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**Federal Highway
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In Reply Refer To:
HDA-NJ

November 20, 2013

James S. Simpson, Commissioner
New Jersey Department of Transportation
P.O. Box 600
Trenton, NJ 08625-0600

Dear Commissioner Simpson:

The Federal Highway Administration and the Federal Transit Administration has reviewed the 2014-2017 portion of the New Jersey Statewide Transportation Program (STIP) for Fiscal Years 2014-2023.

We find the STIP to be in compliance with the requirements of 23 USC 134 and 135 and the Statewide and Metropolitan Planning regulations set forth in 23 CFR 450 and 49 USC Sections 5303-5306 (See attached Federal Planning Finding report) and FHWA and FTA jointly approve the STIP subject to a corrective action being taken.

Corrections should be made to the 5324 Emergency Relief program in the STIP by no later than January 28, 2014. State DOT should work with NJ TRANSIT and NJTPA to ensure fiscal constraint by adjusting the STIP for the 5324 Emergency Relief program for the first two STIP years.

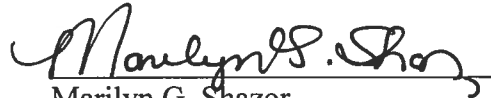
In concurrence with the United States Environmental Protection Agency, FHWA and FTA further find that conformity has been demonstrated for the 2014-2017 portion of the FY 2014-2023 STIP and each of the Long Range Transportation Plans for all non-attainment and maintenance areas of New Jersey. These findings are consistent with the Statewide Implementation Plan and adequately address and conform to the requirements contained in the Federal Conformity Rule and the Clean Air Act and its subsequent amendments.

Accordingly, the FHWA and the FTA, based on the State DOT and MPO(s) self-certifications of their statewide and metropolitan transportation planning processes, review of self-certification supporting documentation, Federal certification of TMAs within the State, and our involvement in the State and MPO transportation planning processes, hereby find that the STIP is based on a transportation planning process that substantially meets the requirements of 23 U.S.C. Sections 134 and 135 and 49 U.S.C. Sections 5303-5305.

We have included, by attachment, a list of findings and recommendations to inform the reader/reviewer on items of critical importance and essential to its review and approval.



fol
Robert Clark
Division Administrator
Federal Highway Administration
New Jersey Division



Marilyn G. Shazor
Regional Administrator
Federal Transit Administration
Region 2

- c: Ms. Mary K. Murphy, Executive Director, NJTPA
Mr. Barry Seymour, Executive Director, DVRPC
Mr. Timothy G. Chelius, Executive Director, SJTPO

ATTACHMENT

Findings and Recommendations

The following strengths of the statewide and metropolitan transportation planning processes have been identified:

- A 10 year program is developed rather than the four year minimum required by FHWA.
- All projects, regardless of funding sources, are shown in New Jersey's STIP. Although NJDOT does not have to include 100% state funded projects in the STIP, their itemization helps provide context for MPO decision makers who are evaluating the adequacy of the proposed federal aid program.
- NJDOT's continued use of air quality coding for all STIP projects provides a useful tool for highlighting future conformity determination requirements and other analysis related to regionally significant projects.
- The NJDOT/NJT/MPO/FHWA/FTA Collaboration Committee provides an excellent forum for coordinating the transportation planning effort within New Jersey and for sharing best practices.
- NJDOT's use of their asset management sub category coding as a basis for demonstrating the relationship between the TIP/STIP planning processes and the Planning Factors is exemplary.
- NJDOT/NJT and the three MPOs developed one consolidated MOU with a common set of rules for processing TIP modifications and amendments. This initiative greatly simplified the administrative process for managing the STIP each year.

The following suggestions are offered for enhancing the statewide and metropolitan transportation planning processes:

- As a convenience to the reader, NJDOT should add a total project cost field to future STIP project displays which includes all phases and years.
- Although the proposed level of bridge investment over the next four years appears to represent adequate maintenance of the system, it does not meet NJDOT's own goals for improving overall network performance related to structural sufficiency. FHWA-NJ recommends NJDOT consider closer alignment of future STIP bridge investment levels with performance goals shown in the Capital Investment Strategy.

The following areas of the statewide and metropolitan transportation planning processes have been identified for improvement:

- By no later than January 1, 2014, NJDOT should forward to FHWA-NJ the State's legal review findings with regard to P.L. 1975, ch.127 NJAC 15:27 being an adequate substitute for Title VI references in federal aid contract solicitations.
- For the next STIP approval process, NJDOT should resume the practice of alerting NJDOT web site visitors to the opportunity for directly submitting STIP comments via the web or attending one of the three MPO public hearings on the TIP/STIP.
- For the next Regional Transportation Plan update, the South Jersey Transportation Planning Organization should fully address Corrective Action #2 from the 2010 Federal Certification Review and Recommendation #6 from the 2012 STIP Process Review as they relate to providing at least a 20 year project specific project plan similar to what is currently provided by the North Jersey Transportation Planning Authority and the Delaware Valley Regional Planning Commission in their Regional Transportation Plans.
- By no later than January 1, 2014, NJDOT should provide FHWA-NJ with copies of a signed funding agreements with the New Jersey Turnpike Authority (NJTA) for the Tremley Point Connector Road (DB# 9324A) or other written evidence that NJTA has approved and reserved funding for this project.
- NJ TRANSIT should submit a revised plan to FTA which demonstrates that preventative maintenance expenditures funded with STIP-Suballocated monies complies with the population sub-group basis of funds distribution stipulated by law.
- For New Jersey's next STIP update, NJDOT should submit a separate report which lists all projects with non-exempt air quality coding, denotes whether the project emanated from the relevant Congestion Management Process (CMP), and indicates the CMP priority status of that project prior to Problem Statement development.