

Federal Planning Certification Report 2022

Fort Collins Transportation Management Area



Prepared by:

Federal Highway Administration, Colorado Division

Federal Transit Administration, Region VIII

Report Issued June 13, 2022

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Foreword

Pursuant to 23 U.S.C. 134(k)(5) and 49 U.S.C. 5303(k)(5), the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) must jointly certify the metropolitan transportation planning process carried out in Transportation Management Areas (TMAs) at least every four years. A TMA is an urbanized area, as defined by the U.S. Census, with a population of over 200,000. In general, the review consists of three primary activities: a desk review of the federal planning products, a site visit, and the preparation of a report that summarizes the review and offers findings. The entire process culminates in the issuance of a Certification letter. The review's focus is the compliance with Federal regulations, the challenges and successes of the region, and experiences of the cooperative relationship between the Metropolitan Planning Organization (MPO), State Department of Transportation (DOT), and transit operators in the conduct of the metropolitan planning process. Joint FTA/FHWA certification review guidelines provide agency field reviewers with latitude and flexibility to tailor the review to reflect local issues and needs.

The certification review process is only one of several methods used to assess the quality of a metropolitan planning process, compliance with applicable statutes and regulations, and the level and type of technical assistance necessary to enhance the effectiveness of the planning process. Other activities provide opportunities for engagement, review, and comment, including the approval process of the Unified Planning Work Program, review of the regional transportation plan, the Statewide Transportation Improvement Program approval and associated Planning Finding, and air quality conformity determinations. The range of these formal and informal activities provide FHWA and FTA opportunities to comment on the planning process. The results of all these activities are considered in the certification review process. While the planning certification review report may not fully document the many intermediate and ongoing checkpoints, the findings in this report are based upon the cumulative activities of the metropolitan planning partners throughout the planning process.

The review process is tailored to address various topics of significance across the metropolitan planning area's practices. The federal review team prepares this certification report to document the results of the review process. The report and certification action are the joint responsibility of the FHWA Colorado Division and FTA Region 8 offices, and content will vary to reflect the planning process reviewed.

To encourage public understanding and input, FHWA/FTA will continue to improve the clarity and documentation of the certification review reports.

Executive Summary

In 2021-22, the Federal Highway Administration (FHWA) Colorado Division and the Federal Transit Administration (FTA) Region 8, with support from the FHWA Wyoming Division, conducted a certification review of the metropolitan transportation planning process for the Fort Collins urbanized area, in which the North Front Range Metropolitan Planning Organization (NFRMPO) administers the planning process. In the certification letter transmitted to the NFRMPO on June 13, 2022, FHWA and FTA have determined that the metropolitan transportation planning process in the North Front Range satisfies the provisions of 23 USC 134, 49 USC 5303-5306, 23 Code of Federal Regulations (CFR) 450.300, and other associated federal requirements.

This Certification Review utilizes streamlined and innovative techniques which provide enhancements over the traditional method. The review was conducted following the new risk-based approach, which greatly reduces the workload burden on the NFRMPO. While FHWA and FTA still refer to the standard list of subject areas as in prior reviews, the focus of the site visit was devoted to the topics that warranted more discussion from the desk review. After reviewing existing plans and documents, the federal review team then composed an agenda comprised of categories and questions for the site visit. The site visit allowed the federal review team to explore concepts in more detail with the region's transportation staff.

Alternatives to hosting in-person meetings were employed in order to provide for safe protocol in response to the new public health environment. The review team determined the site visit would convene for a one-day virtual meeting on April 6, 2022. Instead of hosting in-person public open houses to obtain public feedback on the transportation planning process, the federal review team, in collaboration with NFRMPO staff, developed an online survey tool (results included within an appendix). The use of virtual meetings has led to innovations in outreach practices that will continue in future reviews as well, especially when considering the greater response.

In conjunction with this report, the FHWA and FTA have issued a certification of the metropolitan planning process for the Fort Collins TMA. It's effective June 14, 2022 and lasts 4 years. Further details of the certification findings are contained in this report.

Transportation Management Area (TMA) Overview

MPO Official Name

The official name of the Fort Collins and Greeley urban area metropolitan planning organization (MPO) is the North Front Range Transportation and Air Quality Planning Council. They are commonly referred to as the North Front Range Metropolitan Planning Organization (NFRMPO).

Year Founded

The NFRMPO began its mission to promote a regional perspective on the most pressing issues in 1988.

Annual Budget

The NFRMPO annually receives approximately \$2.1M for metropolitan planning, including local match, any other planning funding, and FHWA and FTA planning dollars through the consolidated planning grant from the CDOT. For capital projects, the NFRMPO has programmed the following amounts in the current FY22-25 TIP: \$84,002,153 (NFRMPO awarded projects)/\$411,882,041 (all capital projects in the TIP).

Member Jurisdictions

NFRMPO collaborates with its member agencies listed below.

MPO Member Agencies	
Counties	
Larimer County	Weld County
Municipalities	
Berthoud	Eaton
Evans	Fort Collins
Garden City	Greeley
Johnstown	LaSalle
Loveland	Milliken
Severance	Timnath
Windsor	
Transit Agency representation	
State Agencies	
Colorado Transportation Commission	
Air Pollution Control Division	

The FHWA and the FTA are non-voting members and provide program oversight and technical assistance.

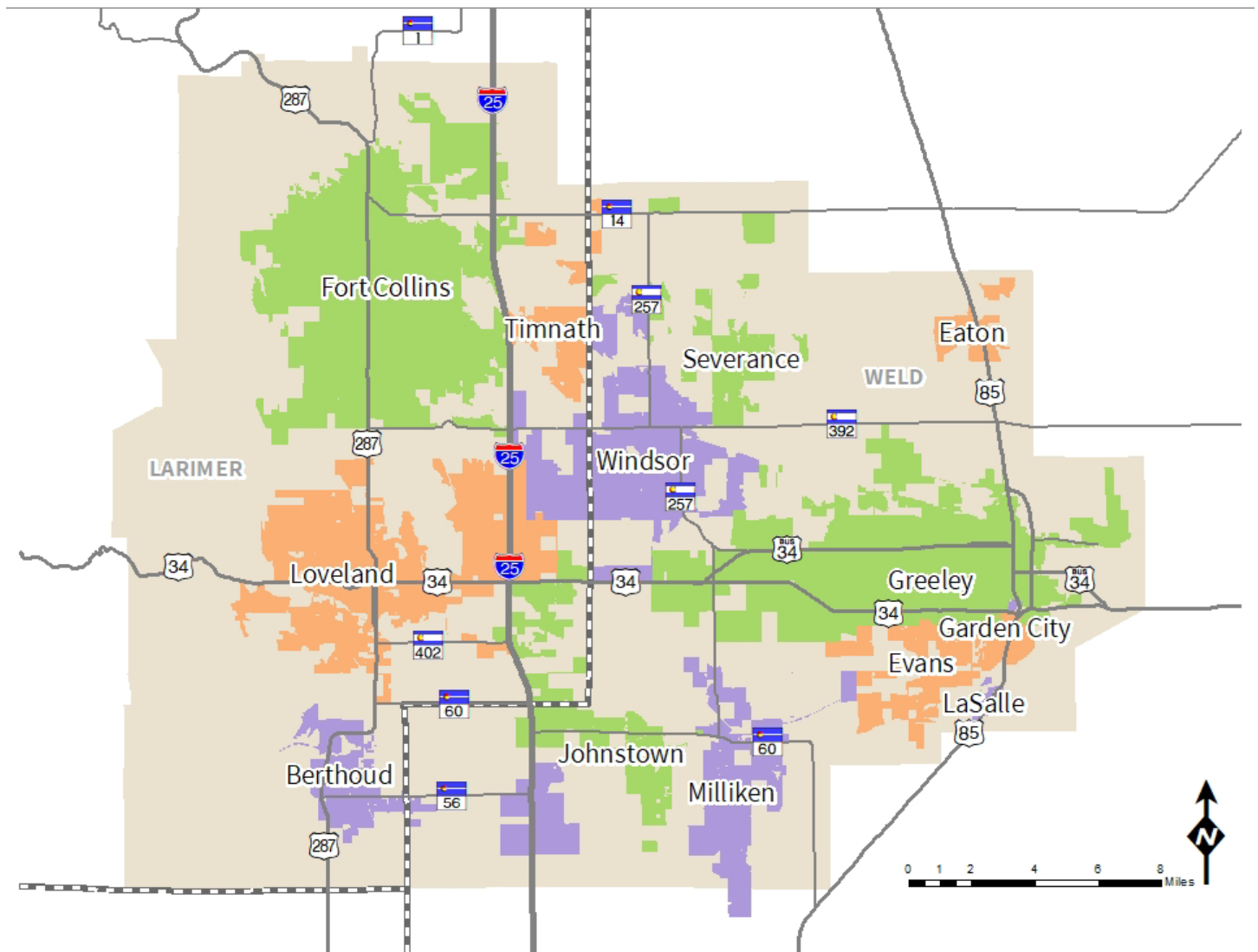
Population Served

The entire region contains about 533,367 people as of 2020. The population is projected to increase 54 percent by 2045. Employment is forecasted to increase from 303,307 in 2020 to about 455,149 by 2045. The region has four cities and nine towns that have over 470,000 inhabitants combined.



Major Transit Operators

Transfort, Greeley Evans Transit (GET), and the City of Loveland Transit (COLT) are the FTA Section 5307 designated recipients and provide a full array of fixed route and paratransit services throughout the Fort Collins/Greeley urbanized area. Transfort and the COLT receive direct FTA Section 5310 funds, while GET receives FTA Section 5310 funds through CDOT. CDOT provides supplemental 5310 and 5311 transit funding to small service providers that also operate in the region, serving senior, disabled, and intercity passengers.

NFRMPO Metropolitan Planning Area



Legend

-  County Boundary
-  NFRMPO Boundary

April 2019
Sources: CDOT, NFRMPO



Certification Review Findings

Important in the TMA Certification Review process is the documentation of recommendations and commendations. This report highlights both the exemplary and praiseworthy practices and the recommended areas for improvement for the metropolitan planning process.

Commendations - This category identifies exemplary examples of activities and products that exceed meeting the regulations and guidance set by the federal agencies.

Recommendations- This category identifies activities that, while meeting the statutory and regulatory requirements, are either dated or need improvement to fully implement the metropolitan transportation planning process. While these activities do not seriously diminish the regional planning process, they are in danger of becoming future corrective actions if not remedied within the next certification cycle. Typically, recommendations highlight misinterpretations of regulations or guidance and identify inadequate procedures or actions taken to accomplish the federal planning requirements.

Commendations

Commendations are activities that the regional planning partners engage in that are innovative, highly effective, and well-thought-out procedures for implementing the planning requirements. Credit is given to significant improvements or resolutions from past findings that are above and beyond compliance with Federal requirements. These features contribute to the general advancement of transportation planning as they can be shared with other agencies around the country.

Performance Monitoring Webpage

The Transportation Performance Management (TPM) regulations call for very specific actions to take place within the regional transportation planning process. These actions include the development of a systems performance report that accompanies the Regional Transportation Plan (RTP), a description of the target achievement through the linkage between investments and project implementation in the TIP, and an agreement/memorandum of understanding (MOU) in place between the regional partners for the administration of the TPM process. These are static actions that are done once (in accordance with federal regulations), within a larger process, and don't get touched again until a new update cycle or it's deemed necessary.

One downside is the frequency of the document update cycles which can misalign with target updates. For example, the safety target is updated annually and the information for the targets are captured within documents and not always easy to access. The NFRMPO has gotten around these impediments by developing a webpage, accessible from their main page's menu banner, to highlight the measures and targets and provide updated information. This gives the public and stakeholders an easy way to find and understand the information. This approach streamlines the process for the NFRMPO as they can pull this information into documents instead of having to start from scratch each time. This is a practice that is above and beyond what is required by the federal regulations, and we commend the NFRMPO for instituting this practice.

Premium Transit Analysis – LinkNoCo

The NFRMPO is looking to expand public transit service to connect communities while preserving the existing transit. LinkNoCo is a transit study that is looking to implement premium transit service that offers more amenities and/or more frequent service than most local bus services. The study's anticipated outcomes will include a set of top performing transit corridors, an action plan to advance key corridors, a governance structure to support funding and implementation and funding actions. NFRMPO's public engagement will be multicultural and inclusive to all communities within northern Colorado. We commend the NFRMPO for planning for future population growth transit needs for everyone while preserving the current transit operations.

Recommendations

This section identifies activities currently being done in compliance with Federal requirements, but for which improvements are needed to ensure effective implementation of the metropolitan transportation planning process currently and in the future. While these activities do not seriously diminish the regional planning process, they are potentially in danger of becoming future corrective actions if not remedied.

Bipartisan Infrastructure Law/Infrastructure Investment and Jobs Act Implementation Recommendation

The Bipartisan Infrastructure Law (BIL), which was enacted as the Infrastructure Investment and Jobs Act (IIJA), was signed by the President on Nov. 15, 2021. This started a chain of events that eventually leads to the revision of the Planning Rules (23 CFR 450.200-300) to reflect the new requirements of the law. The rulemaking process will include the solicitation of comments from stakeholders and the FHWA and FTA encourages state and regional agency participation. Once the rulemaking is complete and the regulations are final, both the CDOT and NFRMPO (and all Colorado MPOs) must adhere to the phase-in date requirements to integrate the new elements into their planning process.

Independent of the planning rulemaking, other BIL/IIJA requirements are ready for institutionalization. The Safe and Accessible Transportation Options planning funds set-aside direct the CDOT and MPOs to utilize 2.5% of their planning funds towards Complete Streets activities. This is required in the FY23 SPR Work Program and UPWP. With the release of the FY2022 Apportionments, a variety of new competitive grants are available and some yet-to-be released for multimodal transportation activities. The next UPWP developed by the NFRMPO must include any new requirements and consider including activities and tasks that support the implementation of the BIL/IIJA. Revisiting the Planning Agreement and the Consolidated Planning Grant by NFRMPO and CDOT and reviewing for consistency with the BIL/IIJA is a priority when the final planning rules are released. This is important as the data requirements of the agreements need to reflect new planning items and potentially new data sharing techniques. Examples of the new planning requirements are:

49 U.S.C. §§ 5303-5305, IIJA §§ 30002-30004

- *Adds consideration of state and local housing patterns in the metropolitan planning process.*
- *Requires MPOs to ensure the consistency of data used in the planning process, including information used in forecasting travel demand, if more than one MPO is designated within an urbanized area.*

- *Permits the use of social media and other web-based tools to encourage public participation in the planning process.*
- *Requires MPOs to consider the equitable and proportional representation of the population of the metropolitan planning area when designating officials for the first time.*
- *Permits a greater than 80 percent federal share for transportation planning in certain circumstances including in lower-density or lower-income portions of metropolitan or adjoining rural areas.*

Planning Rulemaking Recommendation: The NFRMPO (and other MPOs) and CDOT are encouraged to actively participate in the Planning Rulemaking process initiated by the BIL/IIJA. FHWA and FTA will update the regional agencies as to the release of information on the rulemaking process and schedule when it's available.

Planning Updates from the BIL/IIJA Recommendation: The CDOT and NFRMPO (and other MPOs) must incorporate the new requirements from the BIL/IIJA into their federal planning documents. FHWA and FTA will update the regional agencies when new guidance, memos, and supporting materials about new planning procedures is available.

Transportation Performance Management MOU

January 1, 2022, started the second four-year performance period. With this, the NFRMPO is required to adopt a 2- and 4-year target for both Peak Hour Excessive Delay (PHED) and Non-Single Occupancy Vehicle (SOV) Travel Measure. While this is recognized in the FY2022 UPWP Approval Letter comments section, the topic of this report is the necessary modification of the MOU with CDOT to reflect this. The current MOU specifically withholds any requirements to develop or adopt targets for these two measures. The MOU is to align the content and procedures with the new requirements.

TPM MOU Recommendation: The CDOT and NFRMPO must modify the MOU, titled *The Establishment of a Process to Facilitate Safety, Infrastructure Conditions, and System Performance Target Setting for the FAST Act Performance Measures*, to reflect the PHED and Non-SOV target development process.

Update the Articles of Association

The FTA and FHWA have outlined in their policy guidance that MPOs should amend their bylaws, if the MPO has them, to provide that a public transportation representative should consider the needs of all eligible public transportation providers that provide service in the metropolitan planning area and that, in exercising this responsibility, the representative should have equal decision-making rights and authorities as the other members that are on the policy board of an MPO that serves a TMA. The

guidance goes further and recommends options that an MPO could affirm these two policies, such as in a board resolution or other documentation.

Upon review of the 2020 Final Draft NFRMPO Articles of Association (AoA), it was found that there is no formal transit representative as a voting member on the planning council as demonstrated in the document. It's critical that public transportation representation is identified in the AoA to ensure this position is consistently filled, the individual is agreed upon by the transit agencies throughout the region, and there is no lapse in coverage.

Articles of Association Recommendation: It is strongly encouraged that the NFRMPO Articles of Association be amended to include the position of a transit representative(s) as voting member(s) on the Planning Council.

Transit Representative as a voting member on Planning Council

Not later than 2 years after the date of enactment of the Federal Public Transportation Act of 2012, each metropolitan planning organization that serves an area designated as a transportation management area shall consist of officials of public agencies that administer or operate major modes of transportation in the metropolitan area, including representation by providers of public transportation.” 49 U.S.C. 5303(d)(2)(B). See also 23 U.S.C. 134(d)(2)(B).

There are multiple providers of public transportation within most TMAs. An MPO that serves an area designated as a TMA that has multiple providers of public transportation may need to cooperate with the eligible providers to determine how the MPO will meet the requirement to include representation by providers of public transportation. There are various approaches to meeting this requirement. For example, an MPO may allocate a single board position to eligible providers of public transportation collectively, providing that one representative of providers of public transportation must be agreed upon through a cooperative process. The treatment and procedural requirements of a transit agency representative is equal to that of other agency members and just as important.

The requirement for representation might also be met by rotating the board position among all eligible providers or by providing all eligible providers with proportional representation. Regardless of how the representation is ultimately designated, the MPO should formally adopt the revised structure through a board resolution, bylaws, or other official documentation, as appropriate.

Upon review of the NFRMPO's planning council membership and documentation, it was found by the federal review team there is currently no transit representative(s) as voting member(s) on the Planning Council.

Transit Representation Recommendation: The NFRMPO shall designate a transit representative as

a voting member on the planning council and inform FHWA and FTA when the designation is completed.

Safety

CDOT administers the Strategic Transportation Safety Plan (STSP) and the Highway Safety Improvement Program (HSIP) programs at a statewide level with localized efforts being done in the TMA and with minimal engagement from the NFRMPO. A disconnect has developed in the STSP process that prevents the benefits derived from a cooperative approach. Both the MPO and the CDOT must focus on proactive collaboration during the STSP's development. CDOT should seek to include all statewide partners, including MPOs, to participate and contribute to the plan. Using traditional methods of public outreach, such as attending meetings to present process information and thoroughly seeking input are key activities. Likewise, the MPO must continue to use its voice and influence to advocate and support their regional interests in the STSP, including outreach to CDOT to attend and invitations for meetings and providing local agencies with the necessary information to provide their perspective. By approaching the STSP cooperatively, the STSP and the NFRMPO RTP can reflect their shared goals and objectives.

The incomplete nature of the HSIP project selection process is displayed through the constant lack of off-system (non-CDOT owned roadways) awards, but it does not have to be this way. The NFRMPO can support CDOT when selecting and prioritizing HSIP projects on all public roads through proactive efforts to ensure the most beneficial projects are brought forth by local agencies. The NFRMPO's effort can focus on educating, promoting, and supporting local agencies. A combined effort by NFRMPO and CDOT to energize local agencies to submit project applications begins each year with the HSIP Notice of Funding. The CDOT currently employs a technique to mail out a letter announcing the availability of opportunities, but it's becoming clear that further engagement is necessary. To improve overall project selection, CDOT can ensure that the NFRMPO and its member governments are well trained in funding eligibilities, program requirements, and application development in order to submit the best projects to compete. Creating an annual cycle to announce the application period and educating applicants can support the object permanence of this program.

The NFRMPO and CDOT Region 4 and Headquarters safety managers/champions are strongly encouraged to participate in routine meetings to advance the practice. These meetings can provide many benefits beyond project and plan development. Creating and developing relationships between individuals can bolster communications and trust surrounding updates and opportunities for engagement. Other topics can include a conversation about the implementation of HSIP projects and upcoming schedules, STSP development cycles and planned outreach activities, guidance on how to ensure all stakeholders get opportunities and are treated equitably, and the identification of challenges and barriers preventing the complete success of this program. This can be extended to all the MPOs in Colorado.

Safety Planning Recommendation: The NFRMPO and CDOT are strongly encouraged to explore new ways to collaborate and synergize their respective safety planning and project implementation activities through, but not limited to, regularly scheduled partner meetings, a well-informed HSIP application process, and the inclusion of all statewide stakeholders in the STSP development process.

Regional Transportation Plan – Fiscal Constraint

In the RTP, a demonstration of fiscal constraint is necessary through the life of the plan. This includes the cooperatively developed estimate of funds available to support the RTP implementation, along with the reasonably expected availability of costs and revenues to adequately operate and maintain the Federal-aid highways and public transportation. Amended by the BIL/IIJA (§ 11202; 23 CFR 450.324(f)(11)(v)), the outer years of the RTP are considered the years beyond the first four program years, allowing for the utilization of aggregate cost ranges and/or cost bands. This methodology can assist MPOs to plan for the unpredictability and uncertainty of future funding. A well-balanced and transparent financial plan builds a solid fiscal link between the RTP and the TIP.

The Fiscally Constrained Plan (Chapter 3, Section 4) portion of the NFRMPO 2045 RTP contains the financial information to support fiscal constraint but lacks the depth to demonstrate fiscal constraint. The use of lump sums to display costs and revenues over the horizon of the plan does not explicitly demonstrate that funding is reasonably available within certain years and is expected to support the proposed projects and strategies. This can lead to confusion as to when funding is available for projects. This approach does not account for the uncertainty and unpredictability of the outer years, nor does it reflect the realistic and immediate needs of the implementable present. To demonstrate fiscal constraint, the RTP financial plan needs a level of disaggregation that can clearly show how reasonably expected costs and revenues can support transportation investments throughout the planning horizon. The regulations provide flexibility for the outer years beyond the first four, in which the NFRMPO can aggregate costs into ranges/bands to handle potential unknown circumstances, while still maintaining fiscal constraint. The FHWA and FTA are committed to providing details, gathering best practices, and exploring ways for the NFRMPO to enhance their fiscal constraint demonstration.

RTP Fiscal Constraint Recommendation: The next update to the RTP must contain accurate and detailed financial information to support a demonstration of fiscal constraint.

Appendix A: Certification Letter



U.S. Department
of Transportation

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Lakewood, CO 80228
720.963.3000 – Phone
720.963.3001 – Fax

Federal Transit Administration
[Region 8](#)
1961 Stout St, Ste 13301
Denver, CO 80294-3007
303.362.2400 – Phone
303.362.2424 – Fax

William Karspeck, NFRMPO Planning Council Chair
North Front Range Metropolitan Planning Organization
419 Canyon Ave., Suite 300
Fort Collins, CO 80521-2672

Subject: 2022 Federal Planning Certification of the Fort Collins TMA

Dear Mr. Karspeck,

Pursuant to 23 United States Code (USC) 134 (k)(5) and 49 USC 5303 (k)(5), the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) must jointly certify the metropolitan transportation planning process in the Fort Collins Transportation Management Area (TMA), as administered by the North Front Range Metropolitan Planning Organization (NFRMPO), every four years.

The recent certification review of the transportation planning process in the Fort Collins TMA included a desk review by the Federal Review Team, a virtual site visit on April 6, 2022, and a month-long public survey to receive comments ending on May 4, 2022. Significant time was spent with staff from the NFRMPO, the Colorado Department of Transportation (CDOT), and the regional transit operators to discuss the administration of the transportation planning process.

The planning certification review is one of several methods employed by FHWA and FTA to monitor and assess the implementation of the transportation planning process in North Front Range. Other methods include the review and approval of the NFRMPO Unified Planning Work Program, review of the Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP), issuance of air quality conformity determinations for the RTP and TIP, and participation at committee meetings.

The FHWA/FTA review team found that the metropolitan transportation planning process in the Fort Collins TMA satisfies the provisions of 23 USC 134, 49 USC 5303-5306, 23 Code of Federal Regulations (CFR) 450.300, and other associated federal requirements.

Based on the overall findings, the FHWA and FTA hereby certify the Fort Collins TMA metropolitan transportation planning process. The effective date of this Certification is June 14, 2022 and expires in four years.

Upon request, representatives from FHWA and FTA can schedule presentations of the review findings and the FHWA/FTA certification action at any upcoming NFRMPO meeting.

The *2022 Federal Planning Certification Report – Fort Collins TMA* is attached to this letter as an enclosure. The report contains an overview of the certification process, identifies findings and recommendations, and includes documentation of this FHWA/FTA certification action.

If any questions arise, please contact Aaron Bustow (FHWA) at 720-963-3022, Aaron.Bustow@dot.gov, or Ranae Tunison (FTA) at 303-362-2397, Ranae.Tunison@dot.gov.

Sincerely,

**JOHN MARTIN
CATER**

Digitally signed by JOHN MARTIN
CATER
Date: 2022.04.07 12:13:40 -0500

John M. Cater, P.E.
Division Administrator
FHWA Colorado Division

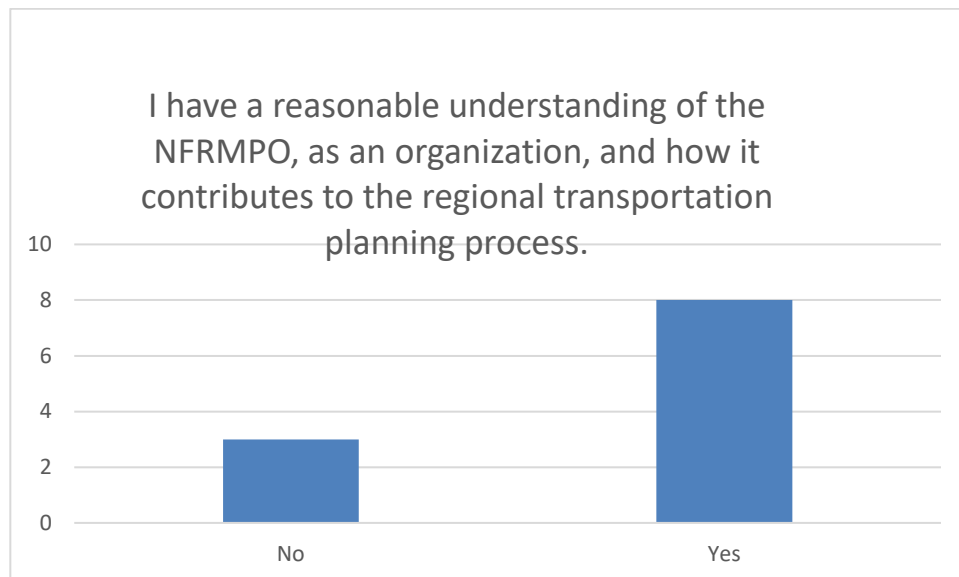
**CINDY ELISE
TERWILLIGER**

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TERWILLIGER
Date: 2022.04.07 12:11:27 -0500

Cindy Terwilliger
Regional Administrator
FTA Region 8

Appendix B: Public Comment Results

This survey was released and open for one month. It received 11 responses and multiple comments. All is presented below. The Federal Review Team will process these comments and work with the NFRMPO and the regional planning partners to provide improvements to the regional transportation planning process.

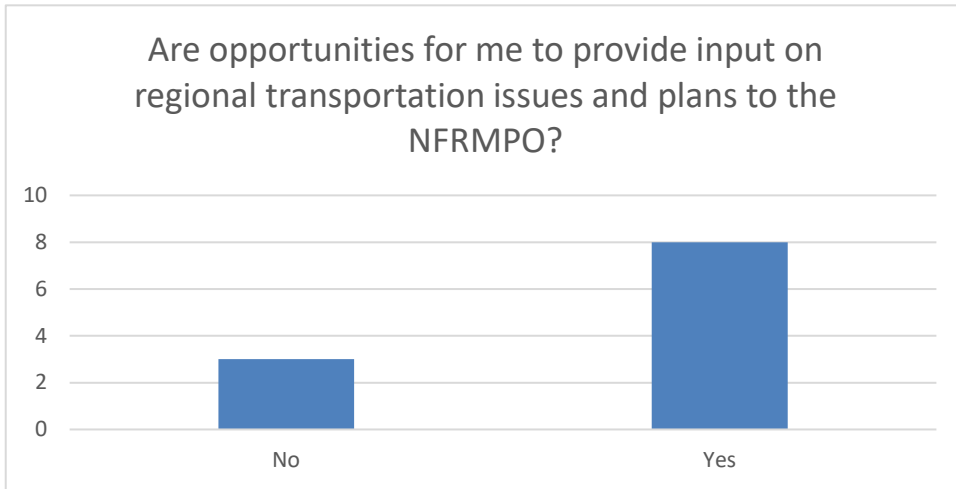


I figured there must be one but thought it encompassed the whole front range.

Served on NFRMPO as mayor of Fort Collins and city council member

I had to research it...but I get it now.

I have worked with the NFRMPO for years.



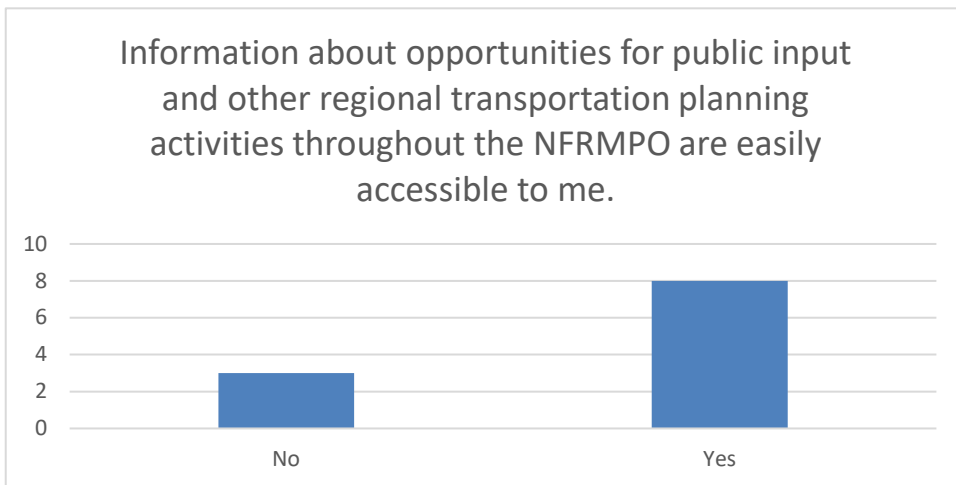
I guess so but being a relative permanent newcomer to the area i am unaware of anything specific.

Pretty minimal if not directly on MPO

The NFRMPO staff have been very helpful in allowing me to add my input.

I sit on the Community Advisory Committee

I am not aware of a central location or process for providing feedback to NFRMPO

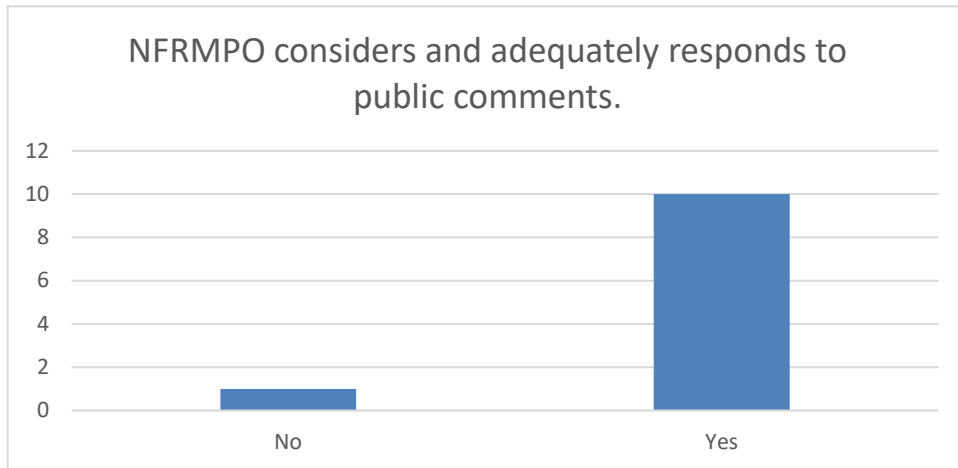


Again, see previous comment. I will have to do some exploring to find out what is available and how to go about it.

No newsletter listserv or other awareness like streaming meetings

They are easily accessible for me, but I'm not sure that it is for the general public.

It's difficult for me to attend any in-person NFRMPO meetings. There should be an avenue to provide feedback online, much like this Google Forms survey!

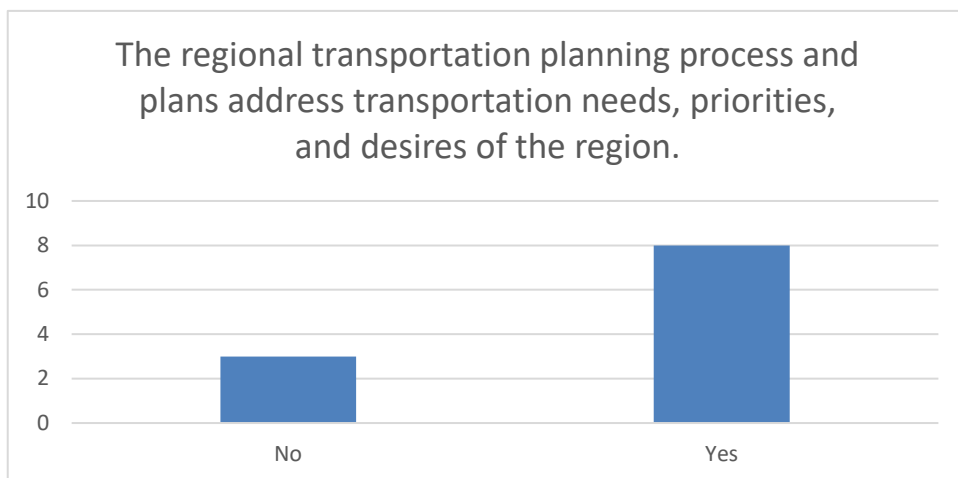


I have no experience to say that they do not.

[It's] (Unidentified word, maybe "It's") been my experience serving on MPO

Yes. The staff does respond to my comments.

The NFRMPO never responds to my comments on their Twitter



In general yes, but more emphasis on inter-modal transportation solutions is needed.

Got to include air travel, drones, and AAM (Advanced Air Mobility) in the transportation system

Absolutely. And there is a lot going on!

From what I've observed, the NFRMPO only wants to expand highways ad nauseum. This approach does nothing to stop vehicle congestion. Instead the NFRMPO should focus on multimodal transportation and affordable accessible public transit.