

**GENERAL MEETING OF THE BOARD OF DIRECTORS
OF THE
CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY**

RESOLUTION NO. 06-49

WHEREAS, the Central Texas Regional Mobility Authority (“CTRMA”) was created pursuant to the request of Travis and Williamson Counties and in accordance with provisions of the Transportation Code and the petition and approval process established in 43 Tex. Admin. Code § 26.01, *et seq.* (the “RMA Rules”); and

WHEREAS, the Board of Directors of the CTRMA has been constituted in accordance with the Transportation Code and the RMA Rules; and

WHEREAS, the CTRMA and the Austin District of TxDOT developed a “CTRMA/TxDOT Regional Implementation Program” (the “Program”) that provides for the funding and development of various transportation system improvements within the jurisdictional limits of the CTRMA; and

WHEREAS, on July 12, 2004, the Capital Area Metropolitan Planning Organization (“CAMPO”) Transportation Policy Board voted to approve amendments to CAMPO’s 2025 Transportation Plan (“2025 Plan”) and its FY 2004-FY2008 Transportation Improvement Program (“2004-2008 TIP”), thus authorizing the development of projects in the Program as toll roads subject, in certain instances, to conditions imposed by the resolutions; and

WHEREAS, the Program (as subsequently amended) includes two projects that were previously included in the 2025 Plan and 2004-2008 TIP and five projects that were added to the 2025 Plan and the 2004-2008 TIP; and

WHEREAS, on June 25, 2004, the Federal Highway Administration (“FHWA”) and the Texas Department of Transportation (“TxDOT”) Environmental Affairs Division requested an environmental justice analysis of the impacts of the system-wide toll network, including the Program, and such analysis was completed in May 2006 (the “2006 Environmental Justice Analysis”); and

WHEREAS, it was determined that several of the topics analyzed in the 2006 Environmental Justice Analysis presented inconclusive or not fully validated results due to the need for additional data collection; and

WHEREAS, in order to identify and develop data sources and methods to better evaluate environmental justice issues and the effects of toll roads on all populations in future planning and NEPA analyses, it has been determined that an interagency work group should be established; and

WHEREAS, TxDOT and CAMPO have proposed entering into a Memorandum of Agreement (the “MOA”) with CTRMA (a draft copy of which is attached hereto as Attachment “A”), as

well as possibly with other appropriate agencies, to establish such a work group and move forward with addressing the data sources and methods described in such MOA; and

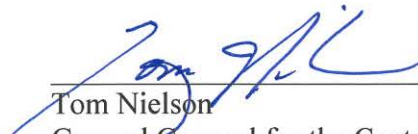
WHEREAS, the CTRMA staff, CAMPO staff and TxDOT have been developing a draft of the attached MOA, and the CTRMA Executive Director and staff seek authorization to pursue finalization and consummation of the MOA.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors finds that the establishment of the interagency work group for the purposes described above and in the MOA is consistent with the goals and mission of the CTRMA; and

BE IT FURTHER RESOLVED, that the Board of Directors authorizes the Executive Director and staff to negotiate the final MOA in form and substance substantially similar to the draft MOA attached hereto as Attachment "A," and further authorizes the Executive Director to execute the final MOA consistent with the provisions of this Resolution.


Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 30th day of August, 2006.

Submitted and reviewed by:



Tom Nielson
General Counsel for the Central
Texas Regional Mobility Authority

Approved:



Robert E. Tesch
Chairman, Board of Directors
Resolution Number 06-49
Date Passed 08/30/06

ATTACHMENT "A"
To
Resolution No. 06-49
Draft Memorandum of Agreement
By and Among the CTRMA, CAMPO and TxDOT
Regarding Environmental Justice Issues in
Transportation Infrastructure Projects

ENVIRONMENTAL JUSTICE WORK GROUP

On June 25, 2004, the Federal Highway Administration (“FHWA”) and the Texas Department of Transportation (“TxDOT”) Environmental Affairs Division requested an environmental justice analysis of the impacts of the system-wide toll network on the MPO’s environmental justice population.

Title VI of the Civil Rights Act of 1964 states that:

“[n]o person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefit of, or be subject to discrimination under any program or activity receiving Federal financial assistance.”

Further, Executive Order 12898 went beyond the Title VI requirements by requiring that federal agencies determine whether their actions would result in “disproportionately high and adverse effects on low-income and/or minority populations.”

Most, if not all, of the tolled facilities to be included in the system-wide network will include FHWA and/or TxDOT approvals and funding. Therefore, in order to determine compliance with Title VI and Executive Order 12898, the analysis described above was undertaken and such analysis was completed in May 2006.

It was determined several of the topics analyzed in the 2006 Environmental Justice Analysis presented inconclusive or not fully validated results due to the need of additional data collection. In order to identify and develop data sources and methods to better evaluate the effects of toll roads on environmental justice populations in future planning and NEPA analyses, it was determined that an interagency work group should be established.

TxDOT and CAMPO have proposed entering into a Memorandum of Agreement (the “MOA”) with CTRMA, as well as possibly with other appropriate agencies, to establish such a work group and move forward with addressing the data sources and methods described in such MOA. CTRMA involvement would include voluntary presentation of any data or studies we may determine to be useful in fulfilling the goals of the work group. Since the results of the work group will become part of the local NEPA process for toll facilities, it is beneficial for the CTRMA to be involved with this effort and contribute as it deems necessary.