

MINUTES

SURFACE TRANSPORTATION TECHNICAL COMMITTEE April 22, 2022

The Surface Transportation Technical Committee (STTC) met on Friday, April 22, 2022, at 1:30 pm, in the Transportation Council Room of the North Central Texas Council of Governments (NCTCOG). The following STTC members or representatives were present: Melissa Baker, Bryan Beck, David Boski, Keith Brooks, Tanya Brooks, Ceason Clemens, Kent Collins, Clarence Daugherty, Greg Dickens, Rebecca Diviney, Phil Dupler, Chad Edwards, Eric Fladager, Chris Flanigan, Ann Foss, Eric Gallt, Ricardo Gonzalez, Gary Graham, Tom Hammons, Shannon Hicks, Matthew Hotelling, John D. Hudspeth, Thuan Huynh, Gus Khankarli, Paul Luedtke, Chad Marbut, Alberto Mares, Wes McClure, Brian Moen, Mark Nelson, Jim O'Connor, Kevin Overton, Tim Palermo, Dipak Patel, Todd Plesko, Shawn Poe, John Polster, Akar Pokhrel, Kelly Porter, Tim Porter, Greg Royster, Kathryn Rush, Moosa Saghian, David Salmon, Brian Shewski, Walter Shumac, Gregory Van Nieuwenhuize, Daniel Vedral, Caroline Waggoner, and Robert Woodbury.

Others present at the meeting were: Shakeel Ahmed, Vickie Alexander, Tom Bamonte, Emily Beckham, Natalie Bettger, Angie Carson, Brian Dell, Christie Gotti, Duane Hengst, Andrew Hooker, Jim Jarratt, Amy Johnson, Dan Kessler, Ken Kirkpatrick, Dan Lamers, Jody Loza, Michael Morris, Bailey Muller, Jenny Narvaez, Catherine Osborn, Minesha Reese, Toni Stehling, Shannon Stevenson, Brendon Wheeler, Amanda Wilson, and Kate Zielke.

1. **Approval of March 25, 2022, Minutes:** The minutes of the March 25, 2022, meeting were approved as submitted in Electronic Item 1. John Polster (M); Daniel Vedral (S).
The motion passed unanimously.
2. **Consent Agenda:** There were not any items on the Consent Agenda.
3. **RAISE, Trinity Metro Partnership and "INFRA": Making Partnerships in Constrained Scheduling Environments:** Michael Morris updated the Committee on the latest information regarding the Rebuilding American Infrastructure and Sustainability and Equity (RAISE) grants submitted to the Regional Transportation Council (RTC), a proposed transit partnership with the City of Fort Worth and Trinity Metro and the resultant implications to the next round of "INFRA" grants. At the March Surface Technical Transportation Committee (STTC) meeting, Trinity Metro was going to submit Rail Extension into the Hospital District but elected not to so staff submitted the Rail Extension into Fort Worth. With permission from Trinity Metro to submit it, the commitment made by STTC was honored. It is a test of the new transportation legislation that permits money to be used on airports. Staff kept to the STTC recommendations and didn't change course. In regard to the Katy Lofts, staff is working on a solution with a different path moving forward and will bring it back to the Committee. It was proposed to advance Lancaster and the INFRA project as we did previously. In addition, it was proposed to get the East Fort Worth rail station across the goal line with a slight adjustment to the guaranteed transit program. Through the Guaranteed Transit Program transit vehicles use the toll managed lanes and if passengers do arrive to their designation on time, their fares are paid directly to the transit agency. The three items that the Committee and RTC approved and submitted were the South Dallas Improved Bicycle/Pedestrian Routes to Rail & Transit Technology Upgrades, South Dallas County Inland Port Multimodal Connectivity, and the International Parkway Advanced Mobility Program. The South Dallas County Inland Port Multimodal Connectivity project was submittal at 5:01 pm through RAISE. Staff will resubmit it under INFRA. Action requested was to resubmit, if necessary, the South Dallas County Inland Port Multimodal Connectivity

project under INFRA and permit staff to also submit the Lancaster project under INFRA. Updated financial information provided in the presentation was uploaded to the STTC website for member reference. Michael recognized Christie Gotti, Brian Dell, and Shannon Stevenson for all the time spent to gather the information on this item. Michael provided a walkthrough of the five projects: 1) TEXRail Extension to Hospital District; 2) Katy Lofts; 3) E. Lancaster Corridor; 4) Trinity Lakes Station; and 5) Guaranteed Transit (IH 35W) also known as the cost revenue matrix. Recommendations include a slight adjustment be made on the Guaranteed program, additional money be put into that initiative under new RTC Federal; relieve Trinity Metro of its dollar amount and recapture that money for the rail extension into Fort Worth that was not submitted as part of the RAISE grant. Trinity Lakes Station is pretty far to the east, relieving Trinity Metro of its part of the monies to be put into the rail extension into Fort Worth. No additional money was requested from NCTCOG for Lancaster, we will try to fund it more directly. Katy Lofts was approved for \$11 million, and the City of Fort Worth believes it can work with its developers to get it funded. In order to make sure Katy Lofts still happens, money will be moved into the TEXRail Extension project. The total equates to \$62.06M in new RTC funding. Trinity Metro has to weigh in on this with regards to moving forward. Brian Beck asked if the Lancaster budget is moving forward? Michael responded with the requirements for the Lancaster project and being on Texas Department of Transportation right of way, it can be done within the 5-year time frame. Kelly Porter commented this is consistent with what has been discussed and the City of Fort Worth is working on the resolution and hoping to get that to Council next month. Chad Edwards echoed what Kelly Porter mentioned.

A motion was made to approve the South Dallas County Inland Port Multimodal Connectivity be resubmitted under INFRA and to permit staff to submit the Lancaster project under INFRA along with \$62.06M in new RTC funding. Kelly Porter (M); Chad Edwards (S). The motion passed unanimously.

4. **\$15M Dallas Area Rapid Transit/Garland Partnership that Expedited the IH 635 East Project:** Christie Gotti updated the Council on a partnership between Dallas Area Rapid Transit and the City of Garland to expedite the IH 635 East project. In September 2019, the Regional Transportation Council approved a partnership with the City of Garland to aid in the implementation of the IH 635 East project. That action included approval of \$15 million but required that the specific project to be funded be brought back for RTC approval. Garland has identified a project of interest, which is land banking and redevelopment activities near the South Garland Transit Center. The City prefers to use local funding for their redevelopment efforts at the South Garland Transit Center. In order to accomplish this goal, a three-party partnership is proposed between Dallas Area Rapid Transit (DART), the RTC, and the City. As such, Dallas Area Rapid Transit (DART) has agreed to aid in the partnership by providing local funds to the City if the RTC provides the same amount of federal funds back to the transit agency. DART proposes that the RTC funds be placed on the Silver Line Rail Project that is currently under construction.

A motion was made to approve \$15 million in federal Congestion Mitigation and Air Quality Improvement Program funds for the Silver Line Rail Project (from DFW Airport Station to Shiloh Station). DART will match the federal funds with \$3.75 million in local funds on the Silver Line project and will send \$15 million in local funds to Garland in several installments. Garland will use the local funds for land banking and related redevelopment activities in the area surrounding the South Garland Transit Center. The requested action included permission for staff to administratively amend the Transportation Improvement Program and other planning/administrative documents as necessary. Clarence Daugherty (M); Paul Luedtke (S). The motion passed unanimously.

5. **Regional Transportation Council Policy for Transportation Infrastructure Requiring Certification:** Brendon Wheeler introduced a draft policy outlining the guiding principles and process by which the Regional Transportation Council (RTC) may transparently coordinate with transportation infrastructure providers wishing to certify innovative transportation technology to move people and/or freight within the region. This draft policy serves to guide a consensus-building path among the RTC, interested local governments, and transportation technology providers in bringing innovative transportation solutions to the region with the end goal of a commercial application to serve a long-range transportation need. In February 2022, the RTC adopted Policy 22-01, Advancing High-speed Rail, to advance only high-speed rail into Phase 2 of the Dallas-Fort Worth High-Speed Transportation Connections Study, which includes entering the National Environmental Policy Act (NEPA) process in order to environmentally clear the IH 30 corridor and not hold up the NEPA process with developing technology like hyperloop. Another item from Policy 22-01 is to monitor hyperloop technology advancement in order to advance hyperloop along a technology certification and demonstration path and to advance these two technologies in different corridors. There has been a lot of interest for advanced technologies in the DFW region, such as Virgin Hyperloop's request for proposals and nationwide search for a certification center site in 2020. Many new transportation infrastructure technologies require certification prior to widespread application, and these technologies face difficulties in advancing through traditional planning processes either at the Federal, State, or local levels. The purpose of RTC Policy P22-02, Policy Support to Develop Process for Innovative Transportation Technology Infrastructure Certification Program, provided in Electronic Item 5.1, is to outline RTC's guiding principles, define a transparent process by which RTC may coordinate with technology providers for a certification facility, provide structure for periodic solicitation or acceptance of new technology infrastructure solutions, and ensure a level playing field for transportation infrastructure technology providers wishing to move to the region and local governments wishing to propose their sites for consideration. The guiding principles for an innovative transportation technology infrastructure certification program as follows: must serve long-range transportation need (MTP); technology developer responsible for navigating certification process; NCTCOG will facilitate mutual cooperation, and local government considerations such as a contingency should technology fail to perform as intended, an expected timeframe for infrastructure to be operational, and public use goals and performance expectations. The Innovative Transportation Technology Infrastructure Certification Program's process once a proposal is received is as follows: 1) NCTCOG staff to ensure technology solution conforms to policy guidance and long-range transportation need (MTP), 2) NCTCOG staff to brief RTC and RTC to take action on initiating the process, 3) Upon RTC action, local governments to submit potential locations of interest, 4) Technology provider to determine preferred location to pursue, and 5) RTC to initiate development activities and NCTCOG staff to provide support. Michael Morris mentioned that the transparency of the technology is important when it comes to the region. In addition, he noted that it is important that information is sent to every local government with the requirements of the process. He explained that during the process for Virgin certification center request for proposals, many didn't pay attention to the requirements and submitted routes that weren't very good, but the locals must have a transparent ability to understand when new technology comes to the region, to see if they are interested or not in potentially hosting that particular certification facility. It's critical for us to not just host pilot locations that are throw-aways, but to ensure they eventually become part of the regional transportation system. So, the transparency of all of this is the value added. Kelly Porter noted that if a technology is advanced through this process, there should be something in the material policy that protects local governments if it turns out there's a faulty technology or something along those lines. Michael Morris responded that staff is working on the best safeguards. As each proposal will be different, so will the contingency plan for each proposal be different; the technology provider and local government will have to work out the

details of that contingency plan and reach consensus. Risk would not be eliminated, and local governments will have to decide if they wish to submit locations based on the criteria and contingency of the proposal. Phil Dupler stated he has a concern with the language in the policy not being strong enough. Michael Morris responded that the goal is to do the best we can making sure that technology is ready and that there's a good substitute contingency. At the end of the day, the local government and/or transportation provider is going to have to decide on whether or not to take a risk. You don't want to be in the certification business if you don't want to take the associated risk with. Kathryn Rush wanted to clarify the goal is that the certification facility will be in or along the right-of-way or some public corridor so that it can be used in the future if the technology was certified. Michael Morris responded that the hope would be that wherever the test facility is, that it is used for the certification process as well as a commercial application and is not in the middle of some place that doesn't have eventual use to be a functioning element of its implementation. Under federal law you can't build a capital-intensive project without it being included in the Mobility Plan. Kathryn also asked logistically how it works from an allowance standpoint; would it be the local government that would have to acquire right-of-way? Michael responded with a few scenario examples to provide an explanation and reiterated that local governments don't have to submit if you don't want to take the risk.

A motion was made to recommend RTC approval of Policy Position P22-02, Policy Support to Develop Process for Innovative Transportation Infrastructure Certification Program. If approved, the process advances hyperloop and other innovative infrastructure technologies through the certification process to commercial application, outlines guiding principles and transparent process by which RTC may coordinate with technology providers needing certification, ensures a long-range transportation need is met, allows for periodic solicitation or acceptance of developing technology solutions for region, and creates a level playing field for transportation infrastructure providers and local governments. Kelly Porter (M); John Polster (S). The motion passed unanimously.

- Title VI Program Update:** Kate Zielke presented updates to the Metropolitan Planning Organization's Title VI Program, including the Title VI Policy Statement and Language Assistance Plan. Both documents are necessary for compliance with federal civil rights requirements and must be adopted by the Regional Transportation Council. The Federal Transit Administration requires Metropolitan Planning Organizations update their Title VI Programs every three years. The Title VI program identifies actions NCTCOG takes to ensure nondiscrimination based on race, color, and national origin, including limited English proficiency. Any program or activity, conducted by an entity, that received federal funds or other federal assistance must comply with Title VI of the Civil Rights Act of 1964. Title VI Nondiscrimination Policy Statement is as follows: "The North Central Texas Council of Governments (NCTCOG), as a recipient of federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person shall on the grounds of race, religion, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any Agency programs or activities." The Title VI Program includes information on how NCTCOG monitors its transit subrecipients for Title VI compliance. Recommended updates to the Title VI Program included a list of transit-related Title VI investigations, complaints, and lawsuits of which there were none; a summary of outreach efforts made since the last Title VI Program submission; a schedule of subrecipient Title VI Program submissions; impacts of the distribution of state and federal funds in the aggregate for public transportation projects; and a 45-day comment period. The Language Assistance Plan describes how NCTCOG addresses the needs of residents whose native language is not English and who have a limited ability to communicate in English. Language Assistance Plan Updates included Limited English proficiency population for the 12-county Dallas-Fort

Worth Metropolitan Planning Area, literacy rates for the 12-county area, four-factor analysis to evaluate the extent to which language assistance measures are required, and a 45-day public comment period. RTC and Executive Board action will be requested in May. Submittal deadline is May 31, 2022. The Title VI Program update can be downloaded from <https://nctcog.org/TitleVI>. The Language Assistance Plan update can be downloaded from <https://nctcog.org/LAP>. Additional information was provided in Electronic Item 6.

A motion was made to recommend Regional Transportation Council approval of the Title VI/Nondiscrimination Policy Statement, and updates to the MPO Title VI Program and Language Assistance Plan. Robert Woodbury (M); Walter Shumac (S). The motion passed unanimously.

- 7. 2023-2026 Transportation Improvement Program Draft Listings:** Brian Dell presented a request for recommendation of Regional Transportation Council (RTC) approval of the 2023-2026 Transportation Improvement Program (TIP) draft project listings, and the ability for staff to amend the Unified Planning Work Program (UPWP) and other planning/administrative documents. The Committee was also briefed on changes being made to the TIP Development process as a result of recent discussions with the Federal Highway Administration. The TIP is a cooperative effort among local governments, the Texas Department of Transportation (TxDOT), transit agencies, and other transportation agency partners. During the TIP development process, staff reviews existing projects and gathers information on additional locally funded projects; makes needed revisions to existing project schedules, funding, and/or scope; develops revised project listings; financially constrains project programming based on estimated future revenues; conducts mobility plan and air quality conformity review; solicits public and Committee/Council input; and finalizes project listings and submits to TxDOT and the Federal Highway Administration (FHWA) for review. The draft 2023-2026 TIP has \$9.03 billion in roadway and transit funding, including \$5.27 billion in federal commitments, \$1.45 billion in State commitments, \$0.14 billion in regional commitments, \$1.23 billion in local commitments, and \$0.94 billion in Transit Formula commitments. There are 977 active roadway and transit projects, compared to 562 active projects in the new four-year TIP or in the environmental clearance appendix, with 68 project sponsors across the region. Typically, the Committee, RTC, and public are provided with a "Double Entry" report that contains all active projects in which to review and comment. This report provides a more comprehensive picture of a project than the Statewide TIP (STIP) format that is required by TxDOT. Once approval of these listings is received, staff converts the data into the STIP report format required by TxDOT and submits it as part of the TIP document to TxDOT for inclusion in the STIP. FHWA recently informed staff that this process does not satisfy their requirements for getting review and comment on the TIP. To comply with federal regulations, staff will bring back the approved project listings in STIP report format in May, along with the full TIP Document. The STIP report will only contain the project phases funded in fiscal years 2023-2026. Given that the same information is slated for approval this month, staff proposed to ask for approval via consent agenda at the May meeting. Additional information was provided in Electronic Item 7. Wes McClure asked if the projects will still be available in double entry format for approval. Brian responded that it will be included in an appendix that will contain a link since the document is approximately 600 pages.

A motion was made to recommend RTC approval of the projects and project changes shown in the 2023-2026 TIP roadway Double Entry report and transit TIP listings, including direction for staff to amend the Unified Planning Working Program (UPWP) and other planning/administrative documents as needed. It was noted that only projects in fiscal years 2023-2026 will be included in the new TIP and projects in FY2022 and earlier are provided but will not be included in the new TIP. Projects in FY2027+ will be included in Appendix D

to allow project development activities to continue. Brian Beck (M). John Polster (S). The motion passed unanimously.

8. **Director of Transportation Report on Selected Items:** Dan Kessler provided an update on the Executive Session Follow Up, a project with the Department of Defense Regional Joint Land Use Study (JLUS) Implementation Grant. The North Central Texas Council of Governments (NCTCOG) is currently under contract with the Department of Defense to work with the Regional Coordination Committee (RCC) and local governments to implement strategies identified in the 2017 JLUS. The emphasis of the project is on reducing encroachment and improving compatible land use, by addressing safety, and noise abatement strategies including an initiation of a Strategic Parcel Acquisition and Re-use Program. Twenty-five F-35s are scheduled to be delivered to the base in 2024. A big part of this project is focused on noise, safety, and what strategies can be pursued. One of the strategies is when there is an opportunity for land acquisition, the land is purchased and developed to help make the land surrounding the base more compatible. For about 15 years, there has been a focus on commercial parcels that are located on the South end of the runway, called APZ1. The RCT has been watching the parcels for years and an opportunity came up early this winter, in the January – February time frame to perhaps acquire these. One of these parcels has been a restaurant and farmer's market. Dan mentioned they presented the opportunity to Michael Morris and discovered it's a once in a lifetime opportunity to acquire these properties. He also thanked Michael Morris, Jeff James of White Settlement, RTC, Executive Board, and NCTCOG staff for the tremendous support in order to make this happen within 60 days. A contract was entered on this property for approximately \$2 million and it should close within 60 days. Michael Morris responded that this was an item that couldn't be previously presented to the STTC because staff can't go public with the information yet or there would be a risk of having more than one buyer. When the information can be made public, staff will present it to the STTC. The money will be in the land banking program, so federal grants will be sought for reimbursement of the \$2 million. There is currently about \$1.1 million in the land banking program, and if successful the money will be added to the land banking program for when there are critical parcels that need to be purchased. They are often competitive, and we don't want someone bidding, so we have a contract at this particular time so we don't think we can be outbid. Michael Morris also provided an overview of the metrics on Changing Mobility: Data, Insights, and Delivering Innovative Projects During COVID Recovery. As of February 2022, Bicycle and Pedestrian travel had increased by 28 percent but freeway volumes, toll road travel, airport passengers and transit ridership all decreased. Transit numbers are continuing to improve. State safety efforts was presented by Michael Morris to the Texas Transportation Commission. The local program will be presented this summer, including the advancement of management operations and safety. Staff is looking at over one hundred counter measures. Michael suggested that members get engaged if they are interested in safety. He noted that Natalie Bettger has a safety task force, and it has committed 23 MPOs across the state to join hands with Texas Department of Transportation to try to turn the fatality rates around. The effort will require re-engaging with law enforcement, new education programs, and freeway lighting. Regarding the Northern Collin County Rider Assistance Program, the Dallas Area Rapid Transit (DART) Chairman announced that the Northern Collin County Rider Assistance Program has opted into a partnership with DART. The RTC Bylaws Revision Subcommittee Nominating Subcommittee will be announced at the May RTC meeting. The RTC Bylaws are expected to be updated by the end of the summer. Michael mentioned that the smaller counties that share seats don't have enough population to have dedicated seats, so they have to share. The Bylaws Subcommittee will review the county seats and provide a recommendation to the full Council. The Nominating Subcommittee will review potential officer candidates and recommend a slate of officers, including a new Secretary and Vice Chair to the full Council for action. The Dallas Area Rapid Transit

(DART) D2 Interlocal Agreement was presented to the Dallas City Council on February 9, 2022; DART Board on February 22, 2022; and will be presented to the NCTCOG Executive Board on April 28, 2022. Electronic Item 8 contained a Spring 2022 Virtual Traffic Incident Management Executive Level Course Announcement. The Executive Level Course will be held on May 5, 2022. Michael highly encouraged law enforcement to attend these traffic incident management courses. He also mentioned he appreciated the work Dan Kessler and Ken Kirkpatrick put into making sure the region does not lose Lockheed Martin.

9. **Dallas-Fort Worth Regional East/West Funding Distribution – Infrastructure**

Investment and Jobs Act: Brian Dell provided an overview on the proposed updates to the funding distribution between the Eastern (Dallas and Paris Districts) and Western (Fort Worth District) subregions with the recent passage of the Infrastructure Investment and Jobs Act (IIJA). Federal funding comes to the region from federal transportation apportionments via the Texas Department of Transportation (TxDOT). Apportionments are based on several factors depending on the funding source (e.g., population, emissions). While funds cannot be suballocated to cities or counties (per federal law), funds can be split along TxDOT District lines. This practice has helped the region stay focused on overall priorities versus focusing on what local government or agency has received funding. Instead, each subregion works within their available funding. Regional Transportation Council (RTC) Bylaws require that funding distributions be reevaluated with each new transportation funding bill for air quality and mobility funds; transit funds are re-evaluated each year as federal apportionments are received. On November 15, 2021, the Infrastructure Investment & Jobs Act (IIJA) was signed into law, which necessitates a review of the latest East/West funding distribution. The first category of funds is the Air Quality funds: Funding intended for air quality projects that address attainment of national ambient air quality standards in nonattainment areas. Allocations to the region are based on population and air quality nonattainment factors and generally apply to Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds and Transportation Alternatives Set-Aside funds. East/West Distribution Formula Inputs are based on tons per day of ozone precursors, specifically Volatile Organic Compounds (VOCs) and Nitrogen Oxides (NOx). The second category is Mobility Funds which are designed for mobility projects addressing transportation needs within Metropolitan Area Boundaries with populations of 200,000 or greater. Allocations are based on the population of Urbanized Areas (UZA) in the region. Resulting percentage split applies to the RTC's mobility funding categories such as Surface Transportation Block Grant Program (STBG) and Category 2 funding. East/West Distribution Formula Inputs include population, employment, activity (population and employment equalized to account for communities where available jobs might exceed population or vice versa), and Vehicle Miles Traveled (VMT) Brian noted that over the last six years staff has been operating under funding distribution percentages from the Fixing America's Surface Transportation Act or FAST Act (2015). Proposed formula Inputs for Mobility funds under the current IIJA round out to 31 percent for the Western Subregion and 69 percent for the Eastern Subregion based on the 12-county MPA boundary. Air Quality funds based on the 10-county non-attainment area proposed to be distributed at 36 percent for the Western subregion and 64 percent for the Eastern subregion. Equity and environmental justice were also reviewed, and indicators show a minority, low income, and/or limited English proficiency population distribution similar to the funding distribution for the western and eastern regions that was proposed: Minority: 30 percent for the Western subregion and 70 percent for the Eastern subregion; Low income: 33 percent for the Western subregion and 67 percent for the Eastern subregion; Limited English Proficiency: 27 percent in the Western Subregion and 73 percent for the Eastern Subregion. STTC and RTC action will be requested in May and June 2022 respectively. If approved, the updated funding distribution will be applied to all RTC-selected funding programs. Electronic Item 9 included additional details on the process for establishing the split and the proposed new splits for both mobility and air quality

funds. The final East/West Equity quarterly report for the Fixing America's Surface Transportation Act was provided in Electronic Item 9.2.

10. **Disadvantaged Business Enterprise Goal Updates:** Emily Beckham provided a summary of the Disadvantaged Business Enterprise (DBE) Program requirements and schedule for updating the DBE Participation Goal for FY2023-FY2025. Certain recipients of federal funds are required to have a DBE Program and the North Central Texas Council of Governments is a recipient of those funds and is required to have a DBE Program. It is required that the goal be updated every three years. The deadline to update the new goal is August 1, 2022. The current goal of 19.4 percent is active through September 30, 2022 and covers FY2020-2022. Publication of the DBE goal is required as part of Request for Proposals and that DBEs are certified. In terms of high-level federal principals of the DBE Program, the basic component ensures non-discrimination in award of contracting activities that ensures a level playing field; it's tailored to meet Federal Law; ensures DBE Firms meet required eligibility standards, helps remove barriers to DBE participation, and assists in development of firms to compete outside of the DBE Program. highlighted the key date in the DBE Program Update schedule is when we will be bringing back our proposed goal for the next three years in May, it will then be published for public comment, and then come back to RTC in the July time frame for consideration of approval and of course to the NCTCOG Executive Board at the end of July for submission to FTA by August 1. Following preliminary DBE availability analysis of NCTCOG and its subrecipients, the proposed overall total weighted DBE goal for FY2023-FY2025 is 17.3 percent. The next step for the DBE goal update consideration of other DBE data, including goals from other similar agencies in the Dallas-Fort Worth market area, historical data, and completed disparity studies; presentation and consideration by stakeholders and the public during the public comment period; and consideration by STTC, RTC and the Executive Board. Electronic Item 10 included additional details.

11. **Mobility 2045 Update and Air Quality Conformity:** Amy Johnson and Jenny Narvaez provided an update on the region's next long-range transportation plan, Mobility 2045 Update, and corresponding 2022 Transportation Conformity. Amy mentioned there have not been any major revisions of the draft plan and draft conformity analysis results. The major components are as follows: plan content such as programs, policies, and projects; financial plan, including financial constraint; nondiscrimination analysis, which shows no disparate impacts found; air quality conformity consistent with federal/state air quality goals. Recent revisions to project maps/listings include select asset optimization, freeway/tollway, and RSA identification numbers updated but no change to transit or roadway recommendations. Regarding chapter content, Map Your Experience summaries were added to Mobility Options and Social Considerations chapters, Air Quality Conformity results have been added to the Environmental Considerations chapter, and financial refinements have been made in the Financial Reality chapter. The draft plan and the recommendations as identified graphically and in tabular format are available at www.nctcoq.org/PlaninProgress. Draft financial plan expenditures were presented. The final plan is about \$148.3 billion. Public comments were received from community events, Map Your Experience, NCTCOG public meetings, social media, online comment forms, and mail. Comments received during the first half of the 60-day public comment period include support for expansion of the transit network to alleviate congestion, congestion and maintenance relationship, cost of congestion methodology, safety included as part of Mobility Plan, additional capacity to suburban highways to alleviate downtown congestion, and expanding trails and pedestrian access. The Mobility 2045 Plan Update will be presented for STTC action in May and RTC action in June. The 2022 Transportation Air Quality Conformity Analysis is required by federal regulation. It demonstrates that projected emissions from transportation projects are within emission limits (Motor Vehicle Emissions Budgets) established by the State

Implementation Plan (SIP) and ensures federal funding and approval is applied to transportation projects that are consistent with air quality planning goals. The Air Quality Conformity Analysis for the ten-county nonattainment area under the 8-hour ozone standards mapped on slide 11 in Electronic Item 11. The last conformity determination was received in November 2018. The region is currently under the emission budgets for both Nitrogen Oxides (NOx) and Volatile Organic Compounds (VOC), which are anticipated to be updated by the Environmental Protection Agency (EPA) in June. The EPA has been going back and forth so in preparation, we provided 2 scenarios. For both of the scenarios, the region is under the emission limits that are set by the EPA. The analysis results are passing. In scenario 2, should the budgets be found adequate by the EPA before the region receives a determination, we are under the emissions limits. Additional details provided in Electronic Item 11. Kathryn Rush asked if most of the counties in the region are currently in non-conformance, how does the analysis show conformity in 2023? Jenny responded that the analysis shows that the projects and plans do not make the air quality worse than existing conditions. We can't measure ozone directly, so we have set limits that we are bound to for its components, NOx and VOC, and we have to be under those limits. Showing that we conform to those limits, doesn't mean we reach attainment. We can still get conformity without reaching attainment. The region has been preparing to be reclassified to a stricter standard for both the 2015 and 2008 NAAQS and is also getting moved up from marginal to moderate under the 2015 standard and from serious to severe under the 2008 standard. Michael Morris responded this is a good point stated, we are not the developers of the State Implementation Plan. John Polster mentioned not to confuse air quality with air conformity, he referenced the graph shown in Electronic Item 11.2.

12. **Status Report on Federal Highway Administration Alternative Fuel Corridors and the Bipartisan Infrastructure Law:** Bailey Muller provided an overview of the Federal Highway Administration's (FHWA's) Alternative Fuel Corridors, as well as new funding programs allocated through the Bipartisan Infrastructure Law (BIL). She noted that three new updates for Alternative Fuel Infrastructure. The first program is the Federal Highway Administration (FHWA) program soliciting "Round 6" request for alternative fuel corridor nominations. Nominations are due to Federal Highway Administration by May 13, 2022. The second program, the National Electric Vehicle Infrastructure Formula Funds Program, in the amount of \$5 billion, is for filling electric vehicle corridors through state department of transportations (DOTs). All state DOTs must complete statewide infrastructure deployment plan in accordance to template provided by NEVI Formula Program. The third and final program, provides competitive grants for charging and fueling infrastructure for corridors and communities in the amount of \$2.5 billion competitive funding for EV, CNG, LNG, LPG, Hydrogen Infrastructure Competitive Grants with 50percent along designated corridors and 50 percent within communities. Joint DOT/DOE Deployment Support Program to provide tools and technical assistance to funding recipients - www.driveelectric.gov. NEVI EV charging infrastructure guidelines were presented. Formula funding impacts to Texas include a NEVI formula program in which TxDOT is Set to Receive \$408 million over 5 years for EV Charging with an initial apportionment of \$60.3 million (noted in February 10 memo). TxDOT to Complete NEVI Statewide Infrastructure Deployment Plan. The potential MPO Role is that a portion of funds may be allocated to projects located within in each metropolitan planning organization's area after all corridors are filled, with MPOs having a role in recommending station siting and design/standards. Texas Department of Transportation (TxDOT) is requesting feedback on the NEVI plan by May 15, 2022. Since the meeting, the deadline has been extended to June 15, 2022. Feedback can be submitted on the TxDOT EV Planning Webpage: https://txdot.mysocialpinpoint.com/tx_ev_plan. The deadline for TxDOT to submit the State NEVI plan to FHWA is August 1st, 2022, and the deadline for FHWA to approve/submit plan is September 30, 2022. NCTCOG is hosting a regional public EV infrastructure working group. NCTCOG facilitating a group of local

governments to collaborate and discuss public EV charging infrastructure projects across North Texas and plan for grant funding for individual governments or regional scaled project. To join the working group, email Bailey Muller at bmuller@nctcog.org. In addition, NCTCOG is participating in TxDOT NEVI plan workshop group and developing regional-scale EV infrastructure plan for North Texas consistent with NEVI guidance and will expand content to include highway corridors that are not yet designated, as well as intraregional level 2 community-based charging needs. Lastly, NCTCOG will evaluate options to pursue competitive funding for EV or Hydrogen corridors. Upon approval from FHWA, TxDOT can access Formula funding and begin implementing NEVI Plan. NCTCOG will continue to monitor guidance and timing updates for the competitive grants for charging and fueling infrastructure for corridors and communities.

13. **Fiscal Year 2022 Multimodal Project Discretionary Grant Program:** Jody Loza briefed the Committee on the Fiscal Year (FY) 2022 Multimodal Project Discretionary Grant (MPDG) Program. Michael Morris complimented and thanked Jody on the hard work on this project and the team meeting the deadlines. This \$2.85 billion program solicits project applications for three funding opportunities: 1) the National Infrastructure Project Assistance Grants Program (MEGA), 2) the Nationally Significant Multimodal Freight and Highway Projects Grant Program (INFRA), and 3) the Rural Surface Transportation Grant Program (RURAL). For the MEGA program, available funds are \$1 billion; with 50% of the funds available for projects greater than \$500 million in total cost and 50% of the funds available for projects between \$100-500 million. The MEGA Grant may cover up to 60% of the total project cost, but total Federal funds may cover up to 80%. Jody noted eligible applicants and eligible project types are listed in Electronic Item 13. Jody noted the USDOT seeks projects that will begin construction before September 30, 2025. The next grant program is INFRA, with \$1.55 billion in available funds. Similar to MEGA, the INFRA Grant may cover up to 60% of the total project cost, but total Federal funds may cover up to 80%, and while there is no maximum to the award size, minimum award sizes are \$25 million for large projects (cost greater or equal to \$100 million) and \$5 million for small project (cost less than \$100 million). 85% of available INFRA funds would be allocated to large projects and 15% to small projects. Eligible applicants and eligible project types is also listed in Electronic Item 13. The obligation deadline is September 30, 2025, and construction start deadline is March 30, 2027. The third and final project, is the RURAL grant program with available funds of \$300 million with one caveat important to note. There are two project types, lane departures and any project in the Appalachians, which are not eligible for Texas, which means 40% of the total funding is not available to Texas. A RURAL grant request may cover up to 80% of the total project cost, and total Federal funds may cover up to 100%. There is no maximum to the award size, but there is a \$25 million minimum for 90% of projects to be selected, and no minimum for 10% of remaining selected projects. Project/location eligibility is detailed in the Electronic Item 13. The obligation deadline is September 30, 2025, and the construction start deadline is March 30, 2027. There are statutory requirements for this program and Jody highlighted three of them: Based on the results of preliminary engineering – INFRA/RURAL; Availability of one or more stable/dependable funding or financing sources – MEGA/INFRA; and Reasonable expectation for construction within 18 months of obligation – INFRA/RURAL. There are uniform selection criteria for all of the MPDG programs, based on a rating scale of 0 to 3; Jody highlighted three new criteria as Economic Impacts, Freight Movement, & Job Creation, Climate Change, Resiliency, & the Environment, and Equity, Multimodal Options, & Quality of Life. Jody explained a project must first pass the uniform selection criteria review, and then a project will be judged based on the Economic Analysis, and finally the readiness of the project. RTC action will be requested on May 12, 2022, RTC letter of Support request deadline submitted to Kyle Roy at kroy@nctcog.org by May 12, 2022, the FY22 MPDG grant application submittal deadline on www.grants.gov is May 23, 2022, Executive Board Endorsement is May 26, 2022, and STTC Endorsement is May 27,

2022. Jody then showed a list of the upcoming Grant NOFO announcements of funding availability in 2022, the important thing to note is that in the past we were used to doing 2 to 3 grant opportunities annually, but as of now, there are 18 grants per year we are eligible to apply for. Based on a recent USDOT webpage post, a timeline suggests four grant opportunities will be announced between May and July, one in August, and one in September. Several grant opportunities can be applied for and not just one. Clarence Daugherty stated the time frame doesn't work for a lot of us, does the information let us know what to expect for the upcoming years? Jody responded with essentially the grant opportunities for the new Infrastructure bill was brought about under Biden administration, but essentially yes, we would anticipate similar programs unless there is a Presidential re-election. John Polster asked if this is an annual process or one call per year? Michael responded it depends, and when we know, we will lay out the process as we know. Some may be a one call per year, or every six months. We have 36 different calls and some of them, the rules haven't been written yet so as we know, we will lay them out, and try to work with staff to try to slot your project to maximize your ability to win with those particular criteria.

14. **Fast Facts:** Staff presentations were not given. Information was provided to members electronically for the following items.
 1. Air Quality Funding Opportunities for Vehicles (<https://www.nctcog.org/trans/quality/air/funding-and-resources>)
 2. Dallas-Fort Worth Clean Cities Events (<https://www.dfwcleancities.org/events>)
 3. Status Report on Texas Volkswagen Environmental Mitigation Program Funding (Electronic Item 14.1)
 4. 2022 Ozone Season Updated (Electronic Item 14.2)
 5. Federal Register Comments sent to EPA/Clean School Bus (Electronic Item 14.3)
 6. Auto Occupancy/High-Occupancy Vehicle Quarterly Subsidy Report (Electronic Item 14.4)
 7. March Public Meeting Minutes (Electronic Item 14.5)
 8. May Public Meeting Notice
 9. Public Comments Report (Electronic Item 14.6)
 10. Written Progress Reports:
 - Local Motion (Electronic Item 14.7)
 - Partner Progress Reports (Electronic Item 14.8)
15. **Other Business (Old or New):** There was no discussion on this item.
16. **Next Meeting:** The next meeting of the Surface Transportation Technical Committee is scheduled for 1:30 pm on May 27, 2022.

Adjourned at 3:46 PM.