



**METROPOLITAN
TRANSPORTATION
COMMISSION**

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Memorandum

TO: Air Quality Conformity Task Force

DATE: February 26, 2015

FR: Adam Crenshaw

W. I.

RE: Proposed Method for the Review of the Regional Conformity Status of New TIP Projects

Background

Per federal planning and conformity regulations the Metropolitan Transportation Commission (MTC) is required to analyze the Bay Area's Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP) to determine if they are consistent with ("conforms to") the approved federal State Implementation Plan (SIP), or meets other emissions tests for criteria pollutants and precursors for which the Bay Area air basin is designated as a nonattainment or maintenance area. This includes ground-level ozone, carbon monoxide and fine particulate matter. Certain categories of projects, defined in 40 CFR §93.126 and 40 CFR §93.127, are exempt from these regional emissions analysis requirements. In addition, traffic signal synchronization projects may be funded and implemented without undergoing regional emissions analysis, but they must be included in subsequent regional emissions analyses (40 CFR §93.128).

In accordance with the Bay Area Air Quality Conformity Protocol (MTC Resolution No. 3757) MTC consults with the California Department of Transportation (Caltrans), the US Environmental Protection Agency (EPA), the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA) and other members of the Air Quality Conformity Task Force (Task Force) on the regional conformity status of projects that are included in the RTP and TIP. This consultation regularly occurs through the following processes:

- During an update or amendment to the RTP, the Task Force reviews the draft and final conformity analyses, which include lists of projects in the RTP and their regional conformity status; and
- During a TIP update or an amendment to the TIP that requires an update to the regional conformity analysis the Task Force reviews the draft and final conformity analyses or redeterminations, which include lists of new and revised projects in the TIP and their regional conformity status.

MTC staff also currently consults with the Task Force when projects that are not exempt from regional conformity analysis are added to the TIP or are altered in a substantial way. This consultation is conducted through memoranda presented at the monthly Task Force meetings as needed.

Additionally, the Task Force reviews the project-level conformity status of projects at the monthly meetings. Although this is not a review of the regional conformity status of these projects, there is overlap between the categories of projects that are exempt from regional analysis and those exempt from project-level conformity analysis. As such this review process

does allow the Task Force to raise issues with projects that may impact their regional conformity status.

While MTC often consults with the Task Force about the regional conformity status of projects through the processes above before approving their addition to the TIP, this is not currently true for projects that MTC believes are exempt from regional conformity analysis and are being added through an amendment between TIP updates. Staff is proposing to implement a new, supplemental regional conformity status review process to facilitate this consultation.

Proposed Supplemental Review Process

MTC proposes to make every effort to consult with the Task Force on the regional conformity status of new projects being amended into the TIP through regular presentations at the monthly Task Force meetings. Staff will compile a list of new projects included in an amendment and present it at meetings held the month before the Commission is to take an action on a TIP amendment. This will allow the Task Force to review most of these projects before they are presented to the Commission. Please see Attachment A for a list of new projects MTC is proposing to add to the TIP through amendment 2015-06. This amendment is scheduled to be adopted by the Commission on February 25, 2015. Please note that the Mountain View Double Track Phase I project was already presented to the Task Force in January.

Due to the alignment of Task Force and Commission meeting and production schedules, projects that are added to amendments late in the development of the revision may not be presented to the Task Force in advance of the Commission action. To alert Caltrans, FTA, FHWA, and EPA staff to which projects have not been presented to the Task Force before being included in an amendment, MTC will update the Phase and Fund Source Report included in the materials distributed for review of MTC's TIP amendments to include a field that will indicate whether or not the Task Force has previously reviewed the regional conformity status of a project through the processes above.