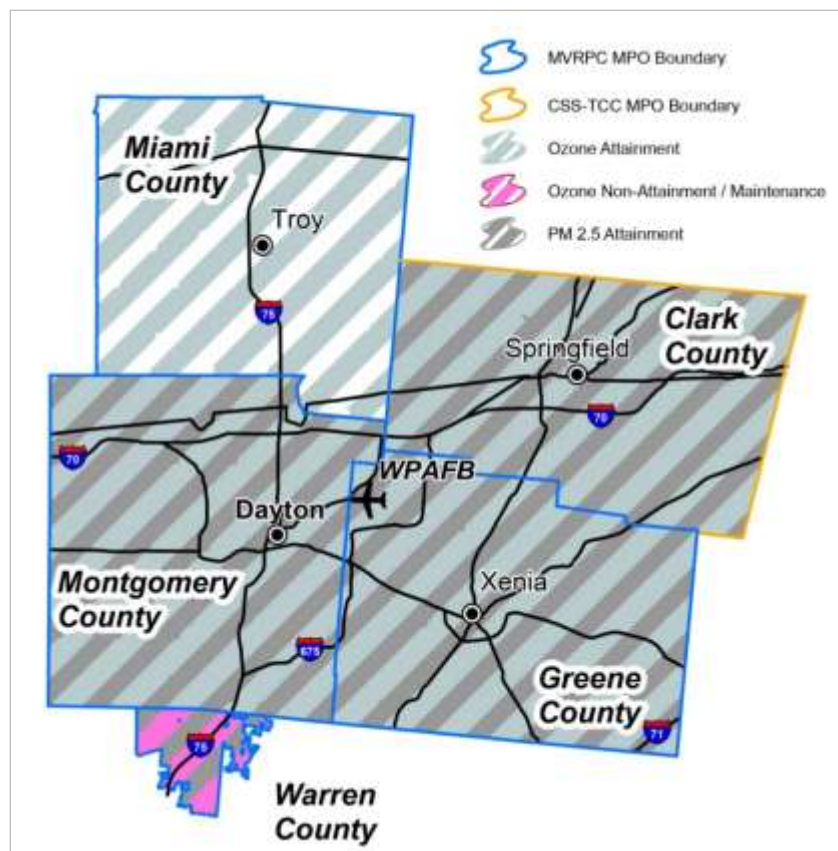


MEMORANDUM

To: Technical Advisory Committee, Board of Directors
From: MVRPC Staff
Date: January 5, 2026
Subject: Resolution Delegating Conformity Determinations for Neighboring MPOs (CCSTCC and OKI) Conformity Actions to MVRPC Staff.

The MVRPC MPO is comprised of the counties of Greene, Miami, and Montgomery as well as the Cities of Franklin, Carlisle, and Springboro, and Franklin Township in northern Warren County. Warren County is located in the Cincinnati air quality Region (Cincinnati Region), with the remainder counties in the MPO located in the Dayton/Springfield air quality Region (D/S Region). The D/S Region also includes Clark County, which is represented by a different MPO, the Clark County Springfield Transportation Coordinating Committee (CCSTCC). Due to multiple air quality regions and MPOs, conformity is closely coordinated with neighboring MPOs. The figure below illustrates this complex situation.



Based on recent guidance by FHWA staff, **it is now required that when one of the MPOs in a multi-jurisdictional area wants to make an amendment to its Plan or TIP that includes non-exempt projects, all the MPOs in the multi-jurisdictional area must make a conformity determination on their Plan or TIP.** To address conformity actions in neighboring MPOs, the FHWA staff has offered the following two options for the MPOs that are not amending their Plans/TIPs to make the necessary conformity determination:

- via a new policy board resolution every time a conformity determination is needed or,
- by having the MPO policy board delegate their authority for making a conformity determination for the above scenario to MPO staff. (This option requires an MPO policy board resolution delegating this authority.)

MVRPC staff is proposing that the Board of Directors delegate this authority to the MVRPC staff (in particular to the current member of the interagency consultation process), in order to avoid unnecessary delays such as not having a board meeting when a neighboring MPO needs a conformity action that could lead to projects being delayed, not being sold on time, etc...

Upon concurrence by the MPO members of the Board of Directors, the attached resolution will be forwarded to our state (ODOT) and federal (U.S. DOT and U.S. EPA) partners to formalize the MVRPC conformity determination process when conformity actions only affect non-exempt projects in neighboring MPOs.

At the request of the Technical Advisory Committee, staff will add information to the subsequent TIP Revision memo whenever MVRPC staff makes a conformity action in response to a Plan or TIP revision for a neighboring MPO.

Attachments:

- Sample Letter
- Resolution Delegating Conformity Determinations for Neighboring MPOs (CCS-TCC and OKI) Conformity Actions to MVRPC Staff.



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February 5, 2026

Mr. Andy Reeser, AICP
Manager of Transportation Programming
OKI Regional Council of Governments
720 E. Pete Rose Way, Suite 420
Cincinnati, Ohio 45202

RE: January 2026 Amendment 5 to OKI FY2026-2029 TIP-OH only

Dear Andy,

The Miami Valley Regional Planning Commission (MVRPC) adopted its 2050 Long Range Transportation Plan (LRTP) on May 2021 and a conformity determination was received with an effective date of June 26, 2021. A second conformity determination was requested in May 2025, to comply with 40 CFR 93.104 (b) (3), and received on July 25, 2026. Since then, there has been no changes to the 2050 LRTP.

MVRPC adopted its latest update to the Transportation Improvement Program for SFY 2026-2029 on May 2025, a conformity determination was received with an effective date of July 1, 2025. Since July 1, there has been no changes to the MVRPC TIP to warrant a new conformity action.

In response to Amendment No 5 to OKI FY2026-2029 TIP, MVRPC can affirm that the MVRPC SFY2026-2029 TIP conforms to the applicable state implementation plan in accordance with the provisions of U.S EPA's Transportation Conformity Rule (40 CFR Parts 51 and 93).

If you have any questions or require additional information, please contact Ana Ramirez at 937-223-6323 or aramirez@mvrpc.org.

Sincerely,

Ana Ramirez, PE, Director of Transportation Planning and Funding
Miami Valley Regional Planning Commission

450.326 (i) Each project or project phase included in the TIP shall be consistent with the approved metropolitan transportation plan.

RESOLUTION 26-01
DELEGATING CONFORMITY DETERMINATIONS FOR NEIGHBORING
MPOS (CCSTCC and OKI) CONFORMITY ACTIONS TO MVRPC STAFF

WHEREAS, the Miami Valley Regional Planning Commission is designated as the Metropolitan Planning Organization (MPO) by the Governor acting through the Ohio Department of Transportation in cooperation with locally elected officials for Greene, Miami, and Montgomery Counties including the jurisdictions of Carlisle, Franklin, Springboro, and Franklin Township in Warren County; and

WHEREAS, the MVRPC's Board of Directors serves as the policy and decision making body through which local governments guide the MPO's transportation planning for the Dayton Metropolitan Area; and

WHEREAS, the MVRPC has a conforming Long Range Transportation Plan; and

WHEREAS, the MVRPC has a conforming Transportation Improvement Program (TIP) that is consistent with the existing Long Range Transportation Plan; and

WHEREAS, the Long Range Transportation Plan is fiscally constrained; and

WHEREAS, the conformity process completed for Greene, Miami, and Montgomery Counties in the Dayton/Springfield Air Quality Region meet the Clean Air Act and Transportation Conformity rule requirements for the 1997 ozone standard; and

WHEREAS, significant TIP projects in Franklin, Carlisle, Springboro, and Franklin Township have been included in the regional emissions analysis for the Cincinnati Region and found to conform to the 2008 and 2015 8-hour ozone standards; and

WHEREAS, Federal Transportation Conformity Regulations, require that when one MPO in a multi-jurisdictional air quality area makes an amendment to its Plan or TIP for non-exempt projects or adopts a new Plan, all MPOs in the multi-jurisdictional air quality area must make a new conformity determination on their current Plan or TIP; and

WHEREAS, MVRPC is not making a corresponding amendment or update to its TIP and/or Plan.

NOW, THEREFORE, BE IT RESOLVED, that the MPO Members of the Board of Directors of the Miami Valley Regional Planning Commission hereby delegate conformity determinations as a result of conformity actions (Plan and/or TIP amendments of non-exempt projects or new Plan adoptions) in a neighboring MPO to the MVRPC staff interagency consultation member, currently the Director of Transportation Planning and Funding.

BY ACTION OF THE MPO Members of the Miami Valley Regional Planning Commission's Board of Directors.

Brian O. Martin, AICP
Executive Director

Robin I Oda, Interim Chairperson
Board of Directors of the
Miami Valley Regional Planning Commission

Date