



U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

New Jersey Division Office
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And

FEDERAL TRANSIT ADMINISTRATION

Region 2
One Bowling Green, Room 429
New York, New York 10004-1415

DEC 05 2010

IN REPLY REFER TO:
TRO-2
HDA-NJ

Ms. Diane Guterrez-Scaccetti
Commissioner
New Jersey Department of Transportation
P.O. Box 600
Trenton, New Jersey 08625-0600

Re: Fiscal Year (FY) 2020 – 2024 Statewide Transportation Improvement Program Approval and Federal Planning Findings

Dear Commissioner Guterrez-Scaccetti:

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) of the US Department of Transportation (USDOT) have reviewed the New Jersey Department of Transportation's (NJDOT) FY 2020 – 2024 Statewide Transportation Improvement Program (STIP). Based on this review, FHWA and FTA find that the FY 2020 – 2024 STIP is based on a transportation planning process that is in compliance with the requirements of 23 U.S.C. § 134 and 135, 49 U.S.C § 5303 - 5306, and 23 CFR 450 subparts A, B, and C.

The USDOT also finds that New Jersey's Metropolitan Transportation Improvement Programs (TIPs) and the Long Range Transportation Plans (LRTP) are adequately based on a continuing, comprehensive, and cooperative planning process as carried out by the NJDOT, New Jersey Transit, the North Jersey Transportation Planning Authority, the Delaware Valley Regional Planning Commission, and the South Jersey Transportation Planning Organization in accordance with the requirements of 23 U.S.C § 134 and 49 U.S.C. § 5303 and 5313.

The FHWA and FTA, in concurrence with the United States Environmental Protection Agency, have determined that conformity has been demonstrated for the FY 2020 – 2024 STIP and each of the LRTPs for all non-attainment and maintenance areas of New Jersey. These findings are consistent with the State Implementation Plan and adequately address and conform to the

requirements contained in the Federal Conformity Rule and the Clean Air Act and its subsequent amendments.

FHWA and FTA have jointly determined that the FY 2020 – 2024 STIP is in compliance with the requirements and is hereby approved. In support of our determination, attached is a planning finding that contains recommendations and observations to help strengthen the transportation planning and program development process.

Approval of the STIP does not constitute project or grant approval. Both FHWA and FTA may need additional information on some of the projects in the approved STIP when a project agreement or grant submission approval is requested.

We look forward to the continued cooperation of you and your staff in efforts to carry out the statewide and metropolitan planning processes in an effective manner.

If you have any questions, please contact either Sutapa Bandyopadhyay at (609) 637-4230 or Donald Burns (212) 668-2203.

Sincerely,

for



Robert Clark
Division Administrator
Federal Highway Administration
New Jersey Division



Stephen Goodman, P.E.
Regional Administrator
Federal Transit Administration
Region 2

cc: S. Bandyopadhyay, FHWA-NJ
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**FHWA New Jersey Division/FTA Region 2 Review Documentation
in support of the
FHWA/FTA PLANNING FINDINGS
and approval of the
NEW JERSEY DEPARTMENT OF TRANSPORTATION
FY 2020 – 2024 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM**

Introduction

In order to approve the Statewide Transportation Improvement Program (STIP), including the Transportation Improvement Programs (TIPs) contained by reference or directly in the STIP, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) must make a finding that the STIP and TIP(s) are based on a transportation planning process that meets the requirements of 23 U.S.C. § 134 and 135, 49 U.S.C. § 5303 – 5306, and 23 CFR 450 and that TIPs are consistent with the metropolitan transportation plans produced by the comprehensive, cooperative, and continuing planning process carried out by the metropolitan planning organizations (MPOs) involving the State(s), and the public transit operator(s).

The statewide and metropolitan planning finding is based on the self-certification statements submitted by NJDOT and the MPOs under 23 CFR 450.220 and 23 CFR 450.336. It is also based upon the review of supporting documentation, routine FHWA/FTA involvement in the statewide and metropolitan planning process, public involvement, and fiscal constraint determination.

This documentation supports the planning finding for the New Jersey Department of Transportation’s (NJDOT’s) FY 2020 – 2024 STIP and the incorporated TIPs for the following MPOs: Delaware Valley Regional Planning Commission, North Jersey Transportation Planning Authority, and South Jersey Transportation Planning Organization.

Recommendations and Observations of the Planning Process

The table below identifies the recommendations and observations that have been identified by FHWA and FTA.

FINDING	TOPIC	DESCRIPTION
Recommendation	Written Provisions for Performance-Based Planning and Programming (PBPP) Agreement	NJDOT, the MPOs, and the public transit operators must jointly agree upon and develop written provisions in accordance with 23 CFR 450.314 (h). The agreement provides flexibility such that the agreement may be included as part of the metropolitan planning agreements or documented in some other form as cooperatively determined by NJDOT, the MPOs and operators of public transportation.

		<p>The current written agreement does not include any operators of public transportation. NJDOT and the MPOs must continue to work to bring operators of public transportation as signatories either to the written agreement or in some other format.</p>
Recommendation	Civil Rights/Title VI	<p>Because of Transportation Management Areas Certification Reviews conducted in 2018 for NJTPA and DVRPC, and in 2019 for SJTPO, all the three MPOs were issued corrective actions in the Civil Rights/Title VI area.</p> <p>NJDOT should strengthen its Civil Rights office so that it is able to assist the MPOs to comply with the requirements of Title VI of the 1964 Civil Rights Act and other federal non-discrimination policies and statutes, as required for all recipients of federal funds.</p>
Recommendation	Public Participation Plan/Process	<p>NJDOT works in a collaborative environment with the MPOs for collecting public comments on STIP. The NJDOT website provides information about each of the MPO's TIP and STIP public participation processes, public meeting place and time. However, this information is still not highlighted on the front page of the agency website for high visibility and easy access.</p> <p>Thus, we recommend that NJDOT provide an easy to understand public participation document as well as revamp its website to provide clear directions on how interested parties can participate in the transportation planning process.</p>
Recommendation	Statewide Long Range Transportation Plan	<p>The current Statewide Long Range Transportation Plan (LRTP) entitled Transportation Choices 2030 was last updated in 2008. Since the 2008 update, there have been several federal transportation legislations and since the passage of MAP-21, the FAST Act, and the update of 23 CFR 450, the implementation of performance management is now required in the administration of the planning process and delivery of the Federal-aid program.</p> <p>NJDOT should update its LRTP to align with the performance management requirements and the 20-year forecasting period in accordance with 23 CFR 450.216 (a) and 23 CFR 450.216(f).</p>

Conclusion and Findings

FHWA and FTA note that the new FY 2020 – 2024 STIP is consistent with the Metropolitan Transportation Plans (MTPs) and incorporates Transportation Improvement Programs (TIPs) without change.

In accordance with 23 CFR 450, and based upon the NJDOT and MPO self-certification of their statewide and metropolitan transportation planning processes and federal agency routine involvement in the transportation planning process, FHWA and FTA hereby make the following determinations:

- Projects in the 2020 – 2024 STIP are based on a planning process that meets the requirements of 23 U.S.C. § 134 and 135, 49 USC § 5303 and 5304, and 23 CFR 450 Subparts A, B, and C, and other applicable requirements.
- The metropolitan TIPs are based on a continuing, comprehensive transportation planning process carried out cooperatively by the State, MPOs, and transit operators in accordance with the provisions of 23 U.S.C. § 134 and 135 and 49 U.S.C. § 5303 – 5306, and 23 CFR 450 subparts A, B, and C.