

I. Resolutions, Letter of Conformity

Regional Transportation Council

RESOLUTION ADOPTING

MOBILITY 2045: THE METROPOLITAN TRANSPORTATION PLAN FOR NORTH CENTRAL TEXAS – 2022 UPDATE AND THE 2022 TRANSPORTATION CONFORMITY DETERMINATION FOR THE DALLAS-FORT WORTH NONATTAINMENT AREA (R22-03)

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is designated as the Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth Metropolitan Area by the Governor of Texas in accordance with federal law; and,

WHEREAS, the Regional Transportation Council (RTC), comprised primarily of local elected officials, is the regional transportation policy body associated with NCTCOG, and has been and continues to be the regional forum for cooperative decisions on transportation; and,

WHEREAS, under 23 United States Code (USC) 134, the MPO is responsible for carrying out the metropolitan transportation planning process, in cooperation with the State and operators of publicly owned transit services; and,

WHEREAS, under 23 USC 134, the MPO is responsible for developing and maintaining the Metropolitan Transportation Plan (MTP) and metropolitan Transportation Improvement Program (TIP) and their periodic updates; and,

WHEREAS, under 23 USC 134, the Metropolitan Transportation Plan and metropolitan Transportation Improvement Program are required to include a financial plan to demonstrate how the MTP and TIP can be implemented; and,

WHEREAS, the Dallas-Fort Worth area is a federally designated nonattainment area for the pollutant ozone, and air quality conformity of the MTP and TIP shall be determined by the MPO as required by the Environmental Protection Agency's (EPA) Transportation Conformity Regulations found in 40 Code of Federal Regulation (CFR) 90; and,

WHEREAS, the EPA has designated the 10-county area of Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise counties as serious nonattainment under the 2008 8-hour ozone National Ambient Air Quality Standard (NAAQS) effective September 23, 2019; and designated the nine-county area of Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Tarrant, and Wise counties as marginal nonattainment under the 2015 8-hour ozone NAAQS effective August 3, 2018; and,

WHEREAS, all regionally significant ground transportation improvements, regardless of funding source, within the Dallas-Fort Worth ozone nonattainment area must be inventoried and included in the MTP, TIP, and Statewide Transportation Improvement Program (STIP) for the conformity analysis requirements of the Clean Air Act Amendments of 1990; and,

WHEREAS, Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update was developed in cooperation with local governments, Texas Department of Transportation, Dallas Area Rapid Transit, Fort Worth Transportation Authority (Trinity Metro), Denton County Transportation Authority, North Texas Tollway Authority, Collin County Toll Road Authority, and other transportation agencies; and,

WHEREAS, Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update and the 2022 Transportation Conformity were developed in a manner consistent with the federal regulations found in 23 CFR 450 and 49 CFR 613, and 40 CFR 90; and,

WHEREAS, the planning process used in development of Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update and the 2022 Transportation Conformity was conducted in accordance with NCTCOG's approved public involvement procedures required under 23 USC 134, and Transportation Conformity Regulations, including presentations at public meetings and the allowance of a 60-day comment period prior to Regional Transportation Council approval of the MTP and a 30-day comment period prior to Transportation Conformity approval; and,

WHEREAS, the air quality conformity review has indicated that Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update meets the transportation conformity-related requirements of the State Implementation Plan, the Clean Air Act as amended on November 15, 1990, and the Transportation Conformity Regulations; and,

WHEREAS, the Civil Rights Act of 1964 and Executive Orders 12898, 13985, 13990, and 14008 mandate nondiscrimination and analysis of benefits and impacts to protected populations for federally funded projects; and,

WHEREAS, the RTC's policy is to evaluate the benefits and burdens of transportation policies, programs, and plans to prevent disparate impacts and improve the decision-making process, resulting in a more equitable system; and,

WHEREAS, NCTCOG's Surface Transportation Technical Committee has recommended Regional Transportation Council approval of Mobility 2045: The Metropolitan Transportation Plan for North Central Texas - 2022 Update and the 2022 Transportation Conformity.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

Section 1. The Regional Transportation Council adopts Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update.

Section 2. The Regional Transportation Council approves the results of the 2022 Transportation Conformity, which demonstrate that implementation of Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update and the 2023-2026 Transportation Improvement Program will not cause any new violations of the 2008 and 2015 8-hour ozone NAAQS, increase the frequency or severity of violations of the standards, or delay timely attainment of the standards. This analysis uses the latest available information and the latest EPA-approved emissions estimation model. In addition, these results meet the requirement of current and previous motor vehicle emissions budget tests and demonstrate Transportation Control Measures in approved State Implementation Plans are implemented in a timely fashion.

Section 3. The development of Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update utilized the most recent regional demographic projections as adopted by the NCTCOG Executive Board on February 24, 2022, and the 2022 Transportation Conformity utilized the latest planning assumptions.

Section 4. The recommendations included in Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update meet financial constraint requirements and all federal nondiscrimination and environmental

justice requirements and have no disparate impacts on protected populations.

Section 5. The Regional Transportation Council directs staff to appropriately amend other planning documents such as the Transportation Improvement Program and Unified Planning Work Program as needed to implement the policies, programs, and projects contained in Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update.

Section 6. The development of Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update and the 2022 Transportation Conformity was conducted in accordance with NCTCOG's approved Public Participation Plan, including presentation of draft recommendations and analysis results to the public for comment prior to Regional Transportation Council adoption.

Section 7. The latest public involvement information for the 2022 Transportation Conformity, including Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update, will be transmitted to the Federal Highway Administration, Federal Transit Administration, Environmental Protection Agency, Texas Department of Transportation, and the Texas Commission on Environmental Quality, as well as posted on the NCTCOG website.

Section 8. This resolution will be transmitted to the Federal Highway Administration, Federal Transit Administration, Environmental Protection Agency, Texas Department of Transportation, Texas Commission on Environmental Quality, Dallas Area Rapid Transit, Fort Worth Transportation Authority, Denton County Transportation Authority, North Texas Tollway Authority, Collin County Toll Road Authority, and all impacted local governments, as well as posted on the NCTCOG website.

Section 9. This resolution shall be in effect immediately upon its adoption.



Theresa Daniel, Ph.D., Chair
Regional Transportation Council
Commissioner, Dallas County

I hereby certify that this resolution was adopted by the Regional Transportation Council of the North Central Texas Council of Governments for the Dallas-Fort Worth Metropolitan Area on June 9, 2022.



Duane Webb, Vice Chair
Regional Transportation Council
Commissioner, Collin County

Executive Board

Exhibit: 2022-06-04-TR

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RESOLUTION ENDORSING MOBILITY 2045: THE METROPOLITAN TRANSPORTATION PLAN FOR NORTH CENTRAL TEXAS - 2022 UPDATE AND ASSOCIATED 2022 TRANSPORTATION CONFORMITY

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is a Texas political subdivision and nonprofit corporation organized and operating under Texas Local Government Code Chapter 391 as the regional planning commission for the 16-county North Central Texas region; and,

WHEREAS, NCTCOG is a voluntary association of, by and for local governments established to assist in planning for common needs, cooperating for mutual benefit, and coordinating for sound regional development; and,

WHEREAS, NCTCOG has been designated as the Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth Metropolitan Area by the Governor of Texas in accordance with federal law; and,

WHEREAS, the Regional Transportation Council (RTC), comprised primarily of local elected officials, is the regional transportation policy body associated with NCTCOG, and has been and continues to be a forum for cooperative decisions on transportation; and,

WHEREAS, under 23 United States (USC) Code 134, the MPO is responsible for carrying out the metropolitan transportation planning process, in cooperation with the State and operators of publicly owned transit services; and,

WHEREAS, under 23 USC 134, the MPO is responsible for developing and maintaining the Metropolitan Transportation Plan (MTP) and metropolitan Transportation Improvement Program (TIP) and their periodic updates; and,

WHEREAS, under 23 USC 134, the Metropolitan Transportation Plan and metropolitan Transportation Improvement Program are required to include a financial plan to demonstrate how the MTP and TIP can be implemented; and,

WHEREAS, the Dallas-Fort Worth area is a federally designated nonattainment area for the pollutant ozone, and air quality conformity of the MTP and TIP shall be determined by the MPO as required by the Environmental Protection Agency's (EPA) Transportation Conformity Regulations found in 40 Code of Federal Register (CFR) 90; and,

WHEREAS, the EPA has designated the 10-county area of Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise counties as serious nonattainment under the 2008 8-hour ozone National Ambient Air Quality Standard (NAAQS) effective September 23, 2019; and designated the nine-county area of Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Tarrant, and Wise counties as marginal nonattainment under the 2015 8-hour ozone NAAQS effective August 3, 2018; and,

WHEREAS, all regionally significant ground transportation improvements, regardless of funding source, within the Dallas-Fort Worth ozone nonattainment area must be inventoried and included in the MTP and TIP and Statewide Transportation Improvement Program (STIP) for the conformity analysis requirements of the Clean Air Act Amendments of 1990; and,

WHEREAS, Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update was developed in cooperation with local governments, Texas Department of Transportation, Dallas Area Rapid Transit, Fort Worth Transportation Authority (Trinity Metro), Denton County Transportation Authority, North Texas Tollway Authority, and other transportation agencies; and,

WHEREAS, Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update and the 2022 Transportation Conformity were developed in a manner consistent with the federal regulations found in 23 CFR 450 and 49 CFR 613, and 40 CFR 90; and,

WHEREAS, the planning process used in development of Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update and the 2022 Transportation Conformity was conducted in accordance with NCTCOG's approved public involvement procedures required under 23 USC 134, and Transportation Conformity Regulations, including presentation at public meetings and the allowance of a 60-day comment period prior to Regional Transportation Council approval of the MTP and a 30-day comment period prior to Transportation Conformity approval; and,

WHEREAS, the air quality conformity review has indicated that Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update meets the transportation conformity-related requirements of the State Implementation Plan, the Clean Air Act as amended on November 15, 1990, and the Transportation Conformity Regulations; and,

WHEREAS, the Civil Rights Act of 1964 and Executive Orders 12898, 13985, 13990, and 14008 mandate nondiscrimination and analysis of benefits and impacts to protected populations for federally funded projects; and,

WHEREAS, the RTC's policy is to evaluate the benefits and burdens of transportation policies, programs, and plans to prevent disparate impacts and improve the decision-making process, resulting in a more equitable system; and,

WHEREAS, Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update and the findings of the 2022 Transportation Conformity were adopted by the Regional Transportation Council on June 9, 2022 under Resolution R22-03.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

Section 1. The North Central Texas Council of Governments Executive Board endorses Mobility 2045: The Metropolitan Transportation Plan for North Central Texas - 2022 Update.

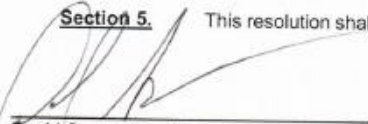
Section 2. The North Central Texas Council of Governments Executive Board endorses the findings of the 2022 Transportation Conformity, which demonstrate that implementation of Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update and the 2023-2026 Transportation Improvement Program will not cause any new violations of the 2008 and 2015 8-hour ozone NAAQS, increase the frequency or severity of violations of the standards, or delay timely attainment of the standards. This analysis uses the latest available

information and the latest EPA-approved emissions estimation model. In addition, these results meet the requirement of current and previous motor vehicle emissions budget tests and demonstrate Transportation Control Measures in approved State Implementation Plans are implemented in a timely fashion.

Section 3. The North Central Texas Council of Governments Executive Board endorses the findings of the nondiscrimination and environmental justice review which indicate that Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update has no disparate impacts on protected populations.

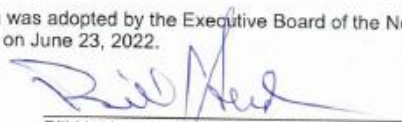
Section 4. This resolution will be included in the final documentation of Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update and 2022 Transportation Conformity.

Section 5. This resolution shall be in effect immediately upon its adoption.



David Sweet, President
North Central Texas Council of Governments
County Judge, Rockwall County

I hereby certify that this resolution was adopted by the Executive Board of the North Central Texas Council of Governments on June 23, 2022.



Bill Heidemann, Secretary/Treasurer
North Central Texas Council of Governments
Mayor, City of Corinth

Letter of Conformity



FEDERAL TRANSIT ADMINISTRATION
819 TAYLOR STREET, ROOM 14A02
FORT WORTH, TEXAS 76102-9003

FEDERAL HIGHWAY ADMINISTRATION
300 E. 8TH STREET, ROOM 826
AUSTIN, TEXAS 78701-3225

December 15, 2022

Refer to: HPP-TX

Metropolitan Planning Organization for the Dallas-Fort Worth Arlington, Denton-Lewisville, and McKinney Urbanized Areas (MPO) Transportation Conformity Determination
Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update and FY 2023-2026 Transportation Improvement Program

Mr. Marc D. Williams
Executive Director
Texas Department of Transportation
125 E. 11th Street
Austin, TX 78701-2483

Dear Mr. Williams:

We have reviewed the documentation supporting the transportation conformity determination for the Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update (Mobility 2045 – 2022 Update) and FY 2023-2026 Transportation Improvement Program (FY 2023-2026 TIP) adopted by the Metropolitan Planning Organization's Regional Transportation Council on June 9, 2022. Based upon our review and consultation with the U.S. Environmental Protection Agency (EPA), the Texas Commission on Environmental Quality (TCEQ), and the Texas Department of Transportation (TxDOT), we hereby find:

- that the Mobility 2045 – 2022 Update and FY 2023-2026 TIP meet all the requirements for making a joint conformity determination under the Clean Air Act Amendments of 1990.

Additionally, we find:

- that the Mobility 2045 – 2022 Update satisfactorily complies with the requirements of 23 CFR §450.324 regarding the review and update of metropolitan transportation plans in air quality non-attainment areas; and
- that the FY 2023-2026 TIP satisfactorily complies with the requirements of 23 CFR §450.326 regarding the update, public involvement, project inclusion, consistency with the plan, and fiscal constraint of TIPs in air quality non-attainment areas.

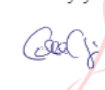
The interagency consultative partners have indicated that they have no unresolved issues concerning this conformity determination in their letters dated: December 14, 2022, for TCEQ, December 14, 2022, for TxDOT and December 14, 2022, for EPA. The conformity determination and procedures used to make this determination are in accordance with the provisions of the transportation conformity rule (40 CFR Parts 51 and 93), dated August 15, 1997, as amended.

Please note that this action restarts the four-year time clock associated with a four-year plan update. Accordingly, an updated MTP and corresponding transportation conformity demonstration will be required by December 15, 2026.

The Federal Highway Administration (FHWA) acts as executive agent for the Federal Transit Administration (FTA) on metropolitan transportation plan and transportation improvement program air quality conformity determinations. Accordingly, this letter will serve as a joint FHWA/FTA conformity determination.

Should you have any questions concerning this action, please contact Jose Campos at Jose.Campos@dot.gov or (512) 536-5932, Barbara Maley at Barbara.Maley@dot.gov or (512) 536-5926 or Krystal Lastrape at Krystal.Lastrape@dot.gov or (512) 536-5922.

Sincerely yours,


Digitally signed
by ACHILLE
ALONZI
Date: 2022.12.15
17:32:14 -06'00'

Achille Alonzi
Division Administrator