

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.



Dorian 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.

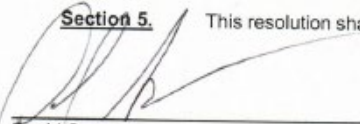
Section 2. The North Central Texas Council of Governments Executive Board endorses the findings of the 2022 Transportation Conformity, which demonstrate that implementation of Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update and the 2023-2026 Transportation Improvement 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.

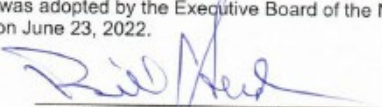
Section 4. This resolution will be included in the final documentation of Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update and 2022 Transportation Conformity.

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

Pending