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**Nashville Metropolitan Planning Organization**

**Certification Review Report**

**August 2010**

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## Preface

The Statewide and Metropolitan Transportation Planning Processes are directed according to the requirements of the Safe, Accountable, Flexible, Efficient Transportation Equity Act – a Legacy for Users (SAFETEA-LU), signed into law on August 10, 2005. The United States Department of Transportation (US DOT) issued planning regulations on February 14, 2007 setting Federal requirements for the transportation planning process. These requirements are presented in 23 CFR Part 450 and 49 CFR Part 613, Statewide and Metropolitan Planning Final Rule. The Metropolitan Planning Regulations are closely tied with the Clean Air Act Amendments of 1990 (CAAA) through the U.S. Environmental Protection Agency's (EPA) Air Quality Conformity Regulations. SAFETEA-LU essentially continued the programs and basic philosophies of ISTEA and TEA-21.

Pursuant to 23 United States Code 134(i)(5) and 49 USC 1607, the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) must jointly review and evaluate the transportation planning process conducted in each urbanized area or Transportation Management Area (TMA) with a population over 200,000 no less than once every four years. This review includes an assessment of the degree to which the MPO meets the requirements of the Metropolitan Planning Regulations and, in air quality non-attainment or maintenance areas, an evaluation of the process to ensure conformity of plans and programs to the EPA Air Quality Conformity regulations. Upon completion of this review, FHWA and FTA jointly certify with recommendations, certify with corrective actions, or decertify the Metropolitan Planning Process.

This is the sixth certification review of the Metropolitan Transportation Planning Process for the Nashville Transportation Management Area (TMA). The last review was conducted in July of 2006. This report documents a review conducted April 20-21, 2010 for the Nashville Area Metropolitan Planning Organization, representing the Nashville TMA. The Nashville urban area exceeded a population of 200,000 when TMA legislation was passed and has been a TMA since.

The TMA Certification Review is comprised of three elements: a desk review, an on-site review, and a public involvement opportunity. The Federal Review Team (FTA and FHWA) conducted a desk review of MPO planning products, explored selected components of the planning process, and discussed major US DOT initiatives during an on-site review with MPO staff, Federal partners (including the US Environmental Protection Agency), and the Tennessee Department of Transportation (TDOT). The on-site review also revisited items identified in the 2006 certification review as corrective actions to ensure resolutions have been fully implemented.

To encourage increased stakeholder understanding of the TMA Certification process and purpose and to solicit input, the Federal review team attended the Nashville MPO Executive Board on April 21, 2010 and the MPO Technical Coordinating Committee on June 2, 2010. A public meeting was also held on the evening of April 20, 2010 to invite public comment on the

**Nashville planning process.**

This report includes a summary of the Federal team's observations, commendations, and recommendations. In the last review, corrective actions were identified for those elements of the planning process that were not adequately addressed by the MPO according to 23 CFR 450. All corrective actions from the 2006 review have been addressed. No corrective actions were identified during this certification review. Action on the recommendations in this report is not required; however, they reflect national trends and best practices and are intended to assist the MPO in their efforts to effectively meet the Federal planning regulations. Finally, the report highlights positive practices of the Nashville Area MPO with commendations that can serve as examples to other states and planning organizations.

## Executive Summary

On April 20-21, 2010, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) conducted a transportation management area certification review of the Nashville Area Metropolitan Planning Organization (MPO). Such reviews are required to be completed no less than once every 4 years in urban areas with populations of greater than 200,000 people to ensure MPO adherence to Federal regulations.

The last certification review, held in June 2006, resulted in four corrective actions:

- Establishment of formal agreements (separate from the MPO prospectus) between the MPO and each transit provider to specify cooperative procedures for carrying out transportation planning and programming per 23 CFR 450.310(b)
- Modify the TIP process to ensure that all projects are evaluated through an adopted congestion management process
- Revise the Participation Plan to identify specific techniques or strategies to seek out and consider the needs of traditionally underserved households
- Adequately assess and address the impacts of freight on the regional transportation network defined in the LRTP, along with strategies for addressing the impacts identified.

The Nashville MPO resolved all corrective actions prior to the 2010 certification review and has demonstrated a commitment to meeting Federal regulations.

The Federal team identified several notable planning practices and accomplishments by the Nashville Area MPO since the last certification review. One of the most notable accomplishments is the collection of project information for the updated long range transportation plan and Transportation Improvement Program. This information not only contributes to the incorporation of land use in the planning process but will also assist the streamlining of planning and NEPA processes. Also notable are the extensive efforts that the MPO has put into involving the public in the planning process.

The conclusion of this report provides the final Federal planning certification determination. Those elements of the planning process reviewed during the April meetings are outlined in the Certification Review Agenda included in Appendix A. The Federal Review Team composition and contact information is provided in Appendix B. A list of participants in the review process is identified in Appendix C. Comments collected from the public and MPO stakeholders are documented in Appendix D.

**Summary of Corrective Actions**

None.

**Summary of Commendations****Metropolitan Planning Organization - Overview of Recent Activities**

The Nashville Area MPO is commended for their work toward creating a truly intermodal transportation network in the region. Their focus on such areas as freight, non-motorized transportation, and transit reflect the MPOs understanding of the need to address more than just highway needs in the metropolitan transportation planning process. In addition, the MPO has incorporated health, livability, and climate change into the planning process. These efforts serve the MPO and the region well. Finally, to prepare for the review, the MPO was great to work with in preparing for the review and provided the Federal Team with copies of current MPO planning products such as the TIP, STIP, etc in a timely manner and in a format conducive to conducting the desk review.

**Unified Planning Work Program (23 CFR 450.308)**

The MPO is commended for developing the Unified Planning Work Program (UPWP) through an established process which includes opportunity for stakeholders and the public to provide input.

**Metropolitan Planning Agreements and Policies (23 CFR 450.314)**

The Nashville MPO has adequately addressed the 2006 corrective action regarding the establishment of agreements with in the MPO region. In addition, the adopted policies contribute clarity to roles and responsibilities of the MPO staff, MPO sponsoring agency, and MPO member jurisdictions. The adoption of policies, such as these, that benefit the operation of the MPO are commended.

**Metropolitan Planning Organization Structure (23 CFR 45.306)**

The metropolitan planning organization (MPO) is commended for maintaining effective Executive and Technical committees and for creating committees consisting of a variety of stakeholders for projects and/or studies as needed to ensure input from a broad range of perspectives.

**Long Range Transportation Plan (23 CFR 450.322)**

The Federal Team commends the Nashville Area MPO on its efforts to incorporate input from member jurisdictions, the public, industry, and other stakeholders in the development of the metropolitan transportation plan update, the 2035 Regional Plan. Also commendable is the

collection of project information beyond what is typically required, which has the potential to assist in the streamlining of the planning through National Environmental Policy Act (NEPA) process. Finally, the MPO does a commendable job incorporating preservation of the existing network, land use, health, sustainability, and livability into the development of the long range transportation plan update.

#### **Transportation Improvement Program (23 CFR 450.324)**

The Federal Team commends the MPO for its efforts to streamline the TIP amendment process, making amendments a quarterly occurrence. In addition, the MPO is to be commended for their project information sheets. The information which is captured for each project has potential to contribute to the streamlining of the planning and environmental processes.

#### **Interested parties, participation, and consultation (23 CFR 450.316)**

The MPO serves as a model for other MPO's in their work with transportation and their outreach to the minority communities. MPO documents and presentations are easily accessible to the public, minority communities, stakeholders, and partners. Finally, the MPO is commended for their efforts toward building partnerships in the region. The metropolitan planning process benefits from increasingly strong regional relationships and cohesion.

#### **Transit**

The MPO is commended for maintaining healthy working relationships with regional transit agencies.

#### **Congestion Management Process (500.109)**

The MPO is commended for modifying the Congestion Management Process (CMP) to require all projects to be vetted through the process. In addition, the inclusion of performance measures will serve as a great way for the MPO to monitor, evaluate, and report on efforts that have been made to address congestion concerns.

#### **Air Quality (1990 Clean Air Act, 40 CFR Parts 51 and 93)**

The Federal Team commends the Nashville Area MPO for staying abreast of developments in the realm of air quality. Anticipated changes to air quality standards have potential to result in the Nashville region being designated as an air quality non-attainment area and it behooves the MPO to be informed and up-to-date on the issue.

#### **Annual List of Obligated Projects (23 CFR 450.332)**

The MPO is commended for enhancing the Annual List of Federally Obligated Projects with a narrative to assist readers in understanding its content. Also, the MPO is commended for incorporating the endorsement of the list by the Executive Board with an Annual Meeting geared toward recognizing accomplishments and discussing challenges to come.

## Summary of Recommendations

### **Unified Planning Work Program (23 CFR 450.308)**

The Federal Team recommends that the MPO continue to work toward the development of a two-year Unified Planning Work Program (UPWP).

### **Metropolitan Planning Agreements and Policies (23 CFR 450.314)**

Upon adoption of the 2035 Regional Plan update, the Federal Team recommends that the MPO review and update all existing MOUs to ensure that they are consistent with the demands of all planning documents, goals, objectives, etc.

### **Metropolitan Planning Organization (MPO) Structure (23 CFR 45.306)**

Should the MPO decide to create an additional committee(s), particularly a standing committee(s), the Federal Team encourages the MPO to consider input and suggestions from a variety of sources, such as other MPOs with similar committees and TDOT, prior to the creation of the committee(s). This recommendation is made to ensure the consideration of best practices.

### **Long Range Transportation Plan (LRTP) (23 CFR 450.322)**

It is recommended that the MPO continue to coordinate with state, Federal and other partners to ensure sufficient time for public, State, and Federal review of the document to ensure timely adoption and concurrence with the long range transportation plan update.

### **Transportation Improvement Program (TIP) (23 CFR 450.324)**

The Federal Team encourages the MPO to continue with efforts to process amendments on a quarterly basis. It is recommended, however, that the MPO retain the ability to make exceptions to a quarterly amendment policy to prevent the loss of funds. Also, as a means of maintaining awareness on the project status as well as obligation and expenditure of Federal dollars, the Federal Team recommends the development of a tracking system to reflect the status of projects in the current TIP.

The work that has gone into the delivery of the American Recovery and Reinvestment Act required a higher level of reporting, accountability, and transparency than in the past. Although the regulations have not changed with the passage and continued implementation of the ARRA, the Federal Team encourages the MPO to continue with any improved ways of doing business learned through the efforts of the American Recovery and Reinvestment Act.

### **Transit**

The Federal Team recommends that the MPO include a stand-alone section on transit in the 2035 Regional Transportation Plan update and include discussion on analysis of the needs of elderly and disabled populations.

**Air Quality (23 CFR 450, 40 CFR 50, 40 CFR 93)**

To be best prepared for changes in the air quality standards, continue to keep up with information made available through various sources such as members of the IAC, EPA, TDOT, FTA, FHWA, etc.

**Annual List of Obligated Projects (23 CFR 450.332)**

The Federal Team recommends that the MPO strive to publish the Annual Listing of Obligated Projects no later than 90 calendar days following the end of the program year as required by 23 CFR 450.334.

## **Metropolitan Planning Organization - Overview of Recent Activities**

The Nashville Area Metropolitan Planning Organization (MPO) recently launched a new website that contains a substantial amount of information on topics addressed by the MPO, including the perspectives considered in their approach to regional planning (roadway, transit, walking & biking, freight, environmental, land use and urban design), organizational structure, major planning products (regional transportation plan, transportation improvement program, unified planning work program, other reports and plans), information on the planning process, and how to get involved.

In late 2009, all MPOs in Tennessee faced the challenge of accounting for the rescission of a substantial amount of Federal funding. The result of a substantial amount of stakeholder input and coordination was a reprioritization of the Unified Planning Work Program (UPWP) and Transportation Improvement Program (TIP) to reflect the loss of Surface Transportation Program (STP), Planning (PL), and Congestion Mitigation/Air Quality (CMAQ) funds.

The MPO is working to make their freight movement travel demand model more robust by increasing its sensitivity to land use changes and development. These changes along with increased stakeholder involvement (including freight industry representatives), better integration of freight in the planning process, and identified goals and objectives will better inform the planning process and products such as Regional Transportation Plan (RTP) updates and the development of the TIP.

The MPO uses sub-regional studies to focus on the land use and transportation connection. Currently there is a Tri-County Land Use Study underway that, once completed, is expected to serve as a model for future studies. Outcomes from this particular study include land use/transportation recommendations to be incorporated into the RTP update as well as to inform agreements between areas, counties, and other sub-groups within the Nashville region.

The Northeast Corridor Mobility Study was nearing completion at the time of the Certification Review. This study looks at a 30-mile corridor and considers transit options, including bus rapid transit (BRT), light rail transit (LRT), and commuter rail. The study was re-scoped to be a mobility study after the MPO determined that Nashville is not currently competitive for FTA New Starts funding. The study has included a lot of public involvement and the MPO hopes the outcome will include a determination of what would be needed for a true alternatives analysis.

The MPO recently completed an 18-month Bicycle and Pedestrian Study. This was the first regional study of its kind and drew over 2400 participants in the associated public involvement opportunities. The study helped to strengthen relations with regional communities, included a diverse list of potential projects (e.g. law enforcement recommendations, travel demand modeling improvements, and mechanisms to trigger priority bicycle and/or pedestrian projects), and considered health data and access to food (based on the concept of food deserts)

information as well.

The MPO currently has interns working on developing a Health Impact Assessment to understand the impacts of the built environment and the transportation network on people's health. Coordination with Vanderbilt resulted in improved design concepts for proposed transit stops in the Northeast Corridor.

Efforts to make a health and transportation connection will serve the MPO and the region well. Additional examples of the MPO's efforts include a symposium on school siting as part of a Safe Routes to School project and a Physical Activity Pilot study which looked at the impacts of different modes of commuting (bicycle, foot, transit, and personally owned vehicle) on health.

The MPO strives to incorporate communities and an increasing number of stakeholders (e.g. non-profits) in the development of regional growth strategies. This approach helps to inform the regional planning and programming processes and also helps to align regional resources and objectives. The MPO has partnered with or is involved with local groups and agencies such as the Design Center, the Middle Tennessee's Mayor's Caucus, and the Chambers Caucus, providing meeting facilitation, research resources, and assistance in managing committees and arranging speakers for meetings. A result of these partnerships is improved regional relations and the promotion of a truly regional perspective.

#### *Commendations*

The Nashville Area MPO is commended for their work toward creating a truly intermodal transportation network in the region. Their focus on such areas as freight, non-motorized transportation, and transit reflect the MPOs understanding of the need to address more than just highway needs in the metropolitan transportation planning process. In addition, the MPO has incorporated health, livability, and climate change into the planning process. These efforts serve the MPO and the region well. Finally, to prepare for the review, the MPO was great to work with in preparing for the review and provided the Federal Team with copies of current MPO planning products such as the TIP, STIP, etc in a timely manner and in a format conducive to conducting the desk review.

#### **Unified Planning Work Program (23 CFR 450.308)**

MPOs are required to develop Unified Planning Work Programs (UPWP) in cooperation with the State and public transit agencies per 23 CFR 450.308(c). UPWPs detail the work planned for the program year (or years) and serves as the MPOs budget for planning and research funds.

#### *Observations*

The process of developing, drafting, and adopting the Unified Planning Work Program is coordinated with the Tennessee Department of Transportation's schedule for all MPOs and

includes the required elements:

- Planning priorities
- Description of metropolitan transportation planning activities including who will perform the work, a schedule for completion, and the anticipated products.

The MPO's Technical Coordinating Committee is highly involved in the development of the UPWP and is representative of municipalities, resources, and agencies in the area including the Greater Nashville Rural Planning Organization, the Regional Transit Authority, the Nashville Metropolitan Transit Authority, and the TMA Group.

The MPO polls its member municipalities to learn about desired planning activities and also informs them about required MPO activities. Recommendations for UPWP studies are also included in the RTP and are included in UPWPs when appropriate. UPWP's reflect one year of work and are adopted on an annual basis although the MPO Director creates a sketch level estimate for a second year. Approximately \$140,000 per year is collected in local dues, the breakdown for which is based on Census figures. Dues are used to match Federal funds and are only spent on purely regional products. Sub-regional dues are collected for sub-regional studies.

Since the last certification review, there has been increasing input from non-municipal groups and overlaps in various missions that have been recognized. The MPO has served as a positive venue for such discoveries and works to foster and strengthen regional partnerships and collaboration. TDOT assists in these relationships by redirecting interest and inquiries regarding regional issues to the MPO as appropriate.

The MPO assists TDOT with planning beyond the urbanized areas within the five county area, plus portions of Maury and Robertson counties. To do this, it receives supplemental SPR funds from TDOT. There are three recipients of Federal planning (PL) funds in the MPO area: the Nashville Area MPO, the Murfreesboro urbanized area, and TDOT (for the rural parts of the MPO). PL funds are split 50/50 between Nashville Metropolitan Transit Authority (MTA) and the MPO. Other transit funds are allocated to Murfreesboro.

The MPO puts all its eggs in a regional basket with regard to planning and programming, which serves the MPO goals and meets the intent behind Federal regulation. The MPO was commended by the TDOT Director of Long Range Planning for its improvement in PL and SPR fund expenditure.

#### *Commendations*

The MPO is commended for developing the UPWP through an established process which includes opportunity for stakeholders and the public to provide input.

#### *Recommendations*

The Federal Team recommends that the MPO continue to work toward the development of a

two-year Unified Planning Work Program (UPWP).

### **Metropolitan Planning Agreements and Policies (23 CFR 450.314)**

Federal legislation requires the MPO to work in cooperation with the State and Public transportation agencies in carrying out a 3C (continuous, cooperative, and comprehensive) metropolitan planning process. These agencies determine their respective and mutual roles and responsibilities and procedures governing their cooperative efforts. Federal regulation requires that these relationships be specified in agreements between the MPO and the agency responsible for air quality planning.

The MPO last updated the metropolitan planning agreements in response to a corrective action from the 2006 TMA Certification Review and intends to revisit the agreements again after the 2035 Regional Transportation Plan is adopted. Currently, the MPO has memorandums of understanding (MOUs) with the Metropolitan Transit Authority (effective October 31, 2006), Regional Transit Authority (effective November 15, 2006), Franklin Transit Authority (effective September 18, 2006), and City of Murfreesboro Public Transportation Department (effective November 15, 2006).

#### *Observations*

The MPO has adopted an MPO Sponsorship Policy (adopted September 19, 2007) and a Regional Dues Policy (adopted April 27, 2007). The goal of the Sponsorship Policy is to “formalize the roles of the MPO Executive Board and the MPO Sponsor Agency in the oversight of MPO personnel and property, the procurement of goods and services, and other MPO-related contractual and financial issues.” The MPO has been delegated purchasing authority, but follows Metropolitan Nashville’s procurement procedures and involves TDOT, as well.

The Regional Dues Policy goal is to “establish a formal procedure to identify, collect, and manage non-federal dollar match contributions from MPO member jurisdictions to be used for the explicit purposes of leveraging federal funds for MPO regional planning studies.”

#### *Commendations*

The Nashville MPO has adequately addressed the 2006 corrective action regarding the establishment of agreements with in the MPO region. In addition, the adopted policies contribute clarity to roles and responsibilities of the MPO staff, MPO sponsoring agency, and MPO member jurisdictions. The adoption of policies, such as these, that benefit the operation of the MPO are commended.

#### *Recommendations*

Upon adoption of the 2035 Regional Plan update, review and update all existing MOUs to ensure that they are consistent with the demands of all planning documents, goals, objectives, etc.

### **Metropolitan Planning Organization Structure (23 CFR 45.306)**

A metropolitan planning organization (MPO) is a regional policy body, required in urbanized areas with populations over 50,000, and designated by local officials and the governor of the state. It is the responsibility of the MPO, in cooperation with the state and other transportation providers, to carry out the metropolitan transportation planning requirements of the Federal Highway and Federal Transit Administrations. MPOs are formed in cooperation with the state and they develop transportation plans and programs for the metropolitan area. For each urbanized area, an MPO must be designated by agreement between the Governor and local units of government representing 75% of the affected population (in the metropolitan area), including the central cities or cities as defined by the Bureau of the Census, or in accordance with procedures established by applicable State or local law (23 USC 134(b)(1)/Federal Transit Act of 1991 Sec 8(b)(1)).

#### *Observations*

The MPO structure is headed by an Executive Board, which guides and is informed by the work of the Executive Committee, Financial/Audit Committee, Regional Task Force, MPO Staff, and Technical Coordinating Committee (TCC). The Regionalism Task Force is composed of a group of mayors with the purpose of assisting MPO staff in promoting regionalism. The Task Force was created in response to negative press on a lack of regional cohesiveness in the Nashville area.

The Executive Board consists of elected officials representing Davidson, Rutherford, Sumner, Wilson, Williamson and parts of Maury (Spring Hill) and Robertson (Springfield) counties, as well as cities in those counties with a population of over 5,000. Additional board members include the Governor and an elected official from the Greater Nashville Regional Council. The Executive Board meets the third Wednesday of every month at 9:00 a.m.

The Technical Coordinating Committee consists of administrators, planning directors, and transportation engineers from local governments and transportation related agencies. The TCC meets the first Wednesday of each month at 10:30 a.m.

Area or issue specific committees are created on an ad hoc basis. Current committees of this nature include a Bicycle & Pedestrian Advisory Committee, Freight Advisory Committee, Regional Transit Working Group, and Congestion Management Advisory Group. Membership on these committees includes representation from a range of areas including industry, law enforcement, non-profit organizations, and MPO TCC members.

Meeting frequency for issue based committees depends on need. Participation in committee

activities generally lasts for the duration of the project or study, or until the need for the group diminishes. Given the on-going efforts in areas such as bicycle and pedestrian planning, the MPO is considering the implementation of standing committees, as needed. Also, the MPO has begun to consider the pros and cons of ad hoc versus standing committees and is considering the creation of a business advisory committee and a public/citizen advisory committee.

#### *Commendations*

The MPO is commended for maintaining effective Executive and Technical committees and for creating committees consisting of a variety of stakeholders for projects and/or studies as needed to ensure input from a broad range of perspectives.

#### *Recommendations*

Should the MPO decide to create an additional committee(s), particularly a standing committee(s), the Federal Team encourages the MPO to consider input and suggestions from a variety of sources, such as other MPOs with similar committees and TDOT, prior to the creation of the committee(s). This recommendation is made to ensure the consideration of best practices.

#### **Long Range Transportation Plan (23 CFR 450.322)**

Long range transportation plans incorporate input from the public, stakeholders, state agencies, and MPO staff to create goals and objectives reflecting regional transportation needs and strategies for an improved transportation system over a 20-year horizon. The plan indicates all of the transportation improvements scheduled for funding over the duration of the plan. The transportation plan includes both long-range and short-range strategies.

#### *Observations*

The Nashville MPO is currently working on a long range transportation plan update, referred to as the 2035 Regional Transportation Plan. The update is being developed in accordance with the requirements of SAFETEA-LU and the joint FHWA/FTA Metropolitan Planning Regulations. The process incorporates extensive public involvement, and will result in a document that covers at least a 20-year planning period, identifies long and short-range strategies to address regional transportation issues, is based on systems analyses, addresses planning factors outlined in SAFETEA-LU, is based on reasonably expected financial resources, considers existing and future land use, and reflects the goals and objectives of the MPO.

As mentioned in the MPO overview, information regarding the process, opportunities for public involvement, and draft documents are and will continue to be available on the website through the adoption of the update, due October 19, 2010. The current 2030 Plan is also available online.

Input received through a variety of outreach, information sessions, and stakeholder and public involvement opportunities informs the 2035 update. For example, the update will include recommendations from the recently completed Bicycle and Pedestrian Study, the Phase II Regional Freight Study, and an updated congestion management process. The Bicycle and Pedestrian Study was particularly successful in soliciting and capturing input from the public as evidenced by the over 2400 individuals that participated in at least one of the opportunities provided for information and outreach.

The MPO's approach to involving the public in the 2035 update was unique in that it did not start the conversation with transportation. Instead of talking about transportation for transportation's sake, the MPO emphasized transportation's role in providing access to life outside the home and its role in goods movement. The approach is multi-modal and as a result of stakeholder and public input, the result is increased recognition of transit as part of an effective transportation network and an effort to be specific in terms of transit investment. There seems to be an understanding that one-size-fits all approach will not work, and that each corridor has different needs. The update process and call for projects resulted in the MPO receiving project submissions from all kinds of agencies in addition to the expected submissions from member jurisdictions.

The MPO is conscious of context when it relays information to the public. For example, when talking about financing for transportation projects in the region, the MPO 2030 budget (approximately \$3.5 billion) was compared to the sum of annual NFL salaries and also to the cost of a bridge that was constructed from Qatar to Bahrain. The MPO recognizes that the needs of the region will always outpace the funding available and strives to focus on a regional approach in project development and programming.

The draft policy initiatives of the Nashville Area MPO 2035 RTP update was unveiled on May 26. The draft report will be released for public review and comment during the summer months leading up to an October adoption hearing.

The MPO shared with the Federal Team and other certification review attendees a sample project information sheet. The MPO has worked to collect as much information as possible through the project submission process and that information is reflected in the project information sheets. The information collected benefits the MPO in its ability to maintain a regional perspective and may assist in streamlining the planning and NEPA process.

The MPO anticipates that the impact on health of transportation projects and the transportation network is likely to become part of the NEPA process and is working to incorporate health impacts into the planning process already.

Although no representation from local transit agencies were present at the review, the MPO claims to have strong relationships with them. There is no evidence to suggest otherwise. The MPO keeps the transit agencies up-to-date and involved on MPO projects and initiatives. The

MPO looks forward to fully integrating mode-choice and freight into their travel demand model for the 2040 RTP update.

The legal framework for a regional transit funding mechanism was established by the state legislature in 2009.

Environmental streamlining is considered as part of the LRTP development as more advance notice on impacts will be available to local municipalities, the public, and other stakeholders. The information contained on the project information sheets will assist in streamlining the environmental process and it will also inform the MPOs strategies for preserving the exiting transportation network.

The update of the plan will be adopted a day after the current plan expires. This is not a concern from the FHWA/FTA perspective.

The MPO approaches Transportation Enhancement projects in the 2035 Plan update in two ways. There will be a Transportation Enhancement (TE) "bucket" in the 2035 Plan that contains funds that will allocated only to TE projects. Projects for which specifics are known will be reflected as individual projects in the plan

Findings from a system level analysis of the dispersal of benefits and burdens among different socioeconomic and ethnic minorities will be reflected in the 2035 plan update, along with examples.

#### *Commendations*

The Federal Team commends the Nashville Area MPO on its efforts to incorporate input from member jurisdictions, the public, industry, and other stakeholders in the development of the metropolitan transportation plan update, the 2035 Regional Plan. Also commendable is the collection of project information beyond what is typically required, which has the potential to assist in the streamlining of the planning through National Environmental Policy Act (NEPA) process. Finally, the MPO does a commendable job incorporating preservation of the existing network, land use, health, sustainability, and livability into the development of the long range transportation plan update.

#### *Recommendations*

It is recommended that the MPO continue to coordinate with state, Federal and other partners to ensure sufficient time for public, State, and Federal review of the document to ensure timely adoption of the long range transportation plan update.

**Transportation Improvement Program (23 CFR 450.324)**

MPOs are required to develop a Transportation Improvement Program (TIP) in cooperation with the State and public transit operators. TIPs shall cover a period of at least four years, must be updated at least every four years, and are approved by the MPO and the Governor. The TIP includes capital and noncapital surface transportation projects, including bicycle and pedestrian facilities, transportation enhancement projects and transit. Information for each project must include a project description, estimated total cost, amount of Federal funds proposed to be obligated during each program year, proposed sources of Federal and non-Federal funds, and identification of funding recipient/project sponsor. During the development of the document there must be reasonable opportunity for comment by all parties and the public during the development of the TIP.

*Observations*

The Nashville Area MPO is developing a 2011-2015 TIP concurrent with the long range transportation plan update. A call for projects was made in early 2010. Information requested from project sponsors was more substantial in comparison to what has been requested in the past. The result, as mentioned in the section on Long Range Transportation Plans is a project information sheet that has the potential to benefit transportation planning and NEPA streamlining efforts. The TIP is scheduled to be adopted at the same time as the 2035 RTP and includes all types of projects including highway, bicycle, pedestrian, transportation enhancement, Safe Routes to School, freight, safety, etc.

The MPO strives to process amendments on a quarterly basis. This approach is expected to limit expenditures on public notices.

*Commendations*

The Federal Team commends the MPO for its efforts to streamline the TIP amendment process, making amendments a quarterly occurrence. In addition, the MPO is to be commended for their project information sheets. The information which is captured for each project has potential to contribute to the streamlining of the planning and environmental processes.

*Recommendations*

The Federal Team encourages the MPO to continue with efforts to process amendments on a quarterly basis. It is recommended, however, that the MPO retain the ability to make exceptions to a quarterly amendment policy to prevent the loss of funds. Also, as a means of maintaining awareness on the project status as well as obligation and expenditure of Federal dollars, the Federal Team recommends the development of a tracking system to reflect the status of projects in the current TIP.

The work that has gone into the delivery of the American Recovery and Reinvestment Act

(ARRA) required a higher level of reporting, accountability, and transparency than in the past. Although the regulations have not changed with the passage and continued implementation of the ARRA, the Federal Team encourages the MPO to continue with any improved ways of doing business learned through the efforts of the American Recovery and Reinvestment Act.

### **Interested parties, participation, and consultation (23 CFR 450.316)**

Federal regulation requires that MPOs have developed and adopted a public participation plan that defines a process for the public, stakeholders, partner agencies, and other agencies or individuals to provide input into the regional transportation planning process. The participation plan itself is developed with such input as are all other planning products. In addition, MPOs are required to make particular efforts to reach individuals and groups that have been traditionally underserved. In addition, the MPO must have a process through which complaints and concerns are recorded and addressed.

#### *Observations*

The Nashville Area MPO incorporates public involvement into all aspects of the metropolitan transportation planning process, not only during the development of key planning products, but also during the development of studies and other official documents. The MPO relied on its adopted Participation Plan as part of the update to the long range transportation plan. Further detail on recent public and stakeholder involvement can be found in the MPO Overview of Recent Activities section.

The MPO demonstrates excellent efforts in their outreach and consultation with federal, state, and local agencies. They make extraordinary efforts to reach out to minority communities, specifically the Hispanic, Kurdish and Chinese communities. Public notices are published in both English and Spanish. Also, the MPO has a translation feature on their website which allows users to translate webpage contents into over 50 different languages. The MPO recognizes that translation through such means is not perfect and utilizes the language skills of MPO staff when necessary.

The MPO conveyed that the level of MPO effort toward getting the public involved is not always comparable to the level of public and stakeholder participation. As is common in many if not most areas, public turnout for meetings is unpredictable. Sometimes it is disappointing and at other times impressive.

The MPO has begun to develop ties with churches and schools in the Hispanic community. The MPO is not currently targeting religious communities in their public outreach, but they are on the MPOs radar and outreach is tentatively planned for the coming summer.

#### *Civil Rights*

Josie Bass serves as the MPO's Title VI Coordinator for the MPO and handles all Title VI or ADA comments, suggestions, or complaints. Ms. Bass receives training and ensures that other MPO staff is trained as well. Metro Nashville is the MPO's fiscal agent.

As mentioned, the MPO performs a system level analysis to identify the distribution of the benefits and impacts of transportation projects to ensure there is no undue burden on any particular population. The analysis includes consideration of the "Eight Elements of Title VI." The MPO holds public meetings in a variety of places, but focuses on community centers as a means of reaching low income and minority communities.

The MPO has procedures for filing complaints and keeps complaint logs. There have been no complaints recently and no formal complaints that could be recalled. The MPO uses disadvantaged business enterprises (DBEs) on most contracts. DBE goals are set by the fiscal agent, utilizing Metro Nashville's process.

The MPOs Equal Employment Opportunity and Title VI contacts are different, as is encouraged.

The MPO has demonstrated a direct line from the Disadvantaged Business Enterprises (DBE) Official to the CEO or Director. Complaints and concerns are immediately resolved through the straight line organization of the. There are no broken lines to impede the expediency to resolve issues as they come up.

#### *Commendations*

The MPO serves as a model for other MPO's in their work with transportation and their outreach to the minority communities. MPO documents and presentations are easily accessible to the public, minority communities, stakeholders, and partners. Finally, the MPO is commended for their efforts toward building partnerships in the region. The metropolitan planning process benefits from increasingly strong regional relationships and cohesion.

#### **Transit**

MPOs are charged with planning an effective and efficient regional transportation network. In order to achieve this, MPO staff must develop and maintain a healthy relationship with transit agencies in the metropolitan planning area.

#### *Observations*

The Nashville Area MPO has memorandums of understanding (MOUs) with four transit agencies- The Metropolitan Transit Authority, the Regional Transit Authority, the Franklin Transit Authority, and the City of Murfreesboro Public Transportation Department. These MOUs detail the roles and responsibilities of each agency in the metropolitan transportation planning process.

The MPO coordinated on the transit plan with MTA/RTA the last time around, but it will take the lead next time. The plan was developed with input from a coordinating committee and resulted in some duplication of efforts. The plan will not go through any major updates until after the 2035 update is adopted and new authorizing transportation legislation is passed.

#### *Commendations*

The MPO is commended for maintaining healthy working relationships with regional transit agencies.

#### *Recommendations*

The Federal Team recommends that the MPO include a stand-alone section on transit in the 2035 Regional Transportation Plan update and include discussion on analysis of the needs of elderly and disabled populations.

#### **Congestion Management Process (500.109)**

According to 23 USC 134(k)(3), "the transportation planning process shall address congestion management through a process that provides for effective management and operation, based on a cooperatively developed and implemented metropolitan-wide strategy, of new and existing transportation facilities eligible for Federal funding." The development of a congestion management process is required for all transportation management areas.

#### *Observations*

The Nashville MPO has a SAFETEA-LU compliant congestion management process (CMP). As part of the 2035 Regional Transportation Plan update, the MPO is updating the process. The MPO's approach in making revisions is based on the goal of providing transportation options and the belief that the number one benefit to alleviating congestion is gained through safety improvements. Implementation of the updated document will ensure that each project considered for inclusion in the LRTP and the TIP will be vetted through the CMP. The amount of information that is now collected for each project helps to make this approach possible.

The CMP will no longer be a stand-alone document, but will be part of the 2035 Regional Transportation Plan. Annual CMP reports, however, will not be amended into the 2035 RTP and will remain stand-alone documents. This approach, which is performance based, will allow the MPO to evaluate and monitor changes and improvements on the transportation network over time. Changes in the MPOs approach to the congestion management process are expected to be an improvement over current process. In the past, if a facility was modeled and found to be congested, the affected segment of roadway was the extent of the picture. With the new approach, the MPO will be taking a more regional, multi-modal, big-picture approach to

addressing congestion. The revised CMP will include multiple definitions to reflect the varying tolerances of congestion in different areas such as on Interstate, in rural areas, and in downtown urban areas.

#### *Commendations*

The MPO is commended for modifying the Congestion Management Process (CMP) to require all projects to be vetted through the process. In addition, the inclusion of performance measures will serve as a great way for the MPO to monitor, evaluate, and report on efforts that have been made to address congestion concerns.

#### **Air Quality (1990 Clean Air Act, 40 CFR Parts 51 and 93)**

The Nashville MPO is currently in an air quality attainment status however the agency is paying attention to potential changes to the standards set by EPA. The current long range transportation plan update is not contingent on air quality analysis or budgets. The goals and objectives that have been developed as part of the 2035 RTP update indicate a more multi-modal approach to transportation planning in the region. This shift gives the MPO more confidence in its ability to manage new emissions budgets should the area be designated non-attainment in the near future. MPO staff is keeping up with the implementation of the new MOVES motor vehicle emission simulator and has the capacity to conduct analyses with MOBILE 6 vehicle emission modeling software.

#### *Commendations*

The Federal Team commends the Nashville Area MPO for staying abreast of developments in the realm of air quality. Anticipated changes to air quality standards have potential to result in the Nashville region being designated as an air quality non-attainment area and it behooves the MPO to be informed and up-to-date on the issue.

#### *Recommendations*

To be best prepared for changes in the air quality standards, continue to keep up with information made available through various sources such as members of the ICC, EPA, TDOT, FTA, FHWA, etc.

#### **Annual List of Obligated Projects (23 CFR 450.332)**

Each year, within 90 days of the end of the program year, MPOs are required to publish or otherwise make accessible in accordance with the MPOs public participation criteria a list of projects that have been obligated over the past year. In Tennessee, the program year ends on September 30, making the end of the calendar year the approximate time by which annual lists of obligated projects are due. Project lists are to include all Federally funded projects

authorized or revised to increase obligations in the preceding program year, sufficient descriptive material (type of work, termini, and length) to identify the project or phase, identification of the agencies responsible for carrying out the project or phase, the amount of Federal funds requested in the TIP, the Federal funding that was obligated during the preceding year, and the Federal funding remaining and available for subsequent years.

### *Observations*

A list of projects in the MPO area that were obligated over the past Federal fiscal year is developed by TDOT and shared with the MPOs during the fourth quarter of the calendar year. The MPO works with the transit agencies to collect similar information on FTA projects. The final list includes all types of obligated projects: highway, transit, ITS, safety, bicycle, pedestrian, enhancement and bridge. The Nashville MPO formats the information in a way that is easily digested by the public and MPO Executive Board. The list is published on the MPO's website and includes narrative elements to aid the understanding of the work that has been started (and possibly completed) in the past year. The Annual List of Obligated Projects compiled by the MPO is endorsed by the Executive Board at the January meeting, which also serves as the MPOs "Annual Meeting."

The MPO indicated that the planning partners are typically aware of what projects have been obligated, but that the list is beneficial in providing a picture of progress made over the past year. It is also found helpful and interesting by the public as evidenced by occasional comments regarding the list. The MPO regards the listing of federally obligated projects to be useful as a reference and as a mark of accountability to the Transportation Improvement Program (TIP).

### *Commendations*

The MPO is commended for enhancing the Annual List of Federally Obligated Projects with a narrative to assist readers in understanding its content. Also, the MPO is commended for incorporating the endorsement of the list by the Executive Board with an Annual Meeting geared toward recognizing accomplishments and discussing challenges to come.

### *Recommendations*

The Federal Team recommends that the MPO strive to publish the Annual Listing of Obligated Projects no later than 90 calendar days following the end of the program year as required by 23 CFR 450.334.

### **Conclusion**

The FHWA and FTA joint Federal review team, with input from the Environmental Protection Agency, discussed the planning process with MPO Staff, other Certification Review attendees, the MPO Executive Board over the course of two days, April 20-21, 2010. In addition, a member

of the review team attended the June MPO Technical Coordinating Committee meeting to solicit input from the membership regarding thoughts, opinions, suggestions, etc on the planning process. To provide opportunity for public input on the metropolitan planning process, the review team held a public meeting the evening of April 20, 2010. Unfortunately, attendance at this meeting was low. However, one member of the public attended and voiced interest in the metropolitan planning process. The public meeting, although not well attended, was beneficial in that it resulted in good discussion among the public participant, MPO staff, and the Federal review team.

The Nashville MPO has addressed the corrective actions and a number of recommendations from the 2006 certification review. In addition, the MPO demonstrates adherence to all applicable planning and programming regulations.

The Nashville Area Metropolitan Planning Organization substantially meets the requirements of 23 CFR 450 Subpart C and its planning process is hereby certified.

## Appendix A – Certification Review Agenda

**April 20, 1020**

Meeting Location: Nash Conference Room, Metro Office Building, 800 2<sup>nd</sup> Ave S, Nashville, TN 37210

9:00 AM	<b>Introduction</b>	
	<ul style="list-style-type: none"> <li>• Introduce Participants</li> <li>• Purpose of Certification Review (FHWA)</li> <li>• Review Agenda and Schedule (FHWA)</li> </ul>	
9:15	<b>MPO Overview</b>	
	<ul style="list-style-type: none"> <li>• Discussion of findings/corrective actions from 2006 review</li> <li>• The MPO will provide a brief summary of work accomplished since the last review and discuss upcoming issues/projects related to the planning process. (MPO)</li> </ul>	
10:00	<b>Unified Planning Work Program (FHWA)</b>	23 CFR 450.308
10:30	<b>Metropolitan Planning Agreements (FHWA)</b>	23 CFR 450.314
11:00	<b>Long Range Transportation Plan (FHWA)</b>	23 CFR 450.322
	<ul style="list-style-type: none"> <li>• Highlights and status of plan update</li> <li>• Consultation, coordination, documentation</li> <li>• Freight component</li> </ul>	
12:00 PM	<b>Lunch</b>	
1:15	<b>Interested Parties, Participation, and Consultation</b>	23 CFR 450.316
	<ul style="list-style-type: none"> <li>• Coordination of the planning process</li> <li>• Public Participation Plan (FTA)</li> <li>• Civil Rights (FHWA/FTA)</li> </ul>	
1:45	<b>Transit</b>	
	<ul style="list-style-type: none"> <li>• Coordinated public transit-human services transportation plan</li> </ul>	
2:15	<b>Transportation Improvement Program</b>	23 CFR 450.324
	<ul style="list-style-type: none"> <li>• Project selection and tracking (FHWA)</li> </ul>	23 CFR 450.330

- Amendment process (FHWA/FTA) 23 CFR 450.326
  - Self Certifications & Federal Certifications (FHWA/FTA) 23 CFR 450.334
- 3:00      **Annual Listing of Obligated Projects (FHWA)**      23 CFR 450.322
- 3:30      **Discuss Agenda for April 21**

**April 20, 2010 – Evening**

Meeting Location: 400 Charlotte Ave, Nashville, TN 37219

**Public Meeting**

- 5:00-6:30
- Presentation by Review Team
  - Open forum to receive public comment

**April 21, 2010**

Meeting Location: 1101 Kermit Dr., Room 104, Nashville, TN 37217

- 9:00      **Executive Board Meeting**
- The Federal Team will explain the purpose of the certification review
  - Opportunity for input on the planning process from the Executive Board
  - Opportunity for input from other stakeholders and the general public in attendance
- 10:00      **Air Quality/Conformity**      40 CFR Parts 51& 93
- 10:30      **Congestion Management Process (FHWA)**      23 CFR 450.320
- 11:00      **Discussion of Federal Initiatives/Directives**
- Updates from EPA, FTA, FHWA on new or ongoing efforts and/or things to be aware of
- 11:30      **Federal Team Meeting**
- The Federal Team will use this time to draft findings identified during the two day review
  - Discuss next steps and schedule for Certification Report completion
- 12:00      **Adjourn**

**Appendix B – Composition of Federal Review Team**

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**Appendix C – List of Participants**

The following individuals attended the on-site review held on April 20-21, 2010 in Nashville, TN.

*Federal Representatives*

Abigail Rivera, FTA Region 4  
Britta Stein, FHWA TN Division  
Charles O'Neill, FHWA TN Division  
Cecilia Crenshaw, FHWA TN Division  
Dianna Smith, Environmental Protection Agency, Region 4

*Tennessee Department of Transportation*

Angela Midgett, Program Manager, Division of Long Range Planning  
Cynthia Howard, Civil Rights Office  
Jeanne Stevens, Director, Division of Long Range Planning

*Nashville Area Metropolitan Planning Organization*

Chin-Cheng Chen, Engineering Associate  
Eric Howell, Planning Intern  
Felix Castrodad, Senior Planner  
Lou Edwards, Administrative Assistant  
Leslie Meehan, Senior Planner  
Mary Beth Ikard, Communications Director  
Matt Meservy, Senior Planner  
Max Baker, Senior Planner  
Michael Skipper, Executive Director  
Nick Lindeman, Economics & Systems Data Analyst

*Others*

Gerry George, Relevant Resources Group, LLC

### Appendix D – Comments Received

The following comments (paraphrased) regarding the metropolitan planning process were received:

April 20, 2010

- One person representing Relevant Resources Group, LLC attended the public meeting to learn more about the MPO role and process. A brief discussion ensued regarding the MPO, the Certification Review process, and how the individual might be more involved.

April 21, 2010 – Executive Board Meeting

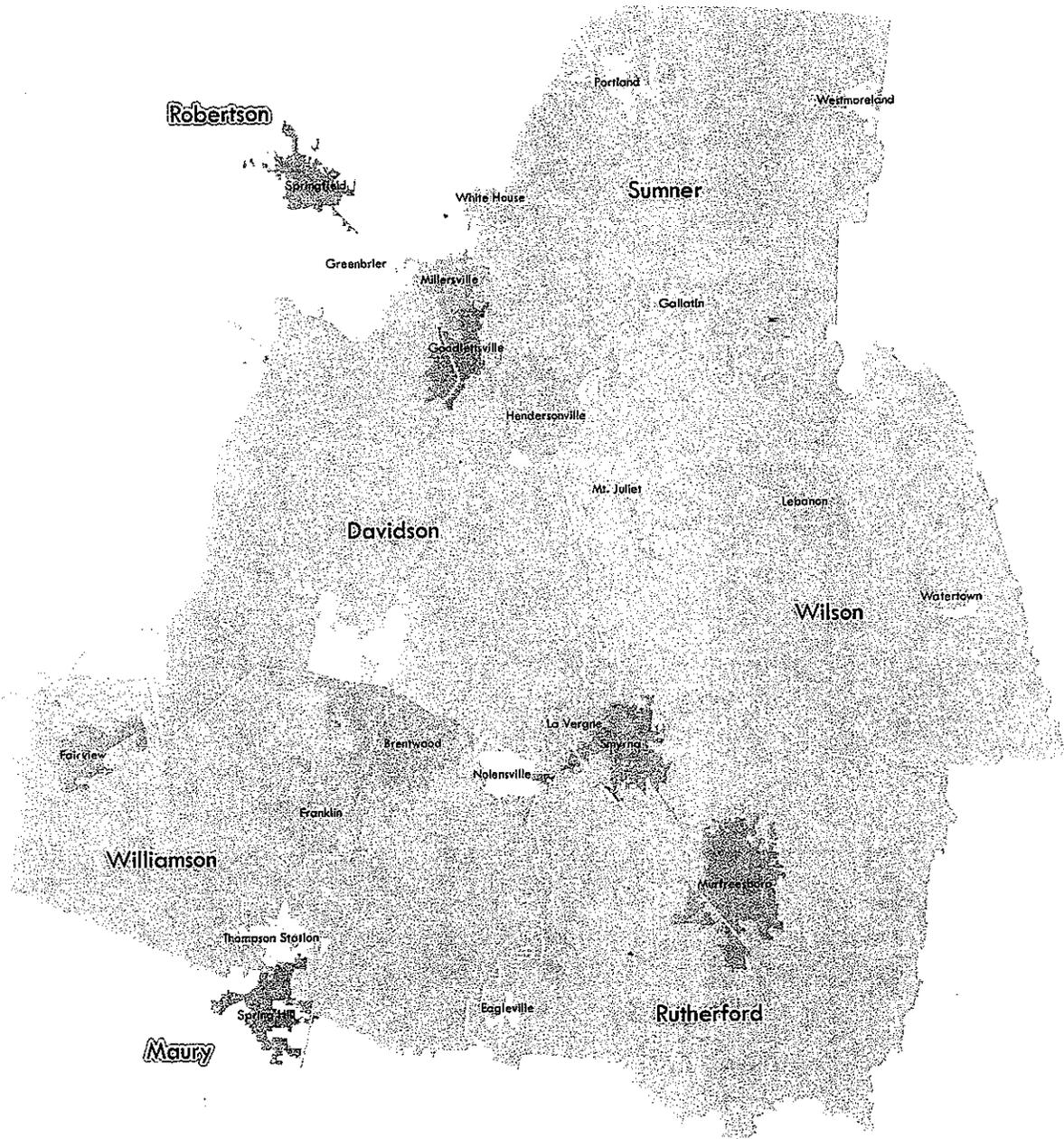
- A need for consistency among States and MPOs. – Fred Rogers, Nashville Area MPO Executive Board Member
- American Public Works Association (APWA) process should be consistent with funding; interest in speeding up the planning/programming process. – Mark Macy, Nashville Executive Board Member

June 2, 2010 - MPO Technical Coordinating Committee Meeting

- No comments received.

**Appendix E – Nashville Area MPO Planning Boundary**

# NASHVILLE AREA METROPOLITAN PLANNING ORGANIZATION PLANNING BOUNDARY

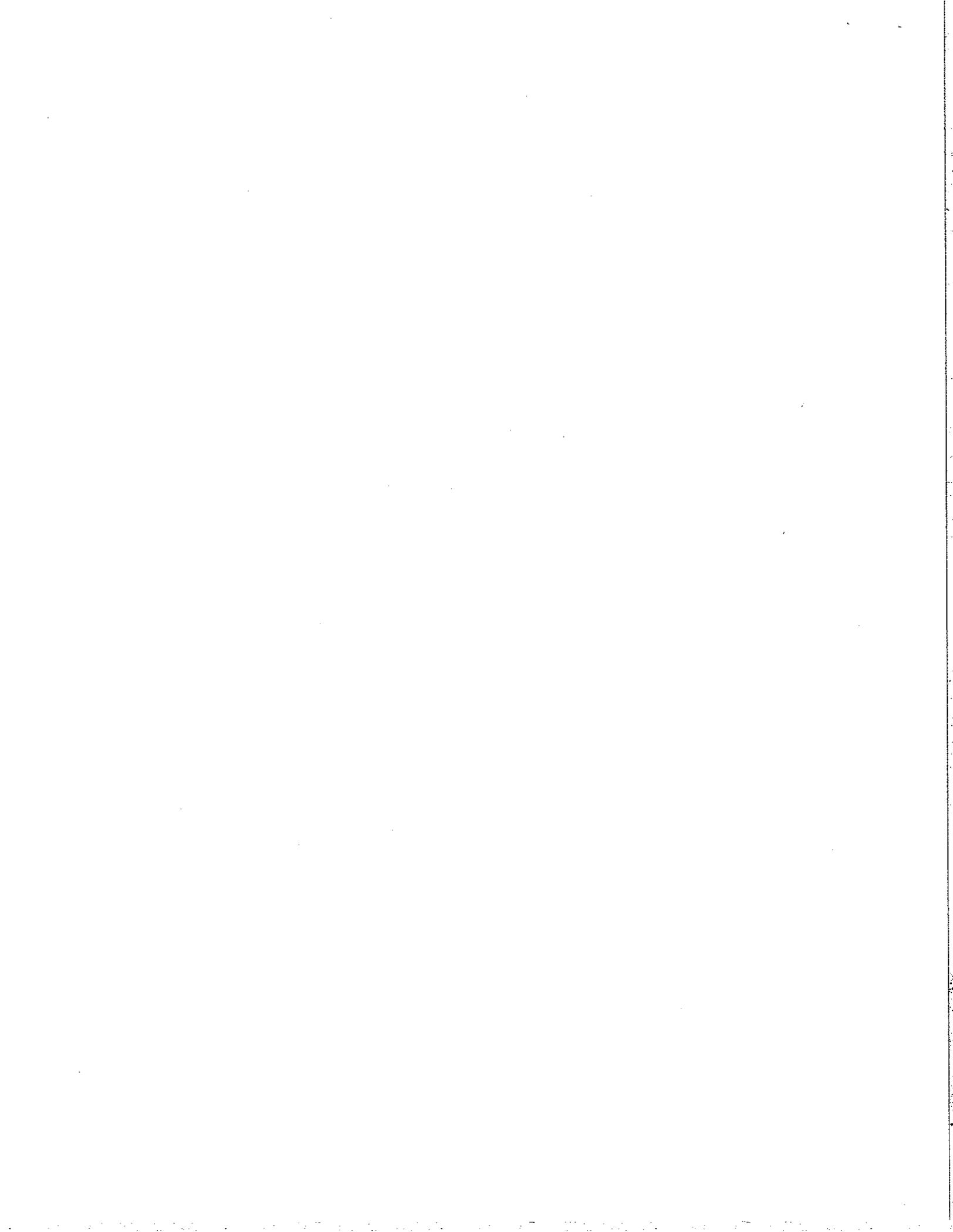


**Nashville Area Metropolitan Planning Organization**

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**AS OF 7-20-2007**

\*Cities in light grey are  
not official members of  
the Nashville Area MPO



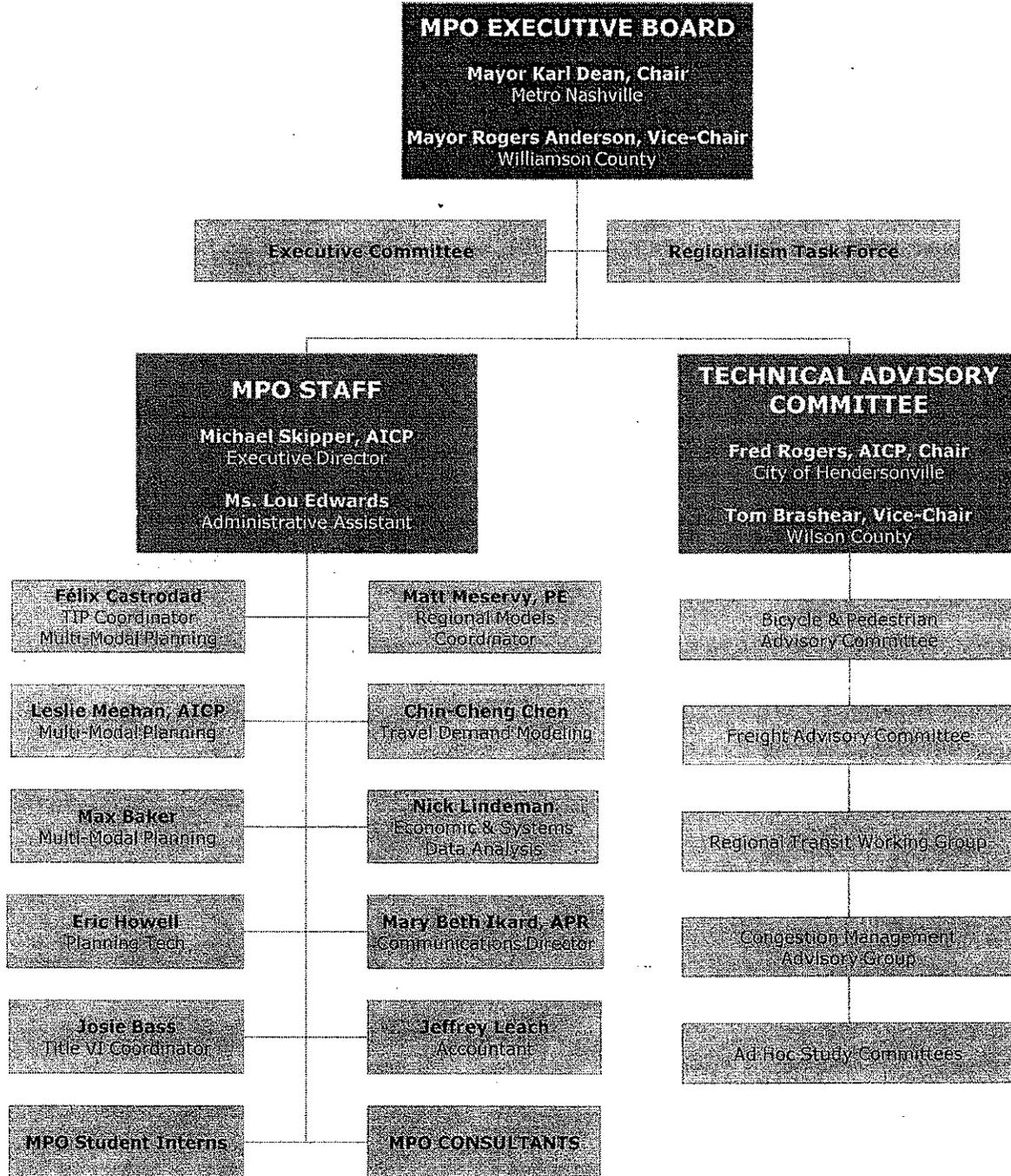


**Appendix F – Nashville Area MPO Organizational Chart**



NASHVILLE AREA

# Metropolitan Planning Organization





NASHVILLE AREA

# Metropolitan Planning Organization

## PROFESSIONAL STAFF

The MPO is staffed by a group of professionals that seek to provide the greater Nashville region with the highest quality transportation plans and programs through the development of reliable data and analysis, the advancement of planning tools and methods, and the facilitation of ideas among governmental agencies, the public, and other interested stakeholders.

STAFF MEMBER	PHONE	EMAIL
<b>Michael Skipper, AICP, Executive Director</b> <i>Program Administration, Regional Coordination, Transportation/Land-Use Integration, Transportation Financing</i>	862-7204	<a href="mailto:skipper@nashvillempo.org">skipper@nashvillempo.org</a>
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### Appendix G – List of Acronyms

3C	Continuous, Cooperative, and Comprehensive
ADA	American's with Disabilities Act
ARRA	American Recovery and Reinvestment Act
BRT	Bus Rapid Transit
CMAQ	Congestion Mitigation/Air Quality
CMP	Congestion Management Process
DBE	Disadvantaged Business Enterprises
EEO	Equal Employment Opportunity
EPA	Environmental Protection Agency
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
ICC	Interagency Coordination Committee
ITS	Intelligent Transportation Systems
LRT	Light Rail Transit
L RTP	Long Range Transportation Plan
MOU	Memorandum of Understanding
MPO	Metropolitan Planning Organization
MTA	Metropolitan Transit Authority
NEPA	National Environmental Policy Act
PL	Planning
RTA	Regional Transit Authority
RTP	Regional Transportation Plan
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act – a Legacy for Users
SPR	Statewide Planning & Research
STP	Surface Transportation Program
TCC	Technical Coordinating Committee
TDOT	Tennessee Department of Transportation
TE	Transportation Enhancement
TIP	Transportation Improvement Program
TMA	Transportation Management Area
UPWP	Unified Planning Work Program
USDOT	United States Department of Transportation