



# APPENDIX A

## BOARD RESOLUTIONS



**RESOLUTION**

*by the Board of the Delaware Valley Regional Planning Commission*

**Adoption of the Conformity Finding of the DVRPC *Connections 2040* Long-Range Plan (Plan) and the FY2017 Transportation Improvement Program (TIP) for Pennsylvania**

**WHEREAS**, the Governors and Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey developed an interstate compact in 1965 establishing the Delaware Valley Regional Planning Commission (DVRPC) and charged it with the responsibility of preparing comprehensive plans for the physical development of the region; and,

**WHEREAS**, DVRPC acts as the duly designated Metropolitan Planning Organization (MPO) for the nine-county Philadelphia-Camden-Trenton metropolitan area as required by section 134 of the United States Code (U.S.C.) Title 23 and section 1607 of U.S.C. Title 49; and,

**WHEREAS**, the Statewide and Metropolitan Planning Regulations (23 CFR Part 450 and 49 CFR Part 613) require that regional transportation plans and Transportation Improvement Programs be developed and updated by MPO's, approved by the Governor, reviewed by the Federal Transit Administration and the Federal Highway Administration; and,

**WHEREAS**, MPO transportation plans and programs are required to conform to the purposes of State Implementation Plans (SIPs) and the Clean Air Act as amended (CAAA) under the Final Conformity Rule ("Final Rule") promulgated by the United States Environmental Protection Agency (US EPA) in November 1993 and amended in July 2004; and,

**WHEREAS**, the nine-county DVRPC planning area has been designated by the US EPA as a nonattainment area for ozone for the 2008 eight-hour ozone standard, Delaware County has been designated a nonattainment area for the 2012 annual fine particulate matter (PM<sub>2.5</sub>) standard, portions of Philadelphia have been designated as a maintenance area for carbon monoxide (CO), and the nine-county planning area is part of two maintenance areas for the annual and 24-hour PM<sub>2.5</sub> standards as required by CAAA under the respective ozone, CO, and PM<sub>2.5</sub> National Ambient Air Quality Standards (NAAQS); and,

**WHEREAS**, there exist SIP motor vehicle emissions budgets (MVEBs) governing ozone precursors, direct PM<sub>2.5</sub>, and PM<sub>2.5</sub> precursors for transportation conformity purposes in the nine-county DVRPC planning area; and,

**WHEREAS**, each state's SIP is sovereign and where governing SIP MVEBs exist, conformity can be demonstrated for each state in an MPO's region individually, and

**WHEREAS**, applicable SIP budget tests are performed for ozone and PM<sub>2.5</sub> in the designated areas; and,

**WHEREAS**, DVRPC has completed the conformity analysis of the FY 2017 TIP for Pennsylvania and an amendment to the Plan according to the procedures detailed in the Final Rule under the CAAA in a manner meeting the requirements of all appropriate federal and state regulations pertaining to statewide and metropolitan planning and air quality; and,

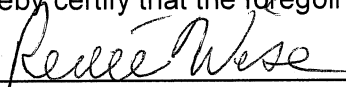
**WHEREAS**, the analysis demonstrates that emissions of ozone precursors are less than the established MVEB test for the 2008 Ozone standard, and below the established MVEB test for PM<sub>2.5</sub> and PM<sub>2.5</sub> precursor NO<sub>x</sub> in the relevant PM<sub>2.5</sub> nonattainment and maintenance areas, and,

**WHEREAS**, DVRPC has provided a reasonable opportunity for citizens, transit users, private transportation providers, and all interested parties to participate and have their views considered in the development and adoption of this conformity determination;

**NOW, THEREFORE, BE IT RESOLVED**, that the Delaware Valley Regional Planning Commission determines that the *Connections 2040* Long-Range Plan and the DVRPC FY 2017 Transportation Improvement Program for Pennsylvania conforms to the State Implementation Plan of Pennsylvania, all applicable National Ambient Air Quality Standards requirements under the Clean Air Act as amended, and that the finding is consistent with the Final Conformity Rule.

Adopted this 28<sup>th</sup> day of July, 2016 by the  
Board of the Delaware Valley Regional Planning Commission.

I do hereby certify that the foregoing is a true copy of Resolution No. B-FY17-001.

  
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Renee Wise, Recording Secretary

**RESOLUTION**

*by the Board of the Delaware Valley Regional Planning Commission*

**Adoption of the DVRPC FY2017 Transportation Improvement Program (TIP)  
for Pennsylvania (FY2017-FY2020)**

**WHEREAS**, the Delaware Valley Regional Planning Commission (DVRPC) is the Metropolitan Planning Organization (MPO) responsible for developing and updating the Transportation Improvement Program (TIP) for the nine-county Philadelphia, Camden, and Trenton metropolitan areas as required by Section 134 of U.S.C. Title 23 and Section 5303 of U.S.C. Title 49; and,

**WHEREAS**, the Statewide and Metropolitan Planning Regulations (23 CFR Part 450 and 49 CFR Part 613) require that regional transportation plans and programs be developed by MPO's, approved by the Governor, reviewed by the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA); and,

**WHEREAS**, DVRPC has certified that the transportation planning process has been conducted in a manner meeting the requirements of all appropriate federal regulations; and,

**WHEREAS**, the nine-county DVRPC planning area has been designated by the US EPA as a nonattainment area for ozone for the 2008 eight-hour ozone standard, Delaware County has been designated a nonattainment area for the 2012 annual fine particulate matter (PM<sub>2.5</sub>) standard, portions of Philadelphia have been designated as a maintenance area for carbon monoxide (CO), and the nine-county planning area is part of two maintenance areas for the annual and 24-hour PM<sub>2.5</sub> standards as required by CAAA under the respective ozone, CO, and PM<sub>2.5</sub> National Ambient Air Quality Standards (NAAQS); and,

**WHEREAS**, MPO transportation plans and programs are required to conform to the purposes of the State Implementation Plan and the Clean Air Act under the Final Conformity Rule promulgated by EPA on November 24, 1993 and amended by guidance issued in July 2004; and,

**WHEREAS**, the Final Conformity Rule requires that the MPO determine that the transportation plans and programs conform with the CAAA requirements by meeting criteria described in the Final Rule, and,

**WHEREAS**, DVRPC has completed conformity analysis of the TIPs and the Long-Range Plan according to the procedures detailed in the Final Rule under the CAAA in a manner meeting the requirements of all appropriate federal and state regulations pertaining to statewide and metropolitan planning and air quality; and,

**WHEREAS**, the analysis demonstrates that emissions of ozone precursors, direct PM2.5 and PM2.5 precursors are less in 2017, 2020, 2025, 2035 and 2040 than the applicable established budgets for the respective analysis year; and that emissions estimates of CO are not required for areas with limited maintenance plans, and,

**WHEREAS**, all other requirements of the Final Rule and all appropriate federal and state regulations have been met; and,

**WHEREAS**, the projects included in this TIP have been drawn from a long-range plan developed in accordance with this certified planning process and which plan has been found to conform to all applicable state and federal laws and rules pertaining to air quality, and,

**WHEREAS**, the DVRPC has provided a reasonable opportunity for citizens, transit users, private transportation providers and all interested parties to participate and have their views considered in the development and adoption of this TIP; and,

**WHEREAS**, this TIP is consistent with and furthers the implementation of the DVRPC's Connections 2040 Long-Range Plan, as well as local, county, regional and state plans and policies; and,

**WHEREAS**, the projects in this TIP have been fiscally constrained by the member agencies to a funding level which is reasonable for the Greater Philadelphia region to expect to receive; and,

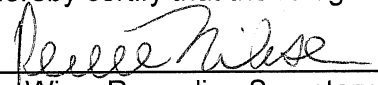
**WHEREAS**, the projects included in this TIP were selected using a cooperative approach based on reaching consensus of the regional priority for all transportation improvements;

**NOW, THEREFORE, BE IT RESOLVED**, that the Delaware Valley Regional Planning Commission adopts the FY2017 Transportation Improvement Program (TIP) for Pennsylvania (FY2017-FY2020) as the region's official selection of transportation projects for federal funding.

**BE IT FURTHER RESOLVED**, that the Delaware Valley Regional Planning Commission determines that the FY2017 Transportation Improvement Program for Pennsylvania (FY2017-FY2020) conforms to the State Implementation Plan of Pennsylvania and is consistent with the Final Conformity Rule.

Adopted this 28<sup>th</sup> day of July 2016 by the  
Board of the Delaware Valley Regional Planning Commission.

I do hereby certify that the foregoing is a true copy of Resolution No. B-FY17-002.

  
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Renee Wise, Recording Secretary

**RESOLUTION**

*by the Board of the Delaware Valley Regional Planning Commission*

**DVRPC SELF CERTIFICATION OF THE METROPOLITAN TRANSPORTATION  
PLANNING and PROGRAMMING PROCESS**

**WHEREAS**, the US DOT Metropolitan Transportation Planning and Programming Regulations (23 CFR Part 450 Subpart C and 49 CFR Part 613 Subpart A ) which implement the planning provisions of 23 USC Sec.134 and 49 USC Sec.5303, requires the Metropolitan Planning Organization (MPO) to certify, concurrent with the submittal of the TIP that its transportation planning and programming process is in conformance with all applicable regulations; and

**WHEREAS**, the Federal Planning and Programming Regulations require the MPO to carry out a continuing, cooperative, and comprehensive performance-based multimodal transportation planning and programming process; and

**WHEREAS**, the requirements of Sections 174 and 176(c) and (d) of the Clean Air Act as amended (42 USC Sec 7504 and 7506 (c) and (d) and 40 CFR Part 93), which require an air quality implementation plan that will bring the Metropolitan Area into conformance with requirements of the Clean Air Act; and require that the MPO not approve any project, program, or plan which does not conform to the aforementioned implementation plan, have been met; and

**WHEREAS**, private citizens, affected public agencies, representatives of transportation agency employees, other affected employee representatives, private providers of transportation, and other interested parties were provided with a reasonable opportunity to comment on the proposed Transportation Improvement Program, Long Range Plan and planning process; and

**WHEREAS**, the Transportation Improvement Program (TIP) has been financially constrained as required by 23 CFR 450.326(j) of the Planning Regulations and includes a financial plan that demonstrates how the TIP can be implemented, indicates resources from both public and private sources that are reasonably expected to be available, and is supportive of innovative financing techniques; and

**WHEREAS**, the Congestion Management Process (CMP) requirements of 23 CFR 450.322 for non-attainment Transportation Management Areas has been met; and

**WHEREAS**, 23 U.S.C. 150, 23 CFR Part 450 and 49 CFR part 613 requires MPO's to establish and use a performance-based approach to transportation decision making, DVRPC continues to work with its partners to plan for the integration of performance measures and targets into the development of the Long Range Plan, the TIP, the CMP, and other appropriate regional planning documents in accordance with federal and state statutes and guidance; and



**WHEREAS**, the Fixing America's Surface Transportation Act of 2015 added two new planning factors to the scope of the metropolitan planning process that MPOs shall consider: Section 450.306 (b)(9) – improve resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and Section 450.306 (b)(10) – enhance travel and tourism, DVRPC will work with its partners to consider these new factors in the planning process; and,

**WHEREAS**, the provision of 49 CFR part 20 regarding restrictions on influencing certain activities has been met; and

**WHEREAS**, the requirements of Title VI of the Civil Rights Act of 1964 and the Title VI assurance executed by each state under 23 USC Sec.324 and under 29 U.S.C. 794 have been met and the requirements of Executive Order # 12898 (Federal Order to Address Environmental Justice in Minority Populations and Low-Income Populations) are being addressed; and,

**WHEREAS**, the requirements of 23 CFR and 49 CFR regarding the involvement of disadvantaged or minority business enterprises in Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) funded planning projects have been met; and

**WHEREAS**, the provisions of the Americans with Disabilities Act 42 U.S.C. 12101 et seq. and US DOT regulations entitled "Transportation for Individuals with Disabilities" (49 CFR, Parts 27, 37 and 38) have been met; and,

**WHEREAS**, provisions of 23 CFR Part 450.310 (d) (1) (ii) and 49 CFR Part 613.100, require MPOs policy boards to include officials of public agencies that provide public transportation, DVRPC elects to continue to use the exception provision specified in 23 CFR Part 450.310 (d) (4) by reaffirming Board Resolution B-FY-15-004, while continuing to include SEPTA, NJ Transit and DRPA/PATCO as participating, non-voting members of the Board and as voting members of DVRPC's Regional Technical Committee and Regional Transit Advisory Committee and, continuing to provide an explicit opportunity for transit agency comment during Board meetings for every agenda Action Item; and,

**WHEREAS**, DVRPC certifies that it qualifies for the exception referred to above by meeting the specification which states: the MPO operates pursuant to a state law that was in effect on or before December 18, 1991; and,

**WHEREAS**, DVRPC recognizes the federal standards that are in place, but strives to exceed those standards, whenever possible, to ensure the health of the region's citizens and the sustainability of the Delaware Valley.



**NOW, THEREFORE, BE IT RESOLVED**, the Delaware Valley Regional Planning Commission, the Metropolitan Planning Organization for the nine county Philadelphia, Camden and Trenton metropolitan areas, certifies that the metropolitan transportation planning and programming process is being carried out in conformance with all applicable federal requirements and certifies that the local process to enhance the participation of the general public, including the transportation disadvantaged, has been followed in developing all plans and programs.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the respective Departments of Transportation of Pennsylvania and New Jersey for inclusion with the State certification that the planning process complies with FHWA/FTA joint regulations on Metropolitan Transportation Planning and Programming.

I certify that this is a true and correct copy of Resolution No. B-FY16-005

A handwritten signature in cursive script, reading "Renee Wise", is written over a horizontal line.

Renee Wise, Recording Secretary