

## MEMORANDUM OF UNDERSTANDING

### METROPOLITAN TRANSPORTATION PLANNING RESPONSIBILITIES FOR THE KALAMAZOO AREA TRANSPORTATION STUDY

This agreement is made and entered into as of May 30, 2018 by and between the Michigan Department of Transportation (MDOT) hereafter referred to as the **DEPARTMENT**; the Kalamazoo Area Transportation Study, hereafter referred to as the **AGENCY**; and the Central County Transportation Authority, hereafter referred to as the **TRANSIT OPERATOR(S)**.

**WHEREAS**, joint responsibilities must be met for establishing and maintaining a cooperative, comprehensive and continuing metropolitan transportation planning and programming process as required by the United States Department of Transportation (USDOT) in regulations at 23 CFR 450 Subpart A – Transportation Planning and Programming Definitions and 23 CFR 450 Subpart C – Metropolitan Transportation Planning and Programming, and

**WHEREAS**, the regulations at 23 CFR 450.314 Metropolitan Planning Agreements require the **DEPARTMENT**, the **AGENCY** and **TRANSIT OPERATOR(S)** to cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning and programming process. The responsibilities shall be clearly identified in written agreements among the Metropolitan Planning Organization (MPO) the State and the public transportation operator(s) serving the Metropolitan Planning Area (MPA). The written agreement(s) shall include specific provisions for cooperatively developing and sharing information related to the development of financial plans that support the metropolitan transportation plan and the metropolitan Transportation Improvement Program (TIP) and the development of the annual listing of obligated projects.

**WHEREAS**, the regulations at 23 CFR 450.104 define public transportation operator to mean the public entity which participates in the continuing, cooperative comprehensive transportation planning process in accordance with 23 U.S.C. 134 and 135 and 409 U.S.C. 5303 and 5304, and is the designated recipient of Federal funds under Title 49 U.S.C. Chapter 53 for transportation by a conveyance that provides regular and continuing general or special transportation to the public, but does not include school bus or intercity bus transportation or intercity passenger rail transportation provided by Amtrak.

**WHEREAS**, nothing in this Memorandum of Understanding (MOU) shall limit the legal authorities of the parties.

**NOW, THEREFORE**, the **DEPARTMENT**, the **AGENCY** and the **TRANSIT OPERATOR(S)** recognize and agree that they will conduct a cooperative, comprehensive and continuing transportation planning and programming process for the Kalamazoo Metropolitan area and that their mutual responsibilities for carrying out this process are described in the following articles:

#### Article 1

## **Scope of the Metropolitan Planning Process**

The AGENCY, the DEPARTMENT and the TRANSIT OPERATOR(S) will conduct a performance-based metropolitan transportation planning process that is continuous, cooperative and comprehensive and provide for the consideration of projects, strategies and services that will address the current planning factors as specified in 23 CFR 450.306: Scope of the Metropolitan Transportation Planning Process. The metropolitan transportation planning process will provide for the establishment and use of a performance-based approach to transportation decision-making to support the national goals described in 23 U.S.C. 150(b) and the general purpose described in 49 U.S.C. 5301 (c).

### **Article 2**

#### **MPO Structure and Planning Boundaries**

The AGENCY will be designated the MPO for the Kalamazoo metropolitan area by the Governor of Michigan. The AGENCY'S membership includes local elected officials, DEPARTMENT representatives and officials of agencies that administer or operate major modes of systems of transportation.

The AGENCY will have bylaws that establish its membership, officers, voting procedures, public participation and procedures for amendments and administrative modifications.

The AGENCY will establish transportation policy, oversee the planning process for the metropolitan area, provide a forum for cooperative decision making and ensure that there is technical support from transportation providers to oversee the technical aspects of the transportation planning process.

The AGENCY will establish a Technical Committee to advise and assist in all aspects of the metropolitan transportation planning process.

The AGENCY will take action to approve the metropolitan planning area (MPA) boundary that encompasses the existing urbanized area plus the contiguous area expected to become urbanized within a 20-year forecast period for the metropolitan plan. The MPA was determined by agreement with the AGENCY and the Governor.

After each Census, the AGENCY will review this planning boundary with the DEPARTMENT and the TRANSIT OPERATOR(S) to determine if it meets the minimum statutory requirements for new and updated urbanized areas and will adjust the boundary as necessary.

### **Article 3**

#### **Unified Planning Work Program**

The AGENCY, the DEPARTMENT and the TRANSIT OPERATOR(S) in cooperation with the local jurisdictions shall prepare the Unified Planning Work Program (UPWP) as required under 23 CFR 450.308: Unified Planning Work Program. The UPWP shall document the metropolitan transportation planning activities anticipated during the upcoming year. The UPWP shall identify the cost and the proposed funding for accomplishing the documented work activities. The AGENCY will approve the UPWP and submit it to the DEPARTMENT for its review and

formal submittal to the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) for approval and funding.

#### **Article 4 Participation Plan**

The AGENCY will adopt and use a Participation Plan to provide citizens, affected public agencies and all interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process and to review and comment at key decision points as specified in 23 CFR 450.316 (a): Interested Parties, Participation and Consultation. The plan will be developed in consultation with interested parties and will describe the procedures, strategies and desired outcomes of the plan. The plan will provide timely notice, reasonable access to information including but not limited to a reasonable opportunity to comment on the proposed Long-Range Transportation Plan (LRTP) and Transportation Improvement Program (TIP) and amendments to the LRTP and TIP.

#### **Article 5 Consultation**

The AGENCY will develop a documented consultation process for developing the LRTP and TIP as specified in 23 CFR 450.316 (b-e), and 23 CFR 450.322 (h) (1-2), specifically in connection with the LRTP and 23 CFR 450.322 (g) (10), related to environmental mitigation. The documented consultation process will outline the roles, responsibilities, and key decision points for consulting with other governments, agencies and officials responsible for other planning activities in the MPA.

#### **Article 6 Transportation Planning Studies and Project Development**

The AGENCY, the DEPARTMENT or the TRANSIT OPERATOR(S) may undertake a multimodal, systems level corridor or sub-area planning study as part of the metropolitan transportation planning process. The development of these studies will involve consultation with, or joint efforts among, the AGENCY, the DEPARTMENT and the TRANSIT OPERATOR(s). The results or decision of these planning studies may be used as part of the overall project development process consistent with the National Environmental Policy Act (NEPA) as specified in 23 CFR 450.318 Transportation Planning Studies and Project Development.

#### **Article 7 Congestion Management Process for Transportation Management Areas**

The AGENCY, in cooperation with the DEPARTMENT, the TRANSIT OPERATOR(S) and local officials will develop congestion management objectives and performance measures to assess the extent of congestion and support the evaluation of the effectiveness of congestion reduction and mobility enhancement strategies for the movement of goods and people. The transportation planning process will develop and maintain an ongoing congestion management process for monitoring, operating and maintaining the regional transportation system required by 23 CFR 450.322: Congestion Management Process in Transportation Management Areas.

## Article 8 Air Quality Transportation Planning

The AGENCY and DEPARTMENT'S air quality transportation planning activities for the AGENCY'S planning area are described in the Unified Planning Work Program (UPWP). These activities are designed to ensure the AGENCY can make air quality conformity determinations on the LRTP and TIP in accordance with the Clean Air Act, the Environmental Protection Agency (EPA), the Transportation Conformity Regulations and the State Implementation Plan (SIP). The AGENCY, within one year of being designated part of a transportation national ambient air quality standard (NAAQS) nonattainment, will sign the current transportation conformity SIP memorandum of agreement, which lists the roles, responsibilities, and rules for interagency consultation (IAWG) and conformity. For MPO's in nonattainment areas larger than the MPO boundaries the coordination between the DEPARTMENT and AGENCY will be described in the UPWP. The AGENCY and DEPARTMENT and the Michigan Department of Environmental Quality will agree to have AGENCY and public consultation procedures regarding its air quality activities for the development and amendments to the LRTP and TIP. The TMA's are responsible for conducting emission modeling and conformity analysis. The DEPARTMENT will transmit the conformity analysis for LRTPs and TIPs to the Federal Highway Administration (FHWA) in a timely manner.

## Article 9 Travel Demand Forecasting Model

The AGENCY will maintain and operate the area's travel demand forecasting model used in the development of LRTP, TIP, air quality conformity analysis, project identification and prioritization, and various studies. (Existing Memorandum of Understanding between the DEPARTMENT and AGENCY regarding travel demand forecasting is incorporated by reference).

## Article 10 Long Range Transportation Plan

The AGENCY will develop the Long-Range Transportation Plan with assistance and guidance from the DEPARTMENT to ensure the plan content meets all requirements specified in 23 CFR 450.322: Development and Content of the Metropolitan Plan. The AGENCY, DEPARTMENT and TRANSIT OPERATOR(S) will jointly conduct financial analyses and planning to determine the availability of revenue to demonstrate fiscal constraint of the LRTP. The DEPARTMENT will take the lead in providing estimates of available Federal and State funds that can be used in developing the LRTP. The AGENCY will provide estimates of local revenues. The AGENCY will adopt and maintain the LRTP. The AGENCY will submit the LRTP to the DEPARTMENT and the Federal Highway Administration and Federal Transit Administration for informational purposes. The AGENCY shall review and update the LRTP at least every four or five years to confirm the plans validity and consistency with current and forecasted transportation and land use conditions and trends and to extend the forecast period to at least a 20-year horizon. ***(Please Note: This is four years for Agencies that are included as part of a transportation national ambient air quality standard (NAAQS) nonattainment or maintenance area)***. When the LRTP is amended or updated the AGENCY, the DEPARTMENT and the TRANSIT OPERATOR(S) will cooperatively develop, share, review and adopt estimates of revenues and cost required for

demonstrating financial constraint for the transportation plan as specified in 23 CFR 450.322(f) (11).

### **Article 11 Transportation Improvement Program**

The AGENCY will cooperatively develop a Transportation Improvement Program (TIP) that is consistent with the AGENCY'S LRTP and will be financially constrained. The AGENCY, the DEPARTMENT and the TRANSIT OPERATOR(S) will ensure that the Transportation Improvement Program development process and Transportation Improvement Program (TIP) content meet all requirements as specified in 23 CFR 450.324: Development and Content of the Transportation Improvement Program. The TIP will contain all Title 23 and Title 49 federally funded state trunkline and local projects and all regionally significant state and local projects, regardless of funding source. When developing, updating and amending the TIP, the AGENCY, the DEPARTMENT and the TRANSIT OPERATOR(S) will cooperatively develop, share, review and adopt estimates of revenues and cost required for the financial plan that demonstrates fiscal constraint for the TIP as specified in 23 CFR 450.324 (j) & (k). The TIP will list all projects in sufficient detail in accordance with regulations and reflect public involvement and criteria used to prioritize projects. The AGENCY will approve the TIP and submit it to the DEPARTMENT for its approval and inclusion in the State Transportation Improvement Program (STIP). The AGENCY'S TIP will be incorporated by reference in the STIP and formally submitted to the FHWA and FTA. TIP amendments and modifications will follow procedures for TIP modifications as adopted by the AGENCY and as specified in 23CFR 450.328. The AGENCY and the DEPARTMENT will jointly manage the TIP including project tracking and monitoring of obligation authority.

### **Article 12 Annual Listing of Projects with Federal Funding Obligations**

Each year within 90 days after the close of the federal fiscal year the AGENCY, the DEPARTMENT and TRANSIT OPERATOR(S) will cooperatively develop a listing of projects from the TIP for which federal transportation funds were obligated in the preceding fiscal year. This report will contain the projects and financial information as required in 23CFR 450.334 Annual Listing of Obligated Projects. This report will be made available to the public on the AGENCY web site.

### **Article 13 Performance-Based Transportation Planning & Programming**

The AGENCY will establish performance targets that address the performance measures or standards established in 23 CFR part 490, 23 CFR part 450, and 49 CFR Part 625. The AGENCY, the DEPARTMENT, and the TRANSIT OPERATOR(S) will coordinate in the establishment of state, AGENCY, and TRANSIT OPERATOR (S) performance targets. Coordination efforts will include, but are not limited to, sharing available data related to the federally-required performance measures (subject to each agencies data sharing policies and procedures), discussing target setting methodology, establishing performance targets, and reporting on performance targets and progress in attaining targets. The AGENCY will plan and program projects that contribute to the achievement of state, AGENCY, and TRANSIT





**The following exhibits are attached to the Memorandum of Understanding:**

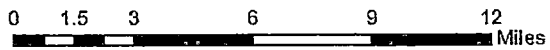
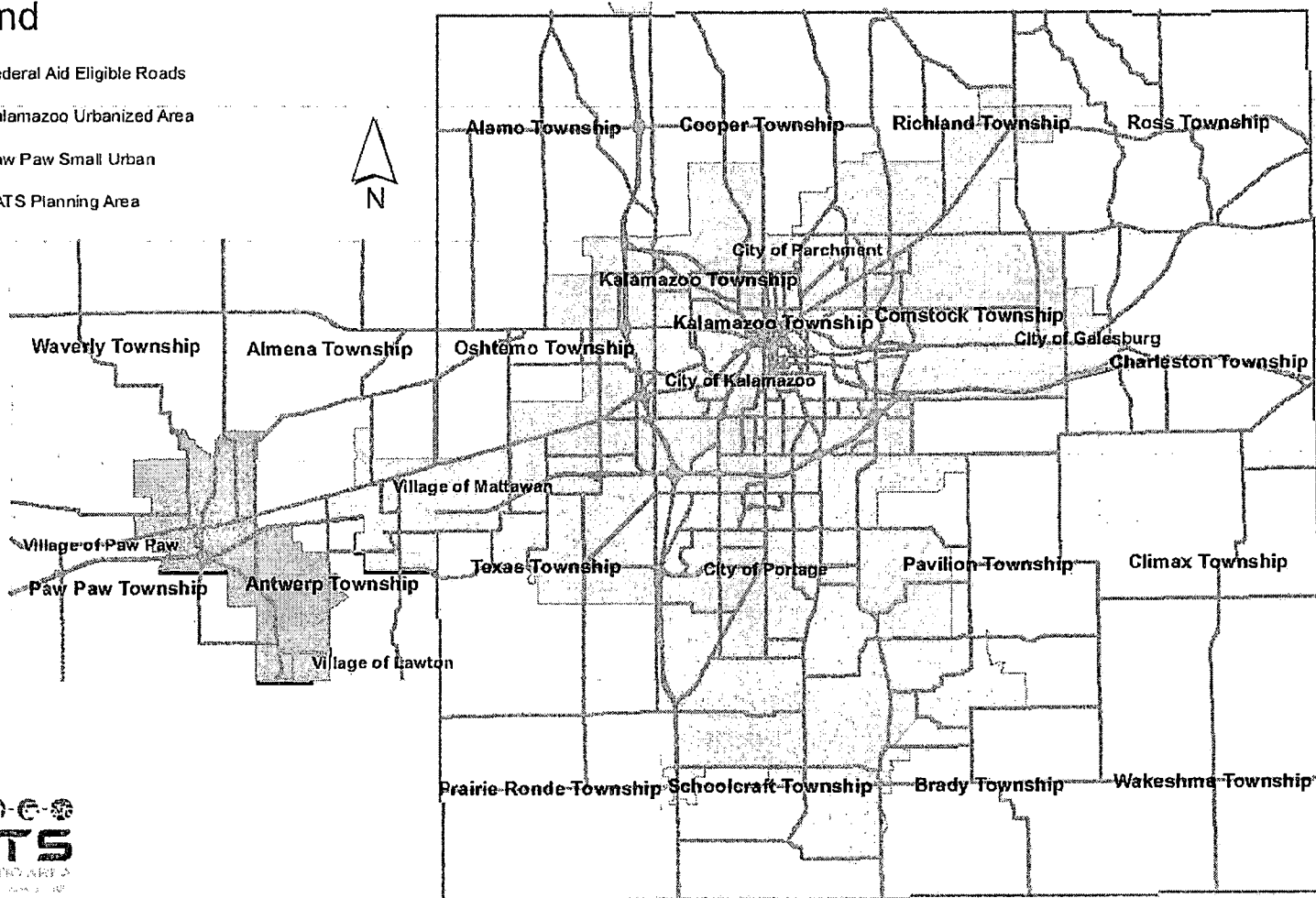
**Exhibit A Metropolitan Planning Area Boundary Map**

**Exhibit B List of members of the AGENCY**

# Exhibit A Metropolitan Planning Area Boundary Map

## Legend

-  Federal Aid Eligible Roads
-  Kalamazoo Urbanized Area
-  Paw Paw Small Urban
-  KATS Planning Area



Source: Michigan Geographic Data Library  
Kalamazoo Area Transportation Study

March 1, 2016

## Exhibit B List of members of the AGENCY

### *Kalamazoo Area Transportation Study Policy Committee*

#### Officers

Randy L. Thompson, Chair	Comstock Township
Libby Heiny-Cogswell, Vice-chair	Oshemo Township
Marsha Drouin, Treasurer	Richland Township

#### Members

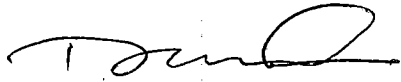
Bill Adams	Village of Vicksburg
David Anderson	City of Kalamazoo
Dan Bishop	Village of Lawton
Robert Britigan	City of Parchment
John Clement	Van Buren Transit
Carol Daly	Village of Mattawan
Pamela Brown Goodacre	Kalamazoo County Transportation Authority
Keith Gunnett	Village of Schoolcraft
Jeff Hepler	Village of Augusta
John Hinkle	Texas Township
Martin Janssen	Central County Transportation Authority
Joanna Johnson	Road Commission of Kalamazoo County
Greg Kinney	Van Buren County Road Commission
John Lanum	Michigan Department of Transportation Lansing
Tracy Locey	Brady Township
Michele McGowen	KATS Citizen Advisory Committee
Dexter Mitchell	Kalamazoo Township
Gary Moore	Ross Township
Judy Lemon	City of Galesburg
Sarah Moyer-Cale	Village of Paw Paw
Pete Pfeiffer	Michigan Department of Transportation TSC
Patricia Randall	City of Portage
Greg Rosine	Western Michigan University
Paul Schincariol	Van Buren County Board of Commissioners
Michael Scott	Village of Richland
Jeff Sorensen	Cooper Township
John Speeter	Pavilion Township
Thomas L. Swiat, Jr.	Prairie Ronde Township
Don Ulsh	Schoolcraft Township
William Van Tassel	Almena Township
Kevin Wordelman	Kalamazoo County Board of Commissioners



OPERATOR(S) targets as appropriate. The AGENCY will develop a Congestion Mitigation and Air Quality Performance Plan if required by 23 U.S.C. 149 (1).

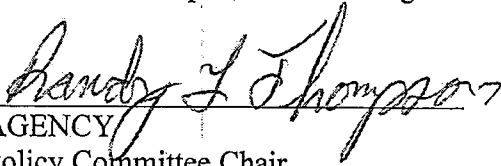
This agreement is approved by the respective parties hereto as the date shown.

ATTEST:



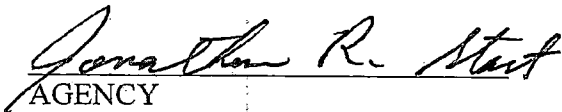
Date: 6/7/18

DEPARTMENT  
Director  
Bureau of Transportation Planning



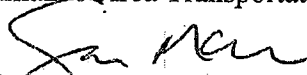
Date: 5-30-18

AGENCY  
Policy Committee Chair  
Kalamazoo Area Transportation Study



Date: 5-30-18

AGENCY  
Executive Director  
Kalamazoo Area Transportation Study



Date: 5/14/18

TRANSIT OPERATOR(S)  
Executive Director  
Central County Transportation Authority