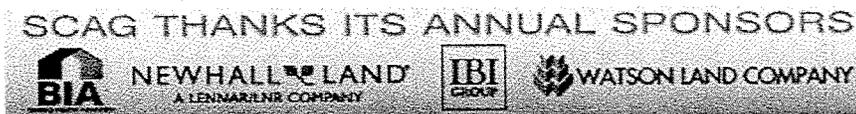


**Appendix J** Air Quality Conformity  
Documentation

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## TCWG Review of Qualitative Analyses

### Qualitative PM Hot Spot Analysis Review

September 2006	Determination
SBD20020812	Analysis deemed acceptable for NEPA circulation.
ORA120332	Analysis deemed acceptable for NEPA circulation.
ORA120336	Analysis deemed acceptable for NEPA circulation.

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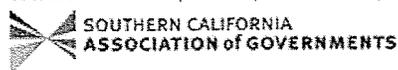
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# Attachment A

SR-91 Eastbound Lane Addition Project between SR-241 and SR-71 (EA 0G0400/0E08000)

## Conformity Analysis Documentation for Project-Level Conformity Determinations in Metropolitan Nonattainment/Maintenance Areas<sup>1</sup>

September 4, 2007

40 CFR	Criteria	Page	Comments
§93.102	Document the applicable pollutants and precursors for which EPA designates the area as nonattainment or maintenance. Describe the nonattainment or maintenance area and its boundaries.	14 and Table 6	At the time the air quality analysis was prepared, the proposed project was located within a federal nonattainment/maintenance area for ozone, particulate matter smaller than 2.5 microns (PM <sub>2.5</sub> ), particulate matter smaller than 10 microns (PM <sub>10</sub> ), and carbon monoxide (CO). Effective June 11, 2007, the South Coast Air Basin (SCAB) was redesignated as attainment for CO. However, for the purposes of this analysis, the proposed project is located within a CO nonattainment area.
§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 years since the most recent step to advance the project; a supplemental EA/EIS was initiated for air quality purposes.	30–31 and Appendix A	The proposed project is included in the 2006 Regional Transportation Improvement Program (RTIP), which was found to be conforming by the Federal Highway Administration/Federal Transit Administration (FHWA/FTA) on October 2, 2006. This is a new project; therefore, a conformity determination is required.
§93.109 (a, b)	Document which conformity criteria apply based on action, relevant pollutants and the status of the implementation plan.	45	At the time the analysis was prepared, the proposed project was located within a nonattainment area for CO, PM <sub>2.5</sub> , and PM <sub>10</sub> . As of June 11, 2007, the area was designated as attainment for CO.
§93.109 (f)(1)	In CO nonattainment and maintenance areas, document that the hot-spot test required by 93.116(a) and, as applicable, 93.11(b) are satisfied.	45	At the time the analysis was prepared, the proposed project was located within a CO nonattainment area. Therefore, a CO hot-spot analysis was conducted to demonstrate that the proposed project would not result in a new exceedance or delay attainment of the CO standard. This analysis adhered to the Transportation Project-level Carbon Monoxide Protocol. The proposed project would not result in any CO hot-spots.

40 CFR	Criteria	Page	Comments
§93.109 (g)(1)	In PM <sub>10</sub> nonattainment and maintenance areas, document that the hot-spot test required by 93.116(a) is satisfied.	45–46 and Appendix B	The proposed project is located within a PM <sub>10</sub> nonattainment area. Therefore, an analysis consistent with the <i>Transportation Conformity Guidance for Qualitative 'Hot Spot' Analysis in PM<sub>2.5</sub> and PM<sub>10</sub> Nonattainment and Maintenance Areas</i> (EPA, March 2006) was prepared. The Transportation Conformity Working Group (TCWG) met in June 2006 and determined that the project was a project of air quality concern (POAQC). The PM <sub>10</sub> analysis performed for the project concludes that the project would not result in a local PM <sub>10</sub> impact. The analysis was deemed acceptable for National Environmental Policy Act (NEPA) circulation by the TCWG in September 2006.
§93.109 (i)(1)	In PM <sub>2.5</sub> nonattainment and maintenance areas, document that the hot-spot test required by 93.116(a) is satisfied.	45–46 and Appendix B	The proposed project is located within a PM <sub>2.5</sub> nonattainment area. Therefore, an analysis consistent with the <i>Transportation Conformity Guidance for Qualitative 'Hot Spot' Analysis in PM<sub>2.5</sub> and PM<sub>10</sub> Nonattainment and Maintenance Areas</i> (EPA, March 2006) was prepared. The TCWG met in June 2006 and determined that the project was a POAQC. The PM <sub>2.5</sub> analysis performed for the project found that the project would be expected to result in a reduction in PM <sub>2.5</sub> emissions. The analysis was deemed acceptable for NEPA circulation by the TCWG in September 2006.
§93.110 (a,b,f)	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. Document assumptions for current and future background concentrations.	30–31 and Appendix A	The proposed project is included in the 2006 RTIP, which was found to be conforming by FHWA/FTA on October 2, 2006. The 2006 RTIP was prepared using the latest planning assumptions for the SCAG region.
USDOT/EPA guidance	Document the use of planning assumptions less than five years old. If unable, include written justification for the use of older data. (1/18/02)	30–31 and Appendix A	The proposed project is included in the 2006 RTIP, which was found to be conforming by FHWA/FTA on October 2, 2006. The 2006 RTIP was prepared using the latest planning assumptions. These planning assumptions are less than five years old.
§93.111(a,c)	Document the use of the latest emissions model approved by EPA.	Appendices C, D, and E	As the proposed project was started prior to August 1, 2007, the air quality analysis was conducted using the EMFAC2002 emission model. Projects started after August 1, 2007, will be required to use the EMFAC2007 emission model.

40 CFR	Criteria	Page	Comments
§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 NEPA requirements. Include documentation of consultation on conformity tests and methodologies, summary of comments and the responses to comments.	45–46 and Appendix B	The TCWG met in June 2006 and determined that the project was a POAQC. The PM analysis was deemed acceptable for NEPA circulation by the TCWG in September 2006. In addition, the proposed project is included in the 2006 RTIP, which was found to be conforming by FHWA/FTA on October 2, 2006. Regional PM <sub>10</sub> State Implementation Plan (SIP) budget compliance was accounted for during the current approved RTIP conformity determination. The TCWG determination is included in Appendix B of the air quality analysis.
§93.114(a)	Document the name of the currently conforming RTP and TIP and the date of the FHWA/FTA conformity determination on those documents.	30–31	The proposed project is included in the modeling effort for the SCAG 2004 Regional Transportation Plan (RTP) and the 2006 RTIP, which was found to be conforming by the FHWA/FTA on October 2, 2006.
§93.115	Document that the project comes from the currently conforming RTP and TIP (i.e. 1) that the project is included in the regional emissions analysis for the RTP and TIP and that the project's design concept and scope have not changed significantly; 2) the open to traffic year is consistent; and 3) the TIP listing includes project-level emissions mitigation, control measures or written commitments as required.)	30–31 and Appendix A	The proposed project is included in the 2006 RTIP, which was found to be conforming by FHWA/FTA on October 2, 2006.
§93.116(a) <sup>2</sup>	Document that the project does not cause or contribute to any new localized PM or CO violations or increase the frequency of an existing violation during the timeframe of the transportation plan (or regional emissions analysis). For PM nonattainment or maintenance areas, document whether the project was determined, through interagency consultation, to be a "project of air quality concern" per §93.123(b)(1).	46, 55, 58, 64	The proposed project would not contribute to any exceedances of the CO or PM standards.
§93.116(b)	In CO nonattainment areas, document that the project eliminates or reduces the severity and number of localized CO violations in the areas substantially affected by the project.	46–55	Following the methodology outlined in the CO Protocol, it was determined that CO concentrations in the area affected by the project would be expected to be lower than at those modeled in the SCAB CO Attainment Plan. Therefore, the project will not result in an adverse local CO impact.
§93.117 <sup>3</sup>	Document that the project complies with any PM <sub>10</sub> or PM <sub>2.5</sub> control measures in the applicable attainment plan.	35–44 and Tables 7 and 8	Implementation of the proposed project will be required to comply with the South Coast Air Quality Management District's (SCAQMD) fugitive dust control measures listed in Rule 403. Therefore, the proposed project will aid in the attainment of the PM <sub>10</sub> and PM <sub>2.5</sub> standards.

40 CFR	Criteria	Page	Comments
§93.123(a)	In CO nonattainment/maintenance areas, document how the required procedures, including the CA <i>Project-Level Carbon Monoxide Protocol</i> , were met for CO hot-spot analyses. The analysis should document that the hot-spot analysis covered the most congested intersections affected by the project in the year representing the maximum CO contribution.	46–55	Following the methodology outlined in the CO Protocol, it was determined that that CO concentrations in the area affected by the project would be expected to be lower than at those modeled in the SCAB CO Attainment Plan. The traffic conditions within the project area were compared to the worst-case traffic conditions that were evaluated in the Air Quality Management Plan (AQMP).
§93.123(b)	In PM nonattainment and maintenance areas, document how the required procedures were met for PM hot-spot analyses. If the project was determined not to be a “project of air quality concern”, document that no hot-spot analysis is required.	45–46 and Appendix B	The TCWG met in June 2006 and determined that the project was a POAQC. The PM analysis was prepared consistent with the <i>Transportation Conformity Guidance for Qualitative ‘Hot Spot’ Analysis in PM<sub>2.5</sub> and PM<sub>10</sub> Nonattainment and Maintenance Areas</i> (EPA, March 2006). The PM analysis was deemed acceptable for NEPA circulation by the TCWG in September 2006.
§93.123 (c)(3)	Document that the assumptions used in the hot-spot analysis are consistent with those used in the regional emissions analysis.	Appendix B	The qualitative PM analysis was deemed acceptable for NEPA circulation by the TCWG in September 2006.
§93.123 (c)(4)	Include written commitments, consistent with §93.125 or an approved conformity SIP, for mitigation or control measures assumed in the hot-spot analysis.		The proposed project is a transportation congestion relief measure from the SIP. Therefore, the proposed project will aid in the attainment of the ambient air quality standards.
§93.123 (c)(5)	Document the length of the project construction period and whether or not construction emissions were considered in the hot-spot analysis.	34	Construction is estimated to begin in fall 2008 and be completed by the end of 2010. Construction of the proposed project would not require more than five years. Therefore, construction emissions were not considered in the hot-spot analysis.

<sup>1</sup> The checklist does not apply to projects in “donut” areas (40 CFR 93.105(c)(3)).

<sup>2</sup> Applies for hot-spot analyses in CO and PM nonattainment and maintenance areas only.

<sup>3</sup> Applies for project-level conformity determinations in PM<sub>10</sub> and PM<sub>2.5</sub> nonattainment areas only.

Disclaimer

This checklist is intended solely as an informational guideline to be used in reviewing documentation for project-level conformity determinations. It is in no way intended to replace or supersede the Transportation Conformity regulations of 40 CFR Parts 51 and 93.



U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION  
CALIFORNIA DIVISION  
650 Capitol Mall, Suite 4-100  
Sacramento, CA. 95814  
October 29, 2007

IN REPLY REFER TO  
HDA-CA

File #: 12-ORA-91-PM 15.9/19.9  
08-RIV-91-PM 0.0/2.9  
SR-91 Eastbound Lane Addition  
EAs 12-0G040& 08-0E800  
Document #: P57830

Mr. Mike Perovich, District Director  
California Department of Transportation  
District 8  
464 W. Fourth Street, 6<sup>th</sup> Floor  
San Bernardino, CA 92401-1400

Attention: Tony Louka

Dear Mr. Perovich:

SUBJECT: Conformity Determination for SR-91 Eastbound Lane Addition Project (EAs 12-0G040& 08-0E800)

On October 09, 2007, the California Department of Transportation (Caltrans) submitted to the Federal Highway Administration (FHWA) a request for the project-level conformity determination for the SR SR-91 Eastbound Lane Addition Project (EAs 12-0G040& 08-0E800) pursuant to 23 U.S.C. 327(a)(2)(B)(ii)(I). The South Coast Air Basin area is in non-attainment, under the Federal National Ambient Air Quality Standards, for ozone (O<sub>3</sub>), fine particulate matter (PM<sub>2.5</sub>), and particulate matter (PM<sub>10</sub>) and designated a maintenance area for carbon monoxide (CO) and nitrogen dioxide (NO<sub>2</sub>).

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 Southern California Association of Governments' currently conforming *Destination 2030, 2004 Regional Transportation Plan (RTP)* and the *2006 Regional Transportation Improvement Program (RTIP)*. The current conformity determinations for the RTP and RTIP were approved by FHWA and the Federal Transit Administration on October 2, 2006. 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 CO, PM<sub>2.5</sub> and PM<sub>10</sub> analyses are included in the documentation. The CO hotspot analysis was performed in accordance with the California Department of Transportations' *Transportation Project-Level Carbon Monoxide Protocol*. The analyses demonstrate that the project will not create any new violations of the standards or increase the severity or number of existing violations.

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Based on the information provided, FHWA finds that the Conformity Determination for SR-91 Eastbound Lane Addition Project (EAs 12-0G040& 08-0E800) conforms to the 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.

Sincerely,

*/s/ Joseph Vaughn*

For  
Gene K. Fong  
Division Administrator

cc: (e-mail)

Tony Louka, Caltrans

Mike Brady, Caltrans

Joseph Vaughn, FHWA

Mayela Sosa, FHWA

Maiser Khaled, FHWA

Jean Mazur, FHWA