Wilmington Area Planning Council

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Mayor of Wilmington

Kelly A. Benson, Mayor
Cecil County Municipalities Representative

Kenneth Branner, Mayor
New Castle County Municipalities Representative

WILMAPCO Executive Director
Tigist Zegeye

DRAFT RESOLUTION
BY THE WILMINGTON AREA PLANNING COUNCIL CERTIFYING THE METROPOLITAN TRANSPORTATION PLANNING PROCESS FOR FISCAL YEAR 2027

WHEREAS, the Wilmington Area Planning Council (WILMAPCO) has been designated the Metropolitan Planning Organization for Cecil County, Maryland and New Castle County, Delaware by the Governors of Maryland and Delaware, respectively; and is responsible for the performance of the transportation planning process in the Wilmington Urbanized Area; and

WHEREAS, it is the responsibility of WILMAPCO to ensure that said policy, planning, and programming process is consistent with applicable Federal Law; and

WHEREAS, the Infrastructure Investment and Jobs Act (IIJA) requires WILMAPCO to certify that its transportation planning process is in conformance with regulations; and,

WHEREAS, the Federal Regulations for metropolitan transportation planning in 23 CFR 450.336 state that the State(s) and the MPO shall certify to the FHWA and the FTA that the planning process is addressing the major issues facing the area and is being conducted in accordance with all applicable requirements of:

(1) 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;
(2) In nonattainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 CFR part 93;
(3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
(4) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex or age in employment or business opportunity;
(5) Section 1101 (b) of the FAST Act –Pub. L. 114-357 and 49 CFR Part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
(6) 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
(7) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq*.) and 49 CFR parts 27, 37, and 38;
(8) The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
(9) Section 324 of title 23, U.S.C., regarding the prohibition of discrimination based on gender; and
(10) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

NOW, THEREFORE, BE IT RESOLVED, that WILMAPCO does hereby certify that the planning process is being carried on in conformance with all applicable requirements.

BE IT FURTHER RESOLVED, that WILMAPCO does hereby request that the Maryland and Delaware Departments of Transportation join this certification, as signified by their signatures on the attached, and forward this joint self-certification to both FHWA and FTA.

Date: _____

_____
John Sisson, Chairperson
Wilmington Area Planning Council

METROPOLITAN TRANSPORTATION PLANNING PROCESS
SELF-CERTIFICATION

The Maryland Department of Transportation and the Delaware Department of Transportation and the Wilmington Area Planning Council (WILMAPCO), the metropolitan planning organization for the Wilmington urbanized area, hereby certify that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements of:

1) 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;
2) In nonattainment and maintenance areas, sections 174 and 176(c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506(c) and (d)) and 40 CFR part 93;
3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
4) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
5) Section 1101(b) of the FAST Act (Pub. L. 114-357) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in DOT funded projects;
6) 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
7) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38;
8) The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
9) Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
10) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

Wilmington Area Planning Council	**Maryland Department of Transportation**	**Delaware Department of Transportation**
Signature	Signature	Signature
Tigist Zegeye	Paul J. Wiedefeld	Shanté A. Hastings
Printed Name	Printed Name	Printed Name
Executive Director	Secretary	Secretary
Title	Title	Title
Date	Date	Date

Self-Certifications

Summary of Statutory Requirements

Metropolitan Planning

The State and the MPO shall certify to FHWA and FTA at least every four years that the planning process is addressing major issues facing their area and is being conducted in accordance with all applicable transportation planning requirements. The planning process will undergo joint review and evaluation by FHWA, FTA, and State DOT to determine if the process meets requirements.

The process for developing the MTPs and programs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems to be addressed.

[23 CFR 450.336; U.S.C. Title 23, Sec. 134, and U.S.C. Title 49, Ch. 53, Sec. 5303]

WILMAPCO Actions

WILMAPCO (Wilmington Area Planning Council) is the metropolitan planning organization (MPO) for Cecil County, Maryland and New Castle County, Delaware. As the MPO, we are required by the federal government to bring local government, state transportation agencies and the public into the transportation decision making process. A range of stakeholders come together through WILMAPCO to develop:

- Regional Transportation Plan (RTP), http://www.wilmapco.org/rtp/
- Congestion Management System (CMS), http://www.wilmapco.org/cms/
- Unified Planning Work Program (UPWP), http://www.wilmapco.org/upwp/
- Transportation Improvement Program (TIP), http://www.wilmapco.org/tip/
- Performance Based Planning through the regional progress report and TIP Appendix H, http://www.wilmapco.org/regional-progress-report/ and http://www.wilmapco.org/tip/
- Public Participation Plan, http://www.wilmapco.org/ppp/

Planning is done using a collaborative process that fosters involvement by the public and stakeholders, informs transportation decisions, reflects community's vision, goals and objectives, considers a variety of alternative strategies and a diverse set of concerns, and accounts for all forms of transportation and their impacts. Guidance is provided through the Technical Advisory Committee and its subcommittees, and the Public Advisory Committee.

Measures prohibiting discrimination and exclusion

WILMAPCO Actions

It is the policy of WILMAPCO to afford opportunity for participation in programs, activities and employment. All participation decisions are made without regard to race, color, age, sex, religion, national origin, ancestry, marital status, physical or mental handicap that can reasonably be accommodated, or status as a military veteran.

Public involvement is a key component of the transportation planning and programming process. A proactive public involvement process is one that provides complete information, timely public notice, and full public access to major transportation decisions, and supports early and continuing involvement of the public in developing transportation plans and programs.

It is the policy of WILMAPCO to afford equal opportunity for employment. All employment decisions are made without regard to race, color, age, sex, religion, national origin, ancestry, marital status, physical or mental handicap that can reasonably be accommodated, or status as a military veteran. http://www.wilmapco.org/titlevi/

As an agency, we are committed to incorporating Title VI throughout our planning process. Contracts with third-party firms,

as well as our personnel manual, feature all federally-required non-discriminatory clauses and Disadvantaged Business Enterprises (DBE) assurances.

We are also asked to reach out to people who are traditionally left out of the transportation planning process. Periodically the Public Participation Plan undergoes an evaluation of its public participation activities and initiatives. The PPP is then revised or amended to enhance public participation in the transportation planning process. Evaluation examines geographic distribution of the WILMAPCO Transporter (the newsletter), literature distribution at group event(s). http://www.wilmapco.org/ppp/

In addition to conducting special outreach to these communities, we must show if transportation investments are adversely impacting these populations and that improvements benefit everyone. Our Community Mobility Analysis and Title VI initiatives seek to identify and mitigate transportation burdens to create economic and mobility opportunity. They aim to direct spending to plan for and help guide the implementation of community-based transportation projects. http://www.wilmapco.org/tj/.

WILMAPCO also coordinates with DelDOT's and MDOT's Title VI offices as needed. WILMAPCO's Title VI assurance may be found online at http://www.wilmapco.org/titlevi/.

WILMAPCO is fully committed to the spirit and intent of the ADA legislation. To facilitate participation by people with disabilities, the following guidelines and activities apply:

- All WILMAPCO public meetings and formal events will be held in facilities that are accessible to persons with disabilities.
- All documents available to the public will be provided in alternative formats for qualified individuals with disabilities, upon request.
- The website will be accessible to and usable by individuals with vision impairments.
- Additional accommodations will be provided on an as-needed basis.

Clean Air Act: Air-Pollution Prevention and Control

WILMAPCO Actions

The WILMAPCO Air Quality Subcommittee has 13 members representing federal, state and local agencies in Delaware and Maryland. The AQS assesses the air quality impacts of transportation projects in WILMAPCO's Transportation Improvement Program (TIP) and Regional Transportation Plan (RTP). Their recommendations help our region attain its air quality goals. WILMAPCO does not adopt or amend a RTP or TIP until conformity has been demonstrated with the State Implementation Plan for Air Quality, including the air quality conformity requirements as set forth in the Clean Air Act Amendments of 1990. Resources are allocated annually as part of the UPWP to ensure the coordination of the transportation and air quality planning activities, and support determination of the air quality conformity process of the RTP and TIP. The WILMAPCO Air Quality Subcommittee meets regularly to foster coordination and provide guidance to WILMAPCO Council. http://www.wilmapco.org/aqs/