

## **APPENDIX N**

# **FHWA Project-level Conformity Determination**



**DEPARTMENT OF TRANSPORTATION**

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*Serious drought.  
Help save water!*

February 9, 2015

Mr. Jack Lord  
U.S. Department of Transportation  
Federal Highway Administration  
650 Capitol Mall, Suite 4-100  
Sacramento, CA 95814

Attention: Mr. Joseph Vaughn

RE: I-680 NB Express Lane Project (4G050)

Dear Mr. Vaughn:

The California Department of Transportation (the Department) requests that the Federal Highway Administration issue a project-level conformity determination for the I-680 Northbound Express Lane Project (4G050). The project would construct a new HOV/express lane facility on northbound I-680 from SR 237 (PM 6.5/9.9) in Santa Clara County to SR 84 (PM 0.0/12.4) in Alameda County. The project is in an area that is designated Maintenance for CO and non-attainment for PM2.5 and Ozone. Details of the analysis are contained in the enclosed Air Quality Technical Report and related materials.

The project area is subject to regional conformity analysis requirements. The attached conformity analysis demonstrates that the project is in the conforming Regional Transportation Plan, Plan Bay Area (RTP I.D. 22042 and 240741), and the 2015 Transportation Improvement Program (TIP I.D. ALA130034); and therefore it meets the regional conformity requirements for a project-level conformity determination.

The project area is subject to project-level hot spot analysis requirements for CO and PM2.5. The attached conformity analysis shows that hot spot analysis requirements listed in 40 CFR 93.116 and 123 are met. The NEPA document for this project does not identify specific mitigation, minimization, or avoidance measures for CO. Therefore, no written commitment to implement such control measures is required.

Mr. Jack Lord  
February 9, 2015  
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Interagency Consultation and public involvement requirements related to PM2.5 have been completed in accordance with the *Transportation Conformity Guidance for Qualitative Hot-spot Analyses in PM2.5 and PM10 Nonattainment and Maintenance Areas* (U.S. EPA, 3/29/2006). Interagency Consultation concluded on October 25, 2012. The region's Air Quality Conformity Task Force concurred, as shown in the attached materials, that the project is not exempt from conformity analysis requirements, but that it is not a Project of Concern for PM2.5 as defined at 40 CFR 93.123(b)(1). As such, an explicit, detailed PM2.5 hot-spot analysis is not required.

Public involvement included advertising the availability of the conformity analysis for 60 days from November 20, 2014 to January 23, 2015. No public comments were received.

This project has been assigned to the Department under 23 USC 327 (NEPA Assignment) and the proposed approval date of the final NEPA document is expected on or about June 1, 2015. We would appreciate your assistance with providing a conformity determination prior to that.

If you have any questions regarding this conformity analysis, please contact Ray Boyer at 510-286-5668 or ray\_boyer@dot.ca.gov

Sincerely,



for

Allen Baradar, PE  
District Office Chief  
Office of Environmental Engineering  
Division of Environmental Planning and Engineering

c: (e-mail)

Melanie Brent  
Cristin Hallissy  
Ray Boyer

Enclosure

Air Quality Technical Report; Addendum to the Air Quality Technical Report; Public Notice; PM2.5 Concurrence by the Conformity Task Force; RTP and TIP Listings; Conformity Findings Checklist



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**Federal Highway Administration  
California Division**

April 14, 2015

650 Capitol Mall, Suite 4-100  
Sacramento, CA 95814  
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(916) 498-5008 (fax)

In Reply Refer To:  
HDA-CA

Mr. Bijan Sartipi  
District Director California Department of Transportation,  
District 4  
P.O. Box 23660, Oakland, CA 94623-0660

Attention: Ray Boyer

**SUBJECT: Project Level Conformity Determination for the I-680 NB Express Lane Project  
(ALA130034)**

Dear Mr. Sartipi:

On February 9, 2015, the California Department of Transportation (Caltrans) submitted to the Federal Highway Administration (FHWA) a complete request for a project level conformity determination for the I-680 NB Express Lane Project. The project is in an area that is designated Non-Attainment or Maintenance for Carbon Monoxide (CO), Ozone and Particulate Matter (PM 2.5).

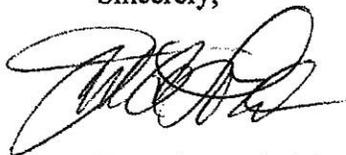
The project level conformity analysis submitted by Caltrans indicates that the project-level transportation conformity requirements of 40 CFR Part 93 have been met. The project is included in the Metropolitan Transportation Commission's (MTC) current Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP), as amended. The design concept and scope of the preferred alternative have not changed significantly from those assumed in the regional emissions analysis.

As required by 40 CFR 93.116 and 93.123, the localized PM analyses are included in the documentation. The analyses demonstrate that the project will not create any new violations of the standards or increase the severity or number of existing violations.

Based on the information provided, FHWA finds that the I-680 NB Express Lane project conforms with the State Implementation Plan (SIP) in accordance with 40 CFR Part 93.

If you have any questions pertaining to this conformity finding, please contact Joseph Vaughn at (916) 498-5346 or by email at [Joseph.Vaughn@dot.gov](mailto:Joseph.Vaughn@dot.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Vincent P. Mammano', written in a cursive style.

For: Vincent P. Mammano  
Division Administrator