

**RESOLUTION APPROVING THE  
2005 TRANSPORTATION CONFORMITY DETERMINATION FOR THE  
DALLAS-FORT WORTH NINE-COUNTY NONATTAINMENT AREA THAT INCLUDES  
MOBILITY 2025: THE METROPOLITAN TRANSPORTATION PLAN, AMENDED APRIL 2005  
AND THE CORRESPONDING TRANSPORTATION IMPROVEMENT PROGRAMS  
R05-05**

**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 Governor of Texas, in 1974, designated the North Central Texas Council of Governments (NCTCOG) as the Metropolitan Planning Organization (MPO) for transportation planning in the Dallas-Fort Worth Metropolitan Area in accordance with Section 112 of the Federal Highway Act of 1973; and,

**WHEREAS**, the NCTCOG Regional Transportation Council (RTC) is the policy body for the MPO, comprised primarily of local elected officials overseeing the regional transportation planning process, and continues to be the forum for cooperative decisions on transportation; and,

**WHEREAS**, Title 23, United States Code (U.S.C.) Section 134 establishes that MPOs and a state's transportation agency will develop transportation plans and programs for urbanized areas of the State; and,

**WHEREAS**, the current RTC metropolitan planning area is 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 2005 Transportation Conformity was conducted in accordance with NCTCOG's approved public involvement procedures, including presentation of the conformity results and the conformity document at five public meetings and the

allowance of a 30-day comment period prior to RTC approval of the 2005 Transportation Conformity determination; and,

**WHEREAS**, 2005 Transportation Conformity has been recommended for approval to the RTC by the NCTCOG Surface Transportation Technical Committee.

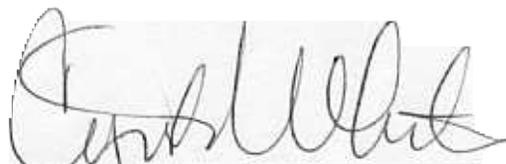
**NOW, THEREFORE, BE IT HEREBY RESOLVED:**

- Section 1.** That the Regional Transportation Council as the transportation policy body for the Metropolitan Planning Organization makes the initial conformity determination of the 2005 Transportation Conformity for the Dallas-Fort Worth nine-county nonattainment area.
- Section 2.** That the 2005 Transportation Conformity determination accounts for emissions based on roadway and transit usage according to Mobility 2025: Amended April 2005, 2004-2006 Transportation Improvement Program, 2006-2008 Transportation Improvement Program, and the Texas Department of Transportation project listing for the extended nonattainment area consisting of portions of Ellis, Johnson, Kaufman, and Parker Counties outside the metropolitan planning area.
- Section 3.** That the Mobility 2025: Amended April 2005, 2004-2006 Transportation Improvement Program, and 2006-2008 Transportation Improvement Program provide for the timely implementation of Transportation Control Measures (TCM) from the applicable State Implementation Plan (SIP).
- Section 4.** 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 5.** That this resolution shall be in effect immediately upon its adoption.



Jack Hatchell, P.E., Chair  
Regional Transportation Council  
Commissioner, Collin 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 April 14, 2005.



Cynthia White, Secretary  
Regional Transportation Council  
Commissioner, Denton County