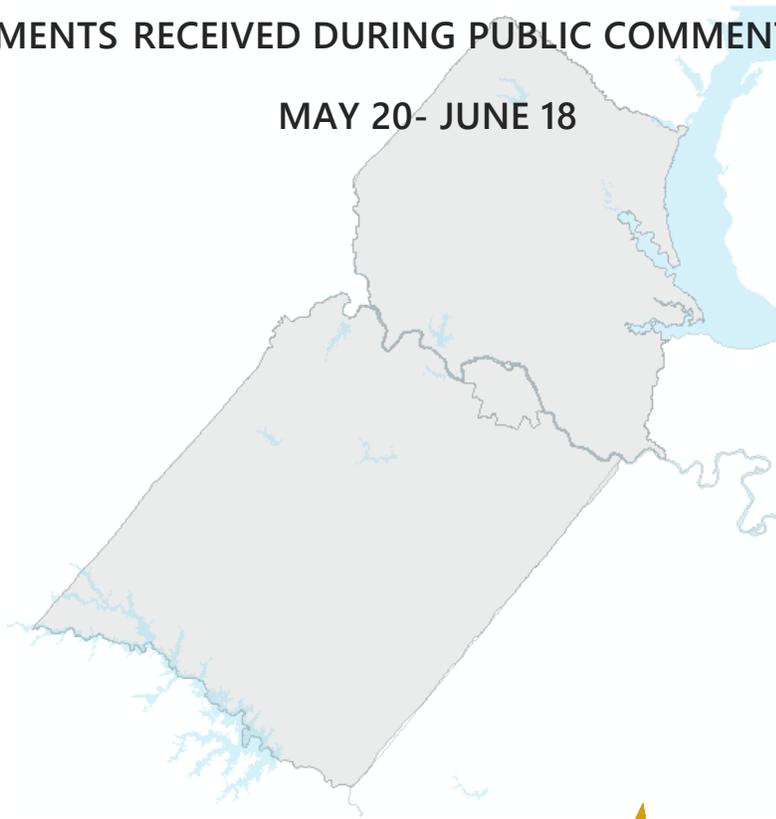


# UNIFIED PLANNING WORK PROGRAM (UPWP)

COMMENTS RECEIVED DURING PUBLIC COMMENT PERIOD:

MAY 20- JUNE 18



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**The MPO appreciates all comments/suggestions, and encourages every member of the public to become active participants in the decision making process.**

- 1. Comment Received Date: June 5, 2019**  
**Comment Received By: Ivan Rucker, Federal Highway Administration**  
**Comment(s):**

Please see comments, suggestions, and recommendations based on our review of FAMPO's Draft 2020 UPWP below and participation in the FAMPO planning process.

### **General Comment**

*Per the Agreement for the Utilization of Federal and State Funds to Support Metropolitan Planning in the Fredericksburg Area, "Any approved UPWP work to be undertaken with federal or state funds by any party other than the COMMISSION shall be the subject of a third-party agreement. Such agreements shall incorporate all provisions of this AGREEMENT. The scope of service and agreements for such work must be submitted for written approval by the DEPARTMENT and FHWA prior to the execution of the third-party agreement. It is recommended that any such third-party agreement be developed as soon as possible after the execution of this AGREEMENT. There will be no reimbursement to third-parties for work performed prior to the execution date of such agreement."*

We encourage the George Washington Regional Commission (COMMISSION) to please review and adhere to all commitments and responsibilities contained in the agreement between the VDOT and the GWRC to ensure that an appropriate reporting structure continues to exist to provide for the proper oversight, accountability, and management of Federal funds.

### **Specific Comments**

- 1. We reviewed the FY2020 UPWP and the Organizational Chart contained in the document. The Organizational Chart appears to reflect that the Commission has no personnel (except for the Executive Director) that charge staff time against MPO activities and that the Fredericksburg MPO (FAMPO) employs or maintains its own personnel.**

We are aware that the GWRC and FAMPO have a long history of integrating the planning process to include the entire GWRC region and that much of the GWRC staff that serves the FAMPO Board (including serving as staff to the FAMPO Technical Advisory and Citizen Advisory

Committees which have been expanded to include rural voting representation) also serves the GWRC Board. Consideration should be given to that arrangement with respect to agreements or organizational charts.

Per the executed PL and SPR agreements between the Commission and the VDOT, the Commission is required to list all Commission personnel anticipated to charge time against the planning activities in the Rural and Urban Work Programs. We recommend that the GWRC coordinate with the FAMPO to ensure that the PL and SPR agreements and Letters of Authorization (LOA) include the positions (consistent with the requirements contained in the agreements and LOAs) of who the Commission anticipates charging time against to accomplish activities contained in the FAMPO and GWRC Work Programs. If staff is maintained by the FAMPO, please provide us with copies of the third-party agreement between the Commission and FAMPO.

- 2. During our review of recent FAMPO meeting minutes (March 18, 2019), language attributed to an MPO elected official states, "...FAMPO has outgrown the GWRC and FAMPO will continue to receive funding and continue to grow whereas the GWRC will experience no growth & has a history of having bounced checks or floating payments to accounts." Additionally, we have recently been made aware that the GWRC is having difficulty in matching some federal funds for UPWP planning activities. However, despite the recent inability to match some federal planning funds with local funds, we noticed that the FY2020 UPWP has prioritized increasing GWRC staff.**

The FHWA Virginia Division's perspective is that the GWRC has a long history of being financially sound and a responsible partner. We recommend that the VDOT meet with the GWRC Chair and GWRC Executive Director to better understand the financial and staffing priorities of the GWRC to meet federal planning requirements on behalf of the FAMPO. Additionally, VDOT should work to assess the GWRC efforts to address concerns regarding local match availability towards future planning activities and if State financial assistance will be needed in the future should local match issues persist.

The FHWA Virginia Division is concerned with the inability to locally match Federal funds and recommend that the VDOT and GWRC work to address the cause as this may impact the FAMPO's ability to meet federal requirements.

- 3. According to the FY 2020 UPWP, FAMPO has reserved \$1,148,391 in federal RSTP funds to "Potentially conduct additional study analysis of interchanges, arterials and congestions mitigation in the I-95/ US Rte. 1 corridor in FAMPO at the direction of the Policy Committee."**

FHWA will authorize Federal funding for this task item after a TIP and STIP revision once the FAMPO has identified a specific study/studies. We are assuming that FAMPO's Technical Advisory Committee will utilize the FAMPO adopted RSTP and CMAQ project selection process for study recommendations to the Policy Board. Additionally, any PL funds identified as contingency (i.e. \$160,000 Federal) will be approved for authorization once the MPO has identified a use for the funds.

- 4. FHWA and VDOT approved a task in the current *FY19 UPWP* to update the 2045 LRTP to 2050 and make it FAST-Act compliant. The budget for the task was \$200,000 and was authorized at 80/20 (\$160,000 Federal/\$40,000 State). A consultant task order was developed in June 2018 for \$94,164 (*Attachment 1*). It was approved by the MPO. Contained on page 6 of the task order it states, "The 2050 LRTP will be a *minor* update extending the 2045 LRTP to the 2050 horizon year that will ensure complete compliance with Federal requirement (as noted above), outcomes of SMART SCALE Round 3, other project updates (such as the recent announcement on the Fred Ex project), and any other new/relevant State or regional policy or programmatic initiatives."**

The FY 2020 UPWP contains the same FY2019 task but the budget has increased by 75% (\$350,000). Please explain the increase in budget and whether the consultant completed the objectives contained in the task order as we've noticed a recent expenditure of \$68,425.28.

- 5. Per 23 CFR 450.308, Federal Planning funds (PL) are made available to the MPOs to accomplish routine planning activities required by the federal planning regulations. For example, these activities include Long Range Plan Development, Public Participation, TIP Development, etc. An MPO may, at its discretion, also use RSTP funds for planning activities. However, RSTP funds can also be used towards additional activities that PL funds can't be used towards including project construction (i.e. safety projects, bike and pedestrian facilities, trail construction, Safe Route to School projects, transit, etc.)**

In lieu of Federal PL funds, we notice a heavy reliance on RSTP in the FY 2020 UPWP to conduct routine planning activities. For example, the 2050 LRTP update is budgeted for \$350,000 in RSTP funds, Public Involvement is budgeted for \$244,000 in RSTP funds, and at the most recent MPO meeting there was a request to increase the combined budget amount by \$125,000 in RSTP while leaving a contingency of \$200,000 in PL funds.

For information purposes, we've attached an Excel chart (**2<sup>nd</sup> Attachment**) that was prepared by the VDOT to give a brief comparison of FAMPO's use of RSTP in the UPWP budget over the past decade (incl. the proposed FY '20). That data may be found under the first tab in the workbook.

The second tab compares the use of RSTP in the UPWP activities by other MPOs, including the five MPOs from FAMPO's recent peer analysis, completed by their Consultant, Cambridge Systematics, for the 2020 UPWP. (Those rows are shaded a tan/peach shade.) Two large Virginia TPOs and two MPOs of similar size to FAMPO are included, as well.

We suggest that the MPO Technical Advisory Committee evaluate if there are options to utilize PL funds for routine planning activities in lieu of sub-allocated RSTP funds which can be used for projects in jurisdictions/region.

### **FAMPO Response to comment 4:**

**Response Date: June 13, 2019**

**Response Given By: Paul Agnello, FAMPO**

**Administrator Response:**

1. **Response:** The Draft UPWP states on page 7 that “the number of GWRC staff devoted to FAMPO transportation planning is set at eight full-time equivalent positions” and does not state that FAMPO employs or maintains its own personnel. The organizational report which is consistent with the FAMPO/GWRC organizational chart going back to at least 2012 shows the eight GWRC transportation staff and intern that will charge staff time against FAMPO UPWP activities. The Rural Work Plan SPR funding is not part of the FY-20 UPWP per FHWA request. We will coordinate to ensure that the staff positions listed on the PL Letter of Authorization are consistent with the FAMPO UPWP.
2. **Response:** Thank you for your comment.
3. **Response:** We agree, thank you for your comment.
4. **Response:** In June, 2018, we planned that the 2050 LRTP would be a minor update extending the 2045 LRTP to the 2050 horizon year, but due to an lack of transportation staffing and administrative challenges in FY-19, FAMPO staff were unable to complete this work as had been planned. Due to federal requirements for Performance Based Planning and Programming being due in May, 2019, the task order was completed for the 2045 LRTP instead of the 2050 LRTP which utilized \$68,425.28 of the \$94,164 original task order. The remaining \$25,738.72 of this task order is carrying over to FY-20 and is reflected in the Long Range System Level Planning budget for FY-20.

In the past year, there have been many changes to the planning assumptions and projects for the FAMPO region. As a result, the 2050 LRTP update is no longer a minor update, but will be a prioritization of multimodal transportation needs subject to fiscal constraint. Some examples of recent changes are:

1. New Travel Demand Model with transit capability
2. New regional land use data
3. New fiscal assumptions

4. Changes with I-95/US Rte 1 projects
5. Changes in Stafford County project priorities
6. Project changes due to SMART SCALE and FY 2020-2025 SYIP
7. Integration of Congestion Management Process and FY 2021-2024 TIP into 2050 LRTP update

As a result of the above listed changes, the scope of work for the 2050 LRTP in the Draft FY 2020 UPWP is significantly different than the scope of work for the 2050 LRTP in the FY 2019 UPWP which is the reason for the cost difference.

5. **Response:** The \$125,000 RSTP for \$200,000 PL funding swap was not approved by FAMPO on May 20, 2019 and is no longer being considered. This swap was proposed as a potential solution to alleviate the impact of GWRC being unable to provide \$20,000 in match funding to both FAMPO and Non-FAMPO grants for FY-20. As a result, the PL contingency assumed for the FY-20 has been reduced to \$75,000 which is based on the expectation that GWRC will not be able to provide up to \$7,500 in matching funds for FAMPO PL in FY-20.

As a result of this change, a total of \$125,000 in PL funding has been moved back to the Long Range System Level Planning, Public Participation, and Administration UPWP work activities for FY-20.

FAMPO is not a typical MPO region of about 305,000 population as it is the fastest growing MPO region in Virginia, has the worst traffic hotspot in the country on I-95, and routinely experiences large TMA multimodal transportation challenges along the I-95 corridor. Existing FAMPO CMAQ/RSTP, locality, and other readily available transportation funding is insufficient to meet the multimodal transportation needs of our region. As a result, additional funding is needed from State programs such as SMART SCALE which require completed transportation studies in order to satisfy project application eligibility criteria. The majority of the RSTP monies in the UPWP are for studies to be conducted by FAMPO or VDOT to develop projects for funding consideration in SMART SCALE or other State funding programs. FAMPO has used this approach very successfully over the past 3 years and its RSTP studies have helped obtain over \$750 million in scarce transportation funding for the FAMPO region including the FRED EX express lane extension, I-95 Northbound Rappahannock River Crossing project, and several additional local projects. The amount of funding obtained as a result of the RSTP studies conducted over the past three years greatly exceeds the RSTP cost for the studies.

Nationally, it is common for MPOs to use RSTP or CMAQ funding for studies and staffing needs. With regards to the spreadsheet you provided, it excludes RSTP and CMAQ funding used for staff and studies for the Des Moines, French Broad River, and Knoxville MPOs. (These MPOs have generally moved to the use of "STBG" to identify this category of federal funds.) Hampton Roads TPO has pursued a similar strategy to FAMPO of using RSTP funding to conduct studies to better position projects for transportation funding opportunities and has \$2.4 Million in RSTP funding in their FY-20 UPWP.

With regards to the past comparisons of FAMPO UPWPs, the FY-20 UPWP included \$275,000 in RSTP for VDOT STARS/Operational studies which was not an approach utilized in prior UPWP efforts. The comparison also appears to group the \$125,000 Lafayette Boulevard transit study from DRPT technical assistance funding into the RSTP totals which is not correct. Lastly, FY-20 has

several RSTP funded FAMPO studies including the Lafayette Boulevard Highway study, the Gateway Boulevard Traffic Impact Study, the 2050 Long Range Transportation Plan study, and \$1.148 Million for regionally significant projects which are for studies or project needs yet to be determined by the FAMPO Policy Committee. Excluding these efforts, there is less than \$350,000 available for staff or consultant projects in the Draft FY-20 UPWP presented on May 20th. This figure has decreased over the course of the past month due to better estimates on previous funding available and is now estimated to be less than \$300,000 with much of the public involvement to help cover the cost of non-routine expenses such as an update to the Title VI plan, a new FAMPO website, and public involvement for several FAMPO planning efforts and studies including the LRTP and TIP.

- 2. Comment Received Date: May 21, 2019**  
**Comment Received By: David Cooper, The Brisben Center**

**Comment(s):**  
**FAMPO Response to comment 5:**

2019-2020

**DRAFT FISCAL YEAR 2017**  
**UNIFIED PLANNING WORK PROGRAM (UPWP)**

PUBLIC COMMENT FORM

PLEASE RETURN COMMENT SHEETS BY MAY 19, 2016

Name N. DAVID COOPER - THURMAN ARLEIGH HOMELESS SHELTER  
Address 471 CENTRAL RD  
City FREDERICKSBURG State VA Zip 22401  
Email DCOOPER@BRISBENCENTER.ORG  
Would you like to be added to the mailing address?  Yes  No

The MPO appreciates all comments/suggestions, and encourages every member of the public to become active participants in the decision making process. Please mail, fax or email your responses to the following.

FAMPO  
406 Princess Anne Street  
Fredericksburg, VA 22401  
540-373-2890 (phone)  
540-899-4808 (fax)  
fampo@gwregion.org (email)

COMMENTS:

EXPAND FRED BUI SERVICE IN KING GEORGE CITY &  
CAROLINE COUNTY TO SERVE LOW INCOME PERSON  
WHO CAN AFFORD HOUSING IN THOSE AREAS & WHO  
HAVE NO AUTO BUT NEED ACCESS TO EMPLOYMENT,  
HEALTH CARE, AND SUPPORTIVE SERVICES  
PER TITLE VI & LONG RANGE PROJECT LEVEL PLANNING  
END PROJECT

**Response Date: May 21, 2019**  
**Response Given By: Briana Hairfield,**  
**FAMPO**

**From:** Briana Hairfield  
**Sent:** Tuesday, May 21, 2019 4:03 PM  
**To:** David Cooper <[dcooper@brisbencenter.org](mailto:dcooper@brisbencenter.org)>  
**Subject:** RE: Public Comment Request

David:

Thank you for providing feedback in this process. Your comments will be submitted to our team to address/respond to and will be recorded in the final draft of the FY2020 UPWP.

June 17, 2019 at 7:15pm, we'll hold a public hearing here at FAMPO to discuss the UPWP and we'd love for you to attend.

Thank you,  
Bri

**From:** Briana Hairfield  
**Sent:** Tuesday, June 11, 2019 9:00 AM  
**To:** David Cooper <[dcooper@brisbencenter.org](mailto:dcooper@brisbencenter.org)>  
**Subject:** UPWP Response

Good Morning Mr. Cooper:

Once again, thank you for participating in the review of FAMPO's Draft 2020 UPWP.

To respond to your request to expand the FRED bus service in King George and Caroline counties to serve low-income persons per the Title VI and Long-Range Transportation Plan, please allow me to explain why this is not currently in our FY2020 UPWP. For an expansion of bus routes to be in the FAMPO work plan and budget, FRED would have had to submit a project request to FAMPO for FAMPO-related funding- which they did not. FAMPO recently completed a study to expand the bus services in King George and Caroline Counties and presented these studies to both Caroline and King George county supervisors. Caroline County was responsive to the FAMPO study with making changes for 1 year, but when the ridership did not increase, e.g., it stayed about the same, it was cut at the end of this fiscal year (FY2019). The larger issue is FRED ridership is decreasing across the board.

Like you, FAMPO is interested in expanding bus routes, and encourage you to speak with King George and Caroline county officials as well as FRED Transit. If you are interested in learning about what FAMPO does, we'd be happy to meet with you again. We also encourage you to participate in the Citizens Transportation Advisory Committee meeting tomorrow at 6pm here at FAMPO.