

# California Transportation Conformity Working Group

11/13/2008, 10:30

San Joaquin Valley Air Pollution Control District  
1990 E. Gettysburg Ave., Fresno, CA 93726  
and statewide teleconference

## **MEETING NOTES**

**10:30 AM Welcome; introductions; housekeeping; agenda review**

**10:40 AM Public Comment on matters not otherwise on the agenda**

None.

**10:50 AM Conformity and Planning**

### **Conformity and Climate Change – SB 375**

SB375 Sustainable Community Strategy (SCS) connects to RTP and is conformity-like, but is not conformity. SCS is supposed to not interfere, at least nominally, with a normal transportation conformity process and financial constraint requirements for RTPs. Details still being worked out in many meetings among agencies including CT, ARB, MPOs. Appropriate modeling tools not yet clear. Applies to 1<sup>st</sup> RTP due after regional GHG targets are set = 2012 in most areas.

Funding: ARB notes no specific funding stream identified for MPOs; may need to cover in cleanup legislation. Question of what are the top software/models in the running if not EMFAC? No answer available at the time of this meeting; models currently in discussion intended to advise ARB for setting regional targets – also need discussion of modeling tools for MPOs. Question about rural area applicability? ARB: Currently MPOs only.

**11:10 AM Federal Updates**

### **FHWA:**

#### ***FHWA Conformity Practices web site***

New; not heavily populated yet. Intended to provide examples of conformity documents and methods from around country

#### ***Other***

FSTIP expected to be done 11/17/08.

### **EPA:**

#### ***PM2.5 Nonattainment Designations***

Not quite ready to release yet.

### ***San Joaquin Valley PM10 Redesignation to Attainment – Maintenance***

Maintenance budgets are for 2020. SJV unlike other areas has a NOx/PM10 trading mechanism approved in the SIP which helps with meeting budgets in the out years. New RTPs now 2030 are going to 2035; Cari hasn't tested 2035 with new budgets yet – will do in 2011 for next RTP round. Concentrating on 2009 TIP now – should be OK. Comment: South Coast couldn't conform in out years for PM10 without a higher budget for reentrained dust, so be careful.

### ***2008 lead standard***

No violation of the new standard in CA now, but rule also requires additional monitoring. Not many existing monitors in CA outside South Coast, and even there numbers are limited. So attainment/unclassified status could change in the future.

### ***SIP Status and Other EPA Matters***

E. Kern adequacy notice for ozone budget signed today; being sent to the Federal Register (*published 11/25*)

Conformity Rule update for 2006 PM2.5 standard implementation might be complicated because BOTH 97 & 06 standards apply. Close to Proposal; being reviewed in EPA HQ & DOT. Target around the end of the year. 1997 annual & 2006 24 hr standards will apply. NEW BASE YEAR to be used in the proposal – both specific years & methods. Defer further discussion until proposal out.

Quantitative Analysis Guide for PM hot spots will be issued with MOVES – too early to say when. Working w/ARB re EMFAC transition and may come out sooner for that. Quantitative analysis with EMFAC 2007 can be done now without waiting for MOVES.

Conformity SIP Guidance, TCM Substitution Guidance may be out by the end of the year. Conformity SIP Guides may need more interagency review. Addresses SAFETEALU changes. Looking at SCAG/South Coast SIPs for possible changes. Not clear yet what needs to be done in areas where Conformity SIPs have not been acted on (all of CA except Bay Area).

San Diego: is working on a Conformity SIP based on Las Vegas/Clark County example. Will this be consistent with the new guidance? Will there be new requirements?

Cari Anderson (SJV): is Clark Co. the only SAFETEALU-consistent Conformity SIP right now? EPA: probably is in Region 9 but there may be others.

SCAG: Will TCM Substitution guides cover only SAFETEALU changes? EPA: probably.

Subpart 1 ozone areas: expect a proposal for how to classify in Dec-Jan; SIP clock starts at FINAL not proposal, probably in 2010 with SIPs due in 2011. Attainment years TBD. Areas could do Maintenance SIPs earlier if desired for redesignation to attainment.

ARB: When will 2008 ozone designations be final? San Diego: 3/12/08 standard means State recommendations due 3/12/09; after that undetermined.

Cari (SJV): need a 1-pager to keep track: pollutants, standards, designations, rule dates, other deadlines. EPA: can add conformity to an internal tracking document. Cari: **needed for next meeting.**

PM2.5 implementation rule due around end of year – about the same time as 2006 standard nonattainment designations come out. Will have new base year. (*EPA announced nonattainment designations on 12/22/08 without a proposed implementation rule; still had not appeared in Federal Register as of May 1, 2009.*)

## ***Litigation Update***

Lots of litigation active, but no summary available with specific matters.

If something changes due to a lawsuit after a conformity determination is made, the conformity determination still stands for its normal lifetime.

## **11:45 AM Lunch Break**

## **1:15 PM Project-Level Conformity**

*PM hot spot screening procedure*

No new information at this time.

*Status of interagency consultation processes for PM and Interagency Consultation for New PM2.5 Areas*

A clear process is needed for ongoing projects that need PM hot spot analysis & consultation “retrofitted” to existing NEPA documents. SCAG: benefit from our experience! Perform outreach to project proponents/managers & make sure they know it’s coming.

Can FHWA sign off a PM hot spot conformity determination before conformity is in effect for the area? No clear answer.

Analyze & prioritize projects – can’t get them all done at once. ARNIE SHERWOOD via SCAG: can be contacted regarding process used in SCAG.

Cari (SJV): current process hasn’t been updated to reflect NEPA delegation to Caltrans – working on it as part of proposed Conformity SIP. SJV is unique because of size and multiple jurisdictions. Stays that way until PM2.5 emission budgets become available (EPA adequacy determination on submitted SIP budgets).

CO Protocol update – EPA have to approve again? Not highest priority but...

Will analyses for 2006 standard use a different base year than for remaining 1997 standards (2.5&10)? Not yet clear.

## **2:00 PM Status of Air Quality and Transportation Planning in California**

### ***Near Term Air Quality Plans/SIPs***

Conformity SIPs?

Cari (SJV): have started outlining one to address SAFETEALU changes; not a priority until TIPS whole. Still no final guidance from EPA so schedule not definite.

San Diego: working on one that addresses SAFETEALU changes; internal draft now – share w/CWG next month – when will guidance come out? Using checklist and Clark Co. NV example.

SJV: Is ARB revising ozone & PM2.5 plans in January? ARB: *planning SIP revision in 2009 for affected areas to reflect truck rule implementation.*

San Diego: no ozone Maintenance SIP yet – expecting final rule a year after classification for 1997 standard (2010?). Then need to work on SIP for 2008 standard due in 2013. SD expecting to classify as Moderate but type of SIP depends on 2009 monitoring.

Northern Sierra: same as San Diego but will probably go Severe.

SCAG: good shape for now. 2006 PM2.5 standard designation triggers need for conformity determination – moving anyway. Imperial PM, O3 SIPs moving – possible local adoption in Feb 2009.

**Lapses:** now have 2 in CA – **SJV** did Interim TIPs for 2009 FSTIP because adequate new budgets for BOTH PM10 and ozone needed. Got PM10; ozone coming soon. Working on a round of formal amendments to restore RTP-based program when new ozone budgets come through. **Tahoe** missed deadline for new conformity determination after CO maintenance plan update – in grace period. New analysis with RTP just approved by FHWA so TIP re-adoption with new analysis a formality. All projects/phases in TIP are exempt anyway so no practical effect even if full lapse happens.

### ***RTP/TIP Timelines and Lockdowns***

SJV: has Interim TIPs due to EMFAC07 vs. existing 2002 ozone budgets, so technically in lapse. Have PM10 budgets, which retain a trading mechanism allowing out-year conformity demonstration. Each MPO preparing RTP+TIP amendments to add back regionally significant projects not in Interim TIP once all budgets adequate. Public meetings planned in Dec, adopt Jan.; expect FHWA approval in March for full 09 TIP. Will focus on 2011 RTPs & TIPs after that (2035, Blueprint, etc.). Squeezing in some exempt amends now; flood of new ones soon. Kern first out on Friday – longer comment period because of EIR supplement.

SACOG: in lockdown because previous emission analysis was used for most recent RTP. Draft 8ho3 SIP comment period for air districts closed 10/24. ARB has requested parallel processing by EPA – air districts adopt in Jan. – budget adequacy around April – so TIP amendment for new projects in May.

SCAG: good shape for now. Waiting on FHWA for 09 TIP. RTP amend to Board in Dec with new conformity determination. New PM2.5 standard + South Coast SIP updates in 2010. Imperial moving on PM, O3 SIPs – Imperial to adopt PM10 in Feb. Normal PM out-year budgets to be included.

Foothills: working with RFP SIP process allowing out of area contribution.

SANDAG: in good shape. RTP currently 2007, to be re-done for 2011. Have adequacy finding for 8-hr O3 budgets.

Cari Anderson & Jonathan Nadler (SJV & SCAG) Does the SAFETEALU letter mean they are “fully” or “substantially” compliant? JN: “gap” closed w/07 RTP. CA: have completed gap closure efforts for most – but is “substantial” good enough? Unique to SJV? LOOK FOR “FULL COMPLIANCE” LETTERS – but “Substantial” compliance allows conformity determination.

TAHOE: in lapse grace period; TIP relied on previous but couldn't do that because of new CO budgets in 2006 need new analysis. Currently fixing the conformity determination; lapse starts 1/31 if not complete by then. RTP was adopted w/new determination – FHWA issued 11/7 approval. Tahoe conformity now in CA Division FHWA – took over from NV – working on MOU w/NV. FHWA planning contact for Tahoe is Wade Hobbs in CA Division, Valerie Rodman in NV.

Modeling: new travel demand models being done in MTC, SCAG, SD, one other area for SB375? Possible transition issues for conformity.

### **3:00 PM General Information Sharing**

#### ***Other Matters***

California Federal Programming Group (CFPG) to be at MTC 11/18. Bimonthly meetings, mostly in N. California. Most matters related to MPOs & TIPs, with occasional air quality (conformity) discussion. Call-in number is available (contact Programming – Abhjit). Will discuss FSTIP & how amendments go on from there, public reviews, etc. Also may discuss CMAQ. Usually skip March & June. Will confirm schedule for next year at next Tuesday's meeting

#### ***Next meeting***

Next Meeting: So. California SCAG or SoCoast, May 2009

### **3:30 PM Adjournment**