

TIP Amendment and Administrative Modification Process Bannock Transportation Improvement Program

Purpose

This document establishes the process followed by the Bannock Transportation Planning Organization in amending the Transportation Improvement Program (TIP). The process is consistent with the process used by the Idaho Transportation Department (ITD) in amending the Idaho Statewide Transportation Improvement Program (STIP). Included are criteria considered in determining whether a TIP change is handled as an amendment or as an administrative modification. Criteria may include limits or thresholds that help dictate the handling of the change. This document also describes the procedures used to ensure that the STIP is also modified.

Legal Authorities and Guidance

- 23 CFR §450.104 Definitions
- 23 CFR §450.306 Scope of the metropolitan transportation planning process
- 23 CFR §450.314 Metropolitan planning agreements
- 23 CFR §450.316 Interested parties, public involvement, and consultation
- 23 CFR §450.324 Development and content of the transportation improvement program (TIP)
- 23 CFR §450.334 Self-certifications and Federal certifications

Definitions (from 23 CFR §450.104)

Administrative modification - means a minor revision to a long-range statewide or metropolitan transportation plan, Transportation Improvement Program (TIP), or Statewide Transportation Improvement Program (STIP) that includes minor changes to project/project phase costs, minor changes to funding sources of previously-included projects, and minor changes to project/project phase initiation dates. An administrative modification is a revision that does not require public review and comment, re-demonstration of fiscal constraint, or a conformity determination (in nonattainment and maintenance areas).

Amendment - means a revision to the TIP or STIP that involves a major change to a project included in the TIP or STIP, including the addition or deletion of a project or a major change in project cost, project/project phase initiation dates, or a major change in design concept or design scope (e.g., changing project termini or the number of through traffic lanes). Changes to projects that are included only for illustrative purposes do not require an amendment. An amendment is a revision that requires public review and comment, re-demonstration of fiscal constraint, or a conformity determination (for metropolitan transportation plans and TIPs involving "non-exempt" projects in nonattainment and

maintenance areas). In the context of a long-range statewide transportation plan, an amendment is a revision approved by the State in accordance with its public involvement process.

Conformity – means a Clean Air Act (42 U.S.C. 7506(c)) requirement that ensures that Federal funding and approval are given to transportation plans, programs, and projects that are consistent with the air quality goals established by the State Implementation Plan (SIP). Conformity, to the purpose of the SIP, means that transportation activities will not cause new air quality violations, worsen existing violations, or delay timely attainment of the NAAQS. The transportation conformity rule (40 CFR part 93) set forth policy, criteria, and procedures for demonstrating and ensuring conformity of transportation activities.

Design scope - means the aspects that will affect the proposed facility's impact on the region, usually, as they relate to vehicle or person carrying capacity and control (e.g., number of lanes or tracks to be constructed or added, length of the project, signalization, safety features, access control including approximate number and location of interchanges, or preferential treatment for high-occupancy vehicles).

Revision - means a change to the TIP or STIP that occurs between scheduled periodic updates. A major revision is an "amendment," while a minor revision is an "administrative modification."

Criteria for TIP Amendments and Administrative Modifications

A key feature in documenting the process is to have clear criteria guiding the decision whether to process a TIP change as an amendment or as an administrative modification.

Coupled with this is an understanding that BTPO's criteria for determining the processing of a TIP change are independent of but consistent with the criteria used by the ITD for treating changes to the STIP. In other words, the process followed by the Idaho Transportation Department – whether an amendment or administrative modification – may differ from the process chosen by the BTPO through the application of this amendment or administration modification policy.

Changes to projects obligated in previous years, but not included in the current TIP, will be processed as existing projects.

Criteria for TIP Amendments

- Adding a new project into the 4-year TIP;
- Removing a project within the first four years of the approved TIP;
- Adding or removing projects that are exempt (per Title 40 §93.126 and §93.127) and/or that have air quality implications; and
- Make a major change to one or more projects using the below guidelines for 'Major Changes.'
 - Either the percentage change to an individual project's total project cost exceeds 30%, or the project's total project cost changes by at least \$2,000,000
 - Cost changes to projects within the FTA Section 5307, 5310, 5339 programs result in a percentage change to that program total of at least 30%, or a dollar-cost change to the group total of at least \$2,000,000
 - Change in funding across modes (funding source changes from the highway to transit or vice versa)
 - Major changes in project scope

- number of through traffic lanes
- termini change greater than ¼ mile, or scope change that is inconsistent with the National Environmental Policy Act (NEPA)
- Changes which will alter the NEPA determination or that would be functionally different from current expectations
- Change in public transportation project use of funds change in the use of funds, such as changing from a capital project to an operations project
- Changes to a project that affect air quality conformity demonstration

Criteria for TIP Administrative Modifications

- Any project changes other than those described in criteria for TIP Amendments
- Adding projects approved in the annual TIP update process to the current TIP

Modifications that require no action

- Correction of errors in the TIP included but not limited to:
 - Improvement type
 - Project limits
 - Functional classification
 - Typographical errors
 - Transposed numbers
 - Modification of project identification number
 - Funding type
- Changes to projects obligated in previous years less than \$50,000

Processing of Changes to the TIP

The project sponsor must initiate changes to projects within the BTPO planning area.

The process for administrative modification and amendments are as follows:

The Originator (ITD District Engineers, or representatives from counties, cities, or the transit provider) initiates a Change Request. The change is evaluated based on Amendment and Administrative Modification Criteria, and the BTPO staff decides whether to process the change as an Administrative Modification or Amendment.

Administrative Modifications Process

The procedure for administrative modifications for Surface Transportation Block Grant Program – Small Urban Projects is as follows:

- The Planning Director will evaluate the administrative modification for financial constraint and, if funding is available, will modify the current TIP.
- The Planning Director will submit to ITD OTI the updated TIP with the modification highlighted.
- The Planning Director shall present the updated TIP at the next scheduled Policy Board meeting.

The procedure for administrative modifications for Surface Transportation Block Grant Program Small Urban projects are as follows:

- The Planning Director will evaluate the administrative modification for financial constraint and, if funding is available, will modify the current TIP.
- If funding increases are required, the Planning Director will prepare a request to the Local Urban Committee.
- Once the Local Urban Committee has decided, the Planning Director will inform the requesting agency if negative or if the request is approved will prepare the TIP modification.
- The Planning Director will submit to ITD OTI the updated TIP with modification highlighted.
- The Planning Director shall present the updated TIP at the next scheduled Policy Board meeting.

Amendment Modification Process

The procedure for amendments are as follows:

- If an Amendment, BTPO staff prepares an Amendment request, conducts required public involvement following the Public Involvement Plan, air quality conformity if required, and presents the item to Technical Advisory Committee and Policy Board for approval
- The Policy Board approves TIP Amendments

Coordination with the Idaho Transportation Department and modification of the State Transportation Improvement Program

BTPO informs ITD's Office of Transportation Investments (OTI) and Planning Services Group of any successful change to the TIP. BTPO creates the Project Change Request within the OTIS information management system maintained by ITD.

OTI evaluates the Project Change Request, and based on ITD's Amendment vs. Administrative Modification criteria, OTI decides whether to process the change as an Administrative Modification or Amendment.

ITD will inform BTPO when a modification or amendment has been incorporated into the STIP. ITD processing of Administrative Modifications to the STIP are communicated to the Federal Highway Administration and Federal Transit Administration on a regular and consistent basis. These communications may occur as often as monthly (if warranted by the volume of changes) or, at a minimum, quarterly. Communications are accomplished through electronic mail and will be from the Manager, Office of Transportation Investments, or delegate.

Requests to modify the Statewide Transportation Improvement Program through Amendments are made in writing to the administrators of the Federal Highway Administration and Federal Transit Administration or their delegates. These requests from ITD to the FHWA and/or FTA are signed by the Idaho Transportation Department Director or delegate.