

**TRI-CITIES AREA METROPOLITAN PLANNING ORGANIZATION POLICY  
COMMITTEE  
Meeting Agenda**

Petersburg Multi-Modal Station  
100 West Washington Street  
Petersburg, Virginia  
January 10, 2019  
4:30 PM

Meeting Type:       Annual  
 Regular  
 Special (Called)

Invitees:

<b>Agency</b>	<b>Name</b>	
Chesterfield County	Steve Elswick	
City of Colonial Heights	John Wood	
Dinwiddie County	William Chavis	
City of Hopewell	Brenda S. Pelham	
City of Petersburg	Samuel Parham	
Prince George County	T.J. Webb	Chairman
For the Secretary of Transportation	Bart Thrasher	
Petersburg Area Transit	Charles Koonce	
Crater Planning District Commission	Denny Morris	
Crater Planning District Commission	David Hyder	MPO Secretary
DPRT	Tiffany Dubinsky	
Hopewell	Johnnie Butler	
VDOT	Ron Svejkovsky	
VDOT	Mark Riblett	

**Call to order**

**Approval of minutes from last meeting**

Action Needed

**Approval**

Draft Minutes of the November 8, 2018 Meeting are attached for your review (**Attachment 1**).

**Motion** \_\_\_\_\_ **Second** \_\_\_\_\_

**Comments from the Public on Items in the Agenda**

## **Action Item(s)**

Certification Review –One of the Certification Review's recommendations was to update our Planning Coordination Memorandum of Understanding with the Richmond TPO.

A copy of the proposed *Memorandum of Understanding for Coordination of Regional Transportation and Air Quality Planning* is included for your review (**Attachment 2**). The Richmond TPO approved the MOU at their December Meeting. TAC has reviewed the MOU and recommends that the MPO approve and sign it.

**Motion** \_\_\_\_\_ **Second** \_\_\_\_\_

## **Information Items**

### **Status Report on the NEPA Rail Station Study**

### **Information**

Mr. Butler will Report on the Progress of the TAC review of the Environmental Assessment of the Tri-Cities Rail Station. Mr. Butler has selected a subcommittee consisting of voting members of the TAC to perform the review the MPO asked for in November.

### **Summary Project Milestones**

The bullet points below give a short history of the rail station NEPA study since 2017.

- Federal Railroad Administration (FRA) and Crater PDC released an EA (Environmental Assessment) dated January 2017 on March 10, 2017;
- The formal comment period ran from April 21, 2017 through May 22, 2017; substantial public comments were received.
- The Concerned Citizens of Ettrick spoke at the August 2018 MPO meeting expressing their preference for the Ettrick Site;
- The Concerned Citizens of Ettrick spoke at the September 2018, and
- We do not have a date, from FRA, for the release of the Finding of No Significant Impact (FONSI) at this time.
- At the September meeting the Concerned Citizens quoted the following statement from a draft internal memorandum from Federal Rail Administration to USDOT:  
*“FRA strongly advises that the State and localities resolve their disagreement on station location prior to the conclusion of the EA process. Resolution would better enable a project proponent to garner state/local match to any selected application for Federal funding, whether that funding is sourced through BUILD or another program.”*
- At the November meeting the MPO tasked the Technical Advisory Committee to:
  - Discuss the Environmental Assessment, the Commonwealth Board of Transportations Rail Station Policy and stakeholder comments;
  - Review the purpose and needs factors for alternative assessments;

- o Review the applied sciences employed in developing the Environmental Assessment (EA) document findings and conclusions on various site alternatives;
- o Review the contracted scope of services and preparation processes; and
- o Provide a summation to the MPO Policy Committee regarding the technical conclusion of the Environmental Assessment technical conclusions.

**MPO Report**

**Metropolitan Transportation Plan Update**

**Information**

2040 Metropolitan Transportation Plan – We have completed work on the socio-economic data for the base year of the travel demand model. We will begin work on the projections to the future years.

**MTIP**

**Information**

No new Information.

**Unified Planning Work Program**

**Information**

The MPO has completed the first and second quarter work tasks and has invoiced VDOT and DRPT for the first quarter. The second quarter (October-December) will be invoiced later this month.

**DRPT Report**

**Information**

Ms. Dubinsky will report on DRPT's work progress

**VDOT Report**

- Update on Smartscale
- VDOT Project Update
- Federal Rescission

The FAST Act (Surface Transportation Authorization Bill) include a provision to return unobligated transportation money (as of the beginning of Federal 2020). In the Tri-Cities MPO this affects the CMAQ money that is used for signal upgrades, turn lanes and interchange improvements. VDOT, the MPO and jurisdiction staffs are working to limit the effects in the MPO. The following link goes to Federal Highway Administration's explanation of the rescission [https://www.fhwa.dot.gov/cfo/fastact\\_rescission\\_qa.cfm](https://www.fhwa.dot.gov/cfo/fastact_rescission_qa.cfm).

**Other Opportunities Federal Build Grants**

On December 21, 2018 USDOT announced the second round of Infrastructure for Rebuilding America's Infrastructure (INFRA) grants. The notice of funding availability (NOFO) is posted on the USDOT's website <https://www.transportation.gov/buildamerica/infra/infra-notice-funding-opportunity> .

Our next scheduled meeting is February 7, 2019.

**Adjournment**

**TRI-CITIES AREA METROPOLITAN PLANNING ORGANIZATION POLICY  
COMMITTEE  
Meeting Minutes**

Petersburg Multi-Modal Station  
100 West Washington Street  
Petersburg, Virginia  
November 8, 2018  
4:30 PM

Meeting Type:      Annual  
                   Regular  
                   Special (Called)

Invitees:

<b>Agency</b>	<b>Name</b>	
Chesterfield County	Steve Elswick	Present
City of Colonial Heights	John Wood	
Dinwiddie County	William Chavis	Present
City of Hopewell	Arlene Holloway (in lieu)	Present
City of Petersburg	Samuel Parham	
Prince George County	T.J. Webb	Chairman
For the Secretary of Transportation	Mark Riblett (in lieu)	Present
Petersburg Area Transit	Charles Koonce	Present
Crater Planning District Commission	Denny Morris	Present
Crater Planning District Commission	David Hyder	MPO Secretary
DPRT	Tiffany Dubinsky	Present
Hopewell	Johnnie Butler	Present
VDOT	Ron Svejkovsky	Present
VDOT	Desmond Smallwood	Present
VDOT	Shiyan Xing	Present
DRPT	Emily Stock	Present
Chesterfield Co.	Barb Smith	Present
Petersburg Area Transit	Stephanie B. Harris	Present
Prince George Co.	Jeffrey Stoke	Present
Dinwiddie Co.	Samuel Hayes	Present
Media Prince George/Dinwiddie	Michael Campbell	Present

**Call to order**

**Approval of minutes from last meeting**

The minutes of the September 20, 2018 meeting were approved as submitted.



Attachment 1: Draft Meeting Minutes

for pavement condition and bridge condition. The TAC recommended that the MPO accept and support VDOT's recommended performance measures for bridge and pavement condition.

Upon a:

Motion By Mr. Bill Chavis (Dinwiddie Co.)

Second By Mr. Steve Elswick (Chesterfield Co.)

followed by a voice vote the MPO chose to accept the statewide performance measures for pavement condition and bridge condition proposed by VDOT.

A copy of the letter approving the performance measures is included below.

## CRATER PLANNING DISTRICT COMMISSION

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November 9, 2018

**Margie Ray**  
 Performance Measures Manager  
 Office of Intermodal Planning and Investment  
 1221 East Broad Street  
 Richmond, VA 23219

Dear Ms. Ray:

The Tri-Cities Metropolitan Planning Organization is pleased to submit this letter to the Office of Intermodal Planning and Investment (OIP) to fulfill the target setting requirements of the Federal Highway Administration's (FHWA) January 2017 final rulemakings for National Performance Measures for asset condition and system performance. This letter satisfies the federal requirement for MPOs to report targets to their respective State DOT "in a manner that is documented and mutually agreed upon by both parties" (23 CFR §§490.107(c)(1)). Documenting the targets in this letter also allows for the State to provide MPO targets to FHWA, upon request, satisfying a reporting requirement of State DOTs (23 CFR §§490.105(f)(9)).

In accordance with 23 CFR §§490.105 and 490.107, targets for twelve federally mandated asset condition and system performance measures must be established and reported to FHWA every four years, beginning in 2018. Federal regulations require both State Departments of Transportation and Metropolitan Planning Organizations to set targets for the twelve measures (23 CFR §§490.105, 490.307, 490.407, 490.507, 490.607, 490.707, and 490.807).<sup>1</sup> The rule requires MPOs to establish targets by either (1) "agreeing to plan and program projects so that they contribute toward the accomplishment of the relevant State DOT target" or (2) "committing to a quantifiable target for that performance measure for their metropolitan planning area" (23 CFR §§490.105(f)(3)). By supporting any of the State targets, we agree to plan and program projects to contribute toward achieving the State target.

**Asset Condition Methodology Summary**

Measure	VDO T	MP O	if MPO, please describe the methodology
Percentage of Pavement in Good Condition (Interstate)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Percentage of Pavement in Poor Condition (Interstate)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Percentage of Pavement in Good Condition (Non-Interstate NHS)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Percentage of Pavement in Poor Condition (Non-Interstate NHS)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Percentage of Deck Area of Bridges in Good Condition (NBI on NHS)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

<sup>1</sup> The performance measures for peak hour excessive delay, non-single occupancy vehicle use, and emission reductions are only required in the Washington, DC-MD-VA urbanized area, which is represented by the Metropolitan Washington Council of Government.

Attachment 1: Draft Meeting Minutes

Percentage of Deck Area of Bridges in Poor Condition (NBI on NHS)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>System Performance Methodology Summary</b>			
<b>Measure</b>	<b>VDO</b>	<b>MPO</b>	<b>If MPO, please describe the methodology</b>
	<b>T</b>	<b>O</b>	
Percentage of Person-Miles Traveled that are Reliable (Interstate)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Percentage of Person-Miles Traveled that are Reliable (Non-Interstate NHS)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Truck Travel Time Reliability Index	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

<b>Selected Targets (default is State target)</b>	
<b>Measure</b>	<b>4-Year Target</b>
Percentage of Pavement in Good Condition (Interstate)	45%
Percentage of Pavement in Poor Condition (Interstate)	<3%
Percentage of Pavement in Good Condition (Non-Interstate NHS)	25%
Percentage of Pavement in Poor Condition (Non-Interstate NHS)	<5%
Percentage of Deck Area of Bridges in Good Condition (NBI on NHS)	33%
Percentage of Deck Area of Bridges in Poor Condition (NBI on NHS)	3%
Percentage of Person-Miles Traveled that are Reliable (Interstate)	82%
Percentage of Person-Miles Traveled that are Reliable (Non-Interstate NHS)	82.5%
Truck Travel Time Reliability Index	1.56

*While the MPO has chosen to concur with the statewide performance management goals we are doing so assuming that the Virginia Department of Transportation will commit the resources needed to attain and maintain these performance targets and assuming that the Virginia Department of Transportation will continue to work with the MPO to ensure that the transportation system within the MPO performs at or above these targets.*

We acknowledge MPO targets are reported to the State and will be made available to FHWA upon request. Our targets are submitted for each performance measure within 180 days of the State establishing its statewide targets, which falls on November 14, 2018.

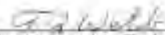


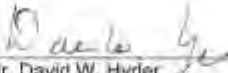


Attachment 1: Draft Meeting Minutes

or questions or comments, please contact me at [dhyder@craterpdc.org](mailto:dhyder@craterpdc.org) or (804) 861- 1666

Respectfully,

  
The Honorable T. J. Webb  
Chairman – Tri-Cities MPO

  
Mr. David W. Hyder  
Secretary – Tri-Cities MPO  
1964 Wakefield Street  
P.O. Box 1808  
Petersburg, VA 23805

**DRPT Report**

**Information**

Staff reported on the progress of the Petersburg Area Transit's Transit Development Plan. The project includes numerous meetings between the MPO and a user survey. As of the November meeting there had been approximately sixty survey responses.

**Metropolitan Transportation Plan Update**

**Information**

Staff reported that they have completed work on the base year data for the 2045 Metropolitan Transportation Plan Update. The next work task to support the 2045 update is projecting socio-economic data to the 2045

**MTIP**

**Information**

PAT and DRPT have asked us to make an administrative revision to the 2018-2021 Transportation Improvement Program to correct the anticipated revenues on project PAT 0001 (Operating Assistance), for Fiscal 2019, from \$809,000 to \$394,000.

**Unified Planning Work Program**

**Information**

Transportation Conformity – We received USDOT approval of the transportation conformity determination for the Metropolitan Transportation Plan and the Transportation Improvement Program on October 29, 2018. Staff will insert the letters documenting this into the Metropolitan Transportation Plan and the Transportation Improvement as administrative revisions.

Certification Review –One of the Certification Review's recommendations was to update our Planning Coordination Memorandum of Understanding with the Richmond TPO. Richmond TPO shouldered much of the burden of preparing the draft they have shared with staff.

**VDOT Report**

- Update on Smartscale
- Fall Transportation Meeting

Staff reminded the members of the Fall Transportation Meeting and Open House beginning at 4:00 pm at the Homewood Suites (12810 Old Stage Road Chester Virginia). If you cannot attend the meetings, you may send your comments to Infrastructure Investment Director at 1401 E. Broad Street, Richmond, VA 23219 or e-mail them to Six-YearProgram@vdot.virginia.gov by December 13, 2018. Comments on rail and public transportation projects may be sent to DRPT Public Information Officer at 600 East Main Street, Suite 2102, Richmond, VA 23219 or e-mail them to drptpr@drpt.virginia.gov. If you have

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any questions prior to the meeting, please contact Mark Riblett at 804-524-6151 or Mark.Riblett@VDOT.Virginia.gov.

**Adjournment**

**Sign In Sheet TRI-CITIES AREA METROPOLITAN PLANNING ORGANIZATION POLICY COMMITTEE**

Petersburg Multi-Modal Station  
100 West Washington Street  
Petersburg, Virginia

*Nov 8* ~~October 11, 2018~~  
4:30 PM

Meeting Type:  Annual  
 Regular  
 Special (Called)

invitees:

Agency	Name	
Chesterfield County	Steve Elswick	<i>SAE</i>
City of Colonial Heights	John Wood	
Dinwiddie County	William Chavis	<i>WChavis</i>
City of Hopewell	Brenda S. Pelham	<i>Brenda S. Pelham</i>
City of Petersburg	Samuel Parham	
Prince George County	T.J. Webb	Chairman <i>TJ Webb</i>
For the Va. Secretary of Transportation	Bart Thrasher	
Petersburg Area Transit	Charles Koonce	<i>Charles Koonce</i>
Crater Planning District Commission	Denny Morris	<i>Denny Morris</i>
		<i>Denny Morris</i>
Crater Planning District Commission	David Hyder	MPO Secretary
DPRT	Tiffany Dubinsky	<i>Tiffany Dubinsky</i>
Hopewell	Johnnie Butler	<i>Johnnie Butler</i>
VDOT	Ron Svejkovsky	<i>Ron Svejkovsky</i>
VDOT	Mark Riblett	<i>Mark Riblett</i>
Prince George County	Jeffrey Stake	<i>Jeffrey Stake</i>
VDOT	Steph Xue	<i>Steph Xue</i>
VDOT	Rebecca Smallwood	<i>Rebecca Smallwood</i>
DPRT	Emily Stock	<i>Emily Stock</i>
Madison/Hopewell	Michael Campbell	<i>Michael Campbell</i>
Chesterfield Co	BK Smith	<i>BK Smith</i>
Petersburg Area Transit	Stephanie B Harris	<i>Stephanie B Harris</i>
DINWIDDIE CO	SAMUEL HAYES	<i>Samuel Hayes</i>

**MEMORANDUM OF UNDERSTANDING  
FOR COORDINATION OF REGIONAL TRANSPORTATION AND  
AIR QUALITY PLANNING  
IN THE RICHMOND AND TRI-CITIES MPOs**

This agreement is made and entered into as of \_\_\_\_\_, 2018 by and between the following:

1. Richmond Area Metropolitan Planning Organization (commonly referred to as the Richmond Regional Transportation Planning Organization, hereinafter referred to as the RRTPO);
2. Tri-Cities Area Metropolitan Planning Organization (hereinafter referred to as the TCMPO);
3. Virginia Department of Transportation (hereinafter referred to as VDOT);
4. Department of Rail and Public Transportation (hereinafter referred to as DRPT);
5. Virginia Department of Environmental Quality (hereinafter referred to as DEQ);
6. Metropolitan Richmond Air Quality Committee (hereinafter referred to as MRAQC);
7. GRTC Transit System (hereinafter referred to as GRTC); and
8. Petersburg Area Transit (hereinafter referred to as PAT).

WHEREAS, the RRTPO, TCMPO, VDOT, DRPT, DEQ, MRAQC, GRTC and PAT have made and entered into this agreement on the date noted above, for the purpose of providing for the coordination of regional transportation and air quality planning and programming, as per federal requirements specified in the Code of Federal Regulations (CFR) Title 23, Part 450 Section 450.310(e) and Section 450.314(d) and (e), for those areas within the RRTPO's and the TCMPO's respective metropolitan planning area boundaries; and

WHEREAS, effective May 1, 2002, the Petersburg, Colonial Heights, and Hopewell urbanized area, and the Richmond urbanized area were merged into one urbanized area based on criteria established by the United States Census Bureau for defining urbanized areas; and

WHEREAS, the merging of these two previously separate urbanized areas into one urbanized area required a review with changes needed to the RRTPO's and TCMPO's agreement with VDOT and others for conducting the federal metropolitan transportation planning and programming process in the RRTPO's and TCMPO's respective metropolitan planning areas; and

WHEREAS, as a result of this review, a determination was made that due to the size and complexity of the federal metropolitan transportation planning and programming process, it is necessary to continue to conduct this federal process by both the RRTPO and the TCMPO for their respective metropolitan planning areas; and

WHEREAS, this review resulted in a new agreement (i.e., Memorandum of Understanding) dated June 27, 2006 and signed by representatives for the RRTPO, TCMPO, VDOT, DEQ and MRAQC; and

WHEREAS, federal requirements specified in CFR Section 450.310(e) require the establishment of an official written agreement when there are two or more MPOs within the same urbanized area with clear identification of areas of coordination and the division of transportation planning responsibilities among these MPOs; and

WHEREAS, federal requirements specified in CFR Section 450.314(e) state that if more than one MPO has been designated to serve an urbanized area, and if any part of the urbanized area is a nonattainment or maintenance area, there shall be a written agreement among the MPOs (RRTPO and TCMPO), the state (VDOT, DRPT and VDEQ), the lead

planning organization (MRAQC), and the public transportation operators (GRTC and PAT) describing how the metropolitan transportation planning process will be coordinated to assure the development of consistent metropolitan transportation plans and transportation improvement programs across the metropolitan planning area boundaries; and

WHEREAS, the previous Memorandum of Understanding for coordination of regional transportation and air quality planning in the Richmond and Tri-Cities MPOs (signed June 27, 2006) needs to be revised and updated to include GRTC and PAT; and

WHEREAS, further additions and changes are needed to provide for a clear identification of areas of coordination and the division of transportation planning responsibilities between the RRTPO and the TCMPO along with provisions describing how the metropolitan transportation planning process will be coordinated to assure the development of consistent metropolitan transportation plans and transportation improvement programs across the metropolitan planning area boundaries;

NOW, THEREFORE, BE IT RESOLVED, that this agreement supersedes and replaces the previous Memorandum of Understanding dated June 27, 2006 signed by the authorized representatives for the RRTPO, TCMPO, VDOT, DEQ and MRAQC; and

BE IT FURTHER RESOLVED, that the RRTPO, TCMPO, VDOT, DEQ, DRPT, MRAQC, GRTC and PAT have made and entered into this agreement on the date first noted in this agreement, for the purpose of describing how the metropolitan transportation and air quality planning process will be coordinated in order to assure the development of complementary transportation plans and programs in the RRTPO's and TCMPO's respective metropolitan planning areas, pursuant to 23 CFR Part 450.310(e) and 23 CFR Part 450.314(e). **ARTICLE I – COORDINATION OF TRANSPORTATION PLANNING IN THE EPA DESIGNATED NONATTAINMENT/MAINTENANCE AREA**

The RRTPO and the TCMPO are the federally designated metropolitan planning organizations that are charged, along with the Commonwealth of Virginia, with carrying out the

metropolitan transportation planning and programming process in their (RRTPO and TCMPO) respective metropolitan planning areas. This includes, but is not limited to the following:

- Development, adoption, updates and amendments to the Metropolitan Transportation Plan (MTP);
- Development, adoption and amendments to the Transportation Improvement Program;
- Development, approval and amendments to the Unified Planning Work Program;
- Review and approval of the air quality conformity analysis conducted (when applicable) for the MTP and Transportation Improvement Program (TIP), and providing a finding that the MTP and TIP are consistent with the air quality goals established by the State Implementation Plan (SIP) for the U.S. Environmental Protection Agency (EPA) designated nonattainment or maintenance area that is within the RRTPO's and TCMPO's respective metropolitan planning areas.

Primary staff support for conducting these and other requirements of the metropolitan transportation planning and programming process required by provisions of 23 U.S.C. 134, 23 U.S.C. 150, and 49 U.S.C. 5303, as amended, shall be provided by the staff for the Richmond Regional Planning District Commission (for the RRTPO metropolitan planning area) and by the staff for the Crater Planning District Commission (for the TCMPO metropolitan planning area).

Documentation of cooperation between the RRTPO and the TCMPO shall be included in the RRTPO and the TCMPO Unified Planning Work Programs (UPWP). This documentation will describe how the metropolitan planning and programming process will be coordinated to assure the development of consistent planning products, including MTPs and TIPs, across the metropolitan planning area (MPA) boundaries, which includes, but is not limited to the following:

- methodology and process for development of base year socioeconomic data and forecasts;
- regional travel demand model development and management, including base and horizon years, type of model (four-step, activity based, etc.) and updates;
- methodology and process for development of revenue forecasts required to meet federal MTP and TIP financial capacity analysis requirements;
- development and reporting of federal metropolitan transportation planning performance measures and targets applicable to the MTP and TIP;
- review and update of procedures and processes used to determine the split of federal-aid transportation program funds (e.g., RSTP, CMAQ, TAP, PL, Section 5303, Section 5310, etc.) that are apportioned by federal transportation agencies for the Richmond Urbanized Area; and
- in the event of action by EPA to designate portions of the RRTPO and the TCMPO MPA as nonattainment for national ambient air quality standards identified in the Clean Air Act, as amended, conduct appropriate reviews and updates to the “Consultation Procedures for the Richmond Ozone Nonattainment Area in Support of the Transportation Conformity Regulations” document and process for meeting air quality conformity analysis requirements.

The RRTPO and TCMPO technical advisory committees shall assure that the development of socioeconomic data and forecasts, and the regional travel demand model used to forecast travel conditions in the RRTPO and the TCMPO respective MPAs, are commensurate in scope and end product to the complexity of the transportation problems and needs in their respective MPAs.



## **ARTICLE II – COORDINATION OF AIR QUALITY PLANNING IN THE EPA DESIGNATED NONATTAINMENT/MAINTENANCE AREA**

The MRAQC shall serve as the Lead Planning Organization (LPO), which is defined under Section 9 Virginia Code – 5-151-10(c) as the organization certified by the state as being responsible for the preparation of control strategy SIP revisions for nonattainment and maintenance areas under Section 174 of the federal Clean Air Act, as amended, for those areas within the RRTPO and the TCMPO metropolitan planning areas. The organization (MRAQC) includes elected officials of local governments in the affected nonattainment area, and representatives of DEQ, VDOT, DRPT the MPOs for the affected area, and other agencies and organizations that have responsibilities for developing, submitting or implementing any of the SIP revisions. MRAQC is the forum for cooperative air quality planning decision-making.

Section 9 Virginia Administrative Code 5 – 151-70 “Consultation” defines the role of the LPO in the SIP review, development and update process as being responsible for the following:

- developing emissions inventories and budgets;
- developing control strategy SIP revisions and maintenance plans;
- providing a staff liaison to the MPOs for conformity and to be responsive to MPO requests for information and technical guidance; and
- involving the MPOs, VDOT, and DRPT continuously in the process.

Upon being advised by DEQ of the need to reconstitute, update, and/or make appointments to the MRAQC, the RRTPO and TCMPO shall prepare and include appropriate work task(s) in their respective UPWPs for SIP review, development, and/or update. The DEQ shall provide staff support and/or consultant services for MRAQC. The MRAQC may utilize a special joint ad hoc technical advisory committee composed of members from the RRTPO and

the TCMPO technical advisory committee to assist MRAQC in carrying out its duties and responsibilities as described above (i.e., Section 9 Virginia Administrative Code 5-151-70).

### **ARTICLE III – COORDINATION OF TRANSPORTATION AND AIR QUALITY PLANNING IN THE EPA DESIGNATED NONATTAINMENT/ MAINTENANCE AREA**

In accordance with the Interagency Consultation Procedures (see Attachment A) developed pursuant to the transportation conformity rule (40 CFR Parts 51 and 93) for the Richmond Nonattainment/Maintenance Area, VDOT with input from the Interagency Consultation Group shall be responsible for preparing any federally-required conformity analysis and coordinating its review.

The VDOT, RRTPO, TCMPO, GRTC and PAT will consult with the MRAQC and DEQ on any transportation plan or program that may potentially impact the status of the SIP for the EPA designated nonattainment/maintenance area.

The VDOT shall be responsible for preparing the conformity analysis and coordinating its review in accordance with the Interagency Consultation Procedures developed pursuant to the transportation conformity rule (40 CFR Parts 51 and 93) for the EPA designated nonattainment/maintenance area. The RRTPO and the TCMPO shall be responsible for making conformity determinations that their MTPs and TIPs are consistent with the SIP.

The MRAQC, VDOT, RRTPO and TCMPO are mutually responsible for developing and assuring the implementation of any required Transportation Control Measures (TCMs) for the EPA designated nonattainment and/or maintenance area. TCMs adopted in the SIP must be coordinated with and reflected in the RRTPO and TCMPO MTP and TIP. TCMs requiring funding from federal, state, regional, or local transportation programming and/or implementing

agencies will not be included in the SIP without their prior support and commitment by both the RRTPO and TCMPO.

#### **ARTICLE IV – RESOLUTION OF DISPUTES**

In order to provide a mechanism for the resolution of potential conflicts in the event a consensus cannot be reached among the participating agencies and organizations involved in the development of transportation and/or air quality plans and programs for the RRTPO and TCMPO metropolitan planning areas, or for the EPA designated nonattainment/maintenance area, the following procedures are established:

1. if the parties involved include only the two MPOs, the Commissioner for the Virginia Department of Transportation shall resolve the issue upon request by one or more of the affected parties;
2. if the parties involved include only the state and the RRTPO and/or the TCMPO, the Secretary of Transportation for the Commonwealth of Virginia shall resolve the issue upon request by one or more of the affected parties;
3. if the parties involved include only the state and the GRTC and/or PAT, the Secretary of Transportation for the Commonwealth of Virginia shall resolve the issue upon request by one or more of the affected parties;
4. if the parties involved include only the state and the MRAQC, the Secretary of Natural Resources for the Commonwealth of Virginia shall resolve the issue upon request by one or more of the affected parties; and

5. If the parties involved include any combination of the above, the Governor of the Commonwealth of Virginia shall resolve the issue upon request by one or more of the affected parties.

## **ARTICLE V – PERIODIC REVIEW**

In order to determine if there is a need for any updates, additions, deletions, or other changes to this Memorandum of Understanding, it will be periodically reviewed. Such reviews will be conducted by staff for the RRTPO, TCMPO, VDOT, DRPT and DEQ. The results of such reviews will be documented as a report prepared by the RRTPO and TCMPO staff and submitted to the RRTPO and TCMPO technical advisory committee and policy board for their review and consideration.

At a minimum, reviews of this Memorandum of Understanding will be conducted based on the following:

- After each decennial census, as part of the process to review the MPO designated urbanized area boundary.
- Upon being notified by EPA that any jurisdiction or portion of the RRTPO and/or TCMPO has been designated as nonattainment for any national ambient air quality standard under the Clean Air Act, as amended.
- Upon action to redesignate the RRTPO and/or TCMPO.
- Following action to amend the RRTPO “Memorandum of Understanding on Metropolitan Transportation Planning Responsibilities for the Richmond Area” and/or the TCMPO “Memorandum of Understanding on Metropolitan Transportation Planning for the Tri-Cities Area”.

- Upon the request of any agency or organization that is a party to this Memorandum of Understanding.

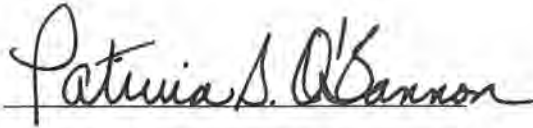
#### **ARTICLE VI – AMENDMENTS**

Amendments to this Memorandum of Understanding may be made by written agreement between all parties to this Memorandum of Understanding.

(Executing signatures on page 11)

IN WITNESS WHEREOF, the parties have executed this **MEMORANDUM OF**

**UNDERSTANDING** as of this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.



Patricia S. O'Bannon  
Chairman  
Richmond Area Metropolitan  
Planning Organization

\_\_\_\_\_  
T. J. Webb  
Chairman  
Tri-Cities Area Metropolitan  
Planning Organization

\_\_\_\_\_  
David K. Paylor  
Director  
Virginia Department of  
Environmental Quality

\_\_\_\_\_  
David K. Paylor  
Metropolitan Richmond  
Air Quality Committee

\_\_\_\_\_  
Charles E. Mitchell  
Interim Chief Executive Officer  
GRTC Transit System

\_\_\_\_\_  
Charles Koonce, Jr.  
Transit General Manager  
Petersburg Area Transit

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Barton A. Thrasher, P.E.  
Richmond District Engineer  
Virginia Department of  
Transportation

\_\_\_\_\_  
Jennifer C. Mitchell  
Director  
Virginia Department of Rail  
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ATTACHMENT A: Interagency Consultation Procedures