Commonwealth of Virginia Statewide Transportation Improvement Program (STIP) Procedures

Developed and agreed to by:
Virginia Department of Transportation
Virginia Department of Rail and Public Transportation
Federal Highway Administration Virginia Division
Federal Transit Administration Region III

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Introduction/Background

Virginia's Statewide Transportation Improvement Program (STIP) is a federally required four-year transportation improvement program that identifies those capital and non-capital surface transportation projects (or phases of projects) within the boundaries of the State that will utilize Federal funding. The STIP must also contain all regionally significant projects requiring an action by the Federal Highway Administration (FHWA) or the Federal Transit Administration (FTA) whether or not the projects are to be funded with Federal funding. The statewide prioritized list of projects, which includes the Virginia Department of Transportation (VDOT) and the Virginia Department of Rail and Public Transportation (DRPT) projects separately organized, is developed by the Commonwealth, in conjunction with the designated Metropolitan Planning Organizations (MPO), where applicable. The STIP must be consistent with the long-range statewide transportation plan, metropolitan long range transportation plans, and the Transportation Improvement Programs (TIPs). Each MPO TIP must be included without change in the STIP, directly or by reference. The incorporation, without change, of the TIPs into the STIP demonstrates the Governor of Virginia's approval of the TIPs.

This STIP Procedures document demonstrates agreement between the Federal and State agencies involved in development and management of the STIP and highlights processes and procedures established to streamline and effectively manage Virginia's STIP.

This STIP Procedures document does not relieve the State from the responsibility to involve affected MPOs in the STIP update and modification processes where required. It is recognized that MPOs may use update and modification processes for their TIPs that differ from the processes outlined below.

Development and Approval of the STIP and STIP Amendments

Development and approval of the Virginia STIP will be in accordance with 23 USC 134, 23 USC 135, 49 USC 5303, 49 USC 5304, 23 CFR 450, and 49 CFR 613. Federal regulations require a full update of the STIP at least every four years. A draft STIP will be posted to the VDOT website for a minimum of 30 days to allow time for interested parties to comment. The full STIP update requires joint FHWA and FTA approval. FTA approves STIP amendments initiated by DRPT for the transit portion of the STIP; FHWA approves STIP amendments initiated by VDOT for the highway portion of the STIP. Projects jointly administered by FHWA and FTA require STIP amendment approval from both FHWA and FTA.

Included Projects

In accordance with 23 CFR 450.218(k), prior to inclusion of a project in the STIP, the project must be consistent with the approved fiscally constrained long range transportation plans.

In metropolitan planning areas (MPAs), the State develops the STIP in cooperation with the MPO(s) designated for the metropolitan planning area. The MPO and the State select projects and the TIP is approved by the MPO. The MPO TIPs are then included into the STIP without change. The incorporation without change, of the TIPs into the STIP, represents the Governor of Virginia's approval of the TIPs. The State then submits the STIP to FHWA/FTA for approval.

In each nonmetropolitan area in the State, the State develops the STIP in cooperation with the affected nonmetropolitan local officials using established consultation processes.

The first year of the STIP is viewed as the "agreed to" list of projects selected for implementation based on the obligation limitation. Projects in the subsequent three years may be advanced via an administrative modification as described below.

Project Information

In accordance with CFR 450.218(i), for each project or project phase (e.g., study, preliminary engineering, right-of-way, design, or construction) the STIP must include the following:

- Sufficient descriptive material (i.e., scope, termini, and length) to identify the project or phase. This includes a unique project identification number that cannot be changed or reused (i.e., UPC number for VDOT projects; STIP ID number for DRPT projects).
- Estimated total project cost or a project cost range, which may extend beyond the four years of the STIP.
- The amount of Federal funds proposed to be obligated during each program year and sources of non-Federal funds.
- Identification of the agency or agencies responsible for carrying out the project or phase.

Financial Constraint

Per CFR 450.218(o), the STIP shall include a project, or an identified phase of a project, only if full funding can reasonably be anticipated to be available for the project within the time period contemplated for completion of the project. Financial constraint of the STIP shall be demonstrated and maintained by year and shall include sufficient financial information to demonstrate which projects are to be implemented using current and/or reasonably available revenues, while federally supported facilities are adequately operated and maintained. The STIP may include a financial plan that demonstrates how the approved STIP can be implemented, indicates resources from public and private sources that are reasonably expected to be made available to carry out the STIP, and recommends any additional financing strategies for needed projects and programs. In cases where FHWA and FTA find a STIP to be fiscally constrained, and a revenue source is subsequently removed or substantially reduced (i.e., by legislative or administrative actions), FHWA and FTA will not withdraw the original determination of fiscal constraint. However, in such cases, FHWA and FTA will not act on an updated or amended STIP that does not reflect the changed revenue situation.

Grouped Projects

The grouping of projects allows flexibility and reduces paperwork for programming minor projects. Projects that are not considered to be of appropriate scale for individual identification in a given program year may be grouped by function, work type, and/or geographic area using the applicable classifications under 23 CFR 771.117(c) and (d) and/or 40 CFR part 93. In nonattainment and maintenance areas, project classifications must be consistent with the "exempt project" classifications contained in the EPA's transportation conformity regulations (40 CFR part 93, subpart A). Additionally,

projects proposed for funding under 23 USC Chapter 2 that are not regionally significant may be grouped.

By agreement, public transportation projects and studies receiving FTA grant assistance will not be grouped in the STIP. In addition, a public transportation project not grouped by an MPO in its TIP will not be grouped in the STIP.

Project groupings, as illustrated in the STIP document, will include:

- Total obligation of funds by fund type, per group, per year; and
- Total estimated cost of the group.

VDOT will track projects added to each project grouping and make that information available to FHWA using OutsideVDOT or other method jointly agreed to by VDOT and FHWA.

A listing of project groupings that may be used in the STIP will be documented in an addendum to this STIP Procedures document and will identify the definition of each project grouping. Project groupings can be established, modified, or deleted by agreement between the relevant State and Federal agencies as noted in STIP Procedures Modifications.

Public Involvement

The Commonwealth Transportation Board (CTB) allocates public funds to projects through the State's Six-Year Improvement Program (SYIP). Public involvement/comment takes place at the annual Fall and Spring transportation meetings, when the CTB adds a project to the SYIP or when funding is changed/allocated to a project in the SYIP. The SYIP forms the basis for the STIP. The STIP is referenced in advertisements for the Fall and Spring meetings and a hard copy of the STIP is made available.

Each MPO has adopted its own public involvement procedures for various planning activities, consistent with Federal and State regulations. The State has adopted a process for those projects outside of metropolitan planning areas. The appropriate procedures for the project's geographic area are used when an activity triggers public involvement, such as the inclusion of a new individual project into the STIP.

A full STIP update includes a minimum 30-day review period where the draft STIP is posted to VDOT's website.

Information on the State's various public participation methods is included in the Public Participation in Virginia's Transportation Planning and Programming Process document.

STIP Modification Process

A STIP modification is a change that is made between full updates of the STIP. There are three types of STIP modifications: (1) amendments, (2) administrative modifications, and (3) technical corrections. This agreement establishes a process to modify the Virginia STIP and govern the processing of STIP

amendments, administrative modifications, and technical corrections. The STIP may be amended at any time under procedures agreed to by the Federal and State agencies consistent with Federal regulations.

Amendments

An amendment involves a major change to a project in the STIP, including:

- Addition or deletion of a project or project phase
- Major change in project or project phase initiation date
- 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)
- Any change that requires an air quality conformity determination
- Major change in project cost as shown in the threshold tables below

An amendment requires Federal approval before project authorization or other Federal action. Amendment documentation shall demonstrate impact on financial constraint of the STIP in the amendment request. An amendment consisting of a new individual project for inclusion into the STIP by the State is subject to fiscal constraint and public involvement. In non-attainment or maintenance areas, any amendment for a non-exempt project requires a conformity determination.

Transit-FTA Project/Phase Cost Increase Thresholds for Amendments

Approved STIP Total Estimated Project Cost	Estimate Increase Requiring Amendment
Up to $2,000,000	>100%
>$2,000,000 to $10,000,000	>50%
>$10,000,000	>25%

Highway-FHWA Project/Phase Cost Increase Thresholds for Amendments

Approved STIP Total Estimated Project Cost	Estimate Increase Requiring Amendment
Up to $2,000,000	>100%
>$2,000,000 to $10,000,000	>50%
>$10,000,000 to $20,000,000	>25%
>$20,000,000 to $35,000,000	>15%
>$35,000,000	>10%

Administrative Modifications

An administrative modification involves a minor change to the STIP, including

- Minor changes in design concept or project scope
- Minor changes in project or phase costs that are less than the limits established in the threshold tables included in the Amendments section above
- Minor changes to project or project phase initiation dates
- Advancement of a project or phase from year two, three, or four of the STIP
- Minor changes to funding sources of previously included projects, including a change in the source of funds (e.g., change from non-Federal to Federal, change in type of Federal funds, or change in type of non-Federal funds)
- Splitting or combining individually listed projects – as long as overall cost, schedule, and scope remain unchanged
- Change in project or phase name (i.e. from study to preliminary design)
- Change in the project lead agency

An administrative modification does not require public review and comment, re-demonstration of fiscal constraint, or an updated air quality conformity determination. Administrative modifications may be made by the State, without Federal approval. The State shall provide documentation of administrative modifications to the appropriate Federal agency. If the State is uncertain whether a proposed change qualifies as an administrative modification, the appropriate Federal agency should be consulted prior to taking the action.

By practice, VDOT re-demonstrates fiscal constraint when notifying FHWA of administrative modifications.

Technical Corrections

Technical corrections are minor changes that do not require Federal approval. These corrections include typographical, grammatical or syntactical errors that address, for example, an error in spelling, grammar, deletion of a redundant word or formatting that was inadvertently published. It does not include changes to funding amounts. Such changes are handled on a case-by-case basis through agreement between the State and Federal agencies and coordinated with the MPOs as necessary.

Implementation

The procedures established in this document will be effective upon execution of the document by the final signatory. This STIP Procedures document does not impact project phases authorized based on previous approved STIP documents.

STIP Procedures Modifications

It may be necessary to amend this STIP Procedures document at any time should essential modifications become apparent to any party. The Parties agree that this STIP Procedures document will be reviewed at least every five years, and revised as necessary to reflect changes in Federal and State laws, regulations, and requirements.

Any changes to this STIP Procedures document involving only project groupings, such as establishing, modifying, or deleting a project grouping, may be processed as a STIP Procedures Addendum - Project Groupings revision by agreement between the State and relevant Federal agencies. Such changes do not require a formal update and signature by the below signatories on the STIP Procedures document.

Dispute Resolution

If a question arises on the interpretation of any requirement or procedure within this STIP Procedures document, VDOT, DRPT, FHWA, and FTA will consult each other collectively to resolve the question. If after consultation the parties disagree, the final decision rests with the FTA for transit projects and with FHWA for highway projects unless the current FHWA/VDOT Stewardship and Oversight Agreement dictate otherwise.

SIGNATORY:

VIRGINIA DEPARTMENT OF TRANSPORTATION

By: Wendy E. Thomas Date: 7/15/19
Wendy E. Thomas
Federal Programs Management Division Director

SIGNATORY:

VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION

By: Marie K. Berry Date: July 1, 2019
Marie K. Berry
Financial Programming Manager

SIGNATORY:

Federal Highway Administration Virginia Division

By: John Simkins Date: 7/3/19

John Simkins
Planning and Environment Team Leader

SIGNATORY:

Federal Transit Administration Region 3

By: _____ Date: 7-11-19
Kathleen Zubrzycki
Planning and Program Development Director

Projects qualifying to be grouped based on the description included in the Grouped Projects section of the Commonwealth of Virginia STIP Procedures document may be grouped into the categories listed in the tables below. Grouping is to be based on project scope/type of work.

Changes to the STIP project groupings such as establishing, modifying, or deleting a grouping, may be processed as a revision to this addendum by agreement between the State and relevant Federal agencies. Such changes do not require a formal update and signature by the signatories on the Commonwealth of Virginia STIP Procedures document.

STIP Construction Groupings	
Grouping Name/Project Work Types	**Grouping Work Type Description**
Transportation Alternatives/Byway/Other Non-Traditional Transportation Projects (CN)	Projects with scopes of work eligible for funding under the former Transportation Enhancement and Transportation Alternatives Programs, and the Transportation Alternatives (TA) Set-Aside of the Surface Transportation Block Grant Program, regardless of funding source. Examples include: construction of interpretive pull-offs and overlooks; rehabilitation/restoration/reconstruction of historic buildings; tourist and welcome centers; transportation museums; pedestrian/bicycle facilities; parking facilities; wildflower plantings.
Rail (CN)	Projects for rail/highway grade crossing improvements, regardless of funding source. Examples include: improvements to warning devices, crossing surfaces, and construction of grade separation to replace existing at-grade railroad crossings at the same location.
Safety/ITS/Operational Improvements (CN)	Safety improvement projects such as: those qualifying for HES/HSIP funding, shoulder improvements, increasing sight distance, traffic control devices, guardrails, median barriers, pavement resurfacing/rehabilitation, pavement markings, fencing, lighting improvements, intersection channelization/signalization/reconfiguration projects, traffic calming projects,

	improvements to crossovers or clear zones, addition/extension of turn lanes, extension of acceleration/deceleration lanes, drainage improvements, etc. Grouping would also include reconstruction or minor widening on or adjacent to same alignment (no increase in capacity), improvements to and modernization of rest areas, toll facilities, and weigh stations; ITS activities; or traffic operations improvement projects.
Bridge Rehabilitation/ Replacement/Reconstruction (CN)	Bridge construction projects such as: bridge or drainage structure rehabilitation, reconstruction or replacement when said work is on or adjacent to the same alignment.
Federal Lands Highway (CN)	Projects funded and/or administered by the FHWA Eastern Federal Lands Highway Division.
Recreational Trails (CN)	Projects funded and advanced as part of the recreational trails program through the Department of Conservation and Recreation.

STIP Maintenance Groupings	
Preventive Maintenance and System Preservation (MN)	Projects with the following examples of eligible work: area wide programs for cleaning drainage facilities, corrosion protection activities, highway sign face cleaning, and retrofitting of dowel bars. Pavement preservation projects that are of a preventative nature. Pavement preservation activities that extend pavement life between 2 and 10 years and typically involve the surface layer of the pavement structure. Also includes pavement resurfacing, restoration, and rehabilitation (3R) activities that are limited to the bound layers of the pavement and typically extend

	pavement life between 12 and 20 years. Examples of eligible pavement preservation activities are included in the March 2015 Federal-Aid Maintenance Agreement between VDOT and FHWA (PM/3R Agreement).
Preventive Maintenance for Bridges (MN)	Projects including the eligible bridge activities outlined in the March 2015 PM/3R Agreement (i.e. seal/replace/reconstruction of joints, deck overlays, painting, cathodic protection, retrofit of fracture critical members and fatigue prone details, and some concrete repairs). Also included are bridge safety inspections.
Traffic and Safety Operations (MN)	Projects which include signs, traffic signals, pavement markings and markers, guardrail, replacement/preventive maintenance of roadway lighting, maintenance/replacement/upgrade of traffic calming devices, etc.

STIP Transit Groupings	
Transit System Preservation	Operating assistance to transit agencies and the purchase of office, shop, and operating equipment for existing facilities. Includes preventative maintenance and non-fixed route ADA paratransit service.
Transit Rail ROW Improvements	Construction or renovation of power, signal, and communications systems, the rehabilitation of track structures, track, and trackbed in existing rights-or-way, and railroad/highway crossing projects.
Transit Vehicles	Purchase/lease of new buses and rail cars to replace existing vehicles or for minor expansions of the fleet; rehabilitation of transit vehicles; and the purchase of

	support vehicles. Also includes the purchase of operating equipment for vehicles (e.g. radios, fareboxes, lifts, etc.).
Transit Amenities	Construction of small passenger shelters and information kiosks; plantings, landscaping, fencing, lighting improvements, sign removal, etc.
Transit Ridesharing	Continuation of ride-sharing and van-pooling promotion activities at current levels.
Transit Access	Bicycle and pedestrian facilities.
Transit Engineering	Engineering to assess social, economic, and environmental effects of proposed action or alternatives to that action.