

POLICY STATEMENT
MAJOR INVESTMENT STUDIES
Originally adopted: August 1995
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I. BACKGROUND

A. Legal/Regulatory Basis for MISs

The ISTEA Metropolitan Planning Regulations (23 CFR 450.318) require major investment studies to be undertaken to develop or refine projects for inclusion in the Long-Range Transportation Plan (LRTP), and are intended to lead to decisions by MARC, in cooperation with participating agencies, on the design concept and scope of the investment. An MIS may include preparation of a draft document required by the National Environmental Policy Act (NEPA), such as an Environmental Impact Statement (EIS) or an Environmental Assessment (EA), or may serve as input to a subsequent NEPA document.

B. Definition of Major Transportation Investment

Section 450.104 of the regulations defines "major metropolitan transportation investment" as "a high-type highway or transit improvement of substantial cost that is expected to have a significant effect on capacity, traffic flow, level of service, or mode share at the transportation corridor or subarea scale". Examples of such projects include new facilities or facility widenings of one mile or more in length on controlled access roadways classified as principal arterial or higher, and new fixed guideway transit systems or extensions of one mile or more in length. Additional examples of the types of projects that should generally be considered major investments are included in the regulations however, the examples are illustrative not all inclusive.

MISs are studies that examine which alternative transportation strategy, or mix of strategies, will best work to solve a transportation problem within a corridor. They must determine relative costs and benefits associated with proposed alternatives and involve public participation in the decision making process. They consider a broad range of land-use, environmental, social, and transportation impacts. They consider all viable modes of transportation but may vary widely in scope and treatment depending on the scale of the problem being studied and range of potential solutions.

MISs are required within Metropolitan Planning Organization (MPO) boundaries on controlled access facilities classified as principal arterials according to the federal highway functional classification system required in section 101 of Title 23, U.S. Code . A map of this system is maintained at MARC by the TRC in cooperation with the state DOTs and participating local governments.

II. PROCEDURES FOR INITIATING MAJOR INVESTMENT ANALYSES

A. General Policy

The decision to initiate a major investment analysis shall be made through a consensus process involving MARC, the project sponsor(s), KDOT, MHTD, affected public transit operators, FHWA and FTA. These agencies will constitute an MIS Steering Committee. MARC shall convene a meeting of the Steering Committee whenever requested to do so by any of the other agencies, or when the potential need for an MIS is identified by MARC itself.

B. Relationship to the Long-Range Transportation Plan (LRTP)

MARC will identify the need for MISs in conjunction with the development and updating of the Long-Range Transportation Plan. Specific improvements, subareas or corridors may be indicated in the plan as being subject to refinement through the MIS process. If an improvement is proposed for inclusion in the LRTP, MARC, in consultation with the MIS Steering Committee, may require that an MIS be completed prior to such inclusion. MARC will review the existing LRTP for projects that might require an MIS and alert the sponsors that they may be required to do a MIS.

C. Relationship to the Transportation Improvement Program (TIP)

Under normal circumstances, an MIS should be performed prior to inclusion of a major investment project in the TIP. MARC will review all TIP submittals as they are received to determine whether an MIS may be required. For projects already in an approved TIP for which an MIS has not been done, MARC will initiate the MIS process as soon as possible by scheduling a meeting of the Steering Committee. The MIS must itself be included in the TIP if any CMAQ, STP, NHS, Section 9 or other capital funds administered by FHWA or FTA are utilized for the study. No project for which an MIS is required may advance to preliminary engineering until the MIS has been completed.

D. Relationship to the Unified Planning Work Program (UPWP)

MARC will evaluate the need for MISs on an annual basis in conjunction with the development of the Unified Planning Work Program (UPWP). As part of this process, MARC will solicit input from KDOT, MHTD, local governments and transit operators, FHWA and FTA regarding projects for which MISs may be required. All MISs undertaken within the MARC metropolitan planning boundary must be included in the UPWP, regardless of funding source or lead agency. If an MIS is initiated in mid-year, it must be incorporated in the UPWP by amendment prior to work proceeding.

E. Relationship to the National Environmental Policy Act (NEPA)

MISs are linked to the NEPA process (23 CFR 771) in one of two ways. They may include the appropriate level of environmental analysis, public involvement, interagency coordination and systematic interdisciplinary approach to result in a draft NEPA document, such as an EIS or EA, or they may serve as input to a subsequent NEPA document. If culmination in a draft EIS is envisioned, FHWA and FTA field representatives should be closely involved with the process as ultimately the lead federal agency will be responsible for the scope, objectivity and content of the NEPA document. A NEPA document prepared as part of an MIS will be expected to consider a broader scale of impacts and alternatives than those addressed in FHWA's traditional NEPA documents. If conditions change substantially once an MIS is completed but prior to project implementation, the results of the MIS and NEPA documentation may require review and possible revision.

III. PROCEDURE FOR CONDUCTING MIS

A. Initial Scoping Meeting

Once it has been determined that an MIS is needed, MARC will convene a scoping meeting to determine the extent of the analysis, the alternatives to be considered, lead agency responsibility, and the roles and responsibilities of all participating agencies. The scoping meeting will involve, in addition to MARC, representatives from the state departments of transportation, FHWA, FTA, public transit operators, environmental, resource and permit agencies, local officials affected by the project, and where appropriate community development agencies, major governmental housing bodies, and such other related agencies as may be impacted by the proposed scope of analysis. Additional scoping meetings may be held if the Steering Committee determines they are warranted. The TTPC may elect to appoint a member to participate in the steering committee in addition to MARC staff to serve as a liaison to the committee. *An advisory body may be formed to provide input to the MIS throughout the study.*

A summary of the scoping meeting(s) will be prepared by the project sponsor and distributed to the meeting participants.

B. Public Involvement

A reasonable opportunity shall be provided for citizens and interested parties, including affected public agencies, representatives of transportation agency employees, private providers of transportation, community organizations and special interest groups to participate in the MIS process. This opportunity should be provided early enough in the process to impact the final scope of the analysis and the alternatives being considered.

The public involvement process during the preparation of the MIS is the responsibility of the lead agency in consultation with the MIS Steering Committee. *The requirement for public involvement may include formation of an advisory body to provide input to the MIS throughout the study.*

MARC will maintain a list of key contact persons interested in being informed regarding MISs. The scoping meeting participants will be apprised of meetings concerning the MIS and the progress of the study.

Once the draft final report on the MIS has been prepared, MARC will provide an opportunity for public review and comment consistent with its Public Participation Plan. Any comments received on the report will be addressed prior to final acceptance of the report by MARC.

C. Travel Demand Projections/ Assumptions

MISs will normally utilize the latest travel demand projections produced by MARC staff. If use of other projections is proposed, they must be approved by MARC and the Steering Committee during the scoping process.

MARC's Long-Range Transportation Plan will provide the basis for assumptions regarding planned transportation improvements in the vicinity of an MIS, as well as master plans developed by local government agencies.

D. Review of MIS Final Report

The draft final report produced as a result of an MIS will be forwarded by the lead agency to the MIS Steering Committee and scoping meeting participants for review and comment. All substantive comments received on the draft MIS will be summarized and responded to in writing by the lead agency. After this review has been completed and appropriate revisions have been incorporated, the report will be submitted to MARC for review and acceptance by the Technical Review Committee (TRC), the Total Transportation Policy Committee (TTPC) and the MARC Board of Directors. The TRC and TTPC will recommend appropriate actions to be taken by MARC in response to the report. Such actions may include revisions to the Long-Range Transportation Plan or Transportation Improvement Program.

IV. FUNDING FOR MISs

Funding for MISs will be determined on a case-by-case basis. Normally, however, funding will be the responsibility of the project sponsor. If the major investment study is initiated by MARC, it may elect to utilize FHWA PL or FTA Section 8 planning funds to carry out the MIS. If the sponsor is a local government, local funds will normally be

utilized. MHTD, KDOT and local transit operators may elect to utilize federal capital funds (e.g. CMAQ, STP, NHS, Section 9), subject to the MIS being included in the TIP.

V. *MISSOURI ADDENDUM*

For MISs in Missouri , an MIS Working Group comprised of MARC, MoDOT, KCATA and other local agency staff will assist the MIS Steering Committee in problem definition, scoping, public involvement, estimating resource needs and other technical support activities. At the option of the MIS sponsor, and with the oversight of the MIS Steering Committee, the MIS Working Group may perform the public involvement activities, data collection, transportation modeling, and other analyses necessary to recommend the design concept and scope for the MIS. If the sponsor elects not to use the MIS Working Group to perform these activities, the MIS Working Group will assist the MIS Steering Committee in reviewing the analysis and reports of the agency or consulting from that does perform the MIS.

Abbreviations and Acronyms

ISTEA - intermodal surface transportation efficiency act - the law governing federal funding and requirements for all modes of surface transportation.

MIS - major investment study (previously MTIA - major transportation study) a corridor level alternatives analysis required under ISTEA within metropolitan areas

CFR - code of federal regulations - compendium of federal statutes

L RTP - long range transportation plan - required under ISTEA Metropolitan and Statewide Planning regulations, a plan with a 20 year horizon that examines future transportation needs and how they should be served

TIP - transportation improvement program - required under ISTEA Metropolitan and Statewide Planning regulations, a 3-5 year programming document that documents expenditure of funds toward implementing the L RTP

NEPA - national environmental policy act - the law governing federal requirements for maintaining and improving the environment

STP - surface transportation program - one of the federal funding categories established by ISTEA

CMAQ - congestion mitigation and air quality - one of the federal funding categories established by ISTEA targeted specifically at transportation investments which reduce congestion and improve air quality

NHS - national highway system - one of the federal funding categories established by ISTEA targeted at a selected system of highways, including the current interstate system, which are deemed of vital importance to the nation

TTPC - total transportation policy committee - the MARC committee charged with examining transportation policy issues and making recommendations on regional transportation policy to the MARC Board

TRC - technical review committee - the MARC committee charged with examining the technical merits of regional transportation planning and programming efforts and making recommendations to the TTPC