



**U. S. DEPARTMENT OF TRANSPORTATION**

**FEDERAL HIGHWAY ADMINISTRATION  
IDAHO DIVISION**  
3050 LAKEHARBOR LANE, SUITE 126  
BOISE, IDAHO 83703-6217

**FEDERAL TRANSIT ADMINISTRATION**  
915 SECOND AVENUE, SUITE 3142  
SEATTLE, WA 98174

January 3, 2022

Reply To: HPR-ID

Mr. Brian Ness, Director  
Idaho Transportation Department  
P. O. Box 7129  
Boise, Idaho 83707

Dear Mr. Ness:

**Subject: 2022-2025 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) 2022-2025 Statewide Transportation Improvement Program (STIP), submitted on December 3, 2021 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 Planning Finding, which is a formal action taken by the FHWA and FTA to ensure that STIPs and TIPs are developed according to Statewide and metropolitan transportation planning processes consistent with statutory and regulatory planning and related provisions outlined in Title 23 and Title 49. The finding serves as an opportunity to highlight areas that need improvement in a Statewide or metropolitan transportation planning process and is a prerequisite to FTA/FHWA approval of the STIP.

As such, 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 2022-2025 TIPs for the Community Planning Association of Southwest Idaho (COMPASS) and the Bannock Transportation Planning Organization (BTPO) conform to Idaho's SIP. In addition, it has been determined that there are no

projects in Idaho's two rural areas, Pinehurst and Franklin County, which are subject to the Federal conformity requirements.

Based on a joint FHWA/FTA review of Idaho's 2022-2025 STIP and the statewide 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 or as delegated,
- 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 FY's 2022, 2023, 2024, and 2025, and
- was developed with adequate public involvement.

However, our review also found the following concerns:

- **Fiscal constraint:** The STIP must demonstrate financial constraint by year and must include sufficient financial information to demonstrate which projects are to be implemented using current and/or reasonably available revenues. The currently proposed STIP shows the Federal program \$12M beyond the "identified" available federal funds (\$812M vs. \$824M) in FY22. While at the time this STIP was developed, there was uncertainty in the amount of federal funds that may be available both due to the FAST Act expiring and no knowledge on obligation authority, the amount of funds programmed in each year should not be higher than the estimated anticipated available funds. Further, the financial documentation does not clearly indicate how urbanized area funding is addressed and totals for each FTA funding source are not identified. For more information, please refer to 23 CFR 450.218 (m).
- **Local nonmetropolitan consultation process:** The State must provide for nonmetropolitan local official participation in the development of the long-range statewide transportation plan and the STIP and, once every 5 years, review and solicit comments from nonmetropolitan local officials and other interested parties for a period of not less than 60 calendar days regarding the effectiveness of the cooperative process and any proposed changes. The current documentation for this process expired in February 2021 and needs to be updated in accordance with regulations, including the documentation of any comments regarding the

process effectiveness. For more information, please refer to 23 CFR 450.210 (b)(1).

- **Performance Management:** While our review did find progress on the corrective actions identified in the previous federal finding; the Bonneville Metropolitan Planning Organization (BMPO) still requires additional documentation, including transit asset management (TAM) and transit safety performance measures. For more information, please see 23 CFR 450.306(d). Further, while the STIP addresses federally required performance measures, improvements can be made. Specifically, the STIP lacks an adequate discussion of the anticipated effect of the STIP toward achieving the performance targets. For more information, please refer to 23 CFR 450.218 (q).
- **MPO Coordination:** ITD continues to demonstrate increased support for MPO planning activities; however, additional action is needed specifically with regards to transit, freight, performance management, air quality conformity determinations, and TMA Certification Reviews,

Based on our Federal Planning Finding Review, FHWA and FTA find that the projects in the 2022-2025 STIP are based on a transportation planning process that generally meets the federal planning requirements of Title 23 and 49 and, therefore, give joint approval of Idaho's 2022-2025 STIP, subject to the following corrective actions.

- By April 2022, ITD must provide clarifications and/or amend the STIP to demonstrate that the estimated funds programmed does not exceed anticipated estimated available funding for each year based on current best knowledge of funding availability,
- By April 2022, ITD must review and solicit comments on their process for cooperating with nonmetropolitan local officials and other interested parties, in accordance with CFR 23 450.210 (b),

Further, FHWA and FTA recommend the following actions prior to future STIP submittals:

- ITD should continue its efforts in 2022 to further its support of MPO planning program activities, especially for transit, freight, performance management, air quality conformity, and TMA Certifications,
- ITD should clarify how it evaluates each MPOs annual nondiscrimination assurance and certification of nondiscrimination at least triennially or through FHWA/ITD/MPO joint certification reviews, and
- ITD should verify that it has reviewed the conformity determinations for MPOs with non-attainment status and found them to be satisfactory.

- ITD should include an expanded assessment of how STIP projects are anticipated to affect progress toward performance targets, and
- ITD should include additional detail in the STIP to support its overall fiscal constraint documentation.

Conditions and clarifications for this STIP approval include the following:

- the Idaho STIP consists of the program of projects identified in the Idaho Transportation Department's STIP document and the TIP documents of Idaho's five metropolitan planning organizations (MPOs).
- individual projects located within air quality non-attainment areas but outside of metropolitan planning areas and not air quality exempt or neutral are subject to conformity determination requirements,
- only the projects listed for FY's 2022 through 2025 of the ITD STIP and the MPOs' TIPs are included in this STIP approval,
- this action does not serve as an eligibility determination of approval of Federal participation as some programs may have additional program requirements (e.g. the National Highway Freight Program), nor does it serve as a Federal approval action for programs or projects for which FHWA and FTA have no approval authority, including the State's rail and aeronautics programs,
- this STIP may be amended consistent with the provisions of 23 CFR 450, and
- this STIP approval expires in four years or upon approval of a new STIP, whichever occurs first.

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

Sincerely yours,

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Peter J. Hartman  
Division Administrator  
Federal Highway Administration

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Linda M. Gehrke  
Regional Administrator  
Federal Transit Administration

## Metropolitan Transportation Planning Process Self-Certification

In accordance with 23 CFR 450.220, the Idaho Department of Transportation and the Bonneville Metropolitan Transportation Planning Organization for the cities of Ammon, Idaho Falls, Iona and Ucon and the urbanized area of Bonneville County hereby certify that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all the applicable requirements of:

1. 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;
2. In nonattainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act as amended (42 U.S.C. 7504, 7506 (c) and (d) and 40 CFR part 93); **(Note-BMPO is an attainment area).**
3. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 200d-1), 49 CFR part 21;
4. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
5. Section 1101(b) of the SAFETEA-LU (Pub. L. 109-59) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
6. 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
7. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 etseq.) and 49 CFR parts 27, 37, and 38;
8. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving federal financial assistance;
9. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
10. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

Bonneville Metropolitan Planning Organization



Darrel West, Director



Date

Idaho Transportation Department

Kenneth Kanownik AICP

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Ken Kanownik, Planning Services Section Division  
of Engineering Services

Date

## Appendix C. Self-Certification

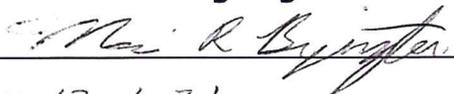
### METROPOLITAN TRANSPORTATION PLANNING PROCESS

#### SELF-CERTIFICATION

In accordance with 23 CFR 450.334 and 450.220, the Idaho Department of Transportation and the Bannock Planning Organization Metropolitan Planning Organization for the cities of Pocatello urbanized area(s) hereby certify that the transportation planning process is addressing the significant issues in the metropolitan planning area and is being conducted in accordance with all the applicable requirements of:

1. 23 USC 134, 49 USC 5303, and this subpart;
2. In nonattainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act as amended (42 USC 7504, 7506 (c) and (d) and 40 CFR part 93)
3. Title VI of the Civil Rights Act of 1964, as amended (42 USC 2000d-1), 49 CFR part 21;
4. 49 USC 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
5. Section 1101(b) of the FAST Act (Pub. L. 114-357) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
6. 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
7. The provisions of the Americans with Disabilities Act of 1990 (42 USC 12101 et seq.) and 49 CFR parts 27, 37, and 38;
8. The Older Americans Act, as amended (42 USC 6101), prohibiting discrimination based on age in programs or activities receiving federal financial assistance;
9. Section 324 of title 23 USC regarding the prohibition of discrimination based on gender; and
10. Section 504 of the Rehabilitation Act of 1973 (29 USC 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

#### Bannock Planning Organization

  
\_\_\_\_\_  
Date: 12-1-21 Mori Byington, Planning Director

#### Idaho Transportation Department

Kenneth Digitally signed by Kenneth Kanownik AICP  
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Date: Kanownik AICP Date: 2021.09.28 12:30:23 -06'00' Kenneth Kanownik, Planning Services Manager



**ANNUAL METROPOLITAN TRANSPORTATION PLANNING PROCESS  
SELF-CERTIFICATION**

In accordance with 23 CFR 450.334, the Idaho Transportation Department and the Community Planning Association of Southwest Idaho, designated metropolitan planning organization for the Northern Ada County Transportation Management Area and Nampa Urbanized Area, hereby certify that the Community Planning Association of Southwest Idaho transportation planning process addresses the major issues in the metropolitan planning areas and is being conducted in accordance with all applicable requirements of:

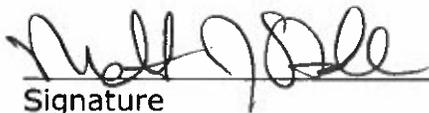
- (1) 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;
- (2) In nonattainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 CFR part 93;
- (3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
- (4) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- (5) Section 1101(b) of the FAST-ACT (Fixing Americas Surface Transportation Act; Pub. L. 114-94) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
- (6) 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- (7) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.*) and 49 CFR parts 27, 37, and 38;
- (8) The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- (9) Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
- (10) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

COMMUNITY PLANNING ASSOCIATION  
OF SOUTHWEST IDAHO

IDAHO TRANSPORTATION DEPARTMENT

Kenneth Kanownik  
AICP

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Kanownik AICP  
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Signature

Signature  
Planning Services Manager

Executive Director  
Title

Title

7/27/2021  
Date

8/6/2021

Date



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**IDAHO TRANSPORTATION DEPARTMENT**

P.O. Box 7129 • Boise, ID 83707-1129

(208) 334-8000 • itd.idaho.gov

November 30, 2021

Peter Hartman, Division Administrator  
Federal Highway Administration  
3050 Lake Harbor Lane, Suite 126  
Boise, ID 83703-6217

Linda Gehrke, Regional Administrator  
Federal Transit Administration  
Federal Building, Suite 3142  
915 Second Avenue  
Seattle, WA 98171

Attn: Scott Frey

Attn: Ned Conroy

**SUBJECT:** Submittal of the FY2022-2028 Idaho Statewide Transportation Improvement Program (STIP) for Federal Approval

Dear Mr. Hartman and Ms. Gehrke:

On September 22, 2021, the Idaho Transportation Board approved the FY2022-2028 Idaho Transportation Investment Program (ITIP) as one of the last steps of the 2022 Program Update cycle. The final step of this process is submittal of the federally required Statewide Transportation Improvement Program (STIP) document for your review and approval.

The Idaho STIP covers seven years with the last three years to be considered informational by the FHWA and FTA per 23 CFR 450.218(a). Following guidance in 23 CFR 450.218(b), projects within Idaho's five metropolitan planning organizations are submitted through reference to the individual metropolitan Transportation Improvement Programs or TIPs to be archived on the ITD website. FHWA projects not considered to be of appropriate scale for individual identification are grouped per 23 CFR 450.218(j).

The Idaho Transportation Department certifies that the statewide planning process complies with applicable federal regulations outlined in 23 CFR 450.206(a) (1) through (10).

Attached are Self-Certifications of Compliance from Idaho's five Metropolitan Planning Organizations (MPOs) stating that their transportation planning processes comply with all applicable federal requirements as outlined in 23 CFR 450.336. Our Department's Planning Services Section reviewed and approved each of the Self-Certification documents while providing the MPOs with any necessary corrective comments in writing.

Please consider for approval the enclosed FY2022-2028 STIP submittal document.

Sincerely,

  
Brian W. Ness  
Director

cc: Scott Stokes  
Dan McElhinney  
Charlene McArthur  
Lorraine Dennis  
Blake Rindlisbacher  
Dave Kuisti  
Dave Tolman  
Chris Bray  
Justin Collins  
Bob Thompson  
Randy Gill  
Mark Snyder  
Monica Crider  
Ron Duran  
Damon Allen  
Doral Hoff  
Caleb Lakey  
Jesse Burrus  
Todd Hubbard  
Jason Minzhgor  
Glenn Miles – Kootenai Metropolitan Planning Organization  
Shannon Grow – Lewis Clark Valley Metropolitan Planning Organization  
Matt Stoll – Community Planning Association of Southwest Idaho  
Toni Tisdale – Community Planning Association of Southwest Idaho  
Mori Byington – Bannock Transportation Planning Organization  
Darrell West – Bonneville Metropolitan Planning Organization  
Laila Kral – Local Highway Technical Assistance Council

## E. Certifications

### SELF-CERTIFICATION

In accordance with 23 CFR 450.334, the Idaho Transportation Department and the Kootenai Metropolitan Planning Organization (KMPO), designated Metropolitan Planning Organization for Kootenai County, hereby certify that the KMPO Transportation Planning Process addressed the major transportation issues within the MPO designated area and is being conducted in accordance with all applicable requirements of:

- (1) 23 U.S.C 134, 49 U.S.C 5303, and this subpart;
- (2) Title VI of the Civil Rights Act of 1964. As amended (42 U.S.C 2000d-1) and 49 CFR part 21;
- (3) 49 U.S.C 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex , or age in employment or business opportunity;
- (4) Section 1101(b) of the MAP-21 (P.L 112-141) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
- (5) 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- (6) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C 12101 et seq.) and 49 CFR parts 27, 37, and 38;
- (7) The Older Americans Act, as amended (42 U.S.C 6101). Prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- (8) Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
- (9) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and CFR part 27 regarding discrimination against individual with disabilities.

KOOTENAI METROPOLITAN PLANNING



Signature: \_\_\_\_\_

Title: Executive Director

Date: \_\_\_\_\_

IDAHO TRANSPORTION DEPARTMENT

**Kenneth Kanownik**  
**AICP**

Signature: \_\_\_\_\_

Title: Planning Services Manager

Date: \_\_\_\_\_

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Kanownik AICP  
Date: 2021.09.24 14:37:43 -06'00'

**METROPOLITAN TRANSPORTATION PLANNING PROCESS  
SELF-CERTIFICATION**

In accordance with 23 CFR 450.334 and 450.220, the Idaho Department of Transportation and the Lewis Clark Valley Metropolitan Planning Organization for the City of Lewiston urbanized area(s) hereby certify that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all the applicable requirements of:

1. 23 U.S.C. 134, 49 U.S.C 5303, and this subpart;
2. In nonattainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act as amended (42 USC 7504, 7506 (c) and (d) and 40 CFR part 93)
3. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 200d-1), 49 CFR part 21;
4. 49 U.S.C 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
5. Section 1101(b) of the FAST Act (Fixing Americas Surface Transportation Act, Pub. L. 114-357) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
6. 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
7. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 etseq.) and 49 CFR parts 27 , 37, and 38;
8. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving federal financial assistance;
9. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
10. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

Metropolitan Planning Organization

Idaho Transportation Department



Shannon Grow  
Director

9/9/2021  
Date

Ken Kanownik, Planning Services Manager  
Division of Engineering Services

Date