



NATIONAL CAPITAL REGION  

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TRANSPORTATION PLANNING BOARD

**Item #5**

**MEMORANDUM**

July 22, 2015

**TO:** Transportation Planning Board

**FROM:** Kanti Srikanth  
Director, Department of  
Transportation Planning

**RE:** Additional Letters Sent/Received

The attached additional letters sent/received will be reviewed along with other letters sent/received under item #5 of the July 22<sup>nd</sup> TPB agenda.

Attachment



Office of the Director

July 15, 2015

Mr. Kanti Srikanth  
Director, Department of Transportation Planning  
Metropolitan Washington Council of Governments  
777 North Capitol St NE, Suite 300  
Washington, DC 20002

Dear Mr. Srikanth,

As you know, the Transportation Planning Board has received the final report on our certification review from the Federal Highway Administration and Federal Transit Administration. The report suggests that the TPB could improve its environmental justice analysis by including “additional tools and data for conducting benefits and burdens analysis on minority and low income populations.” Particularly, the federal agencies recommend that we “go beyond accessibility by demographic [profiles], and seek to fully illustrate the benefits and burdens of the transportation planning process, programs, and projects.”

I understand that the results of the certification review will be discussed at the July board meeting. At that time I hope to hear more about the timeline of our response to the federal agencies and any initial thoughts the staff has on how to improve our analysis and processes.

The TPB has already done some impressive work in engaging the community in thinking about equity through the Community Leadership Institute and the Access for All and Citizens Advisory Committees. I am excited about the opportunity for our region to build upon these efforts and to think more deeply and creatively about this important issue.

My office has conducted some initial research into the best practices of other Metropolitan Planning Organizations, and from that research we have included some recommendations for the TPB to further explore (see attachment). We would welcome the opportunity to work with you and your staff to develop and implement these recommendations. To begin the conversation about the TPB’s response to the findings in the federal report, I would like to ask a few questions regarding actions the TPB could take in improving our environmental justice analysis, such as:

1. Does the TPB have enough resources available for environmental justice and equity analysis?



2. What are the best practices of other MPOs for environmental justice and equity?
3. Could environmental justice and equity analysis begin earlier in the planning process, including through project development and submission for inclusion in the Constrained Long-Range Transportation Plan (CLRP) and Transportation Improvement Plan (TIP)?
4. How could TPB expand our environmental justice and equity analysis beyond its current focus on transportation access to employment?
5. How can the TPB incorporate more meaningful citizen/stakeholder involvement in its processes?

Thank you for your attention to this matter. I look forward to exploring this topic further with you.

Sincerely,



Eric D. Shaw  
Director

CC: The Honorable Phil Mendelson, Chair, Council of the District of Columbia and Chair,  
Transportation Planning Board  
The Honorable Charles Allen, District of Columbia Councilmember, Ward 6  
The Honorable Elissa Silverman, District of Columbia Councilmember, At-Large  
Leif Dormsjo, Director, District Department of Transportation  
Janice Bashford, Associate Director, Office of Federal and Regional Affairs, Executive  
Office of Mayor Muriel Bowser

**Attachment:** Recommendations for Improving Environmental Justice and Equity Planning and Analysis



## **Recommendations to Transportation Planning Board For Improving Environmental Justice and Equity Planning and Analysis**

### **1. Create guidelines for environmental justice and transportation equity analysis that all jurisdictions should complete on projects submitted to the Transportation Improvement Program (TIP).** These guidelines should include several elements:

a) Spatial analysis of the health impacts of the project on the neighborhoods that surround it, especially areas where Title VI populations reside. Examples:

- Transportation for America developed a guide called [The Innovative MPO](http://t4america.org/maps-tools/the-innovative-mpo/) (<http://t4america.org/maps-tools/the-innovative-mpo/>) that walks through the process of doing a Health Impact Assessment (HIA) for a project. Several jurisdictions within the National Capital region have begun investigating the use of HIAs at the local level.

b) Analysis of transportation access, not just to jobs, but also to grocery stores, schools, hospitals, and other crucial amenities. Examples:

- The Kirwan Institute has developed a process called Opportunity Mapping that helps MPOs analyze the opportunity index of a neighborhood in both land use and transportation. The MPO in Houston, Texas worked with them using this model.
- Additionally, Wilmapco, the MPO in Wilmington, Delaware, created their own analysis of transportation and food deserts in some of the low income neighborhoods in their region.

c) Creative and meaningful public involvement in project planning, including in the environmental justice analysis itself. Examples:

- INCOG (the MPO in Tulsa, Oklahoma) turned a bus into a mobile outreach lab and brought it to over 100 different stops over the course of four months.
- Minneapolis/St. Paul's MPO, in partnership with two local non-profit organizations, received a federal grant to create engagement campaigns with traditionally underrepresented communities. They then distributed these funds to local organizations to hold events and organize public involvement.

### **2. Conduct a spatial analysis of the environmental impacts of all projects in the Constrained Long-Range Transportation Plan (CLRP) compared to the location of vulnerable populations.** Currently, the analysis of the CLRP only includes transportation



access, and does not examine the distribution of environmental impacts across the region, especially in relation to vulnerable populations.

**3. Conduct a spatial analysis of health impacts of all projects in the CLRP compared to the location of vulnerable populations.** Similarly, the analysis should include a health impact assessment for the entire region. Ideally, steps two and three could be a synthesis of the analyses done at the project level.

**4. Conduct a spatial analysis of the location of activity centers and the location of low-income and minority populations.** The TPB has identified activity centers as areas where growth should be encouraged and connections between them improved. It would be interesting to map these centers against the neighborhoods where vulnerable populations live. How much do they overlap? What impacts would living in an activity center or not living near one have on vulnerable populations?

- As an example, the District of Columbia's moveDC plan includes a mobility index which is used to perform a spatial analysis of access to multiple transportation options across the District. The plan also includes an analysis of the location of high concentrations of vulnerable populations, and assesses the distribution of planned transportation investments with respect to those populations. It would be interesting to incorporate similar analyses done by other jurisdictions to create a picture of the region as a whole.

**5. Enhance public participation in equity and environmental justice analysis, including opportunities for direct public involvement in the analytical process.**

At present, it appears that public participation in the TPB's analysis of equity and environmental justice outcomes is largely reactive. Staff defines the scope of work for such analysis, conducts the analysis, reports to the Access for All and Citizens Advisory committees and the general public, and receives feedback. The two advisory committees (and potentially other stakeholders and the general public) could be more involved at the outset. This might include consultation on the development of the scope (i.e., what questions get asked in the analysis) and information collection.

The TPB could also make greater use of the Community Leadership Institute as an opportunity to involve community leaders in the environmental justice analysis, as well as leverage the networks of these leaders to involve a wider range of the public.

**6. Institute a process for regular updates to the Regional Transportation Priorities Plan that includes rigorous public participation and a focus on equity and environmental justice.**

The work of many other MPOs, including in Omaha, Nebraska, Seattle, Washington, and Albany, New York, show that having a strong vision plan with guiding principles based in equity and environmental justice is a highly useful tool. These MPOs all implemented creative and thorough public participation in developing these vision plans. As a result, public officials felt confident in adopting the plans as they clearly had wide public acceptance. One key strategy that many MPOs adopted in creating such plans was establishing several topic-based taskforces or working groups made up of a wide variety of community stakeholders. To recruit these working group members, MPOs went to local jurisdictions, community groups, and non-profit organizations to find local community leaders. Not only did these working groups come together

through dialogue and consensus to make recommendations to the MPOs, but they also helped do outreach for wider public engagement. This structure allowed the community leaders to lead the discussion and be the face of the project, while the MPO served as the technical knowledge resource and the executors of the project. Locally, the TPB could build on the public engagement processes that occurred in the moveDC vision plan and similar plans in other jurisdictions.

July 16, 2015

Chairman Phil Mendelson  
National Capital Region Transportation Planning Board  
Metropolitan Washington Council of Governments  
777 North Capitol Street, NE, Suite 300  
Washington, DC 20002

Dear Chairman Mendelson –

Thank you for the opportunity to share information for use in the National Capital Region's Transportation Planning Board's discussion on emergency preparedness in the region and an update on the installation of Positive Train Control. As you are aware, CSX hosts Amtrak, MARC, VRE and Norfolk Southern on our privately owned and maintained routes in Maryland, Virginia and the District of Columbia.

#### Safety

In 2012, 2013, and again in 2014, CSX was the safest Class I railroad in the United States regarding train accident rates and personal injury rates according to the Federal Railroad Administration (FRA). CSX also hosts the most passenger/commuter railroads of any Class I on the east coast. While we are proud that we continue to break safety records, we also understand one accident is one too many and continue to work towards the goal of zero incidents. These safety goals are shared by the railroads that operate over our lines. Recognizing that Amtrak, VRE and MARC are also participating in the July 22 hearing we will defer to those organizations on their specific efforts.

#### Coordination with DC Region

CSX has a strong history in the region of building partnerships and working collaboratively with the DC regions first responders, including actively participating in the Metropolitan Washington Council of Governments freight, hazmat, heavy rail and light rail committees. In fact, CSX teams have regularly supported DC Fire & EMS and other emergency responders in the region in response to high-profile events. These include government inaugurations, State of the Union addresses, state funerals, Fourth of July festivities, and many others.

In terms of your question on communications and coordination with passenger railroads, the FRA has published rail safety regulations for the preparation, adoption, and implementation of emergency preparedness plans by railroads connected with the operation of passenger trains, including railroads hosting the operations of rail passenger service. These regulations became effective on July 6, 1998, and are codified in Part 239 of Title 49 of the Code of Federal Regulations (CFR).

CSX has jointly developed and actively maintains individual emergency preparedness plans for each of the passenger agency it hosts, including Amtrak, MARC and VRE. As required by the statute, each plan is reviewed, audited, and approved by the FRA.

#### Positive Train Control



Regarding the installation of Positive Train Control (PTC) I hope you will review the background statement of CSX's Vice President of Service Design Frank Lonegro's June 24, 2015 testimony before the US House of Representatives on behalf of the entire freight rail industry. This statement helps explain the system mandated by Congress, complexities in the creation of this new technology, and the industry's commitment to the installation of PTC as early as possible.

CSX and other railroads have been working tirelessly to meet the PTC mandate. In fact, over the last six years, PTC was CSX's largest capital expense behind track maintenance and freight cars. As of the end of 2014, CSX had invested \$1.2 billion in PTC. We expect to spend another \$300 million this year with a total installation and development expenditure of \$1.9 billion. CSX has more than 1,000 employees who are dedicated to PTC installation and safe operation. As of mid-May, 2,676 CSX locomotives were partially equipped with PTC; over 2,200 wayside interface units were deployed; and 466 radio base-stations were installed. We have completed field qualification testing on the first territory type on our network, and will be starting a revenue service demonstration later this month over a 480-mile segment of our network (equivalent to the Northeast Corridor).

CSX continues to meet and work with all the railroads that we interface with, including Amtrak, VRE, MARC and Norfolk Southern to ensure the system's interoperability works and delivers the safety enhancements sought.

#### Other Safety Features

CSX is investing record amounts of capital that contributes directly to operating a safe and efficient railroad, as well as ensuring that we're positioned to support and share growth with our customers. In 2015, CSX announced a \$2.6 billion capital investment plan, with the largest component allocated to renewal and maintenance of our network infrastructure and assets.

CSX along with the rest of the rail industry has a broad-based risk-reduction framework that we utilize to identify opportunities to continue our record of annual incident reduction. These opportunities often take the form of emerging or existing technology to reduce the chance of human error and identify equipment that needs maintenance before failure happens.

There are numerous other technologies in place or being tested besides PTC that are deployed on the railroad to reduce risk and drive continuous safety improvement. You have heard less about these technologies, but each produces significant safety benefits. These technologies include:

- Track geometry vehicles that utilize sophisticated electronic and optical measuring devices to monitor all aspects of our track infrastructure
- Rail defect detection systems that utilize ultrasonic technology to detect internal rail defects
- Wheel temperature detectors, using infrared technology, to identify wheel bearing fatigue
- And, Machine visioning systems to inspect freight cars in passing trains for defects

Leveraging the tremendous amount of data generated by all these technologies is another area that promises exciting safety gain. Advanced Analytics covers a broad spectrum of activities, but is aimed at drawing insights and value from large amounts of data, with the ultimate goal to improve decision making. The rail industry is currently working with IBM on a "Big Data" Advanced Analytics initiative to take the information that we already use to detect deviations from safety standards. These insights will drive further understanding of the factors that cause these deviations in the first place.



Let me quickly walk you through one example of how CSX is utilizing advanced analytics to improve safety.

CSX currently has over 860 equipment detectors located track side along our 21,000 mile network. These equipment detectors continually monitor the overall equipment health of passing RAIL CARS, utilizing a combination of Thermal, Acoustic, Vision Systems, and other technologies all linked and communicating among themselves so that equipment degradation trends are detected well before failure. While the system cannot detect all types of failure, it is a major reason in the reduction of mainline equipment caused derailments.

Today, these systems identify defective equipment and action is then taken to address these defects as they are identified. In order to move from today's reactionary-type of environment to more of a proactive and preventative response, our Advanced Analytics initiative is combining all this equipment health information into a single source and we're then utilizing it to predict future component and equipment fatigue and failures. Our ultimate goal is to improve railroad safety by leveraging this data to reduce service interruptions and derailments.

As you can see, the current breadth of technology and its potential going forward is tremendous as long as we have a regulatory environment that rewards innovation, is not over prescriptive, and does not create unintended barriers to development. We would respectfully suggest that safety outcomes should be the focus when government regulation is necessary, not the technologies and the analytics themselves, because those are complex and evolving at a very fast pace.

#### Operations During a Multi-Day Outage

Like the rest of the industry, and in coordination with our passenger and freight partners, CSX has plans in response for multi-day outages. Those policies cover the assets and services needed to safely respond to times when certain lines are out of service. Unfortunately, due to the limited capacity through and around the District, experiences over the last decade have required freight embargoes, cancellation of passenger service, transfer to trucks and buses, or other temporary options until service is restored.

CSX, Amtrak, VRE and MARC have each supported and funded enhancements in the rail infrastructure through the region to try and prevent incidents that stop or delay rail traffic. This can be simple things like track enhancements through the addition of crossovers that have added additional capacity. To more complex items, such as CSX's and Virginia's investment in reconstructing the Virginia Avenue tunnel. These joint efforts enhance the system and prevent delays that have occurred over the last decade. We are appreciative of the TPB's and our rail partners' support of our National Gateway and Virginia Avenue Tunnel projects.

#### Information Sharing and First Responder Training

As you may know, federal laws require railroads to share their safety and security plans with authorized officials at the US Department of Homeland Security and Federal Railroad Administration and restricts who is able to see these plans and expressly prohibits disclosure of this material. Due to this federal law and other security concerns CSX does not publicly disclose information about the materials it transports; however, CSX regularly provides a list of the top 25 hazardous materials (by rail car count) shipped through the District to the D.C. Homeland Security and Emergency Management Agency (HSEMA), the Fire & EMS and Police Departments, as well as the U.S. Department of Homeland Security. This not only

lets emergency responders know what is moving through the District but also allows them to train adequately to handle these specific commodities so they are better prepared in case of an emergency.

To increase information sharing between CSX, the District, Virginia and Maryland have all signed agreements gaining access to CSX's state-of-the-art SecureNOW system, which provides nearly real-time information about the location of CSX trains and the contents of the rail cars transported on CSX trains passing through the region. TSA and the US DOT Crisis Center, both located in the District, also have access to this system. CSX established an application that can be used on hand held devices by emergency responders to learn information on individual cars and trains while out in the field called Operation Respond. The rest of the rail industry has since created a similar application called AskRail, so real time rail carload information is available to emergency responders.

Beyond information-sharing, CSX continually partners with the District and the region to provide comprehensive training for our first responders. Regional emergency responders regularly participate in specialized safety training provided by CSX for emergency planning assistance and response. This training ranges from information available in the CSX Community Awareness and Emergency Planning Guide, computer-based hazmat training programs, and hands-on sessions involving specific rail equipment and hazardous materials training. In April, CSX trained 220 D.C. Fire & EMS personnel in a classroom setting, and over four days in July provided specialized hands-on training on CSX's Safety Train. We appreciated members of the MW COG's staff participating in this event. In 2014, CSX hosted at Benning Yard three days of training exercises for District and regional police forces. Additionally, CSX puts on table-top drills, crisis management exercises and other coursework designed to the needs of the District Fire & EMS.

CSX also covers all expenses for D.C., MD and VA emergency responders to attend a week-long training session at the Association of American Railroads Security and Emergency Response Training Center in Pueblo, Colorado. The funding includes flight, hotel, food, travel, and the cost of the class. Since 2007, CSX has helped the District send thirteen D.C. Fire & EMS hazmat team members to this state-of-the-art facility for additional hands-on field and classroom training.

Again, we appreciate the opportunity to share with the Board. Please do not hesitate to contact me if there is any additional information I can provide.

Sincerely,



Stephen Flippin  
Director, Federal Affairs





# NATIONAL CAPITAL REGION TRANSPORTATION PLANNING BOARD

July 20, 2015

Dr. Kwame Arhin  
Planning & Program Manager  
Federal Highway Administration Maryland Division  
10 S. Howard Street, Suite 2450  
Baltimore, Maryland 21117

Dear Dr. Arhin,

I am writing to inform you that the Calvert County projects included in the Long Range Transportation Plan (LRTP) and Transportation Improvement Program (TIP) of the newly formed Calvert – St. Mary’s Metropolitan Planning Organization (C-SMMPO) were included in the regional air quality conformity analysis conducted by the MPO for the National Capital Region, the Transportation Planning Board (TPB).

The air quality conformity analysis conducted by the TPB was for its 2014 Constrained Long Range Plan (CLRP) and FY 2015-2020 TIP. The conformity analysis was approved by the TPB with Resolution R5-2015 on October 15, 2014, and subsequently approved by the Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) on January 5, 2015 (Attachment A). This federally approved conformity determination is for the 2008 8-Hour Ozone Non-Attainment area which includes Calvert County.

The TPB solicits project inputs each Fall for the annual update of the regional CLRP, and Calvert County project updates are provided by the Maryland Department of Transportation (MDOT) based on its consultation with Calvert County. The currently approved conformity analysis includes projects in Calvert County and is documented in the report *Air Quality Conformity Analysis of the 2014 Financially Constrained Long Range Transportation Plan (CLRP) and the FY 2015-2020 Transportation Improvement Program (TIP)*.

The report can be found in the transportation - air quality planning section of the TPB website at [www.mwcog.org](http://www.mwcog.org). The map in Exhibit 1 and the table in Exhibit 2 of the report show that ozone season emission summaries include those for Calvert County in our regional analysis. Appendix B of the report lists the regionally significant project inputs, including some in Calvert County.

Transportation plans, programs and projects in Calvert County are included in the conformity analysis and determination carried out by the TPB for the Washington Metropolitan Statistical Area (MSA), as per TPB’s resolution adopted in 1993, which is currently in place (Attachment B). The TPB Resolution (R23-93, Resolution Responding to Governor Schaefer’s Letter Concerning The Metropolitan Planning Boundary in Maryland) to include Calvert County in the TPB’s air quality conformity analysis was the result of extensive coordination between the State Transportation and Air Agencies and FHWA and FTA, responding to requirements in the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991.

**777 North Capitol Street NE, Suite 300, Washington, DC 20002-4290**  
**Web: [www.mwcog.org/tpb](http://www.mwcog.org/tpb) Phone: (202) 962-3315 Fax: (202) 962-3202**

It must be noted that the C-SMMPO was not in existence at the time the TPB resolution was adopted. Since the establishment of the C-SMMPO and the inclusion of Calvert County in this new MPO the TPB staff has initiated discussions with MDOT to review and update the 1993 resolution. Updates would include the matter of institutional arrangements between TPB and C-SMMPO to address analysis issues related to inclusion of Calvert County transportation plans, projects and programs in TPB's regional air quality conformity analysis. This review will include consultation with the C-SMMPO and reflect appropriate and applicable procedures for conducting regional air quality conformity analysis for multi-MPO Nonattainment areas.

Please let me know if you have any questions or concerns about the status of air quality conformity analysis for Calvert County projects in the C-SMMPO LRTP and TIP, or about the development of a new coordination agreement between the TPB and C-SMMPO.

Sincerely,

*for Robert E. Srikanth*

Kanathur N. Srikanth  
Director, Department of Transportation Planning

cc:

Mr. Todd B. Morgan, Commissioner, St. Mary's County, Maryland  
Mr. Steven R. Weems, President of the Board of County Commissioners, Calvert County,  
Maryland  
Ms. Patricia Haddon, Calvert County  
Mr. Phil Shire, St. Mary's County  
Ms. Lyn Erickson, Regional Planning, Maryland Department of Transportation  
Mr. Tyson Byrne, Regional Planning, Maryland Department of Transportation  
Ms. Sandra Jackson, FHWA, District of Columbia Division  
Ms. Melissa McGill, FTA, District of Columbia Division  
Ms. Kathleen Zubrzycki, FTA, Region III  
Mr. Ronald Milone, Metropolitan Washington Council of Governments  
Ms. Jane Posey, Metropolitan Washington Council of Governments



ATTACHMENT A

Sent via email



U.S. Department  
of Transportation

Federal Transit Administration  
Region III  
1760 Market Street, Suite 500  
Philadelphia, PA 19103  
215-656-7100  
215-656-7260 (fax)

Federal Highway Administration  
DC Division  
1990 K Street, N.W., Suite 510  
Washington, DC 20006  
202-219-3570  
202-219-3545 (fax)

January 5, 2015

The Honorable Patrick Wojahn, Chairman  
National Capital Region Transportation Planning Board  
c/o Mr. Kanti Srikanth, Director of Transportation Planning  
Metropolitan Washington Council of Governments  
777 North Capital Street, NW, Suite 300  
Washington, D.C. 20002-4201

**Re: Air Quality Conformity Determination for the 2014 Constrained Long Range Plan (CLRP) and the Fiscal Year (FY) 2015-2020 Transportation Improvement Program (TIP) for the Washington Metropolitan Region**

Dear Chairman Wojahn:

The 1990 Amendments to the Clean Air Act require transportation air quality conformity determinations for Metropolitan Transportation Plans, Transportation Improvement Programs (TIP), sections of a State Transportation Improvement Program (STIP) covering rural nonattainment/maintenance areas, and projects in areas that are designated as air quality nonattainment and maintenance areas. Section 176 (d) of the Clean Air Act establishes priority requirements for programs supported by the Federal government that target nonattainment or maintenance areas in order to provide for timely implementation of eligible portions of air quality plans.

The Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) coordinated the transportation air quality conformity determinations submittal with the Environmental Protection Agency (EPA) and are jointly making this air quality conformity determination. This determination was triggered as a result of having completed the review of the 2014 Constrained Long Range Plan (CLRP) and the Fiscal Year (FY) 2015-2020 TIP for the Washington Metropolitan Region. The last air quality conformity determination for the 2013 CLRP and 2013-2018 TIP was made on January 22, 2014. On December 9, 2014, in a letter to FHWA's District of Columbia Division regarding the review of the 1997 8-Hour Ozone, 2008 8-hour Ozone, Carbon Monoxide and 1997 Fine Particulate Matter (PM 2.5) Standards Conformity (enclosed), the EPA acknowledged its review and included technical documentation that supports the conformity finding of the region's 2014 CLRP.

FTA and FHWA find that the analytical results provided by the Transportation Planning Board (TPB) to demonstrate conformity are consistent with EPA's Transportation Conformity Rule (40



Chairman Wojahn

Page 2

**Re: Air Quality Conformity Determination for the 2014 CLRP and the FY 2015-2020 TIP  
for the Washington Metropolitan Region**


CFR Part 93), as amended. FTA and FHWA find that the 2014 CLRP and 2015-2020 TIP conform to the region's State Implementation Plans, and that the conformity determination has been performed in accordance with the requirements specified in the Transportation Conformity Rule (40 CFR Part 93), as amended.


FTA and FHWA find that the TPB 2014 CLRP was developed based on a continuing, cooperative, and comprehensive transportation planning process carried on cooperatively by the TPB, the Washington Metropolitan Area Transit Authority (WMATA), the states of Maryland and Virginia, and the District of Columbia in accordance with the requirements of 23 USC 134 and Section 5303 of the Federal Transit Act (49 USC).

Based on our transportation planning regulatory requirements, our day-to-day involvement, and extensive review of technical analysis reports, and in accordance with the provisions of Section 134(h)(2)(B), Title 23 USC, FTA and FHWA find the financial information needed to support our fiscal constraint determination is complete.

Any questions concerning this determination should be directed to Ms. Melissa Barlow, Community Planner of the FTA DC Metropolitan Office, at (202) 219-3565 or Ms. Sandra Jackson, Community Planner of the FHWA District of Columbia Division, at (202) 219-3521.

Sincerely,

  
Reginald B. Lovelace  
Deputy Regional Administrator  
Federal Transit Administration, Region III

  
Joseph C. Lawson  
Division Administrator  
Federal Highway Administration

Enclosure

cc:

Kwame Arhin, FHWA Maryland Division  
Ivan Rucker, FHWA Virginia Division  
Edward Sundra, FHWA Virginia Division

TPB R23-93  
December 16, 1993

**METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS  
NATIONAL CAPITAL REGION TRANSPORTATION PLANNING BOARD  
777 North Capitol Street, N.E.  
Washington, D.C. 20002**

**RESOLUTION RESPONDING TO GOVERNOR SCHAEFER'S  
LETTER CONCERNING THE METROPOLITAN PLANNING  
BOUNDARY IN MARYLAND**

**WHEREAS**, the National Capital Region Transportation Planning Board (TPB) is the officially designated Metropolitan Planning Organization (MPO) for the Metropolitan Washington area; and

**WHEREAS**, the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 requires MPO boundaries to "at least include the boundaries of the non-attainment area, except as otherwise provided by agreement between the metropolitan planning organization and the Governor;" and

**WHEREAS**, in a letter of April 16, 1992, the Governor of Maryland presented a proposal to the TPB under which "the Washington area MPO boundaries should not be expanded to encompass Charles and Calvert Counties;" and

**WHEREAS**, on September 16, 1992, the Transportation Planning Board (TPB) requested that the Metropolitan Washington Air Quality Committee (MWAQC) consider and provide comments to the TPB on the implications of Governor Schaefer's request for air quality planning and conformity findings in the Metropolitan Washington Area; and

**WHEREAS**, there has been extensive coordination with the State Transportation Agencies and the State Air Quality Agencies, who are members of MWAQC, and with Federal Highway Administration (FHWA) and Federal Transit Administration (FTA); and

**WHEREAS**, on December 9, 1992, the MWAQC adopted a set of recommendations to the TPB on responding to Governor Schaefer's request; and has transmitted those recommendations to the TPB; and

**WHEREAS**, the "Interim Guidance on the ISTEA Metropolitan Planning Requirements" issued by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) of April 6, 1992, contains the following guidance on Metropolitan boundaries:



**"In non attainment areas, if the MPO and the Governor agree to exclude a portion of the nonattainment area, they must be able to demonstrate how conformity will be ensured in the excluded portion. Such proposals should be coordinated with FHWA, FTA, EPA, the state transportation agency, and the state air quality agency before a final decision is made".**

**NOW, THEREFORE, BE IT RESOLVED THAT: The National Capital Region Transportation Planning Board endorses the MWAQC recommendations as defined in Attachment A, agrees to respond favorably to the April 16, 1992 request of the Governor of Maryland, and also to transmit copies to the Federal Highway Administration, the Federal Transit Administration, and the Environmental Protection Agency.**

**Adopted by the Transportation Planning Board at its regular meeting on December 16, 1992.**

## ATTACHMENT A

### Proposal for Satisfying Federal Metropolitan Planning Requirements for Charles and Calvert Counties

The TPB proposes the conformity procedures defined in parts 1-4 below. These procedures affirm the practices that have been used for the past two years for the Metropolitan Washington Region non-attainment area as a means for assuring conformity in Charles and Calvert Counties.

1. The TPB agrees with Governor Schaefer that Charles and Calvert Counties not be a part of the planning area covered by the TPB.
2. Transportation plans, programs and projects in Charles and Calvert Counties will be excluded from the TPB's Long-Range Transportation Plan and six-year Transportation Improvement Program (TIP), and included in the statewide Long-Range Transportation Plan and state-wide Transportation Improvement Program (STIP) developed by the State of Maryland.
3. Transportation plans, programs and projects in Charles and Calvert Counties will be included in the conformity analysis and determination carried out by the TPB for the Washington Metropolitan Statistical Area (MSA). Conformity determinations concerning proposed added projects will be based on a system level analysis for the non-attainment area.
4. Charles and Calvert Counties will be involved in all aspects of the conformity analysis and determinations.
  - Formal involvement for Charles and Calvert Counties will be provided through the Maryland Department of Transportation on the TPB, and through Charles and Calvert Counties' membership on MWAQC and its Technical Staff Coordination Committee (TSCC).
  - Informal involvement by Charles and Calvert Counties will be provided through participation by their representatives in COG and TPB committees and processes concerned with conformity, including receipt of all materials and participation in all meetings, discussions, and reviews.

These procedures are subject to amendment should they be found in conflict with the final rule on conformity promulgated by the U.S. Environmental Protection Agency.