

RESOLUTION

by the Board of the Delaware Valley Regional Planning Commission

Adoption of the DVRPC FY2010 Transportation Improvement Program (TIP) for New Jersey (FY2010-FY2013)

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 as a non-attainment area for ozone by US EPA; portions of the counties of Burlington, Camden, Mercer and Philadelphia have been designated as a limited maintenance areas for carbon monoxide (CO); and the nine-county planning area is part of two non-attainment areas for fine particulate matter (PM2.5) as required by CAAA under respective ozone, CO and PM2.5 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, the Delaware Valley Regional Planning Commission has completed an analysis of the Connections Long-Range plan according to the procedures detailed in the Final Rule; and,

WHEREAS, the analysis demonstrates that emissions of ozone precursors, direct PM2.5 and PM2.5 precursors are less in 2010, 2020, 2030 and 2035 than the applicable established budgets or 2002 baseline test 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 2035 long range transportation 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 Delaware Valley 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 FY 2010 Transportation Improvement Program (TIP) for New Jersey (FY2010-FY2013) 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 FY 2010 Transportation Improvement Program for New Jersey (FY2010-FY2013) conforms to the State Implementation Plan of New Jersey and is consistent with the Final Conformity Rule.

Adopted this 23rd day of July 2009
by the Board of the Delaware Valley
Regional Planning Commission.

I certify that this is a true and correct copy of Resolution No. B-FY10-008.


Jean L. McKinney, Recording Secretary

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RESOLUTION

by the Board of the Delaware Valley Regional Planning Commission

**Adoption of the Conformity Finding of the DVRPC
Connections Long Range Plan (LRP) and the
Transportation Improvement Programs (TIPs)**

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 the State Implementation Plan (SIP) and the Clean Air Act as amended (CAA) 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 as a non-attainment area for ozone by US EPA, portions of the counties of Burlington, Camden, Mercer and Philadelphia have been designated as a maintenance area for carbon monoxide (CO), and the nine-county planning area is part of two non-attainment areas for fine particulate matter (PM_{2.5}) as required by CAA under respective ozone, CO and PM_{2.5} National Ambient Air Quality Standards (NAAQS); and,

WHEREAS, there exist SIP motor vehicle emissions budgets (MVEBs) governing ozone precursors for transportation conformity purposes in the nine-county DVRPC planning area and PM2.5 in Mercer County (i.e. the DVRPC portion of the New York-Northern New Jersey-Long Island, NY-NJ-CT PM2.5 Non-attainment Area); and,

WHEREAS, applicable SIP budget tests are performed for ozone and PM2.5 in the areas where there are proposed or existing SIP MVEBs; and,

WHEREAS, an interim regional emissions analysis is performed to demonstrate transportation conformity in the entire Philadelphia-Wilmington, PA-NJ-DE PM2.5 Non-attainment Area, where there are no SIP PM2.5 MVEBs; and,

WHEREAS, DVRPC has completed conformity analysis of the TIPs and the LRP 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 and PM2.5 are less than applicable requirements: either the established MVEB test or the interim analysis baseline of 2002; 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 Long Range Plan and the DVRPC FY 2009 Transportation Improvement Program for Pennsylvania and FY 2010 Transportation Improvement Program for New Jersey, as amended, conform to the respective State Implementation Plans of Pennsylvania and New Jersey and 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 23rd day of July 2009 by
the Board of the Delaware Valley
Regional Planning Commission.

I certify that this is a true and correct copy of Resolution No. B-FY10-009.


Jean L. McKinney, Recording Secretary

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RESOLUTION

by the Board of the Delaware Valley Regional Planning Commission

**DVRPC SELF CERTIFICATION OF THE TRANSPORTATION
PLANNING PROCESS**

WHEREAS, the US DOT Statewide and Metropolitan Planning Regulations (23 CFR Part 450 and 49 CFR part 613) which implement the planning provisions of 23 USC Sec.134 and 49 USC Sec.5303, requires the Metropolitan Planning Organization (MPO) to certify that its transportation planning process is in conformance with all applicable regulations; and

WHEREAS, the Federal Planning Regulations require that a continuing, cooperative, and comprehensive transportation planning process be carried out by the State and Local officials; 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)), 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 reasonable opportunity to comment on the proposed Transportation Improvement Program, Long Range Plan and planning process; and

WHEREAS, the TIP has been financially constrained by year as required by Section 450.324(e) of the Planning Regulations; 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 49 USC Sec.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 FHWA and FTA funded planning projects have been met; and

WHEREAS, the provisions of the Americans with Disabilities Act (Public Law 101-336, 104 Statute 327, as amended) and US DOT regulations entitled "Transportation for Individuals with Disabilities" (49 CFR, Parts 27, 37 and 38) have been met; 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 urban transportation planning 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.

Adopted this 25th day of June 2009
by the Board of the Delaware Valley
Regional Planning Commission.

I certify that this is a true and correct copy of Resolution No. B-FY09-006.



Jean L. McKinney, Recording Secretary