



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

Indiana Division

575 North Pennsylvania Street, Room 254  
Indianapolis, Indiana 46204

January 13, 2010

In Reply Refer To:  
HDA-IN

Mr. Michael Reed, Commissioner  
Indiana Department of Transportation  
100 N. Senate Ave., IGCN 758  
Indianapolis, IN 46204

Dear Mr. Reed:

On December 7, 2009, the Federal Highway Administration (FHWA) and the Federal Transit Administration Region 5 (FTA Region 5) received the Indiana Department of Transportation's (INDOT's) FY 2010-2013 Statewide Transportation Improvement Program (STIP) and the Transportation Improvement Programs (TIPs) from the following 14 metropolitan planning organizations (MPOs):

Madison County Council of Governments *	2008-2011
Bloomington/Monroe County Metropolitan Planning Organization	2009-2012
Columbus Area Metropolitan Planning Commission *	2009-2013
Evansville Metropolitan Planning Commission *	2008-2011
Northeastern Indiana Regional Coordinating Council *	2009-2012
Indianapolis Metropolitan Planning Organization*	2009-2012
Kokomo-Howard County Governmental Coordinating Council	2008-2011
Area Plan Commission of Tippecanoe County	2010-2014
Kentuckiana Regional Planning and Development Agency *	2007-2011
Delaware-Muncie Metropolitan Plan Commission*	2009-2012
Northwestern Indiana Regional Planning Commission *	2009-2013
Michiana Area Council of Governments *	2008-2013
West Central Indiana Economic Development District *	2007-2010
Ohio-Kentucky-Indiana Regional Council of Governments *	2008-2011

\* FHWA-FTA conformity findings have been issued for these TIPs per 40 CFR 93.



FHWA and FTA have reviewed these documents and have worked with INDOT over the past few weeks to incorporate several technical changes. Separate from these changes, we would like to commend INDOT for making improvements to development of the STIP that include:

- Public involvement for the STIP was greater than in previous years, capturing more than 100 comments. We commend you and your staff for their effort to increase public involvement with the STIP and know it can be challenging at times.
- The demonstration of “fiscal constraint by fiscal year” has been greatly improved and simplified. FHWA and the public are able to see clearly how the STIP does not exceed reasonable available financial resources each year, for the coming four years.
- Projects now reflect a “total cost” for each project, and not just costs of single phase. While costs may change over time due to refinements, the adoption of this technique helps the public to clearly see how projects in the STIP can and will be advanced. In addition, there is financial capacity shown to amend additional projects such as those that are “illustrative,” as discussed below.
- “Illustrative Projects” are included in the STIP and reflect projects that have not yet been adopted into MPO TIPs. Therefore, these projects are not part of the approved list of projects yet. As amendments for these projects are prepared for inclusion into the metropolitan TIPs and the STIP, air quality conformity will be reviewed, but statewide public involvement will have already begun. The STIP denotes funding is available for incorporation.
- A new method using “Corridors” has been utilized in the section identifying major projects across the State of Indiana. This approach enables larger projects to be included in the STIP during the final development of environmental documents, and before actual contract segments are determined for construction. This helps to meet recent FHWA guidance requiring projects and subsequent phases be identified in the STIP prior to the environmental documents being approved.

One important note is that the Louisville MPO TIP is being included in this STIP in a “frozen” status. This is because the Kentuckiana Regional Planning and Development Agency’s (KIPDA’s) metropolitan transportation plan has expired. In consultation with FHWA Headquarters, the Indiana Division Office has been advised that including the KIPDA TIP into the STIP, as it was approved just before the metropolitan transportation plan expired, is an acceptable practice and therefore it is part of the new STIP. However, no new projects can be amended to the TIP for that metropolitan area.

When the STIP document is reviewed for federal approval, FHWA and FTA are both required to certify the State is in substantial compliance with all federal planning requirements. Based upon our review of this document and referenced MPO TIPs, and in accordance with the Memorandum of Agreement between FHWA and FTA Region 5 for transportation planning oversight, the FHWA Indiana Division is conditionally approving the FY 2010-2013 STIP pending a single corrective action.

The State DOT has been undergoing many changes over the past few years. In particular, the roles and responsibilities involved in planning within INDOT have been modified. With these

modifications however, planning agreements have not adequately clarified which INDOT offices now perform what planning functions or how tasks are to be coordinated and completed internally in cooperation with the MPOs. This has led to frequent confusion as INDOT has worked with the Indiana MPOs to provide a "continuing, cooperative and comprehensive" planning process, as required under Title 23, Section 135.

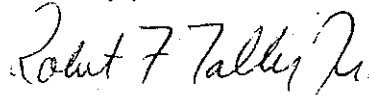
For example, the federal review teams have observed confusion during the MPO planning certification reviews this past year over who within INDOT was responsible for providing data to the MPOs. The roles between the INDOT districts and central office for planning were also unclear. In addition, the coordination of annual funding "targets" from INDOT for the MPOs has often been uncertain and delayed. The development of the annual listing of obligated projects has been a challenge for MPOs who do not know where to get the necessary project data. Since a majority of this information comes from INDOT, it is the State's responsibility to clarify its internal roles and to document how it will cooperate with the MPOs to complete these tasks and key products for planning activities. Clarifying the roles for planning will also help INDOT as it sets about updating its own statewide long-range transportation plan in 2010.

Based upon these observations, the FHWA and FTA therefore require the internal roles and responsibilities for developing planning products within INDOT be clarified within one year of the date of this letter. The revisions should identify clearly which offices or staff will be responsible for the tasks leading to the completion of planning products such as the STIP, long-range transportation plans, metropolitan planning programs and annual listing of obligated projects. In addition, how the oversight for planning activities is being monitored and performed by INDOT should be addressed. This clarification may either be done through the individual agreements with each MPO or programmatically through preparation of a single set of planning procedures by INDOT.

The conditional approval of the STIP allows INDOT to proceed and function for one year from the date of this letter. If adequate clarification is not made within one year, then this approval will be withdrawn and the STIP will expire. Without STIP approval, no additional federal-aid projects will be able to be advanced after that date; therefore it is in everyone's best interest to complete these clarifications as soon as possible.

Our Division is available to assist or provide technical assistance you may need. Our Planning Program Manager, Joyce Newland, is available at (317) 226-5353 or you may e-mail her at [joyce.newland@dot.gov](mailto:joyce.newland@dot.gov). If you have questions regarding transit, please contact Andy Minyo at (312)353-1624 or [andy.minyo@dot.gov](mailto:andy.minyo@dot.gov) at FTA.

Sincerely yours,



Robert F. Tally, Jr., P.E.  
Division Administrator

cc:

Marisol Simón, FTA Region 5 Regional Administrator  
Joe Gustin, INDOT Deputy Commissioner



# INDIANA DEPARTMENT OF TRANSPORTATION

*Driving Indiana's Economic Growth*

100 North Senate Avenue  
Room N758  
Indianapolis, Indiana 46204-2216 (317) 232-3166 FAX: (317) 232-0238

**Mitchell E. Daniels, Jr., Governor**  
**Michael W. Reed, Commissioner**

December 7, 2009

Robert Tally, Division Administrator  
Federal Highway Administration  
575 N. Pennsylvania St., Room 254  
Indianapolis, IN 46204

Dear Mr. Tally:

The Indiana Department of Transportation is pleased to submit its draft FY 2010-2013 Statewide Transportation Improvement Program for your offices' review, comments and approval.

Included in this document is a listing of the state's expansion/preservation, local small urban and rural and rural transit projects. The following Metropolitan Planning Organization TIP's are included into the draft document by reference:

Madison County Council of Governments (MCCOG) FY 2008-2011  
Bloomington/Monroe County Metropolitan Planning Organization (BMCMPPO) FY 2009-2012  
Evansville Metropolitan Planning Organization (EMPO) FY 2008-2011  
Columbus Area Metropolitan Planning Organization (CAMPO) FY 2009-2013  
Northeastern Indiana Regional Coordinating Council (NIRCC) FY 2009-2012  
Indianapolis Metropolitan Planning Organization (MPO) FY 2009-2012  
Kokomo-Howard County Governmental Coordinating Council (KHCGCC) FY 2008-2011  
Tippecanoe County Area Plan Commission (TCAPC) FY 2010-2014  
Kentuckiana Regional Planning and Development Agency (KIPDA) FY 2007-2011  
Delaware-Muncie Metropolitan Plan Commission (DMMPC) FY 2009-2012  
Northwestern Indiana Regional Planning Commission (NIRPC) FY 2009-2013  
Michiana Area Council of Governments (MACOG) FY 2008-2013  
West Central Indiana Economic Development District (WCIEDD) FY 2007-2010  
Ohio-Kentucky-Indiana Regional Council of Governments (OKI) FY 2008-2011

In Addition, INDOT has expanded our public involvement process to include not only our district public meetings but posting the draft STIP document on the INDOT website along with an opportunity to submit comments online. This process has afforded access to those who otherwise would be unable to attend our meetings.



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**Mitchell E. Daniels, Jr., Governor**  
**Michael W. Reed, Commissioner**

We greatly appreciate you and your staff's support in this process and look forward to working together to achieve our mutual goals.

If you have any questions concerning this document, please do not hesitate to contact the Office of Planning staff directly. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, which appears to read "Michael W. Reed" followed by "for MR" in a smaller, less legible script.

Michael W. Reed  
Commissioner  
Indiana Department of Transportation

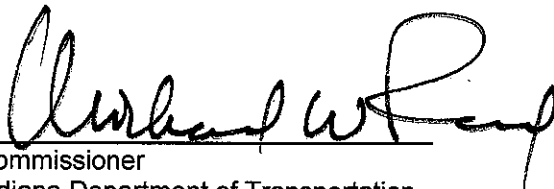
MR/as

Cc: Joe Gustin  
Joyce Newland, FHWA  
Jay Dumontelle, FHWA

**INDIANA DEPARTMENT OF TRANSPORTATION  
PLANNING PROCESS CERTIFICATION**

In accordance with 23 CFR 450.218, the Indiana Department of Transportation hereby certifies that the transportation planning process is being carried out in accordance with all applicable requirements of:

1. 23 U.S.C. 134 and 135, 49 U.S.C. 5303, and 5304, and this part;
2. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
3. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity
4. Section 1101(b) of the SAFETEA-LU (Pub. L. 109-59) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
5. 23 C.F.R. part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
6. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37 and 38;
7. Sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506(c) and (d)) and 40 CFR part 93;
8. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
9. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
10. Section 504 of the Rehabilitation Act of 1973 (20 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.



Commissioner  
Indiana Department of Transportation

Date

12/7/09