

MEMORANDUM of UNDERSTANDING

by and among

BOSTON REGION METROPOLITAN PLANNING ORGANIZATION,
CENTRAL MASSACHUSETTS METROPOLITAN PLANNING ORGANIZATION
MERRIMACK VALLEY METROPOLITAN PLANNING ORGANIZATION,
MONTACHUSETT METROPOLITAN PLANNING ORGANIZATION
NASHUA REGIONAL PLANNING COMMISSION,
NORTHERN MIDDLESEX METROPOLITAN PLANNING ORGANIZATION,
OLD COLONY METROPOLITAN PLANNING ORGANIZATION,
RHODE ISLAND STATE PLANNING COUNCIL,
ROCKINGHAM PLANNING COMMISSION,
SOUTHEASTERN MASSACHUSETTS METROPOLITAN PLANNING
ORGANIZATION,
SOUTHERN NEW HAMPSHIRE PLANNING COMMISSION

Commonwealth of Massachusetts Department of Transportation (MassDOT)
New Hampshire Department of Transportation (NHDOT)
Rhode Island Department of Transportation (RIDOT)

Brockton Area Transit Authority (BAT), Cooperative Alliance for Regional
Transportation (CART), Cape Ann Transit Authority (CATA),
Greater Attleboro Taunton Regional Transit Authority (GATRA), Lowell Regional
Transit Authority (LRTA), Montachusett Area Regional Transit Authority (MART),
Metrowest Regional Transit Authority (MWRTA), Merrimack Valley Regional
Transit Authority (MVRTA), Nashua Transit System (NTS), Southeastern
Regional Transit Authority (SRTA), Rhode Island Public Transit Authority
(RIPTA) and Worcester Regional Transit Authority (WRTA)

concerning

THE EFFECT of the URBANIZED AREA DESIGNATIONS of the 2010 CENSUS
on COORDINATION
among METROPOLITAN PLANNING ORGANIZATIONS, STATES, and PUBLIC
TRANSPORTATION OPERATORS

WHEREAS, the Metropolitan Planning Organizations (MPOs), States, and public
transportation operators, hereinafter referred to as the “Parties,” having
responsibility for portions of the Boston, Massachusetts (MA)-New Hampshire
(NH)-Rhode Island (RI) (Boston, MA-NH-RI) Urbanized Area (UZA), conduct a
continuing, comprehensive, and cooperative (3C) multimodal transportation
planning process as provided for by the Fixing America’s Surface Transportation

(FAST) Act of 2015 and its provisions under Title 23 U.S. Code of Federal Regulations (CFR) and Title 49 U.S. CFR; and

WHEREAS, the Boston, MA-NH-RI UZA, hereinafter referred to as the “UZA,” has been expanded as a result of the 2010 Decennial Census, and now contains or extends into eleven contiguous existing Metropolitan Planning Areas (MPAs)¹ in Massachusetts, New Hampshire; and Rhode Island; and

WHEREAS, the UZA has a population of over 200,000 individuals and is designated as a Transportation Management Area (TMA). As such, the transportation planning processes of MPOs within the UZA are subject to review and certification by the FHWA and FTA once every four years.

WHEREAS, the Parties seek to participate in this memorandum of understanding (MOU), to the extent that it is not in conflict with any law, existing agreement or procedure, to effectively coordinate the metropolitan planning processes for the transportation system within the UZA.

WHEREAS, if more than one MPO has been designated to serve the UZA, there shall be a written agreement among the MPOs, States, and public transportation operators describing how the metropolitan planning processes will be coordinated to assure the development of consistent metropolitan transportation plans and transportation improvement programs across MPA boundaries, particularly in cases where a proposed transportation investment extends across the boundaries of more than one MPA. The planning processes for affected MPOs should, to the maximum extent possible, reflect coordination of data collection, analysis, and planning assumptions across MPA boundaries; and

WHEREAS, more than one MPO serves the UZA, the MPOs, States, and the providers of public transportation shall jointly agree upon and develop specific written provisions for cooperatively developing and sharing information related to transportation performance data, the selection of performance targets, the reporting of performance targets, the reporting of performance to be used in tracking progress toward attainment of critical outcomes for the region of the MPO(s), and the collection of data for their State asset management plan for the National Highway System (NHS); and

¹ The term “metropolitan planning area” or “MPA” is used to describe the geographic area determined by agreement between the MPO for the area and the Governor, in which the metropolitan transportation planning process is carried out.

NOW, THEREFORE, the Parties agree as follows:

Article 1. Transportation Planning and Coordination Responsibilities

General Agreement

1. Each MPO retains responsibility and authority for the metropolitan planning process carried out in its MPA.
2. The Parties recognize an obligation to cooperate in coordinating planning matters of shared interest across MPA boundaries within the UZA for consistency in the development of metropolitan transportation plans (MTPs), Transportation Improvement Programs (TIPs), and for the coordination of Unified Planning Work Program (UPWP) activities.
3. If inconsistencies or conflicts arise, the relevant parties shall meet and employ their best efforts to develop a satisfactory resolution. (See Article 2.)

Responsibilities of All Parties

4. Share available information, such as GIS layers, shapefiles, databases, and other applicable electronic data along common boundaries for the purpose of travel demand model development, calibration, and other analytical applications as requested, practicable, and subject to agency-level policies, procedures, and agreements.
5. Coordinate the collection and analysis of data regarding travel patterns to, through, and among adjacent MPAs. Examples include traffic counts, household surveys, "big data" acquisition (e.g., cell phone origin-destination data or travel speed data).
6. Share and coordinate the latest estimates, projections, and planning assumptions related to population growth, employment, land use, travel, transit, congestion, and economic activity for long-range planning applications, such as congestion management processes.
7. Exchange information and expertise in matters of mutual concern - this includes each agency ensuring the notification of, and participation in, meetings concerned with matters of mutual interest, and collaboration on projects and studies with other parties that share transportation corridors, service routes, and assets spanning MPA boundaries.

State DOT Responsibilities

8. Coordinate with relevant State DOTs and MPOs concerning the collection of performance data, the selection of performance targets, the reporting of targets and actual achievement of performance related to those targets, for

the applicable Congestion Mitigation and Air Quality (CMAQ) performance measures. Specific performance management concerns for the UZA include, but are not limited to the following:

- a. Coordinating with relevant State DOTs and MPOs serving portions of the NHS network within the UZA, as indicated by FHWA's Congestion Mitigation Air Quality (CMAQ) Traffic Congestion Measure Applicability Table (https://www.fhwa.dot.gov/environment/air_quality/cmaq/measures/cmaq_applicability/page04.cfm), to ensure consistent use of reporting segments and travel time data sets to calculate travel time-based measures.
 - b. Coordinating with relevant State DOTs and MPOs concerning a common data collection method to be used for the Percent of Non-SOV Travel measure in portions of the UZA containing the NHS network.
 - c. Coordinating with relevant State DOTs and MPOs to establish single UZA targets that represent performance of the NHS network for each of the following measures: 1) Annual Hours of Peak Hour Excessive Delay (PHED); and 2) Percent Non-SOV Travel.
 - d. Establishing joint procedures for coordinated target setting and reporting in the UZA for congestion mitigation and air quality (CMAQ) Traffic Congestion Measures and other performance measures, as needed.
 - e. Sharing baseline, progress, and full performance period reports pertaining to Traffic Congestion and Air Quality performance measures and targets.
9. Coordinate strategies to maintain transportation investments spanning State boundaries within the UZA.
 10. Forecast and allocate funding for transportation planning and programming in the portion of the UZA within the State.

MPO Responsibilities

11. Coordinate CMAQ Traffic Congestion Measure performance requirements applicable to the UZA with adjoining MPOs and the State DOT. MPO coordination activities should include, but are not limited to:
 - a. Coordinating with relevant State DOTs and MPOs serving portions of the UZA with NHS segments, as indicated by FHWA's Congestion Mitigation Air Quality (CMAQ) Applicability Table (https://www.fhwa.dot.gov/environment/air_quality/cmaq/measures/cmaq_applicability/page04.cfm), to ensure consistent use of reporting segments and travel time data sets to calculate travel time-based measures.
 - b. Coordinating with relevant State DOTs and MPOs concerning a common data collection method to be used for the Percent of Non-SOV Travel measure in portions of the UZA with NHS segments.

- c. Coordinating with relevant State DOTs and MPOs to establish a single UZA target that represents performance of the NHS for both Annual Hours of Peak Hour Excessive Delay (PHED) and Percent Non-SOV Travel performance measures.
 - d. Reporting progress toward target achievement as required by the relevant State DOT and sharing with MPOs and public transportation operators, as requested.
12. Conduct cross-boundary coordination of matters affecting the Congestion Management Process, including monitoring activities and the sharing of relevant data (i.e. traffic counts, park and ride facilities, and transit use to and from adjoining MPAs.)
 13. Coordinate strategies to maintain transportation investments spanning MPO boundaries within the UZA.
 14. TMA Requirements: The transportation planning processes of MPOs within the UZA are subject to TMA requirements at 23 CFR 450.336(b), administered by the FHWA and FTA at least once every four years. Where the UZA overlaps into an adjacent MPA serving another urbanized area that is not a designated TMA, the adjacent urbanized area shall not be treated as a TMA. The MPO parties under this agreement with MPA boundaries that include a portion of the UZA are responsible for meeting the TMA requirements, as they apply to the transportation planning process for that portion of the UZA.
 15. Air Quality: The roles and responsibilities of the Massachusetts MPOs concerning transportation conformity have been fully described in the current Massachusetts Air Quality Memorandum of Understanding, dated July 31, 1996. This agreement is among the Massachusetts Department of Environmental Protection (DEP), MassDOT, and Massachusetts MPOs with planning areas that include nonattainment or maintenance areas, as designated by the U.S. Environmental Protection Agency (EPA).

Regional Transit Authority (RTA) Responsibilities

16. Coordinate with relevant MPOs as appropriate to share service information, ridership data, and other data for use in the planning process, including in the congestion management process.
17. Coordinate with relevant MPOs on planning and programming for investments, including services, that cross MPA boundaries.

Article 2. Process for Dispute Resolution

Process for Dispute Resolution

Each Party will ensure appropriate cooperation and consultation on plans, programs, and projects affecting two or more parties. If inconsistencies or conflicts arise, the Parties shall meet and employ their best efforts to develop a satisfactory resolution at the lowest staff level possible and in a timely manner. Disputes not resolved at the staff level will be addressed at the executive level. After exhausting all efforts to address an unresolved matter, the Parties in dispute agree to apprise the respective FHWA and FTA authorities.

Article 3. Amendment, Termination, and Supersession of Agreement

The MassDOT, on behalf of the Parties hereto, is the designated custodian of this MOU. As such, MassDOT shall be responsible for coordinating reviews and executing all amendments, including discussion and consultation forums related to its content.

This MOU will be reviewed at least once every four years.

This MOU may be amended, whenever deemed appropriate, by endorsement of all Parties. Any party to this MOU may propose an amendment at any time. The Parties agree to consult to determine the extent and appropriateness of such proposed amendments.

This MOU does not replace or supersede any existing planning agreement, or portion thereof, unless otherwise stated herein.

This MOU supersedes the 2003 agreement titled *Commonwealth of Massachusetts Metropolitan Planning Organization Memorandum of Understanding between the Boston Metropolitan Planning Organization, Merrimack Valley Metropolitan Planning Organization, Northern Middlesex Metropolitan Planning Organization, Old Colony Metropolitan Planning Organization, and Southeastern Massachusetts Metropolitan Planning Organization concerning the Effect of the Urbanized Area Designations of the 2000 Census on Certification Requirements in Metropolitan Planning Organizations.*

CERTIFICATION OF THE URBANIZED AREA DESIGNATIONS of the 2010
CENSUS on COORDINATION among METROPOLITAN PLANNING
ORGANIZATIONS, STATE DEPARTMENTS OF TRANSPORTATION and
PUBLIC TRANSPORTATION OPERATORS

*This document certifies that the below signatories hereby endorse the 2018
Memorandum of Understanding concerning The Effect of the Urbanized Area
Designations of the 2010 Census on Certification Requirements and
Coordination of Metropolitan Planning Organizations.*

Stephanie Pollack, Secretary and CEO
Massachusetts Department of Transportation (MassDOT);
Chair, Boston Region Metropolitan Planning Organization (BRMPO);
Central Massachusetts Metropolitan Planning Organization (CMMPO);
Merrimack Valley Metropolitan Planning Organization (MVMPO);
Montachusett Metropolitan Planning Organization (MMPO);
Northern Middlesex Metropolitan Planning Organization (NMMPO);
Old Colony Metropolitan Planning Organization (OCMPO); and
Southeastern Massachusetts Metropolitan Planning Organization (SMMPO)

Date

Victoria Sheehan, Commissioner
New Hampshire DOT (NHDOT)

Date

Peter Alviti, Jr., Director
Rhode Island DOT (RIDOT)

Date

Jay Minkarah, Executive Director
Nashua Regional Planning Commission (NRPC)

Date

Tim Roache, Executive Director
Rockingham Planning Commission (RPC)

Date

Sylvia Von Aulock, Executive Director
Southern New Hampshire Planning Commission (SNHPC)

Date

Michael DiBiase, Chair
Rhode Island Planning Council (RIPC)

Date

Reinald G. Ledoux, Jr., Administrator
Brockton Area Transit Authority (BAT)

Date

George Sioras, Chair
Cooperative Alliance for Regional Transportation (CART)

Date

Paul Talbot, Administrator
Cape Ann Transit Authority (CATA)

Date

Frank Gay, Administrator
Greater Attleboro Taunton Regional Transit Authority (GATRA)

Date

Jim Scanlon, Administrator
Lowell Regional Transit Authority (LRTA)

Date

Ed Carr, Administrator
Metrowest Regional Transit Authority (MWRTA)

Date

Joe Costanzo, Administrator
Merrimack Valley Regional Transit Authority (MVRTA)

Date

Mohammed Khan, Administrator
Montachusett Area Regional Transit Authority (MART)

Date

Hon. Jim Donchess, Mayor, City of Nashua
Nashua Transit System (NTS)

Date

Scott Avedisian, CEO
Rhode Island Public Transit Authority (RIPTA)

Date

Erik Rousseau, Administrator
Southeastern Regional Transit Authority (SRTA)

Date

Dennis Lipka, Administrator (Acting)
Worcester Regional Transit Authority (WRTA)

Date