



U.S. Department  
of Transportation  
**Federal Highway Administration**  
**Federal Transit Administration**

Mr. Jon Frey  
Pennsylvania Transit Expansion Coalition  
P.O. Box 76  
Southampton, PA 18966

JAN 5 2012

Dear Mr. Frey:

This letter is a follow-up to our December 5, 2011 meeting where members of the Pennsylvania Transit Expansion Coalition (PA-TEC) and former members of the Delaware Valley Regional Planning Commission (DVRPC) Regional Citizens Committee (RCC) raised concerns about the DVRPC public participation process. In that meeting, you requested that the Federal agencies respond to the following concerns:

1. DVRPC should develop any new public participation plan in consultation with all interested parties, as required by Federal regulations.
2. No votes on major amendments to the TIP/STIP should occur until the new plan is adopted
3. No minor amendments to the TIP/STIP should be approved unless they conform to the Memorandums of Understanding (MOUs) between the Federal agencies, DVRPC, the State DOTs and local transit providers that specifically require those amendments be subject to review by the RCC.
4. The RCC should be restored until such time as the new plan is in place..
5. The current public participation plan should be enforced by the Federal agencies providing oversight. You indicated that DVRPC stated that they had consulted with the Federal agencies prior to disbanding the RCC and wanted confirmation of what discussions had taken place.

In response to your first three concerns, we agree that DVRPC's disbanding of the RCC without adopting a revised plan may have compromised their Public Participation Process. On December 19, 2011, the US Department of Transportation (USDOT) sent a letter (copy enclosed) to DVRPC asking them to advise us in writing by January 6, 2012 as to how they intend to meet the requirements of the regulations and the related MOUs in light of the fact that the RCC was disbanded prior to the adoption and implementation of a revised Public Participation Plan (PPP).

In response to your fourth concern, the USDOT intends to await DVRPC's response to our letter before we determine what action, if any, is appropriate. We also note that while 23 CFR 450.316 places requirements on what must be included in a Metropolitan Planning Organization's (MPO) PPP, as well as how the plan shall be developed, it does not include a requirement for an MPO to establish a specific advisory committee to achieve the intended results.

Finally, in response to your fifth concern, there was no specific consultation between DVRPC and the Federal agencies regarding disbanding the RCC. There was only a generic discussion with the FHWA over the processing of minor TIP amendments and the need to follow the MOUs.

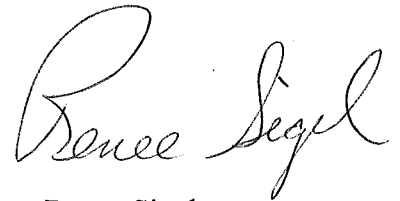
We will continue to actively monitor this issue until a new PPP is in place in order to make sure that Federal requirements are being met. For years, DVRPC has been an outstanding model of public participation, and the USDOT has regularly pointed to the Philadelphia region as an example for best practices in citizen involvement. We are hopeful that this issue can be resolved quickly to everyone's satisfaction so that this can continue to be the case.

Sincerely,



Brigid Hynes-Cherin  
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FTA Region III

Ernest Blais  
Division Administrator  
FHWA New Jersey Division



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