



**Item # 15-11-11  
Receive & File**

## **Transportation Committee**

November 12, 2015

### **Outcomes from Delegated Authority for Metropolitan Transportation Improvement Program Amendments**

**Issue:** The Transportation Committee has requested periodic staff reports on SACOG's use of delegated authority to amend the Metropolitan Transportation Improvement Program (MTIP).

**Recommendation:** This is a Receive & File item. There will not be a staff presentation.

**Discussion:** The MTIP is the region's four-year program of federally funded and regionally significant transportation projects. Until 2011, all types of MTIP amendments required committee and Board action. At its May 2011 meeting, the Board delegated authority to SACOG management to approve certain types of MTIP amendments. This action improved project delivery by reducing SACOG's processing time by 30 days. As a condition of Board approval, the Transportation Committee requested staff to periodically provide it with a Receive & File item to inform the committee on staff's use of its delegated authority.

Between September 2014, when SACOG adopted the 2015/18 Metropolitan Transportation Improvement Program (MTIP), and November 2015, SACOG management has approved one amendment to the MTIP under authority delegated from the Board. Amendment #5 was approved by SACOG on April 7, 2015, by Caltrans on April 14, and by the US Department of Transportation on April 15. It was a "Type 3" Formal Amendment, in that it revised, added, or deleted exempt or non-regionally significant projects or project phases in the MTIP. (See Attachment A for details on types of amendments.) The amendment was necessary to update the MTIP to reflect significant changes to projects funded by the State Highway Operations and Protection Program (SHOPP) and the Highway Bridge Program (HBP). In Amendment #5, the Grouped Projects for Emergency Repair - SHOPP Emergency Response Program increased by 670%, the Grouped Projects for Safety Improvements - SHOPP Mobility Program increased by 114%, and the Highway Bridge Program increased by \$50,456,493.

The next update on the use of delegated authority is scheduled for May 2016.

#### Attachment

**Key Staff:** Matt Carpenter, Director of Transportation Services, (916) 340-6276  
Renée DeVere-Okie, Programming and Project Delivery Team Manager, (916) 340-6219  
José Luis Cáceres, Transportation Planner, (916) 340-6218

## Summary of MTIP Processes and Amendment Types

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### Understanding Revision Types

MTIP revisions are categorized into five types. Only Type 4 and Type 5 revisions require Board approval; the rest may be approved by management.

#### Revision Types

1. Administrative Modifications
2. Amendment Due to Funding Changes
3. Amendment of Exempt Projects
4. Amendment Requiring a Conformity Determination
5. Amendment Requiring a Conformity Determination and a New Regional Emissions Analysis

## MTIP Processes and Amendment Types

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*For more detail, see SACOG's Public Participation*

*Plan: <http://www.sacog.org/mtp/ppp.cfm>*

There are four processes for the various ways to change/update the MTIP:

1. Adoption
2. Administrative Modification
3. Amendment
4. Technical Revision

### Adoption

SACOG generally adopts a new MTIP every two years, although federal guidelines only require a new MTIP every four years. As part of the adoption, SACOG removes the two prior years and adds two additional years of funding. SACOG also reports projects that were completed from the prior MTIP. The MTIP is accompanied by either a new air quality conformity determination and analysis or a determination that relies on a previous analysis.

### Administrative Modification

Regulations describe this action as a minor revision to the MTIP which does not require public review. An Administrative Modification may take one or two weeks to process and may include minor changes to the cost of a project or phase, and changes to funding sources of previously-included projects. SACOG has defined the processing of an Administrative Modification as a Type 1 Action. (See below for types of MTIP actions)

### Amendment

Regulations describe this action as a significant change to the MTIP. An Amendment is a revision that involves a major change to a project included in a metropolitan transportation plan (MTP) or MTIP. An Amendment (often referred to as a Formal Amendment) may take several months to process.

## Types of Amendments/Revisions

SACOG has ranked Administrative Modifications and Amendments into five different amendment/revision types which require different levels of public review and processing actions:

**Type 1:** This is an Administrative Modification. The criteria for Administrative Modifications and Amendments are defined in Title 23, CFR part 450.104. Also, the Federal Highway Administration, Federal Transit Administration, and Caltrans agreed on California-specific administrative modification procedures on June 3, 2011. Those procedures are posted online at [www.dot.ca.gov/hq/transprog/federal/proc\\_guide.htm](http://www.dot.ca.gov/hq/transprog/federal/proc_guide.htm). SACOG received delegated approval authority from Caltrans for Administrative Modifications, such that no other action is required once SACOG has approved an Administrative Modification. (Approval required by SACOG management.)

**Type 2:** This is an Amendment that makes a funding change that is greater than what is allowed as an Administrative Modification. The projects in a Type 2 revision do not change in design concept or scope and the conformity analysis years as assumed for the regional emissions analysis of the currently conforming MTP and MTIP remain unaltered. (Approval required by SACOG management, Caltrans, and Federal Department of Transportation.)

**Type 3:** This is an Amendment that significantly revises, or adds, or deletes an exempt or non-regionally significant project or project phases to/from the MTIP. (Approval required by SACOG management, Caltrans, and Federal Department of Transportation.)

**Type 4:** This is an Amendment that requires a conformity determination but relies on a previous regional emissions analysis. This type of amendment is used when adding a regionally significant project to the MTIP that has already been appropriately accounted for in the regional emissions analysis. (Approval required by SACOG Board, Caltrans, and Federal Department of Transportation.)

**Type 5:** This is an Amendment that requires a conformity determination and a new regional emissions analysis. This type of revision is used when adding a non-exempt, regionally significant project that has not been accounted for in the regional emissions analysis. This type of amendment is also used when a non-exempt, regionally significant project makes a change to either the design concept or scope or conformity analysis completion year which is not consistent with the existing regional emissions analysis. (Approval required by SACOG Board, Caltrans, and Federal Department of Transportation.)

### Technical Corrections and Advancement or Delay of Funds using Expedited Project Selection Procedures

No public review is necessary for edits to parts of the MTIP that are shown for informational purposes only or for fixing obvious typographical errors. Similarly, no public review is necessary for SACOG to use agreed-upon Expedited Project Selection Procedures (EPSP). EPSP is used to advance projects from later years of the MTIP and delay the implementation of other projects from earlier years. These changes occur without modification or amendment, based on agreements between SACOG, Caltrans, local transit operators, and local transportation agencies. Even so, SACOG typically modifies or amends the MTIP at the end of the fiscal year to reflect advances and delays.