

**Richmond Area MPO TIP Amendment and RSTP/CMAQ
Allocation Transfer Guidelines**

Approved by MPO July 14, 2005

Revised June 8, 2006

I. Transportation Improvement Program (TIP) Amendments

These Guidelines agreed to by VDOT, VDRPT and the Richmond Area MPO provide expedited procedures for MPO staff-level TIP amendments (hereinafter referred to as TIP adjustments). The intent of the adjustment process is to streamline the TIP amendment review and approval process by identifying those TIP amendments that can be approved by MPO staff and those which require MPO review and action.

A. TIP Adjustments

1. Eligible Adjustments

- a. Adjustments encompass changes to the allocation/obligation amounts or fiscal years for the PE, RW and CN phases of existing entries within the TIP. Funding for an existing project within the TIP may be advanced from later fiscal years or moved from prior fiscal years to the current fiscal year.
- b. Adjustments will also encompass minor description or termini changes. Minor changes are defined as changes which do not impact travel demand models, CLRP recommendations, or air quality conformity.
- c. Adjustments may include splitting an entry already in the TIP, or breaking out another project or phase from the original entry. Examples of project and phase breakouts include advance rights-of-way acquisition; building demolitions; advance utility relocations, originally included as “in-plan” during the construction phase; wetland mitigation projects; sound wall projects; bridge and structure projects; etc. The intent of these adjustments is not to add a new project that is inconsistent with the will of the MPO, as evidenced by the original TIP entry, but to facilitate the implementation of the original TIP entry.
- d. Adjustments may include the addition of funds to be shown as obligated or scheduled for obligation as long as the project is part of the financially constrained TIP (e.g., projects with funds shown as previously obligated but without actual and/or scheduled obligated funds shown).
- e. New projects that do not require air quality conformity analysis or public review can be added to the TIP by staff adjustment action. Such new projects are defined under Section 450.324(i) of the federal MPO planning regulations as follows:

(i) Projects proposed for FHWA and/or FTA funding that are not considered by the State and MPO to be of appropriate scale for individual identification in a given program year may be grouped by function, geographic area, and work type using applicable classifications under 23 CFR 771.117 (c) and (d). In nonattainment and maintenance areas, classifications must be consistent with the exempt project classifications contained in the U.S. EPA conformity requirements (40 CFR Part 51)

- f. These adjustments do not trigger the MPO's public involvement process, and will not require an official MPO resolution.

2. Stipulations for TIP Adjustments

- a. This agreement does not impact the MPO's ability to add or remove projects to the TIP through the full amendment process.
- b. The MPO has the ability to allocate CMAQ and RSTP funding for projects, and this proposal does not impact that ability.
- c. This agreement does not alter the air quality conformity process.
- d. MPO staff retains the ability to take to TAC or the MPO Board any proposed changes to the TIP that in MPO staff opinion requires the MPO's formal endorsement or review.
- e. Non-VDOT initiated adjustments (i.e., from locally or agency administered projects) require VDOT approval prior to being used as the basis of a STIP amendment.
- f. This agreement does not impact the current Memorandum of Agreement between VDOT, VDRPT, FHWA, and FTA.
- g. MPO staff must communicate proposed adjustments to the effected local government or implementing agency and obtain their concurrence on the proposed changes prior to indicating to VDOT that the adjustment will be incorporated into the TIP.

3. Process for Implementing TIP Adjustments

VDOT Transportation Planning staff, in consultation with VDOT Programming Division, evaluate whether a proposed change to a TIP entry qualifies as either a TIP adjustment or a TIP amendment. If the proposed revision is classified as a TIP adjustment:

- a. VDOT Richmond District Transportation Planning staff develops a TIP adjustment and forwards the adjustment's intent and particulars to MPO staff in electronic format. The transmission is identified as a TIP adjustment and the appropriate federal agency is copied, as appropriate, as well as other VDOT and jurisdictional/agency staff.
- b. MPO staff reviews the adjustment request and communicates the proposal to the effected local jurisdiction or agency. Staff works with the local government or agency with the goal of obtaining agreement on the proposed changes.
- c. Once the adjustment is agreed upon by all effected parties, MPO staff will respond with acknowledgement of receipt of the proposed adjustment, including a statement of concurrence that the adjustment will be incorporated into the TIP, or that MPO staff feel that the proposed adjustment requires MPO formal review.

B. MPO Approved TIP Amendments

1. TIP Amendment Review and Action

Projects submitted for TIP entry that are not eligible for consideration under TIP adjustment procedures shall be considered as TIP amendments requiring TAC review and consideration (or action if appropriate) and MPO review and action. MPO staff may also submit proposed projects eligible for TIP adjustment at staff's discretion for TIP amendment review and consideration. Proposed TIP amendments are to be submitted for TAC review and recommendation and for MPO action. The TAC chairman may determine that a proposed TIP amendment can be submitted for TAC review and comment, and if there are no comments or objections from any TAC members, it can be forwarded to the MPO for review and action without being reviewed and acted upon at a TAC meeting.

2. TIP Amendment Submission Procedures

In order for staff to have sufficient time to review and place a proposed amendment on the MPO agenda, the amendment review must be completed and received by MPO staff at least three days prior to the scheduled MPO agenda mail out. MPO members may also request additions to the MPO agenda at the meeting as per Article VI, Section 4 of the MPO bylaws which reads as follows:

The agenda for each MPO meeting shall be prepared jointly by the Chairman and the RRPDC staff liaison. The agenda shall be mailed seven (7) working days prior to the next meeting. Agenda items may be requested up to nine (9) working days before the meeting. Additions to this agenda shall be made at the beginning of the meeting by a two-thirds vote of those present at the MPO meeting. A simple majority vote of those present can add an item to the agenda for the next MPO meeting.

II. Regional Surface Transportation Program (RSTP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ) Allocation Transfers

The following procedures will end when the new competitive RSTP and CMAQ project review and selection process starts in Fiscal Year 2008 (i.e., when TAC is advised by MPO staff to prepare applications for submission of proposed RSTP and CMAQ projects under the new project review and selection process for TAC review and recommendation).

A. Shifting RSTP/CMAQ Funds between Existing Projects

Transfers of RSTP and CMAQ funds among existing project will be handled by MPO staff as an administrative function not requiring TAC or MPO action. Administrative changes relating to RSTP and CMAQ fund transfers will first be analyzed by staff in consultation with VDOT and local government staffs. If a proposed transfer is found to be viable, the transfers will be recorded in the MPO's official RSTP and CMAQ tracking sheets and the revisions will be submitted to VDOT for record-keeping purposes and for inclusion in the Six Year Improvement Program.

B. Shifting RSTP/CMAQ Funds to New Projects

These procedures apply to shifts made with RSTP and/or CMAQ funds resulting in new projects that are not shown in the TIP.

1. MPO staff to review and submit request along with staff comments and recommendation to TAC.
2. TAC to meet and provide comments (if appropriate) and recommendation for MPO review and action.
3. Request, along with staff and TAC comments and recommendations for MPO action, submitted to MPO.