Maryland Department of Transportation
The Secretary's Office

Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Pete K. Rahn
Secretary

February 11, 2016

Mr. Gregory Murrill
Division Administrator
Attn: Dr. Kwame Arhin
Federal Highway Administration
10 South Howard Street
Suite 2450
Baltimore, MD 21201

Ms. Terry Garcia Crews
Regional Administrator
Attn: Ms. Kathleen Zubrzycki
Federal Transit Administration
1760 Market Street Suite 500
Philadelphia, PA 19103

RE: Amendment to the Fiscal Year (FY) 2014 Maryland Statewide Transportation Improvement Program (STIP) to include the Salisbury/Wicomico Metropolitan Planning Organization (MPO) Amended FY 2014-2017 Transportation Improvement Program (TIP) and Conformity Determination.
MDOT Control #14-116

Dear Mr. Murrill and Ms. Crews:

The Maryland Department of Transportation (MDOT) hereby amends the FY 2014 Maryland STIP to include the Salisbury/Wicomico Metropolitan Planning Organization (MPO) FY 2014-2017 Maryland and FY 2016-2019 Delaware Transportation Improvement Program (TIP) which was approved by the Council on November 24, 2015. Please note that only the Delaware portion of the TIP was updated and a conformity determination was also approved by the Council on that date. The Federal Conformity Approval was received on January 7, 2016. The SWMPO Approval and supporting documentation can be found here: http://www.swmpo.org/3Content&Pics/SWMPO_TIP_FY14-17_FY16-19_Amended_11242015.pdf

The Maryland Statewide Transportation Improvement Program continues to be fiscally constrained. If you have any questions or need additional information, please do not hesitate to contact me at 410-865-1279, toll-free at 888-713-1414 or via email at lerickson@mdot.state.md.us. Thank you for your assistance.

Sincerely,

Lyn Erickson

Lyn Erickson, Manager
Office of Planning and Capital Programming

Attachments

cc: Mr. Eric Beckett, Chief, Regional and Intermodal Planning Division (RIPD), SHA
Mr. Keith Hall, Chief, Long Range Transportation Planning, S/WMPO
Ms. Heather Murphy, Director, Office of Planning and Capital Programming, MDOT
Mr. Kevin Quinn, Director, Office of Planning, MTA

RESOLUTION BY THE
SALISBURY/WICOMICO METROPOLITAN PLANNING ORGANIZATION COUNCIL
ADOPTING THE FY 2014 – FY 2017 TRANSPORTATION IMPROVEMENT PROGRAM
RESOLUTION 06-2015

MARYLAND
Adopted December 18, 2013
Amended June 10, 2014
Amended April 13, 2015
Amended June 11, 2015
Amended November 24, 2015

DELAWARE
Adopted November 24, 2015

WHEREAS, the Salisbury/Wicomico Metropolitan Planning Organization (S/WMPO) was established to conduct regional transportation planning for the S/WMPO area in accordance with Federal requirements; and

WHEREAS, the S/WMPO Council is the governing body for the S/WMPO; and

WHEREAS, the Maryland Department of Transportation and the S/WMPO prepared the FY 2014 – FY 2017 Transportation Improvement Program (TIP) for the S/WMPO Area in compliance with applicable Federal programs and regulations; and

WHEREAS, the FY 2014 – FY 2017 TIP was reviewed by the S/WMPO Technical Advisory Committee, which made a favorable recommendation to forward the FY 2014- FY 2017 TIP to the S/WMPO Council for their review and action; and

WHEREAS, the FY 2014 – FY 2017 TIP was presented at a public hearing of the S/WMPO Council on December 18, 2013, and consistent with the requirements of the Organization's Adopted Public Participation Plan a 15-day public comment period extending from December 3, 2013 through December 17, 2013, was instituted prior to the public hearing; and

WHEREAS, on December 18, 2013, the S/WMPO Council considered and adopted the FY 2014 – FY 2017 Transportation Improvement Program for the S/WMPO Area in accordance with the Organization's Public Participation Plan; and

WHEREAS, on June 10, 2014, the FY 2014 – FY 2017 TIP included the following proposed amendment: (1) STIP# SW14_CAP_1 Increase funding level from $6,109,000 to $6,202,000; and

WHEREAS, on June 10, 2014, the proposed amendment to the FY 2014 – FY 2017 TIP was reviewed by the S/WMPO Technical Advisory Committee, which made a favorable recommendation to forward the FY 2014 - FY 2017 TIP amendment to the S/WMPO Council for their review and action; and

WHEREAS, the proposed amendment to the FY 2014 – FY 2017 TIP was presented at a public hearing of the S/WMPO Council on June 10, 2014, and consistent with the requirements of the Organization's

Adopted Public Participation Plan a 15-day public comment period extending from May 26, 2014, through June 9, 2014, was instituted prior to the public hearing; and

WHEREAS, on June 10, 2014, the S/WMPO Council adopted the amended FY 2014 – FY 2017 Transportation Improvement Program for the S/W MPO Area in accordance with the Organization's Public Participation Plan; and

WHEREAS, on April 9, 2015, the FY 2014 – FY 2017 TIP included the following amendment: (1) STIP# SW14_CAP_1 Increase funding level from $6,202,000 to $9,667,000; and

WHEREAS, on April 9, 2015, the proposed amendment to the FY 2014 – FY 2017 TIP was reviewed by the S/WMPO Technical Advisory Committee, which made a favorable recommendation to forward the FY 2014 - FY 2017 TIP amendment to the S/WMPO Council for their review and action; and

WHEREAS, the proposed amendment to the FY 2014 – FY 2017 TIP was presented at a public hearing of the S/WMPO Council on April 9, 2015, and consistent with the requirements of the Organization's Adopted Public Participation Plan a 15-day public comment period extending from March 27, 2015, through April 10, 2015, was instituted prior to an action of the S/WMPO Council; and

WHEREAS, on April 13, 2015, the S/WMPO Council adopted the amended FY 2014 – FY 2017 Transportation Improvement Program for the S/WMPO Area in accordance with the Organization's Public Participation Plan; and

WHEREAS, on June 11, 2015, the FY 2014 – FY 2017 TIP included the following amendments: (1) Project code 4.1, MD 349 bridge over Windsor Creek, $3,128,000; and (2) Project code 4.2, MD 54 small structure replacement over Mockingbird Creek, $3,096,000; and

WHEREAS, on June 11, 2015, the proposed amendments to the FY 2014 – FY 2017 TIP were reviewed by the S/WMPO Technical Advisory Committee, which made a favorable recommendation to forward the FY 2014 - FY 2017 TIP amendments to the S/WMPO Council for their review and action; and

WHEREAS, the proposed amendments to the FY 2014 – FY 2017 TIP were presented at a public hearing of the S/WMPO Council on June 11, 2015, and consistent with the requirements of the Organization's Adopted Public Participation Plan a 15-day public comment period extending from May 27, 2015, through June 10, 2015, was instituted prior to an action of the S/WMPO Council; and

WHEREAS, on November 24, 2015, the FY 2014 – FY 2017 TIP included the following proposed amendments: (1) STIP # SPP Categories 4, Increase funding level by $10,000,000 from $12,880,000 to $22,880,000; (2) STIP# SW14_CAP_1, Decrease funding level by $503,000 from $9,667,000 to $9,164,000; (3) STIP# SW14_OP_1, Decrease funding level by $424,000 from $14,756,000 to $14,332,000; and (4) incorporate the FTA and FHWA approved Delaware FY 2016 – FY 2019 State Transportation Improvement Plan; and

WHEREAS, on November 24, 2015, the proposed amendment to the FY 2014 – FY 2017 TIP and Delaware's FY 2016 – FY 2019 TIP were reviewed by the S/WMPO Technical Advisory Committee, which made a favorable recommendation to forward the FY 2014 - FY 2017 TIP amendment and the FY 2016 – FY 2019 TIP for the S/WMPO portion of the Urbanized Area in Delaware to the S/WMPO Council for their review and action; and

WHEREAS, the proposed amendment to the FY 2014 – FY 2017 TIP Delaware's FY 2016 – FY 2019 TIP were presented at a public hearing of the S/WMPO Council on November 24, 2015, and consistent with the requirements of the Organization's Adopted Public Participation Plan a 15-day public comment period extending from November 13, 2015, through November 27, 2015, was instituted prior to the public hearing; and

WHEREAS, on November 24, 2015, the S/WMPO Council adopted the amended FY 2014 – FY 2017 TIP, which includes Delaware's FY 2016 – FY 2019 TIP for the S/WMPO region, contingent upon no negative comments received during the public review period, for the S/WMPO Area in accordance with the Organization's Public Participation Plan; and

NOW, THEREFORE, BE IT RESOLVED that the S/WMPO Council does hereby adopt the November 24, 2015, Amended FY 2014 – FY 2017 Transportation Improvement Program, which includes the Delaware's FY 2016 – FY 2019 TIP for the S/WMPO Area.

11/24/15
Date

Matthew E. Creamer, Chairman, S/W MPO Council

RESOLUTION BY THE
SALISBURY/WICOMICO METROPOLITAN PLANNING ORGANIZATION COUNCIL
ADOPTING THE 2015 AIR QUALITY CONFORMITY DETERMINATION
RESOLUTION 07-2015

WHEREAS, the Salisbury/Wicomico Metropolitan Planning Organization (S/WMPO) was established to conduct regional transportation planning for the S/WMPO area in accordance with Federal requirements; and

WHEREAS, the S/WMPO Council is the governing body for the S/WMPO; and

WHEREAS, The Sussex County, Delaware, portion of the area was previously not in conformance with ozone standards and was considered a "nonattainment area." Therefore, Federal regulations require air quality issues be considered during the preparation of a Long Range Transportation Plan and Transportation Improvement Plan. The Maryland portion of the area is in attainment of the criteria contained in the CAAA; and

WHEREAS, The Delaware Department of Transportation (DelDOT) completed a review of the projects contained in the FY 2016 – FY 2021 Capital Transportation Program. From this review, it was concluded no new regionally significant or non-exempt projects were submitted for the S/WMPO's portion of the Urbanized Area located within Sussex County, Delaware; and

WHEREAS, The Air Quality Conformity Analysis, dated November 5, 2015, estimated nitrogen oxides (NOx) and volatile organic compounds (VOC) emissions for Sussex County for the horizon years of 2015, 2020, 2030, 2040, and 2045 using MOVES2010b. For all years tested, NOx and VOC emissions were below the applicable 2008 budget Reactive Oxygen Species (ROS); and

WHEREAS, on November 24, 2015, the Air Quality Conformity Analysis was reviewed by the S/WMPO Technical Advisory Committee, which made a favorable recommendation to forward the Analysis to the S/WMPO Council for their review and action; and

WHEREAS, the Air Quality Conformity Analysis was presented at a public hearing of the S/WMPO Council on November 24, 2015, and consistent with the requirements of the Organization's Adopted Public Participation Plan a 30-day public comment period extending from November 9, 2015, through December 8, 2015, was instituted prior to the public hearing; and

WHEREAS, on November 24, 2015, the S/WMPO Council adopted Air Quality Conformity Analysis, dated November 5, 2015, contingent upon no negative comments received during the public review period, for the Sussex County, Delaware, in accordance with the Organization's Public Participation Plan; and

NOW, THEREFORE, BE IT RESOLVED that the S/WMPO Council does hereby adopt the Air Quality Conformity Analysis, dated November 5, 2015, for Sussex County, Delaware.

1/4/16
Date

Matthew E. Creamer, Chairman, S/W MPO Council

U. S. Department
of Transportation

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Philadelphia, PA 19103
215- 656-7100
215-656-7260 (fax)

Federal Highway Administration
1201 College Park Drive
Suite 102
Dover, DE 19904
302-734-5323
302-734-3066 (fax)

Refer to: HDA-DE

January 7, 2016

Ms. Jennifer Cohan
Secretary of Transportation
Delaware Department of Transportation
800 Bay Road
P.O. Box 778
Dover, DE 19901

Mr. Keith Hall
Chief, Long-Range and Transportation Planning
Salisbury/Wicomico Metropolitan Planning Organization
P.O. Box 870
Salisbury, MD 21803-0870

Dear Secretary Cohan and Mr. Hall:

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed a joint review of the Sussex County, DE & Salisbury/Wicomico Metropolitan Planning Organization's (SWMPO) conformity determination for the 2008 8-hour ozone National Ambient Air Quality Standards (NAAQS) for Sussex County, DE (i.e., Seaford, DE Nonattainment Area). The conformity determination applies to SWMPO's 2045 Long Range Transportation Plan (LRTP) and the SWMPO's amended Fiscal Year (FY) 2014 - 2017 Transportation Improvement Plan (TIP), and the Sussex County, DE portion of Delaware's FY 2016-2019 Statewide Transportation Improvement Program (STIP).

In accordance with the 1990 Clean Air Act Amendments (CAAA) and 23 CFR 450.322(l), FHWA and FTA must make a joint air quality conformity determination. The EPA, by letter dated December 16, 2015, determined that the LRTP and TIP meet the requirements, and they have no issues with the conformity determinations.

It is our finding that the analytical results provided by DelDOT and SWMPO to demonstrate conformity is consistent with EPA's Transportation Conformity Rule (40 CFR Part 93), as amended.

FHWA and FTA find that the update to SWMPO's 2045 LRTP and amended FY 2014-2017 TIP, and the Sussex County portion Delaware's FY 2016-19 STIP conforms to the region's State Implementation Plan (SIP) and that the conformity determination has been performed in accordance with the requirements specified in the Transportation Conformity Rule (40 CFR Part 93), as amended.

We have also determined the amended FY 2014 – 2017 TIP and 2045 LRTP are based on a continuing, comprehensive transportation planning process carried on cooperatively by the State, MPO, and transit operators in accordance with provisions of 23 USC 134 and 135 and 49 USC Sections 5303-5305. Based upon the information provided by DelDOT and SWMPO, we concur that the TIP is fiscally constrained and consistent with the LRTP.

If you have any questions, please contact Mr.Marc Dixon, FHWA Delaware Division, at (302) 734-4018, or Mr. Tony Cho, FTA Region III, at (215) 656-7250.

Sincerely,

Terry Garcia Crews
Regional Administrator
Federal Transit Administration

Mary Ridgeway, P.E.
Division Administrator
Federal Highway Administration

e-cc: Drew Boyce, DelDOT
Mike DuRoss, DelDOT
Josh Thomas, DelDOT
Lyn Erickson, Maryland DOT
Ian Beam, Maryland DOT
Gregory Becoat, EPA, Region 3
Kwame Arhin, FHWA Maryland

U.S. Department of Transportation
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http://www.fhwa.dot.gov/mddiv/

February 17, 2016

In Reply Refer To:
HDA-MD

Ms. Heather Murphy, Acting Director
Office of Planning and Capital Programming, MDOT
7201 Corporate Center Drive
P.O. Box 548
Hanover, Maryland 21076

Dear Ms. Murphy:

We have completed our review of the State request (MDOT Control # 14-116) to amend the Fiscal Year (FY) 2014 Statewide Transportation Improvement Program (STIP). Specifically, the STIP is being amended to include the Salisbury/Wicomico MPO revised FY 2014-2017 TIP which Conformity Determination was approved by FHWA/FTA on January 7, 2016.

We accept this amendment and find that it was developed based on a continuing, cooperative, and comprehensive transportation planning process, in accordance with 23 U.S.C. 134, 23 U.S.C. 135 and 49.

If you have any questions, regarding this STIP amendment please contact Kwame Arhin at (410) 779.7158.

Sincerely,

for Gregory Murrill
Division Administrator

cc:
Lyn Erickson, MDOT
Eric Beckett, SHA