

*Texas Department of Transportation  
Environmental Affairs Division*

**Standards of Uniformity for  
American Recovery and Reinvestment Act (ARRA II)  
Projects**

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**Transportation Planning Consistency**

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## Transportation Planning Consistency

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### Projects under the American Recovery and Reinvestment Act II

If a transportation project is to be certified by a Regional Environmental Center (REC) for PCEs, or if final action is to be taken on a NEPA document by FHWA, it must come from an FHWA-approved fiscally constrained Transportation Improvement Program (TIP)/State Transportation Improvement Program (STIP). *Note – FHWA-approved MPO TIPs are included in an FHWA-approved STIP. The rest of the document only mentions the STIP. This includes those projects under a Grouped Eligible CSJ (list attached in Appendix A).*

The TxDOT STIP contains grouped eligible CSJ project categories, as allowed under 23 CFR 450.216(j). They are not required to be individually identified in a given program year; instead, they are grouped by function and/or work type. An internal TxDOT “batch upload” process is completed by the districts and TPP to capture fiscal constraint needs for the STIP. A District Engineer Certification Form will ensure adequate funds are budgeted for grouped CSJ projects.

#### Grouped CSJ Eligible Projects

1. If a project approval is requested for a grouped eligible project, the district must indicate which grouped eligible category applies, and certify that the project is either:
  - included in the current STIP with sufficient funds based on ARRA II funding, or
  - is part of a pending STIP amendment to program ARRA II funding.

See Appendix A for a listing of grouped CSJ eligible projects. A District Engineer Certification Form is provided in Appendix B.

#### PCE Grouped CSJ Eligible Projects

2. For grouped eligible PCE projects that are certified by the district under item 1, the RECs will certify once all other PCE requirements have been met.

#### Grouped CSJ Eligible Projects with a CE or Higher Environmental Document

3. For a grouped eligible project using a CE or higher environmental document, certified by the District under item 1, FHWA will take final action on the NEPA document once all other NEPA requirements have been met.

#### PCE Non-Grouped CSJ Eligible Projects

3. The REC may review and comment on PCE projects that appear on the ARRA II list but are not yet programmed into the STIP to ensure all other NEPA requirements have been met. However, the PCE cannot be certified by the REC until the STIP revision is complete and approved by FHWA.

#### Non-Grouped CSJ Eligible Projects with a CE or Higher Environmental Document

4. TxDOT ENV and FHWA may review and comment on CE and higher projects that appear on the ARRA II list but are not yet programmed into the STIP to ensure all other NEPA requirements have been met. However, final NEPA action cannot be taken by FHWA until the STIP revision is complete and approved by FHWA.

**Note:** Page 7 of the [Programmatic Agreement for the Review and Approval of Categorically Excluded Transportation Projects](#) specifies that a PCE may not be used to add through lanes in an air quality nonattainment or maintenance area.

**Transportation Planning Consistency**

| Yes  | No | N/A | Description of Item Sufficiency   | References/Guidance |
|--|----|-----|---|---------------------|
| <b>Consistency Check of the environmental document, the TIP/STIP and the Metropolitan Transportation Plan/Regional Transportation Plan (MTP/RTP)</b> |    |     |   |                     |
| 1  |    |     | <div style="border: 1px solid black; padding: 10px;"> <p>Is the project grouped CSJ eligible? See Appendix A – Grouped CSJ eligible projects.</p> <pre> graph TD     Q1[Is the project grouped CSJ eligible? See Appendix A – Grouped CSJ eligible projects.] -- Yes --&gt; A1[Yes]     Q1 -- No --&gt; A2[Go to item 2.]     A1 --&gt; Q2[Has the district certified that the project has authorized grouped eligibility? Has ARRA II funding been or is it in the process of being, programmed in the STIP and identified in the applicable grouped CSJ?]     Q2 -- Yes --&gt; A3[Go to item 4.]     Q2 -- No --&gt; A4[Project cannot be certified by REC or FHWA. The district needs to coordinate with TP&amp;D staff for STIP batch upload for fiscal constraint, and/or provide District Certification.]                     </pre> </div> |                     |
| 2  |    |     | <p>Is the project in the document consistent with (1) the project in the STIP and (2) if applicable, the project scope in the MTP/RTP for all CSJs?</p> <p>Check all of the following:</p> <ul style="list-style-type: none"> <li>• CSJ number,</li> <li>• roadway,</li> <li>• limits,</li> <li>• Project description <b>design concept</b> (meaning the type of facility, such as bicycle-pedestrian facility, rest area,</li> </ul>   |                     |

**Transportation Planning Consistency**

| Yes | No | N/A | Description of Item Sufficiency   | References/Guidance  |
|-----|----|-----|---|--|
|     |    |     | <p>freeway, expressway, arterial highway, grade-separated highway, reserved right-of-way rail transit, mixed-traffic rail transit, exclusive busway, etc.), and</p> <ul style="list-style-type: none"> <li>Project description <b>design scope</b> (meaning the number of lanes or length of project, signalization, access control including approximate number and location of interchanges, preferential treatment for high-occupancy vehicles, etc.)</li> </ul> <p><i>NOTE: If the project is not staged construction, and if all of the above are consistent, go to item 3.</i></p> <p>If the project is staged construction, is at least one phase of the project beyond NEPA (preliminary engineering, final design, right of way acquisition, utility relocation, or construction for at least one phase of the project) listed in the STIP? Or is the project described in the STIP for the purpose of providing information?</p> <p>If the project is not consistent on one or more of the bullets above, and/or the answer to the question above is no, then contact TP&amp;D staff to determine if the environmental document or the transportation plans need to be updated.</p> | <p>1/28/08 FHWA guidance<br/><a href="http://crossroads.org/env/Guidance/Docs/AIR-FHWAplanningNEPAapproval.pdf">http://crossroads.org/env/Guidance/Docs/AIR-FHWAplanningNEPAapproval.pdf</a></p> |
| 3   |    |     | <p>Is the project cost in the document within reasonable cost consistency of (1) the project cost in the STIP and (2) if applicable, the project cost in the MTP/RTP?</p>   |  |

**Transportation Planning Consistency**

| Yes | No | N/A | Description of Item Sufficiency   | References/Guidance |
|-----|----|-----|---|---------------------|
|     |    |     | <p style="text-align: center;"><b><u>Determine Reasonable Cost Consistency</u></b></p> <div style="border: 1px solid black; padding: 10px; margin: 10px auto; width: 80%;"> <p style="text-align: center;">Is the project cost in the document, TIP/STIP, or MTP/RTP greater than \$1,500,000?</p> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="text-align: center;"> <p style="border: 1px solid black; padding: 5px;">Yes</p> <p style="margin-top: 10px;">↓</p> <div style="border: 1px solid black; padding: 5px; width: 80%;"> <p style="text-align: center;">Does the project cost presented in the document exceed what is contained in either the TIP/STIP or the MTP/RTP by more than 50%?</p> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="text-align: center;"> <p style="border: 1px solid black; padding: 5px;">No</p> <p style="margin-top: 10px;">↓</p> <div style="border: 1px solid black; padding: 5px; width: 80%;"> <p style="text-align: center;">Reasonable cost consistency is acceptable.</p> </div> </div> <div style="text-align: center;"> <p style="border: 1px solid black; padding: 5px;">Yes</p> <p style="margin-top: 10px;">↓</p> <div style="border: 1px solid black; padding: 5px; width: 80%;"> <p style="text-align: center;">The project does not meet the requirements for reasonable cost consistency. Either the document, TIP/STIP, or MTP/RTP need to be revised.</p> </div> </div> </div> </div> </div> </div> </div> |                     |

**Consistency Language to Appear in the Document**

|   |  |  |   |  |
|---|--|--|---|--|
| 4 |  |  | <p>Does the document indicate (1) that the project is included in the STIP and (2) the timeframe of the STIP?</p> <p>For example, in FY2010, the current STIP timeframe is 2008-2011. If applicable*, does the document indicate (1) that the project is in the MTP/RTP and (2) the</p> | <p>* 23 CFR 450.324(g) identifies non-regionally significant projects that <b>do not</b> need to be in the MTP. 23 CFR 450.324(d) requires all regionally significant projects, regardless of funding, to be in the MTP.</p> |
|---|--|--|---|--|

**Transportation Planning Consistency**

| Yes | No | N/A | Description of Item Sufficiency   | References/Guidance  |
|-----|----|-----|---|--|
|     |    |     | timeframe of the MTP/RTP (for example, HGAC 2035 RTP)?  | <p>43 TAC 11.51 defines “regionally significant highway” as a highway functionally classified as a minor arterial or higher.</p> <p>43 TAC 11.56(c)(1)) – <b>Connection with Regionally Significant Highway</b></p> <p>43 TAC 15.8(b)(1) contains provisions for projects that will be in the STIP</p> |
| 5   |    |     | <p>Example language: <i>The proposed project is included in the approved 2008-2011 Transportation Improvement Program (TIP) and the Houston-Galveston 2035 Regional Transportation Plant (RT).</i></p>  |  |
| 6   |    |     | <p>If the project includes more than one CSJ, does the document indicate that all project CSJs are included in (1) the STIP and (2) if applicable, in the MTP/RTP? Or, if it is a staged project, does the document (1) identify the phase(s) of the project that is (are) listed in the STIP and (2) mention other phases are outside the time-period of the STIP?</p> <p>Does the project demonstrate how the different CSJs in the planning documents cover the entire project limits and project scope as described in the environmental document?</p>                          |  |
| 7   |    |     | <p>Example language: <i>The project is covered under the following CSJs that are listed in both the STIP and the RTP: 0500-01-107 includes the widening of 8 main lanes and the addition of two 2 lane frontage roads from .1 mile north of Causeway to south of Texas City Wye; 0500-04-104 includes the widening of 8 main lanes and the addition of two 2 lane frontage roads from north of Texas City Wye to north of FM 519;</i></p> <p><i>0500-04-105 includes the widening of 8 main lanes and the addition of two 2 lane frontage roads north of FM 519 to north of</i></p> |  |

**Transportation Planning Consistency**

| Yes | No | N/A | Description of Item Sufficiency   | References/Guidance   |
|-----|----|-----|---|---|
|     |    |     | <i>FM 1764; and 0500-04-103 includes the reconstruction of the IH 45/SH 146/SH 6 interchange.</i>   |   |
| 8   |    |     | Does the document include (1) the funding source, (2) the reasonable total project cost, (3) the date of the cost estimate, and (4) the estimated date of completion (open to traffic)? Reasonable total project cost includes preliminary engineering, environmental studies, right of way, utilities, construction, and mitigation costs.   | <a href="#">Project Cost Memorandum dated June 19, 2009</a>   |
| 9   |    |     | Example language: <i>The funding for this project is <u>80 percent federal and 20 percent state</u>. The total project cost is <u>\$1,000,000</u> as of <u>October 2007</u>.</i><br><br><i>Estimated time of completion is November, 2009.</i>  |   |
| 10  |    |     | If the project is <b>not</b> grouped CSJ eligible, does the document include (1) copies of the appropriate pages of the STIP and (2) if applicable, the MTP/RTP as an appendix?   |   |
| 11  |    |     | Example language: <i>Copies of the applicable pages of the STIP and the RTP with project listings are included in Appendix <u>ZZZ</u> of this document.</i>   |   |
| 12  |    |     | Example language: <i>The project is included in the FY 2008-2011 STIP as a grouped CSJ. The group number is 500000952.</i><br><br><i>or</i><br><br><i>The project is included in the FY 2008-2011 STIP under CSJ <u>YYYY-YY-YYY</u>. A copy of the page of the STIP where the project appears is attached.</i><br><br><i>and</i><br><br><i>The project is Category 1, Rehabilitation and is certified in the current 2009 letting schedule.</i><br><br><i>Funding is 80% Federal funds and 20% state funds. The total project cost is</i> | (NOTE: TIP pages are found within the STIP at:<br><a href="http://www.txdot.gov/business/governments/stips.htm">http://www.txdot.gov/business/governments/stips.htm</a> ) |

**Transportation Planning Consistency**

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| Yes | No | N/A | Description of Item Sufficiency | References/Guidance |
|-----|----|-----|---------------------------------|---------------------|
|     |    |     | \$1,935,366.03.                 |                     |

**Transportation Planning Consistency**

**Appendix A- Grouped CSJ Eligible Project List**

| <b>Proposed CSJ</b>                       | <b>Grouped Project Category</b>               | <b>Definition</b>   |
|---|---|---|
| 5000-00-950                               | PE – Preliminary Engineering                  | Preliminary Engineering for any project that is not added capacity in a non-attainment area. Includes activities which do not involve or lead directly to construction, such as planning and technical studies, grants for training, and research programs.   |
| 5000-00-951                               | Right of Way Acquisition                      | Right of Way acquisition for any project that is not added capacity in a non-attainment area. Includes relocation assistance, hardship acquisition, and protective buying.  |
| 5000-00-952<br>5000-00-957<br>5000-00-958 | Preventive Maintenance and Rehabilitation     | Projects to include pavement repair to preserve existing pavement so that it may achieve its designed loading. Includes seal coats, overlays, resurfacing, restoration, and rehabilitation done with existing ROW. Also includes modernization of a highway by reconstruction, adding shoulders, or adding auxiliary lanes (e.g., parking, weaving, turning, climbing, non-added capacity).   |
| 5000-00-953                               | Bridge Replacement and Rehabilitation         | Projects to replace and/or rehabilitate functionally obsolete or structurally deficient bridges.  |
| 5000-00-954                               | Railroad Grade Separations                    | Projects to construct or replace existing highway-railroad grade crossings and to rehabilitate and/or replace deficient railroad underpasses, resulting in no added capacity.   |
| 5800-00-950                               | Safety  | Projects to include the construction or replacement/rehabilitation of guard rails, median barriers, crash cushions, pavement markings, skid treatments, medians, lighting improvements, curb ramps, railroad/highway crossing warning devices, fencing, intersection improvements (e.g., turn lanes), signalization projects, and interchange modifications. Also includes projects funded via the Federal Hazard Elimination Program and the Federal Railroad Signal Safety Program. |
| 5000-00-956                               | Landscaping                                   | Project consisting of typical right-of-way landscape development, establishment, and aesthetic improvements to include any associated erosion control and environmental mitigation activities.  |
| 5800-00-915                               | Intelligent Transportation Systems Deployment | Highway traffic operation improvement projects including the installation of ramp metering control devices, variable message signs, traffic monitoring equipment, and projects in the Federal ITS/IVHS programs.  |
| 5000-00-916                               | Bicycle and Pedestrian                        | Construction or rehabilitation of bicycle and pedestrian lanes, paths and facilities.   |
| 5000-00-917                               | Safety Rest Areas and Truck Weigh Stations    | Construction and improvement of rest areas and truck weigh stations.  |
| 5000-00-918                               | Transit Improvements                          | Projects include the construction and improvement of small passenger shelters and information kiosks. Also includes the construction and improvement of rail storage/maintenance facilities bus transfer facilities where minor amounts of additional land are required and there is not a substantial increase in the number of users.   |

**Transportation Planning Consistency**

**Appendix B: District Engineer Certification**

**District Engineer Certification for Grouped CSJ Eligible Project under the American Recovery and Reinvestment Act (ARRA II)**

**Project name:** \_\_\_\_\_

**Project CSJ:** \_\_\_\_\_

**Applicable Grouped CSJ category number** \_\_\_\_\_

This project is on the ARRA II project list. To aid in REC review, provide verification that the project is on the ARRA II list. For example: (1) provide a P6 screen shot showing ARRA II, or (2) attach a copy of the PDP page that demonstrates the project is ARRA II funded.

The project is grouped CSJ eligible under the grouped CSJ category listed above.

Fiscal Constraint Statement: The project is either included in the current TIP/STIP with sufficient funds based on ARRA II funding, or it has been submitted to TPP as part of a pending TIP/STIP amendment to program ARRA II funding.

By signing below, I certify to the accuracy of the above statements related to this project.

\_\_\_\_\_  
District Engineer Name

\_\_\_\_\_  
District Engineer Signature

*Regulatory Reference: 23 CFR 450.216(j)* Projects that are not considered to be of appropriate scale for individual identification in a given program year may be grouped by function, work type, and/or geographic area using the applicable classifications under 23 CFR 771.117(c) and (d) and/or 40 CFR part 93. In nonattainment and maintenance areas, project classifications must be consistent with the "exempt project" classifications contained in the EPA's transportation conformity regulation (40 CFR part 93). In addition, projects proposed for funding under title 23 U.S.C. Chapter 2 that are not regionally significant may be grouped in one line item or identified individually in the STIP.

John Barton distributed 1/28/08 FHWA guidance on consistency between projects and plans anticipates that a subsequent phase (beyond NEPA approval) of the project seeking final environmental action would be included in the TIP/STIP. In those instances where no subsequent phase (e.g., preliminary engineering, right of way acquisition or construction) of the project, or portion of the project (i.e., staged construction) is anticipated to occur within the time-frame of the TIP/STIP, the guidance calls for the project to be described in the TIP/STIP for informational purposes.