
**2016 Memorandum of Agreement
Transportation Planning & Air Quality Planning Coordination & Cooperation
Between the Atlanta Regional Commission,
the Cartersville-Bartow Metropolitan Planning Organization,
the Georgia Department of Transportation and
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 Bartow County.

This MOA also provides a framework for transportation planning within the current 15-county Atlanta Nonattainment Area for ozone, and the 22-county Atlanta Nonattainment Area for particulate matter (pm2.5), both of which encompass Bartow County in total. These nonattainment areas may change from time to time, and this MOA will remain in effect as long as Bartow County is within the Atlanta Nonattainment Area.

This MOA supersedes the agreement executed by the Atlanta Regional Commission, Bartow County and the Georgia Department of Transportation in March 2005 for this purpose, and becomes effective by March 27, 2016 at which time federal regulations require the following:

- Cartersville-Bartow MPO must have a formally adopted Long-Range Metropolitan Transportation Plan (MTP) and Transportation Improvement Program (TIP); and
- Atlanta MPO must revise the Metropolitan Planning Area based on the Atlanta Urbanized Area identified by the US Census Bureau in March 2012.

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 450.310 to reflect the Atlanta Urbanized Area identified by the U. S. Census Bureau in the most recent census. In August 2014, the Atlanta Regional Commission adopted an modified planning area based on the 2010 Census which excluded the portions of the Atlanta Urbanized Area in Bartow, Hall and Jackson Counties. The portion of the Atlanta Urbanized Area within Carroll County was resolved in August 2015 and subsequently adopted into the Atlanta Metropolitan Planning expanded planning area.

- B. Atlanta Nonattainment Area** as of 2015 include a 15 county area for ozone under the 8-hour standard designated by the U. S. Environmental Protection Agency in July 2012 as nonattainment under the Clean Air Act, as amended; and a 22 county area for particulate matter designated by US EPA in April 2005 as nonattainment. Bartow County is in both designations.
- 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. Cartersville-Bartow Metropolitan Planning Organization (CBMPO)** means the metropolitan planning organization for the Cartersville Bartow Urbanized Area, which includes all of Bartow County, designated by the Governor of Georgia in February 2013.
- E. Cartersville-Bartow Transportation Study (CBTS) Planning Area** means the planning area adopted by the Cartersville-Bartow MPO in 2013 which includes all of Bartow 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

- A. 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 September 2014 with the exception of the portions shown in Bartow, Hall, and Jackson Counties.

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 Process (CMP) and ensure, to the extent appropriate, that the CMP be part of the metropolitan transportation planning process; and that the CMP 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 quadrennial 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 current 15-county Atlanta Nonattainment Area for ozone under the 8-hour 2008 standard, the 22-county Atlanta Nonattainment Area for pm2.5, and any newly designated or revised Atlanta Nonattainment Areas, 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. Take a lead role with Georgia Department of Transportation, the Environmental Protection Division, applicable Metropolitan Planning Organizations within the Atlanta Nonattainment Area, and counties in development of required technical analyses of transportation plans and programs for any future expanded or new Atlanta Nonattainment Area, to assure air quality limits are not exceeded.
 - iii. Take a lead role in coordination of schedules between ARC and adjacent MPOs in the Atlanta Nonattainment Area when a technical evaluation for conformity is necessary.
4. Perform all other federally-required responsibilities of a metropolitan planning organization.
5. Provide other assistance as mutually agreed upon.

- B. CARTERSVILLE-BARTOW 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 Cartersville-Bartow Transportation

Study Planning Area, which includes the Cartersville Bartow Urbanized Area as well as the portion of the Atlanta Urbanized Area within Bartow County:

1. Prepare, publish and maintain a long range transportation plan and short range transportation improvement program for the Cartersville-Bartow Transportation Study Planning Area pursuant to and consistent with federal requirements for a metropolitan planning organization. The initial plan and program will encompass Bartow County in its entirety, including the portion of the Atlanta Urbanized Area in Bartow County, and will be completed pursuant to federal regulation.
 - i. Comply with additional federal requirements for a Transportation Management Area for the portion of the Atlanta Urbanized Area within Bartow County, such as assuring development of a Congestion Management Process (CMP) for the Bartow County portion of the Atlanta Urbanized Area, to the extent appropriate. Assure that this CMP shall be part of the metropolitan transportation planning process; and that the CMP shall be considered in the development of CBMPO's long range transportation plan and short range transportation improvement program.
 - ii. Participate in the Atlanta MPO quadrennial certification of the transportation planning process for the Atlanta Metropolitan Transportation Planning Area with respect to the portion of the Atlanta Urbanized Area within Bartow County.
2. Comply with additional federal requirements for any applicable Atlanta Nonattainment Area(s) for air quality that includes Bartow County, by coordinating with the Atlanta Regional Commission, the Georgia Department of Transportation and the Environmental Protection Division and the Gainesville-Hall MPO 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.
3. Perform all other federally-required responsibilities of a metropolitan planning organization.
4. 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 450.314 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 CBMPO 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.

ARC will take the lead role in seeking and obtaining public involvement in the Atlanta metropolitan transportation planning and programming process. ARC and CBMPO 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 _____, 2016.

Atlanta Regional Commission

Chairman

Attest

Cartersville-Bartow Metropolitan Planning Organization

Chairman

Attest

Georgia Department of Transportation, Planning Division

Director

Attest

Georgia Department of Natural Resources, Environmental Protection Division

Director

Attest