

RESOLUTION 1 - 2012

APPROVING THE (UPDATED)

2012 -2015 La Crosse and La Crescent Metropolitan Area Transportation Improvement Program

WHEREAS, the La Crosse Area Planning Committee approved the *2012 - 2015 La Crosse and La Crescent Metropolitan Area Transportation Improvement Program* (TIP) on November 16, 2011, and

WHEREAS, the Minnesota and Wisconsin DOTs have not approved the TIP as submitted, and:

WHEREAS, since the adoption of the TIP, the Minnesota and Wisconsin DOTs have issued an Environmental Assessment for the I-90 Dresbach Bridge reconstruction project including alternatives acceptable to the LAPC, and

WHEREAS, the La Crosse Area Planning Committee has prepared an updated *2012 - 2015 La Crosse and La Crescent Metropolitan Area Transportation Improvement Program* (TIP) dated January 18, 2012, and

WHEREAS, the I-90 Dresbach Bridge project is included in the following TIP projects:

243-10-011	I-90 Dresbach Bridge Replacement (Wisconsin)
243-10-015	Dresbach Bridge 9320 Over Mississippi river (Minnesota), and

WHEREAS, the U. S. Department of Transportation regulations require the development and approval of a Transportation Improvement Program (TIP) for the metropolitan planning area by the Metropolitan Planning Organization (MPO); and

WHEREAS, the U. S. Department of Transportation regulations provide for self-certification that the urban transportation planning process is being carried out in conformance with all applicable requirements of federal law; and

WHEREAS, the MPO was created through an Inter-municipal Agreement approved by all local units of government located within the La Crosse urbanized area as the urban planning body responsible for performing urban transportation planning; and

WHEREAS, the MPO is recognized by the Governors of Minnesota and Wisconsin as the transportation planning policy body for the La Crosse/La Crescent area; and

WHEREAS, the La Crosse Area Planning Committee adopted the *2035 La Crosse and La Crescent Metropolitan Area Transportation Plan* on September 1, 2010; and

WHEREAS, federal regulations dictate that projects included in the Transportation Improvement Program are also consistent with the Metropolitan Transportation Plan;

NOW, THEREFORE, BE IT RESOLVED: that the MPO approves the updated *2012 - 2015 La Crosse and La Crescent Metropolitan Area Transportation Improvement Program*, dated January 18, 2012 as being consistent with metropolitan plans and policies; and

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BE IT FURTHER RESOLVED: In accordance with 23 CFR 450.334(a) the La Crosse Area Planning Committee (LAPC) 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:

- 23 U.S.C. 134 and 49 U.S.C. 5303, and this subpart;
- In non-attainment and maintenance areas, Sections 174 and 176 I and (d) of the Clean Air Act as amended (42 U.S.C. 7504, 7506 I and (d)) and 40 CFR part 93;
- Title VI of the Civil Rights Act of 1964, as amended (42 USC 2000d-1) and 49 CFR part 21;
- 49 USC 5332, prohibiting discrimination on the basis of race, color, creed, national origin, ex, or age in employment or business opportunity;
- Sections 1101(b) of the SAFETEA-LU (Pub. L. 109-59) and 49 CFR Part 26 regarding the involvement of disadvantaged business enterprises in the US DOT funded projects;
- 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- 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;
- 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;
- Section 324 of title 23, U.S.C regarding the prohibition of discrimination based on gender; and
- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR 27 regarding discrimination against individuals with disabilities.

BE IT FURTHER RESOLVED: that

- 1) the MPO, Mn/DOT and WisDOT agree that the first year of the TIP constitutes an “agreed to” list of projects for project selection purposes and no further project selection action is required for WisDOT, Mn/DOT or the transit operator to proceed with federal fund commitment; and
- 2) if WisDOT, Mn/DOT or the transit operator(s) wish to proceed with a project(s) not in the first year of the TIP, the MPO agrees that projects from the second or third year of the TIP can be advanced to proceed with federal fund commitment without the MPO being further involved in their project selection; and
- 3) even though an updated TIP has been developed and approved by the MPO, WisDOT and Mn/DOT can continue to seek federal fund commitment for projects in the previous TIP until a new Statewide Transportation Improvement Program (STIP) has been jointly approved by Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA); and
- 4) highway and transit projects reflected in any of the first three years of the approved STIP may be advanced for federal fund commitment without requiring an amendment to the STIP; and
- 5) it is the intent of WisDOT, Mn/DOT and the MPO to advance only projects, including transit operating assistance, that are included in an approved TIP and STIP; and

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- 6) concerning the federal funding sources that the MPO has identified for individual projects in its TIP, it is agreed that WisDOT and Mn/DOT can unilaterally interchange the various FHWA funding program sources without necessitating a STIP or TIP amendment, except that WisDOT must seek MPO staff approval to use Entitlement or Allocated STP funds and CMAQ funds for projects not identified for that source of funding in the TIP.

LA CROSSE AREA PLANNING COMMITTEE

Nancy Proctor, Chair

Tom Faella, Executive Director

Dated: January 18, 2012