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Metropolitan Planning Organization Transportation Policy Committee

MINUTES

Friday, March 31, 2023 (9:00 AM) NLCOG

625 Texas Street, Suite 200
Shreveport, LA 71101

Members Present

Mr. Steven Brown – DeSoto Parish
Dr. Woodrow Wilson – Caddo Parish
Mr. David North – LaDOTD District 04
Mr. Dinero' Washington – SporTran
Mr. Bruce Blanton – Webster Parish
Mr. Butch Ford – Bossier Parish

Members Absent

Mr. Eric England – Port of Caddo-Bossier
Mrs. Carlotta Askew-Brown – MPC City of Bossier City
Mayor Tom Arceneaux – City of Shreveport (Represented by Mr. Washington, but not in a voting capacity)
Mayor Tommy Chandler – City of Bossier City
Mr. Alan Clarke – MPC City of Shreveport

Others Present

Mr. Kent Rogers – NLCOG
Mr. Chris Petro – NLCOG
Ms. Savannah Williams – NLCOG
Ms. Rita Barnette – NLCOG
Dr. Shelly Barrett – NLCOG
Mr. Josh Chevalier – NLCOG Legal Council
Ms. Laura Phillips - FHWA

Call to Order

Mr. Washington called the meeting to order. Mr. Rogers then began a roll call. A quorum was present.

Public Comments

Mr. Washington stated there were public comment requests. He reminded them of the three-minute time maximum.

Senator Barrow Peacock stated he would like an update on I-49 3A and saw where it was on the BOD agenda in January that it would take 4 months, and from his understanding they haven't even approved for Providence to start studying this. Senator Peacock feels that the delay is more on the board again for not being proactive and moving forward with I-49. He stated from his understanding the DOTD hasn't given permission for Providence to study 3A and asked if that was correct. Mr. Rogers stated that wasn't correct and the amendment which is additional funding to go with that scope. He explained that they're using existing funds that are in place right now. Senator Peacock asked if we were still on track for the 4-month time frame from the January meeting and Mr. Kent stated yes, we are.

Linda Biernacki also wanted an update on the I-49 Inner-City Connector. Ms. Biernacki stated that in the meeting on March 10, 2023, with Lt. Governor Nungesser, DOTD and SHPO, many questions came up. When was the request to study an additional and potential alternative requested? Who requested it and is there a copy in the public domain under NLCOG? Is there a copy of this letter requesting to look for this alternative route due to the potential of Allendale being a historic district? Ms. Biernacki states that in Providence's letter dated March 23, 2023, they're requesting this additional supplement for environmental and engineering services necessary to comply with this request, but they don't put in the letter as to whom requested it to study a build alternative. Ms. Biernacki stated that DOTD, Senator Peacock and their local delegation got one hundred million dollars to start this project and asked who is allowing them to use the money on something the public does not want to move forward with? She stated that Lt. Governor Nungesser and Mayor Arceneaux told the Committee 100 members specifically that we're going to get sued no matter what and we're going to head forward so we can handle that lawsuit and move forward. Ms. Biernacki stated that Mr. Rogers came to Committee 100 in 2019 and said they should get a ROD, then again in 2020, then Covid hit, then said again in 2021. She states that Mr. Rogers never brought up the Allendale issue with it potentially becoming a historical district. Ms. Biernacki said that in 2022 Mr. Rogers stated that DOTD and SHPO had a couple of questions that needed to be answered. She stated that they came in January 2023 and low and behold, there's this huge presentation from Providence saying that there's this potential of Allendale being a historic district. Ms. Biernacki said they left the room shocked and this was never brought to their attention. She's asking for them to vote the additional funding down until they can get a handle on exactly what they need to do and what road they need to take.

Patrick Harrison stated that he would like to defer and make his comments to the Board of Directors at the next meeting.

Business

1. Approval of Minutes

The next item on the agenda was for approval of the minutes of the February 17, 2023, meeting. Dr. Wilson motioned, and Mr. Blanton seconded to approve the minutes as provided. Mr. Washington called for questions or comments. Having none, the chair called for a vote and the motion passed.

2. Transportation Improvement Program (TIP) FY 2023-2026 – Update w/DOTD Amendment for Introduction for Public Comment

Mr. Rogers directed the board to their packets and pointed out that there was one change to the TIP at this time and it was an amendment for introduction for public comment for Jimmie Davis bridge (LA 511). Mr. Rogers stated it was an adjustment of the construction phase cost FFY2023 and he's listed out the appropriate funding sources which include one hundred million from ARPA and two hundred sixty-two million from STCASH. Mr. Rogers asked Mr. North to correct him if he was wrong, but his understanding is that the final proposals were received and being reviewed and the selection of those should come within the next week as to who the contractor will be. Mr. North explained that if this is not voted or not awarded and rebid, this move and vote is crucial to that, and it has to do with timing. Mr. Rogers stated again, this is an introduction for public comment.

Mr. Washington asked if there were any further questions. Having none, Mr. Washington entertained a motion to approve the update with DOTD Amendment for Introduction for Public Comment for the Transportation Improvement Program FY 2023-2026, Dr. Wilson motioned, and Mr. Ford seconded. Mr. Washington called for questions or comments. Having none, the chair called for a vote and the motion passed.

3. Unified Planning Work Program for Fiscal Year 2024 – Work Program Tasks FY2024

Mr. Rogers stated that the April 21, 2023, meeting will be for the introduction for public comments for the full work program and he just wanted to go over the tasks and implements required from DOTD and FHWA and what they include for them. Mr. Rogers said the first part of what they have in their slides and in the document is the overall structure of NLCOG, the committees that exist under NLCOG, and the Planning Areas. Those are the various planning areas we operate under. Mr. Rogers then reviewed the UPWP tasks and reviewed items within each task with the committee. Mr. Washington asked what task the passenger rail would fall under, and Mr. Rogers said the transit planning as well. Mr. Washington stated that they did have Amtrak announce over the past month that they are planning to move forward with the I-20 corridor and didn't want that to not be a part of what they are doing as the MPO and wanted it to be put on record. Mr. Washington asked if he needed to entertain a motion for the introduction and Mr. Rogers stated that no he did not. He would be providing the full document for them to review for the upcoming meeting on April 21, 2023, when it will be up for adoption.

Project Updates

1. Louisiana Watershed Initiative – Round Two Project Funding and Assessment

Mr. Rogers stated that round two for the Watershed Initiative was released and the pre-application period is open to apply until May 1, 2023. All public entities are eligible applicants. The largest project that region one received was for the mitigation by bio-med. Savannah and Heidi have been calling around to smaller areas to inform them of the process and encouraging them to apply.

Mr. Washington asked if there was any way to address anything surrounding I-49 because there have been a lot of comments made today saying that we sent a letter and did xyz and he thinks it needs to be clarified in this meeting today and put on record that whatever we did and didn't do. Mr. Rogers said yes, just a couple of things. The scope of work, additional work has been reviewed and approved by DOTD. Mr. Rogers wasn't sure who said it hadn't been approved. The additional funding for this has been requested and has been allocated through DOTD and the Division of Administration. They are pulling some funds from the one hundred million dollars and the allocation has been made. In terms of defining a historic district, the comment was made however a new district has not been defined, that is correct. However, through this process we have been told over and over again from SHPO and other federal partners, that if something has been deemed potentially historic that it needs to be treated as such in the NEPA process. This has also come to play with the Jimmie Davis project having to do with historic and potential historic things. If it's listed as potential, you must treat it as if it is. Regardless of whether it has been designated that way or not. Same thing has happened with the Jimmie Davis Bridge and that is part of the issue with converting the existing bridge into some sort of bike/ped facility or something with it because it is a potentially historic structure, we can't just tear it down and move forward.

In terms of the new alignment, it grew out of a series of reviews and meetings in the Section 106 Process. Mr. Rogers stated that it was not simply Providence or NLCOG walking in and saying we need to look at this. It's very unfortunate that some of this cultural stuff is not a more open public process. That's not me, it's NEPA. That's the Federal Government. That's SHPO. That has nothing to do with NLCOG or Providence in terms of how those are open or how that process is open. They have seen multiple maps, multiple venerations in looks of and in terms of how many structures, how many parcels of property with various things on each. Mr. Rogers stated that the 106 consulting parties reviewed these alignments and the effects, it was determined and suggested to look at a

different alternative for one of those routes alternative 3. That is where 3a came into play. Part of the problem is that we all know this thing is going to end up in court at the end of the day. If something like that comes up through this process, regardless if it's a route, how you're crossing a stream or how a building you're impacting, there are a lot of other things in there and if we do not evaluate it, the first thing the judge is going to say is that he understands that came up through the process and you did not do this. Go back and do it. Mr. Rogers said we are trying to avoid as much of that as possible up front.

Comments were made at a previous meeting and one of the DOTD officials stated that I-10 in Baton Rouge, I-10 in Lake Charles and I-49 in Lafayette are all within their current environmental process and are 25 years into this. Mr. Rogers states that the formal environmental part of this didn't start until 2011. Lafayette had a ROD and they are back into the process. We don't have a ROD yet and there hasn't been a formal determination of a preferred alignment through federal highways in concurrence with the DOTD, SHPO, all the multiple federal agencies and all the other associated groups a part of that NEPA process. We do have what we call a local preferable alternative, which is alternative 1. Yes, that was voted on several years ago and yes, that's the alignment that the MPO and the Board have stood behind since that time frame, but yes you still have to follow that NEPA process. Mr. Rogers said that if the study steps out of bounds or if Providence steps out of bounds or it does not follow that NEPA process, again, you know we'll end up in court and the first thing the judge will say is we didn't follow the NEPA process. What can go to court is the process not the results and not the answer. If you don't like the answer that's too bad, but what could be evaluated or what could be looked at in that judicial process is the process. Did you follow the process or not? Did you leave something out? Did you not address something? Did you address something wrong? And we have tried over and over to make sure we are crossing our T's, dotting our I's the entire way through the process to make sure that when it does end up in court that what we've done is right. Regardless of what that answer is we have done it the right way.

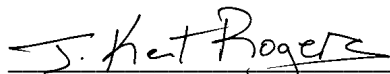
Mr. Washington thanked Mr. Rogers for his comments. Mr. Patrick Harrison asked if he could make a public comment based on the change in the agenda they had made for the board meeting in regards to the I-49 project since that is what he came here to comment about. Mr. Washington stated that he asked Mr. Rogers to make a comment in regards to the MPO's position on these items. Federal Highway is here and we've heard a lot of comments from the public and I wanted to make sure from the boards perspective that it was on record for what the board has done and not done and if you have any comments we'll let you address those in the next meeting which will start in about five minutes after this meeting and you're welcome to share those comments there. Mr. Washington stated that the only reason he asked for clarification is because Federal Highway is visiting here today and he didn't want something out that the MPO was doing something in a different manner than what was already online or had been provided which is his perspective.

Announcements

Mr. Washington reminded everyone of the next upcoming MPO meeting on Friday, April 21, 2023.

Adjourn

With no remaining agenda items, Mr. Washington entertained a motion to adjourn. Mr. Ford motioned, and Mr. Brown seconded, and the meeting was adjourned.



J. Kent Rogers, Secretary