

Agenda

July 26, 2011
10:30 am – 12:30 pm

MTC
101 Eighth Street
Oakland, CA 956407
Contact: Sri Srinivasan
(510) 817-5793

Telephone Number: (712) 432-1438
Participant Access Code: 932832#

Meeting called by: Muhaned Aljabiry
Facilitator: Abhijit Bagde
Recorder: Bruce Abanathie

Agenda Topics

Item	Description	Time	Presenter
1	Agenda	10:30	Abhijit Bagde
2	Ground Rules	10:35	Abhijit Bagde
3	Approval of 6/7/2011 meeting minutes	10:40	Abhijit Bagde
4	Announcements and updates:	10:45	All
5	Follow-Up Items from last meeting: <ol style="list-style-type: none"> 1. Sri Srinivasan to send email to MPOs for data on flex fund transfers 2. Sam Kaur will continue to work with FHWA Finance on flex fund transfers 3. Muhaned Aljabiry will send revised Administrative Modification procedures to MPOs – Item completed 4. Sri Srinivasan will send an email for availability to FSTIP Schedule team meeting – Item completed 5. Kimberly Gayle to send an email regarding cost savings on transit (grants) projects 	10:55	Abhijit Bagde
6	Amendments and Administrative Modifications Guidelines: (Handout No. 1) <ol style="list-style-type: none"> 1. Delegation to MPO Executive director 2. How new guidelines affect public participation plan 3. Letter from MPO requesting Caltrans delegation 4. Notifications of FSTIP approval of Administrative Modifications by MPO 	11:10	Muhaned Aljabiry
7	Air quality conformity related to widening of 1 lane bridge to a 2 lane bridge	11:40	Wade Hobbs
8	Division of Mass Transportation (DMT) Update	11:50	Kimberly Gayle
9	Use of toll credits for projects involving FTA transfer	12:00	Rihui Zhang, Kimberly Gayle
10	Schedule for the next FTIP/FSTIP - Update	12:10	Sri Srinivasan
11	FFY 2010/2011 actual apportionments for CMAQ and RSTP	12:15	Kang Tang
12	<ul style="list-style-type: none"> • Follow-Up Items 	12:20	All

	<ul style="list-style-type: none"> • Open Forum • Future Agenda Items 		
13	Future meeting dates and locations: <ul style="list-style-type: none"> • September 6, 2011 SACOG, Sacramento (10:30 am – 12:30 pm) • October 18, 2011 Caltrans, Sacramento (10:30 am – 12:30 pm) • December 13, 2011 MTC, Oakland (10:30 am – 12:30 pm) 	12:25	All

California Federal Programming Group (CFPG)

Minutes for July 26, 2011:

1. Agenda:

Abhijit Bagde (Caltrans HQ Programming) reviewed the agenda

Handouts were emailed to the group prior to the meeting and will be addressed during the agenda item that they relate to.

2. Ground Rules:

- Since there are phone participants, everyone who speaks should state his/her name and agency.
- Keep comments as brief as possible.
- Stick to the current agenda item. Additional items not in the agenda will be added to the end and will be discussed if time permits.
- Turn off cell phones and limit interruptions.
- This is a forum to hear everyone's concerns, comments and suggestions. Please make sure your voice is heard.
- Facilitator to ask before moving on to the next item if anyone on the phone has any additional comments on the item, then pause for a few seconds.
- Respond to follow-up items and meeting notices by the deadlines.
- Except for follow-up items, the minutes will include discussions that take place during the meeting only. If you do not want what you say during the meeting included in the minutes, state "off the record."
- **When not speaking, phone participants to keep their phones on mute if possible.**
- **Do not place conference call on hold. Please hang up and redial if you must take another call.**
- Meeting minutes to be distributed to the group with 10 days after the meeting.
Bolded items were emphasized by Abhijit.

3. Minutes of the Last Meeting:

The final minutes of the June 7, 2011 meeting were provided via email prior to the meeting and there were no comments or changes requested – approved

4. Announcements and Updates: Unless otherwise noted, all items were presented by Abhijit.

Some MPOs are still not using the most current financial constraint template. All MPOs need to start using the template so that Caltrans can process the amendments.

Sri Srinivasan (MTC) announced that she has another intern to assist her with the MTC TIP. Adam Crenshaw has been brought on full time at MTC and a replacement intern has been selected.

5. Follow-up Items From Last Meeting

- a. Sri Srinivasan (MTC) will send an email to MPOs for data on flex fund transfers

Sri presented a handout that describes the data collected to date. Some MPOs are not including their MPO name and several MPOs have not returned the information. Abhijit asked Sri to describe the next steps in the process. Sri stated that the information will be applied to the flow chart provided by DMT to show some general timelines and where the roadblocks are.

Sri noted that she had also received information from MPOs that some District Local Assistance offices were not very familiar with the flex fund transfer process. Ray Zhang (DLA) wanted to know what districts were weak in understanding the process. Melissa Garza (Fresno) described an example of a situation that happened in District 6 where the flex fund transfer was delayed due to confusion with the process. Sri recommended that a generalized training for District LA offices would benefit the process.

Muhaned wanted more clarification on the purpose and outcome of the data gathering. Sri noted that there is a three pronged goal. First, to add some timelines to the DMT flow chart for flex fund transfers. Secondly, we want to see where the bottlenecks in the process are, and lastly, how to resolve the bottlenecks through a focused resolution approach.

Ray stated that he will include this issue in the next DLAE meeting and recommend additional training at the districts as necessary. Herman Cheng (LA Metro) stated that it would also be beneficial for the MPOs to know the process better.

Sri will send the flex fund transfer template again as a reminder to MPOs to submit information.

- b. Sam Kaur (SJCOG) will continue to work with FHWA Finance on flex fund transfers

Sam reported that she has been trying to contact the finance chief for the FHWA CA Division to find out if the full federal register posting is required to transfer flex funds to FTA. Sam stated that neither she nor Muhaned has had any success in receiving a reply from the individual after several email and phone call attempts. Sam requested that Jermaine assist in getting a response from the FHWA CA Division Finance Office. Muhaned Aljabiry (Caltrans HQ Programming) (speaking to Jermaine) stated that we always like to work with our Division office before having to go to Washington. Muhaned noted that this item has been a long term delay and we would like to close this issue. Jermaine stated that he had received his copies of the emails and had forwarded them on to the person responsible for reply. Because this is still not resolved, Jermaine requested that Sam again send him the email request and he will again try to assist in getting a response. Jermaine stated that the person that Sam and Muhaned had been trying to contact was an interim and that they had recently appointed a permanent Finance Director for the CA Division. Jermaine pointed out that the person being new may cause some delay, but that he would work on getting a reply.

Sam will send Jermaine the email requests for consultation with FHWA on the Federal

Register listing requirements again.

- c. Muhaned Aljabiry will send revised Administrative Modification procedures to MPOs – Item completed. See Item #6
- d. Sri Srinivasan will send an email for availability to FSTIP Schedule team meeting – Item completed - see Item #10
- e. Kimberly Gayle to send an email regarding cost savings on transit (grants) projects – See Item #8

6. Amendments and Administrative Modifications Guidelines: (Handout No. 1)

- a. Delegation to MPO Executive director

Muhaned stated that current administrative modification delegations to directors must be reviewed to make sure that it is flexible enough to cover the FSTIP as well as the FTIP. If it is not, a new request for delegation must be accomplished. Caltrans Programming office is available to review the existing delegation to see if it is adequate as well as a new delegation request that will go to the MPO board to see that it meets the requirements.

- b. How new guidelines affect public participation plan

Muhaned also stated that the MPOs need to review their PPP and make sure that the PPP does not conflict with the expanded delegation.

- c. Letter from MPO requesting Caltrans delegation

Muhaned noted that the board action would need to be accompanied by a transmittal letter, addressed to Rachel Falsetti, when requesting the Caltrans delegation.

- d. Notifications of FSTIP approval of Administrative Modifications by MPO

Muhaned informed the participants that the MPOs requesting delegation would be responsible for notifying all of the state and federal agencies/divisions that are affected by the changes to the FTIP of the modification after it is approved by the director/board.

In response to an earlier question by Bruce Abanathie (KCAG) regarding the mention of a six month financial summary update to Caltrans Programming, Muhaned answered that if an MPO does not process an amendment for six months the Programming office may request an update to their financial summary in order to make sure that the FTIP is financially constrained to after changes that have taken place through administrative modifications in the interim, if any. Bruce clarified that he was asking in regard to MPOs that make no changes to their FTIP in six months and if the six month requirement was part of the Caltrans reporting requirements. Muhaned stated that if a statewide financial constraint was requested they may also ask for an update regardless of activity.

Muhaned also addressed the importance of working within the procedures with even more diligence. If an MPO fails to comply with the procedures, the Caltrans will withdraw the delegation.

Muhaned also discussed a correction in the practice of making minor changes in the

scope of a project with an administrative modification. Jeanette Fabela (StanCOG) asked if this applied to a project in which the limits were reduced within the project description. Muhaned and Jermaine Hannon replied that any scope change would require a formal amendment. Sam clarified for confirmation that this does not affect group project list items. Muhaned confirmed that because the back up lists for grouped projects are not actually part of the FTIP and not publically viewed, they are not affected by this rule.

A discussion regarding the difference between programming grouped (exempt) projects and individually listed exempt projects ensued. MTC (Sri and Ross) described the heightened transparency needs for their area and the problems they encounter when they try to do group listings and are searching for some relief of the formal amendment requirement for exempt project that are eligible for listing in a grouped project. Jermaine explained that the federal regulations (23CFR 450.104, page 90 of the April 2010 edition) were very inflexible and would not allow an exception in the requirement to make “any” changes to project scope in a formal amendment to the TIP. Muhaned clarified that the issue is based in the public comment opportunity.

7. Air quality conformity related to widening of 1-lane bridge to a 2-lane bridge

Wade Hobbs (FHWA) related this item as a change in FHWA guidance for FSTIP programming. The previous guidance stated that these projects were not considered exempt from regional emissions analysis and conformity because the language in Table 2 of exempt category projects identified this as capacity increasing. The revised guidance addresses rural one lane bridges with two lane approaches that are part of the regionally modeled network. These bridge improvements (from one-lane to two-lanes) fall under Table 2 of 40 CFR §93.126, the category of “Projects that correct, improve, or eliminate a hazardous location or feature.” These improvements are exempt only if the project does not increase the number of lanes or traffic capacity in the approaches. Wade has provided a handout that explains the changes.

Sri discussed “road diets” as a similar safety project. Road diets reduce the number of active vehicular traffic lanes in favor of pedestrian and bicycle traffic. This reduction in traffic flow is considered a non-exempt project. Sri addressed a report regarding the exemption criteria. Joseph Vaughn (FHWA) asked Sri to be more specific about what FHWA does not allow. Sri explained that the issue is that the project is considered non-exempt and it should be exempt under the safety, bike/ped, or transportation enhancement categories. Sri identified an FHWA report that stated that the projects could be exempt if they were not on a major arterial and did not reduce traffic flow.

Mike Brady (Caltrans Environmental) requested a copy of the report. Mike expressed a concern over the conformity rule and whether the roadway is included in the model network. Joseph stated that the project would still require a formal amendment to the TIP. Sam Kaur (SJCOG) offered the clarification between work and clearances required of a type 3 amendment for an exempt project versus the type 4 amendment for a non-exempt project. Mike reiterated that the identification of how the project meets the EPA list of exempt projects is an issue.

Sri will send the information to Mike Brady who will work with FHWA to seek an answer.

Jose-Luis Caceras (SACOG) asked for clarification on the category regarding the bridge exemption. Wade and Mike Brady clarified that the category noted in Wade's report is found in the EPA Conformity Rule, Table 2 in the hazard elimination program section.

J-L also asked about the grouping category for programming. Abhijit replied that the category for widening pavement or for safety improvements would work. J-L asked if the projects could be added with an administrative modification. Abhijit stated that if this project group is already in your TIP it falls under the guidelines of the administrative modification if it meets the limits.

8. Division of Mass Transportation (DMT) Update

Kimberly Gayle (DMT) began discussing the FTA 5310 program. DMT has completed the scoring and submitted the list of recommendations to the CTC for review at the August meeting. The scoring line is at 79 – so everything that scored above the line was recommended for funding. Appeals to the recommendations can be made until the end of August. The final list will be presented to CTC for approval in September.

JARC is at risk of losing funds to lapse as of September 30. DMT has worked with FTA Region IX to transfer the funds into (Districts 3, 4, 5, 7, &8) as FTA 5307 funds that can be obligated. The fund source for programming these projects will remain as JARC funding. Project sponsors will apply directly to FTA. Instructions for obligating these projects were provided in an email from DMT (Helen Louie). Kimberly requested that Abhijit also send out a list of the specific projects that are affected by this change. Sri noted that there is some conflicting information about these projects and some lack of information about local match that needs to be resolved. Abhijit stated that DMT is communicating directly with transit providers and some of the confusion may be from the repeating of information. The information from the Programming office will be definitive for programming.

Abhijit will send out a list of the JARC projects and the JARC/5307 transfer projects when he receives the final list from Helen. The information will also be posted on the Programming Office website.

The FTA 5311 program grant for FFY 10-11 should be approved soon. Abhijit stated that FTA has confirmed that CA can program at the current level – to the estimates provided earlier. Kimberly did express a caution regarding the census numbers and any potential these may have in pushing a rural area to an urbanized area. Muhaned asked when Kimberly expects the actual numbers. Kimberly stated that they received the actuals for FFY 10-11 around March of this year. Jermaine explored the idea of an agency contacting FTA to see what the programming risks were. Sam, Muhaned, and Kimberly explained the programming process and the fact that funds lost in 5311 (for an area that moves to urban) would be de-programmed and replaced with the appropriate amount of 5307.

FTA 5307 (Governor's apportionment) small urban, Caltrans delegated the administrative responsibility to specified regions. With the potential changes, Kimberly would like to revise the apportionment program and issue new guidance for managing this program. DMT has also developed a region-by-region list of apportionments that are reverting to

the state under the lapsed apportionment rule. Recipients that want to know what their apportionment status is can contact Kimberly. Kimberly requests that 5307 recipients send an updated obligation list to her so that she can update the last (November 2010) list and send the list to Abhijit for distribution. Abhijit also requested that Kimberly include the rule that authorizes the funds to be reverted to the state.

MPOs/5307 recipients need to send the obligation updates to DMT and DMT will provide a lapse fund report for distribution by the Programming Office.

DMT will work with MPOs and recipients to develop guidance and delegation.

9. Use of toll credits for projects involving FTA transfer

Kimberly reported that DMT has worked out the details of the tracking mechanism for Toll Credits/Transportation Development Credits for flex funds. The process is going to be similar to the FTA 5307 toll credit process.

- MPO concurrence letters will be forwarded to FTA with each operator's request to utilize toll credits, with a copy to Kimberly and Michael Lange;
- DMT will review the request simultaneously with FTA and issue a Caltrans concurrence noting the balance of toll credits.

The projects will be consistent with the list sent to Michael Lange. Ray (DLA) noted that LA is revising the FTA transfer RFA process to include tracking of the toll credits through the finance letter. Sam asked Ray if that was in effect for the FY 10-11 funds. Ray replied that those funds would be obligated prior to the process being ready for implementation, so the revised process will be for next FY. Sri noted that there is a problem with a hard deadline date for listing these projects due to project and program changes that happen throughout the year. Kimberly stated that a quarterly update of the list would be reasonable for next fiscal year.

10. Schedule for the next FTIP/FSTIP - Update

Sri reviewed some of the high points of the meeting. One point that was addressed was the issue of losing the EPSP option for each additional year between the development of the FSTIP. Sri reiterated the potential for mitigating the loss of EPSP by effectively using the new expanded flexibility of administrative modifications. Sri has developed a draft schedule for the committee to review. Sri will address the sample schedule with the task force. Abhijit reminded Sri that the task force proposed that a list of options and effects needs to accompany any proposed schedule. Jermaine asked if there was a CA law that required the development of an FSTIP every two years. Muhaned and Abhijit stated that the law was active for TEA-21, but does not apply to SAFETEA-LU.

Several options considered by the task force were also discussed (i.e. two-year TIP, four-year TIP, amendment schedule to update the FSTIP, etc). Jermaine offered the caution regarding the potential for more formal amendments with a longer period between FSTIP developments.

Caltrans management wants to see the options that the task force develops with all of the effects. Sam noted that the task force also would like to get Caltrans' input on the potential scenarios from a STIP perspective. The influence of the STIP needs to be considered in the selection of any FSTIP schedule. Sri also requested a federal voice for

the task force.

Ross McKeown (MTC) asked if FHWA permitted an MPO to amend their TIP into the FSTIP off-cycle. Abhijit noted that this has been done in the past. Muhaned added that if an MPO does not adopt a new TIP when the new FSTIP was adopted, the MPO would not be fully programmed. Abhijit and Muhaned noted that the new FSTIP supersedes the existing FSTIP when adopted and that only the existing projects programmed into the new FSTIP would carry over. Jermaine agreed that an MPO could amend an existing TIP into the FSTIP after its adoption by FHWA, but that the amendment would essentially require that same amount of work as adopting a new TIP. Ross noted that adopting a new TIP in the MTC region requires a year's worth of work whereas a formal amendment does not take as long or as much work. At this point J-L accurately pointed out that this discussion belongs in the task force meeting. The subject is referred to the task force.

11. FFY 2010/2011 actual apportionments for CMAQ and RSTP

Kang Tang (Caltrans HQ Programming) reported that July 15, 2011 Caltrans received the update "actual" CMAQ and RSTP apportionments. The updated amounts have been distributed to the regions. The Programming Office recommends that regions use the additional apportionments in projects that do not require a formal amendment to the FTIP. See the email sent with the apportionment spreadsheets.

Abhijit noted that for regions that exchange their RSTP funds, the increased apportionments will be available for next year's exchange or they can be programmed this year.

12a. Follow-up Items

5a. Sri will send the flex fund transfer template again as a reminder to MPOs to submit information.

5b. Sam will send Jermaine the email requests for consultation with FHWA on the Federal Register listing requirements again.

Jermaine will work with FHWA Finance Office to assist Sam with questions

7. Sri will send the information to Mike Brady who will work with FHWA to seek an answer.

8. Abhijit will send out a list of the JARC projects and the JARC/5307 transfer projects when he receives the final list from Helen. The information will also be posted on the Programming Office website.

MPOs/5307 recipients need to send the obligation updates to DMT and DMT will provide a lapse fund report for distribution by the Programming Office.

DMT will work with MPOs and recipients to develop guidance and delegation.

12b. Open Forum

none

12c. Future Agenda Items

September 6, 2011 @SACOG

Handout No. 1: Handout for Item No. 6

DEPARTMENT OF TRANSPORTATION
DIVISION OF TRANSPORTATION PROGRAMMING
P.O. Box 942873, MS-82
SACRAMENTO, CA 94273-0001
PHONE (916) 654-2983
FAX (916) 654-2738
TTY 711
www.dot.ca.gov



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June 7, 2011

Metropolitan Planning Organizations Executive Directors
Regional Transportation Planning Agencies Executive Directors

Dear Executive Directors:

The purpose of this letter is to inform you that the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have revised the Federal Statewide Transportation Improvement Program (FSTIP)/ Federal Transportation Improvement Program (FTIP) Amendments and Administrative Modification Procedures.

The attached procedures, which are effective immediately, include revisions that expand the parameters of an administrative modification offering greater accountability and flexibility to the California Department of Transportation (Caltrans) and the Metropolitan Planning Organizations (MPOs). The revised procedures also allow Caltrans to delegate to an MPO the approval of administrative modifications to the FSTIP. Thus MPOs with delegated authority can approve administrative modifications without the need for state or federal approval. This will streamline and shorten the process of revising the FSTIP.

The following procedures apply to any MPO planning to receive a delegation from Caltrans to approve administrative modifications to the FSTIP.

1. The MPO must submit to Caltrans a board action to approve administrative modifications to the FSTIP in accordance with the attached Amendment and Administrative Modifications Procedures.
2. In addition, the MPO board may delegate the approval of administrative modifications to the MPO executive director. If the board delegates the approval to the executive director, the board action must also be submitted to Caltrans.
3. After receiving the board action, Caltrans will send a letter to each MPO delegating approval of FSTIP administrative modifications.

Once an MPO receives delegation from Caltrans to approve administrative modifications, the following procedures apply.

1. Prior to the MPO's approval of FTIP/FSTIP administrative modifications, the MPO may consult with Caltrans on proposed changes.

"Caltrans improves mobility across California"

2. Caltrans may provide cursory review of the administrative modification prior to the MPO's approval.
4. The MPO shall send copies of the approved administrative modifications to Caltrans, FHWA, FTA, and other stakeholders. Caltrans will post the approved administrative modifications on the Division of Transportation Programming Website.
5. Caltrans will regularly review the MPO's approved administrative modifications and will reject changes that do not comply with the attached procedures. In such cases the MPO must correct all noncompliance.
6. Caltrans will withdraw its delegation from any MPO that is found to be consistently noncompliant with the above and the attached procedures.

For those MPOs that do not apply for a Caltrans delegation, no action is required and the existing approval process will remain in effect.

If you have any questions, please call Muhaned Aljabiry at (916) 654-2983.

Sincerely,



RACHEL FALSETTI, Chief
Division of Transportation Programming

Attachment



U.S. Department
of Transportation

**Federal Highway
Administration**

**Federal Highway Administration
California Division**

June 3, 2011

650 Capitol Mall, Suite 4-100
Sacramento CA 95814
(916) 498-5001
(916) 498-5008 fax

In Reply Refer To:
HDA-CA

Doc ID: 62,530

Mr. Malcolm Dougherty, Acting Caltrans Director
California Department of Transportation
1120 N Street
Sacramento, CA 95814

Attention: Federal Resources Office, M.S. 82
For Rachel Falsetti, Division of Transportation Programming

SUBJECT: Revised Federal – Federal Statewide Transportation Improvement Program
(FSTIP) and Federal Transportation Improvement Program (FTIP) Amendment
and Administrative Modification Procedures

In our letter dated November 17, 2008, the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) provided the California Department of Transportation (Caltrans) procedures on the FSTIP/FTIP Administration Modification and Amendment process.

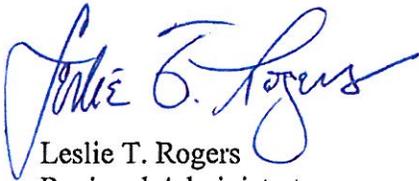
Working in coordination with Caltrans, FTA and FHWA have revised the FSTIP/FTIP Administration Modification and Amendment Procedures. The enclosed revised procedures provide much more flexibility, and in the spirit of FHWA's Every Day Counts Initiative, should shorten project delivery time by allowing for fewer formal amendments which generally take longer to process.

The revised procedures detail what specific types of programming changes to the FSTIP/FTIPs may be made as administrative modifications, for which approval has been delegated to the State, and what changes must be submitted to FHWA and/or FTA for approval as formal amendments. These procedures are intended to offer more flexibility to Caltrans and the Metropolitan Planning Organizations (MPOs) as well as clarify the parameters of an administrative modification.

Throughout the FSTIP/FTIP Administration Modification and Amendment Procedures update process, the FHWA and FTA have been very pleased with our partnership with Caltrans. This effort highlights Caltrans' continued dedication to the stewardship of the Federal-aid Program. More specifically, the FHWA and FTA extend great appreciation to Caltrans Office of Federal Transportation Management Program Chief, Mr. Muhaned Aljabiry and his staff.



If you have any questions regarding the attached procedures, please contact Ray Sukys, FTA, at 415-744-2802 (Raymond.Sukys@dot.gov) or Sue Kiser, FHWA, at 916-498-5009 (Sue.Kiser@dot.gov).



Leslie T. Rogers
Regional Administrator
Federal Transit Administration

Sincerely,



For
Robert F. Tally Jr.
Acting Division Administrator
Federal Highway Administration

Enclosure

cc: (e-mail)

Muhaned Aljabiry, Caltrans Programming

Abhijit Bagde, Caltrans Programming

Ray Sukys, FTA

Ted Matley, FTA

Scott Carson, FHWA

Cecilia Crenshaw, FHWA

Jemaine Hannon, FHWA

Wade Hobbs, FHWA

Sue Kiser, FHWA

Aimee Kratovil, FHWA

Michael Morris, FHWA

Stew Sonnenberg, FHWA

Joseph Vaughn, FHWA

JRH/km

FSTIP/FTIP Administrative Modifications and Amendments Procedures

The following procedures are applicable for processing amendments and administrative modifications to the Federal – Statewide Transportation Improvement Program (FSTIP) and the Federal Transportation Improvement Programs (FTIPs).

Projects programmed in the FSTIP may be delivered in any of the recognized program years of the FSTIP provided Expedited Project Selection Procedures (EPSPs) have been adopted by the MPOs in accordance with 23 CFR 450, and the required interagency consultation or coordination is accomplished and documented. Changing the obligation year of a project using EPSP does not require an administrative modification or an amendment if the change does not require an air quality conformity determination.

1. Administrative Modifications:

An administrative modification is a minor change to the FSTIP/FTIP that does not require a conformity determination, a demonstration of fiscal constraint, public review and comment, or federal approval. The following changes to the FSTIP/FTIP can be processed through administrative modifications:

- i. Revise description of a project or a grouped project listing without changing the project scope or without conflicting with the approved environmental document;
- ii. Revise the funding amount listed for a project or a project phase. Additional funding is limited to the lesser of 40 percent of the total project cost or \$10 million. Programming capacity must be available in the FSTIP/FTIP prior to programming the modification and stated in the supporting documentation, See Table below for examples;

(Note: Updated FTIP financial plans may be requested by Caltrans to validate fiscal constraint, if a MPO has processed only Administrative Modifications for a period of six months or more.)

Initial Project Cost	New Project Cost	Total Sum Increase	% Change in Cost	% Change < or = 40%	Total Sum Increased is < or = \$10M	Type of Amendment (Formal or Administrative)
\$1,000,000	\$1,400,000	\$400,000	40%	Yes	Yes	Administrative
\$10,000,000	\$15,000,000	\$5,000,000	50%	No	Yes	Formal
\$500,000,000	\$510,000,000	\$10,000,000	2%	Yes	Yes	Administrative
\$100,000	\$140,000	\$40,000	40%	Yes	Yes	Administrative
\$400,000	\$1,000,000	\$600,000	150%	No	Yes	Formal
\$2,500,000	\$3,000,000	\$500,000	20%	Yes	Yes	Administrative

- iii. Program Preliminary Engineering (PE) phase, provided the Right of Way and/or Construction phase(s) are already programmed in the current

FSTIP/FTIP and additional funding amounts stay within the limits specified in Section ii.

(Note: Activities done prior to Federal Authorization are not eligible for Federal participation.)

- iv. A cost decrease has no cap as long as reduction in cost does not result in deletion of a project or a phase, and the affected project phase is still fully funded.
- v. Change source of funds.
- vi. Change a project lead agency.
- vii. Program Federal funds for Advance Construction conversion, programming capacity must be available in the FSTIP/FTIP prior to programming the conversion.
- viii. Change the program year of funds within the current FSTIP/FTIP provided MPO has adopted EPSP in accordance with 23 CFR 450.
- ix. Split or combine an individually listed project or projects, provided that the schedule and scope remain unchanged.
- x. Change grouped project listings description as long as it is consistent with the Programming Grouped Project Listings in Air Quality Non-Attainment or Maintenance Areas guidance.
- xi. Add or delete a project or projects from a grouped project listing, provided the funding amount stays within the limits specified in Section ii.
- xii. Program emergency repair projects on the state highways as a result of a natural disaster or catastrophic failure from an external cause, and that are not covered by the Emergency Relief Program, provided that these projects are exempt from Air Quality Conformity Requirements.
- xiii. Re-program a project for which FHWA funds were transferred to FTA in the prior FSTIP/FTIP and FTA has not approved the grant yet. The project can be programmed in the current FSTIP/FTIP via an administrative modification provided there is no change in the original scope or cost. Program the project using fund type "FTA 5307 (FHWA Transfer Funds)" in the FSTIP/FTIP.
- xiv. Program an FTA funded project from the prior FSTIP/FTIP into the current FSTIP/FTIP provided there is no change in the original scope or cost. Use the project description field (or "CTIPS MPO Comments" section) to list the year, amount, and type of the prior year funds.
- xv. Make minor changes to an FTA funded grouped project listing. Minor changes include changing the number of transit vehicles purchased by 20% or less and changing the fuel type of transit vehicles. The MPO must take the change through its interagency consultation procedures to confirm that the change in scope is minor.

2. Amendments:

Amendments are all other modifications to the FSTIP/FTIP that are not included under administrative modifications and shall be approved in accord with the provisions of 23

CFR 450.326 for each metropolitan area in the State, and in accord with the provisions of 23 CFR 450.216 for the non-metropolitan area.

3. Procedures:

a. Administrative Modifications:

MPOs with approval delegation from Caltrans

Caltrans may delegate to an MPO's Board the authority to approve administrative modifications. In such a case, no Caltrans approval of administrative modifications is required. If the MPO Board has delegated the authority to the Executive Director to approve administrative modifications, the MPO must provide copies of the delegation to Caltrans, FHWA, and FTA. The MPO must send copies of the approved administrative modification to Caltrans, FHWA, and FTA. Once approved by the MPO, the administrative modification will be deemed part of the FSTIP. The MPO will demonstrate in a subsequent amendment that the net financial change from each administrative modification has been accounted for. Caltrans will conduct periodic reviews of MPO's administrative modification process to confirm adherence to these procedures. Noncompliance with these procedures will result in revocation of that MPO's delegation.

MPOs without approval delegation from Caltrans

Each MPO's administrative modification will be forwarded to Caltrans Division of Transportation Programming for approval. If the MPO Board has delegated the authority to the Executive Director to sign off on administrative modifications, the MPO must provide copies of the delegation to Caltrans, FHWA, and FTA. The MPO must send copies of the administrative modification to Caltrans, FHWA, and FTA. In addition, the MPO must demonstrate in a subsequent amendment that the net financial change from each administrative modification has been accounted for. Once approved by Caltrans, the administrative modification will be deemed part of the FSTIP since no Federal action is required. Caltrans will notify FHWA and FTA of the approved administrative modification.

(Note: If it is found that an approved administrative modification does not meet the criteria of an administrative modification, FHWA and FTA reserves the right to reject that administrative modification and require a formal amendment.)

b. Amendments:

Amendments to the FSTIP must be developed in accordance with the provisions of 23 CFR 450, and approved by FHWA and/or FTA in accordance with 23 CFR 450 and the July 15, 2004 MOU between FHWA – California Division and FTA Region 9. Each amendment must be forwarded to Caltrans Division of Transportation Programming for approval on behalf of the Governor. To expedite processing, the MPO will also forward a copy of the submitted amendment to FHWA and FTA at the same time the amendment is sent to Caltrans. Once

approved by Caltrans, the amendment will be forwarded to FHWA and/or FTA for federal approval. Once approved by FHWA and/or FTA, the amendment will be deemed part of the FSTIP. The FHWA and/or FTA approval letter and respective Conformity Determination will be addressed to Caltrans, with copies sent to the MPO.

4. Consultation:

If a question arises regarding the interpretation of what constitutes an administrative modification or an amendment, Caltrans, the MPO, FHWA and/or FTA will consult with each other to resolve the question. If after consultation the parties disagree, the final decision rests with FTA, for transit projects, and FHWA, for highway projects.

Any exception to these procedures is allowed only through consultation among MPOs, Caltrans, and FHWA/FTA. FTA, for transit projects, and FHWA, for highway projects, will have the final decision whether or not such an exception is granted.