

**ITEM 7 – Action
February 21, 2024**

Planning Area Boundary Adjustment and
Resulting TPB Membership Change

Action: Adopt Resolution R6-2024 to approve the TPB's Planning Area Boundary and Amend the TPB Bylaws.

Background: Following the 2020 Census, Fauquier County's urban areas were redefined and are no longer contiguous to those in Prince William County. Fauquier County is now entirely outside of the Washington DC-VA-MD urban area for which the TPB is the designated MPO. Fauquier County has opted to no longer be a TPB member, therefore the TPB must take action to adjust the membership and corresponding documents. The TPB will be asked to update the TPB Bylaws and maps to reflect this change.

NATIONAL CAPITAL REGION TRANSPORTATION PLANNING BOARD
777 North Capitol Street, N.E.
Washington, D.C. 20002

**RESOLUTION TO AMEND THE TPB BYLAWS
TO ADJUST THE TPB'S PLANNING AREA BOUNDARY AND
REMOVE FAUQUIER COUNTY AS A TPB MEMBER**

WHEREAS, the National Capital Region Transportation Planning Board (TPB), as the federally designated metropolitan planning organization (MPO) for the Washington region, has the responsibility under the provisions of the Fixing America's Surface Transportation (FAST) Act, reauthorized November 15, 2021 when the Infrastructure Investment and Jobs Act (IIJA) was signed into law, for developing and carrying out a continuing, cooperative and comprehensive transportation planning process for the metropolitan area; and

WHEREAS, per 23 CFR 450.312, the metropolitan planning area (MPA) boundaries shall be reviewed after each census; and

WHEREAS, the TPB is governed by its Bylaws which, as last amended on September 21, 2022, provide for the operation and framework for the TPB while defining its Planning Area; Membership and Terms; Functions; Relationship with the Metropolitan Washington Council of Governments; Time and Place of Meeting; Officers; Quorum and Voting Procedures; Committees; Staff; Public Participation and Process for the Amendments of Bylaws; and

WHEREAS, the TPB Bylaws state that "*changes in jurisdictional membership (but not individual appointments of the jurisdictions) shall be based on changes to the urbanized area boundaries and the planning area of the TPB, consistent with federal MPO regulations;*" and

WHEREAS, in November and December 2023, TPB staff met with the District Department of Transportation (DDOT), the Maryland Department of Transportation (MDOT), and the Virginia Department of Transportation (VDOT) to review the results of the US DOT review and approval of all of the urban area boundaries resulting from the 2020 Census; and

WHEREAS, the only change in urban area boundary is located in Virginia, where the updated urban area boundary included in the US DOT approval no longer finds Fauquier County and the Town of Warrenton contiguous to Prince William County and thus they are no longer part of the Washington DC-VA-MD urban area; and

WHEREAS, on July 16, 2014, based on the results of the previous 2010 Census, a portion of Fauquier County, Virginia, including the Town of Warrenton had been designated as part of the Washington DC-MD-VA urbanized area and the MPA, and membership for the TPB had to be expanded to include the newly added jurisdiction (Fauquier County); and

WHEREAS, due to the change in urban area boundary resulting from the current 2020 Census, Fauquier County is no longer required to be a member of the TPB and part of the TPB's planning process, and on July 27, 2023, Fauquier County officially informed TPB of its decision to discontinue its membership in the TPB; and

WHEREAS, VDOT has coordinated with the Virginia member jurisdictions of the TPB about their support for Fauquier County’s request to be dropped from the TPB, and on January 30, 2024, the Secretary of Transportation for the Commonwealth of Virginia formally requested TPB to take the appropriate steps to update the planning area boundary and remove Fauquier County as a member of the TPB; and

WHEREAS, the TPB Technical Committee reviewed the proposal at its January 5, 2024 and February 2, 2024 meetings, and the TPB was given notice of this proposed change to its membership and planning area boundary at its January 17, 2024 meeting.

NOW, THEREFORE, BE IT RESOLVED THAT the National Capital Region Transportation Planning Board:

- Approves the Amended TPB Bylaws, as attached;
- Approves the adjusted Planning Area Boundary (TPB Bylaws Figure 1); and
- Removes Fauquier County as a TPB member.

BYLAWS OF THE NATIONAL CAPITAL REGION TRANSPORTATION PLANNING BOARD

As Amended ~~September 21, 2022~~ February 21, 2024



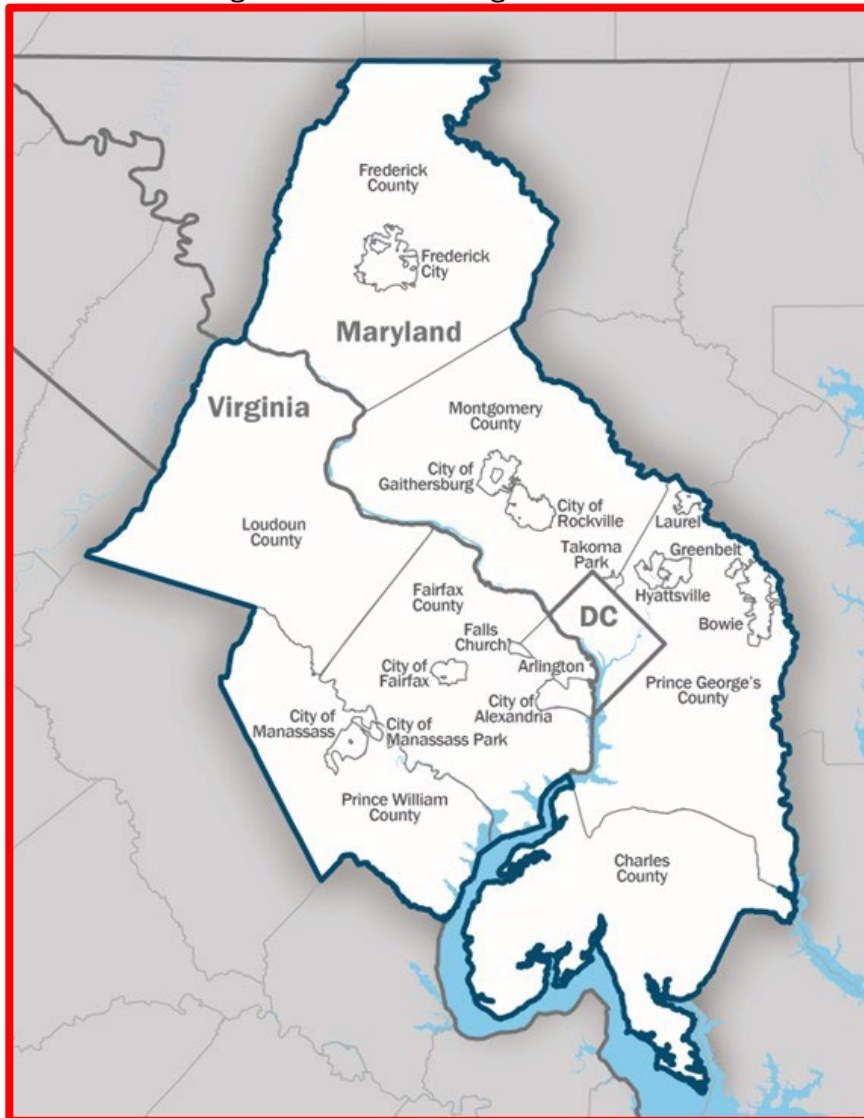
National Capital Region
Transportation Planning Board

I. FUNCTIONS

The National Capital Region Transportation Planning Board (TPB) is the federally designated metropolitan planning organization (MPO) for metropolitan Washington. The TPB is responsible for developing and carrying out a continuing, cooperative, and comprehensive transportation planning process in the metropolitan area.

Consistent with federal law, 23 USC § 134 and 49 USC § 5303 et seq., the TPB was designated as the MPO by the Governors of the State of Maryland, the Commonwealth of Virginia, and the Mayor of the District of Columbia with the agreement of units of general purpose local government that together represented at least 75 percent of the affected population (including the largest incorporated city [based on population] as determined by the Bureau of the Census) in accordance with procedures established by applicable State or local law. Consistent with the requirements of applicable federal statutes and regulations the TPB has been designated as a transportation management area (TMA) since the urbanized area served by the TPB has a population greater than 200,000. The transportation planning area of the TPB, as of ~~July 2022~~ February 2024, is depicted in Figure 1.

Figure 1 – TPB Planning Area



The TPB, serving as the MPO for the metropolitan Washington area, shall be responsible for the development of policies of regional significance (having "significant" interjurisdictional effects in terms of financing, transportation service, location, staging, and/or socio-economic, land use, or environmental impacts), and necessary procedures for the effective implementation of a metropolitan transportation planning process. The TPB's functions include, but are not limited to, organization and management direction of the planning process, actions related to securing of Federal aid funding for the metropolitan planning process and matching funding by the signatories of the Master Funding Agreement of record, and associated administrative and management responsibilities including the publication of progress reports describing the time, cost, and technical detail of the planning program, and distribution of summaries of the TPB's proceedings.

II. RELATIONSHIP WITH THE METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS

The Metropolitan Washington Council of Governments (COG) entered into a contract¹ to have COG serve as the administrative and fiscal agent of the TPB. Thus, the TPB is staffed by COG's Department of Transportation Planning. In July 1966, the TPB and the COG jointly adopted a plan² for associating the two organizations, under which the TPB may also serve as the transportation policy committee of COG. The purpose of the plan is to improve coordination between the TPB's transportation planning process and COG's comprehensive regional planning process, and to achieve economies and efficiencies through joint staffing and administration of these two activities. Under this arrangement, COG serves as the administrative and fiscal agent for the TPB and the TPB uses COG's forecasts of land use, population, and employment as the basis for developing transportation plans and programs consistent with the area's growth policies. This association does not in any way impinge upon the basic responsibilities of the TPB as the designated MPO for transportation planning in the Washington Metropolitan Area.

III. MEMBERSHIP AND TERMS

23 USC § 134 and 49 USC § 5303 et seq. prescribe the structure and membership of MPOs. Consistent with these requirements, TPB membership is made up of local elected officials from each local government within the urbanized area served by the TPB, the appropriate State officials (both branches of the state and federal city legislatures) and officials of public agencies that administer or operate major modes of transportation in the metropolitan area (the state and District of Columbia Departments of Transportation, DOT), including representation by providers of public transportation (the Washington Metropolitan Area Transit Authority (WMATA)). Additionally, the TPB membership includes ex-officio or non-voting members, as noted below.

Further, consistent with regulations to consider the equitable and proportional representation of the population of the metropolitan planning area, the number of members from a jurisdiction is related to the population within the jurisdiction. Table 1 lists the jurisdictions and agencies, or entities represented on the TPB.

¹ February 9, 1966, "Contract By And Between Metropolitan Washington Council Of Governments And Government Of The District Of Columbia Virginia Department Of Highways, And Maryland State Roads Commission.

² July 14, 1966, "Resolution Adopting The Plan For Associating The Metropolitan Washington Council Of Governments With The National Capital Region Transportation Planning Board".

Table 1: Jurisdictions and Organizations Represented on the TPB

DISTRICT OF COLUMBIA	VIRGINIA
District Council	Arlington County
District Department of Transportation	Fairfax County
District Department of Planning	Fauquier County
	Loudoun County
	Prince William County
MARYLAND	City of Alexandria
Charles County	City of Fairfax
Frederick County	City of Falls Church
Montgomery County	City of Manassas
Prince George's County	City of Manassas Park
City of Bowie	Virginia General Assembly
City of College Park	Virginia Secretary of Transportation
City of Frederick	
City of Gaithersburg	
City of Greenbelt	EX OFFICIO MEMBERS
City of Laurel	Federal Highway Administration
City of Rockville	Federal Transit Administration
City of Takoma Park	National Capital Planning Commission
Maryland General Assembly	National Park Service
Maryland Secretary of Transportation	Metropolitan Washington Airports Authority
Washington Metropolitan Area Transit Authority	

The TPB shall be composed as follows:

1. One (1) elected member from each of the local governing bodies of the cities and counties in Maryland and Virginia contained within the urbanized area served by the TPB and the appropriate state officials³. In addition, membership may include one (1) elected member from the governing body of any other city or county outside of the TPB's planning area recommended for membership by a majority vote of the TPB based on the substantial interests such jurisdiction has in the metropolitan planning process. Participation of such members shall be conditioned on such jurisdiction contributing to the financial support of the planning process in an amount determined by the TPB.
2. Those cities or counties of Maryland and Virginia that participate in the TPB and which have a population greater than 400,000 shall have one (1) additional member selected as follows:
 - A. The County Executive or his designated representative, if the form of government includes an elected County Executive, or;
 - B. One (1) additional elected member of the local governing body, if the form of government does not include an elected County Executive.
3. Four (4) members from the Government of the District of Columbia, two (2) of whom shall be members of the Council, and two (2) from the executive branch. One (1) of the executive branch members shall be from the District DOT.
4. One (1) member from each of the DOT of Maryland and Virginia, and one (1) member representing the Washington Metropolitan Area Transit Authority (WMATA).
5. One (1) member each from the House and Senate of the Maryland and Virginia General Assemblies, respectively, and one (1) additional member from the Council of the District of Columbia. Such members and their alternates shall be selected from the members of the General Assemblies representing portions of the Washington Metropolitan Area, and the

³ Membership in COG is not a requirement for TPB members.

Council of the District of Columbia, respectively. Alternates for these members shall also be members of the General Assemblies or the Council of the District of Columbia, respectively.

6. One (1) member each from the National Capital Planning Commission, the Metropolitan Washington Airports Authority, the Federal Highway Administration, the Federal Transit Administration, the Federal Aviation Administration, and the National Park Service. Each member in this category shall be non-voting but shall be entitled to offer and second motions and resolutions and otherwise enter deliberations of the TPB.

Designated alternate representatives of the local government representatives must be appointed by their local governing body. Such appointment must be made and communicated to the TPB staff by an authorized representative of the governing body or entity. If the designated alternate representative is not an elected official or an employee of the participating jurisdiction's government, then the participating jurisdiction's governing body must adopt a resolution appointing the "external candidate" based on his/her qualifications and expertise to adequately represent the jurisdiction as an alternate representative. Designated alternate representatives of the DOT must be appointed by their respective Departments. Designated alternate representatives of WMATA must be appointed by the Board of Directors.

Members shall serve until replaced by the organization which they represent. Changes in jurisdictional membership (but not individual appointments of the jurisdictions) shall be based on changes to the urbanized area boundaries and the planning area of the TPB, consistent with federal MPO regulations.

IV. TIME AND PLACE OF MEETING

1. The TPB shall hold regular meetings, preferably monthly, with a minimum of one meeting each quarter. While the month of August would be exempt from this requirement the Chair of the TPB could convene a special meeting in August as outlined below. Special meetings may be called by the Chair at any time on ten (10) days' notice in writing of the time, place, and general business to be transacted. The Chair shall call a special meeting of the TPB on the request of not less than one-third of the voting members of the TPB, or as required under Section VII.a(7). Insofar as possible, all matters requiring a vote shall be proposed in writing and furnished to members at least three (3) days prior to the meeting or at the time of notice of the meeting, whichever is earlier. The vote on any such matter shall be conducted in accordance with the requirements of Section VI.

The TPB shall give preference for in-person meetings over virtual meetings unless there is a local, regional, or federal order or pronouncement of emergency conditions that affect public safety or health and where public in-person gatherings are discouraged or restricted.

Members will be expected to participate in the in-person meetings in person, unless exempted as per the provisions below.

2. Virtual participation in an in-person meeting: When an in-person meeting is scheduled, a member may attend the meeting virtually (through electronic communication means) from a remote location. The member wishing to participate virtually, shall give at least three (3) days' notice to the Director or designated staff by either email or telephone. The Chair shall announce the names of the members participating virtually at the beginning of the meeting.

Electronic participation is contingent upon the ability of COG staff to make the necessary arrangements for the audio and or visual communications between the TPB meeting locations and the remote location of the member participating virtually.

3. Virtual meetings due to an emergency: In the event of a state, local or federal order or pronouncement of emergency conditions that affect public safety or health, meetings may be held by telephone conference call, videoconference, or online video/telephone call combination (“virtual meetings”), at the direction of the Chair or a Vice Chair, if the Chair is not available, after consulting with the other Vice Chairs, if possible, and the COG Director of Transportation Planning. If possible, three (3) days’ notice shall be given to the members by either email or telephone, which notice shall include the specific steps necessary to access the meeting. Such direction shall only be given upon a determination that a face-to-face meeting is precluded by a state, local or federal order or pronouncement of emergency conditions affecting public safety or public health.
4. Virtual meetings not due to an emergency: The Chair may propose and or upon request by and discussion among members schedule a limited number of all virtual meetings in a year, when there is no state, local or federal order or pronouncement of emergency conditions that affect public safety or health. Such virtual meeting(s) would, among others things, advance travel demand management strategy of reducing travel to support regional goals including reducing congestion, and reducing use of fossil fuel and improving air quality. Notice of such an all virtual meeting will be provided no less than ten (10) days in advance of the scheduled meeting. Such virtual meetings will be limited to no more than three (3) meetings in a year.
5. The Chair may determine that no electronic attendance is permitted at certain meetings of the TPB.
6. The following procedures shall apply when a member is attending electronically:
 - a. The member shall verbally identify at the beginning of the meeting that the member is present electronically; and announce, verbally or electronically, if the member is departing from the meeting, unless the meeting has adjourned;
 - b. The member shall, verbally or electronically, ask for recognition from the Chair if the member desires to speak;
 - c. The member attending electronically shall indicate his/her vote verbally when requested by the Chair or staff;
 - d. The member attending electronically shall not have a right to attend any executive session or closed meeting during the meeting but may be included if arrangements can be readily made and the confidentiality of the meeting ensured;
 - e. All other Bylaw provisions apply.

V. OFFICERS

Officers of the TPB shall consist of a Chair and two Vice Chairs who are voting members. Terms of office shall be for one year, from January 1 to December 31. Election of officers shall take place at a regular meeting no later than December of the year. Neither the Vice Chairs nor Chair shall be a

representative of the same State or agency. If a vacancy occurs in the office of any of the officers, their successor shall be elected from the same State to complete the unexpired term, such election to be held at any regular meeting of the TPB.

DUTIES OF OFFICERS

The Chair of the TPB shall preside at all meetings and appoint all committees and shall perform such other duties as the TPB may, from time to time, order.

Vice Chairs shall assist the Chair and either Vice Chair shall preside at meetings in the absence of the Chair, and either Vice Chair shall act in the absence of the Chair.

The TPB staff shall be Secretary of the TPB. The staff shall be the custodian of all records of the TPB and shall keep an action summary of the meetings of the TPB. Minutes of the TPB shall be disseminated to members of the TPB and their alternates as well as to non-member jurisdictions in the region. The staff shall, on behalf of the TPB, certify, when required, copies of records, and shall perform such other duties as may be directed by the TPB. The staff shall also maintain the official copy of the Bylaws of the TPB, and shall enter upon such official copy all duly adopted modifications and amendments.

VI. QUORUM, VOTING PROCEDURES, AND RULES

- a. Ten (10) voting members or their alternates, to include at least one (1) voting member or alternate representing the District of Columbia, Maryland, and Virginia, shall constitute a quorum of the TPB. Member presence at the meeting includes virtual and in person.
- b. Each representative from the State Departments of Transportation (including the District of Columbia), the WMATA, the General Assemblies of Maryland and Virginia and the Council of the District of Columbia appointed under Section III.d., and the participating local governments shall be entitled to cast one (1) vote, except on any matter for which the alternate voting procedure provided for under Section VI.d. is invoked, in which case only the votes of the representatives designated under Section VI.d. shall be counted.
- c. Except for amendments to the Bylaws, which require a majority vote of all the voting members of the TPB, whether taken on a regular or proportional voting basis, all actions, including all actions decided on the basis of the alternate voting procedure provided for in Section VI.d., shall be by a majority vote of those present and voting, provided that the extent of financial participation by any jurisdiction, agency or public body shall be determined only with the concurrence of that jurisdiction, agency, or public body.
- d. Any voting member may require that the vote on any matter brought before the TPB be decided on a proportional voting basis provided for in this Section VI.d. A proportional vote may be called for either instead of voting on a regular basis as provided in Section VI.b. or subsequent to a vote taken in accordance with Section VI.b., provided, however, that such a subsequent vote shall be at the same meeting. For this purpose, five (5) votes each shall be assigned to Maryland, Virginia and the District of Columbia; such votes shall be distributed by first assigning one (1) vote each to the Maryland DOT, the Virginia DOT and the District of Columbia DOT. The remaining four (4) votes each allocated to Maryland, Virginia and the District shall be apportioned as follows:

- i. Three (3) votes shall be allocated to the participating local governments in each of the Maryland and Virginia portions of the Metropolitan Area as follows: each participating local government from Maryland and Virginia shall have one (1) share for each 50,000 population and the next major succeeding portion thereof, except that each jurisdiction having a population of less than 50,000 shall have one (1) share. Populations assigned to the participating local governments shall be the most recent population estimates approved by COG. The total weighed vote cast by the participating local governments in each of the Maryland and Virginia portions of the Metropolitan Area shall be tabulated by determining the percentage of the four (4) total shares of those present and voting cast in each of the Maryland and Virginia portions for and against the question and multiplying the resultant percentage by three. Those jurisdictions, which have a population of over 400,000, shall have their weighted vote based on population divided equally between the legislative and executive branch representatives or designated alternates present and voting. If only one representative is present, that jurisdiction's representative will be given the full weighted vote to which that jurisdiction is otherwise entitled.
 - ii. Each member from the House and Senate of the Maryland and Virginia General Assemblies present and voting shall be allocated one-half (0.5) of a weighted vote.
 - iii. Each member from the District of Columbia present and voting, or his alternate in his absence, shall be allocated one (1) of the four (4) remaining District votes.
- e. If the total weighted vote of those present and voting within any one of the Maryland, Virginia, or District of Columbia portions of the Metropolitan Area is less than five (5), the weighted vote for each of the representatives present and voting for that portion of the Metropolitan Area shall be increased proportionally to insure a total of five (5) votes. The final vote on the question shall then be determined by adding the total votes cast in each of the Maryland, Virginia and District of Columbia portions of the Metropolitan Area together to arrive at the votes for or against the question. The question shall carry if it receives a majority of the proportional votes cast in accordance with the above procedure.
- f. Meetings shall be conducted in accordance with the most recent version of Robert's Rules of Order.

VII. COMMITTEES

a. Steering Committee

There shall be a Steering Committee to facilitate work program planning and management of the transportation planning process. The Committee's responsibilities include:

1. Working with the staff in developing the annual transportation planning work;
2. Programing and budgeting for consideration by the TPB;
3. Reviewing monthly recommendations from the staff and Technical Committee on technical procedures, work program progress and the overall technical conduct of the planning process;
4. Working with the TPB Chair and the staff in developing recommendations for the TPB on revisions to the adopted regional transportation plan and transportation improvement program, and on major transportation planning policies;
5. Review and adopt criteria, developed by the state DOTs in consultation with the representatives of the FHWA and FTA, for grouping by function, geographic area, and work

type those non-regionally significant projects that are not of appropriate scale for individual identification in the Transportation Improvement Program (TIP).

6. Providing a mechanism to assist the TPB Chair in preparing for meetings and working with other COG Policy Committees.
7. Acting on behalf of the TPB on proposed amendments to the Unified Planning Work Program (UPWP) or to the annual element of the TIP and advise the TPB of such action. Notice of proposed amendments to the UPWP or the TIP shall be given to the full TPB at least five (5) days prior to action by the Steering Committee.

If a voting member objects in writing to action by the Steering Committee, the proposed amendment shall be considered by the full TPB. The member objecting to the amendment shall have the option to have the Chair call a special meeting of the TPB to consider the amendment or agree to hold the amendment over to the next regular TPB meeting. Notwithstanding the above, the Committee shall have the full authority to approve non-regionally significant items, and advise the TPB of its action.

The Steering Committee shall be composed of ten (10) members of the TPB as follows: the TPB Chair and immediate past Chair, one (1) local government representative of the District of Columbia, one (1) elected local government representative of Maryland, one (1) elected local government representative of Virginia, one (1) representative each of the State DOT one (1) representative of WMATA, and the Chair of the Technical Committee. The Steering Committee shall be chaired by the current TPB Chair and shall meet, in-person or virtually, on a regular basis or as determined by the Chair.

b. Technical Committee

There shall be a Technical Committee to advise and assist the TPB in the technical actions of the planning process, to review the cost and content of the work program, to review methodology and procedures, and to review plans and programs. Members of the Committee shall be appointed by the TPB from persons nominated by the various jurisdictions, public agencies, and private organizations in the region having cognizance over transportation matters or an interest or special competence in the field of transportation. The Technical Committee shall make recommendations to the TPB concerning data collection procedures to ensure coordination of procedures and standards between city, county, State and local planning agencies and the metropolitan transportation planning process, and shall consider and make recommendations concerning any other matters referred to it by the TPB. The Technical Committee shall elect such officers as may be appropriate. The Committee shall meet once each month or on an as-needed basis as determined by the Technical Committee Chair.

c. Advisory Committees and Task Forces

The development, maintenance and updating of the Metropolitan Area's transportation plans and programs require an assessment of contemporary viewpoints on critical issues, needs, values and priorities. To assist the TPB in ascertaining such views, the TPB may establish special Advisory Committees and Task Forces for such purpose.

Such Advisory Committees and Task Forces shall be established by resolution of the TPB, and such resolution shall include a mission statement. The Chair of the TPB shall appoint the members of the Advisory Committees and Task Forces from a broad cross-section of elected and appointed officials, and civic, business, environmental and other relevant community interests in the region. Appointments shall be subject to the review and approval of the TPB.

VIII. STAFF

The COG Director of Transportation Planning and his designees shall serve as staff to the TPB in the conduct of the transportation planning process.

IX. PUBLIC PARTICIPATION

The TPB will develop a Public Participation Plan outlining the process and adhere to the Plan in engaging the public in its metropolitan planning activities. In order to foster greater participation by community, transportation, environmental, and other advocacy groups in the transportation planning process, the TPB will set aside a period of time at each of its regularly scheduled meetings to receive input from representatives of recognized regional groups. At the discretion of the TPB Chair, individuals may also be recognized and given the opportunity to speak within the allotted public comment period.

Individuals or representatives of such groups desiring to speak before the TPB are requested to notify the Director that they wish to appear before TPB. Such representatives should speak on topics of current interest to the TPB. Presentations to the TPB shall be limited to up to three (3) minutes. A written copy of the remarks and any additional information should be provided when members of the public appear before the TPB.

In the event that a meeting is held virtually, pursuant to Section IV, and or if the number of people present at the meeting location has to be limited due to safety and or public health concerns, the Director shall make reasonable efforts to inform the public that the TPB will receive public input virtually (in writing, by phone, or email), and shall provide notice on the website.

Special meetings of the TPB may be scheduled to hear individual and special interest group input on topics of special interest as decided by the TPB, and community members may be invited to participate in Advisory Groups and Task Forces established under Section VII.c.

X. AMENDMENTS OF BYLAWS

These Bylaws may be amended pursuant to the following procedures:

- a. With the approval of the majority of those voting members of the TPB present (physically or electronically) and voting, a proposal to amend the Bylaws introduced at any regular meeting of the TPB, shall be recorded in the minutes, and
- b. A special written notice setting forth such proposal shall be mailed or emailed to every member of the TPB at least ten (10) days before the next regular meeting.

The amendment shall be acted upon at the regular meeting next following the meeting at which it was proposed. A majority vote of the voting members of the TPB shall be required for adoption.



MEMORANDUM

TO: Transportation Planning Board
FROM: Lyn Erickson, Plan Development and Coordination Program Director
SUBJECT: Planning Area Boundary Adjustment, TPB Bylaws Amendment, and Removal of Fauquier County as a TPB Member
DATE: February 15, 2024

The 2020 US Census count and the subsequent review and update to urban area boundaries requires a change to the National Capital Region Transportation Planning Board (TPB) planning area. The TPB is being asked to amend the TPB Bylaws and adjust the TPB's Planning Area Boundary to reflect the removal of Fauquier County from the TPB Membership. In January, the TPB was presented with the proposed change, the rationale, and next steps. No comments were received.

BACKGROUND

After the 2010 US Census count and the following updates to the urban area boundaries, parts of Fauquier County and the Town of Warrenton were defined to be contiguous with the Washington DC-VA-MD urban area for which the TPB is the designated MPO. As such, in 2014, parts of Fauquier County, including the Town of Warrenton, became part of the TPB planning area and thus members of the TPB (relevant documents from 2014 attached as Attachment 3). Following the 2020 Census count, the updated urban area boundaries included in the US DOT approval no longer find Fauquier County and the Town of Warrenton contiguous to Prince William County and thus they are no longer part of the Washington DC-VA-MD urban area. Fauquier County is now entirely outside of the TPB's urban area. The Virginia Department of Transportation (VDOT) has completed its work to officially update the urban area boundaries in the Commonwealth and reflects this change to Fauquier County and the TPB's urban area.

As a result of the above updates to the urban area boundary, Fauquier County is no longer statutorily required to be a member of the TPB and part of the TPB's planning process. The County could either voluntarily continue to be part of the TPB and its planning process OR elect to discontinue its membership of the TPB and pursue its own planning process. VDOT held discussions about the matter with the TPB staff as well as the TPB's federal agency representatives. VDOT further discussed the matter with Fauquier County staff during the summer of 2023. In the attached letter (Attachment 1), Fauquier County has communicated its decision to conclude its membership to the TPB.

With the above decision, the TPB is obliged to revise its membership and planning area boundary. The TPB Bylaws state that "*changes in jurisdictional membership (but not individual appointments of the jurisdictions) shall be based on changes to the urbanized area boundaries and the planning area of the TPB, consistent with federal MPO regulations*".

Consistent with federal metropolitan planning regulations, TPB staff worked with VDOT as VDOT coordinated the change with the other Virginia localities of the TPB, all of whom agree to support the County's request to change its membership status. TPB staff has reviewed the impact of this change and notes the fiscal and work effort impact of this change will be de minimis. VDOT has officially requested the TPB to take the official and appropriate steps to remove Fauquier County from its membership (Attachment 2).

NEXT STEPS

TPB was briefed on the matter at its January 17, 2024 meeting and the memo and materials served as notice for the change to the TPB's planning area and its membership roster. The attached resolution to do so includes an update to the TPB Bylaws to remove all references to Fauquier County, and the new updated map will replace the current map. Figures 1 and 2 in this memo show the current map and the proposed map with the new planning area boundary for your reference. All TPB documents that already include this map will be updated moving forward at the time of the document's required update.

The 3 proposed changes to the TPB Bylaws are:

- Page 1 - New approval date
- Page 2 - New approval date and new planning area boundary map replaces the old map
- Page 4 - Cross out Fauquier County as a member

If you have any questions or concerns, please reach out to Lyn Erickson (lerickson@mwkog.org).



National Capital Region
Transportation Planning Board

Figure 1 - Current TPB Planning Area Boundary

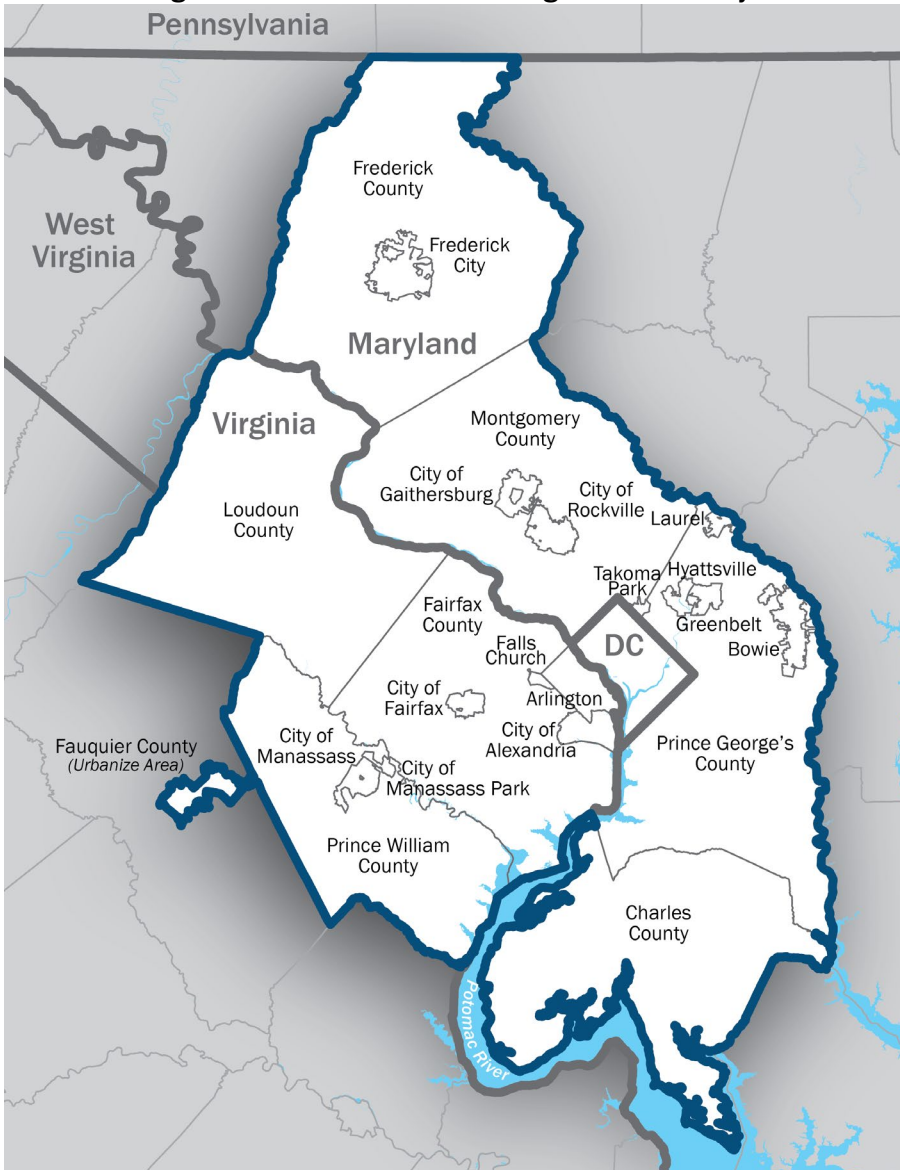


Figure 2 - Proposed TPB Planning Area Boundary





COUNTY OF FAUQUIER
OFFICE OF THE COUNTY ADMINISTRATOR

JANELLE DOWNES
Interim County Administrator

10 Hotel Street, Suite 204
Warrenton, Virginia 20186
PHONE 540-422-8001
FAX 540-422-8022

ERIN M. KOZANECKI
Deputy County Administrator

E-mail: janelle.downes.adm@fauquiercounty.gov

July 27, 2023

Mr. Michael Barnes
Culpeper Assistant District Planner
Virginia Department of Transportation
Culpeper District
1601 Orange Road
Culpeper, Virginia 22701

**RE: Fauquier County's National Capital Region Transportation Planning Board (TPB)
Membership**

Dear Mr. Barnes:

As you are aware, following the 2020 Census, Fauquier County's urbanized areas are no longer contiguous to those in Prince William County. It is our understanding that as a result of the updated urban area boundaries that Fauquier County is no longer required to be a part of the National Capital Region Transportation Planning Board (TPB). It is also our understanding that Fauquier County has the option of continuing our TPB membership or electing to no longer be a member of TPB.

We have evaluated these two options, and Fauquier County has elected to no longer be a member of the TPB. As outlined in our meeting on June 16th, while Fauquier County receives data and analysis from the TPB, the TPB does not provide direct funding or support to the County. Please notify those at the TPB and within VDOT of our decision, and also ask they take all necessary steps to have us formally removed from the TPB's membership.

If you have any questions related to this request, please do not hesitate to contact me.

Sincerely,

Erin M. Kozanecki
Deputy County Administrator

cc. Holly Meade
Adam Shellenberger



COMMONWEALTH of VIRGINIA

Office of the Governor

W. Sheppard Miller III
Secretary of Transportation

January 30, 2024

The Honorable Christina Henderson, Chair
National Capital Transportation Planning Board
777 North Capitol Street
Washington, DC 20002

Re: Fauquier County's National Capital Region Transportation Planning Board (TPB) Membership status

Dear Chair Collins:

The Virginia Department of Transportation has completed its work to officially update the urbanized area boundary to include the 2020 US Census information and USDOT approved the new boundary on October 23, 2023. In 2014, Fauquier County became a National Capital Region Transportation Planning Board (TPB) member when the 2010 Census expanded the urbanized area boundary. Following the 2020 Census and included in the US DOT approval, Fauquier County's urbanized areas were redefined and are no longer contiguous to those in Prince William County. Fauquier County is now entirely outside of the TPB's urbanized area.

The TPB Bylaws state that "*changes in jurisdictional membership (but not individual appointments of the jurisdictions) shall be based on changes to the urbanized area boundaries and the planning area of the TPB, consistent with federal MPO regulations*". As a result of the new boundary, Fauquier County has two options: they can continue to be a member of TPB, or they can elect to no longer be a member of TPB. In the attached letter, Fauquier County has declared that they have no substantial interest in the metropolitan planning process and have officially elected to no longer be a member of the TPB.

VDOT has coordinated with Fauquier County and the Virginia localities and agrees to support the County's request to change its membership status. As such, I respectfully ask the TPB to take the official and appropriate steps to remove Fauquier County from its membership and update its planning boundary in accordance with federal regulations 23 CFR 450.312(a). Please contact Amir Shahpar at 703-259-1731 if you have any additional questions. We look forward to working with you to complete this process. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Sheppard Miller III".

W. Sheppard Miller III



COMMONWEALTH of VIRGINIA

Office of the Governor

Aubrey L. Layne, Jr.
Secretary of Transportation

November 10, 2014

Mr. Kanti Srikanth
Executive Director NCRTPB
National Capital Region Transportation Planning Board
777 North Capitol Street NE, Suite 300
Washington, DC 20002-4239

Dear Mr. Srikanth,

The expansion proposed for the metropolitan planning area boundary is hereby approved as shown on the accompanying map "Area for Inclusion in the National Capital Region Transportation Planning Board's Urbanized Area". This approval, affecting a portion of Fauquier County, is appropriate and consistent with federal regulations at 23 CFR 450.312; resolutions of the MPO and Fauquier County; and authorizations provided by the Governor's Executive Order 72 of 2008. This signed letter, accompanied by the map, shall serve as the documentation of the approval.

Consistent with federal regulations at 23 CFR 450, the subject area's transportation plans, programs and projects will require cooperative transportation planning approvals of the National Capital Region Transportation Planning Board as well as the Commonwealth.

For information purposes and to satisfy the federal transportation planning requirements, VDOT will be providing copies of this letter and map to appropriate offices including those of the Federal Highway Administration and Federal Transit Administration.

Sincerely,


Aubrey L. Layne, Jr.

Attachment



ATTACHMENT 3

CC:

Mr. Paul McCulla,
Administrator, Fauquier County
10 Hotel Street . Suite 204
Warrenton VA 20186

Mr .Kenneth Mc Lawhon,
Manager, Town of Warrenton
P.O. Drawer 341
Warrenton, VA 20188-0341

Ms. Allison Detuncq
Culpeper CTB member
3300 Berkmar Drive
Charlottesville, VA 22901

Mr. Gary Garczynski
Northern Virginia CTB member
13662 Office Place
Suite 201 B
Woodbridge, VA 22192

Ms. Jennifer Mitchell,
DRPT Director
DRPT Planner
600 East Main Street, Suite 2102
Richmond, VA 23219

VDOT NOVA Dist Admin, Helen L. Cuervo,
VDOT Culpeper Dist Admin, John Lynch
VDOT TMPD, Marsha Fiol
VDOT Programming, Diane Mitchell
VDOT LAD, Jennifer Debruhl

Mr. Ivan Rucker,
Community Planner
400 North 8th Street, Suite 750
Richmond, Virginia 23219-4825

Ms. Sandra Jackson,
Community Planner,
District of Columbia Division
Federal Highway Administration
1990 K Street NW, Suite 510
Washington, DC 20006-1103

Mr. Tony Cho,
FTA Region III
1760 Market Street
Suite 500
Philadelphia, PA 19103-4124

BCC:

Norman Whitaker, VDOT NOVA District planner
Dan Painter, VDOT Culpeper District Planner
Craig Van Dussen, VDOT Fredericksburg District Planner
Amy Inman
 DRPT Planner
 600 East Main Street, Suite 2102
 Richmond, VA 23219



COMMONWEALTH of VIRGINIA

Office of the Governor

Aubrey L. Layne, Jr.
Secretary of Transportation

November 10, 2014

Mr. Quintin D. Elliott
Chief Deputy Commissioner of the Virginia Department of Transportation
Virginia Department of Transportation
1401 East Broad Street
Richmond, Virginia 23219

Dear Mr. Elliott,

Thank you for coordinating my approval of the inclusion of part of Fauquier County into the metropolitan planning area under the National Capital Region Transportation Planning Board (NC RTPB). Whereas this state approval is federally necessary in conjunction with the findings of the 2010 U.S. Census for urbanized areas, please ensure that records are filed for state documentation, the enclosed signed original approval letter and the accompanying reference map are both mailed to the NC RTPB, and the copies of the letter and map are appropriately distributed.

Sincerely,

A handwritten signature in black ink, appearing to read "Aubrey L. Layne, Jr.", with a long horizontal flourish extending to the right.

Aubrey L. Layne, Jr.

Enclosures (2)

ITEM 10 - Action
July 16, 2014

**Approval of Fauquier County, Virginia
to Become a Member of the TPB**

Staff Recommendation: Adopt Resolution R2-2015 to approve Fauquier County membership in the TPB.

Issues: None

Background The 2010 Census extended the Washington DC-VA-MD Urbanized Area into a portion of Fauquier County, including the Town of Warrenton. Federal planning regulations require that this portion with a population of about 21,000 be included in the metropolitan planning area and that representatives of the area be included in the TPB's transportation planning and programming process. Fauquier County has accepted the TPB's April invitation to become a member and represent the interests of its citizens in the regional transportation planning process.

TPB R2-2015
July 16, 2014

**NATIONAL CAPITAL REGION TRANSPORTATION PLANNING BOARD
777 North Capitol Street, N.E.
Washington, D.C. 20002**

**RESOLUTION TO APPROVE FAUQUIER COUNTY, VIRGINIA MEMBERSHIP IN
THE NATIONAL CAPITAL REGION TRANSPORTATION PLANNING BOARD**

WHEREAS, the National Capital Region Transportation Planning Board (TPB), as the metropolitan planning organization for the Washington Metropolitan area, has the responsibility under the provisions of Moving Ahead for Progress in the 21st Century (MAP-21) for developing and carrying out a continuing, cooperative and comprehensive transportation planning process for the metropolitan Area; and

WHEREAS, the TPB is responsible for the federally prescribed transportation planning process for the metropolitan planning area (MPA) determined as per 23 CFR 450.312(a) and related sections and comprises of the Washington DC-VA-MD urbanized area; and

WHEREAS, based on the results of the 2010 Census, a portion of Fauquier County, Virginia, including the Town of Warrenton and areas adjacent to Route 29 northeast of Warrenton has been designated as part of the Washington DC-MD-VA urbanized area; and

WHEREAS, the MPA for the TPB had to be expanded, as per 23 CFR 450.312(a) and related sections to include the newly added jurisdictions (portions of Fauquier County and the Town of Warrenton); and

WHEREAS, this would mean that transportation projects in this portion of the County and the Town must be included in the Constrained Long-Range Plan and the six-year Transportation Improvement Program prepared by the TPB to receive federal funding and the interest of residents of this portion of the County and the Town must be represented in the TPB's transportation planning and programming process; and

WHEREAS, on March 5, 2014, TPB staff and Virginia Department of Transportation (VDOT) staff met with officials from Fauquier County and Town of Warrenton to discuss these federally required planning and programming process and answered questions about the considerations and responsibilities that accompany membership in TPB; and

WHEREAS, at the April 16, 2014 meeting, the TPB approved sending a letter inviting Fauquier County to become a voting member of the TPB and represent the citizens' interests and participating in the metropolitan transportation planning process; and

WHEREAS, the MPA boundary was reviewed by Fauquier County, TPB staff and VDOT staff and it is proposed to be expanded (to include selected contiguous areas not

currently urbanized) pending approval of the Commonwealth's Secretary of Transportation, as shown on the attached map entitled "Areas for Inclusion in the National Capital Region Transportation Planning Board's Urbanized Area", including the entire Town of Warrenton and the Route 29/15 corridor south from the Town of Warrenton to the intersection of Routes 29/15/17 and Routes 29/15/17 BUS; and

WHEREAS, on June 12, 2014, TPB staff and VDOT staff briefed the Fauquier County Board of Supervisors on joining the TPB; and

WHEREAS, on June 12, 2014, the Fauquier County Board of Supervisors in the attached resolution authorized the County to join the National Capital Region Transportation Planning Board and participate in the region's transportation planning process;

NOW, THEREFORE, BE IT RESOLVED THAT the National Capital Region Transportation Planning Board approves Fauquier County, Virginia becoming a voting member with the right to fully participate in all TPB work program activities.

REVISED 6/12/2014

RESOLUTION

A RESOLUTION TO JOIN THE NATIONAL CAPITAL REGION
TRANSPORTATION PLANNING BOARD AND PARTICIPATE IN THE
REGIONAL TRANSPORTATION PLANNING PROCESS

WHEREAS, the 2010 Census designated the Town of Warrenton, portions of the adjoining service districts and areas adjacent to Route 29 northeast of Warrenton as an urban cluster; and

WHEREAS, the Washington DC-VA-MD urbanized area was recently expanded to include the urban cluster portions of Fauquier County; and

WHEREAS, the National Capital Region Transportation Planning Board (TPB) implements the transportation planning process for the region comprised of the Washington DC-VA-MD urbanized area; and

WHEREAS, Federal law mandates that transportation projects be included in the Constrained Long-Range Plan and the six-year Transportation Improvement Program prepared by the TPB to receive federal funding; and

WHEREAS, Federal law also mandates that the interests of residents in the planning region be represented in the transportation planning and programming process; and

WHEREAS, the National Capital Region Transportation Planning Board invited Fauquier County to become a voting member of the TPB, representing the citizens' interests and participating in the regional transportation planning process; and now, therefore, be it

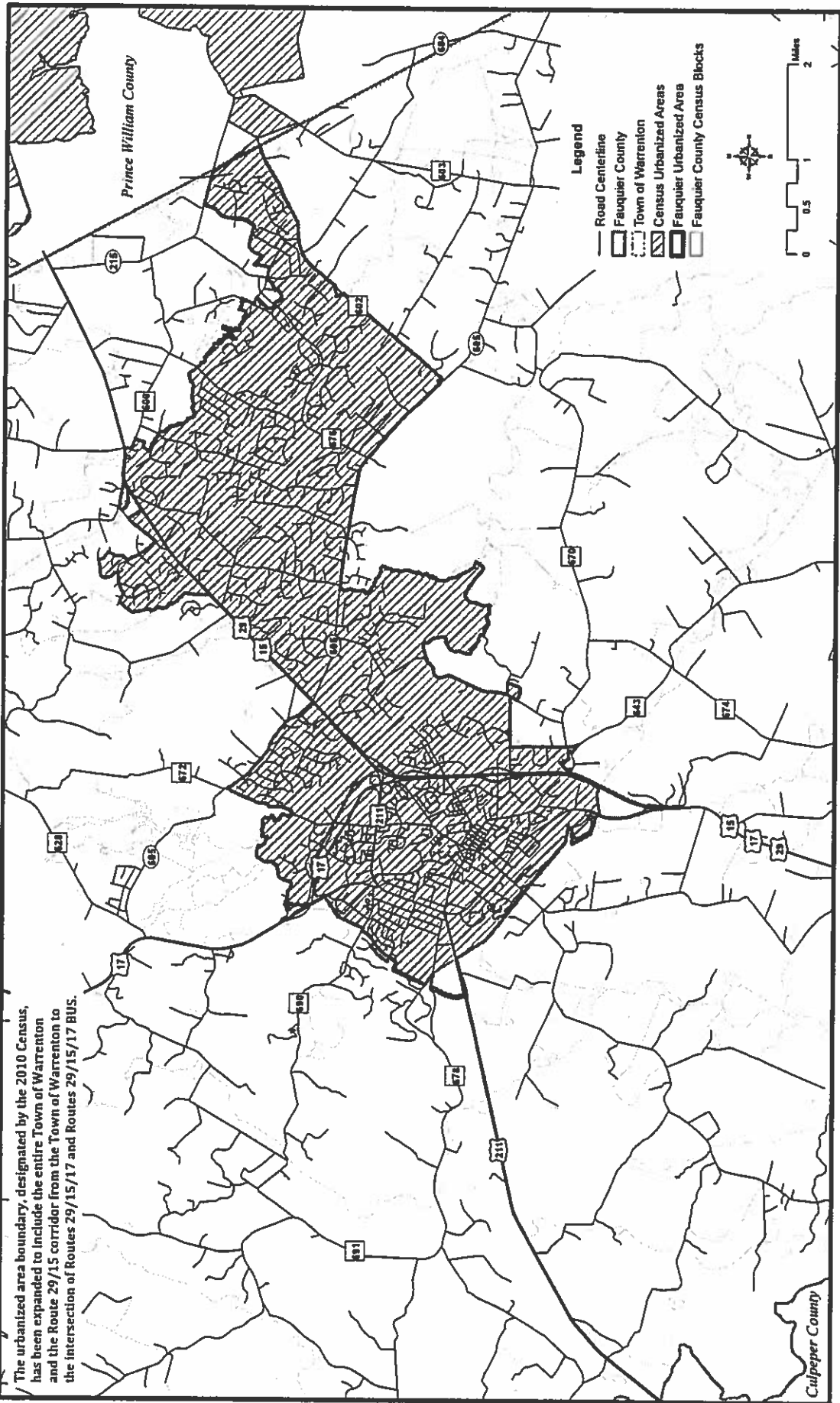
RESOLVED by the Fauquier County Board of Supervisors this 12th day of June 2014, That the Board of Supervisors does hereby authorize the County join the National Capital Region Transportation Planning Board and participate in the region's transportation planning process; and be it

RESOLVED FURTHER, That the Board does hereby designate the area for inclusion as shown on the attached map entitled "Areas for Inclusion in the National Capital Region Transportation Planning Board's Urbanized Area", including the entire Town of Warrenton and the Route 29/15 corridor south from the Town of Warrenton to the intersection of Routes 29/15/17 and Routes 29/15/17 BUS; and be it

RESOLVED FINALLY, That the County Administrator and County Attorney are hereby authorized to execute any requirements associated with membership in the National Capital Region Transportation Planning Board.

Area for Inclusion in the National Capital Region Transportation Planning Board's Urbanized Area

The urbanized area boundary, designated by the 2010 Census, has been expanded to include the entire Town of Warrenton and the Route 29/15 corridor from the Town of Warrenton to the intersection of Routes 29/15/17 and Routes 29/15/17 BUS.





COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219 2000

Charles A. Kilpatrick, P.E.
Commissioner

August 13, 2014

The Honorable Aubrey Layne
Secretary of Transportation
Patrick Henry Building
Richmond, Virginia 23219

Dear Secretary Layne:

The 2010 Census population figures released March 27, 2012 indicate that there has been an expansion of the Greater Metropolitan Washington D.C. Region urbanized area in Virginia. Portions of Fauquier County, Virginia, including the Town of Warrenton and community of New Baltimore, have attained urbanized area status (high urbanized land use population density). As per 23 USC 134 and 23 CFR 450, this portion of Fauquier County is now subject to federal metropolitan transportation approvals and receipt of federal metropolitan transportation planning funds, and must be added to the metropolitan planning area under jurisdiction of the National Capital Area Transportation Planning Board Metropolitan Planning Organization (MPO), with the expanded MPO metropolitan planning area boundaries formally to be approved by the Governor. The Governor's Executive Order 72 of 2008 (item 4) delegates the responsibility for approval of such metropolitan area boundaries to the Secretary of Transportation.

The Virginia Department of Transportation, representatives of the affected localities and the MPO have collaborated on the revision of the MPO planning area boundary and for the addition of a Fauquier County representative onto the voting membership of the MPO. Resolutions of the MPO (July 16, 2014) and Fauquier County (June 12, 2014) approve of the metropolitan planning area boundary expansion. The addition of one representative from Fauquier County is not considered a substantial change for the vast voting membership to that MPO, hence this revision does not warrant redesignation of the MPO. As with all urbanized areas, the area's transportation plans, programs and projects will require cooperative approvals of the MPO as well as the Commonwealth.

The Honorable Aubrey Layne
August 13, 2014
Page 2 of 2

For your review and approval, a draft approval letter is provided for your potential use. A reference map of the proposed expanded metropolitan planning area boundary is enclosed which should accompany your approval letter. Please sign and return your letter of approval to me for mailing, appropriate distribution of copies and record-retention purposes.

Thank you for your consideration of this request.

Sincerely,


Quintin Elliott
Chief Deputy Commissioner

Enclosures

cc: The Honorable Charlie Kilpatrick
The Honorable Jennifer Mitchell
Mr. Rick Walton
Mrs. Marsha Fiol
Ms. Diane Mitchell
Ms. Jennifer DeBruhl
Ms. Helen L. Cuervo
Mr. John Lynch

bc: Dan Painter (VDOT Culpeper)
Norman Whitaker (VDOT NOVA)
Craig Van Dussen (VDOT Fredericksburg)
Ms. Robin Grier
Amy Inman (DRPT)