

August 29, 2014

Mr. Harlan W. Miller, Federal Highway Administration
Ms. Sherry Riklin, Federal Transit Administration
U.S. Department of Transportation
1200 New Jersey Avenue SE,
Washington, DC 20590

Docket No. FHWA-2013-0037; FHWA RIN 2125-AF52; FTA RIN 2132-AB10 – Notice of Proposed Rulemaking for Statewide and Nonmetropolitan Transportation Planning and Metropolitan Transportation Planning

Dear Mr. Miller and Ms. Riklin:

The National Housing Conference (NHC) appreciates the opportunity to comment on the joint Federal Highway Administration (FHWA) – Federal Transit Administration (FTA) [Proposed Rule for Statewide and Nonmetropolitan Planning and Metropolitan Transportation Planning](#).

In summary, NHC encourages FHWA and FTA to continue its efforts to make the planning process more inclusive, to make transportation projects more sustainable, and more accountable through performance measures. Our primary recommendations are that: 1) FHWA and FTA require housing and community development representatives to be included in the transportation planning process at the MPO, regional and state levels; 2) FHWA and FTA require housing needs to be considered as part of scenario planning and for MPOs and states to take advantage of housing studies and research already available; and 3) FHWA and FTA encourage housing-related performance measures be applied as well as seek ways to encourage more transit oriented development in affordable housing.

About the National Housing Conference

Formed in 1931, the National Housing Conference is a nonprofit organization dedicated to helping ensure safe, decent and affordable housing for all in America. As a division of NHC, the Center for Housing Policy specializes in solutions through research, working to broaden understanding of America's affordable housing challenges and examine the impact of policies and programs developed to address these needs. Through evidence-based advocacy for the continuum of housing, NHC develops ideas, resources and policy solutions to shape an improved housing landscape.

One of NHC's areas of focus is working to improve the coordination of affordable housing, transportation and energy policy. NHC promotes policies that encourage states and localities to preserve and expand the supply of affordable housing near public transit and economic centers. NHC believes that transit-oriented affordable housing helps support a strong equitable transportation network and that entire communities benefit from it.

Comments on the proposed rule

NHC supports FHWA and FTA in their efforts to create a more efficient and equitable approach to transportation planning. We recognize previous accomplishments including the incorporation of the [Livability Principles](#) into DOT policies and participation in the interagency [Partnership for Sustainable Communities](#), both of which have helped to move forward policy that addresses the combined affordability of housing and transportation for low- and moderate-income households.

As you work to implement the changes to transportation planning process prescribed under MAP-21 ([Public Law 112-141](#)), NHC supports regulatory changes that create a more inclusive, integrated and representative Metropolitan, Nonmetropolitan and Statewide transportation planning process. We encourage you to link spending decisions to performance measures and ensure that those measures promote sustainable development and a more holistic view of how transportation investments can serve the broader community.

An integrated metropolitan planning process will better serve communities and meet affordable housing and transportation needs for the entire income spectrum. A planning process that requires the inclusion of sectors besides transportation, like housing and infrastructure, will lead to transportation investments that are more strategic and promote the long-term viability and economic development of localities and regions.

Inclusive planning process

Large transportation projects have far-ranging and long-lasting impacts. Historically, we have seen positive outcomes from infrastructure projects but we have also seen low income communities and communities of color divided by highway projects or some communities cut off from transportation infrastructure (examples are found throughout the country, including in Miami,¹ Pittsburgh,² and Detroit³). By widening the participation in the transportation planning process, federal policy can avert these potential negative impacts. To that end, NHC recommends:

- **Include public transportation providers as equal participants** in the metropolitan, nonmetropolitan and statewide transportation planning processes.
- **Engage underserved people in planning.** States and MPOs should develop plans and desired outcomes for engaging populations “traditionally underserved by existing transportation systems, such as low-income and minority households” as part of the transportation planning process, as already included in the proposed rule (*450.210 and 450.316 – Interested parties, participation and consultation*).

¹ Allen, Greg. “How I-95 Shattered the World of Miami’s Early Overtown Residents.” National Public Radio, August 28, 2010. <http://wlrn.org/post/how-i-95-shattered-world-miamis-early-overtown-residents>.

Green, Nadege. “Legacies of Overtown.” The Miami Herald, February 10, 2013. <http://www.miamiherald.com/2013/02/10/3224026/legacies-of-overtown.html>.

² Hagerty, James R. “A Neighborhood’s Comeback.” Wall Street Journal, July 18, 2012, sec. US. <http://online.wsj.com/news/articles/SB10001424052702303612804577533112214213358>.

³ Gallagher, John. “When Detroit Paved over Paradise: The Story of I-375.” Detroit Free Press, December 15, 2013. <http://www.freep.com/article/20131215/OPINION05/312150060/Black-Bottom-Detroit-I-375-I-75-paradise-valley-removal>.

- **Require inclusion of housing and community development representatives throughout the planning process.** NHC believes that communities will receive greater benefit from large transportation infrastructure projects where affordable housing and community development were considered early and consistently in the planning process to improve the outcomes for low income households. Sections 450.206 – *Scope of the statewide and nonmetropolitan transportation planning process*; and 450.306 – *Scope of the metropolitan planning process* of the proposed rule identify housing and community development as areas to consider and should be included in the final rule. Sections 450.206 and 450.306 should be expanded to include a requirement that State and MPO planning boards also include a local official representing the housing department and a local official representing the planning department, specifically an official with a strong understanding of development patterns and trends.
- **Include housing and land use officials in RTPOs.** Sections 450.208-210 and 450.216 require states to work more closely with nonmetropolitan areas and outline the process for creating Regional Transportation Planning Organizations (RTPOs). The proposed rule also describes the policy committee of these RTPOs. 450.210 should reference local housing and/or land use planning officials as part of the RTPO policy committee membership.
- **Coordinate planning.** NHC supports the continued efforts of DOT and other federal agencies to better coordinate efforts across federal programs. State, nonmetropolitan and metropolitan transportation planners should be explicitly encouraged to coordinate with other federal planning programs and processes, especially HUD Consolidated Plans, Sustainable Communities Regional Planning and Community Challenge programs.

Affordable housing provides an effective platform for low income persons to increase their economic self-sufficiency and achieve better life outcomes. Transportation costs are intertwined with housing costs for low and moderate income households—together they affect access to jobs, education, health care and overall life outcomes. When transportation and housing planning occur in silos and are not coordinated well, policy misses needs and outcomes for people, especially those individuals and families with the greatest need, are disappointing.

Sustainable development

- **Include housing need in scenario planning.** The proposed rule language encourages MPOs to use scenario planning as they develop transportation plans. As part of the scenario planning, FHWA/FTA should require MPOs to include current and expected growth and development patterns in terms of land use as well as the housing need present in the community, at all income levels. As part of the scenario planning process, language in Section 450.324 could encourage MPOs and states to use local Analyses of Impediments, Consolidated Plans, and regional housing studies to determine potential housing needs and impacts on transportation. This way MPOs do not need to undertake additional research efforts but can benefit from existing work by localities.

- **Encourage transit oriented development including affordable housing.** Transit oriented development (TOD) that includes affordable housing helps working households by improving their access to employment and lowering their transportation costs. NHC asks DOT to seek ways to encourage transit oriented development in this proposed rulemaking. TODs are also a viable congestion management process, so the definition in Section 450.104 of the proposed rule should include land use management strategies.

Enhancing transportation planning through these recommendations and pursuing more ways to coordinate affordable housing investment with transportation infrastructure will better serve community needs. It will also help communities preserve affordable housing near transit *before* prices increase, due to new transportation investments.⁴

Performance measures

- **Include housing-related performance measures.** Adding performance measures to the transportation planning process will provide greater accountability and a more strategic and effective use of resources. As these measures are implemented, NHC encourages flexibility especially in terms of allowing states and MPOs to include mode-neutral standards such as considering low income job access for low-income people as an aspect of economic viability. Other performance measures could include housing and transportation costs and transit proximity to employment.

NHC encourages FHWA and FTA to consider the comments of Equity Caucus members, including Policy Link, Enterprise Community Partners, and the Natural Resources Defense Council that touch on these same themes.

Once again, we commend FHWA and FTA for taking proactive efforts to improve inclusivity and effectiveness of the transportation planning process. Please contact Rebekah King, Policy Associate (rking@nhc.org) for any questions.

Sincerely,



Chris Estes
President and CEO

⁴ Wardrip, Keith. "Public Transit's Impact on Housing Costs: A Review of the Literature" Center for Housing Policy. August 2011.