

Federal Highway Administration

And

Federal Transit Administration

Joint Certification Review

Of the

Mecklenburg-Union Metropolitan Planning Organization

January 7, 2004

Table of Contents

GLOSSARY OF ACRONYMS	III
FORWARD	IV
EXECUTIVE SUMMARY	V
INTRODUCTION	1
FEDERAL REVIEW TEAM MEMBERS AND PARTICIPANTS	2
MUMPO BACKGROUND	2
FOLLOW-UP FROM PREVIOUS PLANNING PROCESS CERTIFICATION REVIEW	3
<i>Previous Corrective Actions</i>	3
<i>Previous Recommendations</i>	4
CURRENT CERTIFICATION REVIEW	6
MPO/NCDOT COORDINATION	6
MPO PRODUCTS – UPWP/LRTP/MTIP/STIP	7
<i>Unified Planning Work Program (UPWP)</i>	7
<i>Long-Range Transportation Plan (LRTP) and Transportation Improvement Program (TIP)</i>	8
REGIONAL TRAVEL DEMAND MODELING (RTDM) AND LAND USE PLANNING	10
AIR QUALITY PLANNING	11
ENVIRONMENTAL JUSTICE AND PUBLIC INVOLVEMENT	12
<i>Environmental Justice</i>	12
<i>Public Involvement</i>	14
TRANSIT PLANNING	14
CONGESTION MANAGEMENT AND ITS PLANNING	15
MUMPO NEEDS	17
PUBLIC INVOLVEMENT MEETING/COMMENTS	18
NOTEWORTHY PRACTICES	18
RECOMMENDATIONS	19
CORRECTIVE ACTION	20
CERTIFICATION	20

Glossary of Acronyms

ADA –	Americans with Disabilities Act
ARC –	Atlanta Regional Commission
AVL –	Automated Vehicle Locators
CATS-	Charlotte Area Transit System
CDOT-	Charlotte Department of Transportation
CMACPD-	Charlotte Mecklenburg Advisory Council for People with Disabilities
CMPC-	Charlotte Mecklenburg Planning Commission
CFR-	Code of Federal Regulations
CMS –	Congestion Management System
CMAQ –	Congestion Mitigation and Air Quality
CRMPO-	Cabarrus-Rowan Metropolitan Planning Organization
CRAFT-	Charlotte Regional Alliance For Transportation
EJ –	Environmental Justice
EPA -	Environmental Protection Agency
FHWA -	Federal Highway Administration
FRA-	Federal Rail Administration
FTA -	Federal Transit Administration
ITS –	Intelligent Transportation System
LPA-	Lead Planning Agency
LRTP –	Long Range Transportation Plan
MIS-	Major Investment Study
MOA –	Memorandum of Agreement
MPO –	Metropolitan Planning Organization
MTC-	Metropolitan Transit Commission
MUMPO-	Mecklenburg-Union Metropolitan Planning Organization
NCAMPO-	North Carolina Association of Metropolitan Planning Organizations
NCDENR-	North Carolina Department of Environment and Natural Resources
NCDOT-	North Carolina Department of Transportation
NHI-	National Highway Institute
NTI –	National Transit Institute
PL –	Planning Funds
PIP –	Public Involvement Policy
RFATS-	Rock Hill-Fort Mill Area Transportation System Planning Area
RTDM-	Regional Travel Demand Model
SAFETEA-	Safe, Accountable, Flexible, and Efficient Transportation Equity Act for 2003
SCDOT -	South Carolina Department of Transportation
SIP-	State Implementation Plan
STP-DA-	Surface Transportation Program – Direct Apportionment
TCC –	Technical Coordinating Committee
TEA-21 –	Transportation Equity Act for the 21 st Century
TIP –	Transportation Improvement Program
TMA -	Transportation Management Area
UPWP –	Unified Planning Work Program
UZA-	Urbanized Area

FORWARD

Transportation Management Area (TMA) Certification Review Reports

Pursuant to 23 U.S.C. 134(i)(5) and 49 U.S.C. 1607, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) must jointly certify the metropolitan transportation planning process in Transportation Management Areas (TMA) at least every three years. A TMA is an urbanized area, as defined by the U.S. Census Bureau, with a population of over 200,000. There are 153 TMAs in the U.S., based on the 2000 Census. In general, certification reviews consist of three primary activities: a site visit, review of planning products (in advance of and during the site visit), and preparation of a report that summarizes the review and offers findings. The reviews focus on compliance with federal regulations, challenges, successes, and experiences of the cooperative relationship between the Metropolitan Planning Organization (MPO), State Department of Transportation (DOT) and transit operators in the conduct of the metropolitan planning process. Joint FHWA/FTA certification review guidelines provide agency field reviewers with latitude and flexibility to tailor the review to reflect local issues and needs. As a consequence, the scope and depth of the certification review reports will vary significantly.

The certification review process is only one of several methods used to assess the quality of a local metropolitan planning process, compliance with applicable statutes and regulations, and the level and type of technical assistance needed to enhance the effectiveness of the planning process. Other activities provide opportunities for this type of review and comment, including the Unified Planning Work Program, the multi-modal long-range transportation plan, the Metropolitan and Statewide Transportation Improvement Programs, air quality conformity determinations (in non-attainment and maintenance areas), as well as a range of other formal and less formal contact provide both FHWA/FTA an opportunity to comment on the planning process. The results of these other processes are considered in the certification review process.

While the Planning Certification Review report itself may not fully document those many intermediate and ongoing checkpoints, the “findings” of certification review, in fact, is based upon the cumulative findings of the entire review effort.

The review process is individually tailored to focus on topics of significance in each metropolitan planning area. Federal reviewers prepare certification reports to document the results of the review process. The reports and final actions are the joint responsibility of the appropriate FHWA and FTA field offices and content will vary to reflect the planning process reviewed, whether or not they relate explicitly to the formal “findings” of the review.

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

Executive Summary
For The Certification Review Of The Mecklenburg-Union Transportation
Management Area

Pursuant to 23 U.S.C. 134(i)(5) and 49 U.S.C. 1607, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) must jointly certify the metropolitan transportation planning process in Transportation Management Areas at least every three years. In general, certification reviews consist of three primary activities: a site visit, review of planning products (in advance of and during the site visit), and preparation of a report that summarizes the review and offers findings. The Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA)-Region 4, conducted a joint certification review of the Mecklenburg-Union Metropolitan Planning Organizations (MUMPO) planning process on September 9 -11, 2003.

The Federal Highway Administration North Carolina Division, and the Federal Transit Administration-Region 4 conducted the review. Other participants in the review consisted of representatives from the Environmental Protection Agency (EPA) – Region 4, Mecklenburg-Union MPO, the Charlotte Department of Transportation (CDOT), the Charlotte-Mecklenburg Planning Commission (CMPC), the North Carolina Department of Transportation (NCDOT), Charlotte Area Transit System (CATS), and the Town of Huntersville.

Observed during the review were several noteworthy practices, recommendations for improving the Mecklenburg-Union Metropolitan Planning Organization planning process, and one corrective action. Noteworthy practices include areas where the MPO is doing well. Recommendations are areas where the review team suggests ways to improve the planning process. Corrective actions are areas where the review team believes the MPO has not done enough to implement a particular planning requirement.

Noteworthy Practices

MUMPO has a transportation planning process that adequately addresses local and regional transportation issues facing the area. The review team identified the following significant positive efforts:

1. Anna Brigman, the Regional Travel Demand Model (RTDM) project manager, has done an excellent job of coordinating the staffs, hiring and supervising consultants, negotiating for funding with the adjoining Metropolitan Planning Organizations (MPOs), Rural Planning Organizations (RPOs) and states, and keeping all the partners continually informed.
2. The other regional partners, Cabarrus Rowan MPO (CRMPO), Rock Hill Fort Mill Area Transportation Study (RFATS), North Carolina Department of Transportation (NCDOT) and South Carolina Department of Transportation (SCDOT) are all commended for their

- cooperative efforts, hard work and their continued support for the development of the model.
3. The level of coordination that has occurred in the development of the RTDM and collection of data thus far.
 4. The MUMPO staff developed a priority ranking system for project selection that is supported by the MPO board.
 5. The planning process is open and includes the adjoining MPOs and RPOs.
 6. MUMPO is working with the adjoining MPOs and RPOs to do regional transportation planning.
 7. MUMPO identified and mapped low-income and minority populations and uses the information when evaluating project impacts and for public involvement.
 8. MUMPO and CATS staffs and boards have done an excellent job of getting the five Major Investment Studies (MIS) completed.
 9. CATS developed separate and effective public involvement plans for each of the MIS studies. This allowed them to better tailor public involvement to meet the needs of the community.

Recommendations

1. MUMPO should evaluate the effectiveness of the Unified Planning Work Program (UPWP), the Congestion Management System (CMS) plan, and the financial plan.
2. MUMPO is encouraged to develop a continuity of operations plan.
3. MUMPO should examine ways to get the freight industry more involved in the transportation planning process.
4. MUMPO is encouraged to contact the Atlanta Regional Commission (ARC) to discuss how ARC involved the freight industry in their planning process.
5. MUMPO is encouraged to work with CATS as needed to help develop cost benefit software to use in the new RTDM.
6. MUMPO should continue the outstanding project management efforts for the development of the LRTP and the RTDM.
7. MUMPO is encouraged to continue to work with the RTDM partners to complete the LRTP and RTDM prior to April 15, 2005.
8. MUMPO is encouraged to begin the interagency consultation process as soon as possible.
9. MUMPO is encouraged to address Executive Order 12898 Environmental Justice in all aspects of the planning process.
10. MUMPO should participate in environmental justice and public involvement training.
11. MUMPO is encouraged to continue to work with new proposed air quality areas on the conformity process.
12. MUMPO is encouraged to rely on and use the federal partners as a resource throughout the conformity process to help avoid delays.

Corrective Action

MUMPO needs to evaluate the effectiveness of its public involvement plan and it should also address how low-income and minority populations are included in the planning process.

Certification

The Mecklenburg-Union Metropolitan Planning Organization must complete an evaluation of the public involvement process including Environmental Justice by the next LRTP update, April 15, 2005. This certification is valid for three years from the date of this report, pending corrective action.

FEDERAL HIGHWAY ADMINISTRATION (FHWA)/FEDERAL TRANSIT ADMINISTRATION (FTA) JOINT CERTIFICATION REVIEW OF THE MECKLENBURG-UNION METROPOLITAN PLANNING ORGANIZATION (MUMPO)

September 9-11, 2003

Introduction

Between September 9 -11, 2003, the North Carolina Division Office of the Federal Highway Administration (FHWA), and the Region 4 Office of the Federal Transit Administration (FTA), conducted a joint certification review of the Mecklenburg-Union Metropolitan Planning Organizations (MUMPO) planning process. The review was conducted in accordance with 23 CFR 450 and 49 CFR 613 which requires FHWA and FTA to jointly review and assess the transportation planning process for all transportation management areas (TMAs) at least once every three years. A transportation management area is defined as an urbanized area with a population of more than 200,000 as defined by the latest decennial census. The last certification review conducted for this area occurred in October 2000.

The purpose of the review is to assess the extent of compliance with the planning requirements, to recognize noteworthy practices, to identify problem areas, and to provide advice and assistance as appropriate. The review consisted of a series of discussions on transportation planning issues with State and local transportation officials directly involved in highway and transit planning activities of the Metropolitan Planning Organization (MPO). In addition, the MUMPO scheduled a meeting to provide the public an opportunity to offer comments on the MUMPO transportation planning process. This meeting was held at 6:00 PM on September 9, 2003. Both the review and the public meeting were held at the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street. This report contains the findings and recommendations of the review team.

In preparation for the review, the MUMPO staff assembled and distributed to review team members, packets of information which included an agenda, Unified Planning Work Program (UPWP), Prospectus, Public Involvement Policy, Memorandum of Understanding and MPO Bylaws, MPO Organization Chart, Transportation Improvement Program, Conformity Analysis and Determination Report, 2025 Long Range Transportation Plan (LRTP), and 2025 Integrated Transit Land Use Plan. The agenda is attached as Appendix A.

Federal Review Team Members and Participants

The Federal Review Team consisted of the following individuals:

Ms. Loretta Barren, Federal Highway Administration, North Carolina Division
Mr. Eddie Dancausse, Federal Highway Administration, North Carolina Division
Ms. Lynise DeVance, Federal Highway Administration, North Carolina Division
Ms. Charlotte Kendrick-Leblanc, Federal Highway Administration, @ NCDOT
Mr. Bill Marley, Federal Highway Administration, North Carolina Division
Mr. Alex McNeil, Federal Transit Administration, Region 4
Ms. Kelly Sheckler, Environmental Protection Agency, Region 4
Ms. Katie Snipes, Federal Highway Administration, North Carolina Division
Mr. Marcus Wilner, Federal Highway Administration, North Carolina Division

Other participants in the Review consisted of staff from the Mecklenburg-Union MPO, the Charlotte Department of Transportation (CDOT), the Charlotte-Mecklenburg Planning Commission (CMPC), the North Carolina Department of Transportation (NCDOT), Charlotte Area Transit System (CATS), and the Town of Huntersville as listed below:

Terry Arellano, NCDOT
Anna Brigman, CDOT
Vida Covington, CATS
Bill Coxe, MUMPO and the Town of Huntersville
Bill Finger, CDOT
Jack Flaherty, NCDOT
Tim Gibbs, CATS
Jim Humphrey, CDOT
David McDonald, CDOT
Barry Mosley, CMPC/MUMPO
John Muth, CATS
Danny Rogers, CMPC/MUMPO
Norm Steinman, CDOT

MUMPO Background

The MUMPO includes the following member jurisdictions with the following number of votes (in parentheses): the City of Charlotte (9), Mecklenburg County (3), Union County (1), Town of Cornelius (1), Town of Davidson, (1), Town of Huntersville (1), Town of Indian Trail (1), Town of Matthews (1), Town of Mint Hill (1), Town of Pineville (1), Town of Stallings (1), Town of Weddington (1) and a member of the North Carolina Board of Transportation (1). The City of Charlotte serves as the Lead Planning Agency (LPA). The MUMPO has a Technical

Coordinating Committee (TCC) that consists of transportation professionals from the member agencies and the Charlotte-Douglas International Airport. The TCC reviews materials and forwards recommendations to the MUMPO for action.

Follow-up From Previous Planning Process Certification Review

As a result of the previous Review conducted in October 2000, the review team addressed the two Corrective Actions and six recommendations. Each of these is listed below with a finding and discussion of follow-up action.

Previous Corrective Actions

Operating and maintenance costs for the existing system plus planned facilities in the urbanized area need to be identified in the transportation plan for its entire forecast period including all projects using Federal funds.

Since the last certification review the MUMPO adopted its 2025 LRTP. The LRTP includes the Capital and Operating Program for the Charlotte Area Transit System (CATS) and the Highway Operating and Maintenance Program. Both programs reflect the needs of the entire planning area for the length of the LRTP, 2025. The Transit Consolidated Capital and Operating Program identified costs on an annual basis. The Highway Operations and Maintenance Plan identifies a per mile cost by location (towns & counties), a per mile cost based on facility type and a cost based on horizon year. The MUMPO believes that by including these figures in the plan they were better able to identify the future funding needed to maintain the existing infrastructure.

Finding: This corrective action has been satisfactorily addressed.

Previous Corrective Actions

The MPO needs to evaluate the effectiveness of its public involvement process consistent with 23 CFR 450.316 (b)(ix).

The current public involvement process for the MUMPO has been in effect since 1994. The MUMPO believes they have a very effective process. The staff relies on citizen attendance at project level public meetings, MPO meetings and comments forwarded to elected officials to help determine whether or not the process is meeting the needs of the public. Comments are solicited regarding specific projects, but not on the public involvement process. The MUMPO has not conducted a formal review of the effectiveness of the public involvement process. The evaluation of the public involvement process has been a corrective action since the 1997 Certification Review. The 2000 Certification Review suggested that the public involvement process be revised to more specifically

incorporate Title VI/Environmental Justice considerations and provisions for the elderly and disabled. The Review team does not believe the MUMPO has satisfactorily addressed this corrective action. Therefore, the MUMPO still needs to evaluate the effectiveness of its public involvement process, and ensure that Title VI/Environmental Justice considerations are an integral part of their public involvement process. The specific procedures to evaluate the effectiveness of the process should be documented as part of MUMPO's officially adopted public involvement process. In addition, the results of the evaluation itself should be documented in a report. If the MUMPO makes changes to its public involvement process as a result of an evaluation, or if the evaluation demonstrates that the process is effective, this should also be documented. The federal regulations require that the public involvement process be periodically reviewed by the MPO in terms of its ability to ensure that the process provides full and open access to all.

Finding: This previous corrective action has not been satisfactorily addressed and will remain a corrective action.

Current Corrective Action

The MPO needs to evaluate the effectiveness of its public involvement process consistent with 23 CFR 450.316 (b)(ix) and address Executive Order 12898 Environmental Justice in the public involvement process.

Previous Recommendations

The MPO should document congestion management system (CMS) activities in the Long Range Transportation Plan (LRTP), and is encouraged to pursue funding and improvements to its listed congested intersections.

The MUMPO identified congested roadway locations and needed improvements in the 2025 LRTP. Due to limited funding at the state level, the City of Charlotte funds congested intersection improvements within the City of Charlotte with local funds. The remaining areas in the MUMPO planning area rely on the NCDOT to allocate funding to address their most congested locations. In 2002, the MUMPO developed, and prioritized a list of immediate needs to improve safety and congestion in the area. The NCDOT then allocated approximately \$8.5 million towards improving those congested locations within the MUMPO planning area, mostly, outside of the City of Charlotte.

Finding: This recommendation has been satisfactorily addressed.

Previous Recommendations

The MPO is encouraged to continue efforts to develop a regional transportation model.

The MUMPO started the development of a new regional travel demand model (RTDM) in 2001. The RTDM area includes in whole or in part eleven counties and two states. A Memorandum of Agreement (MOA) is in place that governs the process and the roles of the four MPOs, the RPO, the NCDOT and the SCDOT. The model should be completed in 2004 and used in the LRTP update due April 15, 2005. The process thus far has cost more than a million dollars.

Finding: The MUMPO has put forth a tremendous amount of time and effort to coordinate the development of the RTDM and MUMPO's efforts have satisfactorily addressed this recommendation.

Previous Recommendations

The MPO is encouraged to continue to identify and implement mechanisms to involve freight interests in the transportation planning process.

The MUMPO believes that most of the concerns of the freight industry are more regional and statewide than at the local, MPO level. They have had attendance from the freight community at approximately two MPO meetings. The MUMPO believes that the freight industry only participates when there is a direct freight issue on the agenda. The MUMPO staff has attended one FHWA sponsored freight workshop and one State sponsored workshop. The MUMPO has not done any additional planning to involve the freight industry in the planning process.

Finding: The review team does not believe that this recommendation has been satisfactorily addressed.

1. Current Recommendation: MUMPO should examine ways to involve the freight industry in the transportation planning process.

Previous Recommendations

The MPO is encouraged to seek out opportunities for Environmental Justice training, and to evaluate its environmental justice policy for effectiveness and outcome.

MUMPO mapped minority and low-income population areas based on 2000 Census data and linked those populations to proposed transportation corridors. The LRTP includes the criteria the MUMPO uses to rank and select projects for funding. The criterion includes a ranking for positive or negative impacts with regard to minority and low-income neighborhoods. MUMPO has not taken any training classes on how to address Environmental Justice issues.

Finding: The Review team does not believe this recommendation has been satisfactorily addressed.

2. Current Recommendation: MUMPO should participate in environmental justice and public involvement training.

Previous Recommendations

The MPO is encouraged to obtain early input from the Federal Railroad Administration (FRA) and NCDOT Rail Division on the four transit corridors.

The MUMPO included both the FRA and the NCDOT Rail Division in the planning and development of the four MIS for the rail transit corridors in the City of Charlotte. The Charlotte Area Transit System (CATS) believed that both agencies provided input and guidance that helped advance the Major Investment Study processes.

Finding: This recommendation has been satisfactorily addressed.

Previous Recommendation

The MPO is encouraged to evaluate its ozone outreach program to evaluate effectiveness in educating the public, and to measure and note any changes in public behavior as a result of the education.

The MUMPO stated that the Ozone Public Outreach programs in the MUMPO planning area are not their direct responsibility. The public outreach programs for air quality are managed by the North Carolina Department of Environment and Natural Resources (NCDENR) or the Mecklenburg County Environmental Health Department. The MUMPO does work with both agencies to help address air quality issues, especially as they relate to the transportation planning process.

Finding: The review team decided that no additional work was needed by the MPO to address this recommendation.

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Current Certification Review

MPO/NCDOT Coordination

The MUMPO stated that they believe the level of coordination and participation on the part of the NCDOT has greatly improved. The MUMPO is more fully involved in the development of the Transportation Improvement Program, and the rail corridor studies. The development of the RTDM and transportation planning processes has been very cooperative. In 2002, the NCDOT created the "Moving Ahead" program, an initiative to fund safety and bridge projects that could be implemented within two years. The MUMPOs list of candidate projects for Moving Ahead was accepted and funded as submitted.

The MUMPO also appreciates being involved in the Merger 01 process. They believe the merger process to be a very effective way of getting early involvement and buy-in from all interested parties.

The MUMPO used the NC-73 corridor study as an example of the NCDOT's efforts to enhance communication with its partners. Planning for roads is often done exclusive of planning for land uses. The NC-73 corridor study includes a land use-planning element. The NCDOT is working with the MUMPO, CRMPO, the Lake Norman RPO, and the local governments and planning staffs along the corridor. The partners in the NC-73 corridor study project are commended for forging alliances that are leading to regional land use and transportation plans.

The NCDOT believes that the most successful coordination effort to date has been development of the RTDM as is evident from the hard work the staffs have done from the pooling of funds to implementing the process thus far.

The MUMPO would like the NCDOT to be more flexible in the design of urban streets. One standard lane width should not be used for all types of facilities. The City of Charlotte would like the NCDOT to consider narrower lane widths (11 ft.) on urban streets, the inclusion of sidewalks inside and outside the urban area without requiring local participation, bike lanes or wide outside shoulders on all projects with a design speed of at least 45mph. The City believes that all of these measures would make urban streets more accessible for disabled persons, pedestrian and bicyclists, and would calm traffic. It was noted that the NCDOT has been participating in "Context Sensitive Solution" design training that should begin to address some of these concerns.

MPO Products – UPWP/LRTP/MTIP/STIP

Unified Planning Work Program (UPWP)

The MUMPO updated their Prospectus for identifying planning tasks in 2002. They also worked with NCDOT and FHWA to develop a UPWP that was category-based instead of line item based. Having categories allows them to shift funds between line items within an individual category without the need for a UPWP amendment. They adopted the UPWP for FY03/04 using the new format. Member jurisdictions are asked to submit their list of needs for consideration. Staff would analyze those needs along with the required work program tasks and develop a UPWP based on what they can feasibly accomplish. For the FY03/04 UPWP, like the FY02/03 UPWP, most activities focus on the development of the RTDM and the LRTP update. For the FY03/04 UPWP the MUMPO policy board directed staff to develop a budget that would allow them to hire two planning engineers who could address design issues so MUMPO could better preserve future right-of-way. Some funding is spent on the professional development of

staff. The staff has not examined the UPWP for effectiveness. They rely on the NCDOTs oversight of the process to address this matter. The MUMPO is encouraged to evaluate the effectiveness of the UPWP to ensure that it is being used to further the goals and objectives of the LRTP. An evaluation of the UPWP could also determine whether or not necessary planning activities are being accomplished in a timely fashion.

MUMPO uses PL and 5303 (transit planning) funds to complete their planning work program. The Charlotte Area Transit System (CATS) does not charge any planning time to the PL or the 5303 funding categories.

For the first time, the FY 02/03 UPWP was amended to add Surface Transportation Program-Direct Apportionment (STP-DA) funds to help fund development of the RTDM. The MUMPO will likely use STP-DA funds in the future to fund more planning related activities, because the amount of federal planning funds received isn't enough to complete the required planning activities.

While this was not discussed during the two-day review, the review team believes the MUMPO should examine its ability to continue to operate in case of a catastrophic event. For example, how would the MUMPO address the loss of planning documents and materials, computer systems, office space and communication capabilities, etc.? MPOs are encouraged to examine their internal operations for safety and security purposes. The development of a continuous operations plan is encouraged.

The MUMPO further expressed their concern over how planning funds are distributed. Some of the other MPOs in the state don't or can't spend all of the planning funds that they are allocated. Therefore, there are fund balances that have continued to mount. At the same time there are MPOs that really need additional monies to operate, mainly the larger MPOs and yet, those fund balances are never redistributed. The MUMPO was allowed to borrow some the unused funds, but the monies must be repaid. The MUMPO would like for the NCDOT to reevaluate the formula for distribution of PL funds and the policy regarding redistribution of the fund balances.

Current Recommendations

3. The MUMPO should evaluate the effectiveness of the UPWP.
4. The MUMPO is encouraged to develop a continuity of operations plan.

Long-Range Transportation Plan (LRTP) and Transportation Improvement Program (TIP)

The 2025 LRTP was adopted after the last Certification Review and includes many of the recommendations made as a result of the last previous Certification Review. A project ranking criteria was developed and implemented. The ranking criteria uses points, -5 to 5 for considering safety, impacts on low-income and

minority populations, reducing congestion, cost vs. benefits, transit plans, land use planning, accessibility to the center city, intermodal connectivity, positive impacts on air quality, and increasing accessibility to other economic centers. The MUMPO believes that ranking the first 15 to 20 years is probably effective, but for the remaining out years the rankings would likely change considerably.

The freight industry has had limited involvement in the MUMPO planning process. The Charlotte-Douglas Airport is a member of the Technical Coordinating Committee (TCC). The TCC discusses matters concerning freight mostly as it relates to the airport. The MUMPO has identified intermodal facilities in the area. The freight industry has more regional or statewide concerns, as the MUMPO heard at a State sponsored freight seminar. The MUMPO would like for the State to do more statewide freight planning initiatives. The review team encouraged the MUMPO to participate in federally sponsored talking freight seminars and courses. The MUMPO should develop opportunities to get the freight industry more involved in their planning process. It was also suggested that the MUMPO contact the Atlanta Regional Commission (ARC), since ARC created a "freight advisory group" to identify the freight industries transportation needs and to find ways to address those needs. The ARC's freight advisory group has been successful in implementing a variety of Intelligent Transportation System (ITS) technologies that have helped with congestion relief, air quality and the general movement of freight.

The MUMPO Urbanized Area (UZA) boundary was enlarged as a result of the 2000 Census. The Census UZA for the MUMPO extends into the 1990 RFATS planning area in South Carolina, as well as, the 1990 CRMPO planning area. After working with the adjoining MPOs, agreements were reached that require the RFATS and CRMPO to assume full planning responsibility for the areas that are within their respective counties. In order to plan for this new area the RFATS and CRMPO will assume all of the required TMA planning responsibilities.

The financial planning process used in developing the 2025 LRTP included an examination of historical trends, state and federal revenue projections, the highway and highway trust funds, and the NCDOT's projections for the interstate system. The CATS hired a consultant to develop their projections while the rail corridors were being developed. The Charlotte Department of Engineering and Property Management developed the cost estimates for the projects in the LRTP. The MUMPO replied no, when asked if an evaluation of the financial planning process and the development of projections had been done to see if the cost estimates used are close to the actual cost of projects. The MUMPO believes that the cost estimates and revenue projections used in the LRTP are reliable.

The next LRTP update is due April 15, 2005.

Current Noteworthy Practices

5. The MUMPO staff is commended for developing a priority ranking system for project selection that is supported by the MPO board.
6. The review team is pleased to know that MUMPO has opened their planning process to include the adjoining MPOs and RPOs.
7. It is good to know that the MPOs and RPOs are doing regional planning.
8. The region has embarked on a collaborative land use and transportation planning effort, NC-73, that includes MPOs, RPOs, cities, towns and the NCDOT.

Current Recommendations

9. MUMPO should examine ways to get the freight industry more involved in the planning process.
10. MUMPO is encouraged to contact the Atlanta Regional Commission (ARC) to discuss how ARC involved the freight industry in that area.
11. MUMPO should evaluate the effectiveness of the financial planning process, especially the relationship between projected cost and the actual cost of a project.

Regional Travel Demand Modeling (RTDM) and Land Use Planning

As stated in the follow-up recommendations discussion, the MUMPO is in the process of developing a RTDM that covers eleven-counties, includes four-MPOs, one-RPO, the NCDOT and SCDOT. The RTDM development process includes an Executive Committee (NCDOT, SCDOT, MUMPO, CRMPO, RFATS & Gaston MPO), an Oversight Committee (technical staff from four-MPOs, RPO, NCDOT, FHWA) and a Model Team (NCDOT and CDOT). The RTDM is not an expansion of the existing CDOT travel demand model. This is a new model developed from the ground up. It incorporates the networks taken from the existing CDOT, Gaston, Cabarrus-Rowan, and RFATS models and some of the structure from the existing CDOT model. Thus far, the process has been extremely successful. The MUMPO along with others in the region are collecting and verifying socio-economic data for development of the RTDM. The staffs for the MPOs have done an inventory of land uses, and socio-economic data is being projected in five-year increments to the LRTPs horizon year, 2030. The following tasks are in process or have been completed: a household travel survey, an external travel survey, population projections, a workplace survey, and vehicle classification counts. The MUMPO has sponsored a one-day peer review workshop whereby an FHWA modeler reviewed the RTDM platform and development procedures.

A transit network is being built for the RTDM. There has been some controversy surrounding the forecasting of ridership in the existing RTDM. The CATS has been working with the FTA to develop a user benefit analysis and accompanying

software. The FTA is currently reviewing the transit portion of the existing RTDM and once all components are acceptable that analysis and software will be incorporated in the new RTDM.

Current Noteworthy Practices

12. Anna Brigman, the RTDM project manager, has done an excellent job of coordinating the staffs, hiring and supervising consultants, negotiating for funding with the adjoining MPOs, RPOs and states, and for keeping all the partners continually informed.
13. The other regional partners, CRMPO, RFATS, NCDOT and SCDOT are all commended for their cooperative efforts, hard work and their continued support for the development of the model.
14. The review team is very impressed with the level the coordination that has occurred in the development of the RTDM and collection of data thus far.

Current Recommendations

15. MUMPO is encouraged to work with CATS as needed to help develop cost benefit software to use in the new RTDM.
16. MUMPO is encouraged to continue the outstanding project management efforts for the development of the LRTP and the RTDM.
17. MUMPO is encouraged to continue to work with the RTDM partners to complete the LRTP and RTDM prior to April 15, 2005.

Air Quality Planning

The FHWA and the EPA jointly reviewed the expected schedule for the 8-hr ozone and particulate matter 2.5 (PM2.5) standard. The new regulation will offer several options for conducting conformity. It was noted that the MUMPO had a good Memorandum of Agreement (MOA) in place to guide the air quality conformity process. MUMPO stated that they have been pleased with the interagency consultation meetings, and they believe the meetings have added value to the process. The level of effort from the agencies participating in development of the RTDM has been very beneficial in getting the area prepared for the upcoming LRTP update and air quality conformity determination. The review team stressed the importance of involving the public early and often in the LRTP update and conformity process, especially since the non-attainment area will be larger than it is currently, and it involves areas that have not previously gone through the conformity process. In an effort to help educate the new non-attainment areas the MUMPO hosted a NTI course: Introduction to Transportation/Air Quality Conformity in May 2003.

The MUMPO was concerned that the EPA would be reviewing all the conformity documents for all new non-attainment areas at the same time and would not have the resources to conduct timely conformity document reviews. The EPA has set up a federal roundtable to help address that issue. The EPA will offer assistance to MPOs, on a regional or statewide basis once the new conformity

regulation is adopted. The FHWA encouraged MUMPO to use them as a resource throughout the process, as well as, the interagency consultation team. This will help facilitate a timely process for completion of the LRTP update and air quality conformity determination.

The review team asked what role the MUMPO has in the development of the State Implementation Plan (SIP). The MUMPO acknowledged that their only involvement in the development of the SIP was the submittal of vehicle miles traveled and speed data for the area. The MUMPO stated that they wanted to be more involved in the SIP development process and they would like the NCDENR to follow the interagency consultation process as stated in the MOA. The EPA concurred that the SIP development process should not be that different from the conformity process. The MUMPO's next LRTP update and air quality conformity determination is due on April 15, 2005.

Current Recommendations

18. MUMPO should begin the interagency consultation process as soon as possible.
19. MUMPO is encouraged to continue to work with new proposed air quality areas on the conformity process.
20. MUMPO is encouraged to rely on and use the federal partners as a resource throughout the conformity process to avoid delays.

Environmental Justice and Public Involvement

Environmental Justice

The appropriate time to ensure an MPO's compliance with Title VI in the planning process and to substantiate the MPO's annual self-certification is during the planning certification review. Part of this review is designed to determine the MPO's efforts to address environmental justice with regard to identification of minority and low-income communities and their needs, identification of benefits and burdens, and evaluation of the MPO's efforts to effectively engage minority and low-income citizens in the transportation planning process.

The MUMPO has recently updated their demographic profile to reflect new 2000 census data as well as the new planning area boundary. The profile identifies minority and low-income areas by census block group. The MUMPO depicted this information graphically as an overlay to their map, which shows current and future projects. Based on their analysis, there are no apparent planned projects that will have negative impacts to minority and/or low-income neighborhoods.

As noted in the last certification review in 2000, the MUMPO continues to use an environmental justice-ranking criterion for project selection. This has seemingly worked well to insure that impacts to minority and low-income communities are considered for every project.

When asked about any lawsuits with regard to environmental justice, it was revealed, that a lawsuit had in fact been filed against CATS by the East-Side Neighborhood Council. This lawsuit focused on the decision by CATS to recommend bus rapid transit for the area affecting the East-Side Neighborhood Council versus the recommendation for light rail and commuter rail for the other areas. The complaint was reviewed by the FTA Civil Rights Officer, and the claim was found unsubstantiated and, therefore, closed.

Additionally, another complaint was filed concerning detectable warnings. The Charlotte-Mecklenburg Advocacy Council for People with Disabilities (CMACPD) alleged that the City of Charlotte discriminated against persons with disabilities when it failed to install detectable warnings at curb ramps and other hazardous areas as required by Americans with Disabilities Act (ADA) Accessibility Guidelines, thereby, violating the civil rights of people with disabilities. Although, this complaint is currently under investigation, Charlotte has recently made it their policy to install detectable warnings. Sidewalk brochures are available in English, Spanish and Braille.

The MUMPO continues to put forth effort to effectively engage minority and low-income citizens. The staff has a great deal of personal knowledge of the local communities, which helps them tailor their public outreach efforts. They also make use of minority newspapers, leaders of minority groups, homeowners associations, as well as, translators at public meetings. The MUMPO's efforts, however, could be greatly enhanced with public involvement training. Staff has not attended any public involvement training in recent years, and it is highly recommended that they do so.

In accordance with 23 CFR 450.31(b), MPO's are to create such a process in an effort to maintain and improve upon their public involvement strategies for effectively engaging minority and low-income citizens as well as the general public.

Current Noteworthy Practices

21. MUMPO is commended not only for identifying low-income and minority communities but also for including it in the criteria for the priority ranking of projects.

Current Recommendations

22. MUMPO is encouraged to address Executive Order 12898 Environmental Justice in the every aspect of the planning process.
23. MUMPO should participate in environmental justice training, and public involvement training.

Public Involvement

MUMPO is very responsive to the public's request for information and frequently makes presentations to a variety of civic and neighborhood groups. MUMPO also attends land use planning meetings to answer transportation related questions. As stated earlier in the report, the MUMPO believes that their process for involving the public in transportation planning efforts is by and large effective. The MUMPO does admit that citizens are more vocal and more apt to attend public meetings if there is some direct impact from a specific project than they are for meetings regarding the development of general plans.

MUMPO is also developing an MPO web site to give the public more frequent access to planning information. The web site should be available by the end of 2003.

CATS developed specific public involvement plans for each of the five MIS. The plans typically included broad advertising, targeting key minority community leaders, advisory groups, interviewing minority and low-income citizens and providing translators when needed.

Again, it is noted that the MUMPO still does not have a process for evaluating the effectiveness of its public involvement plan. The review team believes the MUMPO needs to evaluate the effectiveness of the public involvement plan. The public involvement plan should include ways to address low income and minority populations in the MUMPO planning process.

Finding: MUMPO has not evaluated the public involvement plan.

Corrective Actions

24. The MUMPO should evaluate the effectiveness of its public involvement plan, and if necessary the public involvement plan should be amended to reflect the results of the evaluation. The same as Corrective Action #1, on page 4.
25. The MUMPO should develop a public involvement plan to address how low-income and minority populations are treated in the planning process. This should be done with corrective action # 1&24.

Transit Planning

The CATS has completed five Major Investment Studies (MIS) for the area. The South Corridor MIS has the final Environmental Impact Statement (FEIS) with a signed Record of Decision, and is currently in final design. The location of transit stations and land use plans are being developed. The South Corridor could be open to riders in late 2006. Early participation with NCDOT led to the NCDOT awarding a full funding grant agreement to CATS for the State's twenty-five percent match for the South Corridor. CATS plans to submit the remaining four

MIS studies for simultaneous advancement to the New Start Program in October 2003. MUMPO and the Metropolitan Transit Commission (MTC) have approved the locally preferred alternatives for the four rail corridors. As mentioned earlier, CATS implemented public involvement based on the plans developed for each rail corridor. Even though there was one environmental justice complaint filed, it was determined to be unsubstantiated. The public was very involved in the development of the locally preferred alternatives for each of the corridor studies.

CATS provides fixed route transit service within the Charlotte-Mecklenburg area, and to the following outlying communities: Cornelius, Davidson, Matthews, Mint Hill, and Pineville, as well as, to neighboring towns in other counties Concord, Gastonia, Mooresville, and Rock Hill, South Carolina. Park-n-ride lots have been established near the county lines to support the express routes.

The MTC oversees the day-to-day operation of the transit system and transit planning. The City of Charlotte and Mecklenburg County are members of the Commission, and the surrounding counties have ex-officio representation on the Commission.

Current Noteworthy Practices

26. The MUMPO and CATS staffs and boards have done an excellent job of getting the 5-MIS studies completed.
27. The CATS is commended for developing separate public involvement plans for each of the MIS studies. This allowed them to better tailor public involvement to meet the needs of the community.

Current Recommendations

28. The MUMPO should continue to work with CATS to get the remaining four (4) rail studies submitted in the new starts program.
29. The MUMPO is encouraged to continue to work with CATS and the surrounding communities and towns to develop a transportation network to support regional rail and regional bus service.

Congestion Management and ITS Planning

Current planning efforts in the Charlotte region include preemptive signal prioritization for transit service. The entire fleet (315) of fixed-route buses will be equipped with Automatic Vehicle Locators (AVL) and passenger counters within the next fiscal year. In addition, an eight-vehicle mini fleet will be equipped and deployed by June 2004.

The traffic signal system was updated in 1985 and again in 1998. The machine vision system is being installed to replace the current loop system.

In uptown Charlotte pedestrian crossing signals include a countdown for the time remaining to cross the street, as well as the loud beep noise. Some intersections

are being equipped with a push button, talking pedestrian crossing signal that will identify the street that is being crossed. The system gives priority to the pedestrian and the disabled.

The integration of land use and transportation planning is key to managing congestion. The MUMPO is very involved in the review of land use projects in Mecklenburg County. The MUMPO meets with planners and city staffs from within the planning area weekly to discuss upcoming projects, what the impacts and/or benefits particular projects might have on the transportation system. The MUMPO regularly makes recommendations to the various planning commissions regarding the approval of land use projects.

As mentioned earlier in the recommendations section, the MUMPO has identified congested intersections and related improvements for implementation. The City of Charlotte typically funds intersection improvements within the City of Charlotte, while the remainder of the planning area relies on the NCDOT to fund congested related projects in the STIP.

When asked how they evaluated the performance of the CMS plan, the MUMPO indicated that, that was an element that had not been done. The review team stressed the importance of developing strategies to measure the effectiveness of the CMS plan. The Code of Federal Regulations (CFR), Title 23, 500.109 states that CMS plans should include “methods to monitor and evaluate the performance of the multimodal transportation system, identify the causes of congestion, identify and evaluate alternative actions, provide information supporting the implementation of actions and evaluate the efficiency and effectiveness of implemented actions....”

Intelligent Transportation System (ITS) planning includes the implementation of the statewide ITS deployment plan. The existing copper conduit system is gradually being phased out as fiber optic systems are being installed. The transportation management centers for the NCDOT and the CDOT will be linked to allow for the exchange of traffic data and video between the two centers. Variable message boards are being installed along I-485, I-85 and I-77. Some cameras exist along the Interstate and more will be installed in the future. All of these measures are helping to improve congestion and safety in the region. Since ITS projects don't compete for the same funding as roadway projects, the MUMPO does not use the priority ranking criteria.

Current Recommendation

30. The MUMPO should evaluate the efficiency and effectiveness of the CMS plan.

MUMPO Needs

The MUMPO expressed the following could help them enhance their transportation planning process:

- The MUMPO would like the NCDOT to be more flexible in the design of urban streets. Greater flexibility would make urban streets more accessible for disabled persons, pedestrian and bicyclists, and have a traffic calming effect.
Response: The FHWA will forward a copy of the MUMPO Certification Review Report to appropriate NCDOT officials highlighting this comment.
- The MUMPO needs more money, as the amount of federal planning funds received isn't enough to complete the required planning activities.
Response: The FHWA recognizes this need and believes that SAFETEA will increase the funding level.
- The MUMPO would like the NCDOT to reevaluate the formula for distribution of PL funds and the policy regarding redistribution of the fund balances.
Response: The FHWA has been informed of the NC Association of MPOs (NCAMPO) review of the current distribution of PL funds. The FHWA offers any assistance it can provide.
- The MUMPO asked the Review team to find out how other states divide the federal planning funds.
Response: The FHWA submitted to the NCAMPOs a table outlining how other states distribute PL funds. A copy of the table is attached.
- The MUMPO asked if SAFETEA offers an increase in the planning funds and how it is derived.
Response: The MUMPO TCC chairman attended the 11th annual MPO conference and heard the FHWA presentation regarding SAFETEA and what the House and Senate want from the new transportation bill. Attached to this report is an excerpt of the PL funding proposed in SAFETEA.
- The MUMPO would like the NCDOT to do more statewide freight planning initiatives.
Response: This need will also be highlighted and referred to the NCDOT.
- The MUMPO stated, they wanted to be more involved in the SIP development process and they would like for the NC Department of Environment and Natural Resources (NCDENR) to follow something similar to the interagency consultation process.
Response: A copy of the MUMPO Certification Review Report will be forwarded to the appropriate NCDENR officials with this comment highlighted.
- The MUMPO asked the Review team to provide them with additional information and examples of how to evaluate the public involvement, the

CMS, the financial plans and other plans that would benefit the MUMPO. **Response: The Review team is collecting information to address this comment and will forward, via separate correspondence information to help the MUMPO enhance these planning activities. The information will be forwarded to the MUMPO by February 29, 2004. The FHWA sponsored a Congestion Management System course offered to all MPOs held in Raleigh, NC on December 9-10, 2003.**

Public Involvement Meeting/Comments

The public was invited to a special public meeting on Tuesday, September 9, 2003, for the purpose of fulfilling the public involvement portion of the Certification Review. The public notification and meeting sign in sheet are attached as Appendix B. One individual spoke about bicycle and pedestrian issues. The main concern was to get more bicycle and pedestrian projects implemented and to encourage the use of eminent domain to ensure that more right-of-way be acquire to increase bicycle and pedestrian opportunities.

Noteworthy Practices

The MUMPO has done a terrific job in a number of its planning responsibilities since the last certification review.

Since 1985, the Charlotte Department of Transportation has developed and managed the travel demand model for the planning area. In 2001, the MUMPO expanded the area for the development of the new regional travel demand model (RTDM) to include portions of Lincoln, Iredell and Cleveland Counties, York and Lancaster County in South Carolina, and Mecklenburg, Union, Gaston, Cabarrus, Rowan, and Stanly Counties in North Carolina. The MUMPO hired a project manager, Anna Brigman, to manage the development of the new RTDM. Ms. Brigman has done an excellent job of coordinating the staffs, hiring and supervising consultants, negotiating for funding with the adjoining MPOs, RPOs and states, and for keeping all the partners continually informed. The review team could not stress enough how impressed they were with the level the coordination that has occurred in the development of the RTDM and collection of data thus far. The development of the RTDM is not seen as just a MUMPO planning effort. The other regional partners, CRMPO, RFATS, NCDOT and SCDOT are all commended for their cooperation, hard work and their continued support for the development of the model.

The MUMPO is commended for developing the project priority ranking criteria used for project selection in the LRTP. The ability to weigh candidate projects from different political jurisdictions against each other with a system that is seen as equitable by the policy board is remarkable.

The MUMPO has worked with the CATS to help complete the five Major Investment study projects. The South Corridor has a completed Environmental Impact Study and the Record of Decision has been signed. CATS plans to advance the remaining four rail corridors into the National Environmental Policy Act (NEPA) process during FY 04. Everyone involved has worked hard to move these projects to the stage they are in now, and are commended for their efforts.

The MUMPO has done a good job of involving the neighboring MPOs and RPOs in the planning process, and to coordinate and educate them on the requirements of being a TMA, or air quality implications and what goes into developing a RTDM speaks to their leadership capabilities. The MUMPO is still an active member of CRAFT (Charlotte Regional Alliance For Transportation). The MUMPO has supported the expansion of CRAFT to include the RPOs so that more of the region's transportation issues can be discussed comprehensively. It is good to see the MPOs and RPOs working together for the advancement of regional transportation planning.

The MUMPO has done a good job of mapping the low income and minority population areas since the 2000 Census data was released. This data can also be overlaid on the highway and transit elements of the LRTP. This is the first step to addressing the needs of those populations and to identify any transportation related impacts there might be to those areas as a result of a project.

Recommendations

1. The MUMPO should evaluate the effectiveness of the UPWP, the CMS plan, and the financial plan.
2. The MUMPO is encouraged to develop a continuity of operations plan.
3. The MUMPO should examine ways to get the freight industry more involved in the planning process.
4. The MUMPO is encouraged to contact the Atlanta Regional Commission (ARC) to discuss how ARC involved the freight industry in that area.
5. The MUMPO is encouraged to work with CATS as needed to help develop cost benefit software to use in the new RTDM.
6. The MUMPO should continue the outstanding project management efforts for the development of the LRTP and the RTDM.
7. MUMPO is encouraged to continue to work with the RTDM partners to complete the LRTP and RTDM prior to April 15, 2005.
8. MUMPO is encouraged to begin the interagency consultation process as soon as possible.
9. MUMPO is encouraged to address Executive Order 12898 Environmental Justice in all aspects of the planning process.
10. MUMPO is encouraged to participate in environmental justice and public involvement training.

11. MUMPO is encouraged to continue to work with new proposed air quality areas on the conformity process.
12. MUMPO is encouraged to rely on and use the federal partners as a resource throughout the conformity process to help avoid delays.

Corrective Action

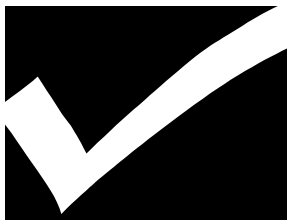
1. The MUMPO needs to evaluate the effectiveness of its public involvement plan.
 - a. This includes gathering data from the affected population to determine if the techniques currently being used are meeting their needs.
 - b. The public involvement plan should address EJ and outline how low-income and minority populations are attracted to and involved in the planning process.

Certification

The Federal Review Team, consisting of staff from the Federal Highway Administration and the Federal Transit Administration, issues this certification subject to corrective action. The Mecklenburg-Union Metropolitan Planning Organization must complete an evaluation of the public involvement process including Environmental Justice by the next LRTP update, April 15, 2005. This certification is valid for three years from the date of this report, pending corrective action.

APPENDIX A

Mecklenburg-Union Metropolitan Planning Organization Certification Review Agenda



Mecklenburg Union MPO Certification Review

9/9/2003

Charlotte-Mecklenburg Government Center
Charlotte, NC

**Facilitator: Loretta
Barren**

Federal Team:

----- Agenda Topics -----

Welcome and Introductions	Federal Team	1:15 PM
Certification Overview, Review of Schedule and General Discussion	Federal Team	1:30
MPO Overview/Update - Relevant, major projects/accomplishments	MPO/State	2:00
Break		3:00
Follow-up from last certification, recommendations and corrective actions.	Federal Team	3:15
Overview of Public Meeting and Tomorrow Agenda	Federal Team	4:30

Opportunity for Public Comment

Federal Team -

9/10/2003

**Charlotte-Mecklenburg Government Center
Charlotte, NC**

MPO/NCDOT Coordination	MPO/State	8:30 AM
MPO Products - UPWP/LRTP/MTIP/STIP	Federal Team	9:00
Break		10:00
Regional Modeling Including Land Use and Transportation Planning	Federal Team	10:15
Air Quality Planning	Federal Team	11:15
Lunch		12:15 PM
Environmental Justice and Public Involvement	Federal Team	1:30
Transit Planning	Federal Team	2:30
Break		3:15
Congestion Management Plan and ITS	Federal Team	3:30
Close Out		4:00
Review Team Meeting	Federal Team	4:05 – 5:15
Presentation of Preliminary Findings and Discussion	Federal Team	8:30 AM Thursday

** I've developed a very tight schedule for this review. Any items we don't finish on Wednesday will need to be addressed on Thursday morning.

APPENDIX B

Mecklenburg-Union Metropolitan Planning Organization Certification Review Public Meeting Notice

APPENDIX C

Mecklenburg-Union Metropolitan Planning Organization Certification Review Materials