



Icog Lane Council of Governments

99 E. Broadway, Suite 400, Eugene, OR 97401-3111 (541) 682-4283 Fax: (541) 682-4099 TTY: (541) 682-4567 www.lcog.org

December 2, 2004

To: Metropolitan Policy Committee

From: Susan Payne

Subject: Item 4c: Air Quality Conformity Determination for 2004-2025 Regional Transportation Plan and FY05-07 Metropolitan Transportation Improvement Program (MTIP)

Action Requested:

Hold Public Hearing on the Air Quality Conformity Determination for the 2004-2025 RTP and FY05-07 MTIP.
 Adopt Air Quality Conformity Determination for approved RTP and MTIP.

Issue Summary

An air quality conformity determination is required under Federal and State regulations whenever the Regional Transportation Plan (RTP) or Metropolitan Transportation Improvement Program (MTIP) is updated for other than administrative amendments. The current RTP and the current FY04-06 MTIP were last re-conformed in June 2004 to accomplish an addition by MPC of a regionally significant project to both the plan and the MTIP (the Courthouse District Transportation Improvement Project).

A draft Conformity Determination based on the draft 2004-2025 RTP and the draft FY05-07 MTIP was prepared in October/November and provided to MPC on November 18. Based on Interagency Consultations with USDOT, USEPA, ODOT and LRAPA, minor changes for purposes of clarity were made to the draft; the substance and conclusion remains the same: the 2004-2025 RTP and the FY05-07 MTIP meet all conformity regulations. No public comments have been received to date. The final draft is available on-line at <http://www.lcog.org/meetings/mpc.html> and will be available at the December 9 MPC meeting.

Projects unique to the FY05-07 MTIP and changes in project schedules from those described in the FY04-06 MTIP, were determined by staff to have an insignificant effect on the estimated emissions, as indicated in the table below.

Analysis Year	CO Emissions in CATS boundary (tons/year)	
	Using FY04-06 project list	Using FY05-07 project list
2002	2,033	2,033
2007	1,336	1,336
2015	981	982
2025	891	891

Absent approval of the FY05-07 MTIP by MPC, Table 4 of the conformity determination would be modified to indicate the difference of 1 ton/year in 2015. Tables and fiscal data from the currently approved FY04-06 MTIP would be substituted for those of the FY05-07 MTIP in the conformity determination. USDOT has indicated that these changes would not necessitate an extension of the public comment period or of any other process, as the FY04-06 MTIP has already been determined to meet conformity requirements and the emissions modifications of 1 ton/year are inconsequential to the CO budget of the area.

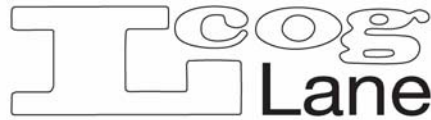
Attachment 1 is a memo that provides additional background on associated state and federal requirements and that summarizes results documented in the Conformity Determination.

Attachments 2 and 3 are adopting resolutions for the Conformity Determination for the 2004-2025 RTP and for the approved MTIP.

Attachment 1: Executive Summary -- Air Quality Conformity Determination

Attachment 2: Adopting Resolution – Air Quality Conformity Determination for 2004-2025 RTP and FY05-07 MTIP

Attachment 3: Adopting Resolution – Air Quality Conformity Determination for 2004-2025 RTP and FY04-06 MTIP.



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Executive Summary -- Air Quality Conformity Determination Draft 2004-2025 RTP and Draft FY05-07 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.

LCOG staff used the state rules to make a conformity determination on the draft RTP and 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 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 OAR 340-252-0090. 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.

Also, the RTP and MTIP must be consistent with the motor vehicle emissions budget as stated in OAR 340-252-0190. The conformity determination concludes that the emissions from projects listed in the draft 2004-2025 RTP and the draft FY05-07 MTIP are 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.

Public Review and Interagency Consultation

The state rule also requires establishment of a public involvement process. OAR 340-252-0060(4) requires a public comment period wherein citizens or interested parties can submit oral or written comments on the conformity determination. The preliminary draft report was posted to the LCOG website and advertised as available for public review from November 4th through December 9th. The preliminary draft was also made available to the public at an open house on November 4, and the final draft at an open house held on December 1. A public hearing on December 9 was announced in a legal notice on October 31 and on the LCOG web site. No public comments have been received to date.

In addition, it is required under OAR 340-252-0060 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 Pollution Authority (LRAPA), the ODOT, and Federal Highway Administration (FHWA). A 30-day comment period is required for TPC review of the conformity determination. In accordance with this requirement, the preliminary draft document was provided to TPC on November 2, with the comment period extending through December 8. At their meeting on November 23, TPC approved the draft report and forwarded it for MPC consideration.

Further, interagency consultations were held on October 6th and on November 9th with FHWA, Federal Transit Authority (FTA), Environmental Protection Agency, ODOT, LRAPA and LCOG. The analysis and draft report were reviewed and were found to meet the federal and state requirements. Only minor changes for purposes of clarity were suggested – the substance and the conclusions of the report remain as in the draft.

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