



November 30, 2011

To: Metropolitan Policy Committee

From: Susan Payne

Subject: Item 5.d: Draft Air Quality Conformity Determination for 2035 Regional Transportation Plan (RTP) and FY12-15 Metropolitan Transportation Improvement Program (MTIP)

**Action Requested:** Review and hold a Public Hearing on the Draft Air Quality Conformity Determination (AQCD)

### **Issue Summary**

In 1994, the Eugene-Springfield area was designated by US-EPA as a maintenance area for *carbon monoxide* (CO). This meant that air quality had improved to the point where it now met the National Ambient Air Quality Standards for CO (a part of the Clean Air Act). A 20-year monitoring period then began to ensure that no backsliding occurs and that the CO standard continues to be met. EPA had determined that vehicle emissions were a primary source of CO levels along with home wood heating. Because of this finding, federal transportation plans and projects must be shown to not cause a violation of the CO air quality standard. An air quality conformity determination (AQCD) for a plan or program is, in effect, a finding that the appropriate air quality standards will continue to be met.

An AQCD is required whenever the Regional Transportation Plan (RTP) or Metropolitan Transportation Improvement Program (MTIP) is updated. Thus, a conformity determination must be adopted as part of the approval process for the draft 2035 RTP and the draft FY12-15 MTIP. USDOT must approve the conformity determination before the plans can become operative.

### **Status**

The current RTP was last conformed in January 2008. The current FFY10-13 MTIP was last conformed in November 2010.

A draft AQCD has been prepared based on the financially constrained project lists of the 2035 RTP and the draft FFY12-15 MTIP. The analysis shows that CO emissions, based on estimated future vehicle miles traveled and congested speeds within the region, will remain well below the limit set by USEPA. Measured CO levels in the area have been steadily decreasing and, in 2010, reached a level that is only 1/6<sup>th</sup> of the standard – attributed to improvements in both car and wood stove technologies, as well as due to the area's home wood heating advisory programs.

The public comment period on the AQCD will be open from December 2, 2011 through January 9, 2012. MPC is being asked to hold a public hearing on December 8, 2011. On January 12, 2012, MPC will be asked to adopt the final AQCD.

Attachment 1: Executive Summary -- Air Quality Conformity Determination

*NOTE:* The full Air Quality Conformity Determination report with appendices is available at <http://www.lcog.org/meetings/mpc.html>

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**Executive Summary -- Air Quality Conformity Determination  
Draft 2035 RTP and Draft FFY12-15 MTIP**

**State and Federal Conformity Requirements**

In accordance with the Clean Air Act, the Oregon Environmental Quality Commission (EQC) adopted rules and standards for determining the air quality conformity of transportation plans, programs and projects within Oregon. By meeting the Oregon standards for purposes of demonstrating air quality conformity, the federal standards of the Clean Air Act are also met.

Following state and federal rules, LCOG staff have prepared a conformity determination (AQCD) on the draft RTP and the draft MTIP. The determination must be made for each transportation pollutant of significance to the region as determined by USEPA. In the Central Lane MPO area, the transportation regional conformity determination must address only carbon monoxide emissions. Each plan and program must comply with all conformity requirements of the State Implementation Plan (SIP) in order to be found in conformity. In addition, the Oregon Transportation Conformity regulations and procedures must be satisfied.

In particular, the RTP and MTIP must be found to be consistent with the Federal ruling on demonstration of financial constraint as stated in 40 CFR 93.108. The financial constraint requirement states that each RTP and MTIP must contain projects with reasonably sound financial commitment. The RTP and MTIP meet this financial constraint requirement, as documented in those documents, and as reiterated in the AQCD.

Also, the RTP and MTIP must be consistent with the motor vehicle emissions budget as stated in 40 CFR 93.118. The following table shows the results of the analysis performed:

Analysis Year	Tons/Year of Carbon Monoxide	
	SIP motor vehicle budget	Projected Emissions
		<b>All facilities</b>
1990	6,021*	
2010		1,296
2020		995
2030		973
2035		999

\* Federal Register, Vol. 58, No. 232, Page 64163, December 6, 1993.

The conformity determination concludes that the emissions from projects listed in the draft 2035 RTP and the draft FFY12-15 MTIP are expected to be well below the carbon monoxide motor vehicle emissions budget as set forth in the Federal Register, Vol. 58, No 232, page 64163, December 6, 1993. This requirement is thus met – the projected emissions are far less than established budget of 6.021 tons/year.

**Public Review and Interagency Consultation**

The state rule also requires establishment of a public involvement process. 40 CFR 93.105 requires a public comment period wherein citizens or interested parties can submit oral or written comments on the conformity determination. The draft AQCD report will be posted to the LCOG and MPO websites on December 2, 2011, and advertised as available for public review through January 9,

2012. A web notice and an electronic mailing to an interested parties list of over 600 persons will be used. The draft document will also be placed at the reference desks of the Eugene and Springfield public libraries, and at the LCOG reception desk.

In addition, 40 CFR 93.105 requires that conformity determinations be made according to the interagency consultation procedures. LCOG's Transportation Planning Committee (TPC) has been designated as the standing committee for the Central Lane MPO for purposes of interagency consultation. TPC membership includes representatives from Eugene, Springfield, Coburg, Lane County, Lane Transit District (LTD), Lane Regional Air Protection Agency (LRAPA), ODOT, and Federal Highway Administration (FHWA). A 30-day comment period is required for TPC review of the conformity determination.

Further, required interagency consultations are being initiated with FHWA, Federal Transit Authority (FTA), Environmental Protection Agency, ODOT, LRAPA and LCOG. Review of the analysis and the draft conformity report is ongoing to ensure that it meets the federal and state requirements.

Comments received from any party will be addressed by staff and included in the final conformity determination draft for approval by MPC on January 12, 2012.