

The STIP and the SYIP

In Virginia, the Secretary of Transportation and VDOT develop not one, but two statewide Transportation Programs:

- **The STIP** (State Transportation Improvement Program) is required by federal regulations. The STIP is a four year “programmatic document” that requires joint FHWA and FTA approval and that portrays the projected use of legally committed federal “obligated dollars” to transportation projects over the course of the four year document. The STIP is produced at least every four years (sometimes two years), and it is amended often.
- **The SYIP** (Six Year Improvement Program) is required by state regulations. The SYIP is a six year “programmatic document” that requires CTB approval and that portrays the state’s allocation of federal funds to transportation projects including the allocation and projected use of federal “obligated dollars” to those projects over the course of the first four years of the six year SYIP. The SYIP is produced and approved annually.
- Basically, we have two documents that seek to answer the same, or nearly the same, question—how do we Program Transportation Funds. At the least, this warrants examination: On the one hand, what are the merits of developing two Programs? And, on the other hand, are there undue costs expended in developing, maintaining and amending two Programs? And for this, one needs to consider the man-hours and MPO-level efforts that are consumed by this task against the gains expected.

1. STIP: Federal approval of the STIP is addressed in federal regulations, 23 CFR 450.218(b):

(b) The FHWA and the FTA shall review the STIP or the amended STIP, and make a joint finding on the extent to which the STIP is based on a statewide transportation planning process that meets or substantially meets the requirements of 23 U.S.C. 134 and 135, 49 U.S.C. 5303 and 5304, and subparts A, B, and C of this part. Approval of the STIP by the FHWA and the FTA, in its entirety or in part, will be based upon the results of this joint finding.

(1) If the FHWA and the FTA determine that the STIP or amended STIP is based on a statewide transportation planning process that meets or substantially meets the requirements of 23 U.S.C. 135, 49 U.S.C. 5304, and this part, the FHWA and the FTA may jointly:

- (i) Approve the entire STIP;
- (ii) Approve the STIP subject to certain corrective actions being taken; or
- (iii) Under special circumstances, approve a partial STIP covering only a portion of the State.

(2) If the FHWA and the FTA jointly determine and document in the planning finding that a submitted STIP or amended STIP does not substantially meet the requirements of 23 U.S.C. 135, 49 U.S.C. 5304, and the FHWA and the FTA will not approve the STIP.

The state’s most recent FY 2009-2012 STIP was approved in September 2008 in a joint FHWA and FTA letter which noted that the STIP approval was based on ongoing federal involvement with VDOT, VDRPT and the state’s MPOs.

- Unfortunately, the letter did not note that the state’s submitted STIP was a partial STIP in that it did not contain inputs from four of the state’s 14 MPOs. The letter did not approve a “partial STIP” and it did not call for a follow-on submission that would complete the STIP. Not doing so, as a practical matter, contributes to the general and pervasive indifference that is accorded, statewide, to the STIP.
- The letter did not note that the state’s STIP was explicitly limited to “only those projects that will require federal funding” and thus did not include those projects that were regionally significant which did not require federal funding, whereas such projects are required to be in the STIP per by 23 CFR 450.216(h). Similarly, the state’s STIP did not include other projects whose listing would aid all parties as has been suggested by federal participants at local MPO meetings (such as with the new Jordan Bridge project today).

2. SYIP: Regulations that requires a State Transportation Improvement Program:

- The Virginia Code § 33.1-12 (9) requires the Commonwealth Transportation Board (CTB) to adopt a state Six Year Improvement Program (SYIP) by July 1 of each year.
 - There is no state code requirement to develop a State Transportation Improvement Program (STIP) pursuant to federal regulations, nor are federal regulations cited when addressing the SYIP cited above.

3. STIP and SYIP confusion.

- Federal regulations require that the STIP include the Governor approved MPO TIPs unchanged in the STIP. Basically, this indicates that the TIPs feed the STIP.
 - But, there is no formal process for the TIPs to feed the SYIP (no requirement that TIPs be folded into the SYIP, unchanged). In fact, it is not uncommon to have projects in the SYIP (even the first four years of the SYIP) that are not in TIPs.
- The Introduction section of the 2009-2012 STIP notes that the STIP is compiled from the SYIP. Basically, this indicates that the SYIP feeds the STIP.
- The result is that there is no assurance that the region’s MPO planning process feeds the STIP as is intended by federal regulations, because there is no direct process for the TIP to feed the SYIP. Indeed, SYIPs can and are changed without recourse to MPOs and/or without MPO TIP input.

4. Public involvement:

- As concerns the STIP, there is no guidance in the Virginia Code that requires public involvement whereas federal regulations, Article § 450.210 (Interested parties, public involvement, and consultation) requires such public outreach procedures.
- As concerns the SYIP, there is guidance in the Virginia Code (§ 33.1-23.2. Allocation of construction) that addresses public access to planning information and associated public hearings.
 - Accordingly, Public Hearings are scheduled statewide on each new annual SYIP document.
 - However and for whatever reason, MPOs rarely provide input or participate in these hearings. One long standing reason cited is that “the feds do not recognize

the SYIP” and the MPO is a federal mandated body, so the MPO has no right to participate in the hearing. Confusion indeed, and demoralizing as well.

5. Conclusions:

- There is much effort wasted in trying to develop, amend and maintain two, and then to coordinate between two different documents that have nearly identical goals.
- Very quickly, there is great confusion. Down the road, the two documents begin to differ.
- This confusion results in double book keeping—federal dollars obligated to projects in the STIP and the same federal dollars obligated to different projects in the first four years of the SYIP (the same years as are addressed in the STIP). Other odd things also result from the confusion.
- The SYIP may (and does from time to time) contain near-term, program-level projects that have not been discussed at any level of a given MPO.
- The two documents follow different development timetables. They cover different windows of time, and they follow different amendment procedures. As a result, the federal STIP process cannot remain aligned with the state SYIP process or vice versa.
- At MPO meetings, the feds have often noted that they, the feds, “do not recognize the SYIP”. This should raise a big red flag but the topic gets lost due to its complexity.
 - At the MPO working level, enthusiasm wanes as the real world situation is one where MPO staffers and large technical committee bodies commit much effort to developing their regional TIP for use in the STIP, but it is the SYIP that gets state level attention. This is but one source of the notion that “the state does not recognize its MPOs”.

6. Recommendations:

- Recommend that Virginia, FHWA and FTA coordinate and convert transportation programming in Virginia to a process that develops a single state transportation improvement program, either the STIP or the SYIP or a combination of both such as a six year STIP (SSTIP).
- Recommend that the Virginia Code be updated to include a full range of articles that address federal regulatory transportation planning and programming requirements as concerns the STIP, the CLRP, the required federal transportation planning factors and MPO organizations, as is done in other states, rather than to continue to remain silent on these matters.

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