

Appendix A. Consultation and Coordination

As stated in [Title 23 Part 450.316 \(e\)](#), “MPOs shall, to the extent practicable, develop a documented process(es) that outlines roles, responsibilities, and key decision points for consulting with other governments and agencies, as defined in paragraphs (b), (c), and (d) of this section, which may be included in the agreement(s) developed under §450.314.” SJTPO consults and coordinates with agencies and officials when completing transportation planning activities as appropriate to the transportation planning activity. With regards to the TIP development, SJTPO collaborates with the entities listed below. For each entity, the roles and responsibilities during the TIP development process are outlined as follows.

SJTPO Technical Advisory Committee – The TAC is comprised of planners and engineers representing SJTPO’s constituent subregions. The TAC is re-designated annually in January. The role of the TAC is to review the recommendations provided by SJTPO staff, including the Project Evaluation Scores, and fiscally constrained Capital Program, as well as review the Draft TIP and recommend its adoption to the Policy Board. The TAC is involved in TIP discussions relating to funding availability, urban boundary designation, project selection criteria, and more. In addition to this, the TAC is responsible for recommending Amendments to the Policy Board for adoption, reviewing Administrative Modifications, as well as approving Committee Modifications to the TIP.

SJTPO Policy Board – The Policy Board is the governing body of SJTPO and is comprised of eight elected officials from counties and municipalities within the SJTPO region as well as three additional members appointed by NJDOT, NJ TRANSIT, and SJTA. The role of the Policy Board in the TIP development process is to vote on the adoption of the TIP and Amendments to the TIP.

SJTPO Community Outreach and Engagement Committee (COEC) – The COEC is a committee aimed at enhancing the scope of SJTPO's public outreach and ensuring that SJTPO's decision-making processes are based on diverse, inclusive, and equity-based information and viewpoints. The committee's role in the TIP development process is to provide SJTPO staff with feedback on the projects and programs contained within the TIP and help spread awareness throughout South Jersey communities about the opportunity to comment on the Draft TIP when it becomes available.

New Jersey Department of Transportation Capital Programming – NJDOT Capital Programming is responsible for the development of the Capital Program and STIP. Capital Programming works with the MPOs, NJ TRANSIT, FHWA, and FTA to develop resource estimates, provide project pool sheets, compile the statewide Capital Program, compile the STIP, and provide the finalized STIP to FHWA and FTA for approval. NJDOT is also represented on SJTPO’s TAC and Policy Board.

New Jersey Department of Transportation Office of Local Aid – The Office of Local Aid is responsible for reviewing and approving TIP project authorization submissions from project

sponsors. SJTPO attends quarterly project status meetings with the Office of Local Aid and each subregion to ensure that programmed projects are on-track for authorization by the end of the fiscal year. Project status meetings involve coordination between the NJDOT Office of Local Aid District 4, SJTPO, and subregional professional staff.

New Jersey Transit – NJ TRANSIT prepares the statewide transit section of the STIP. Statewide transit programs are funded in each of the three MPO regions. NJ TRANSIT participates in resource estimates, development of the Capital Program, and development of the STIP. NJ TRANSIT is also represented on SJTPO's TAC and Policy Board.

Federal Highway Administration and Federal Transit Administration – FHWA and FTA participate in resource estimate discussions early in the TIP development process. FHWA and FTA also have an opportunity to review and submit comments on the Draft STIP. The Transportation Conformity document must be approved by FHWA and FTA, in addition to the US EPA. The final approval of the STIP also comes from FHWA and FTA. FHWA is responsible for providing final approval of TIP project authorization. FHWA and FTA must also provide final approval for any TIP amendments and modifications.

Interagency Consultation Group (ICG) – In accordance with transportation conformity regulations in §93.105(a), §93.105(b), and §93.105(c), SJTPO has organized an ICG. The ICG is comprised of representatives from NJDEP, US EPA, NJDOT, FHWA, the other New Jersey MPOs, and consultants. The ICG is responsible for aiding in the development of the Transportation Conformity document for the TIP and for approving the Final Transportation Conformity.

The Public – When the Draft TIP and Transportation Conformity document are prepared, SJTPO begins a public involvement process to ensure that members of the public, affected agencies, employees, private providers of transportation, and other interested parties have an opportunity to comment on the proposed program. SJTPO places public notice in area newspapers, on the SJTPO General Information e-list, and on its list of outreach contacts across the region. Hard copies of the Draft TIP and Conformity are sent to participating [State Depository Libraries](#) in each county. The documents are also publicly hosted on SJTPO's website. A minimum 30-day public comment period is provided, during which at least one public meeting is held. More details on the public involvement process may be found in SJTPO's PIP document (www.sjtpo.org/PIP).

Tribal Coordination

Tribal Nations – The following text outlines how SJTPO coordinates with Tribal Nations during the TIP development process. When a Metropolitan Planning Area (MPA) includes federal public lands, the applicable MPO will appropriately involve the federal land management agencies in the development of the metropolitan transportation plan and the TIP.⁶ The SJTPO region does

⁶ As specified in [Title 23 Part 450.316\(d\)](#) and 49 Code of Federal Regulations (CFR) Part 613.

not contain any Indian Tribal lands. If a transportation planning activity occurs where there is overlap into Indian Tribal lands, the applicable MPO will consult with federal land management agencies as appropriate. In accordance with [Section 106 of the National Historic Preservation Act of 1966](#) (NHPA), and its implementing regulations found in the [Protection of Historic Properties](#), federal agencies must consult with any Indian tribe or Native Hawaiian organization regarding undertakings occurring on or affecting historic properties on its tribal lands.⁷

Consult with an Indian tribe or Native Hawaiian organization that attaches religious and cultural significance to historic properties that may be affected by an undertaking [800.2(c)(2)(ii)]. This requirement applies regardless of the location of the historic property. The regulations further require that the agency official shall insure that consultation in the section 106 process provides the Indian tribe...a reasonable opportunity to identify its concerns about historic properties, advise on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, articulate its views on the undertaking's effects on such properties and participate in the resolution of adverse effects [§800.2(c)(2)(ii)(A)].

Currently, there are no federally recognized tribal nations that reside in the State of New Jersey, nor are there tribal territories or lands belonging to federally recognized tribal nations within the confines of the state. There may be individuals belonging to federally recognized tribal nations, but there are no known enclaves or identified communities of such individuals within the State of New Jersey. Five federally recognized tribes claim an ancestral relationship with the land in the State of New Jersey, who are included as consulting parties for federally funded or permitted transportation projects.⁸ The federally recognized tribes include the following.

- **Absentee Shawnee Tribe of Oklahoma:** Camden County, Gloucester County, Salem County, and Warren County
- **Delaware Nation:** Statewide
- **Delaware Tribe of Indians:** Statewide
- **Shawnee:** Statewide
- **Stockbridge-Munsee Community Band of Mohican Indians:** Sussex County, Warren County, and Burlington County

The FHWA cannot delegate its government-to-government responsibility and overall consultation and coordination duties with federally recognized tribal nations. The Lead Federal Agency is responsible for identifying and involving consulting parties in the findings and determinations made during the [Section 106](#) consultation process. In advance of developing a coordination process with the MPOs in the State of New Jersey, SJTPO reached out directly to

⁷ Amended [16 United States Code \(USC\) 470](#), and specified in [36 Code of Federal Regulations \(CFR\) Part 800](#).

⁸ As specified in Section 106: National Historic Preservation Act of 1966.

each of the federally recognized tribal nations on behalf of FHWA to introduce the MPO and advise each tribal nation of opportunities for early coordination. The initial outreach letter was transmitted to all five federally recognized tribal nations, dated April 14, 2020. Further, based upon correspondence from the Tribal Historic Preservation Officer for the Stockbridge-Munsee Community Band of Mohican Indians, the tribal nation has deferred consultation in the SJTPO region, indicating that projects in the four-county SJTPO region are outside of their areas of interest. No further consultation will be completed with this tribal nation.

At the time the Draft TIP document is released for public comment, a letter will be sent via email in July of 2023 to each federally recognized tribal nation to inform the tribal nations the Draft FFY 2024 - 2033 TIP is available for review and comment on the SJTPO website. SJTPO has developed a TIP map to supplement the TIP document, which visually displays the list of projects on the SJTPO website at www.sjtpo.org/projects. Project type and location are shown on the map alongside further information in the table of contents.

In addition to the five federally recognized tribal nations identified above, as of July 7, 2020, an additional four non-federal tribes have been acknowledged by the current administration in the State of New Jersey to have an interest in historic properties. While these non-federally recognized tribes do not share the same status as the “federally recognized” tribal nations, they are still recognized as essential stakeholders in the transportation planning process. They will be contacted during project development and in the [Section 106](#) review process. The four non-federally recognized tribes include:

- Nanticoke Lenni-Lenape Indians of New Jersey
- Powhatan Renape Nation
- Ramapough Lunaape (Lenape) Nation
- Sand Hill Indian Historical Association

Despite repeated attempts to consult with the Powhatan Renape Nation, all email correspondence is returned as undeliverable. SJTPO continues to explore ways to coordinate with the tribal nation, including requesting a fellow member of NJ Commission on American Indian Affairs share the correspondence with the current administrator of the tribal nation.

A letter will be transmitted to the four non-federally recognized tribes via email at the time the Draft TIP document is released for public comment in July of 2023, advising that the Draft FFY 2024 - 2033 was available for review and comment on the SJPTO website. The non-federal tribes will be notified that a TIP map is available on the SJTPO website to help visually locate the list of projects in the SJTPO region.

An additional letter to the five federally recognized tribal nations and four non-federally recognized tribal nations will be emailed following the Policy Board's approval of the TIP in

September 2023. The letter will acknowledge the approval of the TIP, including reference to the appropriate Policy Board resolution.

Eastern Federal Lands Highway Division – The following text outlines how SJTPO coordinates with the Eastern Federal Lands Highway Division (EFLHD) during the TIP development process. When a Metropolitan Planning Area (MPA) includes federal public lands, the applicable MPO will appropriately involve the federal land management agencies in the development of the metropolitan transportation plan and the TIP.⁹ The SJTPO region includes the following federal public lands that are maintained by U.S. Fish and Wildlife Service, or the U.S. Coast Guard.

- **Supawna Meadows National Wildlife Refuge:** U.S. Fish and Wildlife Service (Salem County)
- **Edwin B Forsythe National Wildlife Refuge:** U.S. Fish and Wildlife Service (Atlantic County)
- **Cape May National Wildlife Refuge:** U.S. Fish and Wildlife Service (Cape May County)
- **United States Coast Guard Training Center Cape May:** U.S. Coast Guard (Cape May County)

The [New Jersey Natural Lands Trust](#) and the [FHWA Web-based Interactive Geographic Map Server Enhancement \(HEPGIS\)](#) provides an interactive mapping tool depicting federal lands and PDF versions for easy access. The FHWA provides an updated [EFLHD TIP](#) annually, which describes transportation projects that will be implemented within the boundaries of federal lands. The FHWA project list for the EFLHD TIP FY 2023-2026 is included in [Appendix H](#) for reference.

Decision Points in the TIP Development Process

The following list outlines key decision points in the TIP development process.

Project Pool Sheet Development – The project pool sheets' development begins one year before the expected TIP adoption date. For the FY 2024 - 2033 TIP, project pool sheets were distributed in October 2022, and the completed pool sheets were provided to NJDOT Capital Programming in November 2022.

Draft Capital Program – The constrained project pool is developed into the Capital Program by NJDOT and provided as a Draft FY 2024 Capital Program Database for the initial review by the three MPOs in New Jersey in April 2023.

Air Quality Conformity Process – SJTPO must demonstrate that the TIP complies with the Clean Air Act (CAA) requirements. The Transportation Conformity process begins when the Draft Capital Program is received in April. SJTPO staff, alongside the ICG, review the complete project list and prepare a Draft Transportation Conformity document. During the preparation, the ICG

⁹ As specified in [Title 23 Part 450.316\(d\)](#) and 49 Code of Federal Regulations (CFR) Part 613.

holds up to three meetings to review and approve the Transportation Conformity. The TAC and Policy Board endorsement of the Final Transportation Conformity document is anticipated to be approved in September 2023.

Draft TIP and Transportation Conformity Document Public Review and Comment Period – The public comment period was held from Wednesday, July 5, 2023, through Sunday, August 20, 2023, with one hybrid public meeting held via GoToMeeting on Wednesday, July 19, 2023, from 6:00 PM to 7:00 PM at Vineland City Hall on 640 E Wood St in Vineland, New Jersey 08360. All public comments received were summarized and incorporated into [Appendix E](#).

SJTPO TIP – The Draft STIP Database was received on April 14, 2023, and was used to produce the SJTPO TIP. Following the public review and comment period, the TIP is anticipated to be brought to the TAC meeting for recommendation to Policy Board on September 11, 2023. It is expected to be voted on in the Policy Board meeting on September 25, 2023.

FHWA and FTA Approval – The FHWA/FTA approval of the MPO TIP and Transportation Conformity documents is scheduled for October 1, 2023. FHWA/FTA approval of the STIP is planned for October 31, 2023. The STIP becomes effective following FHWA/FTA approval.