 200,000-person threshold and becomes a TMA.

A future TMA designation in Johnson City has the potential to affect federal planning requirements, funding distributions, and MTPO staffing and board structures, and require changes to existing coordination with the Tennessee Department of Transportation (TDOT). This study evaluates these impacts and outlines a roadmap for effective transportation planning and regional collaboration in the future.

## 2.0 Federal and State Planning Requirements

In some cases, federal and state planning requirements differ between TMAs (urbanized areas with population greater than 200,000 people) and non-TMAs (urbanized areas with population less than 200,000 people). The following section summarizes federal and state statutes and regulations related to non-TMA and TMA planning activities. These statutes and regulations originate from three sources: the United States Code (USC), which codifies the federal statutes of the United States and is published by the U.S. House of Representatives; the Code of Federal Regulations (CFR), which is a compilation of general rules published in the Federal Register by all Federal departments and agencies; and the Tennessee Code Annotated (TCA), which codifies the laws of the State of Tennessee.

### 2.1 23 USC §134 (Metropolitan Transportation Planning) and 49 USC §5303 (Public Transportation)

23 USC §134 outlines the policies and requirements for MPOs, including the designation process (e.g., boundaries, structure, and representation) and work program requirements (e.g., schedules, contents, public involvement, coordination, and consultation). 49 USC §5303 outlines the same policies and requirements as they apply to planning for public transportation.

Table 2-1 summarizes the statutory requirements within 23 USC §134 and 49 USC §5303 as they pertain to TMAs and non-TMAs. As shown, there are three main differences in the statutes governing metropolitan planning for TMAs and non-TMAs.

- Following a new TMA designation, a phase-in schedule to meet additional regulatory requirements must be established no sooner than one year after the creation of the TMA.
- MPOs serving a TMA must include a congestion management process in their transportation plan, a requirement that does not apply to non-TMA areas. More information on this requirement is documented in 23 CFR §450.
- Coordination with the State in project selection for the Transportation Improvement Program (TIP) differs based on TMA designation. MPOs serving a TMA select federally funded projects for implementation in consultation with the State with the exception of projects on the NHS, which are selected by the State in consultation with the MPO.



**Table 2-1. 23 USC §134 and 49 USC §5303 Requirements**

Topic	Reference	Definition	Non-TMA (Population < 200,000)	TMA (Population > 200,000)	Notes
Note: "Blue" highlighted cells mean the requirement applies to TMAs or non-TMAs and "white" indicates that it does not.					
<b>MPO Designation</b>					
Boundaries	23 USC 134 (e) 49 USC 53 (e)	The MPO Planning Area must include the urbanized area and contiguous area expected to become urbanized within the next 20 years.			
	23 USC 134 (d) 49 USC 53 (d)	Each MPO that serves a TMA shall consist of local elected officials, officials of public agencies administering transportation (including transit), and State officials. Public transportation representatives can also serve as a local municipality representative.			
Structure and Representation	23 USC 134 (d) 49 USC 53 (d)	MPOs are designated based on agreements between the Governor and representatives of local governments that represent at least 75% of the affected population, including the largest incorporated city.			

Topic	Reference	Definition	Non-TMA (Population < 200,000)	TMA (Population > 200,000)	Notes
Note: "Blue" highlighted cells mean the requirement applies to TMAs or non-TMAs and "white" indicates that it does not.					
Structure and Representation, cont.	23 USC 134 (d) 49 USC 53 (d)	The MPO shall determine the selection of officials or representatives within its structure based on its bylaws with each member having equal responsibilities and authorities.			Weighted voting is not explicitly called out in the statute; therefore, MPOs are not required or prohibited by law to have any type of representational voting according to Federal regulation. However, the 2015 Tennessee law prohibiting weighted voting in the state was removed in 2018 thereby allowing this structure in Tennessee MPOs.
Other Considerations	23 USC 134 (d) 49 USC 53 (d)	Multiple MPOs can be designated for a single, existing urbanized area if the size and complexity make it appropriate.			

Topic	Reference	Definition	Non-TMA (Population < 200,000)	TMA (Population > 200,000)	Notes
Note: "Blue" highlighted cells mean the requirement applies to TMAs or non-TMAs and "white" indicates that it does not.					
Other Considerations, cont.	23 USC 134 (f) 49 USC 53 (f)	Coordinated transportation planning for a bi-state planning area should be provided by each State's governor.			
<b>Requirements of Work Products (MTP/TIP)</b>					
Schedules	23 USC 134 (h) 49 USC 53 (h)	MPOs shall establish performance targets within 180 days of the measure establishment by the State and public transportation providers.			
	23 USC 134 (i) 49 USC 53 (i)	MPOs must update their transportation plan every five years at a minimum.			In cases where the MPO includes areas designated as a non-attainment or maintenance area for air quality, transportation plans must be updated every four years.
	24 USC 134 (j) 49 USC 53 (j)	MPOs must update the TIP at least every four years.			Per TDOT, Tennessee MPOs must update their TIPs on a three-year cycle.
	23 USC 134 (k) 49 USC 53 (k)	No sooner than one year after the identification of a TMA, a phase in schedule for requirements is established.			

Topic	Reference	Definition	Non-TMA (Population < 200,000)	TMA (Population > 200,000)	Notes
Note: "Blue" highlighted cells mean the requirement applies to TMAs or non-TMAs and "white" indicates that it does not.					
Schedules, cont.	23 USC 134 (h) 49 USC 53 (h)	The metropolitan planning process must consider projects and strategies that address the 10 national planning goals and incorporate a performance-based approach to decision-making including performance measures and targets.			
Contents	23 USC 134 (i) 49 USC 53 (i)	The transportation plan must include an identification of facilities, performance measures and targets, a system performance report, mitigation activities, financial plan, operational, management, and capital strategies, and transportation and transit enhancement activities.			
	23 USC 134 (j) 49 USC 53 (j)	The TIP should be consistent with the transportation plan and must include a priority list of federally supported projects with detailed information, a financial plan, and anticipated effects of the TIP on performance target achievement.			

Topic	Reference	Definition	Non-TMA (Population < 200,000)	TMA (Population > 200,000)	Notes
Note: "Blue" highlighted cells mean the requirement applies to TMAs or non-TMAs and "white" indicates that it does not.					
Contents, cont.	23 USC 134 (k) 23 USC 134 (k)	MPOs serving a TMA must establish a congestion management process in the transportation plan to reduce travel demand through commuting programs, improved job access, transit improvements, and operational strategies.			
	23 USC 134 (i) and (j) 49 USC 53 (i) and (j)	The MPO shall provide the public and stakeholders with adequate opportunities to comment on the transportation plan and TIP in accordance with the MPO's participation plan.			
Public Involvement	23 USC 134 (k) 49 USC 53 (k)	MPOs serving a TMA select federally funded projects for implementation from the TIP in consultation with the State with the exception of projects on the NHS, which are selected by the State in consultation with the MPO.			
Coordination/Consultation in Project Selection	23 USC 134 (j) 49 USC 53 (j)	States and recipients of public transportation funding select projects for implementation from the TIP in cooperation with the MPO.			

Topic	Reference	Definition	Non-TMA (Population < 200,000)	TMA (Population > 200,000)	Notes
Note: "Blue" highlighted cells mean the requirement applies to TMAs or non-TMAs and "white" indicates that it does not.					
Coordination/Consultation in Project Selection, cont.	23 USC 134 (i) 49 USC 53 (i)	The MPO shall consult with the State, local agencies/governments, and other involved agencies in the development of the transportation plan.			
Coordination/Consultation in Plan Development	23 USC 134 (i) 49 USC 53 (i)	The MPO shall consult with the State, local agencies/governments, and other involved agencies in the development of the transportation plan.			



## 2.2 23 CFR §420 (Planning and Research Program Administration)

23 CFR §420 describes the Federal Highway Administration (FHWA) regulations that apply to state departments of transportation and subrecipients of planning and research funds, including MPOs. TMA and non-TMA requirements are found in two Subparts, which outline administrative requirements that apply to use FHWA funds for planning, research, development, and other activities.

Table 2-2 summarizes the regulatory requirements within 23 CFR §420 as they pertain to TMAs and non-TMAs and their expenditure of Metropolitan Planning (PL) and State Planning and Research (SPR) funds. There are two specific distinctions in requirements for MPOs serving TMAs:

- MPOs serving TMAs are not allowed to submit a simplified statement of work activities as is the case with MPOs serving non-TMAs. However, Tennessee MPOs are required to submit a full work program, commonly referred to as a Unified Planning Work Program (UPWP), regardless of TMA designation.
- If other federal, state, or local funding (other than PL and SPR funds) is used for planning, research, development, and technology transfers, MPOs serving TMAs are required to include detailed cost estimates for those activities in the UPWP.

**Table 2-2. 23 CFR §420 Requirements**

Topic	Reference	Definition	Non-TMA (Population < 200,000)	TMA (Population > 200,000)	Notes
Note: "Blue" highlighted cells mean the requirement applies to TMAs or non-TMAs and "white" indicates that it does not.					
<b>Requirements for FHWA Planning and Research Funds</b>					
Fund Distribution and Administration	23 CFR 420.109 (a) (b) (e)	An MPO's PL funds must be distributed by the State based on a formula developed in consultation with the MPOs that considers population, air quality attainment status, and planning area needs. Any PL funds not needed by an MPO can be made available back to the State.			
	23 CFR 420.121 (m) (n)	MPOs, as subrecipients of PL funds, must ensure that the administration and use of these funds meets federal requirements.			
Documentation and Use Requirements	23 CFR 420.111 (b)	MPOs must develop a work program that, at a minimum, describes the work to be accomplished with PL funds. Activities in the work program must include a summary of federal funds and matching funds from State and local sources.			
	23 CFR 420.111 (c)	In non-TMAs, MPOs are permitted to submit a simplified statement of work in lieu of a work program.			This is not currently allowed in Tennessee.

Topic	Reference	Definition	Non-TMA (Population < 200,000)	TMA (Population > 200,000)	Notes
Note: "Blue" highlighted cells mean the requirement applies to TMAs or non-TMAs and "white" indicates that it does not.					
Documentation and Use Requirements, cont.	23 CFR 420.111 (e)	MPOs serving TMAs must also include cost estimates for transportation planning, research, development, and technology transfers funded with other Federal, State, or Local funds.			This is encouraged for all State and MPO activities but is required for TMAs. This is a requirement when anything beyond SPR/PL funds are used for the listed activities.
	23 CFR 420.115 (a)	MPOs, as subrecipients of PL funds, must get approval and authorization before advancing on projects that use these funds based on the approved work program.			
	23 CFR 420.117 (e)	MPOs, as subrecipients of PL funds, must document the results of activities completed with PL funds and submit them to FHWA.			The FHWA Division Administrator may waive this requirement.

### 2.3 23 CFR §450 (Planning Assistance and Standards)

23 CFR §450 is organized into three subparts and describes FHWA regulations related to transportation planning and programming at the statewide/nonmetropolitan and metropolitan levels. Subpart C outlines requirements related to metropolitan planning in both TMAs and non-TMAs. This regulation is the most comprehensive source of information related to the various components of the metropolitan planning process, including aspects of Unified Planning Work Program (UPWP) funding, MPO designation and redesignation processes, agreements between metropolitan areas, public participation and consultation processes, congestion management processes, and developing core MPO work products.

Table 2-3 summarizes the regulatory differences for TMAs and non-TMAs as outlined in 23 CFR §450. The regulatory differences in TMAs and non-TMAs are described below in general and detailed in the table.

- MPOs serving a TMA and non-TMAs are permitted to use Surface Transportation Block Grant (STBG) program funds for metropolitan planning activities.
- UZAs with populations exceeding 200,000 must be designated as a TMA with a specified MPO board composition. To the extent possible, only one MPO shall be designated for each urbanized area or group of contiguous urbanized areas, though multiple MPOs can serve a single UZA if approved by the State.
- A new TMA designation does not necessarily warrant the redesignation of an existing MPO so long as there are no substantial changes in the MPO's voting representation or planning responsibilities.
- There are some instances in which TMA and non-TMA planning responsibilities are shared, which requires formal written agreements outlining those responsibilities. Such instances can occur where MPO(s) serve one or multiple UZAs or when TMAs overlap with non-TMAs.
- MPOs serving TMAs are required to have a congestion management process reflected in the Metropolitan Transportation Plan (MTP) and the Transportation Improvement Program (TIP). The process, also known as a CMP, has multiple required components influenced by air quality attainment status that must be instituted within 18 months of a new TMA designation.
- TMAs are subject to a formal certification review by FHWA and FTA every four years to ensure federal requirements are being met, while non-TMAs self-certify.
- Coordination with the State in project selection for the TIP differs based on TMA designation. MPOs serving a TMA select federally funded projects for implementation in consultation with the State with the exception of projects on the NHS, which are selected by the State in consultation with the MPO.

**Table 2-3. 23 CFR §450 Requirements**

Topic	Reference	Definition	Non-TMA (Population < 200,000)	TMA (Population > 200,000)	Notes
Note: "Blue" highlighted cells mean the requirement applies to TMAs or non-TMAs and "white" indicates that it does not.					
<b>Metropolitan Planning Process</b>					
Scope	23 CFR 450.306 (b) (d)	Metropolitan planning should be a continuous, cooperative, and comprehensive process that addresses the 10 national planning factors through a performance-based approach to decision-making.			
	23 CFR 450.306 (d)	The MPO's performance-based approach must include the establishment of performance measures and targets, coordinated with the State and public transit providers, that are included in the transportation plan.			
<b>UPWP Funding</b>					
Use of Alternative Funds	23 CFR 450.308 (a)	An MPO may use funds provided by the STBG program for metropolitan planning activities.			

Topic	Reference	Definition	Non-TMA (Population < 200,000)	TMA (Population > 200,000)	Notes
Note: "Blue" highlighted cells mean the requirement applies to TMAs or non-TMAs and "white" indicates that it does not.					
Contents	23 CFR 450.308 (c)	MPOs must develop a coordinated UPWP that highlights the work proposed within the planning area for the next 1 to 2 years. The UPWP must include major project activities, responsible agencies, schedule, deliverables, and funding, including both federal and non-federal matches.			
MPO Designation and Redesignation					
Boundaries	23 CFR 450.312 (a) (c) (d)	The MPO Planning Area must include the urbanized area and contiguous area expected to become urbanized within the next 20 years. The boundary may encompass more than one urbanized area and should be established based on regional economic development and growth.			
	23 CFR 450.312 (g) (i)	Planning Area boundaries shall not overlap one another. After each Census, MPOs must review Planning Area boundaries to ensure they meet minimum requirements			



Topic	Reference	Definition	Non-TMA (Population < 200,000)	TMA (Population > 200,000)	Notes
Note: "Blue" highlighted cells mean the requirement applies to TMAs or non-TMAs and "white" indicates that it does not.					
Boundaries, cont.		and foster an effective planning process.			
	23 CFR 450.312 (h)	Where a single urbanized area is included within two Planning Areas, boundaries may be adjusted so that the urbanized area is covered by a single MPO.			
Designation and Representation	23 CFR 450.310 (a)	An MPO shall be designated for each urbanized area with a population of more than 50,000 individuals.			
	23 CFR 450.310 (c) (d)	Urbanized areas with a population of over 200,000 shall be identified as a TMA with an MPO structure consisting of local elected officials, officials of public agencies administering transportation (including transit), and State officials. Public transportation representatives can also serve			TMA designation may also occur if requested by the Governor and the MPO.

Topic	Reference	Definition	Non-TMA (Population < 200,000)	TMA (Population > 200,000)	Notes
<p>Note: "Blue" highlighted cells mean the requirement applies to TMAs or non-TMAs and "white" indicates that it does not.</p>					
Designation and Representation, cont.		as a local municipality representative.			
	23 CFR 450.310 (e)	To the extent possible, only one MPO shall be designated for each urbanized area or group of contiguous urbanized areas.			Size and complexity of the urbanized areas can warrant multiple MPO designations as approved by the State. In these cases, the MPOs must establish written, formal agreements to identify required coordination and division of planning responsibilities.
Redesignation	23 CFR 450.310 (j)	Redesignation of an MPO is required when there is a substantial change in voting representation or MPO responsibilities.			
	23 CFR 450.310 (l)	Redesignation is not required when adding members to satisfy requirements for an MPO that serves a TMA so long as they do not trigger a			

Topic	Reference	Definition	Non-TMA (Population < 200,000)	TMA (Population > 200,000)	Notes
Note: "Blue" highlighted cells mean the requirement applies to TMAs or non-TMAs and "white" indicates that it does not.					
Redesignation, cont.		substantial change as noted in (j).			
	23 CFR 450.312 (e)	New urbanized areas identified within an existing MPO planning area do not require redesignation of the MPO.			
<b>Metropolitan Agreements</b>					
Multiple MPOs/Single Urban Area	23 CFR 450.314 (e) (f)	Where a single urbanized area is included within two Planning Areas and/or extends into adjacent state(s), written agreements must identify required coordination and division of responsibility.			
Adjacent TMAs and Non-TMAs	23 CFR 450.314 (g)	Where a TMA urbanized area overlaps an adjacent, non-TMA planning area, no TMA designations change. However, written agreements must identify required coordination and division of responsibility in meeting TMA-specific requirements.			TMA-specific requirements can include congestion management processes, STBG allocations, and project selection.

Topic	Reference	Definition	Non-TMA (Population < 200,000)	TMA (Population > 200,000)	Notes
Note: "Blue" highlighted cells mean the requirement applies to TMAs or non-TMAs and "white" indicates that it does not.					
Performance-Based Planning	23 CFR 450.314 (h)	Performance measures, data, and targets shall be cooperatively developed in written agreements in any case where MPO(s) serves one or multiple urbanized areas or when TMAs overlap with non-TMAs.			
Participation in Planning Processes					
Public Participation	23 CFR 450.316 (a)	MPOs must develop a participation plan that defines the process for all interested parties to be involved in the transportation planning process. This plan should describe strategies for providing accessible opportunities to provide comments on the transportation plan and TIP.			
Consultation with Other Agencies	23 CFR 450.316 (b)	MPOs developing MTP and TIPs should consult and coordinate with other organizations that are affected by the transportation planning.			

Topic	Reference	Definition	Non-TMA (Population < 200,000)	TMA (Population > 200,000)	Notes
Note: "Blue" highlighted cells mean the requirement applies to TMAs or non-TMAs and "white" indicates that it does not.					
<b>Congestion Management Process in TMAs</b>					
Inclusion in MTP/TIP	23 CFR 450.322 (b)	The MPO's congestion management process should be reflected in the transportation plan and the TIP.			
Required Components	23 CFR 450.322 (d)	The congestion management process should include the assessment of existing congestion issues, causes, and potential solutions guided by a set of goals and multimodal performance measures.			TMAs designated a nonattainment or maintenance area have additional requirements within the congestion management process.
Phase-in of Requirements	23 CFR 450.340 (g)	Within 18 months of a newly designated TMA, they must implement the congestion management process.			
<b>Development of the MTP</b>					
Update Cycles	23 CFR 450.324 (c)	MPOs must update their transportation plan at least every 4 years in air quality nonattainment and maintenance and 5 years in attainment areas.			

Topic	Reference	Definition	Non-TMA (Population < 200,000)	TMA (Population > 200,000)	Notes
Note: "Blue" highlighted cells mean the requirement applies to TMAs or non-TMAs and "white" indicates that it does not.					
Contents	23 CFR 450.324 (a) (f) (h)	MPO transportation plans must have a 20-year planning horizon and include both short- and long-term strategies to meet demands of the transportation system.			450.324 (f) includes multiple specific requirements of the MTP.
	23 CFR 450.324 (e) (g) (i)	The MPO consults with planning partners when developing a transportation plan in regard to existing data, related planning efforts, and available funding.			
Review	23 CFR 450.324 (j) (k)	Stakeholders and the public must be provided with the opportunity to comment on the transportation plan, which must be widely accessible.			
Development of the TIP					
Update Cycles and Certifications	23 CFR 450.326 (a)	The MPO TIP should cover at least a 4-year period of investments and should be updated every 4 years.			Per TDOT, Tennessee MPOs must update their TIPs on a three-year cycle.



Topic	Reference	Definition	Non-TMA (Population < 200,000)	TMA (Population > 200,000)	Notes
Note: "Blue" highlighted cells mean the requirement applies to TMAs or non-TMAs and "white" indicates that it does not.					
Update Cycles and Certifications, cont.	23 CFR 450.336 (a)	In tandem with submittal of the TIP to FHWA and FTA, the MPO shall certify every 4 years that the transportation planning process is being carried out according to requirements.			450.220 states that with STIP amendments, the state must certify to FHWA and FTA that the transportation planning process is being carried out per requirements. Additionally, where the request involves projects in a metropolitan planning area, the affected MPO must concur in the request.
	23 CFR 450.336 (b)	In TMAs, FHWA and FTA jointly evaluate the MPO transportation planning process at least once every 4 years to certify that requirements are being met.			
Contents	23 CFR 450.326 (c) (d) (e) (f) (g) (j) (k)	The TIP should include reasonably expected revenues, projects proposed for funding the Planning Area, project descriptions that include funding to be obligated, responsible agencies, and anticipated performance improvements from TIP implementation.			

Topic	Reference	Definition	Non-TMA (Population < 200,000)	TMA (Population > 200,000)	Notes
Note: "Blue" highlighted cells mean the requirement applies to TMAs or non-TMAs and "white" indicates that it does not.					
Review	23 CFR 450.326 (b)	The MPO shall provide reasonable opportunities for all interested parties to comment on the projects listed in the TIP.			Nonattainment TMAs must provide at least one public meeting in TIP development.
	23 CFR 450.330 (a)	The TIP must be consistent with the transportation plan as determined by FHWA and FTA review.			
Revision	23 CFR 450.328 (a)	MPOs may revise their TIP at any time using established adjustment and amendment procedures.			
Project Implementation	23 CFR 450.332 (b)	States and recipients of public transportation funding select projects for implementation from the TIP in cooperation with the MPO.			
	23 CFR 450.332 (c)	MPOs serving a TMA select federally funded projects for implementation from the TIP in consultation with the State except for projects on the NHS, which are selected by the State in consultation with the MPO.			

## **2.4 23 CFR §490 (National Performance Management Measures)**

23 CFR §490 is organized into eight subparts and describes FHWA policies related to national performance management measures. All eight subparts contain performance measure target requirements relevant to TMAs and non-TMAs, including data sources and calculations, safety, infrastructure condition, and system performance measures and targets, and implementation and reporting timelines.

Table 2-4 summarizes the requirements of this regulation, though there are minimal differences for TMAs and non-TMAs. More specifically, there is only one instance in which TMA designation impacts the MPO planning activities. Based on a FHWA applicability determination, MPOs serving a TMA may be required to report congestion- and emission-related performance measures for the UZA based on air quality attainment status.

**Table 2-4. 23 CFR §490 Requirements**

Topic	Reference	Definition	Non-TMA (Population < 200,000)	TMA (Population > 200,000)	Notes
Note: "Blue" highlighted cells mean the requirement applies to TMAs or non-TMAs and "white" indicates that it does not.					
<b>Data Requirements</b>					
Coordination	23 CFR 490.103	MPOs must coordinate with the State on the source and use of data related to establishment of performance targets.			
<b>Performance Measures</b>					
General Timeline	23 CFR 490.105 (f)	MPOs must establish performance targets within 180 days of the State establishing its targets.			This timeline also applies when a State chooses to adjust its targets.
Options	23 CFR 490.105 (f)	MPOs must establish their own performance targets within the Planning Area or agree to plan and program projects that support the accomplishment of the State targets.			
Multistate Coordination	23 CFR 490.105 (f)	A multistate MPO may choose to establish targets differently for the portion of its planning area in each State.			
Reporting Requirements	23 CFR 490.107 (c)	MPOs must report targets and progress toward their achievement to State DOTs in the transportation plan's system performance report.			
<b>Safety Performance Targets</b>					
Safety Measures and Methodology	23 CFR 490.207 (a) (b)	MPOs must report five performance safety measures based on 5-year rolling averages of national crash data.			

Topic	Reference	Definition	Non-TMA (Population < 200,000)	TMA (Population > 200,000)	Notes
Note: "Blue" highlighted cells mean the requirement applies to TMAs or non-TMAs and "white" indicates that it does not.					
Timeline	23 CFR 490.209 (c)	MPOs must establish performance targets within 180 days of the State establishing targets in the HSIP annual report.			
Reporting	23 CFR 490.213 (b) (c)	MPOs must report the safety targets annually to the State DOT. Baseline safety performance and progress towards meeting targets must be documented in a system performance report in the transportation plan.			
<b>Infrastructure Condition Targets</b>					
Pavement Measures and Methodology	23 CFR 490.307 (a)	MPOs must report four pavement condition measures based on State HPMS data collection efforts and procedures.			
Bridge Measures and Methodology	23 CFR 490.407 (a) (b)	MPOs must report three NHS bridge condition measures based on the National Bridge Inventory data.			
<b>System Performance Targets</b>					
Interstate and NHS Measures and Methodology	23 CFR 490.507 (a) 23 CFR 490.509 (a)	MPOs must report two travel time reliability measures for the Interstate and non-Interstate portions of the NHS based on the NPMRDS dataset.			Asset ownership does not matter in the setting of targets and reporting of performance for these measures as well as the infrastructure condition measures per 490.105.

Topic	Reference	Definition	Non-TMA (Population < 200,000)	TMA (Population > 200,000)	Notes
Note: "Blue" highlighted cells mean the requirement applies to TMAs or non-TMAs and "white" indicates that it does not.					
Freight Movement Measures and Methodology	23 CFR 490.607 23 CFR 490.611 (a)	MPOs must track one freight reliability measure on the Interstate system based on the NPMRDS dataset.			
CMAQ Measures and Methodology	23 CFR 490.707 (a) (b) 23 CFR 490.709 (b) 23 CFR 490.803 (a)	MPOs must report three congestion and emissions measures for the NHS within the urbanized area based on the State's HPMS data collection efforts, local survey/census data on mode split, and the CMAQ Public Access System.			Applicability of these measures is determined by FHWA. In general, these requirements apply to TMAs that include nonattainment or maintenance areas.



## **2.5 TCA 64-8 (Regional Transportation Authorities)**

TCA 64-8 regulates the creation and operation of regional transportation authorities (RTAs) and is organized into three parts. Part one describes the purpose of RTAs in Middle Tennessee, part two outlines the process by which RTAs are created and governed, and part three clarifies MPO policy board composition requirements. Currently, the applicability of this code to Johnson City is mostly limited to part three, which defines an MPO as it relates to other portions of the code and prescribes the structure of MPO policy boards. As such, Table 2-5 summarizes this part of the regulation's requirements.

**Table 2-5. TCA 64-8 Requirements**

Topic	Reference	Definition	Non-TMA (Population < 200,000)	TMA (Population > 200,000)	Notes
<b>Governing Board and Authorities</b>					
Board Composition	TCA 64-8-301	An MPO policy board shall ensure that one (1) voting member who resides within the MPO's boundaries is chosen in consultation with the Tennessee County Highway Officials Association to represent county highway departments operating within the planning area.			
MPO Definition	TCA 64-8-302	MPO is defined as an agency that is designated or redesignated by a memorandum of understanding as a metropolitan planning organization in accordance with 23 U.S.C. § 134, is located entirely within Tennessee, and contains not less than three counties entirely within Tennessee.			

### 3.0 Implications of TMA Designation

As mentioned in Section 1, several scenarios could cause the designation of a TMA that includes Johnson City. This section will focus on Scenario 2, in which the Johnson City and Kingsport UZAs are combined by the Census Bureau to create a new TMA. This scenario also examines the situation in which the existing MPOs agree to create a single MPO. This scenario would generate consolidated work products and make changes to funding and staffing levels. The following sections briefly outline how one or more MPOs could operate, detail the implications of a potential TMA designation, and present options for a merged approach where applicable.

#### 3.1 Implications of TMA Designation on MPO Work Products

Responsible for two distinct planning areas, the Johnson City and Kingsport MTPOs currently develop independent work products following unique adoption schedules. With a potential TMA designation, the two MTPOs may elect to merge into a single entity gaining efficiencies in planning for regional transportation needs.

Updates to the UPWP, TIP, and MTP occur on a regular cycle and would require greater coordination to ensure timely production. Other work products, such as Public Participation Plans, Coordinated Public Transit – Human Services Transportation Plans, Regional ITS Architecture Plans, and Bicycle and Pedestrian Plans would also likely be combined over time, but do not require a specific update cycle. Table 3-1 and Table 3-2 detail the existing adoption and update schedules for the MTPOs' primary work products as well as other planning efforts.

Following are potential opportunities for consolidation of work products if the two MTPOs decide to merge. This discussion assumes that the consolidation of the two MTPOs would likely occur between 2022 and 2023 given the timing of Census data releases, as shown in Figure 3-1.

- **UPWP:** The Johnson City and Kingsport MTPOs' UPWPs are also on the same cycle, making consolidation of these documents relatively simple. A combined UPWP would likely occur with the 2023 update to cover October 1, 2023 to September 30, 2025 and include the Virginia element extension to cover through June 30, 2025.
- **TIP:** Both the Johnson City and Kingsport MTPOs are on a similar TIP cycle, making the consolidation of TIPs into one work product relatively simple. A consolidated TIP would likely occur with the 2025 TIP development to cover a fiscal year period from October 1, 2025 to September 30, 2029.
- **MTP:** The update cycle of Johnson City and Kingsport MTPOs' MTPs are not on the same schedule, with the Kingsport MTP adoption occurring approximately eight months prior to Johnson City's MTP adoption. The MTPOs would likely initiate a consolidated MTP in 2024 with adoption in 2026.
- **Congestion Management Process:** Any new TMA must complete this process within 18 months of designation, which would be Spring 2024 if new TMAs are designated by Fall 2022. With an anticipated MTP consolidation beginning in 2024, the development of a new CMP would likely need to begin prior to the MTP but would be incorporated into the consolidated plan update.
- **Other Studies:** For work products like the Public Participation Plan, the Coordinated Public Transit – Human Services Transportation Plan, the Regional ITS Architecture, and the Bicycle

and Pedestrian Plan, a new TMA could consider updating and merging existing plans or creating new jointly developed plans, as resources allow. A new TMA should prioritize developing a joint Public Participation Plan as this will guide engagement efforts for other planning processes.

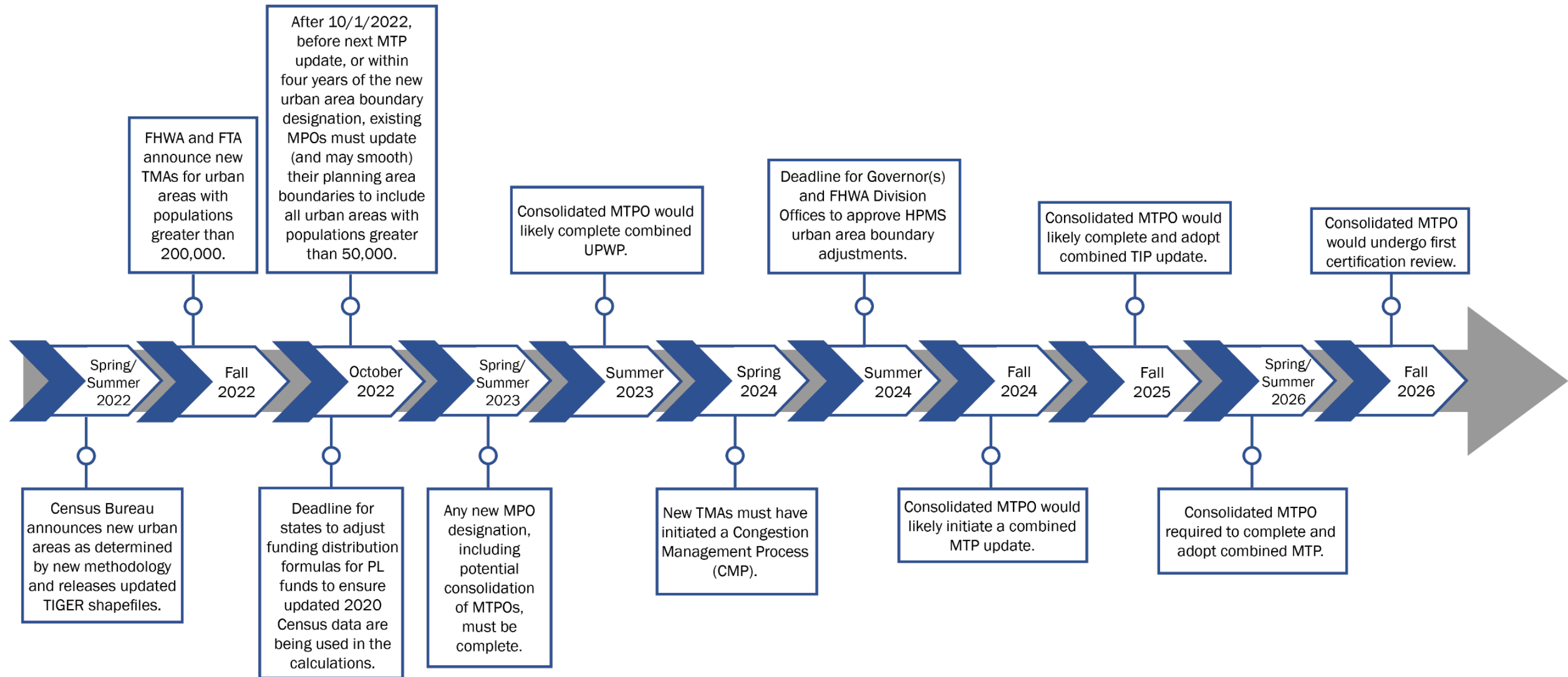
**Table 3-1. Kingsport and Johnson City MTPO Required Work Products**

Work Product	MTPO	Current Date of Adoption	Period Covered	Next Anticipated Update
UPWP	Johnson City	August 28, 2019	October 1, 2019 to September 30, 2021	Summer 2021
	Kingsport	June 4, 2020	October 1, 2019 to September 30, 2021 <i>*Includes an additional element called the "Virginia FY21 Element" to cover tasks through June 30, 2021, because Virginia has a different state fiscal year than Tennessee.</i>	Summer 2021
MTP	Johnson City	February 22, 2018	To 2045	February 2023
	Kingsport	June 2017	To 2045	Under development, to be adopted June 2022
TIP	Johnson City	December 20, 2019	October 1, 2019 to September 30, 2023	Development cycle will begin early 2022 and will cover a fiscal year period from October 1, 2022 to September 30, 2026
	Kingsport	November 11, 2019	October 1, 2019 to September 30, 2023	Development cycle will begin early 2022 and will cover a fiscal year period from October 1, 2022 to September 30, 2026

**Table 3-2. Kingsport and Johnson City MTPO Other Work Products**

Work Product	MTPO	Date of Adoption
Coordinated Public Transit - Human Services Transportation Plan	Johnson City	2017
	Kingsport	2016 – adopted TDOT's plan
Regional ITS Architecture Plan	Johnson City	2015, update to be completed 2022
	Kingsport	2017
Public Participation Plan	Johnson City	2008, amended in 2016
	Kingsport	2019, modified 2021
Bike/Ped Plan	Kingsport	2012, updated in 2021

Figure 3-1. Timeline of Census Bureau Data Releases and Potential MPO Consolidation



### 3.2 Implications of TMA Designation on Planning and Roadway Funding

The following section summarizes the sources and allocation process of funds that support MPO activities, including the Federal Highway Administration's (FHWA) Planning (PL) funds, the Surface Transportation Block Grant (STBG) Program, and the Transportation Alternatives Program (TA).

#### *Planning (PL) Funds*

PL funds are apportioned from FHWA to MPOs to support metropolitan transportation planning activities, including developing relevant transportation planning documents and transportation improvement programs (TIPs). A complete list of eligible planning activities is further specified under 23 USC 134 (highway planning) and 49 USC 5303 (transit planning).

PL funds are first distributed to TDOT based on a ratio of the combined UZA population in Tennessee to the total country's UZA population. TDOT then suballocates PL funds from FHWA based on a formula that gives each MPO a base funding level (\$100,000) plus an amount based on their 2010 Census Urbanized Area population. This same formula process applies to the 5303 funding that is distributed to MPOs as part of the Consolidated Planning Grant (CPG), which combines PL and 5303 planning funds for MPOs. The formula also retains \$150,000 for TDOT to use for the benefit of all MPOs. PL funds typically support MPO administrative activities, data inventories, development of the MTP and TIP, transit planning activities, and other studies as needed. Match ratios for CPG funds are 80% Federal, 5% state, and 15% local.

Table 3-3 summarizes the amount of PL funds received by Johnson City MTPO, Kingsport MTPO, and the four existing Tennessee TMAs from 2020 to 2021 as sourced from TDOT's 2020-2021 SPR Work Program and TDOT's 2021 PL funding formula, respectively.

**Table 3-3. Federal PL Funds, 2020 and 2021**

MPO	State	2020	2021
Johnson City MTPO	TN	\$232,183 (Federal)	\$241,419 (Federal)
		\$46,437 (Local)	\$60,355 (Local)
Kingsport MTPO	TN	\$212,438 (Federal)	\$220,294 (Federal)
	TN	\$42,488 (Local)	\$55,074 (Local)
	VA	\$50,000 (Federal)	\$50,000 (Federal)
Memphis MPO	TN	\$1,078,607 (Federal)	\$1,146,980 (Federal)
	TN	\$215,721 (Local)	\$286,745 (Local)
	MS	\$378,458 (carryover and Federal)	\$378,458 (carryover and Federal)
Nashville Area MPO	TN	\$1,310,595 (Federal)	\$1,395,176 (Federal)
		\$262,119 (Local)	\$348,794 (Local)
Knoxville Regional TPO	TN	\$713,298 (Federal)	\$756,148 (Federal)
		\$142,660 (Local)	\$189,037 (Local)
Chattanooga TPO	TN	\$432,336 (Federal)	\$455,556 (Federal)
	TN	\$86,467 (Local)	\$113,889 (Local)
	GA	\$139,171 (Federal)	\$141,158 (Federal)

### *Surface Transportation Block Grant (STBG)*

STBG funds are apportioned to the states by FHWA for a wide variety of projects, including planning, design, construction, operation and capital improvements, safety projects, electric vehicle and natural gas infrastructure, data collection, and travel demand management programs. Projects funded through STBG must be identified in the Statewide Transportation Improvement Program (STIP)/Transportation Improvement Program (TIP) and be consistent with the Long-Range Statewide Transportation Plan and the Metropolitan Transportation Plan(s).

STBG funds are distributed to states with revenue from the highway trust fund, and 55% of these funds are allocated based on population. In general, they can only be used on Federal-aid Highways (not local roads/rural collectors). In addition to the expenditure of STBG funds on TDOT-selected projects, TDOT also suballocates STBG funds to both small urban areas (populations greater than 50,000) and non-urban areas (populations greater than 5,000 and less than 50,000) for use on locally-selected, eligible projects. Large urban areas receive their apportionment directly from Congress. Match ratios for STBG funds are generally 80-100% Federal, 0-20% non-Federal. Some safety improvements may have a Federal share of 100%.

Table 3-4 summarizes the average annual amount of STBG funds received through this allocation process by the Johnson City MTPO, the Kingsport MTPO, and the four Tennessee TMAs between 2017 and 2021 as sourced from TDOT.

***Table 3-4. STBG Funds, Federal Average Per Year, 2017 to 2021***

MPO	Local STBG – Federal Average Per Year (2017-2021)	
Johnson City MTPO	STBG-M	\$ 1,700,100
Kingsport MTPO	STBG-L	\$1,489,336
Memphis MPO	STBG-L	\$17,745,176
Nashville Area MPO	STBG U/M/L	\$17,299,898
Knoxville Regional TPO	STBG-L	\$11,120,999
Chattanooga TPO	STBG-M	\$6,026,283

Note: “L” = Local; “M” = Metropolitan; and “U” = Urban

### *Transportation Alternatives Program (TA)*

TA funds are allocated as a set-aside of STBG funds and can be used for projects including pedestrian/bicycle facilities, recreational trails, safe routes to school projects, preservation, vegetation management, and stormwater and habitat connectivity projects. A portion of the State’s TA funds are suballocated to urban areas based on population, and all other TA projects are funded through a competitive application process. Urbanized areas with populations of more than 200,000 (TMAs) can use up to 50% of awarded TA funds for STBG-eligible projects. In addition, TMAs are provided a suballocation of TA funds directly from TDOT to use on locally-selected projects. The TMA must then decide how to award these funds to projects in the region.

Even though TMAs receive a separate suballocation of TA funds, they are still eligible for awards through the competitive grant process as well. TDOT’s competitive process for allocating TA funds includes an analysis of the proposed project’s benefits, e.g., safety; increased access to transit, jobs,



and other community amenities; connections to other multi-phase projects; a focus on distressed and at-risk counties; and more. Match ratios for TA funds are generally 80% Federal, 20% non-Federal.

Table 3-5 summarizes the average annual award of TAP funds received by Johnson City MTPO, Kingsport MTPO, and the four Tennessee TMAs between 2020 and 2023 as sourced from the most recent TIPs.

**Table 3-5. TA Funds, Federal Award Per Year, 2020 to 2023**

MPO	TAP – Federal Award Per Year (2020-2023)	
Johnson City MTPO	TN	\$ 199,356
Kingsport MTPO	--	No TA-funded projects in TIP
Memphis MPO	TN	\$381,987
	MS	\$240,269
Nashville Area MPO	TN	\$3,623,864
Knoxville Regional TPO	TN	\$1,992,375
Chattanooga TPO	TN	\$1,026,652

### Conclusions

TMA designation may affect the sources and allocation process of funds that support roadway projects, including FHWA’s PL funds, the STBG program, and the TA program. If a TMA is designated, these fund types would likely increase to cover the larger population and geographical area for which the MTPO is planning. In addition, with TMA designation the Johnson City MTPO would receive a direct allocation of STBG funds from Congress, bypassing TDOT’s current process. The Johnson City MTPO would also receive a suballocation of TA funds from TDOT for use on locally-selected projects. Any increase in federal roadway funding will require larger local match requirements.

### 3.3 Implications of TMA Designation on Regional Transit

TMA designation has the potential to alter existing transit systems in the region and affect how transit-related funds are allocated. This section describes these potential service changes and funding streams, including funding eligibility and allocation changes, service linkage options, and shifts in performance reporting requirements.

#### Current Transit Service

Within the Johnson City corporate limits, Johnson City Transit (JCT) provides fixed route and demand response services, including fixed route shuttle service on the East Tennessee State University Campus (called BUCSHOT), paratransit, and a Job Access program. Eight buses cover the 15 fixed routes with headways that range from 60 to 90 minutes.

NET Trans provides on-demand transit services to eight counties that are outside the JCT service area, including Carter, Greene, Hancock, Hawkins, Johnson, Sullivan, Unicoi, and Washington counties. NET Trans operates Monday through Friday from 6:00 am to 6:00 pm and provides weekend service for eligible riders through the Families First Transportation and Job Access programs.



The city of Kingsport is served by Kingsport Area Transit Service (KATS), which operates six vehicles on six fixed routes and four vehicles for on-demand response services. KATS operates Monday through Friday from 7:30 am to 5:30 pm.

TMA designation and potential changes to the urbanized area boundaries provide opportunities to consider transit system linkages between JCT and KATS to address service gaps in the area. Additionally, the Coordinated Public Transit-Human Services Transportation Plan (CPHSTP) identified the need to review existing routes and expand transit service to key activity centers in the region.

### *Funding Overview*

The FTA and TDOT transit funding allocation is based on several factors, including population, population density, ridership, lane miles, and others. As expected, TMA designation has the potential to impact many of these factors but especially the population variables, which could change the distribution of funds not only in the Johnson City area but to all transit agencies statewide. In addition, TMA designation affects eligibility for certain funding programs as well as some reporting obligations.

TMA designation will also change the way that transit agencies receive their funding allocations, in that the designated recipient will need to be changed from TDOT to another government entity within the new TMA. Currently, small urban areas receive their funding from the Governor or their designee. TDOT serves in this role to receive funds from FTA as the designated recipient. For the new TMA designation, the decision of choosing a new designated recipient must be made in accordance with the planning process under 49 U.S.C. 5303, 5304, and 5306, by the Governor of a State, responsible local officials, and publicly owned operators of public transportation. This means that the designated recipient must be chosen from among the two or more current 5307 recipients or the MPO. FTA encourages one designated recipient per TMA to streamline the administration of the program and foster coordination. The new designated recipient will define the distribution of 5307, 5310, and 5339 funds to the transit agencies and authorize them as direct recipients to apply directly to FTA for their allocation of funds. FTA will also retain oversight responsibilities of direct recipients.

The following section provides an overview of eligible activities, funding distribution, and reporting requirements for transit activities in TMAs and non-TMAs for the following FTA and TDOT funding programs:

- 5303 – Metropolitan Transportation Planning;
- 5307 – Urbanized Area Formula Grant;
- 5310 – Enhanced Mobility of Seniors & Individuals with Disabilities Program;
- 5311 – Rural Area Formula Grant;
- 5339 – Buses and Bus Facilities;
- TDOT Urban Operating Assistance Program (UROP) – Fixed Route and Paratransit in Urban Core Areas;
- TDOT Critical Trips (CRIT) Program; and

- IMPROVE Act Transit Capital Investment Grant Program.

### *5303 – Metropolitan Transportation Planning*

FTA's 5303 funds support MPOs in developing transportation plans and programs; planning, designing, and evaluating public transportation projects; and conducting technical studies related to public transportation. The 5303 program is jointly administered by the FTA and FHWA. Since 2017, TDOT has distributed the funds as a Consolidated Planning Grant along with FHWA Planning (PL) funds.

5303 funds are apportioned to states by a formula that includes each state's urbanized area population in proportion to the total urbanized area population for the nation, as well as other factors. States then sub-allocate 5303 funds to MPOs by a formula that considers each MPO's urbanized area population, their individual planning needs, and a minimum distribution. TDOT provides a state match if funds are available to do so in the state annual budget, and the Multimodal Division allocates the funds. These funds were matched with a split of 80% Federal, 10% State, and 10% Local sources; however, starting with FFY 2022, the State will match 5% of all funds in the Consolidated Planning Grant.

There are no TDOT-specific reporting requirements for the 5303 program as currently administered through the Consolidated Planning Grant mechanism. However, the TDOT Office of Public Transportation will likely participate in the MPOs' future UPWP development processes and provide feedback and guidance as needed related to the use of these dollars.

### *5307 – Urbanized Area Formula Grant*

FTA's 5307 funds are provided to urbanized areas to support administration, planning, capital, and operating activities for public transportation. Operating assistance is only an eligible expense of these funds in non-TMAs. The primary exception to this rule extends to transit agencies that qualify under FTA's Special Rule. According to this rule, if a public transportation provider operates less than 100 buses in fixed route peak hour service, they may use up to 75% of their 5307 apportionment for operating assistance.

For urbanized areas with 200,000 in population and greater (TMAs), 5307 funds are apportioned and flow directly to a designated recipient to apply for and receive these Federal funds. For urbanized areas under 200,000 in population (non-TMAs), the funds are apportioned to the governor of each state for distribution. In Tennessee, the Governor's designated recipient is TDOT's Multimodal Division. Prior to 2019, TDOT sub-allocated the funds for public transportation providers in non-TMAs by a formula based on the following three weighted factors:

- **Population** (50%), based on 2010 County Population Census data;
- **Transit Service Metrics** (40%), which is subdivided into vehicle revenue miles (20%) and unlinked passenger trips (20%); and,
- **Local Investment** (10%), which represents the amount of local funding invested in transit by local entities in the UZA.

Over the course of a 4-year period spanning 2019-2022, TDOT is transitioning to a new allocation formula for 5307 funds. This new formula has two phases. Phase 1 is based on UZA characteristics and reflects the level of transit service provided in each UZA. Phase 2 is triggered in UZAs with multiple transit providers and allows TDOT to distribute funds among the agencies authorized to operate in the UZA. The new formula incorporates the following factors for Phase 1:

- **Reliability** (45%) based on the following factors:
  - UZA population – the 5-year rolling average from the American Community Survey
  - Population times population density factor – to scale the UZA population to its density
  - Vehicle revenue miles – as reported to the National Transit Database.
- **Equity** (15%), based on low-income population – the 5-year rolling average from the American Community Survey.
- **Ridership** (35%), calculated as the number of unlinked passenger trips reported to the National Transit Database, and ridership times unlinked passenger trips per revenue mile as a way to scale ridership per mile to the community's size.
- **Local Investment** (5%), which represents the amount of transit investments from local entities in the UZA.

In Phase 2, transit agencies in UZA's with multiple providers receive funds that are further suballocated to those providers based on vehicle revenue miles (20%) and unlinked passenger trips (80%).

TDOT matching funds are restricted to capital program activities only and do not cover operating expenses. For most capital projects, the matching requirements are 80% Federal, 10% State, and 10% Local. However, for ADA-specific capital projects, the Federal match is increased to 85%, thereby reducing the State and Local match requirements to 7.5% each. While non-TMAs are eligible for both the state and federal match, TMAs do not receive federal funds through TDOT, only the state-level match.

TDOT has less stringent reporting requirements for agencies that are direct recipients of 5307 funds and have direct FTA oversight as is the case with TMAs. However, TDOT's reporting requirements for transit providers in non-TMAs are consistent with that of FTA's. All agencies must still receive advance permission from TDOT to dispose of assets before the end of useful life, but agencies are not required to submit maintenance or inspection reports to TDOT. Recipients of 5307 funds are required to submit annual financial data to TDOT via the National Transit Database's Urban Recipient Form (RU-23). Non-TMAs have deadlines for obligating funds, included within each year's allocation letter. If funds are not obligated by that time, TDOT reserves the right to redistribute those funds to other agencies.

#### *5310 – Enhanced Mobility of Seniors and Individuals with Disabilities Program*

FTA's 5310 program provides funds to remove barriers to transportation services and expand mobility options for seniors and individuals with disabilities. Eligible recipients include rural and small urban public agencies that provide public transportation services and receive 5307 or 5311 funds. Private non-profit groups in small urban areas with populations less than 200,000 are also

eligible. Urbanized areas with a population over 200,000 receive direct apportionment of 5310 funds from FTA. 5310 funds can be used for both “traditional” capital investment and “nontraditional” investment beyond the Americans with Disabilities Act (ADA) complementary paratransit services. Transportation services funded under the 5310 program must remove barriers to transportation services or expand transportation options for the elderly and/or individuals with disabilities. The expanded services can be part of general public transportation or be part of programs devoted to these populations.

Section 5310 funds are apportioned among the states by a formula which is based on the number of seniors and individuals with disabilities in each state according to the latest available U.S. Census data. Formula funds are apportioned to designated recipients. For rural and small urban areas (non-TMAs), the designated recipient is TDOT, while in large urban areas (TMAs), their designated recipient receives the funds. The project selection process is competitive and based on need. Match requirements for capital projects are 80% Federal, 10% State, and 10% Local. Based on Federal regulations, these funds can also be used for operating expenses with a 50% Federal, 25% State, and 25% Local funding split; however, TDOT currently restricts the use of these funds in the state and does not permit their use for operating assistance.

TDOT requires quarterly reports from recipients of 5310 funds. Program measures include the number of one-way trips provided and the number of eligible individuals. TDOT performs on-site compliance reviews to monitor project performance.

#### *5311 – Rural Areas Formula Grant*

FTA’s 5311 program provides capital, planning, and operating assistance to support public transportation in rural areas with populations less than 50,000. Eligible projects include administration, planning, capital investments, operating, and job access reverse commute projects.

Annual program funds are apportioned by formula to the State. TDOT’s Multimodal Division allocates funds apportioned to rural areas by formula based on population, general public ridership, and general public revenue miles. Match requirements for various project types are outlined below:

- Capital – 80% Federal, 10% State, 10% Local
- ADA Capital – 85% Federal, 7.5% State, 7.5% Local
- Operating – 50% Federal, 25% State, 25% Local
- Project Administration – 80% Federal, 10% State, 10% Local
- Planning – 80% Federal, 10% State, 10% Local

TDOT requires monthly, quarterly, and annual reports from recipients of 5311 funds to document program compliance. In addition, TDOT performs on-site compliance reviews to monitor project performance.

#### *5339 – Buses and Bus Facilities*

FTA’s 5339 program supports capital projects to replace revenue vehicles and vehicle-related equipment that have reached the end of useful life through either years of service or mileage. Rural and small urban public agencies are eligible, as are large urban areas with populations over 200,000 that receive a direct allocation of 5339 funds.

5339 funds are allocated through a competitive grant program administered by TDOT that uses the same formula as the 5307 program. TDOT considers the agency's application materials and responses, revenue fleet size, age, and other service performance data when awarding funds. TDOT is the designated recipient for 5339 funds in urbanized areas with populations between 50,000 and 200,000 (non-TMAs). Like the 5307 program, for the majority of capital projects, the matching requirements are 80% Federal, 10% State, and 10% Local. However, for ADA-specific capital projects, the Federal match is increased to 85%, thereby reducing the State and Local match requirements to 7.5% each.

TDOT requires annual inventory reports as well as National Transit Database and Transit Asset Management submissions. Program measures include average annual revenue fleet vehicle mileage and the useful life of the agency's fleet. TDOT has less stringent reporting requirements for agencies that are direct recipients of 5339 funds and have direct FTA oversight. The agency must still receive advance permission from TDOT to dispose of assets before the end of useful life but is not required to submit maintenance or inspection reports to TDOT. FTA-led subrecipients must submit annual inventory reports.

#### *TDOT Urban Operating Assistance Program (UROP) – Fixed Route and Paratransit in Urban Core Areas*

The State's UROP program provides capital and operating assistance to support fixed route and paratransit service in urban core areas of Tennessee. Eligible activities include capital costs (e.g., rolling stock, preventative maintenance, and equipment) and operating costs (e.g., fuel, salaries, wages, fringe benefits, travel, and training). Agencies in urban core areas (the city limits or limits of the fixed route service) are eligible to receive these funds.

Program funds are determined by the Tennessee state legislature and allocated to pre-determined transit providers by formula based on the UZA's 2010 Census population. TDOT requires that agencies use their 5307 funds before invoicing for UROP funds. For the first \$500,000 in expenses, the State matches 80% of the costs with a required 20% local match. After the first \$500,000, the match requirements become 50% State and 50% Local.

TDOT requires monthly, quarterly, and annual reports to document compliance and measure project performance. TMA designation would likely not affect this funding source.

#### *TDOT Critical Trips (CRIT) Program*

TDOT's CRIT program provides operating assistance (e.g., fuel, salaries, wages, and fringe benefits) to demand response providers in urban areas of Tennessee that are not serviced by the urban core's primary transit system ("urban fringe areas"). Eligible recipients include public transit providers that receive 5307 or 5311 funds, as well as urbanized areas that receive 5310 funds.

Like the UROP program, CRIT funds are approved annually by the Legislature and allocated to pre-determined transit providers by formula based on the UZA's 2010 Census population. Formula allocations vary from year to year depending on fund availability, and match requirements are 50% State and 50% Local.

TDOT requires monthly, quarterly, and annual compliance reports as well as National Transit Database submissions for transit agencies providing demand response service in urbanized areas.

#### *IMPROVE Act Transit Capital Investment Grant Program*

The IMPROVE Act Transit Capital Investment Grant program provides grant funding for transit-related projects in Tennessee that support increased transit ridership, congestion relief, and economic development. Eligible projects include bus rapid transit projects, bus stop and right of way improvements, transit planning, fueling and charging stations, park and ride lots, transit vehicles, and other transit-related capital and facility projects. Public transit providers that receive 5307 or 5311 funds are eligible for this program, which requires a 25% local match, with the state providing the other 75%.

Program funds are awarded competitively, and TDOT evaluates projects using the following criteria and scoring system, as well as geographic distribution and type of agency:

- Transit ridership and mobility (30 points)
- Economic development (15 points)
- Community resilience (15 points)
- Project readiness (15 points)
- Local planning and support (15 points)
- Economically distressed area (5 points)
- Compliance status (5 points)

TDOT encourages agency recipients to seek opportunities for joint procurements with regional or statewide partners. TMA designation would likely not affect this funding source.

#### *Conclusions*

TMA designation would affect future funding streams for transit providers in the area because most funds would flow to the TMA's designated recipient instead of the State for distribution. This will require the transit agencies to coordinate more closely with one another and the designated recipient of state and federal funds to communicate funding needs. The designated recipient will need to coordinate with all transit agencies to agree upon a method to distribute funds in a manner that considers local needs and arrangements.

For example, in Nashville, WeGo Public Transit is the designated recipient of 5307 funds. In coordination with the Nashville MPO, this funding is apportioned between WeGo, RTA, and the Franklin Transit Authority via an MOU and discussion based on annual need. Knoxville's transit agencies, in contrast, have agreed to lock in a percentage distribution rate of Section 5307 funds from the City of Knoxville. Though both Nashville and Knoxville transit agencies have discussed the need to develop a more formal process for 5307 funding apportionment, the agencies in both cities have yet to begin this process.



If the Johnson City MTPO is designated as a TMA based on the 2020 Census, the following funding programs would be affected as described:

- 5303 – TDOT’s 5303 sub-allocation may change in response to increased population or changes to the urbanized area boundary. There would be no changes to reporting requirements with a TMA designation.
- 5307 – Changes to urbanized area boundary and population characteristics would affect the formula outputs. As a newly designated TMA, the new designated recipient would get a direct allocation of these funds to be distributed to area public transportation providers and would only be eligible for the state match.
- 5310 – If designated as a TMA, the new designated recipient would receive a direct allocation and decide how to distribute these funds.
- 5311 – NET Trans’ 5311 funds would likely decrease with any expansion of the urbanized area boundary, though they could potentially get an increase in Critical Trips funding to offset the decreased funds for rural areas.
- 5339 – If designated as a TMA, the new designated recipient would receive a direct allocation and decide how to distribute these funds.

### **3.4 Implications of TMA Designation on MPO Structure and Staffing**

The 2020 Census has many potential implications for the Johnson City UZA and Planning Area boundaries, including planning for a larger geographical area, potentially covering a bi-state planning area, and/or coordinating TMA requirements between multiple MPOs. Any of these results may necessitate changes to the Johnson City MTPO’s administrative and board structure, such as increasing the number of administrative and technical staff and adding or changing representatives to the Executive Staff and Board groups.

Currently, the Johnson City MTPO has a three-tiered structure. The Executive Board, composed of elected officials from member jurisdictions and a representative selected by the Tennessee County Highway Officials Association in consultation with the MTPO, is the governing body and policy board that adopts and approves plans, programs, and policies that affect the MTPO. The Executive Staff, which includes 10 representatives from member jurisdictions and other agencies, develops the work program and provides budget recommendations to the Board. The MTPO’s administrative staff include the MPO Manager and a Transportation Planner. Johnson City MTPO staff report to Johnson City’s City Manager, who serves as the chair of the Executive Staff. Johnson City hosts the MTPO within its administrative offices.

The following sections summarize TMA structures in Tennessee, approaches to multi-state TMAs, and options for structuring multiple MPOs within a single TMA, which could all be relevant for a future change in the Johnson City MTPO structure. Following the general description of these MPO examples, Table 3-6 provides a summary comparison of key characteristics relevant to staffing and structures. Additional details supporting this research can be found in Appendix A.

#### *TMA Structures in Tennessee*

Each of the four Tennessee TMAs share similar administrative and board structures, though membership size and composition vary slightly. Each of the following TMAs has an Executive Board

that acts as the MPO's governing body, a Technical Committee that provides policy and programming recommendations to the board, and MPO staff that conduct administrative and planning work.

### **Nashville Area MPO**

The Nashville Area MPO covers a 7-county region in middle Tennessee, including Davidson, Maury, Robertson, Rutherford, Sumner, Williamson, and Wilson counties, and is hosted and administered by the Greater Nashville Regional Council (GNRC). The MPO has nine staff that are housed within the GNRC's Community and Regional Planning group, including a director, seven transportation planners, and one environmental planner. Additional data, administrative, and modeling staff are shared with the GNRC.

The MPO's Transportation Policy Board is staffed by city, county, and state elected officials as well as state and federal transportation agency representatives. This 35-member board adopts plans, policies, and programs that affect the MPO. Transportation planning staff, a Technical Coordinating Committee (TCC), and a Planning Oversight Committee provide recommendations to the Policy Board and monitor the UPWP, among other activities. Planning and TCC staff also sit on topical committees, including a bicycle and pedestrian advisory committee, a freight committee, a transit working group, and other ad hoc committees as needed.

### **Memphis MPO**

The Memphis MPO planning area spans two states, including all of Shelby County and parts of Fayette County in Tennessee and all of Desoto County and parts of Marshall County in Mississippi. Though the MPO is hosted within the Memphis and Shelby County Department of Regional Services (DRS), the MPO's 12 staff are not shared with the DRS, and include three administrative staff, eight transportation planners, and one grant coordinator.

The Memphis MPO's Transportation Policy Board (TPB) includes 34 members, including representatives from the Tennessee and Mississippi Governors' offices, city and county elected officials, other state and federal transportation agency representatives, and an Environmental Protection Agency representative. MPO staff provide recommendations to advisory committees (such as the Active Transportation Advisory Committee, Interagency Consultation Committee, Freight Advisory Committee, and the Planning and Land Use Advisory Committee) that report to the Engineering and Technical Committee (ETC). The ETC then advises the TPB, which makes programming and policy decisions.

### **Chattanooga TPO**

The Chattanooga TPO is a bi-state MPO, covering all of Hamilton County in Tennessee and Catoosa County in Georgia and the northern portions of Dade and Walker counties in Georgia. Twenty-nine TPO staff are shared between the TPO and the Chattanooga-Hamilton County Regional Planning Agency (RPA), which hosts the TPO. Staff include two directors, six administrative staff, five community planners, six development services staff, five research analysts, and five long-range planners. These staff provide administrative support and planning services to the TPO.

The Executive Board is the governing and policy body and includes 28 members. Representatives include the Tennessee state Governor, the Georgia Department of Transportation Commissioner, city



and county elected officials, and representatives from the Tennessee and Georgia Legislatures. The TPO's Technical Coordinating Committee (TCC) includes public agency representatives and modal representatives from the U.S. DOT. The TCC receives recommendations from topical subcommittees, including TIP project selection, multimodal issues, human services transportation, Georgia advisory issues, and others.

### **Knoxville Regional TPO**

The Knoxville Regional TPO covers the entirety of Knox County and parts of Anderson, Blount, Loudon, Roane, and Sevier counties in Tennessee. The TPO is hosted within the Knoxville-Knox County Planning Department and shares its nine staff between the TPO and the county. Staff positions include a director, an administrator, two transportation engineers, three planners, one communications position, and one Smart Trips coordinator.

The TPO's Executive Board includes 21 members, representing city, county, and state elected officials as well as state and federal transportation agency representatives. The Executive Board is advised by the TPO's Technical Committee, which includes transit, TDOT, and city and county representatives.

### *Multi-state TMAs, Unified MPO*

Because urbanized areas often cross state lines, there are numerous examples of TMAs outside of Tennessee that have chosen to combine multiple MPOs into a single MPO to simplify administrative duties and streamline work products. Like the Tennessee TMAs, each of the following multi-state MPOs has a Policy Board, Technical Committee, and MPO staff that support the MPO's transportation planning efforts. The following examples are used to illustrate the distribution of staffing and administrative structures of MPOs that cover a multi-state TMA.

### **Augusta Regional Transportation Study (ARTS)**

ARTS is the MPO for all of Richmond County and parts of Columbia County in Georgia and parts of Aiken and Edgefield Counties in South Carolina. ARTS is hosted by the Augusta Planning and Development Department. Policy guidance is dictated by the 24-member Policy Committee, which is composed of state and local elected and appointed officials. An adjacent South Carolina Policy Subcommittee meets separately to discuss South Carolina-specific issues. There are two technical coordinating committees, one each for Georgia and South Carolina, which are staffed by state and local planners and engineers. A citizens advisory committee, which is composed of citizens appointed by elected officials, reports to the Policy Committee.

ARTS has five staff members, including a planning manager, two transportation planning staff, and two GIS staff.

### **Mid-America Regional Council (MARC)**

MARC is the MPO for the Kansas City metropolitan area, which includes Cass, Clay, Jackson, Platte, and Ray Counties in Missouri and Johnson, Leavenworth, Miami, and Wyandotte counties in Kansas. The Total Transportation Policy Committee (TTPC) is MARC's decision- and policy-making body, and is composed of 49 members that represent local, state, and federal transportation officials, as well as non-voting members that represent business, environment, and federal government agencies. There

are five modal subcommittees that advise the TTPC, covering aviation, bicycle and pedestrian issues, freight, highways, and transit.

MARC is a standalone MPO with 22 staff, including a director, an administrator, six transportation and land use planners, five air and water quality planners, four transportation modelers, and five traffic operations staff.

#### **Evansville MPO (EMPO)**

The EMPO conducts transportation planning for Vanderburgh and Warrick Counties and part of Posey County in Indiana and Henderson County in Kentucky. The EMPO's policy decisions are overseen by the Policy Committee, which is composed of local, county, and state elected or appointed officials, as well as federal agencies and DOT representatives from both Kentucky and Indiana. The Policy Committee receives recommendations and guidance from the Technical Committee, which is composed of planning, engineering, transit, modal, business, and community representatives.

The EMPO is a standalone organization with nine staff, including a director, a deputy director, three planners, three engineers, and one finance position.

#### **Siouxland Interstate Metropolitan Planning Council (SIMPCO)**

The Siouxland MPO is a tri-state MPO that covers Woodbury and Plymouth Counties in Iowa, Dakota County in Nebraska, and Union County in South Dakota. The MPO is hosted by the Siouxland Interstate Metropolitan Planning Council. The MPO's 20-member Policy Board is composed of the region's local elected officials, as well as Iowa, Nebraska, and South Dakota DOT representatives, and non-voting federal agency representatives. A technical committee includes planners and engineers from member counties and advises the policy board on technical and administrative matters.

The MPO has nine staff, including a director, planning director, three regional planners, one transit planner, one finance role, and two administrators.

#### **WWW Interstate Planning Commission**

The WWW Interstate Planning Commission is the MPO for Wood County, West Virginia and parts of Washington County, Ohio. The MPO's Policy Board includes 11 representatives from cities and counties in the MPO region, West Virginia and Ohio DOT representatives, and local, state, and federal transportation agencies. The Policy Board is supported by a Technical Advisory Committee (TAC) with staff experts representing economic development, engineering, and transit. The TAC advises on project development and other technical issues.

The MPO is hosted within the Mid-Ohio Valley Regional Council, and has four staff, including a development director, a study director, one bicycle and pedestrian coordinator, and a GIS planner.

#### ***Multi-state TMA, Separate MPOs***

In some cases, multi-state TMAs have chosen to retain separate MPOs within a single urbanized area. The MPOs serving these TMAs typically develop a consolidated Congestion Management Process, but all other work products are developed independently.

**Southeast Florida Transportation Council**

The Southeast Florida Transportation Council covers the Miami urbanized area and is composed of three MPOs: the Palm Beach TPA, the Broward MPO, and the Miami-Dade MPO. Because Florida Statute 339.175 dictates the size and membership of MPO boards, each MPO's Governing Board is composed of approximately 25 members, including elected officials representing MPO counties and cities and state and federal transportation representatives. Staffing levels range from 15 positions at the Palm Beach TPA to 40 staff at the Broward MPO. Miami-Dade MPO has 27 staff.

**Western Connecticut Council of Governments**

The Western Connecticut COG hosts the Housatonic Valley MPO and the South Western Region MPO, which both cover different portions of Fairfield County, Connecticut. Their Policy Board structures are similar, with members representing cities, transit providers, and the Connecticut DOT. Thirteen staff are shared between the MPOs and Western COG, including an executive director, two administrators, seven transportation planners, and three analysts.

**Tampa Bay Transportation Management Area Leadership Group**

The Tampa Bay TMA hosts three MPOs, the Hillsborough County MPO, Pasco County MPO, and Pinellas County MPO. The MPOs' Policy Boards have similar structures that range from 10 to 14 members representing city and county elected officials and modal interests. Staffing levels range from four to 16 staff that are responsible for administrative, planning, finance, and communications-related duties.

**Mid-Hudson Valley Transportation Management Area**

The Mid-Hudson Valley TMA covers the Poughkeepsie-Newburgh NY-NJ urbanized area and includes three MPOs: the Dutchess County Transportation Council, the Orange County Transportation Council, and the Ulster County Transportation Council. Each MPO is hosted within its own county planning department, and each Policy Committee is similar, ranging from 14 to 40 members. Staffing levels range from four to 19, and all staff, including administrative, GIS, planning, and finance, are shared with the host county in each MPO.

**Hartford CT TMA**

The Hartford, Connecticut TMA covers parts of Hartford, Tolland, New Haven, Litchfield, Fairfield, and Middlesex Counties, with planning provided by the Capitol Region COG, Northwest Hills COG, the Lower Connecticut River Valley COG, and the Naugatuck Valley COG. Each Policy Board includes individuals from member towns and range from 11 to 38 representatives. Staffing levels range from four to 26.

**Conclusions**

If the Johnson City MTPO is designated as a TMA, the MPO will have the opportunity to adjust its administrative structure and staffing levels in response to an enlarged planning area and increased population. If the TMA includes what is currently the Kingsport MTPO, the two MPOs will need to determine how best to merge or complement one another's existing transportation planning and

programming efforts. The MPOs included in this review serve as models to consider, and financial resources, work products, areas of expertise, and other factors will affect how the MTPO decides to structure itself in the future. Table 3-6 summarizes the approaches taken by the MPOs included in this review.

**Table 3-6. Summary Comparison of MPO Structures and Staffing**

<b>MPO</b>	<b>Bi-state?</b>	<b>UZA Population (2010)</b>	<b>MPO Staff</b>	<b>Board Structure</b>	<b>Administrative Structure</b>
Johnson City MTPO	No	120,415	2	Executive Board, 9 members	Hosted
Nashville Area MPO	No	969,587	9	Policy Board, 35 members	Hosted
Knoxville TPO	No	558,696	9	Executive Board, 21 members	Hosted
Chattanooga-Hamilton County/North Georgia TPO	Yes	381,112	6	Executive Board, 28 members	Hosted
Memphis Urban Area MPO	Yes	1,060,061	12	Policy Board, 34 members	Hosted
Augusta Regional Transportation Study (ARTS)	Yes	386,787	5	Policy Committee, 24 members	Hosted
Mid-America Regional Council (MARC)	Yes	1,519,417	22	Total Transportation Policy Committee, 49 members	Freestanding
Evansville MPO	Yes	229,351	9	Policy Committee, 24 members	Freestanding
Siouxland Interstate Metropolitan Planning Council (SIMPCO)	Yes	106,494	9	Policy Board, 20 members	Hosted
WWW Interstate Planning Commission	Yes	67,229	4	Policy Board, 11 members	Hosted
Palm Beach TPA	No	452,791	15	Governing Board, 22 members	Hosted
Broward MPO	No	1,748,066	40	Governing Board, 25 members	Hosted
Miami-Dade TPO	No	2,569,420	27	Governing Board, 25 members	Hosted
Housatonic Valley MPO	No	224,621	13	Policy Board, 12 members	Hosted
South Western Region MPO	No	363,963	13	Policy Board, 11 members	Hosted
Hillsborough MPO	No	1,228,761	13	Board, 16 members	Hosted

**Table 3-6. Summary Comparison of MPO Structures and Staffing (cont.)**

<b>MPO</b>	<b>Bi-state?</b>	<b>MPO Population (2010 UZA)</b>	<b>MPO Staff</b>	<b>Board Structure</b>	<b>Administrative Structure</b>
Pasco County MPO	No	465,394	4	Policy Board, 10 members	Hosted
Pinellas County MPO	No	915,810	16	Policy Board, 14 members	Hosted
Dutchess County Transportation Council	No	297,508	15	Transportation Council, 40 members	Hosted
Orange County Transportation Council	No	372,815	19	Policy Committee, 20 members	Hosted
Ulster County Transportation Council	No	182,491	4	Policy Committee, 14 members	Hosted
Capitol Region Council of Governments (CRCOG)	No	757,215	26	Policy Board, 38 members	Freestanding
Naugatuck Valley Council of Governments (NVCOG)	No	287,898	19	Board, 11 members	Hosted
Lower Connecticut River Valley Council of Governments (River COG)	No	175,636	9	Board, 17 members	Freestanding
Northwest Hills Council of Governments	No	182,002	4	Board, 21 members	Freestanding

## 4.0 Key Findings

As a result of the 2020 Census, the UZA boundaries within the region will be revised based on population changes as well as a new methodology employed by the Census Bureau for classifying areas as 'urban'. Changes to the UZAs in the region may result in the designation of a new TMA by FHWA. This study documents the potential implications to roadway and transit planning and funding within the Johnson City MTPO planning area should a new TMA designation occur.

### Statutes and Regulations

Federal and state regulations dictate many of the changes in planning requirements for MPOs serving a TMA. These include:

- 23 USC § 134 – Metropolitan Transportation Planning
- 49 USC §5303 – Public Transportation
- 23 CFR § 420 – Planning and Research Program Administration
- 23 CFR § 450 – Planning Assistance and Standards
- 23 USC § 490 – National Performance Management Measures
- TCA § 64 8 Regional Transportation Authorities

#### 23 USC § 134 – Metropolitan Transportation Planning and 49 USC §5303 – Public Transportation

23 USC §134 outlines the policies and requirements for MPOs, including the designation process (e.g., boundaries, structure, and representation) and work program requirements (e.g., schedules, contents, public involvement, coordination, and consultation). Similarly, 49 USC §5303 outlines the same policies and requirements as they apply to planning for public transportation.

There are three main differences in the statutes governing metropolitan planning for TMAs and non-TMAs:

- Following a new TMA designation, a phase-in schedule to meet additional regulatory requirements must be established no sooner than one year after the creation of the TMA.
- MPOs serving a TMA must include a Congestion Management Process (CMP) in their transportation plan, a requirement that does not apply to non-TMA areas. More information on this requirement is documented in 23 CFR §450.
- Coordination with the State in project selection for the Transportation Improvement Program (TIP) can differ based on TMA designation. MPOs serving a TMA select federally funded projects for implementation in consultation with the State with the exception of projects on the NHS, which are selected by the State in consultation with the MPO.

#### 23 CFR § 420 – Planning and Research Program Administration

23 CFR §420 describes the Federal Highway Administration (FHWA) regulations that apply to state departments of transportation and subrecipients of planning and research funds, including MPOs. TMA and non-TMA requirements are found in two Subparts, which outline administrative

requirements that apply to use FHWA funds for planning, research, development, and other activities.

There are two specific distinctions in requirements for:

- MPOs serving TMAs are not allowed to submit a simplified statement of work activities as is the case with MPOs serving non-TMAs. However, MPOs in Tennessee are required to submit a full work program, commonly referred to as a Unified Planning Work Program (UPWP), regardless of TMA designation.
- If other federal, state, or local funding (other than PL and SPR funds) is used for planning, research, development, and technology transfers, MPOs serving TMAs are required to include detailed cost estimates for those activities in the UPWP.

### 23 CFR § 450 – Planning Assistance and Standards

23 CFR §450 is organized into three subparts and describes FHWA regulations related to transportation planning and programming at the statewide/nonmetropolitan and metropolitan levels. Subpart C outlines requirements related to metropolitan planning in both TMAs and non-TMAs. This regulation is the most comprehensive source of information related to the various components of the metropolitan planning process, including aspects of UPWP funding, MPO designation and redesignation processes, agreements between metropolitan areas, public participation and consultation processes, congestion management process development, and developing core MPO work products.

The regulatory differences in TMAs and non-TMAs include the following:

- MPOs serving a TMA and non-TMAs are permitted to use Surface Transportation Block Grant (STBG) program funds for metropolitan planning activities.
- UZAs with populations exceeding 200,000 must be designated as a TMA with a specified MPO board composition. To the extent possible, only one MPO shall be designated for each urbanized area or group of contiguous urbanized areas, though multiple MPOs can serve a single UZA if approved by the State.
- A new TMA designation does not necessarily warrant the redesignation of an existing MPO so long as there are no substantial changes in the MPO's voting representation or planning responsibilities.
- There are some instances in which TMA and non-TMA planning responsibilities are shared, which requires formal written agreements outlining those responsibilities. Such instances can occur where MPO(s) serve one or multiple UZAs or when TMAs overlap with non-TMAs.
- MPOs serving TMAs are required to have a congestion management process reflected in the Metropolitan Transportation Plan (MTP) and the Transportation Improvement Program (TIP). The process, also known as a CMP, has multiple required components influenced by air quality attainment status that must be instituted within 18 months of a new TMA designation.
- TMAs are subject to a formal certification review by FHWA and FTA every four years to ensure federal requirements are being met, while non-TMAs self-certify.



- Coordination with the State in project selection for the TIP can differ based on TMA designation. MPOs serving a TMA select federally funded projects for implementation in consultation with the State with the exception of projects on the NHS, which are selected by the State in consultation with the MPO.

### 23 CFR § 490 – National Performance Management Measures

23 CFR §490 is organized into eight subparts and describes FHWA policies related to national performance management measures. All eight subparts contain performance measure target requirements relevant to TMAs and non-TMAs, including data sources and calculations, safety, infrastructure condition, and system performance measures and targets, and implementation and reporting timelines.

There is only one instance in which TMA designation impacts the MPO planning activities. Based on a FHWA applicability determination, MPOs serving a TMA may be required to report congestion- and emission-related performance measures for the UZA based on air quality attainment status.

### TCA § 64-8 – Regional Transportation Authorities

TCA 64-8 regulates the creation and operation of regional transportation authorities (RTAs) in Tennessee and is organized into three parts. Part one describes the purpose of RTAs in Middle Tennessee, part two outlines the process by which RTAs are created and governed, and part three clarifies MPO policy board composition requirements. Part three of this code, which defines a state specific definition of an MPO and prescribes the structure of MPO policy board, only impacts certain MPOs in Tennessee, including the Johnson City MTPO.

### Summary of TMA Designation Impacts

Based on the review of these regulatory requirements, there are three main areas of transportation planning that would be affected by potential TMA designation, as shown in Figure 4-1:

- Roadway funding and implementation,
- Transit funding and service, and
- Regulatory and administrative changes.

Figure 4-2 highlights the changes to roadway funding and implementation, which will mainly affect the MTPO as the primary planning agency and distributor of federal highway funding as well as the local jurisdictions where funding is utilized. In many cases, funding for roadway projects is directly related to population through formula-based allocation processes. Therefore, any significant population increase in Johnson City would likely translate to higher allocations of some Federal-aid highway programs. These increases in funds are meant to cover the increased geographical area for which the MTPO is planning and additional roadway projects in that expanded area. However, to make full use of those funds, the region would need to provide the local match requirements, which would be more significant than historical expenditures. Conversely, some of the roadway programs administered by TDOT are competitive and may not be affected by population increases.

Figure 4-3 highlights the changes to transit funding programs, specifically the FTA grant programs that provide the majority of funding for transit service in the region. Funding will affect all transit agencies in the TMA. In general, funding for urban transit services is formula-based and would likely increase with any increases in population within Johnson City's UZA. However, this funding increase will likely not be sufficient to support any significant expansion of urban transit services across the existing or future UZA. Similar to highway funding, increased federal transit funding will require increased local match contributions from the City to be fully utilized.

In addition, transit funding distributions will also change. Instead of FTA funds passing through TDOT before receipt, the region would now receive a direct allocation of some funds from FTA. This will require the application and approval of an FTA designated recipient. While 5307 and 5310 funds would then be allocated directly to the region, the new designated recipient would have the responsibility to suballocate those funds to the multiple urban service providers in the region, a process that would take significant time and coordination to complete. There are other state funding programs detailed in this report that are not illustrated in Figure 4-3.

These funding programs are either competitive and would not be affected by population changes in the Johnson City UZA or have budgets that are approved annually by the legislature, both of which make it difficult to predict any future fluctuations in award amounts to the region.

Figure 4-4 highlights the regulatory and administrative changes resulting from TMA designation. Most of the Johnson City MTPO's current work products – the MTP, TIP, and UPWP – would be largely unchanged by TMA designation. However, TMA designation requires the development of a CMP, and the MTPO will be required to participate in additional Federal review processes. While the process for developing many work products will be the same, the geographical area covered by those products is likely to expand. As documented in the introduction, any expansion of the Johnson City UZA will include an expansion of the MPA, or the area for which the MTPO is responsible for planning. Activities such as TIP amendments and modifications, tracking of UPWP activities, administration of funding, coordination with stakeholders and municipalities in MTP development, increased data analysis for projects and plans, and other tasks would require additional effort by the MTPO. Additional staff may be required for the MTPO to meet federal and state expectations for agencies serving a TMA. In surveying other MPO structures, it would be prudent for the Johnson City MTPO to consider hiring additional staff to handle increased responsibilities in the realm of transit planning, TIP administration, grant and contract administration, and travel demand modeling/data analytics. Funding responsibility for these positions would be borne partially by increased federal planning funds and partially by membership dues from local municipalities in the MTPO.

Figure 4-1. Potential Impacts of TMA Designation

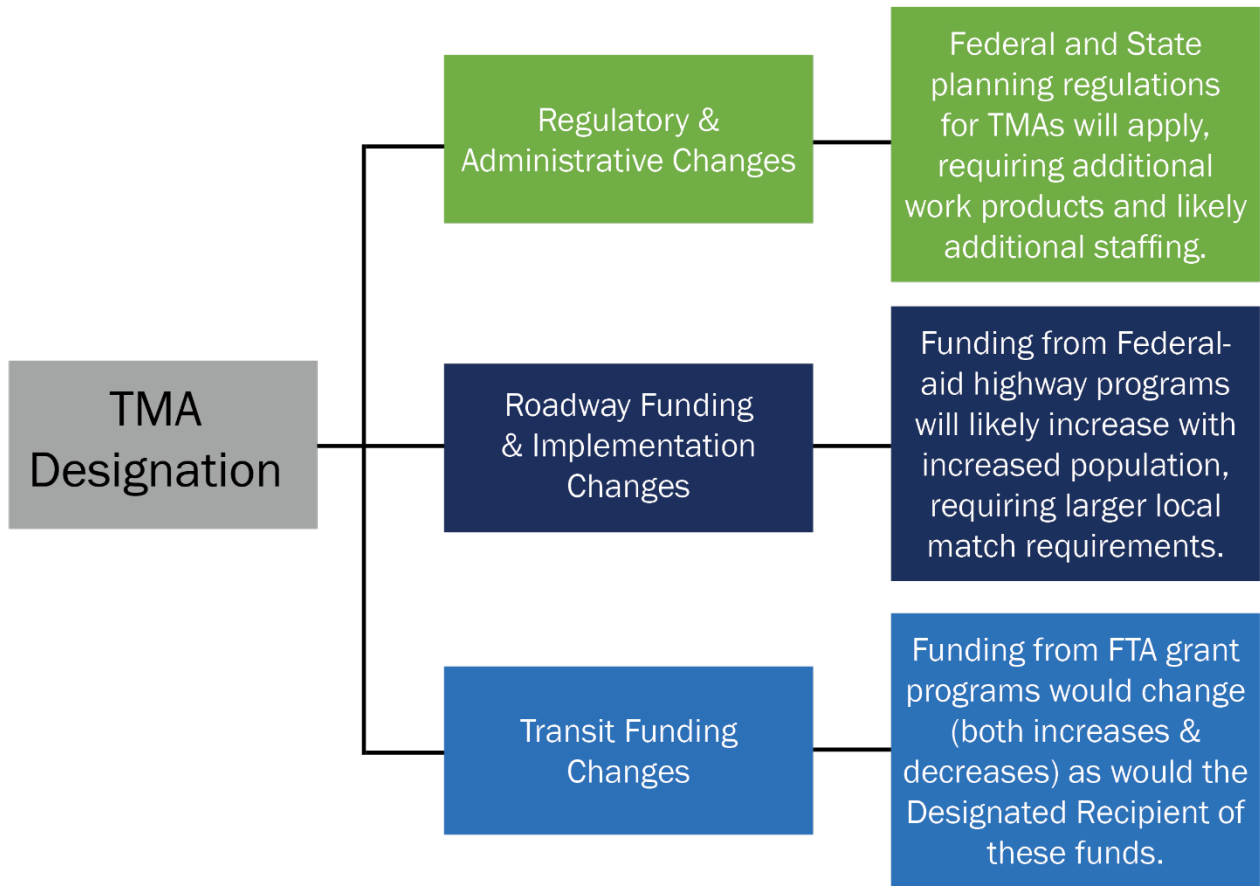


Figure 4-2. Roadway Funding and Implementation Changes

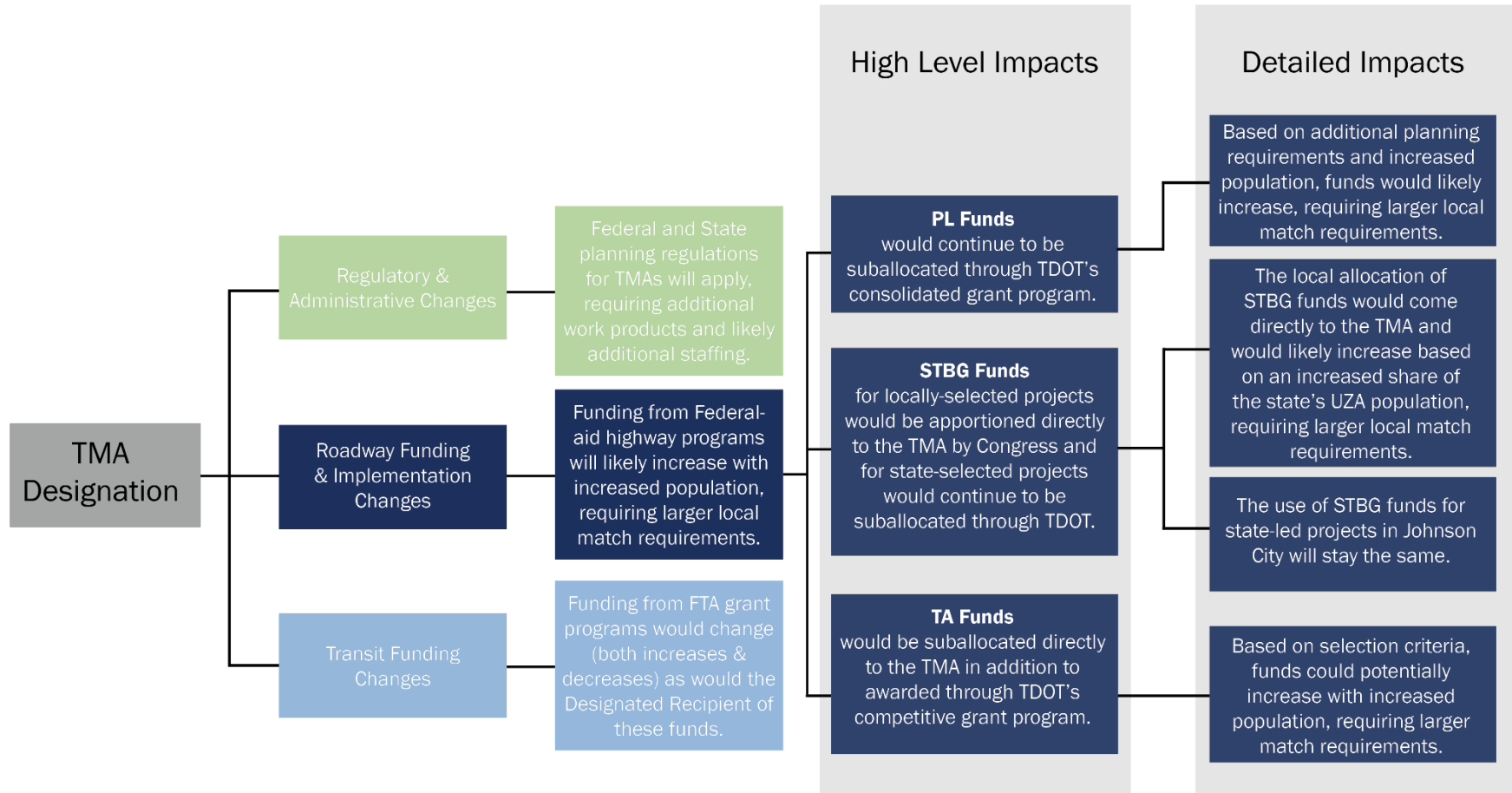


Figure 4-3. Transit Funding and Service Changes

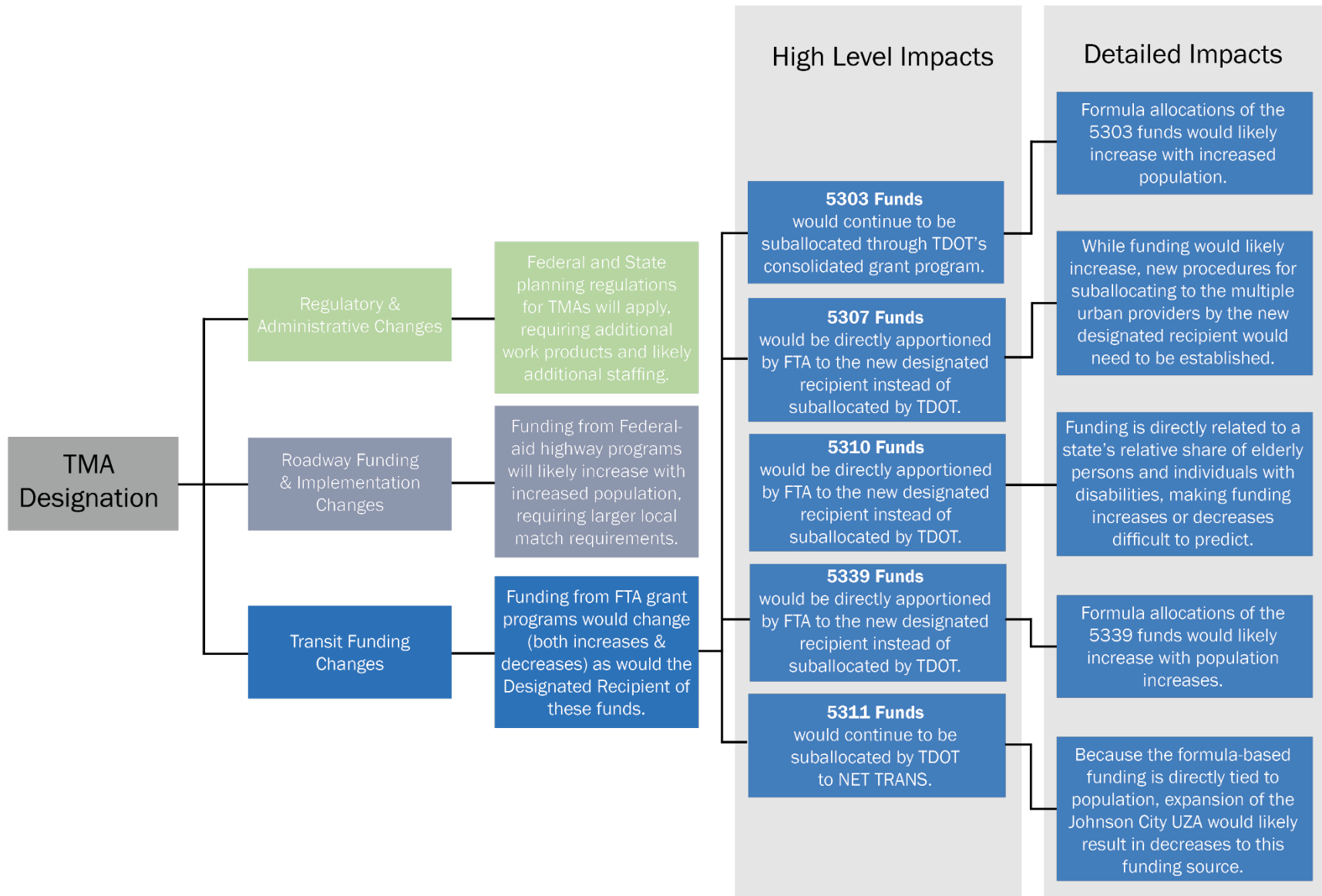
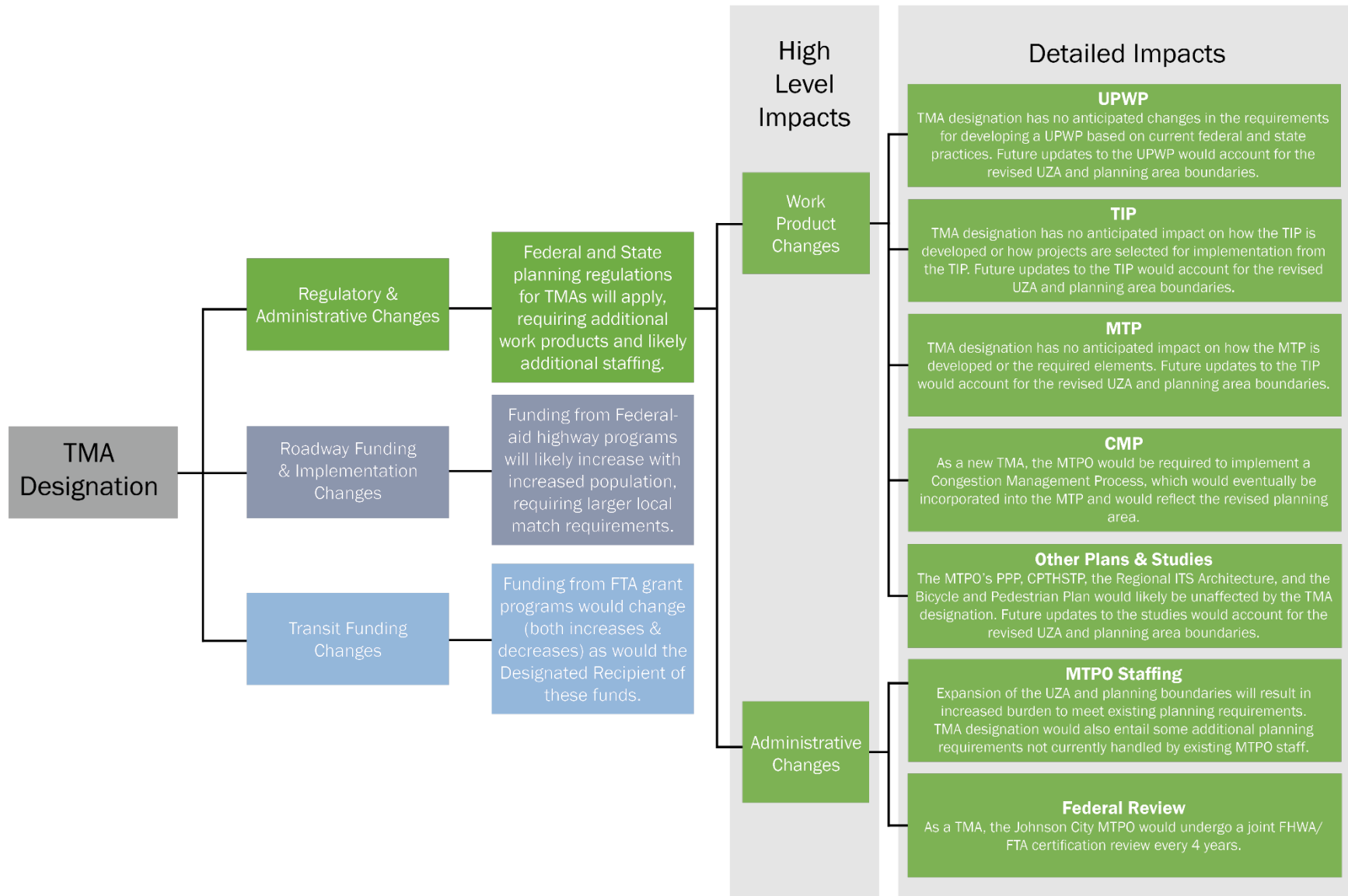


Figure 4-4. Regulatory and Administrative Changes



The prior pages detail the impacts of a potential TMA designation on the Johnson City MTPO. It is important to note that there are numerous combinations of events that could trigger a TMA designation in the region. These events, which are outlined in the Introduction of this study, can be grouped into two scenarios.

The first scenario would occur if Johnson City's UZA population passes the 200,000-person threshold alone, allowing for TMA designation. In this scenario, the changes detailed in Figure 4-2, Figure 4-3, and Figure 4-4 would impact the Johnson City MTPO only. In addition, should the new UZA geography significantly alter the MPA boundary, it is possible that the MTPO would need to go through the redesignation process. This process requires agreement between the Governor and representatives from local governments that comprise at least 75% of the existing Johnson City MPA population and must include Johnson City. However, a new TMA designation may not warrant the redesignation of the existing MTPO so long as there are no substantial changes in the voting representation or planning responsibilities.

The second scenario would occur if changes to the distribution of population in the region resulted in a new UZA that covers one or more of the existing Johnson City, Kingsport, or Bristol UZAs. Assuming that new UZA met the 200,000-person threshold, a TMA designation would occur. This new UZA boundary and subsequently designated TMA would likely cover geographies currently served by multiple MPOs in the region. In this scenario, there are two options for how MPO planning would occur in the new UZA as described below.

- **Full Consolidation:** The affected MPOs agree to merge and become a single MPO responsible for all metropolitan planning responsibilities. In this situation, the new MPO would go through the designation/redesignation process, establish a new executive board and technical committee reflective of its member jurisdictions, and consolidate/add technical staff to accomplish federal and state planning requirements.
- **Multiple MPOs, Single TMA:** The affected MPOs agree to retain separate planning responsibilities for a single urbanized area as allowed by 23 CFR 450.310 (e) with approval from the State. In this situation, the executive boards of the affected MPOs would need to create or revise formal planning agreements to address planning responsibilities.

As described in this study, future TMA designation in the region has the potential to affect federal planning requirements, funding distributions for roadways and transit, and MTPO staffing and board structures for affected MPOs and their partners. No matter the scenario, effective transportation planning and continued regional collaboration will require advance planning to prepare for the changes that accompany TMA designation.



**Appendix A. MPO Structures**

*MPO Structures in Tennessee TMAs*

TMA/MPO	Counties	Population (2019 Full County)	Planning Area (Sq. Miles)	Population Density (Per/Sq.Mile)	Urbanized Area(s) 2010 Population	Board Composition	Administrative Structure	Applicable State Regulation	2-Year UPWP Funding	Staffing
Nashville Area Metropolitan Planning Organization	Davidson (TN-full) Maury (TN-full) Robertson (TN-full) Rutherford (TN-full) Sumner (TN-full) Williamson (TN-full) Wilson (TN-full)	1,711,051	3,895	439	Nashville/ Murfreesboro, 1,102,815	Transportation Policy Board; Total members = 35 <ul style="list-style-type: none"> <li>• Board Chair (1)</li> <li>• Board Vice Chair (1)</li> <li>• Elected officials representing MPO counties (8)</li> <li>• Cities in MPO counties with population over 5,000 (19)</li> <li>• Representative for area public transit agencies (1)</li> <li>• Representative for county highway officials (1)</li> <li>• The Governor or Commissioner of Transportation (1)</li> <li>• Representative from FHWA* (1)</li> <li>• Representative from FTA* (1)</li> <li>• Representative from GNRC* (1)</li> </ul> (*non-voting member)	Hosted within the Greater Nashville Regional Council	TN Code § 64-8-301 (2019) includes requirements for the MPO's policy board structure. <ul style="list-style-type: none"> <li>• TN Code § 64-7-103 (2019) outlines the GNRC's executive board structure.</li> </ul>	\$7,280,500	9 total – Data, administrative, and modeling staff are hosted within GNRC's Community and Regional Planning group: <ul style="list-style-type: none"> <li>• Director (1)</li> <li>• Transportation planning staff (7)</li> <li>• Environmental planning staff (1)</li> </ul>
Memphis Urban Area Metropolitan Planning Organization	Shelby (TN-full) DeSoto (MS-full) Fayette (TN-part) Marshall (MS-part)	1,191,112	2,650	449	Memphis, 1,060,061	Transportation Policy Board; Total members = 34 <ul style="list-style-type: none"> <li>• State of Tennessee Governor (1)</li> <li>• State of Mississippi Governor (1)</li> <li>• Mississippi DOT Executive Director (1)</li> <li>• Tennessee DOT Commissioner (1)</li> <li>• Elected officials representing MPO counties (4)</li> <li>• Cities in MPO counties with population over 5,000 (18)</li> <li>• Representative for area public transit agencies (1)</li> <li>• Memphis and Shelby County Port Commission (1)</li> <li>• Memphis and Shelby County Airport Authority (1)</li> <li>• Neighboring counties elected officials* (4)</li> <li>• West Memphis MPO representative* (1)</li> <li>• Representative from EPA* (1)</li> <li>• Representative from FHWA* (1)</li> <li>• Representative from FTA* (1)</li> </ul> (*non-voting member)	Hosted within the Memphis and Shelby County Department of Regional Services	TN Code § 64-8-301 (2019) includes requirements for the MPO's policy board structure.	\$9,442,370	12 total – staff are not shared with the MPO <ul style="list-style-type: none"> <li>• Administration (3)</li> <li>• Transportation planning (8)</li> <li>• Grants coordination (1)</li> </ul>
Chattanooga - Hamilton County/North Georgia Transportation Planning Organization (TPO)	Hamilton (TN-full) Catoosa (GA-full) Dade (GA-part) Walker (GA-part)	512,855	1,324	387	Chattanooga, 381,112	TPO Executive Board; Total members = 28 <ul style="list-style-type: none"> <li>• State of Tennessee Governor (1)</li> <li>• Georgia DOT Commissioner (1)</li> <li>• Elected officials representing MPO counties (5)</li> <li>• Cities in MPO counties with population over 5,000 (16)</li> <li>• Elected official from GA Legislative Delegation (1)</li> <li>• Elected official from TN Legislative Delegation (1)</li> <li>• Chattanooga Area Regional Transportation Authority (1)</li> <li>• Chattanooga Metropolitan Airport Authority (1)</li> <li>• Chattanooga-Hamilton County Air Pollution Control Bureau (1)</li> </ul>	Hosted within the Chattanooga-Hamilton County Regional Planning Agency	TN Code § 64-8-301 (2019) includes requirements for the MPO's policy board structure.	\$2,186,062	6 total – staff are shared between the TPO and regional planning agency <ul style="list-style-type: none"> <li>• TPO Coordinator/Deputy Director (1)</li> <li>• Administration (1)</li> <li>• Community planning and design (1)</li> <li>• Development Services (1)</li> <li>• Research and analysis (1)</li> <li>• Strategic long-range planning (1)</li> </ul>
Knoxville Regional Transportation Planning Organization	Knox (TN-full) Anderson (TN-part) Blount (TN-part) Loudon (TN-part) Roane (TN-part) Sevier (TN-part)	869,575	2,586	336	Knoxville, 558,696	TPO Executive Board; Total members = 21 <ul style="list-style-type: none"> <li>• State of Tennessee Governor (1)</li> <li>• Elected officials representing MPO counties (5)</li> <li>• Cities in MPO counties with population over 5,000 (9)</li> <li>• Knoxville County Commission representative (1)</li> <li>• East Tennessee Development District representative (1)</li> <li>• Representative for area public transit agencies (1)</li> <li>• Representative for county highway officials (1)</li> <li>• Representative from FHWA* (1)</li> <li>• Representative from FTA* (1)</li> </ul> (*non-voting member)	Hosted within the Knoxville-Knox County Planning Department	TN Code § 64-8-301 (2019) includes requirements for the MPO's policy board structure.	\$4,363,890	9 total – Staff are shared between the TPO and Knoxville County planning department <ul style="list-style-type: none"> <li>• Director (1)</li> <li>• Transportation Engineer – traffic studies, modeling, air quality (2)</li> <li>• Planner – transit grants, TIP, safe routes to school, complete streets, bike/ped planning (3)</li> <li>• Administrative assistant (1)</li> <li>• Communications (1)</li> <li>• Smart Trips Coordinator (1)</li> </ul>



**MPO Structures – Multi-state TMA and Single MPO**

TMA/MPO	Counties	Population (2019 Full County)	Planning Area (Sq. Miles)	Population Density (Per/Sq.Mile)	Urbanized Area(s) 2010 Population	Board Composition	Administrative Structure	Applicable State Regulation	2-Year UPWP Funding	Staffing
Augusta Regional Transportation Study (ARTS)	Richmond (GA-full) Columbia (GA-part) Aiken (SC-part) Edgefield (SC-part)	547,785	2,186	251	Augusta-Richmond County, 386,787	Policy Committee; Total members = 24 <ul style="list-style-type: none"> <li>Elected officials representing MPO counties (4)</li> <li>Cities in MPO counties with population over 5,000 (7)</li> <li>Representative for area public transit agencies (1)</li> <li>Representative for state highway officials (1)</li> <li>The GA Commissioner of Transportation (1)</li> <li>Commanding General, Fort Gordon (GA) (1)</li> <li>Lower Savannah Council of Govt., representative (1)</li> <li>District commissioners, SCDOT* (2)</li> <li>Congressional representatives, GA* (2)</li> <li>Representatives from the FHWA* (2)</li> <li>Citizens Advisory Committee chair* (1)</li> <li>Project Director of ARTS* (1)</li> </ul> (*non-voting member)	Hosted within the Augusta Planning and Development Department	No, because ARTS isn't part of a Metropolitan Area Planning/Development Commission.	\$2,688,252	5 total <ul style="list-style-type: none"> <li>Planning Manager (1)</li> <li>Transportation planning staff (2)</li> <li>GIS staff (2)</li> </ul>
Mid-America Regional Council (MARC)	Cass (MO-full) Clay (MO-full) Jackson (MO-full) Johnson (KS-full) Leavenworth (KS-full) Miami (KS-full) Platte (MO-full) Ray (MO-full) Wyandotte (KS-full)	2,036,415	4,352	468	Kansas City MO/KS, 1,519,417	Transportation Policy Committee; Total members = 49 <ul style="list-style-type: none"> <li>Elected officials representing MPO counties (27)</li> <li>Cities in MPO counties with population over 5,000 (13)</li> <li>KDOT Secretary (1)</li> <li>MoDOT Chief Engineer (1)</li> <li>Representative for area public transit agencies (2)</li> <li>Representatives of "related organizations" as chosen by the TTPC board chairs (up to 4)</li> <li>County commissioner, Ray County* (1)</li> <li>Representatives from FTA* (1)</li> <li>Representatives from FHWA* (2)</li> </ul> (*non-voting member)	Freestanding	N/A	\$21,129,080	22 total in Transportation and Environment group within MARC: <ul style="list-style-type: none"> <li>Director (1)</li> <li>Administration (1)</li> <li>Transportation and land use planning (6)</li> <li>Air/Water quality planning (5)</li> <li>Transportation Modeling (4)</li> <li>Traffic operations (5)</li> </ul>
Evansville MPO	Vanderburgh (IN-full) Warrick (IN-full) Henderson (KY-full) Posey (IN-part)	314,960	1,464	215	Evansville, IN, 229,351	Policy Committee; Total members = 24 <ul style="list-style-type: none"> <li>Elected officials representing MPO counties (5)</li> <li>Cities in MPO counties with population over 5,000 (5)</li> <li>Indiana DOT Vice Chairperson (1)</li> <li>Kentucky Transportation Cabinet Chief District Engineer (1)</li> <li>Representative for area public transit agency (1)</li> <li>Indiana DOT representative* (1)</li> <li>Indiana Department of Environmental Management representative* (1)</li> <li>Kentucky Transportation Cabinet representative* (2)</li> <li>Kentucky Division of Air Quality representative* (1)</li> <li>Representatives from FTA* (2)</li> <li>Representatives from FHWA* (4)</li> </ul> (*non-voting member)	Freestanding	No, but the Indiana Code 36-9-3, "Chapter 3. Regional Transportation Authorities" establishes requirements for RTAs and mentions MPOs.	\$2,076,130	9 total <ul style="list-style-type: none"> <li>Director (1)</li> <li>Deputy Director (1)</li> <li>Planners (3)</li> <li>Transportation Engineers (3)</li> <li>Finance (1)</li> </ul>
Siouxland Interstate Metropolitan Planning Council (SIMPCO)	Woodbury (IA-full) Plymouth (IA-full) Dakota (NE-full) Union (SD-full)	163,195	2,461	66	Sioux City, 106,494	Policy Board; Total members = 20 <ul style="list-style-type: none"> <li>Elected officials representing MPO counties (4)</li> <li>Cities in MPO counties with population over 5,000 (7)</li> <li>Representative for area public transit agency (1)</li> <li>Iowa DOT representative* (1)</li> <li>Nebraska DOT representative* (1)</li> <li>South Dakota DOT representative* (1)</li> <li>Representatives from FTA* (1)</li> <li>Representatives from FHWA* (3)</li> </ul> (*non-voting member)	Hosted within the Siouxland Interstate Metropolitan Planning Council	Iowa - yes, Iowa Code 2021, Chapter 28I (16, 0) establishes rules for MPO structures	\$1,572,714	9 total <ul style="list-style-type: none"> <li>Director (1)</li> <li>Planning director (1)</li> <li>Regional planners (3)</li> <li>Transit/facilities director (1)</li> <li>Finance (1)</li> <li>Administration (2)</li> </ul>

***MPO Structures – Multi-state TMA and Single MPO (cont.)***

TMA/MPO	Counties	Population (2019 Full County)	Planning Area (Sq. Miles)	Population Density (Per/Sq.Mile)	Urbanized Area(s) 2010 Population	Board Composition	Administrative Structure	Applicable State Regulation	2-Year UPWP Funding	Staffing
WWW Interstate Planning Commission	Wood County (WV-full) Washington (OH-part)	145,386	998	146	Parkersburg/ Wood County, 67,229	Policy Board; Total members = at least 11 <ul style="list-style-type: none"> <li>• Elected officials representing MPO counties (2)</li> <li>• Cities in MPO counties with population over 5,000 (6)</li> <li>• West Virginia DOT representative (1)</li> <li>• Ohio DOT representative (1)</li> <li>• Representative for area public transit agency* (1)</li> <li>• Additional transportation interests*</li> <li>• Representatives from the Federal Transit Administration*</li> <li>• Representatives from the Federal Highway Administration*</li> </ul> (*non-voting member)	Hosted within the Mid-Ohio Valley Regional Council	Not for MPOs specifically, but ORC 7-713-01 dictates rules for creating regional planning commissions.	\$1,267,346	4 total <ul style="list-style-type: none"> <li>• Development Director (1)</li> <li>• Study director (1)</li> <li>• Bike/ped coordinator (1)</li> <li>• GIS planner (1)</li> </ul>

**MPO Structures – Single TMA and Multiple MPOs**

Regional Organization	MPO	Counties	Population (2019 Full County)	Planning Area (Sq. Miles)	Population Density (Per/Sq.Mile)	Urbanized Area(s) 2010 Population	Board Composition	Administrative Structure	Applicable State Regulation	2-Year UPWP Funding	Staffing
Southeast Florida Transportation Council	Palm Beach TPA	Palm Beach (FL-full)	1,465,027	745	1,964	Miami, 5,502,379	Governing Board; Total members = 22 <ul style="list-style-type: none"> <li>Elected officials representing MPO counties (5)</li> <li>Cities in MPO counties with population over 5,000 (15)</li> <li>Port of Palm Beach Commissioner (1)</li> <li>Representatives from FHWA* (1) (*non-voting member)</li> </ul>	Hosted within the Southeast Florida Transportation Council	Yes, Florida Statute 339.175 dictates the size and membership makeup of MPO Boards	\$8,383,637	15 total <ul style="list-style-type: none"> <li>Executive Director (1)</li> <li>Deputy Director (1)</li> <li>Administration (2)</li> <li>Procurement and grants (2)</li> <li>Public relations (2)</li> <li>Planners (6)</li> <li>Programming (1)</li> </ul>
	Broward MPO	Broward (FL-full)	1,926,205	1601	1,202		Governing Board; Total members = 25 <ul style="list-style-type: none"> <li>Elected officials representing MPO counties (1)</li> <li>Cities in MPO counties with population over 5,000 (18)</li> <li>Representative from South Florida Regional Transportation Authority (1)</li> <li>Representative from Broward County Board of County Commissioners (4)</li> <li>Representative from School Board of Broward County (1)</li> </ul>			\$21,506,958	40 total <ul style="list-style-type: none"> <li>Executive Director (1)</li> <li>Deputy Director (2)</li> <li>Chief of staff (1)</li> <li>Administration (5)</li> <li>Finance (4)</li> <li>Data (2)</li> <li>Legal counsel (1)</li> <li>Procurement and grants (1)</li> <li>Public relations (5)</li> <li>Planners (16)</li> <li>Engineering (1)</li> <li>Programming (1)</li> </ul>
	Miami-Dade TPO	Miami-Dade (FL-full)	2,699,428	1420	1,899		Governing Board; Total members = 25 <ul style="list-style-type: none"> <li>Elected officials representing MPO county (13)</li> <li>Cities in MPO counties with population over 5,000 (8)</li> <li>Representative from Municipality-at-Large (within Miami-Dade County) (1)</li> <li>Representative from A Non-Elected Official (residing in unincorporated Miami-Dade County) (4)</li> <li>Representative from Expressway Authority (1)</li> <li>Representative from Miami-Dade County School Board (1)</li> </ul>			\$15,843,000	27 total <ul style="list-style-type: none"> <li>Executive Director (1)</li> <li>Administration (2)</li> <li>Governing Board support (6)</li> <li>Program managers (3)</li> <li>Public relations (4)</li> <li>Planners (8)</li> <li>Finance (3)</li> </ul>

**MPO Structures – Single TMA and Multiple MPOs (cont.)**

Regional Organization	MPO	Counties	Population (2019 Full County)	Planning Area (Sq. Miles)	Population Density (Per/Sq.Mile)	Urbanized Area(s) 2010 Population	Board Composition	Administrative Structure	Applicable State Regulation	2-Year UPWP Funding	Staffing
Western Connecticut Council of Governments	Housatonic Valley MPO	Fairfield (CT-full)	943,926	1510	624	Bridgeport/ Stamford, 923,311	Policy Board; Total members = 12 <ul style="list-style-type: none"> <li>• Cities in MPO county with population over 5,000 (10)</li> <li>• Representative from area transit provider (1)</li> <li>• Commissioner of the CT DOT/appointed representative* (1) (*non-voting member)</li> </ul>	Hosted within the Western Connecticut Council of Governments	None specifically about structure	\$986,788	13 total – Staff are shared between the MPOs and Western COG <ul style="list-style-type: none"> <li>• Executive Director (1)</li> <li>• Administration (2)</li> <li>• Transportation planners (7)</li> <li>• Analytics (3)</li> </ul>
	South Western Region MPO						Policy Board; Total members = 11 <ul style="list-style-type: none"> <li>• Cities in MPO county with population over 5,000 (9)</li> <li>• Representative from area transit provider (1)</li> <li>• Commissioner of the CT DOT/appointed representative* (1) (*non-voting member)</li> </ul>			\$2,310,122	
Tampa Bay Transportation Management Area Leadership Group	Hillsborough MPO	Hillsborough (FL-full)	1,422,278	1391	1,021	Tampa, St. Petersburg, 2,441,770	MPO Board; Total members = 16 <ul style="list-style-type: none"> <li>• Elected officials representing MPO counties (5)</li> <li>• Cities in MPO counties with population over 5,000 (6)</li> <li>• Representative from the Aviation Authority (1)</li> <li>• Representative from the transit agency (1)</li> <li>• Representative from Expressway Authority (1)</li> <li>• Representative from Hillsborough County School Board (1)</li> <li>• Representative from Port Tampa Bay (1)</li> </ul>	Hosted within the Hillsborough County City-County Planning Commission	Yes, Florida Statute 339.175 dictates the size and membership makeup of MPO Boards	\$5,113,494	13 total <ul style="list-style-type: none"> <li>• Executive Director (1)</li> <li>• Assistant Executive Director (1)</li> <li>• Administration (1)</li> <li>• Transportation planners (8)</li> <li>• GIS (1)</li> <li>• Contract and grants coordinator (1)</li> </ul>
	Pasco County MPO	Pasco (FL-full)	524,602	702	746		Policy Board; Total members = 10 <ul style="list-style-type: none"> <li>• Elected officials representing MPO counties (4)</li> <li>• Cities in MPO counties with population over 5,000 (6)</li> <li>• Representative from FDOT District Seven* (* non-voting member)</li> </ul>	Hosted within the Pasco County Planning and Development Department		\$753,699	4 total <ul style="list-style-type: none"> <li>• Executive Director (1)</li> <li>• Transportation planners (2)</li> <li>• Accountant (1)</li> </ul>
	Pinellas County MPO	Pinellas (FL-full)	964,666	3523	273		Forward Pinellas Board; Total members = 14 <ul style="list-style-type: none"> <li>• Elected officials representing MPO counties (4)</li> <li>• Cities in MPO counties with population over 5,000 (9)</li> <li>• Executive Director (1)</li> </ul>	Hosted within the Pinellas Planning Council		\$1,120,850	16 total <ul style="list-style-type: none"> <li>• Executive Director (1)</li> <li>• Planning manager (2)</li> <li>• Administration (2)</li> <li>• Accounting/finance (2)</li> <li>• Communications (1)</li> <li>• Transportation planners (8)</li> </ul>

**MPO Structures – Single TMA and Multiple MPOs (cont.)**

Regional Organization	MPO	Counties	Population (2019 Full County)	Planning Area (Sq. Miles)	Population Density (Per/Sq.Mile)	Urbanized Area(s) 2010 Population	Board Composition	Administrative Structure	Applicable State Regulation	2-Year UPWP Funding	Staffing
Mid-Hudson Valley Transportation Management Area	Dutchess County Transportation Council	Dutchess County, NY	293,745	369	795		<b>Transportation Council; Total members = 40</b> <ul style="list-style-type: none"> <li>Elected officials representing MPO counties (1)</li> <li>Cities/Towns in MPO with population over 5,000 (9)</li> <li>NYS DOT Commissioner (1)</li> <li>Metropolitan Transportation Authority Chairman/CEO (1)</li> <li>Partially urbanized towns representatives (3)</li> <li>Urbanized Villages representatives (3)</li> <li>Non-urban towns and villages representatives (15)</li> <li>FHWA*</li> <li>FTA*</li> <li>NYS DOT Regional Director*</li> <li>NYS Bridge Authority Director*</li> <li>Dutchess County Department of Planning &amp; Development*</li> <li>Dutchess County Department of Public Works*</li> <li>Dutchess County Division of Public Transit*</li> </ul> (*Non-voting member)	Hosted within the Dutchess County Department of Planning and Development		\$1,674,872	15 total - the Planning Committee provides staffing support to the MPO. No additional details were available
	Orange County Transportation Council	Orange County, NY	380,085	467	812	Poughkeepsie-Newburgh NY-NJ, 423,566	<b>Policy Committee; Total members = 20</b> <ul style="list-style-type: none"> <li>Elected officials representing MPO counties (1)</li> <li>Cities in MPO counties with population over 5,000 (3)</li> <li>Newburgh Urbanized area Town Supervisors (2)</li> <li>Southern Area Town Supervisors (2)</li> <li>Western Gateway Area Town Supervisors (2)</li> <li>Orange County Village mayors (2)</li> <li>NYS DOT Region 8 Director (1)</li> <li>Metropolitan Transportation Authority Executive Director (1)</li> <li>NYS Thruway Authority Executive Director (1)</li> <li>All other Towns and Villages*</li> <li>NYS Bridge Authority Director*</li> <li>Port Authority of New York &amp; New Jersey*</li> <li>Federal Transit Administration Regional Administrator*</li> <li>Federal Highway Administration Division Administrator*</li> </ul> (*Non-voting member)	Hosted within the Orange County Department of Planning	None specifically about structure	\$6,148,251	19 total – staff are shared between the MPO and County <ul style="list-style-type: none"> <li>Planning Commissioner (1)</li> <li>Deputy Commissioner (1)</li> <li>Administration (1)</li> <li>Transportation Planner (6)</li> <li>Environmental Planner (2)</li> <li>Transit Planner (3)</li> <li>Accounting/Finance (1)</li> <li>Grants (2)</li> <li>GIS (1)</li> <li>Water Authority (1)</li> </ul>
	Ulster County Transportation Council	Ulster County, NY	178,665	158	1,124		<b>Policy Committee; Total members = 14</b> <ul style="list-style-type: none"> <li>Elected officials representing MPO counties (1)</li> <li>Cities/Towns in MPO with population over 5,000 (11)</li> <li>NYS Department of Transportation Commissioner (1)</li> <li>NYS Thruway Authority (1)</li> </ul>	Hosted within the Ulster County Planning Department		\$1,036,631	4 total – staff are shared between the MPO and County <ul style="list-style-type: none"> <li>Planning Director (1)</li> <li>Planners (2)</li> <li>Administration (1)</li> </ul>

**MPO Structures – Single TMA and Multiple MPOs (cont.)**

Regional Organization	MPO	Counties	Population (2019 Full County)	Planning Area (Sq. Miles)	Population Density (Per/Sq.Mile)	Urbanized Area(s) 2010 Population	Board Composition	Administrative Structure	Applicable State Regulation	2-Year UPWP Funding	Staffing
Hartford CT TMA	Capitol Region Council of Governments (CRCOG)	Hartford (CT-full), Tolland (CT-part)	1,044,624	912	1145	Hartford, CT, 924,859	<b>Policy Board; Total members = 38</b> • Individuals representing member towns (38)	<b>Freestanding</b>	Sections 4-124i of the Connecticut General Statutes	\$8,682,311	<b>26 total</b> • Executive Director (1) • Finance and Administration (4) • Municipal Services (3) • Transportation Planning and Engineering (14) • Public Safety (4)
	Naugatuck Valley Council of Governments (NVCOG)	New Haven (CT-part) Litchfield (CT-part) Fairfield (CT-part)	1,983,441	922	2149		<b>Board; Total members = 11</b> • Individuals representing member towns (11)	<b>Hosted</b> within Naugatuck Valley Council of Governments hosts the MPO		\$2,343,746	<b>19 total</b> • Executive Director (1) • Finance and Administration (5) • Transportation Planning and Programming (5) • Regional Collaboration and Land Use Planning (8)
	Lower Connecticut River Valley Council of Governments (RiverCOG)	Middlesex (CT-full)	163,053	441	369		<b>RiverCOG board; Total members = 17</b> • Individuals representing member towns (17)	<b>Freestanding</b>		\$1,219,376	<b>9 total</b> • Executive Director (1) • Deputy director (1) • Transportation/ Environmental Planners (5) • Administration/finance (2)
	Northwest Hills Council of Governments	Litchfield (CT-part)	182,002	197	920		<b>NHCOG board; Total members = 21</b> • Individuals representing member towns (21)	<b>Freestanding</b>		\$1,000,000	<b>4 total</b> • Executive Director (1) • Community and Economic Development Director (1) • Regional Planner (1) • Administration/finance (1)

## **Appendix B. FTA 5307 Fund Apportionment Methods**



## 1.0 Introduction

FTA's Urbanized Area Formula (Section 5307) funds are provided to urbanized areas (UZAs), incorporated areas with a population of 50,000 or more, to support administration, planning, capital, and operating activities for public transportation. Historically, UZAs receiving this funding had only one public transportation provider, so suballocation of these funds was not required. As UZAs have increased in size and population across the country, the number of transit providers in many urban areas has also increased. This makes the suballocation of the 5307 funds necessary to best meet the needs of multiple public transit providers in a region.

This memo outlines the administration of the Section 5307 funding program in Tennessee, summarizes the effects of TMA designation on funding suballocations, and highlights the suballocation methods of other TMAs. Relevant documentation of Section 5307 suballocation processes is included in Appendix A1 - Transit Provider Section 5307 Allocation Documentation.

## 2.0 Tennessee's 5307 Program Administration

Eligible expenditures of 5307 funds are outlined in 49 USC 5302 and include capital expenditures, planning, administration, and transit enhancements. In small urban areas, with populations less than 200,000, operating assistance is also considered an eligible expense. For public transportation providers operating less than 100 buses in fixed route peak hour service, up to 75% of each operator's 5307 apportionment may be used for operating assistance under FTA's Special Rule.

For UZAs under 200,000 in population (non-TMAs), 5307 funds are apportioned by FTA to the governor of each state for distribution based on a formula that accounts for the UZA's population and population density. In Tennessee, the Governor's designated recipient is TDOT's Multimodal Division. Prior to 2019, TDOT sub-allocated the funds for public transportation providers in non-TMAs by a formula based on the following three weighted factors:

- **Population** (50%), based on 2010 County Population Census data;
- **Transit Service Metrics** (40%), which is subdivided into vehicle revenue miles (20%) and unlinked passenger trips (20%); and,
- **Local Investment** (10%), which represents the amount of local funding invested in transit by local entities in the UZA.

Over the course of a 4-year period spanning 2019-2022, TDOT is transitioning to a new allocation formula for 5307 funds. This new formula has two phases. Phase 1 is based on UZA characteristics and reflects the level of transit service provided in each UZA. Phase 2 is triggered in UZAs with multiple transit providers and allows TDOT to distribute funds among the agencies authorized to operate in the UZA. The new formula incorporates the following factors for Phase 1:

- **Reliability** (45%), based on the following factors:
  - UZA population – the 5-year rolling average from the American Community Survey;
  - Population times population density factor – to scale the UZA population to its density; and
  - Vehicle revenue miles – as reported to the National Transit Database.
- **Equity** (15%), based on low-income population – the 5-year rolling average from the American Community Survey.



- **Ridership** (35%), calculated as the number of unlinked passenger trips reported to the National Transit Database, and ridership times unlinked passenger trips per revenue mile as a way to scale ridership per mile to the community's size.
- **Local Investment** (5%), which represents the amount of transit investments from local entities in the UZA.

In Phase 2, transit agencies in UZAs with multiple providers receive funds that are further suballocated to those providers based on vehicle revenue miles (20%) and unlinked passenger trips (80%). There are currently two recipients of 5307 funds in the Johnson City UZA – Johnson City Transit (JCT) and Northeast Tennessee Rural Public Transit (NET Trans). Because the Johnson City UZA is not designated as a TMA based in the 2010 Census, 5307 funds in the region are currently suballocated by TDOT according to this phased process.

### 3.0 TMA Designation and 5307 Allocation

Because 5307 funding allocation is based on several factors, including population, population increases and TMA designation have the potential to affect the amount and distribution of 5307 funding in Johnson City. Specifically, changes to the UZA boundary and population characteristics would affect formula outputs and could affect the administration of the program in the region.

In addition, for TMAs with populations of 200,000 and greater, 5307 funds are apportioned and flow directly to a designated recipient, which is responsible for receiving and apportioning FTA funds to eligible projects within the UZA. Designated recipients are selected in accordance with the planning process outlined under 49 USC 5303, 5304, and 5306, and by agreement with the Governor of the state, responsible local officials, and publicly owned operators of public transportation. Within the Johnson City region, future TMA designation would require the selection of a new designated recipient from among the current 5307 recipients or the MPO. FTA recommends that each UZA have a single designated recipient, but there is no restriction on establishing multiple designated recipients. For TMAs, the Governor must notify FTA of the chosen designated recipient and include documentation of concurrence by the transit service providers and the MPO.

As a newly designated TMA, the region's designated recipient would have a number of additional responsibilities. These responsibilities are outlined in FTA Circular 9030.1E, which details how the 5307 urbanized area formula program is administered. Additional responsibilities of the designated recipient include:

- Identifying and selecting projects to be included in the MPO's and/or DOT's planning and programming documents, including the unified planning work program if applicable;
- Submitting an annual grant application for the Section 5307 funds program of projects (POP) and/or authorizing other eligible applicants to apply, and notifying FTA of having done so;
- Confirming that at least 1% of annual 5307 funds are apportioned to transit improvements and that at least 1% is used for public transportation security projects (unless all security needs are certified as having been met);
- Ensuring that the designated recipient's documentation confirming designation is on file with FTA;
- Allocating the 5307 apportionment among recipients in the UZA based on local needs and arrangements, and in coordination with the MPO(s); and

- Authorizing other public entities to apply for transit grants directly from FTA as direct recipients, as needed, and notifying FTA of such arrangements in a “split letter” that documents how the 5307 funds have been apportioned.

The remainder of this memo provides examples of the 5307 suballocation process in other TMAs with multiple urban service providers.

#### 4.0 5307 Suballocation by TMAs in Tennessee

TMA designation would affect future funding streams for transit providers in the Johnson City area because most funds would flow to the TMA’s designated recipient instead of the State for distribution. This will require the transit agencies to coordinate more closely with one another, specifically to communicate funding needs. In addition, the designated recipient will need to coordinate with all transit agencies to agree upon a method to distribute funds in a manner that considers local needs and arrangements. In Tennessee, this process is carried out in two of the four TMAs.

In the Nashville UZA, the Nashville Metropolitan Transit Authority (WeGo Public Transit) is the designated recipient of 5307 funds. In coordination with the Nashville MPO, this funding is apportioned between WeGo, the Regional Transportation Authority of Middle Tennessee (RTA), and the Franklin Transit Authority via an MOU and informal discussions based on annual need. RTA and Franklin Transit Authority request 5307 funding to meet their needs in the near term, and funding agreements are solidified during a formal split meeting hosted by the Greater Nashville Regional Council (GNRC). The Nashville Area MPO ensures that the use of 5307 funding is consistent with the goals and projects outlined in the Transportation Improvement Program (TIP) and Regional Transportation Plan (RTP).

Knoxville’s transit agencies – Knoxville Area Transit (KAT), Knox County CAC Transit, and East Tennessee Human Resource Agency (ETHRA) – have agreed to lock in an annual percentage distribution rate of Section 5307 funds from the City of Knoxville, which serves as the region’s designated recipient. In 2020, the Knoxville TPO Executive Board considered alternative distribution methods for 5307 funds. The board considered methods that accounted for service area population, service area square miles, ridership, revenue miles of service, and other factors, but was unable to reach an agreement and so recommended that the lock-in percentage rate method continue for the foreseeable future. Under the existing distribution rate, KAT receives 79.8% of 5307 funding, Knox County CAC Transit receives 14.9%, and ETHRA receives 5.3%.

Though both Nashville and Knoxville transit agencies have discussed the need to develop a more formal and equitable process for 5307 funding apportionment, the agencies in both cities have yet to make significant progress on this effort.

The other two TMAs in Tennessee (Memphis and Chattanooga) each have a single urban transit service provider and therefore do not have to suballocate 5307 funds.

## 5.0 Other Approaches to Allocating 5307 Funds

### 5.1 Capital Planning Approach

#### San Francisco/Oakland, California UZA

The San Francisco/Oakland UZA's designated recipient for 5307 funds is the Metropolitan Transit Commission (MTC), which suballocates funds to 12 eligible public transportation operators in the UZA. Several of the transit providers' service areas extend into multiple UZAs, so they are eligible to receive funding from more than one UZA in the San Francisco Bay area.

MTC has established a methodology for suballocating FTA grant funds, called the Transit Capital Priorities Process and Criteria (TCP). Programming and funding decisions are made by the Programming and Allocations Committee and the full Commission. Both of these bodies are advised by the Transit Finance Working Group, which includes representatives from all of the transit providers that receive FTA funds. In addition to the TCP, the MTC also uses a formula based on the FTA allocation formula to distribute 10% of 5307 funds to transit providers to defray ADA paratransit operating costs.

The TCP process is a needs-based, capital planning approach that includes quantitative scoring for various project categories. Public transit operators must receive approval from their governing body before submitting project requests, which are then screened by MTC staff to ensure they are consistent with the Regional Transportation Plan, are eligible for 5307 funding, have reasonable cost estimates, and are well-defined. Projects that advance past the initial screening are scored by project type, as shown in Table 5-1.

MTC has established project funding caps for buses, rail cars, and ferry vessel project requests to ensure that the funds are well distributed between the different operators. In addition to project scoring, MTC policies influence the project selection and funding process, including the use of a regional priority programming model, honoring multi-county agreements, maintaining set asides, and cost reserves. Overall, the goals of the TCP process are to fund essential capital requirements, maintain equitable funding between transit operators, and complement other funding sources for transit.

**Table 5-1. MTC Project Scoring Categories**

<b>Project Category</b>	<b>Project Score</b>
Debt Service	17
Revenue Vehicle Replacement	16
Revenue Vehicle Rehabilitation	16
Core Capacity Challenge Grant Program Projects	16
Used Vehicle Replacement	16
Fixed Guideway Replacement / Rehabilitation	16
Ferry Propulsion Systems	16
Ferry Major Component	16
Ferry Fixed Guideway Connectors	16
Revenue Vehicle Communication Equipment	16
Non-Clipper Fare Collection/Fareboxes	16
Clipper Fare Collection/Fareboxes	16
Bus Diesel Emission Reduction Devices	16
Vanpool Support Program	16
Safety	15
ADA/Non-Vehicle Access Improvement	14
Fixed/Heavy Equipment, Maintenance/Operating Facilities	13
Station/Intermodal Stations/Parking Rehabilitation	12
Service Vehicles	11
Tools and Equipment	10
Administrative Computer Systems and Office Equipment	9
Preventive Maintenance	9
Operational Improvements/Enhancements	8
Operations	8
Expansion	8

Source: MTC FY2020-21 through FY2024-25 Transit Capital Priorities (TCP) Call for Projects

## 5.2 Apportionment Formula Approach

### Santa Rosa, California UZA

The Santa Rosa UZA's designated recipient for 5307 funds is also the MTC, and the funds are available to three eligible transit providers: the Santa Rosa City Bus, Sonoma County Transit, and the Golden Gate Bridge Highway and Transit District (GGBHTD). Historically, because the GGBHTD is also eligible for funds from the San Francisco–Oakland and Petaluma UZAs, GGBHTD does not seek funding from the Santa Rosa UZA.

While the MTC has an established process for suballocating FTA funds (the TCP process), it does not apply in the Santa Rosa UZA. Instead, Santa Rosa City Bus and Sonoma County have developed their own apportionment formula based on county population and roughly reflects total passenger miles operated. This is in accordance with a formal agreement that has been in place for the past 20 years

and was updated in 2014. The formula results in a fixed split where 58% of 5307 funds are apportioned to Santa Rosa City Bus and 42% go to Sonoma County.

#### Port St. Lucie, Florida UZA

The Port St. Lucie UZA has two designated recipients, St. Lucie County and Martin County, which each operates its own fixed route and demand response transit services. The suballocation process is administered jointly by both counties, and they submit a memorandum to FTA annually to report their Section 5307 apportionment split.

In 2014, 5307 funds were apportioned such that St. Lucie County received 62% of the funds, and Martin County received 38%. The proportional split formula is based on population (50% weight), revenue miles (25% weight), and population density (25% weight). The counties have also agreed for St. Lucie County to receive an additional 1% of funding to support safety and security projects throughout the UZA.

#### Milwaukee, Wisconsin UZA

The Milwaukee UZA has four designated recipients of 5307 funds: Milwaukee County, Ozaukee County, Washington County, and Waukesha County. Milwaukee, Ozaukee, and Washington Counties each have one transit service provider, and Waukesha County has two. The 5307 funding suballocation is administered by the Southeastern Wisconsin Regional Planning Commission (SEWRPC) through an annual memorandum, and each recipient must approve the distribution by signing the annual allocation memo.

As of 2014, SEWRPC applies a locally developed formula that relies on measures of public transportation service provided and ridership. Specifically, 5307 funds are distributed based on revenue miles of transit service, revenue vehicle hours of transit service, revenue passengers, and passenger miles. Each criterion is weighted equally with a 25% weight, such that the largest transit provider (Milwaukee County Transit System) receives the majority of the funds.

## 6.0 Conclusions

Should a TMA designation occur in the Johnson City area, transit funding allocations and processes will be significantly affected as highlighted in the full TMA Study report. One of the most significant changes is the requirement for a new designated recipient to suballocate FTA 5307 funds. Research presented in this memo indicates that there are two primary methods for suballocating funds in urban areas with multiple transit providers. Some larger TMAs utilize a capital planning approach, where recipients are required to submit transit needs that are prioritized and awarded funding based on a set of selection criteria. However, most TMAs suballocate using a locally developed formula that typically considers the extent of transit service provided and service area characteristics. Variations of both methods are utilized in the two TMAs in Tennessee that have multiple transit providers. These TMAs serve as examples for consideration in Johnson City should a TMA designation occur.

## **Appendix B1. Transit Provider Section 5307 Allocation Documentation**



**MEMORANDUM OF AGREEMENT**  
**CONCERNING THE PROGRAMMING AND ADMINISTRATION OF FEDERAL TRANSIT**  
**ADMINISTRATION URBANIZED AREA FORMULA GRANT FUNDS WITHIN THE NASHVILLE-**  
**DAVIDSON URBANIZED AREA**

**BETWEEN THE NASHVILLE AREA METROPOLITAN PLANNING ORGANIZATION, THE NASHVILLE**  
**METROPOLITAN TRANSIT AUTHORITY, THE FRANKLIN TRANSIT AUTHORITY,**  
**AND THE REGIONAL TRANSPORTATION AUTHORITY OF MIDDLE TENNESSEE**

THIS AGREEMENT is made and entered into this 26<sup>th</sup> day of August, 2014, by and between the Nashville Area Metropolitan Planning Organization (MPO), the Nashville Metropolitan Transit Authority (MTA), the Franklin Transit Authority (FTA), and the Regional Transportation Authority (RTA) of Middle Tennessee.

WITNESSETH

WHEREAS, the Nashville Area Metropolitan Planning Organization (MPO) is responsible for carrying out a comprehensive, cooperative, and continuing transportation planning process throughout Davidson, Maury, Robertson, Rutherford, Sumner, Williamson and Wilson and counties; and

WHEREAS, the United States Bureau of the Census has designated the Nashville-Davidson Urbanized Area (UZA) to include Davidson County and portions of Rutherford, Robertson, Sumner, Williamson, and Wilson counties; and

WHEREAS, the Nashville-Davidson UZA qualifies for federal formula grant funding provided by the Federal Transit Administration under 49 U.S.C. Sections 5307 (the Urbanized Area Formula Program), and

WHEREAS, the Nashville-Davidson UZA qualifies for federal formula grant funding provided by the Federal Transit Administration under 49 U.S.C. Sections 5310 (the Enhanced Mobility for Seniors and Individuals with Disabilities Program), and

WHEREAS, the Nashville-Davidson UZA qualifies for federal formula grant funding provided by the Federal Transit Administration under 49 U.S.C. Sections 5337 (the State of Good Repair Program), and

WHEREAS, the Nashville-Davidson UZA qualifies for federal formula grant funding provided by the Federal Transit Administration under 49 U.S.C. Sections 5339 (the Bus and Bus Facilities Formula Program), and

WHEREAS, the Federal Transit Administration requires that the MPO, in partnership with local transit agencies, name a Designated Recipient to apply for, receive, and administer urbanized area formula grant funds; and

WHEREAS, there are multiple local agencies providing transit services within the Nashville-Davidson UZA including the Nashville MTA, the FTA, and the RTA; and

WHEREAS, the MPO is required to develop and adopt a short-term, multi-year and multi-modal regional Transportation Improvement Program (TIP) that identifies all federal investments in the region's transportation system of roadways, transit routes, pedestrian and bicycle paths; and

WHEREAS, the TIP must be consistent with the Regional Transportation Plan, adopted by the Nashville Area MPO to meet federal long-range transportation planning requirements; and

WHEREAS, the Designated Recipient is responsible for coordinating with the MPO and area transit agencies to develop a program of projects for FTA formula grant funds apportioned to the Transportation Management Area that are consistent with the TIP and Regional Transportation Plan; and

WHEREAS, the MPO and the Designated Recipient have to work cooperatively to develop the Transportation Improvement Program and agree on how FTA formula grant funds will be spent;

NOW, THEREFORE, the parties agree as follows:

1. The Nashville MTA shall serve as the Designated Recipient for FTA formula grant funds apportioned to the Nashville-Davidson UZA.
2. The Nashville Area MPO shall be responsible for administering the project selection process and for programming FTA formula grant funds during the development of the regional Transportation Improvement Program, in accordance with regional transportation goals, objectives, and policies set forth by the Regional Transportation Plan.
3. The Nashville MTA shall distribute urbanized area formula program funds to the public-agency sponsors of transit projects as programmed in the regional Transportation Improvement Program.
4. The Nashville MTA shall provide a letter to the Federal Transit Administration stating that, as Designated Recipient, they authorize the Franklin Transit Authority and the Regional Transportation Authority of Middle Tennessee to be a direct applicant for the portion of the urbanized area formula program funds to be distributed to those entities in the manner described in this memorandum. This authorization shall remain in effect until further notice.
5. This instrument constitutes the entire agreement between the parties pertaining to the subject matter herein contained, and supersedes all prior or contemporaneous arrangement, oral or written. Amendments to this Agreement proposed by any party shall be in writing and forwarded to all parties for review and approval, and shall not be effective unless signed by all parties.



IN WITNESS WHEREOF, the MPO and transit agencies have caused this Agreement to be executed by their duly authorized officials on the day and date above set forth.

**NASHVILLE AREA METROPOLITAN PLANNING ORGANIZATION**

  
\_\_\_\_\_  
Mr. Michael Skipper, AICP  
Executive Director & Secretary

  
\_\_\_\_\_  
The Honorable Kenneth Wilber  
Chairman of the Board

**NASHVILLE METROPOLITAN TRANSIT AUTHORITY**


  
\_\_\_\_\_  
Mr. Stephen G. Bland, Chief Executive Officer

**REGIONAL TRANSPORTATION AUTHORITY OF MIDDLE TENNESSEE**

  
\_\_\_\_\_  
Mr. Stephen G. Bland, Chief Executive Officer

  
\_\_\_\_\_  
The Honorable Karl Dean, Chairman of the Board

**FRANKLIN TRANSIT AUTHORITY**

  
\_\_\_\_\_  
Ms. Debbie Henry, Executive Director

  
\_\_\_\_\_  
Mr. Preston Elliott, Chairman of the Board

**MEMORANDUM**

TO: Knoxville Regional TPO Technical Committee & Executive Board  
FROM: Mayor Indya Kincannon, City of Knoxville  
COPY: Erin Gill, Chief Policy Officer & Deputy to the Mayor  
Jeff Welch, TPO Director  
Isaac Thorne, Director of Transit (City of Knoxville/KAT)  
Karen Estes, Director (Knox CAC Transit)  
Mike Patterson, Transportation Director (ETHRA)  
DATE: January 27, 2021  
SUBJECT: Distribution of the FTA Section 5307 & Section 5339 Urban Area Funding

**Federal Transit Administration – Fiscal Year 2021 – Section 5307 & 5339 Funding**

As with the past few years, Congress passed the FY21 transportation budget through continuing resolutions. On December 22, 2020, Congress passed and President Trump signed the FY21 omnibus spending agreement, which included the remaining transportation funding for the fiscal year (October 1, 2020 through September 30, 2021). On January 20, 2021, the Federal Transit Administration (FTA) published in the Federal Register the urban area funding appropriation amounts.

The City of Knoxville is the Designated Recipient of the FTA Section 5307 and Section 5339 funding. On April 26, 2017, with the City of Knoxville’s concurrence, the TPO Executive Board approved the Section 5307 and Section 5339 urban area funding distribution agreement. This agreement is based on set percentages for how the Section 5307 funds will be distributed each year to KAT, Knox CAC Transit, and ETHRA. As the Section 5339 funds are limited for use by fixed-route transit providers, those funds go exclusively to KAT.

The Executive Board, at the April 22, 2020 meeting, asked that a sub-committee review the Section 5307 urban area funding distribution percentages. The sub-committee met four times and reviewed alternative distribution methods. At the November 25, 2020 Executive Board meeting, the sub-committee recommended that the current distribution method remain unchanged for the immediate future. The Executive Board accepted this recommendation. Therefore, I am recommending for FY21 that the FTA funding be divided to each agency based on the existing distribution agreement. Unfortunately, the Section 5307 and Section 5339 amounts are slightly less this year. However, the Section 5307 percentage agreement means all three agencies share a proportional burden of that reduced funding.

**FTA Required Program of Projects (POP) & Public Hearing & Next Steps**

It is a requirement of the FTA that a hearing be held to allow for public input regarding the proposed Program of Projects (POP). The POP is a list of transit projects for each agency to be funded with the Section 5307 and 5339 funding. The public hearing on the POP has been conducted as part of the TPO Executive Board meeting for the last seven years. The POP public hearing will be held during the Executive Board meeting on February 24, 2021. After the Executive Board meeting, the TPO staff will add the funds and projects into the Transportation Improvement Program (TIP). Also, concurrently, I will send a letter to the FTA Region 4 Administrator detailing each agency’s amount of Section 5307 funding they are to receive.

**Section 5307 – FTA Urban Area Funding**

Section 5307 funding can be used for capital, maintenance, limited operating, and administration. Table One shows the Section 5307 Knoxville urban area funding apportionments since FY16. For FY21, the Knoxville urban area received \$6,501,581 which is a decrease of \$329 over the FY20 allocation.

<b>Table One</b>		
<b>Historic FTA Section 5307 Urban Area Allocations</b>		
<b>Fiscal Year</b>	<b>Section 5307 Allocation</b>	<b>Difference FY20-FY19</b>
FY 2021	\$6,501,581	-\$329
FY 2020	\$6,501,910	
FY 2019	\$6,325,808	
FY 2018	\$6,209,859	
FY 2017	\$6,104,528	
FY 2016	\$6,204,025	

Table Two shows the amount of Section 5307 funding that will be distributed to each agency based upon the agreed percentages.

<b>Table Two</b>				
<b>FY 2021 – FTA Section 5307 Knoxville Urban Area Funding</b>				
<b>Distribution Between Transit Agencies</b>				
<b>Agency</b>	<b>Lock-In % Rate</b>	<b>FY 2021 Award</b>	<b>FY 2020 Award</b>	<b>Difference FY21-FY20</b>
Knoxville Area Transit (COK)	79.8%	\$5,188,262	\$5,188,524	-\$262
Knox County CAC Transit	14.9%	\$968,735	\$968,785	-\$50
ETHRA	5.3%	\$344,584	\$344,601	-\$17
<b>Totals</b>	<b>100%</b>	<b>\$6,501,581</b>	<b>\$6,501,910</b>	<b>-\$329</b>

**Section 5339 – FTA Bus & Bus Facilities**

Section 5339 – Bus & Bus Facilities funding, can be used for a variety of capital projects including the purchase of vehicles, maintenance equipment, transit amenities (benches and shelters), and technology, etc. Table Three shows the amount of Section 5339 funding apportioned to the urban area for FY21 is \$716,504. The FY21 amount reflects a decrease of \$63,227 when compared to FY20. All funding goes to KAT per the distribution agreement.

<b>Table Three</b>		
<b>Historic FTA Section 5339 Urban Area Allocations</b>		
<b>100% Awarded to KAT</b>		
<b>Fiscal Year</b>	<b>Section 5339 Allocation</b>	<b>Difference FY20-FY19</b>
FY 2021	\$716,504	-\$63,227
FY 2020	\$779,731	
FY 2019	\$744,896	
FY 2018	\$810,913	
FY 2017	\$601,666	
FY 2016	\$610,092	

## MEMORANDUM

TO: Knoxville Regional TPO Executive Board  
FROM: Jeff Welch  
DATE: November 18, 2020  
SUBJECT: FTA Section 5307 Urban Area Funding Distribution

As charged by the Executive Board, staff held four meetings with a committee that consisted of representatives from: City of Knoxville, Knoxville Area Transit (KAT), Knoxville Knox County Community Action Committee (CAC), and East Tennessee Human Resource Agency (ETHRA). The purpose was to review the local funding distribution agreement, which allocates the Federal Transit Administration (FTA) Section 5307 urban area funding to the transit providers. The current distribution method is based on an agreed upon set of percentages.

The committee recommends to the Executive Board, for the time being, that the current distribution formula remain the same. This recommendation is based on the following reasons:

- A. The urban area received \$18.4 million in urban area CARES Act relief funding, which was shared, in varied amounts, with each transit provider. This infusion of funding has made the Section 5307 distribution issue less pressing.
- B. The results of the 2020 Census should be known in less than 16 months. Most likely, the new Census data and corresponding new urbanized area boundary will impact the amount of transit funding that comes to the area.
- C. The Knoxville urban area allocation from FTA is based on a national formula that considers both Census data and local transit data from each of the providers. Due to COVID-19, the local data has drastically been impacted. The federal government is considering how to modify the inputs into the national distribution formula to correct for COVID-19 (including considering using pre-COVID-19 data). But, until this is announced, we do not know if there will be an impact on the amount of funding coming to the Knoxville urban area.
- D. The FAST Act expires on September 30, 2021. At this time, it is not known if a new Act will be approved by then or if the FAST Act will be extended for another year. But, any new Act has the potential to change federal funding programs and could possibly impact how much funding is distributed to an area.

Therefore, because of the infusion of CARES Act funding and the unknowns, the committee unanimously recommends to remain with the existing funding distribution method. The committee will continue to meet quarterly to examine coordination opportunities and to keep monitoring the funding issues and the potential impact of the 2020 Census data.

# SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

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## MEMORANDUM

TO: Allison Bussler, Director of Public Works, Waukesha County  
Donna Brown-Martin, Director, Milwaukee County Department of Transportation  
Jon Edgren, Public Works Director, Ozaukee County Highway Department  
Brian Engelking, Transit Director, Waukesha Metro Transit  
Jeffrey Polenkse, Commissioner of Public Works, City of Milwaukee  
Scott Schmidt, Highway Commissioner, Washington County

FROM: Kevin Muhs, Executive Director, SEWRPC

DATE: April 27, 2021

**SUBJECT: DISTRIBUTION OF THE ALLOCATION OF FEDERAL TRANSIT ADMINISTRATION FISCAL YEAR 2021 FUNDS, CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT OF 2021 FUNDS, AND AMERICAN RESCUE PLAN ACT OF 2021 FUNDS WITHIN THE MILWAUKEE URBANIZED AREA**

The purpose of this memorandum is to advise you of the availability of the Fiscal Year 2021 allocation of Section 5307/5340, Section 5310, Section 5337, and Section 5339 program funds (as published on January 19, 2021), and additional Federal transit formula assistance funds as a result of the passage of the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA) and the American Rescue Plan (ARP) Act of 2021 within the Milwaukee urbanized area.

On January 11, 2021, the Federal Transit Administration (FTA) released funding apportionments for the CRRSAA, which includes \$13.26 billion in supplemental appropriations allocated to support the transit industry during the COVID-19 public health emergency. The supplemental funding provides funds at 100-percent federal share, with no local match required. Funding will support expenses eligible under the relevant program, although the Act directs recipients to prioritize payroll and operational needs. Similar to CARES Act funds, operating expenses incurred on or after January 20, 2020, are eligible and **the funds provided under CRRSAA are available until expended with no lapse date**. However, transit operators are encouraged to spend the funds expeditiously to respond to local needs. Similar to grants made with annually apportioned Urbanized Area Formula funds, a minimum of one percent of the total allocation of CRRSAA funds apportioned through the Urbanized Area Formula program must be used for public transportation security projects, or the recipient must certify that the expenditures are unnecessary (pursuant to 49 U.S.C. 5307(c)(1)(J)).

The ARP Act, signed into law on March 11, 2021, contains \$30.46 billion to assist transit operators across the nation with operating costs, including payroll, the purchase of personal protective equipment, and

administrative leave for operations or contractor personnel due to reductions in service. The ARP Act indicates that the funds shall be for grants to recipients and subrecipients under section 5307 of title 49, United States Code, and shall be administered as if such funds were provided under section 5307. **The ARP Act funds must be obligated by September 30, 2024, and disbursed by September 30, 2029. Therefore, ARP Act funds should be utilized prior to other COVID-relief funds that don't have a lapse date.** The ARP Act funds are available at 100 percent federal share and must be used for payroll and operations, unless the recipient certifies that it has not furloughed any employees. Similar to grants made with annually apportioned Urbanized Area Formula funds, a minimum of one percent of the total allocation of ARP Act funds apportioned through the Urbanized Area Formula program must be used for public transportation security projects, or the recipient must certify that the expenditures are unnecessary (pursuant to 49 U.S.C. 5307(c)(1)(J)).

This memorandum sets forth the distribution of the allocated funds to each of the transit operators in the urbanized area for each funding source by applicable program fund. Should the Federal Register indicate different amounts than those posted on FTA's website, updated distributions will be routed for review and approval.

## **DISTRIBUTION OF MILWAUKEE URBANIZED AREA FUNDING**

The distribution method has been updated to equitably consider all transit riders within the Milwaukee urbanized area (MUA), including recent transit service initiated in the City of Milwaukee in late 2018 (FFY2019), with 2019 being the first full year of service. Given that new service, the City of Milwaukee is now eligible to utilize FTA funding that is allocated to the urbanized area from Section 5307 formulas. The City of Milwaukee is currently pursuing becoming a designated recipient of such funds.

On February 4, 2021, Commission staff circulated three potential distribution scenarios to generate discussion and input regarding potential changes to the distribution formula given the recent changes in transit operating conditions in the MUA, including the initiation of transit service by the City of Milwaukee in late 2018 and the suspension of fares due to the COVID-19 pandemic in 2020. Based on the input of transit operators, what was titled "Scenario 3" for the purposes of that discussion was selected, which ensures that no transit operator in the urbanized area receives less from the local distribution formula than incremental amount of funding that their transit service brings to the urbanized area through the FTA formula. The agreed upon distribution formula utilizes the same distribution methodology since 2007, except that it provides the City of Milwaukee with the increment of MUA 5307 funds attributable to the transit service provided by the City of Milwaukee in 2019. The remaining funds were distributed to the other transit operators based on the most recent transit ridership and service data—revenue vehicle miles of transit service, revenue vehicle hours of transit service, revenue passengers, and passenger miles—reported by each transit operator to the FTA and Wisconsin Department of Transportation (WisDOT), with 25 percent of the urbanized area apportionment distributed using each criterion. Table 1 provides each operator's proportionate share under each of the transit ridership and service criteria utilized to distribute the Section 5307/5340 and 5339 funds.

### **Distribution of FTA Section 5307/5340 and Section 5339 Urbanized Area Funds**

The distribution of Section 5307/5340 and 5339 funds utilizes the same methodology since 2007, except that it provides the City of Milwaukee with the increment of additional 5307 funds that were provided to the Milwaukee urbanized area based on the operations of the City of Milwaukee's transit service in 2019. The remaining funds were distributed to the other transit operators based on the most recent transit ridership and service data—revenue vehicle miles of transit service, revenue vehicle hours of transit service, revenue passengers, and passenger miles—reported by each transit operator to the FTA and Wisconsin Department of Transportation (WisDOT), with 25 percent of the urbanized area apportionment distributed using each criterion.

**Table 1**  
**2019 Transit Ridership and Service Criteria Used to Distribute FTA FFY2021 Section 5307/5340,**  
**FFY2021 Section 5339, CRRSAA, and ARP Act Formula Funds Within the Milwaukee Urbanized Area**

Transit Operator and Service	2019 Ridership and Service Criteria <sup>a</sup>								Average Proportion
	Revenue Vehicle Miles		Revenue Vehicle Hours		Revenue Passengers		Passenger Miles		
	Number	Proportion	Number	Proportion	Number	Proportion	Number	Proportion	
Milwaukee County									
Milwaukee County Transit System	16,107,551	0.7407	1,293,159	0.7762	19,475,635	0.9237	91,779,458	0.8773	0.8294
Milwaukee County Transit Plus Program	2,723,383	0.1252	214,297	0.1286	513,809	0.0244	3,023,595	0.0289	0.0768
Subtotal	18,830,934	0.8659	1,507,456	0.9048	19,989,444	0.9481	94,803,053	0.9062	0.9062
Ozaukee County									
Ozaukee County Express Bus System	182,460	0.0084	6,978	0.0042	73,675	0.0035	1,606,852	0.0154	0.0079
Ozaukee County Taxi System	1,141,252	0.0525	56,159	0.0337	107,706	0.0051	786,757	0.0075	0.0247
Subtotal	1,323,712	0.0609	63,137	0.0379	181,381	0.0086	2,393,609	0.0229	0.0326
Washington County									
Washington County Commuter Express	215,389	0.0099	7,381	0.0044	74,391	0.0035	2,238,203	0.0214	0.0098
Washington County Taxi System <sup>b</sup>	185,940	0.0086	8,911	0.0053	15,005	0.0007	170,419	0.0016	0.0041
Subtotal	401,329	0.0185	16,292	0.0097	89,396	0.0042	2,408,622	0.0230	0.0139
City of Waukesha and Waukesha County <sup>c</sup>									
Bus Services	1,105,919	0.0509	72,258	0.0434	814,836	0.0386	4,930,937	0.0471	0.0450
Paratransit Services	82,501	0.0038	6,955	0.0042	11,433	0.0005	88,756	0.0008	0.0023
Subtotal	1,188,420	0.0547	79,213	0.0476	826,269	0.0391	5,019,693	0.0479	0.0473
City of Milwaukee Streetcar <sup>d</sup>	--	--	--	--	--	--	--	--	--
<b>Urbanized Area Total</b>	<b>21,744,395</b>	<b>1.0000</b>	<b>1,666,098</b>	<b>1.0000</b>	<b>21,086,490</b>	<b>1.0000</b>	<b>104,624,977</b>	<b>1.0000</b>	<b>1.0000</b>

<sup>a</sup> Revenue vehicle miles, revenue vehicle hours, and passenger miles were taken from the 2019 FTA National Transit Database reports filed by each transit operator. Revenue passengers were taken from 2019 reports filed by each transit operator with the Wisconsin Department of Transportation or from data provided to the Commission staff by the transit operators.

<sup>b</sup> The data shown represent 17.1 percent of the total ridership and service provided by the Washington County Taxi System as reported to the FTA National Transit Database and the Wisconsin Department of Transportation and represents the proportion of taxi system ridership and service that can be attributed to the Milwaukee urbanized area per Federal guidelines. The remainder of the Washington County Taxi System ridership and service is attributed to the West Bend urbanized area, and therefore receives funds allocated to that urbanized area. The total ridership and service for the taxi system for 2019 is as follows: 1,087,366 revenue vehicle miles; 52,110 revenue vehicle hours; 87,750 revenue passengers; and 996,602 passenger miles.

<sup>c</sup> Waukesha County awarded the responsibility for administration of the County's contract bus services to the City of Waukesha Metro Transit System in June 2003. Data for all the transit services operated by the City and County were combined into one FTA National Transit Database report submitted by the City beginning with the 2003 report.

<sup>d</sup> The City of Milwaukee's allocation was calculated based on the FFY2021 data unit values published by the FTA, which account for revenue vehicle miles, route miles, passenger miles, and operating costs. For 2019, this includes 94,922 revenue vehicle miles; 4.0 route miles; 800,598 passenger miles; and \$4,417,615 in operating costs.

Source: FTA 2019 National Transit Database, Wisconsin Department of Transportation, and SEWRPC

As agreed upon by transit operators, the City of Milwaukee will receive the increment of additional 5307 funds (calculated based on the FFY2021 data unit values published by the FTA) that were provided to the Milwaukee urbanized area under CRRSAA, the ARP Act, and the FFY2021 Section 5307 apportionments based on the operations of the City of Milwaukee's transit service in 2019.

#### Section 5307/5340 Funding Allocations

The allocations for the Fiscal Year 2021 Section 5307/5340 program funds, CRRSAA Section 5307 funds, and the ARP Act Section 5307 funds are identified below:

- The FTA has allocated \$21,258,936 in year 2021 Section 5307/5340 funds to the Milwaukee urbanized area, a decrease of 1.3 percent over 2020. Under the distribution methodology, the City of Milwaukee would receive \$214,278 with the remaining \$21,044,658 distributed using the four operational criteria.
- The Milwaukee urbanized area has been allocated \$60,271,997 in CRRSAA Urbanized Area Apportionments (Section 5307), with \$58,941,673 distributed to the urbanized area based on the Section 5307 formula and \$1,330,324 allocated to the urbanized area using the Section 5337 formula. As some of the funds were only allocated due to the presence of the bus service operated in the reserved bus lanes on W. Bluemound Road in Waukesha County, as has been past practice, Commission staff recommends that those funds be allocated to Waukesha. Additionally, since the CRRSAA funds are Section 5307 funds, the existing agreement between the County and the City, with regard to the sharing of 5307 funding, this portion of the 5307 funding will be distributed equally between Waukesha County and the City of Waukesha. In addition, under the distribution methodology, the City of Milwaukee would receive \$594,100 of the \$58,941,673 distributed based on the Section 5307 formula with the remaining \$58,347,573 distributed using the four operational criteria.
- An allocation of \$93,202,863 in Section 5307 ARP Act funds was posted on FTA's website on March 29, 2021, for the Milwaukee urbanized area based on the Section 5307 formula. Under the distribution methodology, the City of Milwaukee would receive \$918,699 with the remaining \$92,284,164 distributed using the four operational criteria.

The distribution of the FFY2021 Section 5307/5340, CRRSAA Section 5307, and ARP Act Section 5307, allocations among the six transit operators in the Milwaukee urbanized area—Milwaukee County, Ozaukee County, Washington County, Waukesha County, the City of Milwaukee, and the City of Waukesha—are shown in Table 2. The minimum of one percent of the total annual allocation of Section 5307/5340 funds that must be used for mass transportation security projects is shown in Table 3.

#### FTA Section 5339 Funding Allocation

The FTA has allocated \$2,373,421 in Federal fiscal year 2021 Section 5339 funds to the Milwaukee urbanized area, approximately 10.1 percent less than allocated in 2020. In addition, WisDOT has also reallocated \$1,451,178 of the State of Wisconsin's year 2021 Section 5339 funds to the Milwaukee urbanized area, approximately 0.2 percent less than in 2020. Only transit operators that provide bus service are eligible for Section 5339 funds. The combined total of year 2021 Section 5339 funds allocated to the urbanized area is \$3,824,599, which were agreed upon in 2012 to be distributed using the four operational criteria also used to distribute Section 5307/5340 funds. The distribution of the FFY2021 Section 5339 funding among the five transit operators in the Milwaukee urbanized area—Milwaukee County, Ozaukee County, Washington County, Waukesha County, and the City of Waukesha—is shown in Table 2.



**Table 2  
Distribution of the Allocation of FFY2021 Section 5307/5340, 5339, CRRSAA, and  
ARP Act Urbanized Area Formula Funds in the Milwaukee Urbanized Area**

Transit Operator	Proportion	FFY 2021 5307/5340 Funds <sup>a,b</sup> (\$)	CRRSAA 5307 Funds <sup>b,c</sup>			ARP 5307 Funds <sup>b,e</sup> (\$)	FFY 2021 5339 Funds		
			Based on 5307 Formula (\$)	Based on 5337 Formula <sup>d</sup> (\$)	Total (\$)		MUA Allocation <sup>f</sup> (\$)	WisDOT Reallocation (\$)	Total (\$)
Milwaukee	0.90620	19,070,669	52,874,571	--	52,874,571	83,627,910	2,150,794	1,315,059	3,465,853
Ozaukee	0.03260	686,056	1,902,131	--	1,902,131	3,008,464	77,374	47,308	124,682
Washington	0.01390	292,521	811,031	--	811,031	1,282,750	32,991	20,171	53,162
Waukesha									--
Waukesha County <sup>g</sup>	0.02365	497,706	1,379,920	665,162	2,045,082	2,182,520	56,131	34,320	90,451
City of Waukesha <sup>g</sup>	0.02365	497,706	1,379,920	665,162	2,045,082	2,182,520	56,131	34,320	90,451
Waukesha Subtotal	0.04730	995,412	2,759,840	1,330,324	4,090,164	4,365,040	112,262	68,640	180,902
Distribution Subtotal	1.00000	21,044,658	58,347,573	1,330,324	59,677,897	92,284,164	2,373,421	1,451,178	3,824,599
City of Milwaukee Increment	N/A	214,278	594,100	--	594,100	918,699	--	--	--
Total Program		21,258,936	58,941,673	1,330,324	60,271,997	93,202,863	2,373,421	1,451,178	3,824,599

<sup>a</sup> Reflects the allocation of the 2021 FTA Section 5307/5340 funds for the Milwaukee urbanized area in Table 3 of the Fiscal Year 2021 Apportionments published on FTA's website on January 19, 2021.

<sup>b</sup> A minimum of one percent of the total allocation of the 5307/5340 funds must be used for mass transportation security projects unless the grantee certifies, and the Secretary of Transportation accepts, that the expenditure for security projects is unnecessary. The FTA requires each grantee to meet the requirement.

<sup>c</sup> Reflects the allocation of the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) Section 5307/5340 funds for the Milwaukee urbanized area in Table 2 published on FTA's website on January 11, 2021.

<sup>d</sup> The Coronavirus Response and Relief Supplemental Appropriations Act of 2021 states that "the Secretary of Transportation shall allocate the amounts provided in the preceding proviso under sections 5307 and 5337 of title 49, United States Code, in the same ratio as funds were provided under the Further Consolidated Appropriations Act, 2020 (Public Law 116-94; 133 Stat. 2534). Since the proportion of CRRSAA funds are attributable to the bus service operated in the reserved bus lanes on W. Bluemound Road in Waukesha County, the transit services provided by Waukesha County and Waukesha Metro will split this portion of the CRRSAA funding.

<sup>e</sup> Reflects the allocation of the American Rescue Plan (ARP) Act Section 5307/5340 funds for the Milwaukee urbanized area in Table 2 published on FTA's website on March 29, 2021.

<sup>f</sup> Reflects the allocation of the 2021 FTA Section 5339 funds for the Milwaukee urbanized area in Table 12 of the Fiscal Year 2021 Apportionments published on FTA's website on January 19, 2021.

<sup>g</sup> The amounts shown reflect a January 2002 letter agreement between Waukesha County and the City of Waukesha under which both agreed to share equally the total amount of Section 5307 funds distributed to Waukesha County.

Source: SEWRPC

**Table 3**  
**Subset of the Total Allocation of FFY2021 5307/5340, CRRSAA, and ARP Act Funds to be Used for Mass Transit Security Projects in the Milwaukee Urbanized Area<sup>a</sup>**

<b>Transit Operator</b>	<b>FFY 2021 FTA 5307/5340 Funds (\$)</b>	<b>CRRSAA 5307 Funds (\$)</b>	<b>ARP 5307 Funds (\$)</b>
Milwaukee	190,707	528,746	836,279
Ozaukee	6,861	19,021	30,085
Washington	2,925	8,110	12,828
Waukesha			
Waukesha County <sup>b</sup>	4,977	20,451	21,825
City of Waukesha <sup>b</sup>	4,977	20,451	21,825
Waukesha Subtotal	9,954	40,902	43,650
Distribution Subtotal	210,447	596,779	922,842
City of Milwaukee Increment	2,143	5,941	9,187
Total Program	212,590	602,720	932,029

<sup>a</sup> A minimum of one percent of the total allocation of the 5307/5340 funds must be used for mass transportation security projects unless the grantee certifies, and the Secretary of Transportation accepts, that the expenditure for security projects is unnecessary. The FTA requires each grantee to meet the requirement.

<sup>b</sup> The amounts shown reflect a January 2002 letter agreement between Waukesha County and the City of Waukesha under which both agreed to share equally the total amount of Section 5307 funds distributed to Waukesha County.

Source: SEWRPC

**FTA Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program**

The FTA has allocated \$1,252,963 in Fiscal Year 2021 Section 5310 funds to the Milwaukee urbanized area, approximately 0.1 percent more than in 2020. Changes to the Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program under MAP-21 required the selection of one or more designated recipients for the funds allocated to the Milwaukee urbanized area. As requested by all transit operators in the Milwaukee urbanized area, Milwaukee County is the designated recipient of these funds, with the Commission managing the selection process for projects within the Milwaukee urbanized area. The CRRSAA and ARP Act also allocated Section 5310 funds to the Milwaukee urbanized area, in the amounts of \$217,149 and \$217,152, respectively.

**FTA Section 5337 State of Good Repair Formula Grants**

The FTA has allocated \$479,818 in Fiscal Year 2021 Section 5337 funds to the Milwaukee urbanized area, approximately 1.1 percent more than in 2020. The Milwaukee urbanized area’s 2021 allocation of Section 5337 funds is attributable to the bus service operated in the reserved bus lanes on W. Bluemound Road in Waukesha County and paid for by the Waukesha County Transit System. Therefore, Waukesha County is the designated recipient of these funds and will receive all of the urbanized area’s allocated funds.

**AGENCY CONCURRENCE**

The FTA Region V Office’s Fiscal Year 2021 Grantmaking Reference Guide requires the Commission to obtain a signature indicating concurrence with the amounts allocated in the annual FTA funding memorandum. If you agree with the proposed distribution of funds allocated under the ARP Act of 2021, CRRSAA, and the Fiscal Year 2021 allocation of Section 5307/5340, Section 5310, Section 5337, and Section 5339 program funds please sign the attached signature page by April 30, 2021, and return that page to the Commission staff by mail or email. Upon review and concurrence of the fund distributions by all transit operators, Commission staff will gather all signatures onto one page, which each transit operator can upload in TrAMS when applying for grants in the future.

If you do not agree with the amounts allocated or have questions concerning this matter, please contact Jennifer Sarnecki at (262) 953-3202 or jsarnecki@sewrpc.org.

\* \* \*

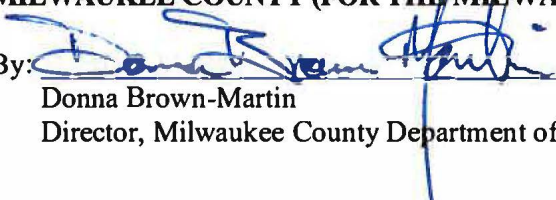
KJM/CTH/JBS/mid  
#257376 – FTA Alloc - FFY2021, CRRSAA, ARP Funding Allocation Memo (pdf: #257487)

cc: Mr. Dan Boehm, President and Managing Director, Milwaukee County Transit System  
Mr. John Rodgers, Senior Manager Grants Compliance,  
Milwaukee County Department of Transportation  
Mr. Jay Ciavarella, Director, Office of Planning and Program Development,  
Federal Transit Administration, U. S. Department of Transportation  
Mr. Bill Wheeler, Community Planner, Federal Transit Administration,  
U.S. Department of Transportation  
Mr. Steve Hirshfeld, Rural Public Transit/Transit Planning Program Manager, Bureau of Transit,  
Local Roads, Railroads, and Harbors, Wisconsin Department of Transportation  
Mr. Anthony Geiger, Transportation Grants Manager,  
Milwaukee County Department of Transportation  
Mr. Ian Ritz, Chief, Transit Section, Bureau of Transit, Local Roads, Railroads, and Harbors,  
Wisconsin Department of Transportation  
Ms. Joy Neilson-Loomis, Transit Superintendent, Ozaukee County Transit and  
Washington County Transit  
Mr. David Windsor, Streetcar System Manager, City of Milwaukee Department of Public Works

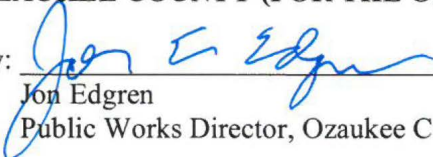
**AGREEMENT WITH THE DISTRIBUTION OF THE ALLOCATION OF AMERICAN RESCUE PLAN ACT OF 2021, CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT OF 2021, AND FISCAL YEAR 2021 FEDERAL TRANSIT ADMINISTRATION FUNDS WITHIN THE MILWAUKEE URBANIZED AREA**

As identified in this memorandum, the Southeastern Wisconsin Regional Planning Commission authorizes the reassignment/reallocation of American Rescue Plan (ARP) Act of 2021, the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA), and the Fiscal Year 2021 allocation of Section 5307/5340, Section 5310, and Section 5339 program funds to the Transit Operator(s) named herein. The undersigned agree to the amount allocated/reassigned to each Transit Operator. Each Transit Operator is responsible for its application to the Federal Transit Administration to receive such funds and assumes the responsibilities associated with any award for these funds.

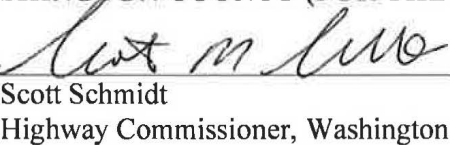
**MILWAUKEE COUNTY (FOR THE MILWAUKEE COUNTY TRANSIT SYSTEM)**

By:  Date 4-28-21  
Donna Brown-Martin  
Director, Milwaukee County Department of Transportation

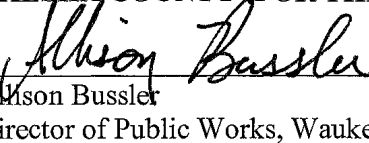
**OZAUKEE COUNTY (FOR THE OZAUKEE COUNTY TRANSIT SYSTEM)**

By:  Date 4/29/21  
Jon Edgren  
Public Works Director, Ozaukee County Highway Department

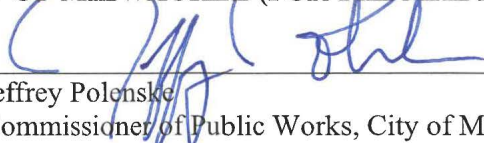
**WASHINGTON COUNTY (FOR THE WASHINGTON COUNTY TRANSIT SYSTEM)**

By:  Date 5/13/2021  
Scott Schmidt  
Highway Commissioner, Washington County

**WAUKESHA COUNTY (FOR THE WAUKESHA COUNTY TRANSIT SYSTEM)**

By:  Date 5-11-21  
Alison Bussler  
Director of Public Works, Waukesha County

**CITY OF MILWAUKEE (FOR THE MIKE HOP STREETCAR)**

By:  Date 5/7/21  
Jeffrey Polenske  
Commissioner of Public Works, City of Milwaukee

## Appendix C. Summary Comparison



# SUMMARY COMPARISON TMA AND NON-TMA REQUIREMENTS



TRANSPORTATION MANAGEMENT AREA STUDY

JOHNSON CITY MTPO

2021

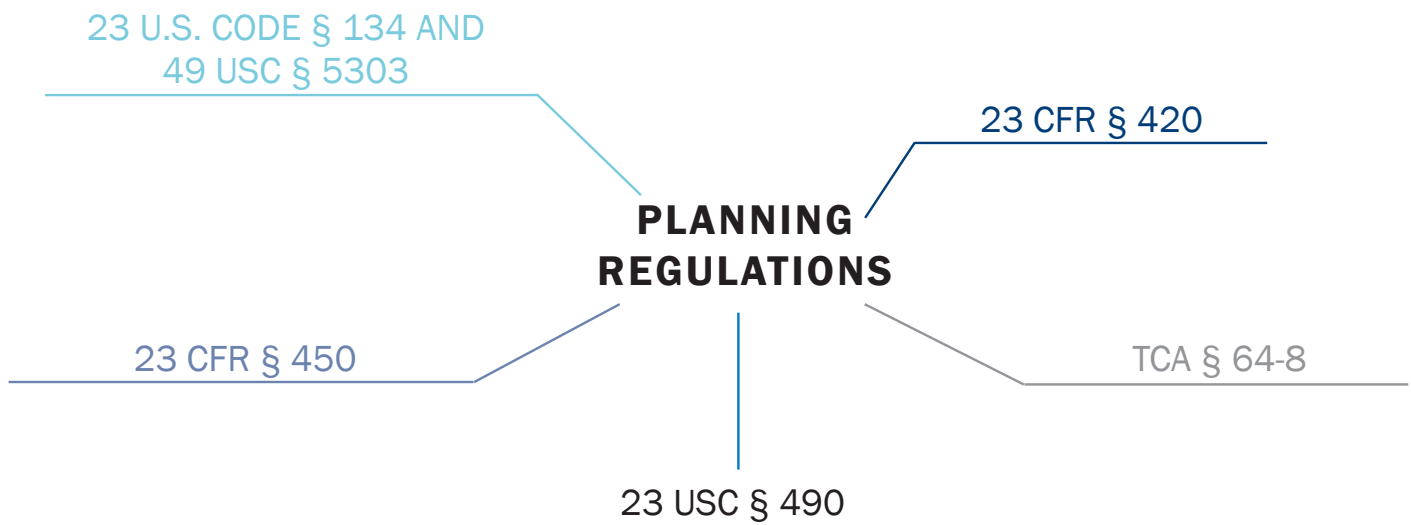
# REGULATORY IMPACTS OF TMA DESIGNATION

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Transportation Management Areas (TMAs) designated by the U.S. Census Bureau in urbanized areas with population greater than 200,000 people, and non-TMAs, designated in urbanized areas with population less than 200,000 people, are subject to federal and state regulations related to transportation planning. These statutes and regulations originate from three sources: the United States Code (USC), which codifies the federal statutes of the United States and is published by the U.S. House of Representatives; the Code of Federal Regulations (CFR), which is a compilation of general rules published in the Federal Register by all Federal departments and agencies; and the Tennessee Code Annotated (TCA), which codifies the laws of the State of Tennessee.

In some cases, planning regulations differ between TMAs and non-TMAs, requiring MPOs to have a detailed understanding of the different requirements associated with each. As such, the TMA study includes a review of the following regulations related to Metropolitan Planning Organization (MPO) and TMA planning activities, including:

- 23 USC § 134 – Metropolitan Transportation Planning
- 49 USC § 5303 – Public Transportation
- 23 CFR § 420 – Planning and Research Program Administration
- 23 CFR § 450 – Planning Assistance and Standards
- 23 USC § 490 – National Performance Management Measures
- TCA § 64-8 – Regional Transportation Authorities



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## **23 USC § 134 – Metropolitan Transportation Planning and 49 USC §5303 – Public Transportation**

23 USC §134 outlines the policies and requirements for MPOs, including the designation process (e.g., boundaries, structure, and representation) and work program requirements (e.g., schedules, contents, public involvement, coordination, and consultation). Similarly, 49 USC §5303 outlines the same policies and requirements as they apply to planning for public transportation.

There are three main differences in the statutes governing metropolitan planning for TMAs and non-TMAs:

- Following a new TMA designation, a phase-in schedule to meet additional regulatory requirements must be established no sooner than one year after the creation of the TMA.
- MPOs serving a TMA must include a Congestion Management Process (CMP) in their transportation plan, a requirement that does not apply to non-TMA areas. More information on this requirement is documented in 23 CFR §450.
- Coordination with the State in project selection for the Transportation Improvement Program (TIP) can differ based on TMA designation. MPOs serving a TMA select federally funded projects for implementation in consultation with the State with the exception of projects on the NHS, which are selected by the State in consultation with the MPO.

## **23 CFR § 420 – Planning and Research Program Administration**

23 CFR §420 describes the Federal Highway Administration (FHWA) regulations that apply to state departments of transportation and subrecipients of planning and research funds, including MPOs. TMA and non-TMA requirements are found in two Subparts, which outline administrative requirements that apply to use FHWA funds for planning, research, development, and other activities.

There are two specific distinctions in requirements for MPOs serving TMAs:

- MPOs serving TMAs are not allowed to submit a simplified statement of work activities as is the case with MPOs serving non-TMAs. However, MPOs in Tennessee are required to submit a full work program, commonly referred to as a Unified Planning Work Program (UPWP), regardless of TMA designation.
- If other federal, state, or local funding (other than PL and SPR funds) is used for planning, research, development, and technology transfers, MPOs serving TMAs are required to include detailed cost estimates for those activities in the UPWP.



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## 23 CFR § 450 – Planning Assistance and Standards

23 CFR §450 is organized into three subparts and describes FHWA regulations related to transportation planning and programming at the statewide/nonmetropolitan and metropolitan levels. Subpart C outlines requirements related to metropolitan planning in both TMAs and non-TMAs. This regulation is the most comprehensive source of information related to the various components of the metropolitan planning process, including aspects of UPWP funding, MPO designation and redesignation processes, agreements between metropolitan areas, public participation and consultation processes, congestion management process development, and developing core MPO work products.

The regulatory differences in TMAs and non-TMAs include the following:

- MPOs serving a TMA and non-TMAs are permitted to use Surface Transportation Block Grant (STBG) program funds for metropolitan planning activities.
- UZAs with populations exceeding 200,000 must be designated as a TMA with a specified MPO board composition. To the extent possible, only one MPO shall be designated for each urbanized area or group of contiguous urbanized areas, though multiple MPOs can serve a single UZA if approved by the State.
- A new TMA designation does not necessarily warrant the redesignation of an existing MPO so long as there are no substantial changes in the MPO's voting representation or planning responsibilities.
- There are some instances in which TMA and non-TMA planning responsibilities are shared, which requires formal written agreements outlining those responsibilities. Such instances can occur where MPO(s) serve one or multiple UZAs or when TMAs overlap with non-TMAs.
- MPOs serving TMAs are required to have a congestion management process reflected in the Metropolitan Transportation Plan (MTP) and the Transportation Improvement Program (TIP). The process, also known as a CMP, has multiple required components influenced by air quality attainment status that must be instituted within 18 months of a new TMA designation.
- TMAs are subject to a formal certification review by FHWA and FTA every four years to ensure federal requirements are being met, while non-TMAs self-certify.
- Coordination with the State in project selection for the TIP can differ based on TMA designation. MPOs serving a TMA select federally funded projects for implementation in consultation with the State with the exception of projects on the NHS, which are selected by the State in consultation with the MPO.

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## **23 CFR § 490 – National Performance Management Measures**

23 CFR §490 is organized into eight subparts and describes FHWA policies related to national performance management measures. All eight subparts contain performance measure target requirements relevant to TMAs and non-TMAs, including data sources and calculations, safety, infrastructure condition, and system performance measures and targets, and implementation and reporting timelines.

There is only one instance in which TMA designation impacts the MPO planning activities. Based on a FHWA applicability determination, MPOs serving a TMA may be required to report congestion- and emission-related performance measures for the UZA based on air quality attainment status.

## **TCA § 64-8 – Regional Transportation Authorities**

TCA 64-8 regulates the creation and operation of regional transportation authorities (RTAs) in Tennessee and is organized into three parts. Part one describes the purpose of RTAs in Middle Tennessee, part two outlines the process by which RTAs are created and governed, and part three clarifies MPO policy board composition requirements. Part three of this code, which defines a state specific definition of an MPO and prescribes the structure of MPO policy board, only impacts certain MPOs in Tennessee, including the Johnson City MTPO.



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