

SOUTHWESTERN PENNSYLVANIA COMMISSION

RESOLUTION NO. 12-08

RESOLUTION OF THE SOUTHWESTERN PENNSYLVANIA COMMISSION to certify that the transportation planning process is being carried out in conformance with all applicable federal requirements and that the local process to enhance the participation of the general public, including the transportation disadvantaged, has been followed in developing all plans and programs.

WHEREAS, the U. S. DOT Safe, Accountable, Flexible, Efficient Transportation Equity Act : A Legacy for Users (SAFETEA-LU) legislation requires a Metropolitan Planning Organization (MPO) to certify that its transportation planning process is in conformance with regulations; and

WHEREAS, the Federal regulations specify that the transportation planning process be in conformance with Title 23 U.S.C. Section 134, 23 CFR Part 450.220 and the Federal Transit Act Title 49 U.S.C. 5323(k), which require that a continuing, cooperative and comprehensive planning process be carried out by the State and Local officials; and

WHEREAS, the requirements of Title VI of the Civil Rights Act of 1964 and the Title VI assurance executed by each State under Section 324 of Title 23 and under Section 794 of Title 29 have been met and the requirements of Executive Order #12898 (Federal Order to Address Environmental Justice in Minority Populations and Low Income Populations) are being addressed; and

WHEREAS, the requirements of Section 1101 of TEA-21 (Public Law 105-178) regarding the involvement of disadvantaged or minority business enterprises in FHWA and FTA funded planning projects (Section 105(f), Public Law 97-424, 96 Stat. 2100; 49 CFR Part 23) have been met; and

WHEREAS, the provisions of the Americans with Disabilities Act of 1990 (Public Law 101- 336, 104 Statute 327, as amended) and U.S. DOT regulations entitled "Transportation for Individuals with Disabilities" (49 CFR, Parts 27, 37 and 38) have been met; and

WHEREAS, the Transportation Improvement Program (TIP) continues to be financially constrained as required by Section 450.216 of the Final Rulemaking issued on October 28, 1993, and the Federal Transit Administration (FTA) policy on the documentation of financial capacity, published in FTA Circular 7008.1; and

WHEREAS, the provision of 49 CFR part 20 regarding restrictions on influencing certain activities has been met; and

WHEREAS, the requirements of Sections 174 and 176(c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506(c) and (d)) have been met for non-attainment and maintenance areas; and WHEREAS, SPC's established process for public involvement in the planning process was followed during TIP development. A review of public involvement in the regional transportation planning process and the resultant Transportation Improvement Program demonstrated that the benefits of the regional transportation planning process accrue to both

Environmental Justice (EJ) and Non-EJ communities. Low-income and minority populations are not disproportionately impacted and are beneficiaries of the transportation planning process in Southwestern Pennsylvania.

NOW, THEREFORE, BE IT RESOLVED that the Southwestern Pennsylvania Commission, the Metropolitan Planning Organization (MPO) for the Pittsburgh Transportation Management Area (TMA) certifies that the planning process is being carried out in conformance with all of the applicable federal requirements and certifies that the local process to enhance the participation of the general public, including the transportation disadvantaged, has been followed in developing all plans and programs, including the FFY 2009-2012 Transportation Improvement Program (TIP).

I, Rodney Ruddock, HEREBY CERTIFY that I am Secretary-Treasurer of the SOUTHWESTERN PENNSYLVANIA COMMISSION: that the foregoing resolution was adopted, in accordance with the By-Laws, by the Members of said Commission at a meeting duly called and held on the 30th day of June, 2008, and that said resolution is now in full force and effect.

IN TESTIMONY WHEREOF I hereto subscribe my name as Secretary-Treasurer.

---

Secretary-Treasurer