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**Transportation Conformity Determination Report for the  
1997 Ozone NAAQS**

*Rocky Mount Urban Area Metropolitan  
Planning Organization (RMUA MPO)*

- *2045 Metropolitan Transportation Plan*
- *2020-2029 Transportation Improvement Program*

*Projects from the 2020-2029 State Transportation  
Improvement Plan for the county donut areas of Edgecombe  
and Nash Counties*

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Adoption Date: November 18, 2019 (RMUA MPO)



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## Acknowledgements

This *Transportation Conformity Report* for the 2045 Rocky Mount Urban Area Metropolitan Transportation Plan (MTP) and 2020-2029 Transportation Improvement Program (TIP) was prepared by North Carolina Department of Transportation (NCDOT). Individuals from the following agencies contributed their efforts towards the completion of the Transportation Conformity Determination Report. They include:

- Rocky Mount Urban Area Metropolitan Planning Organization
- NC Department of Transportation
- NC Department of Environmental Quality, Division of Air Quality
- US Federal Highway Administration
- US Federal Transit Administration
- US Environmental Protection Agency

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## Executive Summary

As part of its transportation planning process, Rocky Mount Urban Area Metropolitan Planning Organization (MPO) completed the transportation conformity process for the 2045 Rocky Mount Urban Area MTP and 2020-2029 TIP. This report documents that the 2045 Rocky Mount Urban Area MTP and 2020-2029 TIP meet the federal transportation conformity requirements in 40 CFR Part 93.

Clean Air Act (CAA) section 176(c) (42 U.S.C. 7506(c)) requires that federally funded or approved highway and transit activities are consistent with (“conform to”) the purpose of the State Implementation Plan (SIP). Conformity to the purpose of the SIP means that transportation activities will not cause or contribute to new air quality violations, worsen existing violations, or delay timely attainment of the relevant NAAQS or any interim milestones. 42 U.S.C. 7506(c)(1). The US Environmental Protection Agency (U.S. EPA) transportation conformity rules establish the criteria and procedures for determining whether metropolitan transportation plans, transportation improvement programs, and federally supported highway and transit projects conform to the SIP. 40 CFR Parts 51.390 and 93.

On February 16, 2018, the United States Court of Appeals for the District of Columbia Circuit in *South Coast Air Quality Mgmt. District v. U.S. EPA* (“*South Coast II*,” 882 F.3d 1138) held that transportation conformity determinations must be made in areas that were either nonattainment or maintenance for the 1997 8-hour ozone national ambient air quality standard (NAAQS) and attainment for the 2008 ozone NAAQS when the 1997 8-hour ozone NAAQS was revoked. These conformity determinations are required in these areas after February 16, 2019. The Rocky Mount 1997 8-hour ozone area was maintenance at the time of the 1997 8-hour ozone NAAQS revocation on April 6, 2015 and was also designated attainment for the 2008 ozone NAAQS on May 21, 2012. Therefore, per the *South Coast II* decision, this conformity determination is being made for the 1997 8-hour ozone NAAQS on the MTP and TIP.

This conformity determination was completed consistent with CAA requirements, existing associated regulations at 40 CFR Parts 51.390 and 93, and the *South Coast II* decision, according to U.S. EPA’s *Transportation Conformity Guidance for the South Coast II Court Decision* issued on November 29, 2018.

## 1.0 Background

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### 1.1 Transportation Conformity Process

The concept of transportation conformity was introduced in the Clean Air Act of 1977, which included a provision to ensure that transportation investments conform to a state implementation plan for meeting the Federal air quality standards. Conformity requirements were made substantially more rigorous in the CAA Amendments of 1990. The transportation conformity regulations that detail implementation of the CAA requirements were first issued in November 1993, and have been amended several times. The regulations establish the criteria and procedures for transportation agencies to demonstrate that air pollutant emissions from metropolitan transportation plans, transportation improvement programs and projects are consistent with (“conform to”) the State’s air quality goals in the SIP. This document has been prepared for State and local officials who are involved in decision making on transportation investments.

Transportation conformity is required under CAA Section 176(c) to ensure that federally supported transportation activities are consistent with (“conform to”) the purpose of a State’s SIP. Transportation conformity establishes the framework for improving air quality to protect public health and the environment. Conformity to the purpose of the SIP means Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) funding and approvals are given to highway and transit activities that will not cause new air quality violations, worsen existing air quality violations, or delay timely attainment of the relevant air quality standard, or any interim milestone.

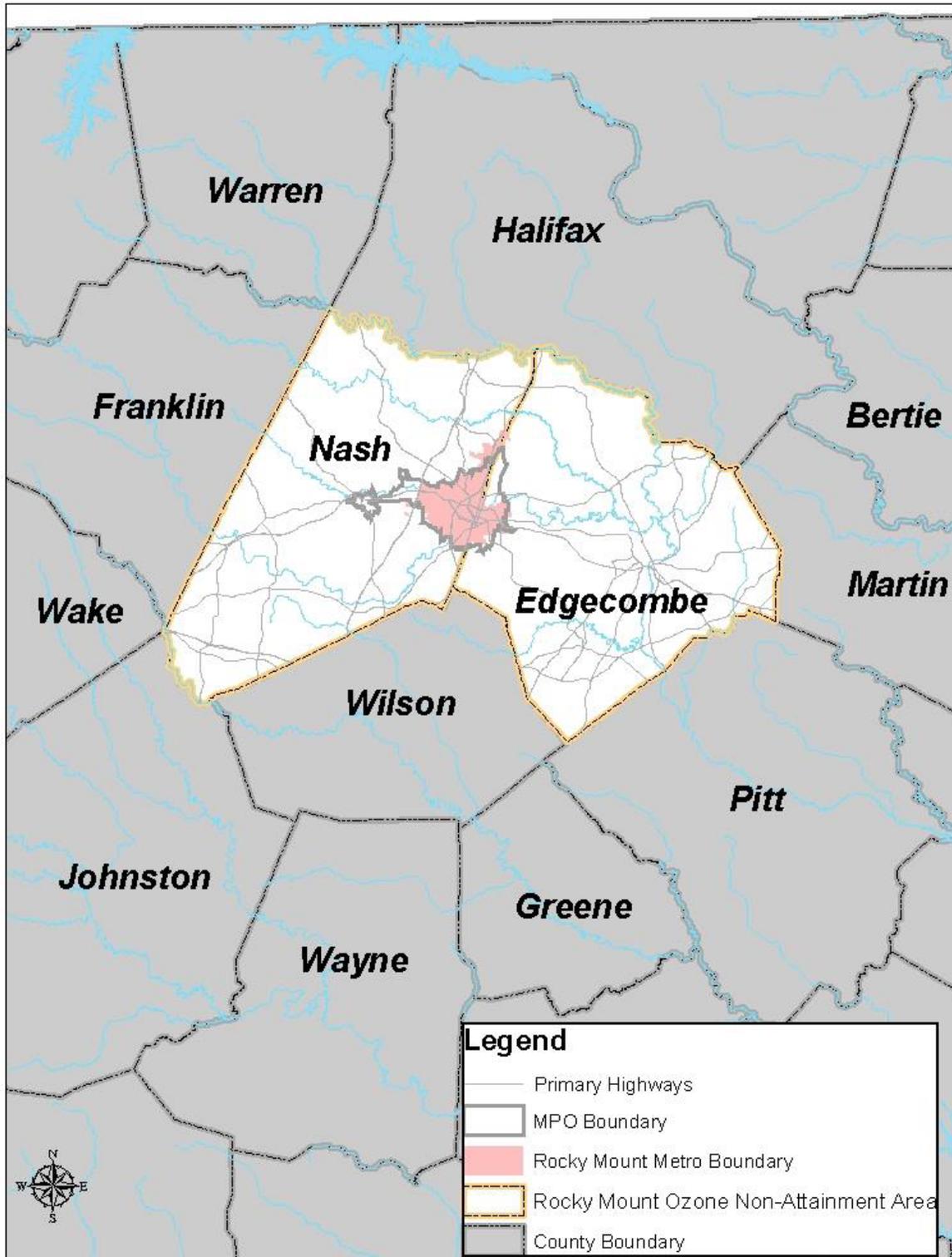
The U.S. EPA designated Nash and Edgecombe Counties, in their entirety, as well as the Rocky Mount Urban Area, as a “marginal” non-attainment area for the 1997 8-hour ozone NAAQS with an effective date of June 15, 2004. On November 6, 2006 (effective date January 5, 2007), the maintenance plan for Rocky Mount Urban Area (that designated it from a non-attainment area to a maintenance area) for the 1997 8-hour ozone standard was approved.

The Rocky Mount Urban Area was designated attainment for the 2008 ozone NAAQS on May 21, 2012. Additionally, the Rocky Mount Urban Area was designated as attainment for the 2015 ozone NAAQS on November 16, 2017.

The US Court of Appeals for the DC Circuit in the *South Coast AQ Management District v EPA, No. 15-1115*, issued a decision on February 16, 2018. In that decision, the Court struck down portions of the 2008 Ozone National Ambient Air Quality Standards State Implementation Plan Requirements Rule which vacated the revocation of transportation conformity requirements for the 1997 8-hour ozone NAAQS.

In November 2018, U.S. EPA issued Guidance for the *South Coast v EPA Court Decision*. U.S. EPA’s guidance states that transportation conformity for MTPs and TIPs for the 1997 8-hour ozone NAAQS can be demonstrated without a regional emissions analysis pursuant to 40 CFR 93.109(c). Transportation conformity for the 1997 8-hour ozone NAAQS would be required on MTP and TIP actions as of February 16, 2019.

**Rocky Mount Urban Area 1997 8-hour Ozone Maintenance Area**



## **2.0 2045 Rocky Mount Urban Area Metropolitan Transportation Plan**

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The 2045 Rocky Mount Urban Area MTP, which includes a planning horizon of at least 20 years, identifies and prioritizes what types of transportation improvements (roadways, bicycle, transit, pedestrian, and inter-modal facilities) are required to meet the anticipated short term and long-term needs within the planning area. The current [2045 Metropolitan Transportation Plan](#) was adopted by the Rocky Mount Urban Area MPO on September 17, 2018.

The Transportation Plan is fiscally constrained as discussed in *40 CFR 93.108*. The Plan is fiscally constrained to the year 2045. The estimates of available funds are based on historic funding availability and methods used in the NC Department of Transportation (NCDOT) Strategic Transportation Investments legislation and policy, and include federal, state, private, and local funding sources. Additional detail on fiscal constraint is included in the MPO transportation plan.

## **3.0 2020-2029 Transportation Improvement Program**

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The 2020-2029 TIP is one part of the MPO's transportation planning process. The planning process includes the development of an MTP, which is fiscally constrained. As projects in the MTP advance to implementation, they are programmed in the TIP.

The purpose of the TIP is to set forth an MPO's near-term program for transportation projects. The TIP is prepared according to an MPO's procedures. An MPO Committee works with the State DOT and the appropriate transit operators in developing a draft TIP. Following public and agency review, the TIP is typically approved by the State DOT (as part of the STIP), and the MPO. The TIP is forwarded to the State DOT, then on to federal funding agencies—the Federal Highway Administration, and the Federal Transit Administration.

The purpose of this conformity determination is to demonstrate conformity to the [2020-2029 TIP](#) and ensure that the projects in the TIP are consistent with those in the MTP. There are no amended projects in the 2045 MTP based on the 2020-2029 STIP.

## **4.0 Transportation Conformity Determination: General Process**

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Per the court's decision in *South Coast II*, beginning February 16, 2019, a transportation conformity determination for the 1997 8-hour ozone NAAQS will be needed in 1997 8-hour ozone NAAQS nonattainment and maintenance areas identified by the U.S. EPA<sup>1</sup> for certain transportation activities, including updated metropolitan MTPs and TIPs. Once U.S. DOT makes its 1997 8-hour ozone NAAQS conformity determination for the 2045 Rocky Mount Urban Area MTP and 2020-2029 TIP, conformity will be required no less frequently than every four years. This conformity determination report will address transportation conformity for the 2045 Rocky Mount Urban Area MTP and the 2020-2029 TIP.

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<sup>1</sup> The areas identified can be found in U.S. EPA's "Transportation Conformity Guidance for the South Coast II Court Decision, EPA-420-B-18-050, available on the web at: [www.epa.gov/state-and-local-transportation/policy-and-technical-guidance-state-and-local-transportation](http://www.epa.gov/state-and-local-transportation/policy-and-technical-guidance-state-and-local-transportation).

## 50 Transportation Conformity Requirements

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### 51 Overview

On November 29, 2018, the U.S. EPA issued the *Transportation Conformity Guidance for the South Coast II Court Decision*<sup>2</sup> (U.S. EPA-420-B-18-050, November 2018) that addresses how transportation conformity determinations can be made in areas that were nonattainment or maintenance for the 1997 8-hour ozone NAAQS when the 1997 8-hour ozone NAAQS was revoked, but were designated attainment for the 2008 ozone NAAQS in the U.S. EPA's original designations for this NAAQS (May 21, 2012).

For the 1997 8-hour ozone NAAQS areas, transportation conformity for MTPs and TIPs for the 1997 8-hour ozone NAAQS can be demonstrated without a regional emissions analysis, per 40 CFR 93.109(c). This provision states that the regional emissions analysis requirement applies one year after the effective date of the U.S. EPA's nonattainment designation for a NAAQS and until the effective date of revocation of such NAAQS for an area. The 1997 8-hour ozone NAAQS revocation was effective on April 6, 2015, and the South Coast II court upheld the revocation. As no regional emission analysis is required for this conformity determination, there is no requirement to use the latest emissions model, or budget or interim emissions tests.

Therefore, transportation conformity for the 1997 8-hour ozone NAAQS for the Rocky Mount Urban Area MPO's 2045 MTP and 2020-2019 TIP for the maintenance area can be demonstrated by showing the remaining requirements in Table 1 in 40 CFR 93.109 have been met. These requirements, which are laid out in Section 2.4 of the U.S. EPA's guidance and addressed below, include:

- Latest planning assumptions (93.110)
- Consultation (93.112)
- Transportation Control Measures (TCMs) (93.113(b) and (c))
- Fiscal constraint (93.108)

### 52 Latest Planning Assumptions

The use of latest planning assumptions in 40 CFR 93.110 of the conformity rule generally apply to regional emissions analysis. In the 1997 8-hour ozone NAAQS areas, the use of latest planning assumptions requirement applies to assumptions about transportation control measures in an approved SIP.

The Rocky Mount Urban Area 1997 8-hour ozone SIP does not include any TCMs.

### 53 Consultation Requirements

The consultation requirements in 40 CFR 93.112 were addressed both for interagency consultation and public consultation.

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<sup>2</sup> Available from <https://www.epa.gov/sites/production/files/2018-11/documents/420b18050.pdf>

Interagency consultation was conducted with Rocky Mount MPO, NC Department of Environmental Quality-Division of Air Quality, U.S. EPA, NCDOT, FHWA and FTA via email on August 9, 2019 consistent with the North Carolina Conformity Memorandum of Understanding. See Appendix B for comments.

Public consultation was conducted consistent with planning rule requirements in 23 CFR 450. The public comment period ran from September 15, 2019 to November 15, 2019.

Both agency and public comments, and responses to these comments, are contained in Appendix C. See Appendix C and D for further details.

## **5.4 Timely Implementation of TCMs**

The Rocky Mount Urban Area 1997 8-hour ozone SIP does not include any TCMs.

## **5.5 Fiscal Constraint**

Transportation conformity requirements in 40 CFR 93.108 state that transportation plans and TIPs must be fiscally constrained consistent with NCDOT's metropolitan planning regulations at 23 CFR part 450. The 2045 Rocky Mount Urban Area MTP and 2020-2029 TIP are fiscally constrained, as demonstrated in Chapter 6 of the 2045 MTP.

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## **Conclusion**

The conformity determination process completed for the 2045 Rocky Mount Urban Area MTP and 2020-2029 TIP demonstrates that these planning documents meet the Clean Air Act and Transportation Conformity rule requirements for the 1997 8-hour ozone NAAQS.

# APPENDIX A: Conformity Process Schedule

NCDOT releases 2020-2029 STIP	August 7, 2019
Review the TIP for changes and determine if an amendment to the MTP	August 26, 2019
Draft conformity determination report complete	September 3, 2019
Interagency and public review	September 15 – November 15, 2019
MPO amendment adoptions (if necessary) and conformity determinations	November 18, 2019
NCDOT conformity finding for the donut areas	November 18, 2019
Final Draft CDR Review	November 18 – December 16, 2019
U.S. DOT Conformity Determination	March 20, 2020

## **APPENDIX B: Interagency Consultation**

Good morning everyone,

We are officially re-starting the transportation conformity process for the Rocky Mount TIP and MTP. NCDOT has released the revised FY 20/29 STIP/TIP. I have attached the TIP and the changes from the previous TIP for our review. Please review and determine if additional changes are needed to complete transportation conformity on the Rocky Mount MTP and TIP. Please provide me with your comments by August 26. After which, I will work with Phyllis Jones to review the recommended changes, and start preparing the draft conformity report.

If there are no objections, we will continue with our initial plan to complete this process by e-mail. Below is the revised draft schedule for the Rocky Mount transportation conformity process. We will follow the schedule below as close as possible.

The draft schedule below was adjusted to reflect the release of the draft STIP/TIP.

Review the TIP for changes, and determine if an amendment to the MTP is required by **8/26/2019**

Draft CDR complete by **9/3/19** – responsible party NCDOT-Phyllis Jones (including draft, final draft and final versions)

Interagency and public review: **9/3/19 – 10/3/19** – responsible parties Rocky Mount MPO, DAQ-Vitas, NCDOT-Hildebrandt and FHWA-Barren

MPO amendment adoptions (if necessary) and conformity determinations: **11/18/19** – responsible party Rocky Mount MPO

NCDOT conformity finding for the donut areas: **11/18/19** - responsible party NCDOT-Phyllis Jones

Final Draft CDR Review: **11/18/19-12/16/19** - responsible party NCDOT-Phyllis Jones and FHWA-Barren

USDOT Conformity Determination: **3/20/20** - responsible party FHWA-Barren

If you have any questions, please contact me or Heather Hildebrandt.

Loretta

Loretta W. Barren | Transportation Planner

Federal Highway Administration | North Carolina Division Office

P: 919.747.7025 | E: [loretta.barren@dot.gov](mailto:loretta.barren@dot.gov)

# **APPENDIX C: Public Participation and Notification**



## **PUBLIC PARTICIPATION PLAN**

### **ROCKY MOUNT URBAN AREA METROPOLITAN PLANNING ORGANIZATION**

**Adopted by the Transportation Advisory Committee May 18, 2015**

## **PUBLIC PARTICIPATION PLAN**

### **INTRODUCTION**

This Public Participation Plan (PPP) serves as a guide for seeking the involvement of the stakeholders in transportation planning for the Rocky Mount Urban Area Metropolitan Planning Organization (MPO). Established in 1992 the Rocky Mount MPO is the transportation planning agency for the area of eastern North Carolina including the City of Rocky Mount, Town of Nashville, Town of Sharpsburg and portions of Nash and Edgecombe Counties.

The function of the MPO is accomplished through the work of two committees assisted by the City of Rocky Mount acting as the Lead Planning Agency for the Urban Area MPO. The Technical Coordinating Committee (TCC) comprised of twenty members representing the five governing MPO bodies and the North Carolina Department of Transportation and the Federal Highway Administration participates in transportation planning by making technical recommendations to the Transportation Advisory Committee (TAC). As the policy arm of the MPO, the eight-member TAC includes elected officials from Rocky Mount, Nashville, Sharpsburg, Nash County and Edgecombe County and the area member on the North Carolina Board of Transportation.

Transportation planning is a complex task requiring the services of numerous individuals and various specialties (e.g. Tar River Transit and bicycle advocacy) represented on the TCC and TAC, but no source is more important than the users of the transportation system. For that reason the Rocky Mount Urban Area MPO will seek to have an early and continuing participation from the general public in the development of transportation plans for the multi-modal transportation network including public transit.

Based on the figures of the 2010 decennial census the population of the Rocky Mount, North Carolina Urban Area MPO is approximately 85,000 people. Within this number are many sub-populations which the MPO will seek to involve in the transportation planning of multi-modal and public transit improvements. For example, the ethnic ancestral groups, persons of low-income, minorities and limited English proficiency (LEP) subsets are categories of citizens who should be encouraged to participate in transportation planning.

The TCC and TAC typically meet quarterly, and the public is welcome at all meetings. Notices of the meetings are posted on the City of Rocky Mount events calendar and on the MPO website. Anyone with questions about the MPO schedule may call the City of Rocky Mount Engineering Department (252 972-1129) where the Transportation Planner is available. The email contact for the MPO is [bob.league@rockymountnc.gov](mailto:bob.league@rockymountnc.gov). The MPO website is <http://www.rockymountnc.gov/mpo/>. The MPO may be contacted via U.S. mail at:

Rocky Mount MPO  
P.O. Box 1180  
Rocky Mount, NC 27802

Minutes of the TCC and TAC meetings are posted on the MPO website. The MPO staff welcomes any contact from the general public at all times.

There are many ways to communicate with the public and some new means continue to emerge like the social media (e.g. Facebook, Twitter). There is no one right way to communicate with the public, and different audiences require different means. Different purposes like different projects may require different methods of communications. The MPO will employ various methods available at the time within the resources available to implore the public to become involved in transportation planning.

The MPO will produce a pamphlet describing the purpose and work of the MPO. The pamphlet will provide guidance for the citizen to engage in the transportation planning process.

### **GOALS AND OBJECTIVES**

The goals of the Public Participation Plan for the Rocky Mount Urban Area Metropolitan Planning Organization are as follows:

1. All citizens living or working within the MPO boundary will be afforded the opportunity to participate and contribute to the development of multi-modal and transit transportation plans for the urban area.
2. The MPO will actively seek the early and continuing involvement of the general public in transportation planning.
3. The public will be provided timely and useful information to aide participation in the transportation planning process.
4. The MPO will consider and respond to the transportation planning input provided by the general public.
5. Various techniques will be implemented to obtain the participation of the different population subgroups within the MPO including the traditionally underserved, the elderly, disabled, low income households, minorities, and the limited English proficient.

To accomplish these goals, the MPO will establish objectives not limited to the following:

1. Welcome citizens to participate at any and all times. Even though due dates and deadlines may exist, at all times encourage people to become involved and to remain active in transportation planning.
2. Provide ample notice and make convenient arrangements to make public participation as easy as possible.
3. Provide an explanation of the MPO structure and operation to the general public so that citizens will understand how to participate in transportation planning.

4. Special accommodations will be provided for citizens with hearing, sight and language difficulties.
5. Maintain and use a database of interested parties in the transportation planning process.

## **STAKEHOLDERS AND PUBLIC GROUPS**

The MPO will involve stakeholders and the public in the transportation planning process. Stakeholders may be an individual or organization involved or affected by the transportation planning process. The public includes residents, public agencies, and any persons involved with public transportation, freight, railroad, automobile, motorcycle, pedestrian, and bicycle operation.

The following list identifies the stakeholders and public targeted for participation, but the list is not meant to be exhaustive:

- MPO residents
- Neighborhood organizations
- Homeowner associations
- Government agencies
- Public agencies
- Tar River Transit
- Chamber of Commerce
- Business affiliations
- Civic clubs
- Advocacy groups
- Minority groups
- Disabled groups
- Limited English Proficiency groups
- Traditionally underserved populations
- Employees in the MPO area
- Church organizations
- School groups
- Media organizations
- Health groups
- Public transit riders
- Bicycle clubs
- Emergency service agencies
- Environment protection groups

## **OUTREACH TECHNIQUES**

The MPO will use a variety of techniques to draw the public into participating in the transportation planning process. There is no one single right way to seek public participation. Normally more than one method of solicitation will be necessary to reach all members of the public. The effort to bring in stakeholders must be ongoing and creative. As new techniques and tools become available the MPO should use them to reach out to the public.

The following is a list of example outreach techniques:

- Meeting Notices
- Legal advertisements
- MPO website
- City / County websites
- Brochure / Pamphlet / Flyer
- Newsletter
- Bulletin Board
- Business Card
- Mail
- Email
- Social media (Facebook, Twitter, You Tube, etc)
- Television
- Radio
- Billboard
- Telephone
- Chamber of Commerce Business Expo
- Speaker bureau
- Public Hearing
- Workshops
- Open House
- Electronic message boards
- Planning Partners Database
- Public Transit Communique

## **SCHEDULE**

The TCC and TAC typically meet quarterly and the meetings are announced in December for the upcoming calendar year. A 20 day notice is provided by legal advertisement for public hearings conducted by the TAC. For the State Transportation Improvement Program (STIP), the Long Range Transportation Plan (LRTP) and the Conformity Determination Report for Air Quality (CDR) a public hearing is conducted.

The MPO staff is available during normal office hours of 8:30 am to 5:00 pm Monday through Friday. Telephone messages may be left at anytime 24/7 at 252 972-1129.

Currently the STIP is developed on a two-year cycle and the Long Range Transportation Plan is created every four years. The Conformity Determination Report is developed as needed when the TIP and/or LRTP have significant changes or updates.

The public will be encouraged to participate in the transportation planning process at all times. It is never too early or too late to be involved. One must be aware that due dates need to be met but the involvement of the citizen can begin and continue at the pleasure of the individual.

## **EVALUATION AND REVISION**

The MPO with public participation will periodically review the Public Participation Policy to determine if the goals of the PPP are being achieved. Revisions will be proposed for approval by the Transportation Advisory Committee.

# APPENDIX D: Public & Agency Comments and Responses

ROY COOPER  
Governor

MICHAEL S. REGAN  
Secretary

MICHAEL ABRACZINSKAS  
Director



NORTH CAROLINA  
Environmental Quality

September 18, 2019

Bob League  
Principal Transportation Planner  
City of Rocky Mount  
PO Box 1180  
Rocky Mount, NC 27802

Subject: DAQ Review of the Draft Conformity Determination Report

Dear Mr. League:

Thank you for forwarding the draft of the Rocky Mount Urban Area Conformity Determination Report 2045 Metropolitan Transportation Plan (MTP) Amendments and 2020-2029 Transportation Improvement Program. The North Carolina Department of Environmental Quality, Division of Air Quality has completed its review of the draft report.

The analysis provided in this draft report demonstrates that the 2045 MTP Amendments and the FY 2020-2029 TIP conforms to the 1997 ozone standards for the region. The draft report is comprehensive and adequately outlines the details of the conformity analysis. The Division of Air Quality believes this report contains the appropriate air quality information to support a conformity determination on the 2045 MTP Amendments and the FY 2020-2029 TIP for the 1997 ozone standards in the Rocky Mount area.

Thank you again for the opportunity to review this report. If you have any questions, you may call me or contact Jill Vitas of my staff at (919) 707-8424.

Sincerely,

A handwritten signature in blue ink that reads "Stephen J. Wall for".

Michael A. Abraczinskas, Director  
Division of Air Quality, NCDEQ

MAA:jbv

cc: Jamal Alavi, NCDOT  
Heather Hildebrant, NCDOT  
Phyllis Jones, NCDOT  
Loretta Barren, FHWA  
Keith Melton, FTA  
Dianna Myers, EPA  
Jill Vitas, NCDEQ



North Carolina Department of Environmental Quality | Division of Air Quality  
217 West Jones Street | 1641 Mail Service Center | Raleigh, North Carolina 27699-1641  
919.707.8400

# APPENDIX E: Adoption, Endorsement Resolution and Agency Determinations



## STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

JAMES H. TROGDON, III  
SECRETARY

September 27, 2019

Mr. John F. Sullivan, PE, Division Administrator  
Federal Highway Administration  
North Carolina Division  
310 New Bern Avenue, Suite 410  
Raleigh, North Carolina 27601

Subject: Edgecombe and Nash Counties Donut Area Conformity Determination

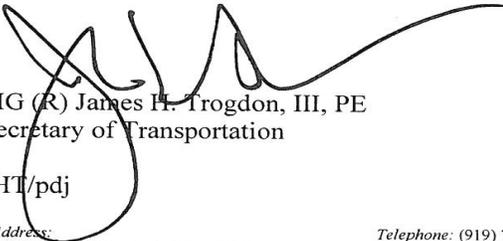
Dear Mr. Sullivan:

The North Carolina Department of Transportation finds that the 2020-2029 State Transportation Improvement Program (STIP), which is the transportation plan for the donut area of both Edgecombe and Nash Counties, complies with the provisions of the Clean Air Act of 1990 and the Fixing America's Surface Transportation (FAST) Act of 2015.

This fiscally constrained transportation plan helps eliminate or reduce violations of the national ambient air quality standards in the donut area of Edgecombe and Nash Counties that is outside the Rocky Mount Metropolitan Planning Organization (RMMPO). The report documents the validity of the conformity finding for the donut area and compliance with the Transportation Conformity Regulation 40 CFR 51 and 93.

Please begin your final review of this conformity determination and related documentation. The NCDOT is requesting approval on or before March 20, 2020. If any federal agencies have any questions or comments regarding this conformity determination, please contact Phyllis D. Jones of the Transportation Planning Division at (919) 707-0970.

Sincerely,

  
MG (R) James H. Trogdon, III, PE  
Secretary of Transportation

JHT/pdj

Mailing Address:  
NC DEPARTMENT OF TRANSPORTATION  
1501 MAIL SERVICE CENTER  
RALEIGH, NC 27699-1501

Telephone: (919) 707-2800  
Fax: (919) 733-9150  
Customer Service: 1-877-368-4968

Location:  
1 SOUTH WILMINGTON STREET  
RALEIGH, NC 27601

Website: [www.ncdot.gov](http://www.ncdot.gov)

Mr. John F. Sullivan, III, PE  
September 27, 2019  
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cc:

Mike Abraczinskas, Director, Division of Air Quality, NCDEQ  
Loretta Barren, FHWA North Carolina Division  
Dianna Myers, EPA Region 4  
Boyd Melton, FTA Region 4  
Jamal Alavi, PE, Transportation Planning Division  
Travis Marshall, PE, Transportation Planning Division  
Heather Hildebrandt, Transportation Planning Division  
Carlos Moya-Astudillo, Transportation Planning Division  
Jill Vitas, Division of Air Quality, NCDEQ

## RESOLUTION

### RESOLUTION FINDING THE ROCKY MOUNT URBAN AREA FY 2020-2029 TRANSPORTATION IMPROVEMENT PROGRAM IN CONFORMANCE WITH THE NORTH CAROLINA STATE IMPLEMENTATION PLAN

WHEREAS, the Transportation Advisory Committee has found that the Metropolitan Planning Organization is conducting transportation planning in a continuous, cooperative, and comprehensive manner;

WHEREAS, the Transportation Advisory Committee has provided for a 30-day public comment period, ending on November 18, 2019, for the proposed Transportation Improvement Program;

WHEREAS, the Transportation Advisory Committee has solicited public and private transportation provider comment;

WHEREAS, the United States Environmental Protection Agency designated Nash and Edgecombe Counties as non-attainment areas for the 1997 8-hour ozone standard on June 15, 2004 and due to improved monitoring data, these areas were redesignated as attainment (maintenance) on January 5, 2007; and

WHEREAS, <sup>NW</sup> the transportation projects in the Rocky Mount Urban Area 2045 Metropolitan Transportation Plan and the FY ~~2018-2027~~ <sup>2020-2029</sup> Transportation Improvement Program have been fiscally constrained as required in 40 CFR Part 93.108; and

WHEREAS, there are no transportation control measures in the North Carolina State Implementation Plan that pertain to the Rocky Mount Urban Area as required in 40 CFR Part 93.113(b); and

WHEREAS, the Transportation Advisory Committee has found the proposed Transportation Improvement Program to be in full compliance with Title VI of the Civil Rights Act;

WHEREAS, the Transportation Advisory Committee has considered how the proposed Transportation Improvement Program will affect Disadvantaged Business Enterprises;

WHEREAS, the Transportation Advisory Committee has considered how the proposed Transportation Improvement Program will affect the elderly and the disabled;

WHEREAS, the FY 2020-2029 Transportation Improvement Program is a direct subset of the conforming Rocky Mount Urban Area 2045 Metropolitan Transportation Plan and thus conforms to the North Carolina State Implementation Plan for maintenance of the National Ambient Air Quality Standards.

NOW THEREFORE, be it resolved by the Rocky Mount Urban Area Transportation Advisory Committee that the Rocky Mount MPO provision of the State Transportation Improvement Program for FY2020 - FY2029 be adopted for the Rocky Mount Urban Area Metropolitan Planning Organization on this 18th day of November 2019.



W.B. Bullock, Chairman  
Rocky Mount Urban Area TAC



Brad Kerr, Secretary  
Rocky Mount Urban Area TAC