



U.S. Department
of Transportation

**Federal Highway
Administration**

Federal Transit Administration

November 12, 2024

FHWA, Minnesota Division
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St. Paul, MN 55101-4802

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200 West Adams St, Ste 320
Chicago, IL 60606-5253

Nancy Daubenberger
Commissioner of Transportation
Minnesota Department of Transportation
MS 100, Transportation Building
St. Paul, Minnesota 55155

Subject: Approval of Minnesota's FY 2025 – 2028 STIP and FHWA/FTA Federal Planning Finding

Dear Commissioner Nancy Daubenberger:

The following letter is in response to the Minnesota Department of Transportation's (MnDOT) transmittal of the Fiscal Year (FY) 2025 – 2028 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 (FPF) in conjunction with the STIP approval. The FPF 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 2025 – 2028 FPF. The findings are summarized below:

Commendations

- There are no Commendations included with the 2025-2028 FPF

Recommendations

- Guidance on Developing and Documenting Planning and Environmental Linkages (PEL) Studies

Corrective Actions

- There are no Corrective Actions included with the 2025-2028 FPF

Accordingly, we find that the FY 2025 – 2028 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 and the La Crosse Area Planning Committee's project list. The La Crosse Area Planning Committee's TIP is approved once MnDOT approves and transmits the TIP to FHWA and FTA. The transmittal letter must state that MnDOT has confirmed that the projects identified in the TIP exactly match the projects listed in the STIP.

Approval of the FY 2025 – 2028 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 continuing, cooperative 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 Josh Pearson, FHWA Community Planner at (651) 291-6124, or Susan Weber, FTA Community Planner at (312) 353-3888.

Sincerely yours,

Wendall L. Meyer
Division Administrator
Federal Highway Administration

Kelley Brookins
Regional Administrator
Federal Transit Administration

Attachment

cc: Trang Chu (MnDOT)
Patrick Weidemann (MnDOT)
Philip Schaffner (MnDOT)
Erika Shepard (MnDOT)
Scott Mareck (FHWA)
Josh Pearson (FHWA)
Dena Ryan (FHWA)
Colin Korst (FTA)

Attachment 1

Minnesota Statewide and Metropolitan Planning Finding for the FY 2025 – 2028 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.

2024-2027 STIP Findings

The 2024-2027 STIP FPF identified one commendation and three recommendations. The status of these findings is summarized in Table 1.

Table 1: 2024-2027 STIP Federal Planning Findings and Status

Finding Type	Finding	Status
Commendation	NextGen Highways Working Group	NA
Recommendation	STIP public involvement process	MnDOT has worked over the last few years to document the public involvement process with the ATPs and create ATP webpages to inform and involve the public with the STIP development process.
Recommendation	MPO TIP Actions on TIPs not approved by FHWA and FTA	MnDOT has updated the STIP Amendments and Administrative Modification Guidance to clarify this issue and was sent to FHWA/FTA for approval.
Recommendation	Planning and Environmental Linkages (PEL) studies	Ongoing: MnDOT accepted FHWA’s recommendation and in January 2024 paused all new PEL studies until the Corridor Planning Guidebook process is finalized. MnDOT’s Corridor Planning Guidebook will include information on the benefits of preparing a PEL and when to choose a PEL study instead of a planning corridor study. In addition to the Corridor Planning Guidebook, MnDOT also plans to develop a more specific statewide PEL guidance document at some point in the future that will provide guidance on how to write key elements of a PEL such as purpose and need and alternatives analysis.

2025-2028 STIP Findings

Commendations

There are no Commendations included in the 2025-2028 STIP FPF.

Recommendations

Recommendation #1: Guidance on developing and documenting Planning and Environmental Linkages (PEL) Studies

Observation: Over the past number of years, MnDOT and local governments have undertaken a variety of Planning and Environmental Linkages (PEL) studies following the 23 USC 168 process or the 23 CFR 450 process. FHWA’s experience in participating as a reviewer of these PEL documents is that PEL preparers are using different underlying assumptions and approaches in developing key elements of PEL such as purpose and need and alternatives analysis. PEL documents are not receiving general concurrence from MnDOT OES before submitting to FHWA for review. Often MnDOT OES and FHWA have the same key “red flag” comments that are integral for consistency with future NEPA requirements. These “red flag” comments are being largely disregarded and

are not being addressed in documentation by PEL preparers. These comments are intended to reduce risk to the project development process so if the PEL preparers do not make necessary corrections it creates added delay during the NEPA process negating the benefits of a PEL study.

Finding: The FHWA Division Office recommends MnDOT review its existing internal “PEL Pause” memo dated January 22, 2024 (attached) and redirect all existing/planned PEL studies outlined in this memo to corridor planning studies that do not require PEL guidance or FHWA involvement. It is further recommended that MnDOT and FHWA work together on documenting how to develop PEL study documents. This PEL study document guidance should provide recommendations and best practice examples of how to prepare key elements of PEL such as purpose and need and alternatives analysis. Once this PEL document guidance is developed, the FHWA Division Office will participate in reviews of future PEL documents, as appropriate.

Corrective Actions

There are no Corrective Actions included in the 2025-2028 STIP FPF.

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 listed in this document.