Appendix E

Air Quality Exemptions and Regionally Significant Project Description

The Transportation Planning Committee, as the standing committee for air quality under the Oregon Conformity Rulings, has determined regionally significant projects to be:

- A transportation project, other than an exempt project, that is on a facility which serves regional transportation needs, such as access to and from the area outside the region, major activity centers in the region, major planned developments such as new retail malls, sports complexes, etc., or transportation terminals as well as most terminals themselves, and would normally be included in the modeling of a metropolitan area’s transportation network, including at a minimum:
- All fixed guideway transit facilities that offer an alternative to regional highway travel;
- Projects on facilities classified as arterial level and above;
- Projects on multi-lane facilities that impact speed and/or capacity; and
- Construction of new roadways classified as arterial level and above.

Map E-1 shows the federally designated roadway functional classifications from the 2031 RTP, with an inset of the air quality budget area “CATS”.

E-1. Exempt Projects

§ 93.126

Notwithstanding the other requirements of this subpart, highway and transit projects of the types listed in table 2 of this section are exempt from the requirement to determine conformity. Such projects may proceed toward implementation even in the absence of a conforming transportation plan and TIP. A particular action of the type listed in table 2 of this section is not exempt if the MPO in consultation with other agencies (see §93.105(c)(1)(iii)), the EPA, and the FHWA (in the case of a highway project) or the FTA (in the case of a transit project) concur that it has potentially adverse emissions impacts for any reason. States and MPOs must ensure that exempt projects do not interfere with TCM implementation. Table 2 follows:

Table 2 - Exempt projects

<table>
<thead>
<tr>
<th>Safety</th>
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<tr>
<td>Railroad/highway crossing.</td>
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<tr>
<td>Projects that correct, improve, or eliminate a hazardous location or feature.</td>
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<tr>
<td>Safer non-Federal-aid system roads.</td>
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<td>Shoulder improvements.</td>
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<tr>
<td>Increasing sight distance.</td>
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<tr>
<td>Highway Safety Improvement Program implementation.</td>
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</tbody>
</table>
Table 2 - Exempt projects (continued)

Traffic control devices and operating assistance other than signalization projects.
Railroad/highway crossing warning devices.
Guardrails, median barriers, crash cushions.
Pavement resurfacing and/or rehabilitation.
Pavement marking.
Emergency relief (23 U.S.C. 125).
Fencing.
Skid treatments.
Safety roadside rest areas.
Adding medians.
Truck climbing lanes outside the urbanized area.
Lighting improvements.
Widening narrow pavements or reconstructing bridges (no additional travel lanes).
Emergency truck pullovers.

Mass Transit
Operating assistance to transit agencies.
Purchase of support vehicles.
Rehabilitation of transit vehicles.
Purchase of office, shop, and operating equipment for existing facilities.
Purchase of operating equipment for vehicles (e.g., radios, fareboxes, lifts, etc.).
Construction or renovation of power, signal, and communications systems.
Construction of small passenger shelters and information kiosks.
Reconstruction or renovation of transit buildings and structures (e.g., rail or bus buildings, storage and maintenance facilities, stations, terminals, and ancillary structures).
Rehabilitation or reconstruction of track structures, track, and trackbed in existing rights-of-way.
Purchase of new buses and rail cars to replace existing vehicles or for minor expansions of the fleet.
Construction of new bus or rail storage/maintenance facilities categorically excluded in 23 CFR 771.

Air Quality
Continuation of ride-sharing and van-pooling promotion activities at current levels.
Bicycle and pedestrian facilities.

Other
Specific activities which do not involve or lead directly to construction such as:
  Planning and technical studies.
  Grants for training and research programs.
  Planning activities conducted pursuant to titles 23 and 49 U.S.C.
  Federal-aid systems revisions.
Engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action.
Noise attenuation.
Emergency or hardship advance land acquisitions (23 CFR 712 or 23 CFR 771).
Acquisition of scenic easements.
Plantings, landscaping, etc.
Sign removal.
Directional and informational signs.
Transportation enhancement activities (except rehabilitation and operation of historic transportation buildings, structures, or facilities).
Repair of damage caused by natural disasters, civil unrest, or terrorist acts, except projects involving substantial functional, locational or capacity changes.
Note: this map is illustrative and should be used for reference only. The map depicts approximate locations of existing and proposed transportation facilities as of the date of this plan. Alignments are subject to change when project-level planning is undertaken. July 2007.
E-2. Projects exempt from regional emissions analyses

§ 93.127 Projects exempt from regional emissions analyses.

Notwithstanding the other requirements of this subpart, highway and transit projects of the types listed in Table 3 of this section are exempt from regional emissions analysis requirements. The local effects of these projects with respect to CO concentrations must be considered to determine if a hot-spot analysis is required prior to making a project-level conformity determination. The local effects of projects with respect to PM$_{10}$ and PM$_{2.5}$ concentrations must be considered and a hot-spot analysis performed prior to making a project-level conformity determination, if a project in Table 3 also meets the criteria in §93.123(b)(1). These projects may then proceed to the project development process even in the absence of a conforming transportation plan and TIP. A particular action of the type listed in Table 3 of this section is not exempt from regional emissions analysis if the MPO in consultation with other agencies (see §93.105(c)(1)(iii)), the EPA, and the FHWA (in the case of a highway project) or the FTA (in the case of a transit project) concur that it has potential regional impacts for any reason. Table 3 follows:

Table 3 - Projects Exempt From Regional Emissions Analyses

Intersection channelization projects.
Intersection signalization projects at individual intersections.
Interchange reconfiguration projects.
Changes in vertical and horizontal alignment.
Truck size and weight inspection stations.
Bus terminals and transfer points.