

## RESOLUTION MPO 2016-09

RESOLUTION OF THE PALM BEACH METROPOLITAN PLANNING ORGANIZATION TO SUBMIT COMMENTS TO THE UNITED STATES DEPARTMENT OF TRANSPORTATION DOCKET 81 FR 41473 FOR THE METROPOLITAN PLANNING ORGANIZATION COORDINATION AND PLANNING AREA REFORM NOTICE OF PROPOSED RULE MAKING

**WHEREAS**, on June 27, 2016, the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) issued a Notice of Proposed Rule Making (NPRM) with a comment deadline of August 26, 2016 that proposed among other things for a single MPO to be designated for an urbanized area or Metropolitan Planning Area (MPA), unless the Governor and the MPOs determine that the MPA's size and complexity necessitate multiple MPOs; and

**WHEREAS**, the NPRM would also require a single long range transportation plan, transportation improvement program, and performance measures for the continuous urbanized area; and

**WHEREAS**, the MPO Chair and Executive Director submitted a letter of comments to the docket on August 17, 2016 as depicted in Exhibit A; and

**WHEREAS**, the FHWA and FTA have reopened the comment period and established a new comment deadline of October 24, 2016 with a specific request for comments related to the impact of the proposed requirements for unified planning products where multiple MPOs serve the same urbanized area, potential exceptions that should be included in the final rule, criteria for applying such exceptions, and the expected costs of implementing the proposed rule; and

**WHEREAS**, the proposed rule may require the Miami-Dade, Broward and Palm Beach MPOs in Southeast Florida to consolidate into a single MPO to serve an area over 6,000 square miles, with over 100 municipalities and a population of over 5.8 million people; and

**WHEREAS**, in Florida, MPOs are limited by state statute to a maximum of 25 Governing Board members; a consolidated single MPO would require the current 68 MPO Governing Board members of the three MPOs to be significantly reduced; and

**WHEREAS**, in 2005, the Miami-Dade, Broward and Palm Beach MPOs formed Southeast Florida Transportation Council (SEFTC) through an Interlocal Agreement with a representative member from each MPO. SEFTC serves to coordinate the Regional Transportation Plan, the Regional Freight Plan, the Regional Greenways and Trails Plan and

other regional efforts in the areas of modeling, performance measures, transportation system management and operations, local government training, climate change and adaptation planning, and public involvement.

**NOW THEREFORE, BE IT RESOLVED THAT:**

The Palm Beach MPO submits the following specific comments to the USDOT:

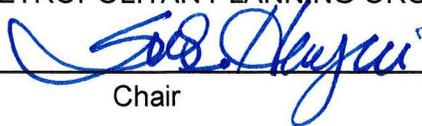
1. Unified Planning Products – Whether as a consolidated single MPO or as three MPOs creating unified planning products, the primary impact of the proposed rule is diminished local input/awareness in MPO planning decisions and the secondary impact is creation of logistics costs and issues.
  - a. It is unreasonable to expect local elected officials or members of the public to be familiar with projects throughout a region of this size in order to make informed priority decisions regarding project selection and funding. The voice of these local officials will either be substantially diminished, undermining one of the core purposes for creation of MPOs in federal regulation, or the input of the local officials and the public will be relegated to parochial positions seeking advancement of primarily local interests, undermining the purpose for the proposed rule.
  - b. The logistics of creating and maintaining (updates, amendments, etc.) unified planning products in a region of this size are both costly and problematic. Public engagement is difficult to secure when asking primarily regional questions, and expensive to pursue across the diverse spectrum of the populations and geographic area served. Meeting attendance becomes expensive and time consuming when accounting for lost productivity and costs incurred to travel within the region; scheduling is complex and opportunities for collaboration are limited. This has the dual effect of making the process more expensive and less likely to function timely or well. The required coordination effort to ensure that the voice of such a large number of municipalities is considered in the decision-making process is also cumbersome.
2. Potential Exceptions – In urbanized areas currently served by multiple MPOs where the MPOs have entered into a formal interlocal agreement to establish regional coordination such as the Southeast Florida Transportation Council (SEFTC), those

MPOs should be excepted from the proposed rule to consolidate or to create unified planning products. The SEFTC agreement demonstrates a clear commitment to collaborate within the region on matters of regional significance, ensuring that the strength of the region's voice is maintained on a national scale but that local input is protected in the MPO planning process. The Palm Beach MPO reaffirms its support of SEFTC as grounds for exception and as a model for regional cooperation for other urbanized areas that wish to be served by multiple MPOs.

3. Expected Costs – The primary cost of the proposed rule is increased staffing and administration expenses; the secondary but greater cost is decreased funding for local projects.
  - a. To administer a consolidated MPO or the creation of unified planning products would require greater staff time to ensure alignment of priorities and funding decisions. To accomplish this, it is estimated that staffing and administrative costs would increase by at least 25 percent. However, the proposed rule does not increase funding to the MPOs so the unintended consequence of the proposed rule would be to diminish MPO attention to matters of local concern and other federal planning emphasis areas in order to implement the proposed rule.
  - b. This diminished attention to matters of local concern along with the reduction in local input to the planning process would have the cumulative effect of reduced funding allocated to local projects. The FAST Act increased funding in the portion of the Surface Transportation Program available to the MPOs for allocation to local projects primarily to increase federal support for locally identified projects. A consolidated MPO or creation of unified planning products would make it more difficult for local governments to pursue and receive this funding for projects; this has the potential effect of reducing federal funds to local governments by as much as \$90 million per year.
4. Conclusion – Based on the above specific comments, the Palm Beach MPO strongly opposes the proposed metropolitan planning organization coordination and planning area reform rules and respectfully requests that they be withdrawn without further action.

The foregoing Resolution was offered by Commissioner Priscilla Taylor, who moved its adoption. The motion was seconded by Commissioner Melissa McKinlay, and upon being put to a vote, the motion passed. The Chair thereupon declared the Resolution duly adopted this 20<sup>th</sup> day of October, 2016.

PALM BEACH METROPOLITAN PLANNING ORGANIZATION

By:  \_\_\_\_\_  
Chair

ATTEST:

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MPO Executive Director

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

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Chief Assistant County Attorney