Air Quality Conformity Flowchart

Is the project in an area that is subject to conformity?

If area is non-attainment or maintenance for—ozone, CO, NO2 PM 2.5, PM 10) then conformity applies.

No →

Insert the following text into the ED:
The project is located in an attainment/unclassified area for all current National Ambient Air Quality Standards (NAAQS). Therefore, conformity requirements do not apply.

Yes ↓

Is the project exempt from conformity? 40 CFR 93.126 or is it signal synchronization 40 CFR 93.128

Yes →

Briefly state in the document that the project is exempt per 40 CFR 93.126 or 93.128 and why it is exempt. Describe the specific category used in 40 CFR 93.126, and any interagency consultation done. Some exemptions need concurrence by interagency consultation.

No ↓

Is the project exempt from regional conformity requirements? 40 CFR 93.127

Yes →

Insert the following text in the ED:

This project is exempt from regional (40 CFR 93.127) conformity requirements. Separate listing of the project in the Regional Transportation Plan and Transportation Improvement Program, and their regional conformity analyses, is not necessary. The project will not interfere with timely implementation of Transportation Control Measures identified in the applicable SIP and regional conformity analysis.

If the area is nonattainment or maintenance for CO or particulate matter, also include:

Hot spot analysis was performed for [list pollutant(s)] and the project [use one of the following:] screened out as not a project of concern [or] was shown not to cause or worsen violation of the standard(s).

No ↓

Is the project in an area that has a Metropolitan Planning Organization (MPO)?

Yes →

Insert the following text in ED:

The proposed project is listed in the [insert title and year] financially constrained Regional Transportation Plan [include amendment number if applicable] which was found to conform by [insert Metropolitan Planning Organization (MPO) or Regional Transportation Planning Agency (RTPA)] on [date], and FHWA and FTA made a regional conformity determination finding on [date]. The project is also included in [insert MPO or RTPA] financially constrained YEAR Regional Transportation Improvement Program [include amendment number if applicable], pages [#]. The [insert MPO or RTPA and year] Regional Transportation Improvement Program was determined to conform by FHWA and FTA on [date]. The design concept and scope of the proposed project is consistent with the project description in the [year] RTP, [year] RTIP, and the "open to traffic assumptions of the [MPO'S or RTPA'S] regional emissions analysis.

No ↓

Insert the following text in the ED:

A regional conformity analysis covering the [insert name of nonattainment area] for [identify pollutant(s) – ozone, PM2.5, and PM10 are the only pollutants in these areas in California as of 1/2011] was carried out that includes this project, and all reasonably foreseeable and financially constrained regionally significant projects for at least 20 years from the date that the analysis was started. The analysis used the latest planning assumptions, and the most recent emission models and appropriate analysis methods, as determined by Interagency Consultation on [date of meeting]. Based on this analysis, the region will be in conformity with the SIP, including this project, based on the [emission budget, project/no project, and/or project/baseline] conformity test(s) and analysis procedures, as described in 40 CFR 93.109(l) [or the most recent section number]. The design concept and scope of the proposed project is consistent with the project design concept and scope used in the regional conformity analysis. TCM Timely Implementation evaluation was reviewed and concurred with by Interagency Consultation on [date of meeting].