

# Statewide Transportation Improvement Program (STIP):

## Revision Procedures

New Hampshire Department of Transportation



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## I. Overview

The NH Department of Transportation (NHDOT), through cooperation and coordination with the Metropolitan Planning Organizations (MPO) and the rural Regional Planning Commissions (RPC), maintains the Statewide Transportation Improvement Program (STIP). This document herein referred to as the STIP Revision Procedures documents the process by which the STIP is edited and maintained and which parties have responsibility for those efforts.

The STIP is a financially constrained, federally required planning & programming document that identifies projects that are planned over a four year period. The STIP document contains federally funded projects as well as regionally significant projects that are funded with non-federal sources. Decisions regarding the STIP are formally discussed at Interagency Consultation (IAC) meetings. The IAC is comprised of representatives from NH's MPOs, rural RPCs and other federal and state agency partners.

To comply with Federal regulations, each MPO (four in NH) must develop a Transportation Improvement Program (TIP) which lists and identifies all transportation projects funded with federal revenue sources and other regionally significant projects. The RPCs which are not federally designated MPOs are not required to have a TIP document, and therefore coordinate transportation improvement projects in cooperation with the NHDOT. Per Federal regulations, the TIP document for each of the four (4) MPOs in NH must be included without change in the STIP.

The planning and development of transportation improvements can be a very involved process. The revision procedures laid out in this document outline the decision thresholds and mechanisms engaged to make changes to the STIP and they have been developed, reviewed, and adopted by the Interagency partners. These changes may be initiated from the NHDOT or at the MPO and, depending upon their significance and complexity, require coordination from several agencies and may also require Federal approval. Through the IAC process, the NHDOT participates with representatives from the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the Environmental Protection Agency (EPA), the NH Department of Environmental Services (NHDES), MPOs and RPCs to discuss issues, effects of, and requirements regarding revisions of the STIP. These issues include MPO public comment and participation periods, statewide comment periods, regional significance, financial constraint and air quality conformity determinations.

As with any procedural process, there is the opportunity to revisit the current document to review, discuss, and revise as may be needed. This Revision Procedures document demonstrates that through cooperative and engaging discussions with all the interagency partners, changes can be addressed and documented to make the process more transparent to all involved.

## II. Decision Thresholds

The following thresholds were established by NHDOT in consultation with the Interagency partners. However, ultimate approval lies with FHWA and FTA as these agencies are charged with formal STIP approval responsibilities. The intent of setting these thresholds is to establish a transparent and consistent decision making process for how changes to projects within the STIP will be managed. For changes to the total cost of the project within the 4-year STIP period, a sliding scale is outlined in **Table I** (page 3) to determine which category of revision is required. All measurements for these cost changes will be made from the last approved STIP update or amendment, to account for incremental changes. Please refer to **Appendix A** for additional clarification on some of the terms and concepts outlined in the Decision Thresholds and throughout these Procedures.

## A. Amendment

- Any change to a project that triggers a Conformity Determination. This primarily affects Non Exempt projects in nonattainment or maintenance areas with year or scope changes;
- Adding or removing a project or phase of a project (unless for illustrative purposes);
- Making a substantive change in the design concept or scope of a project that uses state or federal funds or any regionally significant projects regardless of the funding source;
- A significant change in the total cost of a project within STIP years (**Table I**, page 3);
- Officially adding a project that had been previously included for illustrative purposes.

## B. Administrative Modification: Minor Revision

- Minor changes in the total cost of a project (**Table I**, page 3);
- Changes to the cost of transit agency projects to reflect annual FTA allocations.
- Minor changes to the scope of work or description of a project that do not affect the regional emissions analysis or otherwise trigger a conformity determination;
- Combining or separating two or more projects that are part of an approved STIP, so long as the total cost changed is within the Minor Revision thresholds as shown in Table I, Page 3;
- Combining or separating phases within a project that are part of an approved STIP, so long as the total cost changed is within the Minor Revision thresholds as shown in Table I, Page 3;
- Identifying a specific project that was part of a programmatic project and adjusting the programmatic project accordingly, so long as the total cost changed is within the Minor Revision thresholds as shown in Table I, Page 3;
- Changes to the funding category(s) identified in an approved STIP for a project that are within the Minor Revision thresholds identified in Table I, Page 3;
- A change in the fiscal year of any phase or portion of a phase of a project in areas where expedited project selection procedures have been adopted, provided they are advanced or delayed within the STIP years and do not affect the financial constraint of the STIP or trigger a Conformity Determination. \* \* *Expedited procedures are currently in effect for the entire State of NH*\*\*

## C. Administrative Modification: Information Only

- Minor changes to the total cost of a project (**Table I**, page 3);
- Typographical corrections to project information.
- Changes to project phase naming that don't involve a scope change.

**D. Project Cost Change Threshold**

**Table I**

Total Cost of Project within approved STIP	Amendment	Administrative Modification	
		Minor Revision	Information Only
	Action Needed if the Change in Cost from the amount approved in the most current STIP is:		
> \$1.5 Million	> 25%	Up to 25%	< 10%
< \$1.5 Million	> 25%	Up to 25%	< 8%

Source: NHDOT

**III. Interagency Consultation**

Before an Amendment or Administrative Modification can be adopted by NHDOT or an MPO and prior to the start of any public comment periods, the proposed changes, whether initiated from the MPO or the NHDOT, will be discussed through Interagency Consultation meetings/phone conferences or correspondence. Representatives from FHWA, FTA, EPA, NHDOT, NHDES, MPOs, and RPCs in New Hampshire are invited to participate in these monthly discussions. Any public input that has been received should be communicated through the planning agency staff in attendance or via written comments to NHDOT, FHWA and FTA.

Interagency consultation provides one of the first opportunities for MPOs, the agencies, and others involved to provide comments on potential STIP revisions. Any comments received through the consultation process may affect how the State selects to categorize the proposed STIP action before distributing them for public comment and formal review at the MPO level. In an MPO area, final categorization is at the discretion of the MPO, which may opt to process any Minor Administrative Modification as an Amendment. Alternatively, an MPO may not elect to change a revision from an Amendment to a Minor Administrative Modification without reviewing the change through Interagency Consultation. A report of any Minor Administrative Modifications that are processed will be shared regularly as part of the Interagency Consultation process.

Through Interagency Consultation a decision will be made regarding each project’s regional

significance, determination of any conformity determinations, proposed STIP action (Amendment or Revision) and the length of the public comment period associated with the proposed action. At a minimum, that recommendation will meet the standards outlined in 23 CFR 450.

Proposed STIP actions will be compiled by NHDOT and provided to Interagency Partners for review and comment three weeks prior to the next scheduled Interagency Consultation meeting. This distribution schedule provides two weeks for interagency participants to review the materials and submit comments or questions to NHDOT. NHDOT will compile all comments and questions into a single response to be provided to all Interagency Partners one week prior to the meeting, and any outstanding items may be discussed at the IAC meeting. The comments, questions and responses will also be incorporated into the meeting notes (discussed later in this section).

NHDOT maintains an updated STIP schedule that is distributed prior to each month's Interagency Consultation meeting. The schedule provides closing dates as well as anticipated approval dates through the end of the fiscal year. Under normal circumstances, the goal is to develop four (4) Amendments per year and 12 monthly Administrative Modifications. Every two (2) years a STIP Update will be generated concurrent with the adoption of an updated NH Ten Year Transportation Plan.

Important decisions reached through Interagency Consultation will be documented as meeting notes. Some examples include:

- The need for making a conformity determination;
- The regionally significant and/or the Clean Air Act (CAA) Code of a project or phase of a project; (CAA codes listed in appendix C)
- Any adjustments made to analysis years for determining conformity; and
- The decision to process STIP revisions as either Amendments or Administrative Modifications
- The length of the public comment period related to the agreed upon STIP action

The responsibility of developing meeting notes is assigned to all participants of the Interagency meeting on a rotating schedule. If NHDOT takes notes during a monthly Interagency meeting, NHDOT will develop formal notes using the existing format (see appendix D for example of standard format) then circulate the draft notes to the Interagency participants for review and comment prior to posting the notes on its website. The following month, DES will develop and pass the draft notes on to NHDOT to circulate for comments prior to publishing the notes on its website and so on until each participating agency has had a turn. Once comments received by participants are incorporated, the final Interagency meeting notes will be posted on NHDOT's website within 10 days of the meeting.

## Transit Programmatic Projects

Transit Programmatic projects will be utilized in an effort to:

- Improve the accuracy of FTA funds reporting in the STIP & TIPs
- Enhance flexibility in use of these funds

The NH STIP uses programmatic projects where appropriate. This means that the NH STIP will report on the *program* totals that represent the sum of all authorized *projects* funded through the respective programs. These *projects* represent *programmatic children* and the amounts reported in the STIP are known as *parent programmatic*s. To aid in the accuracy of financial details reported in the STIP, each MPO has agreed to work with their respective transit providers to document the children programmatic projects that total up to the parent program funding amounts identified in the TIP/STIP respectively. The following programmatic projects will be used for the STIP and respective regional TIPs:

Project Name	Project Number	Description
Program	COAST 5307	COAST operating, ADA, capital preventive maintenance, planning, FTA 5307 funds
Program	MTA 5307	MTA operating, ADA, capital preventive maintenance, planning utilizing FTA Section 5307 funds.
Program	NTS 5307	Nashua Transit System operating, ADA, capital preventive maintenance, planning. FTA 5307 funds
Program	NTS 5310	Nashua Transit System FTA 5310 Formula Funds for Mobility of Seniors & Individuals w/ Disabilities
Program	NTS 5339	Nashua Transit System FTA 5339 Formula Funds for Capital Projects for Buses & Related Facilities

Each MPO agrees to provide details on changes to the children programmatic within their region as comments in advance of the monthly Interagency Consultation meeting (1 week prior to scheduled IAC meetings, along with any comments on the proposed STIP action pending at that time). NHDOT will provide updated reports on the children transit projects incorporating requested changes to IAC along with the monthly comments distribution, 1 week prior to IAC meetings.

As with all other programmatic projects, any child projects that are Non Exempt under the Conformity Rule, or are not classifiable as Categorical Exclusion (CE) projects under NEPA, must be identified as stand-alone projects in the TIP and STIP, as must any projects funded via discretionary grants.

## Dispute Resolution

When disagreements arise over any aspect of a STIP revision that cannot be satisfactorily and amicably resolved between the immediate parties involved, they will be brought forward for discussion as part of the consultation process. The Interagency group may provide guidance to the parties involved in the dispute and to whichever agency(s) have the ultimate approval authority. Any such guidance shall be documented in the meeting notes. However, while the guidance provided through Interagency Consultation should weigh heavily on decisions made to resolve the dispute, it is not binding.

#### **IV. Amendments or Updates**

Amendments or Updates are revisions that are intended to address substantial changes to project scopes or changes that may affect air quality conformity or financial constraint. The Amendment or Update process also provides an opportunity to process all other changes that may have been approved since the previous Amendment, including Administrative Modifications, Information Only changes, and Post Authorization Revisions. Amendments or Updates require, at a minimum, a public comment period, (may require) a conformity determination, and subsequent approvals. They may also require an update to the air quality analysis (regional emissions analysis).

As part of the Interagency Consultation process, for each Amendment the Interagency Partners will recommend a length for the public comment period between 10 and 30 days. For the Update that is processed on a two-year cycle concurrent with New Hampshire's 10 Year Plan update cycle, the public comment period will be 30 days at a minimum. For Amendments, the recommendation will be based on various factors including the magnitude of the changes being proposed, the relative sensitivity of the projects included, and any factors that require timely actions, e.g. emergencies, federal lapses, etc. In MPO areas, each MPO will implement the comment period and in rural areas, the NHDOT shall.

For all STIP actions, the IAC partners shall coordinate the public comment periods including when each respective comment will open, the number of days public input will be solicited, and the date of the final public meeting where public comments will be accepted (closure of public comment period). It is established practice for the NHDOT/rural areas public comment period to extend for 1 full week past the closure of the MPO public comment opportunities. This approach allows for enhanced public input opportunities as well as consistency between the TIPs and the STIP.

The public comment period must be completed, and any comments received must be responded to before the MPO or State adopts the TIP/STIP amendment. The timeframe to adopt an Amendment is 2-3 months after review through Interagency Consultation. To the extent possible, Amendments to the STIP will be processed on a quarterly basis. Authorization requests in the Fiscal Management Information System (FMIS) for changes included in Amendments or Updates will document the date of Federal approval in the FMIS STIP Reference field.

When TIP/STIP amendments involve revisions to projects that are grouped by function, work type, and/or geographic area, consistent with requirements listed in 23 CFR 450.218(j) and 23 CFR 450.326 (h), NHDOT will provide the IAC with a programmatic report of individual project-specific changes in their respective regions that are included in such revisions. Upon request, NHDOT will also provide project-specific listings by RPC/MPO for grouped projects that are included with STIP Updates.

#### **Metropolitan Areas**

Project changes in an MPO area must comply with the provisions of 23 CFR 450.328 pertaining to TIP revisions. Regardless of whether the project change is initiated by the MPO or the NHDOT, the

MPO board must adopt the change to their approved TIP. There must be a public participation process, consistent with the respective MPO public participation plan. Upon formal endorsement of the Amendment or Update at a public MPO meeting, the MPO shall provide a copy of the Amendment or Update to the State (NHDOT and NHDES), FHWA, FTA, and EPA. In non-attainment or maintenance areas, any Amendment or Update to the TIP that modifies a non-exempt project or projects must be accompanied by a corresponding conformity determination by the MPO. That conformity determination, depending upon the discussions through Interagency Consultation, may or may not require a new air quality analysis. The MPO shall also process their Long Range/Metropolitan Transportation Plan (MTP) Amendments or Updates concurrently with their TIP Amendments or Updates as necessary to maintain consistency between the documents. The MPO will follow their public participation procedures for amending or updating their MTP.

The NHDOT shall incorporate the Amendment or Update into the STIP and submit the amended or updated STIP to FHWA/FTA for approval. The NHDOT must demonstrate that the STIP remains financially constrained. Each Amendment shall be dated and sequentially numbered. The FHWA/FTA shall approve or disapprove the STIP Amendment or Update in whole or may choose to exclude specific projects from the approval. The NHDOT will forward copies of the approval to the affected MPOs. The MPO will, in turn, notify the affected Transit Operator(s), if transit projects are involved.

#### **Non-Metropolitan Areas (rural)**

The NHDOT will notify the non-MPO area RPCs of the project changes and hold a public comment period. The Director of Project Development or their designee for NHDOT will have approval authority for rural area amendments or updates to the STIP. After the comment period closes, the NHDOT forwards the Amendment or update, along with any comments received, to FHWA/FTA for approval. Based on comments from the planning commissions or the public, additional consideration will be given to the proposed changes. The NHDOT will notify affected transit operators if transit projects are involved.

#### **V. Administrative Modification: Minor Revision**

Consistent with the definitions outlined in 23 CFR 450.104; Administrative Modifications are minor revisions with the intent of allowing, where suitable, relatively small changes to be made to projects in an expedited fashion. Minor Revisions can be made based on the thresholds established in Section II-B (page 2) and in **Table I** (page 3). The Minor Revision option is available for projects at the discretion of the MPO, or the State in rural areas, which may instead opt for the formal amendment process. Whenever practical, project changes that may qualify as Information Only Administrative Modifications will be processed as Minor Revisions. FHWA may, but is not required to, authorize requests in FMIS up to the project cost change thresholds outlined for Minor Revisions listed in **Table I** prior to MPO and NHDOT approval of the Administrative Modification. Funding authorization requests resulting from Minor Revisions may be made following introduction of the proposed changes at the regular monthly Interagency Consultation meeting. FHWA will consider each request for authorization on a case-by-case basis. Authorization requests in the

FMIS for changes included in Administrative Modifications that have been processed will document the date of processing in the FMIS STIP Reference field.

A list of all the projects that are potentially eligible for minor administrative modifications will be reviewed through the interagency consultation process. Following that review, each of the affected MPOs and rural planning commissions will receive a list of projects with the proposed changes within their jurisdiction. The NHDOT will ensure that all revisions processed as administrative modifications are incorporated in the next amendment or STIP update as necessary, including the financial constraint demonstration. Minor administrative modifications should typically take less than 1 month to process.

To ensure consistency with federal regulations regarding air quality conformity, any project that is identified to potentially affect the air quality conformity determination of a non-attainment or maintenance area will be discussed during interagency consultation. If, through consultation, a proposed minor administrative modification is identified as having an impact on the air quality conformity determination, that revision will be escalated to an Amendment.

### **Metropolitan Areas**

Each MPO has the option to create and adopt, as part of their prospectus, procedures to process minor administrative modifications. Included as minor administrative modifications, the MPO also has the option to include expedited project selection procedures. The person or committee designated as having approval authority, or the MPO policy committee, will review the list of projects and issue a letter stating concurrence or disapproval of the proposed changes. The MPO will notify the FHWA/FTA of the approval of minor administrative modifications. The FHWA/FTA shall place these adjustment letters on file with the STIP and the State shall update the STIP to include these modifications periodically as full amendments or STIP updates are processed. If the person or board designated as having approval authority elects not to approve an administrative modification, that change could still be pursued through the full amendment process. FHWA/FTA will review modifications and will accept or not accept them; however, no formal approval will be required. If FHWA/FTA does not accept a minor administrative modification, this will be noted in the federal approval action for the subsequent amendment, and any additional authorization of federal funds may be withheld by FHWA/FTA at their discretion until such subsequent amendment is provided federal approval.

### **Non-Metropolitan Areas**

The NHDOT, through this document and in a manner consistent with federal regulations (23 CFR 450.218(n) and 23 CFR 450.222 (b-e)), establishes procedures to act on project changes as minor administrative modifications, including expedited project selection procedures, for the non-MPO areas of the State. These procedures have been developed through consultation with the regional planning commissions and federal agencies.

Project changes within the thresholds outlined in Section II-B and in **Table I** of this document (pages 2-3) may be processed as minor administrative modifications, provided:

- The NHDOT shall notify the affected RPCs in writing of the need for the proposed changes. This notice shall include an explanation of the purpose and need of the change and will be discussed through the interagency consultation process;
- For any project changes which will impact the timeline or amount of local matching funds, the NHDOT, in consultation with the RPC, shall determine that the funds will be available after contacting the governing body;
- Written concurrence with the proposed change in project implementation is issued by the Director of Project Development of the NHDOT or their designee.

The NHDOT will notify the FHWA/FTA of the approval of minor administrative modifications. The FHWA/FTA shall place these adjustment letters on file with the STIP and the State shall update the STIP to include these modifications periodically as full amendments or STIP updates are processed. FHWA/FTA will review modifications and will accept or not accept them; however, no formal approval will be required. If FHWA/FTA does not accept a minor administrative modification, this will be noted in the federal approval action for the subsequent amendment, and any additional authorization of federal funds may be withheld by FHWA/FTA at their discretion until such subsequent amendment is provided federal approval.

#### **VI. Administrative Modification: Information Only**

Technical corrections and minor cost adjustments (**Table I**) will be treated as information only administrative modifications only when timeliness is critical. In all other cases, the changes will be processed as Minor Revisions. These types of changes will be reported in the STIP as future amendments or STIP updates are processed and would not require approval. The changes will also be reported as part of the regular Interagency Consultation process.

#### **VII. Submission of STIP Revisions**

STIP amendments for single projects (also known as Off-Cycle Amendments) may be accommodated by FHWA/FTA, however, it is strongly suggested that the State bundle projects for approval and submit an updated STIP project listing including a group of amendments, administrative modifications, and information only changes on a quarterly basis or less frequently if there have been no changes in the STIP during the previous quarter. This will make for a more rational tracking of the current STIP by the State, the Federal Agencies and the MPOs. Each amendment request shall be dated and sequentially numbered with one copy submitted to FHWA and one copy to FTA.

## **VIII. Air Quality Conformity**

Any changes that will potentially trigger conformity are discussed and explored by the participating agencies through the interagency consultation process allowing potential impacts to be identified early in the revision process. STIP Amendments that involve Non Exempt projects in nonattainment or maintenance areas must include a conformity determination, and the conformity determination is subject to the same public comment period requirements as for the STIP amendment.

Any proposed revision that triggers a Conformity Determination must be processed as an Amendment. Any revision to the air quality analysis also requires an amendment of the MPO Metropolitan Transportation Plan (MTP). The MPO will follow their public participation procedures for amending their MTP. The new air quality analysis shall be developed and amended into the MTP (consultation and public notice procedures apply). The amended TIP conformity determination would then be based on the amended MTP regional air quality emissions analysis. The S/TIP amendment, the supporting MTP, and a statement of finding of conformity will be submitted to EPA for review and concurrence, and then to FHWA/FTA for approval. The FHWA/FTA approval letter will reflect approval of this new conformity determination.

If the proposed revision to the S/TIP does not affect the existing regional emissions analysis, but triggers a determination of conformity for other reasons, it shall be explicitly reflected in the amendment with a statement that the finding of conformity relies on the previous (existing) regional emissions analysis. Such statement will be included with the conformity determination documentation that is circulated for public comment.

## **IX. Emergency Relief Funded Projects**

Consistent with requirements listed under 23 CFR 450.218, Emergency Relief (ER) funded projects can be excluded from the STIP, with the exception of those involving substantial functional, locational, or capacity changes. Permanent repair projects are intended to be 'replacement in kind,' (not just emergency repair projects), and permanent repairs in general are not intended to require substantial functional, locational, or capacity changes. However, these procedures recognize that inclusion of ER Program defined betterments alone would not necessarily amount to substantial functional, locational, or capacity changes. 23 CFR 668.113 (b) provides that projects for permanent repairs must be processed in accordance with regular Federal-aid procedures. Therefore, under these procedures, any permanent repair projects that would involve substantial functional, locational, or capacity changes shall be included in the STIP, and any permanent repair projects that use Federal-aid funds other than those provided for through the ER Program, shall be included in the STIP. Permanent repair projects that utilize State-only or ER Program funding, and do not involve substantial functional, locational, or capacity changes, can be excluded from the STIP.

## **X. Post Authorization Revisions**

Revisions to projects and phases of projects after they are programmed in the STIP and authorized by FHWA/FTA are an inevitable part of the implementation process, and can have significant impacts on available revenues as documented by year and funding category in the STIP's demonstration of financial constraint. Situations including adjustments based on bids, project closeout, change orders/extra work, and litigation may all require revisions to the project. These changes may be processed by the NHDOT without approval through the STIP Revision process. Similar changes to FHWA oversight projects will require discussion and approval by FHWA consistent with the procedures established in the Stewardship and Oversight Agreement.

All post authorization revisions will be incorporated into the project list as well as the financial constraint demonstration for each subsequent Amendment or Update to the STIP.

## **XI. Appendices**

### **Appendix A: Definitions**

Administrative Modification: 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/project phase costs, minor changes to funding sources of previously-included projects, and minor changes to project/project phase initiation dates. An administrative modification is a revision that does not require public review and comment, demonstration of fiscal constraint, or a conformity determination (in nonattainment and maintenance areas). Consistent with the definitions outlined in 23 U.S.C. 101(a), 49 U.S.C. 5302; and 23 CFR 450.104; administrative modifications are minor revisions with the intent of allowing, where suitable, relatively small changes to be made to projects in an expedited fashion.

Administrative Modification: Minor Revision: A Minor Revision can be made based on the information and thresholds established in Section II-B and in **Table I**.

Administrative Modification: Information Only: STIP revisions categorized as Information Only can be made based on the information and thresholds established in Section II-C and in **Table I**.

Air Quality Conformity Determination: a Clean Air Act (42 U.S.C. 7506(c)) requirement that ensures that Federal funding and approval are given to transportation plans, programs and projects that are consistent with the air quality goals established by a State Implementation Plan (SIP). Conformity, to the purpose of the SIP, means that transportation activities will not cause new air quality violations, worsen existing violations, or delay timely attainment of the NAAQS. The transportation conformity rule (40 CFR Part 93) sets forth policy, criteria, and procedures for demonstrating and assuring conformity of transportation activities.

Amendment: means a revision to a long-range statewide or metropolitan transportation plan, TIP, or STIP that involves a major change to a project included in a metropolitan transportation plan, TIP, or STIP, including the addition or deletion of a project or a major change in project cost, project/project phase initiation dates, or a major change in design concept or design scope (e.g., changing project termini or the number of through traffic lanes). The highest tier of STIP revisions, Amendments can be made based on the information and thresholds established in Section II-A, and in **Table I**. Changes to projects for illustrative purposes do not require an amendment. An amendment is a revision that requires public review and comment, demonstration of fiscal constraint, or a conformity determination (for metropolitan transportation plans and TIPs involving “non-exempt” projects in

Non-attainment and maintenance areas). 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.

Exempt Status: A classification, Exempt or Not Exempt, given to all projects within non-attainment or maintenance areas. Project classifications are determined through Interagency Consultation. The project status is reported in the STIP under the heading CAA Code. For Exempt projects, a numeric code is included which is associated with the federal list of exempt activities.

Expedited Project Selection Procedures: A process outlined in federal rules that permit a change in the years of implementation of a project or phase of a project provided that the original date(s) and revised date(s) were contained in an approved STIP. For the urban areas of the state, each MPO, if they wish to utilize these expedited procedures, must adopt them as part of their prospectus. Under these procedures, this type of change falls into the Administrative Modification tier of revision.

Financial Management Information System: The system through which all authorizations from FHWA are processed.

Illustrative Project: An additional transportation project that may (but is not required to) be included in a financial plan for a metropolitan transportation plan, TIP, or STIP if reasonable additional resources were to become available.

Programmatic Projects: Programs that encompass a group of individual projects that all meet the requirements of the program.

Post Authorization Revisions: Revisions to projects and phases of projects after they are programmed in the STIP and authorized by FHWA/FTA. These would include adjustments based on bids, project closeout, change orders/extra work, and litigation for example.

Phase: A component of a project defined as: Preliminary Engineering (PE), Right of Way (ROW), or Construction(CON), Other or SPR programmed with a dollar amount and a fiscal year.

Regional Emissions Analysis: The process to identify and document the anticipated effects of a project on air quality. An analysis is conducted for projects in non-attainment or maintenance areas. Project changes that could affect an analysis include, but are not limited to, any that impact capacity, congestion, travel speeds, project areas or the exempt status of a project. Any change to an analysis requires an Amendment and a new Determination.

Regionally Significant: A transportation project (other than projects that may be grouped in the TIP and/or STIP or exempt projects as defined in EPA's transportation conformity regulation (40 CFR part 93)) that is on a facility which serves regional transportation needs (such as access to and from the area outside the region; major activity centers in the region; major planned developments such as new retail malls, sports complexes, or employment centers; or transportation terminals) and would normally be included in the modeling of the metropolitan area's transportation network. At a minimum, this includes all principal arterial highways and all fixed guide way transit facilities that offer a significant alternative

to regional highway travel.

Revision: A change to a long-range statewide or metropolitan transportation plan, TIP, or STIP that occurs between scheduled periodic updates. Revisions are processed as amendments, and administrative modifications.

STIP Update: Making current a long-range statewide transportation plan, MPO, TIP, or STIP through a comprehensive review. Updates require public review and comment, a 20-year horizon year for the MTPs and long-range statewide transportation plans, a four-year program period for TIPs and STIPs, demonstration of fiscal constraint (except for long-range statewide transportation plans), and a conformity determination (for MTPs and TIPs in nonattainment and maintenance areas. A process undertaken on a biennial basis in NH to publish a new STIP that includes all relevant project information for a period of 4 years.

## Appendix B: Clean Air Act Codes:

### SAFETY

- E-1 Railroad/highway crossing.
- E-2 Hazard elimination program.
- E-3 Safer non-Federal Aid system roads.
- E-4 Shoulder improvements.
- E-5 Increasing sight distance.
- E-6 Safety improvement program.

### PROJECTS EXEMPT FROM CONFORMITY

- E-7 Traffic control devices and operating assistance other than signalization projects.
- E-8 Railroad/highway crossing warning devices.
- E-9 Guardrails, median barriers, crash cushions.
- E-10 Pavement resurfacing and/or rehabilitation.
- E-11 Pavement marking demonstration.
- E-12 Emergency relief(23 V.S.C. 125).
- E-13 Fencing.
- E-14 Skid treatments.
- E-15 Safety roadside rest areas.
- E-16 Adding medians.
- E-17 Truck climbing lanes outside the urbanized area.
- E-18 Lighting improvements.
- E-19 Widening narrow pavements or reconstructing bridges (no additional travel lanes).
- E-20 Emergency truck pullovers.

### MASS TRANSIT

- E-21 Operating assistance to transit agencies.
- E-22 Purchase of support vehicles.
- E-23 Rehabilitation of transit vehicles. {I}
- E-24 Purchase of office, shop, and operating equipment for existing facilities.
- E-25 Purchase of operating equipment for vehicles (e.g., radios, fare boxes, lifts, etc.)
- E-26 Construction or renovation of power, signal, communications systems.
- E-27 Construction of small passenger shelters and information kiosks.
- E-28 Construction or renovation of transit buildings and structures (e.g., rail or bus buildings, storage and maintenance facilities, stations, terminals, and ancillary structures).
- E-29 Rehabilitation or reconstruction of track structures, track, and track bed in existing rights-of-way.
- E-30 Purchase of new buses and rail cars to replace existing vehicles or for minor expansions of the fleet. {I}
- E-31 Construction of new bus or rail storage/maintenance facilities categorically excluded in 23 CFR part 771.

### AIR QUALITY

- E-32 Continuation of ride-sharing and van-pooling promotion activities at current levels.
- E-33 Bicycle and pedestrian facilities.

### OTHER

Specific activities which do not involve or lead directly to construction, such as:

- E-34 Planning and technical studies.
  - E-35 Grants for training and research programs.
  - E-36 Planning activities conducted pursuant to titles 23 and 49 USC.
  - E-37 Federal-aid systems revisions.
  - E-38 Engineering to assess social, economic, and environmental effects of the proposed action to alternatives to that action.
  - E-39 Noise attenuation.
  - E-40 Advance land acquisitions (23 CFR part 712 or 23 CFR part 771).
  - E-41 Acquisition of scenic easements.
  - E-42 Plantings, landscaping, etc.
  - E-43 Sign removal.
  - E-44 Directional and informational signs.
  - E-45 Transportation enhancement activities (except rehabilitation and operation of historic transportation buildings, structures or facilities).
  - E-46 Repair of damage caused by natural disasters, civil unrest, or terrorist acts, exempt projects involving substantial functional, locational or capacity changes.
- A IT. Project is located in attainment area and, therefore, not subject to conformity.

### PROJECTS EXEMPT FROM REGIONAL EMISSIONS ANALYSES

- E-51 Intersection channelization projects.
- E-52 Intersection signalization projects at individual intersections.
- E-53 Interchange reconfiguration projects.
- E-54 Changes in vertical and horizontal alignment.
- E-55 Truck size and weight inspection stations.
- E-56 Bus terminals and transfer points.

### OTHER EXEMPT CODES

N/E Project is not exempt

{I} PM10 nonattainment or maintenance areas, such projects are exempt only if they are in compliance with control measures in the applicable implementation plan.

Appendix C: Interagency Meeting Notes example:



*Victoria F. Sheehan*  
*Commissioner*

**THE STATE OF NEW HAMPSHIRE**  
**DEPARTMENT OF TRANSPORTATION**



*William Cass, P.E.*  
*Assistant Commissioner*

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**Interagency Conference**

**NHDOT | 7 Hazen Drive, Concord, NH**

**November 8, 2018 at 1:00 pm**

**Meeting Notes**

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- Roll Call of Attending Members
  - William Rose – NH DOT
  - Fred Butler– NH DOT
  - Lucy St. John– NH DOT
  - Linda Dusenberry– NH DOT
  - Eric Rackauskas – EPA
  - Tim White – NH DES
  - Leigh Levine – FHWA
  - Dean Williams – Central RPC
  - Nate Miller – Southern Planning Commission
  - Adam Hlasny – Southern Planning Commission
  - Meghan Butts – Upper Valley
  - Dave Walker – Rockingham Planning
  - Gregg Lantos – NRPC
  - Matt Waitkins - NRPC
  
- November Administrative Modification
  - No remarks
  
- Obligation Report
  - William noted that Obligation Report spreadsheet had been provided by NH DOT earlier this week and asked for comments.
  - Matt (NRPC) – where do we get information about transit obligated projects
  - William
    - NHDOT provides information specific to statewide transit (non-direct-recipient projects).
    - Direct recipients (i.e. NTS) provide information directly to planning commissions.

- Transit Programmatic Projects
  - William – reminded group of the effort to streamline how MPO's provide information about transit programmatic to NH DOT.
  - William asked if there are any outstanding issues; there were none of note. Fred Butler concurred.
  - William noted this was the last remaining issue in the larger effort to update S/TIP revision procedures.
  - Final DRAFT revision procedures will be provided at December interagency meeting. Final comments then and finalize revision procedures in January (2019).
  
- General Federal Highway Updates
  - Leigh Levine gave update:
    - Alternative fuel corridor nominations still being solicited
      - Tim White (NH DES) commented that DES is partnering with State of Maine on a nomination and may ask RPC's for data.
    - Air Quality Conformity
      - There's a stay/grace period on Court ruling until February 16<sup>th</sup>, 2019.
      - EPA to provide guidance re: how to move forward after February 16<sup>th</sup>.
        - Eric (EPA) said guidance may be provided by end of the year.
      - Air Quality budgets from most recent S/TIP can be used for the upcoming round of conformity.
      - MPOs need to include/insert conformity determination language into TIP.
      - MPOs need to take action on conformity determination when they endorse TIP.
      - Project descriptions need to be included to properly model projects.
  
- Other Business
  - none
  
- Next Monthly Meeting December 13, 2018

Meeting notes respectively submitted by NRPC (Matt)

\*\*FTA to take notes (NRPC on deck)

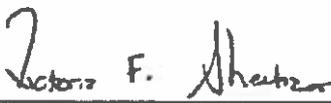
## Appendix D: Approval Signatures

IN WITNESS WHEREOF the parties hereto have APPROVED these PROCEDURES on the day and year written below

### Department of Transportation

This is to certify that these procedures have been reviewed by the Department and are APPROVED as to form and execution and are considered ADOPTED.

Dated: 12/03/2019

By: 

Title: Commissioner, NHDOT

### Federal Highway Administration

This is to certify that these PROCEDURES have been reviewed by this office and are APPROVED as to form and execution.

Dated: 1/9/2020

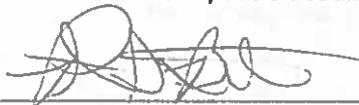
By: 

Title: Division Administrator

### Federal Transit Administration

This is to certify that these PROCEDURES have been reviewed by this office and are APPROVED as to form and execution.

Dated: 12/23/19

By: 

Title: Regional Administrator