

Transportation Staff Meeting

March 26, 2014

2:30 PM

CMGC-Room 270/271

AGENDA

1. Draft MTP & Conformity Report Public Comment Review (Cook)

Description:

- Review comments received during 30-day MTP comment period
- Prepare responses to comments

Attachments:

- Public Comment Log
- SELC comments
- Sustain Charlotte comments

Phone Access Number: 704-432-5484

Go To Meeting Access: <https://global.gotomeeting.com/join/229061101>

Draft 2040 MTP Conformity Determination Report Comment Log

Name	Organization	Address	E-Mail	How/Where Received	Date Received	Subject	Comment	Response
Kevin Metz			kmetz3@uncc.edu	UNCC-Student Union	2/18/2014		I have no transportation issues at this time.	N/A
Arley Winter		1215 Well Spring Dr	awinte11@uncc.edu	UNCC-Student Union	2/18/2014		I think a lot of work needs to be done with Charlotte transportation and I'm glad to see that so much work is already underway!	N/A
Janice Martinesal		1605 High Ridge Stanley, NC 28164	jmart263@uncc.edu	UNCC-Student Union	2/18/2014		We'll have better, free of pot hole roads. Better roads are always better. As long as it is convenient.	N/A
Gerrado Mara		University City Blvd	illegible	UNCC-Student Union	2/18/2014		Do work!	N/A
Matthew VanStaalduinen		9505 University Terrace	mvansta1@uncc.edu	UNCC-Student Union	2/18/2014		Construction traffic @ 485 and 85	N/A
John Chuchero		9523 UT Dr	jchucher@uncc.edu	UNCC-Student Union	2/18/2014		Interesting way to reduce congestion and improve the quality of life for residents.	N/A
Imani Green		395 Shady Grove Ct Winston-Salem, NC 27103	igreen7@uncc.edu	UNCC-Student Union	2/18/2014		The highway construction is a huge hassle. Is there a way to speed it up?	RESPONSE NEEDED
Tony Hoang		147 Creekwood Dr Mooresville, NC 28117	Tahoang1988@gmail.com	UNCC-Student Union	2/18/2014		With gas prices being so high, I would like more public transportation.	N/A
Mercury Arteaga		923 Kannapolis Parkway Concord, NC 28027	mercuryarteaga@gmail.com	UNCC-Student Union	2/18/2014		Increasing our transportation would be amazing! As a student with no car it is very hard for me to get around.	N/A
Gary Dunn		125 Edgeland Dr Matthews, NC	gdunn@uncc.edu	UNCC-Student Union	2/18/2014		Track traffic with real-time GPS.	RESPONSE NEEDED
Parker Layfield		409 Nottingham Way	parker.layfield@yahoo.com	South Piedmont Community College-Monroe	2/19/2014		Very interesting topic. Well informed spokesperson, very detailed brochure. And who doesn't like donuts?	N/A
Annette Saunders		3014 Castlebrook Dr Monroe, NC 28112	ekwstren@gmail.com	South Piedmont Community College-Monroe	2/19/2014		Be very interested in learning more. Thank you for the donut!	N/A
Douglas Peralta		511 E Talleyrand Ave Monroe, NC 28112	dougp096@gmail.com	South Piedmont Community College-Monroe	2/19/2014		Nice way of viewing future planning throughout the years. Can't wait. I will want to stay informed.	N/A
Carl Riedl		10515 Paces Ave Apt 1828 Matthews, NC 28105	spyfoxnc@yahoo.com	South Piedmont Community College-Monroe	2/19/2014		Would like to see segments of Old Charlotte Hwy funded.	Improvements to Old Monroe Road from I-485 to Indian Trail Road is a funded project in the TIP. The draft MTP proposes to fund the sections from Trade St. (Matthews) to I-485 and from Indian Trail Road to Wesley Chapel-Stouts Road in the 2025 horizon year.

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Jakob West		1911 Greymouth Rd #103 Charlotte, NC 28262	jwest47@uncc.edu	UNCC-EPIC Building	2/20/2014		It's nice to hear factual information about this. You always hear tidbits of info on road projects; real info is great to hear.	N/A
Mahnal Demehri		9241 Glenwater Dr Apt 216 Charlotte, NC 28262	mdemehri@uncc.edu	UNCC-EPIC Building	2/20/2014		The plan is really interesting. Developing land and the best point that they have some project around 485 Hwy.	N/A
Joanna Olmedo		-	jolmedo@uncc.edu	UNCC-EPIC Building	2/20/2014		Excited to see the 485 almost done. Also about the future construction around the university, even though it's going to be a hassle for future students.	N/A
Patrick Kehoe		9824 Mary Alexander Rd Charlotte, NC 28262	patrickkehoe48@yahoo.com	UNCC-EPIC Building	2/20/2014		No Comment	N/A
Bianca Whitfield		-	-	Central Piedmont Community College- Merancas Campus	2/25/2014		Adding more walkways (greenways) to streets. It is hard to get to places on foot because there are no walkways in between the roads.	N/A
Hector Soriano		5000 Chestnut Knoll Ln Charlotte	hector2694@hotmail.com	Central Piedmont Community College- Merancas Campus	2/25/2014		I would like to see more project development by I-485 at exit 25 (??). This would help me get to Charlotte faster.	The draft MTP proposes to fund improvements on the Sam Furr Road/NC 73 corridor from Northcross Drive to Vance Road Extension in the 2025 horizon year.
Luke Smith		11880 Hidden Forest Ln	lukesmith@gmail.com	Central Piedmont Community College- Merancas Campus	2/25/2014		Brawley School Rd is still very congested. Would like to see a project.	The draft MTP proposes to fund improvements to Brawley School Road, from Talbert Road to US 21, in the 2025 horizon year.
Ryan Salyer		9019 Miriam Dr Huntersville, NC 28028	-	Central Piedmont Community College- Merancas Campus	2/25/2014		Thank you for distributing this information to the public!	N/A
William Sykes		20409 Staghorn Ct Cornelius NC 28031		Charles Mack Center- Mooresville	2/25/2014		The base plan needs to have enough flexibility to include future growth/high density areas over the horizon. As a comprehensive master plan the data presented appear logical. The main thrust is why is it going to take \$550 M to construct the minimal I-77 (I-277 to exit 36) redux. On the maps it appears the original for the 77 redo _____ more/greater in scope. This _____ basically calls for using all existing infrastructure bridges (not replacing 9, only 1). So why the mega bucks?	RESPONSE NEEDED

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Sheron Cyrus	8435 Filbert Ln Charlotte, NC 28215	sheron-cyrus@yahoo.com	Central Piedmont Community College-Central Campus	2/26/2014	Sidewalks/Bike lanes seem to be a forgotten topic in transportation. No Sidewalks down Harrisburg, Robinson Church Rds. These locations are within the city limits and are not cared for. The city's infrastructure is still in the late 70's early 80's.	Comment will be forwarded to CDOT.
L. Felder	1421 Central Ave	lfive93@yahoo.com	Central Piedmont Community College-Central Campus	2/26/2014	Train transportation should be city-wide.	Comment will be forwarded to CATS.
Titiana Germain	2612 Brahman Meadows Ln	titianagermain@yahoo.com	Central Piedmont Community College-Central Campus	2/26/2014	Shopton Rd 28273 has pot holes along the back roads.	Comment will be forwarded to NCDOT Division 10 staff.
Titiana Germain	2612 Brahman Meadows Ln	titianagermain@yahoo.com	Central Piedmont Community College-Central Campus	2/26/2014	Need a bus route on Shopton Rd.	Comment will be forwarded to CATS.
James Bates	4845 Delirey Dr	-	Central Piedmont Community College-Central Campus	2/26/2014	Need to hurry up and fix the train link at CPCC.	The streetcar line now under construction is scheduled to be open in 2015.
Darnell Bennett	6506 Yatewoods Dr	darnellbennett73@yahoo.com	Central Piedmont Community College-Central Campus	2/26/2014	Bus No. 9 is crowded. Needs more seats.	Comment will be forwarded to CATS.
Cl'Aja Garay	5740 Wallace Cabin Dr	ciaagaray@gmail.com	Central Piedmont Community College-Central Campus	2/26/2014	No. 9 bus is always crowded, slow, add more seats.	Comment will be forwarded to CATS.
Chris Sardo	5216 Clearwater Rd Charlotte, NC 28217	chrissardo@yahoo.com	Central Piedmont Community College-Central Campus	2/26/2014	The CATS bus system needs to add more routes that go to CPCC because all the buses are packed and people get to school late because of this.	Comment will be forwarded to CATS.
Charles Doung	9501 Shannon Green Dr	charles078@yahoo.com	Central Piedmont Community College-Central Campus	2/26/2014	There are pot holes near my place.	Comment will be forwarded to CDOT.
Lisa Groves	2601 Remington St Charlotte, NC 28216	lagamanda29@yahoo.com	Central Piedmont Community College-Central Campus	2/26/2014	Will the buses be cheaper for students and student with disabilities? How far will the LYNX go and where will it service? How will it benefit people in low-income areas?	RESPONSE NEEDED
Allen Crockett	3008 Marney Ave	allencrockett50@yahoo.com	Central Piedmont Community College-Central Campus	2/26/2014	I hope the transportation is fairly on time.	N/A
Kedar McGill	1625 McAllister Dr	kedarmcgill@gmail.com	Central Piedmont Community College-Central Campus	2/26/2014	The ideas for the added transportation is a great step forward to help people get around easier.	N/A
Gavora Jones	1826 Central Ave Unit A	gavorajones1942@gmail.com	Central Piedmont Community College-Central Campus	2/26/2014	More information of road closings!!	Comment will be forwarded to NCDOT Division 10 staff and CDOT staff.

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Joseph R. Burch, II	-	artisticbyjoe@yahoo.com	Central Piedmont Community College-Central Campus	2/26/2014	I am very curious to see this plan take shape. As an avid user of the transit system here in Charlotte I can say that I look forward to the additional services provided by the area transit as a whole.	N/A
Robert Archie	1014 Cyprus Rd Charlotte, NC 28215	robertarchie@yahoo.com	Central Piedmont Community College-Central Campus	2/26/2014	No comment	N/A
Roland Estep	122 Winding Arbor Cr	claytonestep@rocketmail.com	Mitchell Community College-Statesville	2/27/2014	Great effort in helping out congestion right where the lake is and great way to help out the community.	N/A
Bob theisen	103 Shining Armor Ct	-	Mitchell Community College-Statesville	2/27/2014	Extra lane needed across Lake (Norman).	A project is funded to add one lane in each direction on I-77 to exit 36 in Mooresville.
Ashley Stencil	133 Royalton Rd	a1stencil@hotmail.com	Mitchell Community College-Statesville	2/27/2014	This seems like a great idea (as) there always seem to be problems traveling around NC to Charlotte. If (you) could solve these problems or at least have ideas, (you) could make these problems become more known so people could help others (unknown) that traveling isn't as easy as they thought.	N/A
Shari Hamey	386 Gundun Valley Rd	(illegible)	Mitchell Community College-Statesville	2/27/2014	This seems like a very good idea to make travel safer and efficient in the area. It might also solve many problems in and around Charlotte. Also with the way the plan (unknown) to go in a good amount of time (unknown). If it is going to take a while.	N/A
Dave Wiggins			Charlotte-Mecklenburg Library-Main	3/4/2014	Steele Creek Residents look forward to favorable progress of Steele Creek Road (Hwy 160) through the process.	N/A
Shannon Binns					Brochure focuses too much on road projects	Staff agrees with the comment; future similar documents will discuss non-highway modes

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	Sustain Charlotte	2317 Laburnum Ave Charlotte NC 28205	meg@sustaincharlotte.org	E-Mail	3/19/2014		Funding prioritization process favors new road construction and road widening, and this undermines the 2040 MTP's own stated goals; Spending over 90% of funds on roadway projects is not compatible with the MTP goals 1-4	1. The funding prioritization process referenced is designed to rank highway projects only; CRTPO has a separate bicycle & pedestrian ranking process. 2. Transit funding and implementation priorities are established by the Metropolitan Transit Commission; CRTPO does not employ a separate transit planning process. 3. Statement that over 90% of funds are directed to road projects is inaccurate-the MTP includes substantial sums for the LYNX Blue Line Extension, City LYNX Gold Line (streetcar) and the Red Line.
Kym Hunter & Kate Asquith	Southern Environmental Law Center	601 W Rosemary St Suite 220 Chapel Hill NC 27516	kasquith@selcnc.org	E-Mail	3/19/2014		Various Comments	RESPONSE NEEDED

SOUTHERN ENVIRONMENTAL LAW CENTER

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CHAPEL HILL, NC 27516-2356

Facsimile 919-929-9421

March 19, 2014

VIA EMAIL AND U.S. MAIL

Robert Cook
Charlotte Regional Transportation Planning Organization
Charlotte-Mecklenburg Government Center
600 E. Fourth St., 8th floor
Charlotte, NC 28202
rwcook@ci.charlotte.nc.us

Re: Comments on CRTPO's 2040 Metropolitan Transportation Plan and Air Quality Conformity Determination Report

Dear Mr. Cook:

We appreciate the opportunity to submit these comments on the Charlotte Regional Transportation Planning Organization's ("CRTPO") 2040 Metropolitan Transportation Plan ("MTP") and Air Quality Conformity Determination Report on behalf of the Southern Environmental Law Center and Clean Air Carolina. We applaud much of the MTP. We greatly appreciate CRTPO's commitment to consider environmental values in its planning process. Further, we praise CRTPO for its efforts to engage the public more fully in this process, particularly environmental justice communities. We are also impressed with CRTPO's pledge to begin evaluating the public health impacts of proposed projects.

As noted in the draft MTP, CRTPO is on the brink of challenging times, with significant population growth expected in the Charlotte region. CRTPO's list of goals, objectives, and planning factors does well to outline planning for an efficient, sustainable, dynamic transportation system that will serve all users through 2040. Despite these admirable goals, we are disappointed to see that the specific programming outlined in the MTP does not always seem to match CRTPO's guiding principles. We remain concerned about CRTPO's continued commitment to certain outdated highway projects and a continued build-out of the highway system. Instead, we encourage a critical shift toward maintenance and upgrades to existing facilities, in addition to a greater resource allocation to non-highway modes that will better serve the CRTPO region's transportation needs.

I. Goals & Objectives

On January 1, 2013, we submitted comments on CRTPO's draft goals and objectives.¹ The chapter on Goals & Objectives in the Draft MTP demonstrates the excellent work CRTPO has done in responding to and incorporating our comments on these principals guiding the planning process. For example, the inclusion of new objectives, such as supporting the implementation of the Charlotte Area Transit System's ("CATS") Corridor System Plan under Goal 2, demonstrate that CRTPO gave careful consideration to our comments. We note too that CRTPO's Goal 2 commitment to integrate pedestrian and bicycling facilities into new road projects is of particular importance now that there is no longer any state funding for stand-alone bicycle-pedestrian projects.

As detailed further below, CRTPO has effectively incorporated our suggestion to better integrate the study of public health impacts into project planning, as discussed in depth below. Even more, we appreciate MPO's revision of the highway ranking methodology to better reflect these goals and objectives, as suggested in our comments. While we would have preferred to see the inclusion of an additional goal to develop a sustainable, environmentally sensitive transportation system incorporating environment stewardship principles, as proposed in our comments, we appreciate that these concerns are partially incorporated into CRTPO's "Environmental Protection, Energy Conservation and Sustainable Development" planning factor guiding the MTP process.

II. Planning Factors

CRTPO's list of planning factors does well to integrate the laudable Goals & Objectives. We are disappointed, however, that the goals, objectives, and planning factors do not match the specific programming outlined in the MTP. For example, CRTPO's acknowledgement that improving accessibility and mobility options available for people and freight is "one of the most important objectives" is particularly praiseworthy.² As we detailed further below, we agree that the North Carolina must rethink our practice of relying almost exclusively on highways and automobiles for our transportation needs, and should instead increase investment in expanded transportation options. Similarly, we appreciate CRTPO's commitment to develop and support programs that enhance the integration and connectivity of a multimodal transportation system.³ Such linkages are fundamental to ensuring a dynamic system that provides mobility options for users and goods. As such, CRTPO would do well to further invest in such multimodal-enabling projects, rather than continuing to pursue expensive highway-only projects such as the Monroe Bypass.

¹ See letter from Kym Hunter, SELC, to Nick Landa, MUMPO, *2040 Long Range Transportation Plan- Draft Goals & Objectives* (Jan. 11, 2013); MUMPO, *2040 LRTP Goals & Objectives: Response to Stakeholders*.

² Draft MTP at 3-5.

³ Draft MTP at 3-7.

CRTPO's focus on safety as another planning factor is also integral to such a shift. We commend CRTPO for concentrating not only on the safety issues confronting vehicle-based users, but also including the safety concerns of all users such as transit riders, pedestrians, and bicyclists.⁴ We agree that implementing land use and transportation policies such as the Complete Streets policy and the Urban Street Design Guidelines serve well to support expanded mobility options, as ensuring the safety of such users is integral to their success.⁵

We also appreciate that CRTPO has acknowledged system maintenance a major aspect of safety,⁶ as well as the planning factor focused on preservation of the existing system.⁷ We agree that one of the greatest challenges facing North Carolina's transportation system is the massive backlog of unmet maintenance and repair needs for our roads and bridges.⁸ As detailed below, we strongly encourage CRTPO to incorporate this planning factor by implementing a Fix-It-First transportation funding strategy, focused on maintenance rather than continuing to expand new highway capacity.

Additionally, we strongly support CRTPO's inclusion of "Environmental Protection, Energy Conservation and Sustainable Development" as a planning factor guiding the MTP process. We appreciate CRTPO's acknowledgement that the member governments within the urban area look to protect their important resources by enacting environmentally sensitive land use policies and programs; however, as detailed below, we encourage CRTPO to recognize that these local efforts cannot be as effective without strong regional coordination and an overall shift away from expanding the highway system. Additionally, we are pleased to see CRTPO recognize the importance of integrating land use and transportation planning.⁹ Such collaborative planning is essential to achieving many of CRTPO's goals, as we further outline below.

We also support CRTPO's inclusion of economic vitality as one among many planning factors, and are particularly pleased with CRTPO's recognition that planning for the economic vitality of the region requires ensuring the implementation of a multi-modal transportation system including mass transit, bicycle, and pedestrian facilities.¹⁰ As we detail below, we agree that continuing to expand these systems is integral to preserving the region's reputation as a desirable place to live and locate businesses, and encourage CRTPO to continue promoting such facilities within the MTP rather than the focusing on continued expansion of highway infrastructure.

⁴ Draft MTP at 3-3.

⁵ Draft MTP at 3-5.

⁶ Draft MTP at 3-3.

⁷ Draft MTP at 3-9.

⁸ See, e.g., American Society of Civil Engineers, *North Carolina Infrastructure Report Card 2013*, available at <http://www.infrastructurereportcard.org/state-page/north-carolina>.

⁹ Draft MTP at 3-5.

¹⁰ Draft MTP at 3-2.

III. Public Involvement

We commend CRTPO for its significant efforts to ensure strong public involvement in this planning process. Because the MTP defines the transportation policies, programs, and projects to be implemented throughout the CRTPO region during the next 20 years, such public involvement is key to understanding the needs and preferences of the community. As detailed in Chapters 4 & 5 of the draft MTP, CRTPO has worked hard through its planning process to engage with the public in a meaningful way.

In particular, we appreciate that CRTPO did not limit its outreach activities to a few public meetings during the comment period. Instead, CRTPO implemented significant additional efforts to engage and inform the public in the months leading up to the comment period, helping to prepare the community to understand the MTP process before the short comment period.¹¹ Additionally, during the comment period CRTPO engaged in supplemental public outreach activities designed to target a wide variety of geographies and demographics throughout the CRTPO planning area.¹² We hope that by hosting these public outreach sessions at a variety of times and places, CRTPO has been able to maximize its reach to members of the public who might not otherwise engage in the planning process. We anticipate CRTPO will outline the results of this supplemental outreach in the final document to provide details of the outcomes of these activities.

CRTPO's targeted outreach to environmental justice communities has also been impressive. As the draft MTP document recognizes, though historically the negative impacts of transportation projects and regulations have disproportionately affected minority and low-income communities, these communities have often been excluded from transportation policy-setting and decision-making processes.¹³ We appreciate that CRTPO has taken the time to evaluate the effectiveness of its own past efforts to engage these communities, such as ads printed in local newspapers, community signs advertising community meetings, and inserts in utility bills.¹⁴ After recognizing that these past efforts did not obtain the desired results, CRTPO rightly resolved to do a better job of educating and reaching out to these communities during this planning process.¹⁵ For example, CRTPO appears to have spent significant time targeting and conducting specific activities and meetings focused on identified environmental justice communities throughout the planning area.¹⁶ CRTPO also did well to provide brochures in Spanish, and to provide a supplemental hotline in the six languages representative of the most common non-English speaking populations within the CRTPO planning area.¹⁷ We look forward to seeing the outcomes and overall success of these efforts detailed in the final

¹¹ Draft MTP at 4-4 – 4-8.

¹² Draft MTP at Chapters 4 & 5.

¹³ Draft MTP at 5-1.

¹⁴ Draft MTP at 5-6 – 5-7.

¹⁵ Draft MTP at 5-7.

¹⁶ Draft MTP at 5-6.

¹⁷ Draft MTP at 5-5.

document, and hope that CRTPO's efforts can inform other planning organizations across the state as they also seek to address impacts to environmental justice communities.

IV. Environment

A. Air Quality

a. Ozone and MSATs

The data presented in the draft MTP demonstrates that ozone in the CRTPO region has declined over the last twenty years. We applaud CRTPO for the policies and projects it has implemented to cause some of this decrease. Nonetheless, the region is still in non-attainment under current standards, and with all the growth expected in the region severe challenges remain. Moreover, the MTP as a plan for 2040 should look to the future. In doing so it is essential that CRTPO articulate how it intends to meet more aggressive ozone standards (60-70 ppb) that are likely to be enacted in the future, and which scientists and medical professionals have indicated are essential to protect public health.¹⁸ The draft document recognizes that much of the decline in ozone is attributable to the technology improvements in automobiles and light-duty trucks, yet acknowledges that these emissions reductions “are at risk of being overcome by rapid growth and increases in vehicle miles of travel (VMT).”¹⁹

While we understand the MTP's focus on the criteria pollutants ozone and particulate matter, we note that transportation does have additional impacts on air quality. Mobile Source Air Toxics (“MSATs”) should not be overlooked by CRTPO. While improvements to vehicle design are helping MSATs to decline, the rise in VMT may lessen any meaningful abatement of these harmful pollutants. We urge CRTPO to consider MSATs in its planning process. MSATs can be particularly harmful to certain at risk populations including children and older adults, and therefore it is an important issue to consider when planning where to site highway projects.

b. Clean Construction

We also recommend CRTPO commit to a program encouraging the use of “clean construction” techniques throughout the region in order to further reduce the negative air quality impacts of projects included in the MTP. Diesel equipment provides the power needed for most construction activities; however, emissions from this equipment can negatively impact the health of people on and near construction sites. Committing to diesel emissions reduction practices such as enforcing a no-idle policy on construction sites, using lower emission construction equipment, and prohibiting equipment from operating near air intake sources could play a key role in improving area air quality. In addition, many of these practices can be implemented with

¹⁸ See, e.g., EPA, *Health Risk and Exposure Assessment for Ozone: Second External Review Draft*, available at <http://www.epa.gov/ttn/naaqs/standards/ozone/data/20140131healthrea.pdf>; EPA, *Integrated Review Plan for the Ozone NAAQS Review – Final*, available at http://www.epa.gov/ttn/naaqs/standards/ozone/s_o3_2008_pd.html.

¹⁹ Draft MTP at 7-4.

little to no increase in overall project cost. As such, clean construction policies represent an innovative solution that can result in cleaner air in an area of North Carolina that continues to have trouble meeting federal air quality standards.

c. Climate Change

We appreciate the MTP's recognition of climate change as an important issue. We urge CRTPO, however, to go further than its current passive discussion and become a real leader on meaningful greenhouse gas ("GHG") reductions. To better address climate change concerns in the future, CRTPO should consider developing a quantitative assessment of GHG emissions in future planning efforts. Even in the absence of a legislative or federal mandate, the CRTPO region's poor air quality provides good cause to seek to quantify expected GHG emissions. Even more, the Charlotte area has long been a leader in progressive planning efforts in North Carolina, and such an assessment would serve as a laudable next step.

In the final MTP document, CRTPO should consider discussing climate change concerns in the air quality section, rather than relegating the topic to the end of the Environment chapter. As the draft acknowledges, climate change is the result of increased greenhouse gas ("GHG") emissions, including carbon dioxide, chlorofluorocarbons, methane, and nitrous oxide.²⁰ As such, it is appropriately considered as an air quality concern for the CRTPO region.

More specifically, CRTPO should exercise caution in relying on the inclusion of high occupancy toll ("HOT") lanes in expansion projects to control regional VMT as part of an overall strategy to address climate change.²¹ For example, we remain concerned that increasing highway capacity on I-77 may increase overall VMT in the CRTPO region, even with the managed lane aspect of the project.²² As we have articulated to CRTPO in the past, expanding highway capacity in congested areas often serves to induce higher VMT.²³ Furthermore, when managed lanes become part of a Public Private Partnership project, and the private partner, rather than a governmental entity, is responsible for setting the toll rate, we remain concerned that maximizing revenue may trump throughput and associated air quality concerns.

B. Water Quality

As noted, we commend CRTPO for the inclusion of a natural resources impact criterion in the MTP roadway project ranking methodology. We especially appreciate how CRTPO applies this criterion to assess water quality impacts using a GIS tool to locate natural resources.²⁴ We agree that avoidance of these important natural resources is always the first step

²⁰ Draft MTP at 7-14.

²¹ Draft MTP at 7-15.

²² Letter from Kym Hunter, SELC, to Jammie Robbins, NCDOT, *RE: Environmental Assessment for the I-77 High Occupancy/Toll Lanes project* (Aug. 1, 2013).

²³ See, e.g., letter from Kym Hunter and Kate Asquith, SELC, to Neil Burke, CRTPO, *Comments on CRTPO's Prioritization 3.0 Local Input Point Methodology* (Feb. 12, 2014).

²⁴ Draft MTP at 7-6.

in proactively addressing water quality concerns. We also appreciate CRTPO's recognition of local programs to address water quality impacts.²⁵ We note, however, that these local measures can be ineffective if the overall regional commitment is focused on expanding the highway system. As such, we strongly encourage CRTPO to continue pursuing region-level water quality measures, and to continue shifting its focus towards expanding its non-highway infrastructure.

C. Consultation

We praise CRTPO for its consultation with the appropriate federal, state, and local environmental and conservation agencies as required under 23 C.F.R. 450.322(g).²⁶ We hope your efforts to implement this important provision of SAFETEA-LU has resulted in a more robust understanding of the various land use management, natural resource, environmental, conservation, and historic preservation concerns implicated by the MTP. We suggest that in future planning efforts, CRTPO should consider similar early engagement with local, non-government environmental stakeholders such as Clean Air Carolina, the Yadkin Riverkeeper, the Catawba Riverkeeper Foundation, Sustain Charlotte, the North Carolina Wildlife Federation, the Sierra Club, and SELC.

These efforts should also be well informed through strong integration of transportation and land use planning suggested in the draft MTP document.²⁷ As we have noted to CRTPO in the past,²⁸ this integration will be important to meet many of CRTPO's stated goals, and is a federally required aspect of transportation planning.²⁹ The past disconnect between transportation and local land use planning across North Carolina, and the Charlotte region in particular, has encouraged pervasive low-density, auto-dependent development. As such, we appreciate CRTPO's recognition of the importance of consulting and coordinating with local agencies to ensure that scarce transportation dollars are spent on projects that support land use outcomes that are consistent with local needs, rather than on those projects that may undermine them local planning.

D. Mitigation

We understand CRTPO's statement that much of mitigation is project specific, and therefore not properly addressed in the MTP document.³⁰ However, CRTPO should consider implementing region-level policies to ensure the efficacy of mitigation efforts throughout the

²⁵ Draft MTP at 7-7.

²⁶ Draft MTP at 7-10.

²⁷ Draft MTP at 3-5.

²⁸ See letter from Kym Hunter, SELC, to Nick Landa, MUMPO, *2040 Long Range Transportation Plan- Draft Goals & Objectives* (Jan. 11, 2013).

²⁹ 23 C.F.R. 450.306(a)(5) ("The metropolitan transportation planning process shall be continuous, cooperative, and comprehensive, and provide for consideration and implementation of projects, strategies, and services that will address the following factors, [including] promot[ing] consistency between transportation improvements and State and local planned growth and economic development patterns.").

³⁰ See Draft MTP at 7-11.

CRTPO planning area. For example, we encourage CRTPO to commit to mitigation programs that replace the losses occurring as a result of projects on the MTP, such as by requiring a project's mitigation credits come from within the same watershed as is impacted by the project. Similarly, CRTPO should consider advancing a commitment to linear wetland design to address storm water runoff impacts throughout the region, as such projects have been found quite effective at pollution removal.³¹ Such efforts can help to ensure stronger mitigation region-wide.

E. Wildlife and Habitat

We are concerned that that the draft MTP includes little discussion of minimization and mitigation efforts with regard to habitat and wildlife concerns. For example, the draft does not include a list of endangered species or any discussion of critical habitat present in the Charlotte area. Such information is easily available and should properly have been a part of the consultation discussions noted above. Further, the draft document does not appear to consider the impacts of habitat fragmentation or decreased connectivity between natural areas. Nor is there any discussion of how roadway design may be used to help mitigate such concerns. We encourage CRTPO to explore how wildlife and habitat will be impacted by the MTP, and make that information available to the public. Further we urge that the MTP articulate what mitigation efforts can be made to address these impacts.

V. Public Health

CRTPO's decision to incorporate public health into its vision statement and the MTP is also laudable. We agree that public health is a community concern requiring a collaborative approach integrating policy-making and programming across numerous disciplines, including transportation planning. CRTPO's recognition of this concept will be integral to addressing public health concerns throughout the Charlotte metropolitan region.

Even more, CRTPO is right to explore the use of health impact assessments ("HIA") for specific projects. In an HIA, transportation planners draw from a range of data sources, analytic methods, and stakeholder input to determine the potential effects of a proposed policy, plan, program, or project on a population's health and the distribution of those effects within the population. Such an assessment provides highly specific information that can be critical to fully understanding a project's full public health impacts. As we have noted to CRTPO in the past, North Carolina is poised to become an HIA leader in the Southeast, as several HIAs have been completed or are currently underway across the state.³² CRTPO is wise to capitalize on this growing trend in transportation planning as a tool to develop a transportation system that promotes healthy living and quality of life throughout the region.

³¹ See, e.g., Ryan J. Winston, et al, *Field Evaluation of Stormwater Control Measures for Treatment of Highway Stormwater in North Carolina*, submitted for publication to the Journal of Environmental Engineering, on file with SELC.

³² Letter from Kym Hunter and Kate Asquith, SELC, to Nick Landa, MUMPO, *2040 Long Range Transportation Plan – Draft Goals and Objectives* (Jan. 11, 2013).

VI. Highway Projects

A. MTP Highway Ranking Methodology

As we have noted in previous comments, we applaud much of CRTPO's MTP scoring system for the ranking of highway projects. In particular, we appreciate the Tier 2 Evaluation, which considers how projects address the sustainability of the overall transportation system. We especially like that the Tier 2 evaluation considers environmental justice impacts, as well as impacts to natural, cultural, and historic resources. Such considerations are important factors in determining the overall value of candidate projects to the CRTPO region.

As we have noted, however, we remain concerned that the "congestion" metric under Tier 1 receives an overly heavy weight in the scoring system, and may not ultimately lead to the congestion relief desired by the MPO.³³ The Tier 1 evaluation requires considering how well each facility currently functions by measuring the most recent traffic volumes in relation to the existing roadway capacity. This congestion score makes up half of the Tier 1 score, yet it is well documented that the addition of new lanes to heavily congested roads leads to additional trips, and not, ultimately, to congestion relief.³⁴ Instead, we encourage CRTPO to explore other metrics better geared toward measuring a project's ability to address congestion.

B. System Maintenance

As we noted above, we strongly support CRTPO's planning focus on improved safety, and encourage a greater emphasis on maintenance of the current deteriorating highway system rather than continuing to expand that system even further. We agree with CRTPO that one of the greatest challenges facing North Carolina's transportation system is the massive backlog of unmet maintenance and repair needs for our roads and bridges.³⁵ For example, the American Society of Civil Engineers ("ASCE") found that 45% of North Carolina's roads are in poor or mediocre condition, and 30.2% of North Carolina's bridges are structurally deficient or

³³ Letter from Kym Hunter and Kate Asquith, SELC, to Neil Burke, CRTPO, *Comments on CRTPO's Prioritization 3.0 Local Input Point Methodology* (Feb. 12, 2014).

³⁴ See, e.g., Todd Litman, *Generated Traffic and Induced Travel: Implications for Transport Planning*, 38-47 *Institute of Transportation Engineers Journal*, vol. 71 no. 4, at 2-3 (2001); see also Gilles Duranton & Matthew A. Turner, *The Fundamental Law of Road Congestion: Evidence from US Cities*, *American Economic Review*, vol. 101(6), at 2616-52 (Oct. 2011) (finding highway vehicle kilometers traveled increases proportionately to highways and that an increased provision of roads is unlikely to relieve congestion); Robert B. Noland, *Relationships Between Highway Capacity and Induced Vehicle Travel*, *Transportation Research Part A* 35, at 47-72 (2001) (finding that approximately 25% of VMT growth is due to added road capacity, supporting the hypothesis that lane mile additions can induce significant additional travel); Kenneth Small, *Urban Transportation Economics* 113-117 (1992) (arguing that increased highway capacity decreases cost of driving and thereby encourages increased road usage based on latent demand).

³⁵ American Society of Civil Engineers, *North Carolina Infrastructure Report Card 2013*, available at <http://www.infrastructurereportcard.org/state-page/north-carolina>.

functionally obsolete.³⁶ The Federal Highway Administration (“FHWA”) estimates that inadequate maintenance and repair of bridges and roads factors into 30% of all fatal highway accidents, and the ASCE found that North Carolina experiences 10% more fatalities than the US average.³⁷

As such, we again encourage CRTPO to support a “Fix-It-First” approach to highway spending. This strategy has been employed by at least 17 other states to date, which have reprioritized transportation dollars to ensure allocation of sufficient funds over time to protect transportation infrastructure investments.³⁸ Notably, a “Fix-It-First” policy does not prohibit constructing any new capacity until the region’s entire maintenance backlog is eliminated; instead, it simply calls for a reprioritization of transportation dollars such that CRTPO can provide for the adequate maintenance and repair of its existing transportation framework.

Nor does “Fix-It-First” mean sacrificing local economic benefits that flow from transportation spending. In fact, such a program fits well within CRTPO’s planning factor of economic vitality as well as sustainability. Dollar for dollar, maintenance and repair fuels more job creation than new road construction.³⁹ Maintaining and repairing existing roads and bridges creates 16% more jobs per dollar spent than building new highways, in part because less money is spent on right-of-way purchases and impact studies. In addition, a Fix-It-First approach creates local jobs faster because less money has to be spent upfront on equipment and planning.⁴⁰ And a Fix-It-First policy would provide considerable savings for future generations; the American Association of State Highway and Transportation Officials (“AASHTO”) estimates that every dollar spent on road maintenance saves \$6 to \$14 that would be spent to rebuild the road if it were allowed to deteriorate.⁴¹

C. U.S. 74 Corridor and the Monroe Bypass

We continue to question CRTPO’s inclusion of the \$900 million Monroe Bypass as part of the MTP, and instead encourage NCDOT to pursue a suite of low-cost, targeted transportation improvements in the U.S. 74 Corridor. Funding such an expensive project, while leaving real transportation needs in Union County and the rest of the Charlotte area unaddressed, necessarily shrinks the already-insufficient pool of available transportation dollars without adding a comparable benefit to the region.

³⁶ *Id.*

³⁷ *Id.*

³⁸ These states include: California, Delaware, Illinois, Maine, Maryland, Massachusetts; Michigan, New Jersey, Oregon, Pennsylvania, South Carolina, Tennessee, Utah, Vermont, Virginia, Washington, and Wisconsin.

³⁹ See Surface Transportation Policy Partnership, *An Analysis of the Federal Highways Administration JOBMOD Computer Model*, developed in conjunction with Boston University and Battelle Memorial Institute (2004).

⁴⁰ Arthur C. Nelson et al., *The Best Stimulus for the Money: Briefing Papers on the Economics of Transportation Spending*, University of Utah’s Metropolitan Research Center and Smart Growth America (2009).

⁴¹ The American Association of State Highway and Transportation Officials, *Rough Roads Ahead, Fix Them Now or Pay for It Later* (2009), available at <http://bit.ly/AASHTO-roughroads>.

We agree with CRTPO that “it is not financially or politically feasible to build our way out of congestion by constructing more through lanes along every congested roadway”;⁴² in fact, the Monroe Bypass demonstrates precisely the folly of such intent. As we have detailed extensively in our recent comments on NCDOT’s Draft Supplemental Final Environmental Impact Statement, NCDOT’s most recent analysis of the project demonstrates that proceeding any further with the Monroe Bypass is no longer advisable.⁴³ Much has changed since NCDOT first began the environmental review of the Bypass in 2007. Congestion on U.S. 74 has improved dramatically over the past five years, such that travel speeds have increased by 10-15 mph in that short time span.⁴⁴ Growth in previously fast-growing Union County has slowed significantly, particularly in the Bypass study area, exemplified by the fact that traffic volumes in the U.S. 74 Corridor have remained flat for over a decade.⁴⁵ At the same time, the Bypass is no longer projected to save drivers significant travel time to employment centers like Charlotte: The toll highway, which was originally anticipated to save commuters traveling its full length 29-32 minutes, is now estimated to save drivers traveling its full length a mere 8-12 minutes in the opening year.⁴⁶ Yet the project’s high toll rates — \$2.58 for cars and \$10.27 for trucks traveling one way in the opening year — have not been reevaluated in light of the limited benefit drivers are now expected to reap as a result of using the road.⁴⁷

Recent review of the project, such as that performed by retired Professor of Transportation Studies at UNC Charlotte, Dr. David Hartgen, casts further doubt as to the benefits of building the Bypass.⁴⁸ Dr. Hartgen’s report demonstrates that a series of low-cost, small-scale improvements implemented along the corridor over the past five years, such as coordinating traffic signals and improving turn lanes, have resulted in dramatic improvements to travel speeds on U.S. 74. This data suggests that further improvements of the same type may better address congestion issues in the corridor. CRTPO itself acknowledges in the draft MTP that these efforts have served well to preserve the existing system.⁴⁹ As such, rather than continuing to pursue the Monroe Connector/Bypass, CRTPO should instead focus its attention on promoting a suite of low-cost, targeted improvements that would actually address transportation needs on the U.S. 74 Corridor. And further improvements are planned for the area, such as superstreet upgrades through Indian Trail and widening of parallel roads such as

⁴² Draft MTP at 13-3.

⁴³ Letter from Kym Hunter and Kate Asquith, SELC, to Jennifer Harris, NCDOT, *Monroe Connector/Bypass: Draft Supplemental Environmental Impact Statement*, at 55-63 (Jan. 6, 2014).

⁴⁴ Memorandum from Bradley Reynolds, HNTB, to Jennifer Harris, NCDOT, RE: *U.S. 74 Corridor Travel Time Improvement* (April 8, 2013).

⁴⁵ David T. Hartgen, *Review of Traffic Forecasting: Monroe Connector/Bypass Draft Supplemental Final EIS, November 2013* (Dec. 26, 2013) [hereinafter “Hartgen Report”], at 14, 17.

⁴⁶ Hartgen Report at 13.

⁴⁷ Wilbur Smith Associates, *Proposed Monroe Connector/Bypass Comprehensive Traffic and Revenue Study*, prepared for NCTA, at 6-11 (2010), available at http://www.ncdot.gov/projects/monroeconnector/download/monroe_FEIS_ComprehensiveTrafficRevenueStudy.pdf.

⁴⁸ See Hartgen Report.

⁴⁹ See Draft MTP at 3-9.

Old Monroe Road. These projects are likely to result in even greater improvements on travel speeds.

As such, we hope CRTPO will continue to pursue these types of projects within the U.S. 74 Corridor. For example, further improvements to U.S. 74 itself could be paired with improvements to other Union County roads such as Secret Shortcut and the Monroe Road Loop so as to create an improved parallel road network that would relieve pressure from key local congestion hot spots. Many of these options, such as widening Old Monroe Road, are currently included in the MTP list of fiscally constrained roadway projects, and others have been in the past. For example, widening projects on both Indian Trail Road and Stallings Road were removed from the LRTP in order to shift funds to the widening of Old Monroe Road.⁵⁰ We encourage CRTPO to reevaluate how such comparatively low cost projects could greatly improve the U.S. 74 Corridor, and to consider funding and accelerating these projects.

These road network improvements could function together with other alternatives to improve the U.S. 74 Corridor even further. Expanded public transit in Union County, such as the Charlotte Area Transit System (“CATS”), the 74X Union County Regional Transit Service between Union County and downtown Charlotte, and the Union County Human Service Transportation (“HST”) program highlighted in the MTP,⁵¹ could also help to alleviate congestion in the U.S. 74 Corridor. These improvements could work well with other alternatives like development of frontage roads along U.S. 74, expanded freight rail services, and Transportation Demand Management solutions like increasing staggered or flexible work schedules, to dramatically improve traffic conditions on U.S. 74 itself without the need for an expensive new-location facility.

We understand that there is currently a typographical error in the fiscally constrained project list regarding the length and cost of the Monroe Bypass.⁵² We expect that once the list is corrected the project cost will match the updated cost figure listed in the project’s recent Draft Supplemental Final Environmental Impact Statement (\$898 rather than the cost listed in the State Transportation Improvement Program (\$789 million).⁵³ We note that if CRTPO insists on continuing to pursue construction of the Monroe Bypass, the body must approve a STIP amendment before the project can move forward, as the Monroe Bypass can no longer be considered to be part of a fiscally constrained plan. Federal guidance explains that where a significant difference exists between the dollar amount programmed in the STIP and the amount estimated in the EIS, a STIP amendment is necessary prior to the approval of a ROD by FHWA.⁵⁴ We caution against such an amendment however, for the reasons outlined about as

⁵⁰ See MUMPO 2035 LRTP Amendments (May 22, 2013), available at [http://www.crtpo.org/PDFs/2035_LRTP/Amendments/LRTP_Amendments\(2013_05_May_22\).pdf](http://www.crtpo.org/PDFs/2035_LRTP/Amendments/LRTP_Amendments(2013_05_May_22).pdf).

⁵¹ Draft MTP at 14-6.

⁵² E-mail from Robert Cook, CRTPO, to Kate Asquith, SELC (March 17, 2014).

⁵³ North Carolina Statewide Transportation Investment Program “STIP”; Monroe Bypass DSFEIS at 3-11.

⁵⁴ FHWA, Office of Planning, Environment, & Realty Planning, *Transportation Planning Requirements and Their Relationship to NEPA Approvals: Supplement to January 28, 2008 Transportation Planning Requirements and*

well as the fact that the financial analysis underlying the project's funding scheme is deeply flawed, such that the Bypass as designed is unlikely to generate sufficient toll revenue to cover the bonds on the project.⁵⁵ This information all suggests that an expensive new-location toll highway is no longer the best solution for Union County or the state of North Carolina. As such, CRTPO must address whether it is willing to approve a \$110 million cost increase for a highway project that is becoming both increasingly expensive and less useful to the region.

D. Garden Parkway

We are pleased to see CRTPO has placed such a low priority on the Garden Parkway project and has pushed the project off until Horizon Year 2040. Still, we encourage CRTPO to reconsider its inclusion of the Garden Parkway as part of its fiscally constrained plan entirely. Like the Monroe Bypass, NCDOT's study of the Garden Parkway demonstrates that the project is unlikely to provide any benefit comparable to its gigantic price tag.

Though NCDOT originally intended that the \$900 million project would relieve congestion in the area, particularly along I-85, traffic projections for the road demonstrate that it will, in fact, increase congestion on some area roadways.⁵⁶ Furthermore, the project will be just two lanes for almost a third of its length, a situation which even NCDOT recognizes fails to satisfy the purpose and need articulated for the project. Contrary to the Draft Plan's focus on transportation improvements that serve logistics needs and boost job creation, NCDOT's own study show that construction of the toll highway will actually result in a net loss of jobs to South Carolina.⁵⁷

By contrast, the road will have overwhelming negative environmental impacts, contributing to the already poor air quality in the Charlotte region and further jeopardizing many streams and tributaries in the area.⁵⁸ The project has also generated overwhelming public opposition from the local community: Polling shows that 67% of Gaston County residents are opposed to the project and over 7,000 people have signed a petition in opposition.⁵⁹ Additionally, like the Monroe Connector/Bypass, the cost to construct the Garden Parkway has

Their Relationship to NEPA Process Completion (Feb. 9, 2011), available at http://www.fhwa.dot.gov/planning/tpr_and_nepa/tprandnepasupplement.cfm.

⁵⁵ See, e.g., letter from Kym Hunter and Kate Asquith, SELC, to Jennifer Harris, NCDOT, *Monroe Connector/Bypass: Draft Supplemental Environmental Impact Statement*, at 55-63 (Jan. 6, 2014); Hartgen Report at 30-32; Wilbur Smith Associates, *Proposed Monroe Connector/Bypass Comprehensive Traffic and Revenue Study*, prepared for NCTA (2010), available at http://www.ncdot.gov/projects/monroconnector/download/monroe_FEIS_ComprehensiveTrafficRevenueStudy.pdf.

⁵⁶ Draft Environmental Impact Statement for the Garden Parkway, Appendix C, available at <http://www.ncdot.gov/projects/gardenparkway/>.

⁵⁷ Final Environmental Impact Statement for the Garden Parkway, Indirect and Cumulative Effects Analysis, available at <http://www.ncdot.gov/projects/gardenparkway/>.

⁵⁸ Draft Environmental Impact Statement for the Garden Parkway, available at <http://www.ncdot.gov/projects/gardenparkway/>.

⁵⁹ See, e.g., Stop the Toll Road website, available at <http://stopthetollroad.com/>.

likely escalated greatly. Even under the original funding scheme, NCDOT admitted it was unable to fund the full project, instead limiting the project to just two lanes for almost a third of its length. With the project's statutory gap funding now eliminated, it seems even more unlikely that this expensive project can be fully funded.

Instead of the Parkway, CRTPO should pursue improvements to existing Gaston County roadways. In particular, we believe that improvements to I-85 should be a high priority for the area. Such improvements could function together with other expanded transportation options, such as increased freight rail capacity and new mass transit lines, to greatly improve mobility in Gaston County. Though these alternative road projects would likely fall within the area covered by the Gaston-Cleveland-Lincoln Metropolitan Planning Organization, CRTPO's support for alternatives to the Garden Parkway could be critical to their ultimate construction.

VII. Non-Highway Projects

A. Importance of Non-Highway Projects in the CRTPO Region

We are happy to see that CRTPO continues to place a high priority on expanding non-highway projects.⁶⁰ As the MTP demonstrates, the Charlotte region is a prime target for expanding transportation options beyond highway modes. While residents are spread throughout the CRTPO region, employment is very highly concentrated in Charlotte's city center due to the higher density of government offices and corporate headquarters.⁶¹ And yet the vast majority of workers (80%) currently drive to work alone.⁶² These factors have led to increased congestion throughout the CRTPO region, levying significant costs upon residents. For example, according to the Urban Mobility Report, which calculates the monetary costs of congestion by considering factors such as the loss of time and cost of excess gasoline, Charlotte drivers have an average annual congestion cost of \$904, higher than the average for other large cities (\$787) and the US as a whole (\$805).⁶³ Similarly, traffic congestion deteriorates area air quality, causing increased emissions of harmful pollutants such as carbon monoxide, carbon dioxide, particulate matter, precursors to ground-level ozone like hydrocarbons and nitrous oxide, and other air toxics. As such, the CRTPO region is primed for congestion management solutions such as expanded transit services and other transportation choices to combat current levels of congestion.

Even more, expanded transportation options will also be necessary to serve the region's shifting demographics. For example, as NCDOT recently recognized in its 2040 Plan, North Carolina's aging population has made the availability of mobility choices increasingly critical, as

⁶⁰ See, e.g., Draft MTP at 14-7.

⁶¹ Draft MTP at 10-2.

⁶² *Id.*

⁶³ Draft MTP at 10-5.

many older individuals can no longer drive due to deteriorating eyesight or personal mobility.⁶⁴ Expanded transportation options are necessary for low-income individuals, which can be highly affected by limited access to reliable automotive transportation and the high cost of automobile ownership, gasoline, and automobile insurance.⁶⁵ Such transportation barriers can serve to limit access to employment opportunities, health care, schools, and other needed services.⁶⁶

Similarly, the CRTPO region must continue to expand its non-highway spending to remain attractive to potential new residents and businesses. The newest generation of younger adults favors expanded pedestrian, bicycle, and public transportation options, preferring instead to live in more urban areas characterized by “nearby shopping, restaurants, schools, and public transportation as opposed to sprawl.”⁶⁷ And this class of workers is choosing where to locate based on these preferences. Experts agree that access to sustainable transportation options is an important factor in attracting young workers.⁶⁸ And NCDOT itself recognizes the important role expanded rail infrastructure can play in attracting new businesses to our state.⁶⁹ As such, any plan geared at attracting these skilled workers — and the businesses which will seek to employ them — should focus on making smart infrastructure investments in the types of transportation that these workers and businesses favor.

B. Non-Highway Funding Allocations

We appreciate that CRTPO is planning for a significant allocation of funds toward non-highway modes. We understand that CRTPO is constrained by NCDOT’s “normalization” process, which severely limits the availability of funding for non-highway modes. We hope CRTPO will be a strong voice urging for a change to this “normalization” process. Additionally, despite NCDOT’s stated allocation, we encourage CRTPO to devote a larger share to non-highway projects. The Draft MTP explains that CRTPO has planned to allocate 15% of Region E funds and 10% of Region F funds toward non-highway modes.⁷⁰ We agree with CRTPO that these percentages are well above the statutory floor for non-highway mode funding set by the recent Strategic Transportation Investments bill (4% of Regional Impacts and Division Needs

⁶⁴ NCDOT, *North Carolina Statewide Transportation Plan: System Inventory and Modal Needs* (Aug. 2012), at 12, 20, 23-24; see also Transportation for America, *Aging in Place: Stuck Without Options* (2011), available at <http://t4america.org/docs/SeniorsMobilityCrisis.pdf>; 2040 Plan at 28.

⁶⁵ The Mineta Transportation Institute, *Getting Around When You’re Just Getting By: The Travel Behavior and Transportation Expenditures of Low-Income Adults*, at 11 (Jan. 2011).

⁶⁶ *Id.* at 13.

⁶⁷ U.S. PIRG, *Transportation and the New Generation, Why Young People Are Driving Less and What It Means for Transportation Policy* (April 2012), available at <http://www.uspirg.org/reports/usp/transportation-and-new-generation>.

⁶⁸ See, e.g., Jennifer Polland, *Presenting: The 15 Hottest American Cities of the Future*, BUSINESS INSIDER (June 2012), available at <http://www.businessinsider.com/up-and-coming-cities-2012-6?op=1>; Bill Lewis, *Walkable neighborhoods gain traction in city as well as suburbs*, THE TENNESSEAN (Jan. 26, 2014), available at <http://www.tennessean.com/article/20140126/BUSINESS02/301260037/Walkable-neighborhoods-gain-traction-city-well-suburbs?gcheck=1>.

⁶⁹ See, e.g., NCDOT, *NC by Train*, available at <http://www.ncbytrain.org/projects/industrial/default.html>.

⁷⁰ Draft MTP at 11-6, 11-7.

tier funding, or just 2.4% of total transportation dollars). Still, the allocations hang close to the statute's overall ceiling for non-highway mode funding (10% of Regional Impacts and Division Needs tier funding, or just 6% of total transportation dollars). We agree with CRTPO's non-highway allocation for its share of Division 10 and 12 funds, however, as it is quite strong.⁷¹

As CRTPO has recognized, dense, urban areas such as the CRTPO region will be likely candidates for the lion's share of non-highway funding.⁷² And the CRTPO region needs state dollars to fund its public transit plan, as the region's primary transit revenue source, the half-percent sales tax in Mecklenburg County, was dramatically reduced during the 2007-09 recession and has still not yet reached pre-recession levels, leading to a significant gap in local non-highway funding. We therefore encourage CRTPO to reevaluate the financial assumptions leading to its current non-highway percentages with an eye toward long term transportation needs.

C. Specific Public Transit Projects

Charlotte's Sustainable Transportation Network

We commend CRTPO's continued support for the expansion of Charlotte's sustainable transportation network. The MTP appears to fully support the Metropolitan Transit System's 2030 Transit Corridor System Plan, including the LYNX Blue Line Extension now under construction, the LYNX Gold Line (formerly the Center City Streetcar Line), and a fixed route bus transit line.⁷³ We are particularly pleased with CRTPO's support of the next phase of LYNX Gold Line, which will serve as the backbone to the City's 2030 plan, integrating the entire CATS system by connecting to the Red Line at Gateway Station, to the Blue Line at the Charlotte Transportation Center, the Silver Line, as well as to Charlotte's extensive bus service throughout the project's length.⁷⁴ Even more, the Gold Line extension is expected to greatly expand the local tax base over the next 25 years, adding over 1 million square feet in development to Uptown, and increasing incremental property tax revenues by \$4.7 million to \$7.0 million per year by 2035.⁷⁵

Support for Intercity Rail

The state's recent improvements to North Carolina's intercity rail lines, both the Piedmont and Carolinian, are commendable, and we encourage CRTPO to continue to support these programs through expanded connections to other transportation modes. As such, CRTPO

⁷¹ Draft MTP at 11-8, 11-9.

⁷² Draft MTP at 11-6.

⁷³ MTP Draft at 14-11–14-12.

⁷⁴ City of Charlotte, *CityLYNX Gold Line Recommendation* (May 28, 2013), available at <http://charmec.org/city/charlotte/growthstrategy/Documents/CityLYNX%20Gold%20Line%20-%20May%2028%20business%20meeting.pdf>.

⁷⁵ *Id.*

should prioritize investment in the planned Charlotte Gateway Station project planned in Uptown Charlotte. Such investment would be leveraged to greatly improve transportation across modes, as the Charlotte Gateway Station is planned to integrate commuter rail, Amtrak, Greyhound, the Center City Streetcar and Southeast/West Corridor rapid transit.⁷⁶

Red Line

CRTPO should commit to stronger support for the Red Line Regional Rail project, which targets the greatly congested segment of I-77 running north of Charlotte. The Red Line, an initiative to upgrade a 25-mile existing section of the Norfolk Southern Railroad running south from Mooresville to Charlotte, parallels the section of I-77 slated for widening with potential future extension north from Mooresville to Statesville.⁷⁷ In addition to the expanded freight opportunities offered by expanding the rail line, the Red Line expansion will also serve commuters living in the communities north of Charlotte but working in the city. As such, the rail line expansion is expected to result in significant growth at several stations along this corridor, providing access to 83,000 jobs and supporting as much as \$9.2 billion in high density mixed-use transit-oriented development by 2025.⁷⁸ Experts have concluded that the rail expansion is expected to attract 23,000 unique jobs to the area.⁷⁹ CRTPO's support of the project would be critical, as the region is still working hard to secure funding. Regardless of the I-77 HOT-lanes project, the Red Line expansion should be a priority for the CRTPO region.

VIII. Bicycle/Pedestrian/Greenways

CRTPO's continued support for re-establishing an interconnected bicycle and pedestrian-friendly transportation network is also admirable.⁸⁰ The MPO past efforts, such as through its implementation of the Complete Streets Policy, as well as local efforts such as the adoption of the Charlotte-Mecklenburg Bicycle Transportation Plan, Charlotte's Transportation Action Plan, and the development Lake Norman Bike Route and Regional Bicycle Plan have done well to develop this system in the CRTPO region. As we have detailed above, such a network will serve well to help CRTPO meet goals related to public health, sustainability, and economic vitality. We also note that CRTPO's commitment to developing this network will be increasingly important in the coming years, as there is no longer any state funding for stand-alone bicycle or pedestrian projects under the STI. In the final draft document, we encourage CRTPO to make

⁷⁶ Charlotte Area Transit System, *Charlotte Gateway Station*, available at <http://charmeck.org/city/charlotte/cats/planning/facilities/gatewaystation/Pages/default.aspx>.

⁷⁷ *Id.*

⁷⁸ Charlotte Area Transit System, *Red Line North Corridor Fast Facts* (2009), available at <http://charmeck.org/city/charlotte/cats/planning/red/redoverview/Documents/RedFastFacts.pdf>.

⁷⁹ *Red Line Regional Rail Q&A*, Red Line Regional Rail at F-3, <http://redlineregionalrail.org/index.php/qa/>.

⁸⁰ Draft MTP at 15-1.

clear that state funding for such projected was not merely “impacted” by the STI, but was instead fully eliminated.⁸¹

IX. Revenue Projections and the STI

We are concerned that CRTPO’s projections regarding its share of Statewide Mobility funds under the new STI funding formula may overly optimistic. CRTPO based these funding assumptions on its population share.⁸² The Statewide Mobility funding tier, however, is not intended to spread funding equally across the state. Instead, it was developed so as to dedicate funding to the projects found to be most meritorious under NCDOT’s articulated criteria. As such, we suggest CRTPO may arrive at a more accurate projection of its Statewide Mobility share by considering which statewide projects are likely to score well.

X. Draft Air Quality Conformity Determination

A. Metrolina Regional Model

We also welcome the opportunity to comment on CRTPO’s draft Air Quality Conformity Determination Report. As the conformity determination demonstrates that the total emissions projected for the MTP are within established emissions limits, it is very important that the modeling used to estimate emissions accurately reflect the plan. We remain concerned that CRTPO’s Metrolina Regional Travel Demand Model (“MRM”) is insensitive to the presence of the proposed Monroe Connector/Bypass or other projects like it.

As CRTPO has explained, the planning assumptions and travel forecasts used in the draft conformity analysis were based on the use of the MRM, a travel demand model.⁸³ We appreciate, as you have explained, that CRTPO uses the MRM to simulate the conditions for the “(collectively) the network of projects expected to be open to traffic by each MTP horizon year,” rather than performing analyzes for each project individually.⁸⁴ However, our understanding is that the socioeconomic projects underlying the full network analysis must accurately reflect the presence of each individual project in the network in order to be an effective representation of the MTP’s effects on air quality.

But NCDOT and FHWA have found that the various models used to develop the MRM socioeconomic projections are insensitive to the presence or absence of the Monroe Bypass, a major new location highway project. In their recent re-analysis of the project, NCDOT and FHWA explained that while the MRM socioeconomic projections were adjusted for some

⁸¹ See Draft MTP at 15-12.

⁸² Draft MTP at 11-5.

⁸³ Draft Conformity Report at 22.

⁸⁴ Letter from Robert Cook, MUMPO, to Kym Hunter, SELC, 2008 *Ozone Conformity Determination* (June 20, 2013).

specific projects, such as the Garden Parkway, no such adjustments were made to account for the Monroe Bypass.⁸⁵ As such, the agencies and their consultant found that the MRM itself was “blind to the accessibility impacts of the project,”⁸⁶ and appropriate for use in their No-Build Scenario for their environmental analysis of the Monroe Bypass.⁸⁷ And as we have pointed out, CRTPO itself has expressly endorsed this approach on several occasions.⁸⁸

The modeling used to determine conformity necessarily must include all projects on the fiscally constrained plan, yet it remains unclear whether the MRM accurately reflects the air quality impacts that can be expected from constructing the Monroe Bypass. Similarly, the claims made by NCDOT and FHWA raise the issue of whether other major transportation projects were absent from the socio-economic projections underlying the model. We encourage CRTPO to clearly articulate whether the socioeconomic projections underlying the MRM include the Monroe Bypass specifically, as well as the other projects listed in the fiscally constrained plan, and further whether the MRM reflects a future with the Bypass and all other projects in the MTP.

XI. Conclusion

We appreciate your consideration of our concerns. We hope these comments provide valuable input as CRTPO further develops its MTP and conformity determination, and look forward to continuing to engage in the process. As always, we would be happy to meet with you to discuss these comments at your convenience.

Sincerely,



Kym Hunter
Staff Attorney



Kate Asquith

⁸⁵ Monroe Connector/Bypass Draft Supplemental Final Environmental Impact Statement at 4-27.

⁸⁶ *Id.*

⁸⁷ *Id.* at 4-28.

⁸⁸ Letter from Kym Hunter, SELC, to Robert Cook, MUMPO, *MUMPO's 2008 Ozone Conformity Determination* (July 3, 2013).

Associate Attorney

March 19, 2014

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Charlotte, NC 28202

Dear Mr. Cook:

We appreciate the opportunity to provide comments on the 2040 Metropolitan Transportation Plan. We were pleased to see that public meetings were held throughout the region and educational material was provided in six foreign languages to reach a broad audience. However, the February 2014 "Frequently Asked Questions" handout focuses almost exclusively on explaining roadway projects, and therefore does not address the concerns of the region's sizeable population that does not drive due to age, disability, economic, or other reasons. The "2040 MTP Goals" listed on page 3 of that document mention "a safe, efficient, and sustainable transportation system for all modes, intended to serve all segments of the population" (goal 1) and "Encourage walking, bicycling, and transit options...by providing a transportation system that serves the public with mobility choices" (goal 2). The next 2 pages are a large map with only roadway projects and just a brief note referring readers to see the website for non-roadway projects, followed by 2.5 pages listing the proposed roadway projects. We encourage CRTPO to include more information about non-roadway projects in future educational outreach materials so that *all segments* of the population will understand the MTP.

The funding prioritization process favors new road construction and road widening, and this undermines the 2040 MTP's own stated goals. In fact, those types of projects detract from CRTPO's ability to achieve goals 1-4. Spending over 90% of funds on roadway projects is not compatible with: "achieve a "sustainable transportation system for all modes" (goal 1), "encourage walking, biking, and transit by providing a transportation system that serves the public with mobility choices" (goal 2), "provide a sustainable transportation system that promotes healthy living and is sensitive to significant features of the natural and human environments" (goal 3), or "promote equitable transportation options for low income and minority neighborhoods, as well as the aging population" (goal 4). In short, the stated goals and actual planned projects do not align and this is clearly due to a flawed ranking system. The main flaw is due to the fact that none of the Tier 1 criteria reflect these first four goals! The Tier 1 criteria are congestion, safety, and accessibility to employment, which are important but congestion is worth 100 points and access to employment is worth 50 points whereas potential environmental justice impacts, historic resource impacts, community resource impacts, and natural impacts are all relegated to Tier 2, and each only worth 9 points! The weight of each criterion must be more balanced if any of the first four stated goals are to be achieved.

Sincerely,

Shannon Binns
Executive Director