
Puget Sound Regional Council
Federal Planning Certification Review
October 17-20, 2005

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I. Executive Summary

Pursuant to 23 U.S.C. 134 and 49 U.S.C. 5303, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) must jointly review and certify the metropolitan transportation planning processes in Transportation Management Areas (TMA) on a periodic basis, as prescribed by law. [As of the enactment of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law 109-59, on August 10, 2005, that time period for certification is every four years.]

The certification review consists of three primary activities: a site visit, a review of planning products (in advance of and during the site visit), and preparation of a report which summarizes the review and offers findings. Each of these components was performed in making this certification determination.

Based on this review, FHWA and FTA have determined that the metropolitan planning process in the Seattle-Tacoma-Everett area meets the requirements of 23 U.S.C. 134 and 23 CFR 450.334 and is generally functioning well. In addition, since the Seattle-Tacoma-Everett area is a maintenance area for transportation related air pollutants, FHWA and FTA have determined that the Puget Sound Regional Council (PSRC) has an adequate process to ensure conformity in accordance with procedures contained in 40 CFR Part 51.

During the 2005 review, no corrective actions were noted. However, the review team identified and offers some recommendations to further enhance PSRC's planning process. A matrix containing all of the review team's Findings and Recommendations is included as Section VIII, Appendix C of this report.

As with most large metropolitan areas, congestion and lack of mobility are major concerns. Therefore, FHWA and FTA took an in-depth look to identify, encourage, and promote efficient management and operation of the transportation system. Comments were also received during the public comment period regarding the applicability of the least-cost planning requirements of RCW 47.80.030. While this is a state, not a federal, requirement, we have addressed this issue in Section V. of this report.

In summary, **FHWA and FTA are jointly certifying the transportation planning process in the Seattle-Tacoma-Everett metropolitan area.** This certification will remain in effect for four years.

II. Introduction

During the week of October 17-20, a team of representatives from FHWA and FTA met with representatives of the PSRC and Washington State Department of Transportation (WSDOT), local agencies, and the public. This site visit consisted of structured meetings with staff from regional, local, and state agencies responsible for transportation and air quality planning, and the major public transit providers. It also included an open forum at which members of the public spoke.

Prior to the site visit, the team reviewed extensive documentation on the planning process in the area. The federal review team focused on whether transportation planning activities of PSRC and other agencies responsible for transportation planning in the Seattle-Tacoma-Everett area are being carried out in accordance with FHWA and FTA regulations, policies, and procedures in place as the result of applicable federal legislation, including the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) and the Transportation Equity Act for the 21st Century (TEA-21). Although the most current transportation legislation, SAFETEA-LU, was enacted on August 10, 2005, prior to the review team's visit to PSRC, the policies, procedures, and guidance implementing SAFETEA-LU were not yet published and in effect at the time of this review.

Purpose of the Review

The primary purpose of this review was to allow FHWA and FTA to evaluate whether the transportation planning process meets joint FTA and FHWA planning regulations, in order to certify the planning process as required by 23 CFR 450.334-Metropolitan Planning Process: Certification. A second, though equally important purpose of this review, was to ascertain how well the planning process is performing and to provide recommendations, where appropriate, to further enhance the transportation planning process. As part of this review, the team considered products and materials related to the transportation planning process, including: the Regional/Metropolitan Transportation Plan (RTP/MTP), the region's long-range transportation plan, *Destination 2030*; the Transportation Improvement Program (TIP); and, the Unified Planning Work Program (UPWP).

Objective of the Review

The objective of this review was to determine if the planning activities of PSRC and other agencies with responsibilities for regional transportation planning are conducted in accordance with FHWA and FTA regulations, policies, and procedures, including the provisions of ISTEA and TEA-21.

How to Read This Report

Section III presents the results of this 2005 certification review. Section IV of this report addresses how corrective actions from the 2002 certification review were addressed during the intervening three

years. Both sections include the following elements:

Findings: Statements of fact based on the FHWA and FTA observations made during the site visit or during the review of planning documents. In addition to providing the basis for potential corrective actions or recommendations, the findings also document those "best practices" which support a USDOT planning certification.

Corrective Actions: Improvements needed to correct statutory or regulatory deficiencies which, if not addressed, could lead to a "failure to certify" finding and the possible disruption of federally funded programs and projects.

Comments and Recommendations: Recommended actions that FHWA and FTA consider would enhance the transportation process. Comments include commendation for best practices and other significant positive findings.

Federal Review Team

The members of the federal review team are identified in Appendix A of this report.

III. 2005 Review Findings

Consistent with the Purpose and Objective of this review, the FHWA and FTA review team made the following general findings:

1. The regional transportation planning process for the Seattle-Tacoma-Everett area is a continuing, cooperative, and comprehensive (3-C) process that results in the development, implementation, and support of transportation improvements.
2. The Unified Planning Work Program (UPWP) documents PSRC's transportation planning activities and it identifies some of the other significant transportation planning activities occurring in the region.
3. The regional transportation planning products, including the TIP and the RTP/MTP, reflect the identified transportation needs, priorities, and funding resources. Products of the transportation planning process are multi-modal in perspective, complete, based on current information, and interrelated.
4. Requirements and objectives of ISTEA and TEA-21, the Clean Air Act Amendments (CAAA), Title VI of the Civil Rights Act, and the Americans with Disabilities Act (ADA) are considered and incorporated where appropriate into the planning process and supported through development activities.

Subsections A through N, as follow, present specific findings made by the FHWA/FTA review team members during the course of this review:

A. Study Area Organizational Structure (23 CFR 450.306)

Findings:

- PSRC has established good, effective working relationships within its membership.
- The region now includes 83 cities, with the newest being Des Moines.
- Since the last review PSRC has made a lot of progress in coordinating and consulting with tribal governments. The Suquamish and the Muckleshoot tribes are full members

and the Tulalip and Puyallup tribes are associate members.

- PSRC and the Thurston Regional Planning Council are members of each other's MPOs, which facilitates regional planning throughout Puget Sound.
- The functional classification process meets federal requirements, though there is room for further improvement (see recommendation below).
- As a result of the 2000 census, Marysville was recognized as an urban area and will continue to be served by PSRC as part of a four-county MPO (King, Kitsap, Pierce and Snohomish).
- PSRC meets the federal requirement that the voting membership of an MPO policy body designated/redesignated subsequent to December 18, 1991, and serving a TMA, must include representation of officials of agencies that administer or operate transit PSRC was designated prior to December 18, 1991.

Comments and Recommendations:

- We commend PSRC for coordination and consulting with tribal governments, and encourage PSRC to remain involved with the Tribal Transportation Planning Organization (TTPO).
- We encourage PSRC to be more proactive in supporting and encouraging member jurisdictions to regularly and systematically update the functional classification system.
- We commend PSRC for the establishment of an Environmental Planning Advisory Group. This group can be of assistance to PSRC in helping to advance the NEPA/Planning linkage.
- Please refer to the FTA report: "Transit at the Table: A Guide to Participation in Metropolitan Decisionmaking" (http://www.fta.dot.gov/17827_ENG_HTML.htm). It provides good examples on how transit agencies can engage at the MPO level and indicates potential benefits of voting membership for transit agencies.

B. Metropolitan Planning Boundaries (23 CFR 450.308)

Findings:

- Urban area boundaries were revised based on the process required by the 2000 Census.
- The MPO boundary includes the census designated urbanized area boundary, the

WSDOT & FHWA approved urbanized area boundary (used for federal functional classification purposes), the MPO/Governor approved metropolitan planning area boundary, the air quality maintenance area boundary and the Urban Growth boundary.

Comments and Recommendations:

- No recommendations.

C. Agreements and Contracts (23 CFR 450.310 and 312)

Findings:

- Because of changes to the organization structure of the Washington State Transportation Commission and its impacts on the WSDOT, a new Memorandum of Understanding has been drafted for these three entities (PSRC, WSDOT, and the WSTC). When finalized, this MOU will supersede two earlier MOUs with WSDOT.

Comments and Recommendations:

- No recommendations.

D. Unified Planning Work Program (23 CFR 450.314)

Findings:

- Both the internal (regional) and external (inter-regional) O & D (Origin & Destination) data needs to be updated. (See recommendation below.)
- Household survey data was last updated in 1999. WSDOT will partner with the PSRC to do an update in 2006 so that the data will be available in 2008; as a result, the update cycle will be 7 rather than 5 years.
- PSRC recognizes they have a need to improve their ability to analyze safety and crash data.
- Transit use is counted by facility, not by system.
- PSRC is still working on how to best address security issues.

Comments and Recommendations:

- We strongly recommend future planning so that a 5-year update cycle on O & D data can be maintained. Current survey data will be needed to support future FTA New Starts projects in the Puget Sound region. The New Starts program requires that the technical work completed during alternatives analysis make use of a survey of transit riders that has been completed less than five years prior to a request to enter preliminary engineering.
- PSRC is recognized for their current activities related to regional coordination of human services transportation. We encourage PSRC to continue moving forward with a regional approach to human services transportation and work with transit agencies to help them meet the new SAFETEA-LU requirement that projects funded under (1) the Elderly Individuals and Individuals with Disabilities, (2) Job Access and Reverse Commute, and (3) New Freedom programs be derived from a locally-developed coordinated public transit-human services transportation plan. There will likely be a need for both county and regional-level plans.
- We commend PSRC for the inclusion of content from additional agencies in the UPWP.
- We recommend that PSRC implement the longer term improvements to the travel forecasting model as identified in the peer review.
- We recommend that PSRC undertake an effort to identify specific travel problems and travel markets in priority corridors, similar to the SR 520 analysis. This will aid in project development. A clearly defined corridor-level problem statement, supported by a corridor-level data analysis, is required for projects pursuing FTA New Starts funds. This problem statement should be identified as part of the systems planning effort.

E. Transportation Planning Process (23 CFR 450.314 thru .322)

Findings:

- PSRC has a number of agreements/MOUs (Memorandum of Understanding) in place that set out the responsibilities of the various agencies in the transportation planning process. For example, the participation of PSRC in corridor studies with WSDOT is set out in one of these MOUs.

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- PSRC has taken a more proactive role in the coordination of all long-range plans. A relationship with the tribal governments in providing long-range plans is developing.
 - The Muckleshoot Tribe is actively engaged with PSRC in the SR 164 study.
 - The next plan update will include a focus on regional special needs (elderly, disabled and low income) planning. This will include coordination with Sound Transit.
 - PSRC is re-evaluating its approach to prioritizing projects to include more regional emphasis.
 - PSRC is actively participating in regional corridor projects, such as SR 520.
 - PSRC is evaluating how to conduct emergency management planning for the region.

Comments and Recommendations :

- We commend PSRC for the collaborative agreement regarding corridor studies.
- We commend PSRC for the process by which they make findings on comprehensive plans.
- PSRC has done a good job in identifying their policy priorities and changes, and in their effort to regionally coordinate long-range plans. We encourage PSRC to continue these worthy efforts.
- We commend PSRC for the multidisciplinary approach which recognizes the interconnectivity of the transportation planning process, including economics, land use, and environment.
- In evaluating how to conduct emergency management planning for the region, we recommend PSRC develop and maintain contacts with WSDOT's Emergency Manager and the Emergency Management units of constituent members (counties and other local governments).

F. Metropolitan Transportation Plan Development (23 CFR 450.322)

Findings:

- Through their organizational structure and collaborative efforts with state, regional and local transportation agencies, tribal governments, and the public, PSRC has a comprehensive and effective transportation plan.
- PSRC staff reviews and participates in regular updates of short- and long-term Transit

Development Plans. These plans form a foundation for transit input in the MTP.

- One of the required elements of a TMA's long-range transportation plan is the inclusion of a congestion management process (CMP). In the previous two certification reviews FHWA and FTA found that corrective actions were required to adequately address congestion management. In this review, we found that PSRC has adequately addressed those corrective actions. They have developed and implemented a congestion management process that will lead to the identification, implementation, and evaluation of strategies to reduce congestion in the Puget Sound region.
- As a part of the work on congestion management, PSRC has developed an innovative corridor market analysis approach for SR 520, is actively involved in two value pricing programs, and has a corridor analysis approach that is complimentary to the FTA New Starts program.
- PSRC is working to incorporate least-cost planning into the CMP.
- The seven TEA-21 planning factors are appropriately addressed in the MTP.
- PSRC incorporates a variety of freight planning activities in the MTP. The Regional Freight Mobility Roundtable is a valuable tool in addressing freight issues in the planning process.

Comments and Recommendations:

- Again, we commend PSRC for their collaborative efforts in the development of the MTP.
- We would like to acknowledge the efforts made by PSRC staff, particularly during this past year, to address previous corrective actions on congestion management. In particular, we commend Mike Cummings and appreciate his efforts in keeping both of our agencies (FHWA and FTA) informed of PSRC's efforts in this area in a timely manner.
- If the SR 520 market analysis approach proves useful, we recommend PSRC pursue a systematic, planned expansion of additional corridors into the CMP. This would be especially helpful for early planning activities and justification related to high capacity transit projects, especially those pursuing FTA New Starts funds. We recommend that PSRC attend FTA sponsored training on Alternatives Analysis for New Starts projects.

G. TIP and Project Selection (23 CFR 450.324 thru .332)

Findings:

- PSRC has an MOU with WSDOT and the transit operators which sets out the responsibilities of the respective agencies in the TIP development.
- The TIP identifies FTA funds, including 5307; 5309 Bus, New Starts, and Rail Modernization; and JARC. By agreement with the transit operators committee, 86 percent of FTA 5307 funds are distributed to transit operators by formula for basic transit needs. The remaining 14 percent of the funds are competitive and used for service expansion. The competitive funds are those funds attributable to population and population density in the FTA formula. The competition is based on criteria related to the goals and objectives of the long range transportation and land use plans.
- PSRC has a comprehensive policy framework that provides guidance on project prioritization. A criteria-based project evaluation system is used and projects are ranked by staff, reviewed by PSRC's technical committees, and project recommendations are made to the policy boards. The boards review and approve the projects that are included in the draft TIP that goes out for public review.
- PSRC has a comprehensive public involvement process for TIP development that makes use of a variety of media, including the Internet.

Comments and Recommendations:

- PSRC has a good competitive process for allocating FTA 5307, CMAQ, and STP funds. We understand that PSRC has been working to enhance the application process for competitive funds while considering the workload on applicants. We encourage these efforts.
- We commend PSRC for using EJ (Environmental Justice) screening criteria in the TIP development process.
- We commend PSRC for the tracking and accountability committee's efforts. As an example of PSRC's accountability for project selection and TIP development, we noted that they had rejected a project that was not consistent with the regional model.
- FTA requested reconciliation from PSRC of TIP amounts with available FTA 5307 funding in about October 2004. This information was provided to FTA in March 2006. Using a new project and appropriation tracking mechanism, FTA discovered a lack of

capability by PSRC to reconcile TIP project amounts with actual available funding which adversely affects timely obligation of FTA grant funds and full project execution by grantees. This matter has been discussed with PSRC and, by agreement between PSRC and FTA, the reconciliation will be completed no later than September 30, 2006. Further, it is recommended that PSRC devote the resources necessary to revise their process as needed to insure that a systematic approach to TIP reconciliation is implemented.

- PSRC has been providing FTA with a listing of current year projects of FTA 5307 TMA programmed projects in about July of each year. This timing adversely affects FTA workload and grantee project needs. This matter has been discussed with PSRC and, by agreement between PSRC and FTA, PSRC will annually provide FTA with a listing of the 5307 projects for each grantee within the TMA within 2 months of the Appropriations and Allocations publication in the Federal Register.

H. Financial Planning/Fiscal Constraint (23 CFR 450.322)

Findings:

- Financial constraint is a particular challenge for all MPOs and we found that PSRC is meeting the regulatory requirements in this area.
- We found that PSRC does maintain and use historical data and economic modeling as a part of their financial planning responsibilities.
- During the public comment process, the review team received a number of comments regarding Washington State law requirements on least-cost planning. We will address this matter in Section V of this report. We would note, however, that least-cost planning is a State, not a Federal, requirement.
- We noted that local funds in the TIP have demonstrated reasonable expectations that those funds are available.

Comments and Recommendations:

- PSRC should continue to take an active role in cost and revenue projections within the region.
- We had some discussion with PSRC during the site visit regarding an item on page 82 of

Destination 2030 referencing a +/- \$5 billion revenue. We recommend that PSRC clarify this in a future update and address how future revenue uncertainties will be accounted for.

I. Air Quality (23 CFR 450.320, .322 & .324)

Findings:

- PSRC has a very experienced and diligent staff dealing with Air Quality issues and we found this to be a particularly strong area within the planning process. The region is staying well below the emissions budget thresholds, and air quality is given the highest weighting in the TIP selection process.
- The region is making positive strides in the diesel retrofit of school buses, and there is good voluntary industry support in this area. Various transit fleets are being converted.
- PSRC does a good job of updating its AQ models.

Comments and Recommendations:

- We commend PSRC for their Air Quality efforts and continually staying abreast of, and complying with, environmental requirements.
- We commend PSRC for its very prominent participation in the Air Quality Coordination Group that includes Federal, State and local air quality and transportation agencies. This group has been instrumental in helping Washington achieve attainment in all MPOs, and we acknowledge the contributions of Kelly McGourty of PSRC to this working group.

J. Self-Certifications (23 CFR 450.334)

Findings:

- PSRC developed a self-certification in conjunction with WSDOT and it has been in place since September 2004. It provides the basis for certifying the planning processes for the King, Kitsap, Pierce and Snohomish counties' urbanized areas.

Comments and Recommendations:

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- No recommendations.

K. Public Outreach (23 CFR 450.316)

Findings:

- PSRC makes broad use of many tools for public outreach--public meetings, a great website, publications, and other media.
- Our previous certification review identified a corrective action for documentation that identifies and addresses a systematic evaluation process. PSRC utilized a consultant to help them develop this.
- PSRC has recognized that going out to the public is often more productive than just holding meetings in-house. We recognize that PSRC is making significant strides in this area, but perceive a need to continue to enhance its efforts to communicate with traditionally underserved populations.
- Local jurisdictions certify to PSRC that they have adequate public involvement processes. However, PSRC does not conduct verification reviews to ensure these processes are in place and functioning adequately.
- The UPWP is included in the agendas of other meetings.
- The Prosperity Partnership outreach efforts are very encouraging.

Comments and Recommendations:

- We commend PSRC for its efforts to maximize the use of existing community meetings, and encourage that this be a continuing effort.
- We commend PSRC for adding a new public involvement staff position and committing significant funds for public outreach.
- We recommend that PSRC broaden its efforts to outreach to traditionally underserved communities. One tool that can help determine the effectiveness of the outreach would be to record meeting participation by zip code.
- We commend PSRC for meeting with tribal governments and utilizing the Governor's office to help with tribal coordination.
- We recommend that PSRC conduct periodic reviews of member agency's public

involvement programs to ensure their effectiveness.

- We recommend that PSRC engage the public in UPWP development in more non-traditional ways, such as taking it out into communities and engaging them more proactively in the process.

L. Title VI and Related Requirements (23 CFR 450.334)

Findings:

- PSRC hired a consultant in 2004 to review its public outreach/involvement efforts. The review report commended PSRC for its overall outreach effort, but also suggested a number of recommendations for enhancing PSRC's public outreach/involvement efforts to better engage underserved populations.
- PSRC works effectively with the WSDOT Tribal Liaison on tribal issues relating to Title VI.
- A demographic profile was developed for the region and a 2004 review found that projects were equitably distributed.
- An EJ Evaluation Group meets quarterly and is expanding.
- PSRC hired a consultant in 2005 to develop an EJ research plan in preparation of its VISION 2020 update. The report commended PSRC for its EJ efforts to date, but also made recommendations to PSRC for enhancing its public outreach efforts to EJ populations. It also was recommended that PSRC conduct a needs analysis and accessibility analysis specific to EJ populations in order to ensure that environmental justice is addressed in all aspects of PSRC's planning processes.
- PSRC completed a 4-factor analysis in 2003 using the Language Spoken at Home data from the 2000 census, and adopted a policy on October 2003 for providing information to individuals with Limited English Proficiency (LEP).
- PSRC uses a variety of approaches to provide access to persons with Limited English Proficiency. The Title VI team created a list of all staff members who speak a second language. This provides a list of resources for contact with LEP individuals. As an example of the use of this list, a Spanish-speaking staff member provided a translation of the phrase "Translation Services Available" for PSRC "Regional VIEW" and for the home page of the Website. This person has also volunteered to be a Point of Contact for members of the public whose primary language is Spanish.

Comments and Recommendations:

- We commend PSRC for its handling of Title VI complaints and also for being an active member of the WSDOT Title VI liaison group.
- We recommend that PSRC's public outreach/involvement plan describe strategies/procedures which are specifically intended to provide meaningful access to those populations traditionally underserved (i.e., community focus group meetings, process for providing materials in other languages, et al).
- We commend PSRC for the efforts they have made to date in working with LEP individuals, and recommend PSRC continue to seek innovative and effective ways to ensure LEP individuals have full access to PSRC and its products and services.
- We recommend that PSRC be more assertive in its efforts to collect Title VI data at its public involvement meetings and forums.

M. Intelligent Transportation Systems (23 CFR 940)**Findings:**

- We found that the verification of the regional ITS architecture in the TIP application process should be improved. FHWA and FTA can provide some useful case studies.

Comments and Recommendations:

- PSRC is collecting a lot of local data, but they do not have a systematic way of collection. We encourage efforts to integrate regional data through a geo-coded, spatial data process.
- The maintenance of the regional ITS architecture needs to be addressed and this could be a part of the UPWP.
- Utilizing the regional ITS architecture content requirements included in FHWA's final rule and FTA's final policy, PSRC should develop a systematic process to evaluate the regional ITS architecture on a routine basis.

N. Travel Demand Forecasting

Findings:

- PSRC has a nationally recognized expert on travel demand forecasting on its staff.
- PSRC is taking a regional lead role, and is shifting from multiple regional models to one universal model.
- A land use model is under development.
- Integrating of models is currently underway.
- As noted earlier in this report, both internal and external O & D surveys are outdated.
- Transit agencies within the region will likely pursue FTA New Starts funds in the next 10 to 20 years.

Comments and Recommendations:

- We support and encourage PSRC's plan to partner on future model improvements and efforts to better understand land economics and travel behaviors.
- We encourage the pursuit of the NTI “multimodal travel demand forecasting” course.
- As previously stated under UPWP, we strongly recommend a future planning cycle that will ensure a 5-year update of O & D data can be maintained. FTA is requiring that New Starts projects be based on rider surveys no older than 5 years.
- We encourage PSRC to implement the next phase of the peer review recommendations and continue with the peer review process.
- We encourage PSRC to contact FTA regarding review of its travel forecasting methods to ensure that its procedures meet FTA New Starts requirements.

IV. 2002 Review Findings Summary

The 2002 Certification Review, which resulted in the certification of PSRC on February 6, 2003, included several corrective actions in three areas--Public Involvement, Title VI, and Congestion Management System. These corrective actions were resolved and no further corrective actions were identified in the 2005 review for these areas.

Following is a brief synopsis of the status of the 2002 review findings and corrective actions:

2002 Corrective Action - Public Involvement. To better document PSRC's efforts, by the next UPWP update, provide FHWA and FTA documentation that will identify and address a systematic evaluation procedure of PSRC's public involvement process (a list of 8 items that should be documented was included in this corrective action--these can be found in the final certification report dated February 6, 2003).

2005 Finding: As documented in the findings in section III. K and III. L of this report, PSRC took steps to enhance their public involvement process and have expanded their use of various media to communicate with the public. PSRC has also added a new public involvement staff position and has committed significant funds for public outreach. While we have made some additional recommendations in this report to encourage PSRC to continue broadening their outreach efforts, we acknowledge the fine work they have done to date to provide a meaningful and proactive forum for public involvement.

2002 Corrective Action - Title VI. In order to more fully document the ongoing efforts PSRC is making toward effectively meeting the requirements of Title VI, it is important that PSRC revise their Title VI plan (a list of 5 items to be included in this revision were included in this corrective action and can be found in the final certification report dated February 6, 2003).

2005 Finding: As documented in the findings in section III. L. of this report, PSRC took a number of steps to enhance their Title VI efforts, including conducting a demographic profile, employing specific strategies to engage tribal governments and traditionally underserved communities, and for engaging individuals with limited English proficiency. They have also done a good job handling Title VI complaints, and they are an active

member of the WSDOT Title VI liaison group. We have offered some recommendations for further opportunities in public outreach and Title VI.

2002 Corrective Action - Congestion Management System. Six items were required to be addressed: Establishing performance measures; analysis of identifying causes of congestion; identification and evaluation of anticipated performance and expected benefits of strategies; clarification regarding mobility enhancement projects identified in WSDOT's State Highway System Plan; better documentation of the process to assess the efficiency and effectiveness of implemented strategies, and the results of that assessment; and, better documentation on how the steps of the CMS process work together.

2005 Finding: In this review, we found that PSRC has adequately addressed those corrective actions. They have developed and implemented a congestion management process that will lead to the identification, implementation, and evaluation of strategies to reduce congestion in the Puget Sound region. PSRC has been conducting system monitoring, using a variety of tools including WSDOT's "Gray Notebook", CTR (Commute Trip Reduction) information, other data from WSDOT and the Milestone Report. They are also using a model for conducting corridor assessment. PSRC has involved WSDOT, cities, counties, transit agencies, and tribal governments, as well as FHWA and FTA, in their CM process and the cities, counties, transit agencies, and WSDOT all have roles in data collection and in helping to identify and implement improvements to the network. We also would acknowledge, and have commended, the addition of Mike Cummings and Peter Briglia to PSRC's staff. They have provided the leadership and technical expertise in congestion management that was necessary to resolve previously identified corrective actions and move forward with a dynamic CM process.

V. Public Comments

On the evening of October 18, 2005, during the review team's site visit to PSRC, a public meeting was conducted. During that meeting, the review team informed the attendees that written comments would be accepted for at least 60 days beyond the date of that meeting. All of the written comments that have been received are included in Section VII, Appendix B of this report.

Five members of the public attended and spoke at the meeting. Several of those who spoke also provided additional written comments either by email or other hard copy form. Additionally, comments from others who did not attend the public meeting were received by members of the review team.

Several of the commenters stated that they believe PSRC should be decertified, and gave some reasons for that belief. The review team considered these comments in its review of PSRC. Although we offer some recommendations to PSRC regarding certain of these comments, we find that PSRC's transportation planning process complies with Federal requirements and that there is no basis for not certifying PSRC. We recognize and appreciate the time and thought that went into these comments and we encourage PSRC to consider the concerns expressed by these commenters and address those concerns as appropriate.

Following are the review team's responses to certain comments received both at the public meeting and in subsequent written correspondence:

- One commenter, both at the public meeting and in subsequent correspondence to the review team, referenced a statement made by Mary McCumber at a Sound Transit Citizen Oversight Panel meeting last year (sometime in the winter or spring of 2004). The comment alleges Ms. McCumber stated that "John Ladenburg stole \$4 million from the region", and calls for a full investigation of that comment. The review team made this information available to Ms. McCumber and she provided a letter dated October 21, 2005, which clarifies her statement. According to her letter, Ms. McCumber had been frustrated that the D Street Overpass project in Tacoma was behind schedule. Her comment referencing County Executive John Ladenburg was recognition of Mr. Ladenburg's ability to convince other decision makers to take funds from projects they

were supporting and commit them to the D Street project. As Ms. McCumber states in her letter, her comments "...were a compliment to John Ladenburg's ability to use regional policies to convince other decision makers of the higher merit of the D Street Overpass project over projects they initially supported." Ms. McCumber's letter sufficiently clarifies this matter and no other consideration of this matter is necessary.

- Another commenter discussed the applicability of the Federal regulatory requirement regarding fiscal/financial constraint and stated that PSRC "...has liberally construed this requirement" by cataloging "...all projects that have been proposed by every agency even though there is little expectation that revenues will be made available in amounts that will fund even half of the total costs of all projects." As this commenter noted, MPOs can include "illustrative" projects that may be proposed if funding becomes available. This is correct! Illustrative projects are allowed by federal regulations. The review team recognizes the challenges of financial planning as a process that has both short-term and long-term programs and projects. We acknowledge that there is always room for improvement in this area (not only with PSRC, but with many MPOs), and we continually encourage MPOs, as a part of the TIP and STIP development and approval, to continue to work on refinements to their financial constraint of programs and projects. At the same time, we also acknowledge that PSRC is in compliance with Federal regulatory requirements, and we found in this review that they have a project screening process which is a very effective tool for prioritization of projects.
- A number of comments received both during the public meeting and in subsequent written correspondence refer to the Washington State law, RCW 47.80.30 concerning "least cost planning" (LCP). As these commenters recognized, LCP is a State, not a Federal, requirement. Consequently, it is not within the review team's jurisdictional authority to comment on the law itself--its value for transportation planning purposes or its manner of construction.
- Another commenter expressed concerns about PSRC's Congestion Management System (CMS). As discussed in Section III. F. of this report, PSRC has made significant strides in addressing CMS and resolving the corrective actions addressed in our prior two certification reviews. We will continue to work with PSRC and encourage their continued efforts to refine and improve this process (note that one of the changes coming out of the SAFETEA-LU legislation is the change from "Congestion Management System" to "Congestion Management Process"; when the new regulations on CMP are issued, we will work with PSRC to clarify the distinctions between "system" and

"process").

By way of summary, the FHWA and FTA review team noted the other comments that were received and have documented them in Section VII, Appendix B of this report. Although these comments do not alter our findings with regard to PSRC's compliance with the transportation planning process required by Federal law and regulation, we do encourage PSRC to continue working with the public in an open and collaborative manner to seek appropriate resolutions of their concerns regarding the transportation planning process.

VI. Appendix A -- Federal Review Team

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VII. Appendix B -- Written Public Comments

Following this page are the comments received from the public on this Certification Review. The comments were received by hardcopy and electronically as email. The public attendance sign-in sheet for the public hearing on October 18, 2005, is also included.