

**Major Amendment #3 to the
2023-2026 Transportation Improvement Program
for the
Green Bay Urbanized Area**



**Brown County Planning Commission (BCPC)/
Metropolitan Planning Organization (MPO) for the Green Bay Urbanized Area
May 3, 2023**



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



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



The preparation of this report has been financed in part through grants from the Federal Highway Administration and Federal Transit Administration, U.S. Department of Transportation, under the Metropolitan Planning Program, Section 104(f) of Title 23, U.S. Code. The contents of this report do not necessarily reflect the official views or policy of the U.S. Department of Transportation.

A full copy of the TIP and subsequent amendments and/or administrative modifications can be found on the Brown County Planning Commission website at www.browncountywi.gov/BCPCGreenBayMPO. Scroll down to Transportation Improvement Program (TIP) for the Green Bay Urbanized Area.

The Brown County Planning Commission/Metropolitan Planning Organization (MPO) for the Green Bay Urbanized Area invites you to follow us, Facebook at: www.facebook.com/BCPCGreenBayMPO or on Twitter at www.twitter.com/BCPCGreenBayMPO



On the Cover. The STH 29/CTH VV Interchange under construction. Green Bay MPO staff applied for and received a federal BUILD grant of just under \$20 million on behalf of Brown County for the project, and the interchange was officially opened in September of 2022. Local matching funds were provided by the Village of Hobart, Village of Howard, and Brown County, and the project was administered by WisDOT.

RESOLUTION NO. 2023-05

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
BROWN COUNTY PLANNING COMMISSION APPROVING
MAJOR AMENDMENT #3 TO THE
2023-2026 TRANSPORTATION IMPROVEMENT PROGRAM
FOR THE GREEN BAY URBANIZED AREA**

WHEREAS, U.S. Department of Transportation (DOT) regulations require the development and annual endorsement of a Transportation Improvement Program (TIP) for each urbanized area by the Metropolitan Planning Organization (MPO); and

WHEREAS, In accordance with 23 CFR 450.334(a) the Brown County Planning Commission (BCPC) hereby certifies that the metropolitan transportation planning process is addressing major issues facing the metropolitan planning area and is being conducted in accordance with all applicable requirements of:

- (1) 23 U.S.C. 134 and 135, 49 U.S.C. 5303 and 5304, and this part;
- (2) In non-attainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 CFR part 93;
- (3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
- (4) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- (5) Section 11101(e) of the Infrastructure Investment and Jobs Act (Public Law No: 117-58) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in DOT funded projects;
- (6) 23 CFR part 230, regarding implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- (7) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38;
- (8) The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- (9) Section 23 U.S.C. 324, regarding the prohibition of discrimination based on gender; and
- (10) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

WHEREAS, the BCPC is the designated MPO for the Green Bay Urbanized Area with responsibility for carrying out an urban transportation planning program; and

WHEREAS, the BCPC Board of Directors is the Green Bay MPO's policy board; and

THEREFORE, BE IT RESOLVED, that the BCPC Board of Directors approves Major Amendment #3 to the 2023-2026 Transportation Improvement Program for the Green Bay Urbanized Area.

NOW, BE IT FURTHER RESOLVED that the MPO planning process is compliant with the requirements of the Infrastructure Investment and Jobs Act (IIJA) and that the BCPC certifies that the urban transportation planning process certification requirements of 23 CFR 450.114 (c) are satisfied.

Dated at Green Bay, Wisconsin, this 3rd day of May 2023.

BROWN COUNTY PLANNING COMMISSION



Norbert Dantine, Jr., President

ATTEST:



Cole Runge, Planning Director/MPO Director

Amendment Requirement

The Metropolitan Planning Organization (MPO) is required to issue an amendment to the *Transportation Improvement Program (TIP) for the Green Bay Urbanized Area* when changes related to the urbanized area's federally funded transportation program are proposed.

This amendment will be processed as a *Major* Amendment to the TIP.

Wisconsin Department of Transportation (WisDOT)

WisDOT has added the following projects to the 2023-2026 program:

(\$1,000s)

Project Sponsor	Project Description	Type	Jan - Dec 2023				Jan - Dec 2026				For Information Only 2027 & Beyond			
			Federal	State	Local	Total	Federal	State	Local	Total	Federal	State	Local	Total
WisDOT	STH 54 (West Mason St)	DESIGN	144	36	0	180	Scheduled for 2/10/2026							
	CTH GE to Pleasant Lane	RE				0								
	Miscellaneous	CONST				0	822	205	0	1,027	0	0	0	0
158-23-018 (2023)	9210-23-00, 70	TOTAL	144	36	0	180	822	205	0	1,027	0	0	0	0
158-23-019 (2027)	.97 miles P		STBG - state allocation				STBG - state allocation							
WisDOT	STH 32 (Broadway)	DESIGN	60	15	0	75	Scheduled for 11/10/2026.							
	Cook St to Merrill St	RE				0								
	Resurfacing	CONST				0	307	77	0	384	0	0	0	0
158-23-020 (2023)	4085-65-01, 72	TOTAL	60	15	0	75	307	77	0	384	0	0	0	0
158-23-021 (2027)	.44 miles P		STBG - state allocation				STBG - state allocation							
WisDOT	I-41	DESIGN	322	36	0	358					Scheduled for 9/12/2028.			
	Scheuring Rd to Harbor Lights Rd	RE				0								
	Repair	CONST				0					6,831	759	0	7,590
158-23-022 (2023)	PSRS30	TOTAL	322	36	0	358	0	0	0	0	6,831	759	0	7,590
158-23-023 (2028)	1130-75-00, 70		NHPP				NHPP							
158-23-023 (2028)	10.21 miles E													
WisDOT	I-43	DESIGN	7,910	879	0	8,789					Scheduled for 9/11/2029.			
	Leo Frigo Bridge	RE				0								
	Webster St to Atkinson Dr	CONST				0					87,011	9,668	0	96,679
158-23-024 (2023)	Bridge Rehabilitation	TOTAL	7,910	879	0	8,789	0	0	0	0	87,011	9,668	0	96,679
158-23-025 (2029)	1220-22-00, 71		NHPP				NHPP							
158-23-025 (2029)	1.97 miles P													

BIL FFY 2024-2026 TAP Funding Opportunity

The current federal transportation law, the Bipartisan Infrastructure Law (BIL), continues the Transportation Alternatives Program (TAP). BIL is providing federal transportation funding above previous levels for a five year period, beginning with FFY 2022.

Allocation of TAP Funds

The BIL requires WisDOT to continue the practice of suballocating TAP funding to Transportation Management Areas (TMAs), which are urbanized areas with populations of 200,000 or more. Because the Green Bay Urbanized Area exceeds 200,000 people, the Green Bay MPO receives a funding suballocation and has the ability to select its own projects.

Additional FFY 2024-2026 TAP Funds Provided by the BIL

In February of 2023, WisDOT announced an opportunity to apply for FFY 2024-FFY 2026 TAP funds. Applications were due on March 24, 2023. The MPO received two requests to increase the amount of funding allocated to two existing approved projects. The MPO also received requests to fund four new projects. Subsequently, the applications were reviewed by WisDOT and MPO staffs to determine eligibility and identify commencement risk.

Brown County Planning Commission (BCPC) Board of Directors Transportation Subcommittee Action, BCPC Board of Directors Action, and WisDOT Flexibilities

The Transportation Subcommittee met on April 20, 2023 and made recommendations to the Brown County Planning Commission Board of Directors. Following the Transportation Subcommittee meeting, the MPO staff met with WisDOT on April 24. WisDOT staff was able to authorize additional flexibility which will allow the MPO to increase funding for the City of Green Bay New Sidewalks project and utilize additional carryover balance. Therefore, the program below reflects those flexibilities and build on the recommendations made by the Transportation Subcommittee. The program was approved by the BCPC Board of Directors on May 3, 2023.

FFY 2024:

- Approve an additional \$139,440 for Brown County's Fox River State Trail project.
- Approve \$57,190 for the Center for Childhood Safety's Bike and Pedestrian Safety Program. The \$57,190 will be applied to FFY 2023 funds but the project will occur in FFY 2024.

FFY 2025:

- Approve an additional \$249,865 for the City of Green Bay's New Sidewalks project.
- Approve \$59,250 for the Center for Childhood Safety's Bike and Pedestrian Safety Program. The \$59,250 will be applied to FFY 2023 funds but the project will occur in FFY 2025.
- Direct staff to pursue a possible funding capacity "trade" with other TMAs in the state with the goal of being able to fund the FFY 2025 New Sidewalks project as close to the 80% federal maximum as possible. (Staff identified a need of \$307,687 to make the proposed FFY 2025 projects whole at 80% and identified \$307,687 in unallocated funding capacity in FFY 2026.)

FFY 2026:

- Approve \$62,153 for the Center for Childhood Safety's Bike and Pedestrian Safety Program. The \$62,153 will be applied to FFY 2023 funds but the project will occur in FFY 2026.
- Approve \$270,780 for the Town of Scott's Bay Settlement Trail project.

Project approvals are reflected in the fiscal constraint demonstration.

The current TAP schedule is as shown in the table on the next page.

Transportation Alternatives Program (TAP)

Primary Jurisdiction Project Sponsor	Project Description	Type	Jan - Dec 2024				Jan - Dec 2025				Jan - Dec 2026				Jan - Dec 2027				Jan - Dec 2028			
			Federal	State	Local	Total	Federal	State	Local	Total	Federal	State	Local	Total	Federal	State	Local	Total	Federal	State	Local	Total
Brown County	<u>Fox River State Trail</u> Mill & repave 6 miles of the trail between Porlier St (Green Bay) & CTH X (De Pere) 4987-13-71	DESIGN RE CONST TOTAL				0 0 980,442 980,442				0 0 0 0				0 0 0 0				0 0 0 0				0 0 0 0
158-22-201 (2024)			Approved																			
City of Green Bay	<u>New Sidewalks</u> Manitowoc Rd (Main to Hemlock) both sides, Pecan St (Main to Manitowoc) north side, & Hemlock Dr (Manitowoc to Edgewood) both sides 4987-14-71	DESIGN RE CONST TOTAL				0 0 0 0				0 0 678,944 678,944				0 0 0 0				0 0 0 0				0 0 0 0
158-22-202 (2025)							Approved															
Center for Childhood Safety	<u>Bike & Pedestrian Safety Program</u> Program target youth w/ Green Bay Urbanized Area. Bike & ped safety program; walk to school event, & bike helmet program	PROG TOTAL	57,190	0	14,298	71,488	59,250	0	14,813	74,063	62,153	0	15,539	77,692				0 0 0 0				0 0 0 0
158-22-201 (2023) 158-23-202 (24-26)			Approved - FFY 2023 funds				Approved - FFY 2023 funds				Approved - FFY 2023 funds											
Town of Scott	<u>Bay Settlement Pedestrian Trail</u> Construct a 10' wide trail parallel to STH 57 0.37 miles	DESIGN RE CONST TOTAL				0 0 0 0				0 0 270,780 270,780				0 0 67,695 338,475				0 0 0 0				0 0 0 0
158-23-203 (2026)							Approved															
Village of Bellevue	<u>Huron Road - Ontario Road Trail</u> Construct an 8' wide trail between Huron Rd and Ontario Rd 0.44 miles	DESIGN RE CONST TOTAL				0 0 0 0				0 0 0 0				0 0 0 0	396,575	0	99,144	495,719				0 0 0 0
															Not Approved							
Village of Howard	<u>Howard Multi-Use Bridge</u> Construct a 12' multi-use bridge over Duck Creek .05 miles	DESIGN RE CONST TOTAL				0 0 0 0				0 0 0 0				0 0 0 0	1,016,311	0	254,078	1,270,389				0 0 0 0
															Not Approved							

Public Comment Period and Public Hearing for Proposed TIP Amendment

MPO staff conducted a 15-day public comment period, and a public hearing was held on May 3, 2023. The public participation documents can be seen in the appendices of this amendment report.

Brown County Planning Commission Board of Directors Transportation Subcommittee

The Transportation Subcommittee was provided a copy of the proposed TIP amendment with a request for comments. No comments were received.

Brown County Planning Commission Board of Directors Action

The Brown County Planning Commission Board of Directors is met on May 3, 2023 and approved the amendment by a vote of 22-0.

Fiscal Constraint Demonstration

The *2023-2026 Transportation Improvement Program for the Green Bay Urbanized Area* remains fiscally constrained as demonstrated in the following table and per federal requirements.

Fiscal Constraint Demonstration

Funding Source		Programmed Expenditures					Estimated Available Funding				
Agency	Program	2023	2024	2025	2026	Total	2023	2024	2025	2026	Total
FHWA	STBG (MPO Allocation)	\$4,554,662	\$8,578,800	\$6,397,000	\$3,227,335	\$22,757,797	\$4,554,662	\$8,578,800	\$6,397,000	\$3,227,335	\$22,757,797
	STBG (WisDOT)	\$2,138,000	\$854,000	\$2,958,000	\$1,983,000	\$7,933,000	\$2,138,000	\$854,000	\$2,958,000	\$1,983,000	\$7,933,000
	STBG (HIP)	\$5,000,000	\$0	\$0	\$0	\$5,000,000	\$5,000,000	\$0	\$0	\$0	\$5,000,000
	STBG (Local)	\$616,000	\$0	\$0	\$0	\$616,000	\$616,000	\$0	\$0	\$0	\$616,000
	TAP	\$286,828	\$1,037,632	\$678,944	\$332,933	\$2,336,337	\$286,828	\$1,037,632	\$678,944	\$332,933	\$2,336,337
	CRP	\$520,000	\$0	\$0	\$0	\$520,000	\$520,000	\$0	\$0	\$0	\$520,000
	NHPP	\$34,685,536	\$116,355,000	\$97,106,000	\$27,284,000	\$275,430,536	\$34,685,536	\$116,355,000	\$97,106,000	\$27,284,000	\$275,430,536
	HSIP	\$240,000	\$240,000	\$240,000	\$240,000	\$960,000	\$240,000	\$240,000	\$240,000	\$240,000	\$960,000
	SS4A	\$200,000	\$0	\$0	\$0	\$200,000	\$200,000	\$0	\$0	\$0	\$200,000
	BUILD	\$1,016,000	\$0	\$0	\$0	\$1,016,000	\$1,016,000	\$0	\$0	\$0	\$1,016,000
	CRRSAA	\$1,666,297	\$0	\$0	\$0	\$1,666,297	\$1,666,297	\$0	\$0	\$0	\$1,666,297
	Total	\$50,923,323	\$127,065,432	\$107,379,944	\$33,067,268	\$318,435,967	\$50,923,323	\$127,065,432	\$107,379,944	\$33,067,268	\$318,435,967
FTA	Section 5307	\$2,908,000	\$0	\$0	\$0	\$2,908,000	\$2,908,000	\$0	\$0	\$0	\$2,908,000
	Section 5309/5339	\$1,211,000	\$320,000	\$0	\$0	\$1,531,000	\$1,211,000	\$320,000	\$0	\$0	\$1,531,000
	Section 5310	\$808,342	\$0	\$0	\$0	\$808,342	\$808,342	\$0	\$0	\$0	\$808,342
	Total	\$4,119,000	\$320,000	\$0	\$0	\$4,439,000	\$4,119,000	\$320,000	\$0	\$0	\$4,439,000

*STBG - assigned by the Green Bay MPO

**STBG - assigned by the State of Wisconsin

***STBG - Highway Infrastructure Program (HIP) assigned to the Green Bay MPO by Congress

Appendix A

Email Message Sent to Interested Parties

Dear Interested Party:

You are invited to comment and are advised of a public hearing on the ***Draft Major Amendment #3 to the 2023-2026 Transportation Improvement Program (TIP) for the Green Bay Urbanized Area.***

A digital version of the draft document can be viewed by clicking on the following link:

link provided

The public review period and comment period will occur between April 19, 2023 and May 3, 2023.

If you would like to submit comments, please mail, or email your comments by March 3, 2023, to:

Lisa J. Conard, Principal Planner
Brown County Planning Commission
Planning and Land Services Department
PO Box 23600
Green Bay, WI 54305-3600
Lisa.Conard@browncountywi.gov

You can also submit comments by telephone or through the Brown County Planning Commission/Green Bay MPO Facebook Page.

A public hearing will take place on:

Wednesday, May 3, 2023
Green Bay Metro Transportation Center
901 University Avenue
Green Bay, WI 54302
6:30 p.m.

Immediately following the public hearing, the *Draft Major Amendment #3 to the 2023-2026 Transportation Improvement Program (TIP) for the Green Bay Urbanized Area* will be presented to the Brown County Planning Commission Board of Directors (MPO Policy Board) for approval consideration.

Thank you for your interest in the Green Bay MPO.

Sincerely,

Lisa J. Conard, Principal Planner
Brown County Planning Commission/Green Bay MPO
305 E. Walnut Street Room 320
PO Box 23600
Green Bay, WI 54305-3600
Phone: (920) 448-6489
Email: Lisa.Conard@browncountywi.gov
Website: www.browncountywi.gov/planning

Appendix B Public Hearing Transcript

DRAFT MINUTES BROWN COUNTY PLANNING COMMISSION BOARD OF DIRECTORS Wednesday, May 1, 2023 - 6:30 pm Green Bay Metro Transportation Center 901 University Avenue, Commission Room, Green Bay, WI 54302

ROLL CALL:

Paul Blindauer	Exc	Pat Hopkins	Abs	Pam Schauer	X
Corrie Campbell	X	Elizabeth Hudak	Abs	Dan Segerstrom	X
Devon Coenen	X	Emily Jacobson	X	Glen Severson	X
Norbert Dantine, Jr.	X	Dotty Juengst	X	Jim Steffek	X
Steve Deneys	X	Dave Kaster	X	Mark Thomson	X
Geoff Farr	X	Patty Kiewiz	Exc	Andy Vanderloop	X
Mike Goral	X	Dane Lasecki	X	Nick Weber	X
Steve Grenier	Exc	Jonathon LeRoy	Abs	Matthew Woicek	X
Mark Handeland	X	Dan Lindstrom	X		
Matthew Harris	X	Gary Pahl	X		

Others Present: Lisa Conard, Kathy Meyer, Cole Runge, Ker Vang, and Nikki Hilker (audience)

8. Public Hearing: *Draft Major Amendment #3 to the 2023-2026 Transportation Improvement Program (TIP) for the Green Bay Urbanized Area.*

L. Conard provided an overview via PowerPoint noting that WisDOT has added several projects to its program:

Project Sponsor	Project Description	Type	Jan - Dec 2023				Jan - Dec 2026				For Information Only 2027 & Beyond			
			Federal	State	Local	Total	Federal	State	Local	Total	Federal	State	Local	Total
WisDOT	STH 54 (West Mason St) CTH GE to Pleasant Lane Miscellaneous 9210-23-00,70	DESIGN RE CONST	144	36	0	180	Scheduled for 2/10/2026							
158-23-018 (2023)							822	205	0	1,027	0	0	0	0
158-23-019 (2027)	.97 miles P	TOTAL	144	36	0	180	822	205	0	1,027	0	0	0	0
			STBG - state allocation				STBG - state allocation							
WisDOT	STH 32 (Broadway) Cook St to Merrill St Resurfacing 4085-65-01, 72	DESIGN RE CONST	60	15	0	75	Scheduled for 11/10/2026.							
158-23-020 (2023)							307	77	0	384	0	0	0	0
158-23-021(2027)	.44 miles P	TOTAL	60	15	0	75	307	77	0	384	0	0	0	0
			STBG - state allocation				STBG - state allocation							
WisDOT	I-41 Scheuring Rd to Harbor Lights Rd Repair PSRS30	DESIGN RE CONST	322	36	0	358					Scheduled for 9/12/2028.			
158-23-022 (2023)	1130-75-00, 70										6,831	759	0	7,590
158-23-023 (2028)	10.21 miles E	TOTAL	322	36	0	358	0	0	0	0	6,831	759	0	7,590
			NHPP				NHPP							
WisDOT	I-43 Leo Frigo Bridge Webster St to Atkinson Dr Bridge Rehabilitation 1220-22-00, 71	DESIGN RE CONST	7,910	879	0	8,789					Scheduled for 9/11/2029.			
158-23-024(2023)											87,011	9,668	0	96,679
158-23-025 (2029)	1.97 miles P	TOTAL	7,910	879	0	8,789	0	0	0	0	87,011	9,668	0	96,679
			NHPP				NHPP							

L. Conard informed that the amendment also includes the TAP projects that were approved earlier in the evening and as follows:

FFY 2024:

- Approved an additional \$139,440 for Brown County's Fox River State Trail project.

- Approved \$57,190 for the Center for Childhood Safety's Bike and Pedestrian Safety Program.

FFY 2025:

- Approved an additional \$249,865 for the City of Green Bay's New Sidewalks project.
- Approved \$59,250 for the Center for Childhood Safety's Bike and Pedestrian Safety Program

FFY 2026:

- Approved \$62,153 for the Center for Childhood Safety's Bike and Pedestrian Safety Program.
- Approved \$270,780 for the Town of Scott's Bay Settlement Trail project.

L. Conard opened the public hearing for comment.

L. Conard asked three times if anyone wished to speak. Hearing no comment, L. Conard closed the public hearing.

L. Conard informed the commission that all of the public participation requirements for the amendment have been completed.

Appendix C
Legal Notice Affidavit



PRESS-GAZETTE
media
A GANNETT COMPANY

RECEIVED

MAY 02 2023

BROWN COUNTY PLANNING
AND LAND SERVICES

STATE OF WISCONSIN
BROWN COUNTY

BROWN COUNTY PLANNING LEGALS

305 E WALNUT ST STE 320

GREEN BAY WI 543015027

Being duly sworn, doth depose and say that she/he is an authorized representative of the Green Bay Press Gazette, a newspaper published in Green Bay, Wisconsin, and that an advertisement of which the annexed is a true copy, taken from said paper, which was published therein on:

NOTICE OF REQUEST FOR COMMENTS AND NOTICE OF PUBLIC HEARING ON THE DRAFT MAJOR AMENDMENT #3 TO THE 2023-2026 TRANSPORTATION IMPROVEMENT PROGRAM FOR THE GREEN BAY URBANIZED AREA

All interested persons are invited to comment and are advised of a public hearing on the Draft Major Amendment #3 to the 2023-2026 Transportation Improvement Program (TIP) for the Green Bay Urbanized Area.

For an electronic copy of the amendment, please contact Lisa.Conard@BrownCountyWI.gov or by phone at 920 448-6469.

The public hearing will take place on:
Wednesday, May 3, 2023
Green Bay Metro
901 University Avenue
Green Bay, WI
6:30 p.m.

Unless otherwise noticed, this completes the final program of projects.

The public review and comment period for the amendment is scheduled for April 19, 2023, through May 3, 2023.

Written comments should be mailed to Lisa J. Conard, Brown County Planning Commission, PO Box 23600, Green Bay, WI 54305-3600 by May 3, 2023.

Published by
Patrick Moynihan, Jr.
County Clerk
April 19, 26, 2023 WNAXLP

Account Number:GWM-284368
Order Number: 0005667952
Total Ad Cost: \$86.31
Published Dates: 04/19/2023, 04/26/2023

Legal Clerk

State of Wisconsin
County of Brown
Subscribed and sworn to before on April 26, 2023

Notary Public State of Wisconsin, County of Brown

4-6-23

My Commission Expires

of Affidavits 1
This is not an invoice

DENISE ROBERTS
Notary Public
State of Wisconsin

BROWN COUNTY PLANNING LEGALS
Re: 0005667952

GANNETT WI MEDIA
435 EAST WALNUT ST.
PO BOX 23430
GREEN BAY, WI 54305-3430

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FAX 877-943-0443
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Appendix D
Comments Received

No comments were received.

Appendix E

Self-Certification Summary

The BCPC Board of Directors (as the MPO's policy board) is charged with implementing the metropolitan planning process in accordance with applicable requirements of federal transportation legislation, the Clean Air Act, the Civil Rights Act, and the Americans with Disabilities Act. All agencies involved in the transportation planning process must also be held accountable to these federal requirements.

By federal law, agencies providing transportation services and/or receiving federal money must categorically adhere to the requirements as listed in the MPO's adoption/self-certification resolution.

With the approval of the Self-Certification, the policy board is certifying that regulations and policies of the MPO as a sub-recipient of federal aid are in compliance with applicable federal and state employment opportunity laws and guidelines, affirmative action goals, equal employment opportunity requirements, employment practices, procurement activities, and transportation services.

The 10 requirements for self-certification are summarized below.

(1) 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart. These citations summarize the metropolitan planning requirements. This MPO is currently certified and has an approved Transportation Improvement Program, Long-Range Transportation Plan, Transportation Planning Work Program, and Public Participation Plan. This MPO also has the required interagency agreements, approved metropolitan area boundaries, and annual listings of obligated projects.

Green Bay MPO Compliance: The MPO complies with this requirement because it currently has an approved TIP, Long-Range Transportation Plan, Transportation Planning Work Program, and Public Participation Plan. The MPO also has all its required agreements, approved boundaries, and listings of obligated projects.

(2) In non-attainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 CFR Part 93. State and local transportation officials take part in the 3C planning process to determine which planning elements will be implemented to improve air quality.

Green Bay MPO Compliance: This requirement does not currently apply to the Green Bay MPO because it is not within a non-attainment or maintenance area.

(3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR Part 21. Title VI prohibits exclusion from participation in, denial of benefits of, and discrimination under federally-assisted programs on the grounds of race, color, or national origin.

Green Bay MPO Compliance: The MPO complies with this requirement through the policies identified in the Green Bay Metropolitan Planning Organization (MPO) Title VI and Non-Discrimination Program/Limited English Proficiency Plan Update that was approved by the Brown County Planning Commission Board of Directors (MPO Policy Board) on June 3, 2020.

(4) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity.

Green Bay MPO Compliance: The MPO complies with this requirement through the policies identified in the Green Bay Metropolitan Planning Organization (MPO) Title VI and Non-Discrimination Program/Limited English Proficiency Plan Update that was approved by the Brown County Planning Commission Board of Directors (MPO Policy Board) on June 3, 2020. The MPO also follows Brown County's non-discrimination policy because the MPO is housed within the Brown County Planning Commission.

(5) Section 11101(e) of the Infrastructure Investment and Jobs Act (Public Law No: 117-58) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in DOT funded projects. The DBE program ensures equal opportunity in transportation contracting markets, and in the statute Congress established a national goal that 10% of federal funds go to certified DBE firms.

Green Bay MPO Compliance: The MPO will follow Brown County's DBE policy if outside contractors are hired to complete MPO projects using federal MPO planning funds.

(6) 23 CFR Part 230, regarding the implementation of an equal employment opportunity program on federal and federal-aid highway construction contracts.

Green Bay MPO Compliance: This requirement does not directly apply to the Green Bay MPO because it is not involved in federal or federal-aid highway construction contracts. However, the MPO follows Brown County's equal employment opportunity policy because the MPO is housed within the Brown County Planning Commission.

(7) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38. Programs and activities funded with federal dollars are prohibited from discrimination based on disability.

Green Bay MPO Compliance: The MPO complies with this requirement through the policies identified in the Green Bay Metropolitan Planning Organization (MPO) Title VI and Non-Discrimination Program/Limited English Proficiency Plan Update that was approved by the Brown County Planning Commission Board of Directors (MPO Policy Board) on June 3, 2020. The MPO also follows Brown County's non-discrimination policy because the MPO is housed within the Brown County Planning Commission. In addition, the MPO's office and meeting facilities are accessible to people with disabilities.

(8) The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving federal financial assistance.

Green Bay MPO Compliance: The MPO complies with this requirement through the policies identified in the Green Bay Metropolitan Planning Organization (MPO) Title VI and Non-Discrimination Program/Limited English Proficiency Plan Update that was approved by the Brown County Planning Commission Board of Directors (MPO Policy Board) on June 3, 2020. The MPO also follows Brown County's non-discrimination policy because the MPO is housed within the Brown County Planning Commission.

(9) Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender.

Green Bay MPO Compliance: The MPO complies with this requirement through the policies identified in the Green Bay Metropolitan Planning Organization (MPO) Title VI and Non-Discrimination Program/Limited English Proficiency Plan Update that was approved by the Brown County Planning Commission Board of Directors (MPO Policy Board) on June 3, 2020. The MPO also follows Brown County's non-discrimination policy because the MPO is housed within the Brown County Planning Commission.

(10) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR Part 27 regarding discrimination against individuals with disabilities.

Green Bay MPO Compliance: The MPO complies with this requirement through the policies identified in the Green Bay Metropolitan Planning Organization (MPO) Title VI and Non-Discrimination Program/Limited English Proficiency Plan Update that was approved by the Brown County Planning Commission Board of Directors (MPO Policy Board) on June 3, 2020. The MPO also follows Brown County's non-discrimination policy because the MPO is housed within the Brown County Planning Commission.

The Brown County Non-Discrimination Policy is as follows:

Brown County is committed to the equality of opportunity for all people. It is the policy of Brown County to provide equal employment opportunities for all individuals on the basis of the skills, abilities, and qualifications, without regard to race, color, national origin, religion, political affiliation, sex, age, disability, marital status, arrest or conviction record, sexual orientation, disabled veteran or covered veteran status, membership in the National Guard or any other reserve component of the United States or State military forces, use or non-use of lawful products off the employer's premises during non-working hours, or any other non-merit factors, except where such factors constitute a bona fide occupational qualification, and except where conviction and/or arrest record substantially relates to the circumstance of positions applied for.



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May 18, 2023

Glenn Fulkerson
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Dear Mr. Fulkerson and Ms. Brookins:

Under the authority delegated to me by Governor Tony Evers, I am hereby approving the Brown County Planning Commission's amendment to the 2023-2026 Transportation Improvement Program (TIP) for the Green Bay urbanized area. The amendment was approved and adopted by the Brown County Planning Commission on May 3, 2023. We will reflect by reference the 2023-2026 federal aid projects covered by this approval in our 2023-2026 Statewide Transportation Improvement Program (STIP).

Copies of TIP Amendment 3 and Resolution Number 2023-05 from the Brown County Planning Commission are enclosed. This TIP amendment represents a comprehensive, continuous, and cooperative effort between the MPO, local communities, affected transit operators, and the Wisconsin Department of Transportation (WisDOT), and is designed to meet the objectives of Title 23 USC 134 and 135 and their implementing regulations 23 CFR 450 and the MPO regional transportation system plan.

We have determined that the proposed amendment: 1) is consistent with the adopted Long Range Transportation Plan for the MPO, 2) conforms to this state's approved implementation plan under the federal Clean Air Act and 42 U.S.C. 7504, 7506 (c) and (d) and 40 CFR 93 (23 CFR 450.222(a)(7), and 3) ensures that the TIP remains fiscally constrained in that federal funding resources are sufficient to support the new or modified projects

Sincerely,

A handwritten signature in black ink, appearing to read "Craig Thompson".

Craig Thompson
Secretary

cc: Cole Runge, MPO Director
Mary Forlenza, FHWA
Karl Buck, FHWA
William Wheeler, FTA
Evan Gross, FTA
Scott Nelson, WisDOT Northeast Region
Charles Wade, WisDOT Bureau of Planning and Economic Development