



Chapter 10

L RTP AMENDMENT PROCEDURE



10. LRTP AMENDMENT PROCEDURE

10.1. INTRODUCTION

From time to time, the River to Sea TPO may find it necessary to revise the LRTP other than at the 5-year update cycle. Should this need occur, the TPO will follow the procedure laid out in Chapter 4 of the Metropolitan Planning Organization Program Management Handbook (May 7, 2012) as well as the guidance provided by FDOT and FHWA Florida Division and the Code of Federal Regulations. This chapter outlines the procedure for amending the 2040 LRTP.

It should be noted that the River to Sea TPO Board retains the authority to bypass this procedure and amend the long range transportation plan as necessary to comply with the administrative requirements of either the federal or state governments.

10.2. LRTP AMENDMENT PROCEDURE

The LRTP can be revised at any time based on need. When making changes to a long range transportation plan, there are two types of revisions that need to be considered: 1) an administrative modification and; 2) a plan amendment (23 C.F.R. 450.104).

10.2.1. ADMINISTRATIVE MODIFICATION

An administrative modification is a minor revision to the LRTP (or TIP). It includes minor changes to project/phase costs, funding sources, or project/phase initiation dates. It does not require public review and comment or re-demonstrating fiscal constraint. [23 C.F.R. 450.104] Examples of these include:

- A. Design Concept or Scope Changes: A minor change in the project termini equal to or less than 10% of the total project, i.e., adjusting length for turn lane tapers.
- B. Identification of planned use of federal funds for the existing cost feasible plan projects if federal funds are added to a project funded with only state or local funds in the adopted LRTP.
- C. Project or Project Phase Initiation Date:
 - 1) Advancing a project from a 5 or 10-year band to an adjacent 5-year band beyond the TIP/STIP years/1st 5-year band.
 - 2) Adding a new phase to an existing cost feasible plan project (e.g. if ROW is funded, adding CST phase) where the new phase is funded beyond the TIP/STIP years/1st 5-year band of the LRTP.
 - 3) Adding a new phase to an existing cost feasible plan project (e.g. if ROW is funded, adding CST phase) from a Needs or Illustrative list to the cost feasible plan where the new phase is funded beyond the TIP/STIP years/1st 5-year band of the LRTP.
 - 4) Adding a new phase to an existing cost feasible plan project (e.g. if ROW is funded, adding CST phase) from a Needs or Illustrative list to the CFP where (1) the new phase is funded in the TIP/STIP years/1st 5-year band of the LRTP and (2) the added phases use new funds not contained in the LRTP Revenue Forecast to the cost feasible plan.

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Should it be determined that an administrative modification is needed, information regarding the need for modification should be presented to the River to Sea TPO Executive Director for review and determination. If the change satisfies the definition of an administrative modification, the Director will notify FHWA and FDOT representatives and direct TPO staff to process the change. If it is above the thresholds for a modification, the change should follow procedures for a plan amendment.

10.2.2. PLAN AMENDMENT

An amendment is a major revision to the LRTP (or TIP) and includes adding or deleting projects from the plan and/or major changes to project costs, initiation dates, or design concepts and scopes for existing projects. An amendment requires public review and comment in accordance with the LRTP amendment and Public Involvement processes and re-demonstrating fiscal constraint. Changes to projects, included only for illustrative purposes, do not require an amendment. [23 C.F.R. 450.104]

Should an amendment be requested, information regarding the proposed change should be presented to the River to Sea TPO Executive Director for initial review. The Director, along with TPO staff, will review supporting documentation and convene a technical review committee to evaluate the impact of the change and supporting documentation. The committee will provide their findings to the TPO standing committees and board.

The Director will follow the plan amendment process depicted in Figure 12. In addition, plan amendments will:

- Require an update to the revenue and cost estimates supporting the plan to use an inflation rate(s) to reflect year of expenditure dollars, based on reasonable financial principles and information. [23 C.F.R. 450.322(f)(10)(iv)] These estimates must demonstrate that the change preserves the financial feasibility of the plan.
- Provide a purpose and need for the change. This may include supporting data and analysis.
- Follow a public involvement period consistent with adoption of the original plan. This includes review of the full draft proposal, followed by a 30-day public input period, and then adoption of the amendment by a recorded roll call vote or hand-counted vote of the majority of the membership present. [339.175(13), F.S.].

Copies of the amended long range plan should be distributed in accordance with the Metropolitan Planning Organization Program Management Handbook. Although the LRTP does not require approval by the FHWA or the FTA, these agencies are involved in the development of the plan and should be provided an opportunity to comment on amendments to the plan.

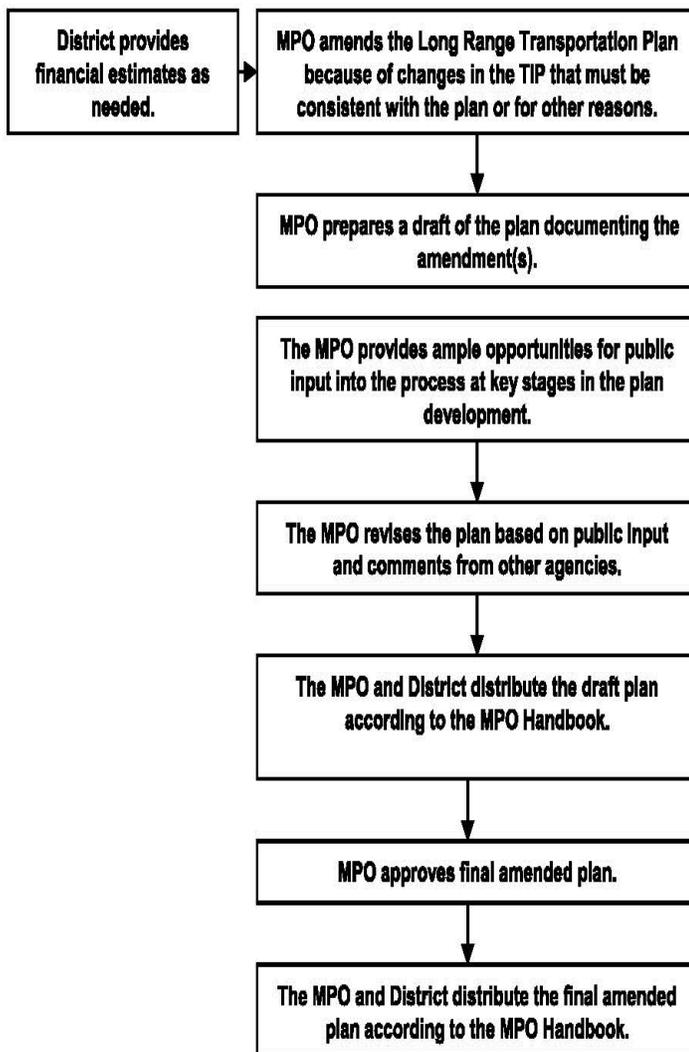
Guidance has also been provided by FDOT and the FHWA Florida Division regarding plan amendments. This guidance states that an LRTP amendment will be required for LRTP cost increases that exceed 50% of project cost and \$50 million. When assessing project cost changes (including project costs documented in NEPA documents), the cost of the project includes the phases after the PD&E which, for purposes of this document, are Design/PE, ROW and Construction phases.

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Other changes that require an LRTP Amendment include:

- A. Design concept or scope changes: A major change in the project termini (e.g. expansion) or a change in a project concept(s) such as adding a bridge, addition of lanes, addition of an interchange, etc.
- B. Deleting a full project from the CFP.
- C. Adding a new project where no phases are currently listed in the CFP.
- D. Projects or Project Phase Initiation Date for projects in the CFP:
 - 1) Advancing a project phase from the 3rd 5 years and the last 10-year band of the LRTP to the TIP/STIP years; advancing a project more than one 5-year band.
 - 2) Adding a phase to an existing CFP project (e.g. if ROW is funded, adding CST phase) where (1) the new phase is funded in the TIP/STIP years/1st 5-year band of the LRTP and (2) one or more phases of a different project must be deferred to a later band or to the Needs/Illustrative List in order to demonstrate fiscal constraint.
 - 3) For advancing phases of minor projects, please see the Section 10.2.1 of this chapter.
- E. Projects or Project Phase Initiation Date for projects beyond the CFP:
 - 1) Moving a new project from a Needs or Illustrative List to the CFP where no phases are currently listed in the CFP.
 - 2) Moving new phases from a Needs or Illustrative List to an existing CFP project where (1) the new phase is funded in the TIP/STIP years/1st 5-year band of the LRTP and (2) one or more phases of a different project must be deferred to a later band or to the Needs/Illustrative List in order to demonstrate fiscal constraint.

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Source: *Metropolitan Planning Organization Program Management Handbook, Figure 4C (May 7, 2012)*

Figure 12 – Plan Amendment Process



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