



U. S. DEPARTMENT OF TRANSPORTATION

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January 18, 2023

Reply To: HPR-ID

Mr. Scott Stokes, Director
Idaho Transportation Department
P. O. Box 7129
Boise, ID 83707

Dear Mr. Stokes:

Subject: 2023-2026 Idaho Statewide Transportation Improvement Program and TIP Air Quality Conformity Determinations

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) reviewed the Idaho Transportation Department's (ITDs) 2023-2026 Statewide Transportation Improvement Program (STIP), submitted on December 19, 2022, for federal approval in accordance with 23 CFR 450 Subpart A, B and C, 49 U.S.C. Sections 5303-5305 and 23 U.S.C. Sections 134 and 135.

In conjunction with the STIP approval, the FHWA and FTA conducts a Federal Statewide Planning Finding, which is a formal action taken by the FHWA and FTA to ensure that STIP is developed according to statewide and metropolitan transportation planning processes consistent with statutory and regulatory planning provisions outlined in Title 23 and Title 49. The Finding serves as an opportunity to highlight areas that need improvement in a statewide and metropolitan transportation planning processes and is a prerequisite to FTA/FHWA approval of the STIP.

In addition, this review also includes a determination on whether areas currently designated as nonattainment for national air quality standards, or which are operating under a Federally approved air quality maintenance plan can demonstrate that their transportation improvement programs (TIPs) conform to the state's air quality state implementation plan (SIP). Consistent with this requirement, FHWA and FTA have jointly determined that the 2023-2026 TIPs for the Community Planning Association of Southwest Idaho (COMPASS) and the Bannock Transportation Planning Organization (BTPO) conform to Idaho's SIP.

Based on a joint FHWA/FTA review of Idaho's 2023-2026 STIP and the overall statewide and metropolitan transportation planning process, we find that the program:

- identifies all proposed highway and transit projects in the State funded under Title 23 and the Federal Transit Act including Federal Lands projects,
- is consistent with the State's adopted long-range statewide transportation plan,
- includes, without modification, the metropolitan transportation improvement programs approved by the respective metropolitan planning organizations and by ITD acting on behalf of the Governor,
- includes in air quality non-attainment areas only projects determined to conform with the SIP,
- meets the requirements of 23 CFR 450.220 (project selection) for the projects listed in each program year, and
- was developed with adequate public involvement.

Based on our review, FHWA and FTA find that the 2023-2026 STIP is based on a transportation planning process that substantially meets the federal planning requirements of Title 23 and 49 and, therefore, give our joint approval, subject to the corrective actions identified in the attached 2023 Idaho Statewide Planning Finding.

For questions on this approval, please contact Maureen H. Gresham, FHWA Idaho at (208) 617-2140; mgresham@dot.gov or Ned Conroy, FTA Region 10 at (206) 220-4318; ned.conroy@dot.gov.

Sincerely,

Peter J. Hartman
Idaho Division Administrator
Federal Highway Administration

Susan K. Fletcher
Acting Regional Administrator, Region 10
Federal Transit Administration

Attachment

cc: KMPO, LCVMPPO, COMPASS, BMPO, BTPO

Attachment

Idaho Statewide Federal Planning Finding

January 2023

Introduction

The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) are required under 23 CFR 450.220(b) to document and issue a Federal Planning Finding in conjunction with the approval of the Statewide Transportation Improvement Program (STIP). The Federal Planning Finding verifies that the development of the STIP is consistent with the provisions of both the Statewide and Metropolitan transportation planning requirements of 23 U.S.C. 134, 135; 49 U.S.C. 5303-5305; 23 CFR parts 450 and 500, and 49 CFR part 613. This report substantiates the issuance of the FHWA/FTA Federal Planning Finding to support FHWA/FTA approval of the STIP based on the review of the STIP and (Transportation Improvement Program) TIP documents, statewide and metropolitan planning self-certification statements (23 CFR 450.220; 23 CFR 450.336), and related supporting documentation.

This Planning Finding includes several corrective actions and recommendations under two major sections: 1) Overall statewide and metropolitan planning process, and 2) Development and content of the 2023-2026 STIP. Corrective actions are items that do not meet statutory and regulatory requirements and require action by the State and/or MPOs by dates specified. Recommendations are items that generally meet the statutory and regulatory requirements but represent opportunities to improve the transportation planning processes.

FHWA and FTA will continue to work with ITD and other relevant partner planning agencies on a regular basis to monitor progress and provide technical guidance and support to address the corrective actions and recommendations identified below. This coordination will include monthly meetings during the development of the draft STIP and quarterly meetings thereafter, to address any remaining issues. This assistance may include the delivery of training and/or educational opportunities for the state, if warranted.

Statewide and Metropolitan Planning Process

Corrective Actions:

MPO Agreements. Prior to federal approval of the next STIP, ITD must update each of the Metropolitan Planning Organization (MPO) Agreements to correct outdated information and clearly outline roles and responsibilities in carrying out the metropolitan transportation planning process, including the procedures for selecting projects for inclusion in the Metropolitan Transportation Plan (MTP) and TIP (CFR 23.450.314) (CRF 450.332(b)). These agreements should include a schedule for when ITD projects are submitted to the MPOs for consideration of inclusion into the MTP/TIPs and that allows for the development of the TIPs prior to the final draft of the STIP.

Federal Land Management Agencies /Tribal Governments. Prior to federal approval of the next STIP, ITD must document the processes used to consult and coordinate with Federal Land Management Agencies (FLMAs) and tribal governments (23 CFR 450.218(d)).

Civil Rights/ADA. Prior to federal approval of the next STIP, ITD must develop a process to maintain accessible features for curb ramps and sidewalks in operable working condition per 28 CFR 35.133, or effectively pass this responsibility down to sub-recipient agencies. In addition, ITD must clarify how it evaluates each MPOs annual nondiscrimination assurance and certification of nondiscrimination at least triennially or through FHWA/ITD/MPO joint certification reviews.

Recommendations:

Performance Management: ITD and MPOs continue to be make progress toward addressing performance-based and planning program (PBPP) requirements per 23 CFR 450.306(d). Improvements should continue to be made, including expanding the analysis and discussion of the anticipated effect of the STIP projects toward achieving the identified performance targets per 23 CFR 450.218 (q).

MPO Coordination: ITD has improved its support for MPO planning activities through greater participation in TMA certification reviews, coordination of performance-based management processes, and TIP/STIP consistency. FHWA/FTA recommend continued support of MPOs with verified review of air quality conformity determinations, coordination of UPWP submittal, review, and approval, and overall expanded oversight of MPO progress to ensure success toward meeting federal planning requirements.

STIP Development and Content

Corrective Actions:

Financial Constraint: Prior to approval of the next STIP, ITD must provide updated financial information that more clearly and explicitly demonstrates fiscal constraint to ensure that available transportation funding is adequate to support programmed projects. The State DOT must ensure that the financial summary table clearly presents all funding sources by year and specific project costs by year (23 CFR 450.218(i)(3)) to demonstrate fiscal constraint (23 CFR 450.218(o)). Additionally, the State DOT should include a narrative explaining the process and information presented.

Advance Construction: Prior to approval of the next STIP, ITD must clearly identify in the STIP which projects will use Advanced Construction as a financing tool and supports the demonstration of fiscal constraint. In accordance with 23 CFR 630.705, an advance construction project must meet the same requirements and be processed in the same manner as a regular Federal-aid project, except,
(1) The FHWA authorization does not constitute any commitment of Federal funds on the project, and
(2) The FHWA shall not reimburse the State until the project is converted under § 630.709.

Operations/Maintenance: Prior to approval of the next STIP, clearly explain and identify system-level estimates of costs and revenue sources that are reasonably expected to be available to adequately operate and maintain Federal-aid highways (23 CFR 410 (m)).

STIP Amendment Public Involvement Process: Prior to approval of amendments to the FY23 STIP, ITD must revise, document, and submit to FHWA/FTA the STIP modification process including outlining a public involvement process that provides a reasonable opportunity for the public to review and comment on STIP amendments (23 CFR 450.222 (e) (23 CFR 450.210).

Recommendations:

Public Involvement: ITD should clarify and update the public involvement processes that support the STIP development, per 23 CFR 450.210. The process should ensure that the STIP documentation available for public review – narrative, fiscal constraint demonstration, funding assumptions, planning development process, performance measures, project details including TIP projects, and all other details – are consistent with the final documentation submitted to FHWA/ FTA for approval. Further, ITD should revise, as necessary, the Local Non-Metropolitan Elected Officials Consultation Guide and/or the ITD Guide to Public Involvement for Programs, Planning, Projects to ensure consistency.

Freight Plan. ITD needs to complete the update to the Statewide Freight Plan to ensure compliance with the Bipartisan Infrastructure Law and enhance their ability to address freight needs and maximize the use of federal dollars.

Based on our review, the FHWA and FTA find that the STIP substantially meets, subject to corrective actions, the requirements of U.S.C. 134, 135; 49 U.S.C. 5303-5305; 23 CFR part 450 and 500, and 49 CFR part 613. In addition, FHWA and FTA offer recommendations for improvement to support the State and MPO planning processes.