

# ***2030 LRTP Update***

## ***Appendix G*** ***Memorandum of Agreement***



## Appendix G – Memorandum of Agreement

**Memorandum Of Agreement  
Transportation Planning & Air Quality Planning Coordination and Cooperation  
Between The Atlanta Regional Commission,  
The Gainesville-Hall Metropolitan Planning Organization,  
The Georgia Department of Transportation  
The Georgia Department Of Natural Resources Environmental Protection Division**

### SECTION 1: PURPOSE

This Memorandum of Agreement (MOA) is intended to provide a framework for continuing, cooperative and comprehensive transportation planning to avoid duplication of effort and optimize transportation planning and investments for the portion of the Atlanta Urbanized Area within Hall County. This MOA also provides a framework for transportation planning within the 20-county (under the 8-hour standard) Atlanta Nonattainment Area for ozone, which encompasses Hall County in total.

### SECTION 2: DEFINITIONS

The following terms used in this MOA shall have the meanings set forth in this section and as now or hereafter defined in the referenced federal or state statutes or regulations:

- A. Atlanta Metropolitan Transportation Planning Area** means the political subdivisions encompassed in the Transportation Planning Boundary established by ARC and the Governor pursuant to 23 CFR 450.308(b) to reflect the Atlanta Urbanized Area identified by the U. S. Census Bureau in the most recent census. In October 2003, the Atlanta Regional Commission adopted an expanded planning area based on the 2000 Census which includes a portion of Hall County. In April 2004, the Governor of the State of Georgia approved this expanded boundary.
- B. Atlanta Nonattainment Areas**
1. For ozone under the 1 hour standard means the 13 county area designated by the U. S. Environmental Protection Agency as nonattainment under the Clean Air Act, as amended, which includes Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale Counties.
  2. For ozone under the 8-hour standard means the 20-county area designated by the U. S. Environmental Protection Agency in April 2004 as nonattainment under the Clean Air Act, as amended which includes the 13-county area plus Barrow, Bartow, Carroll, Hall, Newton, Spalding and Walton Counties.
- C. Atlanta Regional Commission (ARC)** means the multipurpose, comprehensive regional planning agency created pursuant to State law and designated as the planning



agency for the Atlanta Region for all federal and state programs which require or encourage areawide planning. ARC is designated by the Governor of the State of Georgia as the Metropolitan Planning Organization for the Atlanta area pursuant to the Federal Aid Highway Act (23 U.S.C. § 101 et seq.), the Federal Transit Act (49 U.S.C. Appx § 1601 et seq) and other applicable federal and state laws.

- D. Gainesville-Hall Metropolitan Planning Organization (GHMPO)** means the metropolitan planning organization for the Gainesville Urbanized Area, which was designated by the Governor of Georgia in February 2003.
- E. Gainesville-Hall Transportation Study (GHTS) Planning Area** means the planning area adopted by the Gainesville-Hall MPO in January 2004 which includes all of Hall County.
- F. Georgia Department of Natural Resources Environmental Protection Division (EPD)** means the Department designated as the chief air quality agency in the State. EPD regulates emissions from industrial and mobile sources, monitors levels of air pollutants throughout the State, and has the responsibility to prepare the State Implementation Plan for attaining air quality standards. EPD also consults with and assists transportation planning agencies in assessing emissions of transportation plans, programs, and projects.
- G. Georgia Department of Transportation (GDOT)** means the Department designated as the state transportation agency under Georgia law to carry out a statewide transportation planning process as required by Title 23 USC 135. GDOT is authorized by Georgia Code to organize, administer, and operate an efficient modern system of public roads and other modes of transportation including public transit, rail, aviation and ports.
- H. Metropolitan Planning Organization (MPO)** means the forum for cooperative transportation decision-making for the metropolitan planning area.
- I. Transportation Management Area (TMA)** means an urbanized area with a population over 200,000 such as the Atlanta Urbanized Area. The TMA designation applies to the entire metropolitan planning area.

### **SECTION 3: ORGANIZATIONAL ROLES & RESPONSIBILITIES**

**ATLANTA REGIONAL COMMISSION**, as the Atlanta MPO, only to the extent that it may be bound by contracts which may hereafter be entered into, shall be responsible for the following with respect to the Atlanta Metropolitan Transportation Planning Boundary established in 2003 with the exception of the portion shown in Hall County:

1. Prepare, publish and maintain the long range transportation plan and short range transportation improvement program for the Atlanta Metropolitan Transportation Planning Area pursuant to and consistent with federal requirements for a metropolitan planning organization.
2. Comply with additional federal requirements for a Transportation Management Area such as the Atlanta Urbanized Area, such as:
  - i. Have the lead responsibility in the development of the Congestion Management System (CMS) and ensure, to the extent appropriate, that the CMS be part of the metropolitan transportation planning process; and that the CMS shall be considered



- in the development of the long range transportation plan and short range transportation improvement program.
- ii. Have the lead responsibility in the triennial certification of the transportation planning process for the Atlanta Metropolitan Transportation Planning Area.
3. Comply with additional federal requirements for a nonattainment area for air quality such as:
- i. Develop, maintain, update and validate regional transportation demand and network models for the Atlanta Nonattainment Area for ozone under the 1-hour standard, and data necessary to apply the latest planning assumptions used in the regional emissions analysis to determine the conformity of long range plans and short range programs.
  - ii. Develop the regional emissions analysis for the Atlanta Nonattainment Area for ozone under the 8-hour standard with the support of the Georgia Department of Transportation, the Environmental Protection Division and applicable counties, to determine the conformity of long range plans and short range programs through demonstration that air quality limits are not exceeded.
  - iii. Develop the regional emissions analysis for any future expanded or new Atlanta Nonattainment Area with the support of the Georgia Department of Transportation, the Environmental Protection Division and applicable counties, to determine the conformity of long range plans and short range programs through demonstration that air quality limits are not exceeded.
4. Perform all other federally-required responsibilities of a metropolitan planning organization.
5. Provide other assistance as mutually agreed upon.

***B. GAINESVILLE-HALL METROPOLITAN PLANNING ORGANIZATION, ONLY TO THE EXTENT THAT IT MAY BE BOUND BY CONTRACTS WHICH MAY HEREAFTER BE ENTERED INTO, SHALL BE RESPONSIBLE FOR THE FOLLOWING WITH RESPECT TO THE GAINESVILLE-HALL TRANSPORTATION STUDY PLANNING AREA, WHICH INCLUDES THE GAINESVILLE URBANIZED AREA AS WELL AS THE PORTION OF THE ATLANTA METROPOLITAN TRANSPORTATION PLANNING BOUNDARY WITHIN HALL COUNTY:***

1. Prepare, publish and maintain the long range transportation plan and short range transportation improvement program for the Gainesville-Hall Transportation Study Planning Area pursuant to and consistent with federal requirements for a metropolitan planning organization.
2. Comply with additional federal requirements for a Transportation Management Area for the portion of the Atlanta Urbanized Area within Hall County, such as:
  - i. Assure development of a Congestion Management System (CMS) for the Hall County portion of the Atlanta Urbanized Area, to the extent appropriate. Assure that this CMS shall be part of the metropolitan transportation planning process; and that the CMS shall be considered in the development of the long range transportation plan and short range transportation improvement program.



- ii. Participate in the triennial certification of the transportation planning process for the Atlanta Metropolitan Transportation Planning Area.
3. Comply with additional federal requirements for any future new or expanded Atlanta Nonattainment Area for air quality that includes Hall County, by coordinating with the Atlanta Regional Commission, the Georgia Department of Transportation and the Environmental Protection Division in development of required technical analyses of transportation plans and programs to assure deadlines for the nonattainment area are met and that air quality limits are not exceeded.
4. Perform all other federally-required responsibilities of a metropolitan planning organization.
5. Provide other assistance as mutually agreed upon.

**C. GEORGIA DEPARTMENT OF TRANSPORTATION (GDOT) AND GEORGIA DEPARTMENT OF NATURAL RESOURCES ENVIRONMENTAL PROTECTION DIVISION (EPD)**, are parties to this Memorandum of Agreement pursuant to the requirements of 23 CFR 450.310(g) which states that where more than one MPO has authority within a metropolitan planning area that is a nonattainment or maintenance area, an agreement must be executed between the State department of transportation, the state air quality agency and the MPOs describing how the transportation planning process will be coordinated.

#### **SECTION 4: CONFLICT RESOLUTION**

All parties to this agreement agree to participate in and utilize interagency activities to resolve any potential conflicts.

#### **SECTION 5: PUBLIC INVOLVEMENT**

To coordinate effective planning and programming activities, ARC and GHMPO shall, to the maximum extent practical, coordinate their public information efforts and seek joint opportunities for public involvement as provided in 23 CFR 450.316 (b)(1)(xi).

ARC will take the lead role in seeking and obtaining public involvement in the Atlanta metropolitan transportation planning and programming process. ARC and GHMPO agree that this process will also satisfy the program-of-projects requirements of the Federal Transit Administration's Urbanized Area Formula Program.

#### **SECTION 6: COMPLIANCE WITH APPLICABLE LAWS & REGULATIONS**

All parties shall comply with all applicable local, state, and federal laws and regulations. Nothing in this MOA alters, or seeks to alter, the existing statutory authority of any party under state or federal law. If any of the provisions of this MOA are held to be illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect.



**SECTION 7: AMENDMENTS & MODIFICATIONS**

Any party may request changes to this MOA at any time by written notice to the other parties' signatory of this agreement. Such changes as are mutually agreed upon by and between the parties shall be incorporated in written amendments to this MOA executed in the same manner as original MOA approval.

**SECTION 8: NOTIFICATION**

Any official notifications between the parties to this MOA that would substantially affect the terms or conditions of this MOA shall be directed to the office of the signatories to this agreement.



*In witness whereof, the parties hereto have executed this Memorandum of Agreement, this \_\_\_\_\_ day of \_\_\_\_\_, 2004.*

*Attest:*

\_\_\_\_\_

***Atlanta Regional Commission***

\_\_\_\_\_  
*Chairman*

***Gainesville-Hall MPO***

\_\_\_\_\_

\_\_\_\_\_  
*Chairman*

***Georgia Department of Transportation***

\_\_\_\_\_

\_\_\_\_\_  
*Commissioner*

***Georgia Department of Natural Resources  
Environmental Protection Division***

\_\_\_\_\_

\_\_\_\_\_  
*Director*