

**RESOLUTION ADOPTING  
THE 2023 TRANSPORTATION CONFORMITY DETERMINATION FOR THE DALLAS-FORT  
WORTH NONATTAINMENT AREA  
(R23-02)**

**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 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 severe nonattainment under the 2008 8-hour ozone National Ambient Air Quality Standard (NAAQS) effective November 7, 2022; and designated the 9-county area of Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Tarrant, and Wise counties as moderate nonattainment under the 2015 8-hour ozone NAAQS effective November 7, 2022; and,

**WHEREAS**, the EPA approved new Motor Vehicle Emissions Budgets for the purpose of transportation conformity on April 24, 2023, with an effective date of May 24, 2023; and,

**WHEREAS**, a transportation conformity analysis on a regional metropolitan transportation plan is required to be performed within two years of a new Motor Vehicle Emissions Budgets effective date; and,

**WHEREAS**, no changes were made to *Mobility 2045: The Metropolitan Transportation Plan for North Central Texas – 2022 Update*, previously adopted by the Regional Transportation Council on June 9, 2022; and,

**WHEREAS**, the 2023 *Transportation Conformity* was 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 the *2023 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 30-day public comment period prior to transportation conformity approval; and,

**WHEREAS**, the air quality *2023 Transportation 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**, NCTCOG's Surface Transportation Technical Committee has recommended Regional Transportation Council approval of the *2023 Transportation Conformity*.

**NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:**

**Section 1.** The Regional Transportation Council approves the results of the *2023 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 latest available information and an applicable EPA-approved emissions estimation model and demonstrates Transportation Control Measures in approved State Implementation Plans are implemented in a timely fashion.

**Section 2.** Results of the *2023 Transportation Conformity* fulfill the requirement that transportation conformity be performed within two years of the effective date for new Motor Vehicle Emissions Budgets.

**Section 3.** The development of the *2023 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 4.** The latest public involvement information for the *2023 Transportation Conformity* 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 5.** 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.

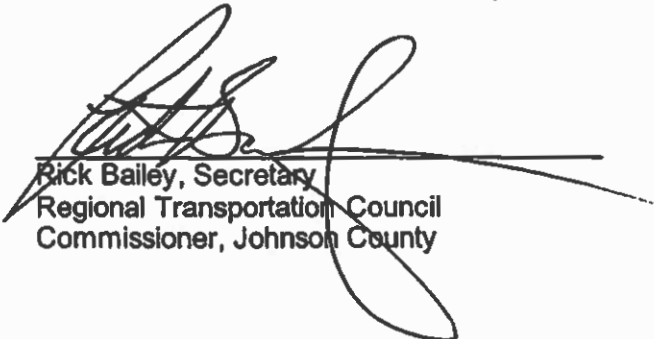
**Section 6.** This resolution shall be in effect immediately upon its adoption.

*Gyna M. Bivens*

---

Gyna Bivens, Chair  
Regional Transportation Council  
Mayor Pro Tem, City of Fort Worth

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 November 9, 2023.



---

Rick Bailey, Secretary  
Regional Transportation Council  
Commissioner, Johnson County