

Comments

MEETING RECORD

NAME OF GROUP: TECHNICAL COMMITTEE MEETING

DATE, TIME AND PLACE OF MEETING: April 24, 2019, 1:30 p.m., Conference Room 113, County-City Building, 555 S. 10th St., Lincoln, NE

MEMBERS AND OTHERS IN ATTENDANCE: David Cary – Planning Department, Pam Dingman – County Engineering, Miki Esposito - Lincoln Transportation and Utilities, Paul Barnes and Kellee Van Bruggen – Planning Dept., Gary Bergstrom – Health Dept., Lonnie Burklund – Lincoln Transportation and Utilities, Brian Praeuner – StarTran, Tom Goodbarn and Craig Wacker – Nebraska Dept. of Transportation (NDOT), Richard Bishop – Urban Development, Chad Lay – Lincoln Airport Authority, Larry Legg – County Engineer, Roger Figard – Railroad Transportation Safety District (RTSD) and Sara Hartzell – Parks and Recreation; (Randy Hoskins – Lincoln Transportation and Utilities absent)

Teresa McKinstry of the Planning Dept. and other interested parties.

Chair Pam Dingman called the meeting to order and acknowledged the posting of the Open Meetings Act in the room.

REVIEW AND ACTION ON THE FY 2020-2023 TRANSPORTATION IMPROVEMENT PROGRAM (TIP):

Barnes stated that this is the new TIP. It is a four schedule of transportation projects for the entire MPO. This is developed with input from all the agencies in the MPO. We bring this forward today for review and recommendation. It will be recommended to the Planning Commission next week. All those comments and input will be forwarded to Officials Committee on May 10, 2019 for their action. This will be forwarded to the State for inclusion in the state TIP. The Project Selection Committee and MPO staff have reviewed this.

The State program includes various projects, along with the South Beltway. Lancaster County includes a safety project along Saltillo Rd. and two capital projects along 98th Street. Since 98th St. is in close proximity to the City of Lincoln, this will be a closely coordinated project. LTU focuses on transportation, safety, sidewalks and capital roadway projects. StarTran focuses on operational and capital improvement projects. The next program is Lincoln Airport Authority. This focuses on operational and capital improvements. Funds mostly come from the Federal Aviation Administration and local dollars. They are including an Airport Master Plan project.

The Federal Transportation Administration includes the Nebraska DOT vanpool project and carries over the Section 5310 program. For Ped, Bike and Trails, we have an NRD (Natural Resources Project) project for Rosa Parks Way. The current TIP was amended for this. There is The Beal Slough Trail and the Wilderness Park Bridges. The Railroad Transportation Safety District has a project for the 33rd St. and Cornhusker Hwy. grade separation project.

Cary would like Lay to address the Airport Master Plan. Lay stated that their last master plan was created some time ago. As they looked over their medium to long range plans, the thought was that now was a good time to review their plans and look at forecasting to help determine field challenges. That is a big concern for the FAA (Federal Aviation Administration).

ACTION:

Esposito moved approval of the FY 2020-2023 Transportation Improvement Program, seconded by Burklund and carried 15-0: Barnes, Bergstrom, Bishop, Burklund, Cary, Dingman, Esposito, Figard, Goodbarn, Hartzell, Lay, Legg, Praeuner, Van Bruggen and Wacker voting 'yes'; Hoskins absent.

MEETING RECORD

NAME OF GROUP: PLANNING COMMISSION

DATE, TIME AND PLACE OF MEETING: Wednesday, May 1, 2019, 1:00 p.m., Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th Street, Lincoln, Nebraska

MEMBERS IN ATTENDANCE: Dick Campbell, Tracy Corr, Deane Finnegan, Maja Harris, Christy Joy, Denis Scheer, and Sändra Washington; Tom Beckius and Tracy Edgerton absent. David Cary, Steve Henrichsen, Brian Will, Geri Rorabaugh and Amy Huffman of the Planning Department; media and other interested citizens.

STATED PURPOSE OF MEETING: Regular Planning Commission Hearing

Chair Scheer called the meeting to order and acknowledged the posting of the Open Meetings Act in the room.

MISCELLANEOUS 19002, LINCOLN MPO PROPOSAL: REVIEW AS TO CONFORMANCE WITH THE CURRENT LINCOLN METROPOLITAN PLANNING ORGANIZATION (MPO) LRTP THE DRAFT 2020 TO 2023 TRANSPORTATION IMPROVEMENT PROGRAM (TIP).

PUBLIC HEARING

May 1, 2019

Members present: Campbell, Corr, Finnegan, Harris, Joy, Washington and Scheer; Beckius and Edgerton absent.

Staff Recommendation: Conformance with the LRTP.

There were no ex parte communications disclosed.

Staff Presentation: Paul Barnes of the Planning Department stated this is the 4-year schedule of transportation improvement projects that use federal dollars or that have significant impact on the local transportation system. It encompasses federally-aided systems such as the interstate and state highways, major arterial streets, public transportation such as Star Tran, maintenance and capital projects such as bridges and bike and pedestrian trails, and regional projects that have impact. The TIP includes a description of various projects and of the funding sources for each.

The plan was developed by multiple agencies and was reviewed by a project selection committee on April 4th of this year. They voted to move the plan forward. The MPO Technical Committee also met last week and their recommendation was support and approval of the draft. If this body

determines conformity, the next stop will be the MPO Officials Committee which will meet on May 10th. Staff recommends a finding of Conformance. After the Officials Committee, the draft will be sent to the Nebraska Department of Transportation (NDOT) for inclusion in their State TIP, which is a consolidation of plans from across the state. The final stop is the Federal Highway and Transit Administration for approval on October 1st of this year.

Barnes went on to highlight the projects included. The NDOT included safety and systems operational upgrades, two major maintenance project areas, five surface repairs and South Beltway projects that are being carried forward from the last plan. They also include a mill and overlay project for Highway 77 that was delivered this morning. If this body recommends support for that, the motion will need to include the associated staff-recommended amendment to the plan.

Lancaster County Engineer has included two new capital projects for two segments of S. 98th Street between Old Cheney Road and O Street. Since this is so close to the City limits, the City will coordinate closely with the city and the county on the design and construction. Lincoln Transportation and Utilities mentions traffic management and intelligent transportation systems. They are also concerned with safety and operations costs. Projects include sidewalks, some bridge improvements, as well as two segments of West A Street, Pine Lake Road, S. 40th, and East Beltway protections.

Star Tran includes operations and other capital improvement programs. These are mostly funded through the Federal Transit Program and are matched locally. They seek a maintenance facility relocation and a multi-modal center feasibility study. The Airport Authority projects are funded through Federal Aviation Administration dollars, matched locally. They include runway improvements and an airport masterplan. The MPO includes membership from the airport.

The Federal Transportation Administration carried forward the NDOT Vanpool Project and the Section 5310 Program shown in prior fiscal years. Pedestrian and bicycle trail projects are the LPSNRD's Rosa Parks Way Trail and the City's Parks and Recreation Department' Beal Slough Trail Project, Wilderness Park Bridges, Fletcher Landmark Trail, and Stonebridge trail. The Railroad Transportation Safety District's main focus is on the grade-separated crossing for 33rd Street and Cornhusker Highway.

Corr asked if there is a site selected for the StarTran facility or the multi-modal center and how large the multi-modal center is expected to be. Barnes said there is a site identified for StarTran and they are working through the environmental and federal processes to acquire that. The upcoming feasibility study for the multi-modal center will provide more detailed answers about potential needs, including size and location.

Campbell asked if the County's S. 98th Street project will be carefully coordinated with City growth, with the potential to add lanes in the future as needed. Barnes said the design will be considered carefully by both in terms of including the rural to urban transition that this area is expected to go through. Campbell noted one portion is already within City limits.

There was no public testimony on this item.

MISCELLANEOUS 19002

ACTION BY PLANNING COMMISSION:

May 1, 2019

Campbell moved to recommend Conformance with the LRTP, as amended by Staff; seconded by Washington and carried, 7-0: Campbell, Corr, Finnegan, Harris, Joy, Washington and Scheer voting 'yes'; Beckius and Edgerton absent.

MEETING RECORD

NAME OF GROUP: OFFICIALS COMMITTEE MEETING

DATE, TIME AND PLACE OF MEETING: May 10, 2019, 9:30 a.m., Mayor's Conference Room, County-City Building, 555 S. 10th Street, Lincoln, NE

MEMBERS AND OTHERS IN ATTENDANCE: Roma Amundson, Mayor Chris Beutler, Jennifer Brinkman, Ryan Huff, Cyndi Lamm and Bennie Shobe. Teresa McKinstry, David Cary and Kellee Van Bruggen of the Planning Dept.; Pam Dingman, County Engineer and Brian Praeuner of StarTran.

Chair Brinkman called the meeting to order and acknowledged the posting of the Open Meetings Act in the room.

REVIEW AND ACTION ON THE FY 2020-2023 TRANSPORTATION IMPROVEMENT PROGRAM (TIP):

Van Bruggen stated that the TIP is required on an annual basis. We look at transportation projects that are coming up. Paul Barnes prepared the memo on this. There was a change of funding for the South Beltway project for the State of Nebraska. We have various different departments that all receive federal funding. She gave a brief review of the various projects in the TIP.

Lamm inquired how projects are chosen. Van Bruggen responded that it starts with the LRTP. There is an MPO Project Selection Committee which meets and reviews projects. It is made up of members from City, County, State and Airport. We all work together. Lamm questioned if every project that involves federal funding for transportation comes before the committee. Van Bruggen replied yes. If it is in the TIP, it has to be in the LRTP. David Cary added the LRTP is the guiding document for long range activities. The projects in that, flow into the TIP. The TIP is the implementation part. The TIP can't add something without it at least being referenced in the LRTP. Lamm questioned if the projects all have federal funds or if they are making application for them. Cary answered that it could be both. Lamm asked if something is not approved, could it be dropped off the document. Cary stated that by putting a project in this document, they are in the process. If federal funding would not be available, and it doesn't happen very often, the document would have to be amended. This has been pretty stable and consistent.

ACTION:

Amundson moved approval of the FY 2020-2023 Transportation Improvement Program with the amendment to the State of Nebraska section, Project No. 1, Lincoln South Beltway, seconded by Shobe and carried 6-0: Amundson, Mayor Beutler, Brinkman, Huff, Lamm and Shobe voting 'yes'.

Brinkman announced that this is the first time Lancaster County has had capital roadway projects in the TIP. She is looking forward to working with the City. Inter-local for 98th St. is important. Pam Dingman agreed. This is important. There is a good chance that a substantial part of this project will be annexed into the City of Lincoln before completion.



Lincoln Metropolitan Planning Organization

County-City Building
555 S. 10th Street, Suite 213
Lincoln, Nebraska 68508
(402) 441-7491

Lincoln MPO Resolution: TIP-2019- Resolution Adopting the FY 2020-2023 Transportation Improvement Program

WHEREAS, the Lincoln Metropolitan Planning Organization (Lincoln MPO) is the designated Metropolitan Planning Organization (MPO) responsible for undertaking the transportation planning process for the Lincoln Metropolitan Transportation Management Area (TMA), Lancaster County, in accordance with 23 U.S.C. 134 and defining principle of 23 CFR 450.322; and,

WHEREAS, the Fixing America's Surface Transportation Act (FAST Act), passed by the United States Congress and signed into law by the President in 2015, requires that each MPO adopt a transportation program that consists of federally funded and/or regionally significant transportation improvement projects within the metropolitan area; and,

WHEREAS, various federal, state, regional, and local agencies and organizations concerned with transportation planning for the MPO area have cooperatively developed the Transportation Improvement Program (TIP) for FY 2020 through 2023 to satisfy federal planning requirements of the FAST Act; and,

WHEREAS, the TIP is comprised of projects that are derived from the Lincoln MPO's adopted 2040 Long Range Transportation Plan, is consistent with local and state transportation plans, and has met the requirements of Title 23 Code of Federal Regulations Part 450.324; and,

WHEREAS, the MPO has involved the public and interested stakeholders in an open and transparent process as detailed by the MPO's Public Participation Plan which includes a public review and comment period of no less than 30 days;

NOW, THEREFORE, BE IT RESOLVED by the Officials Committee of the Lincoln MPO, that Transportation Improvement Program for FY 2020 through 2023 is adopted.

Approved by a vote of the MPO Officials Committee and signed this 10th day of May, 2019.


Lincoln MPO Officials Committee Chair

ATTEST


Pam Dingman, Lancaster County Engineer
Lincoln MPO Technical Advisory Committee Chair

NEBRASKA

Good Life. Great Journey.

DEPARTMENT OF TRANSPORTATION



Pete Ricketts, Governor

May 17, 2019

The Honorable Chris Beutler
Mayor of Lincoln
555 South 10th Street
Lincoln NE 68508

Dear Mr. Beutler:

SUBJECT: State Approval by Governor's Designee of Lincoln MPO FY 2020 – FY 2023 TIP

As the Governor's designee, I am approving the Lincoln MPO FY 2020 – FY 2023 TIP Transportation Improvement Program (TIP) as approved by the Lincoln MPO Technical Advisory Committee and approved by the Lincoln MPO Officials Committee on May 10, 2019.

The TIP approval applies to the first four years of projects listed that involve federal funds. Federally funded projects in the first year of the TIP must be programmed by the Nebraska Department of Transportation. Lincoln MPO TIP is included in Nebraska's State Transportation Improvement Program (STIP) by reference. Consequently, the new TIP is included in Nebraska's STIP upon the notification to and approval of the Federal Highway Administration.

If you have any questions, please contact me at 402-479-3797.

Sincerely,

A handwritten signature in blue ink that reads "Ryan Huff".

Ryan Huff,
Intermodal Planning Division Engineer

Kyle Schneweis, P.E., Director
Department of Transportation
1500 Highway 2
PO Box 94759
Lincoln, NE 68509-4759
dot.nebraska.gov

OFFICE 402-471-4567 FAX 402-479-4325
NDOT.ContactUs@nebraska.gov

CC: J. Luther, FHWA
D. Nguyen, FTA
R. Huff, NDOT
J. Gibson, NDOT
K. Ruse, NDOT
A. Starr, NDOT
Kellee B. Van Bruggen, City of Lincoln MPO
Division file



U.S. Department of Transportation

Federal Transit Administration
901 Locust Street, Room 404
Kansas City, MO 64106
816-329-3920
816-329-3921 (fax)

Federal Highway Administration
100 Centennial Mall North, Rm 220
Lincoln, NE 68508
402-742-8460
402-742-8480 (fax)

September 30, 2019

Mr. Kyle Schneweis, P.E.
Director – State Engineer
Nebraska Department of Transportation

**SUBJECT: FHWA/FTA Approval of the Nebraska FY 2020-2023
Statewide Transportation Improvement Program**

Dear Mr. Schneweis:

This letter is to inform you of the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) review and approval of the highway and transit projects contained in the Nebraska Department of Transportation (NDOT) FY 2020 -2023 Statewide Transportation Improvement Program (STIP), as well as the projects from the incorporated metropolitan Transportation Improvement Programs (TIPs) for Lincoln (LCLC), South Sioux City (SIMPCO), Omaha (MAPA) and Grand Island (GIAMPO).

The Draft FY 2020-2023 STIP was available for public comment from August 15, 2019 through September 2, 2019. During this period, NDOT received no comments on the proposed STIP during the public outreach period.

The Metropolitan Area Planning Agency's (MAPA) Board of Directors approved the TIP on June 27, 2019 and NDOT approval for inclusion into the NDOT STIP was given on July 24, 2019. The Lincoln MPO TIP was approved by the Officials Committee on May 10, 2019 and NDOT approval for inclusion into the NDOT STIP was given on May 17, 2019. The Siouland Interstate Metropolitan Planning Council (SIMPCO) TIP Policy board approved the TIP on July 11, 2019 and on August 6, 2019 NDOT approved the TIP for inclusion into the STIP. The Grand Island TIP was approved by the Policy Board on May 28, 2019 and NDOT approval for inclusion into the STIP was given on July 24, 2019.

Throughout the year, FHWA and FTA have had ongoing communication with the NDOT, the metropolitan planning organizations (MPOs) and the state's transit agencies. In accordance with 23 CFR Part 450.218(b) and 23 CFR Part 450.334(a), we have determined that the highway and transit projects included in the STIP and the metropolitan TIPs are based on a transportation planning process that substantially meets the requirements.

The enclosed planning finding was prepared to demonstrate how the NDOT planning process meets the planning requirements. We would like to highlight that this planning finding contains recommendations which NDOT should ensure are implemented so the transportation planning process continues to be substantially compliant with the regulatory requirements.

Based on the FHWA review of the FY 2020 -2023 STIP, the aforementioned monitoring activities throughout the year, the MPO's self-certifications, and the attached planning

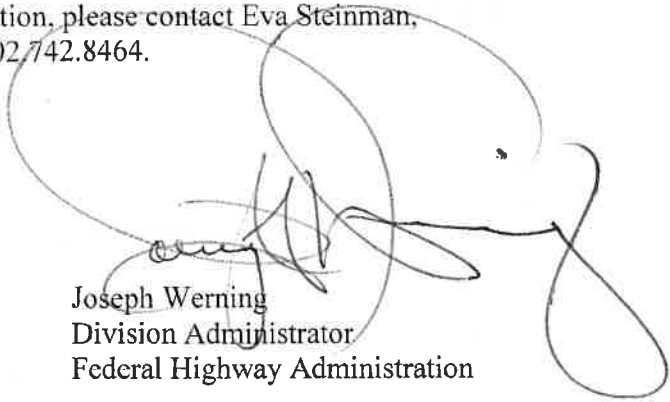
finding, the FY 2020-2023 Statewide Transportation Improvement Program (STIP) is hereby approved.

If you have any questions or need additional information, please contact Eva Steinman, FTA, at 816.329.3931 or Justin Luther, FHWA, at 402.742.8464.

Sincerely,

Mark Bechtel

Mokhtee Ahmad
Regional Administrator
Federal Transit Administration


Joseph Werning
Division Administrator
Federal Highway Administration

fa
Attachment

cc:

Darla Hugaboom, FHWA IA
Eva Steinman, FTA
Justin Luther, FHWA
Kendall Tonjes, NDOT
Amy Starr, NDOT
Craig Wacker, NDOT
Ryan Huff, NDOT
Curtis Nosal, NDOT
Greg Youell, MAPA
Michael Helgerson, NDOT
David Cary, Lincoln MPO
Michelle Bostinelos, SIMPCO
Alan Zaft, Lincoln MPO
John Collins, GIAMPO

FY 2020-2023 STIP Nebraska FHWA and FTA Planning Finding

As part of the stewardship responsibilities, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) must ensure that both the statewide and metropolitan transportation planning processes satisfy the requirements of 23 U.S.C. 134 and 135, 49 U.S.C 5303-5304, and 23 CFR 450. From a statewide perspective, the Nebraska Department of Transportation (NDOT) certifies the process through the submittal of the Statewide Transportation Improvement Program (STIP), while the Metropolitan Planning Organizations (MPO) certify the metropolitan transportation planning process through the submittal of their respective Transportation Improvement Program (TIP) and self-certifications.

In accordance with 23 CFR 450.220 and 450.330 (a) the FHWA and the FTA, based on the certification of the statewide transportation planning process for and within Nebraska and the FHWA's and FTA's participation in the statewide and metropolitan transportation planning processes (including certification reviews conducted in transportation management areas), hereby find that the projects included in the fiscal year 2020-2023 STIP are based on a transportation planning process that substantially meets the requirements of 23 CFR Part 450 subpart A, B, C, 49 U.S.C. Sections 5303-5304, and 23 U.S.C. Sections 134 and 135.

TIP/STIP:

The NDOT STIP is composed of a listing and description of all regionally significant capital and non-capital projects or phases of project development which are FHWA and FTA funded projects. The listing shows a project or phase of a project to be advanced by year for the next four-year period. The MPO TIPs contain a listing and description of all regionally significant capital and non-capital projects or phases of project development which are FHWA and FTA funded projects. The listing shows a project or phase of a project to be advanced by year for the next four-year period.

During the review of the FY 2020-2023 STIP it was noted the apportionment amounts and beginning balance forecasts were inaccurate. The main reason for this discrepancy is that the NDOT STIP was prepared prior to the fiscal year ending. FHWA and FTA recognizes a large portion of the NDOT and the MPOs programs were obligated between the time the STIP was prepared and the end of the 2019 federal fiscal year. Please ensure the next STIP amendment accurately portrays the beginning balances.

The Metropolitan Area Planning Agency's (MAPA) Board of Directors approved the TIP on June 27, 2019 and NDOT approval for inclusion into the NDOT STIP was given on July 24, 2019.

The Lincoln MPO TIP was approved by the Officials Committee on May 10, 2019 and NDOT approval for inclusion into the NDOT STIP was given on May 17, 2019.

The Siouxland Interstate Metropolitan Planning Council (SIMPCO) TIP Policy board approved the TIP on July 11, 2019 and on August 6, 2019 NDOT approved the TIP for inclusion into the STIP.

The Grand Island TIP was approved by the Policy Board on May 28, 2019 and NDOT approval for inclusion into the STIP was given on July 24, 2019. We have determined that the FY 2020-2023 NDOT STIP, which is inclusive of each MPO TIP, adequately demonstrates fiscal constraint by year. All the TIPs included self-certifications and discussion on Transportation Performance Management target establishment.

The STIP and TIPs are all developed utilizing the Nebraska STIP Development Guidelines which were agreed to by FHWA, FTA and NDOT in April 2011 and were updated in 2014. This document contains many of the administrative procedures for developing the STIP and TIPs. Also, this document outlines the amendment thresholds that the transportation partners have agreed to in Nebraska for both TIPs and Long Range Transportation Plan amendments. This document continues to be a major streamlining tool to help advance projects through the planning process in Nebraska.

It was noted that the letter submitting the STIP to FHWA and FTA for review and approval does not request our respective agencies approval. In future submittals, please ensure NDOT reflects the appropriate action NDOT is requesting FHWA and FTA to take.

Public Involvement:

Public involvement is required in the development of the STIP. Specific to the planning process NDOT has developed a Public Involvement Plan specific to the process of outreach efforts for development and approval of the STIP. This document helps to ensure the State meets federal requirements regarding public participation during the development of the STIP. A letter is sent annually to all non-metropolitan elected and appointed officials offering them an opportunity to comment on the STIP. In the letter, a link is provided to the online STIP to facilitate review and comment by non-metropolitan local officials. The NDOT prepares a news release for media outlets informing the public that the draft STIP is available for public comment.

In addition to the STIP, NDOT prepares a six- year surface transportation program book annually. This program book contains many of the projects listed in the STIP. The program book seeks public involvement through the Highway Commission meetings and is approved by the Governor.

The draft STIP is posted on the website and made available at the eight district offices for a minimum of 15 days (to be evaluated and extended if necessary based on the volume of comments). At the end of the comment period, NDOT submits the STIP to the FHWA and FTA for approval.

The Draft FY 2020-2023 STIP was available for public comment starting August 15, 2019 running thru September 2, 2019. During this period, NDOT received no comments on the proposed STIP during the public outreach period.

Self-Certification Statements:

The self-certification statements are an opportunity for the MPOs and NDOT to present how they have incorporated a level playing field for all those interested in participating in the transportation planning process, be it citizens or contractors. The agencies use these statements to outline how their operations are conducted in a comprehensive, cooperative, and continuous (3C) manner. It ensures that the transportation planning process occurs to satisfy the objectives of a non-discriminatory, environmentally respectful and citizen-oriented atmosphere.

NDOT has completed its self-certification requirements and has posted the statement as part of their letter requesting approval of the STIP. In addition, each of the MPO self-certifications are included by reference.

Action plan for Technology Transfer (T2) Peer Exchange:

In 2018, the FHWA awarded a Technology Transfer (T2) grant to NDOT to host a peer exchange focusing on improving the planning process in Nebraska. The technology transfer session included identifying activities that would lead to the adoption of new techniques or products that could be put into use in the short-term and to identify innovative ideas that could be examined for future use. The peer exchange developed an action plan for the Nebraska Planning partners to implement with short term and longer term strategies to improve the planning process. NDOT should update the Nebraska Planning partners on the status of implementing the action plan at the next MPO coordination meeting.

The Rescission

A rescission is legislation enacted by Congress that cancels the availability of budget authority (*e.g.*, contract authority) before that authority would otherwise expire. Note that a rescission of funds (contract authority) does not directly affect obligation limitation. Section 1438 of the FAST Act contains a \$7.569 billion rescission will take effect in FY2020. The rescission calculations will be based on unobligated balances of contract authority for apportioned programs (excluding those funds not subject to the rescission) as of September 30, 2019. The Nebraska Department of Transportation took proactive measures throughout the year to reduce the potential impact of the rescission on Nebraska's overall Federal-aid highway program. Thus, Nebraska only has a few programs potentially impacted by the rescission, mainly the Transportation Alternatives Program (TAP) and residual Transportation Enhancement program. Unless there is congressional action taken funds will be rescinded on July 1, 2020. NDOT should coordinate the potential impacts of the rescission to each of the MPOs. FHWA is available to provide any technical assistance to both NDOT and the MPOs regarding the potential rescission impacts.

MPO Obligation Limitation in FY 2020

A State with STBG funds suballocated to urbanized areas with over 200,000 in population must make formula obligation limitation available to each of these areas based on the criteria set forth in 23 U.S.C. 133(e). During the period of fiscal years (FY) 2016 through 2020, a State must make available to each of these urbanized areas an aggregate (5-year) amount of obligation limitation based on the formula outlined in the November 30, 2016 FHWA memorandum. The section 133(e) requirement applies to the entire 5-year period.

The requirement to "make available" obligation limitation is satisfied by providing obligation limitation to a UZA over 200,000 in a reasonable manner. This reasonableness determination may include an evaluation of whether the obligation limitation is made available in a manner that permits the UZA sufficient time to utilize it and if the affected UZA is practically able to use the obligation limitation given its currently available projects. Ensuring compliance with this requirement is a joint responsibility of the Federal Highway Administration, the States, and the metropolitan planning organizations for the affected urbanized areas.

The Lincoln MPO is an urbanized area over 200,000 population and the state is required to make available obligation limitation, as required under 23 U.S.C. 133(e). FHWA has reviewed the Lincoln MPOs previous years' obligations, de-obligations, and the projects programmed in FY 2020-2023 Lincoln MPO TIP. FHWA's review found the Lincoln MPO has not been fully programming STBG projects over the last few years and as such have built up an available apportionment balance that NDOT will need ensure obligation limitation is made available during FY 2020 in order to meet the requirements of 23 USC 133 (e).

Importantly, it appears the FY 2020-2023 Lincoln MPO TIP has not programmed sufficient projects to utilize available apportionments nor the 5-year aggregate amount of obligation limitation that will need to be made available in fiscal year 2020. FHWA is committed to working with NDOT and the Lincoln MPO to develop potential strategies to ensure the 5-year aggregate amount is reasonably made available as required under 23 USC 133 (e).

Over the last few years, there has been ongoing communication between FHWA, NDOT, and MAPA concerning the availability of obligation limitation for funding sub-allocated to MAPA. MAPA and NDOT have taken actions to program down availability of obligation limitation in the MAPA region. FHWA would like to recognize NDOT and MAPA for the actions taken to obligate federal funds and advance projects in the MAPA region.

Recommendations:

1. NDOT should coordinate the impacts of the rescission to each of the MPOs. FHWA is available to provide any technical assistance to both NDOT and the MPOs regarding the rescission impacts.
2. It appears after reviewing the FY 2020-2023 Lincoln MPO TIP, there are not sufficient projects programmed to utilize available apportionments and the 5-year aggregate amount of obligation limitation required to be made available in FY 2020. FHWA is committed to working with NDOT and the Lincoln MPO to develop potential strategies to ensure the 5-year aggregate amount is reasonably made available.
3. The letter submitting the STIP to FHWA and FTA does not reflect a request of FHWA and FTA approval. In future submittals, please ensure NDOT reflects the appropriate action NDOT is requesting FHWA and FTA to take.
4. NDOT should continue the implementation of the action plan developed as part of the Peer Exchange and provide a status update at the next MPO coordination meeting.



Metropolitan Planning Organization
555 South 10th Street, Suite 213
Lincoln, NE 68508
402-441-7491
lincoln.ne.gov (keyword: mpo)