

# **APPENDIX H**

## **Approving Letters and Resolutions**





U.S. Department  
of Transportation  
**Federal Highway  
Administration**

Ohio Division Office  
200 North High Street  
Columbus, Ohio 43215

June 28, 2007

Director James Beasley, P.E., P.S.,  
Ohio Department of Transportation  
1980 West Broad Street  
Columbus, OH 43223

In Reply Refer To:  
HPD-OH

Dear Director Beasley:

Your May 15, 2007 letter requested a conformity determination for the Toledo 8-hour ozone nonattainment area. Your request included documentation of the appropriate public involvement activities, the air quality conformity analyses for State Fiscal Year (SFY) 2008-2011 TIP and the updated 2035 Transportation Plan, and the appropriate MPO Board conformity determination resolution.

The Toledo area includes the Toledo Metropolitan Area Council of Governments (TMACOG) which is the MPO for this ozone nonattainment area. On April 15, 2004 Lucas and Wood Counties were designated as a basic ozone nonattainment area under the 8-hour national ambient air quality standard.

There are five primary criteria of the conformity rule (62 FR 43779) and the Transportation Conformity Rule Amendments (69 FR 40004), which must be met. These criteria include: use of the latest planning assumptions, use of the latest emissions model, use of appropriate consultation procedures, consistence with the mobile source emissions budget in the State Implementation Plan (SIP), and provisions for timely implementation of transportation control measures in the SIP.

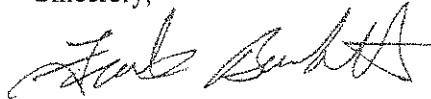
We have reviewed the Air Quality Conformity documentation and have coordinated with the US Environmental Protection Agency to ensure it meets the requirements of the Clean Air Act Amendments of 1990. Please reference your copy of USEPA's May 27, 2005 comment letter. The analyses were conducted in accordance with the USEPA November 24, 1993 regulations (40 CFR Parts 51 and 93) implementing the Act and its 1997 amendments. Accordingly, FHWA and FTA find that the Toledo nonattainment area's SFY 2008-2011 TIP and 2035 TP conform to the 1990 Clean Air Act and the current State Implementation Plan for both oxides of nitrogen and volatile organic compounds as required by the conformity rule, effective July 1, 2007.

**MOVING THE  
AMERICAN  
ECONOMY**

In June of 2004 FTA Region V and FHWA-OH signed a Memorandum of Agreement (MOA) covering each agency's roles and responsibilities concerning transportation conformity findings. In accordance with that MOA, FHWA-OH has conferred with FTA-V with regard to the conformity determination for the Toledo 8-hour ozone nonattainment area and is issuing this finding on behalf of both Agencies.

If you have any questions or comments, please contact Mr. Frank Burkett, Air Quality Specialist, at (614) 280-6838, or [frank.burkett@fhwa.dot.gov](mailto:frank.burkett@fhwa.dot.gov).

Sincerely,



For: Dennis A. Decker  
Division Administrator

**A RESOLUTION OF THE  
TOLEDO METROPOLITAN AREA COUNCIL OF GOVERNMENTS  
ADOPTING THE “ON THE MOVE: 2007-2035 TRANSPORTATION PLAN”**

WHEREAS, the Toledo Metropolitan Area Council of Governments (TMACOG) is a voluntary association of local governments and non-governmental partners in northwest Ohio and southeast Michigan, organized on May 31, 1968, and established under Chapter 167 of the Ohio Revised Code and the Michigan Public Act No. 7 (EX-SESS), and has carried out comprehensive metropolitan and regional planning since that date; and

WHEREAS, the Toledo Metropolitan Area Council of Governments (TMACOG) is designated as the Metropolitan Planning Organization (MPO) by the Governor through the Ohio Department of Transportation in cooperation with local elected officials and is authorized to carry out the continuing, cooperative, and comprehensive transportation planning process (Process) for the Toledo Metropolitan Planning Area that results in plans and programs that consider all transportation modes and support community development and social goals; and

WHEREAS, the MPO has been designated by the United States Department of Transportation (USDOT) and the Ohio Department of Transportation (ODOT) to direct, coordinate, and administer the Process in the Toledo Metropolitan Planning Area as mandated by the Congress in Titles 23 and 49 U.S.C.; and

WHEREAS, the USDOT allocates to the Toledo Metropolitan Planning Organization through ODOT certain Federal-Aid funds for transportation-related projects and activities; and

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: a Legacy for Users (SAFETEA-LU), enacted by Congress in 2005, and the Code of Federal Regulations governing MPOs (23 C.F.R. 450) require that a long range plan be updated every four years; and

WHEREAS, the “On the Move” Task Force of the Transportation Council Planning Committee has developed the “On the Move: 2007-2035 Transportation Plan” over the past two years, establishing the plan goals and a selecting a comprehensive list of policies, initiatives and projects after substantial public input and technical analysis; and

WHEREAS, TMACOG has requested that the Ohio Department of Transportation complete an analysis of the “On the Move: 2007-2035 Transportation Plan” for conformity with the air quality standards of the region and the State Implementation Plan; and

WHEREAS, the “On the Move” Plan includes a financial analysis demonstrating the availability of nearly \$7.9 billion in funding for transportation needs over the next 28 years; and

WHEREAS, our region can compete effectively for needed funding for transportation only if we are organized and focused on implementing an agreed upon set of priorities; and

WHEREAS, the TMACOG Transportation Council approved this resolution on June 6, 2007, and the TMACOG Executive Committee approved it on June 20, 2007;

NOW, THEREFORE, BE IT RESOLVED BY THE TOLEDO METROPOLITAN AREA COUNCIL OF GOVERNMENTS:

Section 1:

THAT TMACOG adopts the "On the Move: 2007-2035 Transportation Plan" as the regional transportation plan for the Toledo Metropolitan Planning Area; and

Section 2:

THAT TMACOG supports the projects, goals, policies and initiatives contained in the "On the Move: 2007-2035 Transportation Plan" and requests members and implementing agencies to incorporate the planning, design and construction and/or implementation of 2035 Plan projects, initiatives, and policies into their planning for transportation improvements in their jurisdictions; and

Section 3:


THAT it is the policy of TMACOG to advocate for and be part of efforts to increase funding for needed transportation improvements for our region as identified in the "On the Move: 2007-2035 Transportation Plan"; and


Section 4:

THAT, contingent upon the analysis of the 2035 Plan by the Ohio Department of Transportation, TMACOG affirms that the "On the Move: 2007-2035 Transportation Plan" is consistent with our region's goal of maintaining attainment of air quality standards and that the Plan is in conformity with the State Implementation Plan.

Adopted by the Board of Trustees June 20, 2007.

Yea 25, Nay -0-, Abstain -0-

  
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Barbara R. Sears, Chair, Toledo  
Metropolitan Area Council of Governments

  
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Anthony L. Reams, President, Toledo  
Metropolitan Area Council of Governments