

RESOLUTION APPROVING AMENDMENTS TO THE 2008-2011 TRANSPORTATION IMPROVEMENT PROGRAM; MOBILITY 2030: THE METROPOLITAN TRANSPORTATION PLAN FOR THE DALLAS-FORT WORTH AREA, 2009 AMENDMENT; AND 2009 TRANSPORTATION CONFORMITY DETERMINATION FOR THE DALLAS-FORT WORTH NINE-COUNTY NONATTAINMENT AREA (R09-02)

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 the NCTCOG and continues to be the regional forum for cooperative decisions on transportation; and,

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) assigns the MPO the responsibility for carrying out the transportation conformity process, in cooperation with the State and operators of publicly-owned transit services; and,

WHEREAS, SAFETEA-LU assigns the MPO the responsibility for approving the metropolitan transportation plan and transportation improvement program and their periodic updates; and,

WHEREAS, SAFETEA-LU requires that the metropolitan transportation plan include a financial plan that demonstrates the consistency of proposed transportation investments with available and projected sources of revenue; and,

WHEREAS, the Dallas-Fort Worth Metropolitan Area has a population greater than 200,000 and has, therefore, been designated as a Transportation Management Area; and,

WHEREAS, Mobility 2030: The Metropolitan Transportation Plan for the Dallas-Fort Worth Area, 2009 Amendment was developed in cooperation with local governments, the Texas Department of Transportation, North Texas Tollway Authority, Dallas Area Rapid Transit, Fort Worth Transportation Authority, Denton County Transportation Authority, and other transportation agencies; and,

WHEREAS, amendments to the 2008-2011 Transportation Improvement Program are necessary to ensure consistency with the Mobility 2030 – 2009 Amendment; and,

WHEREAS, the United States Environmental Protection Agency (EPA) has designated the nine-county area of Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, and Tarrant counties as nonattainment under the 1997 8-hour National Ambient Air Quality Standards for the pollutant ozone effective June 15, 2004; and,

WHEREAS, the current RTC metropolitan planning area consists of all of Collin, Dallas, Denton, Tarrant, and Rockwall counties, and portions of Ellis, Johnson, Kaufman, and Parker counties; and,

WHEREAS, the remainder of the nonattainment area is outside the RTC metropolitan planning area and is the remaining portions of Ellis, Johnson, Kaufman, and Parker counties, referred to as the extended nonattainment area; and,

WHEREAS, Title 23, Code of Federal Regulations 450.310(f) states that if the metropolitan planning area does not include the entire nonattainment area, there shall be an agreement among the state department of transportation, state air quality agency, affected local agencies, and the MPO, describing the process for cooperative planning and analysis of all projects outside the metropolitan planning area but within the nonattainment area; and,

WHEREAS, the agreement also must indicate how the total transportation-related emissions for the nonattainment area, including areas both within and outside the metropolitan planning area, will be treated for the purposes of determining conformity in accordance with the EPA conformity regulation (40 CFR), and shall address policy mechanisms for resolving conflicts concerning transportation-related emissions that may arise between the metropolitan planning area and the portion of the nonattainment area outside the metropolitan planning area; and,

WHEREAS, Title 30, Texas Administrative Code 114.260(d)(2)(A)(xii) requires the MPO, for the purpose of determining the conformity of all transportation projects outside the metropolitan planning area but within the nonattainment area, to enter into a Memorandum of Agreement (MOA) involving the MPO and Texas Department of Transportation (TxDOT) for cooperative planning and analysis of projects; and,

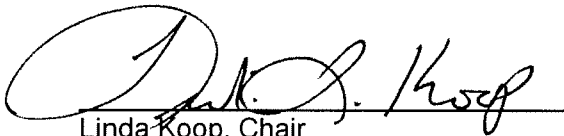
WHEREAS, the planning process used in the development of Mobility 2030: The Metropolitan Transportation Plan for the Dallas-Fort Worth Area, 2009 Amendment; amendments to the 2008-2011 Transportation Improvement Program; and the 2009 Transportation Conformity was conducted in accordance with NCTCOG's approved public involvement procedures and is consistent with SAFETEA-LU Public Participation Plan requirements, including presentations of the plan recommendations and conformity results at public meetings and the allowance of a 30-day comment period prior to RTC approval of Mobility 2030: The Metropolitan Transportation Plan for the Dallas-Fort Worth Area, 2009 Amendment; 2008-2011 Transportation Improvement Program amendments; and the 2009 Transportation Conformity determination; and,

WHEREAS, Mobility 2030: The Metropolitan Transportation Plan for the Dallas-Fort Worth Area, 2009 Amendment; 2008-2011 Transportation Improvement Program amendments; and the 2009 Transportation Conformity have been recommended for approval to the RTC by the NCTCOG Surface Transportation Technical Committee.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:


- Section 1.** That the Regional Transportation Council, as the transportation policy body for the Metropolitan Planning Organization, approves Mobility 2030: The Metropolitan Transportation Plan for the Dallas-Fort Worth Area, 2009 Amendment.
- Section 2.** The Regional Transportation Council endorses the financial element recommendations of the Mobility 2030: The Metropolitan Transportation Plan for the Dallas-Fort Worth Area, 2009 Amendment where increases in revenue for transportation are pursued; that the Regional Transportation Council will monitor local, state, and federal legislative initiatives to ensure that revenues increase; and that the Regional Transportation Council will be forced to delete transportation projects and programs from the Mobility 2030: The Metropolitan Transportation Plan for the Dallas-Fort Worth Area, 2009 Amendment if revenues do not increase to anticipated levels.
- Section 3.** The Regional Transportation Council, as the transportation policy body for the Metropolitan Planning Organization, approves the 2008-2011 Transportation Improvement Program amendments.
- Section 4.** The Regional Transportation Council approves the initial conformity determination of the 2009 Transportation Conformity of Mobility 2030: The Metropolitan Transportation Plan for the Dallas-Fort Worth Area, 2009 Amendment and the 2008 – 2011 Transportation Improvement Program as amended for the Dallas-Fort Worth nine-county nonattainment area.

- Section 5.** The 2009 Transportation Conformity determination documents passed the motor vehicle emissions budgets (MVEB) test requirements for the 2008-2011 Transportation Improvement Program and the Texas Department of Transportation project listing for the extended nonattainment area.
- Section 6.** Mobility 2030: The Metropolitan Transportation Plan for the Dallas-Fort Worth Area, 2009 Amendment, and the 2008-2011 Transportation Improvement Program provide for the timely implementation of Transportation Control Measures (TCMs).
- Section 7.** This resolution will be transmitted to the Federal Highway Administration, Federal Transit Administration, United States 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, and all impacted local governments.
- Section 8.** The 2009 Transportation Conformity document (including Mobility 2030: The Metropolitan Transportation Plan for the Dallas-Fort Worth Area, 2009 Amendment, and the 2008-2011 Transportation Improvement Program) will be transmitted to the Federal Highway Administration, Federal Transit Administration, United States Environmental Protection Agency, Texas Department of Transportation, Texas Commission on Environmental Quality,
- Section 9.** This resolution shall be in effect immediately upon its adoption.



Linda Koop, Chair
Regional Transportation Council
Council Member, City of Dallas

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 April 09, 2009.



Ron Natinsky, Secretary
Regional Transportation Council
Council Member, City of Dallas