



BOSTON REGION METROPOLITAN PLANNING ORGANIZATION

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TECHNICAL MEMORANDUM

DATE: January 26, 2023
TO: Boston Region Metropolitan Planning Organization
FROM: Anne McGahan and Michelle Scott, Boston Region MPO Staff
RE: Adopted Policies for the MPO's Major Infrastructure Program and L RTP

This memorandum was prepared by the Boston Region Metropolitan Planning Organization's (MPO) staff to summarize the policies that were adopted for the MPO's Major Infrastructure (MI) investment program and policies regarding projects included in its Long-Range Transportation Plan (LRTP). These policies were adopted at the August 20, 2020, and October 1, 2020, MPO meetings. The three main topics that the adopted policies focused on are as follows:

1. A new definition for the MPO's MI program
2. The types of projects that the MPO will list in its LRTP
3. Scoring and programming policies for projects that are listed in the LRTP

Section 1 lists the final policies that were adopted by the MPO. Sections 2 through 4 provide more detail on each of the policies.

1 FINAL MPO POLICIES FOR THE MPO'S MI PROGRAM AND PROJECT LISTING IN THE LRTP

The following are the final policies adopted by the MPO at its August 20, 2020, and October 1, 2020, meetings for the MPO's MI Program and projects that will be listed in the LRTP. The scoring and programming policies for the listed projects are also explained.

1.1 Definition for MI Projects

This definition was adopted by the MPO at its August 20, 2020, meeting:

Roadway Projects

Major Infrastructure projects on the roadway network include those that meet at least one of the following criteria:

1. Capital projects that improve facilities that are important to regional travel, which include the following:

Civil Rights, nondiscrimination, and accessibility information is on the last page.

- Interstate Highways
 - Principal Arterial Freeways and Expressways
 - All sections of roadways classified as Principal Arterial "Other" that have fully or partially controlled access
2. Projects that cost \$50 million or more

Transit Projects

Major Infrastructure projects on the transit network include those that meet at least one of the following criteria:

- Capital projects that add new connections to or extend the rail or fixed-guideway transit network
- Projects that cost \$50 million or more

1.2 Types of Projects Listed in the LRTP

This policy was adopted by the MPO at its October 1, 2020, meeting:

The LRTP will only list projects that are federally required to be included in the LRTP—regionally significant projects (as defined in Federal Highway Administration [FHWA] guidance) and projects under National Environmental Policy Act (NEPA) review that use federal transportation funds. In addition, these projects will only be programmed for the first two five-year time bands of the LRTP, leaving the later time bands to be programmed in future LRTPs.

1.3 Scoring and Programming Policies for Projects Listed in the LRTP

Scoring

This policy was adopted by the MPO at its October 1, 2020, meeting:

All projects that are included in the LRTP will be rescored with Transportation Improvement Program (TIP) criteria once they are being considered for programming in the TIP. In addition, it will not be assumed that the project will automatically be programmed in the TIP because it had been listed in the LRTP.

Programming

The status of all projects that were included in the current LRTP will be reviewed to ensure the projects are moving forward. If the MPO decides that there is no movement toward design and approval and/or if a schedule for implementation is not available, the project will be placed in the Universe of Projects for consideration in future LRTPs.

2 DETAILS ABOUT NEW DEFINITIONS FOR THE MPO'S MI PROGRAM

In the past, the MPO's definition for a MI project was a project that changed the capacity of the transportation network and/or cost more than \$20 million. In 2019 the MPO board questioned whether Complete Streets projects that cost over \$20 million should be included in the Major Infrastructure Program or in the Complete Streets Program. This question started the discussion about revising the MPO's definition of an MI project. A summary of the information that was discussed is included in a Technical Memorandum dated August 20, 2020, titled *Policies for the Boston Region MPO's Major Infrastructure Program*. After the MPO board's discussion, it adopted a revised definition for projects to be included in its MI Program.

2.1 Revised Definition of MI Projects

As previously noted, the following is the revised definition that was adopted by the MPO on August 20, 2020.

Roadway Projects

Major Infrastructure projects on the roadway network include those that meet at least one of the following criteria:

1. Capital projects that improve facilities that are important to regional travel, which include the following:
 - Interstate highways
 - Principal arterial freeways and expressways
 - All sections of roadways classified as Principal Arterial "Other" that have fully or partially controlled access and
2. Projects that cost \$50 million or more

Transit Projects

Major Infrastructure projects on the transit network include those that meet at least one of the following criteria:

- Capital projects that add new connections to or extend the rail or fixed-guideway transit network
- Projects that cost \$50 million or more

2.2 Impact of Revising the Definition of MI Projects

The main reason for the new definition of a MI project is to identify projects that the MPO would classify in its MI investment program that was established as part of the LRTP. This will allow MPO members and project proponents to know if a project meets the requirements of the MI Program when a project is submitted for funding. When the project is ready for programming in the TIP, staff will evaluate

and score MI projects using the new TIP scoring criteria that were developed for MI projects.

In addition, the MPO established a funding goal of not programming more than 30 percent of its Regional Target funds for MI projects. Once all of the MI projects are evaluated, staff will apply this funding goal to the MI projects while programming projects in the TIP.

The impact of revising this definition was mainly on the MI and Complete Streets Programs with the MI Program percentages decreasing and the Complete Streets Program increasing. Table 1 shows the LRTP funding goals and current and proposed percentages based on the new definition. This new definition helps the MPO move closer to the funding goals established in *Destination 2040* and is in line with the MPO’s policy of continuing an operations and management approach to programming—giving priority to low-cost, non-major infrastructure projects.

**Table 1
Current and Proposed LRTP Funding Goal Percentages**

Investment Program	<i>Destination 2040</i> Goals	Current	Proposed	Current	Proposed
		Definition	Definition	Definition	Definition
		FFYs 2020–24	FFYs 2020–24	FFYs 2025–29	FFYs 2025–29
Major Infrastructure	No more than 30%	34%	29%	41%	36%
Complete Streets	45	48	52	34	38
Intersection Improvement	13	12	13	13	14
Bicycle/Pedestrian	5	5	5	5	5
Community Connections	2	1	1	2	2
Transit Modernization	5	0	0	5	5
Total	100%	100%	100%	100%	100%

FFYs = Federal Fiscal Years.
Source: Boston Region MPO.

3 DETAILS ABOUT TYPES OF PROJECTS LISTED IN THE LRTP

This policy identifies the projects that will be listed in future LRTPs. In past LRTPs, the MPO listed all MI projects in the LRTP based on its previous MI project definition as well as federal guidance. Therefore, all MI projects that change the capacity of the transportation network and/or cost more than \$20 million have been listed in the LRTP.

3.1 Background

In past LRTPs, all projects that changed the capacity of the transportation network and/or cost more than a designated dollar amount were required to be listed in the LRTP. As of the development of *Destination 2040*, the MPO's current LRTP, FHWA lifted its requirement to include a cost threshold, so projects that cost over a designated dollar amount were no longer required to be listed in the LRTP by federal regulation. Existing FHWA guidance now states that only regionally significant projects must be listed in the LRTP.

FHWA's definition of a regionally significant project appears in Title 40 of the Code of Federal Regulations (CFR) Part 93 Section 101.¹ Essentially, FHWA's definition of a regionally significant project is a project that is on a facility that serves regional transportation needs. These facilities may provide access to and from

- the area outside of the MPO region;
- major activity centers in the region;
- major planned developments, such as new retail malls and sport complexes, etc.; or
- transportation terminals.

These projects would normally be included in the modeling of a metropolitan area's transportation network and include at a minimum all principal arterial highways and all fixed-guideway transit facilities that offer an alternative to regional highway travel.

As noted in 40 CFR 93.126, FHWA's definition of a regionally significant project excludes projects that are exempt from air quality conformity determinations. The categories of exempt projects include, but are not limited to, the following:²

- Safety-oriented projects
- Reconstruction or renovation of transit buildings and structures
- Rehabilitation or reconstruction of track structures, track, and trackbed in existing rights-of-way
- Rehabilitation of transit vehicles
- Bicycle and pedestrian facilities
- Intersection channelization projects
- Intersection signalization projects at individual intersections
- Interchange reconfiguration projects
- Changes in vertical and horizontal alignment

¹ This definition also appears in 23 CFR Part 450 Section 104.

² Title 40 Code of Federal Regulations (CFR) Part 93.126 and Title 40 CFR Part 93.127.

- Truck size and weight inspection stations
- Bus terminals and transfer points

During discussions on this topic, FHWA staff also questioned whether certain projects that the MPO was including in its LRTP were considered regionally significant. FHWA staff noted that some of the projects that were included in *Destination 2040* because they changed capacity may not be considered regionally significant in FHWA's definition (e.g., the New Boston Street Bridge replacement project in Woburn, which is classified as a minor arterial). All other projects listed in the current LRTP, excluding the New Boston Street Bridge, are classified as either interstate highways or principal arterial roadways.

The definition of FHWA's regionally significant projects sparked the discussion of projects that the MPO considered regionally significant. After discussion, the MPO decided to use roadway classification to determine if a facility is important to regional travel. The roadway classification criteria were included in the MPO's definition of an MI project.

3.2 MPO's Adopted Policy on Projects Listed in the LRTP

The projects that meet the criteria for the new definition of the MPO's MI Program do not necessarily have to be listed in the LRTP. The projects in the program will be used to meet the funding goal of not programming more than 30 percent of the MPO's Regional Target funds for MI projects. As described above, only the projects that are considered regionally significant projects by FHWA's definition are required to be listed in the LRTP because of federal guidance. Therefore, all projects included in the MPO's MI Program that change the capacity of the network and are located on interstate or principal arterial roadways and fixed-guideway transit facilities would need to be listed in the LRTP.³

The MPO board members discussed a number of options when considering the types of projects they wanted to list in future LRTPs:

- Projects that are required to be listed because of federal regulations
 - Projects that change the capacity of the network that are on Interstate or principal arterial highways and all fixed-guideway transit facilities that offer an alternative to regional highway travel
 - Projects that are in the National Environmental Policy Act (NEPA) process that are using federal transportation funding

³ FHWA's definition of regionally significant projects does not stipulate that the facility must have a certain level of access control. Therefore, projects funded through MPO programs besides the Major Infrastructure program (such as Complete Streets or Intersection Improvements) may need to be included in the LRTP.

- Additional projects at the MPO's discretion
 - Projects meeting the \$50 million threshold as outlined in the new MI definition
 - Projects that meet the roadway classification as outlined in the new MI definition

The MPO made two motions regarding listing projects in the LRTP during its October 1, 2020, meeting:

1. The first motion was to list projects in the LRTP that meet the cost threshold of \$50 million. That vote failed.
2. The second motion was to limit programming MI projects to the first two five-year time bands of the LRTP. Only projects that are federally required would be listed in the LRTP—regionally significant projects and projects under NEPA review that use federal transportation funds. These projects will only be programmed in the first two time bands of the LRTP, leaving the later time bands to be programmed in future LRTPs. That vote passed.

There was no motion regarding roadway classification. Therefore, it will be the MPO's policy to program federally required projects in the first two time bands of the LRTP. Projects that meet the MPO's definition of MI projects will not be listed in the first two time bands unless they meet the federal requirements of changing the capacity of the network that are on Interstate or principal arterial highways and fixed-guideway transit facilities.

With respect to the NEPA process, the MPO will only program projects that are required to be listed in the LRTP, based on determinations by MassDOT (in conjunction with FHWA, as needed). These may include projects that require Environmental Impact Statements (EIS) or Environmental Assessments (EA), based on their anticipated environmental impact, or projects that may only be classified as categorical exclusions (CE) after FHWA Division Office approval.⁴ MPO staff will consult with MassDOT's Office of Transportation Planning and Highway Division on an ongoing basis to ensure projects that meet relevant criteria are included in the LRTP.

⁴ Processes and criteria related that qualify as categorical exclusions under NEPA, and that would not require an EIS or EA, are outlined in the Programmatic Agreement between FHWA's Massachusetts Division Office and MassDOT regarding the Processing of Actions Classified as Categorical Exclusions for Federal-Air Highway Projects. This agreement defines projects that qualify as programmatic categorical exclusions (which can be approved by MassDOT on behalf of FHWA), as well as projects that require FHWA approval to be deemed categorical exclusions.

4 SCORING AND PROGRAMMING POLICIES FOR PROJECTS LISTED IN THE LRTP

4.1 Scoring Projects Listed in the LRTP

All projects that are listed in the LRTP are scored using LRTP criteria which, as in the TIP, are based on the LRTP's goals and objectives. The following describes the MPO's current practice of scoring LRTP projects and the revised policy for scoring LRTP projects adopted at its October 1, 2020, MPO meeting.

Current Practices

Currently, projects that are listed in the LRTP are evaluated using a set of criteria that are based on the LRTP's goals and objectives. The LRTP criteria are not as detailed as the TIP criteria because projects in the LRTP may be in the conceptual phase or early in the design process. Generally, all projects that are in the first time band of the LRTP will be projects that have been programmed in the TIP and most have been evaluated with the more detailed TIP evaluation criteria.

In most cases, once a project that is listed in the later time bands of the LRTP is ready for construction, the project is assumed to automatically be programmed in the TIP because it already went through the LRTP process. The project may be rescored as part of the TIP process, but it is assumed that it will be programmed in the TIP regardless of its score.

Revised Scoring Policy for Projects Listed in the LRTP

The MPO adopted a new policy for scoring projects that are listed in the LRTP. The new policy states that all projects being considered for programming in the LRTP will continue to be evaluated on how well they address the MPO goals established in the LRTP. Using the same LRTP criteria, each project will be assigned an LRTP score regardless of its design status. Any project that has advanced to approximately the 25 percent design phase will also get a TIP score based on the more detailed TIP criteria. This will provide a comparable set of scores for all LRTP projects, plus extra TIP scores for those that have advanced in design. When the project has moved through the design process, more detailed information should be available, especially if it was a project that had been programmed in the outer time bands of the LRTP. A number of new factors may have arisen since programming in the LRTP:

- The cost may have increased since its inclusion in the LRTP. A second evaluation gives the MPO an opportunity to reevaluate the project in relation to a cost increase and the MPO's goals and objectives.

- When the project is ready for programming in the TIP, project proponents would have had the opportunity to address concerns received during the public input process for design of the project. It can also be assumed that from this point forward, the design will not be altered too dramatically.

The MPO made one motion regarding scoring the projects that are listed in the LRTP during the October 1, 2020, MPO meeting. The motion stated that all projects that are included in the LRTP will be rescored with TIP criteria once they are being considered for programming in the TIP. In addition, it will not be assumed that the project will automatically be programmed in the TIP because it had been listed in the LRTP. That vote passed.

4.2 Programming Projects Listed in the LRTP

The following provides background on MPO programming policies and the revised policy for programming projects in the LRTP. This new policy was adopted at the MPO's October 1, 2020, meeting.

Background

Staff recommended a new policy to the MPO specifying that projects that were listed in past LRTPs should be reviewed every time a new LRTP is developed. If projects have stalled or there is no movement, the MPO should consider placing the project in the Universe of Projects list for consideration in future LRTPs. This will stop the process of moving projects to later time bands if the project will not be ready in its currently programmed time band. This will allow availability of funding for new projects that may be seeking funding and that have been recommended in new planning studies or projects that are currently under design.

The final decision on whether a project is removed will be at the MPO's discretion. During the project selection process, staff will provide an update on projects in the Universe of Projects list, including the following information about each project:

- Impacts on the MPO's goals and objectives
- Design status
- Current cost estimate
- Municipality's commitment and actions completed
- Municipality's actions required and next steps
- Municipality's desired timeframe for programming the project in the LRTP
- MassDOT's commitment and actions completed
- MassDOT's actions required and next steps
- MassDOT's desired timeframe for the LRTP

Project proponents will be invited to the MPO meetings to share information and provide any updates on their projects.

Revised Programming Policy for Projects Listed in the LRTP

The MPO made one motion regarding programming projects that are listed in the LRTP during the October 1, 2020, MPO meeting. The motion was that the status of all projects that were included in the current LRTP will be reviewed to ensure the project is moving forward. If the MPO decides that there is no movement toward design and approval and if a schedule for implementation is not available, the project will be placed in the Universe of Projects for consideration in future LRTPs. That vote passed.

The Boston Region Metropolitan Planning Organization (MPO) operates its programs, services, and activities in compliance with federal nondiscrimination laws including Title VI of the Civil Rights Act of 1964 (Title VI), the Civil Rights Restoration Act of 1987, and related statutes and regulations. Title VI prohibits discrimination in federally assisted programs and requires that no person in the United States of America shall, on the grounds of race, color, or national origin (including limited English proficiency), be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives federal assistance. Related federal nondiscrimination laws administered by the Federal Highway Administration, Federal Transit Administration, or both, prohibit discrimination on the basis of age, sex, and disability. The Boston Region MPO considers these protected populations in its Title VI Programs, consistent with federal interpretation and administration. In addition, the Boston Region MPO provides meaningful access to its programs, services, and activities to individuals with limited English proficiency, in compliance with U.S. Department of Transportation policy and guidance on federal Executive Order 13166.

The Boston Region MPO also complies with the Massachusetts Public Accommodation Law, M.G.L. c 272 sections 92a, 98, 98a, which prohibits making any distinction, discrimination, or restriction in admission to, or treatment in a place of public accommodation based on race, color, religious creed, national origin, sex, sexual orientation, disability, or ancestry. Likewise, the Boston Region MPO complies with the Governor's Executive Order 526, section 4, which requires that all programs, activities, and services provided, performed, licensed, chartered, funded, regulated, or contracted for by the state shall be conducted without unlawful discrimination based on race, color, age, gender, ethnicity, sexual orientation, gender identity or expression, religion, creed, ancestry, national origin, disability, veteran's status (including Vietnam-era veterans), or background.

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Boston, MA 02116
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