

Transportation Staff Meeting

April 23, 2014

2:00 PM

CMGC: CH-14 (basement)

AGENDA

1. TIP Amendments & Conformity Determination (Cook)

Description:

TIP amendments for the following two projects are needed:

1. R-2248G: new interchange at Oakdale Road and I-485
2. U-2507AA: Mallard Creek Road to IBM Drive-construct new connector road and multi-use path.

A conformity determination will be required; however, a regional emissions analysis will *not* be required.

Attachment: Draft conformity determination report.

2. FY 15 Unified Planning Work Program (Cook)

Description:

Review the draft FY 15 UPWP. The TCC will be requested to act on the UPWP at the May meeting.

3. Annual Self-Certification (Cook)

Description:

23 CFR* 450.334 requires MPOs to annually certify to the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) that its planning process is addressing the major issues facing the urban area and is being conducted in accordance with all applicable requirements of various federal regulations and statutes. Action on the self-certification will be requested at the May TCC meeting.

Attachment: Self-certification checklist.

Phone Access Number: 704-432-5483

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Conformity Determination Report – Short Form

Charlotte Region Transportation Planning Organization (CRTPO) Process

Metropolitan Transportation Plan: **2040**
Transportation Improvement Program: **FY 2012-2018**

Nature of Action:

- Administrative Modification
- Amendment - Number **TIP# 01**
 - Planning Action Only
 - New Emissions Analysis Required

*A full list of all proposed changes is provided in **Appendix A**. Administrative Modifications and Planning Action Amendments do not impact financial constraint of the TIP or MTP, as any increase in federal funds will be drawn from existing program balances, as verified by the North Carolina Department of Transportation. There are also no changes to the scope or schedule of any non-exempt status project, as defined in 40 Code of Federal Regulations Part 93, which would require updating the regional emissions analysis.*

Date of Last Conforming Emissions Analysis:

May 2, 2014 - 2040 MTP and FY 2012-2018 TIP

The above dated Conformity Determination Report was found by FHWA and EPA to meet the transportation requirements of the Clean Air Act set forth in 40 Code of Federal Regulations Part 93. The Metrolina Non-Attainment Area for the 2008 8-hour ozone standard and the CO maintenance area meet all motor vehicle emissions budgets and conformity tests established through the State Implementation Plan and via Interagency Consultation.

Proposed Approval Dates:

*See attached conformity process schedule in **Appendix B***

Appendices:

- A. Proposed Project Changes*
- B. Conformity Process Schedule*
- C. Interagency Consultation*
- D. Public Participation Ads*
- E. Public/Agency Comments and Responses*
- F. Adoption, Endorsement Resolutions and Agency Determinations*

Report Preparation:

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Date: **July xx, 2014**

APPENDIX A

Proposed List of Changes for TIP Amendment # 01

WSMPO ID	NCDOT TIP Number	Project Title	Emissions Analysis Status	Programming Changes	Explanation of Need for Amendment	Requested by
276	R-2248G	I-485 (Western Outer Loop)/Oakdale Road – New Interchange	This project was included in the conforming 2040 MTP completed on 5/2/14.	NCDOT has secured funding for the projects and is being added to the TIP FY 2015 ROW 200 Construction 3100	Moving funds into the 4 Year funding horizon in the STIP requires TIP amendment and Conformity Determination on Non-Exempt projects. This project will require a TIP Amendment	NCDOT
288	U-2507AA	IBM Connector-Mallard Creek Road to IPM Drive	This project was included in the conforming 2040 MTP completed on 5/2/14	NCDOT has secured funding for the projects and is being added to the TIP FY 2015 ROW 100 Construction 1700 Total 1800	Moving funds into the 4 Year funding horizon in the STIP requires TIP amendment and Conformity Determination on Non-Exempt projects. This project will require a TIP Amendment	NCDOT

**Charlotte Regional Transportation Planning Organization
FY 2014 Self-Certification Checklist**

23 CFR* 450.334 requires MPOs to annually certify to the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) that its planning process is addressing the major issues facing the urban area and is being conducted in accordance with all applicable requirements of various federal regulations, statutes, etc.

The following checklist assists staff as it conducts the self-certification process. Each question is followed by staff's response, and if necessary, additional explanation.

1. Is the MPO properly designated by agreement between the Governor and 75% of the urbanized area, including the central city, and in accordance in procedures set forth in state and local law (if applicable)? [23 U.S.C. 134 (b); 49 U.S.C. 5303 (c); 23 CFR 450.306 (a)]
2. Does the policy board include elected officials, major modes of transportation providers and appropriate state officials? [23 U.S.C. 134 (b); 49 U.S.C. 5303 (c); 23 CFR 450.306 (i)]
3. Does the MPO boundary encompass the existing urbanized area and the contiguous area expected to become urbanized within the 20-yr forecast period? [23 U.S.C. 134 (c), 49 U.S.C. 5303 (d); 23 CFR 450.308 (a)]
4. Is there a currently adopted Unified Planning Work Program (UPWP)? 23 CFR 450.314
 - a. Is there an adopted prospectus?
 - b. Are tasks and products clearly outlined?
 - c. Is the UPWP consistent with the LRTP?
 - d. Is the work identified in the UPWP completed in a timely fashion?
5. Does the area have a valid transportation planning process?
23 U.S.C. 134; 23 CFR 450
 - a. Is the transportation planning process continuous, cooperative and comprehensive?
 - b. Is there a valid LRTP?
 - c. Did the LRTP have at least a 20-year horizon at the time of adoption?
 - d. Does it address the 8-planning factors?
 - e. Does it cover all modes applicable to the area?
 - f. Is it financially constrained?
 - g. Does it include funding for the maintenance and operation of the system?
 - h. Does it conform to the State Implementation Plan (SIP) (if applicable)?
 - i. Is it updated/reevaluated in a timely fashion (at least every 4 or 5 years)?
6. Is there a valid TIP? 23 CFR 450.324, 326, 328, 330, 332
 - a. Is it consistent with the LRTP?
 - b. Is it fiscally constrained?
 - c. Is it developed cooperatively with the state and local transit operators?
 - d. Is it updated at least every 4 years and adopted by the MPO and the Governor?

7. Does the area have a valid Congestion Management Process (CMP)? 23 CFR 450.320
 - a. Is it consistent with the LRTP?
 - b. Was it used for the development of the TIP?
 - c. Is it monitored and reevaluated to meet the needs of the area?

8. Does the area have a process for including environmental mitigation discussions in the planning process?
 - a. How?

9. Does the planning process meet the following requirements:
 - a. 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;
 - b. In nonattainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 CFR part 93;
 - c. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
 - d. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
 - e. Section 1101(b) of the SAFETEA-LU (Pub. L. 109-59) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
 - f. 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
 - g. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38;
 - h. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
 - i. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
 - j. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.
 - k. All other applicable provisions of Federal law. (i.e. Executive Order 12898)

10. Does the area have an adopted PIP/Public Participation Plan? 23 CRR 450.316 (b)(1)
 - a. Did the public participate in the development of the PIP?
 - b. Was the PIP made available for public review for at least 45-days prior to adoption?
 - c. Is adequate notice provided for public meetings?
 - d. Are meetings held at convenient times and at accessible locations?
 - e. Is the public given an opportunity to provide oral and/or written comments on the planning process?
 - f. Is the PIP periodically reviewed and updated to ensure its effectiveness?
 - g. Are plans/program documents available in an electronic accessible format, i.e. MPO website?

11. Does the area have a process for including environmental, state, other transportation, historical, local land use and economic development agencies in the planning process?
SAFETEA-LU
 - a. How?

** Code of Federal Regulations*