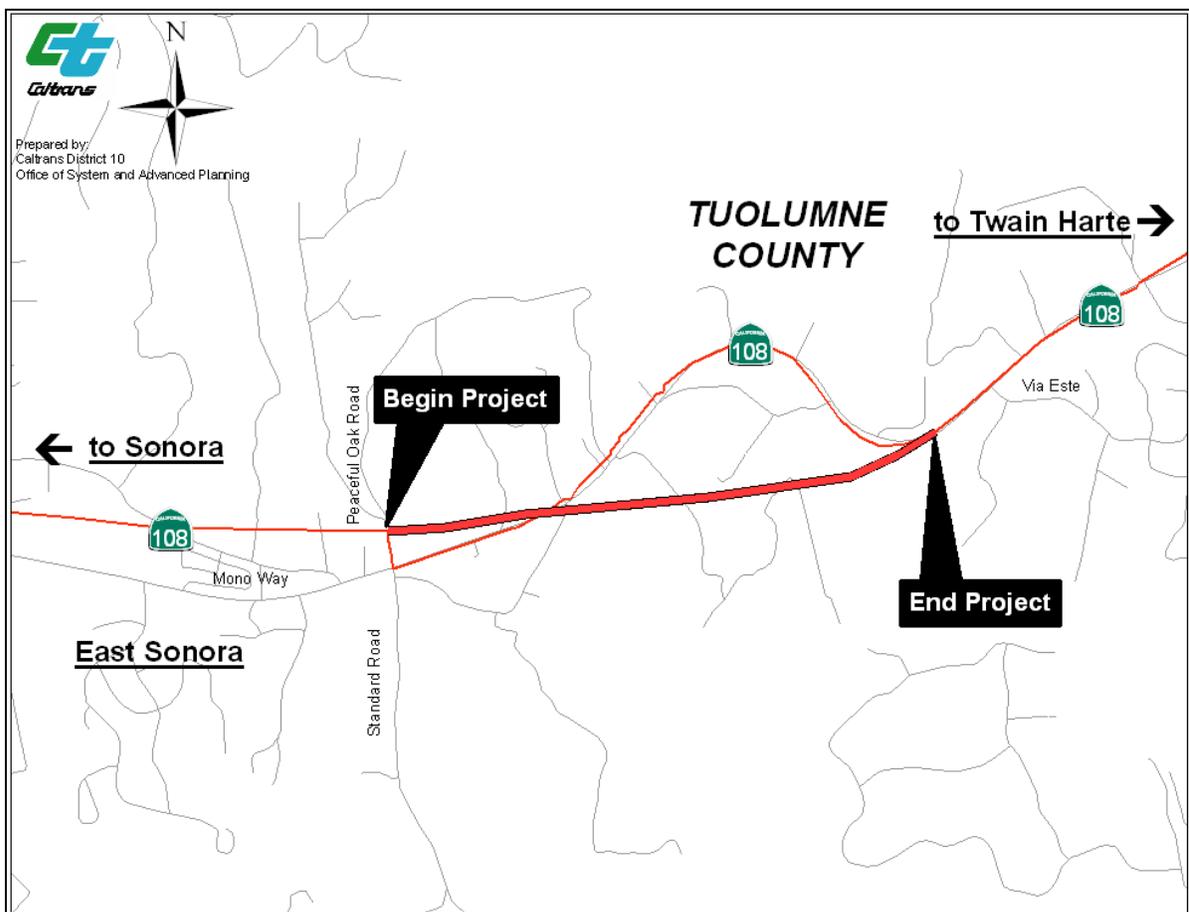


Southern Mountain Counties 8-Hour Ozone Project Level Conformity Analysis for the Sonora Bypass Phase II



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EXECUTIVE SUMMARY

This report presents the Sonora Bypass Phase II Conformity Analysis for Federal approval of the Sonora Bypass Phase II Project located on State Route 108 from post mile (PM) R4.0 to R6.0 within Tuolumne County. The project is located within the Southern Mountain Counties 8-Hour Ozone Non-Attainment Area, specifically in Tuolumne County. The counties of Mariposa and Tuolumne make up the Southern Mountain Counties 8-Hour Ozone Non-Attainment Area. Caltrans District 10 is the Lead Agency for project level conformity analysis in isolated rural areas in the 8-Hour Ozone Non-Attainment Area and is responsible for air quality planning and conformity analysis.

A paper or electronic copy of the Sonora Bypass Phase II Project Level Conformity will be provided upon request. This document can also be found at the following website: www.dot.ca.gov/dist10/pages/airquality.htm. The Environmental Protection Agency (EPA) designated the Southern Mountain counties as non-attainment, under the classification of subpart 1 (basic), for 8-hour ozone national ambient air quality standards (NAAQS), effective June 15, 2004. Conformity for the 8-hour ozone standard applies one (1) year after the effective date (June 15, 2005). The EPA issued a Final Rule on July 1, 2004, that amended the Transportation Conformity Rule to include criteria and procedures for the new 8-hour ozone national ambient air quality standard. The conformity contained herein demonstrates that the criteria specified in the Federal Transportation Conformity Rule are met.

Summarized below are the applicable Federal criteria or requirements for conformity determinations, the conformity tests applied and an overview of the organization of this report.

Conformity Requirements

Section 93.109(d) of the Conformity Rule addresses regional conformity tests in 8-hour ozone areas that do not have 1-hour ozone State Implementation Plans (SIPs). The Conformity Rule indicates that basic 8-hour ozone areas without adequate or approved budgets must use either the no greater than 2002 baseline year test or action/baseline test for 8-hour conformity before 8-hour budgets are available. Using either of these two (2) tests fulfills the regional emissions analysis requirement for the 8-hour ozone standard before the budget is established. The Transportation Conformity Rule is summarized in Chapter 1.

The Southern Mountain Counties' 8-Hour Non-Attainment Area has been determined to be "isolated rural" and does not need to maintain conformity with a Metropolitan Transportation Plan and Transportation Improvement Program (TIP), and whose projects are not part of the emission analysis of any Metropolitan Planning Organizations (MPOs) metropolitan transportation plan or TIP Section 93.109(l).

Consultation occurred in April 2007 and June 2007 on the proposed models, associated methods and assumptions for the Sonora Bypass Phase II Project Level Conformity Analysis. In addition, on-going interagency consultation is conducted through the Southern Mountain Counties Working Group to ensure coordination, communication and compliance with Federal and State

Clean Air Act requirements. The Tuolumne County Transportation Commission (TCTC), Mariposa County Transportation Commission (MCTC) and the Tuolumne and Mariposa County Air Pollution Control Districts (APCDs) are represented. The Federal Highway Administration (FHWA), Federal Transit Administration (FTA), the Environmental Protection Agency (EPA), the California Air Resources Board (CARB) and Caltrans (the lead agency) are also represented on the working group. The final determination of conformity is the responsibility of FHWA and the FTA.

Federal Conformity Requirements

The Federal Transportation Conformity Rule (40 Code of Federal Regulations Parts 51 and 93) specifies the criteria and procedures for conformity determinations for transportation plans, programs, and projects and their respective amendments. The Federal Transportation Conformity Rule was first promulgated in 1993 by the EPA, following the passage of amendments to the Federal Clean Air Act in 1990. The Federal Transportation Conformity Rule has been revised several times since its initial release to reflect both EPA rule changes and court opinions. The Transportation Conformity Rule is summarized in Chapter 1.

The Conformity Rule applies nationwide to “all non-attainment and maintenance areas for transportation-related criteria pollutants for which the area is designated non-attainment or has a maintenance plan” (40 CFR 93.102). Currently, the Southern Mountain County Non-Attainment Area is designated as a “non-attainment area” with respect to Federal air quality standards for one (1) criteria pollutant: 8-hour ozone. Therefore, the Southern Mountain County Non-Attainment Area must satisfy the requirements of the Federal Transportation Conformity Rule for this standard.

Under the Federal Transportation Conformity Rule, the principal criteria for a determination of conformity for a regionally significant project subject to conformity are as follows:

1. Employment of the latest planning assumptions and emission models specified for use in conformity determinations;
2. Regional emissions test
3. Interagency consultation; and
4. Meet criteria found in 40 CFR Part 93

Consultation generally occurs: 1) at the beginning of the conformity analysis process, 2) on the proposed models, associated methods and assumptions for the upcoming analysis and the project to be assessed, and 3) at the end of the process on the draft Conformity Analysis report. In addition, on-going interagency consultation is conducted through the Southern Mountain Counties Working Group to ensure area-wide coordination, communication and compliance with Federal and State Clean Air Act requirements. Members of the committee include the TCTC, MCTC, the APCDs for Mariposa and Tuolumne Counties, FHWA, FTA, EPA, CARB and the California Department of Transportation (Caltrans). The final determination of conformity is the responsibility of FHWA and FTA.

To ensure complete documentation of the conformity determination, FHWA has developed a Rural Conformity Checklist (Appendix A). Most of these required items are included in this conformity document (appropriate references to these items are noted on the checklist).

Conformity Tests

Under the existing Conformity Rule, regional emissions analyses for ozone areas must address the reactive organic gases (ROG) and nitrogen oxides (NO_x), which are both ozone precursors.

The conformity tests specified in the Federal Transportation Conformity Rule, basic non-attainment areas without 8-hour ozone budgets or previous 1-hour ozone budgets can use either the *no greater than 2002 baseline year test* or *action/baseline test (40 CFR 93.109(d))*. The test method that was used was the action/baseline test.

Conformity Analysis Results

A regional emissions analysis was conducted for analysis years 2002, 2009, 2013, 2015, 2025 and 2032 for the pollutant ozone and each precursor: ROG and NO_x. All analyses were conducted using the latest planning assumptions and emissions models. For the action/baseline test, the Sonora Bypass Phase II was included in the 2013, 2015, 2025 and 2032 test scenarios pursuant to its scheduled date for completion and traffic opening in 2012. The major conclusions of the Sonora Bypass Phase II Project Level Conformity Analysis are:

- For ozone, the total ROG and NO_x associated with implementation of the project for all years tested (2013, 2015, 2025 and 2032) **PASSED** the action/baseline test where the emissions in the action scenario were no greater than the baseline scenario.
- An emissions budget has not been established; therefore, the action/baseline was conducted and was met for ozone. The emissions analysis was performed using the latest planning assumptions and emissions model.
- Since the Southern Mountain Counties' Interagency Consultation Procedures have not been approved by EPA, consultation has been conducted in accordance with Federal requirements. By following the Interagency Consultation Procedures that have been developed, this effort satisfies all of the parties in the Conformity Working Group.
- Consultation has been conducted in accordance with Federal requirements.

Report Organization

The report is organized into four (4) chapters with a synopsis of each chapter described below:

Chapter 1 provides an overview of the applicable Federal and State Conformity Rules and requirements, air quality implementation plans and conformity test requirements.

Chapter 2 contains a discussion of the latest planning assumptions, including a summary of the transportation model characteristics, key socio-economic data, and other data related to the land use and transportation system forecasts.

Chapter 3 describes the air quality modeling used to estimate emission factors and mobile source emissions, and summarizes the regional emissions test results.

Chapter 4 provides an overview of the interagency requirements and the Southern Mountain Counties Transportation Planning Agencies general approach to compliance.

Consultation documentation and other related information is included in the appendices. Appendix D includes copies of consultation correspondence. Comments received on the Conformity Analysis and responses made as part of the public involvement process are included in Appendix E. Appendix F includes a copy of the Sonora Bypass Phase II Project Level Conformity Analysis Methodology.

CHAPTER 1

CONFORMITY REQUIREMENTS

The criteria for determining conformity for the 8-hour ozone standard under the Federal Transportation Conformity Rule (40 CFR Parts 51 and 93) and the applicable conformity tests for the Southern Mountain Counties' Non-Attainment Area are summarized in this section. Presented first is a review of the development of the applicable Conformity Rule and guidance procedures, followed by summaries of Conformity Rule requirements, air quality designation status, conformity test requirements and analysis years for this Sonora Bypass Phase II Project Level Conformity Analysis.

Federal Conformity Rule

The Environmental Protection Agency (EPA) issued a Final Rule on July 1, 2004, that amended the Transportation Conformity Rule to include criteria and procedures for the 8-hour ozone standard.

The EPA's non-attainment area designations for the 8-hour ozone standard became effective on June 15, 2004, for most areas. Conformity for a given pollutant and standard applies one (1) year after the effective date of EPA's initial non-attainment designation. Therefore, conformity for the 8-hour ozone standard began to apply on June 15, 2005.

In accordance with the Conformity Rule, the interagency consultation process is being used for conducting regional emissions analyses and demonstrating conformity for the 8-hour ozone standard. Transportation network development and the 8-hour conformity demonstration were completed in June and July 2007. The public comment period of the Sonora Bypass Phase II Project Level Conformity Analysis commenced on July 11, 2007 and concludes August 10, 2007.

Conformity Rule Requirements

Section 93.109(d) of the Conformity Rule addresses regional conformity tests in isolated rural non-attainment and maintenance areas. As included in that section, the following provisions of the Transportation Conformity Rule apply to the Sonora Bypass Phase II Project Level Conformity Analysis: latest planning assumptions (93.110), latest emissions model (93.111) and consultation (93.112). Additionally, the Sonora Bypass Phase II Project is subject to the interim emissions test since the area was never designated non-attainment for the 1-hour ozone NAAQS and there is no currently approved or adequate mobile source emissions budget for the 8-hour ozone standard.

While the Transportation Conformity Rule identifies a number of other requirements for conformity determinations in rural non-attainment areas, they are not applicable for this conformity determination. First, there is no applicable SIP with transportation control measures (TCMs). Therefore, the timely implementation of TCMs is not applicable.

The other requirements (93.116 and 93.117) apply only in PM10, PM2.5 and CO non-attainment and maintenance areas.

Conformity Test Requirements

Under the existing Conformity Rule, regional emissions analyses for ozone areas must address ROG and NOx precursors. The test used can be either the no greater than 2002 baseline year test or action/baseline test for 8-hour conformity before 8-hour budgets are available. Areas will need to determine the modeling analysis years that apply for the 8-hour standard. The requirements for the analysis year are included in 40 CFR 93.119(g). The first analysis year must be no more than five (5) years from the year the conformity determination is being made. Since the attainment years is within the first five (5) years, once the transportation modeling is complete, the 8-hour ozone non-attainment area will have models completed so that the attainment demonstration SIP budget for the isolated rural non-attainment area can be established. Additional analysis years include the last year of the transportation plan's forecast period and any year such that the analysis years are no more than ten (10) years apart. The area must then calculate emissions in the analysis year from the existing and planned transportation system.

Ozone

Ozone is a secondary pollutant generated by chemical reactions in the atmosphere involving volatile organic compounds ROG and NOx. The motor vehicle emissions budgets for ROG and NOx will be in the Southern Mountain Counties' 8-Hour Ozone Attainment Demonstration Plan when it is completed.

Conformity Analysis Years

The regional emissions were estimated for the analysis years 2002, 2009, 2013, 2015, 2025 and 2032.

CHAPTER 2

LATEST PLANNING ASSUMPTIONS

The final rule adopted on July 1, 2004, allows conformity determinations to be based on the latest planning assumptions that are available at the time the Conformity Analysis begins. The interagency consultation process should be used to determine the time the Conformity Analysis begins. The addendum to the consultation on processes issued in April 2007 began the Sonora Bypass Phase II Conformity Analysis.

This new Sonora Bypass Phase II Project Level Conformity Analysis is substantiated by the acknowledgement that the Sonora Bypass Phase II Project is financially constrained and will be funded with expected project delivery dates. The design, concept and scope of this project are established for the Southern Mountain Counties Non-Attainment Area in this document.

The most recent planning assumptions used were based on 2002, which represents the most recent year where the model could be validated during its development in 2005. Tuolumne County Public Works staff submitted the completed Tuolumne County 2002, 2009, 2013, 2015 and 2025 transportation demand models (TDMs) to Caltrans District 10 on April 30, 2007. Caltrans began the analysis methodology in April 2007, which was approved by the Southern Mountain Counties Working Group at the June 27, 2007 Interagency Consultation meeting. Caltrans staff immediately began the Conformity Analysis for the Sonora Bypass Phase II Project in accordance to the Sonora Bypass Phase II Project Level Conformity Analysis Methodology approved June 27, 2007 (Appendix F).

Socio-Economic Projections

In accordance with Section 93.110 of the Federal Conformity Rule, the most recent estimates of population and employment projections that have been approved by the RTPAs have been used. Population and employment data for each county are listed in Tables 2-1 and 2-2.

Traffic Modeling

Traffic model for Tuolumne County using the software application TransCAD has been developed and utilized for the Sonora Bypass Phase II Conformity Analysis. The base year for the model is 2002 (model documentation can be made available upon request).

Mariposa County does not currently have an adopted travel demand model, therefore this conformity analysis will rely on estimates developed by ARB and published on its website. Vehicle activity data representing travel to/from and within Yosemite National Park, a portion of which is included in both Tuolumne and Mariposa counties, is assumed to be included in the totals derived from the Tuolumne County Model and the ARB estimates for Mariposa County.

Highway Networks

Networks needed to meet the requirements of the Conformity Analysis are for the years: 2002, 2009, 2013, 2015 and 2025. Appendix B contains a list of the financially constrained projects used to develop the transportation network for 2009, 2013, 2015 and 2025 used in this Sonora Bypass Phase II Project Level Conformity Analysis. The Sonora Bypass Phase II Project was included in the 2013, 2015 and 2025 action/baseline scenarios for Tuolumne County. Estimates for the 2032 scenario were based on the 2025 scenario with the growth trends for vehicle population and vehicle miles traveled from 2002 to 2025 extended to 2032.

Air Quality Modeling

In accordance with Section 93.111 the latest EPA approved emission estimation model (EMFAC 2002) was used in the 8-hour conformity determinations. In addition, the EMFAC 2007 emission estimation model was used too. The EPA approved methodology for updating the default vehicle activity data was also used for both EMFAC 2002 and EMFAC 2007. The vehicle registration data included in the EMFAC model was less than five (5) years old the time the Conformity Analysis was begun.

State Implementation Plan Measures

There are no committed control measures as there is not an approved SIP. Until there is an approved SIP, the Southern Mountain Counties will not have control measures. The Southern Mountain Counties 8-Hour Ozone Basic Attainment Demonstration Plan is on hold due to litigation.

CHAPTER 3

AIR QUALITY MODELING

EMFAC

The official model for transportation conformity analyses is EMFAC 2002. However, the Air Resources Board submitted EMFAC 2007 to the EPA for use in SIP and transportation conformity analyses in California on April 18, 2007. The EPA has not approved EMFAC 2007 for use in transportation conformity. The Transportation Conformity analyses used both the EMFAC 2002 and EMFAC 2007 models. The Sonora Bypass Phase II Project passed the action/baseline test using both the EMFAC 2002 and EMFAC 2007 models. The results are presented in Table 3-1 and Table 3-2 for EMFAC 2007 and EMFAC 2002, respectively.

The Conformity Rule requirements for the selection of the horizon years are summarized in Chapter 1. Consultation on the general air quality modeling methodology applied occurred in April and June 2007 through a Interagency Consultation Sub Group meeting and process consisting of Caltrans, the RTPAs of Tuolumne and Mariposa County, FHWA and ARB. The methodology was presented and approved. The subgroup's comments assisted with the development of the final methodology report. The final adopted methodology report is included as part of the consultation record in Appendix F.

Summary of Procedures for Regional Emissions Estimates

The methodology used in the Sonora Bypass Phase II Project Level Conformity Analysis is provided in Appendix F. Conformity Analysis results are provided in Appendix C, including:

- Vehicle Population Adjustment EMFAC 2002 Default Population and VMT
- Tuolumne VMT by Speed Bin
- EMFAC 2002 and EMFAC 2007 Outputs

Action/Baseline Emission Test Results

In the 2013, 2015 and 2025 scenarios, there is a decrease in ROG and NO_x in the action scenario using EMFAC 2007. However, using EMFAC 2002, there is a decrease in ROG and NO_x in 2013 and there is no increase in emissions in 2015, 2025 and 2032 for both ROG and NO_x.

**TABLE 3-1: Action/Baseline Emissions Test Results for
Southern Mountain Counties 8-Hour Ozone Non-Attainment Area Using EMFAC 2007**

Analysis Year	OZONE PRECURSOR			
	NOx (tons per day)		ROG (tons per day)	
	Baseline	Action	Baseline	Action
2002	4.94		5.39	
2009	4.10		4.04	
2013	3.34	3.33	3.32	3.30
2015	2.96	2.94	2.96	2.86
2025	1.47	1.43	1.68	1.63
2032	1.02	1.02	1.23	1.23

**TABLE 3-2: Action/Baseline Emissions Test Results for
Southern Mountain Counties 8-Hour Ozone Non-Attainment Area Using EMFAC 2002**

Analysis Year	OZONE PRECURSOR			
	NOx (tons per day)		ROG (tons per day)	
	Baseline	Action	Baseline	Action
2002	5.93		5.38	
2009	4.39		3.90	
2013	3.39	3.37	2.96	2.95
2015	2.93	2.93	2.54	2.54
2025	1.34	1.34	1.23	1.23
2032	0.89	0.89	0.85	0.85

CHAPTER 4

INTERAGENCY CONSULTATION

The requirements for consultation procedures are listed in the Conformity Rule under section 93.105. Consultation is necessary to ensure communication and coordination among air and transportation agencies at the local, State and Federal levels on issues that would affect the Conformity Analysis, such as the underlying assumptions and methodologies used to prepare the analysis. Section 93.105 of the Conformity Rule notes that there is a requirement to develop a conformity SIP that includes procedures for interagency consultation, resolution of conflicts and public consultation as described in paragraphs (a) through (e). Section 93.105(a)(2) states that prior to EPA approval of the conformity SIP, “MPOs and State departments of transportation must provide reasonable opportunity for consultation with State air agencies, local air quality and transportation agencies, DOT and EPA, including consultation on the issues described in paragraph (c)(1) of this section, before making conformity determinations.”

A summary of the interagency consultation and public consultation conducted to comply with these requirements is provided below. Interagency consultation on the Sonora Bypass Phase II Project Level Conformity Analysis is documented in Appendix D. The responses to comments received as part of the public comment process are included in Appendix E. The public comment period began on July 11, 2007, and concludes on August 10, 2007.

Interagency Consultation

Consultation is generally conducted through the Southern Mountain Counties Working Group. The Southern Mountain Counties Working Group has been established by Caltrans District 10 to provide a coordinated approach to the Southern Mountain Counties air quality, conformity and transportation modeling issues. The working group’s goal is to ensure coordination, communication and compliance with Federal and State Clean Air Act requirements. Both of the two (2) RTPAs and their APCDs are represented. In addition, the FHWA, FTA, EPA and CARB, in addition to Caltrans, are all represented on the committee. The Southern Mountain Counties Working Group meets as often as needed, but not less frequently than semi-annually unless there is consensus among the members to meet less frequently, but not less than annually. Agendas, minutes and other air quality related items are posted on the Caltrans District 10 website at: <http://www.dot.ca.gov/dist10/pages/airquality.htm>.

The Sonora Bypass Phase II Project Level Conformity Analysis Methodology was distributed to the Southern Mountain Counties Working Group in June 2007 for review and was approved with minor modifications (final version in Appendix F). The procedures are also posted on the Caltrans District 10 website at: <http://www.dot.ca.gov/dist10/pages/airquality.htm>. Comments will be received from the Working Group and will be included in the Final Report.

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Public Consultation

In general, agencies making conformity determinations shall establish a proactive public involvement process that provides opportunity for public review and comment on a conformity determination.

The public consultation review process began on July 11, 2007 with a public commentary period lasting until August 10, 2007, meeting the thirty (30) day minimum comment period requirement. Public consultation procedures from the Southern Mountain Counties Interagency Consultation Procedures has been excerpted and included in this document as follows:

Public Consultation Procedures

- 5.1. The Department and the Southern Mountain Counties Working Group will follow a public involvement process consistent with Federal planning and project approval requirements. The process provides opportunity for public review and comment at several points, including draft and final environmental document circulation, project approval and Federal State Transportation Improvement Program (FSTIP) approval. Reasonable public access to technical and policy information will be provided prior to Southern Mountain Counties Working Group review and project approval where a regional conformity determination is required, consistent with normal Department or local agency procedures and 23 CFR 450.316(b).
- 5.2. Meetings of the Southern Mountain Counties Working Group are open to the public. Public notice of Southern Mountain Counties Working Group meetings will be posted at the site of the meeting and will also be made available, at minimum, at: (1) Caltrans District 10; (2) Mariposa and Tuolumne Counties Air Pollution Control Districts; (3) the Mariposa County Transportation Commission (MCTC); and (4) Tuolumne County Transportation Commission (TCTC).
- 5.3. Additional public notice will be provided, based on normal Department or local agency public information procedures, for meetings related to specific transportation projects.
- 5.4. Any charges imposed for public inspection and copying should be consistent with the fee schedule contained in 49 CFR 7.95.
- 5.5. The project sponsor will respond, in writing, to all significant comments on a transportation conformity analysis, whether by Southern Mountain Counties Working Group members, other agencies or the public.
- 5.6. The Department, or the regionally significant project sponsor, will specifically address in writing, all public comments for all known plans for a regionally significant project which is not receiving FHWA or FTA funding or approval. This will be done to make sure that all regionally significant projects are properly reflected in the emissions analysis supporting a proposed conformity finding. Decision as to who will respond will be decided through consensus of the Southern Mountain Counties Working Group.
- 5.7. Unless otherwise agreed, the Department will chair the Southern Mountain Counties Working Group and will coordinate agendas, mail-outs and packets. Agendas and materials will be mailed generally seven (7) days in advance of meetings. Electronic transmittals may take the place of actual mailing where paper copies are made available

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- at the meeting. All meetings of the Southern Mountain Counties Working Group shall be open to the public. Any member of the Southern Mountain Counties Working Group may call a meeting of the group.
- 5.8. If a Conformity Analysis is prepared as part of the documentation required under the National Environmental Policy Act (NEPA) and/or the California Environmental Quality Act (CEQA), the review period for submitting written comments to the draft document and supporting material shall be the review period specified for the documentation required under NEPA and/or CEQA, except that the draft Conformity Analysis shall be available for public comment for at least thirty (30) days.
- 5.9. In advance of regular Southern Mountain Counties Working Group meetings, the Department will be responsible for meeting notifications using their agreed to standard of public information procedures. Electronic transmittals may take the place of actual mailings where paper copies are made available at the meeting.
- 5.10. The Department will maintain a file of group decisions. Project sponsors will maintain documentation of conformity consultation, responses to comments and studies as part of their project files.

REFERENCES

EPA. 2004. 40 CFR Part 93. *Transportation Conformity Rule Amendments for the New 8-Hour Ozone and PM_{2.5} National Ambient Air Quality Standards and Miscellaneous Revisions for Existing Areas; Transportation Conformity Rule Amendments: Response to Court Decision and Additional Rule Changes; Final Rule*. U.S. Environmental Protection Agency. Federal Register, July 1, 2004, Vol. 69, No. 126, p. 40004.

EPA. 2004. 40 CFR Part 93. *Transportation Conformity Rule Amendments for the New 8-Hour Ozone and PM_{2.5} National Ambient Air Quality Standards and Miscellaneous Revisions for Existing Areas; Transportation Conformity Rule Amendments: Response to Court Decision and Additional Rule Changes; Correction to the Preamble*. U.S. Environmental Protection Agency. Federal Register, July 20, 2004, Vol. 69, No. 138, p. 43325.

EPA. 2004. *Companion Guidance for the July 1, 2004, Final Transportation Conformity Rule: Conformity Implementation in Multi-jurisdictional Nonattainment and Maintenance Areas for Existing and New Air Quality Standards*. U.S. Environmental Protection Agency. July 21, 2004.

APPENDIX A

CONFORMITY ANALYSIS DOCUMENTATION

FHWA/EPA Checklist for Isolated Rural Non-Attainment Areas (March 7, 2005)

CONFORMITY ANALYSIS DOCUMENTATION
FHWA/EPA Checklist for Isolated Rural Non-Attainment Areas (March 7, 2005)

40 CFR	Criteria	Page	Comments
§93.102	Document the applicable pollutants and precursors for which EPA designates the area as non-attainment or maintenance. Describe the non-attainment or maintenance area and its boundaries.	5	
§93.104 (d)	Document whether a new conformity determination is required per this section: This is a new project; a significant change in design concept and scope; three (3) years since the most recent step to advance the project; a supplemental EA/EIS was initiated for air quality purposes.	5	
§93.109 (a, b)	Document that the regional emissions analysis complies with any applicable conformity requirements of air quality implementation plans or court orders.	7	
§93.109 (l)	Provide a table that shows, for each pollutant and precursor, whether the interim emissions tests and/or the budget test apply for conformity. Indicate which emissions budgets have been deemed adequate and/or approved by EPA, and which budgets are currently applicable for what analysis years. Indicate what test is being used for analysis years after the attainment year (budget, interim, dispersion modeling) and if hot spot analyses are included.	4	Appendix F
§93.110 (a, b)	Document the use of latest planning assumptions (source and year) at the "time the conformity analysis begins," including current and future population, employment, travel and congestion. Document the use of the most recent available vehicle registration data. Document the date upon which the conformity analysis was begun.	11-13	EMFAC 2002 & EMFAC 2007
USDOT/EPA Guidance	Document the use of planning assumptions less than five (5) years old. If unable, include written justification for the use of older data. (01/18/02)	11-13	
§93.110 (c, d, e, f)	Document any changes in transit operating policies and assumed ridership levels since the previous conformity determination. Document the use of the latest transit fares and road and bridge tolls. Document the use of the latest information on the effectiveness of TCMs and other SIP measures that have been implemented. Document the key assumptions and show that they were agreed to through interagency and public consultation.		Not Applicable
§93.111	Document the use of the latest emissions model approved by EPA.	11-13	EMFAC 2002 & EMFAC 2007
§93.112	Document fulfillment of the interagency and public consultation requirements outlined in a specific implementation plan according to §51.390 or, if a SIP revision has not been completed, according to §93.105 and 23 CFR 450. Include documentation of consultation on conformity tests and methodologies, as well as responses to written comments.	15-17	Interagency Consultation and Cooperation
§93.113 (a, d)	Document timely implementation of all TCMs in approved SIPs. Document that the project does not interfere with the implementation of TCMs.	9	
§93.116 (a)	Document that the project does not cause or contribute to any new localized PM or CO violations.	9-10	
§93.116 (b)	Document how the project contributes to eliminating or reducing the severity and number of localized CO violations.	9-10	
§93.117	Document that the project complies with any PM10 or PM2.5 control measures in the applicable attainment plan.	10	
§93.118 (a, c, e)	<u>For areas with SIP budgets:</u> Document that emissions from the transportation network, including projects in the isolated rural nonattainment area that are in the Statewide TIP and regionally significant non-Federal projects, are consistent with any adequate or approved motor vehicle emissions budget(s) for all pollutants and precursors in applicable SIP(s).		Not Applicable
§93.118	Document for which years consistency with motor vehicle emissions budgets	9	

40 CFR	Criteria	Page	Comments
(b)	must be shown.		
§93.118 (d)	Document the use of the appropriate analysis years in the regional emissions analysis for areas with SIP budgets, and the analysis results for these years. Document any interpolation performed to meet tests for years in which specific analysis is not required.	9	
§93.119	<u>For areas without applicable SIP budgets:</u> Document that emissions from the transportation network for each applicable pollutant and precursor, including projects in the isolated rural non-attainment area that are in the statewide TIP and regionally significant non-federal projects, are consistent with the requirements of the “Action/Baseline”, “Action/1990” and/or “Action/2002” interim emissions tests as applicable.	3	Appendix F
§93.119 (g)	Document the use of the appropriate analysis years in the regional emissions analysis for areas without applicable SIP budgets.	10	
§93.119 (h, i)	Document how the baseline and action scenarios are defined for each analysis year.		Appendix F
§93.122 (a)(1)	Document that all regionally significant Federal and non-federal projects in the non-attainment/maintenance area are explicitly modeled in the regional emissions analysis. For each project, identify by which analysis year it will be open to traffic. Document that VMT for non-regionally significant Federal projects is accounted for in the regional emissions analysis.		Appendix B
§93.122 (a)(2, 3)	Document that only emission reduction credits from TCMs on schedule have been included or that partial credit has been taken for partially implemented TCMs. Document that the regional emissions analysis only includes emissions credit for projects, programs or activities that require regulatory action if: the regulatory action has been adopted; the project, program, activity or a written commitment is included in the SIP; EPA has approved an opt-in to the program, EPA has promulgated the program, or the Clean Air Act requires the program (indicate applicable date). Discuss the implementation status of these programs and the associated emissions credit for each analysis year.	3	Appendix F
§93.122 (a)(4, 5, 6)	For non-regulatory measures that are not included in the STIP, include written commitments from appropriate agencies. Document that assumptions for measures outside the transportation system (e.g., fuels measures) are the same for baseline and action scenarios. Document that factors, such as ambient temperature, are consistent with those used in the SIP unless modified through interagency consultation.	3	Appendix F
§93.122 (d)	Document the continued use of modeling techniques or the use of appropriate alternative techniques to estimate vehicle miles traveled.	5	Appendix F
§93.122 (e, f)	Document, in areas where a SIP identifies construction-related PM10 or PM 2.5 as contributing, the inclusion of PM10 and/or PM 2.5 construction emissions in the conformity analysis.	3	Appendix F
§93.123	Document how the required procedures were met for CO quantitative and qualitative and PM10 qualitative hot spot analyses.	3	Appendix F
§93.126, §93.127, §93.128	Document all projects in the isolated rural non-attainment area that are in the statewide TIP and exempt from conformity requirements or exempt from the regional emissions analysis. Indicate the reason for the exemption (Table 2, Table 3, signal synchronization) and that the interagency consultation process found these projects to have no potentially adverse emissions impacts.		Appendix B