



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Transportation and Public Facilities

OFFICE OF THE COMMISSIONER
Ryan Anderson, P.E., Commissioner

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Sandra Garcia-Aline

Division Administrator
Federal Highway Administration
1234 Main Street
Washington, D.C. 20001

Susan Fletcher

Regional Administrator
Federal Transit Administration
5678 Transit Avenue
Washington, D.C. 20002

Ms. Garcia-Aline and Ms. Fletcher,

As part of the 2024-2027 Alaska State Transportation Improvement Program (STIP) planning findings partial approval, you indicated that the Alaska Department of Transportation and Public Facilities (DOT&PF) actions in developing the 2024-2027 STIP were inconsistent with the definitions of continuing, cooperative, and comprehensive planning. A corrective action was issued under the Tier 2 updated conditions for STIP Amendment approval, requiring documented processes and procedures to ensure cooperative and comprehensive planning processes meet the requirements of 23 CFR 450.208.

Please find enclosed DOT&PF's response to the Federal planning finding Tier 2, 1a corrective action, documenting our processes and procedures to ensure cooperative and comprehensive planning processes meet the requirements of 23 CFR 450.208. This document has been reviewed by all three Metropolitan Planning Organizations staff and will be included to the agendas of the respective technical and policy committees this month. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Anderson".

Ryan Anderson,
Commissioner

Attachments: As stated

Cc:

Katherine Keith, Deputy Commissioner, Alaska DOT&PF

Dom Pannone, Director, Alaska DOT&PF

James Starzec, MPO Coordinator, Alaska DOT&PF

Randi Bailey, MPO Coordinator, Alaska DOT&PF

Adam Bradway, MPO Coordinator, Alaska DOT&PF

Federal Planning Finding Tier 2, 1a Corrective Action

The DOT&PF must develop and implement processes and procedures for a continuing, cooperative, and comprehensive planning process that meets the requirements of 23 CFR 450.208. These documented procedures should also include the DOT&PF's role and responsibility for oversight of MPOs, and procedures for air quality conformity, Unified Planning Work Program development, MPO Certifications, STIP development, and other joint planning processes.

DOT&PF Response

To ensure DOT&PF meets the requirements of 23 CFR 450.208 as it relates to continuing, cooperative, and comprehensive planning with the State's Metropolitan Planning Organizations (MPOs), the following procedures have been developed. The actions described for each planning process are based in the guidance provided by federal and state regulations which are noted throughout. At a minimum, these corrective measures will be reviewed and revised based on annual input and discussion during the 3rd Quarterly MPO Coordination meeting of the year. DOT&PF will rely on input from the MPO Executive Directors but will also seek input and concurrence from the MPO technical advisory committees and policy boards. The intent is to incorporate these corrective measures into the DOT&PF Planning Manual.

For the purposes of this corrective action the MPO is the Policy Board of an organization created and designated to carry out the metropolitan transportation planning process through their respective operating agreements. Coordination with the MPO will involve MPO staff, the Technical Advisory Committees, and the Policy Boards.

To ensure effective structure and implementation of the continuing, cooperative, and comprehensive process it has been suggested that a calendar/timeline be developed to ensure that all parties have the necessary time to accomplish their obligations. All public comment periods must consider the MPO cycle of technical advisory committee and policy board meeting notices and agenda requests. The intent is to coordinate with the MPO Executive Directors and staff on calendar needs and to define this more clearly in the DOT&PF Planning Manual through narrative and visual (ex. Flowcharts).

MPO Oversight

- For each MPO in Alaska, a formal Operating Agreement as required by 23 CFR 450.314(a) exists that serves to provide the structure and process for continuing, cooperative, and comprehensive development and implementation of transportation plans and programs within the metropolitan planning areas. In accordance with 23 CFR 450.314(b), operating agreements are created by the individual MPOs and are approved by the MPO, State and providers of public transportation. They may be amended or updated through the processes outlined in CFRs or operating agreements as necessary. All existing MPO operating agreements provide DOT&PF with membership on their Policy and Technical Committees. DOT&PF also has representation on advisory committees in each MPO. These structures ensure that DOT&PF policies are considered through the 3C process and implemented in an integrated fashion within the MPOs, and a feedback mechanism exists in perpetuity. Within these operating agreements, statements of cooperation and assistance between the MPOs and DOT&PF are made throughout as they relate to the development of planning documents. The procedures through which this collaboration occurs are described in the following sections.
- The future DOT&PF Planning Manual will define additional DOT&PF roles and responsibilities that aren't specifically called out in the formal MPO Operating Agreements, Memorandums of Understanding, or by-laws, but that are necessary to implement the process for continuing,

cooperative, and comprehensive development and implementation of transportation plans and programs within the metropolitan planning areas.

Funding and Financial Information

- DOT&PF will schedule an annual funds management meeting with Departmental fiscal and programming decisionmakers to provide the MPOs with available funding for programs they plan for/ manage. DOT&PF will coordinate with the MPO executive directors to schedule this meeting.
- DOT&PF will schedule quarterly status update meetings to coordinate project/program development and funding needs, address current and anticipated revenue and expenditures, and inform the planning and programming of the STIP, PDP, and MPO TIPs.

MPO TMA Certification

- Transportation Management Area (TMA) certification reviews occur between the MPO and FHWA/FTA.
- The DOT&PF participates via Technical Committee (TC) and Policy Board (PB) committees, actively participating in the field review process, attending the certification meeting, and assisting with corrective actions and development of a plan of action.

MPO Self-Certification

- The MPO self-certification is done via the TIP submission and is addressed in the operating agreements. The DOT&PF is responsible for signing the self-certification after ensuring the requirements are met.

MPO Air Quality Conformity

- Two of Alaska's MPOs operate under Limited Maintenance Plans related to Alaska's Statewide Implementation Plan (SIP). This requires the MPOs to confirm the continued eligibility of their Limited Maintenance Area status and affirm that Transportation Control Measures required by the Alaska SIP continue to be implemented with each version of their TIP. To do so, with each TIP submission, MPOs include an air quality conformity report to establish a regional air quality conformity demonstration (if necessary). This air quality conformity demonstration follows methodologies approved by the MPO's Interagency Consultation Team (ICT). The ICTs consist of several agencies from the state and federal level, including DOT&PF. The DOT&PF's involvement in ICTs and conformity demonstrations is an example of the cooperative process agreed to in the MPO operating agreements.
- One MPO operates under the Serious Non-Attainment Area designation related to the SIP. In addition to the requirements under Limited Maintenance Plans, the MPO must engage in project level conformity determinations through the ICT. The DOT&PF participates in the ICT process similar to the Limited Maintenance Plans. DOT&PF typically assists with travel demand modeling in support of air quality modeling.

MPO Metropolitan Transportation Plan, TIP, and Unified Planning Work Program

- MPOs develop and manage the Metropolitan Transportation Plans (MTP), Transportation Improvement Program (TIP), and Unified Planning Work Program (UPWP) documents for their boundaries. DOT&PF supports development of these work products as described in each MPO's operating agreement or other MOUs, including development of project lists, providing financial data to ensure fiscal constraint, assisting in the application of scoring criteria, and other actions

requested by the MPOs. These operating agreements incorporate development requirements outlined in 23 CFR 450.324 & 450.326.

- Through the actions prescribed in the operating agreements, other MOUs, and membership in MPO committees, DOT&PF ensures that MPOs receive continuous support in creating and maintaining these fundamental documents.
- DOT&PF's role in the approval of MTPs, TIPs, and UPWPs is described in the operating agreements and/or other MPO MOUs.
 - MPOs submit MTPs directly to FHWA and FTA for approval. DOT&PF participates in the MTP development through the Technical and Policy Committees.
 - UPWP documents are routed through DOT&PF to FHWA and FTA per the state's responsibility under 23 USC § 104(d). UPWPs are concurrently approved by the MPO, FHWA, and FTA.
 - The following section describes DOT&PF's procedures for TIP and amendment approvals, annotated with the appropriate regulations.
 - Per 23 CFR 450.328(b): "After approval by the MPO and the Governor, the State shall include the TIP without change, directly or by reference, in the STIP..." The State is responsible for ensuring the sufficiency of the technical processes that MPOs utilize to execute the TIP revision elements described in 23 CFR 450.328(a). These elements are:
 - A conformity determination for a TIP amendment including any non-exempt projects, or for a replacement TIP (if necessary) has been made by the MPO and the FHWA and FTA,
 - Fiscal constraint within the TIP has been sufficiently demonstrated, and,
 - In developing and revising the TIP, the MPO has used public participation procedures consistent with 23 CFR 450.316(a).
 - When DOT&PF confirms that the three criteria have been met, the TIP will be forwarded to the Governor or their designee with a recommendation to approve the TIP. DOT&PF will then inform the MPO of this action in writing. If any issues are found, or further information is needed to verify the TIP's adherence to federal regulations, DOT&PF will contact the MPO in writing for clarification. In either case, DOT&PF will formally respond to the MPO within a reasonable time (not to exceed 30 days/one month). In the event the Governor cannot approve an MPO's TIP, a letter outlining the cause for this non-approval will be sent to the MPO to provide the MPO with direction to achieve approval.

Performance Measures & Target Setting

- DOT&PF is committed to supporting MPO performance-based approaches to planning as required in 23 CFR 450.306(d). At this time, DOT&PF and MPO coordination is documented in a Memorandum of Understanding for two of Alaska's MPOs.
 - Coordination between DOT&PF and the MPOs begins when DOT&PF initiates an internal process of setting statewide performance targets as required in 23 CFR 490.105.
 - Initial consultation meetings are held that include the MPOs, FHWA (and FTA when applicable), and other interested parties. During these meetings, DOT&PF provides an overview of the federal requirements, associated data, external factors, policy implications, and other critical information to inform the process. DOT&PF facilitates a discussion as to what appropriate targets would be and memorializes the process in notes, which are later distributed to all parties.

- A second meeting is held to finalize the targets.
- After approval by the DOT&PF Commissioner, the performance measures are submitted to the MPOs for their consideration of inclusion in their planning documents as described in 23 CFR 450.306(d)(2) & (d)(4). MPOs may also chose to draft and implement their own targets, if desired.

STIP Development and Amendment(s)

The following section describes the DOT&PF's STIP Development process and the DOT&PF's procedures to satisfy the requirements for MPO cooperation as described in 23 CFR 450.218. This section will also describe DOT&PF's process for addressing amendments to the STIP.

- **Data Collection and Initial Planning**
 - DOT&PF will establish criteria for prioritizing projects as needed. Project prioritization criteria development will be coordinated with the MPOs to ensure consistency with their project prioritization criteria.
 - DOT&PF will solicit nominations of projects for inclusion into the STIP from MPOs in accordance with the direction given in 17 AAC 05.160. MPOs will be given 30 days to submit nominations and any comments regarding evaluation criteria.
 - DOT&PF will provide the MPOs with a prioritized list of DOT&PF projects within the MPO boundary according to a mutually agreed-upon schedule. DOT&PF projects using federal funds within the MPO boundary should be consistent with the list provided in the approved Metropolitan Transportation Plan (MTP).
 - Prior to the development of a STIP or amendment, DOT&PF will coordinate with the MPO to collect and review necessary changes that will need to be incorporated into the STIP. The schedule for this meeting will account for the timelines and review/approval process necessary in each individual MPO.
 - DOT&PF will evaluate project proposals for alignment with statewide transportation goals, consistency with the MTP and other guiding plans and planning priorities, and federal and state strategic objectives.
- **Project Prioritization and Selection**

Project prioritization within the MPO boundary will be done collaboratively with the MPO during the development of the MTP. During the development of a STIP (or STIP amendment) coordination may be a need to introduce projects that have not been previously included in the MTP. DOT&PF will start the project prioritization and selection process by providing a list of prioritized projects to the MPO to ensure consistency with the MTP. Specific steps are outlined below:

 - DOT&PF provides list of projects within the MPO boundary for consideration for incorporation into the MTP.
 - Projects are prioritized through a collaborative process involving DOT&PF, MPOs, and other stakeholders. DOT&PF and the MPO Executive Directors will collaboratively review the prioritization criteria prior to scoring and ranking projects. Any updates or modifications to the prioritization criteria will be analyzed and approved by the MPOs prior to scoring and ranking projects.
 - For DOT&PF project prioritization scoring and ranking of projects within programs that require the use of a Project Evaluation Board (PEB) (e.g. State of Good Repair, Community Transportation Program, etc.) the MPO will be invited to participate when applicable and will be given notice per 17 AAC 05.175(k).
 - Results of a PEB will be provided to the MPO for informational and coordination purposes.

- *Financial Plan Development*
 DOT&PF is committed to working with the MPOs when it comes to developing financial and fiscally constrained plans. The review process will include considerations discussion and action by the MPO.
 - In coordination with the MPOs, DOT&PFs will develop a comprehensive financial plan that details funding sources, projections, and allocations for the prioritized projects over the period of the STIP.
 - To ensure fiscal constraint DOT&PF will provide the MPOs with anticipated revenue forecasts (see below) prior the development of a STIP or TIP.
 - DOT&PF will coordinate with the MPO in review of the TIP to ensure that it is fiscally constrained and consistent with the financial plan.

- *STIP Development*
 DOT&PF sponsored projects within the MPO boundary are to be included in the TIP. Ensuring consistency with the MTP should be done earlier under the “project prioritization and selection” section to ensure timelines can be met. DOT&PF will coordinate with the MPOs to schedule actions listed below as necessary.
 - DOT&PF will compile all prioritized projects along with their funding and scheduling details into a single document.
 - Project lists within the MPO boundary will be evaluated for consistency with the MTP and TIP. MPOs will be provided with a list of projects to be included in the TIP. Consideration for discussion and action by the MPO needs to be built into the review process.
 - DOT&PF will include all necessary funding details, scopes, schedules, and Year of Expenditure (YOE) total project cost estimates.
 - DOT&PF will consult with the MPOs to ensure coordination regarding the STIP prior to the release of the document for public and interagency review. Consideration for discussion and action by the MPO needs to be built into the review process.

- *Interagency and Public Review*
 - DOT&PF will coordinate the timing of the 45-day public comment period with the MPOs to ensure sufficient time to circulate the draft STIP among federal, state, and local agencies for technical review.
 - MPOs will be notified of all public meetings soliciting comments on the STIP as described in 17 AAC 05.160(e)&(g).
 - DOT&PF will present the draft STIP to the MPO with consideration for discussion and action by the MPO in the review process.
 - DOT&PF will conduct public outreach sessions, workshops, and leverage online engagement platforms to solicit feedback from community members, stakeholders, and interest groups.

- *Incorporation of Feedback and Revisions*
 - DOT&PF will analyze feedback received during the review period to identify necessary changes or adjustments to projects and programs in the STIP.
 - DOT&PF will coordinate with the MPO on feedback received on projects within the MPO boundary.
 - DOT&PF will revise the draft STIP accordingly, addressing concerns raised and improving the plan's alignment with community and stakeholder expectations.

- The final STIP will be presented to the MPOs, detailing relevant comment adjudications and changes from the original draft.
- Final Approval and Adoption
 - The DOT&PF Commissioner on behalf of the Governor of Alaska will:
 - Submit the revised STIP for approval by FHWA and FTA.
 - Upon receiving all necessary approvals, formally adopt the STIP and announce its adoption through official channels.
 - Within 10 days of USDOT approval of a final STIP, MPOs will be given notice of its adoption per 17 AAC 05.180(b).

STIP Amendment(s) and Modification(s)

- DOT&PF will regularly review the STIP to assess the need for amendments or modifications due to changes in project scopes, funding levels, or unforeseen circumstances.
- DOT&PF and the MPOs will coordinate regarding changes to the TIP that may require a STIP amendment.
- DOT&PF will follow the approved amendment and administrative modification process, including public and interagency review, for any significant changes to the projects listed in the STIP. Consideration for discussion and action by the MPO needs to be built into the review process.
 - Notification of MPOs regarding the amendment of the State’s STIP will occur as directed in 17 AAC 05.195(d). In the notice, DOT&PF will describe the amendment and the impact of the amendment upon the STIP, will solicit comments regarding the amendment, and will provide for a comment period on the proposed amendment of the STIP of not less than 30 days after the publication of the notice.
 - Within five days of USDOT approval of a STIP amendment, MPOs will be given notice of its adoption per 17 AAC 05.195(e).

Other Joint Planning Efforts (e.g. LRTP)

- Planning efforts within the MPO boundary or with potential impacts to the MPO will be coordinated with the MPOs.
- The actions delineated below serve as DOT&PF’s procedure for MPO coordination as described in 23 CFR 450.216.
 - Before substantial efforts to update joint planning elements such as the LRTP occur, MPOs will receive a formal notice of DOT&PF’s intent to update the plan as required under 17 AAC 05.135(a)(2) that includes an invitation to participate in a public review group as described in 17 AAC 05.140. This notice will include a request and provide a means for feedback in accordance with 17 AAC 05.135(c)(2). Consideration will be given to MPOs to participate as a team member in the planning effort.
 - MPOs will be notified of all public meetings soliciting comments on the plan as described in 17 AAC 05.140(d) and 17 AAC 05.145(b).
 - To meet the requirements of 17 AAC 05.145, MPOs will receive a notice of the public comment period along with a means to access the draft plan three days before the beginning of the 45-day public review and comment period.
 - Once the plan is officially adopted by the DOT&PF Commissioner, MPOs will receive a notice of the action within 15 days per 17 AAC 05.150(b).
 - All notifications described in this section will be instigated by the plan update project manager and routed through the appropriate DOT&PF MPO Coordinator.