



U.S. Department
of Transportation
**Federal Highway
Administration
Federal Transit Administration**

August 26, 2026

FHWA, Minnesota Division
180 East Fifth Street
Suite 930
St. Paul, MN 55101-1857

FTA, Region V
200 West Adams Street
Suite 320
Chicago, IL 60606-5253

Mr. Jon Ulrich, Chair
Scott County Board of Commissioners
200 Fourth Avenue West
Shakopee, MN 55379-1220

Subject: Metropolitan Council Federal Regional Funding Solicitation - Compliance with Current Federal Policy

Dear Mr. Ulrich:

On March 30, 2026, the U.S. Department of Transportation received correspondence from Scott County regarding concerns about the Metropolitan Council's proposed Federal Funding Solicitation Guidance and its alignment with current federal transportation policies. The Federal Highway Administration and Federal Transit Administration were asked to respond.

Scott County has raised concerns about the community engagement component of the recently adopted scoring criteria for the 2026 regional solicitation process. Currently, the "Community Considerations" category accounts for 20% of a project's score and relies on an "Equity and Environmental Justice Framework" that prioritizes specific demographic groups. By prioritizing Federal financial assistance based on race, color or national origin, this framework violates the Department's regulations at 49 CFR Part 21, which implement Title VI of the Civil Rights Act of 1964.

To ensure the Metropolitan Council's regional solicitation process aligns with Federal law and the Administration's policy priorities, FHWA will follow up with them to amend their scoring criteria. Thank you for bringing this matter to our attention. If you have questions about this response, please contact Scott Mareck of the FHWA Minnesota Division at 651-291-6114, or Susan Weber of FTA Region 5 at 312-353-3888.

Sincerely yours,

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Kelley Brookins
Regional Administrator
Federal Transit Administration

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Wendall L. Meyer
Division Administrator
Federal Highway Administration

cc:

Met Council
MnDOT