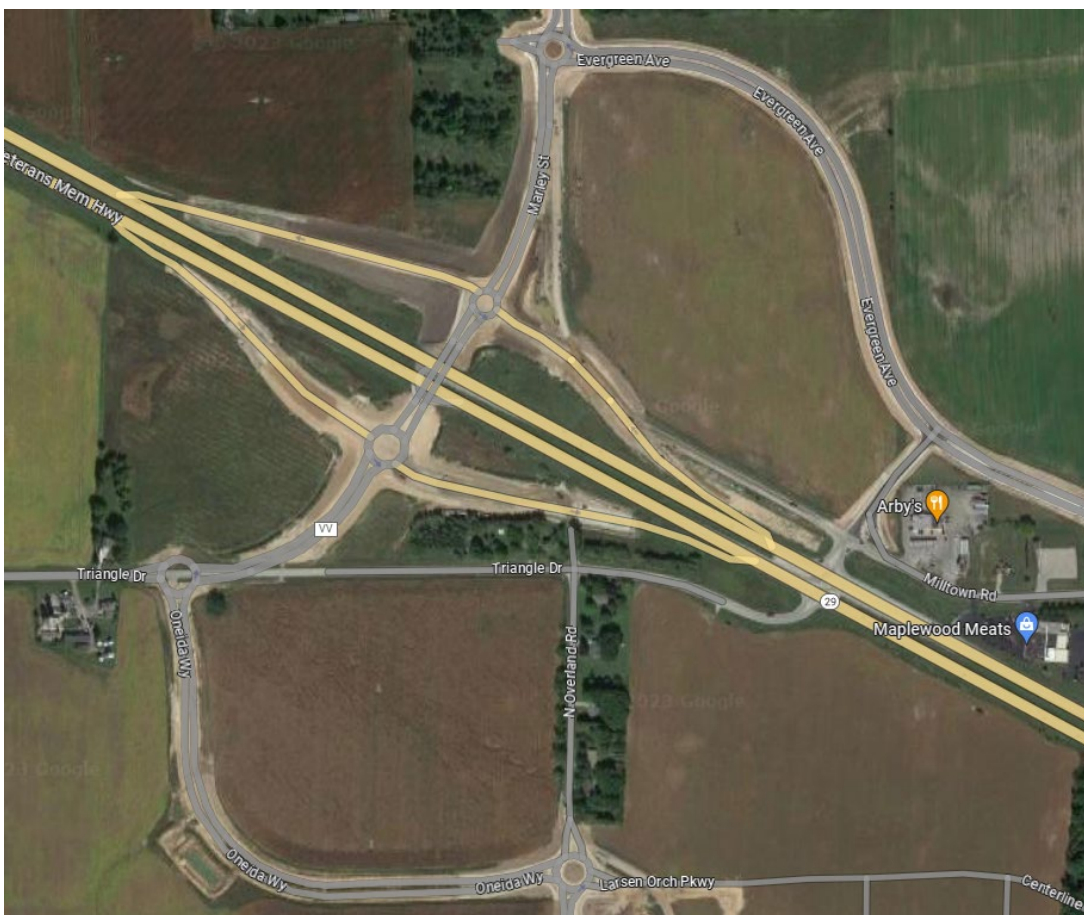


# Major Amendment #1 to the 2024-2027 Transportation Improvement Program for the Green Bay Urbanized Area



Brown County Planning Commission (BCPC)/  
Metropolitan Planning Organization (MPO) for the Green Bay Urbanized Area  
March 6, 2024



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](http://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](https://www.facebook.com/BCPCGreenBayMPO) or on Twitter at [www.twitter.com/BCPCGreenBayMPO](https://www.twitter.com/BCPCGreenBayMPO)



On the Cover. The STH 29/CTH VV Interchange post-construction. Green Bay MPO staff applied for and received a federal BUILD discretionary grant of just under \$20 million on behalf of Brown County for the project. 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. 2024-01**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
BROWN COUNTY PLANNING COMMISSION APPROVING  
MAJOR AMENDMENT #1 TO THE  
2024-2027 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 #1 to the 2024-2027 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 6<sup>th</sup> day of March, 2024.

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.

## **Federal Surface Transportation Block Grant (STBG) Program<sup>1</sup> and the Federal Transportation Alternatives Program (TAP)<sup>2</sup> Application Solicitation and Project Approvals**

The current federal transportation law, the Bipartisan Infrastructure Law (BIL), continues the Surface Transportation Block Grant (STBG) Program and Federal Surface Transportation Block Grant (STBG) - Transportation Alternatives Program (TAP).

The BIL requires the Wisconsin Department of Transportation (WisDOT) to suballocate its STBG funding to Metropolitan Planning Organizations (MPOs), which are urbanized areas with populations of 50,000 or more.

The BIL also requires WisDOT to suballocate TAP funding to Transportation Management Areas, which are urbanized areas with populations of 200,000 or more.

Because of this, the Green Bay MPO has the ability to select its own STBG and TAP projects.

STBG and TAP funds are required to cover between 50% and 80% of a project's total cost.

## **Schedule and Process**

1. WisDOT announced the FFY 2024-2029 STBG and FFY 2024-2028 TAP funding opportunities in June of 2023.
2. Immediately after WisDOT announced the funding opportunities, WisDOT Northeast Region Office staff and MPO staff reached out to entities/communities encouraging the submittal of project applications.
3. Applications were required to be submitted to the WisDOT Northeast Region and MPO offices by October 27, 2023.
4. Following the October 27 deadline, WisDOT Northeast Region staff reviewed each STBG and TAP application and provided comments to the MPO staff.
5. MPO staff reviewed the applications and evaluated WisDOT's comments.

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<sup>1</sup> Surface Transportation Block Grant (STBG) Program (formerly STP-U). The STBG Program provides funding that may be used by states and localities for a wide range of projects to preserve and improve the conditions and performance of surface transportation, including highway, transit, intercity bus, bicycle, and pedestrian projects.

<sup>2</sup> Transportation Alternatives Program (TAP). Transportation Alternatives, commonly referred to as TAP, is a set-aside from the Surface Transportation Block Grant (STBG) Program. TAP encompasses a variety of smaller-scale transportation projects such as bicycle and pedestrian facilities, recreational trails, and safe routes to school projects, among others.

6. STBG reconstruction projects were scored using the MPO's ranking system, and, as per MPO policy, new construction projects and transit projects are not scored. Per MPO policy, TAP projects are not scored.
7. MPO staff held discussions with the project applicants as to their flexibility in moving their projects from the preferred program year to a year that might be a better fit within the program's annual funding limits.
8. As the projects were being reviewed by MPO staff, staff corresponded with WisDOT Division of Transportation Investment Management (DTIM)<sup>3</sup> staff to identify the MPO's STBG Program and TAP funding limits for each year.
9. MPO staff began developing a draft program of projects using WisDOT's new method of programming projects within the annual funding limits (vs. the previously used multi-year program limits).
10. One tool WisDOT gave TMAs is the ability to trade funding capacity with the other TMAs in the state or with the state itself.
11. MPO staff developed proposed project funding plans for the STBG Program and TAP which were presented to and endorsed by the Transportation Subcommittee on January 22, 2024.
12. MPO staff presented Transportation Subcommittee endorsed project funding plans for STBG and TAP to TMAs and WisDOT on January 29, 2024. MPO staff made the desired STBG and TAP capacity trades with a TMA, and these trades were accepted by WisDOT DTIM

#### STBG

- The Green Bay MPO is trading away \$1,909,494 of its 2026 unallocated capacity and \$176,560 of its 2027 unallocated capacity for \$2,086,054 of 2028 capacity.

#### TAP

- The Green Bay MPO is trading away \$412,683 of its 2026 unallocated capacity and \$207,132 of its 2027 unallocated capacity for \$619,815 of 2028 capacity.

13. The MPO is required to submit MPO-approved STBG and TAP projects to WisDOT no later than March 31, 2024. The approved projects must also be incorporated into the Transportation Improvement Program via an amendment process.

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<sup>3</sup> The WisDOT Division of Transportation Investment Management manages transportation improvement programs used by local governments to support the construction and maintenance of local highways, roads, bridges, multimodal facilities, and qualifying transit projects.

## **STBG Funding Requests and Recommended Program (large table format)**

Requests for STBG funding and the BCPC Transportation Subcommittee recommendations for funding are included in Table 1 and shown in TIP table format on Table 2.

### **STBG Recommended Program (narrative)**

The following projects and amounts are recommended by the BCPC Transportation Subcommittee for approval:

Mather St, Locust St to Gray St - previously approved but could absorb additional dollars to reach the 80% federal funding limit. Recommendation is to add \$998,409 in FFY 2027 to reach 80% federal maximum. Reconstruction to occur in 2027.

Libal St, LeBrun St to Hoffman Rd - Assign \$1,139,280 from proposed capacity trades. **Trading partner confirmed.** Reconstruction work to occur in FFY 2028. No funding for design.

South Bridge Connector, STH 32/57-CTH PP - Assign \$5,136,380 from FFY 2028 balance and up to \$946,744 from capacity trades. **Trading partners confirmed.**

CTH O (Allouez Av), STH 57 to East River Dr - Assign \$283,000 in FFY 2027 for design and assign \$2,127,928 in FFY 2029 for reconstruction.

CTH G, CTH X to CTH GV - Assign \$2,488,464 in FFY 2029 for reconstruction. No funding for design.

**Table 1  
STBG Funding Requests and Recommended Program**

Brown County Planning Commission  
Metropolitan Planning Organization (MPO) for the Green Bay Urbanized Area  
Federal Surface Transportation Block Grant (STBG) Funding Requests & Recommendations  
FFY 2024 - FFY 2029 Program  
January 10, 2024

**STBG**

Requested															Transportation Subcommittee Recommendation with REQUESTED WisDOT Accommodations for TMA or Statewide Capacity Trades and Applicant Program Year Flexibilities (adjustments made for inflation if project pushed back from original request)								
MPO Project Prioritization Results	Project	Location	Applicant/ Partners	Applicant Self Rank	Type	Federal Project Cost Estimate	Maximum Request (80%)	Required Local Share (20%)	FFY 2024 Balance Estimate	FFY 2025 Balance Estimate	FFY 2026 Balance Estimate	FFY 2027 Balance Estimate	FFY 2028 Balance Estimate	FFY 2029 Balance Estimate	Carryover Estimate (WisDOT has not authorized use)	FFY 2025 Balance Estimate	FFY 2026 Balance Estimate	FFY 2027 Balance Estimate	FFY 2028 Balance Estimate	FFY 2029 Balance Estimate			
									\$0	-\$83,325	\$1,909,494	\$1,457,969	\$5,136,580	\$5,136,580	\$4,606,699	-\$83,325	\$1,909,494	\$1,457,969	\$5,136,580	\$5,136,580			
Project approved. Applicant requesting funds to reach 80% federal maximum. Project moves to top of list per BCPC Policy Board.	Mather Street	Locust St to Gray St	Green Bay	1 of 1	Const.	Total Federal Eligible Cost: \$5,846,400 Approved: \$3,678,711 Needed for 80% Federal Max: \$998,409						\$998,409				FFY 2025 Full			Use FFY 2027 Allocation of \$998,409				
					Design	\$336,800	\$269,440	\$67,360		\$269,440										Use FFY 2027 Allocation of \$283,000			
2	CTH O (Allouez Av)	STH 57 (Riverside Dr) to East River Dr	Brown County/ Allouez	2 of 4	Const.	\$2,418,100	\$1,934,480	\$483,620				\$1,934,480										Use FFY 2029 Allocation of \$2,127,928	
					Design	\$379,000	\$303,200	\$75,800		\$303,200													
3	CTH G	CTH X (Webster Av) to CTH GV (Monroe Rd)	Brown County/ De Pere/ Ledgeview	3 of 4	Const.	\$2,827,800	\$2,262,240	\$565,560				\$2,262,240											Use FFY 2029 Allocation of \$2,488,464
					Design	\$162,000	\$129,600	\$32,400		\$129,600													
4	Libal Street	LeBrun St to Hoffman Rd	Allouez	1 of 2	Const.	\$1,424,100	\$1,139,280	\$284,820					\$1,139,280										\$1,139,280 from Capacity Trade Trade Confirmed
					Design	\$130,200	\$104,160	\$26,040		\$104,160													
5	Libal Street	Hoffman Rd to STH 172	Allouez	2 of 2	Const.	\$891,120	\$712,896	\$178,224				\$712,896											
					Design	\$214,600	\$171,680	\$42,920		\$171,680													
6	CTH GF (Main Av)	Sand Acres Dr to S Ridge Rd	Brown County/ Ashwaubenon	4 of 4	Const.	\$1,344,400	\$1,075,520	\$268,880				\$1,075,520											
					Design	\$0	\$0	\$0															
New construction not scored. BCPC Board of Directors may fund projects at its discretion.	New Construction CTH GV South Bridge Connector	STH 32/57 to CTH PP	Brown County De Pere	1 of 4	Const.	\$9,230,800	\$7,384,640	\$1,846,160						\$7,384,640									\$5,136,580 from FFY 2028 Allocation, \$770,214 from Capacity Trade from FFY 2026 & \$176,560 from Capacity Trade from FFY 2027 for a total of \$6,083,354 or 66%. Trades Confirmed.
					Design	no request																	
New construction not scored. BCPC Board of Directors may fund projects at its discretion.	Howard Multi-Use Bridge	Bridge over Duck Creek	Howard	1 of 1	Const.	\$1,624,912	\$1,299,929	\$324,983					\$1,299,929										Move project into the TAP program.
Transit capital not scored. BCPC Board of Directors may fund projects at its discretion.	Green Bay Metro	up to (4) 29-40' Buses	Green Bay, De Pere, Allouez, Ashwaubenon, & Bellevue	1 of 1	Equip.	\$2,600,000	\$2,080,000	\$520,000	applicant flexible in terms of amount and program year(s) \$2,080,000														
<b>Requests/Balances:</b>						<b>\$23,583,832</b>	<b>\$18,867,065</b>	<b>\$4,716,767</b>	<b>\$0</b>	<b>\$978,080</b>	<b>\$0</b>	<b>\$5,985,136</b>	<b>\$9,823,849</b>	<b>\$0</b>			<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$520,188</b>	

\*Non-Roadway and/or new road construction projects are not scored. The Brown County Planning Commission Board of Directors may fund projects at its discretion.

**Table 2**  
**STBG Program Recommendations**  
(shown in proper TIP format)

Project Sponsor	Project Description	Type	Jan - Dec 2027				Jan - Dec 2028				Jan - Dec 2029				MPO Action
			Federal	State	Local	Total	Federal	State	Local	Total	Federal	State	Local	Total	
City of Green Bay 158-22-011 (2027)	Mather Street	DESIGN				0				0					Currently approved at \$3,678,711 in federal funds. MPO approved addition of \$998,409 in STBG funds.
	Locust St to Gray St	RE				0				0					
	Reconstruction of urban section with sidewalk & shared outside lane	CONST	4,677,120	0	1,169,280	5,846,400					0	0	0	0	
	4987-02-79, 80 (design 2022)	TOTAL	4,677,120	0	1,169,280	5,846,400	0	0	0	0	0	0	0	0	
	0.75 miles P		Additional \$998,409 STBG-Approved												
Village of Allouez 158-24-003 (2028)	Libal Street	DESIGN				0				0					\$1,139,280 in federal funds from capacity trade. Approved by BCPC Board of Directors on 3-6-2024.
	LeBrun St to Hoffman Rd	RE				0				0					
	Mill and overlay removal of parking on one side & bicycle lanes & sidewalk	CONST				0	1,139,280	0	284,820	1,424,100					
	0.70 miles P	TOTAL	0	0	0	0	1,139,280	0	284,820	1,424,100	0	0	0	0	
			STBG-Approved												
Brown County De Pere Ledgview (50%/46%/4%) 158-24-004 (2028)	South Bridge Connector (Section 4/GV-17)	DESIGN				0				0					Proposed \$5,136,580 from MPO FFY 2028 funds & \$949,774 in federal funds from capacity trades. Project funded at 66% federal. Approved by BCPC Board of Directors on 3-6-2024.
	STH 57 to CTH PP	RE				0				0					
	Design in CY 2024 & CY 2025	CONST				0	6,083,354	0	3,147,446	9,230,800					
	New construction with off-street trail & on-street bike facilities	TOTAL	0	0	0	0	6,083,354	0	3,147,446	9,230,800	0	0	0	0	
	4-Lane Urban, Asphalt		STBG-Approved												
	Construction over two-year period														
	1.10 miles E														
Brown County Allouez 158-24-005 (2027) 158-24-006 (2029)	CTH O (Allouez Ave)	DESIGN	283,000	0	70,750	353,750				0					Approved by BCPC Board of Directors on 3-6-2024.
	STH 57 (Riverside Dr) to East River Dr	RE				0				0					
	Rehabilitation	REHAB				0				2,127,928	0	531,982	2,659,910		
	1.07 miles P	TOTAL	283,000	0	70,750	353,750	0	0	0	0	2,127,928	0	531,982	2,659,910	
			STBG-Approved								STBG-Approved				
Brown County De Pere Ledgview 158-24-007 (2029)	CTH G (Chicago St/Dickinson Rd)	DESIGN				0				0					Approved by BCPC Board of Directors on 3-6-2024.
	CTH X (Webster Av) to CTH GV (Monroe Rd)	RE				0				0					
	Resurfacing	RESURF				0				2,488,464	0	622,116	3,110,580		
	2.13 miles P	TOTAL	0	0	0	0	0	0	0	2,488,464	0	622,116	3,110,580		
			STBG-Approved								STBG-Approved				



## **TAP Funding Requests and Recommended Program (table format)**

Requests for TAP funding and the BCPC Transportation Subcommittee recommendations are included in Table 3 and shown in TIP table format on Table 4.

## **TAP Recommended Program (narrative)**

The following projects and amounts are recommended by the BCPC Transportation Subcommittee for approval:

New Sidewalks Project - City of Green Bay - Currently funded at \$678,944. Assign an additional \$4,519 to project, bringing total federal funds to \$683,463.

Bike and Pedestrian Safety Program - Center for Childhood Safety, Bike and Pedestrian Safety Program - Assign \$65,398 in FFY 2027 and \$69,419 in FFY 2028.

Huron Trail - Huron Rd to Ontario Rd - Village of Bellevue - Assign \$410,933 in FFY 2027.

Multi Use Bridge over Duck Creek - Assign \$614,044 in FFY 2028 funds and seek capacity trades of \$619,815 to bring project to \$1,233,859 or 76% federal funds. **Capacity trade confirmed.**

**Table 3  
TAP Funding Requests and Recommended Program**

Brown County Planning Commission  
Metropolitan Planning Organization (MPO) for the Green Bay Urbanized Area  
Transportation Alternatives Program (TAP) Funding Requests & Recommendations  
FFY 2024 - FFY 2028 Program  
January 29, 2024

**TAP**

Requested														Transportation Subcommittee Recommendation with REQUESTED WisDOT Accommodations for TMA or Statewide Capacity Trades and Applicant Program Year Flexibilities					
Projects	Location	Applicant/ Partners	Requested FFY	Type	Federal Project Cost Estimate	Maximum Request (80%)	Required Local Share (20%)	FFY 2024 Balance Estimate	FFY 2025 Balance Estimate	FFY 2026 Balance Estimate	FFY 2027 Balance Estimate	FFY 2028 Balance Estimate	Carryover Estimate (WisDOT has not authorized use)	FFY 2025 Balance Estimate	FFY 2026 Balance Estimate	FFY 2027 Balance Estimate	FFY 2028 Balance Estimate		
								-475,292	4,519	412,683	683,463	683,463	1,091,025	4,519	412,683	683,463	683,463		
4	Sidewalk project approved. Applicant requesting funds to reach 80% federal maximum. Project moves to top of list per BCPC Policy Board.				Total Federal Eligible Cost: \$987,631 Approved: \$678,944 Needed for 80% Federal Max: \$308,687			FFY 2024 Full	\$308,687				WisDOT has not authorized use of Carryover Balance.	Use FFY 2025 Allocation \$4,519 (Need \$304,168 for 80% Federal Max)					
5	The Bike & Pedestrian Safety Program targets youth within the GB Urbanized Area. Program includes bike & ped safety program, walk to school event, & bike helmet giveaways.	Green Bay	2025	Const.	\$81,748	\$65,398	\$16,350				\$65,398							Use FFY 2027 Allocation \$65,398	
6	Bike & Pedestrian Safety Program	Center for Childhood Safety	2027 & 2028	Program	\$86,774	\$69,419	\$17,355					\$69,419							Use FFY 2028 Allocation \$69,419
7				Design	No request														
8	Huron Trail	Bellevue	2028	Const.	\$513,666	\$410,933	\$102,733					\$410,933							Use FFY 2027 Allocation \$410,933
9				Design	No Request														
10	Howard Multi-Use Trail Bridge	Howard	2028	Const.	\$1,624,912	\$1,299,929	\$324,983											Use FFY 2028 Capacity of \$614,044, \$412,683 from Capacity Trade FFY 2026, & \$207,132 from Capacity Trade from FFY 2027 for a total of \$1,233,859 or 76%. Trades Confirmed	
11	<b>Requests/Balance:</b>				\$168,522	\$134,817	\$33,704	\$0	\$308,687	\$0	\$65,398	\$480,352		\$0	\$0	\$0	\$0	Trade FFY 2026 Capacity of \$412,683 for same FFY 2028 Capacity. Trade Confirmed. Trade FFY 2027 Capacity of \$207,132 for same FFY 2028 Capacity. Trade Confirmed.	

**Table 4**  
**TAP Recommendations**  
(shown in proper TIP format)

Primary Jurisdiction Project Sponsor	Project Description	Type	Jan - Dec 2025				Jan - Dec 2026				Jan - Dec 2027				Jan - Dec 2028				MPO Action
			Federal	State	Local	Total	Federal	State	Local	Total	Federal	State	Local	Total	Federal	State	Local	Total	
City of Green Bay 158-22-202 (2025)	<u>New Sidewalks</u>	DESIGN				0				0								0	Currently approved at \$678,944 in federal funds. Additional \$4,519 approved by BCPC Board of Directors on 3-6-2024.
	Manitowoc Rd (Main to Hemlock) both sides, Pecan St (Main to Manitowoc) north side, & Hemlock Dr (Manitowoc to Edgewood) both sides	RE				0				0								0	
		CONST	683,463	0	551,076	1,234,539					0							0	
		TOTAL	683,463	0	551,076	1,234,539	0	0	0	0	0	0	0	0	0	0	0	0	
	4987-14-71		Additional \$4,519 Approved																
Center for Childhood Safety 158-23-202 (24-26) 158-24-201 (2027) 158-24-202 (2028)	<u>Bike &amp; Pedestrian Safety Program</u>	PROG	59,250	0	14,813	74,063	62,153	0	15,539	77,692	65,398	0	16,350	81,748	69,419	0	17,355	86,774	Approved by BCPC Board of Directors on 3-6-2024.
	Program target youth w/i Green Bay Urbanized Area. Bike & ped safety program; walk to school event, & bike helmet program				0				0				0				0	0	
		TOTAL	59,250	0	14,813	74,063	62,153	0	15,539	77,692	65,398	0	16,350	81,748	69,419	0	17,355	86,774	
			Approved-2024 funds used for 2025 program				Approved-2024 funds used for 2026 program				Approved - FFY 2027 funds				Approved - FFY 2028 funds				
Village of Bellevue 158-24-203 (2027)	<u>Huron Road - Ontario Road Trail</u>	DESIGN				0				0								0	Approved by BCPC Board of Directors on 3-6-2024.
	Construct an 10' wide trail between Huron Rd and Ontario Rd	RE				0				0							0		
		CONST				0				0	410,933	0	102,733	513,666				0	
		TOTAL	0	0	0	0	0	0	0	0	410,933	0	102,733	513,666	0	0	0	0	
	0.44 miles										Approved								
Village of Howard 158-24-204 (2028)	<u>Multi-use Trail Bridge</u>	DESIGN				0				0								0	Approved by BCPC Board of Directors on 3-6-2024. MPO FFY 2028 funds of \$614,044 plus \$619,815 trade from FFY 2026 & FFY 2027 for a total of \$1,233,859 or 76% federal funding.
	Construct 250' by 12' wide bridge over Duck Creek	RE				0				0							0		
	550' e/o Riverview Dr/Lacona Ct	CONST				0				0				1,233,859	0	391,053	1,624,912		
		TOTAL	0	0	0	0	0	0	0	0	0	0	0	1,233,859	0	391,053	1,624,912		
											Approved								

**Wisconsin Department of Transportation (WisDOT)**

WisDOT has modified its highway program as follows. Projects shown in \$1,000s.

**Table 5  
WisDOT Highway Program Additions and Modifications**

Project Sponsor	Project Description	Type	Jan - Dec 2024				Jan - Dec 2027				MPO Additions to TIP
			Federal	State	Local	Total	Federal	State	Local	Total	
WisDOT	STH 54 (West Mason St) Hillcrest Dr to Hinkle St Miscellaneous Repair 9210-24-00, 70	DESIGN RE CONST	113	28	4	145				0	WisDOT has provided a cost and assigned a federal funding source.
158-24-001		TOTAL	113	28	4	145	1,187	132	0	1,319	
158-24-002	2.0 miles P	HSIP					HSIP				
WisDOT	USH 141 (Main St) Ray Nitschke Bridge Miscellaneous Repair 1450-23-70	DESIGN RE CONST				0				0	WisDOT has identified new project and requesting it be included in the TIP. No federal funds included.
		TOTAL		1,200	0	0				0	
No Federal Funds	P	State funds only		1,200	0	0				0	

## Wisconsin Department of Transportation (WisDOT)

WisDOT has finalized its specialized transportation program as follows. Projects shown in \$1,000s.

**Please Note:** The projects listed below do not include funding from Brown County or any Brown County community, but the projects must be included in the Green Bay MPO TIP because these projects may serve Brown County.

**Table 6  
WisDOT Specialized Transportation Program Additions and Modifications**

Project Sponsor	Project Description	Program	Jan - Dec 2023				Addition/ Modification
			Federal	State	Local	Total	
Northeastern Wisconsin Community Action Program (NEWCAP)	Mobility Management and My Garage Program Mobility Management/loans Operating Additional MM funds via SW WI Community Action Program (SWCAP) Additional operating funds via SW WI Community Action Program (SWCAP) Additional operating funds via SW WI Community Action Program (SWCAP)	WETAP WETAP Section 5310 Section 5310 Section 5311  TOTAL	0 0 63,528 7,016 1,201  71,745	85,513 6,991 0 0 0  92,504	21,628 6,991 15,882 7,016 1,201  52,718	107,141 13,982 79,410 14,032 2,402  216,967	Minor adjustments to funding level made by WisDOT 12/2023.
158-24-506 (2024)	Project does not include direct funding from Brown County or any Brown County community.		Federal from State apportionment & State WETAP				
Door-Tran Inc.	Mobility Manager and Transportation Program WETAP Mobility Manager Position (0.15 FTE) and Expenses Mobility Manager Position (2.8 FTE) and Expenses Program Operations: Volunteer and Vouchers, Coordinator (.80 FTE)	WETAP CAPITAL small urban OPER  TOTAL	0 107,722 35,232  142,954	36,320 0 0  36,320	19,080 26,931 35,232  81,243	55,400 134,653 70,464  260,517	Minor adjustments to funding level made by WisDOT 12/2023.
158-24-507 (2024)	Project does not include funding from Brown County or any Brown County community.		Federal from State apportionment & State WETAP				
Calumet County	Calumet County Transportation Program Vehicle Replacement - rear load minivan Operating Assistance for Volunteer Driver Program	Section 5310 Section 5310  TOTAL	53,113 69,058  122,171	0 0  0	22,763 69,058  91,821	75,876 138,116  213,992	Project added to the Green Bay TIP per request by WisDOT.
158-24-508 (2024)	Project does not include funding from Brown County or any Brown County community.		Federal from State apportionment				
Marinette County Committee on Aging, Inc.	Marinette County Transportation Program Vehicle Replacement - Transit brand van	Section 5310  TOTAL	57,264  57,264	0  0	24,542  24,542	81,806  81,806	Project added to the Green Bay TIP per request by WisDOT.
158-24-509 (2024)	Project does not include funding from Brown County or any Brown County community.		Federal from State apportionment				

### **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 March 6, 2024. The public participation documents can be seen in the appendices of this amendment report.

### **Brown County Planning Commission Board of Directors Transportation Subcommittee**

The BCPC Transportation Subcommittee was provided with 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 met on March 6, 2024) and approved the amendment.

### **Fiscal Constraint Demonstration**

The *2024-2027 Transportation Improvement Program for the Green Bay Urbanized Area* remains fiscally constrained as demonstrated in the following table and per federal requirements.

**Table 7  
Fiscal Constraint Demonstration**

Funding Source		Programmed Expenditures					Estimated Available Funding				
Agency	Program	2024	2025	2026	2027	Total	2024	2025	2026	2027	Total
FHWA	STBG (MPO Allocation)	\$8,578,800	\$6,394,906	\$3,227,086	\$4,960,120	\$23,160,912	\$8,578,800	\$6,394,906	\$3,227,086	\$4,960,120	\$23,160,912
	STBG (WisDOT)	\$1,469,000	\$854,000	\$854,000	\$1,197,000	\$4,374,000	\$1,469,000	\$854,000	\$854,000	\$1,197,000	\$4,374,000
	STBG (HIP)	\$5,000,000	\$0	\$0	\$0	\$5,000,000	\$5,000,000	\$0	\$0	\$0	\$5,000,000
	TAP	\$1,037,351	\$742,713	\$332,933	\$461,973	\$2,574,970	\$1,037,351	\$742,713	\$332,933	\$461,973	\$2,574,970
	CRP	\$45,528	\$0	\$0	\$0	\$45,528	\$45,528	\$0	\$0	\$0	\$45,528
	NHPP	\$33,642,000	\$560,000	\$26,937,000	\$140,887,000	\$202,026,000	\$33,642,000	\$560,000	\$26,937,000	\$140,887,000	\$202,026,000
	HSIP	\$353,000	\$240,000	\$240,000	\$1,427,000	\$2,260,000	\$353,000	\$240,000	\$240,000	\$1,427,000	\$2,260,000
	SS4A	\$200,000	\$0	\$0	\$0	\$200,000	\$200,000	\$0	\$0	\$0	\$200,000
	<b>Total</b>	<b>\$50,325,679</b>	<b>\$8,791,619</b>	<b>\$31,591,019</b>	<b>\$148,933,093</b>	<b>\$239,641,410</b>	<b>\$50,325,679</b>	<b>\$8,791,619</b>	<b>\$31,591,019</b>	<b>\$148,933,093</b>	<b>\$239,641,410</b>
	FTA	Section 5307	\$5,728,000	\$0	\$0	\$0	\$5,728,000	\$5,728,000	\$0	\$0	\$0
Section 5309/5339		\$1,131,000	\$0	\$0	\$0	\$1,131,000	\$1,131,000	\$0	\$0	\$0	\$1,131,000
Section 5310		\$271,588	\$0	\$0	\$0	\$271,588	\$271,588	\$0	\$0	\$0	\$271,588
<b>Total</b>		<b>\$6,859,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$6,859,000</b>	<b>\$6,859,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$6,859,000</b>

\*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

Several projects were approved under FAST Act & will be implemented under BIL. Select projects may be located both in & outside of the urbanized area boundary such as the I-41 Expansion project.

## 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 #1 to the 2024-2027 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 to be inserted](#)

The public review period and comment period will occur between February 21, 2024 and March 6, 2024.

If you would like to submit comments, please mail, or email your comments by March 6, 2024, 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](mailto: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, March 6, 2024  
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 #1 to the 2024-2027 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](mailto:Lisa.Conard@browncountywi.gov)  
Website: [www.browncountywi.gov/planning](http://www.browncountywi.gov/planning)



## Appendix B Public Hearing Transcript

**DRAFT MINUTES  
BROWN COUNTY PLANNING COMMISSION  
BOARD OF DIRECTORS  
Wednesday, March 6, 2024  
6:30 pm  
Green Bay Metro Transportation Center  
901 University Avenue, Commission Room, Green Bay, WI 54302**

**ROLL CALL:**

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

**Others Present:** Cole Runge, Lisa Conard, Ker Vang, John Roth and Kathy Meyer

5. Public Hearing: Draft Major Amendment #1 to the 2024-2027 Transportation Improvement Program (TIP) for the Green Bay Urbanized Area.

L. Conard provided an overview of the amendment, noting that the STBG and TAP projects approved earlier in the evening would be included in the amendment.

**STBG:**

- Mather St - Added \$998,409 to the project
- Libal St - Assigned \$1,139,280 from proposed capacity trades.
- South Bridge Connector, STH 32/57-CTH PP - Assigned \$5,136,380 from FFY 2028 and \$946,744 from capacity trades.
- CTH O (Allouez Av) - Assigned \$283,000 in FFY 2027 for design and assigned \$2,127,928 in FFY 2029 for reconstruction.
- CTH G - Assigned \$2,488,464 in FFY 2029 for reconstruction.

**TAP:**

- New Sidewalks Project - Assigned an additional \$4,519..
- Bike and Pedestrian Safety Program - Assigned \$65,398 in FFY 2027 and \$69,419 in FFY 2028.
- Huron Trail - Assigned \$410,933 in FFY 2027.
- Multi Use Bridge over Duck Creek - Assigned \$614,044 in FFY 2028 funds and capacity trades of \$619,815 to bring project to \$1,233,859.

L. Conard noted that the amendment also includes two projects added to WisDOT's program.

Project Sponsor	Project Description	Type	Jan - Dec 2024				Jan - Dec 2027				MPO Additions to TIP
			Federal	State	Local	Total	Federal	State	Local	Total	
WisDOT	STH 54 (West Mason St) Hillcrest Dr to Hinkle St Miscellaneous Repair 9210-24-00, 70	DESIGN RE CONST	113	28	4	145				0	WisDOT has provided a cost and assigned a federal funding source.
158-24-001		TOTAL	113	28	4	145	1,187	132	0	1,319	
158-24-002	2.0 miles P	HSIP					1,187	132	0	1,319	
WisDOT	USH 141 (Main St) Ray Nitschke Bridge Miscellaneous Repair 1450-23-70	DESIGN RE CONST				0				0	WisDOT has identified new project and requesting it be included in the TIP. No federal funds included.
		TOTAL	0	1,200	0	0				0	
No Federal Funds	P	State funds only									

L. Conard noted that the amendment includes multiple specialized transportation programs which reach Brown County.

Project Sponsor	Project Description	Program	Jan - Dec 2023				Addition/Modification
			Federal	State	Local	Total	
Northeastern Wisconsin Community Action Program (NEWCAP)	Mobility Management and My Garage Program Mobility Management/loans Operating Additional MM funds via SW WI Community Action Program (SWCAP) Additional operating funds via SW WI Community Action Program (SWCAP) Additional operating funds via SW WI Community Action Program (SWCAP)	WETAP WETAP Section 5310 Section 5310 Section 5311 TOTAL	0 0 63,528 7,016 1,201 71,745	85,513 6,991 0 0 0 92,504	21,628 6,991 15,882 7,016 1,201 52,718	107,141 13,982 79,410 14,032 2,402 216,967	Minor adjustments to funding level made by WisDOT 12/2023.
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Marinette County Committee on Aging, Inc.	Marinette County Transportation Program Vehicle Replacement - Transit brand van	Section 5310 TOTAL	57,264 57,264	0 0	24,542 24,542	81,806 81,806	Project added to the Green Bay TIP per request by WisDOT.
158-24-509 (2024)	Project does not include funding from Brown County or any Brown County community.		Federal from State apportionment				

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



Wisconsin  
GANNETT

PO Box 630848 Cincinnati, OH 45263-0848

### **PROOF OF PUBLICATION**

BROWN COUNTY PLANNING  
Kathy Meyer  
Brown County Planning Legals  
305 E Walnut St Ste 320  
Green Bay WI 54301-5027

STATE OF WISCONSIN, COUNTY OF BROWN

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, has been published in said newspaper in the issues dated:

02/21/2024, 02/28/2024

That said newspaper was regularly issued and circulated on those dates and that the fees charged are legal.

Sworn to and subscribed before on 02/28/2024

Legal Clerk

Notary, State of WI, County of Brown

*Amy Kohott*  
*Keegan Moran*  
2-14-28

My commission expires

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KEEGAN MORAN  
Notary Public  
State of Wisconsin

### **NOTICE OF REQUEST FOR COMMENTS AND NOTICE OF PUBLIC HEARING ON THE DRAFT MAJOR AMENDMENT #1 TO THE 2024-2027 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 #1 to the 2024-2027 Transportation Improvement Program (TIP) for the Green Bay Urbanized Area.*

For an electronic copy of the amendment, please contact [Lisa.Conard@BrownCountyWI.gov](mailto:Lisa.Conard@BrownCountyWI.gov) or by phone at 920 448-6489.

The public hearing will take place on:

Wednesday, March 6, 2024  
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 February 21, 2024, through March 6, 2024.

Written comments should be mailed to Lisa J. Conard, Brown County Planning Commission, PO Box 23600, Green Bay, WI 54305-3600 by March 6, 2024.

Published by  
Patrick Moynihan, Jr.  
County Clerk  
Run: February 21, 28, 2024 WNAXLP

RECEIVED

MAR 07 2024

Brown County Planning  
and Land Services

## **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 May 3, 2023.

**(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 May 3, 2023. 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 May 3, 2023. 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 May 3, 2023. 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 May 3, 2023. 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 May 3, 2023. 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.*