



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

Louisiana Division Office

November 1, 2018

5304 Flanders Drive, Suite A
Baton Rouge, LA 70808
225.757.7600
225.757.7601 (fax)

**In Reply Refer To:
HDA-LA**

Connie Porter Betts
Transportation Planning Administrator
Louisiana Department of Transportation
and Development
Baton Rouge, LA

**Subject: Approval of Procedures to Amend or Administratively Modify the Louisiana
STIP and TIPS**

Dear Ms. Porter Betts:

The Federal Highway Administration (FHWA) reviewed the Louisiana Department of Transportation and Development's revised "*Procedures to Amend or Administratively Modify the Louisiana Statewide (STIP) and Transportation Improvement Programs (TIPs)*", submitted on September 18, 2018. FHWA approves these procedures.

Please ensure that these new procedures are shared with all the MPOs in Louisiana.

Please call me at 225-757-7610 with any questions or comments.

Sincerely yours,

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M STRINGFELLOW
Date: 2018.11.01 11:09:26
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Mary Stringfellow
Program Delivery Team Leader

Procedures to Amend or Administratively Modify the Louisiana Statewide (STIP) and Transportation Improvement Programs (TIPs)

The following procedures are applicable for processing amendments or administrative modifications to the Statewide (STIP) or Metropolitan Transportation Improvement Programs (TIPs). In accordance with the provisions of [23 CFR 450.218\(b\)](#), the STIP shall be developed in cooperation with the MPO designated for a metropolitan area. Each metropolitan transportation improvement program (TIP) shall be included without change in the STIP, directly or by reference, after approval of the TIP by the MPO and the Governor. A metropolitan TIP in a nonattainment or maintenance area is subject to a FHWA/FTA conformity finding before inclusion in the STIP. In areas outside a metropolitan planning area but within an air quality nonattainment or maintenance area containing any part of a metropolitan area, projects must be included in the regional emissions analysis that supported the conformity determination of the associated metropolitan TIP before they are added to the STIP.

In accordance with [23 CFR 450.218\(n\)](#), projects in any of the first four years of the STIP may be moved to any other of the first four years of the STIP subject to the project selection requirements of [23 CFR 450.222](#). Such modifications do not require formal approval, provided expedited project selection procedures have been adopted in accordance with [23 CFR 450.222](#) and the required interagency consultation or coordination is accomplished and documented.

An **Administrative Modification** is 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 phase costs, funding sources of previously included projects and 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).

Administrative Modification thresholds include:

1. Revisions to a project description without changing the project scope or which do not conflict with the pertinent environmental document;
2. Minor changes to the cost of a project phase (Feasibility, Environmental, R/W, Utility Relocation, Engineering, Construction):
 - Funding changes are limited to \$1,250,000 for project phases \leq \$5,000,000.
 - For project phases $>$ \$5,000,000, an administrative modification is limited to budget changes of less than 25% in funding
3. Minor changes to funding sources of previously included project phases that do not affect fiscal constraint of the STIP or the ability to complete the project as initially described
4. Minor changes to project phase initiation dates as long as the project stays within the approved STIP/TIP timeframe and do not affect fiscal constraint of the STIP or the ability to complete the project as initially described. [23 CFR 450.218\(n\)](#)

5. A change in the project implementing agency;
6. A split or combination of individually listed projects; as long as cost, schedule, and scope remain unchanged;
7. The addition or deletion of projects from grouped project (line item) listings as long as the line item total funding amounts stay within the guidelines in number two above.

Administrative modifications can be processed in accordance with these procedures provided that:

1. It does not affect the air quality conformity determination, including timely implementation of Transportation Control Measures (TCMs), **and**
2. It does not impact financial constraint of the STIP or the ability to complete the project as described.

Each MPO approved administrative modification needs to be published online separately from TIP amendments. The MPO should summarize this as an information item to the MPO Committee members each month. The MPO Board may delegate approval of administrative modifications to the MPO's Executive Director. If the MPO Board delegates approval of administrative modifications to the Executive Director, the MPO will need to provide copies of the delegation to the LADOTD, FHWA, and FTA. Any administrative modifications will be forwarded to the LADOTD Transportation Planning Section and Public Transportation Section for approval on behalf of the Governor.

If a project affected by an administrative modification is located within the planning boundaries of a MPO, the MPO must first generate and/or accept the administrative modification for its TIP. Once approved by the MPO, then LADOTD, on behalf of the Governor, can incorporate the administrative modification into Louisiana's STIP. The LADOTD will immediately notify the MPO, FHWA, and FTA of any approved administrative modification(s). The LADOTD can incorporate a STIP administrative modification before it is approved by the MPO as long as the TIP administrative modification process has started and if waiting for the TIP administrative modification documentation will delay the letting.

For projects in a rural area, once approved by the LADOTD, on behalf of the Governor, the administrative modification will be incorporated into Louisiana's STIP. The LADOTD will immediately notify the MPO, FHWA, and FTA of any approved administrative modification(s).

An Amendment is a revision to a long-range statewide or metropolitan transportation plan, TIP, or STIP that involves a major change to a project or project phase included in a metropolitan transportation plan, TIP, or STIP, including the addition or deletion of a project or a project phase, a major change in project/project phase cost or a major change in design concept or 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 and/or a conformity determination (for metropolitan

transportation plans and TIPs involving “non-exempt” projects in nonattainment and maintenance areas). TIP amendments with proof of action must be posted on the respective MPO website within 30 days. 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.

If a project affected by an amendment is located within the planning boundaries of a MPO, it must first be amended in the TIP before it can be amended in the STIP. Once approved by the LADOTD, on behalf of the Governor, the amendment will be incorporated into Louisiana’s STIP. The LADOTD will immediately notify the MPO, FHWA, and FTA of any approved amendment(s).

Amendments: are all other changes to STIP/TIPs that are outside of the administrative modification listed above.

Timeline for Amendment Approval

When an amendment is sent to the FHWA, it will take a maximum of two weeks to be processed. The FHWA can partially approve an amendment on a project by project basis. Any project or phase of a project not approved will be resubmitted once questions and/or concerns have been resolved.

Dispute Resolution

If a question arises regarding the interpretation of an administrative modification or an amendment; the LADOTD, FHWA, FTA and MPO, as appropriate, will work to resolve the issue in coordination with each other. If after consultation, the parties disagree on the definition of what constitutes an administrative modification or an amendment, the final decision rests with the FTA for transit projects and FHWA for highway projects.

Quick Reference Chart for Amendments vs. Modifications

Administrative Modification	Amendment
Revision of a project description that does not significantly change the project design concept and/or scope	Major changes to a project including the addition or deletion of a project
Minor changes to project/project phase cost; applies to feasibility, environmental, R/W, utility relocation, engineering, construction <ul style="list-style-type: none"> • Funding changes are limited to \$1,250,000 for projects for \leq \$5,000,000 • For projects $>$ \$5,000,000 an administrative modification is classified as a change of less than 25% in funding 	Major changes in project cost, project/project phase initiation dates, or a major change in design concept or design scope <ul style="list-style-type: none"> • Funding changes that are greater than \$1,250,000 for projects \leq \$5,000,000 • Change of 25% or more in funding
Minor changes to funding sources of previously included projects that do not affect fiscal constraint	Major changes to funding sources, such as adding a new federal funding source for a project not previously federally funded
Minor changes to project/project phase initiation dates as long as the project stays within the approved S/TIP timeframe and does not affect fiscal constraint	
A change in the project implementing agency	
A split or combination of individually listed projects; as long as cost, schedule, and scope remain unchanged	
The addition or deletion of projects from grouped project (line item) listings as long as the total funding amounts stay within the guidelines	

Amendments and Administrative Modifications to a Line Item

Line Items are evaluated per phase, per fund, per year. Adding a new funding source to a phase of a line item in a particular FFY would require a STIP amendment if it affected fiscal constraint (i.e. the current STIP includes \$10,000,000 of NHPP in FFY 2019 on Phase 6 of L.000053; by adding \$5,000,000 in STPFLEX to that line item in that year and phase so that after approved, the current STIP will include \$10,000,000 in NHPP and \$5,000,000 in STPFLEX in FFY 2019 on Phase 6 of L.000053). Adding a phase to a line item also requires a STIP amendment.

For a line item phase, fund, year combination with a cost > \$5,000,000, changing the amount by more than 25% on that fund, in that phase and in that year requires a STIP amendment. For a line item phase, fund, year combination with a cost > \$5,000,000, changing the amount less than 25% on that fund, in that phase and in that year can be done by a STIP administrative modification.

For a line item phase, fund, year combination with a cost \leq \$5,000,000, the amount can be changed up to \$1,250,000 by a STIP administrative modification; changing the amount by more than \$1,250,000 requires a STIP amendment.

Adjusting existing amounts on funds within a phase and within a particular FFY of a line item that does not affect fiscal constraint of the STIP can be done by a STIP administrative modification (i.e. changing \$10,000,000 of NHPP and \$20,000,000 of STPFLEX in FFY 2019 on Phase 6 of L.000053 to \$3,000,000 of NHPP and \$27,000,000 of STPFLEX in FFY 2019 on Phase 6 of L.000053).

Adding a fund within a phase and within a particular FFY of a line item that does not affect fiscal constraint of the STIP can be done by a STIP administrative modification (i.e. adding STCASH or NFA or STBONDS or STGEN or LOCAL because additional funding sources have been identified on a project or it has been decided that projects need to be authorized as an advance construction project).

Splitting an existing fund into multiple funds within a phase and within a particular FFY of a line item which does not affect fiscal constraint of the STIP can be done by a STIP administrative modification (i.e. splitting \$10,000,000 of NHPP in FFY 2019 on Phase 6 of L.000053 into \$2,000,000 of NHPP and \$8,000,000 of STPFLEX in FFY 2019 on Phase 6 of L.000053; total remains \$10,000,000).



Office of Planning
PO Box 94245 | Baton Rouge, LA 70804-9245
ph: 225-379-1248 | fx: 225-379-1807

John Bel Edwards, Governor
Shawn D. Wilson, Ph.D., Secretary

September 18, 2018

Mr. Charles "Wes" Bolinger
Division Administrator
Federal Highway Administration
5304 Flanders Drive, Suite A
Baton Rouge, LA 70808

Attention: Ms. Mary Stringfellow

Dear Mr. Bolinger:

Based on the outcome of the meeting on August 2, 2018 between FHWA Division staff and DOTD Office of Planning staff, we would like to revise the approved Procedures to Amend or Administratively Modify the Louisiana Statewide (STIP) and Transportation Improvement Programs (TIP). Please find the proposed procedures attached for your review and approval. If approved, we will distribute the new procedures to each MPO.

Sincerely,

A handwritten signature in blue ink that reads "Connie Porter Betts". The signature is written in a cursive, flowing style.

Connie Porter Betts, P.E.
Transportation Planning Administrator

Attachments

cc: Eric Kalivoda
Dan Magri
Mary Elliott
Dan Broussard
Dawn Sholmire
Michelle Horne