

**Major Amendment #2  
to the  
2022-2025 Transportation Improvement Program  
for the  
Green Bay Urbanized Area**



**Brown County Planning Commission/  
Metropolitan Planning Organization (MPO) for the Green Bay Urbanized Area  
May 2022**



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 <http://www.co.brown.wi.us/>. Click on Departments, Planning, Transportation, and 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 on Facebook at: <https://www.facebook.com/pages/Brown-County-Planning-Commission-Green-Bay-MPO/751165931582219> or on Twitter at <https://mobile.twitter.com/BCPCGreenBayMPO>.

On the Cover. Manitowoc Road, from Allouez Avenue to Kewaunee Road (STH 29), under construction in 2021. The Brown County Planning Commission Board of Directors (MPO Policy Board) approved use of Federal Surface Transportation Block Grant (STBG) Program funds for the project. Local funds are provided by the Village of Bellevue.

**RESOLUTION NO. 2022-03**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
BROWN COUNTY PLANNING COMMISSION APPROVING  
MAJOR AMENDMENT #2 TO THE  
2022-2025 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 #2 to the 2022-2025 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 4<sup>th</sup> day of May 2022.

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 any programming or funding changes related to the urbanized area's federally funded road, highway, and public transit projects are proposed.

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

## **BIL FFY 2022 Funding Opportunity Overview**

The new federal transportation law, the Bipartisan Infrastructure Law (BIL), continues with the Surface Transportation Block Grant (STBG) Program. BIL will provide federal transportation funding above previous levels for a five year period, beginning with FFY 2022.

### Allocation of STBG Funds

The BIL requires the Wisconsin Department of Transportation (WisDOT) to continue the practice of suballocating STBG funding to Metropolitan Planning Organizations (MPOs), that is, urbanized areas with populations of 50,000 or more. Because the Green Bay Urbanized Area exceeds 50,000 people, the Green Bay MPO has the ability to select its own projects.

Under the STBG Program, a variety of surface transportation projects are eligible. However, STBG funds are required to cover between 50% and 80% of the total project cost.

### Current STBG Program

The Green Bay MPO has a current five-year 2023-2027 funding capacity of \$17,643,730. Projects that have already been approved for funding during this period include:

Libal Street in Allouez	Country Club Road in Green Bay
Allouez Avenue in Bellevue	CTH EE (Grant St) at Mid Valley Dr roundabout in Lawrence
Lawrence Drive in De Pere	Mather Street in Green Bay

### Additional FFY 2022 STBG Funds Provided by the BIL

On January 31, 2022, WisDOT announced an opportunity to apply for the additional STBG funds provided by the BIL. The first application opportunity will be for FFY 2022 STBG funds, and the second application opportunity will be for FFY 2023-2026 STBG funds. Immediately after this announcement, WisDOT staff and MPO staff reached out to entities encouraging the submittal of project applications for FFY 2022 funds before the April 1, 2022 submittal deadline.

WisDOT Central Office informed the MPO staff of an additional \$1,091,682 available for Green Bay Urbanized Area projects.

### Applications Submitted for the Additional FFY 2022 STBG Funds

The Green Bay MPO received two applications for the additional FFY 2022 STBG funds. The projects were reviewed by WisDOT staff and deemed eligible for funding. The projects are summarized on the following pages.

## Village of Howard

Project: Replace pavement on Cardinal Lane from Telluride Trail to Lineville Road using hot asphalt mix

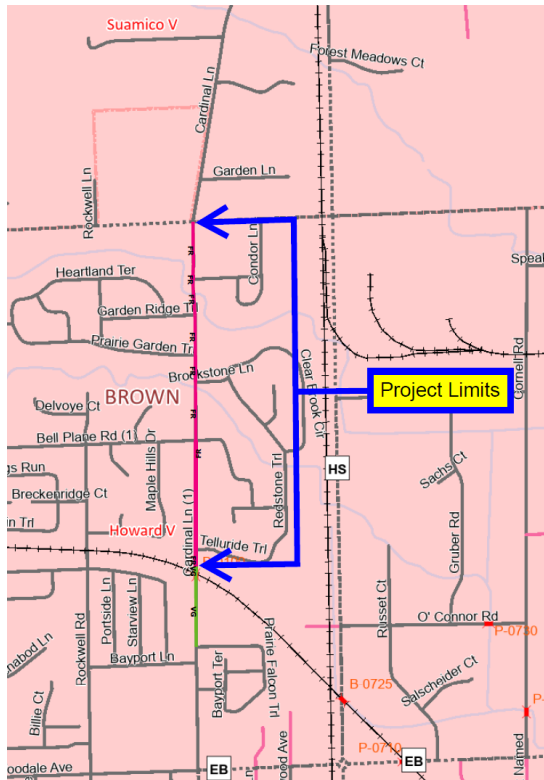
Length: 4,200'

Total Cost: \$999,080

Federal Request: \$799,264

Local Share: \$199,816

### Cardinal Lane Project Location and Photo





## Green Bay Metro

Project: Up to three 35' clean diesel buses or up to two 35' electric buses

Description: Green Bay Metro provides public transportation (fixed route, paratransit, and microtransit) within the Green Bay Urbanized Area, which includes the Cities of Green Bay and De Pere and the Villages of Allouez, Ashwaubenon, and Bellevue. Green Bay Metro's service area covers 91.5 square miles with a population of 179,907. The current fixed route system includes 11 full-service routes, three limited-service routes, and four game day routes. Green Bay Metro's current fleet has 10 buses that have reached or exceeded their federally-defined useful lifespans.

### Three 35' clean diesel buses (\$600,000 each)

Total Cost: \$1,800,000

Federal Request: \$1,440,000

Local Share: \$360,000

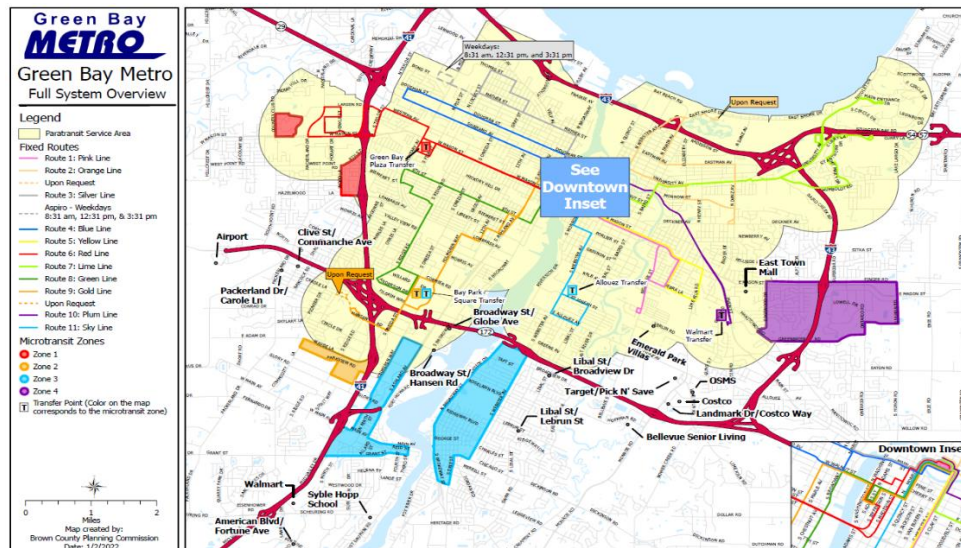
### Two 35' electric buses (\$1,125,000 each)

Total Cost: \$2,250,000

Federal Request: \$1,800,000

Local Share: \$450,000

## Green Bay Metro Services April 2022



### MPO Staff Recommendation

Since the dollar amount requested for the two projects exceeds the amount of funding available, staff developed five funding scenarios which can be seen on the table on the following page. It is also important to note that the federal share awarded to each project must fall between 50% and 80% of the total project cost.

The MPO staff recommends **Scenario A**, which includes the following:

#### **Cardinal Lane**

Project Cost: \$999,080

Federal Funding Request (at 80%): \$799,264

Staff Recommendation: **\$611,682 or 61.2% of the total project cost**

#### **Green Bay Metro – Three Clean Diesel Buses**

Project Cost: \$1,800,000

Federal Funding Request (at 80%): \$1,440,000

Staff Recommendation: **\$480,000 or 80% of one clean diesel bus**

Because there is not enough additional FFY 2022 money to fund the Howard and Green Bay Metro projects as submitted without violating federal funding regulations, staff believes that Scenario A offers the most equitable method of funding both projects while ensuring that the MPO allocates all of its additional FFY 2022 STBG funding.

### Brown County Planning Commission Transportation Subcommittee Recommendation

The Transportation Subcommittee met on April 25 to discuss the merits of the projects and make a funding recommendation to the Brown County Planning Commission Board of Directors for its consideration on May 4. The subcommittee recommended funding Scenario A.

### Brown County Planning Commission Board of Directors

The Brown County Planning Commission Board of Directors met on May 4, 2022 and approved the allocation of STBG funds as recommended by the Transportation Subcommittee and as shown in Scenario A.



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Project Sponsor	Project Description	FFY 2022 Requests			Scenario A		Scenario B		Scenario C		Scenario D		Scenario E	
		Federal (80% maximum)	Local (20% minimum)	Total	Federal Amount	Percent	Federal Amount	Percent	Federal Amount	Percent	Federal Amount	Percent	Federal Amount	Percent
Village of Howard	Cardinal Lane Lineville Rd to Telluride Trail Resurface .80 miles	\$799,264	\$199,816	\$999,080	\$611,682	61.2%	\$682,066	68.3%	\$791,682	79.2%	\$529,182	53.0%		
Green Bay Metro	Clean Diesel Bus (1) For service in Green Bay, De Pere, Allouez, Ashwaubenon, & Bellevue	\$480,000	\$120,000	\$600,000	\$480,000	80.0%	\$409,616	68.3%	\$300,000	50.0%			\$480,000	80.0%
Green Bay Metro	Clean Diesel Bus (1) For service in Green Bay, De Pere, Allouez, Ashwaubenon, & Bellevue	\$480,000	\$120,000	\$600,000										
Green Bay Metro	Clean Diesel Bus (1) For service in Green Bay, De Pere, Allouez, Ashwaubenon, & Bellevue	\$480,000	\$120,000	\$600,000										
Green Bay Metro	Electric Bus (1) For service in Green Bay, De Pere, Allouez, Ashwaubenon, & Bellevue	\$900,000	\$225,000	\$1,125,000							\$562,500	50.0%	\$611,682	54.4%
Green Bay Metro	Electric Bus (1) For service in Green Bay, De Pere, Allouez, Ashwaubenon, & Bellevue	\$900,000	\$225,000	\$1,125,000										
<b>Total:</b>					<b>\$1,091,682</b>		<b>\$1,091,682</b>		<b>\$1,091,682</b>		<b>\$1,091,682</b>		<b>\$1,091,682</b>	

## Other Additions and/or Modifications to Federally Funded Projects

The subsequent table reflects federal funding program changes reported to the MPO by WisDOT.

### Road and Highway (Projects shown in 1,000s)

Primary Jurisdiction Project Sponsor	Project Description	Type of Cost	Jan - Dec 2022				Action
			Federal	State	Local	Total	
WisDOT	I-41	DESIGN	405	45	0	450	WisDOT added to program.
	Parkview Rd to STH 29	RE				0	
	Remove approach slabs (10) on end of structures & replace with concrete	CONST				0	
	1130-74-00, 71	TOTAL	405	45	0	450	
158-22-017 (2022)	5.35 miles P		NHPP				

The table below reflects the Transportation Alternatives Program (TAP) projects approved by the Brown County Planning Commission at its April 6, 2022 meeting. The projects are being added to the TIP via the major amendment process.

**Transportation Alternatives Program (TAP)**  
(Projects shown in 1,000s)

Primary Jurisdiction Project Sponsor	Project Description	Type of Cost	Jan - Dec 2023				Jan - Dec 2024				Action
			Federal	State	Local	Total	Federal	State	Local	Total	
Brown County  158-22-201 (2024)	Fox River State Trail Mill & repave 6 miles of the trail between Porlier St (Green Bay) & CTH X (De Pere)	DESIGN				0				0	MPO approved project on April 6, 2022
		RE				0				0	
		CONST				0	841	0	210	1,051	
		TOTAL	0	0	0	0	841	0	210	1,051	
							TAP - Approved				
City of Green Bay  158-22-202 (2024)	New Sidewalks Manitowoc Rd (Main to Hemlock) both sides, Pecan St (Main to Manitowoc) north side, & Hemlock Dr (Manitowoc to Edgewood) both sides  Note: The city will be requesting an additional \$91,333 (design) and \$250,506 (construction) from the BIL allocation. The additional funds will be considered by the BCPC in the fall of 2022.	DESIGN	91	0	23	114				0	MPO approved project on April 6, 2022.
		RE				0				0	
		CONST				0	429	0	420	849	
		TOTAL	91	0	23	114	429	0	420	849	
			TAP - Not approved				TAP - Approved				

The table shown below reflects federal funding program changes reported to the MPO by Green Bay Metro.

**Green Bay Metro**  
(Projects shown in 1,000s)

Primary Jurisdiction Project Sponsor	Project Description	Type of Cost	CY 2022				Action
			Federal	State	Local	Total	
Green Bay Metro	Equipment & Facility Improvements						
158-21-105 (2022)	HVAC System / Air Conditioner	EQUIP	510	0	128	638	\$236,000 increase - replacement all in one year
158-22-105 (2022)	Bus Radios	EQUIP	105	0	26	131	\$6,000 increase in cost estimate
158-22-109 (2022)	CAD/AVL	EQUIP	520	0	130	650	Project Added
158-22-110 (2022)	Electronic Boards	EQUIP	96	0	27	123	Project Added
158-21-115 (2022)	BUS (brand) Video Surveillance	EQUIP	192	0	48	240	Project Added
		TOTAL	1,423	0	359	1,782	
			Section 5339				

The subsequent table reflects federal funding program changes reported to the MPO by WisDOT.

**Specialized Transportation**  
(Projects shown in 1,000s)

Primary Jurisdiction Project Sponsor	Project Description	Type of Cost	Jan - Dec 2022				Action
			Federal	State	Local	Total	
Northeastern Wisconsin Community Action Program (NEWCAP)	Mobility Management and My Garage Program						
	Mobility Management/loans	CAPITAL	112	0	28	141	Minor changes in funding and source. Processed via Administrative Modification at the request of WisDOT on March 16, 2022
	Operating	OPER	55	0	55	110	
	Additional MM funds via Southwestern Wisconsin Community Action Program (SWCAP)						
	Additional operating funds via Southwestern Wisconsin Community Action Program (SWCAP)						
	*NEWCAP'S My Garage is a stability and self-sufficiency program that provides simple repairs and maintenance on cars owned by seniors, persons with disabilities, and/or low-income residents of five Northeastern Wisconsin counties, including Brown. Work is performed by NWTC students.	TOTAL	167	0	83	251	
158-22-504			Section 5310				

## **Fiscal Constraint Demonstration**

*Major Amendment #2 to the 2022-2025 Transportation Improvement Program for the Green Bay Urbanized Area* is fiscally constrained as demonstrated below and per federal requirements.

## Fiscal Constraint Demonstration

Funding Source		Programmed Expenditures					Estimated Available Funding				
Agency	Program	2022	2023	2024	2025	Total	2022	2023	2024	2025	Total
FHWA	STBG (MPO Allocation)	\$2,252,682	\$3,749,600	\$5,271,000	\$6,487,000	\$17,760,282	\$2,252,682	\$3,749,600	\$5,271,000	\$6,487,000	\$17,760,282
	BUILD	\$15,517,000	\$1,016,000	\$0	\$0	\$16,533,000	\$15,517,000	\$1,016,000	\$0	\$0	\$16,533,000
	STBG (WisDOT)	\$1,079,000	\$1,134,000	\$854,000	\$2,653,000	\$5,720,000	\$1,079,000	\$1,134,000	\$854,000	\$2,653,000	\$5,720,000
	HSIP	\$1,958,000	\$240,000	\$240,000	\$240,000	\$2,678,000	\$1,958,000	\$240,000	\$240,000	\$240,000	\$2,678,000
	NHPP	\$45,451,000	\$21,235,703	\$3,408,000	\$78,823,800	\$148,918,503	\$45,451,000	\$21,235,703	\$3,408,000	\$78,823,800	\$148,918,503
	CRRSAA	\$0	\$1,666,297	\$0	\$0	\$1,666,297	\$0	\$1,666,297	\$0	\$0	\$1,666,297
	TA - STBG Set-Aside	\$419,000	\$0	\$1,269,820	\$0	\$1,688,820	\$419,000	\$0	\$1,269,820	\$0	\$1,688,820
	Total	\$66,676,682	\$29,041,600	\$11,042,820	\$88,203,800	\$194,964,902	\$66,676,682	\$29,041,600	\$11,042,820	\$88,203,800	\$194,964,902
FTA	Section 5307/CARES	\$2,794,000	\$0	\$0	\$0	\$2,794,000	\$2,794,000	\$0	\$0	\$0	\$2,794,000
	Section 5310	\$239,773	\$0	\$0	\$0	\$239,773	\$239,773	\$0	\$0	\$0	\$239,773
	Section 5309/5339	\$2,414,000	\$540,000	\$0	\$0	\$2,954,000	\$2,414,000	\$540,000	\$0	\$0	\$2,954,000
	Total	\$5,447,773	\$540,000	\$0	\$0	\$5,987,773	\$5,447,773	\$540,000	\$0	\$0	\$5,987,773

\* Several projects were approved under MAP-21 and will be implemented under FAST Act. STP renamed Surface Transportation Block Grant Program in Fast Act. Select projects may be located both in and outside of the urbanized area boundary (For example: I-41 Expansion project).



### **Public Comment Period and Public Hearing**

MPO staff conducted a 15-day public comment period and a public hearing was held on May 4, 2022.

The public participation documents can be seen in the appendices of this amendment report.

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

The Transportation Subcommittee met on April 25 and made a recommendation to the Brown County Planning Commission Board of Directors for approval of the amendment.

### **Brown County Planning Commission Board of Directors Action**

The Brown County Planning Commission Board of Directors approved the amendment on May 4, 2022 by a vote of 18-0.

## 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 #2 to the 2022-2025 Transportation Improvement Program (TIP) for the Green Bay Urbanized Area.***

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

*link provided*

The public review period and comment period will occur between April 20, 2022 and May 4, 2022.

If you would like to submit comments, please mail, or email your comments by May 4, 2022, 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, May 4, 2022  
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 #2 to the 2022-2025 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, May 4, 2022 - 6:30 pm  
Green Bay Metro Transportation Center  
901 University Avenue, Commission Room  
Green Bay, 54302

#### ROLL CALL:

Paul Blindauer	<u>EXC</u>	Mark Handeland	<u>X</u>	Jonathon LeRoy	<u>X</u>
Corrie Campbell	<u>X</u>	Matthew Harris	<u>X</u>	Dan Lindstrom	<u>EXC</u>
Devon Coenen	<u>X</u>	Phil Hilgenberg	<u>EXC</u>	Jenny Nelson	<u>ABS</u>
Norbert Dantine, Jr.	<u>X</u>	Pat Hopkins	<u>X</u>	Gary Pahl	<u>X</u>
Steve Deneys	<u>X</u>	Elizabeth Hudak	<u>X</u>	Dan Segerstrom	<u>X</u>
Dean Erikson	<u>ABS</u>	Emily Jacobson	<u>X</u>	Glen Severson	<u>EXC</u>
Geoff Farr	<u>ABS</u>	Dotty Juengst	<u>X</u>	Mark Thomson	<u>EXC</u>
Steve Gander	<u>X</u>	Dave Kaster	<u>X</u>	Matthew Woicek	<u>X</u>
Mike Goral	<u>X</u>	Patty Kiewiz	<u>EXC</u>		
Steve Grenier	<u>X</u>	Joy Koomen	<u>ABS</u>		

**Others Present:** Cole Runge, Lisa Conard, Karl Mueller &, Kathy Meyer

- 4. Public Hearing:** Draft major Amendment #2 to the 2022-2025 Transportation Improvement Program (TIP) for the Green Bay urbanized Area.

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.

**Appendix C**  
**Legal Notice Affidavit**



**PRESS-GAZETTE**  
**media**  
A GANNETT COMPANY

**STATE OF WISCONSIN**  
**BROWN COUNTY**

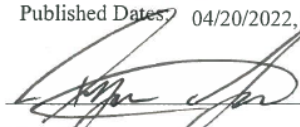
**BROWN COUNTY PLANNING LEGALS**

**305 E WALNUT ST STE 320**

**GREEN BAY WI 543015027**

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

Account Number: GWM-284368  
Order Number: 0005224622  
Total Ad Cost: \$66.16  
Published Dates: 04/20/2022, 04/27/2022

  
Legal Clerk

State of Wisconsin  
County of Brown  
Subscribed and sworn to before on April 27, 2022

  
Notary Public State of Wisconsin, County of Brown

5.15.23  
My Commission Expires

# of Affidavits 1  
This is not an invoice

NANCY HEYRMAN  
Notary Public  
State of Wisconsin

NOTICE OF REQUEST  
FOR COMMENTS AND  
NOTICE OF PUBLIC HEARING ON  
THE DRAFT MAJOR AMENDMENT #2  
TO THE 2022-2025 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 #2 to the 2022-2025 Transportation Improvement Program (TIP) for the Green Bay Urbanized Area.

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

The public hearing will take place on:  
Wednesday, May 4, 2022  
Green Bay Metro  
901 University Avenue  
Green Bay, WI  
6:30 p.m.

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

The public review and comment period for the amendment is scheduled for April 20 through May 4, 2022.

Written comments should be mailed to Lisa J. Conard, Brown County Planning Commission, PO Box 23600, Green Bay, WI 54305-3600 by May 4, 2022.

Published by  
Patrick Moynihan, Jr.  
County Clerk  
Run: April 20, 27, 2022 WNAXLP

**RECEIVED**

**MAY 03 2022**

**Brown County Planning  
and Land Services**

BROWN COUNTY PLANNING LEGALS

Re: PH: Draft Major Amendment #2

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

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PHONE 920-431-8298  
FAX 877-943-0443  
EMAIL [legals@greenbaypressgazette.com](mailto:legals@greenbaypressgazette.com)

## **Appendix D**

### **Comments Received**

No comments were received.

# Appendix E

## Self-Certification Summary

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

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

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

The 10 requirements for self-certification are summarized below.

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

#### **The Brown County Non-Discrimination Policy is as follows:**

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



**Wisconsin Department of Transportation**  
Office of the Secretary  
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May 26, 2022

Glenn Fulkerson  
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U.S. Department of Transportation  
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Kelley Brookins  
Regional Administrator  
Federal Transit Administration  
U.S. Department of Transportation  
200 W. Adams Street, Suite 320  
Chicago, Illinois 60606

Dear Mr. Fulkerson and Ms. Brookins:

Under the authority delegated to me by Governor Tony Evers, I am hereby approving the Brown County Planning Commission's amendment to the 2022-2025 Transportation Improvement Program (TIP) for the Green Bay urbanized area. The amendment was approved and adopted by the Brown County Planning Commission on May 4, 2022. We will reflect by reference the 2022-2025 federal aid projects covered by this approval in our 2022-2025 Statewide Transportation Improvement Program (STIP).

Copies of the TIP Amendment 2 and Resolution Number 2022-03 for the Brown County Planning Commission are enclosed. This TIP amendment represents a comprehensive, continuous, and cooperative effort between the MPO, local communities, affected transit operators, and the Wisconsin Department of Transportation (WisDOT), and is designed to meet the objectives of Title 23 USC 134 and 135 and their implementing regulations 23 CFR 450 and the MPO regional transportation system plan.

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

Sincerely,

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

Craig Thompson  
Secretary

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