

**RESOLUTION APPROVING
2007 TRANSPORTATION CONFORMITY DETERMINATION FOR THE
NORTH CENTRAL TEXAS NINE-COUNTY NONATTAINMENT AREA THAT INCLUDES
MOBILITY 2030: THE METROPOLITAN TRANSPORTATION PLAN
AND 2006-2008 TRANSPORTATION IMPROVEMENT PROGRAM AS AMENDED
(R07-03)**

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 the North Central Texas Council of Governments 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, 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 8-hour National Ambient Air Quality Standards for the pollutant ozone, effective June 15, 2004; and,

WHEREAS, the current RTC metropolitan planning area is all of Collin, Dallas, Denton, Rockwall and Tarrant 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 the 2007 Transportation Conformity was conducted in accordance with NCTCOG's approved public involvement procedures, including presentation of the conformity results and the conformity document at public meetings and the allowance of a 30-day comment period prior to RTC approval of the 2007 Transportation Conformity determination; and,

WHEREAS, the 2007 Transportation Conformity has been recommended for approval to the RTC by the NCTCOG Surface Transportation Technical Committee.

NOW, THEREFORE, BE IT HEREBY RESOLVED:

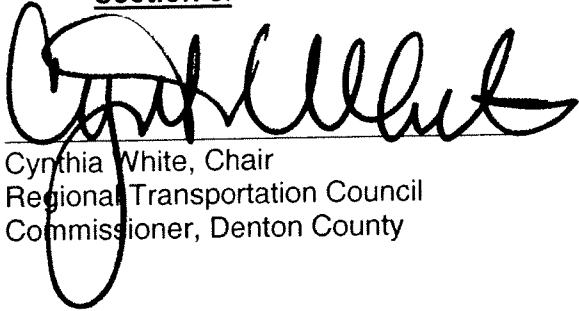
- Section 1.** That the 2007 Transportation Conformity has been developed and found to be in compliance with SAFETEA-LU and Clean Air Act requirements.
- Section 2.** That the Regional Transportation Council as the transportation policy body for the Metropolitan Planning Organization approves the initial conformity determination of the 2007 Transportation Conformity for the North Central Texas nine-county nonattainment area.
- Section 3.** That the 2007 Transportation Conformity determination documents passing the motor vehicle emission budget (MVEB) test requirements for Mobility 2030: The Metropolitan Transportation Plan, 2006-2008 Transportation Improvement Program as Amended, and the Texas Department of Transportation project listing for the extended nonattainment area.
- Section 4.** That the 2007 Transportation Conformity determination documents passing the less than Baseline test requirements for Mobility 2030: The Metropolitan Transportation Plan, 2006-2008 Transportation Improvement Program as Amended, and the Texas Department of Transportation project listing for the extended nonattainment area.
- Section 5.** That Mobility 2030: The Metropolitan Transportation Plan and the 2006-2008 Transportation Improvement Program as Amended provide for the timely implementation of Transportation Control Measures (TCM).
- Section 6.** That 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 7.

That the 2007 Transportation Conformity document (including MOBILITY 2030 and 2006-2008 Transportation Improvement Program as Amended) will be transmitted to the Federal Highway Administration, Federal Transit Administration, United States Environmental Protection Agency, Texas Department of Transportation, and Texas Commission on Environmental Quality.

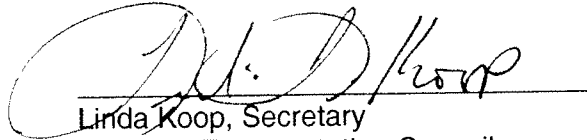
Section 8.

That this resolution shall be in effect immediately upon its adoption.



Cynthia White, Chair
Regional Transportation Council
Commissioner, Denton 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 January 11, 2007.



Linda Koop, Secretary
Regional Transportation Council
Councilmember, City of Dallas