

# STIP Modification Process

## Program Control - Idaho Transportation Department

Revised March 23, 2023

### **Purpose**

This document establishes the **process** followed by the Idaho Transportation Department in amending the Statewide Transportation Improvement Program (STIP). Included are **criteria** considered in determining whether a STIP change is handled as an **amendment** or an **administrative modification**. Criteria may include limits or thresholds that help dictate the handling of the change. This document also shows the processing workflow for changes to projects both within and outside of metropolitan planning areas.

### **Legal Authorities and Guidance**

<a href="#">23 CFR §450.104</a>	<b>Definitions</b>
<a href="#">23 CFR §450.206</a>	<b>Scope of the statewide and non-metropolitan transportation <i>planning process</i></b>
<a href="#">23 CFR §450.208</a>	<b>Coordination of planning process activities</b>
<a href="#">23 CFR §450.210</a>	<b>Interested parties, public involvement, and consultation</b>
<a href="#">23 CFR §450.216</a>	<b>Development and content of the long-range statewide transportation plan</b>
<a href="#">23 CFR §450.218</a>	<b>Development and content of the statewide transportation improvement program (STIP)</b>
<a href="#">23 CFR §450.220</a>	<b>Self-certifications, Federal findings, and Federal approvals</b>
<a href="#">23 CFR §450.222</a>	<b>Project selection from the STIP</b>
<a href="#">ITD Policy 4001</a>	<b>Authority to Sign Contracts, Agreements, and Grants and Requirement to Report Certain Contracts</b> (updated 5-17-18)
<a href="#">ITD Policy 4011</a>	<b>Idaho Transportation Investment Program</b> (updated 1-21-21)

### **Definitions** (from 23 CFR §450.104)

**Amendment** - means a revision to a long-range statewide or metropolitan transportation plan, TIP, or STIP that involves a major change to a project included in a metropolitan transportation plan, 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 or changing the number of stations in the case of fixed guideway transit projects). 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.

**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).

**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 project, signalization, safety features, access control including approximate number and location of interchanges, or preferential treatment for high-occupancy vehicles).

### **Criteria for STIP Amendments vs Administrative Modifications**

A key feature of a process document regarding changes to the STIP is that it includes clear criteria to guide the decision whether to process a STIP change as an amendment or an administrative modification.

Coupled with this is an understanding that ITD's criteria for determining the processing of a STIP change is **independent** of the criteria used by a metropolitan planning organization (MPO) for treating changes to TIP's for projects in their planning areas. In other words, the process followed by the state DOT – whether amendment or administrative modification – may differ from the handling chosen by the MPO through application of their policy.

### **Processing of Changes to the STIP**

The processing of changes to the STIP is categorized based on whether they are for projects inside or outside of a metropolitan planning area, and whether the change to the STIP meets the criteria for an Amendment or an Administrative Modification.

All changes are placed in the Office of Transportation Investment System (OTIS). Changes to projects inside of a Metropolitan Planning Area are communicated to the Metropolitan Organization (MPO) by the ITD District Engineer or the Local Highway Technical Assistance Council (LHTAC) dependent on who is making the request. **All obligations regardless of program year follow the same requirements.**

### **Change Steps**

1. The originator initiates an Obligation or Change Request in OTIS.
2. The Obligation or Change Request is sent to necessary sections for review and action and eventually to Program Control (PC).
3. If the request is for an unscheduled budget the criteria must be considered for STIP modification.

### **MPO Processing**

4. If the project is within an MPO area, the MPO evaluates the project change and considers TIP modification.
5. Based on their TIP modification criteria, the MPO decides whether to process the change as an Amendment or an Administrative Modification. If an Administrative Modification, the MPO's Executive Director or delegate follows their handling procedures for this type of change.
6. If an Amendment, the MPO prepares a proposed agenda item, applies their Public Involvement process, redemonstrates fiscal constraint, and presents the item to their policy board for approval.

7. The MPO Policy Board approves the TIP Amendment.
8. Following the process of their TIP Amendment or Administrative Modification, the MPO updates their TIP.
9. The MPO then notifies ITD's PC of the approved change.

### **ITD Processing**

10. Based on overarching ITD policies, PC determines whether Idaho Transportation Board (ITB) approval is required.
  - A. If ITB approval is required, a Board Item is prepared and presented at the upcoming Board meeting.
  - B. The Board item is approved during the meeting, either as part of the consent calendar or the resolution of an agenda item.
11. Based on ITD's modification criteria (see table below), PC determines whether to process the change as an Amendment or Administrative Modification.
  - A. If an Administrative Modification is required, PC adds the Administrative Modification to the ongoing summary list.
  - B. If an Amendment is required, ITD begins the Public Involvement Process below:
    - (i) Review agenda items submitted on Board website along with requests from other sources (OTIS changes/updates, MPO's, etc.) and identify projects that require FHWA notification. After submission deadline for Board items closes, compile project(s) specifics into table to be posted on STIP Public Involvement portion of ITD website.
    - (ii) Public notice is then posted (via social media) to alert the general public, stakeholders, local counties/public officials of the upcoming proposed Amendment including information on where to view project details and methods of submitting comments; duration of public comment period will also be specified (10 calendar days).
    - (iii) Projects included in Amendment will be posted under "Public Involvement" tab on STIP portion of ITD website for public comment.
    - (iv) Once comment period is closed (after 10 calendar days from initial posting), comments received will be collected and replied to. If Board approval is required, the comments will be sent to Board Executive Assistant Lorraine Dennis to be shared with Board members and included for discussion at the upcoming Board meeting.
    - (v) After the Public Involvement period and/or the Board meeting concludes, Amendment letter and table will then be drafted and submitted to FHWA/FTA for review and approval.
12. The FHWA/FTA approve the STIP Request and forwards their approval to ITD/PC.
13. PC notifies all stakeholders of approval.
14. PC completes processing of the change request (OTIS) or the obligation (FMIS).
15. The summary of approved Amendments and Administrative Modifications is maintained on the website:  
[https://apps.itd.idaho.gov/Apps/Fund/stip2021/amendments/Summary\\_All\\_AdMod\\_Amend.pdf](https://apps.itd.idaho.gov/Apps/Fund/stip2021/amendments/Summary_All_AdMod_Amend.pdf).

16. PC updates budget/schedule in OTIS to match requested changes.

<b>ITD Criteria for STIP Modifications</b> Revised May 9, 2023	<b>Amendment</b>	<b>Administrative Modification</b>	<b>No Action Required</b>
1. Adding a new non-grouped project (includes ER) into the 4-year STIP	<b>X</b>		
2. Removing a non-grouped project within first four years of the approved STIP	<b>X</b>		
3. Adding or removing projects that:	<b>X</b>		
a. Are not exempt (per Title 40 §93.126)			
b. Have been determined to trigger air quality conformity action			
c. Are funded by GARVEE bonds or TECM funds			
4. Make major changes to one or more projects using the following guidelines:	<b>X</b>		
a. Either an individual projects' Total Project Cost changes by at least <b>\$5,000,000</b> or the percentage change is at least <b>30%</b> and at least <b>\$1,000,000</b> .			
b. Either the changes to one or more grouped projects result in a dollar cost change to the group control total of at least <b>\$5,000,000</b> or the percentage change is at least <b>30%</b> and at least <b>\$1,000,000</b> .			
c. Major changes in project scope (e.g. number of through traffic lanes).			
d. Major changes in project location limits, where the increase triggers a NEPA re-evaluation.			
5. Changes other than those categorized as major changes in (4)(a) and (4)(b) above. Such as: minor cost changes, advances and delays to projects in the current approved STIP, name changes, and advanced construction in year prior to programmed year.		<b>X</b>	
6. No action will be required for cost increases that are <\$100,000 as a minimum threshold.			<b>X</b>
7. Projects that fall under the Emergency Relief Program (ER) for Permanent Repair following the 270 days post disaster event are not required to be in the STIP. After that time period, they follow modification criteria above.			<b>X</b>
8. Changes to improvement type that does not impact funding, scope of project, or trigger an Amendment.			<b>X</b>
9. Exempting action on any release of funds due to project closeouts, reconciling differences between engineers estimate and awarded amounts, and project cost savings.			<b>X</b>
10. Exempting action on the following programs: The Bureau of Indian Affairs (BIA) Indian Reservation Roads Program (IRR), the State Planning and Research Program (SPR), and the Federal Lands Access Program (FLAP) throughout the life of the project, unless administered by ITD or LHTAC. However, all three programs will continue to be included in the STIP.			<b>X</b>

The following guidance is used to determine whether a STIP Amendment requires ITD Board approval.

<b>Type of Change</b>	<b>IT Board Consent*</b>	<b>STIP Amendment Request</b>
a. Addition/deletion of individually identified projects	Yes	Yes
b. Major work type or location (scope) and costs changes <i>(Not required if the project was previously approved under another key number and is now being broke out)</i>	Yes	Yes
c. Major changes to Group Control Totals	No	Yes
d. Project advance/delay within first 4 years	Yes	Yes
e. Project advance/delay outside of first four years	Yes	Yes

\*Note: as per Idaho Transportation Board Policy 4011, IT Board Consent is not required for changes to projects in the Pavement, Bridge, Supporting Asset Infrastructure, or Safety and Capacity Programs. Changes to projects in these programs may be approved by the ITD Director or his delegate. Federal considerations still apply regarding the processing of STIP amendments for these changes.

## **Correspondence Regarding STIP Changes**

Requests to modify the STIP 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/FTA are signed by the Idaho Transportation Department Director or delegate.

--Administrative Modifications to the STIP are communicated via the website.

--Board items referencing Amendments originating within the metropolitan planning organizations will reference the relevant MPO Policy Board action or executive director action, whichever pertains.

--Amendment request letters reference review and decisions made by the perspective MPO Policy Board, executive directors, and/or IT Board as appropriate.

The ITD Board Policy 4001 titled "Authority to Sign Contracts, Agreements, and Grants and Requirement to Report Certain Contracts" states:

### ***Delegated Authority***

*The Director or delegate shall approve contracts, agreements, and grants, and is authorized to sign all contracts, agreements, and grants required for the proper functioning of the Idaho Transportation Department. Signing authority may be delegated to Executive Officers, Division Administrators, District Engineers, and Section Managers when acting within their jurisdictional duties. Any authority so delegated shall conform to all applicable laws, rules, and regulations. Such authority shall not be exercised by the delegate in the event of a conflict of interest or if apparent personal gain is evidence.*

For the purposes of the administrative handling of STIP amendment requests, the ITD Director delegates signatory authority to the Section Manager responsible for the development and upkeep of the STIP.