

INTERGOVERNMENTAL AFFAIRS

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INTRODUCTION TO ISSUE ON METROPOLITAN PLANNING ORGANIZATIONS

By Scott Taylor, Editor, and Lee Schoenecker, Division Chair

BACKGROUND AND CAPSULE HISTORY

Metropolitan Planning Organizations (MPOs) carry out various metropolitan transportation planning functions. These functions are mandated and partially funded by the combined efforts of the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) under the U.S. Department of Transportation (DOT). In federal fiscal year 2003, federal appropriations for MPO planning were close to 300 million dollars.

While formative federal programs encouraging metropolitan transportation planning go back to the 1960's, and even the 1950s, the MPOs themselves got their start with legislative guidance and regulatory actions of the early 1970s. Under U.S. DOT and FHWA and FTA guidance, state and local governments designated MPOs. Many of these MPOs were designated from existing regional planning bodies. Subsequently, MPOs were evolved under federal legislation and related activities, the biggest push for strengthening coming under the Intermodal Surface Transportation Efficiency Act of 1991 and the Transportation and Equity Act of 1998.

The MPOs, whether part of a broader regional planning agency, or as a free-standing organization, are very important components on the American substate regional planning landscape. Given their 30-year plus history, where do the MPOs go from here? In the order of their articles in this newsletter, four writers---Robert Puentes, Thomas Dow, Whit Blanton, and Pat Atkins---suggest some answers.

BASIC THRUST OF EACH ARTICLE AND THE WRITERS

Metropolitan Transportation Governance:

Suballocation, Devolution, and the Quest for Better Decision-Making by Robert Puentes, APA:

Mr. Puentes is a Fellow at the Brookings Institution Metropolitan Policy Program in Washington, D.C. He has written for Brookings on a wide variety of urban and metropolitan subjects, including influential works relative to the reauthorization of the federal Surface Transportation Act. Mr. Puentes is also a member of the Falls Church, Virginia Planning Commission.

Mr. Puentes' article advocates devolution of federal transportation program and funding authorities to the MPOs, substantially beyond what has occurred to date. Included would be major portions of the Surface Transportation Program, the Congestion Mitigation and Air Quality Program, and Transportation Enhancements. Further, there would be an increase in MPO planning funds, and MPOs would increasingly become involved in multipurpose regional planning coordination, particularly for land use. In return for this devolution, MPOs would be required to show accountability through the use of annual performance indicators.

It's The People, Not the Money: State Perspective on Metropolitan Transportation Planning

by Thomas Dow, AICP: Mr. Dow is the Regional and Urban Planning Manager for the Kansas State Department of Transportation. He is on APA's Surface Transportation Reauthorization Committee and also teaches transportation planning at the University of Kansas urban planning school in Lawrence.

Mr. Dow agrees with Mr. Puentes---MPOs need to be strengthened. However, unlike Mr. Puentes, he does not think the primary improvement needs lie in devolving substan-

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“The federal law only gives metropolitan areas direct control over metropolitan STP and PL funds—less than 7 percent of the total.”

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tial program and spending authority to the MPOs. Rather, MPOs need organizational strengthening and increased staff professional development. To be effective organizationally, MPOs need to fully bring to the table three partners as envisioned under the federal law and administrative guidance: local elected officials, public transit providers, and state departments of transportation. To achieve this partnership, he recommends reinvigorating and updating Designation Agreements which were originally developed by the U.S. DOT in the 1970s as a means of creating MPO organizations and processes across the country.

Empowering MPOs: Four Critical Elements by Whit Blanton, AICP: Mr.

Blanton is the Chair of the American Planning Association Transportation Planning Division and he is also Chair of the APA Surface Transportation Reauthorization Committee. He is a planner with the firm of Cities That Work and is based in Orlando, Florida.

Mr. Blanton indicates MPOs are in a precarious position. On the one hand, they are dependent on federal and state funding and guidance, while on the other hand, they simultaneously need to meet local and regional transportation needs, land use objectives, and politics. This is no easy feat. Yet, effective MPOs will need to meet this balancing act through four critical elements. First, and foremost, they must bring together transportation providers, land planning agencies, environmental interests, and other public and private. Second, MPOs

must work to preserve and enhance the existing and extensive surface transportation system which requires a lot of technical competence and know-how. Third, by making the necessary land use, transportation link, MPO's must practice urban place-making through effective planning and design. Finally, the MPO must rise to the task of regional considerations, including involvement in regional scenario planning.

Regional Planning and Governance, and Those MPOs by Patricia Atkins, APA: Dr. Atkins is a Research Professor at The George Washington Institute of Public Policy in Washington, DC. She chairs the Section on Intergovernmental Administration and Management of the American Society for Public Administration. She was also the editor of *The Regionalist*, a quarterly journal.

Dr. Atkins' article indicates MPOs exist in an historic American political and cultural context of localism, conflict, and economic disparity. This is a very difficult context for successful regionalism. MPOs can deal with this context, either through a regional bomb approach, or through a building bridges approach. She suggests the latter. To achieve this, MPOs need to make organization improvements including more staffing for better communication, involve more stakeholders in representative settings, work towards one MPO per region, promote multipurpose planning, and forge alliances with private and non-profit regional agencies. Given America's culture of localism, conflict, and economic disparity, the MPO's primary objective should not be regional cooperation, but rather, successful regional negotiation.

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METROPOLITAN TRANSPORTATION GOVERNANCE: SUBALLOCATION, DEVOLUTION, AND THE QUEST FOR BETTER DECISION-MAKING,

Robert Puentes, Fellow, The Brookings Institution Metropolitan Policy Program

Metropolitan areas matter. They are the engines of the new global economy. When metropolitan America thrives, the nation thrives.

Threatening to undermine metropolitan areas' competitive edge in the global economy, however, are a daunting set of transportation challenges. The lessons of the past decade show that existing transportation governance arrangements and structures are inadequate to meet the needs of metropolitan areas. If local and regional transportation challenges are to be effectively addressed, metropolitan areas need a greater say in the design and implementation of transportation policy.¹

This article summarizes the extent of funding and program authority metropolitan areas are currently afforded under TEA-21. It argues that federal transportation law needs to expand existing funding sources and decision-making for metropolitan areas.

FEDERAL EFFORTS TO SUPPORT METROPOLITAN TRANSPORTATION DECISION- MAKING

By the close of the century, as the Interstate Highway System neared completion, the federal government slowly re-focused its highway program away from a pure interstate program to one that puts an emphasis on all modes — not just highways — and affords greater flexibility to states and localities as the primary determinants of how important investment decisions are made. These changes were emphasized in the first federal highway law of the 1990s: the Intermodal Surface Transportation Efficiency Act (ISTEA).

ISTEA made two profound changes in federal policy that recognized that the metropolitan transportation challenges of the 21st century are best addressed when investments are determined on the local or regional levels, in cooperation with the states. One was the granting of flexibility in determining how transportation funds would be spent. The other was the suballocation of state funds and decision-making to the local and metropolitan level.

This process of targeting funds specifically for urbanized or metropolitan areas is referred to as "sub allocation" since the federal funds are allo-

cated below the level of the state DOT—the traditional recipient for such funding. Metropolitan Surface Transportation Program (STP) funds are then sent to the metropolitan planning organizations (MPOs) by the states. The state administers the funds for the other areas. Although the suballocated funds are directed to urbanized areas, the federal law directs local officials to work through MPOs in their administration.

There are four major programmatic elements of the federal surface transportation law that gave metropolitan areas' greater abilities to make transportation decisions.

Surface Transportation Program (STP):

This is the largest of all federal highway programs. It averaged about \$5.6 billion annually through the first 5 years of TEA-21 (1998–2002). The funds in the STP are also the most flexible of all the categorical programs on the federal ledger. Although STP funds are designed to be flexible and states are able to spend them on a wide variety of needs and objectives, only a portion of the funds are totally discretionary. The funds are programmed based on a complex formula that allocates 10 percent for safety-related programs and another 10 percent for transportation enhancement activities. Of the remaining 80 percent, 37.5 percent may be spent anywhere in the state, while 62.5 percent is split between small or non-urbanized parts of the state and urbanized areas with a population of over 200,000, in proportion to their relative share of the state's population. The latter are the metropolitan suballocated STP funds referred to in this article.

Congestion Mitigation and Air Quality program (CMAQ):

The primary purpose of this program is to fund projects and programs in metropolitan areas that currently do not, or previously did not, meet federal air quality standards for ozone, carbon monoxide, and small particulate matter. Under TEA-21, CMAQ allows states to disperse some \$8.1 billion over the six-year life of the law (less than 6 percent of the total) to fund an array of activities. There is no guidance for how states should spend,

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or suballocate, CMAQ funds among their metropolitan areas. Interim regulations on CMAQ from the FHWA and FTA in 1998 specifically encourage states to suballocate CMAQ funds, but do not provide any additional details except to explain that decisions over how to spend CMAQ funds should continue to be made through a cooperative process involving the state DOT, affected MPOs, local jurisdictions and air quality agencies. As a result, there are wide variations of how CMAQ funds are administered within states.

Twenty-six states directly suballocate CMAQ funds to the metropolitan or local level. Several of these states such as Texas and California, suballocate funds to nonattainment and maintenance areas using the same formula (based on population and severity of pollution) by which national level CMAQ funds are allocated to the states. Generally, the funds are then discretionary for metropolitan areas to spend in any manner that results in congestion reduction or mitigation and/or air quality improvement. In 14 states with CMAQ-eligible areas, the funds are retained by the state and spending decisions are made by the state in consultation and cooperation with the metropolitan and/or local officials.²

Metropolitan Planning Program: Commonly abbreviated as "PL," this program provides funds for urbanized areas to carry out transportation plans and programs. It is different from the other metropolitan programs in that they do not fund particular projects, but enable MPOs to develop the long and short range transportation plans, and special plans for managing metropolitan traffic. Metropolitan planning funds are occasionally referred to as planning "takedown" funds since they derive from taking one percent off each state's core federal highway programs. Funds are also contributed for metropolitan planning by the federal transit program but these funds come from annual appropriations rather than a takedown. These two sources together constituted about \$1.57 billion for metropolitan planning over the life of TEA-21, less than one percent of all the total funding.

Transportation Enhancements Program (TE): Ushered in under ISTEA and continued in TEA-21, the TE program is funded through a 10 percent set-aside from the STP, totaling about \$3.3 billion (about 2.4 percent

of the total) from 1998–2002. Although, like the CMAQ program, there are no federal requirements in ISTEA or TEA-21 that direct states to suballocate TE funds, twelve states sent all or a portion of their TE funds to substate jurisdictions.

The above four programs have given MPOs and metropolitan leaders important abilities to plan and make decisions about transportation investments. In the end, however, these authorities are nonetheless relatively minor. Taken together, these four programs make up only 15.2 percent of the total road and bridge funding under TEA-21. Furthermore, metropolitan areas still do not have authority over all of these funds. The federal law only gives metropolitan areas direct control over metropolitan STP and PL funds—less than 7 percent of the total. This represents a modest commitment to areas that collectively account for a substantial share of the nation's economic output, a large majority of all transit use, aviation passengers and port tonnage as well as critical elements of the nation's freight rail and passenger rail capacities.

EXISTING METROPOLITAN TRANSPORTATION PLANNING AND DECISION-MAKING

Although ISTEA and TEA-21 were designed to move transportation decision-making out of the back rooms and boardrooms of the highway establishment, many state DOTs still wield considerable formal and informal power, retaining authority over substantial state transportation funds. The governors and some state DOTs still have veto authority over MPO-selected projects. Although large MPOs also have authority to veto projects, the reality is that the state receives and manages all the federal transportation money, as well as large amounts of state transportation money and the state political leverage is far greater than the MPO's. In still other states, local decisions and needs are simply ignored by the state. Such arrangements create an unfavorable climate for the flowering of federal policy reforms—and frequently cut against metropolitan interests.

There are several important reasons why some opposition to increased metropolitan decision-making remains: First is that state governments and agencies are loath to relinquish control over any amount of funding or

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“There are at least four compelling reasons for making sure federal transportation law puts a greater emphasis on the devolution of metropolitan planning and decision-making.”

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decision-making responsibility. Second, unlike state DOTs, MPOs are not operational organizations. With few exceptions they are not equipped, nor do they intend to, make the jump from planning organization to operators of the system. Third, many MPOs are still struggling between parochial local interests and regional ones that are more "inter-local" in nature. Finally, MPO as well as state capacity remains uneven. In a very real sense, the profession of transportation planning failed to keep up with statutory and on-the-ground change in the 1990s.

THE CASE FOR IMPROVED METROPOLITAN AND TRANSPORTATION DECISION-MAKING

The above existing metropolitan transportation planning and decision-making, to a substantial degree, reflects the situation that ISTEA and TEA-21 attempted to change. However, it has not worked that well. Therefore, as we approach reauthorization, there are at least four compelling reasons for making sure federal transportation law puts a greater emphasis on the devolution of metropolitan planning and decision-making.

Local Governments Within Metropolitan Areas Own the Vast Majority of the Transportation Network: A national coalition of local governments contends that since local officials actually own and have direct responsibility over a large amount of the roadway miles, an argument can be made for a more proportional amount of funding. A recent Brookings report analyzing federal highway data found that in 2001, local governments owned about 3 million of the 4 million miles of the roads in the nation. Local governments also own over half of all the nation's bridges and about 90 percent of the nation's transit systems.

Metropolitan Transportation Planning and Programming is, by Law, Comprehensive And Subject to Federal Certification: To assess the quality of the metropolitan planning process, every three years, the federal government is required to certify how well MPOs are meeting federal laws and regulations. In addition to the rules and regulations in ISTEA and TEA-21, the federal government must also look to determine how well MPOs are following clean air laws, the Civil Rights Act, the

environmental justice executive order, and the Americans with Disabilities Act. In contrast, state departments of transportation are not subject to certification by the federal government.

Many States Continue to Penalize Metropolitan Areas in the Distribution of Transportation Funds: The current system of planning and programming, which is dominated by the states, has been criticized as undermining metropolitan areas. Some states have developed distribution formulas based on transportation-related needs, or based on resident population, registered motor vehicles, and highway miles. However, others allocate a portion of funds evenly among their counties, regardless of their size, needs, and contribution to state funding pools.

Growing Recognition that it Takes More than Transportation Solutions to Address Transportation Problems: Whether or not we can build our way out of our transportation problems, it is becoming increasingly clear that solutions that depend solely on increasing or managing transportation capacity is not a sufficient strategy. Of course, land use authority has long been, and is likely to remain, one of the most important and closely held powers afforded to local governments. However, through devolution of significant transportation decision-making to the metropolitan and local level, metropolitan-wide and local general purpose units of government should be able to better deal with land use-transportation tradeoffs that occur at these levels. In fact, at the area-wide level, at least twelve states have passed comprehensive growth management laws that delegate specific land use responsibilities to MPOs or other regional entities. Also, many MPO's are now either, part of multi-purpose, area-wide organizations, or work closely with other area-wide agencies and local general purpose governments on such issues as environmental protection, housing, economic development, and social equity. Further devolution of transportation decision-making is needed to develop comprehensive planning and decisions involving transportation considerations in complementary relationships with these other governmental issues and programs.

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“It is critical for there to be a greater focus on the transportation needs and challenges of our metropolitan areas.”

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CONCLUSIONS

As Congress continues to debate the reauthorization of TEA-21, and as states look to grow their own economies in the current bleak fiscal environment, it is critical for there to be a greater focus on the transportation needs and challenges of our metropolitan areas.

Increase Monies Directly Allocated to Metropolitan Level: Congress should consider increasing the amount of money that is directly suballocated to the metropolitan level. It should also require that states suballocate all CMAQ funds directly to metropolitan areas in non-attainment or maintenance areas and increase the metropolitan planning takedown to two percent.

Make MPO's More Accountable As A Condition of Greater Devolution: But most importantly, in exchange for greater funding, Congress should subject MPOs to enhanced accountability measures. State and metropolitan transportation planning and decision-making agencies should be required to maintain information systems that annually measure progress on indicators of national significance. These indicators might include slowing the growth in daily vehicle miles traveled, improving public health, improving air quality, lowering transportation costs, and expanding transportation options for target groups (such as the elderly or low income

workers). The law should also require transportation agencies to set annual performance objectives in each of these critical areas.

States Facilitate Stronger MPO's: Local and metropolitan leaders throughout the nation are demanding more decision-making authority and more direct control over federal dollars in order to address a wide range of transportation challenges. Although major federal reform efforts of the 1990s did take steps to strengthen these places, there is much more to be done. In most states, MPOs are well-positioned to fulfill the metropolitan role that is necessary in transportation governance and finance. Yet to do that, states must allow MPOs to complete the transition from advisory bodies to fully empowered, planning and decision-making bodies.

¹It is an axiom of this article that decisions should be made at the most appropriate level of government, and as close to those who will be affected by those decisions as possible. This is generally referred to as the well-established "principle of subsidiary."

²It is admittedly difficult to classify states based on a simple "yes" or "no" in terms of whether or not they suballocate CMAQ funds. Some states, such as South Carolina and Montana created unique funding allocation systems using CMAQ resources. Other states play a strong role administering CMAQ funds in some metropolitan areas, but not in others – such as those where a strong MPO exists. Still others like Alaska, Ohio and Tennessee retain a portion of their CMAQ funds and suballocate the remainder.

IT'S THE PEOPLE, NOT THE MONEY: A STATE PERSPECTIVE ON METROPOLITAN TRANSPORTATION PLANNING

Thomas Dow, AICP, Regional/Urban Planning Manager, Kansas Department of Transportation

Transportation decision-making processes are complex. There are many steps including: planning, programming, project development, design, right-of-way, construction, maintenance and operation. Metropolitan Planning Organizations (MPOs) have the lead, but not sole, responsibility for the first two steps within metropolitan planning areas. Other agencies have lead responsibilities for the other steps. Federal law (i.e., 23 USC § 134) and federal regulation (i.e., 23 CFR § 450) establish broad parameters for the governance of the metropolitan transportation planning process.

MPO PROGRAM ELEMENTS, ORGANIZATIONS, AND RELATIONSHIPS

Three Cooperative Partners: Under federal law, there are three "cooperative partners" in the process. They are the MPO, the state department of transportation (SDOT), and the public transit provider (PTP). The roles for each of these partners in the metropolitan transportation planning process are specified in two key, required pre planning documents.

Designation Agreements: The first key document is the MPO Designation Agreement (DA). This agreement is entered into

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between the governor and units of general purpose local government representing at least 75% of the affected metropolitan area population, including the central city. The public transit provider is encouraged, but not required to be a signatory to this document. This agreement is critical to the process because it specifies the role of each cooperative partner in the process and establishes the basic framework for how the process will work (i.e., MPO committee structure, allocation of votes among MPO members, etc). DAs were executed in the early to mid-1970's for most MPOs. As new MPOs were formed following subsequent decennial censuses, such agreements were executed for these regions. Unfortunately, most were filed away as another piece of federally-required paperwork, and not viewed as a “partnership contract” that would govern behavior. To be useful instruments, these agreements should be reviewed periodically and updated as appropriate to reflect changing circumstances such as new federal legislation like ISTEA/TEA-21 and expansion of the MPO planning area to include new member jurisdictions.

Unified Planning Work Programs: The second key document is the Unified Planning Work Program which, by federal regulation, must be updated annually. It serves as the statement of work for the planning funds from the Federal Highway Administration (FHWA) and Section 5303 planning funds from the Federal Transit Administration (FTA), both of which are intended to “pay for” the federally-mandated metropolitan transportation planning process. This planning work program is also intended to identify the planning activities of regional scope that will be undertaken by all three cooperative partners. Thus, it is a tool that can be used to ensure that the planning activities of all three cooperative partners are focused in the same direction.

Planning Certification: Every three years, the FHWA and FTA must certify the metropolitan transportation planning process in transportation management areas. These management areas are MPOs with over 200,000 urbanized area populations. The contribution of the State DOT and public transit provider to the process is part of the certification review. The smaller MPOs, that is, those with urbanized area populations of 50,000 to 200,000, are not subject to the planning certification process; however, the FHWA and FTA must

periodically review the processes in these areas. The federal certification process could be used to enforce cooperative partner responsibilities in the process.

MPOs and State DOTs must annually certify to FHWA and FTA that federal requirements under 23 USC § 134 are being met. Most MPOs and State DOTs have not developed criteria to use in this certification process. Such criteria would be particularly useful if one or more cooperative partners were not fulfilling their responsibilities in the process.

State DOT and MPO Roles in the Process:

The reality is that state departments of transportation have been responsible for, are responsible for, and will continue to be responsible for designing, constructing, operating, and maintaining the nation's principal highway systems (i.e., Interstate, US highway and State highway routes). Local units of government do the same for the majority of the remaining roadway miles in the country. Public transit providers perform similar roles for the various fixed route transit systems and paratransit systems throughout the United States.

The role of MPOs, on the other hand, is to facilitate the metropolitan transportation planning process, commonly referred to as the 3-C process (i.e., comprehensive, continuing, and cooperative). As Mr. Puentes notes in his article, MPOs do not have direct responsibility for the various transportation systems. Thus, one major role for MPOs to perform is to convene a process that brings together the various transportation system operators (i.e., SDOTs, PTPs, cities, counties, etc.) to discuss regional issues and develop regional approaches to addressing those regional issues. Mr. Puentes further states that State DOTs are “loath to relinquish control over...funding or decision making.” Mr. Puentes presumes the existence of an adversarial relationship between these state agencies and MPOs. The real problem is a lack of trust between all three cooperative partners in the process and a lack of a shared understanding of transportation issues and problems. MPOs are by their very design perfectly situated to serve as a forum for building needed trust and developing the needed shared understanding of issues. However, to achieve this, the capabilities of many MPOs will need to be improved. The staff of many MPOs will need to develop

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teaching skills and consensus-building skills. Also, staff will need to find the time to devote to the messy aspects of the planning process and seek to involve the full participation of all parties in the process. However, simply adding more federal transportation monies, be they STP, CMAQ, PL or TE funds, will not be enough to do this.

MPO Organizational Forms: There are three basic organizational forms used by MPOs across the country. These are the council of governments (COG), the regional planning commission (RPC), and the stand alone MPO. The COG organizational structure usually has only local elected officials on the MPO Policy Board. Regional planning commissions are organized under state planning enabling statutes and typically have only appointed planning commissioners on the MPO Policy Board. Thus, neither the COG nor the RPC have representatives from public transit providers or State DOTs serving on the MPO Policy Board. Thus, they only participate in the process at the Technical Advisory Committee level which is advisory to the Policy Board.

For each MPO designated after 1991, membership on the MPO policy board must include local elected officials, representatives from all major modes of transportation, and appropriate state officials. For MPOs designated prior to 1991, existing MPO organizational structures remain in place until the MPO is formally re-designated. Very few MPOs have been re-designated nationally. Despite the fact that ISTEA was passed by Congress thirteen years ago, very few MPOs have reorganized to include all of the required groups on their Policy Boards. In a representative democracy such as the United States, elected officials should be responsible for making broad public policy decisions and for allocating scarce public resources. This is a matter of accountability to the public for decisions made that affect the public. Exclusion of local elected officials from the governing structure of MPOs as is the case for many regional planning commissions undermines the political effectiveness of MPOs as forces for making regional transportation decisions. Exclusion of State DOTs and public transit providers from the governing structures of MPOs as is the case for both COGs and RPCs all but ensures that these organizations will not take the metropolitan transportation planning process

seriously. If these two organizations do not participate in meaningful ways, the metropolitan transportation planning process will not work because these two organizations are responsible for two of the three major transportation systems (i.e., the state highway system, the public transit system, and local road systems) within metropolitan planning areas.

MPO Work Products: MPOs are required by federal law to develop long range transportation plans spanning 20-25 years and shorter range transportation improvement programs (TIP) covering six years. While the MPO must take the lead in developing these two work products, they are not "owned" by the MPO. Rather, they are "owned" by the metropolitan region, including all transportation system providers. Federal law requires MPOs to develop the long-range transportation plan and TIP in cooperation with both the State DOT and the public transportation provider. While the work products must be cooperatively developed, only the MPO "approves" the long-range transportation plan. On the other hand, both the MPO and the governor must approve the shorter range TIP. Because projects listed on the TIP must be consistent with the long-range transportation plan, a serious issue is raised. Are MPOs responsible for **planning for** transportation system providers (i.e., State DOTs, public transit providers, cities, and counties), or are they responsible for **planning with** them? If the State DOTs and public transit providers were required by federal law to approve the long-range transportation plan as a condition of having their projects programmed on the shorter range TIP, I believe it would increase the likelihood that the State DOT and public transit provider would accept the long-range plan as the vision for the metropolitan region of which their respective systems are a part, rather than merely as "the MPO's plan."

RECOMMENDATIONS AND CONCLUSIONS

Transportation governance structures in the United States are unlikely to change significantly with reauthorization of the nation's surface transportation laws in the near future. Further, MPOs are unlikely to increase their effectiveness in the transportation decision-making process until at least two things happen. First, MPOs must modernize their or-

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ganizational structures to ensure local elected officials, public transit providers, and State DOTs fully participate in the MPO process AND seek to implement metropolitan long-range transportation plans. Second, the agreements governing how the process will be conducted (i.e., Designation Agreements) need to be referred to and updated. Generally speaking and depending upon the circumstances, they should be updated following the reauthorization of the federal Surface Transportation Act, or once every six to seven years.

Mr. Puentes is correct in his assertion that more devolution of decision-making to the metropolitan level needs to occur. However, his conclusion that more money will solve the problems is flawed. Money does not solve problems; people solve problems.

EMPOWERING MPOs: FOUR CRITICAL ELEMENTS

Whit Blanton, AICP, Chair, APA Transportation Planning Division

MPOs: THEIR NATURE AND CIRCUMSTANCES

Metropolitan Planning Organizations (MPOs) walk a thin line to serve a variety of often competing constituencies. Their tenuous position derives from a reliance on federal and state agency funding, regulations and “guidance,” which they must balance with local and regional transportation needs, land use objectives and politics. This situation puts MPOs in the challenging position of trying to exercise independence and authority while being dependent on other agencies for policy mandates closely tied to purse strings. In the best of situations, MPOs exhibit much needed collaborative leadership on transportation investments in metropolitan areas that help shape urban form and strengthen economic vitality. No other public agency has the same obligation or comprehensive perspective. In the worst of situations, MPOs have little legitimacy to manage the urban transportation system, putting them at risk of becoming mere advisory boards to the more powerful state or local interests.

Given the increasingly complex environment in which transportation plans and decisions are made, it is imperative that MPOs have the funding responsibility, tools and, importantly, the professional capacity to make wise use of taxpayer dollars through disciplined

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leadership. Effectively empowering MPOs rests upon their ability to successfully meet four essential tests: creating and managing effective partnerships, dealing with the existing transportation system, employing the transportation system as a place-making tool, and fully addressing regionalism. Following is a discussion of each of these critical elements.

CREATING AND MAINTAINING EFFECTIVE PARTNERSHIPS

The Institutional Environment: The core responsibility of an MPO is to bring local, regional and state agencies together to plan and allocate resources to solve transportation problems in urbanized areas. It is the one forum where transportation providers, land planning agencies, environmental management interests, private development interests, and the public can vigorously debate and resolve transportation policies and priorities spanning multiple jurisdictions. Doing that well takes a lot of energy and requires special talents.

Effective transportation planning is a complex weave of partnerships and inter-locking responsibilities. With our system of disaggregated transportation ownership, there are many operators and managers of transportation facilities and services. MPOs are uniquely positioned to assess viable and appropriate mobil-

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“An improved working relationship between MPOs and states, local agencies and the public must flow from an increasing level of trust and responsiveness.”

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ity strategies from a broad perspective, and target resources to respond to transportation needs, forge interlocal agreements and monitor effectiveness of those decisions over time. That is the essence of the Congestion Management System ushered in by ISTEA in the early 1990s.

Needed Actions to Develop Partnerships:

An improved working relationship between MPOs and states, local agencies and the public must flow from an increasing level of trust and responsiveness. With funding constraints and a skeptical public, transportation planners can ill-afford to work at cross-purposes. To develop the skills necessary to build effective partnerships, MPOs need to:

- Bring diverse transportation agendas and voices into a metropolitan area-wide dialogue through effective listening;
- Make it easy to share data, technical analysis and assumptions with numerous agencies and the public to identify important and emerging trends, planning factors and system conditions;
- Understand how funding sources and projects can leverage other resources (including non-transportation partners) to achieve mobility objectives, make great communities happen or simply expand the funding pie, and
- Communicate with key decision-makers at the local, regional, state and federal levels to convey regional needs, priorities and benefits of taking action.

A critical challenge for most MPOs is obtaining, developing and nurturing adequate staff with sufficient skills and institutional knowledge to be effective managers of the metropolitan transportation planning process. MPO planners must wear many hats, both technical and non-technical, with the traditional skill set evolving into the areas of negotiation, conflict resolution and meaningful public participation to complement core capabilities in modeling, Geographic Information Systems and level of service analysis.

PRESERVING AND ENHANCING EXISTING SYSTEM INVESTMENTS

MPOs are comprehensive planning organizations. We know from experience that plans lacking funding, buy-in or implementation “teeth” sit on a shelf to gather dust. While

generally not implementing agencies in terms of constructing and operating the transportation system, by their nature MPOs can be very effective at ensuring that transportation investments achieve regional and local objectives for growth management, mobility and economic development.

MPOs need to assert greater control over the technical aspects of transportation planning. The most effective MPOs are capable managers of transportation system data, tracking system performance across all modes, testing scenarios and providing useful information to decision-makers on critical questions relating to growth management, transportation policies and system alternatives. Rather than defer development, maintenance and application of analytical tools like travel demand models to the state DOT, MPOs should develop the skills to use the tools of the profession to fully employ technical resources on a given project, and understand their strengths, weaknesses and limitations.

MPOs have a responsibility to protect and strengthen investments made in the transportation system. This is a broad and far-reaching responsibility. They bring a lot to the table that many local governments doing land use plans cannot bring. MPOs ability to allocate relatively large amounts of money to corridors or areas is often a catalyst for redevelopment and revitalization in struggling areas, and helps sustain economic prosperity in high growth areas suffering from congestion and limited mobility options. MPOs must be stewards of the transportation system, and the taxes used to fund it. To be effective stewards, MPOs must play a larger role in the technical, policy and public relations aspects of metropolitan planning and governance. Congress had the right idea with ISTEA, and for the most part, it has been a major success story. As the TEA-21 Reauthorization debate continues, it is imperative that MPOs be empowered to fulfill those expectations and realize their full potential as a catalyst for sound planning and transportation management.

PLACE-MAKING THROUGH TRANSPORTATION

The Elusive Land-Use Transportation

Link: The planning profession talks a lot about integrating land use and transportation.

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“There are a number of targeted strategies to pursue in order to enhance school development and siting to better protect rural communities.”

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The link between land use and transportation is strong, yet relationships are not well defined and adequate data are just emerging. Transportation has a major role to play in shaping urban form and creating quality places that function within their unique context – from a broadly defined perspective. Transportation investments identified by the MPO must complement the place-making strategies of local governments at all levels – regional, subarea or district, and neighborhood.

If transportation planners focus primarily on mobility by expanding capacity, change indeed will be measured in small increments from the status quo. Capacity-driven plans, designed to resolve congestion and reduce delays, may yield short-term results, but often fail to improve overall transportation system performance in the long term. New investments in transit, while achieving varying levels of success in a given corridor, do not typically change the regional mode share percentage by more than a few points.

Most of our transportation problems are really land use problems. Transit often fails to capture ridership because it operates in places lacking sufficient density, diversity or intensity of land uses; suburban areas experience extreme traffic congestion because single-use land patterns dominate and design virtually precludes walking; and, urban centers with a dense street network and capacity for civic, commercial or social interaction wither because economic and political forces push newer developments to the suburban fringe areas. Effectively solving transportation problems must entail a comprehensive strategy aimed simultaneously at land use, economic, transportation and design factors. When considering how best to solve transportation problems, we should first ask, “What are the land use objectives?”

A Focus on Place-Making Through Planning and Design: Unfortunately, MPOs have contributed to a compartmentalized planning profession comprised of specialists, segregating its expertise into different disciplines rather than applying comprehensive planning skills to resolve transportation, environmental and land use problems jointly. To have meaningful improvement in the transportation systems, the profession must reach back to its origins before specialization took

hold and broaden its focus to truly integrate multi-disciplinary approaches into the long-range transportation planning process.

It can be argued that the greatest benefit to improving transportation system performance is to focus on place-making through the skills of regional planning and design. In this way, transportation becomes more efficient by increasing access to more travel choices. Creating hubs of activity at various scales is the cornerstone for improving transportation efficiency and effectiveness within metropolitan areas. Whether in the form of regional *air-front districts* comprising land uses and transportation systems that support and thrive in proximity to international airports, creation of new traditional town centers, or simply defining civic focal points within communities or neighborhoods, hubs can satisfy multiple trip purposes by fostering more efficient land use and transportation patterns.

This is not a call for MPOs to guide or control land use, which rightfully is a responsibility of local government. Rather, because MPOs have a control over various federal funding sources and responsibilities under federal law and Executive Order for inclusive planning, they should be at the table as partners. Whether through their committee structure or with in-house staff, MPOs need to understand the local land use planning and urban design setting, and be prepared to offer assistance in the form of funding, technical expertise or public outreach to evaluate and assess options.

RISING TO REGIONALISM

Regionalism Including Scenario Planning:

Across the country, there is a growing trend to establish a coherent regional context, identity and/or economic vision that guides strategic investment and policy decisions. From Salt Lake City and Tampa Bay to Charlottesville, Virginia and Fort Pierce/Stuart, Florida, large and small metropolitan areas are engaged in more regional scenario planning to identify core strengths, opportunities and challenges needing attention. Such efforts may be initiated by private economic advocacy groups concerned more about transportation access than jurisdictional boundaries, but they are nonetheless about trying to make sound decisions for the future. The focus of regional scenario planning is typically very

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“Regional planning presents a delicate balance for MPOs.”

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comprehensive in scope, incorporating such factors as natural resources and cultural assets, education and job training, health care and land use into the equation, with transportation as either a driving or supporting element.

This type of regional goal-setting presents an opportunity for MPOs. Regional transportation plans are only as good as the regional land use and economic development context that guides where new homes will be built, where jobs will be located and which areas will see major redevelopment. Regional scenario planning fits extremely well into the MPO Long Range Transportation Plan process, which requires an update every three to five years depending on regional air quality status. Rather than waiting to react passively to conditions created by land developers or local governments changing their development priorities, MPOs need to be equal players in evaluating, articulating and advancing regional growth strategies.

MPO Roles in Regionalism: The role of MPOs in regional scenario planning can take many shapes. The essential ingredient is leadership. For smaller MPOs, this may mean taking the role of guiding both the technical, public outreach and political process. In larger metropolitan regions, it may entail

the MPO lending technical support to a multi-agency effort with alternatives testing or funding analysis. The important point is being at the table as an active participant in the process. That means funding staff time through the Unified Planning Work Program, setting aside time on the MPO and committee meeting agendas, and, most importantly, using the unique MPO governance framework to integrate local issues, needs and priorities with those at the regional level.

Regional planning presents a delicate balance for MPOs. They were created by Congress to bring transportation decision-making closer to the people: locally elected officials serving on the MPO make funding decisions based on local needs. Yet, MPOs are increasingly required to think regionally (which may include issues extending beyond the urbanized area boundary). This balancing act requires that MPOs essentially function at two levels: they must continue to demonstrate responsive and inclusive public outreach at the local level, while also taking a strategic regional perspective that entails more of an advocacy role with the state legislative delegation, business interests and other regional organizations. This duality requires a great deal of resolve, leadership and greater flexibility of resources to enable MPOs to operate on different levels for different audiences, roles and responsibilities given the circumstances.

REGIONAL PLANNING AND GOVERNANCE, AND THOSE MPOs

By Patricia Atkins, APA, Research Professor, George Washington Institute of Public Policy

“America has a difficult political culture for the practice of regional planning and governance.”

America has a difficult political culture for the practice of regional planning and governance. We hold certain beliefs that have come to define us as a nation and that make us unique among the other nations of the world. These beliefs shape our primary values, helping to guide and justify political actions that we take. These core beliefs have consequences for the practice of regional planning and regional governance, both having evolved as post-scripts to our established system of government.

AMERICA’S CULTURE OF LOCALISM, CONFLICT, AND ECONOMIC DISPARITY

Our core belief in localism, a belief that political action begins with the individual at the grassroots of government, has survived the

national centralizing influences of the 20th century. Rigorous and definitive international research from the 1970s completed through International Studies of Values in Politics brings to light two other core American beliefs. In this study involving 4000 political leaders worldwide, American political leadership significantly outranked other national leaderships in its acceptance of political conflict and its tolerance for individual economic disparity.

Our political culture sanctifies localism, embraces political conflict, and tolerates economic disparity. The guidance of these beliefs in the design and evolution of our governmental system requires that we recognize their influence upon efforts at regional planning and governance. If regional strategists

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“This set of core political beliefs results in several basic approaches to regional governance at the local level in the United States.”

and regional programs ignore these underlying beliefs, they risk hindering their efforts. Efforts at regional planning and regional governance need to acknowledge the place of localism, conflict, and disparity in their regional approaches. It is not successful regional cooperation that we are after, but successful regional negotiation.

REGIONAL APPROACHES AS PART OF CORE BELIEFS

This set of core political beliefs results in several basic approaches to regional governance at the local level in the United States. Curtis Johnson, former head of the Minneapolis-St. Paul region’s Metropolitan Council, references this in *Governing Magazine’s* June 1998 issue as the choice between throwing regional bombs and building regional bridges.

The Regional Bomb Approach: Johnson’s version of tossing a bomb means that regional strategists use tactics that generate political turmoil, make direct appeal to localism, and accept economic disparity to achieve their regional policy. There may not be regional harmony at the end of this road, but there is enacted regional policy. This contentious approach achieves results on controversial issues such as tax equity and workforce housing dispersal.

An advocate of using this approach is Minnesota State Representative Myron Orfield. He built a strong regional faction through uniting individual jurisdictions with intersecting interests. This factional coalition overpowered other local jurisdictions to achieve a regional goal that benefited the faction’s member communities. The regional goal was the establishment of a small regional equity pool, one that did not overly disrupt the fiscal disparity quo of the Twin Cities region.

No other metropolitan region has “thrown bombs” to accomplish regional tax-base sharing, but the Detroit region used such an approach to influence transportation planning. Under the tutelage of the Gamaliel Foundation, a charity that teaches grassroots mobilization, a coalition of nearly a hundred churches in the Detroit region joined in an orchestrated campaign in protest of a transit system that they contended unduly burdened the poor populations in their efforts to reach outlying jobs. Long bus rides and multiple

transfers made the reverse commutes of those in poor neighborhoods longer than those of the auto-dependent exurbanites. This pro-transit coalition was a force behind the long-sought passage of a new regional transportation agency for the Detroit region that the coalition believes will better address their needs.

The Building Bridges Approach: The ability to construct regional policy through appeals to a harmonious regional community – Johnson’s building bridges – most easily emerges during times of major regional crisis or challenge, when the sense of regional community is strongest. The hosting of the 1996 Olympics in Atlanta is a classic example of one region united towards a common purpose. During more ordinary times, regional strategists find success with this consensus-building approach to be both slow and focused on safe issues. Controversial issues cannot be addressed for fear of alienating sectors that comprise the regional consensus. Consensus efforts that factor in the three cited core beliefs can move a regional appeal along more quickly by finding the local angles and accepting that not all the participants will acquire what they want.

The Denver Regional Council of Governments and the area’s Metro Mayors Caucus in 2000 developed a regional coalition that created the Mile-High Compact, a voluntary urban growth boundary. The state legislature had several times failed to pass urban growth boundary legislation, and the leadership of the Denver region decided to do it on its own. Their appeal to local governments’ participation in the growth boundary stressed local government economic and political self-interests as well as preservation of the Front Range of the Rockies, building an argument that this regional policy would make their local communities better places to live. This regional coalition achieved a voluntary regional growth boundary, signed as of spring 2004 by 33 local jurisdictions in the region that comprise 82 percent of the region’s population. The jurisdictions that have signed the compact agree to establish urban growth boundaries, develop comprehensive plans around common principles, link the plans to planning tools such as zoning and development regulations, and link the plans to the region’s growth and development plan.

IMPACTS ON METROPOLITAN REGIONALISM VIA MPOs

Federal, State, and Local Influences:

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“Metropolitan governance is an informal fluid process involving many players, designed to be representative of stakeholders and to allocate certain resources among those stakeholders.”

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Beginning with their authorization in the 1960s and the early '70s under Federal highway and transit programs, MPOs were created to insure that transportation expenditures were based on a continuing, cooperative and comprehensive planning process (3-C). The 1991 Intermodal Surface Transportation Efficiency Act (ISTEA) gave MPOs their first leverage of major authority, helping to push forward the concept of regional transportation governance. These federal transportation planning programs and requirements have had the most important and enduring impact on regional planning – and regional governance - at the metropolitan level over the last 40 years.

Metropolitan governance is an informal fluid process involving many players, designed to be representative of stakeholders and to allocate certain resources among those stakeholders. Resources can be information, funding, and policies, among many possibilities. This governance process is distinct from regional transportation planning that is implemented within formal structured governments such as municipalities, counties, and states. This governance process is regional negotiation.

The governance aspect of transportation, as a subset of regional governance, is subject to similar influences from the core values. As structured by federal legislation and administrative regulations, MPOs are collaborative “bridge builders.” More specifically, MPOs are the neutral setting in which all transportation agencies, local governments, and stakeholders (both leaders and citizens) gather to engage in the negotiation part of metropolitan transportation planning. Municipalities, counties, states, and transportation authorities have roles in the construction, operation, and maintenance of transportation systems, and in the implementation of the planning. This is a complex milieu from which consensus must emerge. There is an abundance of local partisanship, political conflict, and equity issues within this negotiation process.

A General Assessment of MPOs: How successful have these federal regional transportation planning provisions been over the last 30 years? At minimum, MPOs have developed regional transportation planning and programming capabilities that enable state

and local governments to maintain continuing eligibility for federal and state highway and rapid transit funding. Given the impediments, this is a noteworthy accomplishment in itself. And in more recent years, they have brought federal and state transportation planning activities together with federal and state air quality planning and requirements. Also, in a notable number of cases where MPOs are a substantial multipurpose planning and program agency, the presence of these federal surface transportation planning provisions has enriched overall regional planning, programs, and outcomes.

SPECIFIC MPO IMPROVEMENTS AND OTHER CONSIDERATIONS

MPOs can improve their consensus, “building bridges” approach, but improvements and help are needed. Specific suggestions follow:

More Staffing for Better Communication:

MPOs need sufficient staff to maintain a constant flow of information and follow-up regarding work done in conjunction with other agencies and with governments. Frequent and better communication can improve trust in and allegiance to MPO-generated work by defusing potential misunderstandings that lead to conflict and by introducing remedies early on to local concerns as they arise. MPOs cite problems with delivery of local funds’ contributions and with sufficient public participation, both more achievable with the luxury of frequent communication and reminders.

Some of the most technologically-sophisticated work in America occurs in transportation infrastructure. More of this innovation needs to be directed inward to enhance communication. MPOs need to become more knowledgeable about other agencies and publics that gather under their MPO umbrella to engage in transportation planning negotiation. Outreach efforts can be accelerated and enhanced with technology. Further, MPOs need staff trained in negotiation skills and interorganizational agreements. These are essential tools for brokering parochial conflict and equity disputes.

More Stakeholders for a More

Representative Setting: MPOs need to establish a more representative setting through inclusion of a broader spectrum of

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stakeholders on their boards and in their committees. Legal requirements, statutory and regulatory, may impede accomplishment of this task. Steps need to be taken at federal, state, and local/metropolitan levels to assess and deal with these possible legal hurdles.

One MPO per Region: MPOs should exist one to a region. The current process that permits multiple MPOs within a region reinforces localism, adds to political conflict in funding of priorities, and draws more equity boundaries. These core values are plentiful enough; the process should not amplify them. Multiple MPOs in a region complicate the creation of a single regional transportation planning process as well as multi-purpose regional planning entities.

More MPOs as Multipurpose Planning

Organizations: MPOs need to be, at minimum, involved in land use planning. However, as MPOs obtain land use planning, they will do so in very small increments, in ways that benefit local communities as they simultaneously achieve carefully delineated regional benefits. The prior cited Denver region's voluntary growth boundary is an example. Given this condition, MPOs preferably should be involved in planning, programming, and decision-making for all functions that have an area-wide impact on transportation patterns and vice-versa. MPOs, with their present consensus-building approach and political mandates, are unable to address numerous activities that have vital connections to transportation. Air quality has been joined to transportation planning, but other critical planning activities remain unbundled from transportation patterns. These include the placement of upscale and workforce housing within the region, so essential to managing sprawl-related transportation infrastructure, and balanced economic development across a metropolitan area.

Other Considerations: Federal planning requirements and planning assistance programs at the regional level are now basically the domain of either the U.S. Department of Transportation, the Economic Development Administration, or the Environmental Protection Agency. These programs should be administered so as to add other areawide functions to region-wide transportation and air quality planning.

Official regional planning organizations, certainly including MPOs, should also increasingly forge alliances with private and non-profit regional organizations. Some of these alliances will be with organizations that cover the same geography as an official regional planning organization; others will vary in geography. Some of these alliances may be quite temporary; others will be of a more permanent nature.

Finally, the American Planning Association (APA) also has a role to play in the advancement of MPOs into broader planning and decision-making organizations. Certainly the APA's high priority legislative emphasis on reauthorization of the Federal Surface Transportation Act illustrates its high support for this role. Also, in its policy guide on Smart Growth, the APA gives strong support to substate regionalism across the country. Another policy guide, or some other instrument, may be needed that gives APA policy guidance to metropolitan regional planning as it evolves from the MPO process.

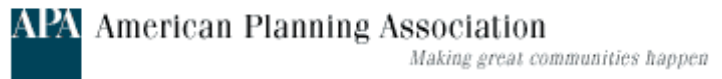
Closing: The above suggestions for the regional transportation planning process, and requirements of American political culture under which this process must operate, are daunting. For the health of our children and our lands, we must make their achievement a high priority. Given the present transportation planning process, these improvements will more often come about through "building bridges" than through "regional bombs." None will come about without adherence to regional negotiation.

Historically, Americans hew to some national characteristics that complement our core beliefs. We are a nation with innovators and pragmatists and activists. Sooner or later, America will have to fully address its metropolitan issue, including the planning process components. There is no telling what benefits may accrue when our tinkers and entrepreneurs and patriots adopt this cause as their cause.

"...the APA gives strong support to substate regionalism across the country."

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EDITOR'S NOTE ON NEWSLETTER ARTICLES

By Scott Taylor, Editor

This issue of our newsletter deals exclusively with Metropolitan Planning Organizations (MPOs). Started in the early 1970's by the U.S. Department of Transportation, MPOs are designed to bring together the various different planning requirements and programs impacting at the metropolitan level as required under the statutory laws and regulations of the Federal Highway Administration and the Federal Transit Administration.

Why is the Intergovernmental Affairs Division promulgating these articles? The Division's April of 2003 mission statement, in part, reads: "This interdependence includes communities, both rural and urban, metropolitan and non-metropolitan. It also includes planning and development at the multi-jurisdictional level, across local government boundaries, both metropolitan and nonmetropolitan." And historically, our division has always had as one of its prime focuses, the art and science of substate regional planning and development.

The following newsletter contains five MPO articles. The opening article is by myself and Lee Schoenecker, our Division Chair. Titled, *Introduction to Special Issue on Metropolitan Planning Organizations*, it gives a very brief background of the history of MPOs and it also provides information on each of the substantive writers as well as a capsule summary of each of his or her articles. In chronological order the following have written substantive articles in this newsletter: Robert Puentes of the Brookings Institution Metropolitan Policy Program in Washington, DC, Thomas Dow of the Kansas State Department of Transportation, Whit Blanton, Chair of APA's Transportation Planning Division, and Patricia Atkins, a Research Professor at The George Washington Institute of Public Policy.

We welcome future articles on substate regionalism in our newsletter as well as on our Web-page, most certainly including those dealing with MPOs.