

University of Memphis

University of Memphis Digital Commons

---

25-Year Transportation Policy

Department of Transportation

---

1-1-2016

## TDOT 25-Year Long-Range Transportation Policy Plan, Coordination, Cooperation, and Consultation Policy Paper

Tennessee. Department of Transportation.

Follow this and additional works at: <https://digitalcommons.memphis.edu/govpubs-tn-dept-transportation-25-year-transportation-policy>

---

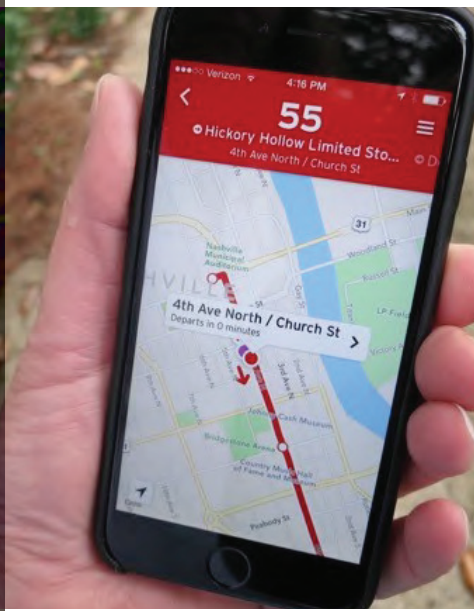
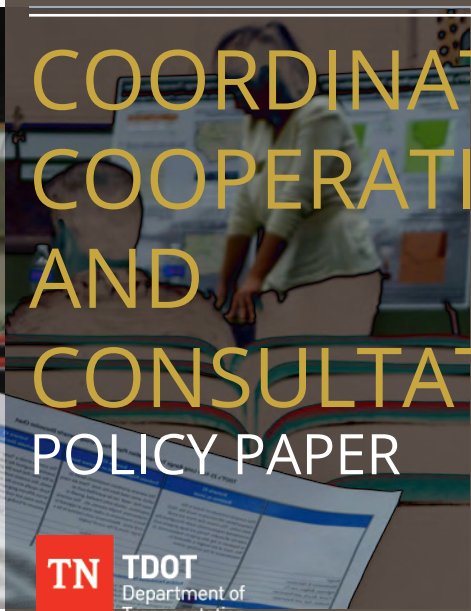
### Recommended Citation

Tennessee. Department of Transportation., "TDOT 25-Year Long-Range Transportation Policy Plan, Coordination, Cooperation, and Consultation Policy Paper" (2016). *25-Year Transportation Policy*. 8. <https://digitalcommons.memphis.edu/govpubs-tn-dept-transportation-25-year-transportation-policy/8>

This Report is brought to you for free and open access by the Department of Transportation at University of Memphis Digital Commons. It has been accepted for inclusion in 25-Year Transportation Policy by an authorized administrator of University of Memphis Digital Commons. For more information, please contact [khggerty@memphis.edu](mailto:khggerty@memphis.edu).








# TDOT 25-YEAR LONG-RANGE TRANSPORTATION POLICY PLAN



# COORDINATION, COOPERATION, AND CONSULTATION POLICY PAPER



# table of contents

	<b>section 1</b> introduction.....4
	<b>section 2</b> summary of findings.....6
	<b>section 3</b> existing TDOT policy, plans, and data analysis.....8
	<b>section 4</b> future growth, trends, and technology.....30
	<b>section 5</b> conclusions and recommendations.....38

## **List of Tables**

Table 1 Summary of TDOT Customer Survey.....	29
Table 2 Summary of States with Transportation Coordinating Councils.....	33

## **List of Figures**

Figure 1 Tennessee Planning Areas.....	12
Figure 2 Tennessee's Surrounding and Peer States .....	30

## 1.0 INTRODUCTION

Coordination, cooperation, and consultation between TDOT, Metropolitan Planning Organizations (MPOs), Transportation Planning Organizations (TPOs), Rural Planning Organizations (RPOs), and state and federal partners, interested parties, and the general public is necessary to provide for consistent and effective planning, design, construction, maintenance, operation, and improvement of the transportation system. This policy paper describes current policies and programs for coordination, cooperation, and consultation between TDOT, MPOs, RPOs, and state and Federal partner agencies as well as provides recommendations for programs and policies consistent with the Guiding Principles of TDOT's 25-Year Policy Plan.

The terms coordination, cooperation, and consultation are often used together to describe how different parties work together and are, at times, used interchangeably. These are distinct terms as described in Title 23 of the Code of Federal Regulations (CFR):

- Coordination is the cooperative development of plans, programs, and schedules among agencies and entities with legal standing and adjustment of such plans, programs, and schedules to achieve general consistency, as appropriate.
- Cooperation is carrying out the transportation planning and programming processes working together to achieve a common goal or objective.
- Consultation is conferring with others in accordance with an established process and, prior to taking action, considers that party's views and periodically informing them about action(s) taken.

The purpose of this policy paper is to describe current policies and programs of Tennessee for coordination, cooperation, and consultation and to provide recommendations consistent with the Guiding Principles of TDOT's 25-Year Policy Plan. The relevance of coordination, cooperation, and consultation to the Guiding Principles is provided below:

- *Preserve and Manage the Existing System* – Coordination and consultation is necessary to understand the priority to preserve and manage the existing system with limited resources.
- *Support the State's Economy* – Coordination and cooperation with state and local partners with regard to land use and access provides opportunities for transportation elements necessary to support the State's economy.
- *Maximize Safety and Security* – The transportation system is a critical element of the safe and secure environment in the state; cooperation with local, state, and federal partners is necessary to maximize safety and security.
- *Provide for the Efficient Movement of People and Freight* – Coordination and consultation efforts can be used to identify potential gaps in multimodal accessibility and optimize the transport of goods and services in all modes for both people and freight.
- *Build Partnerships for Sustainable and Livable Communities* – Effective coordination and consultation strategies can provide opportunities for the state to gather local and regional input on transportation needs and to efficiently plan for the future.
- *Promote Stewardship of the Environment* – Efforts such as the Tennessee Environmental Streamlining Agreement (TESA) highlight the need to coordinate and cooperate with multiple agencies to promote the stewardship of the environment.

- *Emphasize Financial Responsibility* – As funding becomes increasingly limited, it is important to understand the priorities of transportation system users and decision makers; coordination and consultation is necessary to develop strategic investment policies and programs that meet the needs with the limited funding that is available.

## 2.0 SUMMARY OF FINDINGS

The following is a brief summary of findings of existing plans, policies, and programs, future growth, trends, and technology, and recommendations related to coordination, cooperation, and consultation.

### Summary of Findings

- Federal law requires coordination, cooperation, and consultation between state departments of transportation and a host of state, federal, and local agencies as well as the public and interested parties for transportation planning, design, implementation, operations, and maintenance.
- Federal law requires that each state carry out a continuing, cooperative, and comprehensive statewide transportation planning process.
- In 2013, TDOT established the Office of Community Transportation (OCT) to support coordination between TDOT, public transportation organizations, private non-profit transportation providers, and public agencies by:
  - Partnering with local agencies to coordinate appropriate land use and infrastructure;
  - Strengthening local partner collaboration on transportation decisions; and
  - Improving communication between TDOT and local partners through planning efforts.
- The 11 Metropolitan Planning Organizations (MPOs) and 12 Rural Planning Organizations (RPOs) play an important role in coordination and consultation with TDOT for planning transportation infrastructure across the state.
- In fulfilling TDOT's responsibilities under the National Environmental Policy Act (NEPA), as it relates to the assessment of environmental impacts and the evaluation of alternatives to avoid any identified adverse impacts to the environment, the Tennessee Environmental Streamlining Agreement (TESA) was established to coordinate planning and project development processes for all transportation projects that are administered by TDOT and require an environmental impact state (EIS) or environmental assessment (EA). TESA establishes a single decision-making process for agencies in transportation project development.
- TDOT's Local Programs Development Office allows one point of contact for local governments to coordinate and manage projects involving state and federal transportation funding.
- TDOT coordinates with state and federal agencies in the development and implementation of transportation safety, security, and resiliency projects and programs. Coordination between TDOT and other agencies is accomplished through TDOT's Office of Emergency Operations and the TDOT Coordinator stationed at the Tennessee Emergency Management Agency (TEMA).
- The Traffic Operations Division was formed in 2013 and coordinates activities with TDOT's Traffic Management Centers (TMC) and Traffic Incident Management (TIM)/HELP operations in each of the four TDOT Regions, along with municipalities and other first-responding agencies.

- TDOT established the Freight Advisory Committee (FAC) in 2013 to guide freight planning in the state. Establishment of the FAC allows for additional coordination, cooperation, and consultation between committee members for freight transportation planning.
- Consultation is required with the planning and implementation of Intelligent Transportation Systems (ITS) across the state to ensure a consistent framework that can be implemented and operated over time.
- In 2013, TDOT conducted a Statewide Customer Survey with responses from 2,729 residents, 454 partners, and 333 elected officials. There were a number of questions related to respondents' perceptions of TDOT's level of effectiveness in cooperation, coordination, and consultation. Elected officials and partner agencies agreed that TDOT is trusted to make good decisions, provides advance notice, and works to minimize disruption; however, TDOT can improve perceptions about seeking input on priorities and how they are considered in the planning and implementation of transportation improvements.
- Coordination, cooperation, and consultation will change with the implementation of project development directors in each of TDOT's Regions and the shifting of project design from Headquarters to each of the Regions. Several of TDOT's Divisions, such as Operations and Right-of-Way, already operate in this decentralized way.
- TDOT's Public Involvement Plan identifies the policies and procedures necessary for public and stakeholder engagement in the planning and implementation of transportation improvement projects.

## **Recommendations**

- TDOT should continue to make available the latest planning data and tools and provide these resources to its many planning partners (e.g., MPOs, RPOs, ECD, transit agencies, etc.).
- In concert with the increased role in the planning of regional transit service, TDOT should look for opportunities to coordinate, consult, and cooperate with transit agencies, health and human service providers, and other transit interests across the state, in both rural and urban areas as a means of improving mobility and managing demand.
- TDOT should continue to periodically administer its customer survey and use findings to track performance and re-evaluate customer priorities based on their level of satisfaction.
- TDOT should continue to work through Tennessee's Freight Advisory Committees and local communities to increase knowledge of and efficiencies in freight movements in Tennessee.
- TDOT should continue to increase center-to-center communication between TMCs and incident management partners to facilitate greater day-to-day coordination and cooperation.
- TDOT should further the continuing coordination with surrounding states, specifically in the implementation of Traffic System Management & Operations (TSM&O) practices for multi-state MPO areas.



### 3.0 EXISTING TDOT POLICIES, PLANS, AND DATA ANALYSIS

Federal requirements for the coordination, cooperation, and consultation of the statewide transportation planning process activities are provided in the Code of Federal Regulations (CFR). In carrying out the statewide transportation planning process, each State shall, at a minimum:

- Coordinate planning with the metropolitan transportation planning activities for metropolitan areas of the State. States are encouraged to rely on information, studies, or analyses provided by MPOs for portions of the transportation system located in metropolitan planning areas;
- Coordinate planning with statewide trade and economic development planning activities and related multistate planning efforts;
- Consider the concerns of Federal land management agencies that have jurisdiction over land within the boundaries of the State;
- Consider the concerns of local elected and appointed officials with responsibilities for transportation in non-metropolitan areas;
- Consider the concerns of Indian Tribal governments that have jurisdiction over land within the boundaries of the State; Consult with each area's Tribal government and the Secretary of the Interior during the development of the long-range transportation plan
- Consider related planning activities being conducted outside of metropolitan planning areas and between States; and
- Coordinate data collection and analyses with MPOs and public transportation operators to support statewide transportation planning and programming priorities and decisions.
- During the development of the long-range transportation plan, the state DOT should consult with State, Tribal, and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation. This should involve comparing transportation plans to State and Tribal conservation plans or maps, if available, and comparison of transportation plans to inventories of natural and historic resources, if available.
- The State air quality agency shall coordinate with the State department of transportation (State DOT) to develop the transportation portion of the State Implementation Plan (SIP) consistent with the Clean Air Act (42 U.S.C. 7401 et seq.).
- As the State selects performance targets to meet Federal requirements (23 U.S.C. 135 (d)(2) (b)), the State shall coordinate with relevant MPOs and providers of public transportation in urbanized areas not represented by a MPO to ensure consistency.
- Two or more states may enter into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance in support of activities under this subpart related to interstate areas and localities in the states and establishing authorities the states consider desirable for making the agreements and compacts effective. The right to alter, amend, or repeal interstate compacts entered into under this part is expressly reserved.
- States may use any one or more of the management systems (i.e., for managing highway pavement of Federal-aid highways, bridges both on and off Federal-aid highways, highway

safety, traffic congestions, public transportation facilities and equipment, and intermodal transportation facilities and systems, in whole or in part) described in CFR 23 part 500.

- States may apply asset management principles and techniques in establishing planning goals, defining State Transportation Improvement Program (STIP) priorities, and assessing transportation investment decisions, including transportation system safety, operations, preservation, and maintenance.
- The statewide transportation planning process shall (to the maximum extent practicable) be consistent with the development of applicable regional intelligent transportation systems (ITS) architectures, as defined in CFR part 940.
- Preparation of the coordinated public transit-human services transportation plan, as required by federal transportation legislation, should be coordinated and consistent with the statewide transportation planning process.
- The statewide transportation planning process should be consistent with the Strategic Highway Safety Plan, as specified in 23 U.S.C. 148, and other transit safety and security planning and review processes, plans, and programs, as appropriate.
- The State shall provide for non-metropolitan local official participation in the development of the long-range statewide transportation plan and the STIP. The State shall have a documented process(es) for consulting with non-metropolitan local officials representing units of general purpose local government and/or local officials with responsibility for transportation that is separate and discrete from the public involvement process and provides an opportunity for their participation in the development of the long-range statewide transportation plan and the STIP. Although the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) shall not review or approve this consultation process(es), copies of the process document(s) shall be provided to the FHWA and the FTA for informational purposes.
- At least once every five years, the State shall review and solicit comments from non-metropolitan local officials and other interested parties for a period of not less than 60 calendar days regarding the effectiveness of the consultation process and any proposed changes. A specific request for comments shall be directed to the State association of counties, State municipal league, regional planning agencies, or directly to non-metropolitan local officials.
- The State is responsible for determining whether to adopt any proposed changes. If a proposed change is not adopted, the State shall make publicly available its reasons for not accepting the proposed change, including notification to non-metropolitan local officials or their associations.

In carrying out the statewide transportation planning process, including development of the long-range statewide transportation plan and the STIP, the State shall develop and use a documented public involvement process that provides opportunities for public review and comment at key decision points. The State's public involvement process at a minimum shall:

- Establish early and continuous public involvement opportunities that provide timely information about transportation issues and decision-making processes to citizens, affected public agencies, representatives of public transportation employees, freight shippers, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, providers of freight transportation services, and other

interested parties;

- Provide reasonable public access to technical and policy information used in the development of the long-range statewide transportation plan and the STIP;
- Provide adequate public notice of public involvement activities and time for public review and comment at key decision points, including, but not limited to, a reasonable opportunity to comment on the proposed long-range statewide transportation plan and STIP;
- To the maximum extent practicable, ensure that public meetings are held at convenient and accessible locations and times;
- To the maximum extent practicable, use visualization techniques to describe the proposed long-range statewide transportation plan and supporting studies;
- To the maximum extent practicable, make public information available in electronically accessible format and means, such as the World Wide Web, as appropriate to afford reasonable opportunity for consideration of public information;
- Demonstrate explicit consideration and response to public input during the development of the long-range statewide transportation plan and STIP;
- Include a process for seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services; and
- Provide for the periodic review of the effectiveness of the public involvement process to ensure that the process provides full and open access to all interested parties and revise the process, as appropriate.

### **3.1 ROLE OF TDOT IN COORDINATION, COOPERATION, AND CONSULTATION**

The following section describes the many areas in which TDOT is involved in coordination, cooperation, and consultation with local, regional, state, and federal agencies as well as interested parties and the general public. Because of the vastness of TDOT's operations and the many areas in which TDOT fulfills these obligations, this section is organized according to the following activities:

- Planning
- Environmental Planning and Permitting
- Right-of-Way and Accessibility
- Project Financing and Implementation
- Locally Managed Projects
- Multimodal Transportation
- Transportation Safety and Security
- Maintenance and Operations
- Traffic Operations
- Public and Stakeholder Involvement

- Civil Rights

### 3.1.1 Planning

The Office of Community Transportation (OCT), established in 2013, gives TDOT an understanding of local communities and their various transportation planning documents and policies. TDOT supports coordination among public transportation organizations, private non-profit transportation providers, and public organizations that need transportation in order for clients to access jobs, services, and education. The office consists of two sections, Community Planning and Regional Planning. The OCT's mission is to coordinate the State's transportation planning, local land use decisions, and community visions to guide the development of a safe and efficient statewide transportation system. The OCT accomplishes this mission through the following:

- Partnering with local agencies to determine appropriate land-use and infrastructure (or transportation facilities);
- Strengthening local partner collaboration on transportation decisions; and
- Improving communication between TDOT and local partners through planning efforts.

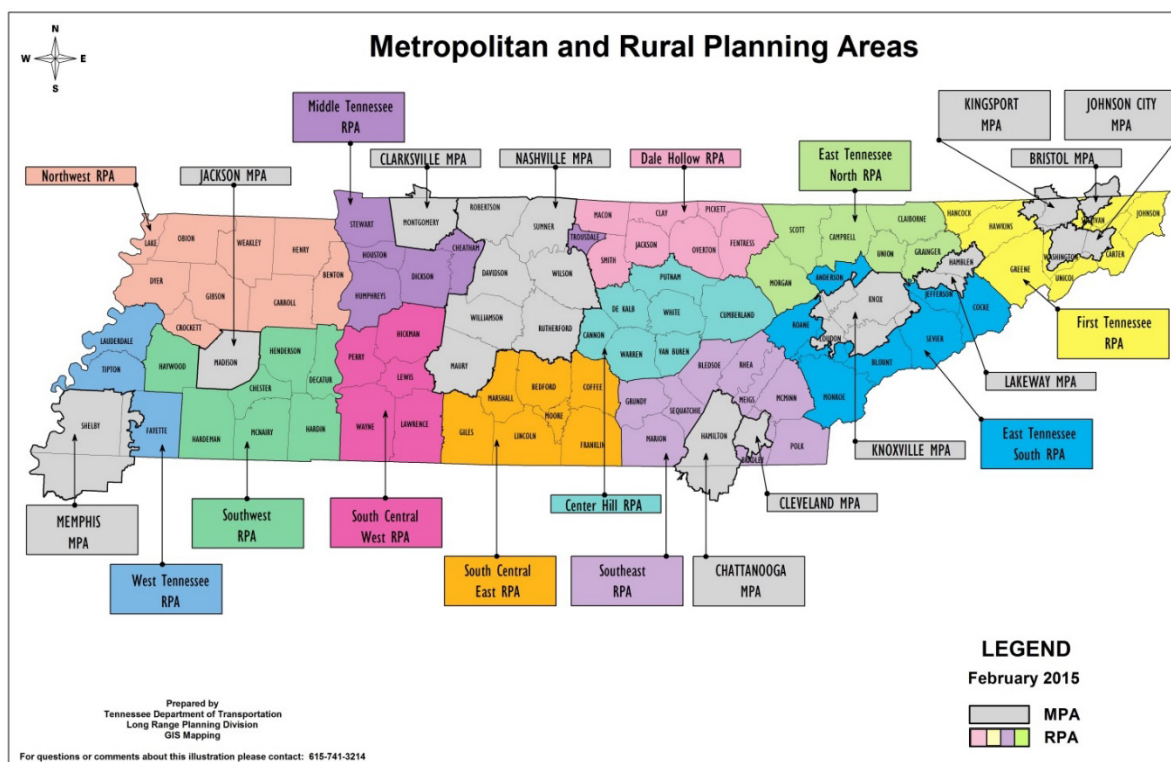
#### **Community Planning**

The Community Planning section of the OCT provides resources to communities in the early stages of comprehensive plan development. The Community Planning section has transportation planners located in each of the four TDOT Regions. Each planner establishes relationships with local partners and serves as an important link that helps to ensure that TDOT stays well informed of regionally-significant developments. Once community planners consult with various divisions within TDOT, planners advise communities on cost-effective transportation investment options based on their land use vision.

#### **Regional Planning**

The Regional Planning Office is responsible for the statewide coordination and oversight of the transportation planning process in Tennessee's 11 metropolitan and 12 rural planning areas. MPOs/TPOs and RPOs are shown in Figure 1. The oversight and coordination process within MPO planning areas includes:

- Interpretation of Federal Planning Requirements
- Providing technical support to the MPOs
- Reviewing and approving transportation planning documents (Long Range Transportation Plans, Transportation Improvement Program, Unified Planning Work Programs, etc.)
- Administration of the Metropolitan Planning (PL) Funding Program
- Serving as liaison between the MPOs and Federal agencies
- Attending MPO technical committee and executive board meetings and workshops
- Participating in Interagency Consultation (IAC) meetings in air quality non-attainment and maintenance areas and reviewing conformity documents for compliance with FHWA and Environmental Protection Agency (EPA) regulations and submitting conformity documents to FHWA, FTA, and EPA



**Figure 1 Tennessee Planning Areas**

To enhance coordination with the rural areas of the state, TDOT partnered with regional development organizations to form Rural Planning Organizations (RPOs). Each RPO must adopt organizational bylaws, establish an executive board and technical committee, and provide input to TDOT on transportation investments based on land use and strategic planning efforts.

The Rural Planning Organization Section within TDOT's Regional Planning Office is responsible for the coordination of the long range transportation planning process in the State's RPOs. The purpose of the RPOs is to engage local officials in multimodal transportation planning through a structured process with a goal of ensuring quality, competence, and fairness in the transportation decision making process. RPOs review long-term transportation needs as well as short-term funding priorities and make recommendations to TDOT. These needs, funding priorities, and recommendations are included in TDOT's statewide long-range transportation plan development process to ensure both urban and rural perspectives are reflected in the resultant plan.

The Regional Planning Office is responsible for coordinating freight planning efforts with transportation agencies, and public and private partners in the state. The Regional Planning Office supports freight planning efforts of MPOs as requested by providing freight data and by assisting in development of freight projects. The Office is currently developing a comprehensive Statewide Multimodal Freight Plan.

Long range transportation planning depends upon accurate forecasts for future travel demand. The Regional Planning Office is responsible for development and maintenance of the statewide travel demand model. The statewide model, which is currently being updated, estimates passenger car, truck, and freight rail demand. The Regional Planning Office also assists MPOs in development of their regional travel demand models. The Office established travel demand model development standards, and reviews and approves travel demand models for use in developing MPO long range transportation plans. Additionally, the Office sponsors a model users group, Tennessee Model User's Group (TNMUG), for travel demand modelers in the state to educate, inform, and

improve travel demand forecasting. This group meets quarterly and includes representatives from TDOT, MPOs, the consulting industry and academia.

TDOT's Planning Division also oversees the Statewide Planning and Research (SPR) Work Program which requires coordination among TDOT departments, as well as a variety of outside entities which contribute to the program. Every two years TDOT prepares an SPR to document the accomplishments of the previous two years while outlining proposed activities for the upcoming two years. The Work Program is divided into two parts: transportation planning activities and transportation research, development and technology transfer activities. Part I outlines the planning activities proposed by TDOT and includes the budget and activities of the Long-Range and Project Planning Division. Part II includes Research, Development, and Technology Transfer activities related to highway, public transportation, and inter-modal transportation systems and spans across numerous TDOT divisions. Using SPR funds, TDOT conducts in-house research projects and also collaborates with leading university researchers across the state to find efficient, funding-conscious solutions to complex transportation issues. TDOT provides grants to university researchers to help accomplish needed research objectives. A recent example includes the financial *Policy Briefs* prepared for TDOT by the University of Tennessee's Center for Business and Economic Research and Center for Transportation Research in 2013. These briefs analyzed issues relating to transportation infrastructure funding in Tennessee, particularly the structure of the revenue portfolio. This information assisted the Department in identifying roadway funding relationships and trends, quantifying expected fiscal challenges, and understanding the information necessary for policy discussions of future roadway funding alternatives.

### 3.1.2 Environmental Planning and Permitting

The Environmental Division of TDOT is responsible for the protection, preservation, and enhancement of the environment with the implementation of transportation projects. The mission of the Environmental Division is to ensure timely delivery of projects that are in compliance with all environmental laws and regulations while actively involving the general public and resource agencies in planning, developing, and maintaining the best multimodal transportation system in the nation. The Environmental Division consists of six separate offices:

- Social and Cultural Resources – assesses impacts of transportation on communities and oversees avoidance, mitigation, minimization, and remediation of impacts from planning through construction through the following sections:
  - Historic Preservation Section
  - Hazardous Material Section
  - Air and Noise Assessment Section
  - Archaeology Section
- Environmental Documentation Office – prepares environmental documents required by the National Environmental Policy Act (NEPA) for state and federally funded transportation projects
- Natural Resources Office – provides the protection of water quality associated with requirements of state and federal environmental laws while implementing transportation projects through the Ecology Section and the Environmental Permits Section
- Beautification Office – provides regulatory control and oversight for preserving, sustaining,

and enhancing the landscape through the following programs:

- Outdoor Advertising Control
- Vegetation Control
- Junkyard Control
- Litter Grant Program
- Environmental Comprehensive Inspections Office – provides oversight of the Quality Assurance /Quality Control Program for water, highway, and bridge projects. Works with the Tennessee Department of Environment and Conservation (TDEC) and other agencies related to :
  - NPDES Construction Storm Water Permits
  - Aquatic Resource Alteration Permits (ARAP)
  - U.S. Army Corps of Engineers 404 Permits
  - Tennessee Valley Authority (TVA) 26(a) Permits
- Environmental Compliance Office - ensures that TDOT's facilities and construction sites comply with current environmental regulations. This office provides the oversight, training, and technical expertise necessary for compliance in the following areas:
  - Resource Conservation and Recovery Act (RCRA)
  - Emergency Planning Community Right-to-Know Act (EPCRA)
  - Toxic Substance Control Act (TSCA)
  - Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)
  - Petroleum Underground Storage Tank Act

Together, these offices assist in the development and decision-making process for transportation improvements that require coordination, cooperation, and consultation. The planning and permitting of the Division are completed under the requirements specified in NEPA. Coordination, cooperation, and consultation required for effective environmental planning and permitting is complicated and time consuming in that many external partners and disciplines must be accessed in order to effectively complete the required environmental processes.

To establish a coordinated planning and project development process for transportation projects administered by TDOT which require an EIS or EA, the Tennessee Environmental Streamlining Agreement (TESA) was developed and formally adopted in 2008 as a means of addressing requirements under 23 U.S.C. 139. EA and Categorical Exclusion (CE) projects not developed under TESA follow the coordination procedures established in various statutes and the TDOT Environmental Procedures Manual. The TESA agreement seeks to encourage agency, MPO, and RPO participation and involvement through the project development process with the intent of achieving general agreement among agencies before a project moves forward. TESA establishes a single decision-making process that identifies agency interests at four key points and allows agencies the opportunity to explain their interests and seek an understanding of the interests of others. Signatories of TESA include:

- TDOT
- FHWA
- U.S. Army Corps of Engineers, Nashville District (USACE – Nashville District)
- US Army Corps of Engineers, Memphis District (USACE – Memphis District)
- US Fish and Wildlife Service (USFWS)
- Tennessee Valley Authority (TVA)
- Tennessee Department of Environment and Conservation (TDEC)
- Tennessee Wildlife Resources Agency (TWRA)
- Conditional signatory agencies at the project level may include:
  - Tennessee State Historic Preservation Office (Tennessee SHPO)
  - US Coast Guard (CG)
  - National Park Service (NPS)

In addition to these agencies, TDOT and FHWA must identify, involve, and invite participating agencies whom are not signatories to the overall TESA. These may include Federal, State, tribal, regional, and local government agencies that may have an interest in the project. Non-governmental organizations and private entities cannot serve as a Non-TESA Participating Agency, but are included as part of the overall public involvement process as applicable to specific projects.<sup>1</sup>

TESA outlines the development of project specific coordination plans required for EIS-level documents (23 U.S.C. 139) and useful for environmental assessments (EA). The purpose of a coordination plan is to facilitate and document the structured interaction with the public and other agencies and to inform the public and other agencies of how the coordination will be accomplished for a particular transportation project. The coordination plan outlines the project specific lead agency responsibilities and the process for providing the public and other agencies opportunities for input, in accordance with applicable laws, regulations, and policies.

In an effort to implement approaches to shorten project delivery times, FHWA, building off legislation in 2005, introduced the Every Day Counts (EDC) initiative in 2010. The goals of TESA and EDC are very similar in that they seek to improve the linkages between transportation planning and the NEPA process while expediting the overall process. A key element of FHWA's EDC Delivery Toolkit is a process that encourages transportation agencies to initially conduct corridor or subarea level studies. These studies should be conducted in a way that defines the Planning and Environmental Linkages (PEL). PEL is an approach to transportation decision making, beyond simply the EDC initiative, which considers environmental, community, and economic goals early in the planning stage and is called for in the current federal transportation legislation on the integration of planning and environmental review. In concept, information developed as part of the PEL process can be used directly or indirectly in the subsequent NEPA document, thereby expediting the environmental process. For information, analysis, and planning products of the PEL process to be used in the NEPA phase, it must meet certain requirements. FHWA and FTA are currently in the proposed rulemaking process on PEL which would allow use of planning products developed by States, MPOs, and other agencies during the transportation planning process in the

1 <http://www.tdot.state.tn.us/tesa/docs/TESA-CompanionGuideJanuary-2014.pdf>



environmental review process for a project.

TDOT continues to actively seek opportunities to enhance the TESA and its PEL process. Most recently, TDOT partnered with the American Association of State and Highway Transportation Officials' (AASHTO) Center for Environmental Excellence to identify PEL best practices and improve the linkages between transportation planning and the environmental processes. Additional information about PEL and the equivalence between FHWA's EDC and TESA can be found on FHWA's website at [http://environment.fhwa.dot.gov/integ/pel\\_quest\\_equiv\\_tn.asp](http://environment.fhwa.dot.gov/integ/pel_quest_equiv_tn.asp). While the TESA process aligns closely with EDC, some changes to TESA would likely be needed to meet PEL requirements once approved by FHWA and FTA.

### 3.1.3 Right-of-Way and Accessibility

In the context of transportation, right-of-way is the ability of people and freight to lawfully pass through an area. For transportation, the type of right-of-way and rules established for safe and efficient movement are generally based on mode. A list of modes and the agencies responsible for establishment of right-of-way and rules governing use are provided below:

- **Air Transportation** – The Federal Aviation Administration (FAA) establishes rules for air passenger and freight operations. TDOT's Aeronautics Division licenses public airports, monitors compliance, and oversees airport authority grants to improve and rehabilitate these facilities. The Division also provides aircraft and related services for state government executives, staffing for the Tennessee Aeronautics Commission, and numerous educational support programs. In addition to assisting individual city/county sponsors with their airport planning responsibilities, the Aeronautics Division is also involved in statewide systems planning activities including inventory information, system capabilities, master plan recommendations, airport layout plan updates, airport capital improvement programming, and budgetary impacts. The Aeronautics Division utilizes a web-based grant management system which provides seamless coordination between the Division and its many grantees. Additionally, all project development services are housed within the Aeronautics Division which allows for a highly qualified skillset of in-house professionals to work directly with grantees. The Aeronautics Division includes Administration, Finance & Grant Management, Engineering & Program Development, Flight Services, and Planning & Programming.
- **Waterway Transportation** – The U.S. Army Corps of Engineers (Corps) determines the navigability of waterways in the state and is generally responsible for establishing rules for use and rights of way. For extensive river systems, such as the Tennessee River system, the Corps, the Tennessee Valley Authority, and the U.S. Coast Guard all work together to provide safe and efficient movement. The TDOT Division of Multimodal Transportation Resources, Office of Freight and Rail, Waterways Section partners with the Corps to maintain Tennessee's 1,046 miles of navigable inland waterways.
- **Rail Transportation** – In Tennessee, rail right-of-way is generally privately owned and maintained. Regulations for freight and passenger rail are established by the Federal Railroad Administration (FRA). TDOT's Division of Multimodal Transportation Resources, Rail and Water Transportation Section works with Class 1 railroads, shortline railroads, and rail fixed guideway operators in the state to provide safe and efficient movement of freight and passenger rail transportation.
- **Public Transportation** – Right-of-way for public transportation is generally shared with motor vehicles, bicycles, and pedestrians. However, there are public transportation systems in the state that are on exclusive right-of-way. Procurement of this right-of-way is governed

by rules established by the FRA or the Federal Transit Administration (FTA) depending upon travel mode.

- Motor Vehicle and Active Transportation Modes – Rules for acquisition of public right-of-way are established by the Federal Highway Administration (FHWA) through the Uniform Relocation Assistance and Real Property Acquisition Policies Act, which establishes rules for all Federally-funded projects. The procedures for acquisition by the State in Tennessee are carried out by the TDOT Right-of-Way Division, or by local governments using TDOT's *Local Government Guidelines for the Management of Federal and State Funded Transportation Projects*.

Coordination is required between each of the agencies identified by mode for right-of-way required for transportation planning and implementation to achieve consistency. Consultation for highway and active transportation projects is carried out by the TDOT Right-of-Way Division. The Division is responsible for the appraisal and acquisition of land needed for state highway construction and relocation of families and businesses affected. The mission of the Division is to purchase property with as little impact as possible to the property owners and the surrounding community.

Opportunity for public involvement and consultation for the planning and design associated with right-of-way issues is described below in 3.1.10. Following the public involvement process, a right-of-way public meeting is held to present the final proposed right-of-way plans. Before construction begins, correspondence is sent to all impacted property owners to notify them of impending construction. The correspondence describes the anticipated impacts during construction and invites input regarding the project. TDOT's right-of-way booklet explains these processes and is available at the public hearings when necessary. A TDOT Right-of-Way & Utilities Office is located at each regional office and functions as part of TDOT's Project Development group.

### 3.1.4 Project Financing and Implementation

TDOT's Program Development Division is responsible for developing and implementing the state's highway programs. The Division creates and maintains schedules for development of highway improvements and administers the State Transportation Improvement Program (STIP). The Program Development Division also generates and processes state and federal project allotments and funding authorizations and administers state and federal funds through FHWA used by local agencies for highway, safety, and enhancement improvements. The Program Development Division consists of three offices:

- Program Development and Scheduling Office – develops transportation programs and establishes project schedules
- Local Programs Development Office – coordinates state and federal programs with local governments
- Program Operations Office – establishes project funding authorizations and works with FHWA for funding issues

In development of the STIP, the Program Development Division must coordinate internally with other divisions and externally with MPOs, RPOs, transit agencies, and state and federal agencies to ensure consistency with plans, programs, available funding estimations, and schedules. MPOs identify and prioritize proposed transportation improvements within their own metropolitan planning area boundaries. MPOs have federal funds available to them for transportation

improvements and a process for developing a Transportation Improvement Plan (TIP) which includes coordinating with the State and any affected public transportation operator(s) in order to gauge a reasonable estimate of expected available funding and ensure implementation of reasonable financial principles and information. MPOs submit projects for state funding to TDOT for consideration during the STIP preparation process. Once TIPs are adopted by the MPOs, they are forwarded to TDOT for inclusion by reference into the STIP.

RPOs also have a structure to identify and prioritize proposed transportation improvements, although they do not receive a direct allocation of federal funds. Priority lists from each RPO are submitted to TDOT for consideration during the STIP preparation process. TDOT provides a draft project list to RPOs, who are then encouraged to solicit comments from their member agencies.

Consultation with interested parties in the development of the STIP also includes a Statewide Steering Committee. The Committee is made up of citizens, affected public agencies, representatives of public transportation employees, freight shippers, private providers of transportation, representatives of users of public transportation, representatives of users of bicycle transportation facilities, representatives of the disabled, and providers of freight transportation services.

With limited state, federal and local transportation funding, innovative contracting and financing techniques are emerging as a method that public entities are using to implement transportation improvement projects. Participation from the private sector is one way that public entities are leveraging private sector equity. Public-private partnerships have not been used in Tennessee for funding a significant number of transportation improvements; past public-private partnerships have historically been utilized for projects related to transit and freight as well as discretionary grants. However, the potential for public-private partnerships for financing large transportation projects is being explored. The coordination required for public private partnerships depends upon the level of involvement anticipated by the Department.

### 3.1.5 Locally Managed Projects

Local governments can manage projects with funding available through TDOT for the following programs: Surface Transportation Program (STP), Transportation Alternatives Program (TAP), Safe Routes to School (SRTS), Congestion Mitigation and Air Quality Improvement Program (CMAQ), Spot Safety Program, Local Interstate Connector Program (LIC), State Industrial Access Road (SIA), Interchange Lighting Program, and Bridge Replacement Program (BRZ). The Local Programs Development Office (LPDO) of TDOT administers those federal and state funding programs that are available to local governments to ensure all the regulations and procedures are in place and that there is no misuse of funds. Examples of funding programs for which TDOT provides oversight include the Multimodal Access Grant, discussed in-depth in the Mobility Policy Paper, and the Community Transportation Planning Grant which assists non-MPO communities in addressing transportation-related needs through comprehensive planning. For these projects, LPDO is the single TDOT point of contact for local governments. LPDO coordinates with MPOs, local municipalities, and the following TDOT partners:

- Program Operations Office
- Environmental Division
- Design Division
- Right-of-Way Division

- Regional Offices
- Civil Rights Office
- Construction

Local governments are responsible for coordination with property owners, utilities, the public, and the railroad (if the project is near railroad right-of-way). Local governments must have a civil rights coordinator on staff to ensure compliance with Title VI, Equal Employment Opportunity (EEO), and Disadvantaged Business Enterprise (DBE) requirements to participate in a locally managed project. Specific requirements for coordination, cooperation, and consultation are provided in TDOT's *Local Government Guidelines for the Management of Federal and State Funded Transportation Projects*.

### 3.1.6 Multimodal Transportation

The Division of Multimodal Transportation Resources includes Public Transportation, Rail and Waterways, Rail Inspection and Safety, and the Bicycle and Pedestrian Program. The Mission Statement of the Division is to *enable the safe and efficient movement of people and goods by fostering a robust multimodal transportation system, including public transit, bicycle/pedestrian facilities, railroads, and navigable waterways*.

The Division of Multimodal Transportation Resources includes:

- Office of Passenger Transportation – administers state and federal grant programs for public transportation. Responsible for public transit, planning and public awareness, research, and technical assistance through the following programs:
  - Transit Planning, Capital and Operating Assistance
  - Elderly/Disabled Transportation Program
  - Statewide Ridesharing Program
  - Statewide Student Internship Program
  - Park-and-Ride Lot Development
  - Promotion of efficient transit systems
- Rail and Waterway Transportation - inspects railroads and rail crossings for safety, provides safety upgrades at key highway-rail crossings through:
  - Office of Freight and Rail
  - Rail Safety / Regulatory Unit
  - Highway-Railroad Grade Crossing Program (Section 130)
- Bicycle and Pedestrian Program - monitors TDOT resurfacing projects and works with other divisions to include appropriate treatments for bicycles and pedestrians.

The U.S. Department of Transportation's (USDOT) policy is to incorporate safe and convenient walking and bicycling facilities into transportation projects. Every transportation agency, including USDOT, has the responsibility to improve conditions and opportunities for walking and bicycling and to integrate walking and bicycling into their transportation systems. TDOT's policy is to

routinely integrate bicycling and walking facilities into the transportation system as a means to improve mobility, access and safety of non-motorized traffic. Coordination with local, state, and federal agencies is required to understand if bicycle and pedestrian facilities are appropriate for the context and purpose of the transportation improvement.

### 3.1.7 Transportation Safety and Security

Transportation safety is the protection of life and property for all transportation modes. This protection is generally accomplished through regulation, enforcement, management, operations, design, and maintenance. TDOT is responsible for a number of programs related to transportation safety and supports other agencies in their transportation activities. TDOT is responsible for the Highway Safety Improvement Program (HSIP) and the Strategic Highway Safety Plan (SHSP). The Strategic Transportation Investments Division (STID) of TDOT provides strategic support for projects that address safety, congestion, and economic needs and is responsible for implementing projects for the HSIP. The goal of this program is to achieve a significant reduction in traffic fatalities and serious injuries on all public roads through a coordinated effort among various agency stakeholders. This Division is also responsible for TDOT's Expedited Project Delivery (EPD) process. Although centered on moving projects forward in an expedited manner, EPD aims to address immediate safety issues on the highway system while proposing proper long-term solutions. The current SHSP was developed through a collaborative effort with representatives from TDOT (including STID), the Tennessee Department of Safety (TDOS), FHWA, Federal Motor Carrier Safety Administration (FMCSA), and the Governor's Highway Safety Office (GHSO).

Based on the SHSP, Tennessee develops an action plan titled the Highway Safety Performance Plan (HSPP) which is led by TDOT's GHSO. The mission of the HSPP is to save lives and reduce injuries on Tennessee roads through leadership, innovation, coordination, and program support in partnership with other public and private organizations. A description of the coordination, cooperation, and consultation conducted by the state for transportation safety is provided in the policy paper on *Safety, Security, and Transportation Resilience*.

Transportation security addresses threats to the transportation system and its users. Security goes beyond safety and includes additional plans that help to prevent, manage, or respond to threats that could negatively impact the transportation system and its users. There are many programs in place to help manage security concerns and emergency issues. With each program, there are a host of partner state, federal, and local agencies for which coordination, cooperation, and consultation is necessary. Transportation security partner agencies include the U.S. Department of Homeland Security, the Tennessee Office of Homeland Security (TOHS), and the Tennessee Emergency Management Agency (TEMA). Coordination between TDOT and these other agencies is accomplished through TDOT's Office of Emergency Operations. The Office of Emergency Operations is manned by an Emergency Services Coordinator. This Coordinator is embedded at TEMA and organizes and directs Department personnel when TDOT resources are required. A description of the coordination, cooperation, and consultation conducted by the state for transportation security is provided in the policy paper on *Safety, Security, and Transportation Resilience*.

### 3.1.8 Maintenance and Operations

The TDOT Maintenance Division is responsible for statewide highway and bridge maintenance services. The Division must coordinate, cooperate, and consult with federal, state, and local agencies to effectively provide services such as:

- Regulation and control of traffic on the state highway system
- Signing and marking
- Review and inspection of new public road/railroad crossing plans
- Emergency management planning, interagency agreements, and facility maintenance
- Manage contracts for highway rest areas and for the operation of State Welcome Centers
- Maintenance contracts
- Systematic inspection of railroad facilities

The Maintenance Division consists of six separate offices that are guided, supported, and assisted by Headquarters Maintenance. The Maintenance Policy Office, which plays a significant role in the coordination, cooperation, and consultation of TDOT's maintenance efforts, is responsible for the procedural guidelines for field maintenance activities. The purpose of these guidelines is to document methods and processes to improve consistency and uniformity across the state for field maintenance activities on TDOT's right-of-way. Procedural guidelines are developed using departmental personnel working across the four Regions. The Maintenance Policy Office researches existing policies and procedures from other agencies, departments, and divisions to ensure consistency.

The Maintenance Policy Office coordinates special programs within the maintenance division such as the Emergency Preparedness Plan, Vegetation Management Program, and other proposed special programs. The office works with the Environmental Compliance Office on issues related to the Municipal Separate Stormwater Sewer System (MS4) documents and other environmental issues as needed.

Regional Operations in each of the four TDOT Regions are responsible for directing operations and maintenance activities. Operations and maintenance responsibilities at the regional level include highway maintenance and repair, bridge inspection and repair, traffic and highway pavement markings, materials and testing, highway beautification, traffic engineering, incident response, and intelligent transportation systems.

### 3.1.9 Traffic Operations

The TDOT Traffic Operations Division was organized in 2013 to include the Traffic Engineering, Transportation Management, and Intelligent Transportation System (ITS) Offices. The responsibilities of the Traffic Operations Division include the following:

- Management of Traffic Management Center (TMC) & Traffic Incident Management (TIM) programs
- Transportation system performance monitoring and reporting
- Establishing TMC, TIM, & Traffic Engineering guidelines and procedures
- Manage TDOT wireless radio network
- Review of national best practices for Transportation Systems Management & Operations (TSM&O)
- Support the communication, coordination, and collaboration between Headquarters and

Regional offices Research, management, and deployment of ITS projects

- ITS Architectures and System Engineering Analysis
- Provide Traffic Engineering legal support for TDOT/State Government (State Traffic Engineer)
- Perform traffic engineering studies (including traffic simulation and analysis)
- Manage state Logo and Tourist Oriented Directional Signs (TODS) programs
- Motorist Information Systems management & support (Tennessee SmartWay, 511, Twitter)

### **Transportation Management Office**

The Transportation Management Office works with the Regional Incident Management coordinators and other TDOT staff to provide the training and resources for incident scene clearance on access controlled facilities in a safe and quick manner. The Office works to build relationships with law, fire, Emergency Medical Services (EMS), and other agencies responding to incident scenes.

### **Intelligent Transportation Systems**

Intelligent transportation systems (ITS) combine technology and operations to improve the safety, efficiency, and reliability of the transportation network. Successful ITS projects rely on close coordination and cooperation between many different agencies during the planning, implementation, and operation of systems. Partners in ITS projects often include a combination of TDOT, local traffic agencies, public safety agencies, and transit agencies. For example, the deployment of the TDOT SmartWay freeway management system provides TDOT with the ability to monitor real-time traffic conditions on freeways. If an incident is detected that involves multiple lane closures, this information is shared with public safety agencies for emergency response, and travelers are alerted of the closure. If traffic is to be diverted off the freeway, the local agency responsible for surface streets is notified so they can adjust traffic signal timing if possible. As TDOT does not own or operate any traffic signals in the state, coordination with local agencies responsible for these signals is critical. The closure could also impact transit operations, and close coordination between the local transit agency and TDOT or the local traffic agency being impacted is also important.

To facilitate coordination and cooperation, the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) require the development of regional ITS architectures. A regional ITS architecture is essentially a long-range plan for ITS that provides a framework for implementing ITS projects, encourages interoperability and resource sharing among agencies, identifies applicable standards to apply to projects, and allows for cohesive long-range planning among regional stakeholders. ITS architectures allow stakeholders to plan for what they want their system to look like in the long-term and then break out the system into smaller pieces that can be implemented as funding permits.

A regional ITS architecture is necessary to satisfy the ITS conformity requirements first established in the Transportation Equity Act for the 21st Century (TEA-21) transportation bill and continued in current federal transportation legislation. In response to Section 5206(e) of TEA-21, the FHWA issued a final rule and the FTA issued a final policy that required regions implementing any ITS project to have an ITS architecture in place by April 2005. After this date, any ITS projects must show conformance with their regional ITS architecture in order to be eligible for funding from FHWA or FTA. To show this conformance, it is important that any region deploying ITS have an updated regional ITS architecture in place.

## **ITS Planning in Tennessee**

In Tennessee, planning for ITS is accomplished through the development and update of the statewide and regional ITS architectures. Tennessee has a statewide ITS architecture which focuses on rural areas of the State as well as statewide ITS deployments, such as the 511 traveler information system. There are also 11 regional ITS architectures, one for each of the MPO areas in Tennessee. The regional ITS architectures were developed in cooperation with state and local stakeholders including traffic, transit, emergency management, public safety, and rail agencies.

The regional ITS architecture program in Tennessee has engaged hundreds of stakeholders in Tennessee as well as representatives of agencies in many of the surrounding states. Development of the regional ITS architecture brings together a wide range of stakeholders to identify common goals and objectives, discuss opportunities for data sharing and operational improvements, and provide a forum for developing regional ITS projects. Over 40 stakeholder workshops were held around the state during the development of the most recent version of the regional ITS architectures, which is an outstanding opportunity to educate stakeholders, grow relationships, and coordinate ITS planning and operations.

TDOT has taken the lead in developing and maintaining the statewide ITS architecture. TDOT has also worked with the MPOs to develop their regional ITS architectures. As of 2014, the seven MPOs that are not part of a Transportation Management Area (TMA) have regional ITS architectures that were developed with TDOT as the lead agency between 2006 through 2009. TDOT is currently leading an effort to update these regional ITS architectures. The MPOs in Chattanooga and Memphis are both updating their regional ITS architectures in 2014 in coordination with TDOT. The TPO in Knoxville completed an update of their plan in 2012, and Nashville's plan was updated in 2010.

## **ITS Implementation in Tennessee**

TDOT coordinates closely with state and local government agencies as well as the private sector for ITS implementation. Coordination and cooperation is extended beyond the Tennessee state borders as TDOT works closely with neighboring states to share information on real-time road conditions and, in the case of Arkansas, deploy ITS equipment across state lines.

TDOT's coordination and cooperation with government agencies in Tennessee includes sharing the video feeds from the closed circuit television (CCTV) cameras deployed as part of the SmartWay system and providing access to any government agency to the CCTV cameras deployed in their jurisdiction. TDOT also works with the private sector, such as local news agencies, to share CCTV camera feeds with them as well. TDOT uses its 511 Traveler Information to link callers to local transit agencies when they seek transit information. TDOT will also coordinate with local traffic operations and law enforcement agencies to notify them of major road closures or incidents that impact local arterial streets.

TDOT's HELP service patrol vehicles work closely with local and state public safety agencies to provide traffic control during incidents. The HELP service patrol vehicles follow the Incident Command System and, when at the scene of an incident, will take direction from police or fire department officials if they are the designated scene commander. TDOT has deployed a fog detection system on I-75 in Bradley County, which was designed to be monitored and controlled by the Tennessee Highway Patrol.

TDOT works closely with neighboring states to share road closure and weather information that may impact another state. This coordination is generally done at the Region level, with the TDOT SmartWay Traffic Management Centers (TMCs) in each Region working closely with neighboring



states to let them know of major closures or severe weather events that might impact travelers coming into Tennessee. Many of the adjacent states share the same information with Tennessee. To provide advanced traveler information regarding the I-40 and I-55 bridges over the Mississippi River, TDOT coordinates closely with the Arkansas State Highway and Transportation Department (AHTD) to deploy CCTV cameras and dynamic message signs (DMS) in Arkansas to provide westbound travelers in Arkansas with advanced notice of lane closures or incidents on either bridge.

### **TSM&O Coordinating Committee**

In May of 2014, the Transportation Systems Management & Operations (TSM&O) Coordinating Committee was established to lead the integration of TSM&O practices within TDOT and in Tennessee. The term ‘transportation systems management and operations’ is defined in federal transportation legislation as integrated strategies to optimize the performance of existing infrastructure through the implementation of multimodal and intermodal, cross-jurisdictional systems, services, and projects designed to preserve capacity and improve security, safety, and reliability of the transportation system. The Purpose of the TSM&O Coordinating Committee includes the following:

- Coordinate efforts for utilizing existing transportation management assets to improve operating efficiency, safety, security and consistency
- Provide strategic direction to Regions and functional areas of TDOT to increase TSM&O efforts
- Evaluate TSM&O strategies for use by TDOT
- Set priorities and initiatives and present recommendations to top management
- Create and maintain TDOT’s TSM&O Program Plan and evaluate ongoing developments to ensure they align with strategic goals and TDOT Long Range Plan

### **3.1.10 Public and Stakeholder Involvement**

Consultation is conferring with others and, prior to taking action, considering that party’s views. Consultation with the public for transportation related issues is a federal requirement and is consistent with the mission and organizational structure of TDOT, which encourages and fosters public involvement. The federal requirements for public involvement are identified in:

- National Environmental Policy Act (NEPA) – includes requirements for publishing notices and providing opportunities for public hearings to obtain input about transportation projects.
- Americans with Disabilities Act (ADA) - encourages the involvement of people with disabilities in the development and improvement of transportation and para-transit plans and services.
- Fixing America’s Surface Transportation Act (FAST Act) - emphasizes public participation in transportation planning and programming processes and calls for early and continuing opportunities for the public to be involved in the identification of social, economic and environmental impacts, as well as impacts associated with the relocation of individuals, groups or institutions. This legislation requires states and MPOs to involve constituents and interested parties in the participation plan and mandates that states and MPOs employ visualization techniques. Additionally, it requires public involvement in developing and amending metropolitan and rural long-range transportation plans, Transportation

Improvement Programs (TIPs), the Statewide Long-Range Transportation Plan (LRTP), the State Transportation Improvement Program (STIP), and project development.

- Code of Federal Regulations (23 CFR Part 450.210) - Interested parties, public involvement, and consultation. Each state is required to have a documented public involvement process that establishes early and continuous opportunities for public review and comment as well as reasonable access to information and public meetings for all those who may be interested in or affected by transportation decisions.
- Code of Federal Regulations (23 CFR Part 771.111) - Early coordination, public involvement, and project development. This code requires early coordination with appropriate agencies and the public to aid in determining the type of environmental document an action requires, the scope of the document, the level of analysis, and related environmental requirements. Additionally, during the early coordination process, other agencies having special interest or expertise can be asked to become cooperating agencies on specific projects.
- Presidential Executive Order on Environmental Justice (EO 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations) – This policy directive requires federal agencies and grant recipients of federal funds to identify and address disproportionately high and/or adverse environmental or human health effects that any of its programs, policies, and/or activities may have on minority and low-income populations. Further, each agency and grant recipient must work to prevent the denial, reduction, or delay of benefits received by minority and low-income populations and must develop policies and strategies to ensure full and fair participation by affected populations in transportation decisions.

The TDOT Public Involvement Plan documents public engagement procedures and principles of TDOT and fulfills federal requirements to provide descriptions of involvement components of plans, programs, and projects considered and carried out by TDOT. As shown in the Public Involvement Plan, the philosophy of TDOT relative to public engagement is

*"...to develop its transportation products and services in partnership with local governments, regional organizations, state elected officials, federal partners, those impacted by the project and those who use the transportation system, including roadways, airports, transit, ports and waterways, bicycle/pedestrian facilities and rail. The department shall conduct its public involvement process in a manner to ensure accountability for its actions, continuous communication with stakeholders and constituents, consistency in approach, and integrity in its dealings."*

The Public Involvement Plan objectives are to:

- Provide opportunities for anyone who chooses to help shape the future of the State's transportation infrastructure through an involvement process that begins early, is convenient and meaningful;
- Develop partnerships with local community leaders, groups, and organizations to provide an integrated, environmentally aware, and multimodal approach to transportation needs and desires;
- Provide timely and easily understood information to citizens, other interested parties, and segments of the community affected by transportation plans, programs, and projects;
- Integrate citizen concerns and needs into the developmental process;

- Ensure adequate public input is obtained for developing context sensitive solutions during project planning and design phases;
- Work with traditionally underserved communities to understand and consider their special needs by implementing procedures recommended for environmental justice by the USDOT, FHWA, and other federal transportation agencies;
- Build credibility and trust between the Department and those whom it exists to serve; and
- Provide for periodic review of the effectiveness of the public involvement process to ensure full and open access to all and revision of the process as necessary.

To achieve these objectives, TDOT has developed five levels of public involvement based on the type, size, duration, and impact of the project. Descriptions of the project levels are shown below:

- Level One – pose minimal or no impact, require minimal or no right-of-way acquisition, will be of short duration and pose no disturbance to local communities during construction.
- Level Two – include those defined as Categorical Exclusions (CE) by the FHWA, or classified as corridor feasibility or other general planning projects.
- Level Three – require completion of an Environmental Assessment (EA), or other environmental documentation. These projects would have some impact, but not significant, and would be of moderate size, requiring less time for planning, design and construction.
- Level Four – require an Environmental Impact Statement (EIS) to be completed, or are large-scale efforts in terms of both design and construction. These projects would significantly impact local communities, require substantial acquisition of right-of-way, and require more time for planning, design and construction.
- Level Five – statewide or systems-level efforts undertaken by the Department, including the Statewide Long-Range Transportation Plan, the Statewide Transportation Improvement Plan (STIP), the Statewide Rail Plan, Statewide Aviation Plan, and Statewide Transit Plan.

For each of these levels, the Public Involvement Plan describes a minimum level of public involvement, and suggestions for enhanced public engagement. Enhanced activities range from conducting neighborhood meetings or information forums to expanded media activities, such as media kits, media conferences, and interviews. The Public Involvement Plan documents requirements and procedures that describe how the general public will be notified of opportunities to participate in the process.

Stakeholders and interested parties include affected public agencies, representatives of public transportation employees and users, freight shippers, private providers of transportation, representatives of users of pedestrian walkways and bicycle facilities, representatives of the disabled, and providers of freight transportation. For transportation planning efforts, many of these groups are already involved in the process through participation in MPO and RPO activities.

TDOT regularly conducts enhanced involvement and outreach activities for a number of interested parties such as the traditionally underserved, the freight community, and environmental groups. For example, TDOT meets with community organizations such as faith-based groups, civic clubs, school groups, and organizations using lists of environmental justice resources and advocacy groups to address the concerns of the traditionally underserved.

Working with the private sector, public agencies, and academic members of the freight community,

TDOT established the Freight Advisory Committee (FAC) in 2013 to guide freight planning in Tennessee. The FAC has a statewide executive committee and three regional committees that represent West, Middle, and East Tennessee. These committees were formed through a recommended-membership process and includes public representatives from TDOT, Metropolitan Planning Organizations (MPOs), counties, cities, chambers of commerce, port authorities, airports, and universities. The private industry representatives include rail, trucking, waterway, air freight distribution and logistics, and industrial manufacturing and processing companies from the freight industry representing a variety of sectors across the state. Establishment of the FAC allows for additional coordination, cooperation, and consultation between committee members for freight transportation planning. The FAC assisted TDOT in the development of the comprehensive Statewide Multimodal Freight Plan.

In 2012, TDOT established the Environmental Advisory Council to enhance coordination, cooperation, and consultation associated with protecting Tennessee's natural resources while building, operating, and maintaining transportation systems. Members of the Council were nominated by environmental groups across the state and were selected based on environmental leadership, understanding of environmental policies, and interest in environmentally sensitive approaches to transportation. The Council consists of eight representatives from a variety of public and private agencies and organizations across the state.

### 3.1.11 Civil Rights Office

The Civil Rights Division is responsible for the administration of both state and federal programs of nondiscrimination that includes Title VI, Affirmative Action and Small Business Development. Each program monitors activities/projects for compliance with all Federal nondiscrimination laws and regulations. Additionally, the division is responsible for developing and implementing TDOT's internal and external affirmative action plans and investigating complaints of alleged discrimination, including sexual harassment. The division also administers the federally mandated Disadvantaged Business Enterprise (DBE) Program. The Civil Rights Office is comprised of three programs that work collaboratively to ensure adherence to Equal Employment Opportunity, Title VI and Small and Disadvantaged Business Initiatives:

- The Affirmative Action Program is responsible for:
  - Ensuring Equal Employment Opportunity
  - Conducting Contractor Compliance
  - Ensuring Adherence to Non-discrimination, Title VI Civil Rights Act of 1964
  - Recruiting for minorities and women
  - Counseling TDOT employees and applicants on Equal Employment Opportunity
  - Providing Complaint Resolution
- The Small Business Development Program is responsible for:
  - Increasing the number of minority and female businesses in the Transportation Industry
  - Providing quality technical assistance, resources, and guidance in regards to the Small Business Development Program

- The Title VI Program is responsible for:
  - Conducting compliance reviews on MPOs and internal divisions
  - Reviewing environmental documents for compliance with National Environmental Protection Act (NEPA), U. S. DOT Order 5610.2A (Actions to Address Environmental Justice in Minority and Low-Income Populations), and other nondiscrimination/inclusion mandates
  - Making recommendations to MPOs and Internal Divisions on public involvement/outreach
  - Participating in MPO Certification Reviews
  - Providing technical assistance and training to MPOs
  - Reviewing and making recommendations on transportation planning documents (Long Range Transportation Plans, Transportation Improvement Plans, Unified Planning Work Plans, etc.)
  - Serving as liaison between MPOs and Federal agencies
  - Collecting and analyzing data from MPOs and Internal Divisions for reporting purposes

The Civil Rights Office works closely with TDOT internal partners and agencies receiving federal funds to ensure that no person shall be excluded from participation in, is denied the benefits of, or is subjected to discrimination on the grounds of race, color, age, sex, disability or national origin under any program or activity receiving federal financial assistance from the Department of Transportation.

### **3.2 COORDINATION METHODS AS PERCEIVED BY OTHERS**

In 2013, TDOT conducted a Statewide Customer Survey<sup>2</sup> with responses from 2,729 residents, 454 partners, and 333 elected officials. The purpose of the survey was to assess TDOT's overall performance, and to help identify and prioritize transportation services and improvements. Categories of questions were related to travel safety, maintaining and managing the state highway system, quality of transportation options, long-range priorities, funding, and overall rating. Results from the survey were compared to a similar survey conducted in 2006 and to surveys conducted by bordering states. General responses to the survey indicate that TDOT is moving in the right direction and is seen as an organization that can be trusted to deliver quality services. Respondents also indicated that TDOT is lagging behind other states in non-automotive transportation related services.

There were questions from the survey that relate to perceptions of residents, partner agencies, and elected officials about TDOT's level of effectiveness in cooperation, coordination, and consultation. For the resident survey, respondents were asked about the effective ways that TDOT provides information to the public. For the partner and elected officials survey there were a number of questions related to coordination, cooperation, and consultation when working with TDOT. A summary of the questions and responses is provided in Table 1.

<sup>2</sup> 2013 TDOT Statewide Customer Survey - <http://www.tdot.state.tn.us/osp/survey2013.htm>

**Table 1 Summary of TDOT Customer Survey**

Question	Percent Agree or Strongly Agree	
	Elected Officials (n=333)	Partner Agencies (n= 454)
I can reach TDOT personnel to get the info I need	86%	84%
TDOT provides advance notice for projects	81%	75%
TDOT works with me to minimize disruptions	76%	78%
I trust TDOT officials to make good decisions	74%	70%
TDOT seeks to balance community values & mobility	67%	67%
TDOT uses local input on construction projects	62%	57%
TDOT seeks my input on statewide plans	60%	75%
TDOT seeks my input to set priorities	59%	71%
TDOT informs me how our priorities were considered	58%	54%

*Source: ETC Institute (TDOT 2013 Elected Official Survey and Partner Agency Survey)*

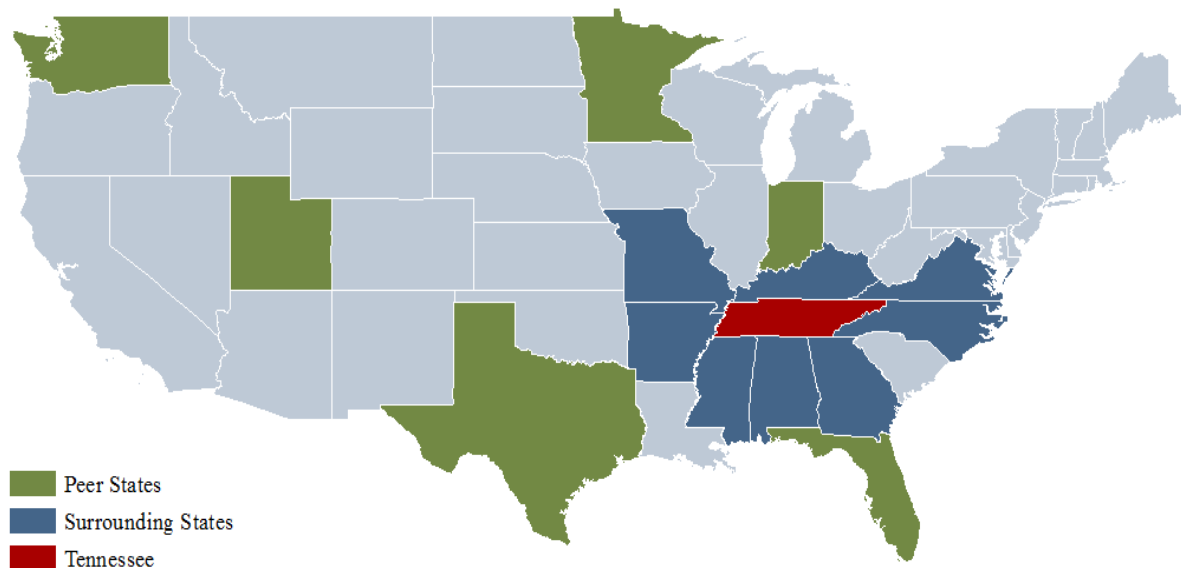
The majority of respondents agreed or strongly agreed with these statements indicating that adequate opportunity for consultation is provided by TDOT. The percent of respondents that agreed or strongly agreed with these questions generally improved from the 2006 survey; however, there is room for significant improvement in elected official and partner agency perceptions of consultation with TDOT. For example, less than 70% of the respondents agreed that TDOT considers balance in community values, local input on construction projects and statewide plans, input on priorities, and feedback on how priorities were considered and received. These responses could improve with feedback from TDOT about how input is sought and used in the decision making process.

### **3.3 CHANGING ROLE OF TDOT REGIONS**

In part to improve coordination and consultation at the local level, TDOT has shifted a number of its functions under project development to the Region which once were completed exclusively at TDOT Headquarters. Project development activities are now overseen in each Region by a project development director and includes a multidisciplinary team from Right-of-Way, Utilities, Design, Environmental, and other divisions as necessary to plan, design, and implement transportation improvement projects. Additionally, there are three District Offices in each of the four Regions with construction and maintenance now occurring at the district level. Also, as previously mentioned, community transportation planners as part of TDOT's OCT are located in each of the four Regions. This shift from a centralized operation to somewhat of a decentralized operation is envisioned to provide greater coordination, cooperation, and consultation at the local and regional levels throughout the State.

## 4.0 FUTURE GROWTH, TRENDS, AND TECHNOLOGY

The following section describes plans, policies, and data pertaining to coordination, cooperation, and consultation of the states shown in Figure 2. The peer states shown in Figure 2 were chosen to align with those identified as peers in TDOT's 2013 Customer Survey, as they were similar to Tennessee in the areas of geographic size, demographics, growth trends, and/or DOT practices. The intent of this review is to highlight surrounding and peer state practices in improving coordination, cooperation, and consultation among partners, in priority setting, and in investment planning and decision-making.



**Figure 2 Tennessee's Surrounding and Peer States**

### 4.1 PARTNERSHIPS, PLANNING, AND PRIORITY SETTING

#### 4.1.1 Regional Coordination

A literature review<sup>3</sup> was conducted to determine how other states coordinate with MPOs in the regional planning process. It appears that a greater emphasis is now being placed on coordination between regional planning agencies and state DOTs. Regions defined for transportation planning include metropolitan areas, rural areas, sub-state regions or commute-sheds, transportation corridors, and mega-regions. Typically, regions exist at an intuitional level between local jurisdictions and state government. The regional boundaries chosen depend on the particular reasons for creating regional governance. Benefits of regionalism include:

- Holistic perspective of a system for planning and inter-jurisdictional coordination
- Achieves economies of scale by pooling resources such as revenues, technical assistance,

<sup>3</sup> Regional Cooperation in Transportation Planning, Florida Department of Transportation, February 2012; [http://www.dot.state.fl.us/research-center/Completed\\_Proj/Summary\\_PL/FDOT\\_BDK77\\_977-16\\_rpt.pdf](http://www.dot.state.fl.us/research-center/Completed_Proj/Summary_PL/FDOT_BDK77_977-16_rpt.pdf)

and service delivery

- Allows for the integration of sectors: transportation, land use, economic development, etc.
- Provides geographic coverage and representation (political power) in decision making processes
- Allows public participation, data gathering, and implementation of state and federal programs
- Allows two-way communication and conflict resolution vertically between local and state governments, and horizontally across jurisdictions.

The growing complexity of urban and rural systems, increasing demands for services and direction of participation in decision making, advances in technology such as geographic information systems (GIS) and intelligent transportation systems (ITS), and other considerations all contribute to greater interest in regionalism out of necessity.

In Tennessee, as in other states, federal and state laws, agencies, and programs support regional transportation planning. At the federal level, transportation, air quality, and housing and urban development agendas have created strong incentives for regional transportation planning, including the creation of MPOs and rural planning organizations. Of surrounding and peer states the following, like Tennessee, are covered completely by regional planning organizations (MPOs, RPOs, or some combination): Alabama, Arkansas, Florida, Georgia, Kentucky, Minnesota, Missouri, North Carolina, Virginia, and Washington.

#### **4.1.2 Strategies for Prioritizing Investment Decisions with Regional Needs**

Almost all states recognize the need to encourage or explore regional coordination and partnerships. Some go beyond encouragement by implementing strategies to enhance coordination and prioritize investment decisions. Federal legislation requires each state DOT to produce a statewide long-range transportation plan that details priorities, needs, and investment decisions. The strategies used by states to prioritize projects vary. Some states determine their needs on a more independent level that focuses solely on their state-owned facilities. Some states develop technical planning tools and performance measure in order to assess their priorities. Other states place emphasis on the regional needs of the state by engaging stakeholders in the planning process or basing the state needs on the region by incorporating MPO or RPO plans, or other methods for prioritizing.

The diversity of participants in the planning process results in a variety of processes to prioritize projects, yet some trends, such as devolvement and interest in multimodal tradeoffs, can be identified. Multimodal tradeoff analysis is potentially applicable to a range of activities at the state DOT level. In a recent study of multimodal planning, Florida's Strategic Intermodal System (SIS), Virginia's Statewide Multimodal Corridors, and other examples illustrate an approach towards prioritization that attempts to help focus state resources on those parts of the multimodal system, regardless of ownership, that by definition have a greater benefit to the state than other investment opportunities. While several states have applied some form of comparative analysis, none appear to have developed processes or tools for conducting quantitative analysis between modes to support project-specific tradeoff decisions.

Much like Tennessee, surrounding and peer states prioritize projects to maximize the benefits obtained from a given level of investment and utilize a variety of performance measures to prioritize projects. Several themes emerge in the attempts to prioritize transportation projects



– multimodal comparisons, devolution, and system preservation. Some state plans outline or reference studies that detail the state needs for freight, intermodal travel, land use planning, and coordination. Other states put heavy emphasis on planning tools and performance measures. Some states coordinate/partner and consult with stakeholders like MPOs and RPOs. Other states review the plans of local governments, MPOs, RPOs, and past studies to determine their priorities and some states use a combination of approaches.

## 4.2 COORDINATED PUBLIC TRANSIT-HUMAN SERVICES TRANSPORTATION

Given the complex nature of transportation needs and human service provisions, federal law requires that transit projects selected for funding under certain types of Federal Transit Administration (FTA) funds (i.e. 49 U.S.C. Section 5310) be derived from a locally developed, coordinated public transit-human services transportation plan and that the plan be developed through a process that includes representatives of public, private, and non-profit transportation and human services providers and participation by members of the public. While the provision of a coordinated public transit-human services plan has been in place for nearly a decade, many states created state coordinating councils before this requirement to address the complex structures that have arisen over time to meet the needs of various populations for transportation services. These councils provide consistency in approach to funding transportation to avoid an overlap in services in some places and unconnected services in others. State coordinating councils are generally created by statute, executive order, or governor initiative. Council members generally include representatives of the state department of transportation, councils of governments that have a role in transportation, transportation providers, nonprofit organizations, senior citizens, nursing homes, and transit agencies. Other members often include state departments of health, veterans, and workforce development representatives.<sup>4</sup> Table 2 summarizes surrounding and peer state practices having human service transportation coordinating councils.

Throughout the US, 21 state coordinating councils currently exist – 12 created by statute and 9 by either a governor’s executive order or initiative. Along with state coordinating councils, some states have regional and local coordinating councils. Regional councils bring together agencies and organizations within a geographic region. Actual coordination occurs in local areas. Local councils bring together all local entities that provide transportation services to the wide variety of users to deal with the basic components of coordination.

<sup>4</sup> State Human Service Transportation Coordinating Councils: An Overview and State Profiles; FTA and US Department of Labor, 2014; [http://www.ncsl.org/Portals/1/Documents/transportation/SCC\\_transportation\\_final02.pdf](http://www.ncsl.org/Portals/1/Documents/transportation/SCC_transportation_final02.pdf)

**Table 2 Summary of States with Transportation Coordinating Councils**

State	By Legislation	By Executive Order/Other
Alabama	None	Previous Executive Order expired.
Arkansas	Yes - Public Transportation Coordinating Council	
Florida	Yes - Commission for the Transportation Disadvantaged	
Georgia	Yes - Coordinating Committee for Rural and Human Services Transportation	
Kentucky	Yes - Coordinated Transportation Advisory Committee	
Minnesota	Yes - Council on Transportation Access	
Mississippi		No council, mandated to cooperate
Missouri	Yes - Interagency Committee on Special Transportation (inactive)	
Indiana	None	
North Carolina		Yes - Human Service Transportation Council (inactive)
Tennessee	Yes - Transportation Coordinating Committee (inactive)	
Texas	No council, but mandate to cooperate.	
Utah	None through legislation; however, UDOT and the Utah Department of Human Services previously set up a United We Ride Workgroup, which has since disbanded	
Virginia	None through legislation; however, VDOT participates in many ongoing coordination initiatives.	
Washington	Yes - Agency Council on Coordinated Transportation	

### 4.3 COORDINATION WITH FREIGHT PLANNING

For nearly two decades freight planning has been an emerging topic of interest among transportation professionals. With a growing national economy and any ever increasing global marketplace, freight goods movement utilizes every mode - truck, rail, water, and air. In the delivery of goods and services, the interaction of these modes has become ever more important as the multimodal freight systems matures and as necessary improvements are made to keep up with demands.

Freight planning at the national, state, regional, and local levels includes many partners, both public and private. Components of a successful freight planning process at the state level include: a long-range freight plan, an internal organizational structure, data and analytical tools, private sector participation, and multi-jurisdiction coordination.

In recent years, more and more states are investing in their freight planning capabilities. As previously mentioned, in 2013 TDOT established a Freight Advisory Committee (FAC) to guide freight planning in Tennessee. The FAC assisted in the development of TDOT’s comprehensive Statewide Multimodal Freight Plan for Tennessee. The importance of freight planning is also apparent within Tennessee’s major urban areas as Chattanooga, Knoxville, Nashville, and Memphis each have undertaken freight studies for their areas, and they continue to improve their understanding of freight and logistics through increased planning tools and data.

## 4.4 IMPACTS OF TECHNOLOGY

The need for regional collaboration on transportation operations is an area where technology can be used so various aspects of the transportation system can be improved. Generally, the need for this regional collaboration must cross both agency and jurisdictional boundaries to be successful and the application of technology resources can help. ITS can be an effective technology to allow for the distribution of information to critical parties. Examples of ITS technologies include:

- Traffic incident management
- Emergency management
- Communications networks
- Traveler information services
- Weather events
- Electronic payment services
- Weigh-in-Motion and truck GPS technologies

In addition, emerging ITS technologies are being implemented at the user level through “connected vehicles”. Connected vehicles provides for the communication of data from vehicle-to-vehicle (V2V), vehicle-to-infrastructure (V2I), and infrastructure-to-vehicle (I2V). Each of these communication paths provide the ability to send and receive real-time traffic conditions to/from surrounding vehicles, traffic management centers, and other transportation agencies.

### 4.4.1 ITS Planning in Other States

FHWA and FTA require the development of regional ITS architectures, but there is no specific process or format required to ensure adequate coverage of entire states. Examples of the ITS architecture programs in surrounding and peer states are provided below.

#### Arkansas

The Arkansas State Highway and Transportation Department (AHTD) developed a statewide ITS strategic plan rather than a statewide ITS architecture. However, AHTD did lead the effort to develop regional ITS architectures in four of the five regions with MPOs in Arkansas. The fifth region, Little Rock, is the largest MPO in the state and the development of the regional ITS architecture in Little Rock was led by the MPO in Little Rock.

#### North Carolina

The North Carolina Department of Transportation (NCDOT) took the lead on all regional ITS architectures. The state was divided into distinct geographic areas that did not necessarily correspond to MPO boundaries. For example, regions include the Coastal Region, Mountain Rural Region, I-95 Region, Triangle Region, etc. Some of these regions included multiple MPOs while others did not include any MPOs. The combined regions covered the entire state of North Carolina.

## **Texas**

Texas developed a total of 24 regional ITS architectures, primarily by following the boundaries of the 25 Texas Department of Transportation (TxDOT) Districts. TxDOT maintains a Dallas District and a Fort Worth District, but for the purposes of the regional ITS architecture these two Districts were combined into a single region, which more closely aligns to the boundaries used by the MPO in that region. The ITS development for the Dallas-Fort Worth and Houston regions was led by the MPOs, but TxDOT led the development for all other regions. TxDOT is in the process of planning to update the regional ITS architectures they developed and is considering a model closer to the one used by TDOT. Under this model they would develop a statewide ITS architecture as well as regional ITS architectures focused on 10 to 15 regions across the state.

### **4.4.2 ITS Implementation and Operations**

TDOT's ITS program has demonstrated the value of coordination and cooperation with other agencies in and surrounding the state. In reviewing other states, there are other opportunities for coordination that might be considered in the future in terms of funding and management of incident management services.

## **Florida**

In Florida, the Florida Department of Transportation (FDOT) established TMC's in each of their six regions similar to TDOT. However, two of Florida's TMCs have deployed joint TMCs that include not only FDOT partners, but local partners such as city traffic and police dispatchers. This model has been followed in several other states and the presence of other traffic and public safety agencies in a TMC can facilitate greater day-to-day coordination and cooperation, especially during incidents when public safety and traffic agencies must coordinate closely. Florida also works with the public sector to sponsor their freeway service patrols. FDOT has provided advertising space on their service patrol trucks in exchange for the sponsors providing equipment or monetary support to the service patrol program.

## **Washington**

The Washington State Department of Transportation (WSDOT) and the Washington State Patrol (WSP) are the two primary agencies that are responsible for incident response on highways in Washington. WSDOT and WSP have a long history of working together to improve incident response and reduce incident clearance times in Washington. In 2002, WSDOT and WSP developed a Joint Operations Policy Statement (JOPS) Agreement which formalized the roles and responsibilities for freeway operations, including incident response, of each agency. This document was signed by the Washington State Secretary of Transportation and the Chief of the Washington State Patrol and is updated each year. The JOPS Agreement clearly defines how incident response will be conducted in the State of Washington, identifies a specific employee from both WSDOT and WSP that will be responsible for each program, and sets performance measures for the program.

## **Minnesota**

The Minnesota Department of Transportation (MnDOT) has moved forward with the Integrated Corridor Management (ICM) concept introduced by the FHWA. ICM seeks to reduce congestion and improve travel time reliability by improving integration of agencies and traveler information along a corridor, including information on the roadway and transit network. MnDOT is acting as the lead agency for ICM implementation, working closely with Hennepin County, the City of Minneapolis, and Minneapolis Metro Transit. The agencies are looking at combining managed

lane and transit signal priority strategies to increase traffic flow along the I-349 corridor, and working closely together to improve the quality and consistency of traveler information that is available for all modes along the corridor.

#### **4.5 COOPERATION FOR PUBLIC AND PRIVATE FUNDING**

Around the nation, innovative contracting and financing techniques are emerging as a method that public entities are using to implement transportation improvement projects. Participation from the private sector is one way that public entities are leveraging private sector equity. The potential for public private partnerships for financing large transportation projects is also being explored by certain state DOTs. The coordination required for public private partnerships depends upon the level of involvement anticipated by the Department. Public private partnerships at the state level often require authorization in statute by the state legislature. This type of partnership is most often associated with tolled facilities, but can be used for other innovative funding, such as congestion pricing. The surrounding and peer states of Florida, Indiana, Texas, Virginia, and Washington have authorized their departments of transportation to use public private partnerships to fund transportation infrastructure.

Public-private partnerships can occur for smaller projects as well. For example, many states as well as some local municipalities in Tennessee partner with private entities to install cameras used for speed and red light violation enforcement. As traffic signals are owned and maintained by local governments in Tennessee, there is currently no opportunity for this type of partnership for the state. Several states, such as Illinois, partner with private entities for revenue associated with logo signing. Transit agencies across Tennessee currently use this as a revenue source.

#### **4.6 IMPLICATIONS OF MOVING AHEAD FOR PROGRESS IN THE 21ST CENTURY REGULATIONS**

Proposed regulations promulgated by the Moving Ahead For Progress in the 21st Century (MAP-21) legislation could have implications on Tennessee's Rural Planning Organization (RPO) process. In CFR Part 450, for which a final rulemaking is anticipated in fall of 2015, revised guidance is given as to the designation and duties of Regional Transportation Planning Organizations (RTPOs). While RTPO designation is at the discretion of the State, proposed federal rules provide for a more formal framework for nonmetropolitan areas whereby RTPOs would mimic the MPO planning process having to develop and maintain regional long-range multimodal transportation plans as well as a regional TIP.

There are various benefits that could be obtained if Tennessee decides to re-designate its RPOs as RTPOs under these new regulations. The most obvious benefit to be realized by this change is the added coordination that would be necessitated between the State, urban, and rural planning efforts. Another added benefit is the increased knowledge of more rural areas of the state that would come from this process. The formalization of RTPOs, although not required, would help materialize the need for regional planning initiatives throughout Tennessee.

With the designation of RTPOs in Tennessee, however, there are potential implications. The possibility of delays with respect to STIP amendments will be more likely as coordination with these RTPOs would be required for changes to move forward; examples of such delays include the time attributed to meetings as well as time periods extended to the public for comment on the proposed amendment through the RTPO process. Additionally, with the increased responsibility given to these organizations, additional staffing and/or resources would likely be necessary to oversee and administer the new requirements under the RTPO designation.

Based on this information, the Department has essentially two choices: either designate the RPOs as the newly created RTPOs or leave the RPO process as it stands today. If TDOT decides to evolve the RPO process with the new designation of RTPOs, the recommendations are as follows:

- Re-evaluate the current RPO boundaries and/or consolidate multiple RPOs based on growth, development, and commuting patterns in order to scale down the level of mandated coordination as larger, fewer RPOs would require less in terms of coordination efforts.
- Much like the current MPO process, TDOT would need to develop a work program and specific requirements for these RTPOs.

## 5.0 CONCLUSIONS AND RECOMMENDATIONS

Coordination is the way transportation plans, programs, and schedules of an agency are compared with those of other agencies, and adjusted to achieve general consistency. Cooperation is carrying out the planning, programming, and management systems processes by working together to achieve a common goal or objective. Consultation is conferring with others and, prior to taking action, considering that party's views. Coordination, cooperation, and consultation among TDOT, MPOs and TPOs, RPOs, state, and Federal partners as well as interested parties, and the general public is required to provide for consistent and effective planning, design, construction, maintenance, operation, and improvement of the transportation system.

The purpose of this policy paper is to describe current policies and programs of the State for coordination, cooperation, and consultation; and to provide recommendations consistent with the guiding principles of TDOT's 25-Year Policy Plan.

### 5.1 SUMMARY OF FINDINGS

TDOT fulfills the requirements for coordination, cooperation, and consultation through its Office of Community Transportation, the Tennessee Environmental Streamlining Agreement (TESA) and the Environmental Division, Aeronautics Division, Right-of-Way Division, Program Development Division, Local Programs Development Office, Multimodal Division, Maintenance Division, Traffic Operations Division, and through TDOT's Public Involvement Plan.

Performance related to coordination, cooperation, and consultation is gauged by the Department's ability to effectively manage the transportation system, but more subjectively through partner agencies, the public, and elected officials' perceptions. The majority of respondents in the 2013 Statewide Customer Survey agreed or strongly agreed with statements indicating that adequate opportunity for consultation is provided by TDOT.

Recognizing the need for better coordination, cooperation and consultation at the regional level, TDOT created the Office of Community Transportation. OCT's mission is to coordinate the State's transportation planning, local land use decisions, and community visions to guide the development of a safe and efficient statewide transportation system. OCT staff accomplishes the task by:

- Partnering with local agencies to determine appropriate land-use and infrastructure (or transportation facilities)
- Strengthening local partner collaboration on transportation decisions
- Improving communication between TDOT and local partners through planning efforts

In an effort to work more closely at the local level, TDOT has also established regional districts across the state that are now responsible for construction and maintenance activities. Additionally, each Region will be staffed by multidisciplinary teams responsible for the development and implementation of transportation improvement projects.

TDOT understands the importance of enhanced coordination, cooperation, and consultation with interested parties and key stakeholders. TDOT recently established the Freight Advisory Committee and the Environmental Advisory Council to address issues of interested parties.

Innovative contracting and financing techniques are emerging as a method that public entities are using to implement transportation improvement projects. Participation from the private sector

is one way that public entities are leveraging private sector equity and cooperation between public and private partners is necessary.

The application of new technologies can make the process of coordination, cooperation, and consultation with state, federal, regional, and local agencies more effective. These tools can be used with the public and internally between agencies and departments to share information and foster a more collaborative environment.

In conclusion, the following summarizes the findings of this policy paper.

- Federal law requires coordination, cooperation, and consultation between state departments of transportation and a host of state, federal, and local agencies as well as the public and interested parties for transportation planning, design, implementation, operations, and maintenance.
- Federal law requires that each state carry out a continuing, cooperative, and comprehensive statewide transportation planning process.
- In 2013, TDOT established the Office of Community Transportation (OCT) to support coordination between TDOT, public transportation organizations, private non-profit transportation providers, and public agencies by:
  - Partnering with local agencies to coordinate appropriate land use and infrastructure;
  - Strengthening local partner collaboration on transportation decisions; and
  - Improving communication between TDOT and local partners through planning efforts.
- The 11 Metropolitan Planning Organizations (MPOs) and 12 Rural Planning Organizations (RPOs) play an important role in coordination and consultation with TDOT for planning transportation infrastructure across the state.
- In fulfilling TDOT's responsibilities under NEPA, as it relates to the assessment of environmental impacts and the evaluation of alternatives to avoid any identified adverse impacts to the environment, TESA was established to coordinate planning and project development processes for all transportation projects that are administered by TDOT and require an EIS or EA. TESA establishes a single decision-making process for agencies in transportation project development.
- TDOT's Local Programs Development Office allows one point of contact for local governments to coordinate and manage projects involving state and federal transportation funding.
- TDOT coordinates with state and federal agencies in the development and implementation of transportation safety, security, and resiliency projects and programs. Coordination between TDOT and other agencies is accomplished through TDOT's Office of Emergency Operations and the TDOT Coordinator stationed at the Tennessee Emergency Management Agency (TEMA).
- The Traffic Operations Division was formed in 2013 and coordinates activities with TDOT's Traffic Management Centers (TMC) and Traffic Incident Management (TIM)/HELP operations in each of the four TDOT Regions, along with municipalities and other first-responding agencies.
- TDOT established the Freight Advisory Committee (FAC) in 2013 to guide freight planning in the state. Establishment of the FAC allows for additional coordination, cooperation, and consultation between committee members for freight transportation planning.



- Consultation is required with the planning and implementation of Intelligent Transportation Systems (ITS) across the state to ensure a consistent framework that can be implemented and operated over time.
- In 2013, TDOT conducted a Statewide Customer Survey with responses from 2,729 residents, 454 partners, and 333 elected officials. There were a number of questions related to respondents' perceptions of TDOT's level of effectiveness in cooperation, coordination, and consultation. Elected officials and partner agencies agreed that TDOT is trusted to make good decisions, provides advance notice, and works to minimize disruption; however, TDOT can improve perceptions about seeking input on priorities and how they are considered in the planning and implementation of transportation improvements.
- Coordination, cooperation, and consultation will change with the implementation of project development directors in each of TDOT's Regions and the shifting of project design from Headquarters to each of the Regions. Several of TDOT's Divisions, such as Operations and Right-of-Way, already operate in this decentralized way.
- TDOT's Public Involvement Plan identifies the policies and procedures necessary for public and stakeholder engagement in the planning and implementation of transportation improvement projects.

## 5.2 RECOMMENDATIONS

In conclusion, the following recommendations are proposed as they relate to TDOT's efforts in coordination, cooperation, and consultation.

- TDOT should continue to make available the latest planning data and tools and provide these resources to its many planning partners (e.g., MPOs, RPOs, ECD, transit agencies, etc.).
- In concert with the increased role in the planning of regional transit service, TDOT should look for opportunities to coordinate, consult, and cooperate with transit agencies, health and human service providers, and other transit interests across the state, in both rural and urban areas as a means of improving mobility and managing demand.
- TDOT should continue to periodically administer its customer survey and use findings to track performance and re-evaluate customer priorities based on their level of satisfaction.
- TDOT should continue to work through Tennessee's Freight Advisory Committees and local communities to increase knowledge of and efficiencies in freight movements in Tennessee.
- TDOT should continue to increase center-to-center communication between TMCs and incident management partners to facilitate greater day-to-day coordination and cooperation.
- TDOT should further the continuing coordination with surrounding states, specifically in the implementation of Traffic System Management & Operations (TSM&O) practices for multi-state MPO areas.