



401 B Street, Suite 800
 San Diego, CA 92101-4231
 (619) 699-1900
 Fax (619) 699-1905
 www.sandag.org

MEETING NOTICE AND AGENDA

SAN DIEGO CONFORMITY WORKING GROUP

The San Diego Conformity Working Group may take action on any item appearing on this agenda.

MEMBER AGENCIES

Cities of
 Carlsbad
 Chula Vista
 Coronado
 Del Mar
 El Cajon
 Encinitas
 Escondido
 Imperial Beach
 La Mesa
 Lemon Grove
 National City
 Oceanside
 Poway
 San Diego
 San Marcos
 Santee
 Solana Beach
 Vista
 and
 County of San Diego

ADVISORY MEMBERS

Imperial County
 California Department
 of Transportation
 Metropolitan
 Transit System
 North San Diego County
 Transit Development Board
 United States
 Department of Defense
 San Diego
 Unified Port District
 San Diego County
 Water Authority
 Mexico

Wednesday, May 7, 2008

10:30 a.m. to 12 noon

SANDAG, Conference Room 8C
 401 B Street, Suite 800
 San Diego, CA 92101-4231

Staff Contact: Rachel Kennedy
 (619) 699-1929
rke@sandag.org

AGENDA HIGHLIGHTS

- **2008 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (RTIP) CONSULTATION ON CONFORMITY CRITERIA AND PROCEDURES**
- **TRANSPORTATION PLANNING REQUIREMENTS AND THEIR RELATIONSHIP TO NEPA APPROVALS**

Please contact Rachel Kennedy prior to the meeting if you wish to participate by conference call.

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SAN DIEGO CONFORMITY WORKING GROUP (CWG)

Wednesday, May 7, 2008

ITEM #		RECOMMENDATION
1.	INTRODUCTIONS	
+2.	SUMMARY OF APRIL 2, 2008, MEETING	INFORMATION
3.	PUBLIC COMMENTS/COMMUNICATIONS	
4.	2008 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (RTIP) CONSULTATION ON CONFORMITY CRITERIA AND PROCEDURES	DISCUSSION
	SANDAG has requested submittal of new projects or revisions to projects for inclusion in the 2008 RTIP. Project submittals are due April 23, 2008. The CWG will discuss the conformity criteria and procedures to be followed to determine conformity of the 2008 RTIP. SANDAG staff will provide brief presentations on:	
	a) Revenue Assumptions	
	b) Exempt Projects (to be distributed via e-mail)	
	c) Concurrent 2008 RTIP Conformity Determination and 2030 RTP Redetermination	
5.	8-HOUR OZONE ATTAINMENT PLAN FOR SAN DIEGO COUNTY STATUS UPDATE	DISCUSSION
	On January 31, 2008, U.S. EPA initiated a budget adequacy review for the <i>8-hour Ozone Attainment Plan for San Diego County</i> . Staff will provide an update on the budget adequacy finding.	
+6.	TRANSPORTATION PLANNING REQUIREMENTS AND THEIR RELATIONSHIP TO NEPA APPROVALS	DISCUSSION
	On February 14, 2008, FHWA issued guidance to clarify transportation planning requirements. The new guidance allows more flexibility regarding when a project must be fully funded in the Metropolitan/Regional Transportation Plan. FHWA and Caltrans staff will provide an overview of the guidance and its conformity significance.	
7.	OTHER BUSINESS	
8.	ADJOURNMENT	INFORMATION
	The next meeting of the San Diego Region Conformity Working Group is June 4, 2008, from 10:30 a.m. to 12:00 noon at SANDAG.	

+ Next to an item indicates an attachment

CONFORMITY WORKING GROUP

May 7, 2008

AGENDA ITEM NO.: **2**

Action Requested: INFORMATION

SUMMARY OF APRIL 2, 2008, MEETING

File Number 3000400

Item #1: Introductions

Self-introductions were made. See attached attendance list.

Item #2: Summary of February 6, 2008, Meeting

No comments were made.

Item #3: Public Comments/Communications

There were none.

Item #4: 2008 Regional Transportation Improvement Program (RTIP) Consultation on Conformity Criteria and Procedures

Rachel Kennedy, SANDAG, announced that SANDAG has requested submittal of new projects or revisions to projects for inclusion in the 2008 RTIP. Project submittals are due April 23, 2008. Three elements of the conformity procedures for the preparation of the 2008 RTIP conformity determination were discussed.

- (a) Motor Vehicle Emissions Modeling – EMFAC 2007 will be used to conduct motor vehicle emissions modeling for the 2008 RTIP. EMFAC was released by California Air Resources Board (CARB) in November 2006. EMFAC is an emissions inventory model that calculates emissions from vehicles operating in California. It is an integrated model that combines emission data with vehicle activity to calculate regional emission forecasts. U.S. EPA approved the use of EMFAC 2007 for conformity determinations on January 18, 2008. SANDAG will use the Burden Mode, which calculates regional emissions inventories. The Burden Mode uses emission factors that have been corrected for ambient conditions and speeds combined with vehicle activity to report vehicle emissions. Projections will be conducted for reactive organic gases (ROG), nitrogen oxides (NOx), and carbon monoxide (CO).

- (b) Regional Emissions Forecast – Forecasts will be initiated in April 2008. SANDAG will utilize the budgets for the 8-Hour Ozone Attainment Plan for San Diego County. The SANDAG Board will be asked to make a finding of conformity for the years 2008, 2010, 2018, 2020, and 2030. These analysis years were selected to comply with Sections 93.106(a)(1) and 93.118(a) of the Transportation Conformity Rule. On January 31, 2008, the U.S. EPA published the 8-Hour Ozone Attainment Plan for San Diego County for SIP EPA adequacy review. The comment

period closed on March 1, 2008, and no comments were received. SANDAG staff is working with EPA staff regarding the finalization of these budgets for use in conformity determinations. EPA's budget adequacy finding needs to be completed prior to SANDAG Board adoption of the 2008 RTIP in July 2008.

Dennis Wade, ARB, asked Karina O'Connor, U.S. EPA, if there was any specific issue with San Diego's budget. Karina O'Connor stated that there were no issues that she was aware of.

Mike Brady, Caltrans, asked what SANDAG was doing for CO modeling. Ms. Kennedy stated that SANDAG is doing CO emissions modeling for 2010, 2018 (interpolated), 2020, and 2030. These are based on the winter season.

Mr. Brady asked if it was necessary to model 2020 and 2030 since the CO maintenance period ends in 2018. Aimee Kravotil, FHWA, stated that she did not know but that she would look into this issue.

- (c) Public Participation – SANDAG's public participation program includes participation in working groups, opportunities to comment at SANDAG Board Meetings and Committee Meetings, public notices of document availability, public hearings, and through the SANDAG Public Communications Program.

The public participation to date for the 2008 RTIP consists of the following:

On January 4, 2008, SANDAG sent a memo establishing the process and schedule for developing the 2008 RTIP. The memo and solicitation packages were sent to all City Managers in County, the County CAO, the City and County Transportation Advisory Committees, local agency *TransNet* program contacts, Metropolitan Transit System, North County Transit District, and Caltrans. It was also presented to the Interagency Technical Working Group on Tribal Transportation Issues at its February 26, 2008, meeting. Additionally, an informational RTIP workshop was held on February 26, 2008, and the information presented at this workshop is available on the SANDAG RTIP Web page. Staff will also be presenting information on the RTIP to the Independent Taxpayer Oversight Committee. Electronic notifications on the RTIP schedule and process have also been sent.

The remainder of the 2008 RTIP schedule is as follows:

- April 23, 2008 RTIP project submittals are due
- June 2, 2008 Issue 2008 RTIP Draft Conformity Analysis to CWG for review and comment
- June 20, 2008 Draft 2008 RTIP and its conformity determination released for public review
- July 18, 2008 Public hearing on Draft RTIP and conformity determination
- July 25, 2008 SANDAG Board of Directors will be asked to approve the 2008 RTIP and its conformity determination

Item #5: 8-Hour Ozone Attainment Plan for San Diego County Status Update

Rachel Kennedy, SANDAG, stated that on January 31, 2008, the U.S. EPA issued the budget adequacy review for the 8 Hour Ozone Attainment Plan for San Diego County. The public comment

period closed on March 1, 2008. No comments were received on the budget. The budget will be published in the register and finalized for use in conformity findings in the next few months.

Mike Brady asked Karina O'Connor if the Maintenance Plan would have a lifetime of two or three years. Ms. O'Connor stated that they do not know yet. They are determining how the transition to the new standards will work. A transitional rule will come out soon.

Carl Selnick, APCD, stated that this is an attainment plan and not a maintenance plan so the budgets do not apply as long. Mr. Selnick explained that once these budgets are determined adequate, the life of the budget is dependent on the 2008 air quality. These budgets are 2008 based budgets and presume that the forecasted ozone concentration will be below the .085 standard (clean year). If 2008 is a clean year, then the attainment demonstration that established the budgets remains approvable. If we do not have a clean year in 2008 then the budgets will need to be revised.

Karina O'Connor stated that San Diego is a Subpart 1 area and if 2008 is a clean year then San Diego would be classified as a marginal area, which does not have an attainment plan requirement under the current standards. However, under the new 8-hour ozone standards, designations will be required. SIPs will come three years after designation but it is not anticipated that this will be required until 2013.

Item #6: Final National Ambient Air Quality Standards for Ground-Level Ozone

On March 12, 2008, EPA significantly strengthened its national ambient air quality standards (NAAQS) for ground-level ozone, the primary component of smog. Ms. Kennedy referred members to page seven of their agenda packets for detailed information on the revisions to NAAQS. The primary change is that EPA is revising the 8-hour "primary" ozone standard, designed to protect public health, to a level of 0.075 parts per million (ppm). The previous standard, set in 1997, was 0.08 ppm. Because ozone is measured out to three decimal places, the standard effectively became 0.084 ppm as a result of rounding.

EPA is also strengthening the secondary 8-hour ozone standard to the level of 0.075 ppm, making it identical to the revised primary standard. EPA decided to strengthen the secondary ozone standard after concluding that the 1997 secondary standard is not adequate to protect public welfare.

The Clean Air Act requires EPA to designate areas as attainment (meeting the standards), non-attainment (not meeting the standards), or unclassifiable (insufficient data to classify) after the Agency sets a new standard, or revises an existing standard. The following schedule will apply to the revised ozone standards:

- States must make recommendations to EPA no later than March 2009 for areas to be designated attainment, non-attainment, and unclassifiable.
- EPA will issue final designations of attainment, non-attainment, and unclassifiable areas no later than March 2010 unless there is insufficient information to make these designation decisions. In that case, EPA will issue designations no later than March 2011.
- States must submit State Implementation Plans outlining how they will reduce pollution to meet the standards by a date that EPA will establish in a separate rule. That date will be no

later than three years after EPA's final designations. If EPA issues designations in 2010, then these plans would be due no later than 2013.

- States are required to meet the standards by deadlines that may vary, based on the severity of the problem in the area.

EPA will issue a separate rule to address monitoring requirements necessary to implement the new standards. EPA intends to propose a monitoring rule in June 2008 and issue a final rule by March 2009.

Mike Brady, Caltrans, stated one year after designation, conformity will be required as the new standard.

Item #7: Other Business

Mike Brady said that the statewide Conformity Working Group meeting will be held on May 12, 2008, at SANDAG from 10:30-3:30 p.m. He asked that members send him issues they want to include in the agenda.

Ms. Kennedy closed the meeting after reminding members that the next Conformity Working Group meeting will be held on May 7, 2008, from 10:30-12:00 noon at SANDAG.

San Diego Region Conformity Working Group

Meeting Attendance

April 2, 2008

Name	Agency
Carl Selnick	APCD
Dennis Wade (phone)	ARB
Rafael Ambrosi	Caltrans
Mike Brady (phone)	Caltrans
Cathy Gomez (phone)	Caltrans
Sandy Johnson	Caltrans
Karina O'Connor (phone)	EPA
Aimee Kratovil (phone)	FHWA
Rachel Kennedy	SANDAG
Antoinette Meier	SANDAG
Albert Le	SANDAG
Lauren Adams	SDSU



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
650 Capitol Mall, Suite 4-100
Sacramento, CA. 95814
February 12, 2008

IN REPLY REFER TO
Document #: S51409

Mr. Will Kempton, Director
California Department of Transportation
1120 N Street
Sacramento, CA 95814

Attention: Federal Resources Office, Room 3500
For Garth Hopkins, Office of Regional and Interagency Planning

Dear Mr. Kempton:

SUBJECT: Transportation Planning Requirements and their Relationship to NEPA Approvals

The Federal Highway Administration recently issued the enclosed guidance to clarify transportation planning requirements. This new guidance allows more flexibility regarding when a project must be fully funded in the Metropolitan / Regional Transportation Plan.

Project sponsors may undertake the NEPA process with federal funds for a project or corridor that is included in the Metropolitan Transportation Plan as a project, corridor study, or NEPA study. However, in order for FHWA (or Caltrans under NEPA assignment) to sign the ROD, FONSI, or approve the CE and make a project level conformity determination, as applicable, all project phases planned within the life of the transportation plan have to be included in the fiscally constrained MTP.

By allowing environmental work to proceed up until the time of the ROD, FONSI, or CE approval as long as the project is reflected in the MTP as a project, corridor study or NEPA study, it allows the project sponsor additional time to identify reasonably available funding sources for the actual construction of the project. This flexibility may also attract more private investors and may lead to more Public Private Partnerships, since many private investors are reluctant to make financial commitments during the early NEPA process.

If you have any questions, please contact your FHWA MPO coordinator.

Sincerely,

/s/ K. Sue Kiser

For
Gene K. Fong
Division Administrator

Enclosure



cc: (e-mail)

PAQT

All MPOs

Caltrans:

Muhaned Aljabiry

Cindy Adams

Transportation Planning Requirements and Their Relationship to NEPA Process Completion (1/28/2008)

Background

This summary is intended to clarify the statutory and regulatory planning and conformity requirements that must be met with regard to the STIP/TIP, the Metropolitan Transportation Plan (MTP), and the Statewide Long Range Transportation Plan (SLRTP) prior to FHWA signing a Record of Decision (ROD) or Finding of No Significant Impact (FONSI), or approving a Categorical Exclusion (CE) for a project. Project sponsors may undertake the NEPA process with federal funds for a project or corridor that is included in the Metropolitan Transportation Plan as a project, corridor study, or NEPA study, if appropriate (some non-regionally significant projects may not need to be in the MTP) (23 CFR 450.324(g)). In the case of the SLRTP, the project, corridor, or NEPA study should be consistent with the SLRTP before proceeding with the NEPA process (23 CFR 450.216(k)). For federally funded NEPA studies, the STIP/TIP shall contain an item for NEPA and/or PE activity costs for the project prior to the authorization/obligation of federal funds to start the NEPA process. If a proposed NEPA study is not in the MTP (in metropolitan planning areas), consistent with the SLRTP (in non metropolitan planning areas), and contained in the STIP/TIP, only funds from non-federal sources can be used to conduct the NEPA process. Regardless of funding sources, the ROD, FONSI, or CE for a project can not be signed or approved by FHWA until the planning requirements described in the Q and A's listed below are met.

Questions and Answers

1. What statutory and regulatory planning requirements and conformity requirements must be completed regarding a proposed project before a ROD or FONSI can be signed, or a CE approved, *for a project in a Metropolitan area*?

Metropolitan Transportation Plan (MTP) Requirements: Regulations require that the entire project described in the ROD, FONSI, or CE shall be consistent with the MTP. If phases (e.g., PE, final design, ROW, utility relocation, construction, and/or construction phases) of the project fall beyond the life of the MTP, they do not have to be included, however it is recommended that those phases (e.g., PE, final design, ROW, utility relocation, construction, and/or construction phases) beyond the life of the plan and the costs associated with those phases be referenced in the plan for informational purposes. All project phases (e.g., PE, final design, ROW, utility relocation, construction, and/or construction phases) planned within the life of the transportation plan have to be included in the fiscally constrained MTP in order for FHWA to sign the ROD, FONSI or approve the CE. In the event that there is construction phasing and “multiple or revised RODs” (for independent segments) of a larger project, FHWA can only sign the ROD, FONSI, or approve the CE for those segments of the project that have independent utility and logical termini, while contributing to the function of the overall project, and are included in the MPO’s fiscally constrained MTP. The timing of this phasing (construction phases for independent segments) in the MTP should be consistent with

the timing of the phasing (construction phases for independent segments) of the future project implementation as described in the environmental document. Examples are given in the attachment to this document. The MTP must be approved by the MPO policy board, found to conform for air quality purposes (if applicable), and fiscally constrained. The MTP must demonstrate that revenues are reasonably expected to be available and sufficient to cover the costs of the entire project (all phases) (e.g., PE, final design, ROW, utility relocation, construction, and/or construction phases) that are included in the plan.

STIP/TIP Requirements: The planning regulations require that before FHWA can sign a ROD or FONSI, or approve a CE for a regionally significant project, the proposed project or a phase(s) (e.g., PE, final design, ROW, utility relocation, or construction, and/or construction phase(s)) of the project must come from an approved, financially constrained STIP/TIP. This is required because the final Planning Rule requires that both the STIP and TIP shall contain all regionally significant projects requiring an action by FHWA or FTA irrespective of the project's funding source (23 CFR 450.324(d); 23 CFR 450.216(h)). In order for FHWA to sign a ROD or FONSI, or approve a CE for a project or phase (e.g., PE, final design, ROW, utility relocation, construction, and/or construction phases) of a project with logical termini and independent utility (see CFR 771.111(f)), the STIP/TIP is required to show all phases (e.g., PE, final design, ROW, utility relocation, construction, and/or construction phases) of the project that are planned within the time frame of the STIP/TIP. This can include or be limited to non-construction funding (e.g., PE, final design, ROW, utilities relocation) and/or construction or construction phases if there are phases (e.g., PE, final design, ROW, utility relocation, construction, and/or construction phases) of the project that are planned beyond the horizon of the STIP/TIP. Those phases (e.g., PE, final design, ROW, utility relocation, construction, and/or construction phases) of the project beyond the horizon of the STIP/TIP do not have to be shown in the STIP/TIP. At least one subsequent phase (e.g., PE, final design, ROW, utility relocation, or construction) of the project has to be included in the approved STIP/TIP before FHWA can sign the ROD or FONSI or approve a CE. For example, the STIP/TIP might include final design, but not construction, if the construction phase is not planned within the horizon of the STIP/TIP. The timing of these subsequent phase(s) (e.g., PE, final design, ROW, utility relocation, construction, or construction phases) should be consistent with the MTP and the environmental document. In those unusual instances where no subsequent (subsequent to NEPA approval) phases (e.g., PE, final design, ROW, utility relocation, construction, or construction phases) of the project fall within the timeframe of the STIP/TIP, then a description of the project should be included in the STIP/TIP for informational purposes and identified as being beyond the horizon of the STIP/TIP. An example of including subsequent phases of a project in a STIP/TIP is included in the attachment to this document.

Conformity Requirements: Before a ROD or FONSI can be signed, or a CE approved, regulations require that a project level conformity determination shall be made for all projects that are subject to transportation conformity. Project level conformity can be demonstrated if the project is part of a conforming metropolitan transportation plan and TIP and meets all project level conformity requirements (see 40 CFR 93.104(d); 40 CFR 93.109). See also, http://www.fhwa.dot.gov/environment/conformity/feis_rod.htm.

In the event that a “multiple ROD” approach is used, a project-level conformity determination must be completed prior to the signing of each ROD. The portion of the “overall project” being addressed by each ROD must be consistent with what was included in the regional emissions analysis for the MPO MTP and TIP (i.e., the design concept and scope of the project included in the conforming transportation plan cannot be significantly different from what was included in the environmental document). Project level conformity can be demonstrated if the project is part of a conforming metropolitan transportation plan and TIP and meets all project level conformity requirements (see 40 CFR 93.104(d); 40 CFR 93.109). Additionally, the financial plan supporting the MPO MTP and TIP must reflect the portions(s) of the “overall project” prior to the approval of each ROD.

2. What planning and conformity requirements must be completed regarding a proposed project before a ROD or FONSI can be signed, or a CE approved *for a project that is in a rural area?*

Statewide Long Range Transportation Plan Requirements: Before FHWA can sign a ROD/FONSI, or approve a CE, a project in a rural area must be found to be consistent with the Statewide Long Range Transportation Plan. The Planning Regulations allow Statewide Transportation plans to be policy plans and not project specific. In such cases, the project does not have to be specifically listed in the plan but should be consistent with the overall goals and objectives of the Statewide Plan. The Statewide Transportation Plan, by regulation, does not have to be fiscally constrained.

STIP Requirements: Before FHWA can sign a ROD or FONSI, or approve a CE for a regionally significant project, the proposed project or a phase (e.g., PE, final design, ROW, utility relocation, or construction) of the project must come from an approved, financially constrained STIP. The planning regulation requires that the STIP shall contain all regionally significant projects requiring an action by FHWA or FTA irrespective of the project’s funding source (23 CFR 450.324(d); 23 CFR 450.216(h)). In order for FHWA to sign a ROD or FONSI, or approve a CE for a project or phase of a project with logical termini and independent utility (see CFR 771.111(f)), the STIP is required to show all phases (e.g. PE, final design, ROW, utilities relocation, or construction) of the project that are planned within the 4 year time frame of the STIP. This can include or be limited to non-construction funding (e.g., PE, final design, ROW, utilities relocation) if there are phases of the project that are planned beyond the 4 year horizon of the STIP. Those phases of the project beyond the 4-year horizon of the STIP do not have to be shown in the STIP. At least one subsequent phase of the project does have to be included in the approved STIP before FHWA can sign the ROD or FONSI or approve a CE. For example, the STIP might include final design, but not construction. The timing of these subsequent phases should be consistent with the SLRTP and the environmental document (if it is a regionally significant project). In those unusual instances where no subsequent (subsequent to NEPA approval) phases of the project fall within the timeframe of the STIP, then a description of the project should be included in the STIP for informational purposes and identified as being beyond the horizon of the STIP/TIP.

Conformity Requirements: The conformity regulations require that before FHWA signs a ROD/FONSI or approves a CE for a project that is in a nonattainment or maintenance area, the project must be found to be in conformity (see 40 CFR 93.104(d); 40 CFR 93.109). In nonattainment and maintenance areas, for a project in a “donut¹” area, the project must be included in a regional emissions analysis that supported the conformity determination of the associated metropolitan transportation plan and TIP and meet all applicable project level conformity requirements before a project level conformity determination can be made. See 40 CFR 93.104(d); 40 CFR 93.109.

In isolated rural nonattainment and maintenance areas² a project level conformity determination must meet all the requirements in 40 CFR 109(l) prior to FHWA signing a ROD or FONSI or FHWA approval of a CE.

¹ A “donut” area is a geographic area outside a metropolitan planning area boundary, but inside the boundary of a nonattainment or maintenance area that contains any part of a metropolitan area(s). These areas are not isolated rural nonattainment and maintenance areas.

² Isolated rural nonattainment and maintenance areas are areas that do not contain or are not part of any metropolitan planning area as designated under the transportation planning regulations. Isolated rural areas do not have federally required metropolitan transportation plans or TIPs and do not have projects that are part of the emissions analysis of any MPO’s metropolitan transportation plan or TIP. Projects in such areas are instead included in a statewide transportation improvement program. These areas are not donut areas. (40 CFR 93.101).

Project examples regarding fiscal constraint and NEPA approvals

The following are project examples that highlight some scenarios where Divisions encountered challenges with fiscal constraint issues with pending, active or concluding NEPA processes. These examples are not included here to suggest that fiscal constraint issues can only be dealt with using the remedies described. Each project will have its own unique context. As a best-practice approach, fiscal constraint issues should be considered throughout the planning and NEPA processes, and if any issues are encountered, they should be considered before the NEPA process is initiated and addressed long before NEPA approval is considered.

Intercounty Connector (ICC), Maryland

Example of securing additional funding from new sources early in NEPA process

The ICC is a \$2.4 billion project in Maryland, just north of Washington, DC. The project was not in the metropolitan transportation plan (MTP) at the time NEPA was initiated. Early in the process, it was recognized by FHWA and the State Highway Administration that the estimated cost of the project, and competing priorities in the region, would present challenges to demonstrating fiscal constraint by inclusion of the project in the MTP. Early in the NEPA process, a decision was made (for both fiscal and operational reasons) to explore tolling as an aspect of the alternatives being evaluated. The revenues from tolling enabled FHWA and SHA to address the fiscal issues, and the ICC was added successfully to the fiscally constrained MTP, and the ROD signed in May 2006.

For more information, contact Marlys Osterhues, 202-366-2052.

I-25 Valley Highway, Colorado

Example of using a “phased decision-making” approach to address fiscal constraint issues

It was recognized early on in the NEPA process that the planning requirements regarding fiscal constraint must be satisfied prior to FHWA approving a ROD. Total funding for the entire project would not be available at the time the ROD was to be signed. Because the fiscally-constrained MTP did not contain the entire Preferred Alternative for the Valley Highway project, FHWA and Colorado DOT determined that it was appropriate to identify a phased project implementation process. The Draft and Final EIS discussed a phased implementation approach and presented six logical project phases. Phased implementation was discussed with the public and agencies. FHWA and CDOT identified a set of criteria to be used as guidelines in establishing independent project phases, which included, but were not limited to, logical termini and independent utility, contributing to accomplishing elements of the over all project purpose and need, and fiscal constraint (demonstrated by inclusion in the MTP). The phases of the project were included in the RTP before the ROD was approved in June 2007 on Segments 1 and 2.

For more information, contact Keith Moore, 202-366-0524.

I-83 Master Plan, Pennsylvania

Example of consideration of fiscal issues and project phasing in planning studies

The I-83 Master Plan, prepared by the PennDOT in 2003, is a transportation planning study to identify, plan, and program future transportation improvement projects for an 11 mile section of I-83. The entire

corridor upgrade is estimated to cost at least \$1.5 billion. It was immediately clear that construction could not take place simultaneously on the entire corridor, in part because fiscal constraints would reduce the ability to fully fund all required projects at one time. Upon review and analysis of constructability and safety issues, the corridor was divided into four sections that could be funded through the MPO, advanced through PennDOT's project development process, and designed and constructed independently. Each section has both logical termini and independent utility. The corridor will have four independent (but related) environmental processes. Although a NEPA analysis is currently being conducted for the first phase of the study (I-83 East Shore Section 1 Project), this project provides an example of the consideration of phasing and fiscal constraint issues early, in pre-NEPA planning studies.

For more information, contact Spencer Stevens, 202-366-0149.

Project example regarding including subsequent phases of a project in the STIP and/or TIP

The following example shows how subsequent phases (subsequent to NEPA) of a regionally significant project were shown in the TIP (and STIP). The project is also included in the Philadelphia area MPO's (DVRPC) MTP. This example also shows construction funding that is outside of the 4-year horizon of the TIP for the project but the TIP still includes it for information purposes in later years. For more information, please contact Spencer Stevens, 202-366-0149.

State Route 309 Project, Pennsylvania

Example of subsequent project phases (subsequent to NEPA) included in a STIP/TIP (continues on the next two pages).

DVRPC FY 2007-2010 TIP for PA
Pennsylvania - Highway Program

Final Version

Montgomery

MPMS# 16438 PA 309 Connector Project
 AQ Code 2020M PA 309 to PA 63, Sumneytown Pike
 Major SOV Capacity New/Upgraded Connector Roadway
 Subcorr(s): 2A, 11A, Hatfield Township; Franconia Township; Lower Salford Township; Towamencin Township
 14C

Provide an adequate two lane roadway connection by upgrading two existing two lane roads (Wambold Rd. and Township Line Rd.) and connecting them with a two lane roadway approximately one mile in length. This project will correct the disjointed and inadequate road system serving the north/south movement between PA 309 and the PA Turnpike Lansdale Interchange. This project will proceed in 2 phases.

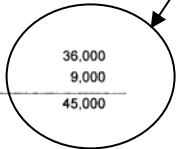
The Right-Sized Phase 1 Project includes the proposed realignment of Sumneytown Pike (PA 63) from Old Forty Foot Road to Freed Road and improvements to Wambold Road from Sumneytown Pike (PA 63) to Allentown Road. The proposed work includes a three lane relocation of PA 63 with shoulders (11' lanes and 8' shoulders) on Wambold Road and a two lane runaround around Mainland Village.

This project is integral to the Delaware Valley Freight Corridors Initiative.

SAFETEA DEMO #613 - \$1,280 MILLION

Phase	Fund	TIP Program Years (\$ 000)				Later FYs
		FY2007	FY2008	FY2009	FY2010	
FD	HWY	2,240				
FD	H-STATE	560				
FD	HWY		400			
FD	H-STATE		100			
ROW	HWY		480			
ROW	DEMO		1,280			
ROW	H-STATE		120			
ROW	H-STATE		120			
CON	SSPIKE		4,000			
CON	SPIKE		16,000			
CON	HWY					36,000
CON	H-STATE					9,000
Fiscal Year Total		2,800	22,500	0	0	45,000
		Total FY 07-10			25,300	

Construction funding outside timeframe of TIP, but included for information



2030 Major Regional Transportation Projects

ID	FACILITY	LIMITS	BRIEF DESCRIPTION	TIME PERIOD	PA	LOCATION	NU	COST (\$ MILLIONS)
1	185	in Bucks County	Reconstruct	2005 - 2010				\$545.0
2	US 422	Bucks County line to Swanton	Reconstruct	2011 - 2020				210.0
3	US 30	Downingtown-Costwale Bypass	Reconstruct	2011 - 2020				187.5
4	US 30	Downingtown-Costwale Bypass	Reconstruct	2011 - 2020				20.0
5	US 1	(Media Bypass)	Reconstruct	2011 - 2020				280.0
6	US 1	(Media Bypass)	Reconstruct	2011 - 2020				500.0
7	PA 309	Greenwood Ave to Welsh Rd	Reconstruct (see also 61)	2005 - 2010				89.0
8	185	in Philadelphia	Reconstruct	2005 - 2010				13.0
9	185	US 1 to 185 and CR 561 to CR 607	Reconstruct	2005 - 2010				25.0
10	NJ 52	1-295 to Atlantic City Expressway	Reconstruct	2005 - 2010				25.0
11	PA 611	River to PA 611	Interchange and Corridor Improvements	2005 - 2010				35.0
12	PA 413	Heritage Corridor	Access Management Improvements	2005 - 2010				25.0
13	US 13	Levittown Parkway to Philadelphia line	Access Management & Corridor Improvements	2005 - 2010				25.0
14	185	at Lehigh	Interchange	2005 - 2010				3.0
15	Broad Rd	Old Lehigh Highway to Marketville Rd	Add Center Lane	2005 - 2010				8.0
16	PA 52	PA 52, PA 82, and Train Station	Health, Safety Improvements, Construct New Bridge	2005 - 2010				10.0
17	US 30	with US Costwale	Health, Safety Improvements, Construct New Bridge	2005 - 2010				10.0
18	US 30	PA 52, PA 82, and Train Station	Health, Safety Improvements, Construct New Bridge	2005 - 2010				15.0
19	185	at L476 and Chestnut St On-Ramp	Reconstruct Interchange	2005 - 2010				15.0
20	Ridge Pike	at L476 and Chestnut St On-Ramp	Reconstruct Interchange	2005 - 2010				15.0
21	West Side Connector	at L476 and Chestnut St On-Ramp	Reconstruct Interchange	2005 - 2010				15.0
22	National Highway System	at L476 and Chestnut St On-Ramp	Reconstruct Interchange	2005 - 2010				15.0
23	CR 530	at L476 and Chestnut St On-Ramp	Reconstruct Interchange	2005 - 2010				15.0
24	US 202	at L476 and Chestnut St On-Ramp	Reconstruct Interchange	2005 - 2010				15.0
25	CR 530	at L476 and Chestnut St On-Ramp	Reconstruct Interchange	2005 - 2010				15.0
26	US 100	at L476 and Chestnut St On-Ramp	Reconstruct Interchange	2005 - 2010				15.0
27	US 100	at L476 and Chestnut St On-Ramp	Reconstruct Interchange	2005 - 2010				15.0
28	US 100	at L476 and Chestnut St On-Ramp	Reconstruct Interchange	2005 - 2010				15.0
29	US 100	at L476 and Chestnut St On-Ramp	Reconstruct Interchange	2005 - 2010				15.0
30	1-295	at Brooklawn Circle	Reconstruct Interchange	2005 - 2010				14.0
31	1-476	PA Turnpike Northwest Extension	Widen to 6 Lanes * ***	2005 - 2010				0.0
32	US 202	at L476 (PA Turnpike)	Construct New Parkway and Improve Intersections	2005 - 2010				200.0
33	US 202	at L476 (PA Turnpike)	Construct New Parkway and Improve Intersections	2005 - 2010				145.5
34	185	at L476 (PA Turnpike)	Construct New Parkway and Improve Intersections	2005 - 2010				0.0
35	US 202	at L476 (PA Turnpike)	Construct New Parkway and Improve Intersections	2005 - 2010				0.0
36	US 202	at L476 (PA Turnpike)	Construct New Parkway and Improve Intersections	2005 - 2010				0.0
37	US 202	at L476 (PA Turnpike)	Construct New Parkway and Improve Intersections	2005 - 2010				0.0
38	US 202	at L476 (PA Turnpike)	Construct New Parkway and Improve Intersections	2005 - 2010				0.0
39	US 202	at L476 (PA Turnpike)	Construct New Parkway and Improve Intersections	2005 - 2010				0.0
40	US 202	at L476 (PA Turnpike)	Construct New Parkway and Improve Intersections	2005 - 2010				0.0
41	US 202	at L476 (PA Turnpike)	Construct New Parkway and Improve Intersections	2005 - 2010				0.0
42	US 202	at L476 (PA Turnpike)	Construct New Parkway and Improve Intersections	2005 - 2010				0.0
43	US 202	at L476 (PA Turnpike)	Construct New Parkway and Improve Intersections	2005 - 2010				0.0
44	US 30	at PA 29 Interchange	Widen to 6 Lanes	2005 - 2010				5.0
45	US 30	at PA 29 Interchange	Widen to 6 Lanes	2005 - 2010				5.0
46	US 30	at PA 29 Interchange	Widen to 6 Lanes	2005 - 2010				5.0
47	US 30	at PA 29 Interchange	Widen to 6 Lanes	2005 - 2010				5.0
48	US 30	at PA 29 Interchange	Widen to 6 Lanes	2005 - 2010				5.0
49	US 30	at PA 29 Interchange	Widen to 6 Lanes	2005 - 2010				5.0
50	US 30	at PA 29 Interchange	Widen to 6 Lanes	2005 - 2010				5.0
51	US 30	at PA 29 Interchange	Widen to 6 Lanes	2005 - 2010				5.0
52	US 30	at PA 29 Interchange	Widen to 6 Lanes	2005 - 2010				5.0
53	US 30	at PA 29 Interchange	Widen to 6 Lanes	2005 - 2010				5.0
54	US 30	at PA 29 Interchange	Widen to 6 Lanes	2005 - 2010				5.0
55	US 30	at PA 29 Interchange	Widen to 6 Lanes	2005 - 2010				5.0
56	US 30	at PA 29 Interchange	Widen to 6 Lanes	2005 - 2010				5.0
57	US 30	at PA 29 Interchange	Widen to 6 Lanes	2005 - 2010				5.0
58	US 30	at PA 29 Interchange	Widen to 6 Lanes	2005 - 2010				5.0
59	US 30	at PA 29 Interchange	Widen to 6 Lanes	2005 - 2010				5.0
60	US 30	at PA 29 Interchange	Widen to 6 Lanes	2005 - 2010				5.0
61	US 30	at PA 29 Interchange	Widen to 6 Lanes	2005 - 2010				5.0
62	US 30	at PA 29 Interchange	Widen to 6 Lanes	2005 - 2010				5.0
63	US 30	at PA 29 Interchange	Widen to 6 Lanes	2005 - 2010				5.0
64	US 30	at PA 29 Interchange	Widen to 6 Lanes	2005 - 2010				5.0
65	US 30	at PA 29 Interchange	Widen to 6 Lanes	2005 - 2010				5.0