

DRAFT
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**San Francisco Bay Area Interagency Consultation Procedures
for PM_{2.5} Hot-Spot Analyses**

General

Particle pollution is a mixture of microscopic solids and liquid droplets suspended in air. This pollution, also known as particulate matter, is made up of a number of components, including acids (such as nitrates and sulfates), organic chemicals, metals, soil or dust particles, and allergens (such as fragments of pollen or mold spores). Fine particle pollution or PM_{2.5} describes particulate matter that is 2.5 micrometers in diameter and smaller.

On December 14, 2009, the Environmental Protection Agency (EPA) designated the nine-county San Francisco Bay Area as nonattainment for the 24-hour PM_{2.5} standards established in 2006. This does not include the eastern portion of Solano County, which falls under the Sacramento PM_{2.5} nonattainment area, nor the northern portion of Sonoma County, which is designated as an unclassifiable/attainment area.

Beginning December 14, 2010, certain projects are required to complete a PM_{2.5} hot-spot analysis for project-level conformity determinations made by the Federal Highway Administration (FHWA) or Federal Transit Administration (FTA).

Purpose

These procedures outline the interagency consultation procedures for PM_{2.5} hot-spot analysis for the Bay Area.

The Metropolitan Transportation Commission (MTC) will facilitate interagency consultation for PM_{2.5} hot-spot analyses through the Air Quality Conformity Task Force (herein referred to as the Conformity Task Force). The Conformity Task Force is open to all interested agencies, but will include staff from EPA, FHWA, FTA, Caltrans, California Air Resources Board (CARB), Association of Bay Area Governments (ABAG), Bay Area Air Quality Management District (BAAQMD), congestion management agencies (CMAs), and transit operators. MTC will chair the Conformity Task Force. The meetings of the Conformity Task Force are open to the public.

Key Elements

Below is summary information explaining (1) What is a project of air quality concern?; (2) What is a hot-spot analysis?; and (3) What are the interagency consultation requirements for PM_{2.5} hot-spot analyses?

Project of Air Quality Concern

EPA specified in 40 CFR 93.123(b)(1) that projects of air quality concern are certain highway and transit projects that involve significant levels of diesel vehicle traffic, or any other project that is identified in the PM_{2.5} State Implementation Plan (SIP) as a localized air quality concern. These projects of air quality concern (POAQC) are defined by 40 CFR 93.123(b)(1) as:

- New or expanded highway projects that have a significant number of or significant increase in diesel vehicles;
- Projects affecting intersections that are at Level-of-Service D, E, or F with a significant number of diesel vehicles, or those that will change to Level-of-Service D, E, or F because of increased traffic volumes from a significant number of diesel vehicles related to the project;
- New bus and rail terminals and transfer points that have a significant number of diesel vehicles congregating at a single location;
- Expanded bus and rail terminals and transfer points that significantly increase the number of diesel vehicles congregating at a single location; and
- Projects in or affecting locations, areas, or categories of sites which are identified in the PM_{2.5} or PM₁₀ applicable implementation plan or implementation plan submission, as appropriate, as sites of violation or possible violation.

PM_{2.5} Hot-Spot Analysis

A hot-spot analysis is defined in 40 CFR 93.101 as an estimation of likely future localized PM_{2.5} pollutant concentrations and a comparison of those concentrations to the national ambient air quality standards. It estimates the air quality impacts of a project on a small scale, such as at a congested roadway intersection or a bus terminal, and uses an air quality dispersion model to determine the effects of emissions on air quality. Such an analysis is a means of demonstrating that a transportation project meets Clean Air Act conformity requirements to support state and local air quality goals with respect to potential localized air quality impacts. When a hot-spot analysis is required, it is included within the project-level conformity determination that is made by FHWA or FTA.

Interagency Consultation

Interagency consultation is an important tool to completing project-level conformity determinations and hot-spot analyses. Interagency consultation must also be used to evaluate and choose associated methods and assumptions to be used in PM_{2.5} hot-spot analyses (40 CFR 93.105(c)(1)(i)). The agencies involved in the interagency consultation process for the Bay Area include the project sponsor, EPA, FHWA, FTA, Caltrans, MTC, and other local transportation and air quality agencies that participate in the Conformity Task Force.

Interagency Consultation Procedures

Roles & Responsibilities

Each agency has a specific role and responsibility in project-level conformity determinations. The key roles and responsibilities of the project sponsor, federal agencies, MTC, and the Conformity Task Force are described below.

- The *project sponsor* is the agency responsible for implementing the project. Typically, the project sponsor is a local government, transit operator, or Caltrans. The project sponsor is responsible for conducting the PM_{2.5} hot-spot analysis and meeting the interagency consultation requirements as described in 40 CFR 93.105 and set forth in these procedures. The project sponsor, in cooperation with federal agencies, is also responsible for conducting the environmental analysis and review to comply with NEPA. It is also the responsibility of the project sponsor to establish a proactive public involvement process that provides opportunity for public review and comment on the PM_{2.5} hot-spot analyses. The public review is typically completed as part of the NEPA process.
- The *EPA, FHWA and FTA* are responsible for determining the requirements of the transportation conformity are met. PM_{2.5} hot-spot analyses would generally be included in the documents prepared to meet NEPA requirements. It is the responsibility of either FHWA or FTA to review and approve these NEPA documents for their certain actions. In cases where Caltrans is delegated NEPA authority, Caltrans is responsible for review and approval of those NEPA documents. Concurrence action on the methods and assumptions used in the PM_{2.5} hot-spot analysis would be needed, at a minimum, by EPA and FHWA, FTA, or Caltrans for NEPA-delegated projects because these agencies ultimately approve the project-level PM_{2.5} conformity determinations and hot-spot analyses.
- The *MTC* is responsible for facilitating interagency consultation on the methods and assumptions to be used in PM_{2.5} hot-spot analyses through meetings of the Conformity Task Force. MTC is to provide a means through the Fund Management System (FMS) for project sponsors to submit technical information for review by the Conformity Task Force.
- The *Conformity Task Force* is responsible for reviewing the technical information submitted by the project sponsor and making a recommendation as to whether a project meets the definition of a project of air quality concern as identified in 40 CFR 93.123(b)(1). A concurrence action to determine a project as a POAQC must be made by EPA and FHWA, FTA or Caltrans for NEPA-delegated projects. As noted above, it is the responsibility of EPA and FHWA, FTA, or Caltrans for NEPA-delegated projects to concur on the methods and assumptions used in the PM_{2.5} hot-spot analyses.

Steps for Interagency Consultation

The interagency consultation process involves the following steps:

1. MTC to Identify the Universe of Projects Subject to Consultation Requirements: MTC is to track projects that will need to undergo consultation through the Fund Management System (FMS), a web-based interface used to manage projects in the Transportation Improvement Program (TIP). MTC staff will use reporting functions in FMS to identify the universe of projects that will need to undergo the consultation process, using the following query parameters:
 - *Exempt/Non-Exempt Status:* MTC staff code each project in FMS based on the non-exempt or exempt category in which they fall. The query will capture both non-exempt projects and projects exempt under Section 93.127 (which are exempt from regional emissions analyses, but not exempt from hot-spot requirements).
 - *Federally-Funded:* FMS includes a project funding breakdown by source. The query will capture projects that have any funding amount identified from a federal source.
 - *Project Schedule:* FMS includes project schedule by phases. The query will capture any project that has not yet begun construction.
2. Project Sponsor to Submit Project Information: For projects that fall in the universe of projects subject to consultation, the project sponsor will be required to submit technical information into FMS using the required project assessment form for PM_{2.5} interagency consultation (Attachment 1). The project sponsor is responsible for completing the form in its entirety prior to review by the Conformity Task Force.
3. Conformity Task Force to Review Projects and Federal Agencies to Make POAQC Determination: MTC staff will distribute the completed form as described in Step 2 to the Conformity Task Force for its review. The Conformity Task Force is responsible for making a recommendation as to which projects are considered POAQCs. A concurrence action to determine a project as a POAQC must be made by EPA and FHWA, FTA or Caltrans for NEPA-delegated projects.
4. Project Sponsor of POAQC to Submit Methods/Assumptions and/or PM_{2.5} Hot-Spot Analyses for Review by Conformity Task Force: The project sponsor of a project identified as POAQC will upload a summary of their key methods and assumptions into FMS. The project sponsor is ultimately responsible for completing the necessary forms and submitting their methods/assumptions summaries to MTC for review by the Conformity Task Force. In some cases, the project sponsor may submit their PM_{2.5} hot-spot analyses, which includes the methods and assumptions, for review by the Conformity Task Force. MTC will facilitate the interagency consultation as part of the regular meetings of the Conformity Task Force.

5. Conformity Task Force to Review Methods/Assumptions and/or PM_{2.5} Hot-Spot Analyses: The Conformity Task Force is to review and comment on the methods/assumptions, and in some cases the PM_{2.5} hot-spot analyses if available, that are prepared by the project sponsor. Once the consultation has occurred, the project sponsor is responsible for responding to the comments from the Conformity Task Force as part of their preparation of the PM_{2.5} hot-spot analyses. The approval of the PM_{2.5} hot-spot analyses and project-level conformity determination is made by FHWA, FTA or Caltrans for NEPA-delegated projects.

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Attachment A
Project Assessment Form for PM_{2.5} Interagency Consultation