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## *Memorandum*

TO: Air Quality Conformity Task Force

DATE: January 11, 2013

FR: Brenda Dix

W. I.

RE: Potential for Multiple Exemption Codes

At the December 2011 Air Quality Conformity Task Force meeting, EPA staff requested that projects with scopes that span multiple air quality exemption codes have a way to indicate that multiple codes apply. After considering the options for implementing this request, MTC staff recommends that we continue the current practice of using only one exemption code per project. This memo outlines the concerns MTC staff has with identifying multiple codes for Task Force consideration at your meeting.

### **Current Exemption Selection Process**

Currently, project sponsors are required to select the exemption code they deem to be the most appropriate for their project through MTC's Fund Management System (FMS). This sponsor-selected code is taken to the Air Quality Conformity Task Force for concurrence. When sponsors believe that multiple exemption codes may apply to their project, they select the most appropriate code based on the most substantial or costly element in their scope.

### **Multiple Exemption Codes**

As indicated at the December Task Force meeting, MTC cannot alter FMS to allow sponsors to select more than one exemption code without dedicating significant resources to redesign and reprogram the FMS database and website.

In lieu of an FMS redesign, it was recommended that the Task Force members flag projects for which they believe multiple exemption codes apply and bring those recommendations to the Task Force for consideration. If the exemption codes were agreed to by all Task Force members, the additional exemption codes would be added to the project notes in FMS. This information would not appear in the project's air quality summary.

### **Concerns with the Revised Approach**

MTC is requesting that the Task Force reconsider this revised exemption code selection process for several reasons:

1. This approach will lead to inconsistencies in the data stored in FMS as we cannot easily flag those projects that have been reviewed under this new process. It is only recommended that this approach be applied if the Task Force reviews all projects (~400) that have been approved and confirm whether or not multiple exemption codes are applicable for those projects.
2. In the future, this approach requires the Task Force to manually flag projects that they believe fall under multiple exemption codes. We are concerned that this review

process will be inconsistently applied over time, especially as Task Force members change and when agendas become particularly full.

3. The revised approach would shift responsibility for identifying all possible exemption codes to the Task Force members. While Task Force members currently must approve the code selected, we believe it is most appropriate to have the project sponsors responsible for identifying the exemption code they believe best applies to their project.
4. There is no automated process for alerting sponsors to the additional exemption codes being applied to their projects. MTC staff would then need to contact each project sponsor to confirm the additional codes applied. This would place excessive burden on MTC staff and could delay project approval.

### **Recommendation**

For the reasons outlined above MTC recommends that the Task Force continue the current approach of identifying only one exemption code per project. This would ensure a consistent approach is applied to all past and future projects and minimize the burden on the Task Force as well as MTC staff. Selecting the most appropriate exemption code would continue to be the responsibility of the project sponsor and would be done by selecting the exemption code based on the most substantial or costly element in the project.

### **Next Steps**

If it determined that the exemption code process will not change, there are several projects from December 2012 that require review of their exemption codes. Attachment A summarizes these projects and displays the exemption code originally selected by the project sponsor.

**Attachment A**

County	TIP ID	Sponsor	Project Name	Project Description	Expanded Description	Project Type under 40 CFR 93.126
ALA	ALA050017	AC Transit	Enhanced Bus - Telegraph/Int/East 14th	AC Transit: Along the Telegraph/Intl Ave /E. 14th Corridor; System includes preliminary engineering, bus Stop & station improvements, bus procurement and other street enhancements to implement bus rapid system.	Complete preliminary engineering, purchase vehicles, infrastructure improvements, and transit station improvements. AC Transit is purchasing 15 articulated buses. The first stations to be developed are Estudillo in San Leandro and the Uptown Transit Center in Oakland. The signalization phase of this project was implemented in 2005.	Mass Transit - Purchase of new busses and rail cars to replace existing vehicles or for minor expansions of the fleet
SF	SF-110042	SFMTA	SFMTA: N-Judah Mobility Maximization Project	SFMTA: On the N-Judah transit Corridor : enhancements include but are not limited to the following: Colorizing existing dedicated transit lanes, Transit Signal Priority, Vehicle Branding, and Enhanced stop identification.	SFMTA is initiating a program of enhancements to the N-Judah transit corridor. Further investment to make this a premium transit corridor with improved transit service will not only sustain current patronage, it will draw more people from their automobiles. Planned enhancements will collectively improve service reliability, reduce travel time, enhance the customer experience, and improve service effectiveness without procuring new vehicles or introducing additional vehicles to these routes. Components include: Colorizing Existing Dedicated Transit Lanes, Transit Signal Priority,	Mass Transit - Construction of small passenger shelters and information kiosks
SF	SF-110043	SFMTA	SFMTA: Mission Mobility Maximization	San Francisco: on Mission Corridor: implement enhancements to transit including but not limited to the following: Colorizing existing dedicated transit lanes, Transit Signal Priority, Vehicle Branding, and Enhanced stop identification	SFMTA is initiating a program of enhancements the Mission Corridor. Further investment to make the Mission Corridor a premium transit corridor with improved transit service will not only sustain current patronage, it will draw more people from their automobiles. Planned enhancements will collectively improve service reliability, reduce travel time, enhance the customer experience, and improve service effectiveness without procuring new vehicles or introducing additional vehicles to these routes. Components include: Colorizing Existing Dedicated Transit; Transit Signal Priority; Vehicle branding; Enhanced stop identification to increase legibility of	Mass Transit - Construction of small passenger shelters and information kiosks