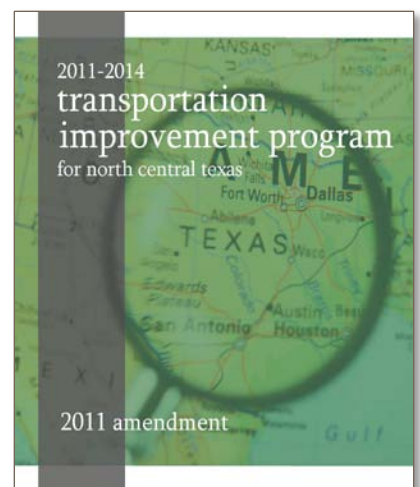


Appendix H

Federal Approval Letter

This appendix contains the letter from the United States Department of Transportation (U.S. DOT) approving the 2011-2014 Transportation Improvement Program. This appendix will also contain a letter from the United States Department of Transportation (U.S. DOT) once approval of the 2011-2014 Transportation Improvement Program – 2011 Amendment is received.



T h i s p a g e i s i n t e n t i o n a l l y b l a n k



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION FEDERAL HIGHWAY ADMINISTRATION
819 TAYLOR STREET, ROOM 8A36 300 E. 8TH STREET, ROOM 826
FORT WORTH, TEXAS 76102-9003 AUSTIN, TEXAS 78701

February 1, 2011

Refer to: HPP-TX

Joint Approval of FY 2011-2014 Statewide
Transportation Improvement Program (STIP)

Mr. James Randall, P. E.
Director, Transportation Planning and Programming Division
Texas Department of Transportation
125 E. 11th Street
Austin, Texas 78701

Dear Mr. Randall:

In response to your submittal dated October 6, 2010 regarding the Fiscal Year (FY) 2011-2014 STIP required under title 23 United States Code (USC) Section 134 and 49 USC, we have the following general and specific comments generated upon review of the subject document. Pursuant to 23 CFR 450.216 and 23 USC 135(g) the State DOT is responsible for developing a Statewide Transportation Improvement Program (STIP) for all areas of the State over a period of no less than every four years.

TxDOT, FHWA and FTA staff have met with and discussed the new SAFETEA-LU metropolitan & statewide planning requirements with Texas' Metropolitan Planning Organizations over the last several years. We have greatly appreciated the progress and results from this coordinated, collaborative and cooperative effort, and look forward to continuing to work with our stakeholders in the future as the full implementation of an electronic STIP database is successfully met on a statewide basis.

Overall, we jointly find that the State of Texas and its twenty-five (25) MPOs have generally complied with the joint statewide & metropolitan planning regulations issued by the FTA and FHWA pursuant to 23 USC 134/5 and the Federal Transit Act under 49 USC as certified within your documentation.



Please call Ms. Peggy Crist, FTA at (817) 978-0555 or Jose Campos, FHWA at (512) 536-5932 or Kirk Fauver at (512) 536-5952 should you have any questions concerning this action.

Sincerely yours,



Peggy Crist, Director
Planning and Program Development
Federal Transit Administration



Michael T. Leary, Director
Planning and Program Development
Federal Highway Administration

Enclosure

cc: FHWA-HA-TX, HB-TX, HAM-TX
Peggy Crist, FTA, Region VI
Wayne Wells, TxDOT Design
Lori Morel, TxDOT TPP(S)
Kelly Kirkland, TxDOT PTN

FY 2011-2014 STIP COMMENTS

District/MPO Specific Comments

General Comments:

1. As described in the FY 2011-2014 STIP introduction, fiscal constraint of the STIP is based upon an April 2010 cash flow forecast of available revenue. Based upon follow-up discussions with TxDOT-TPP we believe that estimates of available future year revenues, in accordance with the April 2010 cash flow forecast, support a determination that the STIP is fiscally constrained. However, TxDOT should establish formal procedures for determining fiscal constraint of subsequent STIP revisions and updated STIPs based upon a cash flow forecast. These procedures should address the development of Federal and State funding forecasts for use by the MPOs in the development of TIPS and Plans in accordance with 23 CFR 450.324(h) and 23 CFR 450.314(a). Additionally, these procedures should also address the applicability and update of the April 2010 and future cash flow forecasts with regard to determining fiscal constraint of the of the STIP and STIP revisions (i.e., how will new cash flow forecasts be addressed).
2. Per TxDOT's October 21, 2010 memorandum, a review of the public involvement efforts undertaken by TxDOT for the rural portions of the STIP was conducted in response to a citizen inquiry. This review determined that additional public involvement was needed in several TxDOT Districts. The required additional public involvement was conducted for the following Districts: Beaumont, Bryan, Brownwood, El Paso, Lufkin, and San Antonio. Based upon, TxDOT's review of its rural public involvement efforts, the additional public involvement conducted, and documentation received, we believe that adequate public involvement has occurred. However, we recommend that TxDOT initiate efforts to ensure its public involvement requirements are adequately addressed in the future.
3. Please note that use of Federal-Aid funding for the Preliminary Engineering (PE) and Right-Of-Way (ROW) acquisition phases of projects is contingent upon the completion of an a environmental document in accordance with National Environmental Policy Act (NEPA). As such Federal funding authorizations for PE in advance of the NEPA decision are limited to work required for the completion of the NEPA document. Also, a NEPA decision is required prior the initiation of ROW acquisition with Federal-funding.
4. We request that TxDOT-TPP (Systems Planning) provide to our office one electronic spreadsheet in a uniform Excel format, consistent with the format now being requested by TxDOT for STIP amendments, which includes all proposed FY 2011-2014 STIP federal-aid programmed projects for the 25 MPOs and districts located within the State of Texas. This will assist our office in the development of the electronic STIP database for purposes of tracking future revisions and locating proposed federal-aid highway projects as part of our STIP oversight responsibilities under 23 CFR 450.

5. It has come to our attention that the information provided on TxDOT's website regarding the Houston-Galveston Metropolitan Planning Area FY 2011-2014 TIP, while consistent with regard to the projects identified is not the same format/document provided for our review. TxDOT should take appropriate steps to ensure that future STIP and STIP revision submitted for our review and approval are consistent with the information provided on TxDOT's website for public review.
6. On October 12, 2010 TxDOT transmitted, via e-mail, a revised version of the FY 2011-2014 STIP Introduction. This revision did not include a FY 2011 MPO/District funding summary (by funding category). Please provide an updated version of the FY 2011-2014 STIP Introduction including a FY 2011 MPO/District funding summary.

Abilene District/MPO:

1. The TIP should be in the same format as the other MPOs (no boundary maps were included as well). Currently, it is difficult to determine when different types of projects are included in the TIP as they are not noticeably separated.
2. The Public Involvement Process was discussed but when were the actual public hearings held was not included in the TIP document (it was in the cover letter to TxDOT though).
3. The UTP shows \$0 for authorized FY11 funding but the financial summary for the Abilene District shows funds are available (NOTE: This has already been noted by Jose Campos).
4. The TIP did not include the MPO Self Certification.

Atlanta District/Texarkana MPO:

1. CSJ # 0217-01-027- MPO project: US 59 (limits from Texarkana Northern Loop, joint project with AR) does not appear to be included in the current MTP. Please provide MTP page where this project is listed. The project is estimated at \$500,000 and this dollar figure is included in the financial summaries.

Austin MPO:

1. Barton Bridge bicycle/pedestrian project between Loop 360 and Southwest Parkway. The Year of Expenditure Cost (YOE) amount is not provided for this project. However, based upon the project cost information provided it appears that the YOE cost is \$4,000,000. This project is approved contingent upon the clarification of the YOE Cost.
2. CSJ 0914-04-243: The project cost information provided appears to indicate that the project will utilize 100 percent federal funding. Approval of this project is withheld pending confirmation of the 100 percent federal matching and clarification of the Federal funding source for the project.
3. CSJs 0285-03-042, 0286-01-048, 0914-33-032, 0914-33-053 and 0914-33-055: The total project cost information provided reflects only the local funding being utilized for the preliminary engineering phases of these projects and does not reflect funding for subsequent project phases. These projects are approved contingent upon the clarification of the total project cost information for these projects (i.e., cost of subsequent project phases).

4. CSJs 0113-08-060, 0151-09-036, 0151-09-127, 0151-09-138, 0700-03-077, 1200-06-004 and 1200-07-001: The project descriptions provided for these projects indicate the preparation/completion of environmental assessments, design, engineering, etc. However, the project descriptions do not reflect the proposed improvements being evaluated. These projects are approved contingent upon the clarification of the proposed improvements associated with the noted environmental assessments (e.g., widening from 2 to 4 lanes, construction of 4-lane roadway, etc.).
5. CSJ 0914-04-242: The CAMPO 2035 MTP indicates this project as being "previously let" and does not indicate funding for this project. Approval of this project is withheld pending clarification of the proposed project's consistency with the CAMPO 2035 MTP.
6. CSJ 0440-01-033: The CAMPO 2035 MTP does not indicate funding for this project. Approval of this project is withheld pending clarification of the proposed project's consistency with the CAMPO 2035 MTP.
7. CSJ 0440-06-003: A portion of the funding identified for this project is noted as ARRA. It is our understanding that no new ARRA funded project authorizations may be made after September 30, 2010. Approval of this project is withheld pending the clarification of the proposed funding sources for this project.
8. CSJ 0836-01-009: The total project cost noted is substantially higher than the project cost noted in the CAMPO 2035 MTP (\$ 34.4 million versus \$ 22.5 million). This project is approved contingent upon the clarification of the note funding discrepancy.
9. CSJ 0016-02-127: This project is approved contingent upon the confirmation of the construction of 2-lane southbound frontage roads.
10. CSJ 0805-01-017: This project is approved contingent upon clarification of the project limits noted in the FY 2011-2014 TIP and the January 2011 CAMPO 235 MTP Amendments (i.e., 2300 feet E of IH 35 vs. RM 150 at CR 204).
11. CSJ 0015-08-128 and 0015-09-160: These projects propose the construction of a 3-lane frontage road. However, the CAMPO 2035 MTP does not appear to reflect the number of lanes proposed to be constructed. These projects are approved contingent upon the confirmation of the proposed projects' consistency with the CAMPO 2035 MTP.
12. CSJ 0204-02-027: The YOE cost noted for this project is substantially greater than the project cost noted in the CAMPO 2035 MTP. Approval of this project is withheld pending clarification of the noted funding discrepancy (i.e., \$30 million versus \$6 million).
13. CSJ 0240-03-038: The YOE cost noted for this project is substantially greater than the project cost noted in the 2035 MTP (i.e., \$15.6 million versus \$6 million). Additionally, the project limits noted in the 2035 MTP should be clarified with regard to CR 402 and CR 401 (i.e., CR 401 intersects CR 402 but does not appear to intersect US 79). Approval of this project is withheld pending clarification of the noted funding and project limit discrepancies.
14. CSJ 1566-01-009: The project description noted for this project indicates construction of a 2-lane roadway on new location. However, the CAMPO 2035 MTP indicates the widening of FM 1660 from 2-lanes to 4-lanes for this portion of FM 1660. Approval of this project is withheld pending clarification of the project's consistency with the CAMPO 2035 MTP.
15. CSJ 0914-04-255: The CAMPO 2035 MTP indicates this project as being previously let and does not appear to provide funding for this project. Approval of this project is withheld pending clarification of the project's consistency with the CAMPO 2035 MTP.

16. CSJ 0265-04-057: The project description indicates preliminary engineering for an overpass and frontage roads. It is noted that prior to the authorization of federal funding for project design beyond that needed for the completion of the environmental document, a Federal environmental decision (e.g., Record of Decision) is required. Additionally, the authorization of federal funding for design beyond that needed for completion of the environmental document requires that the proposed improvement be consistent with the fiscally constrained metropolitan transportation plan. The CAMPO 2035 MTP indicates a freeway project that appears to include the proposed project (i.e., overpass and frontage roads). However, the funding of the freeway improvement is noted as being contingent upon Proposition 12 funding. As such approval of this project is withheld pending clarification of the preliminary engineering work proposed for the project and if needed, the identification of funding for the associated freeway project.
17. CSJ 3136-01-107: The project description provided does not indicate the number of managed lanes proposed for construction. Similarly, the project description noted in the CAMPO 2035 MTP does not indicate the number of managed lanes proposed for construction. This project is approved contingent upon the clarification of the number of managed lanes proposed for construction.

Beaumont-Port Arthur MPO:

1. CSJ 0920-30-069: The project description provided indicates construction of a new roadway. Approval of this project is withheld pending clarification of the project's consistency the requirements of an exempt TIP (i.e., no added capacity).
2. CSJ 0920-30-067: The project description provided indicates a rail upgrade within the Port of Orange. Approval of this project is withheld pending clarification of the project's eligibility for Federal-aid funding and a project scope (i.e., will the project add rail capacity).
3. Right-Of-Way and Environmental Studies Projects: The information and projects noted within this section of the TIP is considered information purposes only.

Bryan District/MPO:

1. CSJ # 0917-29-108- All the projects in the TIP are in the MTP and the numbers match up except for one project: The TIP has a College Station Bike Loop (CSJ # 0917-29-108) included for FY 2011 with a total project cost of \$732,310 but the MTP lists an estimate of \$169,900 (page 23 of 45).

Corpus Christi District/MPO:

1. The amount shown for Category 7 funds in the FY 2011 Financial Summary Sheet (Introduction- Appendix Section) for the Corpus Christi MPO is incorrectly shown at \$1,360,320 (just shows federal amount- not inclusive of state or local share).
2. The amount shown for Category 2 funds in the FY 2012 Financial Summary Sheet (Introduction- Appendix Section) for the Corpus Christi MPO is incorrectly shown at \$2,163,200 (just shows federal amount- not inclusive of state or local share).

3. The amount shown for Category 7 funds in the FY 2012 Financial Summary Sheet (Introduction- Appendix Section) for the Corpus Christi MPO is incorrectly shown at \$3,993,600 (just shows federal amount- not inclusive of state or local share).
4. The amount shown for Category 11 funds in the FY 2012 Financial Summary Sheet (Introduction- Appendix Section) for the Corpus Christi MPO is incorrectly shown at \$416,000 (just shows federal amount- not inclusive of state or local share).
5. The amount shown for Category 2 funds in the FY 2014 Financial Summary Sheet (Introduction- Appendix Section) for the Corpus Christi MPO is incorrectly shown at \$2,339,717 (just shows federal amount- not inclusive of state or local share).
6. The amount shown for Category 7 funds in the FY 2014 Financial Summary Sheet (Introduction- Appendix Section) for the Corpus Christi MPO is incorrectly shown at \$3,996,234 (just shows federal amount- not inclusive of state or local share).
7. The amount shown for local contribution within the FY 2014 Financial Summary Sheet (Introduction- Appendix Section) for the Corpus Christi MPO is incorrectly shown at \$999,059 (however this number should reflect \$0 for no local contribution as noted in the FY 2014 MPO TIP).

El Paso District/MPO:

1. CSJ 0674-01-037: North Loop Dr (FM 76) Phase VII, the total project cost noted in the FY 2011-2014 TIP is substantially greater than the cost in the Mission 2035 MTP. This project is approved contingent upon the clarification of the noted funding discrepancy.
2. CSJs 0924-06-240 and 0924-06-241: These projects are approved; CMAQ funding is limited to eligible activities.
3. Approval of the following projects is withheld pending clarification on project scope of work, CMAQ eligibility, and associated emissions reductions:

CSJs	0001-02-054	0924-06-365	0924-06-366	0924-06-368	0924-06-367
	0924-06-372	2121-03-147	0924-06-373	0924-06-370	0924-06-369
	0924-06-374	0924-06-371	2121-02-141	0924-06-303	0924-06-376
	0924-06-378	0924-06-377	0924-06-379	0167-01-107	2121-03-148
	0924-06-381	0924-06-382	0167-01-108	0924-06-190	

Dallas-Fort Worth MPO:

General Comments:

1. Federal Functional Classification (FFC). With few exceptions, roadway projects funded with Federal-aid (F-A) monies should be used on major collector or greater (rural) and collector or greater (urban) facilities. Prior to expending F-A monies, the FFC should be verified (i.e., CSJ 0902-48-936 and CSJ 0902-48-960).
2. Capital versus operations. F-A monies used to fund operations are generally capped at three years.
3. Chapter IX. District Engineer certifications for non-DAL and FTW districts should be provided.
4. Non-RSA to Regionally Significant Arterials (RSA). Texas Division staff is interested in a joint meeting to discuss the region's definition of Non-RSA.

D/FW MPO (Dallas District):

1. CSJ 0918-00-146: Approval of this project is withheld pending internal FHWA coordination regarding eligibility.
2. CSJ 0918-24-118: This project is approved for informational purposes only (NOTE: Given the project is let, there may be Federal Project Authorization and Agreement (FPAA) issues).
3. CSJ 0918-47-918: Approval of this project is withheld pending clarification of project and funding eligibility (i.e., replacement of loop detectors).
4. CSJ 0918-45-853: Approval of this project is withheld pending clarification of project eligibility.
5. CSJ 0918-46-209: This project is approved; CMAQ funding is limited to eligible activities.
6. CSJ 0918-24-144: This project is approved; CMAQ funding is limited to eligible activities.
7. CSJ 0918-24-913: This project is not approved. NCTCOG staff has advised FHWA staff (under separate cover) that the project description no longer applies and that a May 2011 revision will be provided.
8. CSJ 0009-02-040: This project is approved; CMAQ funding is limited to eligible activities.
9. CSJ 0918-45-820: This project is approved; CMAQ funding is limited to eligible activities.

D/FW MPO (Fort Worth District):

1. CSJ 0902-48-762: This project is not approved. Project development activities (e.g., preliminary engineering for environmental document development and design for added capacity projects) must be identified individually in the TIP/STIP.
2. CSJ 0902-48-937: Approval of this project is withheld pending internal FHWA coordination regarding eligibility.
3. CSJ 0902-38-075: The project is approved; CMAQ funding is limited to eligible activities.

Houston-Galveston MPO:

1. General: The comments provided below are based upon H-GAC's Bridging Our Communities FY 2011-2014 TIP document adopted on June 25, 2010 and transmitted by TxDOT for FHWA review and approval as part of the FY 2011-2014 STIP.
2. CSJs 0912-70-008 0912-00-373 0912-00-376 0912-72-141 0912-01-088
0912-00-366 0912-00-368 0912-00-370 0912-00-901 0912-34-120
0912-00-362 0912-00-907 0912-00-908 0912-00-919 0912-00-399
0912-00-448 0912-72-195 1258-04-056 0912-00-914 0912-00-915
0912-00-916 0912-00-917 0912-00-923 1685-05-089 0912-71-627
0912-71-924 0912-72-132 0912-00-920 0912-00-921 0912-00-922
0912-00-924 0912-73-141

Approval of these projects is withheld pending the clarification of the project's scope of work, a determination of eligibility for CMAQ funding and estimated emissions reductions associated with the project.

3. CSJs 0912-73-137 0912-71-503 2941-02-048 0271-14-222 0912-71-793
0271-14-217 0912-00-424 0912-34-162 0912-72-190 0912-72-196
0912-71-045 0912-72-198 0912-00-447 0912-71-043 0912-71-046
0912-72-184 0912-71-631 0367-06-058 0912-71-042 0912-72-199
0912-34-147 0912-71-701 3312-01-008 3312-02-012 0912-72-133
0912-37-190

Approval of these projects is withheld pending clarification of the estimated emission reductions associated with the project.

4. CSJ 0912-00-904: Approval of this project is withheld pending clarification of the scope of work.
5. CSJs 3538-01-030 0338-11-051 0338-03-087 0912-31-224 0912-71-688
0912-37-199 0912-71-799 0188-03-022 3049-01-027 0912-72-075
1258-02-034 1258-03-042 0543-02-063 0543-02-065 0111-08-118
3256-01-095 0028-05-042

The total project cost noted for these projects in the FY 2011-2014 STIP is substantially greater than the project cost noted in the 2035 RTP Update. These projects are approved contingent upon the clarification of the noted funding discrepancies.

6. CSJs 0271-07-303 and 3510-05-011: These projects propose the construction of noise walls. However, it is unclear if the projects are part of corresponding roadway construction projects (i.e., Type I noise wall). Approval of these projects are withheld pending clarification of the proposed project's consistency with the Type I noise wall policy.
7. CSJ 0912-72-004: The Year of Expenditure (YOE) cost noted for this project is substantially greater than the project cost noted in the 2035 RTP Update. Approval of this project is withheld pending clarification of the noted funding discrepancy.
8. CSJs 0912-72-072 0912-00-913 0912-72-046 0912-00-905 0912-72-071
0912-00-909

Approval of these projects is withheld pending clarification of the proposed scope of work.

9. CSJs 0912-00-912, 0912-71-810 and 0912-00-918: Approval of these projects is withheld pending clarification concerning the scope of work and funding eligibility.
10. Project ID 7974: The YOE cost noted for this project is substantially greater than the project cost noted in the 2035 RTP Update. Approval of this project is withheld pending clarification of the noted funding discrepancy.
11. Project IDs 239, 13869, 7939 and 14515: Approval of these projects is withheld pending clarification of consistency with the conforming 2035 RTP Update (i.e., are these projects regionally significant).
12. Project ID 10537: Approval of this project is withheld pending clarification of the project's limits and consistency with the conforming 2035 RTP Update (i.e., Jackson Street vs. Harris Street).
13. Project ID 12589: Approval of this project is withheld pending clarification of project's limits and consistency with conforming 2035 RTP Update (i.e., Gosling Road vs. Shadowbend Drive).

14. CSJs 3538-01-030 0188-03-022 1258-02-034 1258-03-042 0543-02-065
0543-02-063 0111-08-118

The total project cost noted for these projects in the FY 2011-2014 STIP is substantially greater than the project cost noted in the 2035 RTP Update. These projects are approved contingent upon the clarification of the noted funding discrepancies.

15. Project ID 5006: Approval of this project is withheld pending clarification of project's limits and consistency with the conforming 2035 RTP Update (i.e., N. Wayside vs. Grade Separation at HB&T RR).
16. Project ID 437: Approval of this project is withheld pending clarification of the project's scope of work.

Laredo District/MPO:

1. The local contribution amount as indicated within the FY 2011 Financial Summary Sheet (Introduction- Appendix Section) for \$282,500 is incorrectly shown for the Laredo District. The amount of local contribution is \$0 (since this column does not reflect local match share). The amount shown within the FY 2011 Financial Summary Sheet for the local contribution of \$1,929,821 by the Laredo MPO should also be shown as \$0 (since this column does not reflect local match share).
2. The local contribution amount as indicated within the FY 2012 Financial Summary Sheet (Introduction- Appendix Section) for \$788,000 is incorrectly shown for the Laredo District. The amount of location contribution is \$0 (since this column does not reflect local match share). The amount shown within the FY 2012 Financial Summary Sheet for local contribution amount of \$1,603,490 by the Laredo MPO should also be shown as \$0 (since this column does not reflect local match share).
3. The local contribution amount as indicated within the FY 2013 Financial Summary Sheet (Introduction- Appendix Section) for \$661,390 is incorrectly shown. The amount of local contribution amount is \$0 (since this column does not reflect local match share).
4. The local contribution amount as indicated within the FY 2014 Financial Summary Sheet (Introduction- Appendix Section) for \$231,780 is incorrectly shown. The amount of local contribution amount is \$0 (since this column does not reflect local match share).

Midland/Odessa MPO/District:

1. The overall STIP financial table has \$2,598,783 listed for the MOTOR MPO in Category 11; this should be revised to \$0. The \$2,598,783 is for the rural area only.

San Antonio District/MPO:

1. The amount shown in the FY 2011 Financial Summary Sheet (Introduction -Appendix Section) for Category 1 (San Antonio District) appears to be incorrect- the correct value is \$3,324,000 in lieu of \$3,100,000 as shown for FY 2011.

2. The amount shown in the FY 2014 Financial Summary Sheet (Introduction- Appendix Section) for Category 1 (San Antonio District) appears to be incorrect- the correct value is \$3,349,290 in lieu of \$2,500,000 as shown for FY 2014.
3. Pages 13-14 of the MPO TIP shows values of "\$0" for individual grouped CSJs, we are uncertain why this table is shown within this section of the TIP document. Perhaps a brief table description of each grouped CSJ category utilized by the MPO (and a reference to the individually listed grouped CSJs shown in the Appendix E) could be provided by the MPO?

Pharr District/MPO:

Brownsville MPO:

1. Page 2, Project Selection Procedures, second paragraph - The Transportation Improvement Program (TIP) shall cover a period of no less than four years; please revise.
2. Page 3, Introduction, third paragraph - Add Committee after Technical
3. For the Highway Projects section, the project is listed as CSJ: 0921-06-207, however the BSIF is not listed in the MTP; v.1/20/10
4. Financial Summary - funding programmed for FY 2012, but funding participation source is listed in FY 2013

Harlingen- San Benito MPO:

1. For the Mobility Projects section, the project is listed as CSJ: 0921-06-208 however the BSIF is missing the MTP Reference. The MTP Reference is PHR-HSB-100b

Wichita Falls District/MPO:

1. Should include the grouped projects as "informational" only in TIP.