

# **CDOT PROCESS for PUBLIC INVOLVEMENT and APPROVAL of TIP/STIP POLICY AMENDMENTS AND ADMINISTRATIVE ACTIONS**

Revised 9/22/2011

The Statewide Transportation Improvement Program (STIP) is frequently amended due to the changes in available funding, project cost, scope or schedule. The public involvement process and approval process is described below:

## **I. STIP Policy Amendment**

- A. An amendment to the STIP is considered to be a policy amendment when:
1. A regionally significant project is added to or deleted from the first four years of the STIP.
    - a) Regionally significant projects are defined here as stand-alone projects that are regionally significant to that specific area or are not eligible for inclusion in a STIP Pool (see #3 below).
  2. There is a major scope change to a project. A major scope change may be described as:
    - a) Adding a travel lane at least one centerline mile in length;
    - b) Adding a new intersection or a major improvement to existing intersections (excluding turn lanes, auxiliary lanes or median improvements);
    - c) Adding new interchanges and grade separated intersections;
    - d) Major improvements to existing interchanges excluding drainage improvements and ramp widening;
    - e) A modification to projects that result in a re-evaluation of a NEPA document (NOTE: STIP amendments *documented* during NEPA re-evaluation public involvement do not require further public involvement during STIP process);
    - f) Adding projects that require air quality conformity determinations, if applicable;
  3. Adding a new pool or changes in pool totals due to resource allocation action by the Transportation Commission. NOTE: When CDOT anticipates the receipt of a large sum of dollars due to state or federal legislation, the Department typically consults with its planning partners and stakeholders through a series of public meetings (generally with the STAC and the Transportation Commission) to develop agreed-upon project lists. When this occurs, those public meetings may constitute the public involvement piece for adding funds, including new projects, to STIP pools.
  4. Adding projects to, or deleting projects from, the STIP pools for the following Funding Programs:
    - 7<sup>th</sup> Pot – all amendments need to be policy (not currently in pools)
    - Earmarks – all amendments need to be policy
    - Bridge On System
      - Any new project totaling \$2.5M or more is a policy amendment

- Any funds added to an existing project that makes the total \$2.5M or more is a policy amendment
- RPP
  - Any new project totaling \$2.5M or more is a policy amendment
  - Any funds added to an existing project that makes the total \$2.5M or more is a policy amendment
- Faster Safety
  - Any new project totaling \$2.5M or more is a policy amendment
  - Any funds added to an existing project that makes the total \$2.5M or more is a policy amendment

The following details apply to the programs listed above:

- a) The \$2.5M threshold would be the total of the project cost in the 6 STIP years; any amendment that will bring a projects' total cost to \$2.5M or more will be considered a policy amendment at that time.
  - b) The regions are still able to make any project a regionally significant project that they choose regardless of project cost
  - c) Projects that are listed in 23 CFR 771.117 (c) & (d) are pool eligible
5. Other amendments determined by CDOT.

## II. Public Involvement and Approval Procedures for STIP Policy Amendments

### A. MPO TIP Areas (see Attachments B and C for a more detailed process)

1. CDOT will rely on Metropolitan Planning Organization (MPO) Transportation Improvement Plan (TIP)'s public involvement process. TIP projects are included in CDOT State Transportations Improvement Plan (STIP) without modification.
2. CDOT acknowledges MPO's TIP public involvement process and obtains MPO TIP resolutions from the MPO board.
3. CDOT Regions will ensure projects are in the TIP before amending the STIP.
4. OFMB drafts a letter for signature from Executive Director, who has signature authority from the Governor to approve incorporating TIP amendments into the STIP.
5. OFMB sends the signed letter and reports to FHWA/FTA as courtesy information. STIP Amendment reports, identified as MPO TIP-Area Policy Amendments, include:
  - a) Verification of fiscal constraint
  - b) Verification of air quality conformity
  - c) Resolution from MPO
  - d) Explanation for the amendment
6. After forwarding the information to FHWA, OFMB endorses the amendment list in the STIP and informs DTD-Statewide Planner, STIP Administrator and CDOT Region Planner of the STIP approval.
7. OFMB will check SAP regularly and approve TIP to STIP amendments on a weekly basis.

- B. Rural non-TIP Areas** (see Attachments B and C for a more detailed process):
1. Prior to STIP policy amendment approval for rural non-TIP areas:
    - a) Regional STIP Administrator will notify OFMB of STIP Policy Amendment
      - (1) OFMB verifies if project is Policy Amendment.
      - (2) OFMB verifies financial constraint.
      - (3) DTD verifies the long-range plan corridor - dollars and vision.
    - b) OFMB develops public notice and posts proposed STIP policy amendment on external website for a 30-day review and comment period (see Attachment D)
    - c) OFMB distributes electronic notice of proposed STIP policy amendment using appropriate TPR distribution list. This mailing list is derived from the DTD Statewide Planning Mailing List and will be updated periodically with the electronic list managed by OFMB.
    - d) CDOT Region Planner contacts TPR representative and requests that a TPR meeting be conducted no later than the end of the written comment period, identified in the notice. If the TPR already has a meeting scheduled during the public involvement period, they should discuss any pending policy amendments for their area.
    - e) All written comments are sent to OFMB STIP Manager who will, in turn, forward copies to the appropriate CDOT Region Planner within 3 business days after receiving comments.
    - f) CDOT Region Planner responds to the commenter within 5 business days before the scheduled commission meeting.
    - g) CDOT Region Planner provides a copy of the response to OFMB for documentation.
    - h) OFMB coordinates with the Transportation Commission office on the required agenda item and the Chief Financial Officer, or designee, leads the Commission discussion with the CDOT Region Planner or appropriate region staff in attendance, if necessary.
    - i) Transportation Commission takes action on the STIP Policy Amendments.
    - j) If Commission approves STIP Policy Amendments, OFMB submits Commission approved STIP Policy Amendments with signature from the OFMB Director to FHWA/FTA.
    - k) FHWA/FTA sends its approval of STIP Policy Amendments to OFMB.
    - l) OFMB endorses the FHWA approved amendment list in the STIP and informs DTD-Statewide Planner, STIP Administrator and CDOT Region Planner of FHWA/FTA approval.
    - m) OFMB posts approved date for STIP policy amendment on external website for 30 days.
    - n) If Transportation Commission or FHWA **does not** approve STIP Policy Amendments, process will start over with updated information.

### **III. STIP Administrative Actions**

- A. STIP Administrative Actions include any projects which:
1. Do not meet the STIP policy amendment criteria as listed in Section I; or
  2. Result from voter initiatives; or

3. Are declared an emergency as defined by the Emergency Relief Program 23 CFR 668.105, the Governor, the Transportation Commission, or the Executive Director (based on an emergency event); or
4. Require an expedited action for special circumstances agreed to by CDOT Executive Director and FHWA Colorado Division Administrator or the FTA Regional Administrator. This action will go through an abbreviated public involvement process concluding with Transportation Commission action.

**IV. Public Involvement Procedure for approved STIP Administrative Actions**

- A. OFMB verifies and approves amendment as administrative action.
- B. OFMB compiles the administrative action report at the end of the month and sends it to FHWA.
- C. OFMB posts approved administrative action information on CDOT external website.