



U.S. Department
of Transportation

**Federal Highway
Administration**

Federal Transit Administration

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Margaret Anderson Kelliher
Commissioner of Transportation
Minnesota Department of Transportation
MS 100, Transportation Building
St. Paul, Minnesota 55155

Subject: Approval of Minnesota's FY 2021 – 2024 STIP and FHWA/FTA Federal Planning Finding

Dear Commissioner Margaret Anderson Kelliher:

The following letter is in response to the Minnesota Department of Transportation's (MnDOT) transmittal of the Fiscal Year (FY) 2021 – 2024 Statewide Transportation Improvement Program (STIP) requesting approval.

To approve the subject STIP document, including the Transportation Improvement Programs (TIPs) contained therein, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) must determine that the STIP is based on a continuing, cooperative and comprehensive planning process. This is achieved by examining the STIP and associated TIP documents, statewide and metropolitan planning self-certification statements (23 CFR 450.220; 23 CFR 450.336), related supporting documentation, and regular ongoing involvement with MnDOT and the Metropolitan Planning Organizations (MPOs).

In addition, under 23 CFR 450.220(b), the FHWA and FTA are required to document and issue a Federal Planning Finding in conjunction with the STIP approval. The Federal Planning Finding verifies, at a minimum, that the development of the STIP is consistent with the provisions of both the statewide and metropolitan transportation planning requirements of 23 U.S.C. 234, 135; 49 U.S.C. 5303-5305; 23 CFR parts 450 and 500, and 49 CFR part 613.

Attachment 1 contains the complete FY 2021 – 2024 Federal Planning Finding. The Findings are summarized below:

Commendations

- Programming Update Workgroup (PUW)
- 2020-2024 Strategic Highway Safety Plan

Recommendations

- STIP public involvement process
- MnDOT/MPO project coordination follow through

Corrective Actions

- There are no Corrective Actions included with the 2021-2024 Federal Planning Finding

Accordingly, we find that the FY 2021 – 2024 STIP is based on a transportation planning process that substantially meets the requirements of 23 U.S.C. Sections 134 and 135, U.S.C. Sections 5303-5304, 23 CFR 450 (Subparts B and C), and 49 CFR Part 613 (Subparts B and C).

This approval includes the corresponding individual MPO TIPs that comprise the STIP, as well as approval of a joint FHWA/FTA air quality conformity determination for the Metropolitan Council's TIP pursuant to 40 CFR 93 (transportation conformity regulations).

Approval of the FY 2021 – 2024 STIP is not to be construed as a federal-aid eligibility determination. Each project must satisfy the specific requirements of the program from which federal funds are requested, as well as other federal requirements as appropriate before funds are authorized.

FHWA and FTA value MnDOT's sustained efforts to ensure a cooperative, continuous, and comprehensive planning process. We recognize the complexity of assembling a STIP and the effort expended by MnDOT staff.

We look forward to working with MnDOT to advance the projects and programs in the STIP and to provide the traveling public with an efficient, high-quality transportation system.

Should you have any questions regarding this STIP approval and Federal Planning Finding, please contact Bobbi Retzlaff, FHWA Community Planner at (651) 291-6125, or Bill Wheeler, FTA Community Planner at (312) 353-2639.

Sincerely yours,

Wendall L. Meyer
Division Administrator
Federal Highway Administration

Kelley Brookins
Regional Administrator
Federal Transit Administration

Attachment

cc: Trang Chu (MnDOT)
Brian Gage (MnDOT)
Ed Idzorek (MnDOT)
Anna Pierce (MnDOT)
Kris Riesenber (FHWA)

Attachment 1

Minnesota Statewide and Metropolitan Planning Finding for the FY 2021 – 2024 Statewide Transportation Improvement Program

Overview

The Federal Planning Finding (FPF) is the key oversight mechanism through which the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) ensure that the transportation planning processes in Minnesota meet federal requirements. 23 CFR 450.220(b) requires FHWA and FTA to document and issue a Federal Planning Finding (FPF) in conjunction with approval of the Statewide Transportation Improvement Program (STIP). The FPF verifies that, at a minimum, the development of the STIP is consistent with the provisions of both the Statewide and Metropolitan transportation planning requirements of 23 U.S.C. 134, 135; 49 U.S.C. 5303-5305; 23 CFR parts 450 and 500, and 49 CFR part 613.

Background

FHWA and FTA conducted the FPF in a risk-based capacity; the highest priority was placed in matters with the greatest potential to impede compliance with the federal planning requirements. FHWA and FTA determined the Findings through an in-depth desk review, risk tracking, assessment of previous Findings, day-to-day interactions with MnDOT and the MPOs, and feedback from MnDOT.

Findings fall into one of three categories: Commendations, Recommendations, or Corrective Actions. Each category is defined as follows:

Commendations: Planning activities that demonstrate innovative, highly effective and well-thought-out procedures for implementing the planning requirements or represent a national model for implementation and can be cited as an example for others.

Recommendations: Items that meet the statutory and regulatory requirements, but may contain opportunities to improve the transportation planning process.

Corrective Actions: Items that do not meet statutory and regulatory requirements. Corrective Actions require a work plan detailing how the issue will be resolved and by when.

2020-2023 STIP Findings

The 2020-2023 STIP FPF identified four commendations and three recommendations. The status of these findings is summarized in Table 1.

Table 1: 2020-2023 STIP Federal Planning Findings and Status

Finding Type	Finding	Status
Commendation	Planning and environmental linkages studies – TH47/65 and TH 120	Ongoing
Commendation	MnDOT public engagement website enhancements	Ongoing
Commendation	Metropolitan Council 2020-2021 Unified Planning Work Program	Ongoing
Commendation	MnDOT district freight plans	Ongoing
Recommendation	MnDOT project coordination with MPOs	FHWA completed process review. MnDOT reviewing/implementing recommendations.
Recommendation	Projects and corridor visioning (managing access to maintain mobility)	MnDOT drafting planning study guidelines. Metro District developing planning study prioritization criteria.
Recommendation	Congestion management process (CMP) integration into the regional solicitation	CMP development moving into 2 nd phase. Integration into Regional Solicitation planned.

2021-2024 STIP Findings

Commendations

Commendation #1: Programming Update Workgroup (PUW)

Observation: MnDOT’s Programming Update Workgroup (PUW) is a mix of internal and external stakeholders. The PUW provides recommendations to the Transportation Program Investment Committee (TPIC) regarding the federal funding programming process. MnDOT recently restarted PUW meetings to review the funding distribution process, address issues and concerns between boundary overlaps between the ATPs and districts, and evaluate the potential impacts of federal reauthorization.

Finding: MnDOT is commended in continuing to use the PUW to gather local partner feedback on the funding decision-making process.

Commendation #2: 2020-2024 Strategic Highway Safety Plan

Observation: The Highway Safety Improvement Program requires state DOTs to develop a Strategic Highway Safety Plan (SHSP) at least every five years. MnDOT, in partnership with the Department of Public Safety (DPS), the Department of Health (MDH) and Minnesota’s Toward Zero Death Program, prepared the 2020-2024 Minnesota Strategic Highway Safety Plan. The plan identifies 39 strategies and 168 tactics as well as more specific action plans that focus on the 31

tactics identified as year one priorities. The action plans identify the lead agency, primary partners, performance measures, goals and key steps for implementation.

Finding: MnDOT and its partners are commended for developing a more action-oriented Strategic Highway Safety Plan. The action plans are expected to make the SHSP more impactful, improving implementation and measuring progress on prioritized actions that will ultimately reduce fatal and serious injury crashes on Minnesota roads.

Recommendations

Recommendation #1: STIP Public Involvement Process

Observation: For public involvement, MnDOT's STIP references the public outreach processes used by ATPs and MPOs. It also publishes a 30-day notice in the *State Register*. While the MPOs have adopted public involvement plans that identify what actions the MPOs will take to solicit public input on the draft TIPs, the ATPs do not have documented public involvement plans. Each ATP has written operating procedures. These procedures do not address what actions the ATP uses to solicit public input during the development of the ATP, or how that input influences the final STIP.

Public participation is an integral part of the transportation process. Per 23 CFR 450.210(a), the State is required to document and maintain specific requirements related to STIP public involvement:

(a) In carrying out the statewide transportation planning process, including development of the long-range statewide transportation plan and the STIP, the State shall develop and use a documented public involvement process that provides opportunities for public review and comment at key decision points.

(1) The State's public involvement process at a minimum shall:

(i) Establish early and continuous public involvement opportunities that provide timely information about transportation issues and decisionmaking processes to individuals, affected public agencies, representatives of public transportation employees, public ports, freight shippers, private providers of transportation (including intercity bus operators), representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, providers of freight transportation services, and other interested parties;

(ii) Provide reasonable public access to technical and policy information used in the development of the long-range statewide transportation plan and the STIP;

(iii) Provide adequate public notice of public involvement activities and time for public review and comment at key decision points, including a reasonable opportunity to comment on the proposed long-range statewide transportation plan and STIP;

(iv) To the maximum extent practicable, ensure that public meetings are held at convenient and accessible locations and times;

(v) To the maximum extent practicable, use visualization techniques to describe the proposed long-range statewide transportation plan and supporting studies;

(vi) To the maximum extent practicable, make public information available in electronically accessible format and means, such as the World Wide Web, as appropriate to afford reasonable opportunity for consideration of public information;

(vii) Demonstrate explicit consideration and response to public input during the development of the long-range statewide transportation plan and STIP;

(viii) Include a process for seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services; and

(ix) Provide for the periodic review of the effectiveness of the public involvement process to ensure that the process provides full and open access to all interested parties and revise the process, as appropriate.

Finding: MnDOT should document that the state's STIP public involvement process is consistent with the requirements identified in 23 CFR 450.210(a) and provides opportunities for public review and comment at key decision points. A documented process shows how MnDOT engages the public and stakeholders, including traditionally underserved populations, throughout the development of the STIP and describes how MnDOT will periodically evaluate the effectiveness of its outreach efforts.

Recommendation #2: MnDOT/MPO Project Coordination Improvement Follow Through

Observation: The 2020 – 2023 STIP Finding included a Recommendation for improving MnDOT and MPO TIP/STIP project coordination. The Recommendation also stated FHWA would complete a process review in 2020 to explore the issue. Working jointly with MnDOT, FHWA completed the Process Review during the summer of 2020. The final document proposed nine recommendations to improve coordination, including statewide training on MPO requirements, process guidance updates, and adjustments to MnDOT's letting schedule to allow for MPO amendment flexibility. Each recommendation has an associated timeline, slated for completion in 2021.

Finding: MnDOT's participation and effort in the MnDOT/MPO Project Coordination Process Review is appreciated and greatly improved the final Recommendations. MnDOT should build off this effort by ensuring the nine Recommendations are fully implemented during CY 2021.

Corrective Actions

There are no Corrective Actions included in the 2021-2024 STIP Federal Planning Finding.

Finalization and Transmittal

Following submittal to MnDOT, this FPF will be uploaded into FHWA's INPUT Response Tracker which documents the completion of the FPF and archives the results. INPUT also serves as the tracking system when following up with the State DOT and MPOs on their progress toward resolving identified risks. Since this FPF issued no Corrective Actions, it will be uploaded without a Work Plan or assigned task completion dates. We look forward to working with MnDOT to address the recommendations addressed in this document.