

Regional Transportation Plan (RTP) Amendment Process

Overview

Establishing a process to address periodic requests to modify the Mountainland Association of Governments (MAG) Metropolitan Planning Organization (MPO) Regional Transportation Plan (RTP) will help determine whether an amendment should be made. There are three general sources for RTP amendment requests: (1) local requests from city or county elected officials that usually involve collector roads, minor arterials, active transportation projects, and/or Wasatch Choice land use centers; (2) Environmental Impact Statements (EIS) or Transportation Improvement Program (TIP) amendments that make specific recommendations that change the RTP project listing or phasing; and (3) periodic requests from the Utah State Legislature, the Utah Department of Transportation (UDOT), or the Utah Transit Authority (UTA) that require an amendment to the RTP for new projects or the phasing of existing projects due to funding changes. Changes to the RTP require justification using a data-driven approach.

Each modification to the RTP must follow one of three procedures:

- **Level 1, Staff Modifications**, requires MAG MPO Director approval in coordination with FHWA and the Interagency Consultation Team (ITC).
- **Level 2, Board Modifications for Non-Regionally Significant Projects**, requires MPO Board approval, a conformity determination from FHWA, and review by the ITC, city planners, elected officials, the TAC, a possible 30-day public comment period.
- **Level 3, Full Amendment for Regionally Significant Projects**, requires MPO Board approval, a new air quality conformity finding, a new regional emissions analysis, and review by the ITC, city planners, elected officials, the TAC, and a 30-day public comment period.

Level 1: Staff Modifications (exempt projects)

Level 1 amendments include safety, transit, air quality, and other projects that are minor in terms of emissions and are defined as projects “exempt” from the requirements of an air quality conformity determination as listed in Table 2 of CFR 93.126 (found on page 6) and the following:

- Change to existing or addition of operational projects, excluding modifications to intersections
- Change to or addition of active transportation projects

- Clarification of the RTP's project description
- Change in ownership
- Technical corrections
- Changes that only modify needs-based phasing

LEVEL 1 PROCESS

Level 1 amendments are reviewed by MAG staff, the Interagency Consultation Team (ICT), and the sponsoring agency. If the ICT concurs that the amendment request meets the Level 1 definition, MAG staff will declare in writing that the proposed amendments are exempt from conformity requirements and request written acknowledgment of this decision from FHWA. If desired, MAG staff, the ICT, and/or the MPO Board Chair/Vice-Chair can recommend elevating a modification request to a Level 2: Board Modification based on factors including potential impacts, professional judgment, or lack of consensus.

The approval of Level 1 Staff Modifications requires the following procedure:

Step 1 | Formal Request: The local community elected official, UDOT planning director, or UTA planning director submits formal requests to the MPO. The request includes a written description of the proposed modifications in sufficient detail to assess the scope of the proposed changes.

Step 2 | MAG Staff and ITC Review: MAG staff reviews the amendment request with the ITC and sponsoring agency's technical staff and determines that the amendment meets the requirements for a Level 1 Staff Modification. MAG staff documents that determination.

Step 3 | FHWA Approval: MAG staff coordinates with FHWA who will formally document that the proposed changes meet all Level 1 Staff Modification definitions.

Step 4 | MPO Board Leadership Consultation: MAG staff reviews the amendment request with the MPO Board Chair/Vice-Chair.

Step 5 | MPO Director Approval: The MPO Director approves Level 1 Staff Modification.

Step 6 | MPO Committees Notification: MAG staff informs the MPO Board and TAC of the approved Level 1 Staff Modification.

Step 7 | Update Plans/Websites: MAG staff update the MAG and Unified Plan websites and mapping.

Level 2: Board Modifications (non-exempt, non-regionally significant projects)

Level 2 amendments are for nonexempt and non-regionally significant projects. These amendments require a new air quality conformity determination - a letter from FHWA stating that the existing conformity determination remains valid, but does not require a

new regional emissions analysis. Level 2 projects include those listed in Table 3 of CFR 93.127 (found on page 7) and the following:

- Change to existing or addition of operational projects, specifically including modifications to intersections
- Change to existing or addition of collector or minor arterial new construction or roadway widening projects
- Change to existing project right-of-way or addition of roadway or transit corridor preservation projects
- Change to existing or addition of transit routes that are not on fixed guideways
- Change to the existing RTP functional classification, but not higher than minor arterial

LEVEL 2 PROCESS

Level 2 amendments are reviewed by MAG staff, the Interagency Consultation Team (ICT), and the sponsoring agency. If the ICT concurs that the amendment request meets the Level 2 definition, the amendment can proceed without a new regional emissions analysis. MAG staff will declare in writing that the ICT concurs that the existing conformity determination remains valid, and will request written acknowledgement of concurrence from FHWA. If desired, MAG staff, the ICT, and/or the MPO Board could recommend a formal 30-day public comment period.

The approval of Level 2 Board Modifications requires the following procedure:

Step 1 | Formal Request: The local community elected official, UDOT planning director, or UTA planning director submits formal requests to the MPO. The request includes a written description of the proposed modifications in sufficient detail to assess the scope of the proposed changes.

Step 2 | MAG Staff and ITC Review: MAG staff reviews the amendment request with the ITC and sponsoring agency's technical staff and determines that the amendment meets the requirements for a Level 2 Board Modification. MAG staff documents that determination.

STEP 3 | Financial Constraint: MAG staff will determine financial constraint in coordination with the sponsoring agency.

Step 4 | FHWA Approval: MAG staff coordinates with FHWA who will formally document that the proposed changes meet all Level 2 Board Modification requirements, including that the existing regional emissions analysis remains valid.

Step 5 | MAG Staff Analysis: If necessary, MAG staff will update socio-economic data, land use and travel demand models, and other technical considerations.

Step 6 | TAC Review and Recommendation: MPO TAC reviews the modification and makes a recommendation to the MPO Board.

Step 7 | MPO Board Approval: MPO Board reviews the modification and makes a final approval.

Step 8 | Update Plans and Websites: MAG staff update MAG and Unified Plan websites and mapping.

Level 3: Full Amendment (regionally significant projects)

Level 3 amendments involve any change or modification to a regionally significant project as defined by either the RTP or the ICT. The MPO defines a project to be regionally significant as follows:

Regionally significant highway projects are identified as capacity projects on roadways functionally classified as principal arterials or higher-order facilities and certain minor arterials as identified through the interagency consultation process. The latest Utah Department of Transportation Functional Classification map is used to identify functional classification. Regionally significant transit projects are identified as fixed guideway transit, including bus rapid transit with predominantly exclusive lanes, light rail, and commuter rail.

Level 3 amendments include all of the following:

- Significant change in the design or scope of a regionally significant transportation project
 - Termini more than ½ mile
 - Addition or subtraction of a primary transportation feature
- A significant change in the location, type, or size of a fixed guideway transit facility or station
- Change in the recommended financially constrained phasing of a regionally significant transportation project
- The addition or deletion of any regionally significant transportation project to the RTP
- Change to the existing RTP functional classification, higher than minor arterial

LEVEL 3 PROCESS

Level 3 amendments are reviewed by MAG staff, the Interagency Consultation Team (ICT), the sponsoring agency, the Federal Highway Administration, the MPO Board, the TAC, and the general public. MAG staff will declare in writing that the ICT has determined a new conformity determination and regional emissions analysis are required and will request written acknowledgement of this determination from FHWA.

The approval of Level 3 amendments requires the following procedure:

Step 1 | Formal Request: The local community elected official, UDOT planning director, or UTA planning director submits formal requests to the MPO. The request includes a written description of the proposed modifications in sufficient detail to assess the scope of the proposed changes.

Step 2 | MAG Staff/ITC Review: MAG staff reviews the amendment request with the ITC and sponsoring agency's technical staff and determines that the amendment meets the requirements for a Level 3 Full Amendment. MAG staff documents that determination.

STEP 3 | Financial Constraint: MAG staff will determine financial constraint in coordination with the sponsoring agency.

STEP 4 | Regional Emissions Analysis: MAG staff develop a new regional emissions analysis and air quality conformity determination per current modeling procedures.

STEP 5 | FHWA Approval: MAG staff correspond with the FHWA to obtain written concurrence with the new regional emissions analysis and conformity determination.

STEP 6 | MAG Staff Analysis: MAG staff collect data, model the amendment, and review other technical considerations.

STEP 7 | TAC Recommendation: MPO TAC reviews the amendment and makes a recommendation to the MPO Board.

STEP 8 | Board Review for Public Comment: The MPO Board reviews the amendment and approves it for public comment.

STEP 9 | Public Comment: 30-day public comment noticed, and a staff report provided.

STEP 10 | Public Comment Response: MPO staff responds in writing to all public comments received within 30 days of the end of the comment period. (If additional regionally significant modifications are necessary due to the comment period, then the MPO Board may require a new 30-day comment period.)

STEP 11 | MPO Board Approval: MPO Board reviews the amendment and makes a final approval.

STEP 12 | Notification: Respective agencies are notified of the changes to the RTP.

Step 13 | Update Plans/Websites: MAG staff to update MAG and Unified Plan websites and mapping.

Dispute Resolution

If a question arises regarding the interpretation of or determination of the appropriate modification level, the MPO, UDOT, FHWA, and/or FTA will consult with each other to resolve it. If, after consultation, the parties disagree on the appropriate level of the requested modifications, the final decision rests with FHWA for highway projects and FTA for transit projects.

Federal Definitions

Table 2 of CFR 93.126 - Exempt Projects

SAFETY

- Railroad/highway crossing.
- Projects that correct, improve, or eliminate a hazardous location or feature.
- Safer non-Federal-aid system roads.
- Shoulder improvements.
- Increasing sight distance.
- Highway Safety Improvement Program implementation.
- Traffic control devices and operating assistance other than signalization projects.
- Railroad/highway crossing warning devices.
- Guardrails, median barriers, crash cushions.
- Pavement resurfacing and/or rehabilitation.
- Pavement marking.
- Emergency relief ([23 U.S.C. 125](#)).
- Fencing.
- Skid treatments.
- Safety roadside rest areas.
- Adding medians.
- Truck climbing lanes outside the urbanized area.
- Lighting improvements.
- Widening narrow pavements or reconstructing bridges (no additional travel lanes).
- Emergency truck pullovers.

MASS TRANSIT

- Operating assistance to transit agencies.
- Purchase of support vehicles.
- Rehabilitation of transit vehicles¹.
- Purchase of office, shop, and operating equipment for existing facilities.
- Purchase of operating equipment for vehicles (e.g., radios, fareboxes, lifts, etc.).
- Construction or renovation of power, signal, and communications systems.
- Construction of small passenger shelters and information kiosks.
- Reconstruction or renovation of transit buildings and structures (e.g., rail or bus buildings, storage and maintenance facilities, stations, terminals, and ancillary structures).
- Rehabilitation or reconstruction of track structures, track, and trackbed in existing rights-of-way.
- Purchase of new buses and rail cars to replace existing vehicles or for minor expansions of the fleet¹.

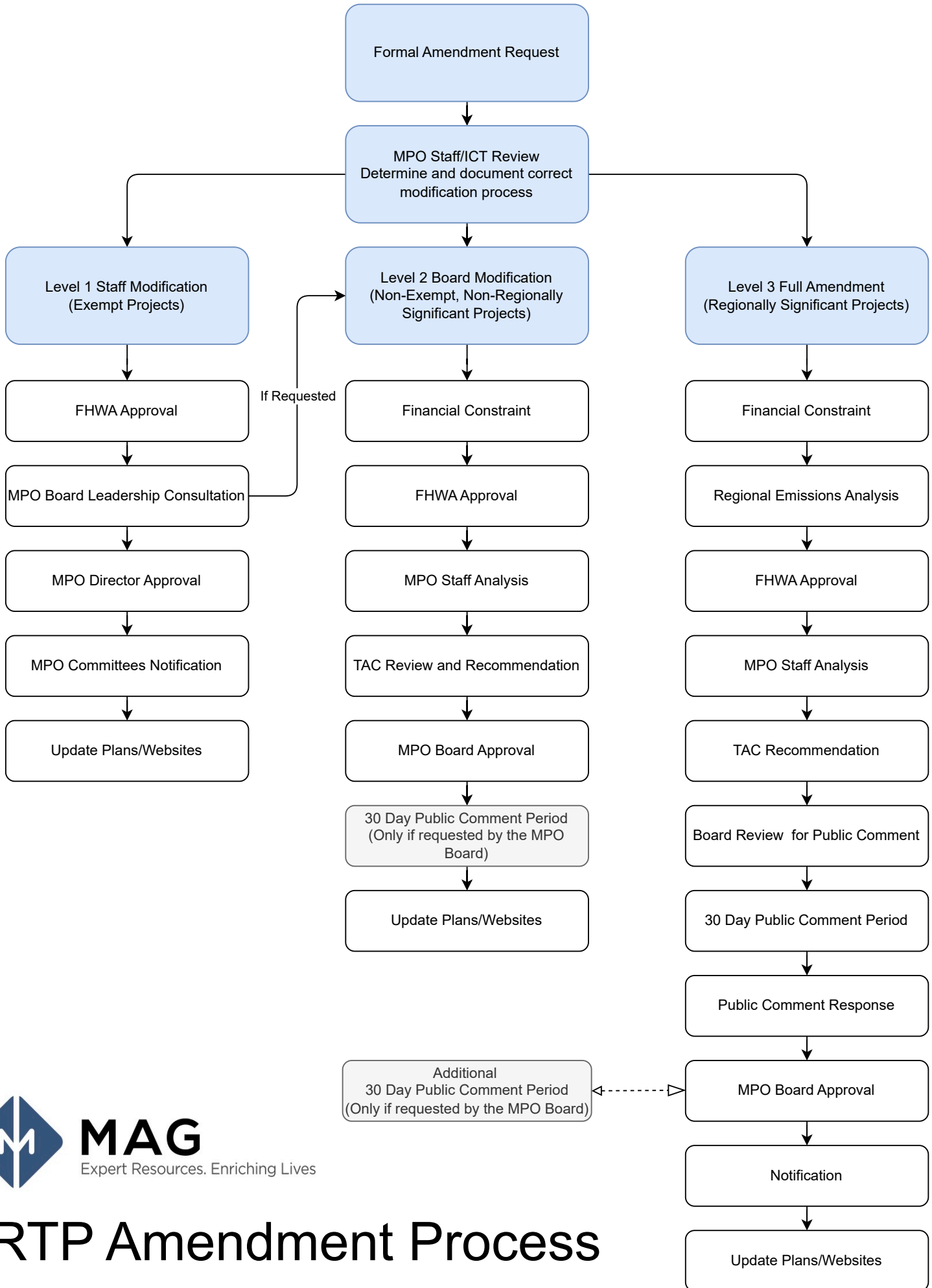
- Construction of new bus or rail storage/maintenance facilities categorically excluded in [23 CFR part 771](#).
- Air Quality
- Continuation of ride-sharing and van-pooling promotion activities at current levels.
- Bicycle and pedestrian facilities.

OTHER

- Specific activities which do not involve or lead directly to construction, such as:
- Planning and technical studies.
- Grants for training and research programs.
- Planning activities conducted pursuant to titles 23 and 49 U.S.C.
- Federal-aid systems revisions.
- Engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action.
- Noise attenuation.
- Emergency or hardship advance land acquisitions ([23 CFR 710.503](#)).
- Acquisition of scenic easements.
- Plantings, landscaping, etc.
- Sign removal.
- Directional and informational signs.
- Transportation enhancement activities (except rehabilitation and operation of historic transportation buildings, structures, or facilities).
- Repair of damage caused by natural disasters, civil unrest, or terrorist acts, except projects involving substantial functional, locational, or capacity changes.

Table 3 of CFR 93.127—Projects Exempt From Regional Emissions Analyses

- Intersection channelization projects.
- Intersection signalization projects at individual intersections.
- Interchange reconfiguration projects.
- Changes in vertical and horizontal alignment.
- Truck size and weight inspection stations.
- Bus terminals and transfer points.



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