

# *Triangle Region*

## *Capital Area Metropolitan Planning Organization (CAMPO)*

- *2050 Metropolitan Transportation Plan*
- *2020-2029 Transportation Improvement Program*

## *Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO)*

- *2050 Metropolitan Transportation Plan*
- *2020-2029 Transportation Improvement Program*

## *Burlington-Graham Metropolitan Planning Organization (BG MPO)*

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

## *NC DOT (for projects outside of MPO boundaries)*

- *2020-2029 Transportation Improvement Program*

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Adoption Dates: February 9, 2022 (DCHC MPO)  
February 16, 2022 (CAMPO)  
January 18, 2022 (BG MPO)

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This conformity determination report references MPO Metropolitan Transportation Plans (MTPs) and Transportation Improvement Programs (TIPs). This CDR report can be located on the Triangle J Council of Governments website [here](#).

The TIPs are mutually adopted by each MPO and the NC Department of Transportation. The most recent version of the 2020-29 TIP can be found [here](#).

The MPO Metropolitan Transportation Plans (MTPs) covered by this report can be accessed as follows:

- 1. CAMPO [2050 MTP](#)
- 2. DCHC MPO [2050 MTP](#)
- 3. Burlington-Graham MPO [2045 MTP](#)

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## Acknowledgements

This *Transportation Conformity Report* for the DCHC MPO 2050 Metropolitan Transportation Plan (MTP), the CAMPO 2050 MTP, the Burlington-Graham MPO 2045 MTP and the CAMPO, DCHC MPO, BG MPO and NCDOT 2020-2029 Transportation Improvement Programs (TIPs) was prepared by the Triangle J Council of Governments. Individuals from the following agencies contributed their efforts towards the completion of the Transportation Conformity Determination Report. They include:

- NC Capital Area Metropolitan Planning Organization
- Durham-Chapel Hill-Carrboro Metropolitan Planning Organization
- Burlington-Graham 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 their transportation planning processes, the North Carolina Capital Area Metropolitan Planning Organization (CAMPO), the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO), the Burlington-Graham Metropolitan Planning Organization (BG MPO) and the North Carolina Department of Transportation (NCDOT) completed the transportation conformity process for the 2050 MTP (DCHC MPO and CAMPO), for the 2045 MTP (BG MPO) and for the 2020-2029 TIP (DCHC MPO, CAMPO, BG MPO and NCDOT). This report documents that the MTPs 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). U.S. EPA’s transportation conformity rules establish the criteria and procedures for determining whether metropolitan transportation plans, transportation improvement programs (TIPs), 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. 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 ozone national ambient air quality standard (NAAQS) and attainment for the 2008 ozone NAAQS when the 1997 ozone NAAQS was revoked. These conformity determinations are required in these areas after February 16, 2019. The Research Triangle Region was “maintenance” at the time of the 1997 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 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 EPA’s *Transportation Conformity Guidance for the South Coast II Court Decision* issued on November 29, 2018.

## 1.0 Background

### 1.1 Transportation Conformity Process

The concept of transportation conformity was introduced in the Clean Air Act (CAA) of 1977, which included a provision to ensure that transportation investments conform to a State implementation plan (SIP) 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.

U. S. EPA originally declared Durham County, Wake County and Dutchville Township in Granville County non-attainment for ozone (O<sub>3</sub>) under the 1-hour ozone standard and Durham County and Wake County non-attainment for Carbon Monoxide (CO) on November 15, 1990. Ozone, the primary component of smog, is a compound formed when volatile organic compounds (VOC) and oxides of nitrogen (NO<sub>x</sub>) mix together in the atmosphere with sunlight. NO<sub>x</sub> and VOC are referred to as ozone “precursors.” Durham County, Wake County and Dutchville Township were redesignated by U. S. EPA to attainment with a maintenance plan for ozone under the 1-hour standard on June 17, 1994 and Durham County and Wake County were redesignated by U. S. EPA to attainment with a maintenance plan for CO on September 18, 1995. The 20-year CO maintenance requirements for the Triangle expired in 2015.

In 1997, the NAAQS for ozone was reviewed and revised to reflect improved scientific understanding of the health impacts of this pollutant. When the standard was revised in 1997, an eight-hour ozone standard was established that was designed to replace the

one-hour standard. The U. S. EPA designated the entire Triangle area as a “basic” non-attainment area for ozone under the eight-hour standard with an effective date of June 15, 2004; the designation covered the following geographic areas:

- Durham County
- Wake County
- Orange County
- Johnston County
- Franklin County
- Granville County
- Person County
- Baldwin, Center, New Hope and Williams Townships in Chatham County

On December 26, 2007, the Triangle Area was redesignated as attainment with a maintenance plan for ozone under the eight-hour standard.

The U.S. Court of Appeals for the DC Circuit in the South Coast Air Quality 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 (NAAQS) 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 ozone NAAQS can be demonstrated without a regional emissions analysis pursuant to 40 CFR 93.109(c). Transportation conformity for the 1997 ozone NAAQS would be required on MTP and TIP actions as of February 16, 2019.



## 2.0 Metropolitan Transportation Plans

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The *Connect2050 Metropolitan Transportation Plan* is one part of CAMPO's and DCHC MPO's transportation planning process. The *Connect2050 Metropolitan Transportation Plan* (2050 MTP) was developed by DCHC MPO and CAMPO between 2020 and 2021. Federal law *40 CFR part 93.104(b)(3)* requires a conformity determination of transportation plans no less frequently than every four years. As required in *40 CFR 93.106*, the analysis years for the transportation plans are no more than ten years apart. The 2050 MTP incorporates the 2020-2029 TIP, which received a conformity determination in 2020. The BG MPO *Getting There 2045 MTP* was adopted on June 16, 2020 and also incorporates the 2020-29 STIP.

The Transportation Plan used the latest adopted planning assumptions as discussed in *40 CFR 93.110*, and were adopted as part of the Plan. Four components combine to represent planning assumptions and translate them into travel:

- a. A single travel demand model was developed for the urbanized portion of the Triangle maintenance area, including all of the DCHC MPO and CAMPO areas and the portion of the Burlington-Graham MPO within Orange County.
- b. A single set of population, housing and employment projections was developed and adopted by the MPOs, using GIS-based growth allocation.
- c. A set of highway and transit projects that was consistent across jurisdiction boundaries was developed and refined through partner cooperation.
- d. Forecasts of travel entering and leaving the modeled area were updated to reflect the most recent traffic count data.

This collection of socioeconomic data, highway and transit networks and travel forecast tools and methods, representing the latest planning assumptions, was finalized through the adoption of the Metropolitan Transportation Plan. Additional detail on planning assumptions is available in the MTP documents, which are available from DCHC MPO, CAMPO and the Triangle J Council of Governments.

The Transportation Plan is fiscally constrained as discussed in *40 CFR 93.108*. The Plan is fiscally constrained to the year 2050 for CAMPO and DCHC MPO and to the year 2045 for BG MPO. The estimates of reasonably available funds are based on historic funding availability, methods used in the NCDOT Strategic Transportation Investments legislation and policy, NC First Commission data and recommendations, county transit sales tax and vehicle fee revenues, and include federal, state, private, and local funding sources. Additional detail on fiscal constraint is included in the MPO transportation plan.

This conformity determination is for the CAMPO and DCHC MPO 2050 MTP and the BG MPO 2045 MTP, along with the 2020-29 TIP conforming subset. Projects are listed in Appendix A.



### **3.0 2020-2029 Transportation Improvement Program (TIP)**

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The 2020-2029 TIP is one part of an MPO's transportation planning process. The planning process includes the development of a Metropolitan Transportation Plan (MTP). The MPO adopts the long-range transportation plan. As projects in these long-range plans advance to implementation, they are programmed in the TIP for study, design, right-of-way acquisition and construction, provided they attain environmental permits and other necessary clearances.

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.

This conformity determination incorporates the current 2020-2029 TIP. Projects in each MPO TIP and the NCDOT STIP are available on each MPO's web site and from the NCDOT.

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

Per the court's decision in *South Coast II*, beginning February 16, 2019, a transportation conformity determination for the 1997 ozone NAAQS will be needed in 1997 ozone NAAQS nonattainment and maintenance areas identified by EPA<sup>1</sup> for certain transportation activities, including updated or amended metropolitan MTPs and TIPs. Once U.S. DOT makes its 1997 ozone NAAQS conformity determination for the 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 CAMPO and DCHC 2050 MTP, the BGMPO 2045 MTP and the 2020-2029 TIP for DCHC MPO, CAMPO, BG MPO and NCDOT in the portion of the Triangle maintenance area outside of the MPO boundaries.

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<sup>1</sup> The areas identified can be found in 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

### 51 Overview

On November 29, 2018, EPA issued **Transportation Conformity Guidance for the South Coast II Court Decision**<sup>2</sup> (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 ozone NAAQS when the 1997 ozone NAAQS was revoked, but were designated attainment for the 2008 ozone NAAQS in EPA's original designations for this NAAQS (May 21, 2012).

The transportation conformity regulation at 40 CFR 93.109 sets forth the criteria and procedures for determining conformity. The conformity criteria for MTPs and TIPs include: latest planning assumptions (93.110), latest emissions model (93.111), consultation (93.112), transportation control measures (93.113(b) and (c), emissions budget and/or interim emissions (93.118 and/or 93.119). For the 1997 ozone NAAQS areas, transportation conformity for MTPs and TIPs for the 1997 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 EPA's nonattainment designation for a NAAQS and until the effective date of revocation of such NAAQS for an area. The 1997 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 ozone NAAQS for the DCHC MPO 2045 MTP Amendment and 2020-2029 TIP for DCHC MPO, CAMPO, BG MPO and NCDOT for the portion of the maintenance area outside of MPO boundaries 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 EPA's guidance and addressed below, include:

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

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

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**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 ozone NAAQS areas, the use of latest planning assumptions requirement applies to assumptions about transportation control measures (TCMs) in an approved SIP.

The North Carolina SIP does not include any TCMs, see also Section 5.4.

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**53 Consultation Requirements**

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

Interagency consultation was conducted with DCHC MPO, CAMPO, BG MPO, NC DOT, NC DAQ, FHWA, FTA, and EPA. Interagency consultation was conducted consistent with the North Carolina Conformity SIP.

Public consultation was conducted consistent with planning rule requirements in 23 CFR 450, and in conformance with CAMPO's, DCHC MPO's, and BG MPO's adopted Public Involvement Policies. Public comment periods varied for each participating MPO, typically ending on the date of the public hearing. The dates of the public hearings for each MPO were:

January 12, 2022 (DCHC MPO)

January 19, 2022 (CAMPO)

January 18, 2022 (BG MPO)

Public comments and Agency comments, and responses to these comments, are contained in Appendix E.

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**54 Timely Implementation of TCMs**

The North Carolina SIP does not include any TCMs.

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**55 Fiscal Constraint**

Transportation conformity requirements in 40 CFR 93.108 state that transportation plans and TIPs must be fiscally constrained consistent with DOT's metropolitan planning regulations at 23 CFR part 450. The MTP and 2020-2029 TIP are fiscally constrained, as demonstrated in Chapter 8 of the *Connect2050* MTP for DCHC and CAMPO and in Chapter 5 of the *Getting There 2045* MTP for BG MPO.

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## Conclusion

The conformity determination process completed for the 2050 CAMPO and DCHC MPO MTP, the 2045 BG MPO and the 2020-2029 TIP for DCHC MPO, BG MPO, CAMPO and NCDOT demonstrates that these planning documents meet the Clean Air Act and Transportation Conformity rule requirements for the 1997 ozone NAAQS.

# APPENDIX A: 2050 MTP Projects

## Roadway Project List – Durham-Chapel Hill-Carrboro MPO

MTP ID	Highway Project	From	To	Existing Lanes	Proposed Lanes	Improvement Type	Length (miles)	Estimated Cost	STI Tier	Reg. Sig.(a)	Exempt (b)	TIP#
2030 Horizon Year												
700	Cornwallis Rd/Miami Blvd/NCRR bridge and interchange	Miami Blvd	Cornwallis Rd	N/A	N/A	New Interchange	N/A	\$27,478,000	Reg	No	Yes 93.126	P-5717
15	East End Connector (EEC)	NC 147	north of NC 98 in Durham	0	4	New Location	3.2	(funded prior to 2021)	St	Yes	No	U-0071
23	Fayetteville Rd	Barbee Rd	Cornwallis Rd	2	4	Widening	1.0	(funded prior to 2021)	Div	Yes	No	N/A
701	Glover Rd/ rail bridge	Glover Rd	NCRR rail line	N/A	N/A	Grade separation	N/A	\$47,428,000	Div	No	Yes 93.126	P-5706
407	Lynn Rd/Pleasant Dr Connector	Lynn Rd	Pleasant Dr	0	2	New Location	0.6	(funded prior to 2021)	Div	No	No	N/A
75.2	NC 55 (Alston Ave)	Main St	NC 98	2	2	Modernization	0.5	(funded prior to 2021)	Reg	No	No	U-3308
75.1	NC 55 (Alston Ave)	NC 147	Main St	2	4	Widening	0.4	(funded prior to 2021)	Reg	No	No	U-3308
77.3	NC 751	Renaissance Pkwy	O'Kelly Chapel Rd	2	4	Widening	2.7	\$30,375,800	Reg	No	No	N/A
43	I-40	Durham County line	NC 86	4	6	Widening	3.9	\$85,617,000	St	Yes	No	I-3306A
44	I-40	NC 86	I-85	4	6	Widening	7.8	\$133,914,000	St	Yes	No	I-3306A
123.11	Woodcroft Pkwy Ext	Garrett Rd	Hope Valley Rd	0	2	New Location	0.0	\$ 3,793,000	Div	No	No	U-5823
201	Falconbridge Rd Extension	Farrington Rd	NC 54	0	4	New Location	0.9	\$ 23,359,000	Div	No	No	N/A
379	Freeland Memorial Extension	S Churton St	New Collector Rd	0	2	New Location	0.5	\$ 4,484,200	Div	No	No	N/A
202	Hopson Rd	Davis Dr	S Miami Blvd (NC 54)	2	4	Widening	0.7	\$ 7,280,000	Div	No	No	N/A

MTP ID	Highway Project	From	To	Existing Lanes	Proposed Lanes	Improvement Type	Length (miles)	Estimated Cost	STI Tier	Reg. Sig.(a)	Exempt (b)	TIP#
223	Legion Rd Ext	Legion Rd	Fordham Blvd	0	2	New Location	0.1	\$ 2,100,000	Div	No	No	N/A
437	New Collector Rd	Orange Grove Rd Ext	Becketts Ridge Rd	0	2	New Location	0.8	\$10,124,800	Div	No	No	N/A
220	Purefoy Rd Ext	Sandberg Ln	Weaver Dairy Rd	0	2	New Location	0.6	\$ 5,287,800	Div	No	No	N/A
221	S Elliot Rd Ext	Fordham Blvd	Ephesus Church Rd	0	2	New Location	0.3	\$ 5,922,000	Div	No	No	N/A
113.0	US 15-501/Garrett Rd Interchange	US 15-501	Garrett Rd	N/A	N/A	New Interchange	N/A	\$32,000,000	St	Yes	No	U-5717
690	US 70/Northern Durham Parkway	US 70	Northern Durham Parkway	N/A	N/A	New Interchange	N/A	(part of US70 project)	St	Yes	No	U-5518
2040 Horizon Year												
346	Danziger Dr Extension	Mt Moriah Rd	E Lakewood Dr	0	2	New Location	0.4	\$ 7,177,800	Div	No	No	N/A
124	Duke St	I-85	W Lakewood Av	2	2	Two-way conversion	0.0	\$ 4,435,000	Reg	No	No	N/A
23.2	Fayetteville Rd	Woodcroft Pkwy	Barbee Rd	2	2	Modernization	1.4	\$ 10,495,190	Div	Yes	No	U-6021
111	Fordham Blvd (US 15-501)	I-40	Ephesus Ch Rd	4	4	Modernization	1.6	\$ 46,586,400	St	Yes	No	U-5304F
240	Fordham Blvd (US 15-501)	NC 54	Ephesus Ch Rd	4	4	Modernization	2.1	\$ 49,481,600	St	Yes	No	U-5304D
73	Fordham Blvd (US 15-501)	NC 54	NC 86 (S Columbia St)	4	4	Modernization	2.3	\$ 39,600,000	St	Yes	No	U-5304B
36	Homestead Rd	Old NC 86	Rogers Rd	2	2	Modernization	2.1	\$ 14,327,600	Div	No	No	N/A
35	Homestead Rd	Rogers Rd	NC 86	2	2	Modernization	1.3	\$ 9,597,000	Div	No	No	N/A
636	I-40/NC 54 Interchange	I-40	NC 54	N/A	N/A	Interchange Upgrade	N/A	\$130,620,000	St	Yes	No	U-5774F
45.1	I-40 Managed Roadway	Wake County Line	NC 54	8	8	Modernization	9.8	\$ 34,000,000	St	Yes	No	I-6006
48	I-85	Orange Grove Rd	Sparger Rd	4	6	Widening	7.8	\$186,760,000	St	Yes	No	I-0305
650	I-85/S Churton St	I-85	S Churton St	N/A	N/A	Interchange Upgrade	N/A	\$ 28,980,000	St	No	No	I-5967

MTP ID	Highway Project	From	To	Existing Lanes	Proposed Lanes	Improvement Type	Length (miles)	Estimated Cost	STI Tier	Reg. Sig.(a)	Exempt (b)	TIP#
646	I-85/NC 86	I-85	NC 86	N/A	N/A	Interchange Upgrade	N/A	\$ 35,140,000	St	No	No	I-5984
50.11	Jack Bennet Rd/Lystra Rd	US 15-501 South	Farrington Mill/Point Rd	2	2	Modernization	4.1	\$ 28,793,800	Div	No	No	N/A
51	Lake Hogan Farms Rd	Eubanks Rd	Legends Way	0	2	New Location	0.7	\$ 6,169,800	Div	No	No	N/A
121	Mangum St	W Lakewood Av	N Roxboro St	2	2	Two-way conversion	0.0	\$ 2,870,000	Reg	Yes	No	N/A
410	Marriott Way	Friday Center Dr	Barbree Chapel Rd	0	2	New Location	0.2	\$ 954,800	Div	No	No	N/A
123	N Gregson St/Vickers Av	W Club Blvd	University Dr	2	2	Two-way conversion	0.0	\$ 4,435,000	Reg	No	No	N/A
64	NC 147 (modernization)	Swift Av	Future I-885	4	4	Modernization	3.0	\$ 69,896,559	St	No	No	N/A
	NC 147 (modernization)	Future I-885	I-40	4	4	Modernization	3.9	\$ 58,473,199	St	Yes	No	N/A
69.41	NC 54	Barbee	NC 55	2	2	Modernization	1.3	\$ 9,745,533	Reg	No	No	U-5774J
69.31	NC 54	Fayetteville	Barbee	2	2	Modernization	1.0	\$ 7,496,564	Reg	No	No	U-5774I
70.3	NC 54	Fordham Blvd (US 15-501)	Barbee Chapel Rd	6	6	Modernization	1.2	\$ 59,234,000	Reg	Yes	No	U-5774B
69.21	NC 54	Highgate Dr	Fayetteville Rd	4	4	Modernization	0.4	\$ 2,998,626	Reg	No	No	U-5774H
69.11	NC 54	I-40 Interchange	NC 751	2	2	Modernization	1.2	\$ 8,995,877	Reg	No	No	U-5774G
69.22	NC 54	NC 751	Highgate Dr	2	2	Modernization	1.5	\$ 11,244,846	Reg	No	No	U-5774H
428	NC 54	Old Fayetteville Rd	Orange Grove Rd	2	2	Modernization	2.9	\$ 50,040,000	Reg	Yes	No	R-5821A
70	NC 54	I-40	Barbee Chapel Rd	4	4	Modernization	1.6	\$ 11,994,502	Reg	Yes	No	U-5774C
70.2	NC 54/Farrington Rd	NC 54	Farrington Rd	N/A	N/A	New Grade Separation	N/A	(cost part of U-5774F)	Reg	Yes	No	U-5774E
75.3	NC 55 (Alston Ave)	Main St	NC 98	2	4	Modernization	0.6	\$ 1,400	Reg	No	No	N/A
440	New Hope Commons Dr Extension	Eastowne Dr	New Hope Commons Dr	0	2	New Location	0.4	\$ 6,423,200	Div	No	No	N/A
89.3	Orange Grove Connector	Orange Grove Rd	NC 86	0	2	New Location	0.4	\$ 7,418,600	Div	No	No	N/A

MTP ID	Highway Project	From	To	Existing Lanes	Proposed Lanes	Improvement Type	Length (miles)	Estimated Cost	STI Tier	Reg. Sig.(a)	Exempt (b)	TIP#
122	Roxboro St	W Lakewood Av	W Markham Av	2	2	Two-way conversion	0.0	\$ 2,870,000	Reg	Yes	No	N/A
87	S Churton St	Eno River in Hillsborough	I-40	2	4	Widening	2.2	\$ 79,178,000	Div	No	No	U-5845
230	Southwest Durham Dr	NC 54	I-40	0	2	New Location	2.0	\$ 17,362,800	Div	No	No	N/A
479	US 15-501	Smith Level Rd	US 64	4	4	Synchronized Street	10.5	\$117,700,000	St	Yes	No	U-6192
113.1	US 15-501 (possible boulevard conversion)	US 15-501 Bypass	I-40	6	6	Modernization	2.0	\$ 46,597,706	St	Yes	No	U-6067
130	US 15-501 Business (modernization)	US 15-501 Bypass	Chapel Hill Rd	4	4	Modernization	1.6	\$ 11,994,502	Reg	No	No	N/A
131	US 15-501 Business (modernization)	Chapel Hill Rd	University Dr	2	2	Modernization	0.8	\$ 5,997,251	Reg	No	No	N/A
485.1	US 70	Lynn Rd	S Miami Blvd	4	4	Modernization	1.6	\$ 37,278,165	St	Yes	No	U-5720A
116.1	US 70	S Miami Blvd	MPO Boundary	4	4	Modernization	2.5	\$ 58,247,133	St	Yes	No	U-5720B
120	W Morgan/W Ramseur/	N Roxboro St	W Main St	4	4	Two-way conversation	0.0	\$ 16,500,000	Div	No	No	N/A
<b>2050 Horizon Year</b>												
304.1	Angier Av Ext	US 70	Northern Durham Pkwy	0	2	New Location	0.8	\$ 7,050,100	Div	No	No	N/A
343	Crown Pkwy/Roche Dr	Page Rd	T.W. Alexander Dr	0	2	New Location	2.7	\$ 15,457,400	Div	No	No	N/A
364	Eno Mountain Rd realignment	Mayo St	Eno Mountain Rd	2	2	New Location	0.3	\$ 5,800,000	Div	No	Yes 93.126	N/A
28.11	Glover Rd	Angier	US 70	0	2	New Location	0.6	\$ 5,199,600	Div	No	No	N/A
382	Hebron Rd Extension	Hebron Rd	Roxboro Rd (501 N)	0	2	New Location	0.5	\$ 5,056,800	Div	No	No	N/A
434	Holloway St (NC 98)	Miami Blvd	Nichols Farm Dr	4	4	Modernization	3.3	\$ 85,800,000	Reg	No	No	N/A
77.11	Hope Valley Rd (NC 751)	NC 54	Woodcroft Pkwy	4	4	Modernization	0.4	\$ 2,998,626	Reg	No	No	N/A
53	Leesville Rd Ext	US 70/Page Rd Ext	Leesville Rd	0	2	New Location	0.4	\$ 3,701,600	Div	No	No	N/A

MTP ID	Highway Project	From	To	Existing Lanes	Proposed Lanes	Improvement Type	Length (miles)	Estimated Cost	STI Tier	Reg. Sig.(a)	Exempt (b)	TIP#
57	Lynn Rd Extension	US 70	Existing Lynn Rd	0	2	New Location	1.1	\$ 9,606,800	Div	No	No	N/A
242	Mt Carmel Ch Rd	US 15-501	Bennett Rd	2	2	Modernization	0.4	\$ 2,795,800	Div	No	No	N/A
14.1	N Duke St (501 N)	I-85	N Roxboro split	5	4	Modernization	2.5	\$ 18,590,600	Reg	Yes	No	N/A
80	NC 86	Old NC 10	US 70 Business	2	4	Widening	0.9	\$ 10,162,600	Reg	No	No	N/A
81	NC 86 (and US 70 intersection)	US 70 Bypass	North of NC 57	2	4	Widening	0.3	\$ 21,300,000	Reg	No	No	N/A
83.1	Northern Durham Pkwy	Sherron Rd	NC 98	2	2	Modernization	4.3	\$ 19,040,000	Div	No	No	N/A
83.11	Northern Durham Pkwy	US 70 E	Sherron Rd	2	2	Modernization	2.7	\$ 32,900,000	Div	No	No	N/A
502	Patriot Dr Extension	S Miami Blvd	Page Rd	0	2	New Location	1.9	\$ 18,320,400	Div	No	No	N/A
92	Roxboro Rd (501 N)	Duke St	Goodwin Rd	4	4	Modernization	2.7	\$ 20,403,600	Reg	Yes	No	N/A
106.1	Southwest Durham Dr	US 15-501 Business	Mt Moriah Rd	0	4	New Location	0.4	\$ 5,133,800	Div	No	No	N/A
114	US 15-501 Bypass (modernization)	MLK Parkway	Cameron Blvd	4	6	Modernization	2.7	\$ 40,481,445	St	Yes	No	N/A
501	Yates Store Rd Extension	Yates Store Rd	Wake Rd	0	2	New Location	1.4	\$ 16,126,600	Div	No	No	N/A

These footnotes clarify the table data.

(a) Reg. Sig. means Regionally Significant.

(b) Projects that are exempt may continue to move forward in the case of a plan lapse whereas non-exempt projects will not receive federal action until there is an approved MTP. In this column, exempt projects are indicated by the regulation section that provides the exemption, e.g., 93.126.



Roadway Project List – Burlington-Graham MPO portion of Orange County

MTP ID	Highway Project	From	To	Existing Lanes	Proposed Lanes	Improvement Type	Length (miles)	Estimated Cost	STI Tier	Reg. Sig.(a)	Exempt (b)	TIP#
2030 Horizon Year												
Hwy 169	Lebanon Road	@N. Frazier Road	@Stagecoach Road		Intersection Improvements Stagecoach Road to N. Frazier Rd	Intersection Improvements		\$4,428,000		N	N	
2040 Horizon Year												
Int-02	Mattress Factory Road Interchange	@1-40/85			Diamond Interchange	New Interchange		\$16,200,000		Y	N	
Hwy-107	Buckhorn Road	W. Ten Road	North of I40/85 Interchange	2	Widen roadway to 4 lanes, median, Sidepath, Sidewalk	Widening to multi-lane divided facility including I-40/I-85 Interchange Improvements	1.2 miles	\$12,604,992		N	N	
Hwy 113	Buckhorn Road	Frazier Road/US 70	North of I40/85 Interchange	2	Widen roadway to 4 lanes (part new location), median, Sidepath, Sidewalk	Buckhorn Road widening and roadway on new location with above-grade crossing of RR to connect to US 70	0.5 miles	\$8,056,673		N	N	
2050 Horizon Year												

These footnotes clarify the table data.

- (a) Reg. Sig. means Regionally Significant.
- (b) Projects that are exempt may continue to move forward in the case of a plan lapse whereas non-exempt projects will not receive federal action until there is an approved MTP. In this column, exempt projects are indicated by the regulation section that provides the exemption, e.g., 93.126.

## Project List – Areas outside of MPO boundaries (Donut Area)

Outside of the MPO boundaries in Johnston, Chatham (part), Franklin, Granville and Person Counties within the Triangle Air Quality Region, the transportation projects consist of the projects in the first four years of the most recently adopted 2020-29 STIP, and are incorporated by reference. These STIP projects can be accessed at:

<https://connect.ncdot.gov/projects/planning/STIPDocuments1/NCDOT%20Current%20STIP.pdf>

For ease of review, since only part of Chatham County is in the Triangle Air Quality Region, the following projects, listed by TIP number and STIP year, are within the area covered by this Conformity Determination Report within Chatham County:

- BL-0035 – sidewalk on Chatham Business Drive in Pittsboro (FY 22) – CMAQ funded project
- R-5724A – Pittsboro Traffic Circle improvements (FY 21)
- R-5724B – mill/resurface US 15-501 from Pittsboro Traffic Circle to Launis Street, and widen US 15-501 from Launis St to Powell Place Lane (ROW/Util FY 22, Con FY 25)
- R-5821A – NC 54 operational improvements and bike/ped accommodations from Old Fayetteville Rd to Orange Grove Rd (ROW/Util FY 26, Con FY 28) [note: partly in TARPO/partly in DCHC MPO]
- R-5821B – NC 54 and Orange Grove Rd intersection improvements [note: already complete]
- R-5887 – US 64/NC 751 interchange (ROW/Util FY 29, Con unfunded) [note: partly in TARPO/partly in CAMPO—this is beyond the first four years but included for informational purposes]
- R-5930 – Chatham Park Way North, from Country Routt Brown Rd to US 15-501 north (ROW/Util FY 23, Con FY 24)
- R-5961 – NC 87 modernization from NC 902 to US 64 Bypass (ROW/Util FY 27, Con unfunded—this is beyond the first four years but included for informational purposes)
- R-5963 – Chatham Park Way South, from US 64 Business to US 15-501 south (ROW/Util FY 24, Con FY 27)
- U-6192 – US 15-501 superstreet/RCI improvements from US 64 Bypass to Smith Level Rd (ROW/Util FY 26, Con unfunded) [note: partly in TARPO/partly in DCHC MPO]
- U-6245 – West Ten Rd improvements from Buckhorn Rd to Bushy Cook Rd (FY 21) [note: mostly in MPO, but barely crosses into TARPO]
- W-5142 – Efland Cedar Grove Rd curve improvements north of Highland Farm Rd [note: already completed]

## Major Transit Capital Projects

Project Title	Status	Programming Description	MTP Horizon Year and TIP #	MPO
Commuter Rail Transit (CRT)	Regionally Significant	CRT using the existing North Carolina Rail Company (NCRR) corridor. West Durham to Clayton by 2030, then extended to Hillsborough and Selma by 2050.	West Durham to Clayton, 2030 Hillsborough to Selma, 2050	DCHC MPO and CAMPO
Bus Rapid Transit – Chapel Hill North-South	Regionally Significant	BRT in Chapel Hill, from Eubanks Road, through the UNC Healthcare complex, and to Southern Village. Part on bus-only lanes and part in mixed traffic.	2030	DCHC MPO
Bus Rapid Transit – Central Durham	Regionally Significant	BRT in central Durham, from the Duke University and Medical Center area, through downtown Durham and the central bus station, to the North Carolina Central University and Durham Tech area. Part on dedicated lanes and part in mixed-traffic.	2040	DCHC MPO
Bus Rapid Transit – Durham/Chapel Hill	Regionally Significant	BRT between Durham and Chapel Hill, from UNC Healthcare complex to the Duke University and Medical Center area, via US 15-501. Part on bus-only lanes, including possibly on bus-on-shoulder-system (BOSS), part in mixed-traffic.	2050	DCHC MPO
Bus Rapid Transit – Durham/RTP	Regionally Significant	BRT between central Durham and the Research Triangle Park (RTP), from the North Carolina Central University/Durham Tech area to the regional transfer center in the RTP, via NC 147. In mixed traffic, and part possibly on bus-on-shoulder-system (BOSS).	2050	DCHC MPO
Bus Rapid Transit – Chapel Hill/RTP	Regionally Significant	BRT between Chapel Hill and the Research Triangle Park (RTP), from UNC Healthcare complex to the regional transit center in the RTP, via NC 54 and I-40. In mixed traffic, and part on bus-on-shoulder-system (BOSS).	2050	DCHC MPO
Bus Rapid Transit – Wake New Bern	Regionally Significant	BRT - New Bern East - Downtown Raleigh to Stony Brook Rd - Fixed Guideway	2030	CAMPO

Project Title	Status	Programming Description	MTP Horizon Year and TIP #	MPO
Bus Rapid Transit - Wake	Regionally Significant	BRT - New Bern East - Stonybrook Rd to New Hope Rd - Mixed Traffic	2030	CAMPO
Bus Rapid Transit - Wake	Regionally Significant	BRT - RTP to Morrisville - Mixed Traffic	2030	CAMPO
Bus Rapid Transit - Wake	Regionally Significant	BRT - Morrisville to Downtown Cary - Mixed Traffic	2030	CAMPO
Bus Rapid Transit - Wake	Regionally Significant	BRT - Downtown Cary to Downtown Raleigh - Fixed Guideway	2030	CAMPO
Bus Rapid Transit - Wake	Regionally Significant	BRT - Downtown Raleigh to Midtown Raleigh/North Hills - Fixed Guideway	2040	CAMPO
Bus Rapid Transit - Wake	Regionally Significant	BRT – Harrison/Kildaire Farm, SAS Campus Dr. to and Regency Park, via Harrison Ave., Kildaire Farm Rd., and Regency Dr. - Fixed Guideway	2050	CAMPO
Commuter Rail – S-Line	Regionally Significant	CRT using the existing CSX S-Line corridor. Apex to Franklinton by 2040.	Apex to Franklinton, 2040	CAMPO

## APPENDIX B: Conformity Process Schedule

Initial conformity partner consultation - request comment on schedule & report format:	October 21, 2021
MPOs provide tables of MTP and TIP projects:	December 6, 2021
Draft CDR complete and sent to MPOs and agency partners for review and comment:	December 7, 2021
MPOs release draft conformity report for public comment:	December 14, 2021 (BG MPO) December 8, 2021 (DCHC) December 15, 2021 (CAMPO)
Target date for receipt of all FHWA, FTA, EPA and DAQ comments:	January 4, 2021
Updated Draft of CDR with agency comments and responses:	January 5, 2022
Target date for NCDOT Conformity Finding for the donut areas:	January 24, 2022
Public Hearing and Action on Conformity Determination:	January 18, 2022 (BG MPO) Jan 12/Feb 9, 2022 (DCHC) Jan 19/Feb 16, 2022 (CAMPO)
Federal Action (USDOT determination and letter to State/MPO):	February 18, 2022
Conformity Process complete:	February 18, 2022

MOA's specify a 30-day period for EPA review; but an expedited review of the final document was agreed to at the October 21, 2021 Inter-Agency Consultation meeting. If the completed report is provided by the beginning of February, the February 18 target date is achievable. If significant changes occur arising from public and agency comment, as outlined in 23 CFR 450.316 (a)(1)(viii), the revised report may need to engage in a second round of review and comment.

# APPENDIX C: Interagency Consultation

Interagency consultation followed a process similar to that used in recent conformity determinations:

1. The MPOs, NCDOT, Triangle J COG and FHWA staff discuss the areas and plans to be covered by the CDR, propose a tentative schedule and prepare a template for the report.
2. The report template and tentative schedule is circulated to agency staff by FHWA, seeking any initial comments.
3. The draft report with the schedule is released for public and agency comment, with the draft report sent to agency partners by FHWA staff.
4. Comments received are forwarded to Triangle J COG staff who summarize the comments and prepare comments in consultation with the applicable MPOs and incorporate the responses in the final Conformity Determination Report.

The initial Interagency Consultation Meeting was held via video-conference on October 21, 2021. A meeting summary follows:

## **TRIANGLE OZONE MAINTENANCE REGION**

Chatham Co. – part (rural), Durham Co., Franklin Co. (rural), Granville Co. (rural), Johnston Co. (rural), Orange Co., Person Co. (rural), Wake Co.

### **Interagency Consultation Meeting – 2050 MTP**

**Thursday, October 21, 2021**

Via MS Teams

### **Meeting Summary**

#### **1. Participants:**

FHWA (Loretta Barren, Joe Geigle)  
FTA-Region IV (Ronald Smith)  
USEPA (Josue Ortiz Borrero, Dianna Myers, Sarah Larocca)  
NC DEQ (Sheila Blanchard, Todd Paisley, Brian Phillips, Jill Vitas, Tammy Manning)  
DCHC MPO (Yanping Zhang, Andy Henry, Aaron Cain)  
CAMPO (Alex Rickard, Gretchen Vetter, Chris Lukasina)  
BG MPO (Wannetta Mallette)  
TARPO (Matt Day)  
NCDOT (Phyllis Jones, Heather Hildebrandt, Scott Walston, Julie Bogle, Phil Geary)  
TJCOG (John Hodges-Copple)  
Orange County (Nick Trivedi)

2. **Meeting Purpose** – John Hodges-Copple outlined the purpose of the meeting: i) to review the draft Conformity Determination Report template, clarify any issues and make any adjustments; ii) review the conformity process schedule and make any needed adjustments; and iii) outline follow-up steps that need to be addressed.
3. **Draft Conformity Determination Template** – John Hodges-Copple reviewed each item in the draft template. He noted that the pollutant of concern is ozone and that the Triangle is NOx-limited. He confirmed that the “short form” report used in recent CDRs is appropriate and that no emissions analysis is required. He also confirmed that for areas outside of MPO jurisdiction, the first four years of the STIP (2020-23) serve as the plan.

4. **2050 MTP/Conformity Process Schedule** – The steps in the Conformity Process Schedule were reviewed and discussed. It was noted that some of the names of participants need to be updated.

The draft presented indicated that Burlington-Graham MPO would make the determination in November, but the BG MPO board typically would not meet in November. John Hodges-Copple will follow up with BG MPO staff to discuss an appropriate schedule and actions. One option may be for the BG MPO board to vote at its October meeting to approve the conformity report subject to final edits and authorize the board chair to sign the resolution at the appropriate time.

Loretta Barren of FHWA noted that the public comment period is determined by each MPOs' adopted Public Participation Plan. She cautioned that if projects are changed between the release of the initial draft CDR and the version proposed for adoption, it would likely need to go back out again for public engagement, citing 23 CFR 450.316 (a)(1)(viii): Providing an additional opportunity for public comment, if the final metropolitan transportation plan or TIP differs significantly from the version that was made available for public comment by the MPO and raises new material issues that interested parties could not reasonably have foreseen from the public involvement efforts.

Loretta Barren reminded the participants that the Memoranda of Agreements (MOAs) that were recently adopted permit EPA 30 days to review the report and provide the letter to FHWA authorizing conformity. There is no ding on FHWA review, but as noted if not currently in your TIP and moving, but nothing new can receive a federal approval.

Dianna Myer of EPA noted that if approved through this inter-agency consultation, EPA can do an expedited review; she believes that expedited review through this process should be achievable. If everything is finalized by the beginning of February, the letter should be able to be in place prior to the lapse date. The IAC members agreed they are all comfortable with an EPA expedited review as long as the conditions for an expedited review are met.

Jill Vitas of DAQ noted that staff schedules may hinder review and comment after mid-December.

5. **Other Business/Next Steps** – John Hodges-Copple summarized the following follow-up items:
- a. John Hodges-Copple will update the Conformity Determination Report template based on the discussion for the version sent out for public and agency comment.
  - b. John Hodges-Copple will follow up with Wannetta Mallette and Nish Trevedi on any Burlington-Graham MPO projects and horizon years, and with Matt Day on STIP projects
  - c. John will follow up with Wanetta Mallette on the treatment of the CDR release under Burlington-Graham MPO's Public Participation Process.
  - d. A revised schedule will be included in the CDR for public and agency engagement and will included an expedited EPA review.
  - e. John Hodges-Copple will work with the MPOs and NCDOT on project lists, with an emphasis on any projects that are not currently in the first 4 years of the TIP and moving forward, that could be impacted by a conformity lapse during late February or March.

The meeting was adjourned at 11:33.

# APPENDIX D:

## Public Participation and Notification

Public participation and notification for the Air Quality Conformity Determination Report followed each MPO's Public Participation Plan, which can be viewed at the following sites:

<https://www.campo-nc.us/get-involved/public-participation-plan>

<https://www.dchcmpo.org/home/showpublisheddocument/3716/637692017593230000>

<http://bgmpo.org/Projects-Plans/MPO-Plans/Public-Involvement-Plan>

Each MPO posted the draft CDR on its website and MPOs that use social media included notification of the CDR in its social media communications. Each MPO conducted a public comment period and held a public hearing on the Conformity Determination Report. If required as part of the Public Participation Plan, this appendix includes copies of public notifications and affidavits from media organizations.

The dates of the public hearings for this CDR for each MPO are listed below:

January 12, 2022 (DCHC MPO)

January 19, 2022 (CAMPO)

January 18, 2022 (BG MPO)

In addition to public participation on the air quality process, each MPO had a parallel public process for input and review of the relevant MTP and TIP documents. Although not specifically a part of the air quality work, the MPOs have information related to the public engagement on their MTP and TIP documents on their websites.

CAMPO notice of public comment on Conformity Determination Report:

### NOTICE OF PUBLIC COMMENT PERIOD AND PUBLIC HEARING

The Air Quality Conformity Determination Report along with the Final Report for the 2050 Metropolitan Transportation Plan (MTP) have both been released for public review and comment by the N.C. Capital Area Metropolitan Planning Organization (CAMPO). The Public Comment period for the Air Quality Report closes on January 18, 2022. The 42-day Public Comment period for the Final Report for the 2050 MTP is open from Wednesday, January 5, 2022 until Tuesday, February 15, 2022.

Copies of both reports are available at the CAMPO office (address below) and on the website ([www.campo-nc.us](http://www.campo-nc.us)).

The CAMPO Executive Board will conduct Public Hearings on both reports for the 2050 MTP as part of its virtual (online/call-in) meeting on Wednesday, January 19, 2022 at 4:00 p.m. Speaker signups and meeting login details can be found at [www.campo-nc.us](http://www.campo-nc.us) or by calling (919) 996-4403.

Written comments may be submitted either: by hand delivery or mail to Capital Area MPO, 421 Fayetteville St., Suite 203, Raleigh, NC 27601; by calling 919-996-4403, or by email to [comments@campo-nc.us](mailto:comments@campo-nc.us).

In compliance with the Americans with Disabilities Act (ADA), persons requiring assistance to participate in the NC Capital Area MPO meetings or to request this document in an alternative format, please contact the MPO's office at 919-996-4403 (voice) or 800-736-2962 (TTY located at City of Raleigh Public Affairs Dept.) at least 72 hours in advance of the meeting.

It is the policy of CAMPO to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Orders 12898 and 13166, and related nondiscrimination statutes and regulations in all programs and services. It is the MPO's policy that no person in the United States shall, on the grounds of race, color, sex, age, income status, national origin, or disabilities, be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under any program, activity, or service for which CAMPO receives Federal financial assistance.



Burlington-Graham MPO confirmation of notification:



## Order Confirmation

Not an Invoice

Account Number:	514184
Customer Name:	City Of Burlington
Customer Address:	City Of Burlington P.O. BOX 1358 Burlington NC 27216
Contact Name:	City Of Burlington
Contact Phone:	3362225010
Contact Email:	
PO Number:	

Date:	12/20/2021
Order Number:	6666944
Prepayment Amount:	\$ 0.00

Column Count:	1
Line Count:	71.0000
Height in Inches:	0.0000

### Print

Product	#Insertions	Start - End	Category
BTN Times News	1	12/18/2021 - 12/18/2021	Govt Public Notices
BTN thetimesnews.com	1	12/18/2021 - 12/18/2021	Govt Public Notices

Total Order Confirmation	\$156.78
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The Triangle Tribune

*Affidavit of Publication*  
Mecklenburg County  
North Carolina

Before undersigned a **Notary Public** of said County and State, duly commissioned, Authorized by law to administer oaths, personally appeared, **Nichelle Spears, of The Triangle Tribune** a newspaper published, issued, and entered as second class, mail in Durham County, North Carolina, that she is authorized to make this affidavit and sworn statement, that advertisement of:

**Public Notice**  
**Regional Transportation Agency Wants to Hear from You**

A true copy of which is attached here to, was published in The Triangle Tribune on the Following date (s) December 19, 2021  
In addition, the said newspaper in which such display advertisement was published at the time of each such publication, a newspaper meeting all the requirements and qualifications of Section 1-596-1-601 of the General Statutes of North Carolina.

This 20<sup>th</sup> December 2021

Nichelle Spears (Nichelle Spears)

Linda Bailey Johnson (Linda Bailey Johnson)

Sworn to and subscribed before me,

Notary Public for the county of Mecklenburg, North Carolina.

My Commission Expires

Advertising Affidavit

Customer N° DCHC01

QUE PASA  
LATINO COMMUNICATIOS, INC.  
PO. BOX 12876  
WINSTON SALEM, NC 27117

Date: 12 / 16 / 2021

DCHC Metropolitan Planning Organization  
101 City Hall Plaza  
Durham, NC 27701

QUE PASA  
LATINO COMMUNICATIOS, INC.  
PO. BOX 12876  
WINSTON SALEM, NC 27117

Before the undersigned, a Notary Public of Forsyth County, North Carolina, duly commissioned, qualified, and authorized to make this affidavit and sworn statement, that the notice or other legal advertisement, a copy of which is attached hereto, was published in the QUE PASA Newspaper on the following dates:

12/16/2021

And that the said newspaper in which such notice, or legal advertisement was published, was a newspaper meeting all the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina

Publication Fee \$	260.00
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Invoice No N214442

Elyse Hernández 12/16/2021  
Billing Department Date

Newspaper Reference:

Sworn to and subscribed before me, this 16 day of Dec., 2021

Notary Public

Commission expires: Sept 3, 2022

THIS IS NOT A BILL PLEASE PAY FROM INVOICE, THANK YOU

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
12148	186092	Legal Notice		\$120.00	3	5.00 in

**STATE OF NORTH CAROLINA  
COUNTY OF WAKE**

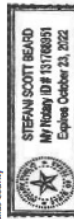
Before the undersigned, a Notary Public of Dallas County, Texas, duly commissioned and authorized to perform notarial duties in and for the State of Texas, appeared James Earl Treadwell, who being duly sworn, deposes and says that he is the owner of the Accounts Receivable Specialist of the News & Observer Publishing Company, a corporation organized and doing business under the Laws of the State of North Carolina, and publishing a newspaper known as the Durham Herald Sun. Durham and State townsed, the newspaper is published in which said subject paper is published on legal holidays and on the first and last day of the month of each and every such publication, a newspaper meeting all of the requirements and qualifications of Section 1 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Section 1597 of the General Statutes of North Carolina, and that as a qualified newspaper of North Carolina, and is familiar with the books, records and files of said corporation and by the undersigned, a Notary Public of Dallas County, Texas, is substantiated for CITY OF DURHAM - DHC-MPO was inserted in the official newspaper on dates as follows:

No. of Insertions: 1  
Beginning Issue of: 12/15/2021  
Ending Issue of: 12/15/2021

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Stelani Beard

Notary Public in and for the state of Texas, residing in  
Dallas County



Extra charge for lost or duplicate affidavits.  
Legal document release do not deduct

# APPENDIX E:

## Public & Agency Comments and Responses

Appendix E contains any comments on the draft conformity report and responses to these comments. Each commenter is assigned a code and each comment a number. Responses follow each comment. In certain instances, the respondent may insert italicized, bracketed wording to clarify the comment, using the format *[clarifying comment]*. Except as noted by any italicized, bracketed comments, or in the case of minor spelling or grammatical corrections, no changes are made to the comments as received. Comments submitted in digital formats may have altered formats from the original due to the mechanics of importing and combining these files within this appendix.

The following organizations and individuals provided written responses to the request for comments on the draft conformity determination report; no comments on the Conformity Determination Report were received from the general public:

A. US EPA. Dianna Myers. Via email on January 3, 2022

USEPA1: Thanks for providing the Draft CDR. The only comment I have is to provide a link to access the documents on the website(e.g. 2050 MTP, 2020-2029 TIP, and CDR) for each of the MPOs.

*Response*: links to the CDR document, the MTPs and the TIPs have been added to the front cover of this report.

B. NC DEQ – Division of Air Quality: Jill Vitas. Via email on December 17, 2021

Below are NCDEQ-DAQ's comments on the draft conformity report for CAMPO. None of these comments impact NCDEQ-DAQ's support of the finding. I will prepare a letter of support and send that to you via a separate email.

NCDEQ1. The year for the Burlington-Graham MPO MTP, the title and report says 2045, all of the other MPOs are 2050, is 2045 correct?

*Response*: Yes. The DCHC MPO and CAMPO have prepared a joint 2050 MTP, titled *Connect2050*. Burlington-Graham MPO has a 2045 MTP, titled *Getting There 2045*.

NCDEQ2. Appendix C – date of interagency meeting is missing: The initial Interagency Consultation Meeting was held via video-conference on , 2021. [should be October 21, 2021]

*Response*: the missing date has been added.

NCDEQ3. *[In the meeting summary]* Participants -- some have affiliation some do not, be consistent, Brian Phillips listed twice. Suggest listing the Organization first and then the participants for that organization.

*Response*: the participant list has been corrected and reformatted as suggested: listing the organization first and then which people from the organization participated.

NCDEQ4. *[in the meeting summary]* 2050 MTP/Conformity Process Schedule – indicates that Eddie Dancausse will follow up with BG MPO, is that correct?

*Response*: the summary has been corrected to show that John Hodges-Copple will undertake the follow-up.

NCDEQ5. *[In the meeting summary]* Is it a Memorandum of Understanding or Agreement (MOU or MOA)? Suggest being consistent throughout document.

*Response*: the term Memorandum of Agreement is now used consistently throughout the document.

NCDEQ6. *[In the meeting summary]* Sheila Blanchard did not note staff schedules – Jill Vitas made the

comments on schedule.

*Response:* The meeting summary had been corrected to show that Jill Vitas made the comment.

NCDEQZ: Tentative dates for Public Hearings were not included in Section 5.3 but were in Appendix B and not in Appendix D – suggest having them as tentative throughout document.

*Response:* The dates for the public hearings have now been set and are indicated in the document.

C. DCHC MPO. Andy Henry. Via email on January 5, 2022.

DCHC1: In reviewing the roadway project list in the Conformity Determination Report appendix, DCHC staff noted that the NC147 project between Swift Avenue and future I-885 (the East End Connector) is correctly described as a modernization project (which is defined in the 2050 MTP as a project that does not involve widening to add general purpose travel lanes), but that the table implies the cross-section would go from a current 4 lanes to a future 6 lanes. To be consistent with how the 2050 MTP treats this project, please correct the table to show both an existing and future 4-lane cross-section for this project. We will further review the AQ CDR to see if there are any other appropriate changes.

*Response:* The Appendix A table has been corrected to show the NC147 project as a modernization project without the addition of general purpose travel lanes to match the project description and modeling in the 2050 MTP.

D. Zach Calhoun. Public comment made to DCHC MPO during public comment period.

ZCalhoun1: I just reviewed the air quality conformity plan, and I have one comment. There appears to be a lack of bike/ped infrastructure improvements in this document. The number one action we should prioritize is enabling citizens to bike. Bike commuting promotes a healthy population with no air quality impact, and as the cost of gasoline increases over the next few decades, a more bikeable city will promote a more equitable and healthier environment for all. What improvements is the city going to make to ensure more people bike? Where are we adding bike lanes, and how many are we going to add? Where can we take a cyclists first, drivers second approach to improving infrastructure? By taking this approach, how would we improve air quality? I imagine the air quality gains would be significant. Thank you for your hard work -- and I do appreciate the public transportation infrastructure included in this document -- that is important, too!

*Response:* The commenter correctly notes that individual pedestrian and bicycle projects are not listed in the CDR the way that roadway and transit projects are. That is because under 40 CFR § 93.126, bicycle and pedestrian projects in the MTPs are exempt projects under air quality regulations. Bicycle and Pedestrian investments are included in the DCHC MPO and CAMPO Connect2050 MTP in Section 7.6.

E. Austin Guimond. Public comment made to DCHC MPO during public comment period.

AGuimond1: I have just finished reviewing the Triangle Region Air Quality conformity report. After reviewing the infrastructure proposals, there seems to be a lack of emphasis on bike commuting improvements and additional pedestrian walkways. As a bike commuter in Durham, I find travel difficult with the current infrastructure in place. Friends have also told me they are resistant to bike commuting due to the lack of safe routes in The Triangle. Portions of Durham are also very limited for pedestrians who walk due to the lack of sidewalks and narrow unsafe roads. I am surprised by the lack of emphasis in the report because bike commuting, and safer pedestrian walking routes seem to be the two easiest ways to reduce cars on the road and limit air pollution. Without a greater emphasis on safe routes for alternative modes of transportation, it will be extremely difficult to reduce air quality in The Triangle to desired levels. Thank you for reviewing my comments.

*Response:* The commenter correctly notes that individual pedestrian and bicycle projects are not listed in the

CDR the way that roadway and transit projects are. That is because under 40 CFR § 93.126, bicycle and pedestrian projects in the MTPs are exempt projects under air quality regulations. Bicycle and Pedestrian investments are included in the DCHC MPO and CAMPO Connect2050 MTP in Section 7.6.

- F. John Faulconer. Public comment made to DCHC MPO during comment period.

IFaulconer1: I have noticed that the vast majority of the infrastructure projects are road-widenings. Widening a road incentivizes more people to drive cars, which are the largest contributor to air and noise pollution in cities. Living in a city that prioritizes cars is not a great city to live in. Houston is a great example of a city that prioritizes cars - and I don't desire to live in a city like that. Instead of road-widening projects, Durham should consider more road-narrowing projects to take back that valuable land for other uses. Consider bus lanes, bike paths (safely separated from traffic), pedestrian sidewalks, etc. What Durham already did to S Roxboro St. is a great example of what should be done more - Durham took away 2 lanes of car traffic. S Roxboro St. is now a place where you frequently see people walking, running, biking - specifically because there is a comfortable space from passing cars and car speed is lower. Please consider not following what other American cities are doing - wiping away low-income houses for wide roads that produce ugly and loud neighborhoods.

*Response:* The commenter is noting project preferences related to the selection of projects within the MTP. Since these comments are not addressed to the content of the air quality Conformity Determination Report, they are noted.

# **APPENDIX *F*:**

## **Adoption, Endorsement Resolution and Agency Determinations**

The following pages in the final report contain adoptions, endorsement resolutions and agency determinations after all of the agencies have completed the process.