



U.S. Department
of Transportation

Transportation Management Area Planning Certification Review

Federal Highway
Administration

Federal Transit
Administration

Transportation Planning Certification Review

COMPASS Planning Area

(Ada and Canyon Counties, Idaho)

Final Report

August 1, 2022

Prepared by

Federal Highway Administration

Federal Transit Administration



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EXECUTIVE SUMMARY

In January 2022, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) initiated the certification review of the transportation planning process administered by the Metropolitan Planning Organization, namely the Community Planning Association of Southwest Idaho. FHWA and FTA are required to jointly review and evaluate the transportation planning process for each urbanized area over 200,000 in population at least every four years to determine if the process meets the Federal planning requirements. This final report documents the Federal certification review of the COMPASS transportation planning program.

This review, which was conducted by a team of representatives from Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA), consisted of an examination of the MPO's documented practices, procedures, guidelines and activities; on-site meetings (May 3rd and 4th 2022) with the MPO staff and key planning partners; a questionnaire issued by COMPASS to gather input from the public; a report on the findings, commendations, corrective actions, and recommendations of the Review Team. At the time of the review, the 2022 update of the COMPASS Metropolitan Transportation Plan (MTP), Communities In Motion 2050, was underway but not complete. Therefore, it is expected that COMPASS will address and resolve many recommendations and corrective actions included in this report once the 2022 MTP is complete.

The 2022 certification review used a risk-based approach to identify focus areas. This final report documents the findings, commendations, recommendations, and corrective actions, made by the review team concerning COMPASS' transportation planning program on those key focus areas. In the context of this review, "**Findings**" are statements of the conditions found on a given subject area during the course of the review; "**Commendations**" highlight elements of the MPO's program that demonstrate innovative, highly effective, well-thought-out practices and procedures for implementing the planning requirement; "**Recommendations**" are suggestions based on agency initiatives or best practices that the MPO should consider to enhance their planning processes; and "**Corrective Actions**" address specific areas or elements of the program in which the MPO currently fails to fully meet Federal requirements. Table 1, below, provides a summary of commendations, recommendations, and corrective actions. Details of the certification findings for each of the items are contained in this report.

Based on the federal team review, the FHWA and FTA jointly certify that the planning process conducted by the Community Planning Association of Southwest Idaho (COMPASS) meets the requirements of 23 CFR 450, Section 334(b)(i) with corrective actions, as identified in the table below.

TABLE 1 - Summary of 2022 Commendations, Recommendations, and Corrective Actions

Review Area	Actions	Recommendations/ Commendations	Deadline for Completion
MPO Agreements and Coordination 23 CFR 450.314(a) 23 CFR 450.316, 23 CFR 450.324(g)	Corrective Action	By September 2023, update the MPO Agreement(s) to correct outdated information and clearly outline roles and responsibilities to carry out the metropolitan transportation planning process including the procedures for selecting projects for inclusion in the MTP and TIP (CFR 23.450.314) (CRF 450.332(b).	August 2023
Metropolitan Transportation Plan 23 CFR 450.324	Commendation	The COMPASS MPO is commended for being a leader in furthering the establishment of Complete Streets across the metropolitan planning area with the adoption of a Complete Streets Network, which specifies appropriate infrastructure design and land use for transportation corridors that correlate to the long-term vision established in their MTP.	Not applicable
	Corrective Action	Include a description of the CMP and how is implemented in the development of the MTP in Communities in Motion 2050 (23 CFR 450.322(b) (Carryover from 2014, 2018 Certification Review).	With adoption of CIM 2050
		Include an analysis of the consequences of significant unfunded long-term needs including assessing the impacts on a variety of travel modes (e.g., bike, pedestrian, transit) and potential impacts on employers, low-income, people with disabilities, and other vulnerable populations (Per 23 CFR 450.324(f)(11)(iii), 23 CFR 450.324 (f)(4)(ii)). [Carryover From 2014 and 2018 Certification Review]	With adoption of CIM 2050
	Recommendation	COMPASS should continue to expand planning and policy support for multimodal transportation options to better provide equity in access to the transportation network and infrastructure and to meet the needs of transportation disadvantaged populations. Increased emphasis should be placed on implementing identified public transportation needs and maintaining focus of long-term land use changes that will support a full range of alternative travel modes.	With adoption of CIM 2050
The Communities in Motion 2050 should more fully address the impacts of failure to implement unfunded transportation needs on employees and employers, low-income and minority populations, people with disabilities, and other vulnerable		With adoption of CIM 2050	

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		<p>populations. CIM 2050 must clearly identify how these populations are considered in the project prioritization process and other decision-making processes and include an evaluation of long-term impacts on these populations if unfunded long-term transportation needs are not implemented.</p> <p>COMPASS should place significant emphasis on identified 'equity' objectives in their new regional transportation plan – Communities in Motion 2050. In addition, the entire transportation planning process, including public engagement and civil rights considerations, should incorporate equity objectives as part of the agency's overall decision-making processes.</p>	With adoption of CIM 2050
Transportation Improvement Program 23 CFR 450.326	Recommendation	COMPASS should include both performance-based planning and congestion management strategies/measures as part of project evaluation criteria for all projects included in the TIP, not just the STBG and TA funded projects.	Before the 2027 Certification Review
	Recommendation	COMPASS should clearly demonstrate how the equity considerations for underserved and underrepresented populations are incorporated into COMPASS' Transportation Improvement Program (TIP) project prioritization scoring process.	Before the 2027 Certification Review
Public Participation and Civil Rights 23 CFR 450.316 & 450.326(b)	Commendation	The web-based version of CIM 2040 2.0 is a best practice in how it presents information tailored specially for the public and should be shared with other MPOS. In addition, the Education Series is a Best Practice for educating and engaging both the public, technical audiences, and elected officials.	Not applicable
	Recommendation	<p>COMPASS should provide a shortened, summary English and Spanish language version (and translation for any additional limited English proficiency (LEP) safe harbor threshold populations) of their public participation plan for readability and accessibility, emphasizing public comments periods, and how to get involved in COMPASS' planning activities.</p> <p>COMPASS should work with the Idaho Transportation Department (ITD) to develop a regular and recurring schedule to update their Title VI plan, more frequently than every 8 years, to adequately address changes to topics such as</p>	Not applicable

TABLE 1 - Summary of 2022 Commendations, Recommendations, and Corrective Actions

Review Area	Actions	Recommendations/ Commendations	Deadline for Completion
	Recommendation	<p>transit service routes' frequency and reliability; roadway infrastructure; demographics; complaint procedures, and other requirements set by existing and newly enacted laws, regulations, and executive orders.</p> <p>COMPASS should update their current "Title VI Discrimination Complaint Form," by renaming the form as a general "Discrimination Complaint Form," (or a similar name) with references to all the applicable laws the complaint form addresses, including the Americans with Disabilities Act of 1990. The revised complaint form should be in a conspicuous place on COMPASS' website, ideally on the home page of the website. (Maintaining a single complaint form to address several statutorily required purposes can have the effect of reducing barriers for members of the public to submit a formal discrimination complaint to your organization.) Please reference Appendices C and D of FTA's Title VI Circular - FTA C 4702.1B and Section 12.7.2 Complaint Procedures, especially the Combining ADA and Title VI Procedures subsection, of FTA's ADA Circular - FTA C 4710.1)</p>	Within one year of the release of this report
Congestion Management Process 23 CFR 450.322	Recommendation	COMPASS should consider how to use CMP to investigate alternatives to traditional highway expansion projects.	By next update to CMP

INTRODUCTION

Background

Pursuant to 23 U.S.C. 134(k) and 49 U.S.C. 5303(k), the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) must jointly certify the metropolitan transportation planning process in Transportation Management Areas (TMAs) at least every four years. A TMA is an urbanized area, as defined by the U.S. Census Bureau, with a population of over 200,000.

The Planning Certification Review consist of three primary activities: a site visit, a review of planning products (in advance of and during the site visit), and preparation of a Certification Review Report that summarizes the review and offers corrective actions and/or recommendations. The review focus on compliance with Federal regulations, challenges facing the Metropolitan Planning Organization (MPO), and experiences of the cooperative relationship between the MPO, the State Department of Transportation, and the public transportation operator Valley Regional Transit.

The Certification Review process is only one of several methods used to assess compliance with applicable federal regulations as well as the quality of the metropolitan transportation planning process against best practices. Other review activities include Unified Planning Work Program (UPWP) approval, Statewide Transportation Improvement Program (STIP) findings, air-quality (AQ) conformity determinations (in nonattainment and maintenance areas), as well as other less formal opportunities to comment on the planning process.

The risk-based review process is individually tailored to focus on topics of significance in each metropolitan planning area. Federal reviewers prepare Certification Reports to document the results of the review process. The reports and final actions are the joint responsibility of the appropriate FHWA and FTA field offices, and their content will vary to reflect the planning topics reviewed.

Certification Review Process

The certification review covers the transportation planning process conducted cooperatively by the MPO, State, and public transportation operators. Background information, observations, key findings, and recommendations are summarized in the body of the report for the following topic areas selected by FHWA and FTA staff for review:

- MPO Agreements and Coordination
- Metropolitan Transportation Plan (MTP)
- Transportation Improvement Program (TIP)
- Public Participation and Civil Rights

- Congestion Management Process (CMP)

Participants in the review included representatives of FHWA, FTA, ITD, VRT and COMPASS staff. A full list of participants is included in Appendix A.

Documents Reviewed

The following MPO documents were evaluated as part of this planning process review:

- MPO Master Agreement, 2012
- FY 2022 Unified Planning Work Program
- MPO MTP, Communities in Motion 2040 2.0 (CIM 2040 2.0)
- MPO FY-2022 TIP and Self-Certification
- Complete Network Policy, 2021
- Congestion Management Process, 2022
- Title VI Plan
- Public Involvement Plan, 2021

Review and Disposition of Corrective Actions from the 2018 Certification Review

The previous COMPASS Planning Certification Review was conducted in 2018 and resulted in Corrective Actions in the following topic areas: Metropolitan Transportation Plan (MTP), Transportation Improvement Program (TIP), and Congestion Management Process (CMP). Below is a summary of actions taken to address these deficiencies. Based on our review, FHWA and FTA have determined all but one of the Corrective Actions specified in the 2018 COMPASS Certification Review are satisfactorily addressed. The Corrective Action not addressed is identified below in the Metropolitan Transportation Plan section and is included in the 2022 Corrective Actions.

Metropolitan Transportation Plan

Corrective Actions

- Demonstrate clear integration among the modes to address regional transportation (Per 23 CFR 450.324(b)).
- Include an explanation of how the CMP is used for the development of the plan (23 CFR 450.322(b) (See “Congestion Management Process”).
- Identify and address bike and pedestrian transportation as unique and separate transportation modes. [Carryover From 2014 Certification Review]

- Include an analysis of the consequences of significant unfunded long-term needs including assessing the impacts on a variety of travel modes (e.g., bike, pedestrian, transit) and potential impacts on employers, low-income, people with disabilities, and other vulnerable populations (Per 23 CFR 450.324(f)(11)(iii), 23 CFR 450.324 (f)(4)(ii)). [Carryover From 2014 Certification Review]

Disposition

Communities in Motion 2040 2.0 CIM 2040 2.0) includes both long-range and short-range strategies/actions that provide for the development of an integrated multimodal transportation system and are clearly defined in individual chapters for each mode. Further, COMPASS adopted a Complete Network policy that includes a regional map that layers five modes (auto, bike, freight, pedestrian, public transportation) together in a subway-style map to allow decision-makers, stakeholders, and the public to see how the modes work together to form a complete network for all users. It is expected that the MTP under development will continue this integration and highlight the value of a multi-modal system.

CIM 2040 2.0 does not address two Corrective Actions. First, while there is the identification of significant unfunded needs, there is limited analysis of how this impacts employers, low-income, people with disabilities, and other vulnerable populations. Second, while the newly adopted Congestion Management Process ties the MTP goals to direct the identification of potential congestion management strategies, the current MTP CIM 2040 2.0 was developed prior to the adoption of the Congestion Management Process and therefore does not include a description of the CMP. It is anticipated that the MTP in development, CIM 2050, will address both corrective actions.

Transportation Improvement Program

Corrective Actions

- Financial analysis of future needs and the costs of those needs must be balanced against available and anticipated revenues. (Per 23 CFR 450.326(a)). [Carryover From 2014 Certification Review]
- The financial element of the TIP needs further refinement. Specifically, the TIP must identify the system level operations and maintenance costs, for all modes, and the funding available to meet these costs (Per 23 CFR 450.326(j)).
- The TIP must include an explanation of what the CMP is and how it is used in the development of the TIP (Per 23 CFR 450.322(b)).

Disposition

The current TIP includes a financial analysis of future needs and costs balanced against revenue and a system level operations and maintenance costs for all modes. The TIP includes explanation of the CMP and references information that is available for transportation system owners to identify investments. COMPASS also provides this information for member agencies to prioritize Surface Transportation Block Grant (STBG)/Transportation Alternatives (TA) urban dollars through a paired comparison process.

Congestion Management Process

Corrective Actions

- Revise and/or update the CMP to include:
 - Identification and evaluation of the anticipated performance and expected benefits of appropriate congestion management strategies including multi-modal strategies (Per 23 CFR 450.322 (d)(1)).
 - Identification of an implementation schedule, implementation responsibilities, and possible funding sources for each strategy proposed for implementation (Per 23 CFR 450.322(d)(5)).
 - Implementation of a process for periodic assessment of the effectiveness of implemented strategies, in terms of the area's established performance measures (Per 23 CFR 450.322 (d)(6)).
 - Provide an explanation and documented process for how the CMP is used to support the TIP and MTP development processes in the identification and selection of projects (Per 23 CFR 450.322 (b)).

Disposition

COMPASS adopted a new CMP April 2022. The update identifies and evaluates performance and benefits of congestion management strategies. The CMP includes a process for periodic assessment of how COMPASS as a region, is accomplishing the objectives outline in the CMP. COMPASS reports progress on these objectives in the biennially published Communities in Motion Scorecard. The CMP also proposes timeframes for the application of the listed congestion management strategies along with responsibilities and potential funding sources. It also provides and documents the process for how the CMP will be used to support development of the TIP and the MTP.

COMPASS 2022 CERTIFICATION TOPIC AREA REVIEW

MPO Agreements and Coordination

Regulatory Basis

23 U.S.C. 134(d) and 23 CFR 450.314(a) state the MPO, the State, and the public transportation operator shall cooperatively determine their mutual responsibilities in conducting the metropolitan transportation planning process. These responsibilities shall be clearly identified in written agreements among the MPO, the State, and the public transportation operator serving the MPA. These agreements shall document roles/responsibilities for developing/sharing information related to transportation performance data, the selection of performance targets, the reporting of performance targets, the reporting of performance used in tracking progress, and the collection of data for the State asset management plan for the National Highway System (NHS).

Findings

- COMPASS maintains two Memoranda of Agreements (MOAs), one with the state DOT and one with the public transportation provider.
- There are separate agreements outlining roles/responsibilities for developing performance measures, targets and sharing performance related data.
- The current MOA, signed in 2013, with ITD is outdated and references documents and departmental divisions that no longer exist.
- While both agreements state that all agencies will work together cooperatively, neither agreement outlines the process to work together, or more specifically, roles and procedures to jointly identify, prioritize and program projects for inclusion in the MTP or TIP.
- There is no existing process to coordinate the inclusion of projects in the MTP or TIP that are located outside of the urbanized area but within the MPO planning area.
- ITD staff is working on updates to board policies that may affect the existing agreement.

Commendation

None.

Corrective Action

By September 2023, update the MPO Agreement(s) to correct outdated information and clearly outline roles and responsibilities in carrying out the metropolitan transportation planning process including the procedures for selecting projects for inclusion in the MTP and TIP (CFR 23.450.314) (CRF 450.332(b)).

Metropolitan Transportation Plan

Regulatory Basis

23 U.S.C. 134(c), (h) & (i) and 23 CFR 450.324 set forth requirements for the development and content of the Metropolitan Transportation Plan (MTP). Among the requirements are that the MTP address at least a 20-year planning horizon and includes both long- and short-range strategies that lead to the development of an integrated and multi-modal system to facilitate the safe and efficient movement of people and goods in addressing current and future transportation demand.

The MTP is required to provide a continuing, cooperative, and comprehensive multimodal transportation planning process. The plan should consider all applicable issues related to the transportation systems development, land use, employment, economic development, natural environment, and housing and community development.

23 CFR 450.324(c) requires the MPO to review and update the MTP at least every four years in air quality nonattainment and maintenance areas and at least every 5 years in attainment areas to reflect current and forecasted transportation, population, land use, employment, congestion, and economic conditions and trends.

Findings

- The current COMPASS Metropolitan Transportation Plan (Communities in Motion 2040 2.0 (CIM 2040 2.0) was adopted in 2018 shortly after the previous planning certification review. The new MTP -- Communities in Motion 2050 (CIM 2050) -- is under development and is expected to be adopted by the end of 2022. The CIM 2040 2.0 plan is the plan of record until the new plan is complete, but the federal review team reviewed both plans and took into consideration progress being made on CIM 2050.
- CIM 2040 2.0 incorporates Active Transportation initiatives including the Rails with Trails Feasibility Study, the Bike Walk interactive map of existing and planned bicycle and pedestrian infrastructure, and the Regional Pathways and Bikeways Plan
- The Complete Network Policy, adopted by COMPASS in December 2021, demonstrates integration among various travel modes to address gaps in regional transportation. The policy includes five travel modes -- auto, bike, freight, pedestrian, public transportation

– and considers land use context for major travel corridors. This Policy has not yet been implemented and needs to be integrated into the next MTP (CIM 2050) and the project prioritization process.

- CIM 2040 2.0 vision, developed as part of CIM 2040, is heavily based on local land use plans, along with updated demographic and economic data. CIM 2040 2.0 includes a discussion on how land use is tied to the operating environment for transit, bike, and peds. The new CIM 2050 plan, if adopted, takes this relationship further and reflects an objective for future land uses that better support public transportation and walkable, cycling-friendly neighborhoods.
- COMPASS is conducting a high-capacity transit (HCT) study to incorporate in the new MTP as part of the 2050 public transportation network. COMPASS is also participating in the planning for the State Street high-capacity transit corridor and transit-supportive land uses on key locations along the corridor.
- CIM 2040 2.0 identifies a significant funding shortfall for operations and maintenance resulting in less funds available for capital needs. Because of a lack of any reasonably available long-term funding beyond current sources, the plan does not include a significant number of capacity expansion projects to expand travel options and support planned growth. Further, there is no analysis of how this will impact employers, low-income, people with disabilities, and other vulnerable populations.
- CIM 2040 2.0 financial plan identifies potential sources to secure funds for unfunded needs and legislative priorities include local option taxing authority and dedicated funding for public transportation and bicycle and pedestrian infrastructure. However, the plan does not include an analysis on how potential strategies would be implemented and does not propose a schedule for building broad public support for new dedicated funding sources.
- The lack of a dedicated funding source for public transportation pushes operational funding primarily to local jurisdictions, whose contributions vary widely. Based on current funding from local jurisdictions, most fixed route transit is focused within the city of Boise, with very limited service in surrounding areas that may result in a disproportionate impact on transportation disadvantaged populations.
- The COMPASS Board of Directors approved a new Funding Policy for CIM 2050 in October 2021. This process includes technical analyses and scoring and incorporates metrics such as bike and pedestrian access to parks, bus trips, and equity. The new funding policy adopted is not fully implemented until the CIM 2050 plan is completed.
- CIM 2040 2.0 includes significant information and data available to prioritize projects; however there is limited discussion on how the project selection process impacts or addresses the needs of traditionally underserved communities including but not limited to Environmental Justice/Title VI populations and persons with disabilities.
- The new CIM 2050 plan will incorporate an updated *Coordinated Human Service-Public Transportation Plan* that includes strategies for unmet transportation needs of underserved populations. In addition, COMPASS tracks access to jobs and transit and

uses that data to incorporate equity measures in the prioritization process for regional pathways for CIM 2050.

- CIM 2040 2.0 does not include a discussion of the CMP and how it impacted the selection/prioritization of projects, primarily due to its development prior to the adoption of the CMP.

Commendation

The COMPASS MPO is commended for being a leader in furthering the establishment of Complete Streets across the metropolitan planning area with the adoption of a Complete Streets Network, which specifies appropriate infrastructure design and land use for transportation corridors that correlate to the long-term vision established in their MTP.

Corrective Action

- Include a description of the CMP and how is implemented in the development of the MTP in *Communities in Motion 2050* (23 CFR 450.322(b) (Carryover from 2014, 2018 Certification Review).
- Include an analysis of the consequences of significant unfunded long-term needs including assessing the impacts on a variety of travel modes (e.g., bike, pedestrian, transit) and potential impacts on employers, low-income, people with disabilities, and other vulnerable populations (Per 23 CFR 450.324(f)(11)(iii), 23 CFR 450.324 (f)(4)(ii)). [Carryover from 2014 and 2018 Certification Review]

Recommendations

- COMPASS should continue to expand planning and policy support for multimodal transportation options to better provide equity in access to the transportation network and infrastructure and to meet the needs of transportation disadvantaged populations. Increased emphasis should be placed on implementing identified public transportation needs and maintaining focus of long-term land use changes that will support a full range of alternative travel modes.
- The *Communities in Motion 2050* should more fully address the impacts of failure to implement unfunded transportation needs on employees and employers, low-income and minority populations, people with disabilities, and other vulnerable populations. CIM 2050 should clearly identify how these populations are considered in the project prioritization process and other decision-making processes and include an evaluation of long-term impacts on these populations if unfunded long-term transportation needs are not implemented.
- COMPASS should place significant emphasis on identified 'equity' objectives in their new regional transportation plan – *Communities in Motion 2050*. In addition, the entire

transportation planning process, including public engagement and civil rights considerations, should incorporate equity objectives as part of the agency's overall decision-making processes.

Transportation Improvement Program

Regulatory Basis

23 U.S.C. 134(c),(h) & (j) set forth requirements for the MPO to cooperatively develop a Transportation Improvement Program (TIP). Under 23 CFR 450.326, the TIP must meet the following requirements:

- Must cover at least a four-year horizon and be updated at least every four years.
- Surface transportation projects funded under Title 23 U.S.C. or Title 49 U.S.C., except as noted in the regulations, are required to be included in the TIP.
- List project description, total project cost, funding source(s), and identification of the agency responsible for conducting each project.
- Projects must be consistent with the adopted MTP.
- Must be fiscally constrained by year and by funding source.
- The MPO must provide all interested parties with a reasonable opportunity to comment on the proposed TIP.

Findings

- The COMPASS TIP is updated annually. The procedures, criteria, and other requirements associated with these updates and amendments thereto are detailed in COMPASS' TIP guidance document entitled, "Policy and Procedures Guide for the TIP".
- The State DOT (ITD) provides a schedule for the STIP, after which COMPASS prepares a coordinated TIP schedule to ensure State deadlines are met. Both the State DOT and the public transit provider provide COMPASS an initial list of projects for COMPASS to include into the TIP, however there is no coordinated process for assessing and evaluating projects.
- The TIP includes a chapter entitled "Financial Constraint" which provides descriptions of existing funding sources, as well as summary tables containing system-level estimates of costs and revenues. This chapter includes a demonstration of fiscal constraint by year; it shows all project and program costs and revenues in a Year of Expenditure (YOE) convention; and it shows both phase and total costs for all projects.
- Projects are currently selected on a paired comparison method however this selection process is limited to STBG and TA funded projects only. Further, the TIP does not

address impact on equity and/or how traditionally underserved and underrepresented populations are served.

- It is not clear how non STBG and TA funded projects are selected in accordance with the priorities outline in the TIP.
- COMPASS manages a Project Development Program to assist member agency in developing needs into well-defined projects with cost estimates, purpose and need statements, environmental scans, and public involvement plans to ensure readiness for funding applications.
- The TIP includes a description of the Congestion Management Process and provides a product from that process, Congestion Management Annual Report, to member agencies to aid in prioritizing projects and selecting appropriate congestion management strategies to apply to projects.
- The COMPASS Board of Directors approved a new funding policy for CIM 2050 in October 2021. This process includes technical analyses, scoring by a range of objectives, and incorporates metrics such as bike and pedestrian access to parks, bus trips, and equity.

Commendation

None.

Corrective Action

None.

Recommendations

- COMPASS should include both performance-based planning and congestion management strategies/measures as part of the project evaluation for all projects included in the TIP, not just the STBG and TA funded projects.
- COMPASS should clearly demonstrate how the equity considerations for underserved and underrepresented populations are incorporated into COMPASS' Transportation Improvement Program (TIP) project selection process.

Public Participation and Civil Rights

Regulatory Basis

Sections 134(i)(5), 134(j)(1)(B) of Title 23 and Section 5303(i)(5) and 5303(j)(1)(B) of Title 49, require a Metropolitan Planning Organization (MPO) to provide adequate opportunity for the public to participate in and comment on the products and planning processes of the MPO. The requirements for public involvement are detailed in 23 CFR 450.316(a) and (b), which require the MPO to develop and use a documented participation plan that includes explicit procedures and strategies to include the public and other interested parties in the transportation planning process.

Title VI of the Civil Rights Act of 1964, prohibits discrimination based upon race, color, and national origin. Specifically, 42 U.S.C. 2000d 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.” In addition to Title VI, there are other Nondiscrimination statutes that afford legal protection. These statutes include the following: Section 162 (a) of the Federal-Aid Highway Act of 1973 (23 U.S.C. 324), Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973/Americans with Disabilities Act (ADA) of 1990. ADA specifies that programs and activities funded with Federal dollars are prohibited from discrimination based on disability.

Findings

- COMPASS’ public participation plan, adopted on August 16, 2021, is available online and translated into Spanish along with screen-reader friendly versions in both English and Spanish. The public participation plan is a thorough document that provides comprehensive information for how citizens can engage in the planning process.
- In addition to their website content and social media presence, COMPASS conducts outreach through newspaper and radio advertising, in-person presentations, flyers, brochures, post cards, making materials available at libraries and city halls, and other methods and mediums. They regularly monitor demographics and update their processes to reach traditionally underserved populations.
- COMPASS regularly hosts Education Series events about regional transportation planning topics for community engagement and public awareness purposes. Each of these events are offered twice: one tailored for technical audiences and one tailored for elected officials/key decision makers.
- The most recent COMPASS Title VI plan was adopted in May 2014 and may include outdated citations, references, and demographic considerations (e.g., 2020 U.S. Census).

- The Title VI Complaint Form incorporated into COMPASS' most recent Title VI plan, adopted in May 2014, includes additional discrimination categories, separate and different from Title VI of the Civil Rights Act of 1964.
- The CIM 2040 2.0 plan is made available online in a very public friendly format that not only provides all required elements, but also provides additional information that explains federally required processes and how land use and transportation are tied together.
- COMPASS does not explicitly explain how the Public Participation Plan, Title VI Plan, Environmental Justice Plan and other engagement and equity initiatives impact the overall planning and decision-making processes.
- COMPASS has not changed their primary public involvement structure since 2015. However, it regularly creates and manages work groups to help facilitate development of products, provide guidance to the planning process and to reach new stakeholder groups. These workgroups are open to membership from all member agencies as well as the public. Currently, COMPASS manages the following workgroups: Active Transportation, Demographic, Environmental, Freight, Public Participation, Public Transportation, Regional Geographic, Regional Operations, and Rural Prioritization Process.

Commendation

The web-based version of CIM 2040 2.0 is a best practice in how it presents information tailored specially for the public and should be shared with other MPOS. In addition, the Education Series is a Best Practice for educating and engaging both the public, technical audiences, and elected officials.

Corrective Action

None.

Recommendations

- COMPASS should provide a shortened, summary English and Spanish language version (and translation for any additional limited English proficiency (LEP) safe harbor threshold populations) of their public participation plan for readability and accessibility, emphasizing public comments periods, and how to get involved in COMPASS' planning activities.
- COMPASS should work with the Idaho Transportation Department (ITD) to develop a regular and recurring schedule to update their Title VI plan, more frequently than every 8 years, to adequately address changes to topics such as transit service routes'

frequency and reliability; roadway infrastructure; demographics; complaint procedures, and other requirements set by existing and newly enacted laws, regulations, and executive orders.

- COMPASS should update their current “Title VI Discrimination Complaint Form,” by renaming the form as a general “Discrimination Complaint Form,” (or a similar name) with references to all the applicable laws the complaint form addresses, including the Americans with Disabilities Act of 1990. The revised complaint form should be in a conspicuous place on COMPASS’ website, ideally on the home page of the website. (Maintaining a single complaint form to address several statutorily required purposes can have the effect of reducing barriers for members of the public to submit a formal discrimination complaint to your organization.) Please reference Appendices C and D of FTA’s Title VI Circular - FTA C 4702.1B and Section 12.7.2 Complaint Procedures, especially the Combining ADA and Title VI Procedures sub-section, of FTA’s ADA Circular - FTA C 4710.1)

Congestion Management Process (CMP)

Regulatory Basis

23 U.S.C. 134(k)(3) and 23 CFR 450.322 set forth requirements for the congestion management process (CMP) in TMAs. The CMP is a systematic approach for managing congestion through a process that provides for a safe and effective integrated management and operation of the multimodal transportation system. TMAs designated as non-attainment for ozone must also provide an analysis of the need for additional capacity for a proposed improvement over travel demand reduction, and operational management strategies.

23 CFR 450.324(f)(5) requires the MTP include Management and Operations (M&O) of the transportation network as an integrated, multimodal approach to optimize the performance of the existing transportation infrastructure. Effective M&O strategies include measurable regional operations goals and objectives and specific performance measures to optimize system performance.

Findings

- COMPASS adopted an updated CMP April 2022 which is referenced in COMPASS’ Complete Network Policy, Development Review Checklists, and the current adopted TIP.
- COMPASS provides a Congestion Management Toolkit to their member agencies Congestion management toolkit which uses results from planning efforts or studies.
- The current CMP includes a methodology for identifying long-term congestion needs, a toolbox of potential strategies, criteria to evaluate and rank transportation needs, and a

monitoring/ reporting procedure to track the effectiveness of congestion management strategies.

- Because COMPASS's air quality attainment area has an approved limited maintenance plan for the Carbon Monoxide NAAQS, the CMP is not required to address the analysis provisions of 23 CFR 450.322(e) and (f) in conjunction with the addition of general-purpose lanes.

Commendation

None.

Corrective Action

None.

Recommendations

- COMPASS should consider how to use CMP to investigate alternatives to traditional highway expansion projects.

APPENDIX A - PARTICIPANTS

The following individuals participated in the Boise urbanized area on-site review:

Federal Highway Administration (FHWA)

Maureen Gresham, Community Planner, FHWA State Division

Jill Stark, Transportation Liaison, FHWA Office of Planning

Federal Transit Administration (FTA)

Ned Conroy, Community Planner, FTA Region 10

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Matt Stoll, Executive Director

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