

# Appendix 21 - Pennsylvania FFY 2023-2024 STIP Planning Findings



U.S. Department  
of Transportation

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In Reply Refer To:  
HPD-PA

Pennsylvania FFY 2023 -  
2026 Statewide Transportation Improvement  
Program & Air Quality Conformity Determinations

September 29, 2022

Ms. Yassmin Gramian, P.E.  
Secretary of Transportation  
Pennsylvania Department of Transportation  
Commonwealth of Pennsylvania  
Keystone Building  
400 North St., Fifth Floor  
Harrisburg, Pennsylvania

Dear Secretary Gramian:

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed our joint review of the Pennsylvania Federal Fiscal Year (FFY) 2023-2026 Statewide Transportation Improvement Program (STIP) submitted with your letter dated August 17, 2022. Based on our review of the information provided, certifications of Statewide and Metropolitan transportation planning processes for and within the Commonwealth of Pennsylvania, and our participation in those transportation planning processes (including planning certification reviews conducted in Transportation Management Areas), we hereby take the following actions:


1. FHWA and FTA, in concurrence with the Environmental Protection Agency (EPA), have determined that the conformity determinations for the FFY 2023-2026 TIPs in all nonattainment and maintenance areas of the Commonwealth, adequately address and meet the requirements as specified in the Transportation Conformity Rule [40 CFR Part 93], as amended. This includes all ten (10) conformity determinations for areas that are currently designated under the existing National Ambient Air Quality Standards (NAAQS) and the nine (9) areas impacted by the U.S. Court of Appeals for the D.C. Eighth Circuit decision in *South Coast Air Quality Management District v. EPA* addressing conformity requirements for former 1997 ozone “orphan” regions. (Please see the enclosed table for the Pennsylvania regions requiring transportation conformity.) The air quality conformity determination approval for these regions will reset the 4-year conformity timeclock to begin on the date of this letter.
2. The FHWA and FTA approve the Pennsylvania FFY 2023-2026 STIP, which includes the individual Transportation Improvement Programs (TIPs) for all Metropolitan

Planning Organizations (MPOs), Rural Planning Organizations (RPOs), the Independent County (Wayne), the Statewide Items TIP, and the PennDOT Interstate Management Program.

3. The FHWA and FTA find that the projects contained in the STIP and MPO/RPO TIPs are based on transportation planning processes that meet the requirements of the Infrastructure Investment and Jobs Act (IIJA) (Pub. L. 117-58, also known as the “Bipartisan Infrastructure Law”); 23 U.S.C. Sections 134 and 135; 49 U.S.C. Sections 5303 and 5304; and 23 CFR part 450.
4. Based on our joint review of the overall Pennsylvania statewide, metropolitan, and rural transportation planning processes, the FHWA and FTA are issuing the FFY 2023-2026 STIP Federal Planning Finding, as enclosed.
5. In addition, several MPOs/RPOs have updated their Long Range Transportation Plan (LRTP) in accordance with 23 CFR Part 450.324. These areas include: Reading Area Transportation Study (RATS) MPO, Adams County MPO, Erie MPO, North Central RPO, and the Shenango Valley Transportation Study (SVTS) MPO. The Southwestern Pennsylvania Commission (SPC) has amended its LRTP. FHWA and FTA, in concurrence with EPA, have determined that the conformity determinations for the above mentioned LRTPs adequately address and meet the requirements as specified in the Transportation Conformity Rule [40 CFR Part 93], as amended. The air quality conformity determination approval for RATS MPO will reset the 4-year LRTP update timeclock to begin on the date of this letter. The Adams County MPO, Erie MPO, North Central RPO, and the SVTS MPO are designated as former 1997 ozone “orphan” region and as such retain 5-year LRTP update deadlines which were reset when the MPOs and RPO took action to adopt the various LRTP.

If you have any questions regarding this determination, please do not hesitate to contact either Jennifer Crobak, FHWA PA, at (717) 221-3440 or Laura Keeley, FTA Region III, at (215) 656-7111.

Sincerely,

  
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Terry Garcia Crews  
Regional Administrator  
FTA Region III

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Alicia Nolan  
Division Administrator  
FHWA Pennsylvania Division

Enclosures

cc: Melissa Batula, P.E., Acting Executive Deputy Secretary  
 Larry Shifflet, Deputy Secretary for Planning  
 Andy Batson, AICP, Acting Deputy Secretary for Multimodal Transportation  
 Michael Keiser, P.E., Acting Deputy Secretary for Highway Administration  
 Michelle Jennings, Acting Deputy Secretary for Administration  
 Jon Fleming, Chief Executive  
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 PennDOT District Executives  
 MPO/RPO Executive Directors  
 MPO/RPO Assistant Directors/Planners  
 Mike Gordon, EPA  
 Greg Becoat, EPA  
 Chris Trostle, PA Department of Environmental Protection  
 Tony Tarone, FTA Region III  
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 Matt Smoker, FHWA HQ

## Pennsylvania FFY 2023-2026 STIP Federal Planning Finding

This is the documented Federal Planning Finding (FPF) for the Pennsylvania FFY 2023-2026 Statewide Transportation Improvement Program (STIP) and all incorporated Transportation Improvement Programs (TIPs). This FPF is issued by the Federal Highway Administration (FHWA) Pennsylvania Division and the Federal Transit Administration (FTA) Region III for Statewide, Nonmetropolitan, and Metropolitan Transportation Planning and Programming Processes.

The FHWA and FTA find that the Pennsylvania FFY 2023-2026 STIP substantially meets the requirements of 23 United States Code (U.S.C.) 134, 135; 49 U.S.C. 5303-5305; 23 Code of Federal Regulations (CFR) part 450, and 49 CFR part 613.

The FPF includes **5 Commendations** where the Pennsylvania Department of Transportation (PennDOT) and Planning Partners have demonstrated excellence in the planning process and **5 Recommendations** for continued improvement. There are **no Corrective Actions**. Please see the Findings on page 3 for details.

FHWA and FTA are committed to assisting PennDOT and the Planning Partners to review and address the Recommendations identified in the FPF. FHWA and FTA request the opportunity to meet with PennDOT to discuss the FPF and develop an Action Plan to address the Recommendations within 90 days of the STIP approval.

### What is the Federal Planning Finding (FPF)?

The FPF is a formal action taken by FHWA and FTA to evaluate and ensure that STIPs and TIPs are developed according to Statewide and metropolitan transportation planning processes consistent with 23 U.S.C. 134 and 135 and 49 U.S.C. 5303 and 5304 and 23 CFR part 450 and 500, and 49 CFR part 613.

The FPF is a formal opportunity to highlight what works well and opportunities for improvement in the Statewide or metropolitan transportation planning process.

The FPF applies to both PennDOT and Planning Partners.

The FPF is a required prerequisite to FHWA's and FTA's joint approval of the STIP.

### What are the statutory and regulatory requirements for the FPF?

- The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU, Pub. L. 109-59) contained statutory requirements, codified in Title 23 and Title 49, that the Secretary determine, at least every four years, whether the transportation planning process through which statewide transportation plans and programs are developed is consistent with 23 U.S.C. 134-135 and 49 U.S.C. 5303-5304.
- A FPF is required for the approval of a STIP (23 U.S.C. 135(g)(7) and 49 U.S.C. 5304(g)(7)).
- Moving Ahead for Progress in the 21st Century Act (MAP-21, Pub. L. 112-141), the Fixing America's Surface Transportation (FAST Act, Pub. L. 114-94), and the Infrastructure Investment and Jobs Act (IIJA) (Pub. L. 117-58, also known as the "Bipartisan Infrastructure Law") maintain this requirement.

## Pennsylvania FFY 2023-2026 STIP Federal Planning Finding

- The FHWA and FTA adopted joint implementing regulations for these requirements, found in 23 CFR part 450. Pursuant to the regulations, the requirement for the FPF applies to both the STIP (23 CFR 400.220(b)) and TIPs (23 CFR 450.330(a)).

### How are the findings identified and tracked?

FHWA and FTA work collaboratively to identify potential observations to include in the FPF. These observations are identified through each agency's involvement, stewardship and oversight activities with PennDOT, Metropolitan and Rural Planning Organizations (MPOs/RPOs), transit agencies, and key stakeholders. FHWA and FTA use several opportunities and methods to assess the quality of the Statewide and regional metropolitan transportation planning process, compliance with applicable statutes and regulations, and the level and type of technical assistance needed to enhance the effectiveness of the planning process. In addition to the STIP/TIP review, this involvement includes the Unified Planning Work Program (UPWP) approval, the Long Range Transportation Plan (LRTP) coordination, Air Quality (AQ) conformity determinations (in nonattainment and maintenance areas), as well as a range of other activities.

### There are three finding categories:

- 1) **Corrective Actions:** Items identified where the activity does not meet statutory and regulatory requirements. Each Corrective Action requires action by the State and/or MPOs and provides a date to complete the Corrective Action(s).
- 2) **Recommendations:** Items that meet the statutory and regulatory requirements, but may represent opportunities to improve the transportation planning processes. Recommendations could include enhancements to the planning processes, planning emphasis areas, emerging technologies, and agency initiatives.
- 3) **Commendations:** Activities or initiatives that demonstrate innovative, highly effective, well-thought out procedures for implementing the planning requirements or represent a national model for implementation and can be cited as an example for others.

## Pennsylvania FFY 2023-2026 STIP Federal Planning Finding

### Findings:

The following **Commendations** of the Statewide and metropolitan transportation planning processes have been identified:

#### 1. Transportation Funding Analysis:

FHWA and FTA commend PennDOT for its comprehensive efforts to research, analyze and communicate the transportation funding challenges facing the Commonwealth of Pennsylvania. In 2021, PennDOT established the new Pathways program and launched an Alternative Funding Planning and Environmental Linkages (PEL) study to identify possible near-term and long-term solutions to transportation funding. Through the PEL, PennDOT consulted with FHWA and the Environmental Protection Agency (EPA) to establish a methodology for evaluating environmental justice effects associated with alternative funding strategies. PennDOT also played a key role as a technical advisor in the Transportation Revenue Options Commission (TROC) which was established in March 2021 through an Executive Order signed by Governor Tom Wolf. Through the PEL and TROC efforts, PennDOT has paved the way for the Commonwealth to explore and implement alternative funding solutions.

#### 2. STIP Public Involvement Strategy:

FHWA and FTA commend PennDOT for successfully completing the FFY 2023-2026 STIP public comment period. In accordance with the Statewide Public Participation Plan (PPP), a STIP 15-day public comment period was held from June 15 through June 30, 2022. To supplement the regional TIPs' public outreach, PennDOT posted each regional TIP on the [www.TalkPATransportation.com](http://www.TalkPATransportation.com) website. PennDOT also made the State Transportation Commission (STC) meetings more accessible by adding a virtual meeting link, agenda and materials to the website. FHWA and FTA commend PennDOT for these efforts to improve public involvement in the statewide transportation planning process.

#### 3. State Freight Work Group and State Freight Plan:

FHWA and FTA commend PennDOT for expanding participation in the State Freight Work Group to include private sector stakeholders including the Pennsylvania Motor Truck Association (PMTA). In addition, FHWA and FTA recognize efforts are underway to update the State Freight Plan to be compliant with 49 U.S. Code § 70202 (§21104) and the new BIL freight provisions requirements. PennDOT's State Freight Plan update is due November 17, 2022.

#### 4. Pennsylvania's Efforts on the National Electric Vehicle Infrastructure (NEVI) Program:

FHWA and FTA commend PennDOT's tremendous effort to develop Pennsylvania's first State Plan for Electric Vehicle Infrastructure Development (PennDOT NEVI Plan) under the new NEVI Formula Program. Throughout the planning process, PennDOT engaged the public and diverse stakeholders including advocacy organizations, government agencies, utility providers, airports and transit agencies, and labor and industry representatives. PennDOT also established EV Equity Guiding Principles to help guide implementation and make EVs more accessible for all Pennsylvanians. Pennsylvania's NEVI Plan was officially approved by FHWA on September 14, 2022.

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### 5. Transit Asset Management (TAM) Outreach and Performance Targets:

FTA and FHWA commend the increase in coordination within PennDOT and with transit agencies, and the MPOs/RPOs regarding the Performance Based Planning and Programming (PBPP) requirements of the MPOs/RPOs as they relate to transit projects. The coordination within PennDOT led to the most inclusive TIP guidance document going to the MPOs/RPOs which provided significant assistance in making sure Transit based Performance Measures were accounted for in the TIPs.

The following **Recommendations** for the Statewide and metropolitan transportation planning processes have been identified:

#### 1. Safety Planning, Programming and Project Delivery:

Improving safety is the top priority for FHWA, FTA and PennDOT. However, Pennsylvania has not met or made significant progress towards meeting the Safety Performance Measures (PM) under 23 CFR Part 490 for the last three reporting periods (CY2018, CY2019, and CY2020). To reduce fatalities and serious injuries, Pennsylvania needs to take a comprehensive approach to safety by proactively identifying safety projects, utilizing the full Highway Safety Improvement Program (HSIP) annual apportionment, and integrating safety appropriately into projects. There are three parts of this finding:

- a. PennDOT has established a robust data-driven safety planning process and policy, per *Publication 638*, to evaluate and program candidate projects for HSIP funding. However, FHWA found that numerous candidate projects programmed on the draft TIPs did not follow the PennDOT process for approvals or amendments in the PennDOT HSIP SharePoint site. PennDOT needs to ensure that they are following their process as defined in *Publication 638*. To address this issue, PennDOT should review and verify that all projects programmed with HSIP funds on the FFY 2023-2026 STIP have been evaluated for eligibility through the HSIP SharePoint Site. If there is a cost increase to the HSIP funding, the project should be amended in the HSIP SharePoint site and reevaluated for safety cost effectiveness per *Publication 638*. This verification must be completed prior to any HSIP obligations, above the originally approved amount, occurring on the project.
- b. Historically, PennDOT has obligated less than 80% of its full HSIP annual apportionment which diminishes Pennsylvania's capacity to deliver important safety projects.
- c. There has been a concerted effort to improve HSIP obligation rates over the last two years; however, there continues to be a rush to approve projects and to obligate funds in the last quarter of the federal fiscal year. In FFY21, approximately 75% of HSIP funds were obligated in the fourth quarter and in FFY22, approximately 50% of HSIP funds were obligated in the fourth quarter.

FHWA requests that PennDOT schedule regular coordination meetings to discuss these challenges and identify opportunities to improve safety planning, programming, and project delivery.

## Pennsylvania FFY 2023-2026 STIP Federal Planning Finding

### 2. Integration of Transportation Performance Management (TPM):

FHWA and FTA recognize that PennDOT has long maintained a preservation-first focus and has made considerable progress in identifying investment needs and developing the Bridge and Pavement Asset Management Systems (BAMS/PAMS). However, it still appears that PennDOT's Asset Management Systems (AMS) are being used to backcheck project candidates rather than guiding investment priorities and driving project selection to achieve optimal performance. This finding is being carried over from the 2021 FPF.

Through the 2023 TIP development process, FHWA observed challenges to fully utilizing the BAMS/PAMS outputs including time constraints, competing project priorities, and technical training needs on how to use the data outputs in the planning process (TIP/TYP/LRTP). PennDOT's Transportation Asset Management Plan (TAMP) documentation continues to show the mix of project work types in the STIP are different than the Lowest Life Cycle Cost (LLCC) project work types recommended by the AMS. PennDOT did not evaluate the expected performance (PM2) of the draft STIP during the STIP development process. FHWA requests that PennDOT schedule coordination meetings to discuss strategies to better integrate TPM and PBPP into the planning process so that substantial progress can be achieved prior to the FFY 2025 STIP update.

As Pennsylvania makes progress on these initiatives, FHWA and FTA recommend that PennDOT, MPOs/RPOs, and transit agencies review and evaluate their planning agreements and internal procedural documents to ensure they are updated to incorporate new requirements and clearly define and document their roles and responsibilities for carrying out 23 U.S.C 134, 23 U.S.C 150, and 23 CFR 450 Subpart C requirements.

### 3. MPO/RPO LRTP Development Process:

Since the 2019 FPF, progress has been made in many areas to improve the LRTP update process and agency coordination; however, FHWA and FTA continue to observe issues with LRTPs which demonstrates the need for continued improvement. This finding is being carried over. FHWA and FTA recommend that MPOs/RPOs schedule a LRTP update coordination meeting at least 30 months in advance of the LRTP deadline. This coordination meeting should include FHWA, FTA, PennDOT Central Office and District Office staff, and other key partners. The meeting will serve the purpose of discussing roles and responsibilities, reviewing state and federal planning and transportation conformity requirements (where applicable), discussion on how to incorporate PBPP and TPM into the plan update, and identifying key milestones and resources. FHWA and FTA also recognize that PennDOT is in the process of finalizing the MPO/RPO LRTP Guidance Document. This document will be essential to provide technical assistance and tools to meet state and federal planning requirements.

### 4. MPO/RPO Compliance with FTA Title VI Requirements:

In early 2021, it was identified that not all Pennsylvania MPOs/RPOs had FTA compliant Title VI programs despite receiving FTA Planning funds through PennDOT's Consolidate Planning Grant (CPG). PennDOT has taken steps to inform the MPOs and RPOs of the requirements, and how to meet them, but as the primary recipient administering the CPG, PennDOT is ultimately responsible for the compliance status of their subrecipients. FTA and FHWA have participated in efforts to increase the awareness of the requirements among the MPOs/RPOs and encourage the



## Pennsylvania FFY 2023-2026 STIP Federal Planning Finding

development of programs that meet these requirements, but it is clear from these coordination efforts there is still confusion among the planning partners what the requirements are and how to meet them.

FHWA and FTA recommend PennDOT undertake efforts to not only verify the status of the subrecipients of their CPG, but also undertake a proactive and guidance driven approach to supporting the efforts of their subrecipients to be in compliance with the Title VI requirements in accordance with FTA Circular 4702.1B.

### **5. Annual Listing of Obligated Projects for Transit:**

All Planning Partners, transit agencies and PennDOT must cooperatively develop an Annual Listing of Obligated Projects for which Federal funds have been obligated in the previous year in accordance with 23 CFR 450.334. While overall, the MPOs/RPOs have made significant improvements in this effort since it was identified in the 2019 FPF, especially with Highway/Bridge projects, the inclusion of obligated transit projects has been inconsistent. As such, FTA and FHWA recommend PennDOT work with MPOs/RPOs and transit agencies to ensure this requirement is carried out on an annual basis for all federally funded Highway/Bridge and transit projects.

## Pennsylvania Areas Requiring Transportation Conformity

Note: The table reflects the revocation of the 1997 PM<sub>2.5</sub> NAAQS on October 24, 2016. The table includes the 1997 8-hour ozone NAAQS per the February 16, 2018 D.C Circuit decision in South Coast Air Quality Management District v. EPA (Case No. 15-1115). The impact of this court decision is only on areas that were maintenance or nonattainment of the 1997 ozone NAAQS at the time of revocation and are designated as attainment for the 2008 and 2015 ozone NAAQS. These areas are referred to as “orphan” maintenance areas.

| MPO/RPO    | Applicable NAAQS               | Nonattainment / Maintenance Area Name | Counties in Area           | Nonattainment Status |
|------------|--------------------------------|---------------------------------------|----------------------------|----------------------|
| Reading    | 2008 8-hour Ozone              | Reading, PA                           | Berks                      | <b>Marginal</b>      |
| Allentown  | 2008 8-hour Ozone              | Allentown-Bethlehem-Easton, PA        | Lehigh, Northampton        | <b>Marginal</b>      |
|            | 2006 24-Hour PM <sub>2.5</sub> | Allentown, PA                         | Lehigh, Northampton        | Maintenance          |
| Harrisburg | 2006 24-Hour PM <sub>2.5</sub> | Harrisburg-Lebanon-Carlisle-York, PA  | Cumberland, Dauphin        | Maintenance          |
|            | 1997 8-hour Ozone              | Harrisburg-Lebanon-Carlisle, PA       | Cumberland, Dauphin, Perry | Orphan Maintenance   |
| York       | 2006 24-Hour PM <sub>2.5</sub> | Harrisburg-Lebanon-Carlisle-York, PA  | York                       | Maintenance          |
|            | 1997 8-hour Ozone              | York, PA                              | York                       | Orphan Maintenance   |
| Lancaster  | 2008 8-hour Ozone              | Lancaster, PA                         | Lancaster                  | <b>Marginal</b>      |
|            | 2006 24-Hour PM <sub>2.5</sub> | Lancaster, PA                         | Lancaster                  | Maintenance          |
| Lebanon    | 2012 Annual PM <sub>2.5</sub>  | Lebanon County, PA                    | Lebanon                    | <b>Moderate</b>      |
|            | 2006 24-Hour PM <sub>2.5</sub> | Harrisburg-Lebanon-Carlisle-York, PA  | Lebanon                    | Maintenance          |
|            | 1997 8-hour Ozone              | Harrisburg-Lebanon-Carlisle, PA       | Lebanon                    | Orphan Maintenance   |
| Johnstown  | 1997 8-hour Ozone              | Johnstown, PA                         | Cambria                    | Orphan Maintenance   |
|            | 2006 24-Hour PM <sub>2.5</sub> | Johnstown, PA                         | Cambria                    | Maintenance          |
| NEPA       | 2008 8-hour Ozone              | Allentown-Bethlehem-Easton, PA        | Carbon                     | <b>Marginal</b>      |
|            | 1997 8-hour Ozone              | Scranton-Wilkes-Barre, PA             | Monroe                     | Orphan Maintenance   |

| MPO/RPO | Applicable NAAQS               | Nonattainment / Maintenance Area Name              | Counties in Area   | Nonattainment Status |
|---------|--------------------------------|--|--|----------------------|
| DVRPC   | 2015 8-hour Ozone              | Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE | Bucks, Chester, Delaware, Montgomery, Philadelphia   | <b>Marginal</b>      |
|         | 2012 Annual PM <sub>2.5</sub>  | Delaware County, PA                                | Delaware   | <b>Moderate</b>      |
|         | 2008 8-hour Ozone              | Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE | Bucks, Chester, Delaware, Montgomery, Philadelphia   | <b>Marginal</b>      |
|         | 2006 24-Hour PM <sub>2.5</sub> | Philadelphia-Wilmington, PA-NJ-DE                  | Bucks, Chester, Delaware, Montgomery, Philadelphia   | Maintenance          |
| SPC     | 2012 Annual PM <sub>2.5</sub>  | Allegheny County, PA                               | Allegheny  | <b>Moderate</b>      |
|         | 2008 8-hour Ozone              | Pittsburgh-Beaver Valley, PA                       | Allegheny, Armstrong, Beaver, Butler, Fayette, Washington, Westmoreland                          | <b>Marginal</b>      |
|         | 2006 24-Hour PM <sub>2.5</sub> | Pittsburgh-Beaver Valley, PA                       | Allegheny (P), Armstrong (P), Beaver, Butler, Greene (P), Lawrence (P), Washington, Westmoreland | Maintenance          |
|         | 2006 24-Hour PM <sub>2.5</sub> | Johnstown, PA                                      | Indiana (P)  | Maintenance          |
|         | 2006 24-Hour PM <sub>2.5</sub> | Liberty-Clairton, PA                               | Allegheny (P)  | <b>Moderate</b>      |
|         | 1997 8-hour Ozone              | Clearfield and Indiana Cos, PA                     | Indiana  | Orphan Maintenance   |
|         | 1997 8-hour Ozone              | Greene Co, PA                                      | Greene   | Orphan Maintenance   |
|         | 1987 24-Hour PM <sub>10</sub>  | Clairton & 4 Boroughs, PA                          | Allegheny (P)  | Maintenance          |
|         | 1971 CO                        | Pittsburgh, PA                                     | Allegheny (P)  | Limited Maintenance  |

| <b>MPO/RPO</b>  | <b>Applicable NAAQS</b> | <b>Nonattainment / Maintenance Area Name</b> | <b>Counties in Area</b> | <b>Nonattainment Status</b> |
|-----------------|-------------------------|--|-------------------------|-----------------------------|
| Altoona         | 1997<br>8-hour Ozone    | Altoona, PA                                  | Blair                   | Orphan Maintenance          |
| North Central   | 1997<br>8-hour Ozone    | Clearfield and Indiana Cos, PA               | Clearfield              | Orphan Maintenance          |
| Erie            | 1997<br>8-hour Ozone    | Erie, PA                                     | Erie                    | Orphan Maintenance          |
| Franklin        | 1997<br>8-hour Ozone    | Franklin Co, PA                              | Franklin                | Orphan Maintenance          |
| Scranton        | 1997<br>8-hour Ozone    | Scranton-Wilkes-Barre, PA                    | Lackawanna, Luzerne     | Orphan Maintenance          |
| Northern Tier   | 1997<br>8-hour Ozone    | Scranton-Wilkes-Barre, PA                    | Wyoming                 | Orphan Maintenance          |
|                 | 1997<br>8-hour Ozone    | Tioga Co, PA                                 | Tioga                   | Orphan Maintenance          |
| Centre          | 1997<br>8-hour Ozone    | State College, PA                            | Centre                  | Orphan Maintenance          |
| Adams           | 1997<br>8-hour Ozone    | York, PA                                     | Adams                   | Orphan Maintenance          |
| Shenango Valley | 1997<br>8-hour Ozone    | Youngstown-Warren-Sharon, OH-PA              | Mercer                  | Orphan Maintenance          |

(P) = designates partial county areas that are included in the nonattainment/maintenance area

**Pennsylvania 2019-2022 Statewide Transportation Improvement Program (STIP) and Air Quality Conformity Determination**

| Action Plan Matrix - 2023 Recommendations   |  |               |                 |  |   |
|---|--|---------------|-----------------|--|---|
| 2023 STIP Finding Recommendation  | Owner(s)   | Last Modified | Completion Date | Planned Action   | Action(s) Taken   |
| <p><b>Safety Planning, Programming and Project Delivery:</b><br/>Improving safety is the top priority for FHWA, FTA and PennDOT. However, Pennsylvania has not met or made significant progress towards meeting the Safety Performance Measures (PM) under 23 CFR Part 490 for the last three reporting periods (CY2018, CY2019, and CY2020). To reduce fatalities and serious injuries, Pennsylvania needs to take a comprehensive approach to safety by proactively identifying safety projects, utilizing the full Highway Safety Improvement Program (HSIP) annual apportionment, and integrating safety appropriately into projects. There are three parts of this finding:</p> <p>a. PennDOT has established a robust data-driven safety planning process and policy, per Publication 638, to evaluate and program candidate projects for HSIP funding. However, FHWA found that numerous candidate projects programmed on the draft TIPs did not follow the PennDOT process for approvals or amendments in the PennDOT HSIP SharePoint site. PennDOT needs to ensure that they are following their process as defined in Publication 638. To address this issue, PennDOT should review and verify that all projects programmed with HSIP funds on the FFY 2023-2026 STIP have been evaluated for eligibility through the HSIP SharePoint Site. If there is a cost increase to the HSIP funding, the project should be amended in the HSIP SharePoint site and reevaluated for safety cost effectiveness per Publication 638. This verification must be completed prior to any HSIP obligations, above the originally approved amount, occurring on the project.</p> <p>b. Historically, PennDOT has obligated less than 80% of its full HSIP annual apportionment which diminishes Pennsylvania's capacity to deliver important safety projects.</p> <p>c. There has been a concerted effort to improve HSIP obligation rates over the last two years; however, there continues to be a rush to approve projects and to obligate funds in the last quarter of the federal fiscal year. In FFY21, approximately 75% of HSIP funds were obligated in the fourth quarter and in FFY22, approximately 50% of HSIP funds were obligated in the fourth quarter.</p> <p>FHWA requests that PennDOT schedule regular coordination meetings to discuss these challenges and identify opportunities to improve safety planning, programming, and project delivery.</p> | Casey Markey (PennDOT)<br>Clint Beck (FHWA)  | 08/10/23      | On-going        | The HSIP Governance Group continues to meet bi-monthly. CPDM will work with BOO to integrate the HSIP Tools (network screening tool, etc.) and build out the process flow for project identification procedures for both Regional L RTPs and TIP development by the end of Calendar Year 2023. HSIP Obligation status reports will be shared on a monthly basis with FHWA and the PennDOT Chief Engineer and safety staff. | HSIP Governance Group established with representatives of CPDM, FHWA, Bureau of Operations and Highway Administration to finalize and more formalize HSIP process. The group has met with a few Districts to determine best practices and areas for improvement. HSIP projects are reviewed weekly to ensure lettings are on track to ensure consistent obligations across the Federal Fiscal Year. HSIP application trainings are underway for new staff. The 2023 STIP continues to be reviewed to ensure applications are submitted for all programmed projects. HSIP project obligations are monitored on a constant basis to ensure Pennsylvania is on track to meet annual obligation goals. Internal reports are created and posted weekly within the CPDM. In preparing for the 2025 TIP, the HSIP Set-Aside amount has been increased to \$50 million from \$40 million in the 2025 Financial Guidance. Additional language has been added to 2025 General and Procedural guidance to 'redistribute' unused funding sitting in line items halfway through a fiscal year and to direct the submittal and approval of project applications prior to a project's inclusion on a regional draft TIP. In addition, an item for HSIP applications has been added to the TIP submittal checklist. |
| <p><b>Integration of Transportation Performance Management (TPM):</b><br/>FHWA and FTA recognize that PennDOT has long maintained a preservation-first focus and has made considerable progress in identifying investment needs and developing the Bridge and Pavement Asset Management Systems (BAMS/PAMS). However, it still appears that PennDOT's Asset Management Systems (AMS) are being used to backcheck project candidates rather than guiding investment priorities and driving project selection to achieve optimal performance. This finding is being carried over from the 2021 FPF.</p> <p>Through the 2023 TIP development process, FHWA observed challenges to fully utilizing the BAMS/PAMS outputs including time constraints, competing project priorities, and technical training needs on how to use the data outputs in the planning process (TIP/TYP/LRTP). PennDOT's Transportation Asset Management Plan (TAMP) documentation continues to show the mix of project work types in the STIP are different than the Lowest Life Cycle Cost (LLCC) project work types recommended by the AMS. PennDOT did not evaluate the expected performance (PM2) of the draft STIP during the STIP development process. FHWA requests that PennDOT schedule coordination meetings to discuss strategies to better integrate TPM and PBPP into the planning process so that substantial progress can be achieved prior to the FFY 2025 STIP update.</p> <p>As Pennsylvania makes progress on these initiatives, FHWA and FTA recommend that PennDOT, MPOs/RPOs, and transit agencies review and evaluate their planning agreements and internal procedural documents to ensure they are updated to incorporate new requirements and clearly define and document their roles and responsibilities for carrying out 23 U.S.C 134, 23 U.S.C 150, and 23 CFR 450 Subpart C requirements.</p>   | Brian Hare/Nate Walker (PennDOT)<br>Markey (PennDOT)<br>Clint Beck (FHWA)<br>Casey | 04/30/24      | On-going        | Obtain FHWA Resource Center assistance to facilitate development of an Performance Based Planning and Programming/Asset Management implementation action plan to help further integrate tools into process. These updates will be included in larger, separate documentation that the General and Procedural Guidance for the 2027 Program Update can reference.   | A group of PennDOT District, PennDOT Central Office, FTA and FHWA PA Division representatives continue collaborate on the development of Transportation Performance Management resources. The groups efforts helped to inform General and Procedural Guidance for the 2023 Program update, as well as provided additional BAMS and PAMS guidance and regional trainings in fall of 2021. The Bureau of Operations – Asset Management Division provided initial outputs for each of the regional TIPs for the 2023 Program update.<br><br>MPOs and RPOs along with PennDOT Districts and Central Office are coordinating on the Project Selection Decision-Making Process and have developed recommendations as to how ProjectBuilder concepts can be developed. Since the recommendations focus on the interstate system, the next step is to present recommendations to ISC.   |

**Pennsylvania 2019-2022 Statewide Transportation Improvement Program (STIP) and Air Quality Conformity Determination**

| Action Plan Matrix - 2023 Recommendations   |  |               |                 |  |   |
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| <p><b>MPO/RPO LRTP Development Process:</b><br/>                     Since the 2019 FPF, progress has been made in many areas to improve the LRTP update process and agency coordination; however, FHWA and FTA continue to observe issues with LRTPs which demonstrates the need for continued improvement. This finding is being carried over. FHWA and FTA recommend that MPOs/RPOs schedule a LRTP update coordination meeting at least 30 months in advance of the LRTP deadline. This coordination meeting should include FHWA, FTA, PennDOT Central Office and District Office staff, and other key partners. The meeting will serve the purpose of discussing roles and responsibilities, reviewing state and federal planning and transportation conformity requirements (where applicable), discussion on how to incorporate PBPP and TPM into the plan update, and identifying key milestones and resources. FHWA and FTA also recognize that PennDOT is in the process of finalizing the MPO/RPO LRTP Guidance Document. This document will be essential to provide technical assistance and tools to meet state and federal planning requirements.</p>   | Vacant (PennDOT)<br>Vanessa Shamburg (FHWA)  | 08/24/23      |                 | Implementation and Training Activities coming soon as vacancies are filled.  | PennDOT has responded to the call for improved planning by updating and revamping PUB 575 - Regional Range Plan Guidance. PennDOT has prepared the guidance to support Metropolitan Planning Organizations (MPO) and Rural Planning Organizations (RPOs) and their state and local partners in their preparation of regional long-range transportation plans (LRTPs) that comply with federal requirements and are consistent with Commonwealth of Pennsylvania policies and guidance. Federal regulations are, in essence, the rules for how states and federally designated metropolitan planning organizations (MPOs) allocate federal transportation funds for the preservation and improvement of the surface transportation system. While federal regulations prescribe a planning process—involving specific participants and required elements resulting in a series of interrelated products, including regional long-range transportation plans for MPOs—they do not dictate methodologies for how plan elements are prepared or presented, how participants are involved, or how transportation improvement priorities are coordinated with land use planning. Pennsylvania expects regional long-range transportation plans to be consistent with state policy and priorities because it supplements federal transportation funds for the preservation and improvement of state-owned transportation facilities. Additionally, through a memorandum of understanding, Pennsylvania holds its rural planning organizations (RPOs) to the same transportation planning process requirements as its MPOs.<br><a href="https://www.dot.state.pa.us/public/PubsForms/Publications/PUB%20575.pdf">https://www.dot.state.pa.us/public/PubsForms/Publications/PUB%20575.pdf</a> |
| <p><b>MPO/RPO Compliance with FTA Title VI Requirements:</b><br/>                     In early 2021, it was identified that not all Pennsylvania MPOs/RPOs had FTA compliant Title VI programs despite receiving FTA Planning funds through PennDOT's Consolidate Planning Grant (CPG). PennDOT has taken steps to inform the MPOs and RPOs of the requirements, and how to meet them, but as the primary recipient administering the CPG, PennDOT is ultimately responsible for the compliance status of their subrecipients. FTA and FHWA have participated in efforts to increase the awareness of the requirements among the MPOs/RPOs and encourage the development of programs that meet these requirements, but it is clear from these coordination efforts there is still confusion among the planning partners what the requirements are and how to meet them.</p> <p>FHWA and FTA recommend PennDOT undertake efforts to not only verify the status of the subrecipients of their CPG, but also undertake a proactive and guidance driven approach to supporting the efforts of their subrecipients to be in compliance with the Title VI requirements in accordance with FTA Circular 4702.1B.</p> | Ray Green (PennDOT-CPDM)<br>Nick Baldwin (PennDOT-BPT)<br>Laura Keeley (FTA)<br>(PennDOT -- BEO) | 10/12/23      |                 | Identify those that have outstanding plans and who needs assistance to get over finish line. Need to discuss follow-ups and need for additional support in BEO/MPOs. | •3/23/23 meeting with CPDM, BEO, FTA, BPT to discuss technical assistance, gaps between FTA and FHWA standards and potential updates. •8/17/23 -- Status update and follow up meeting. Several plans are done, some are outstanding. Need to determine who is outstanding and who needs some sort of assistance. FTA suggested peer-to-peer discussions and a template. BPT has been using a template originally developed by Wisconsin DOT for transit agencies. •10/4 -- Discussion on status occurred at MPO Caucus prior to Annual Planning Partners Meeting. •12/4 meeting -- discussed and reviewed draft letter to be sent to MPOs and RPOs indicating requirements. -- Letter distributed by BEO on 1/16/24   |
| <p><b>Annual Listing of Obligated Projects for Transit:</b><br/>                     All Planning Partners, transit agencies and PennDOT must cooperatively develop an Annual Listing of Obligated Projects for which Federal funds have been obligated in the previous year in accordance with 23 CFR 450.334. While overall, the MPOs/RPOs have made significant improvements in this effort since it was identified in the 2019 FPF, especially with Highway/Bridge projects, the inclusion of obligated transit projects has been inconsistent. As such, FTA and FHWA recommend PennDOT work with MPOs/RPOs and transit agencies to ensure this requirement is carried out on an annual basis for all federally funded Highway/Bridge and transit projects.</p>   | Dean Roberts(PennDOT)<br>Laura Keeley (FTA)  | 03/07/24      |                 | Prepare for 2024 Update  | •10/31/22: Updated language included in transmittal of 2022 List of Obligated projects that stresses the requirement. •3/22/23: CPDM and FTA met to discuss recommendation and a new report from FTA's system that will help satisfy the requirements. •9/29/2023: Report obtained from FTA. •October 2023: efforts to refine data in FTA report to general 23 CFR 450.334 compliant list •10/30/23: Transmittal of 2023 List of Obligated project data with additional language requesting that MPOs work with transit agencies to refine detail where information is incomplete, missing or vague. Additional follow-ups occurred with individual MPOs throughout the remainder of the Calendar Year and during draft program review calls to ensure a compliance and gauge any challenges. RPOs/MPOs have used 2023 info to meet this requirement and post annual list of obligations  |