

## L. Comments



## MEETING RECORD

*Advanced public notice of the Technical Committee meeting was posted on the County-City bulletin board and the Planning Department's website.*

**NAME OF GROUP:** TECHNICAL COMMITTEE MEETING

**DATE, TIME AND PLACE OF MEETING:** April 10, 2024, 8:30 a.m., Conference Room 113, County-City Building, 555 S. 10<sup>th</sup> St., Lincoln, NE

**MEMBERS AND OTHERS IN ATTENDANCE:** David Cary – Lincoln/Lancaster County Planning Department; Pam Dingman – Lancaster County Engineer; Elizabeth Elliott – Lincoln Transportation and Utilities; Paul Barnes and Stephanie Rouse – Lincoln/Lancaster County Planning Department; Gary Bergstrom – Lincoln/Lancaster County Health Department; Clyde Jenkins III – StarTran; Roger Figard – Railroad Transportation Safety District; Stephanie Fisher – City of Waverly; Jennifer Hiatt – Urban Development; Larry Legg – Lancaster County Engineering; Michelle Lincoln – City of Bennet; Kelly Oelke – City of Hickman; Thomas Shafer and Erin Sokolik – Lincoln Transportation and Utilities; Maggie Stuckey-Ross – Parks and Recreation; Brandon Varilek and Curtis Nosal – Nebraska Department of Transportation; (Chad Lay – Lincoln Airport Authority absent). Rachel Christopher, Teresa McKinstry and Jennifer McDonald of the Lincoln/Lancaster County Planning Department; and other interested citizens.

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

### **REVIEW AND ACTION ON THE PROPOSED FY 2025-2028 TRANSPORTATION IMPROVEMENT PROGRAM (TIP)**

**PUBLIC HEARING:**

**April 10, 2024**

Members present: Barnes, Bergstrom, Cary, Dingman, Elliott, Figard, Fisher, Hiatt, Jenkins, Legg, Lincoln, Nosal, Oelke, Rouse, Shafer, Sokolik, Stuckey-Ross and Varilek; Lay absent.

Christopher stated this is for the annual TIP adoption for the MPO. The MPO is a federally required organization and is federally funded. The planning area covers all of Lancaster County. We also have representatives from Hickman, Waverly and Bennet as part of the MPO Technical Committee. The TIP is a shorter range planning document which looks at planning projects coming up in the next four years. This runs with the federal fiscal year which is October 1 through September 30. Staff also processes amendments and revisions to the TIP. The projects in the TIP come from the 2050 LRTP. The TIP includes federal and state funded projects, as well as regionally significant locally funded projects. The TIP is fiscally constrained, meaning it must only show funds that are reasonably anticipated to be available. The TIP is also coordinated with the Capital Improvement Program (CIP). The TIP includes a number of programs for transportation agencies. NDOT's program includes interstates, highways and bridges. Other programs described were for County Engineer, LTU-Transportation, LTU-StarTran, Lincoln Airport Authority, Federal Transit Administration, Pedestrian Bike and Trails, Railroad Transportation Safety District and Planning. The TIP is organized with project listings and details for funding by year and source. There is an online map for the TIP. We work with all the different agencies listed in the TIP to provide input. We also conduct an Equity and Congestion Management review for new projects. The MPO Programming and Funding Committee meets and reviews the document. It then comes to the MPO Technical Committee and Planning Commission for review and recommendation, before vote by the MPO Officials Committee. With this year's TIP, NDOT has several new projects as does City of Hickman for Scott's Trail, which was awarded Recreational Trail Program (RFP) funding. There were two LTU-Transportation projects removed. One was the 14<sup>th</sup> Street/Warlick/Old Cheney Rd. project which is being paused due to uncertainty on timing and impacts of the Highway 77 West Bypass project. Another LTU project taken out was Transportation Livable Neighborhoods. It is being removed from the TIP because LTU will conduct those activities under their Preservation and Optimization initiatives. There were also changes made to the StarTran program per the CIP since the agenda went out. The first change was to StarTran revenue vehicles for buses where funding was split between FY 2025 and 2026 to the need to spread out the local match portion. There was also a change to maintenance facility construction where all funds except initial funds for a feasibility study were removed, pending future funding through a discretionary grant.

Figard pointed out a correction needed to the RTSD project of 33<sup>rd</sup> & Cornhusker in the Railroad Transportation Safety District (RTSD) program. He would suggest any motion for approval of the proposed TIP include a correction of the federal aid to show \$7,520,000 in Cost Beyond RZ funds.

Cary noted this is the big list for the MPO. He commented that over the years, the TIP has been improved as a document. He believes it is much more readable. The way the funding sources are identified helps understand these projects in a much more straightforward way. It has been great to watch the MPO evolve. He feels like the TIP has become a much better document.

Shafer added that this process is always a long one. There will most likely be amendments between now and approval, and he noted recent awards for Congressionally directed spending to the MPO area that he assumes will be added to the TIP in the future.

Dingman thinks for future TIP documents, we will also need to add a page for Bennet, Hickman and Waverly. She hopes everyone gets a piece of funding. Christopher noted that for now, the Hickman trail project is under the Pedestrian, Bike and Trails program with the Waverly planning grant appearing under the Planning program.

Barnes noted that Bennet has an award for Planning as well.

#### **ACTION:**

Shafer moved approval of the FY 2025-2028 Transportation Improvement Program as presented today, including the revision to StarTran revenue vehicles for buses and the correction noted by the RTSD, seconded by Figard and carried 18-0: Barnes, Bergstrom, Cary, Dingman, Elliott, Figard, Fisher, Hiatt, Jenkins, Legg, Lincoln, Nosal, Oelke, Rouse, Shafer, Sokolik, Stuckey-Ross and Varilek; Lay absent.

## MEETING RECORD

*Advanced public notice of the Planning Commission meeting was posted on the County-City bulletin board and the Planning Department's website. In addition, a public notice was emailed to the Lincoln Journal Star for publication on Tuesday, April 30, 2024.*

<b>NAME OF GROUP:</b>	PLANNING COMMISSION
<b>DATE, TIME AND PLACE OF MEETING:</b>	Wednesday, May 8, 2024, 1:00 p.m., Hearing Room 112, on the first floor of the County-City Building, 555 S. 10th Street, Lincoln, Nebraska.
<b>MEMBERS AND OTHERS IN ATTENDANCE:</b>	Lorenzo Ball, Dick Campbell, Maribel Cruz, Brett Ebert, Gloria Eddins, Bailey Feit, Cristy Joy, Rich Rodenburg, and Cindy Ryman Yost. David Cary, Steve Henrichsen, Shelli Reid, Jennifer McDonald, Brian Will, Emma Martin, Steve Dush, Rachel Christopher, George Wesselhoft and Ben Callahan the Planning Department; media and other interested citizens.
<b>STATED PURPOSE OF MEETING:</b>	Regular Planning Commission Hearing Chair Ryman Yost called the meeting to order and acknowledged the posting of the Open Meetings Act in the room.

### **MISCELLANEOUS 24002**

**FOR REVIEW OF THE DRAFT FY2025 TO FY2028 TRANSPORTATION IMPROVEMENT PROGRAM (TIP) FOR CONFORMANCE WITH THE CURRENT LINCOLN METROPOLITAN PLANNING ORGANIZATION (MPO) LONG RANGE TRANSPORTATION PLAN.**

**PUBLIC HEARING:** **May 8, 2024**

Members present: Ball, Campbell, Cruz, Ebert, Eddins, Feit, Joy, Rodenburg, and Ryman Yost.

**Staff Recommendation:** In Conformance with the Long-Range Transportation Plan

There were no ex-parte communications disclosed.

There were no ex-parte communications disclosed relating to site visits.

### **Staff Presentation:**

**Rachel Christopher, Planning Department and the Lincoln Metropolitan Planning Organization (MPO), 555 S. 10th Street, Suite 213, Lincoln, NE** approached and stated that this application is a request is for the annual proposed Transportation Improvement Program

(TIP). This is a document that recognizes transportation projects that are coming up in the next 4 years. Christopher stated that all projects listed in the form must conform to the plan. A detailed overview was previously presented to the Planning Commission on April 24th. This is for the federal fiscal year 2025-2028. Christopher stated an overview of the programs that are listed on this list. Christopher stated that this can be capital improvements, safety improvements, maintenance, and operations projects. This year, the proposed TIP has several new projects that are being added. Most projects in general are carried forward from year to year. The MPO technical committee meeting was held and recommended approval. The final action would be finalized with the MPO officials meeting.

**Proponents:**

No one approached in support.

**Neutral:**

No one approached in neutral.

**Opposition:**

No one approached in opposition.

Campbell moved to close the public hearing; seconded by Joy.

Motion carried 9-0: Ball, Campbell, Cruz, Ebert, Eddins, Feit, Joy, Rodenburg, and Ryman Yost voting “yes”.

## MEETING RECORD

*Advanced public notice of the Officials Committee meeting was posted on the County-City bulletin board and the Planning Department's website.*

**NAME OF GROUP:** OFFICIALS COMMITTEE MEETING

**DATE, TIME AND PLACE OF MEETING:** May 17, 2024, 2:00 p.m., City Council Chambers, County-City Building, 555 S. 10<sup>th</sup> Street, Lincoln, NE

**MEMBERS AND OTHERS IN ATTENDANCE:** Tom Beckius, Sean Flowerday, Ryan Huff, Rick Vest and S ndra Washington; Mayor Leirion Gaylor Baird absent. Paul Barnes, Rachel Christopher and Teresa McKinstry of the Planning Department; Pam Dingman, Lancaster County Engineer; Richard Meginnis, City Council member; and other interested parties.

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

### **REVIEW AND ACTION ON THE FY 2025-2028 TRANSPORTATION IMPROVEMENT PROGRAM (TIP)**

**PUBLIC HEARING:** May 17, 2024

Members present: Beckius, Flowerday, Huff, Vest and Washington; Mayor Gaylor Baird absent.

Christopher stated that the TIP is a listing of projects for the next four years. The TIP looks at transportation projects and costs. This Proposed TIP is for 2025 through 2028. It can be amended and administratively modified between annual adoptions. The TIP looks at all of Lancaster County. The communities of Bennet, Waverly and Hickman are now represented on our Technical Committee. The TIP is organized into programs for each transportation agency. The Planning section is the newest section of the TIP, which denotes federal funding for transportation planning activities. Projects for the TIP must be found consistent with the LRTP. She wanted to give a little background on how projects are chosen for the TIP. Projects were scored and prioritized as part of the LRTP. Projects are pulled from the LRTP based on priority and availability of funds. For the most part, projects are chosen from the ranked lists in the LRTP, dependent on funding. The funding is broken down by phase, source, and fiscal

year. The map portion of the TIP is now online and interactive. All the agencies involved provide input into the program. The adoption process consists of a Programming and Funding Committee, Technical Committee, Planning Commission, and Officials Committee. There are quite a few new NDOT projects with the Proposed TIP. There is also a new project added to Lincoln Transportation and Utilities' (LTU) program for the S. 27th Street bridge at southeast upper Salt Creek. Also new is a trail in the City of Hickman that received a federal grant; the project is not listed specifically in the LRTP, but staff has found it in general conformance with the plan. A project that was removed is 14th Street and Warlick/Old Cheney Rd project for LTU. This is being taken out, but still is planned to move forward though the timeline of this project is unknown. It is being removed in response to NDOT planned interchange improvements on Highway 77, for which traffic impacts to the area aren't fully known, so LTU is putting this project on pause. There is a trail crossing/underpass to the east of 14th & Warlick Blvd that is still moving forward in the near term. Also removed from LTU's program is an item called Transportation Livable Neighborhoods. It is being removed with the understanding that this category of programs is covered under their Preservation and Optimization initiatives. The TIP will be submitted to the State and FHWA and FTA for approval.

Vest inquired if the TIP is inclusive of all projects in Lancaster County. Christopher stated the TIP is for projects that are receiving State funds, Federal funds or are of regional significance. Federal and state funds are the main reason a project needs to be in the TIP so that for the National Environmental Policy Act (NEPA) environmental review, they want to see that the funds are programmed and available. Vest noted that we have seen Federal and State funds can come through a variety of means. Christopher agreed. There are many Federal funding sources in the TIP. Some are from a competitive grant, others are formula funds.

**ACTION:**

Vest moved approval of the FY 2025-2028 Transportation Improvement Program, seconded by Washington and carried 5-0: Beckius, Flowerday, Huff, Vest and Washington voting 'yes'; Mayor Gaylor Baird absent.





**U.S. Department of Transportation**

**Federal Transit Administration**  
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**Federal Highway Administration**  
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October 4, 2024

Vicki Kramer, Director  
Nebraska Department of Transportation  
P.O. Box 94759  
Lincoln, NE 68509

Director Kramer:

**FHWA/FTA Approval of the Nebraska FY 2025 - 2028 Statewide Transportation Improvement Program**

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 2025-2028 Statewide Transportation Improvement Program (STIP), including the projects from the incorporated Metropolitan Transportation Improvement Programs (TIPs) for Lincoln MPO (City of Lincoln and Lancaster County), South Sioux City (SIMPCO), Omaha (MAPA), and Grand Island (GIAMPO).

The Draft FY 2025-2028 STIP was available for public comment from August 15, 2024 to August 30, 2024. NDOT received no comments on the proposed STIP during this public comment period.

The Metropolitan Area Planning Agency's (MAPA) Board of Directors approved the TIP on June 27, 2024. The Lincoln MPO TIP was approved by the Officials Committee on May 17, 2024. The Siouxland Interstate Metropolitan Planning Council (SIMPCO) TIP Policy Board approved the TIP on July 11, 2024. The Grand Island TIP was approved by the Policy Board on May 28, 2024. NDOT approved all of the Metropolitan TIPs for inclusion into the STIP on July 23, 2024.

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), FHWA and FTA have jointly 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's statewide and metropolitan transportation planning and programming processes meet the Federal requirements. Based on FHWA and FTA review of the FY 2025-2028 STIP, the monitoring activities throughout the year, the MPO's self-certifications, and the enclosed planning finding, the FY 2025-2028 STIP is hereby approved.

If you have any questions or need additional information, please contact Craig Wacker, FHWA, at (402)742-8475 or Gerri Doyle, FTA, at (816)329-3928.

Sincerely,

Cathy Monroe  
For: Carrie Butler  
Regional Administrator  
Federal Transit Administration

Richard Wayne Fedora, P.E.  
Division Administrator  
Federal Highway Administration

cc:

Devin Townsend, P.E. NDOT  
Ryan Huff, P.E. NDOT  
Jarrod Walker, NDOT  
Curtis Nosal, P.E. NDOT  
Jaime Kamarad, NDOT  
Michael Helgerson, MAPA  
David Cary, Lincoln MPO  
Allan Zafft, GIAMPO  
Michelle Bostinelos, SIMPCO

## **Nebraska FY 2025-2028 STIP FHWA and FTA Joint Planning Finding**

As part of the stewardship and oversight 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 hereby find that the projects included in the fiscal year 2024-2027 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. This joint finding is based on the certification of the statewide transportation planning process for and within Nebraska as well as FHWA's and FTA's ongoing participation in both statewide and metropolitan transportation planning processes (including certification reviews conducted in transportation management areas).

### **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 2025-2028 STIP, it was noted that the apportionment amounts and beginning balance forecasts were inaccurate with actual end of year balances. The main reason for this discrepancy is that the NDOT STIP was prepared prior to the fiscal year ending. FHWA and FTA recognizes a substantial portion of the NDOT, and the MPOs' programs were obligated between the time the STIP was prepared and the end of the 2024 federal fiscal year. To address this issue, please ensure the next STIP amendment accurately portrays the beginning balances.

NDOT approved all the MPO TIPs on July 23, 2024 for inclusion into the NDOT 2025-2028 STIP. The MPOs' TIPs were approved by their respective policy committees on the following dates:

- The Metropolitan Area Planning Agency's (MAPA) Board of Directors approved the TIP on June 27, 2024.
- The Lincoln MPO (City of Lincoln and Lancaster County) TIP was approved by the Officials Committee on May 17, 2024.
- The Siouxland Interstate Metropolitan Planning Council (SIMPCO) TIP Policy Board approved the TIP on July 11, 2024.

- The Grand Island TIP was approved by the Policy Board on May 28, 2024.

FHWA and FTA have jointly determined that the FY 2025-2028 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 most recently in July 2024. 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. FHWA is available to assist NDOT in continuing to update the STIP Development Guidelines upon request.

### **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 draft STIP is posted on the website and made available at the eight district offices.

In addition, NDOT prepares a news release for media outlets informing the public that the draft STIP is available for public comment. The 2025-2028 STIP outreach was disseminated as follows:

- A press release to 4,922 recipients, including 315 media outlets statewide.
- A Tweet to 34,600 NDOT followers.
- Gov. Delivery (web-based email subscription service) note to the 2,621 subscribers of RSS feed of NDOT Twitter page.
- Gov. Delivery note to the 1,209 subscribers of the NDOT STIP page.

In addition to the STIP, NDOT prepares a six- year surface transportation program book. 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 latest six-year surface transportation book can be found at the following link: [NDOT six-year transportation program book](#)

The Draft FY 2025-2028 STIP was available for public comment from August 15, 2024 to August 30, 2024. NDOT received no comments on the proposed STIP during this public comment period.

### **Self-Certification Statements:**

The self-certification statements are an opportunity for the MPOs and NDOT to present how they have incorporated participation in the transportation planning process -- be it citizens or contractors. These 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.

In accordance with 23 CFR 450.220 (a), NDOT has completed its self-certification requirements and has posted the statement as part of their letter transmitting the STIP to FHWA and FTA. In addition, each of the MPO self-certifications are included by reference, as required under 23 CFR 450.336 (a). NDOT and each of the MPOs have self-certified that the transportation planning process is being carried out in accordance with all applicable requirements found in 23 CFR 450.220 (a) and 23 CFR 450.336 (a), respectively.

### **Planning Finding:**

Corrective Action: Items that are compliance issues failing to meet one or more requirements of the federal planning statute and regulations.

Recommendation: Items that address technical improvements to the conditions described by the observation involving processes or procedures that are not regulatory.

### **Corrective Action:**

There are no corrective actions identified for the FY 2025 Planning Finding.

### **Recommendations:**

FHWA noted there are projects programmed in the STIP or currently in the environmental phase which FHWA consider major projects. FHWA requires any project with total project costs over \$100 million to have a financial plan. Any project over \$500 million must have a financial plan, a project management plan, and a cost estimation process. FHWA will work with NDOT in the upcoming fiscal year to ensure these requirements are met on the upcoming Major Projects.

FHWA and FTA recommend NDOT analyze the process for outreach to ensure the STIP development and outreach process is adequately capturing public comment, providing for local official participation, and consultation with Tribal governments on the STIP. Consultation referring to a meeting conducted in person or by other appropriate means where there is a meaningful, timely, and clear exchange of information between heads of an agency and Tribal governments or their designated officials; and is pre-decisional. There may be opportunities to enhance engagement in the STIP development process, including how NDOT is targeting the public, local officials, and Tribal governments when requesting comment. A potential area of focus could be determining if the engagement methods are adequately reaching all demographics and communities to encourage greater engagement and comments on the program. FHWA is available to assist NDOT develop and enhance engagement activities as described in 23 CFR Part 450.210.

FHWA and FTA recommend NDOT conduct a process mapping exercise that examines all aspects of planning for programming and completing projects. With the turnover in leadership and technical positions it would be good for NDOT to have all the pieces mapped out and a solid understanding of everyone's roles and responsibilities. FHWA would advise taking a specific look at LRTP and TIP consistency with MPO's, and the cost estimation process as these are the most common reasons for STIP Amendments. FHWA would be happy to participate and assist in any type of process mapping exercise.



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