

# **Nashua Regional Planning Commission Metropolitan Planning Organization Transportation Planning Prospectus**



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**NASHUA REGIONAL PLANNING COMMISSION**

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## TABLE OF CONTENTS

|  |     |
|--|-----|
| Record of Amendments.....  | iii |
| 1.0 INTRODUCTION .....   | 1   |
| 1.1. Purpose .....   | 1   |
| 1.2. The Nashua Metropolitan Planning Organization .....                           | 1   |
| 1.2.1. Nashua Regional Planning Commission/Metropolitan Planning Organization..... | 2   |
| 1.2.2. NRPC Transportation Technical Advisory Committee.....                       | 3   |
| 2.0 PARTICIPATING AGENCIES.....  | 4   |
| 2.1. Local Communities.....  | 4   |
| 2.2. Nashua Transit System.....  | 4   |
| 2.3. New Hampshire Department of Transportation .....                              | 4   |
| 2.4. New Hampshire Department of Environmental Services.....                       | 4   |
| 2.5. Federal Highway Administration and Federal Transit Administration .....       | 4   |
| 2.6. Other Regional Planning Commissions/MPOs.....                                 | 5   |
| 3.0 OVERVIEW OF THE TRANSPORTATION PLANNING PROCESS .....                          | 6   |
| 3.1. The “3C” Process.....   | 6   |
| 3.2. Transportation Planning Factors .....   | 6   |
| 3.3. Title VI and Environmental Justice .....                                      | 7   |
| 3.4. Public Participation Plan.....  | 7   |
| 3.5. Unified Planning Work Program (UPWP) .....                                    | 7   |
| 3.6. Metropolitan Transportation Plan (MTP).....                                   | 8   |
| 3.7. Transportation Improvement Program (TIP).....                                 | 8   |
| 3.8. Air Quality Conformity Determination.....                                     | 8   |
| 3.9. Transportation Plan Implementation .....                                      | 9   |
| 3.10. Amendment Procedures .....   | 9   |

## FIGURES

|  |   |
|--|---|
| Figure 1: NRPC Region.....               | 2 |
| Figure 2: RPCs/MPOs around the NRPC..... | 5 |

## TABLES

|   |   |
|---|---|
| Table 1: NRPC MPO and TTAC membership ..... | 3 |
|---|---|

## APPENDICES

|            |  |
|------------|--|
| APPENDIX A | PUBLIC INVOLVEMENT PROCESS FOR TRANSPORTATION PLANNING |
| APPENDIX B | NRPC PROJECT SOLICITATION AND SELECTION                |
| APPENDIX C | NHDOT S/TIP AMENDMENT PROCEDURES                       |
| APPENDIX D | MEMORANDA OF UNDERSTANDING                             |
| APPENDIX E | NRPC BYLAWS  |
| APPENDIX F | ACRONYMS   |

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## RECORD OF AMENDMENTS

| <u>SECTION(S)</u> | <u>REASON FOR AMENDMENT</u> | <u>AMENDMENT ADOPTION DATE</u> |
|-------------------|-----------------------------|--------------------------------|
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## **1.0 INTRODUCTION**

### **1.1. PURPOSE**

This Prospectus is designed to provide an introduction to, and a framework for, the transportation planning process in the Nashua Regional Planning Commission (NRPC) area. It addresses several important functions pursuant to Federal Highway Administration (FHWA) regulations (23 CFR Part 450) and Federal Transit Administration (FTA) regulations (49 CFR Part 613):

- Overview of the Nashua Metropolitan Planning Organization;
- Functional responsibilities of the participating agencies;
- The transportation planning process in the NRPC area;
- Public involvement process; and
- Project solicitation and selection.

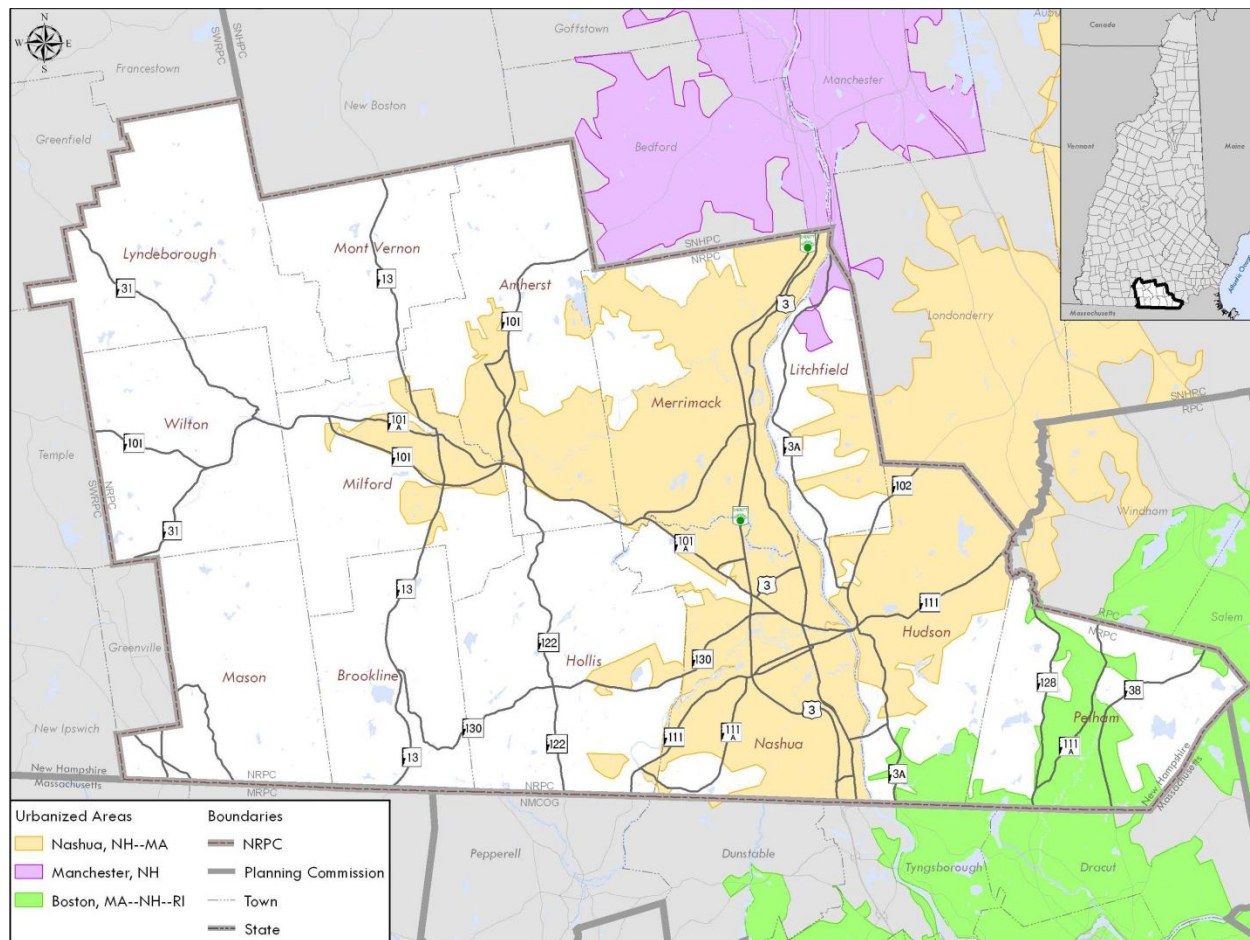
### **1.2. THE NASHUA METROPOLITAN PLANNING ORGANIZATION**

The Nashua Metropolitan Planning Organization (MPO) includes representatives from all of the communities within the NRPC regional planning boundary. Those communities are Amherst, Brookline, Hollis, Hudson, Litchfield, Lyndeborough, Mason, Merrimack, Milford, Mont Vernon, Nashua, Pelham, and Wilton, as shown on Figure 1.

The NRPC assumed primary responsibility for regional transportation planning in 1973 when it was designated by Governor Meldrim Thomson as the MPO for the Nashua-Hudson Urbanized Area. In 1976, the Nashua Area Transportation Study (NATS) was completed providing a long range highway plan for the MPO area comprised, at that time, of just five municipal jurisdictions: Hollis, Hudson, Litchfield, Merrimack and Nashua. A locally representative Policy Committee and Technical Advisory Committee (TAC) were established to provide oversight and coordination of the NATS MPO process. A second major document, the Nashua Area Mass Transit Study, was completed in 1978 and provided a plan for implementing public transportation within the City of Nashua. Since the time of its designation as the MPO, the NRPC has received planning funds for highway and transit planning purposes building upon the work of these initial planning studies.

In 1990, the NRPC began a major effort to update the 1976 NATS Study and to integrate long range highway and transit planning into a single document. At the same time, the towns of Milford and Amherst were added to the MPO study area. In 1992, per agreement with the New Hampshire Department of Transportation (NHDOT), the MPO study area was expanded to include Brookline, Lyndeborough, Mont Vernon, Pelham and Wilton, making all NRPC communities part of the MPO. The NRPC's MPO structure was modified again in 1993 with the integration of the former Policy Committee's function of transportation planning program oversight into the Nashua Regional Planning Commission, the policy body for all NRPC work program elements. This was accomplished through amendments to the NRPC Bylaws and Standing Rules. For the purpose of conducting MPO business, the decision-making body includes members (including at least one elected official) from all NRPC communities, the Nashua Transit System, the NHDOT, the NH Department of Environmental Services (NHDES), the FHWA and the FTA. The FHWA and FTA serve in a non-voting advisory capacity.

The most recent change to the MPO was in 2008, when the town of Mason joined the NRPC and also the MPO.

**FIGURE 1: NRPC REGION**

### 1.2.1. Nashua Regional Planning Commission/Metropolitan Planning Organization

The Nashua Regional Planning Commission, as the designated MPO, provides direction and coordination for the conduct of the transportation planning process by its staff. Its main functions include:

1. Establishing goals, objectives and policies for transportation in the NRPC area.
2. Directing the preparation and adoption of the Metropolitan Transportation Plan (MTP) and the Transportation Improvement Program (TIP) for the NRPC area and ensuring that the documents are in conformance with the Clean Air Act Amendments of 1990, per 40 CFR Part 51, and meet fiscal constraint requirements, per 23 CFR 450 Subpart C.
3. Reviewing transportation proposals and projects which require coordination with transportation activities, in order to assure consistency with adopted transportation plans.
4. Overseeing the development of the Unified Planning Work Program (UPWP) and approving the annual budget necessary to conduct the work tasks.

MPO meetings include representatives from each community within the designated regional planning boundary, as well as additional parties who are part of NRPC MPO for conducting transportation business. The meetings are held quarterly. Table 1 lists the municipalities and agencies that participate in the NRPC MPO. The number of representatives per municipality is in accordance the Revised Statutes Annotated 36:46:

III. Each municipality which shall become a member of a regional planning commission shall be entitled to 2 representatives on said commission. A municipality with a population of over 10,000 but less than 25,000 shall be entitled to have 3 representatives on said commission and a municipality with a population of over 25,000 shall be entitled to have 4 representatives on said commission. Population as set forth in this section shall be deemed to be determined by the last federal census.

### 1.2.2. NRPC Transportation Technical Advisory Committee

The Transportation Technical Advisory Committee (TTAC) has been established by the NRPC for the purpose of ensuring that transportation related decisions of the Nashua Regional Planning Commission are based on technically sound planning principles and the goals and objectives of its member communities. The TTAC's responsibilities include:

1. Provide recommendations to the Commission and the NHDOT on project funding priorities.
2. Rendering technical advice to the NRPC regarding contemplated or ongoing projects in the form of written memorandums and presentations at Commission meetings.
3. Facilitating an exchange of views with the general public to provide information and elicit input regarding the transportation planning process, programs and projects.
4. Providing technical input to the development of the Unified Planning Work Program.

The NRPC TTAC consists of one technical or staff-level representative from each member community plus representation from the NHDOT, NH DES, FHWA and FTA, as shown in Table 1.

**TABLE 1: NRPC MPO AND TTAC MEMBERSHIP**

| <b>Metropolitan Planning Organization (MPO)</b>  | <b>Transportation Technical Advisory Committee (TTAC)</b>   |
|--|---|
| <b><u>Voting Members</u></b><br>Town of Amherst<br>Town of Brookline<br>Town of Hollis<br>Town of Hudson<br>Town of Litchfield<br>Town of Lyndeborough<br>Town of Mason<br>Town of Merrimack<br>Town of Milford<br>Town of Mont Vernon<br>City of Nashua<br>Town of Pelham<br>Town of Wilton<br>Nashua Transit System<br>NHDOT, Bureau of Planning and Community Assistance<br>NHDES, Air Resources Division | <b><u>Voting Members</u></b><br>Town of Amherst<br>Town of Brookline<br>Town of Hollis<br>Town of Hudson<br>Town of Litchfield<br>Town of Lyndeborough<br>Town of Mason<br>Town of Merrimack<br>Town of Milford<br>Town of Mont Vernon<br>City of Nashua:<br>- Department of Public Works, Engineering<br>- Department of Public Works, Traffic<br>- Community Development Division, Planning<br>Town of Pelham<br>Town of Wilton<br>NRPC<br>Nashua Transit System<br>NHDOT, Bureau of Planning and Community Assistance<br>NHDES, Air Resources Division |
| <b><u>Non-Voting Members</u></b><br>FHWA<br>FTA  | <b><u>Non-Voting Members</u></b><br>FHWA<br>FTA   |

## **2.0 PARTICIPATING AGENCIES**

### **2.1. LOCAL COMMUNITIES**

NRPC staff work closely with its member communities to identify planning priorities and integrate findings of the transportation planning process into implementation programs. NRPC communities participate in the MPO transportation process through their involvement in the Commission and TTAC, where representatives have the opportunity and responsibility to discuss short and long-term local transportation needs and priorities; provide technical guidance; approve or reject key transportation documents such as the TIP, MTP, and UPWP; and ensure continued communication between the MPOs and local officials.

### **2.2. NASHUA TRANSIT SYSTEM**

The Nashua Transit System (NTS) is the public transit operator for the City of Nashua with limited service in surrounding communities. The City of Nashua has been operating fixed route public transportation under the "Citybus" banner since 1984. The inception of this fixed route service was driven by NRPC's Special Purpose-Urban Rural Transit Plan, which concluded that public transportation was merited for the elderly, handicapped and low-income populations in the City of Nashua. In 1990, paratransit (or "demand response") service, previously provided by a private, non-profit organization, was integrated into Citybus, and the combined operations were designated as the "Nashua Transit System (NTS)." The NTS is provided representation on the MPO and the TTAC as voting members and provides input on long and short-term transit needs for the development of the MPT and TIP. The Memorandum of Agreement between the NRPC and NTS in Appendix D provides additional information on the responsibilities of the two agencies with respect to transportation planning.

### **2.3. NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION**

The NHDOT has the authority to plan, design, build and maintain transportation facilities in the state. These activities are closely tied to the transportation planning process carried on by the MPO, which is then translated into an implementation program through the preparation of the TIP. The NHDOT has the authority and responsibility for financially constraining a statewide TIP and overall administration of the MPO transportation planning program. Through its participation in the TTAC and the MPO, the NHDOT provides guidance in the preparation of the UPWP and has the ultimate authority for its approval. The NHDOT also reviews work products prepared by the NRPC.

### **2.4. NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES**

The entire NRPC area has been designated by the Environmental Protection Agency as a non-attainment area for ozone standards. Consequently, transportation planning must be aimed at reducing emissions that contribute toward this situation. The NH Department of Environmental Services is an important participant in the transportation planning process through the development of a State Implementation Plan (SIP) that includes transportation measures aimed at reducing these emissions. NHDES is represented on the TTAC and MPO in order to better coordinate air quality policy with the regional transportation planning process.

### **2.5. FEDERAL HIGHWAY ADMINISTRATION AND FEDERAL TRANSIT ADMINISTRATION**

Representatives of the FHWA and FTA are participants on both the TTAC and the MPO. Their staff review all work prepared by the NRPC and development of the UPWP. They are non-voting members of the TTAC and MPO.



## 2.6. OTHER REGIONAL PLANNING COMMISSIONS/MPOS

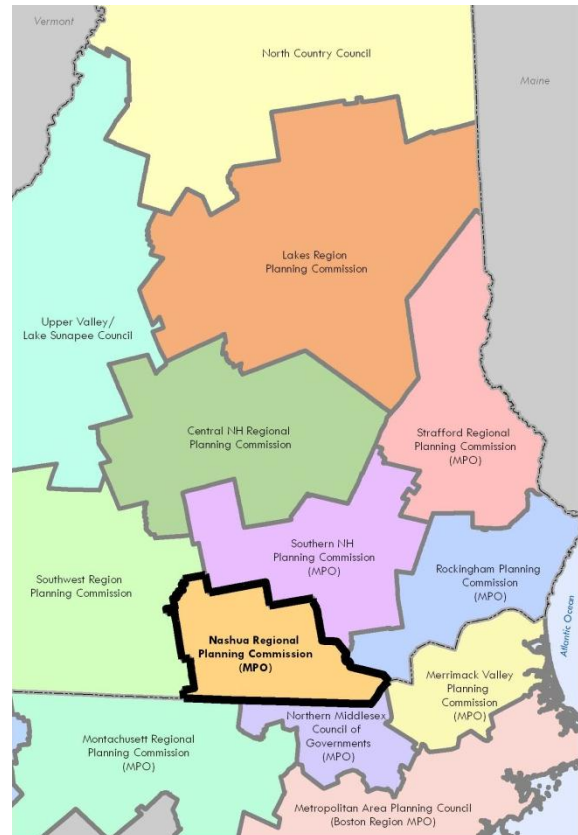
The NRPC works cooperatively with the other eight Regional Planning Commissions (RPCs) in New Hampshire through a transportation planning collaboration, meeting quarterly to discuss transportation issues and priorities.

Three of those RPCs are also designated as Metropolitan Planning Organizations: Southern New Hampshire Planning Commission (SNHPC), Rockingham Planning Commission (RPC), and Strafford Regional Planning Commission (SRPC). The four NH MPOs are all part of the United States Environmental Protection Agency (USEPA) designated Boston-Manchester-Portsmouth (Southeast) New Hampshire moderate non-attainment area for the 8-hour ozone National Ambient Air Quality Standard. As required by the Clean Air Act Amendments of 1990 (CAA), the four MPOs coordinate their Air Quality Conformity analyses to ensure that region-wide emissions conform to the NH State Implementation Plan (SIP).

The four MPOs participate in a monthly Interagency Consultation process with NHDOT, NHDES, FHWA and FTA to discuss and coordinate various transportation planning activities, including Transportation Improvement Plan (TIP) and Metropolitan Transportation Plan development and implementation, the Congestion Management Process (CMP), and cross-region corridor planning.

In addition to working with partners within New Hampshire, the NRPC also coordinates transportation planning efforts with adjacent MPOs in Massachusetts.

**FIGURE 2: RPCs/MPOS AROUND THE NRPC**



### 3.0 OVERVIEW OF THE TRANSPORTATION PLANNING PROCESS

#### 3.1. THE “3C” PROCESS

The “3C” transportation planning process was jointly developed by the FHWA and the Urban Mass Transportation Administration (UMTA, now the FTA) in the early 1970s to ensure that effective, coordinated multi-modal transportation planning and project implementation would be conducted on a nationwide basis. Large scale highway construction which occurred during the 1950s and 1960s often had serious negative and unanticipated impacts on the communities they were intended to serve, and on the environment. These problems were exacerbated by the fact that citizens were not adequately informed as to the consequences of these projects, nor afforded the ability to provide input into their identification or planning.

In response to these problems, the FHWA and FTA jointly developed the “3C” transportation planning process. It was designed to ensure that the process would be **continuing**, meaning that both long and short term transportation issues are identified and considered on an ongoing basis; **cooperative**, meaning that effective coordination among all public officials is maintained and that other public and private parties are included in the process; and **comprehensive**, meaning that all modes of transportation, as well as non-transportation elements such as land use, economic and environmental issues were considered in the planning process,

The importance of MPOs was strengthened by federal highway legislation known as ISTEA, and its successors, the Transportation Equity Act for the 21<sup>st</sup> Century (TEA21) and the current Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). Under these laws and their implementing rules, MPOs have a greater role and responsibility in highway and transit projects. They direct MPOs to develop comprehensive project-specific and financially realistic (constrained) transportation plans with a minimum 20 year horizon which form the basis or framework for addressing transportation needs in the region.

The NRPC planning process involves a coordinated, cooperative and comprehensive effort among local, regional, state and federal agencies, and consists of the following components:

- Transportation Planning Factors;
- Title VI and Environmental Justice;
- Public Participation Plan;
- Unified Planning Work Program (UPWP);
- Metropolitan Transportation Plan (MTP);
- Transportation Improvement Program (TIP);
- Air Quality Conformity Determination;
- Transportation Plan Implementation; and
- Amendment Procedures.

#### 3.2. TRANSPORTATION PLANNING FACTORS

As part of the metropolitan transportation planning process, the Nashua MPO shall consider, analyze as appropriate, and incorporate into the planning process the eight planning factors cited in the Metropolitan Planning Rules 23 CFR Part 450 Subpart C §450.306 and 49 CFR Part 613. The eight planning factors are:

1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity and efficiency;
2. Increase the safety of the transportation system for motorized and non-motorized users;
3. Increase the security of the transportation system for motorized and non-motorized users;

4. Increase the accessibility and mobility of people and freight;
5. Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns.
6. Enhance the integration and connectivity of the transportation system, across and between modes throughout the State, for people and freight.
7. Promote efficient system management and operation.
8. Emphasize the preservation of the existing transportation system.

### **3.3. TITLE VI AND ENVIRONMENTAL JUSTICE**

In 1994, President Clinton issued an Executive Order directed to all Federal agencies to consider and address the effects of all programs, policies, and activities on "minority populations and low-income populations." The Executive Order of 1994 is a follow-up to Title VI of the Civil Rights Act of 1964, which states that, "No person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." The FHWA and FTA are required to incorporate environmental justice as part of their mission by involving the potentially affected public in developing transportation projects that fit harmoniously into the communities without sacrificing safety or mobility and without any undue harm through displacement. The Nashua Regional Planning Commission receives federal monies through the FHWA and FTA to execute many of the transportation projects, and as a result is subject to the same federal requirement. Three fundamental environmental justice principles outlined by the FHWA are addressed by the NRPC in its transportation planning process:

1. To avoid, minimize, or mitigate disproportionately high and adverse human health or environmental effects, including social and economic effects, on minority populations and low-income populations.
2. To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
3. To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority populations and low-income populations.

### **3.4. PUBLIC PARTICIPATION PLAN**

To ensure the greatest opportunity for public involvement throughout the planning process, the NRPC maintains a Public Participation Plan that provides for complete information dissemination, timely public notification, public access to key decisions, and supports early and continuing involvement of the public. That Public Participation Plan is included as Appendix A of this Prospectus.

### **3.5. UNIFIED PLANNING WORK PROGRAM (UPWP)**

The purpose of the Unified Planning Work Program (UPWP) is to present all continuing transportation planning activities anticipated within the Nashua region during the Fiscal Year, regardless of funding sources, in a single document. It also identifies for each activity the accomplishments of the previous fiscal year. It is intended to provide the framework from which the other steps in the planning process are completed by facilitating review procedures, funding applications, grant decisions and allocations, technical and financial monitoring and periodic evaluation of substantive and procedural aspects for intermodal transportation planning under prescribed guidelines.

The UPWP is developed in accordance with 23 CFR Part 450 Subpart C, and in cooperation with the State and Nashua Transit System, the public transportation operator in the Nashua region.

### **3.6. METROPOLITAN TRANSPORTATION PLAN (MTP)**

The Metropolitan Transportation Plan (MTP), formerly referred to as the Long Range Transportation Plan, is the foundation for identifying and implementing transportation needs and improvements in the region. It serves as both the policy document for transportation planning in the region and the source from which specific transportation projects are identified, prioritized and selected for funding. The requirements for developing the MTP are currently defined by SAFETEA-LU and its implementing rules (23 CFR 450 and 500 - Statewide and Metropolitan Transportation Planning, and 40 CFR 51 - EPA Transportation Conformity). SAFETEA-LU requires that the MTP be updated at least every four years and maintain a minimum 20 year planning horizon (the Nashua MPO maintains a 25-year planning horizon). SAFETEA-LU also requires three other key elements: (1) the determination of conformity for the MTP to the State Implementation Plan (SIP) for Air Quality; (2) the consideration of financial constraints in the development of the Plan, and (3) the use of an effective public involvement process throughout the development stages of the Plan. The MPO staff is responsible for ensuring that the MTP meets all requirements of the latest Metropolitan Transportation Planning Rules.

### **3.7. TRANSPORTATION IMPROVEMENT PROGRAM (TIP)**

The NRPC Transportation Improvement Program (TIP) serves as the short-term (four-year) capital investment plan for transportation improvements in the Nashua region. The TIP is essentially the short-range transportation improvement component of the MTP, but since it is updated more frequently than the longer-ranged MTP and is subject to frequent amendments, it is maintained as a separate document. The TIP must be updated and readopted every four years; however, to keep its development synchronized with the State Transportation Improvement Program (STIP), the NRPC TIP is updated and readopted every two years (in even numbered years) by the Commission.

The TIP lists those financially-constrained projects which are proposed for implementation. The first two years of the TIP contain projects which have been selected for funding through a cooperative process with the NHDOT. In the normal course of events, as the first two years are implemented, the financially constrained projects that are listed in the third year become first year projects during the next two-year update cycle. The TIP must be established through the use of effective early and continuing public involvement and public notice of public involvement activities as well as public review and comment on the TIP will satisfy the Program of Project requirements of the FTA Section 5307 program.

No project using Federal transportation funds (Title 23 or FTA funds) may be implemented in the Nashua MPO region unless it is part of an approved, conforming TIP. The requirements of TIP development are provided in 23 CFR Part 450 Subpart C §450.324-330 of the Metropolitan Transportation Planning and Programming rules. Project solicitation and selection procedures are detailed in Appendix B.

### **3.8. AIR QUALITY CONFORMITY DETERMINATION**

The Clean Air Act Amendments of 1990 mandate that those Transportation Improvement Programs (TIPs) and Metropolitan Transportation Plans (MTPs) in areas not in attainment with National Ambient Air Quality Standards (NAAQS) must be found to be in conformity with the State Implementation Plan (SIP). The SIP sets the emissions budget that includes reductions from both stationary and mobile sources in order to achieve attainment. Federal regulations require that the MTP be coordinated with the State Implementation Plan (SIP) process for areas designated "non-attainment" for one or more types of pollutants. On April 30, 2004, the US Environmental Protection Agency (US EPA) designated a portion of southeastern New Hampshire as the Boston-Manchester-Portsmouth (Southeast) New Hampshire moderate non-attainment area for the 8-hour ozone National Ambient Air Quality Standard. This non-attainment area consists of portions of Hillsborough, Merrimack, Rockingham and Strafford counties and includes the NRPC area, with the exception of Lyndeborough, Mason, Mont Vernon and Wilton.

Because the Nashua Region is part of the Boston-Manchester-Portsmouth (Southeast) New Hampshire moderate non-attainment area for the 8-hour ozone standard, a conformity determination for ozone-producing emissions – volatile organic compounds (VOCs) and nitrogen oxides (NOx) – is necessary to ensure that regional TIPs and MTPs are compliant with state level plans and meet US EPA approved motor vehicle budgets for these pollutants. The air quality analyses from all four of New Hampshire's MPOs located within the 8-hour ozone non-attainment area are reviewed to determine if the region-wide emissions conform to the SIP. The review process is orchestrated by the NHDOT.

In addition to being in non-attainment for ground level ozone, the City of Nashua is currently designated as a maintenance area for Carbon Monoxide (CO). Nashua has demonstrated to be in compliance with CO levels since the late 1980s. However a conformity determination for CO is necessary to ensure compliance with EPA approved budget for this pollutant.

Proposed revisions to the MTP or TIP that impact the existing air quality analysis are considered Amendments and require a new or amended air quality conformity determination. The amended TIP, Plan and statement of conformity must be submitted to FHWA/FTA for approval. Proposed revisions to the MTP or TIP that do not affect the existing air quality analysis but trigger a determination of conformity for other reasons must be explicitly reflected in the Amendment with a statement that the finding of conformity is based on the existing air quality analysis. The process and agency responsibilities to be adhered to in conformity determinations are specifically defined in the New Hampshire Transportation Conformity administrative rules.

### **3.9. TRANSPORTATION PLAN IMPLEMENTATION**

The NRPC does not have the sole responsibility for implementing the Metropolitan Transportation Plan. Implementation of the MTP occurs through the programming of projects in the short-range Transportation Improvement Program and is carried out cooperatively by the various entities including municipal governments, the Nashua Transit System, the New Hampshire Department of Transportation, and federal agencies such as FHWA and FTA.

### **3.10. AMENDMENT PROCEDURES**

While the improvements and priorities included in the transportation plan are based on sound analytical assessment of transportation needs, adjustments to the plan may be periodically necessary to reflect changes in transportation demand and conditions and findings of detailed project studies, as well as MPO-Board approved requests from its own members or citizen groups and municipalities. Procedures for amending the TIP can be found in Appendix C.

## **Appendix A**

### **Public Involvement Process for Transportation Planning**

# **Nashua Regional Planning Commission Metropolitan Planning Organization**

## **Public Involvement Process For Transportation Planning**



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**NASHUA REGIONAL PLANNING COMMISSION**

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## TABLE OF CONTENTS

|            |   |          |
|------------|---|----------|
| <b>1.0</b> | <b>PURPOSE AND OBJECTIVES .....</b>                   | <b>1</b> |
| 1.1        | PURPOSE .....   | 1        |
| 1.2        | OBJECTIVES .....                                      | 1        |
| <b>2.0</b> | <b>PUBLIC INVOLVEMENT STANDARDS.....</b>              | <b>1</b> |
| 2.1        | OUTREACH STRATEGIES.....                              | 2        |
| 2.1.1      | Informational Brochures or Newsletters.....           | 2        |
| 2.1.2      | Electronic Mailing Lists .....                        | 2        |
| 2.1.3      | Video and Other Media Outlets .....                   | 2        |
| 2.1.4      | Targeted Neighborhood Meetings.....                   | 2        |
| 2.2        | STRATEGIES TO REACH UNDERREPRESENTED POPULATIONS..... | 2        |
| 2.2.1      | Partnering with other agencies and events.....        | 3        |
| 2.2.2      | Public Workshop Meetings .....                        | 3        |
| 2.2.3      | Surveys and Questionnaires .....                      | 3        |
| 2.2.4      | Visualization Techniques.....                         | 3        |
| 2.2.5      | Web Site and Social Media.....                        | 3        |
| 2.3        | LIST OF INTERESTED AND AFFECTED PARTIES.....          | 3        |
| 2.4        | PUBLIC REVIEW OF PLANNING DOCUMENTS:.....             | 4        |
| 2.5        | PUBLIC COMMENT PERIOD .....                           | 4        |



## **PUBLIC INVOLVEMENT PROCESS FOR TRANSPORTATION PLANNING**

### **1.0 PURPOSE AND OBJECTIVES**

#### **1.1 PURPOSE**

Federal rules pertaining to the metropolitan transportation planning requirements contain specific minimum requirements for public involvement in transportation planning. Every Metropolitan Planning Organization (MPO) must develop, adopt and implement formalized procedures for effective community participation to be used during the development or updating of a Metropolitan Transportation Plan (MTP) or Transportation Improvement Program (TIP). The following process is intended to ensure effective public involvement in the NRPC's transportation planning activities and to comply with applicable federal rules.

#### **1.2 OBJECTIVES**

The principal objectives of the NRPC's public involvement processes are:

- to seek input from a wide variety of individuals, groups and organizations affected by the transportation system;
- to establish public involvement early in the planning process, before key decisions are made; and
- to develop transportation plans, programs and projects which reflect local, regional and state priorities and consider a range of transportation options.

### **2.0 PUBLIC INVOLVEMENT STANDARDS**

The federal rules governing metropolitan planning for transportation specify minimum standards which the NRPC's public involvement process must strive to achieve (23 CFR 450.316(b) (i-xi)). These standards form the basis of the criteria that will guide the NRPC in carrying out its public involvement process.

- Require a minimum public comment period of 45 days before the public involvement process is initially adopted or revised.
- Provide information about transportation issues and processes to citizens, affected public agencies, private providers of transportation and other interested parties and segments of the communities affected by transportation plans, programs and projects.
- Require up to 30 days public notice for public review and comment at key decision points, including, but not limited to, amendments to, and approval of the MTP and TIP.
- Consider the needs of those who are commonly underserved by existing transportation systems, including households with low income, minority and disabled individuals when applicable.
- Demonstrate explicit consideration and response to the public input received during the planning and program development public hearing processes.
- Provide the opportunity for additional public comment, prior to adoption, whenever substantive changes are made to a proposed draft MTP or TIP after it is released for public comment.

- Coordinate the MPO public involvement process with the statewide public involvement process wherever possible to enhance public consideration and understanding of the issues, plans and programs.
- Review and self-certify that this public involvement process is being followed and is effective in meeting the purpose, objectives and criteria set forth herein.
- Ensure that all meetings concerning MPO business be open to the public and held in accessible locations that can accommodate the needs of the disabled and that the provisions of RSA 91-A (Access to Public Records and Meetings) are followed.

## **2.1 OUTREACH STRATEGIES**

Various techniques will selectively be used to provide information and solicit public comment. Some examples of public participation methods are briefly described below.

### **2.1.1 Informational Brochures or Newsletters**

Informational brochures, postcards and newsletters may be used by the NRPC to convey information regarding current planning activities and news about the region. Brochures, flyers or postcards may be prepared for plan or program updates and to provide an overview of planning activities.

### **2.1.2 Electronic Mailing Lists**

NRPC actively maintains an electronic mailing list database to facilitate communication with members and interested parties. Using mailing lists, NRPC reaches target audiences with announcements of upcoming events, meeting information, newsletters, summary reports and other information about agency activities.

### **2.1.3 Video and Other Media Outlets**

Videos may be produced and distributed to local cable access channels and made available on the NRPC web site. Other media strategies include the use of press releases, legal ads, newspaper articles and, when feasible, television and radio outlets may be used.

### **2.1.4 Targeted Neighborhood Meetings**

NRPC uses targeted neighborhood meetings to provide a greater level of detail to specific neighborhoods that may be acutely impacted by a plan or project. Residents of a specific neighborhood may be contacted by mail, email, phone or hand delivered fliers to notify them of a meeting. While the targeted neighborhood meetings are open to the public, a broad based advertisement may not be used.

## **2.2 STRATEGIES TO REACH UNDERREPRESENTED POPULATIONS**

NRPC is proactive regarding public outreach to underrepresented populations, including minority and low-income residents and transit-dependent individuals. Methods include:

- Participating in special interest groups such as Transit Matters;
- targeted neighborhood meetings;
- providing translation services;
- recruiting advocates to participate in planning processes;

- contact with local government planners, staff and elected officials; and
- targeted mailings and bilingual questionnaire distribution.

### **2.2.1 Partnering with other agencies and events**

NRPC may partner with other community organizations to set up public outreach displays and materials on specific planning projects at public meetings or other community events.

### **2.2.2 Public Workshop Meetings**

Public meetings using a workshop format may be used to disseminate information, provide a setting for public discussion, and gather feedback from the community. The meetings will be structured in an open house format allowing participants to interact with project or planning staff one on one or in small groups. Plan or project exhibits will be displayed and available for review by the public. The open house session may be preceded or followed by a formal presentation by project or plan staff. Workshops will be held at key points in the planning or project development process. They may be tailored to specific issues or community groups and may be informal or formal.

### **2.2.3 Surveys and Questionnaires**

NRPC may use surveys to gather information for major updates to planning documents and projects. The method of data collection varies by project, but may include in-person interviews, paper survey mailings, professionally administered surveys and web-based questionnaires.

### **2.2.4 Visualization Techniques**

NRPC will implement visualization techniques designed to convey to the public, through visual media, information important in the transportation planning process. This might include regional maps showing project location and anticipated changes to the transportation system. It could also include simpler techniques such as renderings or photo simulations to show a widened roadway or bridge in context; flow charts to clearly depict the transportation planning process; or graphs related to distribution of project funding. Visualization can be made available through direct mail, presentations at public meetings or via the World Wide Web.

### **2.2.5 Web Site and Social Media**

Improvements will be made continually to the NRPC web site ([www.nashuarpc.org](http://www.nashuarpc.org)) to keep the public informed about planning activities and to offer another way to provide comments. The NRPC website includes a calendar of meetings, agendas and meeting minutes; links to regional demographic, and traffic data; downloadable versions of planning documents, and extensive GIS/mapping content. Social Media will be phased in as the technology becomes more mainstream and reliable.

## **2.3 LIST OF INTERESTED AND AFFECTED PARTIES**

The NRPC shall develop and maintain a list of interested and affected parties whose input will be actively sought in the Plan development process. This list will include, but not be limited to, the following:

- boards of Selectmen and Aldermen and Town Council;
- planning boards, traffic committees, public works officials/road agents;
- public and private transportation providers;

- human service agencies with paratransit-eligible clients;
- representatives from adjacent MPO's;
- organizations concerned with economic development;
- members of the state legislature representing NRPC communities;
- appropriate state and federal agencies, including the NHDOT, NHDES- Air Resources Division, FHWA, FTA, FAA and EPA;
- organizations and interest groups within the region with a demonstrated interest in transportation issues;
- existing members of the MPO Transportation Technical Advisory Committee not included in the above list; and
- contacts from the local news media.

This list will be used to keep organizations, groups and agencies informed about the development of the Transportation Plan and to notify them about specific opportunities for public involvement.

## **2.4 PUBLIC REVIEW OF PLANNING DOCUMENTS:**

Copies of the draft plan updates for the MTP and TIP documents are made available electronically through the NRPC website. Links to the document will be distributed through email to the list of interested parties. Paper copies will be available upon request or may be reviewed at the NRPC office, City of Nashua Library and Town of Milford Library.

## **2.5 PUBLIC COMMENT PERIOD**

The MPO will determine the length of the public comment period through an interagency consultation process. For each amendment the MPO will recommend a length for the public comment period between 10 and 30 days.

For the update that is processed on a two year cycle concurrent with New Hampshire's Ten Year Plan update cycle, the public comment period will be 30 days at a minimum.

For amendments, the recommendation will be based on various factors including the magnitude of the changes being proposed, the relative sensitivity of the projects included, and any factors that require timely actions, e.g. emergencies, federal lapses, etc. After the public comment period ends, the draft documents along with the summary of comments are presented to the Technical Advisory Committee and Policy Committee for the final adoption process.

The table below provides public participation requirements for the adoption or amendment of the listed transportation planning documents.

| <b>Planning Document or Activity</b>               | <b>Public Participation Requirements</b>  |
|--|---|
| Metropolitan Transportation Plan                   | <ul style="list-style-type: none"><li>○ Publish a Notice of Intent to update the LRTP</li><li>○ Copies of the draft MTP will be made available</li><li>○ Public notice of comment period and Public Hearing through local newspaper, the NRPC website, social media and electronic mailing to interested parties list.</li><li>○ Public Informational Meeting (TTAC)</li><li>○ Up to a 30 Day Public Comment Period</li><li>○ Public Hearing at the NRPC Commission Meeting</li></ul> |
| Transportation Improvement Program                 | <ul style="list-style-type: none"><li>○ Copies of the Draft TIP will be made available</li><li>○ Public notice of comment period and Public Hearing through local newspaper, the NRPC website, social media and electronic mailing to interested parties list.</li><li>○ Public Informational Meeting (TTAC)</li><li>○ Up to a 30 Day Public Comment Period</li><li>○ Public Hearing at the NRPC Commission Meeting</li></ul>   |
| Air Quality Conformity Determinations              | <ul style="list-style-type: none"><li>○ Concurrent with the adoption or amendment of the TIP and MTP, The Air Quality Conformity Determination will be noticed through local newspaper, the NRPC website, social media and electronic mailing to interested parties</li></ul>   |
| Public Participation Plan Adoption or Modification | <ul style="list-style-type: none"><li>○ Public Notice of Comment Period and Hearing</li><li>○ Public Information Meeting via TTAC</li><li>○ 45 Day Public Comment Period</li><li>○ Public Hearing and adoption at the NRPC Commission Meeting</li></ul>   |

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## **Appendix B**

### **NRPC Project Solicitation and Selection**

# **Nashua Regional Planning Commission Metropolitan Planning Organization**

## **Transportation Project Selection and Prioritization Procedures**



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**NASHUA REGIONAL PLANNING COMMISSION**

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(603) 424-2240  
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**JANUARY 2011**

**Table of Contents**

|      |   |   |
|------|---|---|
| I.   | INTRODUCTION.....   | 1 |
| II.  | ORGANIZATION ELIGIBILITY .....                                      | 1 |
| III. | PUBLIC INVOLVEMENT.....   | 1 |
|      | A. Community Responsibilities:.....                                 | 1 |
|      | B. MPO Responsibilities:.....                                       | 1 |
| IV.  | TRANSPORTATION PLANNING CYCLE.....                                  | 2 |
| V.   | ELIGIBLE PROJECTS.....  | 3 |
|      | A. Transportation Projects Eligible for Federal/State Funding ..... | 3 |
| VI.  | SUBMITTING PROJECT PROPOSALS.....                                   | 7 |
| VII. | PROJECT EVALUATION, PRIORITIZATION AND SELECTION .....              | 7 |



## **I. INTRODUCTION**

The Nashua Area Metropolitan Planning Organization (MPO) has developed these project selection and prioritization procedures to: (1) guide municipalities and other organizations in submitting transportation improvement projects, and to (2) guide the MPO in prioritizing transportation improvements to be included in the Nashua Metropolitan Area Long Range Metropolitan Transportation Plan (MTP) and Transportation Improvement Plan (TIP).

## **II. ORGANIZATION ELIGIBILITY**

Municipalities, transportation agencies, and other public bodies are eligible and encouraged to submit project proposals through this process. In addition, private entities are eligible to submit proposals, provided they receive the endorsement of the municipality or municipalities for which they are proposed and provided that the project sponsor has identified the source of the necessary matching funds that will be utilized. The community's Board of Selectmen/Aldermen or Town/City Council must endorse projects under municipal responsibility. In the case of a public transportation or a private not-for-profit organization, the Board of Director's support for a proposal is required.

## **III. PUBLIC INVOLVEMENT**

### **A. Community Responsibilities:**

It is strongly recommended that each locality develop a set of prioritized, locally supported projects before any project submittal to the MPO takes place. The MPO encourages each community to work with the Nashua Regional Planning Commission (NRPC) Transportation Technical Advisory Committee (TTAC) representatives, local boards, elected state officials, affected parties and local officials to seek public input in the development of their proposals to ensure a coordinated, prioritized, and politically supported list of projects prior to submission. Other potential sources of input include highway safety committees, road agents, police chiefs, human service agencies, and community groups. Each locality is free to design a process suitable to its needs.

If your community intends to propose new transportation projects, certain supporting information is required, as indicated on the project proposal forms.

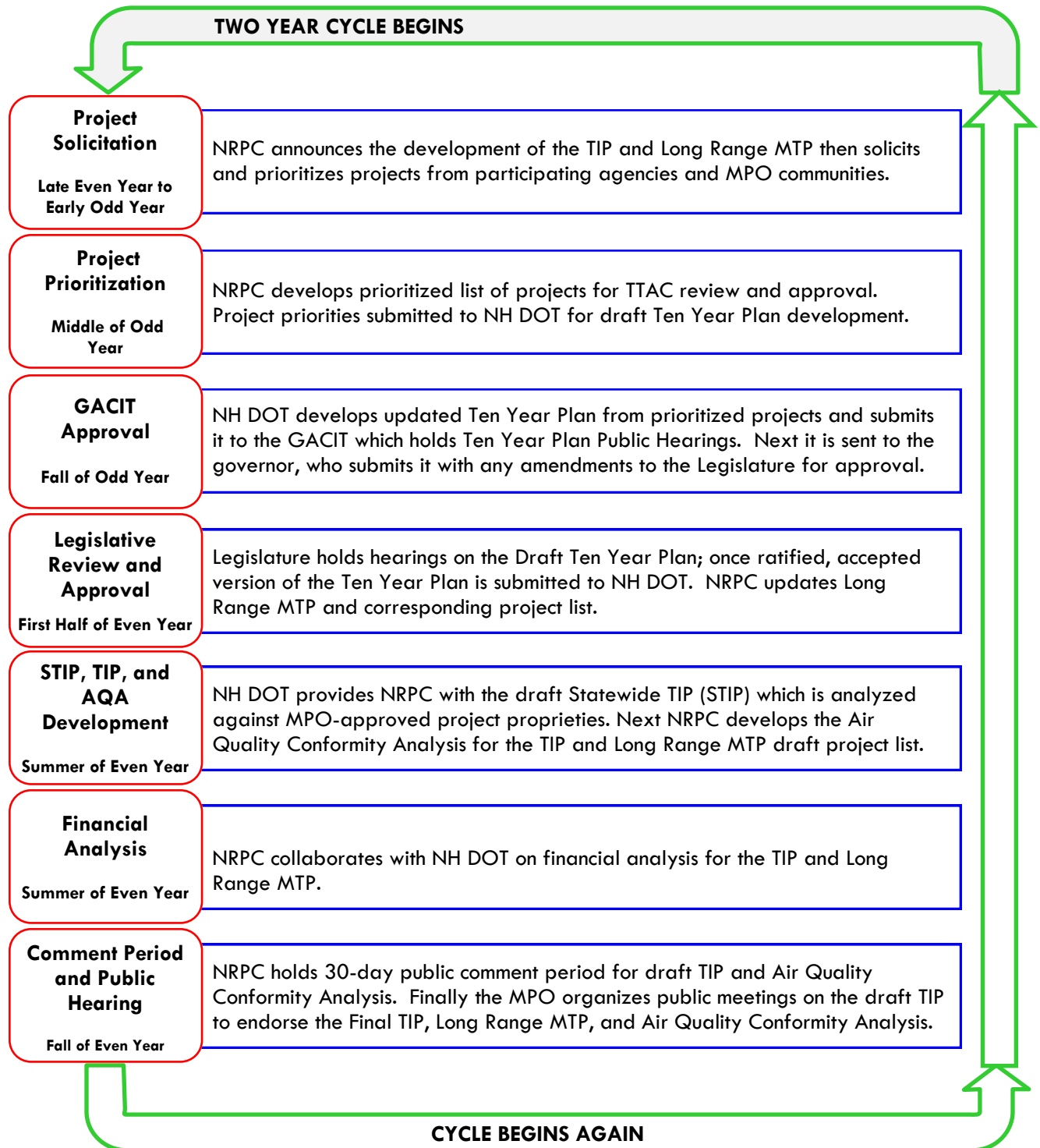
### **B. MPO Responsibilities:**

MPO staff establishes the project selection process and assists communities and other applicants participating in this process. The MPO will conduct project application workshops to assist communities in completing project applications. In addition, MPO staff will make public presentations to explain the transportation project planning and selection process, review existing long-, mid- and short-range projects contained in the approved Nashua Metropolitan Area Long Range MTP, State of New Hampshire Ten Year Plan (TYP) and Nashua Metropolitan Area Transportation Improvement Program (TIP) and solicit input for additions, changes or deletions of projects.

Following the submission of project proposals, MPO staff will evaluate and rank the applications for review by the TTAC. Final review and endorsement will be by the NRPC (Commission). The draft TIP will then be submitted to the NHDOT.

#### IV. TRANSPORTATION PLANNING CYCLE

The transportation planning cycle followed in developing the Long Range MTP and TIP is shown below.



## V. ELIGIBLE PROJECTS

### A. Transportation Projects Eligible for Federal/State Funding

The following sections provide information on the types of transportation projects that are eligible for inclusion in the Nashua Metropolitan Area Long Range MTP and TIP:

#### 1. Roadway/Bridge Projects

Roadways that are designated as being part of National Highway System (NHS) or roadways that are located on a Federal-aid Highway are eligible for federal funds. Roads functionally classified as local streets or rural minor collectors are not part of the Federal-aid Highway System and are not generally eligible for Surface Transportation Program (STP) or NHS funds.

Federal funds may be used for construction, reconstruction, rehabilitation, resurfacing, restoration, and operational improvements for highways and bridges (including bridges on public roads of all functional classifications), including any such construction or reconstruction necessary to accommodate other transportation modes; intersection improvements such as reconfiguration, lane additions and signalization; safety improvements including traffic calming, signage, and barriers; and carpool, parking, bicycle and pedestrian facilities.

In addition to federal funding, there are state funding programs available for roadway and bridge projects. Brief descriptions of those programs are provided under "Other Funding Programs".

*(Contact the NRPC or NH DOT if you need information on your community's roadway classifications.)*

#### 2. Public Transportation Projects

The Federal Transit Administration (FTA) provides four categories of funding for projects within the Nashua Metropolitan area. Those categories and the types of projects eligible for funding within those categories are:

- a) Urbanized Area Formula Funding (5307): available to urbanized areas and to Governors for transit capital and operating assistance in urbanized areas (population greater than 50,000) and for transportation related planning. Eligible activities include planning, engineering design and evaluation of transit projects and other technical transportation-related studies; capital investments in bus and bus-related activities such as replacement of buses, overhaul of buses, rebuilding of buses, crime prevention and security equipment and construction of maintenance and passenger facilities; and capital investments in new and existing fixed guideway systems including rolling stock, overhaul and rebuilding of vehicles, track, signals, communications, and computer hardware and software. All preventive maintenance and some Americans with Disabilities Act complementary paratransit service costs are considered capital costs.
- b) Transportation for Elderly Person and Persons with Disabilities (5310): funding to assist private nonprofit groups in meeting the transportation needs of the elderly and persons with disabilities when the transportation service provided is unavailable, insufficient, or inappropriate to meeting these needs. Capital expenses that support transportation to meet the special needs of older adults and persons with disabilities are eligible.

- c) Job Access and Reverse Commute Program (5316): The Job Access and Reverse Commute (JARC) program was established to address the unique transportation challenges faced by welfare recipients and low-income persons seeking to obtain and maintain employment. Capital, planning and operating expenses are eligible for projects that transport low income individuals to and from jobs and activities related to employment, and for reverse commute projects.
- d) New Freedom Program (5317): The New Freedom formula grant program seeks to reduce barriers to transportation services and expand the transportation mobility options available to people with disabilities beyond the requirements of the Americans with Disabilities Act (ADA) of 1990. Capital and operating expenses for new public transportation services and new public transportation alternatives beyond those required by the ADA which are designed to assist individuals with disabilities are eligible.

### 3. Transportation Demand Management Projects

Transportation Demand Management (TDM) is a general term that describes the use of one or more strategies to encourage more efficient use of transportation systems, primarily by shifting single-occupant vehicle (SOV) trips to non-SOV modes, or shifting auto trips out of peak periods. Eligible projects include development of employer-based transportation management plans, provisions to encourage ridesharing (carpool/vanpool), fringe and corridor parking facilities and programs, provisions for bicycle transportation and pedestrian walkways, and infrastructure-based intelligent transportation systems capital improvements.

### 4. Bicycle/Pedestrian Projects

Surface Transportation Funds (STP) may be used for the construction of pedestrian walkways and bicycle transportation facilities and for carrying out non-construction projects related to safe bicycle use. In addition, construction of pedestrian walkways and bicycle transportation facilities on land adjacent to any highway on the National Highway System are eligible for NHS funds.

The Transportation Enhancement and Safe Routes to School programs also fund bicycle and pedestrian projects and are described below under Other Funding Programs.

### 5. Other Funding Programs

There are several other programs that provide funds to communities for transportation improvements. These programs have different application and selection processes than those used for the Long Range MTP and TIP. However, projects which are selected for funding through these programs will be incorporated into the Long Range MTP and TIP and are therefore subject to fiscal constraint and air quality conformity requirements.

#### a) Transportation Enhancements

Transportation Enhancements (TE) activities are federally-funded community-based projects that expand travel choices and enhance the transportation experience by improving the cultural, historic, aesthetic and environmental aspects of transportation infrastructure. TE projects must be one of the following 12 eligible activities and must relate to surface transportation.

- 1) Provision of facilities for bicyclists and pedestrians
- 2) Provision of safety and educational activities for bicyclists and pedestrians
- 3) Acquisition of scenic easements and scenic or historic sites

- 4) Scenic or historic highway programs (including the provision of tourist and welcome center facilities)
- 5) Landscaping and other scenic beautification
- 6) Historic preservation
- 7) Rehabilitation and operation of historic transportation buildings, structures or facilities (including historic railroad facilities and canals)
- 8) Preservation of abandoned railway corridors (including the conversion for use as bicycle paths and pedestrian facilities)
- 9) Control and removal of outdoor advertising
- 10) Archaeological planning and research
- 11) Environmental mitigation to address water pollution due to highway runoff or reduce vehicle-caused wildlife mortality while maintaining habitat connectivity
- 12) Establishment of transportation museums

The application process for TE funds is directed by the NH DOT on a two-year cycle with the Regional Planning Commissions (RPCs) playing an integral role in application development and regional project scoring and prioritization. Projects are also scored and prioritized at the state level by NH DOT and by the TE Advisory Committee, which makes final project recommendations to the Commissioner.

b) Congestion Mitigation and Air Quality

The purpose of the Congestion Mitigation and Air Quality (CMAQ) program is to fund transportation projects or programs that will contribute to attainment or maintenance of the national ambient air quality standards (NAAQS) for ozone, carbon monoxide (CO), and particulate matter (PM). The CMAQ program supports two important transportation goals: improving air quality and relieving congestion. There are sixteen eligible program categories for CMAQ projects:

- 1) Traffic Control Measures (TCM)
- 2) Extreme Low-Temperature Cold Start Programs
- 3) Alternative Fuels & Vehicles
- 4) Congestion Reduction & Traffic Flow Improvements
- 5) Transit Improvements
- 6) Bicycle & Pedestrian Facilities & Improvements
- 7) Travel Demand Management
- 8) Public Education & Outreach Activities
- 9) Transportation Management Associations
- 10) Carpooling & Vanpooling Programs
- 11) Freight/Intermodal
- 12) Diesel Engine Retrofits & Other Advanced Technologies
- 13) Idle Reduction
- 14) Training
- 15) Inspection/Maintenance Programs
- 16) Experimental Pilot Projects

Similar to the TE program, the application process for CMAQ funds is directed by the NH DOT on a two-year cycle with the Metropolitan Planning Organizations playing an integral role in application development, including conducting required air quality analyses, and regional project scoring and selection. Projects are scored and prioritized at the state level by NH DOT and by the CMAQ Advisory Committee, which makes final project recommendations to the Commissioner.

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c) Safe Routes to School

The Safe Routes to School Program (SRTS) encourages students from kindergarten through 8th grade to safely walk or bike to school by using a variety of education methods and incentives. The program also addresses parents' safety concerns by encouraging greater enforcement of traffic laws; exploring ways to create safer streets; and educating the public about safe biking, walking, and driving practices. The overall goals of the Safe Routes to School Program are to reduce traffic near schools, enhance air quality, and improve children's health through increased physical activity.

The Safe Routes to School program funds non-infrastructure projects, such as parent and student surveys, pedestrian and bicycling safety education, encouragement programs and motorist education and enforcement. The program also funds infrastructure projects such as new sidewalk construction, development of bike routes and bike paths, and installation of signs and signals. It is a competitive grant program administered by the NH DOT with the RPCs facilitating the application process. As with the TE and CMAQ programs, projects are scored and prioritized at both the regional level by the RPC and at the state level by the SRTS Advisory Committee.

d) Highway Safety Improvement Program

The Highway Safety Improvement Program (HSIP) is a core Federal-aid program established to achieve a significant reduction in traffic fatalities and serious injuries on all public roads through the implementation of infrastructure-related highway safety improvements. HSIP funds may be used to carry out highway safety improvement projects on any public road or publicly owned bicycle or pedestrian pathway or trail. Locations for improvements are identified through crash data that demonstrates there is a safety problem.

As part of the HSIP, the Railway-Highway Crossings Program funds projects that eliminate hazards and install protective devices at public railway-highway crossings. Also as part of the HSIP, a High Risk Rural Road Program was established that provides funding for construction and operational improvements on rural major or minor collectors or rural local roads.

The application process for HSIP projects includes a Road Safety Audit (performed by an independent audit team) recommending specific improvements and/or a Benefit Cost Analysis greater than 2.5 and a cost less than 100k. Applications for the Road Safety Audit are provided by NH DOT and require the support of the RPC, NH DOT District, and municipality.

e) Scenic Byways

The National Scenic Byways Program is a voluntary, community-based program administered through the Federal Highway Administration to recognize, protect, and promote America's most outstanding roads. The National Scenic Byways Discretionary Grants program provides funding for byway-related projects each year. Funds may be used to undertake eligible projects along All-American Roads, National Scenic Byways, State scenic byways and Indian tribe scenic byways, and for the planning, design, and development of State scenic byways programs. Eligible projects include: making safety improvements to a highway designated as a scenic byway; construction of facilities along such a highway for use of pedestrians and bicyclists, such as rest area turnouts, overlooks, and interpretive facilities; improvements to the highway to improve access to recreational purposes; protecting historical and cultural resources

along the highway; tourist information and scenic byways marketing plans and programs.

f) State Funding Programs

- State Aid Funds for Class I, II, and III Highways are provided for the purpose of constructing or reconstructing sections of Class I, II, and III highways. This work, when requested by a municipality, would include improvements to unimproved sections of State secondary, Class II highways and Class III highways or to advance the priority of construction for special types of work such as improving drainage, riding surface, or elimination of sharp curves on Class I highways or improved sections of Class II highways.
- Bridge Aid Funds consist of both State and Federal Highway Funds budgeted for construction or reconstruction of structures on Class IV and Class V highways as well as municipally-maintained bridges on Class II highways. Structures having a clear span of ten (10) feet or greater qualify for State Bridge Aid funds.

*Please contact the NRPC or NH DOT if you have questions about the eligibility of potential projects.*

## VI. SUBMITTING PROJECT PROPOSALS

Forms are made available to all municipalities, transit providers and other interested parties, and can be downloaded from the NRPC website ([www.nashuarpc.org](http://www.nashuarpc.org)). NRPC staff will provide assistance and meet with various applicants (cities, towns, transit agencies, etc.) to develop project proposals. The information required to submit a proposal is dependent upon the anticipated timeframe of the project, with long-range projects requiring basic information and short-range projects requiring more detail.

## VII. PROJECT EVALUATION, PRIORITIZATION AND SELECTION

The NRPC has developed criteria for use in evaluating and prioritizing projects for inclusion in the Nashua Metropolitan Area Long Range MTP and TIP. The criteria incorporate the Federal Highway Administration's transportation planning factors with state and regional goals and objectives. Complete criteria, including point allocation can be downloaded from the NRPC website ([www.nashuarpc.org](http://www.nashuarpc.org)).

NRPC staff will prepare initial evaluations for review by the Transportation Technical Advisory Committee (TTAC). Final recommendations are made by the TTAC and are forwarded to the Commission for their review and endorsement.

## **Appendix C**

### **NHDOT S/TIP Amendment Procedures**



# Statewide Transportation Improvement Program (STIP):

## Revision Procedures

New Hampshire Department of Transportation



March 25, 2008  
*Approved*



## Table of Contents

|  |          |
|--|----------|
| <b>I. Overview.....</b>                      | <b>1</b> |
| <b>II. Decision Thresholds.....</b>          | <b>1</b> |
| A. Amendment.....                            | 2        |
| B. Administrative Modification .....         | 2        |
| C. Information Only.....                     | 2        |
| D. Project Cost Change Threshold Table ..... | 3        |
| <b>III. Interagency Consultation .....</b>   | <b>3</b> |
| A. Dispute Resolution.....                   | 4        |
| <b>IV. Amendments .....</b>                  | <b>4</b> |
| A. Metropolitan Areas .....                  | 4        |
| B. Non-Metropolitan Areas .....              | 4        |
| <b>V. Administrative Modification.....</b>   | <b>5</b> |
| A. Metropolitan Areas .....                  | 5        |
| B. Non-Metropolitan Areas .....              | 5        |
| <b>VI. Information Only.....</b>             | <b>6</b> |
| A. Metropolitan Areas .....                  | 7        |
| B. Non-Metropolitan Areas .....              | 7        |
| <b>VII. Submission of STIP Updates.....</b>  | <b>7</b> |
| <b>VIII. Air Quality Conformity .....</b>    | <b>8</b> |
| <b>X. Appendix .....</b>                     | <b>9</b> |
| A. Definitions - Clarifications.....         | 9        |
| B. Process Diagram.....                      | 11       |
| C. Approval Signatures.....                  | 12       |

## ***I. Overview***

The NH Department of Transportation (NHDOT), through cooperation and coordination with the Metropolitan Planning Organizations (MPO) and the rural Regional Planning Commissions (RPC), maintains the Statewide Transportation Improvement Program (STIP). To comply with Federal rules the MPO area Transportation Improvement Programs (TIPs) and the NHDOT STIP must be consistent with one another. The approved STIP is frequently revised to reflect changes in project status, therefore, before the STIP is revised to reflect a project change in an MPO area, the MPO TIP must first be revised. Changes in project schedules, funding needs, and project scopes require revising the approved STIP.

These changes may be initiated from the NHDOT or at the MPO and depending upon their significance and complexity, require coordination from several agencies and may also require Federal approval. Through interagency consultation, the NHDOT participates with representatives from the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the Environmental Protection Agency (EPA), and the NH Department of Environmental Services (NHDES), MPOs and RPCs to discuss issues, effects of, and requirements regarding revisions of the STIP. These issues include MPO public comments and participation periods, statewide comment periods, financial constraint and air quality conformity determinations.

The procedure for formally amending the STIP differs depending on the nature of the proposed amendment. Through Interagency Consultation, criteria have been developed describing the thresholds and triggers that will define what type of action is required to make a revision to the STIP. As described in 23 CFR 450 there are two types of revisions to an approved STIP: an Amendment and an Administrative Modification. Following are the thresholds or events that trigger the necessity for an amendment and the provisions that would allow for an administrative modification. A third category of change, Information Only, has been included in this process to facilitate the exchange of information and an expedited process when specific minor changes are made to projects within the STIP. To help ensure that the STIP remains financially constrained as revisions are made, the NHDOT will balance the net effect of project changes by year and provide supporting financial constraint documentation.

## ***II. Decision Thresholds***

The following thresholds were established by NHDOT in consultation with the MPO and rural RPCs, FHWA, FTA, EPA, and NHDES. The intent of setting these thresholds is to establish a transparent and consistent decision making process for how changes to projects within the STIP will be managed. For changes to the cost of projects, a sliding scale is outlined in Table II-1 (page 3) to determine which category of revision is required. All measurements for these cost changes will be made from the last approved STIP to account for incremental changes. Please refer to Appendix A for additional clarification on some of the terms and concepts outlined in the Decision Thresholds and throughout these Procedures.

## **A. Amendment**

- ❑ Any change to a project that impacts the regional emissions analysis used for the current Conformity Determination. Primarily affects Not Exempt projects with year or scope changes;
- ❑ Adding or removing a Regionally Significant or Not Exempt project or phase of a project (Appendix A for definition);
- ❑ Adding or removing a federally funded project or phase of a project;
- ❑ Making a change in the scope of work of a project that uses state or federal funds or of any regionally significant projects regardless of the funding source;
- ❑ A significant change in the total cost of a project (Table II-1, page 3);
- ❑ A change in the fiscal year of any phase of a project or portion of a phase in areas where expedited project selection procedures have not been adopted; no such areas currently exist in NH;
- ❑ Officially adding a project that had been included for illustrative purposes.

## **B. Administrative Modification**

- ❑ A moderate change in the total cost of a project (Table II-1, page 3);
- ❑ Combining or separating two or more projects that are part of an approved STIP;
- ❑ Combining or separating phases within a project that are part of an approved STIP;
- ❑ Identifying a specific project that was part of a general parent project and adjusting the parent project accordingly.

## **C. Information Only**

- ❑ A change in the fiscal year of any phase or portion of a phase of a project in areas where expedited project selection procedures have been adopted, provided they are advanced or delayed within the STIP years and do not affect the financial constraint of the STIP. Currently, procedures are in effect for the entire State of NH;
- ❑ Including illustrative projects in anticipation of the availability of federal or other funds. Such projects would also be removed through an Information Only revision;
- ❑ A minor change in the total cost of a project (Table II-1, page 3);
- ❑ Minor technical corrections, such as typographic errors or missing data.

## D. Project Cost Change Threshold Table

Table II-1

| Total Cost of Project<br>within approved STIP Years | Full Amendment   | Administrative<br>Modification      | Information Only           |
|---|--|-------------------------------------|----------------------------|
|   | <i>Action Needed if the Change in Cost from the amount<br/>approved in the most current STIP is:</i> |                                     |                            |
| < \$1 Million                                       | >75%   | 50% to 75%                          | <50%                       |
|   |  | (\$750k limit)                      | (\$500k limit)             |
| \$1 Million to \$5 Million                          | >30%   | 20% to 30%<br>(\$750k limit)        | <20%<br>(\$500k limit)     |
| > \$5 Million to \$10 Million                       | >20%   | 10% to 20%<br>(\$1.5 million limit) | <10%<br>(\$500k limit)     |
| > \$10 Million to \$50 Million                      | >10%   | 5% to 10%<br>(\$3.5 million limit)  | <5%<br>(\$750k limit)      |
| Over \$50 Million                                   | >5%  | 1% to 5%<br>(\$5 million limit)     | <1%<br>(\$1 million limit) |

## III. Interagency Consultation

Before a STIP revision can be adopted by NHDOT or recommended for approval by FHWA/FTA and prior to the start of any public comment periods, the proposed changes, whether initiated from the MPO or the NHDOT, will be discussed through interagency consultation meetings/phone conferences or correspondence. This review includes all projects eligible for amendments, administrative modifications, and most information only changes. Representatives from FHWA, FTA, EPA, NHDOT, NHDES, MPOs, and RPCs in the attainment area are invited to participate in monthly discussions. Any public input that has been received should be expressed through the planning commission staff in attendance or by the agencies.

Through interagency consultation a recommendation will be made regarding each project's regional significance. At a minimum, that recommendation will meet the standards outlined in 23 CFR 450. Interagency consultation also provides a forum to determine if a proposed revision will require a conformity determination.

Interagency consultation provides one of the first opportunities for MPOs, the federal agencies, and others involved to view and comment on potential STIP revisions. Any comments received through the consultation process may affect how the State selects to categorize the revisions before distributing them for public comment and formal review at the MPO level. In an urban area, final categorization is at the discretion of the MPO which may choose to process any lesser revision as a full Amendment. Alternatively, if an MPO wishes to process a change as a lesser revision than what was discussed at the interagency consultation, e.g. changing from an Amendment to an Information Only revision, it should be discussed again during the consultation process.

## **A. Dispute Resolution**

When disagreements arise over any aspect of a STIP revision that cannot be satisfactorily and amicably resolved between the immediate parties involved, they will be brought forward for discussion as part of the consultation process. The interagency group may provide guidance to the parties involved in the dispute and to whichever agency(s) have the ultimate approval authority. Any such guidance shall be documented in the meeting notes. However, while the guidance provided through interagency consultation should weigh heavily on decisions made to resolve the dispute, it is not binding.

## **IV. Amendments**

Amendments are major revisions that are intended to address substantial changes to projects or changes, either in scope or cost, that may affect air quality conformity or financial constraint. The amendment process also provides an opportunity to process all administrative modifications and information only changes that may have been approved since the previous amendment.

Amendments require, at a minimum, a 30-day public comment period, a conformity determination as needed, and subsequent approvals, but may also require a review or update to the air quality analysis (regional emissions analysis). In rural areas the timeframe to adopt an Amendment will likely be about 3 months. In MPO areas, the timeframe will likely take at least 3 months and may take up to 5 if there are air quality conformity issues. To the extent possible, amendments to the STIP will be processed on a quarterly basis.

### **A. Metropolitan Areas**

Project changes in an MPO area must comply with the provisions of 23 CFR 450.326 pertaining to TIP revisions. Regardless of whether the project change is initiated by the MPO or the NHDOT, the MPO board must adopt the change to their approved TIP. There must be a public participation process, consistent with the respective MPO public participation plan, and a public comment period of at least 30 days. Upon formal endorsement of the amendment at a public MPO meeting, the MPO shall provide a copy of the amendment to the State, FHWA and FTA. In non-attainment or maintenance areas, any amendment to the TIP must be accompanied by a corresponding conformity determination by the MPO. That conformity determination, depending upon the discussions through interagency consultation, may or may not require a new air quality analysis.

The State shall incorporate the amendment into the STIP and submit the amended STIP to FHWA/FTA for approval. The NHDOT must demonstrate that the STIP remains financially constrained. Each amendment shall be dated and sequentially numbered. The FHWA/FTA shall approve or disapprove the STIP amendment in whole or may choose to exclude specific projects from the approval. If the amendment consists of only highway projects or only transit projects and no conformity determination is required, the FHWA or FTA may approve the amendment unilaterally. Otherwise approval will be by joint letter. The state will forward copies of the approval to the affected MPOs. The MPO will, in turn, notify the affected Transit Operator(s), if transit projects are involved.

### **B. Non-Metropolitan Areas**

The NHDOT will notify the non-MPO area RPCs of the project changes and hold a 30-day public comment period in which to receive comments from the RPCs and the general public. The Director of Project Development for NHDOT will have approval authority for rural area

amendments to the STIP. After the comment period closes, the NHDOT forwards the amendment, along with any comments received, to FHWA/FTA for approval. Based on comments from the planning commissions or the public, additional consideration will be given to the proposed changes. The State will notify affected transit operators if transit projects are involved.

## **V. Administrative Modification**

Consistent with the definitions outlined in 23 U.S.C. 101(a) and 49 U.S.C. 5302, administrative modifications are minor revisions with the intent of allowing, where suitable, relatively small changes to be made to projects in an expedited fashion. Administrative modifications can be made based on the thresholds established in Section II-B (page 2) and in Table II-1 (page 3). The administrative modification option is available for projects at the discretion of the MPO, or the State in rural areas, which may instead opt for the formal amendment process. Unlike in the case of full amendments, an MPO may delegate the approval of modifications to a person or committee, e.g. the Executive Director or Executive Committee.

A list of all the projects that are potentially eligible for administrative modifications will be reviewed through the interagency consultation process. Following that review, each of the affected MPOs and rural planning commissions will receive a list of projects with the proposed changes within their jurisdiction. The NHDOT will certify that the STIP will remain financially constrained after taking into account the proposed project changes and will notify FHWA/FTA of the project changes. Administrative modifications should typically take less than 2 months to process.

To ensure consistency with federal regulations regarding air quality conformity, any project that is identified to potentially affect the air quality determination of a non-attainment or maintenance area will be discussed during interagency consultation. If, through consultation, a proposed administrative modification is identified as having an impact on the air quality determination, that revision will be escalated to an Amendment.

### **A. Metropolitan Areas**

Each MPO has the option to create and adopt, as part of their prospectus, procedures to process administrative modifications. The person or committee designated as having approval authority, or the MPO policy committee, will review the list of projects and issue a letter stating concurrence or disapproval of the proposed changes. The NHDOT will notify the FHWA/FTA of the approval of administrative modifications. The FHWA/FTA shall place these adjustment letters on file with the STIP and the State shall update the STIP to include these modifications periodically as full amendments or STIP updates are processed. If the person or board designated as having approval authority elects not to approve an administrative modification, that change could still be pursued through the full amendment process. FHWA/FTA will review modifications and will accept or not accept them, however, no formal approval will be required.

### **B. Non-Metropolitan Areas**

The NHDOT, through this document and in a manner consistent with federal regulations (23 CFR 450 and 23 USC), establishes procedures to act on project changes as administrative

modifications for the non-MPO areas of the State. These procedures have been developed through consultation with the regional planning commissions and federal agencies.

Project changes within the thresholds outlined in section II-B and in Table II-1 of this document (pages 2-3) may be processed as administrative modifications, provided:

- the NHDOT shall notify the affected RPCs in writing of the need for the proposed changes. This notice shall include an explanation of the purpose and need of the change and will be discussed through the interagency consultation process;
- for any project changes which will impact the timeline or amount of local matching funds, the NHDOT, in consultation with the RPC, shall determine that the funds will be available after contacting the governing body;
- written concurrence with the proposed change in project implementation is issued by the Director of Project Development of the NHDOT or their designee.

The NHDOT will notify the FHWA/FTA of the approval of administrative modifications. The FHWA/FTA shall place these adjustment letters on file with the STIP and the State shall update the STIP to include these modifications periodically as full amendments or STIP updates are processed. FHWA/FTA will review modifications and will accept or not accept them, however, no formal approval will be required.

## ***VI. Information Only***

Changes made through expedited project selection procedures as well as minor changes in project cost consistent with the thresholds established in Table II-1 (page 3) would qualify as Information Only changes. Information only changes are classified as minor revisions. These types of changes will be reported in the STIP as future amendments or STIP updates are processed. Information Only changes to projects will be reviewed through the interagency consultation process except in rare circumstances. Those rare circumstances include emergency revisions to projects due to an unforeseen need and will be limited to revisions eligible for expedited project selection procedures. The intended timeframe to approve project changes in the Information Only category is approximately 1 month. Unlike in the case of full amendments, an MPO may delegate the approval of information only changes to a person or committee, e.g. the Executive Director or Executive Committee. For the rural areas of NH, the Director of Project Development for NHDOT will have approval authority.

To ensure consistency with federal regulations regarding air quality conformity, any project that is identified to potentially affect the air quality determination of a non-attainment or maintenance area will be discussed during interagency consultation. If, through consultation, a proposed information only revision is identified as having an impact on the air quality determination, that revision will be escalated to an Amendment.

Included in Information Only changes, expedited project selection procedures provide flexibility to advance or delay projects within the STIP provided that there are no impacts to air quality conformity and that the STIP remains financially constrained by year.



## **A. Metropolitan Areas**

Each MPO has the option to create and adopt, as part of their prospectus, expedited project selection procedures. Once expedited project selection procedures have been adopted, the approval of changes to a project's schedule within the STIP is typically given at an administrative level, e.g. the Executive Director of a MPO.

A list of all the projects that are potentially eligible for expedited project selection procedures will be reviewed through the interagency consultation process. Following that review, each of the affected MPOs will receive a list of projects with the proposed schedule changes within their jurisdiction. The person designated as having approval authority by the MPO as part of the expedited project selection procedure will then review the list of projects and issue a letter to NHDOT stating concurrence or disapproval of the proposed changes.

When MPO approval of the change is received by NHDOT, the approval letter will be included with a submittal to FHWA/FTA as part of the next full amendment or update to the STIP. If approval of the change is not provided by the MPO, the project may be considered for a full STIP amendment, including the more rigorous public involvement and approval requirements. All projects approved through expedited project selection procedures will be included in the financial constraint information issued as part of STIP amendments or STIP updates.

## **B. Non-Metropolitan Areas**

The NHDOT, through this document and in a manner consistent with federal regulations (23 CFR 450.216 and 450.220), establishes procedures to act on project changes through an expedited project selection process for the non-MPO areas of the State. These procedures have been developed through consultation with the rural regional planning commissions.

Project changes within the thresholds outlined in section II-C and in Table II-1 of this document (pages 2-3) may be processed as information only changes, provided:

- the NHDOT shall notify the affected RPCs in writing of the need to delay or advance projects. This notice shall include an explanation of the purpose and need of the change and may be discussed through the interagency consultation process;
- for any project proposed to be advanced that requires local matching funds, the NHDOT, in consultation with the RPC, shall determine that the funds will be available after contacting the governing body;
- written concurrence with the proposed change in project implementation is issued by the Director of Project Development of the NHDOT or their designee.

Changes to projects through this expedited project selection procedure will be considered information only changes to the STIP and will be processed with future STIP amendments or updates.

## **VII. Submission of STIP Updates**

STIP amendments for single projects may be accommodated by FHWA/FTA, however, it is strongly suggested that the State bundle projects for approval and submit an updated STIP project

listing including a group of amendments, administrative modifications, and information only changes on a quarterly basis or less frequently if there have been no changes in the STIP during the previous quarter. This will make for a more rational tracking of the current STIP by the State, the Federal Agencies and the MPOs. Each amendment request shall be dated and sequentially numbered and three copies submitted to FHWA and one copy to FTA.

### ***VIII. Air Quality Conformity***

Any changes that will potentially trigger conformity are discussed and explored by the participating agencies through the interagency consultation process allowing potential impacts to be identified early in the revision process. STIP Amendments that involve Not Exempt projects must include a conformity determination.

If the proposed revision to the STIP will impact the existing air quality analysis, a new analysis and a new determination are required; such revisions will always require an Amendment. Any revisions to the air quality analysis also require an amendment of the MPO Regional Transportation Plan (RTP). The new air quality analysis shall be developed and amended into the RTP (consultation and public notice procedures apply). The amended TIP conformity determination would then be based on the amended RTP air quality analysis. The STIP amendment, the supporting RTP, and a statement of finding of conformity will then be submitted to FHWA/FTA for approval. The FHWA/FTA approval letter will reflect approval of this new conformity determination.

If the proposed revision to the STIP does not affect the existing regional emissions analysis, but triggers a determination of conformity for other reasons, it shall be explicitly reflected in the amendment with a statement that the finding of conformity relies on the previous (existing) regional emissions analysis.

## ***X. Appendix***

### **A. Definitions - Clarifications**

**Administrative Modification**: The middle tier of a revision requiring interagency consultation, approval by NHDOT and/or by a designee of an MPO, and notification of FHWA/FTA. Consistent with the definitions included in 23 CFR 450.104, administrative modifications are classified as minor revisions.

**Air Quality Conformity Determination**: Required under federal rules for areas that are classified as non-attainment or in maintenance of national ambient air quality standards. The Determination certifies that the area meets criteria pollution limits defined in the NH Statewide Implementation Plan.

**Amendment**: The highest tier of a revision requiring a 30-day public comment period, interagency consultation, adoption by NHDOT and/or approval by an MPO, approval by FHWA/FTA, and in non-attainment or maintenance areas, a finding of conformity. Consistent with the definitions included in 23 CFR 450.104, amendments are classified as major revisions

**Exempt Status**: A classification, Exempt or Not Exempt, given to all projects within non-attainment or maintenance areas. Project classifications are determined through Interagency Consultation. The project status is reported in the STIP under the heading CAA Code. For Exempt projects, a numeric code is included which is associated with the federal list of exempt activities.

**Expedited Project Selection Procedures**: A process outlined in federal rules that permit a change in the years of implementation of a project or phase of a project provided that the original date(s) and revised date(s) were contained in an approved STIP. For the urban areas of the state, each MPO, if they wish to utilize these expedited procedures, must adopt them as part of their prospectus. Under these procedures, this type of change falls into the Information Only tier of revision.

**Illustrative Projects**: Projects that are included in the STIP in anticipation of the receipt of federal or other funds. Illustrative projects are not required to be included in financial constraint information nor in an air quality analysis. Such projects are not eligible for federal funding until they are officially added through an Amendment. The primary reasons to add projects for illustrative purposes are to document the projects, spur open discussion among stakeholders, and to identify the need for additional resources.

**Information Only:** The lowest tier of a revision requiring interagency consultation and approval by NHDOT and/or by a designee of an MPO. Consistent with the definitions included in 23 CFR 450.104, information only revisions are classified as minor revisions.

**Phase:** A component of a project defined as Preliminary Engineering (P), Right of Way (R), or Construction (C) programmed with a dollar amount and a fiscal year.

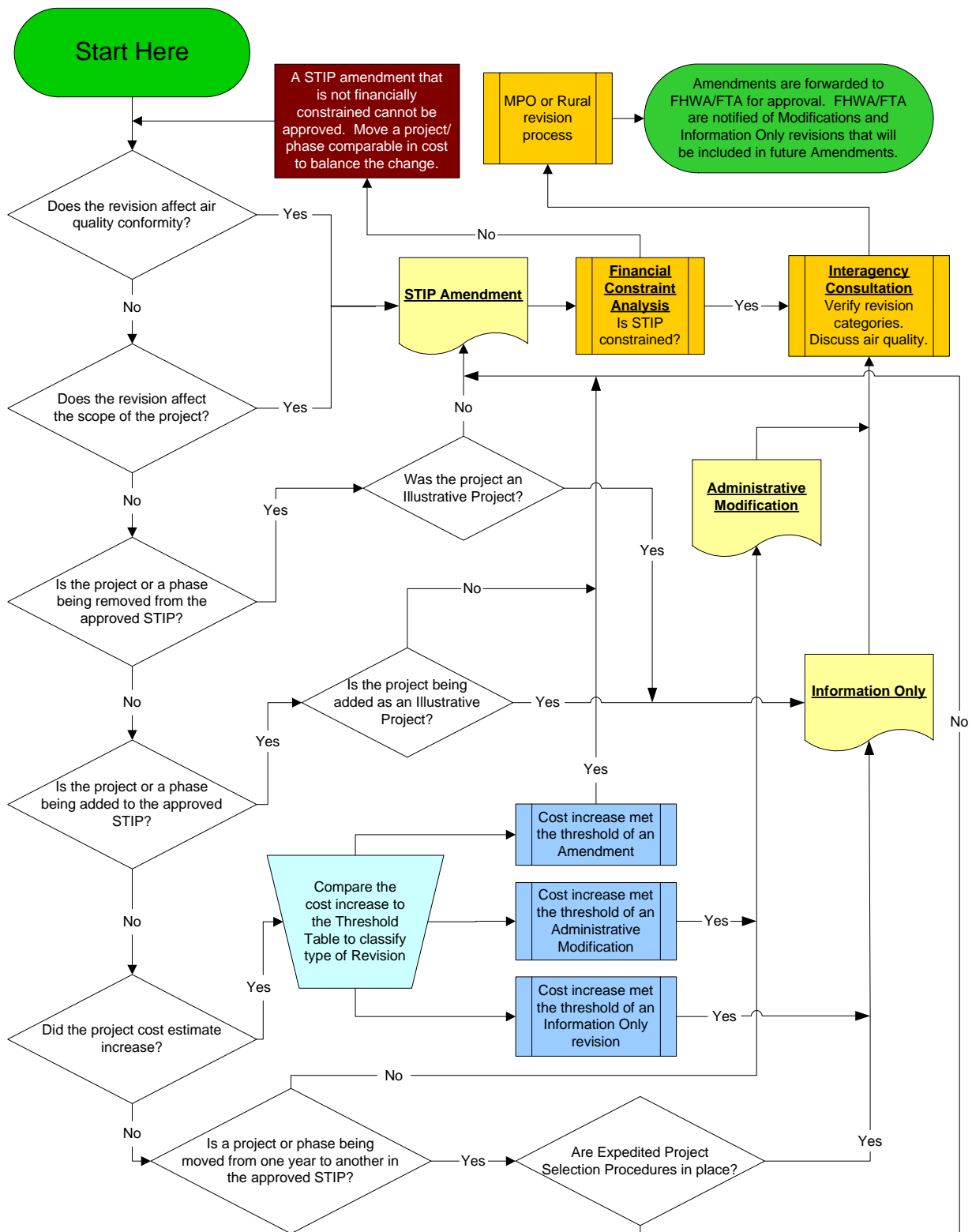
**Regional Emissions Analysis:** The process to identify and document the anticipated effects of a project on air quality. An analysis is conducted for projects in non-attainment or maintenance areas. Project changes that could affect an analysis include, but are not limited to, any that impact capacity, congestion, travel speeds, project areas or the exempt status of a project. Any change to an analysis requires an Amendment and a new Determination.

**Regionally Significant:** A determination discussed through interagency consultation, made by an MPO or the State, and documented in a TIP, Conformity Document, and/or other Plan. Federal rules generally define regionally significant projects to include those that serve regional transportation needs, specifically identifying principal arterials. Most revisions made to a designated Regionally Significant project will qualify as Amendments. Work completed on the Interstate, Turnpike, or NHS system would typically qualify as regionally significant.

**Revision:** Any change to a project within the STIP.

**STIP Update:** A process undertaken on a biennial basis in NH to publish a new STIP that includes all relevant project information for a period of 4 years.

## B. Process Diagram



## C. Approval Signatures

IN WITNESS WHEREOF the parties hereto have APPROVED these PROCEDURES on the day and year written below.

### Department of Transportation

This is to certify that these PROCEDURES have been reviewed by the DEPARTMENT and are APPROVED as to form and execution and are considered ADOPTED.

Dated: 3/11/08

By: 

William J. Cass, P.E.  
Director of Project Development  
NHDOT

Title: \_\_\_\_\_

### Federal Highway Administration

This is to certify that these PROCEDURES have been reviewed by this office and are APPROVED as to form and execution.

Dated: 3/17/08

By: 

Title: DIVISION ADMINISTRATOR

### Federal Transit Administration

This is to certify that these PROCEDURES have been reviewed by this office and are APPROVED as to form and execution.

Dated: 3/25/08

By: 

Title: REGIONAL ADMINISTRATOR

## **Appendix D**

### **Memoranda of Understanding between NRPC and NHDOT and NRPC and NTS**

**MEMORANDUM OF UNDERSTANDING**  
**between the**  
**NASHUA REGIONAL PLANNING COMMISSION**  
**and the**  
**NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION**

**PURPOSE**

This memorandum establishes the willingness of the parties who are witnesses hereof to undertake a continuing, comprehensive and coordinated transportation planning programming process for the metropolitan area in accordance with state and local goals for urban planning, the provisions of 23 U.S.C. 134, 49 U.S.C. App. 1607, and 23 CFR 450, as amended, and in accordance with provisions of this agreement. It further specifies what the transportation planning roles and responsibilities of each party are and defines what tasks are to be performed in order to meet these responsibilities. The metropolitan planning area includes all communities within the NRPC region.

The parties to this Memorandum of Understanding include:

- 1) The New Hampshire Department of Transportation (NHDOT); and
- 2) The Nashua Regional Planning Commission, which has been designated by the Governor of New Hampshire as the Metropolitan Planning Organization (MPO) for carrying out transportation planning activities for the urban area and receives funding from the Federal Transit Administration for this purpose.

The NRPC shall be responsible for and shall be considered the lead agency in conducting the following transportation planning and programming activities pursuant to 23 CFR 450:

- Formulating, approving and updating on a biennial basis an intermodal Transportation Plan for the metropolitan area which shall conform to all applicable federal requirements, management systems and work program and schedules;
- Completing and biennially approving the Transportation Improvement Program (TIP) for the metropolitan planning area which shall cover a period of 4 years and may include projects beyond 4 years for information purposes only;
- Assessing the conformity of the Metropolitan Transportation Plan and TIP with the State Implementation Plan for Air Quality (SIP);
- Preparing and annually approving the Unified Planning Work Program (UPWP) which shall identify all transportation-related planning activities to be funded with local and federal financial aids and technical assistance in accordance with the provisions of this Memorandum of Understanding and the time schedule adopted by NHDOT;
- Providing a forum for cooperative transportation planning and decision making, and establishing a public involvement process that ensures opportunities for early and continuing involvement of local governmental units, transportation providers, organizations that have paratransit eligible clients and other groups with an interest in the regional transportation system;
- Considering and implementing planning guidance from the NHDOT to the fullest extent consistent with local goals;



- Making data, assumptions, criteria, methodology and analyses and reports available to NHDOT and other participants in a timely manner;
- Providing NHDOT with copies of all transportation reports produced and resolutions concerning the adoption of plans and programs;
- Providing NHDOT with an annual self-certification that the MPO's transportation planning process conforms with all applicable requirements pursuant to 23 CFR 450;
- Complying with ADA plan certification procedures as required in CFR Section 37.139;
- Establishing, in cooperation with NHDOT and FHWA, the functional classification of roadways within the urban area.

NHDOT shall be responsible for and shall be considered the lead agency in conducting the following transportation planning and programming activities:

- Informing the MPO of the availability, or anticipated availability, of state and federal financial aids and technical assistance for its urban transportation planning activities;
- Providing information relative to the anticipated availability of state and federal financial aids for urban transportation improvements and services which fall under local programming jurisdiction;
- Providing information relative to the proposed programming of state and federal financial aids for urban transportation improvements and services which fall under state jurisdiction;
- Informing the MPO of federal or state statutes, policies, regulations and guidelines which bear upon urban transportation planning and programming activities and contractual arrangements;
- Coordinating the development of the schedule and procedures for annual submittal and interagency review and approval of the urban transportation Unified Planning Work Program (UPWP);
- Developing and issuing statewide guidance for the preparation of transportation plans and TIPs;
- Providing technical support, data and information collected or maintained by NHDOT and, to the extent feasible, data from other state agencies that is pertinent to the transportation planning work to be performed by MPO under this Agreement;
- Developing, establishing and implementing the management and monitoring systems required by 23 U.S.C. 303 in completion with the MPO and Transit Operator;
- Utilizing the MPO Transportation Plan as a guide in statewide planning and programming activities;
- Forwarding the MPO TIP to the Governor for approval;
- Selecting projects from the metropolitan Transportation Improvement Program in cooperation with the MPO and Transit Operator;
- Preparing, updating or amending the statewide intermodal Transportation Plan and Transportation Improvement Program, including the metropolitan planning area, pursuant to the provisions of 23 U.S.C. 135 in cooperation with the MPO and Transit Operator;

- Coordinating the reconciliation of MPO transportation plans and programs with statewide plans and programs, as necessary, to ensure connectivity, compatibility and financial feasibility within transportation systems in consultation with the MPO.
- Monitoring the MPO's transportation planning process to ensure compatibility with State and USDOT programs and objectives and to certify compliance with applicable federal requirements;
- Seeking input from the MPO on the development and periodic updates of the Highways of National Significance route designations;
- Developing and implementing a public participation process that fulfills federal requirements for early and continuous involvement that is consistent and coordinated with the MPO's Transportation Plan and TIP process.

### **AMENDMENTS**

This Memorandum of Understanding may be amended by mutual letter of agreement of the parties. This Memorandum remains in effect until such time that it revised.

\_\_\_\_\_  
Kerrie Diers, Executive Director  
NASHUA REGIONAL PLANNING COMMISSION

\_\_\_\_\_  
Date

\_\_\_\_\_  
George N. Campbell, Jr., Commissioner  
NH DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
Date

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**MEMORANDUM OF UNDERSTANDING**  
*between the*  
**NASHUA REGIONAL PLANNING COMMISSION**  
*and the*  
**NASHUA TRANSIT SYSTEM**

**PURPOSE**

This memorandum establishes the willingness to cooperate and coordinate on the part of the parties who are witnesses hereof. It further specifies what the transportation planning roles and responsibilities of each party are and defines what tasks are to be performed in order to meet these responsibilities. The metropolitan planning area includes all communities within the NRPC region.

The parties to this Memorandum of Understanding include:

1) The Nashua Transit System (NTS), whose signatories to this agreement include:

- The Mayor of the City of Nashua, under whose direction the Department of Community Development, Transportation Department, undertakes various administrative tasks with respect to operation of the Nashua Transit System.
- The Director of Transportation is charged with setting policy direction for the transit system and general oversight.

The Nashua Transit System will be provided representation on the MPO and the NRPC Transportation Technical Advisory Committee.

2) The Nashua Regional Planning Commission, which has been designated by the Governor of New Hampshire as the Metropolitan Planning Organization (MPO) for carrying out transportation planning activities for the urban area and receives funding from the Federal Transit Administration for this purpose.

The NRPC will conduct the following transit planning and programming activities:

- Conduct periodic data collection efforts for both the fixed-route and paratransit operations that are necessary for various types of route level, system and regional analysis. These include, but are not limited to, passenger counts, on-board passenger surveys, surveys of the general public, land use and demographic data, and system operating data.
- Develop route level productivity indicators and otherwise evaluate the efficiency and viability of fixed-route and paratransit operations.
- Assist in the development of a marketing program in order to promote the use of transit throughout Nashua.
- Assist in the development of Congestion Mitigation and Air Quality funding applications for transit projects.
- Provide additional technical assistance to the Nashua Transit System as requested by the Nashua Transit System or Department of Community Development.
- Conduct studies relative to the expansion of transit service beyond Nashua's boundaries. In developing recommendations for service expansions, NRPC will consider projected ridership, the capital and operating costs that would be incurred and the commitment of local communities to fund their share of transit operations.

- Incorporate key data, analyses, findings and recommendations pertaining to the provision of regional transit services in the multi-modal NRPC Metropolitan Transportation Plan (Plan). The NRPC will seek the input of the NTS in the development of short and long-range recommendations in the Plan. The Plan is updated on a biennial basis.
- Incorporate transit projects into the Transportation Improvement Program. NRPC will identify sources of funding, ensure that the projects are financially constrained, rank projects by regional priority, conduct air quality conformity analysis and undertake a public participation process that meets Federal requirements.

The Nashua Transit System will conduct the following transit planning and programming activities:

- Prepare and submit applications for state and federal mass transportation capital and operating assistance grants and administering approved grants.
- Compile passenger and operating data on a continuing basis to meet the requirements of Section 15 of the Federal Transit Act as amended and make the data available to the MPO as appropriate to its transit planning needs.
- Consult with NRPC at an early stage regarding proposed changes in routes, schedules or fares, or major investments in the transit infrastructure. Input from NRPC will be considered in the decision making process and NTS will seek to involve NRPC in the public participation process required by such proposed changes.
- Work with the NRPC Regional Transit Plan (RTP). The RTP looks beyond the immediate time frame to consider potential expansion of the service area and other major system changes. The NTS will seek the input of NRPC in the implementation of recommended plans and programs as they become feasible.
- Provide NRPC with the necessary transit project data for development of the Transportation Improvement Program (TIP). TIP development will begin between October and December of even numbered years with a draft TIP required for submittal to NHDOT by the spring of odd numbered years
- Prepare and update paratransit service plans in conformance with the Americans with Disabilities Act of 1990.
- Conduct transit management planning, including, but not limited to, activities related to personnel policies and training programs, maintenance policies, fare collection and handling procedures, and accounting practices.

## **POLICY**

The NRPC and the Nashua Transit System will endeavor to advocate as policy the findings and recommendations for regional public transportation contained in the NRPC Metropolitan Transportation Plan.

## **AMENDMENT**

This Memorandum of Understanding may be amended by mutual letter of agreement of the parties. This Memorandum remains in effect until such time that it revised.

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Kerrie Diers, Executive Director  
*NASHUA REGIONAL PLANNING COMMISSION*

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Date

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DonnaLee Lozeau, Mayor  
*CITY OF NASHUA*

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Date

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Mark Sousa, Director of Transportation  
*CITY OF NASHUA*

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Date

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**Appendix E**  
**NRPC Bylaws**



## NASHUA REGIONAL PLANNING COMMISSION

### BYLAWS

Revised March 15, 2006

#### ARTICLE I. NAME

The name of this public agency shall be the Nashua Regional Planning Commission, hereinafter referred to as the Commission.

#### ARTICLE II. PURPOSE

The Commission shall have the purposes, rights, powers, and duties as are conferred or imposed upon it by the regional planning provisions of Revised Statutes Annotated (36:45-53) and any amendments thereto; and as set forth in Section 9 of the Federal-Aid Highway Act of 1962, as amended, and Section 134, Chapter I, Title 23, U.S.C.

#### ARTICLE III. MEMBERSHIP

Commission membership shall be of those municipalities which have chosen to join the Commission in accordance with provisions of the Revised Statutes Annotated. Commissioners and Alternates to the Commission shall be elected or appointed according to provisions of the Revised Statutes Annotated by municipalities in the region; said appointment or reappointment to the Commission shall be certified by the member municipality. To fulfill the purpose and intent of the Commission's designation as the Metropolitan Planning Organization (MPO) for transportation planning in the region, membership shall include one representative each from the New Hampshire Department of Transportation, the Federal Highway Administration and the Federal Transit Administration. In the event a Commissioner or Alternate resigns, a copy of the resignation shall be filed with the Chairman of the Commission.

#### ARTICLE IV. OFFICERS

- A. **General:** The Commission officers shall include a Chairman, a Vice-Chairman and a Treasurer who shall be elected at the Annual Meeting of the Commission and shall take office July 1 and serve until June 30 of the following year or until successors have been elected. No officer shall be eligible to serve more than two consecutive terms in the same office but may hold other offices at the will of the Commission. No individual shall hold more than one office at the same time.
- B. **Election:** A Nominating Committee shall be appointed by the Chairman. Officers shall be nominated by the Nominating Committee and elected by a majority vote of the Commissioners present at the Annual Meeting. The Nominating Committee shall also nominate at-large members to the Executive Committee. A Nominating Committee shall remain in effect until its successor has been appointed.
- C. **Vacancies:** In the event a vacancy occurs in any office during the term of office, the Nominating Committee in effect shall nominate a replacement to be voted on at the next meeting of the Commission to fill the unexpired term of office.
- D. **Removal:** An officer may be removed for cause from office by a two-thirds vote of the Commissioners present at a meeting after a petition by five (5) members representing three (3) member municipalities has been filed with the Chairman and the officer concerned ten (10) days prior to the meeting.
- E. **Chairman:** The Chairman shall preside at all Commission meetings. The Chairman shall call special meetings and shall have the right to vote on all matters which may come before the Commission. The Chairman shall be a member ex-officio of all committees except the Nominating Committee.



- F. **Vice-Chairman:** The Vice-Chairman shall perform the duties of the Chairman in the event of the absence or incapacitation of the Chairman. If both the Chairman and the Vice-Chairman are not present at a meeting, a quorum of the Commissioners shall select a Chairman pro-tem from the members of the Executive Committee present.
- G. **Treasurer:** The Treasurer, working with the Executive Director, shall oversee all financial matters of the Commission. The Treasurer shall provide, through the Executive Director, biannual reports to the Commission on the financial status of the Commission.
- H. **Official Records:** The Executive Director shall be the Secretary and official keeper of the Commission records and shall not have a voting privilege.

## ARTICLE V. MEETINGS

- A. **Schedule:** Unless otherwise specified by the Chairman of the Commission, meetings shall be held quarterly. The Chairman shall have the authority to call a special meeting. Special meetings shall also be held by petitions to the Chairman by five (5) Commissioners, on 48 hours notice. The purpose of the special meeting will be the only subject on the agenda. The Annual Meeting shall be held in June for the purpose of electing officers, adopting the annual operating budget and any other business that may come before the Commission. A Commission quorum shall consist of eleven representatives or duly appointed alternates.

- B. **Order of Business:**

- I. Call to Order.
  - II. Privilege of the Floor.
  - III. Approval of Minutes.
  - IV. Chairman's Report.
  - V. Regular Business.
  - VI. Other Business.
  - VII. Items of Information.
  - VIII. Commissioners' Roundtable.
  - IX. Adjournment.

All items on the agenda shall be given a separate number.

- C. **Roll Call Vote:** A roll call vote shall be taken when called for by any Commissioner.
- D. **Submittal of Additional Items:** All resolutions introducing new business and calling for action by the Commission shall be in writing and filed with the Executive Director no later than the 8<sup>th</sup> day preceding the date of the next Commission meeting. A Commissioner may also introduce new business at a meeting on which no action is called for at that meeting.
- E. **Agenda:** The Chairman, after consultation with the Executive Director, shall decide what matters shall be placed on the agenda of the next meeting.
- F. **Notice of Agenda:** The Executive Director shall send a copy of such agenda to all Commissioners along with accompanying materials and shall make copies of the agenda available to the press and to interested citizens who request them.
- G. **Executive Director:** The Executive Director shall have the privilege of the floor at any time for the purposes of giving information to the Commission.
- H. **Change in Order of Agenda:** The Chairman shall have the discretion to change the order of agenda items at any meeting.





## ARTICLE VI. COMMITTEES

- A. **General:** By a majority vote of the Commissioners present at a meeting, the Commission shall establish committees or subcommittees for such purpose and with such procedures as it deems necessary or desirable. A quorum for committee action shall be a majority of its members. Committees shall take action by vote of a simple majority of Commissioners present and constituting a quorum. Committees shall be advisory to the Commission.
- B. **Executive Committee:** There shall be an Executive Committee which shall consist of the officers and six Commissioners at-large. At-large members shall be nominated by the Nominating Committee and ratified by a majority vote of the voting members present at the Annual Meeting. Duly elected members of the Executive Committee shall serve until they resign, or their term on the Commission expires and they are not reappointed by their member community, or until they have served nine (9) consecutive years. Any member of the Executive Committee that serves nine (9) consecutive years must leave the Executive Committee for at least one year prior to reappointment. The Executive Committee shall conduct the affairs of the Commission at times when the Commission is not in session and shall report on its actions to the Commission at the next Commission meeting. The Executive Committee shall meet at least eight (8) times per year. The duties of the Executive Committee shall include the following:
1. In accordance with Article VIII D the Executive Committee shall employ auditors to conduct the annual audit of the books of the Commission and shall supervise the work of the auditors.
  2. Oversee the administration of such personnel policies, administrative regulations, and financial procedures including the establishment of bond amounts for officers and staff, as may be needed within the pertinent General Statutes, federal requirements, the By-Laws, and the program and budget adopted by the Commission.
  3. Consider and propose a budget for the work program, as prepared by the Executive Director, for approval to the Commission prior to July 1 of each year. During the course of the fiscal year, the Executive Committee shall review proposals for budget changes, amendments, and transfers of funds between accounts that may be made from time to time and shall have the authority to approve such changes, amendments, or transfers provided such changes, amendments or transfers do not increase the appropriations of the member municipalities of the Commission.
  4. Review and approve procedures to be used in the purchase of supplies and equipment as well as the award of contracts and the expenditures of all Commission funds.
  5. In accordance with the Personnel Policies of the Commission, have the authority to recruit, select and fix the salary of the Executive Director subject to approval by the Commission.
  6. Have the authority to compensate Commissioners for attending to the proper business of the Commission.
  7. In accordance with the Personnel Policies of the Commission, assist in maintaining administrative and disciplinary control over staff upon recommendations of the Executive Director.
- C. **Transportation Technical Advisory Committee:** There shall be a Transportation Technical Advisory Committee (TAC) which shall consist of one technical or staff level representative from each of the Commission's member municipalities plus representation from the New Hampshire Department of Transportation, the New Hampshire Department of Environmental Services, the



Federal Highway Administration, the Federal Transit Administration, and the Nashua Transit System. The Transportation TAC shall meet at least six (6) times per year to ensure that transportation related decisions of the Commission are based on technically sound principles as well as community goals and objectives. The Transportation TAC shall make regular reports to the Commission. The duties of the Transportation Technical Advisory Committee shall include the following:

1. Render technical advice to the Commission regarding contemplated or ongoing projects in the form of written memoranda and presentations at Commission meetings.
2. Assist staff in identifying transportation issues in the region.
3. Provide recommendations to the Commission and the New Hampshire Department of Transportation on project funding priorities.
4. Make recommendations to the Commission regarding the utilization of the media to provide information which will keep the citizens of the region well informed of transportation plans and the planning process.
5. Organize workshops and public information sessions to provide opportunities for public input into the transportation planning process.

#### ARTICLE VII. VOTING

- A. **General:** A majority vote of the Commissioners present, when a quorum has been established, is required to approve all formal Commission actions.
- B. **Roll Call:** Any Commissioner may request a roll call vote on any matter.
- C. **Comprehensive Master Plan:** The Comprehensive Master Plan, or any part thereof as required by RSA 36:47, shall be adopted by no less than eleven votes in the affirmative.
- D. **Alternates:** An alternate shall have voting privileges in the absence of one or more of the Commissioners of the respective member.

#### ARTICLE VIII. FINANCES

- A. **General:** Gifts, bequests or contribution, may be accepted at a meeting of the Commission, provided such gifts or contributions are to be utilized at the discretion of the Commission. Requests for grants-in-aid from the State or Federal government shall be approved by the Commission; approval of such requests shall include the authorization of the Executive Director to sign such agreements or contracts within the scope of the requests of the Commission. All expenditures in excess of \$1,000 (One Thousand Dollars) shall be authorized by the Chairman, Vice-Chairman, or Treasurer and the Executive Director; expenditures of \$1,000 (One Thousand Dollars) or less may be authorized by the Executive Director, or in his absence, the Chairman, Vice-Chairman, or Treasurer and shall be within the terms of the Commission's budget. The Commission's fiscal year shall be from July 1 through June 30.
- B. **Fixed Assets:** The Commission shall maintain an inventory of fixed assets. From time to time as necessary the Executive Committee shall designate the minimum value of items which shall be identified as fixed assets based on recommendations from the agency auditor. Purchases of durable goods over that minimum value shall be considered as fixed assets by the Commission and maintained in a fixed asset inventory by the Executive Director. They shall be depreciated on a straight line basis at a rate determined annually by the Commission's auditor.



- C. **"In-Kind" Contributions:** The Commission may accept donations of time from individuals or property which may be considered for their cash value at the discretion of the donor and the Commission according to guidelines established by the Commission and consistent with appropriate state and federal rules governing such contributions.
- D. **Annual Audits:** The Commission shall retain the services of a certified public accounting firm approved by the State of New Hampshire to conduct an annual audit of the Commissions financial records.

## ARTICLE IX. EXECUTIVE DIRECTOR

- A. **Appointment and Duties:** The Commission shall appoint an Executive Director to serve at its pleasure. The Executive Director shall:
1. have charge of and manage the active business operations of the Commission and shall be the Chief Fiscal Officer;
  2. prepare the annual budget;
  3. be responsible for keeping expenditures and commitments within authorized appropriations and allocations;
  4. hire and supervise the Commission's staff, and shall evaluate, promote, demote and terminate personnel subject to the policies of the Commission;
  5. keep active accounts of all the property of the Commission;
  6. perform other duties incident to his office and such other duties as may from time to time be assigned to or requested of him by the Commission.
- B. **Removal:** The Commission may remove the Executive Director by a majority vote of all Commissioners of the Commission.

## ARTICLE X. PROFESSIONAL AND TECHNICAL ASSISTANCE

Within the budget approved by the Commission, and in a manner prescribed by the Commission, other technical and clerical assistance may be employed to carry out the work of the Commission.

## ARTICLE XI. AGREEMENT FOR COMMUNITY PLANNING SERVICES

The Executive Director shall be authorized to undertake for the Commission special projects for member municipalities, the cost of which is to be paid by the municipality in accordance with agreements executed by the Executive Director.

## ARTICLE XII. AMENDMENTS

These By-Laws may be amended at any time by two-thirds (2/3) majority of the Commissioners present at a meeting at which a quorum has been established, providing that all Commissioners have been given at least seven (7) days written notice of the proposed amendment(s).

## ARTICLE XIII. RULES AND PROCEDURES

The rules contained in Robert's Rules of Order shall govern the Commission in all cases to which they are applicable.

## **Appendix F**

### **Acronyms and Abbreviations**

**ACRONYMS and ABBREVIATIONS**

|            |  |
|------------|--|
| 3Cs        | Continuing, Comprehensive, and Cooperative Transportation Planning                         |
| ADA        | Americans with Disabilities Act of 1990  |
| CAAA       | Clean Air Act Amendments of 1990   |
| CFR        | Code of Federal Regulations  |
| CMAQ       | Congestion Mitigation/Air Quality Program  |
| CTPP       | Census Transportation Planning Package   |
| DBE/WBE    | Disadvantaged Business Enterprises/Women's Business Enterprises                            |
| FHWA       | Federal Highway Administration   |
| FTA        | Federal Transit Administration   |
| FY         | Fiscal Year  |
| GACIT      | Governor's Advisory Commission on Intermodal Transportation                                |
| GIS        | Geographic Information System  |
| HPMS       | Highway Performance Monitoring System  |
| HPR        | Highway Planning and Research Funds  |
| ISTEA      | Intermodal Surface Transportation Efficiency Act of 1991                                   |
| MVPC       | Merrimack Valley Planning Commission   |
| MPO        | Metropolitan Planning Organization   |
| MSA        | Metropolitan Statistical Area  |
| NHDES      | New Hampshire Department of Environmental Services   |
| NHDOT      | New Hampshire Department of Transportation   |
| NMCOG      | Northern Middlesex Council of Governments  |
| NRPC       | Nashua Regional Planning Commission  |
| PL         | Planning Funds Administered by FHWA  |
| RPA        | Regional Planning Agency   |
| RPC        | Rockingham Planning Commission   |
| SAFETEA-LU | Safe, Accountable, Flexible, Efficient Transportation Equity Act – Legacy for Users (2005) |
| SIP        | State Implementation Plan (for Air Quality Conformity)                                     |
| SNHPC      | Southern New Hampshire Planning Commission   |
| SRPC       | Strafford Regional Planning Commission   |
| STIP       | State Transportation Improvement Program   |
| STP        | Surface Transportation Program   |
| TTAC       | Transportation Technical Advisory Committee  |
| TAZ        | Traffic Analysis Zone  |

|       |  |
|-------|--|
| TDM   | Transportation Demand Management               |
| TEA21 | Transportation Equity Act for the 21st Century |
| TIP   | Transportation Improvement Program             |
| UPWP  | Unified Planning Work Program                  |
| UZA   | Urbanized Area                                 |

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