

TO: Members of the WATS Policy Committee  
FROM: Carmine Palombo  
RE: Response to WATS Executive Director Memo of May 9, 2012  
Date: July 10, 2012

On May 9, 2012, WATS Executive Director Terri Blackmore sent a memo to the WATS Policy Committee identifying “Issues for Consideration for MPO” The memo says the document “outlines the results of data collection, research and analysis of the two processes.”

It is my intent to address each issue that has been identified and provide additional information for you to consider as you make this important decision.

**WATS initially did not request a separate MPO when they were designated in the 1980s because the planning processes were more similar and the time required to make Long Range Plan and TIP amendments was not an issue, however, the planning processes have diverged and the growth in the WATS area requires a more nimble process.**

The WATS and SEMCOG planning processes remain almost identical. Please review the WATS work program and the SEMCOG work program. Both work programs have the same tasks, we collect data, we analyze data, we develop and maintain a TIP and a long range transportation plan, we do safety analysis, promote bike and pedestrian activities, perform long range modeling and promote our work and activities through public involvement activities. What continues to be different is that SEMCOG performs all of these actions for the entire seven county region, while WATS performs these activities for just Washtenaw County.

As far as being nimble, several times SEMCOG has proposed initiatives that would lead to administratively shortening the process, the WATS Executive Director has dismissed them. Both the Federal Highway Administration and the Michigan Department of Transportation have told the WATS Policy Committee that WATS becoming their own MPO will not lead to faster administrative approvals than what WATS is currently experiencing.

**It takes up to five months for the combined WATS and SEMCOG processes for a WATS TIP or LRP amendment and then an additional one to two months for MDOT, EPA and the FHWA review and approval. This is a duplication of the transportation process for WATS, which has been eligible to become an MPO since MPOs were formed and has been over the 200,000 population required for Transportation Management Areas (TMA) since 1980.**

I have attached a record with dates of actions and approvals over the past four years. The current process does require WATS to submit their projects to SEMCOG for approval; however we have worked very hard to keep the additional time needed for approval to a minimum. The process has averaged 77 days from the time WATS submits the project or plan amendment to SEMCOG

through the time SEMCOG submits the amendment to MDOT for state and federal approval. SEMCOG has no control over how long it takes WATS to get through its own process, or how long it takes MDOT and FHWA/FTA and EPA to complete their review. This information is documented in Attachment A to this memo.

SEMCOG has taken into account the need for more expeditiously adding and amending projects with adoption of the new RTP/TIP in June 2013. RTP and TIP amendments will run simultaneously and end with Executive Committee approval, which will speed up processing for everyone and better align long- and short-range planning.

**WATS cannot distribute additional funding to local agencies immediately upon notification because the MPO (SEMCOG) must approve the funds first and often WATS and SEMCOG cannot complete a TIP amendment to add projects after notification**

All federal funding in southeast Michigan comes through SEMCOG as the MPO. WATS does not distribute dollars. No dollars have ever been lost by either WATS or any other transportation agency in Southeast Michigan due to administrative process. In fact, road agencies in Washtenaw County have benefitted from SEMCOG allocating additional funds to Washtenaw County communities. SEMCOG has often worked directly with individual communities/agencies once projects have been approved by the WATS Policy Committee. The AARA program is a good example and Washtenaw County benefited by receiving an extra \$500,000 through this process.

**The other 13 MPOs in Michigan process TIP amendments up to 6 times a year and take only 2 months (plus the MDOT, EPA, and FHWA review and approval).**

The SEMCOG process has been developed to allow for very minor, no policy issue amendments to be made administratively by staff. There is a policy in place approved by the SEMCOG Executive Committee that specifies the type of project revisions that can be administratively revised. We address additional projects or revisions to projects in the TIP and RTP three times a year through the formal amendment process. Smaller agencies do not have the administrative procedures in place that SEMCOG has. So, if the point is that amending the TIP more often is more nimble, SEMCOG administratively amends the existing TIP on almost a daily basis.

**Separating the MPO approval and planning process does not mean that WATS would not be a part of, and proactive in, supporting the SE Michigan Region, the designated Regional Planning Agency for Washtenaw County.**

We hope that this would be the case. Washtenaw County has sought to be a bigger player in regional issues including being a voting member of the proposed Regional Transit Authority. An action to separate WATS as its own MPO might be viewed by SEMCOG's Executive Committee and county and local governments who would have to vote on a MPO structure as being counter to regional cooperation.

**SEMCOG plans to use General Program Accounts (GPA) that are general listings of project types, rather than specific projects, for both the Long Range Plan and the**

**Transportation Improvement Program with only capacity changing, advance construct, and high priority projects detailed. Although a list of specific projects may be attached, changes to the GPA can be made without a full amendment and with little or no public involvement.**

I have stated on several occasions at the WATS Policy Meeting that the use of General Program Accounts (GPAs), are part of the administrative solution to the concerns WATS has raised about the timing of projects. Part of the reason I have recommended this approach is the liberal use of GPAs in the WATS TIP and RTP. I have attached a link to the WATS FY 2011-2014 TIP from the WATS Web site. I have highlighted the use of GPAs in this document.

As you can see, WATS currently makes liberal use of GPAs, which we applaud. What I cannot understand is why continued use of GPAs, including identifying the specific projects associated with the GPAs, is perceived as a problem. I have also told the Policy Committee that SEMCOG was pursuing this direction with MDOT and FHWA support. Processes for doing this in a uniform and consistent manner are still being developed. The comment above presumes that public involvement would not be taken into consideration. We have yet to address this point in our discussions, but will before it is completed. We will ask WATS to identify the public involvement process it follows to address the GPA's that are currently in the WATS TIP and expanding the process to other programs.

**During the SEMCOG certification, Federal Highway Administration staff from Washington noted that WATS appears to be a full MPO per products produced by the agency and data available through the WATS Web site.**

A copy of the SEMCOG certification is available at  
[http://www.semco.org/uploadedFiles/Homepage\\_content/SEMCOGCertification.pdf](http://www.semco.org/uploadedFiles/Homepage_content/SEMCOGCertification.pdf)

No such statement is included in the certification document.

**Separating the MPO responsibilities will not impact other relationships between SEMCOG and Washtenaw County communities, such as Water Management, SEMCOG regional planning efforts or local membership in SEMCOG.**

We hope this is the case. As noted earlier, WATS action might be viewed as counter to regional cooperation.

**WATS already maintains a travel model and a functioning Air Quality model.**

Because of the way the air quality modeling is done, SEMCOG will probably still have to run conformity for the region. If WATS is successful in becoming its own MPO, it is still part of the southeast Michigan region as far as air quality planning is concerned.

**Removing the WATS TIP and LRP projects provides more transparency for Washtenaw County and frees up SEMCOG and WATS staff time spent on coordinating the changes (WATS projects represents 30 percent of LRP and 20 percent of TIP projects).**

Not sure what this means. WATS TIP and RTP are already transparent. SEMCOG's function is to act as the MPO for the entire seven county region and we have no problem in performing this function. As noted earlier, SEMCOG supports process revisions that allow the RTP and TIP to more quickly move forward.

**Unlike other SEMCOG Counties, FHWA requires WATS complete a full TIP analysis because it is a TMA. However, WATS has the same restrictions editing the SEMCOG data as other users, increasing the amendment workload.**

The FHWA and FTA do not recognize projects or plans that are approved by the WATS Policy Committee until they are approved by the SEMCOG Executive Committee and/or General Assembly. There are no specific requirements FHWA or FTA place on WATS, all of the requirements are placed on SEMCOG as the MPO for the region.

**WATS and SEMCOG have made verbal and written agreements regarding TIP and RTP policies. Twice in the recent past, SEMCOG has not kept the agreements, returning to the same coordination issues that require additional staff time for both WATS and SEMCOG.**

I am not aware of the instances the comment refers to. I would point out though that this entire discussion began as a result of WATS violating the existing agreement it has with SEMCOG in the development of the Regional Transportation Plan, development of financial numbers to be used in the Plan, and submitting the WATS Plan in a consistent format with the rest of the region. I have made this point several times over the past years we have been discussing this issue. In fact, I do not believe the WATS Executive Director ever told the WATS Policy Committee that they were approving a document that was inconsistent with the adopted regional process.

In addition to the issues raised in this memo to you, I am also concerned about issues that are not included in this memo. These include probable loss of funding by communities in Washtenaw County, and the need to open up the funding process to all communities in the urbanized area regardless of their paying dues to WATS, including those Wayne County communities in the urbanized area.

If WATS becomes its own MPO, certain types of funding will be impacted. While the Congress debates what the new reauthorization bill will look like, I can only compare the existing funding programs and what your potential action would do to funding. The new legislation, when finally passed, could change everything. Based on current funding structures though, WATS would receive fewer CMAQ dollars to be spent in the WATS service area. It is also possible that transportation safety dollars could also be impacted with WATS receiving fewer dollars than they would otherwise as part of the SEMCOG region. Also, as previously mentioned, the ability of SEMCOG to program funds not expended by the other six counties to Washtenaw County will stop.

The 2010 Census has the Ann Arbor Urban area sprawling eastward into Wayne County. As a result, Wayne County and the communities within the Census boundary are entitled to participate

in the planning process and apply for funding from WATS regardless of whether they pay dues to WATS or not. A new process to involve them will need to be developed by WATS to address this situation.

Finally, this memo from the WATS Executive Director fails to address the most important issue of all – what is best for the communities of Washtenaw County? That should be the single most important question the elected officials sitting as the WATS Policy Committee should be asking themselves. The memo provides no insight into why Washtenaw communities will be better off with WATS as the MPO.

In summary, the communities in Washtenaw County currently benefit by having SEMCOG as the MPO and will continue to benefit from having SEMCOG as the MPO for the following reasons:

1. SEMCOG represents all seven counties in Southeast Michigan and when we speak on transportation issues, we speak as one voice.
2. From a funding perspective, SEMCOG receives the most funds and has more influence on how funds are distributed than any other region in the state.
3. SEMCOG influences the transportation decision - making in the state and is on every important transportation committee representing the interests of all local units of government in the seven county region
4. SEMCOG is a national leader and has received awards for the regional planning process including specific citations for our work in asset management, safety, operations, outcome based planning, development of our regional transportation plan, our public involvement process and our work in public transit.
5. SEMCOG is respected legislatively and recognized as an authority on transportation issues.

Thank you for the opportunity to respond to these issues. I am happy to respond to any questions you have as you think about this important issue. For all of us involved, it is time to make a decision on your course of action and move on.