

# NILES-BUCHANAN-CASS AREA TRANSPORTATION STUDY

## TECHNICAL ADVISORY COMMITTEE and POLICY COMMITTEE MEETING

Tuesday May 27, 2025

1:30 pm

---

**In Person:** Niles District Library – 620 E Main St, Niles, MI 49120  
**Lower-Level Community Room**

**Web:** <https://us06web.zoom.us/j/9489277047?pwd=RzkydlFacGFHNkVWeURpak1kSEcxUT09>

**Audio:** Call in Number: 1 (312) 626-6799

Meeting ID: 948 927 7047

Passcode: 000619

---

### AGENDA

1. Call to Order and Roll Call
2. Changes to the Agenda
3. Public Comment
4. Approval of the Minutes from the March 25, 2025 Meeting *Action* pg.2
5. Staff Report
6. Approval of the [FY 2026 Unified Work Program](#) *Action*
7. Local Agency Updates
8. Transit Updates
9. MDOT Updates pg. 6
10. Adjusted Pavement and Bridge Performance Targets *Action* pg.8
11. Approval of [2026-2029 Transportation Improvement Program](#) *Action*
12. Privilege of the Floor or Public Comment
13. Adjournment

Comments can be sent prior to the meeting to Brandon Kovnat at [kovnatb@swmpc.org](mailto:kovnatb@swmpc.org) or by calling (269) 925-1137 x 1524. For questions about accessibility or to request accommodations, please contact Kim Gallagher at (269) 925-1137 x 1518 or by email at [gallagherk@swmpc.org](mailto:gallagherk@swmpc.org)

**NILES-BUCHANAN-CASS TRANSPORTATION STUDY**  
**TECHNICAL ADVISORY COMMITTEE AND POLICY COMMITTEE**  
 March 25, 2025 – Meeting Attendance

**Committee Members in Attendance**

<b>Representative</b>	<b>NATS Member Organization</b>	<b>TAC</b>	<b>Pol</b>
Joe Ray	City of Niles Public Works Department	X	
Rick Huff	City of Niles, Community Development	X	
Butch Payton	Bertrand Township	X	X
Bill Kazprzak	Howard Charter Township	X	X
Richard Cooper	Niles Charter Township	X	X
Meryl Christensen	Ontwa Township	X	X
John Humphry	Berrien County Planning Commission		X
Roseann Marchetti	Cass County Board of Commissioners		X
James Lawrence	Cass County Board of Commissioners (2)		X
Roseann Marchetti	Cass County Planning Commission	X	X
Pepper Miller	Niles Dial A Ride Transportation	X	X
Adrain Stroupe	MDOT, Southwest Region	X	X
Jonathon Smith ( <i>Virtual</i> )	MDOT, Coloma TSC	X	X
Jim Sturdevant ( <i>Virtual</i> )	MDOT, Statewide Planning	X	X
Kim Gallagher	SWMPC	X	X

**Others in Attendance:** Brandon Kovnat, *SWMPC*; Jerry Marchetti, *Ontwa Township*; Nick Shelton, *City of Niles / Abonmarche*

**Committee Members Absent**

<b>Representative</b>	<b>NATS Member Organization</b>	<b>TAC</b>	<b>Pol</b>
Tony McGhee or Rich Murphy	City of Buchanan	X	X
Georgia Boggs	City of Niles (1)		X
Serita Mason	City of Niles (2)		X
Dawn Bolock	Village of Edwardsburg	X	X
Lynn Ferris	Buchanan Township	X	X
Doug Fetters	Mason Township	X	X
Susan Flowers	Milton Township	X	X
Sharon Tyler	Berrien County Board of Commissioners (1)		X
<i>Vacant</i>	Berrien County Board of Commissioners (2)		X
Dan Fette	Berrien County Community Development	X	
Kevin Stack	Berrien County Road Department	X	
Mark Heyliger	Berrien County Road Department		X
Joe Bellina	Cass County Road Commission	X	
Sandra Seanor	Cass County Road Commission		X
Robert Torzynski	Pokagon Band of Potawatomi Indians	X	X
Fred Featherly	MDOT, Office of Passenger Transit	X	
Jon Roberts	MDOT, Transportation Modeling	X	
Christina Nicholaides	FHWA, Michigan Division	X	X
<i>Vacant</i>	FTA	X	X
Caitlyn Stevens	Michiana Area Council of Governments	X	X

Minutes  
**NILES-BUCHANAN-CASS TRANSPORTATION STUDY**  
TECHNICAL ADVISORY COMMITTEE AND POLICY COMMITTEE  
March 25, 2025 – Niles District Library

**Call to Order and Roll Call**

Policy Committee Chair, Richard Cooper, called the meeting to order at 1:30 PM and Kim Gallagher took roll call.

**Changes to the Agenda**

None.

**Public Comment**

None.

**Approval of the Minutes from the January 28, 2025 Meeting**

**Motion** to approve the minutes from the January 28, 2025 NATS Technical Advisory Committee and Policy Committee Meeting. Made by Roseann Marchetti and seconded by Pepper Miller.

**Motion approved.**

**Staff Report**

Gallagher reported on the following items.

**Unified Work Program (UWP):** SWMPC, MDOT and FHWA held a pre-UWP meeting to discuss the FY 2026 work plan. Staff will publish a draft plan for public comment in early May, with NATS voting on approval at the May meeting.

**Asset Management:** Applications for funding to collect PASER data on local roads (non-federal aid eligible) were sent to agencies in December 2024, and funding was awarded to Bridgman, Buchanan, and the Van Buren County Road Commission. There is still funding available, and agencies should contact Gallagher for an application.

**2026-2029 TIP Update:** Local road projects were approved by NATS in January and programmed into MDOT's JobNet database. The full TIP document, including all projects, will be posted for public comment in early May and voted on by NATS at the May meeting.

**Local Agency Updates**

Joe Ray gave an update on the City of Niles 2025 Sycamore St. project: the project was let on March 7<sup>th</sup> with the accepted bid 16% above the estimate. Construction will begin in the spring or summer.

Brandon Kovnat mentioned that the Berrien County Road Department 2025 Bertrand Road project was obligated.

### **Transit Updates**

Gallagher explained that all transit agencies are required to develop both a safety plan and an asset management plan, each containing performance targets. She complimented Niles Dial-A-Ride Transportation (DART) on their safety plan, highlighting how well the agency utilizes it.

There was discussion about the condition of transit vehicles, noting that 40% have exceeded their useful life. Pepper Miller stated that Niles DART cannot replace all of the aging vehicles due to increased costs which have risen from under \$100,000 per bus before COVID to approximately \$150,000 currently. She also clarified that the useful life standard is based only on age, not actual condition, and many well-maintained vehicles remain operational beyond that threshold.

**Motion** for the Technical Advisory Committee to recommend that the Policy Committee support the Niles DART Safety Targets as contained in the Niles DART Safety Plan, and to support the Niles DART State of Good Repair Targets as contained in the Niles DART Transit Asset Management Plan. Made by Butch Payton and seconded by Bill Kasprzak. **Motion approved.**

**Motion for the Policy Committee** to approve the recommendation from the Technical Advisory Committee. Made by Roseann Marchetti and seconded by Meryl Christensen. **Motion approved.**

### **MDOT Updates**

*See Meeting Packet Page 5 for MDOT project updates.*

### **MDOT Project Amendments**

*See Meeting Packet Page 7 for MDOT Project amendment details.*

Jon Smith mentioned that the US-12 Bridge construction is currently scheduled for 2030. HE explained that since design can take up to three years, MDOT plans to begin the design phase in 2026 to ensure the project is ready to advance earlier if funding becomes available sooner.

**Motion for the Technical Advisory Committee** to recommend that the Policy Committee approve the MDOT project amendments to the NATS 2023-2026 Transportation Improvement Program. Made by Pepper Miller and seconded by Kevin Stack. **Motion approved.**

**Motion for the Policy Committee** to approve the recommendation from the Technical Advisory Committee. Made by Roseann Marchetti and seconded by Bill Kasprzak. **Motion approved.**

### **Approval of 2026-2029 projects for inclusion in the TIP**

*See Meeting Packet Page 13 for the list of proposed 2026-2029 projects.*

**Niles Dial A Ride Transportation – FTA funding:** Miller gave a brief explanation about how FTA funding is apportioned to the South Bend urban area and split via an agreement between Niles DART, Transpo (South Bend Bus service), and the Southshore Rail. The required match will come from fares and the State CTF fund. However, the amount MDOT will contribute for operating may change based on the state's available funding, and how it gets divided among the transit agencies throughout the state.

**MDOT projects:** Kovnat presented the Michigan Transportation Program Portal website, which includes an interactive map with all proposed 2026-2029 federally funded (FHWA & FTA) transportation projects (MDOT, Local agencies, and Transit). Users can select a project to see details and submit comments. Projects with only state funding are mapped separately.

**Motion for the Technical Advisory Committee** to recommend that the Policy Committee approve adding the Niles DART FTA funded projects and the MDOT projects as presented to the NATS 2026-2029 Transportation Improvement Program. Made by Pepper Miller and seconded by Bill Kasprzak. **Motion approved.**

**Motion for the Policy Committee** to approve the recommendation from the Technical Advisory committee. Made by Roseann Marchetti and seconded by Pepper Miller. **Motion approved.**

**Privilege of the Floor or Public Comment**

Andrian Stroupe discussed the new signal on US-12 and M-62 which includes a green turn arrow, which drivers are still getting used to.

**Adjournment**

The meeting was adjourned at 2:30 PM. The next NATS meeting is scheduled for Tuesday April 22, 2025.

*Minutes recorded by Brandon Kovnat, SWMPC Transportation Planner*

# Michigan Department of Transportation Projects

## Within the NATS Planning Area

Updated May 15, 2025 by Jon Smith, MDOT Coloma TSC Engineer – [smithj29@michigan.gov](mailto:smithj29@michigan.gov)

### Projects Completed in 2025

#### **Milton Township**

**Project:** US-12 and Gumwood Intersection – Traffic signal installation (JN218477)

**Status:** Newly installed traffic signals are fully operational. Punch list items in progress.

**Est Con:** TBD – TBD

#### **NATS Area**

**Project:** Regionwide signal upgrades (JN209414)

**Status:** M-139(Lincoln)/Grant and M-51 (5<sup>th</sup>)/Sycamore are complete. M-60BR(Oak)/13<sup>th</sup> signals are complete. M-62/Elkhart and M-62/US-12 are complete. M-62/Redfield are complete.

**Est Con:** Dec. 17, 2023 – TBD (targeting end of April)

### Projects Currently Under Construction

#### **City of Niles and Niles Township**

**Project:** M-51 from Chestnut Ln. to M-60BR – Interchange reconstruction and asphalt resurfacing (JN202003)

**Status:** Construction work in 2024 was completed. Landscaping and final punch list work started in March and should be completed soon.

**Est Con:** Sep. 25, 2023 – Dec. 30, 2025

#### **Bertrand Township**

**Project:** US-12 from Galien Township line to west of Mayflower Rd– Shoulder rehabilitation (JN127449)

**Status:** Construction in progress.

**Est Con:** Aug. 19, 2024 – Sep. 15, 2027

#### **Bertrand Township and Niles Township**

**Project:** S. US-31 from US-12 to Niles/Berrien Township Line - Concrete repairs and shoulder resurfacing (JN216911)

**Status:** Construction in progress.

**Est Con:** Apr. 28, 2025 – Aug. 27, 2025

### Projects Scheduled for Construction in 2025

#### **Niles Township**

**Project:** US-31 under Niles-Buchanan Rd. – Bridge Capital Preventive maintenance (JN208503)

**Status:** Work begins in July. Project let and came in 24.65% under Engineer's Estimate.

**Est Con:** Jul. 08, 2025 – Oct. 10, 2025

### Projects Scheduled for Construction in 2026

#### **Ontwa Township**

**Project:** US-12 at Beebe Rd and Adamsville Rd intersection – Addition of Left turn lane and Passing Flare (JN214141)

**Status:** Design in progress. Plan review completed.

# Michigan Department of Transportation Projects

## Within the NATS Planning Area

Updated May 15, 2025 by Jon Smith, MDOT Coloma TSC Engineer – [smithj29@michigan.gov](mailto:smithj29@michigan.gov)

### Village of Edwardsburg, Ontwa Township, and Mason Township

**Project:** US-12 from E. of M-62 to Union – Milling & One Course Asphalt Overlay (JN216909)

**Status:** Design in progress.

### City of Niles and Bertrand Township

**Project:** US-12 @ Redbud and M-139 @ M-139 – Modernize signals (JN211989)

**Status:** Design in progress. Targeting 02/06/2026 letting.

### Ontwa Township

**Project:** US-12 from Edwardsburg to Lane Rr & Brady to Five Points Rd– Shoulder widening (JN221615)

**Status:** Design in progress.

## Projects Scheduled for Construction in 2027

### City of Niles and Niles Township

**Project:** M-51 from White St. to Pokagon Hwy. – Shoulder widening (JN221627)

**Status:** Design in progress.

### City of Niles and Niles Township

**Project:** M-51 from Fort Street to North Niles City Limit– Vulnerable Road Users Road Safety Audit (JN218747)

**Status:** Scheduled to be completed in 2027.

## Projects Scheduled for Construction in 2029

### City of Niles and Niles Township

**Project:** M51 – Install pedestrian crosswalk (JN220343)

**Status:** Design to begin in late-2026.

### Milton Township

**Project:** US-12 at Gumwood Rd. – Construct a Roundabout (JN220408)

**Status:** Design to begin in late-2026.

*Stay up to date with MDOT: news, projects, report a pothole, traffic alerts, five-year plan*

<http://www.michigan.gov/drive>



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
**DEPARTMENT OF TRANSPORTATION**  
LANSING

BRADLEY C. WIEFERICH, P.E.  
DIRECTOR

October 18, 2024

Dear Metropolitan Planning Organization Director:

The Michigan Department of Transportation (MDOT) is pleased to provide the enclosed 2022-2025 Performance Tracking document which has the mid-performance period summary of state and unified national performance program 2-year actual performance and 4-year target adjustments for the 2022-2025 performance period. MDOT appreciates the contributions Metropolitan Planning Organizations (MPOs) have made to actively participate in the 2024 coordination sessions.

Per 23 Code of Federal Regulations (CFR) §490.105(d)(1), states and MPOs shall establish statewide and metropolitan planning area wide targets, respectively, that represent the condition/performance of the transportation network or geographic area that are applicable to the measures in accordance with respective subparts of 23 CFR §490, as documented below:

- Subpart B, Highway Safety Improvement Program (regulated annually)
- Subpart C, NHS Pavement Condition
- Subpart D, NHS Bridge Condition
- Subpart E, NHS System Performance
- Subpart F, Interstate Freight Movement
- Subpart G, Traffic Congestion (applicable MPOs only)
- Subpart H, On-Road Mobile Source Emissions Reduction (applicable MPOs only)

In accordance with federal law (23 United States Code 134 (h)(2)) and 23 Code of Federal Regulations (CFR) §490.105(f)(7), if the State DOT adjusts a 4-year target in the Mid-Performance Period Progress Report, and if for that respective target the MPO established a target by supporting the State DOT target during the baseline year, then the MPO shall within 180 days report to the State DOT whether it will either: (i) Agree to plan a program of projects so that they contribute to the adjusted State DOT target for that performance measure; or (ii) Commit to a new quantifiable target for that performance measure for its metropolitan planning area.

This decision to support the State DOT target, or develop a quantifiable target for the metropolitan area, must be made for each measure and can be different for each measure. If the MPO elects to develop a quantifiable 4-year target, which is considered a 4-year target adjustment when doing so at the mid-performance period, it must do so in coordination with MDOT. The MPO due date for the 2022-2025 4-year target adjustment is March 30, 2025.

Metropolitan Planning Organization Director  
Page 2  
October 18, 2024

In addition to the state targets shown in the enclosed table, MDOT will provide supplementary information to assist MPOs in making decisions on MPO target adjustments. The supplementary information will include a description of the measures, recent performance and trends, and the methodology used to establish a 4-year target adjustment, where applicable.

Separately, applicable state DOTs and MPOs have established coordinated urbanized area targets that represents the performance of the transportation network in each applicable area for the Congestion Mitigation and Air Quality Traffic Congestion program as regulated by Subpart G of 23 CFR §490. Michigan DOT, Ohio DOT, and Indiana DOT have coordinated with the respective MPOs and determined no 4-year target adjustments would be made for the current performance period.

Thank you for your MPO's participation in the national performance management measures program coordination process. Questions regarding the national performance program requirements including coordination for developing quantifiable metropolitan planning area targets should be directed to Kelly Travelbee, Departmental Specialist, Bureau of Development, at (517) 898-4875 or [TravelbeeK@michigan.gov](mailto:TravelbeeK@michigan.gov). For questions regarding statewide planning processes, please contact either me, or John Lanum, Supervisor, Statewide Planning Section, at 517-243-3554 or [LanumJ@michigan.gov](mailto:LanumJ@michigan.gov).

Sincerely,

E-SIGNED by TODD WHITE  
on 2024-10-18 07:02:52 EDT

Todd White, Director  
Bureau of Transportation Planning

Enclosure

cc: J. Lanum, MDOT  
K. Travelbee, MDOT  
D. Mayle, MDOT

Performance Measure	Desired Trend	Baseline <sup>(3)</sup>	2-Year <u>PREDICTED</u> Performance	2-Year <u>ACTUAL</u> Performance	2-Year Performance Better than Baseline	2-Year Performance Better than Target	2-Year Significant Progress Achieved <sup>(1)(3)</sup>	4-Year ORIGINAL Predicted Performance	4-Year ADJUSTED <sup>(2)</sup> Predicted Performance
NHPP: NHS Pavement Condition (\$490, Subpart C)									
Measure: IRI, Cracking, and Rutting (asphalt) or Faulting (joined concrete)									
Percentage of Pavements of the <u>Interstate in Good Condition (PCM)</u>	↑	Null MIU (Actual 70.4%)	59.2%	71.4%	Yes	Yes	No MIU 9.8%	56.7%	67.1%
Percentage of Pavements of the <u>Interstate</u> (NHS) in <u>Poor Condition</u> (PCM)	↓	Null MIU (Actual 1.8%)	5.0%	1.6%	Yes	Yes	No MIU 9.8%	5.0%	
Percentage of Pavements of the <u>Non-Interstate NHS in Good Condition (PCM)</u>	↑	41.6%	33.1%	38.7%	No	Yes	Yes	33.1%	29.4%
Percentage of Pavements of the <u>Non-Interstate NHS</u> in <u>Poor Condition</u> (PCM)	↓	8.9%	10.0%	8.1%	Yes	Yes	Yes	10.0%	
NHPP: NHS Bridge Condition (\$490, Subpart D)									
Measure: Percent square foot condition to total deck square foot, by deck area									
Percentage of NHS Bridges in <u>Good Condition</u>	↑	22.1%	15.2%	24.0%	Yes	Yes	Yes	12.8%	
Percentage of NHS Bridges in <u>Poor Condition</u>	↓	7.0%	6.8%	7.1%	No	No	No	5.8%	10.0%
NHPP: NHS System Reliability (\$490, Subpart E)									
Measure: 80th percentile over 4 time periods									
Percent of the Reliable Person-Miles Traveled on the <u>Interstate</u>	↑	97.1%	80.0%	93.9%	No	Yes	Yes	80.0%	
Percent of the Reliable Person-Miles Traveled on the <u>Non-Interstate NHS</u>	↑	94.4%	75.0%	93.6%	No	Yes	Yes	75.0%	
NHPP: Greenhouse Gas (\$490, Subpart E)									
Measure: NHS tailpipe CO <sub>2</sub> emissions									
Percent change in NHS tailpipe CO <sub>2</sub> emissions compared to reference year 2022	↓	Not applicable at this time, reference Note 4.							
NHFP: Interstate (NHS) Freight Reliability (\$490, Subpart F) Measure:									
95th percentile over 5 time periods, expressed as an Index									
Truck Travel Time Reliability (TTTR) Index on the <u>Interstate</u>	↓	1.31	1.60	1.43	No	Yes	Yes	1.60	
CMAQ: Traffic Congestion and Emissions Reduction (\$490, Subparts G and H) <sup>(Note 1)</sup>									
<u>Traffic Congestion Unified Targets: Annual Hours of Peak Hour Excessive Delay Per Capita (NPMRDS/HPMS-AADT)</u>									
Ann Arbor Urbanized Area (Unified Target Setting: MDOT and SEMCOG; included WATS for inclusive collaboration)	↓	9.0 hours	16.0 hours	10.4 hours	No	Yes	Yes	16.0 hours	
Detroit Urbanized Area (Unified Target Setting: MDOT and SEMCOG)		9.8 hours	18.0 hours	10.4 hours	No	Yes	Yes	18.0 hours	
Flint Urbanized Area (Unified Target Setting: MDOT; included GCMPC for inclusive collaboration)		5.7 hours	10.0 hours	5.2 hours	Yes	Yes	Yes	10.0 hours	
South Bend Urbanized Area (Unified Target Setting: MDOT, INDOT, SMPC; included MACOG for inclusive collaboration)		0.6 hours	2.0 hours	0.9 hours	No	Yes	Yes	2.0 hours	
Toledo Urbanized Area (Unified Target Setting: MDOT, ODOT, and SEMCOG; included TMACOG for inclusive collaboration)		6.1	7.0 hours	7.1 hours	No	No	No	7.0 hours	
<u>Traffic Congestion Unified Targets: Percent of Non-Single Occupancy Vehicle (Non-SOV) Travel (U.S. Census ACS Journey to Work method).</u>									
Ann Arbor Urbanized Area (Unified Target Setting: MDOT and SEMCOG; included WATS for inclusive collaboration)	↑	31.9%	29.7%	35.1%	Yes	Yes	Yes	29.7%	
Detroit Urbanized Area (Unified Target Setting: MDOT and SEMCOG)		18.7%	15.5%	21.5%	Yes	Yes	Yes	15.5%	
Flint Urbanized Area (Unified Target Setting: MDOT; included GCMPC for inclusive collaboration)		18.5%	15.5%	19.1%	Yes	Yes	Yes	15.5%	
South Bend Urbanized Area (Unified Target Setting: MDOT, INDOT, SMPC; included MACOG for inclusive collaboration)		20.6%	18.0%	21.3%	Yes	Yes	Yes	18.0%	
Toledo Urbanized Area (Unified Target Setting: MDOT, ODOT, and SEMCOG; included TMACOG for inclusive collaboration)		16.1%	15.0%	17.6%	Yes	Yes	Yes	15.0%	
<u>On-Road Mobile Source Emissions Reduction (Cumulative 2-year and 4-year performance and targets), kg/day (Coordination with SEMCOG, MACC, SMPC, and WMSRDC)</u>									
State Total Emission Reduction: PM2.5	↑	1,527.492	595.000	1,064.792	Yes	Yes	Yes	1,191.000	
State Total Emission Reduction: NOx		13,118.817	5,227.000	14,648.581	Yes	Yes	Yes	10,455.000	
State Total Emission Reduction: VOC		5,246.548	2,295.000	5,418.239	Yes	Yes	Yes	4,590.000	
State Total Emission Reduction: CO (NA to MI this performance period)									
State Total Emission Reduction: PM10 (NA to MI this performance period)									
Supplemental Documents to State Biennial Performance Report (Baseline, Mid and Final)									
1. <a href="#">MM2045 (provide key freight plan pages in narrative)</a>									
2. <a href="#">IJA Compliant Freight Plan Amendment</a>									
3. MPO CMAQ Performance Plan Update (23 CFR §490.107) : SEMCOG (applies only to urbanized area with a population over 1 million with nontainment/maintenance area for criteria pollutant overlapping the TMA boundary)									

National Performance Program: NHPP/NFPP/CMAQ

2022 - 2025 Performance Period

Updated: September 24, 2024

Notations and References:
<b>Note 1 - Significant Progress Determination.</b> NHPP/NFPP Measures (23 CFR 109): Significant progress is achieved when (1) actual performance is better than baseline or (2) actual performance is better than the target. FHWA definition of "better than" for NHPP is an improvement of at least 0.1 percent and 0.01 for NHFP. CMAQ Measures: FHWA does not assess significant progress for CMAQ measures, the following is for internal purposes: Traffic Congestion measures - significant progress for 2- and 4-year targets is when (1) actual performance is better than baseline or (2) actual performance is better than the target by 0.1 points. Emissions Reduction measures - significant progress for 2-year targets is cumulative 2-year actual performance is better than the 2-year target, and significant progress for 4-year targets is cumulative 4-year actual performance is (1) better than the baseline or (2) better than the cumulative 4-year target.
<b>Note 2 - Target Adjustment.</b> State DOTs may adjust an established 4-year target in the Mid Performance Period Progress Report, as described in § 490.107(b)(2). State DOTs shall coordinate with relevant MPOs when adjusting their 4-year target(s) for NHPP and NHFP. Any adjustments made to 4-year targets established for the CMAQ Traffic Congestion measures in paragraph (c)(7) of this section shall be agreed upon and made collectively by all State DOTs and MPOs that include any portion of the NHS in the respective urbanized area applicable to the measures.
<b>Note 3 - Missing, Invalid or Unresolved (MIU) pavement data.</b> MIU threshold is 5.0 percent per regulation. Reference 23 CFR §490.313 including (b)(4)(ii) Calculation of overall pavement conditions in any State meeting the requirements of § 490.309(b) shall be based only on sections containing data reported in the HPMS submittal as of the submission dates required in § 490.311(c)(4) and (5). State DOTs not meeting the requirements of § 490.309(b) will be considered non-compliant with § 420.105(b) requiring State DOTs to submit data to the HPMS and § 490.107 requiring reporting on performance targets. Failure to report data meeting the requirements of § 490.309(b) by the submission dates for the Interstate System will be considered as not meeting the minimum requirements for pavement conditions on the Interstate System and that State DOT is subject to the penalties in § 490.315. If MIU exceeds threshold, FHWA will make an "indeterminable" significant progress determination even if performance is better than baseline and/or better than the target year. If the MIU exceeds 5.0 percent in a baseline year, the FHWA will either make a 1) "Significant Progress Not Achieved" determination if FHWA does not accept the justification provided or 2) "Progress Not Determined" if FHWA accepts the justification provided. The FHWA decision is subjective without regulatory input on what criteria FHWA will utilize to make the final determination.
<b>Note 4 - Greenhouse Gas.</b> On December 7, 2023 FHWA published a final rule incorporating a greenhouse gas measure into 23 CFR 490. On March 27, 2024, the U.S. District Court for the Northern District of Texas (5:23-CV-304-H), vacated and remanded the final rule nationwide. On April 1, 2024, the U.S. District Court for the Western District of Kentucky (5:23-cv-00162-BJB-LLK) also vacated and remanded the final rule but only for the twenty-one states participating in the multi-state lawsuit against the FHWA. On April 10, 2024, the U.S. Senate passed a Congressional Review Act to overturn the final rule. FHWA has announced its decision to challenge both District Court rulings through the respective Circuit Court of Appeals. As of the updated version of this document, the GHG remains both remanded and vacated awaiting an appeals decision, and still documented in 23 CFR 490 as a reporting requirement.
<b>2024 Mid-Performance Report Important Notes (See 2-year summary for additional details)</b>
<b>Interstate Pavement MIU Baseline Impact:</b> In 2022, the baseline year for the performance period, MDOT exceeded the MIU threshold of 5.0 for Interstate pavement data. In accordance with regulation, FHWA made a "Progress Not Determined" determination for the 2018-2021 performance period 4-year target which also serves as the 2022-2025 baseline. In practical terms, this eliminated the option to achieve significant progress through actual performance better than baseline for the entire 2022-2025 performance period.
<b>Interstate Pavement MIU on 2-Year Performance Progress:</b> On the basis of actual performance, Michigan achieved significant progress for Interstate in Good and Poor Condition with actual performance being both better than baseline and better than the 2-year targets. That said, the 2023 Interstate HPMS data submittal exceeded the 5.0 MIU threshold. For the Mid-Performance Period, it is anticipated FHWA will again assess Progress Not Determined" and not recognize actual 2-year performance for reporting purposes. With approximately 10 percent of the Interstate under construction, and the data collection process conditions and process being tightly by regulated, it is impossible for Michigan to not exceed the 5.0 MIU threshold. MDOT has taken every possible opportunity to encourage FHWA to reconsider and revise this requirement in 23 CFR 490 to recognize substantial investment to improve the condition of the NHS should be rewarded, not penalized.
<b>Interstate Good Pavement 4-Year Target Adjustment :</b> Analysis predicts 70.1% Interstate pavement in 'Good' condition at the end of 2025. Adjusting the Good target to 67.1% retains a 3-point cushion while also communicating the improved anticipated 4-year performance compared to the 56.7% Good 4-year target established in 2022. The federal Pavement Condition Measure behaves differently than RSL and PASER and forecasting the PCM continues to improve with each reporting cycle. There are also two active MDOT pavement related research projects including developing an improved federal pavement performance model.
<b>Non-Interstate Good Pavement 4-Year Target Adjustment :</b> Analysis predicts 32.4% Non-Interstate NHS pavement in 'Good' condition at the end of 2025. Adjusting the Good target to 29.4% retains a 3-point cushion. As the most recent analysis indicates achieving significant progress with performance better than the baseline or better than the 4-year target established in 2022 is not feasible, adjusting the target is necessary. The federal Pavement Condition Measure behaves differently than RSL and PASER and forecasting the PCM continues to improve with each reporting cycle. There are also two active MDOT pavement related research projects including developing an improved federal pavement performance model.
<b>NHS Bridge Performance:</b> Analysis predicts 9.5% NHS Bridge 'Poor' condition by deck area at the end of 2025. Adjusting the Poor target to 10.0% provides a 0.5 point cushion. As the most recent analysis indicates achieving significant progress with performance better than the baseline or better than the 4-year target established in 2022 is not feasible, adjusting the target is necessary.
<b>Traffic Congestion - PHED:</b> ODOT and MDOT used RITIS to calculate a 2-year actual performance at 5.2 hours for the Toledo Urbanized Area. FHWA used a complex process to calculate 7.1 hours. FHWA has rejected ODOTs request to utilize the 5.2 hours reported through RITIS, as anticipated. If using RITIS data, significant progress achieved, however the FHWA calculated 7.1 hours falls short of demonstrating significant progress. That said, FHWA does NOT make an official significant progress determination for any of the CMAQ Measures. After discussing this joint target with Ohio DOT, TMACOG and SEMCOG, the parties elected to not adjust the 4-year target. MDOT and ODOT are working with RITIS (Cambridge Analytics) to conduct an analysis of the data used for their reporting tool to identify the difference and make appropriate adjustments. This
<b>Traffic Congestion - Non-SOV:</b> While 2022 data is available through the ACS Commute to Work survey data tables, the CMAQ applicability tables issued in October 2021 used as the baseline for the 2022-25 performance period baseline, was based on the 2010 Decennial Census. The 2020 census was not finalized before the 2022 baseline CMAQ applicability tables were required to be published by regulation. As a result, both the 2-year and 4-year actual performance for NonSOV- will report the 2021 DP03 5-Year table data as that is the latest available (and last available) table that reflects the 2010 census urban boundaries.