

MINUTES

SURFACE TRANSPORTATION TECHNICAL COMMITTEE

April 28, 2023

The Surface Transportation Technical Committee (STTC) met on Friday, April 28, 2023, 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, Shon Brooks, Tanya Brooks, Daniel Burnham, Ceason Clemens, Jackie Culton, Clarence Daugherty, Pritam Deshmukh, Rebecca Diviney, Phil Dupler, Chad Edwards, Claud Elsom, Eric Fladager, Chris Flanigan, Eric Gallt, Ricardo Gonzalez, Gary Graham, Tom Hammons, Barry Heard, Daniel Herrig (representing Mark Nelson), Matthew Hotelling, John D. Hudspeth, Jeremy Hutt, Thuan Huynh, Joseph Jackson, Joel James, William Janney, Kelly Johnson, Major L. Jones, Gus Khankarli, Clay Lipscomb, Paul Luedtke, Chad Marbut, Alberto Mares, Wes McClure, Brian Moen, Jim O' Connor, Tim Palermo, Martin Phillips, John Polster, Kelly Porter, Tim Porter, Lauren Prieur, Don Raines (representing Arturo Del Castillo), Greg Royster, David Salmon, Ryan Sartor, Brian Shewski, Walter Shumac III, Randy Skinner, Cheryl Taylor, Caleb Thornhill, Jennifer VanderLaan, Gregory Van Nieuwenhuize, Cody Owen (representing Daniel Vedral), Caroline Waggoner, and Jana Wentzel.

Others present at the meeting were: Vickie Alexander, Berrien Barks, Martin Bate, Taylor Benjamin, Natalie Bettger, Joslyn Billings, Lance Bokinskie, Jesse Brown, Jackie Castillo, Shawn Conrad, Cody Derrick, Kevin Feldt, Camille Fountain, Rebekah Gongora, Duane Hangst, Amy Hodges, Ken Kirkpatrick, Travis Liska, Tom McLain, Michael Morris, Vickie Morris, Jenny Narvaez, Jeff Neal, Andrew Pagano, Donald Parker, Trey Pope, Ezra Pratt, Vercie Pruitt-Jenkins, Connor Sadro, Robert Saylor, Aliyah Shaikh, Samuel Simmons, Toni Stehling, Juliana VanderBorn, Nicholas VanHaasen, Amanda Wilson, and Jared Wright.

1. **Approval of March 24, 2023, Minutes:** The minutes of the March 24, 2023, meeting were approved with Gus Khankarli's clarification on his statement in Agenda Item 11, he clarified his statement should be corrected to state that a third party cannot impose "a good standing" provision on funds associated with this funding trade, in Electronic Item 1. Kelly Porter (M); Jim O' Connor (S). The motion passed unanimously.
2. **Consent Agenda:** There were no items on the Consent Agenda.
3. **Project Status Report: Milestone Policy Round 2 and FY2023 Project Tracking:** Cody Derrick requested a recommendation for Regional Transportation Council (RTC) approval of various updates to Milestone Policy project deadlines and approval of a revised Milestone Policy and Project Tracking reporting frequency. The Metropolitan Planning Organization (MPO) Milestone Policy focuses on projects funded for ten plus years that have not gone to construction and creates agency accountability to implement projects. FY2023 Project Tracking focuses on projects slated for implementation in FY2023, highlights potential problems in order to prevent delays, provides earlier monitoring, and enables the RTC to take corrective actions to avoid accumulation of carryover balances. A summary of projects that have not gone to construction as of April 2023 includes ten projects scheduled letting for FY2023 with a funding amount of \$95,451,136 and three projects scheduled letting for FY2024 and beyond with a funding amount of \$201,816,145, for a total of 13 projects and a total of \$297,267,281. Cody noted to date, seven projects have let by their established deadlines and three have been removed from the Transportation Improvement Program (TIP) at the request of the implementing agency. Quarterly updates have been provided to

the Committee and RTC regarding the status of MPO Milestone Policy projects, along with separate updates on the progress of project phases in the current fiscal year. The process has led to an increase in communication between project sponsors, North Central Texas Council of Governments (NCTCOG), and Texas Department of Transportation (TxDOT), but there are few substantive updates to report, due to the reporting frequency and the time a project takes to be implemented. Therefore, staff proposed to adjust the reporting frequency for the Milestone Policy and Project Tracking initiatives from four times a year to at least two times a year. The items will also continue to be combined into one. The summary of TIP FY2023 project funding - programmed funding is comprised of what is included in the TIP as well as transactions that have not formally been made in the TIP (e.g., early obligations or delaying projects to future years), obligations based on the federal fiscal year, which runs from October to September, and obligation amounts of \$578,507 for Congestion Management and Air Quality (CMAQ), \$23,661,006 for Surface Transportation Block Grant (STBG), and (\$1,994,510) for Transportation Alternatives Set Aside (TASA), as of April 14, 2023. Milestone Policy status updates, along with the latest risk ratings, were included in Electronic Item 3.1. FY2023 Project Tracking status updates were provided in Electronic Item 3.2. Details on the status reports were provided in Electronic Item 3.3.

A motion was made to recommend Regional Transportation Council approval to 1) extend the project deadline to the end of FY2025 for the US81/287 Corridor project and maintain funding on the project; 2) extend the project deadline for the various segments on Corporate Drive to match the new let dates and maintain funding on the projects (TIP 20131 and 20152 are anticipated to let in November 2023 and TIP 20108 and 20111 are anticipated to let in April 2024). These projects will be monitored to ensure that they proceed to construction; 3) adjust the reporting frequency for Milestone Policy and Project Tracking Updates from four times a year to at least two times a year; and 4) administratively amend the Transportation Improvement Program (TIP)/Statewide Transportation Improvement Program (STIP) and other administrative/planning documents as needed. John Polster (M); Kelly Porter (S). The motion passed unanimously.

4. **Application to the Federal Highway Administration Charging and Fueling Infrastructure Program:** Jared Wright requested a recommendation for Regional Transportation Council (RTC) approval to pursue funding from the Federal Highway Administration (FHWA) Charging and Fueling Infrastructure Discretionary Grant Program (CFI) under the Community Program and Alternative Corridor Program grant categories. For FY2022 and FY2023, \$700 million will be split evenly in two funding categories: Community Program (\$350 million available) with minimum of \$500,000 and maximum of \$15,000,000. Corridor Program (\$350 million available) with a minimum of \$1,000,000 and no maximum. The federal share is up to 80 percent of the total project cost. Eligible entities that contract with a private entity must include that the private entity will be responsible for the non-federal share of the project cost. Applications must be submitted by May 30, 2023, via <https://www.fhwa.dot.gov/environment/cfi/>. The Corridor Program was designed to build Electric Vehicles (EV) charging or alternative fueling infrastructure along designated Alternative Fuel Corridors (AFC). The program provides an opportunity to start deploying recommendations from the Interstate Highway (IH)45 Zero Emission Vehicle Infrastructure Plan including battery electric vehicles for local freight and hydrogen fuel cell electric vehicles for long haul freight. The North Central Texas Council of Governments (NCTCOG) Call for Partners opened on March 6, 2023, to establish public-private partnerships between NCTCOG and project teams to scope Zero-Emission Vehicle (ZEV) infrastructure projects and submit an application to the Charging and Fueling Infrastructure (CFI) Corridor Program and other federal and state funding opportunities. NCTCOG received twelve proposals by

the deadline of April 7, 2023. Corridor Program recommendations are to coordinate with proposal teams to refine project scopes for a Federal Highway Administration (FHWA) proposal: hydrogen refueling near Alliance Texas Mobility Innovation Zone, Southern Dallas County Inland Port, and around Texas Triangle for up to seven hydrogen refueling stations at \$11 million in federal funding estimated per station, and a local freight electric truck depot in Denton with \$5 million in federal funding estimated. Eligibility for the Community Programs includes projects designed to reduce greenhouse gas emissions and to expand or fill gaps in access to infrastructure. Because of extensive local government interest in building additional infrastructure, NCTCOG recommendation and approach for the Community Program is to apply on behalf of the region for funding to build up to 100 electric vehicle charging stations regionwide with at least 50 percent in Justice40 areas, emphasizing focus areas, creating specialized technical teams to streamline project implementation, and to pursue the maximum award of \$15 million Jared requested that public entities submit letters of support to NCTCOG by May 19, 2023. The application deadline is May 30, 2023. Additional details presented in Electronic Item 4.

A motion was made to recommend Regional Transportation Council approval for the North Central Texas Council of Governments (NCTCOG) to pursue funding from the Federal Highway Administration Charging and Fueling Infrastructure Discretionary Grant Program for two grant categories: 1) Corridor Program – develop an application to build up to seven hydrogen refueling sites near Alliance Texas Mobility Innovation Zone, Southern Dallas County Inland Port, and around the Texas Triangle, and a local freight Electric Truck Depot in Denton; 2) Community Program – develop an application to build up to 100 electric vehicle charging stations throughout the region to demonstrate the effectiveness of specialized technical teams for implementation. Melissa Baker (M); Kelly Porter (S). The motion passed unanimously.

5. **Director of Transportation Report on Selected Items:** Michael Morris briefly highlighted several items for the Committee. The US 75 Technology Lanes review of lighting sequence, Texas Department of Transportation (TxDOT) and local government lighting agreements implementation will be moving forward for safety reasons. He noted Tennessee's, Atlanta's, and Washington D.C.'s advancement of P3s or public-private partnerships. Michael encouraged anyone who wants to be Friends of the Texas Department of Transportation Safety Committee to email him or Natalie Bettger of the North Central Texas Council of Governments. Michael and State Representative Yvonne Davis will testify to the Special Bonds Committee on May 4, 2023, regarding Category 12 funding and the Regional Transportation Council's (RTC) partnership with TxDOT. The RTC, the Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth area, transmitted correspondence requesting its \$100 million back from the Texas Commission on Environmental Quality (TCEQ). Michael briefed the Committee on the City of Dallas/Dallas Area Rapid Transit (DART) Silver Line Rail mediation. Also, progress is being made on mediations with Burlington Northern Santa Fe and transit authorities regarding the Trinity Railway Express and advancement of the BUILD grant.
6. **Federal and State Legislative Update:** Rebekah Gongora provided an update on federal and State legislative actions related to transportation and air quality issues affecting the Dallas-Fort Worth area. Transportation issues continue to be a focus for both the United States Congress and the Texas Legislature. In regard to committee hearings, the House Subcommittee on Highways and Transit met on March 28 to discuss the implementation of the Infrastructure Investment and Jobs Act and focused on Buy America challenges, permitting delays, supply chain disruptions, inflation, discretionary grant process, and

workforce development. The House Transportation and Infrastructure schedule has upcoming hearings on Federal Aviation Administration reauthorization, pipeline safety reauthorization, and the Water Resources Development Act for 2024. Rebekah noted that the House approved House Bill 1, a \$302.6 billion budget on April 6, 2023, with \$136.9 billion in General Revenue spending and \$37.1 billion for the Texas Department of Transportation (TxDOT). Article VII was also approved with Transportation amendments including the I-20 Passenger Rail Project with \$10 million in matching funds if the federal grant is awarded, a United Transportation Program (UTP) 10 percent discretionary cap, a federal funding report, and outreach and education programs on transportation safety. The Senate approved HB 1, a \$308 billion budget on April 17, 2023, with \$141.3 billion in General Revenue spending and \$37.4 billion for TxDOT. Article VII, which was also approved, included the following Transportation amendments: \$10 million in federal funds for the Southern Gateway Deck Park Phase 2 Project, if it meets federal funding requirements and grant is awarded. Rebekah provided information on bills of interest regarding transportation funding. Senate Bill (SB) 505 would create an additional \$400 registration fee on most new electric vehicles and \$200 registration renewal fee for all existing electric vehicles (approved in Senate Committee and by Full House on April 27, 2023). SB 1232 would extend Proposition 1 by eight years (approved in Senate and referred to House Appropriations on April 24, 2023). Senate Concurrent Resolution (SCR) 2 would extend Proposition 7 by 10 years (approved in Senate and in House Appropriations on April 20, 2023). House Joint Resolution (HJR) 144 would authorize the use of money in the State Highway fund for roadways for seaports, airports, spaceports, land ports of entry, and international bridges (approved in House and referred to Senate Transportation on April 24, 2023). Bills of interest regarding safety include SB 1663, which would permit authority of a city to alter speed limits (approved in Senate and by House Committee on April 26, 2023, and HB 2224 approved in the House on April 20, 2023). HB 898 would increase penalties for Move Over Law or Slow Down (approved in House on April 25, 2023, and referred to Senate Transportation on April 26, 2023). Bills of Interest regarding temporary tags include HB 718, regarding the issuance of metal plates (approved by House Committee and placed on House calendar for May 1, 2023). HB 914 would establish temporary tag tampering penalties (approved in House and referred to Senate Criminal Justice on April 13, 2023). Bills of interest on air quality include SB 784, which would permit regulation of emissions by local governments (approved in Senate and in House Committee on April 18, 2023). SB 1017 would provide authority to regulate an energy source or engine (approved by Senate and House on April 26, 2023). Bills of interest on electric vehicles include SB 1001 which would regulate vehicle charging equipment (approved in Senate and in House Committee on April 24, 2023). SB 1732 addresses standards for charging stations (approved in Senate and by the House Committee on April 26, 2023). A Bill of interest regarding technology includes SB 2144, which would create an advanced air mobility technology advisory committee (approved in Senate and in House on April 27, 2023). Bills of Interest regarding Broadband include SB 1238 which would amend and update current law relating to broadband development (approved in Senate and in House State Affairs on April 20, 2023). HB 9 and HJR 125, regarding the development and funding of broadband (approved in House on April 27, 2023).

7. **Regional Scrap Tire Program:** Nicholas Vanhaasen briefly highlighted several items for the Committee regarding the Regional Scrap Tire Program. Some challenges related to scrap tires include that scrap tires are expensive and inconvenient for citizens to properly dispose of; “Mom & Pop” shops typically lack the resources for proper disposal of large quantities of tires; difficulty with enforcement and prosecution due to a lack of ordinances and education; illegal dumping on roadways, creeks, and private property; rural areas

typically experience more illegal dumping than urban areas; and lack of adequate markets. Nick explained the proper end-of-life tire cycle through the Texas Commission on Environmental Quality's (TCEQ) "Scrap Tire Management Stream from Generator to End-Use Facility" graphic.: The total number of illegally dumped tires known by the TCEQ has decreased from 14,359,826 in April of 2018 to 12,185,301, as of May 2022. The Regional Tire Program, part of the Air Quality Initiatives recently received a commitment of \$490,000 from the Regional Transportation Council (RTC). A portion of this funding goes toward the continuation of a Regional Tire Task Force, an inter-department partnership and external subject-matter expert collaborative group created in December of 2021 to strategize development and implementation and to address regional scrap tire management in the 16-county region. The Task Force created the Regional Scrap Tire Model Ordinance, a unified and comprehensive plan with provisions a city and county can adopt and edit. The Model Ordinance was developed using the City of Dallas' updated ordinance as a template and then edited to incorporate aspects of Houston's ordinance. More information provided at <https://www.nctcog.org/envir/materials-management/regional-tire-task-force>. Sustainable tire recycling is one of 20 policies in the recently adopted Mobility Plan that cities and counties can voluntarily participate in to receive Transportation Development Credits (TDCs) by developing a plan, ordinance, or policy for transportation refuse recycling, or implement elements of a transportation refuse recycling plan. The Sustainable Tire Policy would receive three points maximum. Current proposed tire legislation. Nicholas highlighted current proposed tire legislation: HB 3282, HB 3352, and HB1502. Maps and additional information were provided in Electronic Item 7.

8. **Walk to School Promotion 2023:** Shawn Conrad provided an overview of activities planned for the 2023 Walk to School Day promotion and information for participation. Walk to School Day is an annual event where students from across the nation walk to school on the same day. Community presence on the streets serves as a reminder to help create calm, safe routes to school for students to walk and bicycle. This year, Walk to School Day is scheduled for October 4, 2023. Statistics show that students that walk or bike to school show up more alert and ready to learn. The event spotlights the benefits of active transportation to school, as well as the importance of safety on our community's roadways. The North Central Texas Council of Governments provided safety-related prizes and promotional items to schools to generate excitement and incentivize participation. The Dallas-Fort Worth region accounted for over half of the registered Walk to School Day events in the State of Texas. Staff encouraged everyone to save the date for Walk to School Day: Wednesday, October 4, 2023. Event preparation will begin in Spring 2023. Visit www.WalkBiketoSchool.com for more information about Walk to School Day and how-to guides for starting your own event. Municipalities were asked to collaborate with their local Independent School Districts and schools in their jurisdiction to hold joint events and raise community awareness. Contact Shawn Conrad at sconrad@nctcog.org for assistance in planning Walk to School Day events. To be added to the Walk to School Day 2023 mailing list, an interest form can be completed at www.nctcog.org/WalkToSchool. Additional information was included in Electronic Item 8.
9. **Air Quality Ozone: Federal vs. State:** Jenny Narvaez provided information on the national and state process for air quality standards and current local efforts to meet them. Sections 108 and 109 of the Clean Air Act govern the establishment, review, and revision, as appropriate, of the National Ambient Air Quality Standards (NAAQS) for each criteria pollutant to provide protection for the nation's public health and the environment. The Environmental Protection Agency (EPA) is required to review the NAAQS every five years, which may or may not result in revision. If the EPA recommends a revision, the state has

one year to recommend designated areas to the EPA, which the EPA reviews. One year after, the EPA will make formal designations of nonattainment areas with associated classifications (marginal, moderate, serious, etc.). The state then has to develop State Implementation Plans (SIP) revisions showing how nonattainment areas will attain the standards by the designated due date. If an area fails to attain the standard, EPA will reclassify the area to a higher classification and give the area more time to attain. Federal standards are reviewed by the Clean Air Scientific Advisory Committee (CASAC), which is an independent scientific review committee composed of seven members including: a member of National Academy of Sciences, a physician, and a State Air Pollution Control Agency representative. This committee reviews assessments and makes a recommendation to the EPA Administrator. This process involves planning, assessment, and rulemaking. The planning part includes consideration of new scientific information, policy-relevant issues, and other factors in developing plans for the review. Assessments entail an analysis of current scientific information, and its policy implications, particularly with regard to standards (indicator, averaging time, form, and level). The overall process for EPA revision of NAAQS includes the following assessments: Integrated Science Assessment (ISA), Risk/Exposure Assessment (REA), and Policy Assessment (PA). SIP revisions show how a nonattainment area will improve air quality and meet the NAAQS by the attainment deadline. Failure to submit or implement a SIP or submission of a SIP that is unacceptable to the EPA can result in the starting of a Federal Implementation Plan (FIP) clock, a SIP call, and EPA sanctions clock. Sanctions can include cutting off federal highway funds and setting more stringent pollution offsets for certain emitters. Electronic Item 9.1 contained a copy of draft correspondence from the Regional Transportation Council to the Texas Commission on Environmental Quality. Details as presented were provided in Electronic Item 9.2.

10. **Fast Facts**: The following fast facts were provided by NCTCOG staff:

Aliyah Shaikh mentioned the Transportation Improvement Program Modification Submittal deadline, April 28, 2023, for the August 2023 cycle.

Travis Liska highlighted the Regional Sidewalk Geographic Information Systems Layer and mentioned completion of an assembly of sidewalk data layer. Details provided in Electronic Item 10.1.

Martin Bate noted the Fiscal Year 2024 – 2025 Policy Bundle’s early deadline was March 31, 2023, and the final deadline is May 31, 2023. More information provided at: www.nctcog.org/policybundle. He also announced the Certification of Emerging and Reliable Transportation Technology (CERTT) Round 2.

Jesse Brown highlighted pertinent information for the Auto Occupancy/High Occupancy Vehicle Quarterly Subsidy Report. Additional information was provided in Electronic Item 10.2.

Camille Fountain noted the Traffic Incident Management Executive Level Training is scheduled on May 4, 2023, at 10:00 am – 12:00 pm. Details provided in Electronic Item 10.3. She also mentioned the 2023-2024 Regional Safety Advisory Committee (RSAC) Team designations. Details provided in Electronic Item 10.4.

Nicholas Vanhaasen provided an update on the 2023 Ozone Season. Additional details provided in Electronic Item 10.5.

Trey Pope noted the Air Quality Funding Opportunities for Vehicles website, www.nctcog.org/aqfunding, which is updated with air quality funding opportunities for available vehicles and programs.

Trey Pope highlighted the Local Clean Air Project Spotlight on the replacement project for Bimbo Bakeries in Fort Worth (Tarrant County). Fort Worth was awarded one all-electric terminal truck with 100 percent NOx Emissions Reduction at location, implemented in November 2022, awarded \$172,264 with total project cost of \$384,001. Additional information was provided in Electronic Item 10.6.

Joslyn Billings highlighted upcoming Dallas-Fort Worth Clean Cities events and noted that the Solar In Your Community Workshop with the International City/County Management Association (ICMA), is scheduled on Friday, May 5, 2023, 9:00 am – 1:00 pm. Registration for the event and additional information on Clean Cities events is located at <https://www.dfwcleancities.org/events>.

Jackie Castillo mentioned that a public meeting was hosted on March 13. Presentations were provided on federal and local partnerships with Dallas Area Rapid Transit and the City of Dallas. Details provided in Electronic Item 10.7.

Taylor Benjamin noted that the Public Comments Report, which contained general public comments received from February 20, 2023, through March 19, 2023, was provided in Electronic Item 10.8.

Partner Progress Reports were provided in Electronic Item 10.9.

11. **Other Business (Old or New)**: There was no discussion on this item.
12. **Next Meeting**: The next meeting of the Surface Transportation Technical Committee is scheduled for 1:30 pm on May 26, 2023.

Meeting adjourned at 3:07 PM.