ACT – MPO Coordination Protocols

I. Value of Coordination

ACTs are advisory bodies chartered by the Oregon Transportation Commission to address all aspects of transportation with primary focus on the state transportation system. ACTs consider regional and local transportation issues if they affect the state system. MPOs are association of local governments designated by the governor to carryout Metropolitan Transportation Planning Process (23 & 49 USC). MPOs receive their mandates from the federal government and, along with states, are part of the federal system of transportation planning and project funding. As such, MPOs and ACTs with overlapping geographic areas, such as the Corvallis Area Metropolitan Planning Organization (CAMPO) and the Cascades West Area Commission on Transportation (CWCOG) share responsibility for addressing regional and inter-jurisdictional transportation issues. While each has a different geographic focus, through coordination, the bodies can ensure that the mobility needs of the region's residents, visitors, and businesses are met in the most efficient and effective manner possible. In addition, whenever possible, speaking with a unified voice adds strength to the message and will maximize the resources available within the region to meet transportation needs.

II. Coordination Requirements

MPOs and ACTs are required to coordinate with other organizations.
The MPO's coordination requirements are specified in the Code of Federal Regulations:

- *Before approving a long-range plan, each metropolitan planning organization shall provide citizens, affected public agencies, representatives of mass transportation authority employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the plan in a way the Secretary of Transportation considers appropriate. (49 CFR 5303(f)(4))*

- *There must be adequate opportunity for public official (including elected officials) and citizen involvement in the development of the transportation plan before it is approved by the MPO... (23 CFR 450.322(c))*

The State's Policy on Formation and Operation of Area Commissions on Transportation (ACTs) states:

- *While the ACTs provide valuable advice on project priorities and other policy issues, the MPO is responsible for carrying out the metropolitan planning process within urbanized areas in cooperation with the State and transit operators (23 CFR 450.312). MPOs develop a Transportation Improvement Program (TIP) that*

approves all projects that are regionally significant or that include Federal funds, by year and by phase within the MPO planning areas. Before FHWA and FTA can approve Federal transportation funding for projects or activities within urbanized areas, they must be consistent with the MPO's regional transportation plan (RTP) and TIP...

- *The ACTs and MPOs should coordinate their efforts to assure a better decision making process which results in better coordination of projects. ...When ACT and MPO boundaries overlap, a higher level of clearly defined coordination is needed and it is important that ACT activities fully coordinate with the MPO planning process. The MPO and ACT should jointly agree on a process for maintaining consistency between ACT recommendations and the MPO Plan and TIP, where this occurs. An MPO representative shall be included as a voting member on the ACT if within the same geographic area as an ACT.*

The Intergovernmental Agreement that established the MPO encourages each MPO member to appoint one individual that will serve on both the MPO Policy Board and on the ACT. All five entities represented on the Policy Board of the MPO are also members of the Area Commission on Transportation. This cross-membership facilitates communication and coordination between the two bodies.

III. Activity Protocols

There are five categories of activities where coordination between the MPO and ACT will be needed:

- Prioritization of transportation improvement projects, (e.g. STIP project identification and prioritization)
- Provision of input to the State on transportation plans, programs and policies
- Development or amendment of MPO plans, strategies and studies
- Development or amendment of ACT plans, strategies, and studies
- Receipt of public input or comment

A. Transportation project prioritization

1. MPO project prioritization

Based on federal requirements, the MPO is responsible for identifying and prioritizing transportation improvement projects within the MPO boundary. These priorities must be reflected in the MPO's Transportation Improvement Program (TIP). Prior to finalizing its TIP, the MPO will offer the ACT the opportunity to provide input and comment on the draft list of project priorities. The MPO will consider the input received from the ACT. If the MPO feels that additional consultation with the ACT would be beneficial prior to finalization of its priorities, it may request such consultation. The MPO will provide the ACT with its final list of priorities. If the final priorities are not consistent with the input provided by the ACT, the MPO will provide to the ACT its rationale for the decisions reached.

2. ACT Project Prioritization

The ACT is responsible for identifying and prioritizing transportation improvement projects of regional significance and for developing an overall list of transportation priorities for the three-county area. The ACT will consider the project priorities established by the MPO when developing the regional list of projects. In formulating its regional list, the ACT shall not modify the MPO priorities for transportation improvements within the MPO boundary. (For example, if two of the MPO's priority projects are on the ACT's regional priority list, the projects shall be listed in the priority order established by the MPO.) However, in the development of its regional list, the ACT may request clarification or reconsideration of MPO priorities in cases where the ACT feels the broader regional system may be better served by a modification of the MPO's priorities.

The ACT will offer the MPO the opportunity to provide input and comment on the draft list of regional priorities. The ACT will consider recommendations that are offered by the MPO. If the ACT feels that consultation with the MPO would be beneficial prior to finalization of its recommended priorities, it may request such consultation. If the ACT develops regional priorities that are not consistent with the recommendations of the MPO, the ACT will provide to the MPO its rationale for the decisions reached.

B. Input to State transportation plans, programs and policies

The entities that constitute the MPO are also members of the ACT. Therefore, ACT input to the State regarding state plans, programs and policies is likely to reflect the perspective of the MPO. Input by the MPO, however, would not necessarily take into consideration the broader regional perspective of ACT. When time permits and the effort is warranted by the nature of the input, the MPO should seek comment from the ACT on its input on state plans, programs and policies prior to forwarding the input to ODOT or the OTC. The MPO may seek comment from the ACT Technical Advisory Committee, Executive Committee and/or ACT itself, depending on time constraints and the substance of the input.

Wherever possible, the two bodies will seek to speak with one voice, recognizing that this strengthens the impact of the communications and recommendations.

C. MPO plans, strategies and studies

The MPO is required to consult with a variety of stakeholders in the development of its Regional Transportation Plan and related studies. The details for engaging stakeholders, as well as the general public, will be contained in the Public Involvement Program that the MPO will be developing in 2003-2004.

D. ACT plans, strategies and studies

To date, the ACT has not developed strategies, plans and studies. The ACT has adopted goals that are guiding the development of an Area Strategy. As with the input on State plans, programs and policies, the cross-membership on the ACT and MPO Policy Board will facilitate the consideration of MPO-specific issues and concerns as the ACT

develops the Area Strategy and undertakes other planning activities. The ACT at its discretion may seek more formal input from the MPO.

E. Public Comment

Either the ACT or the MPO may receive from members of the public comment on projects, plans, studies, policies, or transportation issues. Each party shall forward to the other input that would better be addressed or responded to by the other party. Each shall also forward to ODOT, the OTC or a local jurisdiction input or comment that is most appropriately addressed by those entities.

IV. MPO Director as Liaison to ACT

The MPO Director shall serve on the ACT as an ex-officio member and shall serve on the ACT Technical Advisory Committee to ensure that information about federal requirements regarding the MPO's planning and programming responsibilities is available for consideration by the ACT.

V. Term of Agreement and Periodic Review of Protocols

These protocols shall be effective upon affirmative action by both parties. The protocols shall remain in effect for two years. The protocols shall be reviewed by each party prior to their termination. If modifications are needed, a joint ACT-MPO ad hoc committee shall develop proposed amendments for review and adoption by each body.

Adopted by Cascades West Area Commission on Transportation: February 26, 2004

Adopted by Corvallis Area Metropolitan Planning Commission: March 19, 2004