

Project Priority Programming Process (4P) and STIP Development Guidelines

Adopted by the Colorado Transportation Commission on September 16, 2009

INTRODUCTION

State legislation to change the Colorado Department of Highways to the Colorado Department of Transportation (CDOT) was passed in 1991. The most recent Federal transportation authorization bill, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) was passed by Congress in 2005. The CDOT has used these regulations to develop guidelines and policies with which to institute specific requirements regarding transportation planning and public participation in its project selection and prioritization processes.

The purpose of this document is to clarify CDOT's planning and programming processes, which incorporate specific federal guidance. The CDOT adheres to 23 U.S.C. 135 and 23 CFR 450 when developing and amending the Statewide Transportation Improvement Program (STIP). CDOT, in cooperation with its planning partners, has also developed and utilizes the Project Priority Programming Process (4P) in order to prioritize projects for inclusion in the STIP. This document is divided into three sections in order to cover the 4P, the STIP development process, and the public involvement efforts required.

Section 1

STIP Development and Amendment Guidelines

Per federal regulation 23 CFR 450.216 (a)-(o), each State is required to develop a STIP. The STIP is Colorado's six-year, short-range plan for state and federally funded transportation projects. Colorado develops this plan in cooperation with the rural Transportation Planning Regions (TPRs) and Metropolitan Planning Organizations (MPOs). These entities, in turn, gather input from their local constituents so that the adopted STIP is the result of a grassroots effort.

FEDERAL GUIDELINES

The SAFETEA-LU requires each state to develop a STIP containing at least four years worth of projects. Though FHWA and FTA recognize only the first four years of the STIP, Colorado includes six years in order to accommodate a longer period of fiscal planning and management.

The STIP shall be developed in cooperation with the MPOs. With respect to each non-metropolitan area in the State, it shall be developed in consultation with affected local officials and tribal governments with responsibility for transportation. In developing the STIP, the Governor shall provide citizens, affected public agencies, representatives of transportation agency employees, freight shippers, private providers of transportation, providers of freight transportation services, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the proposed STIP.

SAFETEA-LU mandates that regionally significant projects be identified individually in the STIP. Other projects that are not determined to be regionally significant can be either grouped into one line item or individually identified. Per minimum federal guidelines, the STIP need only show projects receiving Federal Funds or affecting air quality in non-attainment or maintenance areas.

Each project shall be:

- consistent with the Long Range Statewide Transportation Plan, also known as the Long Range Plan, or LRP;
- included in an approved MPO Transportation Improvement Program (TIP) within the MPO areas; and
- in conformance with the applicable State air quality implementation plan if the project is carried out in an area designated as nonattainment for ozone or carbon monoxide.

The final draft STIP must be reviewed and approved by the Colorado Transportation Commission and then by Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA).

STATE GUIDELINES

STIP DEVELOPMENT GUIDELINES

At least every four years, the STIP is updated through a continuing, comprehensive and cooperative process involving the Department, FHWA, FTA, MPOs, Transportation Planning Regions (TPRs), and City and County Governments. Public meetings¹ are held in each TPR to solicit requests for projects and comments on State-selected projects. A more detailed explanation of the process to update the STIP is presented in Section 2 of this document. The STIP update process varies depending on whether projects are located in MPOs or TPRs.

Although it was noted above that SAFETEA-LU only requires four years of projects in the STIP, the Transportation Commission has passed a resolution requiring the STIP to cover six years of projects. Likewise, the State has passed legislation requiring all State and Federally funded transportation projects, even those receiving only State funds, be included in the STIP.

STIP UPDATES IN MPOs

In addition to the STIP, SAFETEA-LU requires a TIP for each metropolitan area exceeding 50,000 in population. These areas in Colorado, referred to as MPOs, are the Denver Regional Council of Governments (DRCOG), the Pikes Peak Area Council of Governments (PPACG), the North Front Range MPO (NFRMPO, or NFR), the Pueblo Area Council of Governments (PACOG) and the Grand Valley MPO (GVMPO). The MPOs are responsible for the development and approval processes of their TIPs. Once a TIP has been approved by the MPO, SAFETEA-LU requires that it be forwarded to the Governor for final approval. TIPs and the STIP can be developed concurrently. Once approved, a TIP is incorporated into the STIP².

In areas designated by the Environmental Protection Agency as air quality non-attainment or maintenance areas, regionally significant (S)TIP projects must be modeled to demonstrate that their construction will not degrade air quality below the standards set forth in the Clean Air Act Amendment of 1990 (et sub). The modeling results and other analyses are reviewed to assure the (S)TIP is in conformance with the relevant State Implementation Plan (SIP); this process is referred to as demonstrating conformity. Currently, three of the MPOs are in non-attainment/maintenance for one or more pollutants (DRCOG, PPACG, and NFR) as is a large area in one rural TPR, Upper Front Range (UFR). A multi-party intergovernmental agreement addresses air quality and conformity responsibilities in the DRCOG, NFR, and UFR ozone non-attainment area.

¹ Per 24-6-402 C.R.S., all meetings held per the above guidelines are considered public meetings and therefore must be open to the public.

² Please note that TIP projects and STIP projects may differ in detail, especially with regard to program pools, such as Bridge, Surface Treatment, and Safety, to name a few. Also, projects that are funded exclusively with local or private sector funds, have no CDOT involvement, and have no impact on CDOT-managed highways may be shown in the TIP but not the STIP.

STIP UPDATES IN TPRs

Outside of the MPOs, in areas referred to as TPRs, TIPs are not required. To update the STIP, TPR representatives meet with their appropriate CDOT Engineering Region(s) and Transportation Commissioner(s) to cooperate in the project prioritization process within that CDOT Engineering Region. A CDOT Engineering Region can contain multiple TPRs and/or Transportation Commissioners.

For all STIP updates and amendments, CDOT's Office of Financial Management and Budget (OFMB) verifies that the updated STIP is financially constrained. The Department's Division of Transportation Development (DTD) verifies that it is consistent with the Long Range Statewide Transportation Plan. SAFETEA-LU requires that the updated STIP be made reasonably available for public review and comment. Copies of the updated STIP are available on the worldwide web at www.dot.state.co.us. On the web site, select "Planning/Construction", select Budget Information and scroll down to the STIP section of the page. A public meeting on the STIP is held during the STIP Update process with the Transportation Commission during the public review and comment period. Comments are considered before the STIP is adopted by the Transportation Commission. Once the Transportation Commission adopts the STIP, it is forwarded to FHWA and FTA for their review and final approval.

A typical sequence of the activities for updating the STIP is summarized in the calendar included in Section 1. This schedule represents the *latest* possible dates for activities to occur. These dates may need to be accelerated by an Engineering Region in order for an MPO to complete their TIP development process in a timely manner.

STIP AMENDMENT GUIDELINES

Due to the dynamic nature of any transportation program, some changes are necessary as actual project schedules and expenditures are realized and as priorities and policies change. The process for amending the STIP varies depending on the type of amendment and whether the project to be amended is in an MPO or a TPR.

GENERAL AMENDMENT GUIDELINES

Detailed guidelines for amending the STIP are provided in the *Final STIP Amendment Procedures*, which can be obtained by contacting a STIP Manager in OFMB. These guidelines are also posted on the CDOT website.

For purposes of making changes to the Colorado STIP, there are three types of STIP amendments – Policy, Administrative, and TIP.

- **Policy Amendments** – these amendments require a minimum 30 day public involvement period and must be approved by the Transportation Commission. These amendments occur when a regionally significant project is either added to, or deleted from, the first four years of the current STIP or when a project is added to, or deleted from, a STIP Pool. Other instances for policy amendments include major scope changes to a regionally significant project or if an amendment triggers the need for an environmental, or air quality, finding. (Regionally significant projects are defined here as stand-alone projects that are regionally significant to that specific area or are not eligible for inclusion in a STIP Pool.)
- **Administrative Amendments** – these amendments (also referred to as Administrative Modifications) do not require a public involvement period and can be approved by OFMB staff. These amendments are minor in nature and can be approved in one business day. Examples include moving funding among projects in a STIP Pool, or minor changes to funding due to project closures, bid overruns or bid savings.
- **TIP Amendments** – these amendments or modifications are processed by the MPOs for the projects in their respective areas. They must be completed by the affected MPO prior to being

amended in the STIP. Once a TIP amendment or modification has occurred, notification is sent to the CDOT Executive Director, acting as the Governor's delegate, for approval. Copies of the approval are then forwarded to FHWA/FTA. CDOT has signed Memorandums of Agreement with each MPO to utilize their public involvement process as the public process for subsequently amending the STIP. Once the TIP process has been completed, these amendments are added to the STIP in one business day.

All amendments must meet fiscal constraint or they will not be approved. Likewise, any amendments must also align with the corridor goals and strategies set forth in the Long Range Statewide Transportation Plan. If they do not align, a plan amendment may be required prior to amending the STIP. CDOT Region Planners are required to work with their respective MPOs and TPRs to agree upon, and submit, amendments to TIPs and the STIP.

Section 2 4P Process Guidelines

The Colorado Transportation Commission, in cooperation with Colorado Counties Incorporated (CCI), the Colorado Municipal League (CML) and the Metropolitan Planning Organizations (MPOs) established the "Project Priority Programming Process" (4P). It was adopted at the August 18, 1994 Transportation Commission meeting.

The 4P is used as a guide for the development of Colorado's STIP. This process is overseen by CDOT's Office of Financial Management and Budget (OFMB). OFMB works with the CDOT Region Planners who, in turn, work with their planning partners to establish a short-range, fiscally constrained, program of transportation projects. These process guidelines are below.

TRANSPORTATION PLANNING REGION MEETINGS

Per the SAFETEA-LU, the CDOT updates the STIP at least once every four years. To facilitate this process, each CDOT Engineering Region, represented by the Regional Transportation Director (RTD), is required to meet individually with each of its TPRs to discuss project selection and prioritization within that TPR. Appropriate Transportation Commissioner(s) may also choose to attend. In CDOT Engineering Regions that include an MPO, these meetings will be coordinated with the MPO Planning Process to ensure consistency and avoid duplication of effort. OFMB will provide the latest control totals by CDOT Engineering Region, fiscal year, and STIP program. CDOT's Division of Transportation Development (DTD) will provide the latest traffic and roadway condition information.

The purpose of the TPR meeting is to review and validate the projects in the current STIP and consider requests for new projects. All projects included in the STIP must be consistent with the goals and strategies laid out in the financially constrained portion of the LRP. If projects are identified that are not consistent, LRP amendments must be processed and approved³ before they can be included in the Draft STIP. The result of the TPR meeting is a prioritization of projects within that TPR. Due to the requirement to maintain fiscal constraint, the addition of a new project may result in the elimination of another project from the STIP. After meeting with each of their TPRs, the CDOT Engineering Region must hold a joint meeting with all of their TPRs to select and prioritize projects for the entire CDOT Engineering Region in applicable programs when funding is available. During the prioritization process, some TPRs/MPOs not wholly contained in one Engineering Region may choose to plan and conduct a TPR/MPO wide prioritization meeting.

³ LRP amendments are processed by CDOT's Division of Transportation Development (DTD). Details may be found in 2 CCR 604-2, *Statewide Transportation Planning Process and Transportation Planning Regions*.

Following the CDOT Engineering Region-wide prioritization meeting, projects selected through this cooperative public process are forwarded to the appropriate MPO, if in an urban area, for inclusion in their Transportation Improvement Programs (TIPs). MPOs take the lead in the development of the TIP for the urbanized area. Anyone interested in participating in TIP development may contact their MPO directly.

Once a TIP has been approved by the MPO, SAFETEA-LU requires that it be forwarded to the Governor for final approval. In air quality non-attainment or maintenance areas, the MPO must demonstrate air quality conformity in order to approve TIP. .

Once TIPs are approved by the MPO Board, they are incorporated into the Draft STIP unchanged. Exceptions would be projects that are funded exclusively with local or private funds with no CDOT involvement in the project. Also, detail may vary from TIPs to STIP with regard to program pools, such as bridge, surface treatment, safety, etc. Outside of MPO areas, projects are entered into the Draft STIP upon completion of the CDOT Engineering Region-wide prioritization meeting.

CDOT Regions and local entities also have the option of holding countywide meetings in advance of the TPR meeting or even annually. These optional countywide meetings may include county and municipal officials and Transportation Planning Region (TPR) representatives, as well as Transportation Commissioner(s) and/or CDOT Region Transportation Director(s) (RTDs). The purpose of these meetings is to discuss project status, priorities, and proposed revisions to the STIP and/or LRP. Input from these meetings may be utilized as part of the STIP development process described above.

Please note that per 24-6-402 C.R.S., all meetings held per the above guidelines are considered public meetings and must be open to the public.

DRAFT STIP

The result of this effort is a completed Draft STIP. OFMB verifies fiscal constraint by Engineering Region, CDOT Program, and Fiscal Year. DTD verifies that it is consistent with the Long Range Statewide Transportation Plan and that the required planning process and opportunities for public involvement have been adequately followed. The Draft STIP is then approved by the Transportation Commission for release by OFMB for public review and comment. Details of this public process may be found in Appendix A at the end of this document.

During this public review and comment period, a public meeting is held in conjunction with a monthly Transportation Commission meeting where members of the citizenry of Colorado can provide input on the Draft STIP.

A typical sequence of the activities for updating the STIP is summarized in the calendar below. This schedule represents the latest possible dates for activities to occur. These dates may need to be accelerated by an Engineering Region in order for a MPO to complete their TIP development process in a timely manner.

4P / STIP Development Schedule	
MONTH	ACTIVITY
May through September	CDOT Engineering Regions begin Project Priority Programming Process
December	CDOT Engineering Regions conclude Project Priority Programming Process
January	CDOT Engineering Regions submit draft STIP requests and MPOs submit draft TIP requests to OFMB
February through May	OFMB distributes draft STIP for public review and comment
March/April	MPOs and Governor approve TIPs
April	Transportation Commission holds a statewide public hearing on the draft STIP
May	Transportation Commission adopts the draft STIP unless there are issues that require further discussion. Once adopted, the STIP is released to FHWA/FTA for their review and approval
June	FHWA and FTA approve STIP

TRANSPORTATION COMMISSION APPROVAL

During a typical cycle, the Transportation Commission approves the Draft STIP for distribution at its February meeting. Public review and comment occurs between February and April. All comments and concerns received must be responded to within one week of their receipt. All comments and responses are collated and summarized by the STIP Manager in OFMB. The Transportation Commission holds a public meeting in April. More detailed information regarding the public process can be found in Section 3 of this document.

Transportation Commission adoption of the Draft STIP usually occurs at its May meeting. At that meeting, OFMB provides a summary of major issues or comments received during the public review and comment period. Unless there are issues that require further discussion, the Transportation Commission adopts the Draft STIP. If there are issues which need further discussion, the Transportation Commission may choose to delay the adoption of the STIP until those issues have been resolved.

Once the STIP has been adopted by the Transportation Commission, it is forwarded to the Federal Highway (FHWA) and Federal Transit (FTA) Administrations for their approval, and goes into effect at the beginning of the State fiscal year on July 1.

Section 3 Public Involvement Plan for Draft STIP

Per SAFETEA-LU, STIP development must include a public process. The STIP is developed with input from local planning partners, as well as the general public. CDOT offers the draft STIP for public review and comment and also holds a public hearing prior to asking the Transportation Commission to adopt the STIP. Other activities also take place to complement the efforts of developing the STIP. What follows is

a summary of the public involvement activities, aside from the public meetings conducted with the 4P and STIP development processes, which take place during the development of the STIP.

Public Notice

When the Transportation Commission releases the Draft STIP, OFMB staff posts an electronic copy of the draft on its external website. Hard copies of the draft are available for perusal at OFMB as well as distributed to CDOT Region Headquarter offices, FHWA and FTA offices located in Lakewood, Colorado, all of the Transportation Planning Region offices, and to the State Depository Libraries around the state. In addition, an e-mail notification is sent to over 700 recipients statewide. Specific locations and contact information are provided at the time the document is distributed. These locations are posted on the CDOT external website, included in the e-mail notices, and included in the documentation with the final STIP.

People who want to comment on the draft are directed to contact a STIP Manager in OFMB via, mail, phone or e-mail. The public comment period is open for a minimum of 30 days prior to the Public Hearing.

Public Hearing and Adoption of the STIP

Notification for the Public Hearing is posted on CDOT's external website, as well as sent via e-mail to the distribution list noted above. In addition, OFMB requests that the Public Hearing notices be posted at all CDOT Region Headquarter offices, FHWA and FTA offices located in Lakewood, Colorado, all Transportation Planning Region offices, and at the State Depository Libraries. Advertisements for the hearing are also placed in local newspapers across the state.

Any comments received during the public comment period are tracked by the designated STIP Manager in OFMB. Major comments and responses are collated and summarized and then provided to the Transportation Commission at the Public Hearing. Unless there are issues that require further discussion, the Transportation Commission adopts the Draft STIP. If there are issues which need further discussion, the Transportation Commission may choose to delay the adoption of the STIP until those issues have been resolved.

Once the STIP has been adopted by the Transportation Commission, it is forwarded to the Federal FHWA and FTA for their approval, and goes into effect at the beginning of the State fiscal year on July 1.

Distribution of the Adopted STIP

Once the STIP is adopted by the Transportation Commission and approved by FHWA and FTA, copies are distributed to the same locations noted above. The document is also posted on CDOT's external website www.dot.state.co.us.