

Durham-Chapel Hill-Carrboro (DCHC)

Metropolitan Planning Organization

Review of MPO Boundaries, Structure and Governance

(MPO Bill) Section 5

Article 16 of Chapter 136 of General Statute

G.S. 136-200.2

June 8, 2005

Introduction

Following each census, and more frequently if requested, the North Carolina General Statute 136-200.2 requires the Governor and Secretary of Transportation, in cooperation with the affected MPO, to perform an evaluation of the boundaries, structure and governance of each MPO in the State. Also, the DCHC MPO is required, by North Carolina General Statutes 136-200.2 and 136-200.4(C), shown in Appendix A, to submit a mandatory evaluation report to NCDOT by June 15 2005. The aforementioned statutes require each MPO located, in whole or in part, in areas designated as non-attainment, to complete an evaluation process and submit findings and recommendations to NCDOT within one year of the effective date of designation a non-attainment. For DCHC this date is June 30, 2004.

The following report presents the DCHC MPO evaluation report as mandated by the General Status. DCHC MPO encompasses all of Durham County and portions of Orange County and Chatham County. The Capital Area MPO (CAMPO) and is contiguous to the DCHC MPO. Based on the 2000 Census Urbanized Area Boundary (UZA), a very small portion of Durham County is inside the CAMPO urbanized area boundary and similarly, a silver of Wake County is inside the DCHC urbanized area boundary.

Based on the findings of this evaluation, changes to the MPO boundary are not required. However, changes to the Metropolitan Area Boundary will be considered in order to adequately plan for the year 2040. As directed by the Transportation Advisory Committee at its December 8, 2004 meeting, the TCC will evaluate possible expansion of the MPO and the MAB as part the next part of the next plan update. The MPO Governance and Structure may be changed or modified at that time.

The DCHC and CAMPO MPOs formed various joint committees and other regional structures for the regional model, regional land use and socio-economic forecasts, long-range transportation plans, transit issues, etc.

Also, the DCHC MPO and CAMPO, in March of 2004 approved a Memorandum of Agreement which formalized the cooperation between the two MPOs.

FACTORS FOR EVALUATION OF THE DCHC MPO:

1- Existing and projected future commuting and travel patterns and urban growth projections.

Response:

As required by federal and State laws, the DCHC MPO Metropolitan Area Boundary (MAB) was established based on the existing and projected commuting and travel patterns as well as urban growth projections (Appendix B). Federal regulations require that the DCHC MPO include, at the minimum, all of the urbanized areas as defined by the US Census Bureau and “contiguous are expected to be urbanized within a 20-year horizon period”. Accordingly, the Metropolitan Area Boundary of the DCHC MPO, adopted by the Transportation Advisory Committee (TAC) on November 11, 2004, met the above requirements, except a small portion that extend into CAMPO. However, by a joint letter of agreement between the DCHC MPO and CAMPO, the planning requirements are met. The following summarizes responses to this factor:

- The 2000 Census Urbanized Area (UZA) boundary is entirely within the existing Metropolitan Area Boundary (MAB), with the exception of a small area that extends into the MAB of the Capital Area MPO. There is also a small portion of CAMPO UZA that extends into the MAB of the DCHC MPO. Since these portions are currently included in the DCHC and CAMPO metropolitan area boundaries, a letter of agreement between DCHC MPO and CAMPO, confirming that each MPO will undertake planning in the respective area, was signed by both TAC chairs. The letter of agreement was, shown as attachment 1.0 was endorsed by the Federal Highway Administration.
- The smoothed UZA boundary was approved by the TAC on January 15, 2003. The smoothed UZA is also contained within the existing MAB.
- UZA boundaries for DCHC and CAMPO do not abut at this time.
- Existing urban growth boundaries for the City of Durham, Durham County, Town of Chapel Hill, Town of Carrboro, Town of Hillsborough, and Orange County are all within the existing MAB.
- Expansion of the MPO and consequently the MAB to be evaluated as part of the update of the next Long Range Transportation Plan (LRTP). Consideration of MPO expansion to include the whole of Orange County, more of Chatham County, Town of Pittsboro, Town of Roxboro and Butner, Granville County and Person County. A recommendation regarding expansion of the MPO will be presented to the TCC and TAC in 2006, as part of the next LRTP update.

2- Integration of planning with existing regional transportation facilities, such as airports, seaports, major interstate and intrastate road and rail facilities.

Response:

The MPO recognizes the need to ensure regional integration, connectivity and access in the transportation system. The intrastate highway systems, regional significant highway and fixed guideway transit systems, airport access, freight transportation as well as other multi-modal facilities have been included in 2030 Long Range Transportation Plan and the Transportation

Improvement Program. Specific areas in which the MPO integrates planning with regional facilities are summarized as follows:

- The DCHC MOU provides for coordination, through TCC membership, with Triangle Transit Authority (TTA) and the Raleigh-Durham International Airport Authority. A Memorandum of Agreement between the MPO and TTA was approved by the TAC in April 2005 (Attachment 2.0).
- Planning for the proposed Triangle Transit Authority-administered regional rail system between Raleigh and Durham is being coordinated with DCHC and CAMPO MPO. The proposed rail system is in the MPO 2030 LRTP and current MTIP.
- I-40 High Occupancy Vehicle (HOV) facility is included in the MPO 2030 LRTP.
- Feasibility studies and subsequent decision-making for an HOV facility on Interstate 40 are being coordinated between the DCHC MPO, the CAMPO, and NCDOT.
- The Triangle Travel Demand Model is a multi-modal tool used for planning highway and bus transit services within the CAMPO and DCHC region.
- A fixed-guideway transit corridor between Duke University in Durham and UNC in Chapel Hill is proposed in the LRTP.

3- Conformity with and support for existing or proposed regional transit and mass transportation programs and initiatives.

Response:

The MPO has demonstrated a firm commitment to support existing and proposed regional transit and mass transportation. This is evidenced in the proportion of transit in the LRTP compared to the overall transportation systems. The current and MTIP continue this commitment and support for public transportation systems, both regional and local. Other specific areas of support for existing and proposed regional and local public transportation are summarized as follows:

- Regular meetings between the staff and officials of Raleigh, Durham, Cary, and Chapel Hill, and the Triangle Transit Authority, are being held regarding coordination of local transit systems and integration into a seamless regional transit system.
- Planning studies for a fixed-guideway transit facility in the US 15-501 corridor between Durham and Chapel Hill, and in the NC 54/I-40 corridor between Chapel Hill and the Research Triangle Park, have been completed and/or are anticipated.
- Regional rail service between Raleigh and Durham is identified in the long range transportation plans for both the DCHC MPO and CAMPO.

4- Boundaries of existing or proposed federally designated air quality non-attainment areas or air-quality maintenance regions.

Response:

The whole of Durham and Orange Counties, and portions of Chatham County are designated as non-attainment areas for Ozone under the 8-hour standard.

- The current air quality maintenance area includes Wake County, Durham County, and Dutchville Township of Granville County. The MAB for DCHC includes all of Durham County. Dutchville Township is not within the current MAB for DCHC MPO but will be considered as part of the next plan update.
- EPA's 8-hour ozone non-attainment boundary for the Raleigh-Durham region includes all of the current MAB for DCHC MPO and CAMPOs, plus substantial areas outside of the MABs. Expansion of the MAB of DCHC to include consideration of additional areas within the airshed boundary (e.g., the whole of Orange County, more of Chatham County, portions of Person County and Dutchville Township of Granville County) . A recommendation regarding these areas will be presented to the TCC and TAC in 2006 as part of the next plan update.

5- Metropolitan Statistical Area boundaries (MSAs).

Response:

The current MAB does not include all area contained within the Durham Metropolitan Statistical Area (SMA). However, the remaining areas, portions of Orange and Chatham counties as well as Person County will be considered as part of the next plan update.

- The current DCHC MAB is contained within the Durham MSA - defined as Durham, Orange, Chatham, and Person counties by the Office of Management and Budget (7/10/2003).
- A high degree of economic and social integration within the region and its core cities is indicated by designation as an MSA.
- The need to incorporate additional area within the MSA into the MAB is presently being evaluated by MPO staff and will be considered as part of the proposed MPO expansion.

6- Existing or proposed cooperative regional planning structures.

Response:

The DCHC MPO and CAMPO agreed to participate in a continuing, cooperative and comprehensive regional transportation planning through an entity known as the Triangle Metropolitan Planning Organizations Coordinating Council (TMPOCC). Essentially, TMPOCC is an advisory group to the two MPOs. The Memorandum of Agreement (MOA), shown as attachment 6.0, was mutually endorsed by the transportation advisory committees of the two MPO. The MPO also engages in the following cooperative regional planning:

- Four member municipalities in the CAMPO and DCHC region (City of Raleigh, City of Durham, Town of Cary, and Town of Chapel Hill) have formed a commission of mayors which meets regularly to discuss transportation issues.
- The current MOU requires the coordination of policies, plans, and programs that have regional impacts with the TTA, CAMPO, RDU, and Triangle J Council of Governments.
- Subcommittees of the DCHC MPO and CAMPO Technical Coordinating Committees (TCCs) meet occasionally to discuss matters of regional significance and interest.

- Planning Directors of local jurisdictions within the Triangle and TJCOG meet regularly to discuss boundary matters as well as regional issues.
- DCHC MPO participates in the Triangle regional demographic forecasting taskforce.
- Transit operators in the Triangle meet regularly to discuss cooperative transit planning issues, including but not limited to seamless transit planning and coordination.
- The DCHC and CAMPO MPOs, the Triangle Transit Authority, and the NCDOT are actively developing an update to the current Tranplan-based Triangle Regional Travel Demand Model (TRM) and a new TransCad-based regional model. The TRM Service Bureau, within the Institute for Transportation Research and Education (part of NCSU), was formed through an agreement between the aforementioned partners to coordinate the development of and enhancements to the TRM.

7- Administrative efficiency, availability of resources, and complexity of management.

Response:

The MPO continually strives to achieve administrative efficiency with the current available resources and funding planning funds allocation formula.

- DCHC MPO includes three counties and four municipalities. Increasing the number of member agencies through expansion of the MAB, to include the whole of Orange County, more of Chatham County, Town of Pittsboro, Town of Roxboro and Butner, Granville County and Person County, is being considered.
- Unfunded mandates by the State (such as the requirements for the development of the Comprehensive Transportation Plan, CTP, and Mandatory Evaluation and Report) will continue to strain the limited resources available for planning.
- Consolidation with CAMPO is not desired due to, in part, uncertainty regarding availability of additional funding, concern about increasing complexity of large MPO administration, and potential diminishing of the interests of smaller jurisdictions.
- The City of Durham is designated as the Lead Planning Agency (LPA) for the DCHC MPO. Given the nature of planning efforts required for Transportation Management Areas (TMAs) and air quality non-attainment areas (DCHC MPO is both a TMA and non-attainment area, it is desirable that NCDOT revisit planning fund allocation. Current planning funds allocation formula which distributes funds to MPOs by 50% equal share and 50% population does not consider the additional burdens placed upon large MPOs that are designated as TMA and non-attainment.
- The MAB falls within three administrative divisions of the NCDOT: Division 5 (Durham County), Division 7 (Orange County), and Division 8 (Chatham County). This arrangement complicates development and administration of the TIP. It would be desirable for the MAB to be within one division.
- DCHC MPO and CAMPO worked together in coordinating air quality conformity modeling and reporting. Better coordination was achieved in the development of the first Triangle Regional Conformity Analysis and Determination Report (Appendix C). This is consistent with the necessity of a single coordinated conformity report has been suggested by the Environmental Protection Agency (EPA) and the North Carolina Department of Environment and Natural Resources (NCDENR).

8- Feasibility of the creation of interstate metropolitan planning organizations.

Response:

The creation of an Interstate Metropolitan Planning Organization is not feasible or application since the MPO does not abut with another State.

- Not Application.

9- Governance structures. The Governor and Secretary of Transportation, in cooperation with existing metropolitan planning organizations and local elected officials, may consider the following changes to the structure of existing metropolitan planning organizations:

- a) Expansion of existing metropolitan planning organization boundaries to include areas specified in 23 U.S.C. § 134(c).
 - Expansion of the MAB is not required since the UZA and local growth boundaries are contained within the existing MAB.
- b) Consolidation of existing contiguous metropolitan planning organizations in accordance with the re-designation procedure specified in 23 U.S.C. § 134(b).
 - The DCHC MPO and CAMPO agreed to participate in a continuing, cooperative and comprehensive regional transportation planning through an entity known as the Triangle Metropolitan Planning Organizations Coordinating Council (TMPOCC). The Memorandum of Agreement (MOA) which established this advisory group was mutually endorsed by the transportation advisory committees of the two MPO.
 - A strong financial incentive for DCHC to consolidate with CAMPO is desired. A greater share of funding through the equity formula is desired.
 - Loss of sensitivity to local issues is a concern with consolidation.
 - Administrative streamlining and increased competitiveness for funding is desired as a benefit of consolidation. Consideration should be given to making NCDOT Division boundaries analogous to a consolidated MPO boundary.
 - Census-defined UZAs for DCHC and CAMPO do not abut.
- c) Creation of metropolitan planning organization subcommittees with responsibility for matters that affect a limited number of constituent jurisdictions, as specified in a memorandum of understanding re-designating a metropolitan planning organization in accordance with the provisions of 23 USC § 134.
 - Not applicable since the MPO has not re-designated in accordance with the provisions of 23 USC § 134.
- d) Formation of joint committees or working groups among contiguous non-consolidated metropolitan planning organizations, with such powers and responsibilities as may be delegated to such joint committees pursuant to their respective memoranda of understanding.

- The mayors of Raleigh, Durham, Cary, and Chapel Hill meet periodically outside of the MPO structures to discuss regional transportation issues such as consolidation of local and regional transit systems.
 - The DCHC MPO and CAMPO agreed to participate in a continuing, cooperative and comprehensive regional transportation planning through an entity known as the Triangle Metropolitan Planning Organizations Coordinating Council (TMPOCC). The Memorandum of Agreement (MOA) which established this advisory group was mutually endorsed by the transportation advisory committees of the two MPO.
 - The DCHC and CAMPO MPOs, the Triangle Transit Authority, and the NCDOT are actively developing an update to the current Tranplan-based Triangle Regional Travel Demand Model (TRM) and a new TransCad-based regional model. The TRM Service Bureau, within the Institute for Transportation Research and Education (part of NCSU), was formed through an agreement between the aforementioned partners to coordinate the development of and enhancements to the TRM. Technical Staffs from both MPO routinely meet to discuss regional matters as well coordinate issues of regional significance.
 - Planning Directors of local jurisdictions within the Triangle and TJCOG meet regularly to discuss boundary matters as well as regional issues.
 - DCHC MPO participates in the Triangle regional demographic forecasting taskforce.
 - Transit operators in the Triangle meet regularly to discuss cooperative transit planning issues, including but not limited to seamless transit planning and coordination.
- e) Creation of interstate compacts pursuant to 23 U.S.C. § 134(d) to address coordination of planning among metropolitan planning organizations located in this State and contiguous metropolitan planning organizations located in adjoining states.
- Not applicable.
- f) Delegation by the governing board of a metropolitan planning organization of part or all of its responsibilities to a regional transportation authority created under article 27 of Chapter 160A of the General Statutes, if the regional transportation authority is eligible to exercise that authority under 23 U.S.C. § 134.
- Responsibilities of the MPO have not been delegated to a regional transportation authority. There is no desire to do so at this time.

Optional Governance Provisions:

- 1- Distribution of voting power among the constituent counties, municipal corporations, and other participating organizations on a basis or bases other than population.
 - Weighted voting is based on rough proportionality of population. No change is desired at this time.
- 2- Membership and representation of regional transit or transportation authorities or other regional organizations in addition to membership of counties and municipal

corporations.

- The MOU and Bylaws of the TAC provide for a representative from the Triangle Transit Authority (non-voting member) and a member of the North Carolina Board of Transportation (voting member) to serve as members. In addition, representatives from other local, state and/or federal agencies are allowed to participate and serve on the TCC at the invitation of the TAC.
 - Non-local government agencies named as voting members of the TCC are the FHWA, NCDOT, Triangle “J” COG, Duke University, NC Central University, UNC, Raleigh-Durham Airport Authority, Triangle Transit Authority, the RTP Foundation and Carolina Trailways.
 - A member of the DCHC MPO staff routinely attends the TCC meetings of CAMPO and the Triangle RPO as a non-member, and the Kerr Tar RPO as an ex-officio non voting member.
- 3- Requirements for weighted voting or supermajority voting on some or all issues.
- The MOU and Bylaws provide for weighted voting, however, weighted voting is not customarily used.
 - The MOU and Bylaws allow the approval of matters through a simple majority vote; however, a committee member may invoke a weighted vote on any matter.
 - No changes are desired at this time.
- 4- Provisions authorizing or requiring the delegation of certain decisions or approvals to less than the full-voting membership of the metropolitan planning organization in matters that affect only a limited number of constituent jurisdictions.
- The MOU does not provide for delegation of decisions. No consideration is being given to do so at this time.
- 5- Requirements for rotation and sharing of officer positions and committee chair positions in order to protect against concentration of authority within the metropolitan planning organization.
- The Bylaws of the TAC specify that the chair shall be rotated among the member jurisdictions represented in Durham, Orange, and Chatham counties.
- 6- Any other provision agreed to by the requisite majority of jurisdictions constituting the metropolitan planning organization.
- The MOU establishes the City of Durham as the Lead Planning Agency. A change to that arrangement is not being considered at this time.

APPENDIX A

Section 5. Article 16 of Chapter 136 of the General Statutes is amended by adding a North Carolina General Statute

Section 5. Article 16 of Chapter 136 of the General Statutes is amended by adding a North Carolina General Statute

"§ 136-200.2. Decennial review of metropolitan planning organization boundaries, structure, and governance.

(a) Evaluation. -- Following each decennial census, and more frequently if requested by an individual metropolitan planning organization, the Governor and the Secretary of Transportation, in cooperation with the affected metropolitan planning organization or organizations, shall initiate an evaluation of the boundaries, structure, and governance of each metropolitan planning organization in the State. The goal of the evaluation shall be to examine the need for and to make recommendations for adjustments to metropolitan planning organization boundaries, structure, or governance in order to ensure compliance with the objectives of 23 U.S.C. § 134. The Secretary shall submit a report of the evaluation process to the Governor and to the Joint Legislative Transportation Oversight Committee.

(b) Factors for Evaluation. -- The evaluation of the area, structure, and governance of each metropolitan planning organization shall include all of the following factors:

(1) Existing and projected future commuting and travel patterns and urban growth projections.

(2) Integration of planning with existing regional transportation facilities, such as airports, seaports, and major interstate and intrastate road and rail facilities.

(3) Conformity with and support for existing or proposed regional transit and mass transportation programs and initiatives.

(4) Boundaries of existing or proposed federally designated air quality non-attainment areas or air-quality management regions.

(5) Metropolitan Statistical Area boundaries.

(6) Existing or proposed cooperative regional planning structures.

(7) Administrative efficiency, availability of resources, and complexity of management.

(8) Feasibility of the creation of interstate metropolitan planning organizations.

(9) Governance structures, as provided in subsection (c) of this section.

(c) Metropolitan Planning Organization Structures. – The Governor and Secretary of Transportation, in cooperation with existing metropolitan planning organizations and local elected officials, may consider the following changes to the structure of existing metropolitan planning organizations:

(1) Expansion of existing metropolitan planning organization boundaries to include areas specified in 23 U.S.C. § 134(c).

(2) Consolidation of existing contiguous metropolitan planning organizations in accordance with the re-designation procedure specified in 23 U.S.C. § 134(b).

(3) Creation of metropolitan planning organization subcommittees with responsibility for matters that affect a limited number of constituent jurisdictions, as specified in a memorandum of understanding re-designating a metropolitan planning organization in accordance with the provisions of 23 U.S.C. § 134.

(4) Formation of joint committees or working groups among contiguous non-consolidated metropolitan planning organizations, with such powers and responsibilities as may be delegated to such joint committees pursuant to their respective memoranda of understanding.

(5) Creation of interstate compacts pursuant to 23 U.S.C. § 134(d) to address coordination of planning among metropolitan planning organizations located in this State and contiguous metropolitan planning organizations located in adjoining states.

(6) Delegation by the governing board of a metropolitan planning organization of part or all of its responsibilities to a regional transportation authority created under article 27 of Chapter 160A of the General Statutes, if the regional transportation authority is eligible to exercise that authority under 23 U.S.C. § 134.

(d) Optional Governance Provisions. -- In addition to any other provisions permitted or required pursuant to 23 U.S.C. § 134, the memorandum of understanding, creating, enlarging, modifying, or restructuring a metropolitan planning organization may also include any of the following provisions relating to governance:

(1) Distribution of voting power among the constituent counties, municipal corporations, and other participating organizations on a basis or bases other than population.

(2) Membership and representation of regional transit or transportation authorities or other regional organizations in addition to membership of counties and municipal corporations.

(3) Requirements for weighted voting or supermajority voting on some or all issues.

(4) Provisions authorizing or requiring the delegation of certain decisions or approvals to less than the full-voting membership of the metropolitan planning organization in matters that affect only a limited number of constituent jurisdictions.

(5) Requirements for rotation and sharing of officer positions and committee chair positions in order to protect against concentration of authority within the metropolitan planning organization.

(6) Any other provision agreed to by the requisite majority of jurisdictions constituting the metropolitan planning organization.

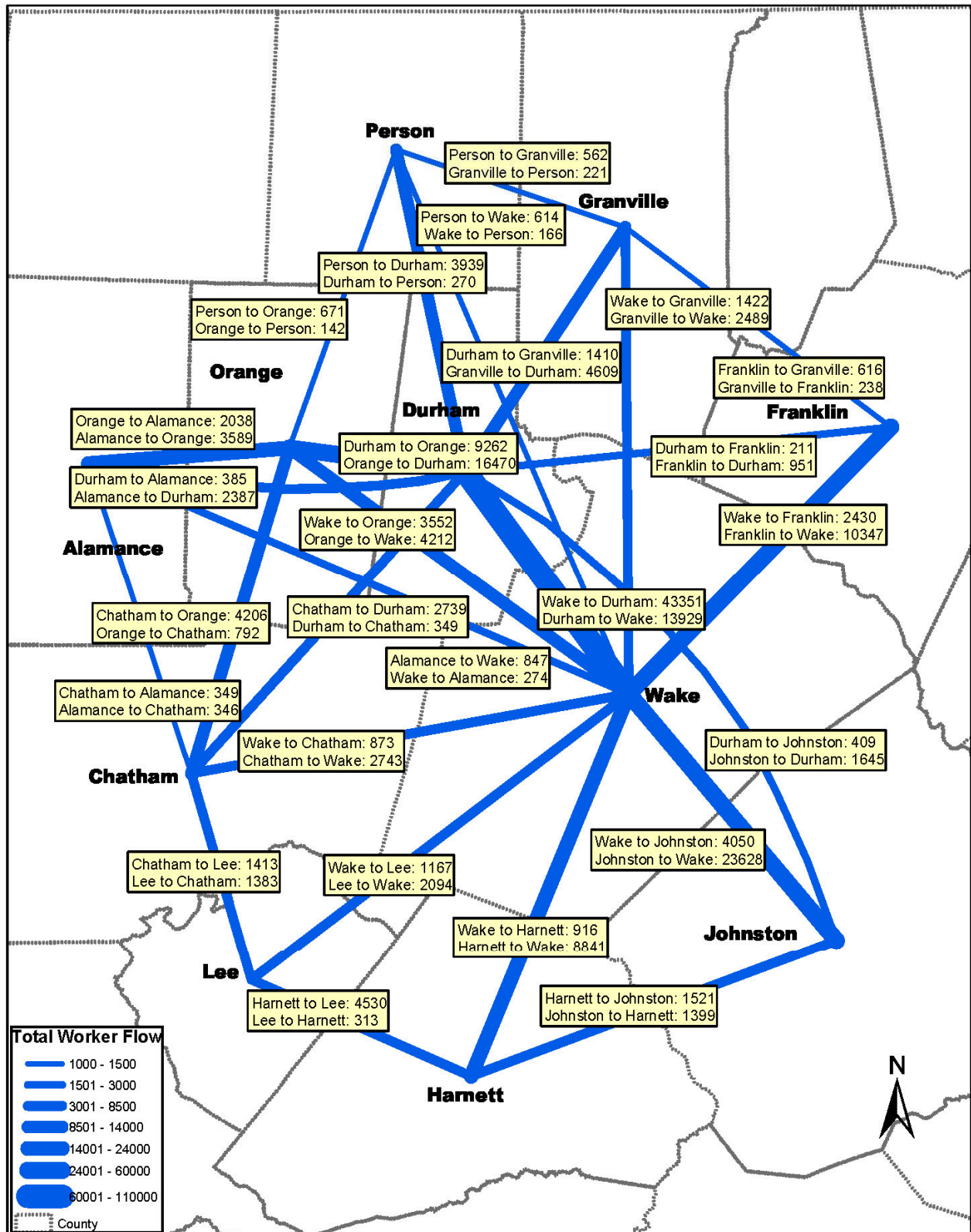
(e) Effect of Evaluation. -- Upon completion of the evaluation required under this section, a metropolitan planning organization may be restructured in accordance with the procedure contained in 23 U.S.C. § 134(b)(5).

(f) Assistance. -- The Department may provide staff assistance to metropolitan planning organizations in existence prior to January 1, 2001, that are considering consolidation on or after January 1, 2001. In addition, the Department may provide funding assistance to metropolitan planning organizations considering consolidation, upon receipt of a letter of intent from jurisdictions representing seventy-five percent (75%) of the affected population, including the central city, in each metropolitan planning organization considering consolidation."

APPENDIX B

Existing travel and commuting patterns

County-to-County Worker Flow Census 2000

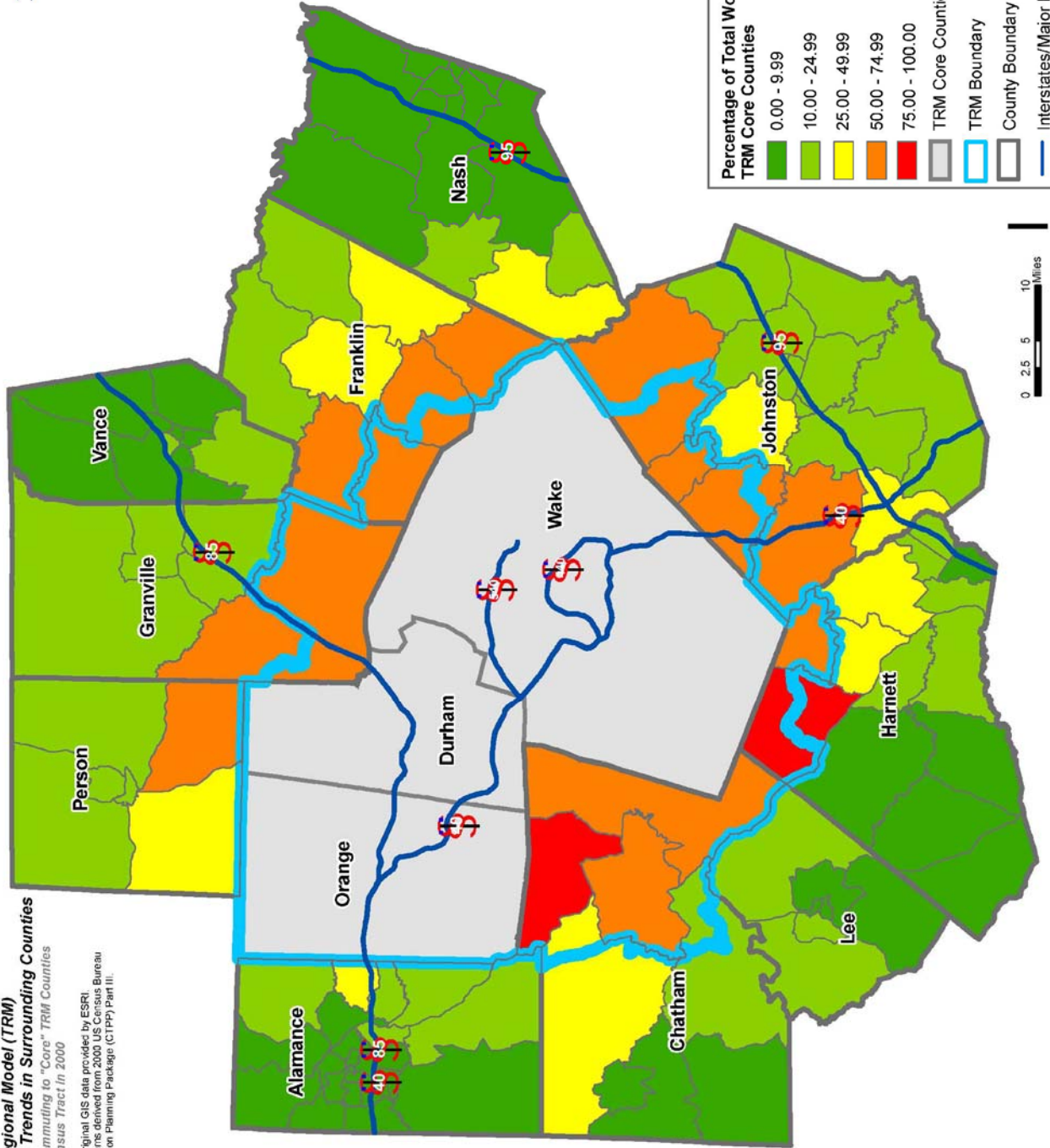




Triangle Regional Model (TRM) Analysis of Commuting Trends in Surrounding Counties

Working Residents Commuting to "Core" TRM Counties
By Census Tract in 2000

Data sources: Original GIS data provided by ESRI
Worker Commuting patterns derived from 2000 US Census Bureau
Census Transportation Planning Package (CTPP) part III.



APPENDIX C

Air Quality Conformity Analysis and Determination Report

For the Triangle Region

- **FHWA Letter of Approval**
- **Executive Summary and Adopting Resolutions**

Conformity Analysis and Determination Report

2030 Long Range Transportation Plans:

- **Capital Area Metropolitan Planning Organization,**
- **Durham-Chapel Hill-Carrboro Metropolitan Planning Organization**
- **Burlington-Graham Metropolitan Planning Organization (Orange County portion)**

Projects from the FY 2004-2010 Transportation Improvement Program:

- **the portions of Chatham County, Franklin County, Granville County, Johnston County, Orange County and Person County that are within the Triangle Ozone Non-Attainment Area but Outside the Metropolitan Planning Organization Areas**

March 16, 2005

Prepared by:

The Triangle J Council of Governments for the
Capital Area Metropolitan Planning Organization,
Durham-Chapel Hill-Carrboro Metropolitan Planning Organization,
Burlington-Graham Metropolitan Planning Organization,
Triangle Area Rural Planning Organization,
Kerr-Tar Rural Planning Organization,
Upper Coastal Plain Rural Planning Organization
and
The NCDOT Transportation Planning Branch

In cooperation with:

The North Carolina Department of Environment and Natural Resources
Division of Air Quality

List of Acronyms

BG MPO:	Burlington-Graham Metropolitan Planning Organization
CAAA:	Clean Air Act Amendments of 1990 (United States)
CAMPO:	Capital Area Metropolitan Planning Organization
CFR:	Code of Federal Regulations
CMAQ:	Congestion Mitigation/Air Quality
CO:	Carbon Monoxide
DAQ:	Division of Air Quality (North Carolina)
DCHC MPO:	Durham-Chapel Hill –Carrboro Metropolitan Planning Organization
DENR:	Department of Environment and Natural Resources (North Carolina)
DMV:	Division of Motor Vehicles
DOT:	Department of Transportation (North Carolina)
EPA:	Environmental Protection Agency (United States)
FHWA:	Federal Highway Administration
FTA:	Federal Transit Administration
HBO:	Home Based Other (trip purpose)
HBS:	Home Based Shopping (trip purpose)
HBW:	Home Based Work (trip purpose)
HOV:	High Occupancy Vehicle
HPMS:	Highway Performance Management System
I/M:	Inspection/Maintenance
ISTEA:	Intermodal Surface Transportation Efficiency Act
ITRE:	Institute for Transportation Research and Education
KT RPO:	Kerr-Tar Rural Transportation Planning Organization
LRTP:	Long Range Transportation Plan
MPO:	Metropolitan Planning Organization
NAAQS:	National Ambient Air Quality Standards
NCDOT:	North Carolina Department of Transportation
NHB:	Non Home Based (trip purpose)
NOx:	Nitrogen Oxides
RPO:	Rural Transportation Planning Organization
RTAC:	Rural Transportation Advisory Committee
RTCC:	Rural Technical Coordinating Committee
RVP:	Reid Vapor Pressure
SIP:	State Implementation Plan
TAC:	Transportation Advisory Committee
TAZ:	Traffic Analysis Zone
TARPO:	Triangle Area Rural Transportation Planning Organization
TCC:	Technical Coordination Committee
TCM:	Transportation Control Measure
TDM:	Transportation Demand Management
TEA-21:	Transportation Efficiency Act for the 21 st Century
TIP:	Transportation Improvement Program
TRM:	Triangle Regional Model
UCPRPO:	Upper Coastal Plain Rural Transportation Planning Organization
USEPA:	United States Environmental Protection Agency
VKT:	Vehicle Kilometers of Travel
VMT:	Vehicle Miles of Travel
VOC:	Volatile Organic Compounds

Conformity Analysis and Determination Report

2030 Long Range Transportation Plans:

- **Capital Area Metropolitan Planning Organization,**
- **Durham-Chapel Hill-Carrboro Metropolitan Planning Organization**
- **Burlington-Graham Metropolitan Planning Organization (Orange County portion)**

Projects from the FY 2004-2010 Transportation Improvement Program:

- **the portions of Chatham County, Franklin County, Granville County, Johnston County, Orange County and Person County that are within the Triangle Ozone Non-Attainment Area but Outside the Metropolitan Planning Organization Areas**

Overview

Transportation conformity ("conformity") is a way to ensure that Federal funding and approval goes to transportation activities that are consistent with air quality goals. Conformity applies to transportation plans, transportation improvement programs (TIPs), and projects funded or approved by the Federal Highway Administration (FHWA) or the Federal Transit Administration (FTA) in areas that do not meet or previously have not met air quality standards for ozone, carbon monoxide, particulate matter, or nitrogen dioxide. These areas are known as "non-attainment areas" or "maintenance areas," respectively.

A conformity determination demonstrates that the total emissions projected for a plan or program are within the emissions limits ("budgets") established by the air quality plan or State Implementation Plan (SIP) for air quality, and that transportation control measures (TCMs) – specific projects or programs enumerated in the SIP that are designed to improve air quality – are implemented in a timely fashion. Counties within the Triangle were designated nonattainment for the 8-hour ozone standard and the effective date of the designation was June 15, 2004. The conformity rule (40 CFR Part 93) requires that FHWA/FTA make the final conformity determination by June 15, 2005 on the entire non-attainment area.

Determining Conformity

Regional emissions are estimated based on highway and transit usage according to transportation plans and TIPs. The projected emissions for the plan and TIP must not exceed the emissions limits (or "budgets") established by the SIP (or the base year emissions, in areas where no SIP has yet been approved or found adequate by the U.S. Environmental Protection Agency (EPA)). Where TCMs are included, responsible MPOs and NCDOT are required to demonstrate that TCMs are implemented in a timely fashion.

The Decision Process

A formal interagency consultation process involving the Environmental Protection Agency (EPA), FHWA, FTA and state and local transportation and air quality agencies is required in developing SIPs, TIPs, and transportation plans, and in making conformity determinations. Metropolitan Planning Organization (MPO) policy boards make initial conformity determinations in metropolitan areas, while the NC Department of Transportation (NCDOT)

does so in areas outside of MPOs, in consultation with affected Rural Planning Organizations (RPOs).

Four organizations are responsible for making the conformity determinations in four distinct parts of the Triangle Ozone Nonattainment Area:

- a. the Capital Area MPO within the CAMPO metropolitan area boundary – currently all of Wake County, with expansion into parts of neighboring counties anticipated in 2005.
- b. the DCHC MPO within its metropolitan area boundary – all of Durham County and parts of Orange and Chatham counties.
- c. the Burlington-Graham MPO within its portion of the metropolitan area boundary in western Orange County.
- d. the NCDOT in a rural area that is comprised of those portions of Chatham, Orange, Person, Franklin, Granville and Johnston Counties that remain outside of any MPO metropolitan area boundary.

Each of these responsible organizations must make a conformity determination for its respective area in order for all of the areas to be designated in conformity.

The final conformity determination is made at the Federal level by FHWA/FTA. These determinations must be made at least every three years, or when transportation plans or TIPs are updated, or within one year of the effective date of a non-attainment designation. Conformity determinations must also be made within 18 months after the approval of a State Implementation Plan (SIP) containing motor vehicle emission budgets or determination of adequacy of those budgets.

The conformity analyses are made available to the public as part of the MPO and/or State DOT planning processes. MPOs are required to make transportation plans, TIPs, and conformity determinations available to the public, accept and respond to public comments, and provide adequate notice of relevant public meetings. Project sponsors of specific transportation projects within the transportation plans and TIPs must also include appropriate public involvement during project development.

Emissions Budget

The SIP places limits on emissions of each pollutant for each source type (mobile, stationary and area sources). Projected emissions from highway and transit usage must be less than or equal to the emissions limits for on-road mobile vehicles that are established by the SIP, or be less than baseline emissions where no SIP has yet been adopted. These limits on motor vehicle emissions sources are called "budgets." Budgets are developed as part of the air quality planning process by State air quality/ environmental agencies, and approved by EPA. Transportation agencies participate in this process.

Transportation Control Measures (TCMs)

Areas can include TCMs in their SIPs. TCMs are specific programs designed to reduce emissions from transportation sources by reducing vehicle use or changing traffic flow or congestion conditions. These programs can include:

- developing high occupancy vehicle (HOV) facilities
- ordinances to promote non-motor vehicle travel
- transit improvements
- signal timing
- bicycle and pedestrian facilities
- land use planning

Executive Summary

The purpose of this report is to comply with the provisions of the Clean Air Act Amendments of 1990 and the Transportation Equity Act for the 21st Century (TEA-21) of 1998. It demonstrates that the financially constrained long-range transportation plans (LRTPs) and the transportation improvement programs (TIPs) eliminate or reduce violations of the national ambient air quality standards (NAAQS) in the following areas:

- The Capital Area Metropolitan Planning Organization (CAMPO),
- The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO),
- The portion of Orange County within the Burlington-Graham Metropolitan Planning Organization (BG MPO).
- The portions of the Triangle Area Rural Planning Organization (TARPO) which are in the Triangle Ozone Non-Attainment Area (Orange County and four townships in Chatham County: Baldwin, Center, New Hope and Williams Townships),
- The portions of the Kerr-Tar Rural Planning Organization (Kerr-Tar RPO) which are in the Triangle Ozone Non-Attainment Area (Franklin, Granville and Person Counties), and
- Johnston County in the Upper Coastal Plain Rural Planning Organization.

The plan accomplishes the intent of the North Carolina State Implementation Plan (SIP). This conformity determination is based on a regional emissions analysis that uses the transportation networks approved by each of the above-named Metropolitan Planning Organizations (MPOs) and Rural Planning Organizations (RPOs) for the 2030 long-range transportation plans, and the emissions factors developed by the North Carolina Department of Environment and Natural Resources (DENR). The above-named MPOs and RPOs combine to form a region known as the Research Triangle, or “Triangle.” Based on this analysis, 2030 Long-Range Transportation Plans for the CAMPO, the DCHC MPO, and the BGMPO, and their respective Transportation Improvement Programs conform to the purpose of the North Carolina SIP. The respective FY 2004-2010 TIPs are subsets of the applicable 2030 long-range transportation plans. The conformity analysis for the relevant portions of the RPOs during the TIP years is specifically addressed by the North Carolina Department of Transportation (NCDOT). The NCDOT analysis also showed the Transportation Improvement Programs conform to the purpose of the North Carolina SIP.

The United States Environmental Protection Agency (USEPA) originally declared Durham County, Wake County and Dutchville Township in Granville County non-attainment for ozone (O₃) and Durham County and Wake County non-attainment for Carbon Monoxide (CO) on November 15, 1990. Durham County, Wake County and Dutchville Township were redesignated by USEPA to attainment with a maintenance plan for ozone on June 17, 1994 and Durham County and Wake County were redesignated by USEPA to attainment with a maintenance plan for CO on September 18, 1995.

In 1997 the NAAQS for ozone was reviewed and revised to reflect improved scientific understanding of the health impacts of this pollutant. When the standard was revised in 1997, an eight-hour ozone standard was established. The USEPA designated the entire Triangle area as a “basic” non-attainment area for eight-hour ozone with an effective date of June 15, 2004.

The non-attainment designation covers the following geographic areas:

- Durham County
- Wake County
- Orange County
- Johnston County
- Franklin County
- Granville County
- Person County
- Baldwin, Center, New Hope and Williams Townships in Chatham County

The conformity determination is based on the following Long Range Transportation Plans (LRTPs):

- *2030 Transportation Plan for the Capital Area MPO*
- *2030 Transportation Plan for the Durham-Chapel Hill-Carrboro MPO*
- *2030 Transportation Plan for the Burlington-Graham MPO.*

These three LRTPs, taken together, and with projects from the most recent TIP in the rural areas outside of the urban areas, form in effect a Triangle Regional Transportation plan. Each plan has three analysis years: 2010, 2020, and 2030. Each analysis year includes expected population and employment data and roadway and transit projects that should be open. The plans are fiscally constrained; funding sources for roadway and transit projects are identified.

DENR prepared base and future emission rates for the vehicle fleet using MOBILE6.2. These rates were applied to VMT or normalized VMT from the Triangle Regional Model (TRM). VMT normalization for CO was necessary to match the Triangle’s VMT with the HPMS VMT that was used to develop the CO budgets. Only Durham and Wake Counties and Dutchville Township in Granville County have emissions budgets.

Table 1 summarizes the conformity requirements of 40 CFR Part 51 and 93 and gives the status of each long range transportation plan in relation to each of these requirements. Tables 2 through 4 contain results from the budget comparisons for Durham County, Wake County and Dutchville Township in Granville County.

Tables related to CO in this report show three CO budgets to document that plan emissions would be below budgets for any of the three conditions:

1. The *existing* CO budgets from the Federal Register notice of August 2, 1995, with an effective date of September 18, 2005 (see Appendix A).
2. The *previously proposed* CO budgets from the Federal Register notice of November 7, 1995, which apparently never received final approval (see Appendix A).
3. The *currently proposed* CO budgets that have been submitted to USEPA by the State.

Tables 5 through 10 provide the summary for the remaining areas that do not have emissions budgets. Details are included in Section 5 of the report. In every horizon year for every pollutant in each geographic area, the emissions expected from the implementation of the long-range plans and TIPs are less than the emissions budgets established in the SIP or the baseline emissions where no SIP budget is available. Table 11 contains a cross-reference index for the report.

Table 1. Status of Conformity Requirements

Criteria (√ indicates the criterion is met)	Burlington-Graham MPO	Durham-Chapel Hill-Carrboro MPO	Capital Area MPO	Rural Area of the Triangle
Less Than Emissions Budget(s) or Baseline	√	√	√	√
TCM Implementation	The NC SIP includes no Transportation Control Measures in the Triangle Area			
Interagency Consultation	√	√	√	√
Latest Emissions Model	√	√	√	√
Latest Planning Assumptions	√	√	√	√
Fiscal Constraint	√	√	√	√

Table 2. Durham County Emissions Comparison Summary (*kg/day*)¹

Year	NOx		VOC		CO			
	SIP Budgets	LRTP Emissions	SIP Budgets	LRTP Emissions	Existing SIP Budgets	Previously Proposed SIP Budgets	Currently Proposed SIP Budgets	LRTP Emissions
2002 ²		19,494		9,120				
2005 ³	N/A	N/A	N/A	N/A	148,418	145,794	145,794	135,736
2007 ³	13,871	13,344	7,530	6,459	N/A	N/A	N/A	N/A
2009 ³	13,871	10,957	7,530	5,663	N/A	N/A	N/A	N/A
2010 ³	10,297	9,672	6,142	5,298	148,418	145,794	145,794	108,890
2012 ³	8,246	7,489	5,389	4,574	N/A	N/A	N/A	N/A
2015 ³	5,888	5,244	4,772	3,863	148,418	145,794	160,771	95,590
2020	5,888	3,337	4,772	3,209	148,418	145,794	160,771	90,498
2030 ⁴	5,888	2,686	4,772	3,094	148,418	145,794	160,771	104,141

Table 3. Wake County Emissions Comparison Summary (*kg/day*)¹

Year	NO _x		VOC		CO			
	SIP Budgets	L RTP Emissions	SIP Budgets	L RTP Emissions	Existing SIP Budgets	Previously Proposed SIP Budgets	Currently Proposed SIP Budgets	L RTP Emissions
2002 ²		52,029		25,035				
2005 ³	N/A	N/A	N/A	N/A	353,082	347,570	347,570	296,260
2007 ³	37,539	35,383	18,180	17,846	N/A	N/A	N/A	N/A
2009 ³	37,539	29,474	18,180	15,817	N/A	N/A	N/A	N/A
2010 ³	27,125	26,311	15,749	14,919	353,082	347,570	347,570	297,395
2012 ³	22,144	20,881	14,188	13,207	N/A	N/A	N/A	N/A
2015 ³	16,239	15,096	13,018	11,531	353,082	347,570	348,604	287,339
2020	16,239	10,030	13,018	10,100	353,082	347,570	348,604	284,656
2030 ⁴	16,239	8,516	13,018	10,321	353,082	347,570	348,604	344,841

1. To obtain tons per day, divide kilograms per day by 907.2.
2. Baseline year.
3. Budget year; 2009 is also the attainment year for ozone.
4. Horizon year.

Table 4. Dutchville Township (Granville County) Emissions Comparison Summary (*kg/day*)¹

Year	NO _x		VOC	
	SIP Budgets	Long Range Plan or TIP Emissions	SIP Budgets	Long Range Plan or TIP Emissions
2002 ²		2,372		615
2007 ³	1,324	1,311	499	428
2009 ³	1,324	1,139	499	391
2010 ³	1,025	1,008	417	371
2012 ³	807	774	372	326
2015 ³	562	534	336	281
2020	562	335	336	242
2030 ⁴	562	295	336	272

1. To obtain tons per day, divide kilograms per day by 907.2.
2. Baseline year.
3. Budget year; 2009 is also the attainment year for ozone.
4. Horizon year.

Table 5. Remainder of Granville County Emissions Comparison Summary (*kg/day*)

Year	NO _x		VOC	
	Baseline (2002) Emissions	Long Range Plan or TIP Emissions	Baseline (2002) Emissions	Long Range Plan or TIP Emissions
2010	3,924	2,068	1,848	1,086
2020	3,924	823	1,848	635
2030	3,924	510	1,848	536

Table 6. Franklin County Emissions Comparison Summary (*kg/day*)¹

Year	NO _x		VOC	
	Baseline (2002) Emissions	Long Range Plan or TIP Emissions	Baseline (2002) Emissions	Long Range Plan or TIP Emissions
2010	3,129	1,829	2,403	1,382
2020	3,129	841	2,403	911
2030	3,129	602	2,403	811

Table 7. Johnston County Emissions Comparison Summary (*kg/day*)

Year	NO _x		VOC	
	Baseline (2002) Emissions	Long Range Plan or TIP Emissions	Baseline (2002) Emissions	Long Range Plan or TIP Emissions
2010	17,136	10,182	7,955	4,879
2020	17,136	4,101	7,955	3,203
2030	17,136	2,688	7,955	2,888

Table 8. Orange County Emissions Comparison Summary (*kg/day*)

Year	NO _x		VOC	
	Baseline (2002) Emissions	Long Range Plan or TIP Emissions	Baseline (2002) Emissions	Long Range Plan or TIP Emissions
2010	13,668	6,711	4,270	2,470
2020	13,668	2,100	4,270	1,507
2030	13,668	1,608	4,270	1,478

Table 9. Person County Emissions Comparison Summary (*kg/day*)

Year	NO _x		VOC	
	Baseline (2002) Emissions	Long Range Plan or TIP Emissions	Baseline (2002) Emissions	Long Range Plan or TIP Emissions
2010	1,840	1,103	1,610	1,023
2020	1,840	599	1,610	660
2030	1,840	484	1,610	592

Table 10. Chatham County (part) Emissions Comparison Summary (*kg/day*)

Year	NO _x		VOC	
	Baseline (2002) Emissions	Long Range Plan or TIP Emissions	Baseline (2002) Emissions	Long Range Plan or TIP Emissions
2010	729	503	612	444
2020	729	160	612	180
2030	729	142	612	194

Table 11. Cross-Reference Index	
Conformity Determination Report for the Long-Range Transportation Plans and TIPs in the Triangle Region Ozone Non-Attainment Area	
Conformity Requirement	Page # or Appendix
Formal findings of conformity.	p. 34
Table of Contents.	iii
The purpose of this report is to comply with the requirements of the CAAA, TEA-21, and 40 CFR 51 and 93.	p. 10
The former and current classification of the airshed and the pollutants for which the airshed was classified as non-attainment.	p. 13
The dates Durham and Wake Counties and Dutchville Township were redesignated to a Maintenance Area under the CO and 1-hour ozone standards and the date the region was designated non-attainment under the 8-hour ozone standard.	p. 13
The emissions expected from implementation of the long-range plans are equal to, or less than, the emissions budgets in the Maintenance Plans and established in the SIP.	pp. 31-32
The adopted long-range plan is fiscally constrained (§93.108).	p. 15
The latest planning assumptions were used in the conformity analysis (§93.110).	pp. 15-16
The latest emissions model was used in the conformity analysis (§93.111).	p. 25
The list of federally funded T.C.M. activities included. (§93.113).	p. 26
Conformity determined according to §93.105 and the adopted public involvement procedures.	pp. 33-34
Dates of the Technical Coordinating Committee reviews of the conformity determination and the recommendation.	Appendix M
SIP emissions budget or baseline comparison demonstrates conformity of the adopted long-range transportation plan.	p. 33
Listing of projects in each analysis year (both highway and transit).	pp. 17-19, Appendix D
Explanation of the VMT Normalization Method.	p. 26, Appendix G
Analysis of “rural area” projects.	Appendix I
Off-model analysis performed.	p. 27, Appendix H
Significant comments of reviewing agencies addressed by the MPO, or a	Appendix K

Table 11. Cross-Reference Index	
Conformity Determination Report for the Long-Range Transportation Plans and TIPs in the Triangle Region Ozone Non-Attainment Area	
Conformity Requirement	Page # or Appendix
statement that no significant comments were received.	
Emissions Calculations.	Appendix I
MOBILE6.2 input files.	Appendix F



U.S. Department
of Transportation
**Federal Highway
Administration**

310 New Bern Avenue, Suite 410
Raleigh, North Carolina 27601

June 15, 2005

North Carolina Division

In Reply Refer To:
HDA-NC

Mr. Lyndo Tippet
Secretary
North Carolina Department of Transportation
Post Office Box 25201
Raleigh, North Carolina 27611-5201

Dear Secretary Tippet:

We reviewed the Triangle Area Conformity Determination Report (8-hour ozone and CO) for the Capital Area Metropolitan Planning Organization (CAMPO) 2030 Long Range Transportation Plan (LRTP), the Durham Chapel Hill Carrboro (DCHC) MPO 2030 LRTP, the Burlington Graham (BG) MPO 2030 LRTP, the FY 2004-2010 Transportation Improvement Program (TIP) and projects from the FY 2004-2010 TIP for the (County) donut areas of Chatham (partial), Franklin, Granville, Johnston, Orange, and Person.

The CAMPO, the DCHC MPO and the BG MPO made conformity determinations on their adopted 2030 LRTPs and the FY 2004-2010 TIP (the TIP is a subset of the 2030 LRTPs) and the North Carolina Department of Transportation (NCDOT) made conformity determinations on projects from the FY 2004-2010 TIP for the (County) donut areas of Chatham (partial), Franklin, Granville, Johnston, Orange, and Person on the following dates:

- CAMPO on March 16, 2005
- DCHC MPO on April 13, 2005
- BG MPO April 12, 2005
- The NCDOT (for the donut area of Chatham County) on April 4, 2005
- The NCDOT (for the donut area of Franklin County) on April 4, 2005
- The NCDOT (for the donut area of Granville County) on April 5, 2005
- The NCDOT (for the donut area of Johnston County) on April 5, 2005
- The NCDOT (for the donut area of Orange County) on April 5, 2005
- The NCDOT (for the donut area of Person County) on April 4, 2005

The FHWA and the Federal Transit Administration (FTA) have reviewed these documents. We have also coordinated our review with the Environmental Protection Agency (EPA) Region IV and have enclosed their comments to this letter.

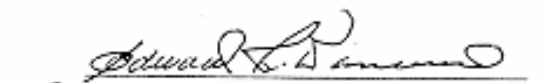


Based on our review and the comments provided to us by the EPA, we find that the CAMPO 2030 LRTP, the DCHC MPO 2030 LRTP, the BG MPO 2030 LRTP, the FY 2004-2010 TIP and projects from the FY 2004-2010 TIP for the (County) donut areas of Chatham (partial), Franklin, Granville, Johnston, Orange, and Person conform to the purpose of the State Implementation Plan (or base year emissions, in areas where no State Implementation Plan is approved or found adequate by EPA) in accordance with 40 CFR Part 93.

Sincerely,


R. F. Krochalis
Acting Regional Administrator
Federal Transit Administration

Sincerely,


John F. Sullivan III, P.E.
North Carolina Division Administrator
Federal Highway Administration

**RESOLUTION
FINDING THE DURHAM-CHAPEL HILL-CARRBORO (DCHC)
METROPOLITAN PLANNING ORGANIZATION (MPO)
2030 LONG RANGE TRANSPORTATION PLAN IN CONFORMITY WITH
THE NORTH CAROLINA STATE IMPLEMENTATION PLAN (SIP)**

A motion was made by Becky Heron and seconded by Diane Catotti for the adoption of the following resolution, and upon being put to a vote, was duly adopted.

WHEREAS, the Transportation Advisory Committee is the duly recognized transportation decision making body for the 3-C transportation planning process (i.e., continuous, cooperative, and comprehensive) of the Durham–Chapel Hill–Carrboro Metropolitan Planning Organization (DCHC MPO); and,

WHEREAS, the DCHC MPO 2030 Long Range Transportation Plan (LRTP) meets the planning requirements of 23 CFR Part 134; and,

WHEREAS, the United States Environmental Protection Agency designated Durham County, Orange County, and the part of Chatham County within the DCHC MPO planning boundary as nonattainment for ozone on June 15, 2004, and redesignated Durham County as maintenance for carbon monoxide on September 18, 1995; and

WHEREAS, the conformity analysis of the DCHC MPO 2030 LRTP is based on the most recent estimates for population, employment, travel and congestion as required in 40 CFR Part 93.110; and,

WHEREAS, the projects in the DCHC MPO 2030 LRTP have been financially-constrained (i.e., projected revenues and costs reasonably balance); and,

WHEREAS, the most recent motor vehicle emissions model was used to prepare the quantitative emission analysis, as required in 40 CFR Part 93.111; and,

WHEREAS, those projects and programs included in the DCHC 2030 LRTP contribute to annual emissions reductions as shown by the quantitative emissions analysis; and,

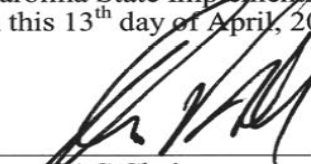
WHEREAS, that conformity determination was made according to the established interagency consultation procedures for North Carolina; and

WHEREAS, there are no transportation control measures in the North Carolina State Implementation Plan (SIP) that pertain to the DCHC MPO, as required in 40 CFR Part 93.111(b); and,

WHEREAS, the programs and projects included in the DCHC MPO 2030 LRTP are consistent with the North Carolina SIP emissions budgets for Durham County, and Baseline emissions for Orange County and Chatham County based on an emissions analysis; and,

WHEREAS, the programs and projects included in the DCHC MPO Transportation Improvement Program (TIP) for Fiscal Year 2006-2012 are a subset of the 2030 LRTP.

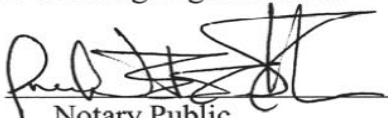
NOW THEREFORE, be it resolved that subject to the satisfaction of any comments by the US Environmental Protection Agency, the DCHC MPO 2030 Long Range Transportation Plan conforms to the purpose of the North Carolina State Implementation Plan in accordance with the Clean Air Act Amendment (CAAA) on this 13th day of April, 2005.



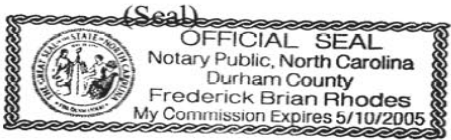
TAC Chair

STATE of: North Carolina
COUNTY of: DURHAM

I, FREDERICK BRIAN RHODES Notary Public of DURHAM County, North Carolina do hereby certify that William V. "Bill" Bell personally appeared before me on the 13th day of April, 2005 to affix his signature to the foregoing document.



Notary Public
101 City Hall Plaza
Durham, NC 27701



My Commission Expires: 5.10.05

**Attachment 1.0 – Metropolitan Area Boundary (MAB) Letter of Agreement
between DCHC MPO and CAMPO**

**Member
Governments**

Town of Carrboro
Town of Chapel Hill
County of Chatham
City of Durham
County of Durham
Town of Hillsborough
NC Department of
Transportation
County of Orange

January 21, 2005

Mr. John Sullivan
Federal Highway Administration
310 New Bern Avenue
Raleigh, North Carolina 27601-1442

Re: Planning Area Agreement

Dear Mr. Sullivan:

Federal regulations require that MABs include, at a minimum, all of the urbanized area as defined by the Census Bureau. A small portion of the Durham UZA falls within the Capital Area MPO MAB. Likewise, a small portion of the Raleigh Urbanized area falls within the DCHC MPO MAB. A map showing these areas is attached for your reference.

In an effort to provide continuing, cooperative and comprehensive transportation planning for these areas, it is felt that the prudent course of action is a letter of agreement between the two MPOs.

In November of 2004, these two Metropolitan Planning Organizations entered into a Memorandum of Agreement to "participate in a continuing, cooperative and comprehensive (3-C) transportation planning process in an entity known as the Triangle Metropolitan Planning Organizations Coordinating Council (TMPOCC)." TMPOCC being an advisory group to the two MPOs that will encourage cooperation and joint work efforts while recognizing and allowing the MPOs to remain autonomous and thus able to concentrate as needed on issues and projects of local interest which have profound impacts on the overall transportation systems.

This letter of agreement shall serve to fulfill federal requirements relative to the planning for that portion of the Durham UZA that lies within the CAMPO MAB and likewise that portion of the Raleigh UZA that lies within the DCHC MPO MAB.

By signature below it is agreed that:

1. planning activities for that portion of the Durham UZA that lies within Wake County and thus within the planning boundary of the Capital Area Metropolitan Planning Organization, shall be provided by the Capital Area Metropolitan Planning Organization in cooperation with the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization; and

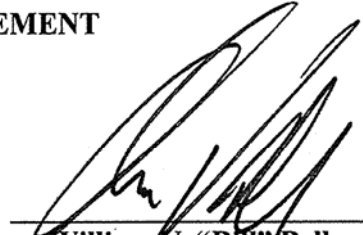
2. planning activities for that portion of the Raleigh UZA that lies within Durham County and thus within the planning boundary of the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, shall be provided by the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization in cooperation with the Capital Area Metropolitan Planning Organization.

SIGNATURES OF AGREEMENT



**Joe Bryan, Chair
Capital Area
Metropolitan Planning Organization**

03-11-2005
Date



**William V. "Bill" Bell
Durham-Chapel Hill-Carrboro
Metropolitan Planning Organization**

3-14-2005
Date

cc: Mike Bruff, NCDOT Transportation Planning Branch
TAC Members

Attachment 2.0 – Memorandum of Agreement between DCHC MPO and the Triangle Transit Authority

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is made this 13th day of April, 2005, by and between the Durham Chapel Hill Carrboro Metropolitan Planning Organization (hereinafter "DCHC") and the Research Triangle Regional Public Transportation Authority (hereinafter "TTA").

WHEREAS, Chapter 160A, Article 26, Section 160A-608 of the General Statutes of North Carolina states:

"The purpose of the Authority shall be to finance, provide, operate, and maintain for a safe, clean, reliable, adequate, convenient, energy efficient, economically and environmentally sound public transportation system for the service area of the Authority through the granting of franchises, ownership and leasing of terminals, buses and other transportation facilities and equipment and otherwise through the exercise of the powers and duties conferred upon it, in order to enhance mobility in the region and encourage sound growth patterns," and

WHEREAS, Chapter 160A, Article 26, Section 160A-610(11) of the General Statutes of North Carolina provides that the general powers of the Authority shall include:

"To develop and make data, plans, information, surveys and studies of public transportation facilities within the territorial jurisdiction of the Authority, to prepare and make recommendations in regard thereto."

NOW, THEREFORE, DCHC and TTA do hereby covenant and agree as follows:

Section I

It is hereby agreed that TTA and DCHC, together with the State of North Carolina and Capital Area Metropolitan Planning Organization, and in cooperation with the United States Department of Transportation, will participate in a continuing, cooperative and comprehensive transportation planning process with responsibilities and undertakings as related in the following paragraphs:

- 1) TTA will participate in DCHC efforts to include public transportation projects in Long Range Transportation Plans. This will include assisting in identifying project alternatives.
- 2) TTA will assist DCHC, if requested, in creating a Master Plan for a regional public transportation system for the region including establishing priorities for projects and financing plans for design, construction and operation. The plan may include:
 - a) Public participation,
 - b) Environmental Justice evaluation,
 - c) An environmental scan of project corridors,
 - d) Cost estimates for projects at precision appropriate to stage of analysis,
 - e) Ridership estimates,
 - f) Evaluation of user benefits for projects and system,
 - g) Transit supportive land use policies that could make the system more successful,
 - h) Project priorities,
 - i) Planned implementation schedule.
- 3) TTA can lead or participate in Alternatives Analysis studies for public transportation projects listed in the DCHC adopted Long Range Transportation Plan at the request of DCHC.

- 4) TTA will undertake project planning (preliminary engineering and environmental studies) for public transportation projects listed in the DCHC adopted Long Range Transportation Plan at the request of DCHC provided:
 - a) A Locally Preferred Alternative establishing preferred technology and alignment has been adopted by DCHC at the conclusion of Alternatives Analysis,
 - b) A financing plan for the project identifies sources for local and federal funds to support the project,
 - c) The project can demonstrate levels of user benefits sufficient to qualify the project for New Starts funding under the USDOT Federal Transit Administration guidance if federal New Starts funds are anticipated to support the project.
- 5) Following successful completion of the project planning studies for a project, TTA will begin final design for public transportation projects provided:
 - a) A Record of Decision has been issued by the federal government for the project, if it is a federal project,
 - b) A financing plan for the project continues to identify sources for local and federal funds sufficient to support constructing the project and operating service,
 - c) The project continues to demonstrate levels of user benefits sufficient to qualify the project for New Starts funding under the USDOT Federal Transit Administration guidance if federal New Starts funds are anticipated to support the project.

Section II

Parties to this Memorandum of Understanding may terminate their participation by giving thirty (30) days written notice to the other party before termination.

Section III

In witness whereof, the parties of this Memorandum of Understanding have been authorized by appropriate and proper resolutions to sign the same, the DCHC Transportation Advisory Committee by its Chair, and the TTA Board of Trustees by its Chair, this the _____ day of _____, 2004.

**RESEARCH TRIANGLE REGIONAL PUBLIC
TRANSPORTATION AUTHORITY**

(SEAL)

By _____
William G. Smith, Chair

Attest:

Michelle Dawson, Clerk to the Board

**DURHAM CHAPEL HILL CARRBORO
METROPOLITAN PLANNING ORGANIZATION**

(SEAL)

By _____
Chair, Transportation Advisory Committee

Attest:

Name, Title

**Attachment 6.0 – Memorandum of Agreement between DCHC MPO and CAMPO
establishing an advisory group (Triangle Metropolitan Planning Organizations
Coordinating Council -TMPOCC) for cooperative regional planning**

MEMORANDUM OF AGREEMENT
Between
THE CAPITAL AREA METROPOLITAN PLANNING
ORGANIZATION AND THE
DURHAM –CHAPEL HILL-CARRBORO
METROPOLITAN PLANNING ORGANIZATION

It is hereby agreed that the Capital Area Metropolitan Planning Organization (CAMPO) and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) shall participate in a continuing, cooperative and comprehensive (3-C) transportation planning process in an entity known as the Triangle Metropolitan Planning Organizations Coordinating Council (TMPOCC). The TMPOCC shall be an advisory group to the two MPOs that will encourage cooperation and joint work efforts while recognizing and allowing the MPOs to remain autonomous and thus able to concentrate as needed on issues and projects of local interest which have profound impacts on the overall transportation systems. As stated in 23 U.S.C. 134, metropolitan planning organizations shall engage in a 3-C planning process to “provide for the development of transportation facilities...which will function as an intermodal transportation system for the State, the metropolitan areas, and the Nation.” The role of TMPOCC shall be to integrate the 3-C concept into the transportation planning process for those projects and programs of a regional scope. The parties to this agreement shall endeavor to ensure that regional transportation planning in the Triangle region is conducted in such a manner that is beneficial to the public good. Participation of a metropolitan planning organization shall commence upon the signature of this document by its designated representative.

Section 1 Executive Committee

The primary governing board of TMPOCC shall consist of the following members, or their designees:

- a. The Chair of the Transportation Advisory Committee of CAMPO;
- b. The Chair of the Transportation Advisory Committee of DCHC MPO;
- c. The Vice-Chair of the Transportation Advisory Committee of CAMPO;
- d. The Vice-Chair of the Transportation Advisory Committee of DCHC MPO;
- e. An at-large elected official representative of the TAC of CAMPO;
- f. An at-large elected official representative of the TAC of DCHC MPO;
- g. Up to two members of the North Carolina Board of Transportation who also serve on the TAC of CAMPO and DCHC MPO;
- h. One “non-voting” representative from the Triangle Transit Authority Board of Trustees.

This governing board shall be known as the Executive Committee. A Chair and Vice-Chair shall be elected from among the Chairs and Vice-Chairs of the individual MPO policy boards as listed above in items a through d, with the Chair from one MPO and the Vice-Chair from the other MPO. The Chair and Vice-Chair shall hold office for no more than two (2) consecutive years. The presence of four (4) members including at least one elected official member of each MPO shall constitute a quorum of the Executive Committee. The designees of each elected

official representative on the Executive Committee shall also be an elected official serving on the Transportation Advisory Committee on each metropolitan planning organization. The Executive Committee shall meet no less than three times during the calendar year. A joint meeting of the Transportation Advisory Committee of the two MPOs may substitute for meetings of the Executive Committee.

Section 2 Executive Committee Responsibilities

The primary task of the Executive Committee shall be to consider matters of regional importance previously or to be discussed individually by the two MPOs and provide information on decisions reached by the Executive Committee to the two MPOs for MPO action. Prior to action by the Executive Committee, all matters requiring action shall be placed on the agendas of the Transportation Advisory Committee of CAMPO and DCHC MPO. On matters that require a vote of the Executive Committee, the Executive Committee members shall consult with the policy board they represent. The North Carolina Board of Transportation member(s) shall vote in a manner consistent with the policies of the Department of Transportation. If in the event an individual Executive Committee member has not had a reasonable opportunity to consult with the policy board he/she represents, that member shall be permitted to exercise judgment on the matter at hand. In the spirit of cooperation, every effort will be made to reach consensus on matters coming before the Executive Committee.

Section 3 Executive Committee Meetings

All meetings of the Executive Committee shall be open to all members of the Transportation Advisory Committees of CAMPO and DCHC MPO. These members shall have an opportunity to address the Executive Committee, at the discretion of the presiding officer. Also, members of the Technical Committee (addressed in Section 5 of this document) and staff shall be permitted to attend meetings of the Executive Committee. Meeting locations shall be determined by the Executive Committee. The inaugural meeting of the Executive Committee shall set the times, dates, and locations for the meetings to be held during the remainder of the year. During the final meeting of the Executive Committee during a given year, a calendar that sets forth the times, dates, and locations of meetings for the following year shall be approved.

Section 4 General Meetings

A joint meeting of the Transportation Advisory Committees of CAMPO and DCHC MPO may be called at the discretion of the Executive Committee and may substitute for a meeting of the Executive Committee. The purpose of the joint meetings shall be to provide a forum for the discussion of transportation and related issues that affect the region.

Section 5 Technical Committee

In addition to the Executive Committee, there shall be established a Technical Committee. The responsibility of the Technical Committee shall be to provide general review, guidance and coordination of the transportation planning process in the Triangle region, and to make recommendations to the Executive Committee.

The Technical Committee shall consist of, but not limited to, the following members, or their designees:

- *Senior staff member of the lead planning agency of each metropolitan planning organization;
- *NCDOT local area coordinators;
- *The Chairs and Vice-Chairs of the Technical Coordinating Committees of CAMPO and DCHC-MPO;
- *A representative of the Public Transportation Division of NCDOT;
- *A representative of the bicycle and pedestrian planning staff of NCDOT;
- *The Executive Director of the Raleigh-Durham Airport Authority;
- *A representative of North Carolina's Department of Natural and Environmental Resources, Division of Air Quality
- *A representative of the Triangle Transit Authority

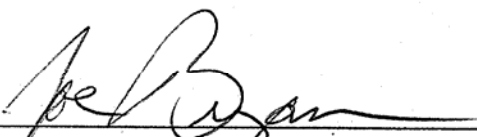
The Technical Committee shall meet no less than three times a year. The meetings shall be scheduled at least three weeks prior to meetings of the Executive Committee (or joint TAC meetings) so as to allow for sufficient time for members of the Executive Committee to adequately review the findings and recommendations of the Technical Committee. Meeting locations shall rotate between CAMPO and DCHC MPO. At the inaugural meeting of the Technical Committee, a Chair and a Vice-Chair shall be selected with the Chair from one MPO and the Vice-Chair from the other MPO. The term of office shall not exceed two (2) years.

Section 6 Amendment


This Memorandum of Agreement may be amended by mutual agreement of the two MPOs. To amend the agreement, either MPO may propose an amendment in writing at least 30 days prior to each Transportation Advisory Committee meeting at which the amendment is to be discussed. Then the procedure specified in Section 2 for Executive Committee action shall be followed.

Section 7 Termination

This Memorandum of Agreement may be terminated by either MPO by providing written notice to the other MPO at least 30 days prior to the date of termination.



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