

# Section I

# Conformity Requirements & Findings



# SECTION I

## CONFORMITY REQUIREMENTS AND FINDINGS

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# ***CONFORMITY REQUIREMENTS AND FINDINGS***

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## ***PREFACE***

The federally required transportation conformity analyses and findings for the 2017 Federal Transportation Improvement Program (FTIP) are set forth in the following sections. These analyses also update the conformity analyses for the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). All transportation and air quality conformity analyses in this document are in compliance with applicable federal and state laws, including conformity and transportation planning regulations. This Technical Appendix contains three sections that specifically address the conformity analyses required for federal approval:

- Section I summarizes the conformity requirements and findings.
- Section II provides modeling methodologies and assumptions and results of the regional emissions analyses for the 2017 FTIP.
- Section III reports on the timely implementation of Transportation Control Measures (TCMs) and describes the implementation status of all applicable TCMs in the SCAG region.

## ***STATE AND FEDERAL REQUIREMENTS***

SCAG, the Metropolitan Planning Organization (MPO) for Southern California, is mandated to comply with federal and state transportation and air quality regulations. Federal transportation regulations authorize federal funding for highway, highway safety, transit, and other surface transportation programs. The Federal Clean Air Act (CAA) establishes air quality standards and planning requirements for various criteria air pollutants.

### **Regional Transportation Plan and Federal Transportation Improvement Program**

Federal transportation law requires that SCAG develop a RTP for a 20-year minimum period. Additionally, SCAG must develop a FTIP that allocates funds over a four-year period to implement the RTP. In the federal nonattainment or maintenance areas, the RTP and FTIP must comply with the transportation conformity requirements of the U.S. Environmental Protection Agency's (EPA) Transportation Conformity Regulations.

The biennial FTIP update is produced on an even-year cycle, and is consistent with the State Transportation Improvement Program (STIP) cycle.

## Federal Nonattainment and Maintenance Areas

EPA may make a federal “nonattainment area” designation to any area that has not met CAA health standards for one or more criteria pollutants. A nonattainment area designation may require additional air quality controls for transportation plans, programs, and projects. The California Air Resource Board (ARB) recommends the federal nonattainment area boundaries to EPA for final designations. Subsequently, the EPA finalizes and defines the boundaries of the federally designated nonattainment areas for each criteria pollutant.

A maintenance area is any geographic region of the United States previously designated nonattainment pursuant to the CAA Amendments of 1990 and subsequently redesignated to attainment subject to the requirement to develop a maintenance plan under section 175A of the CAA, as amended.

## State Implementation Plans (SIPs)

To comply with the CAA in achieving the National Ambient Air Quality Standards (NAAQS), the ARB develops SIPs for federal nonattainment and maintenance areas. In California, SIP development is a joint effort of the local air agencies and the ARB working with federal, state, and local agencies (including the MPOs). Local air quality management plans (AQMPs) are prepared in response to federal and state requirements.

In California, all SIPs have to go through three steps: air district action, ARB action, and finally EPA action. Each air district submits its respective AQMPs/SIPs to the ARB. The ARB is the official state agency that submits the SIPs to EPA for all federal nonattainment and maintenance areas in California.

The SIP includes two important components relative to transportation conformity requirements – motor vehicle emissions budgets (for all criteria pollutant SIPs) and TCMs (for ozone and CO SIPs only). The emissions budgets set an upper limit which transportation activities (for SIP purposes motor vehicles are also known as “on-road mobile sources”) are permitted to emit. TCMs, required for serious and above Ozone nonattainment areas and serious CO nonattainment areas, are strategies to reduce emissions from on-road mobile sources. The 2017 FTIP must conform to the applicable SIPs [i.e., emissions budgets and TCMs] in the SCAG region.

## Federal Transportation Conformity Regulations

Transportation conformity is required under CAA section 176(c) to ensure that federally supported highway and transit project activities “conform to” the purpose of the SIP. Conformity currently applies to areas that are designated nonattainment, and those re-designated to attainment after 1990, maintenance areas, with plans developed for the specific transportation-related criteria pollutants. Conformity for the purpose of the SIP means that transportation activities will not cause new air quality violations, worsen existing violations, or delay timely attainment of the relevant NAAQS. The transportation conformity regulations are found in 40 CFR part 93 and provisions related to conformity SIPs are found in 40 CFR 51.390.

## ***CLEAN AIR ACT AREA DESIGNATIONS IN THE SCAG REGION***

Four criteria air pollutants are subject to transportation conformity for the 2017 FTIP:

- Carbon Monoxide (CO) - a product of automobile exhaust. CO reduces the flow of oxygen in the bloodstream and is particularly dangerous to persons with heart disease.
- Nitrogen Dioxide (NO<sub>2</sub>) - created under the high pressure and temperature conditions in internal combustion engines. It impacts the respiratory system and degrades air visibility due to its brownish color.
- Ozone - formed by the reaction between volatile organic compounds (VOC) and oxides of nitrogen (NO<sub>x</sub>) in the presence of sunlight. Ozone negatively impacts the respiratory system.
- Particulate Matter (PM<sub>10</sub> and PM<sub>2.5</sub>) - extremely small particles and liquid droplets associated with dust, soot and combustion products. Particulate pollution has been linked to significant health problems, including aggravated asthma, increases in adverse effects on respiratory systems, chronic bronchitis, decreased lung function, and premature death.

### **Air Basins and Air Districts in the SCAG Region**

SCAG is a six-county region that contains four air basins and five air districts:

- The South Coast Air Basin (SCAB) covers the urbanized portions of Los Angeles, Riverside, and San Bernardino counties as well as the entire County of Orange. With the exception of the Morongo and Pechanga Areas of Indian Country for the 2008 ozone standard, the SCAB is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). For the 2008 ozone standard, the Morongo and Pechanga Areas of Indian Country within the SCAB are administered by their respective Indian Tribal Governments.
- The Ventura County portion of the South Central Coast Air Basin (SCCAB) covers Ventura County and is within the jurisdiction of the Ventura County Air Pollution Control District (VCAPCD).
- The Mojave Desert Air Basin (MDAB) covers the desert portions of Los Angeles, Riverside, and San Bernardino counties. A small portion of this air basin is in Kern County and outside of the SCAG region. The SCAG portion of this air basin is under the jurisdiction of three air districts:
  - The Mojave Desert Air Quality Management District (MDAQMD) administers portions of the MDAB situated in San Bernardino County and eastern Riverside County. The Riverside County portion is known as the Palo Verde Valley Area.
  - The SCAQMD administers the portion of MDAB in Riverside County situated between the Salton Sea Air Basin (SSAB) and the Palo Verde Valley Area.
  - The Antelope Valley Air Quality Management District (AVAQMD) administers the Los Angeles County portion of the MDAB.
- The Salton Sea Air Basin (SSAB) covers all of Imperial County and the eastern portion of Riverside County (excluding the MDAB portion). This air basin is under jurisdiction of two air districts:

- The Imperial County Air Pollution Control District (ICAPCD) administers the Imperial County portion of the SSAB.
- The SCAQMD administers the Riverside County portion of the SSAB situated between the SCAB and the MDAB.

## Nonattainment/Maintenance Areas in the SCAG Region

The federal nonattainment/maintenance areas in the SCAG region are:

- Most of Imperial County Portion of SSAB – nonattainment for 8-hour ozone; and PM<sub>10</sub>
- Urbanized area of Imperial County portion of SSAB-nonattainment for PM<sub>2.5</sub> (2006 24-hour and 2012 Annual Standards)
- Morongo Indian Reservation Portion of SCAB – nonattainment area for 8-hour ozone
- Pechanga Indian Reservation Portion of SCAB – nonattainment area for 8-hour ozone
- Riverside County Portion of SSAB (Coachella Valley) – nonattainment area for: 8-hour ozone and PM<sub>10</sub>
- San Bernardino County portion of MDAB:
  - Searles Valley – nonattainment for PM<sub>10</sub>
  - San Bernardino County (excluding the Searles Valley area) – nonattainment area for PM<sub>10</sub>
- SCAB – nonattainment for PM<sub>2.5</sub> (1997 & 2006 24-hour and 2012 Annual standards) and 8-hour ozone; maintenance area for CO; NO<sub>2</sub> and PM<sub>10</sub>.
- Ventura County Portion of SCCAB – nonattainment area for 8-hour ozone
- Western MDAB (Antelope Valley portion of Los Angeles County and San Bernardino County portion of MDAB excluding Searles Valley) – nonattainment area for 8-hour ozone
- 

The boundaries of the air basins, air districts, and nonattainment and maintenance areas are illustrated in Exhibit A at the end of this section.

## Applicable Emissions Budgets in the SCAG Region

For the 2017 FTIP conformity determination, the applicable emissions budgets are established in the SIPs and found adequate by EPA as described below:

- Ventura County Portion of SCCAB
  - 2008 8-Hour Ozone Early Progress Plan (budgets effective May 20, 2008)
- SCAB
  - 2007 Ozone SIP (budgets effective April 30, 2012)
  - 2007 PM<sub>2.5</sub> SIP (budgets effective January 9, 2012)
  - 2007 CO SIP (Maintenance Plan) (budgets effective June 11, 2007)
  - 2007 NO<sub>2</sub> SIP (Maintenance Plan) (budgets effective January 4, 2010)
  - 2010 PM<sub>10</sub> SIP (Maintenance Plan) (budgets effective July 26, 2013)
- Riverside County Portion of SSAB (Coachella Valley)
  - 2008 8-Hour Ozone Early Progress Plan (budgets effective May 22, 2008)

- 2003 PM<sub>10</sub> SIP (budgets effective April 9, 2004)
- Western MDAB (Antelope Valley and portion of Los Angeles County and San Bernardino County portion of MDAB excluding Searles Valley)
  - 2008 8-Hour Ozone Early Progress Plan (budgets effective May 20, 2008)
- Imperial County Portion of SSAB (Ozone)
  - 2008 8-Hour Ozone Early Progress Plan (budgets effective May 20, 2008)

## **SIP Status in Other Areas of the SCAG Region**

In absence of the applicable emissions budgets for conformity, SCAG has to conduct interim emissions tests for regional emissions analysis of the 2017 FTIP. At the present time, there is no federally approved SIP for the following areas.

- San Bernardino County Portion of MDAB (PM<sub>10</sub>)
- Searles Valley Portion of MDAB (PM<sub>10</sub>)
- Imperial County Portion of SSAB (PM<sub>10</sub> and PM<sub>2.5</sub>)

## **Applicable TCMs**

In the SCAG region, ozone SIPs developed in the South Coast Air Basin and the Ventura County portion of the South Central Coast Air Basin contain TCM strategies and are subject to EPA's Transportation Conformity Rule analyses. The two SIPs with TCM strategies are:

### 2012 South Coast AQMP/SIP (SCAB)

Effective October 3, 2014, the U.S. EPA approved the portions of the SCAQMD's Final 2012 Air Quality Management Plan that updated the approved control strategy for the 1997 8-hour ozone standard and that provided a demonstration of attainment of the 1-hour ozone standard by December 31, 2022. As a result, the 2012 South Coast Ozone AQMP/SIP is the applicable Ozone SIP for the SCAB. It is important to note that the TCM categories in the 2012 Ozone AQMP/SIP are consistent with the TCM categories in the 1994/1997/2003/2007 Ozone AQMPs/SIPs.

### 2007 Ozone SIP (Ventura County Portion of SCCAB)

The TCM strategies incorporated in the 1994 (as amended in 1995) Ozone AQMP/SIP function as the applicable TCMs for conformity finding. The EPA approved the 1994 Ozone SIP revisions on January 8, 1997. The 2007 Ozone AQMP/SIP revision (which EPA has not taken an action on) makes no changes to previously approved TCMs contained in the 1994 SIP (as amended in 1995). Effective July 27, 2009, EPA took a final action to find that the Ventura County attained the revoked 1-hour ozone standard by its attainment date. Effective January 2, 2013, EPA took another final action to find that the Ventura County attained the 1997 8-hour ozone standard by its attainment date.

It is noted that the Ventura County SIP does not claim emission reduction credits from TCM projects. They have been included to assist transportation and air quality agencies to identify

projects that have the potential of reducing vehicle emissions, vehicle trips and vehicle miles traveled.

It should also be noted that while the 1-hour Ozone standard has been revoked and replaced with an 8-hour Ozone standard, the TCMs in the 1-hour Ozone SIPs remain applicable.

There are no applicable TCMs in any other federal non-attainment or maintenance areas in the SCAG region. For more information on TCMs and timely implementation of the TCMs, see Section III of this document.

## ***CONFORMITY STATUS OF CURRENT RTP AND FTIP***

The FHWA and FTA approved the conformity determination for the 2016-2040 RTP/SCS and the 2015 FTIP as amended on June 1, 2016. The conformity determination is valid through June 1, 2020.

## ***CONFORMITY TESTS AND FINDINGS***

Under the U.S. DOT Metropolitan Planning Regulations and EPA's Transportation Conformity Regulations, SCAG's 2017 FTIP needs to pass five tests:

- ✓ Consistency with SCAG's RTP/SCS  
(23 CFR, Section 450.324 of the U.S. DOT Metropolitan Planning Regulations)
- ✓ Regional Emission Analysis  
(40 CFR, Sections 93.109, 93.110, 93.118, and 93.119)
- ✓ Timely Implementation of TCMs  
(40 CFR, Section 93.113)
- ✓ Financial Constraint  
(40 CFR, Section 93.108 and 23 CFR, Section 450.324)
- ✓ Interagency Consultation and Public Involvement  
(40 CFR, Sections 93.105 and 93.112 and 23 CFR, Section 450.324)

SCAG has made the following conformity findings for the 2017 FTIP under the required federal tests:

### ✓ **Consistency with 2016-2040 RTP/SCS Test**

**Finding:** SCAG's 2017 FTIP (project listing) is consistent with the 2016-2040 RTP/SCS (policies, programs, and projects).

### ✓ **Regional Emissions Tests**

These findings are based on the regional emissions test analyses shown in Tables 21 - 48 in Section II of this Technical Appendix.

**Finding:** The regional emissions analyses for the 2017 FTIP is an update to the regional emissions analyses for the 2016-2040 RTP/SCS.

**Finding:** The 2017 FTIP regional emissions analysis for PM<sub>2.5</sub> and its precursors (1997, 2006, and 2012 NAAQS) meet all applicable emission budget tests for all milestone, attainment, and planning horizon years in the South Coast Air Basin (SCAB).

**Finding:** The 2017 FTIP regional emissions for ozone precursors meet all applicable emission budget tests for all milestone, attainment, and planning horizon years for the Morongo Band of Mission Indians (Morongo), Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation (Pechanga), SCAB excluding Morongo and Pechanga, South Central Coast Air Basin ([SCCAB], Ventura County portion), Western Mojave Desert Air Basin ([MDAB], Los Angeles County Antelope Valley portion and San Bernardino County western portion of MDAB), and the Salton Sea Air Basin ([SSAB], Riverside County Coachella Valley and Imperial County portions).

**Finding:** The 2017 FTIP regional emissions for NO<sub>2</sub> meet all applicable emission budget tests for all milestone, attainment, and planning horizon years in the SCAB.

**Finding:** The 2017 FTIP regional emissions for CO meet all applicable emission budget tests for all milestone, attainment, and planning horizon years in SCAB.

**Finding:** The 2017 FTIP regional emissions for PM<sub>10</sub> and its precursors meet all applicable emission budget tests for all milestone, attainment, and planning horizon years in SCAB and the SSAB (Riverside County Coachella Valley portion).

**Finding:** The 2017 FTIP regional emissions for PM<sub>10</sub> meet the interim emission test (build/no-build test) for all milestone, attainment and planning horizon years for the MDAB (San Bernardino County portion excluding Searles Valley portion) and Searles Valley portion of San Bernardino County) and for the SSAB (Imperial County portion).

**Finding:** The 2017 FTIP regional emissions analysis for PM<sub>2.5</sub> and its precursors (2006 and 2012 NAAQS) meet the interim emission test (build/no-build test) for all milestone, attainment and planning horizon years for the SSAB (urbanized area of Imperial County portion).

✓ **Timely Implementation of TCM Test**

**Finding:** The TCM project categories listed in the 1994/1997/2003/2007/2012 Ozone SIPs for the SCAB area were given funding priority, are expected to be implemented on schedule, and, in the case of any delays, any obstacles to implementation have been or are being overcome.

**Finding:** The TCM strategies listed in the 1994 (as amended in 1995) Ozone SIP for the SCCAB (Ventura County) were given funding priority, are expected to be implemented on

schedule, and, in the case of any delays, any obstacles to implementation have been or are being overcome.

✓ **Inter-agency Consultation and Public Involvement Test**

**Finding:** The 2017 FTIP complies with all federal and state requirements for interagency consultation and public involvement by following the strategies described in SCAG’s Public Participation Plan (PPP) (for more information on SCAG’s PPP, please visit [http://scag.ca.gov/Documents/PPP2014\\_Adopted-FINAL.pdf](http://scag.ca.gov/Documents/PPP2014_Adopted-FINAL.pdf) ). In accordance with the PPP, SCAG’s Transportation Conformity Working Group serves as a forum for interagency consultation.

The 2017 FTIP was discussed with the Transportation Conformity Working Group (TCWG), which includes representatives from the federal, state, and local air quality and transportation agencies, on multiple occasions (August 25, 2015, September 22, 2015; October 27, 2015; November 17, 2015; January 26, 2016; February 23, 2016; March 22, 2016; April 26, 2016; and May 24, 2016; and June 28, 2016). The draft conformity analysis was released for a 30-day public review on July 8, 2016. Two public hearings were held on July 14 and July 21, 2016 at the SCAG’s Los Angeles office with video-conferencing available from the County Regional Offices. The 2017 FTIP was also presented to the Regional Transportation CEOs at their meeting held on August 19, 2016, fulfilling the consultation requirements of AB 1246 as codified in Public Utilities Code Sections 130058 and 130059. The 2017 FTIP is posted on the SCAG website, noticed in numerous newspapers, and distributed to libraries throughout the region. All comments on the 2017 FTIP have been documented and responded to accordingly.

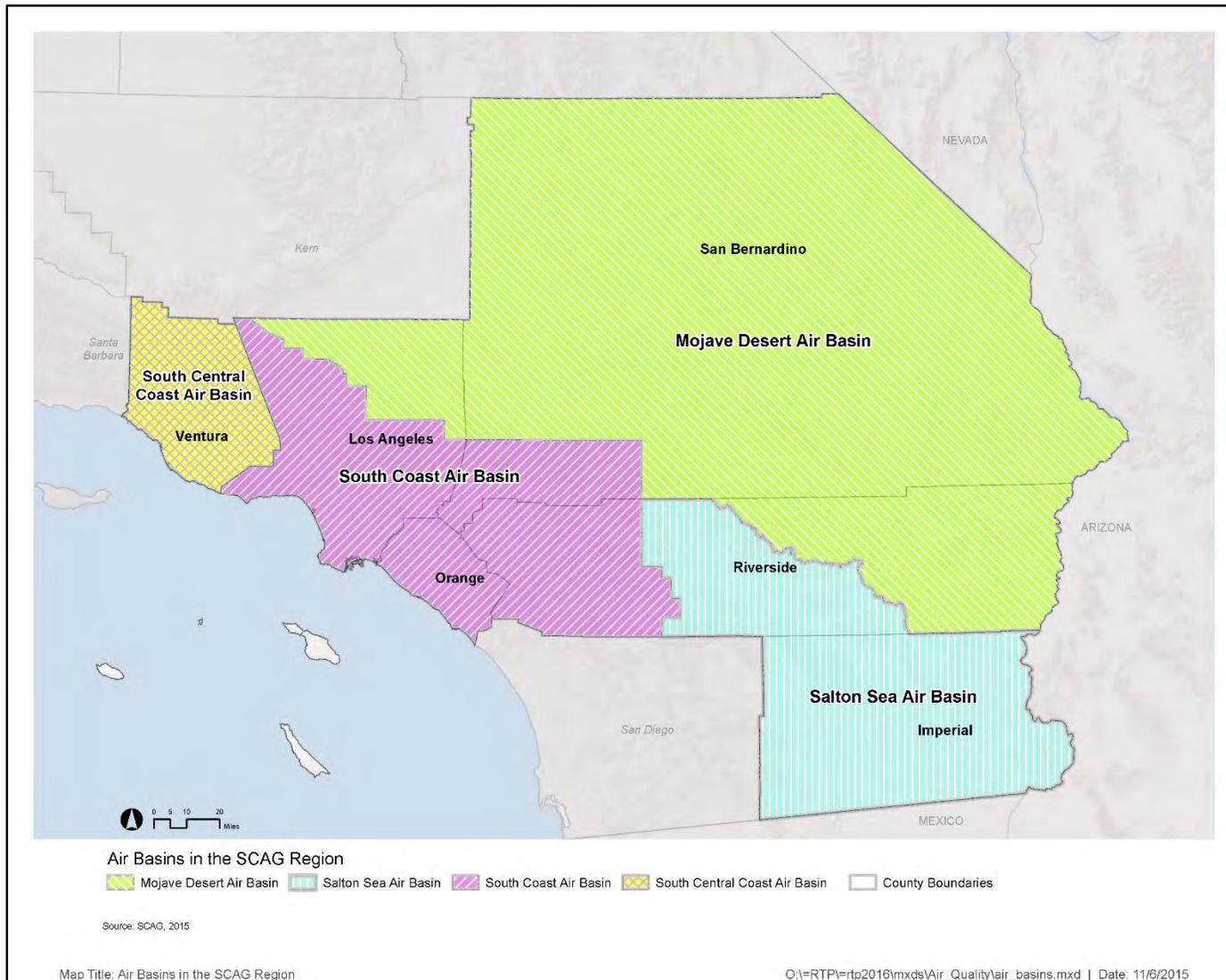
✓ **Financial Constraint Test**

**Finding:** The 2017 FTIP is fiscally constrained since it complies with federal financial constraint requirements under 23 U.S. Code Section 134(h) and 23 CFR Section 450.324(e). SCAG’s 2017 FTIP demonstrates financial constraint in the financial plan by identifying all transportation revenues including local, state, and federal sources available to meet the region’s programming totals.

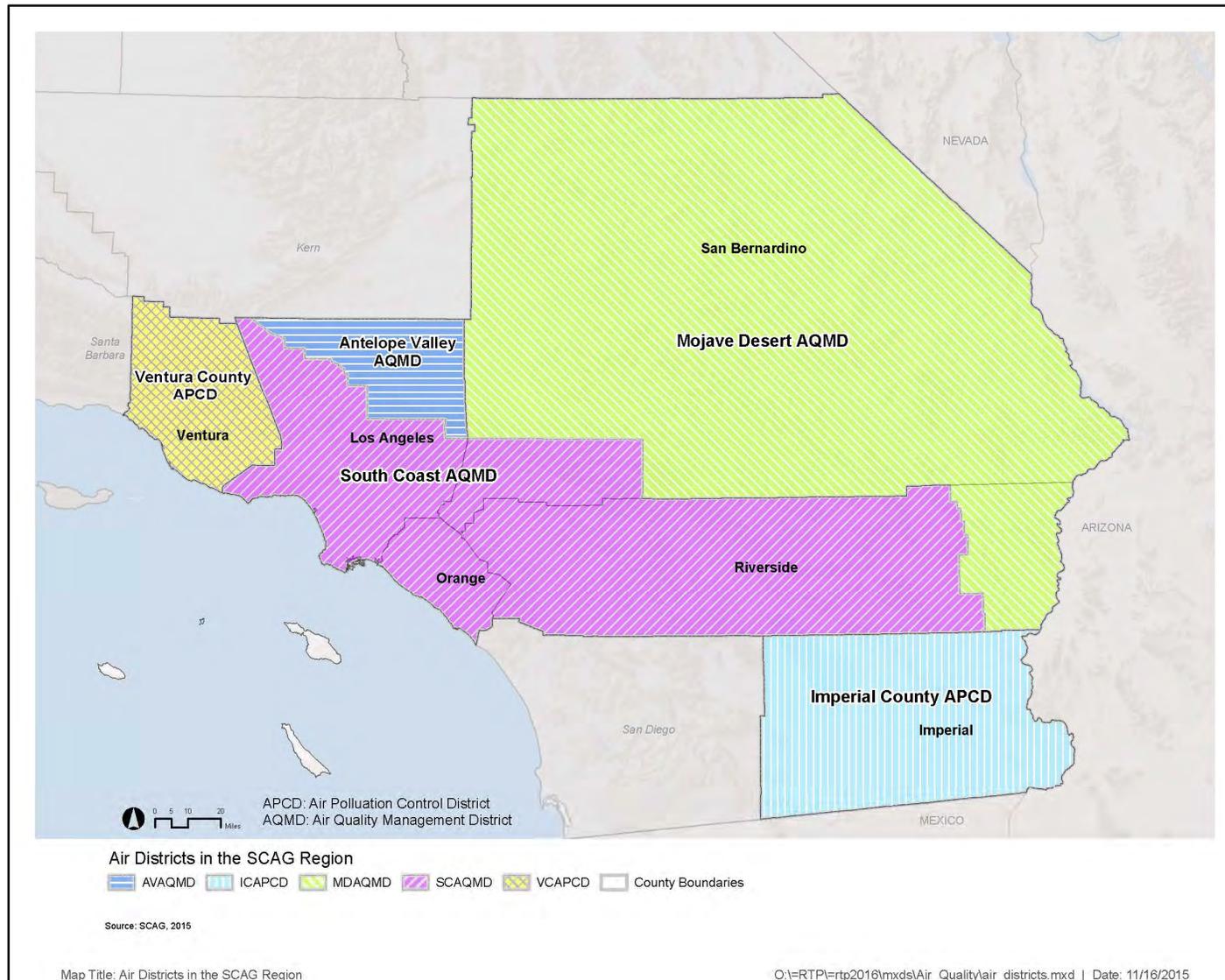
## EXHIBIT A: MAPS

- **Air Basins**
- **Air Districts**
- **Federal Nonattainment and Maintenance Areas**

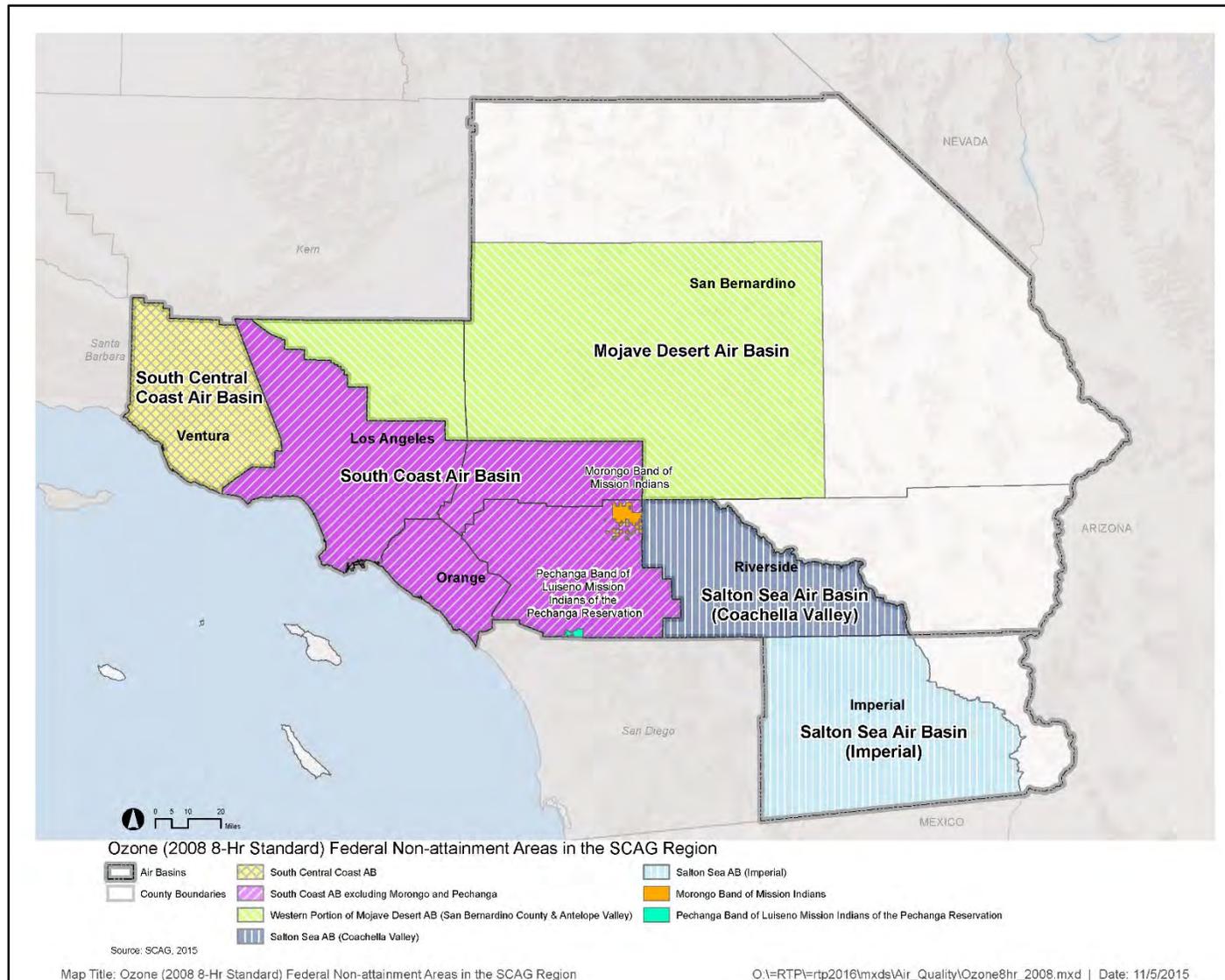
### Exhibit 1 Air Basins in the SCAG Region



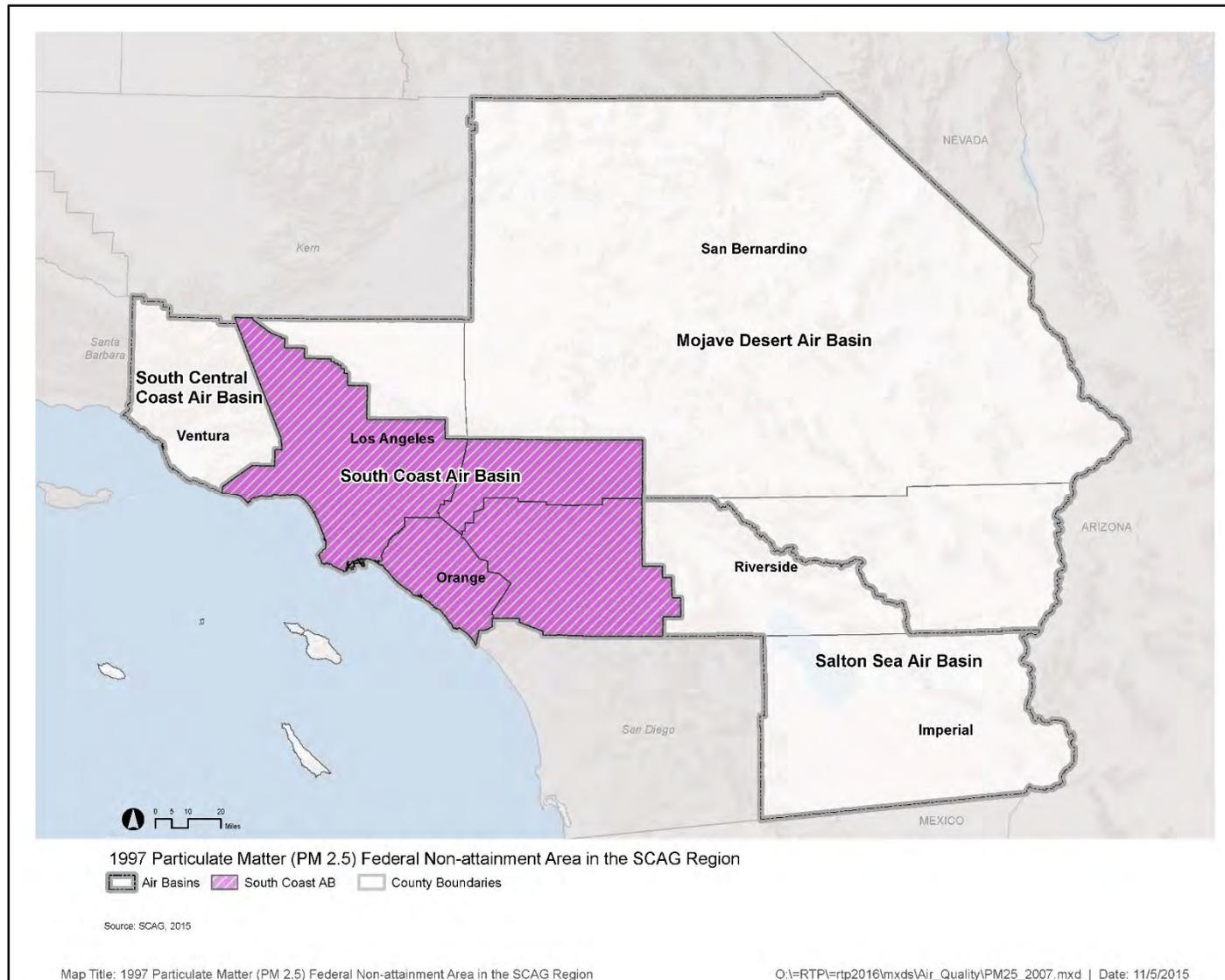
### Exhibit 2 Air Districts in the SCAG region



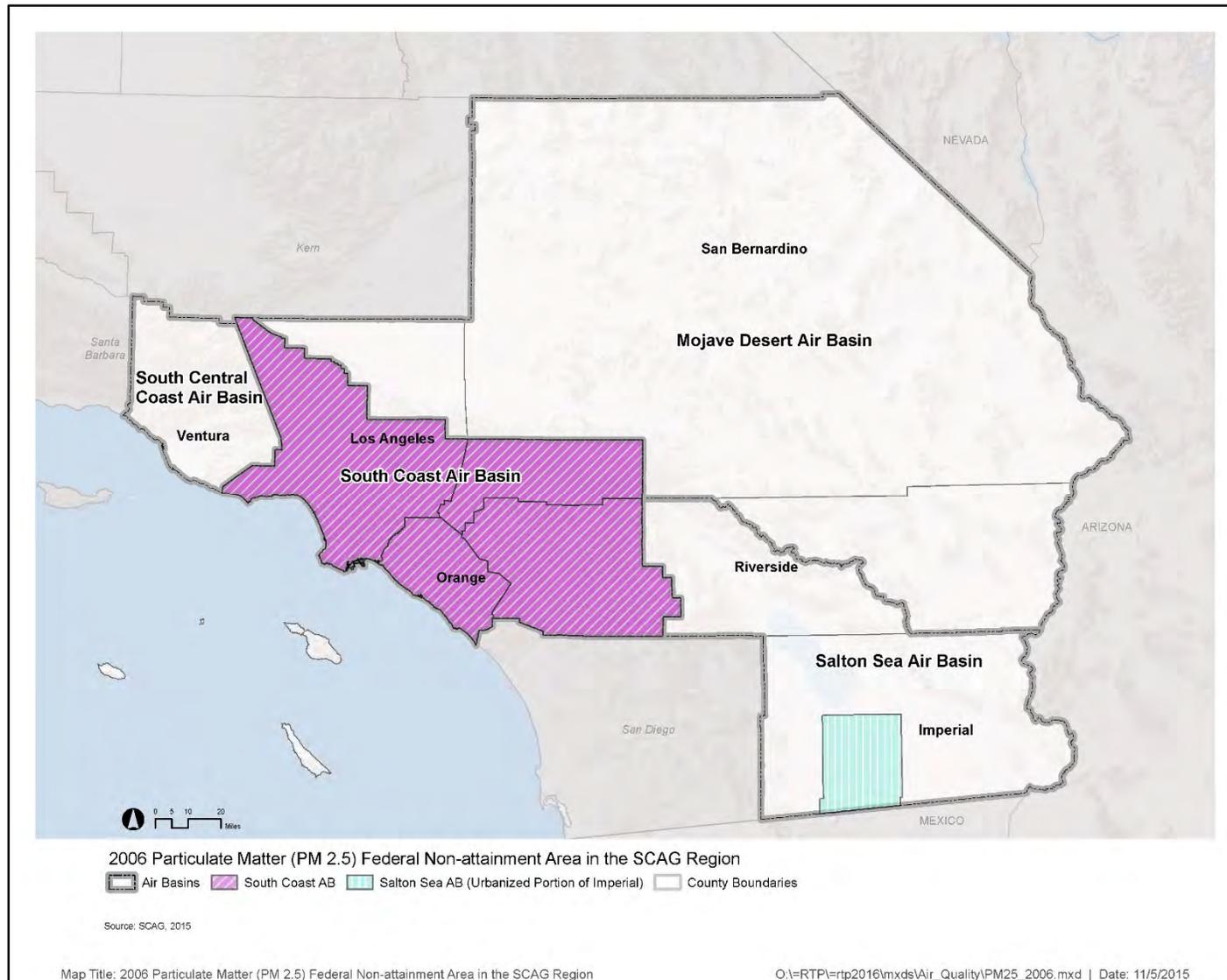
### Exhibit 3 Federal Nonattainment and Maintenance Areas in the SCAG region – 2008 8-hour Ozone



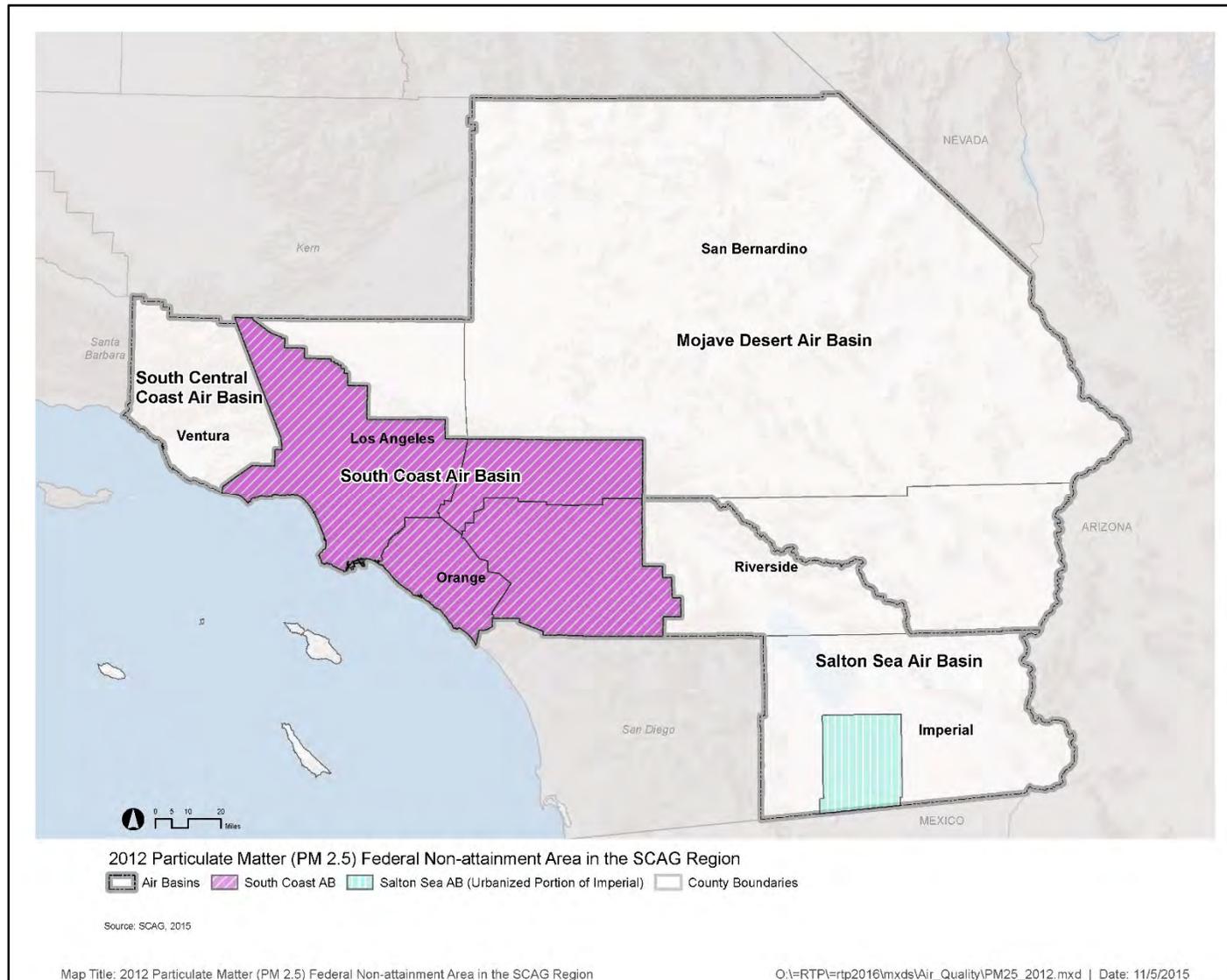
### Exhibit 4 Federal Nonattainment Areas in the SCAG region – 1997 PM<sub>2.5</sub>



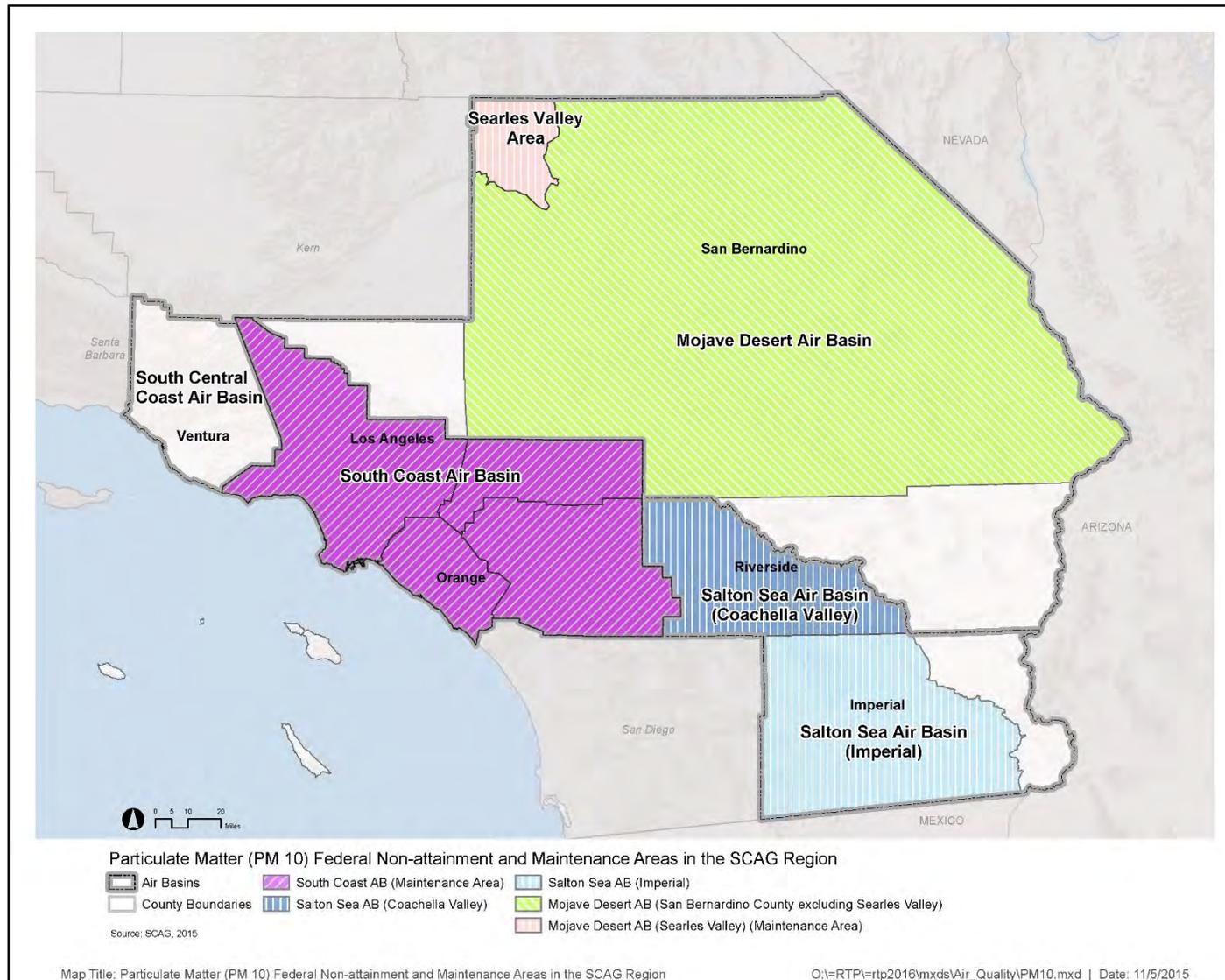
**Exhibit 5 Federal Nonattainment Areas in the SCAG region – 2006 PM<sub>2.5</sub>**



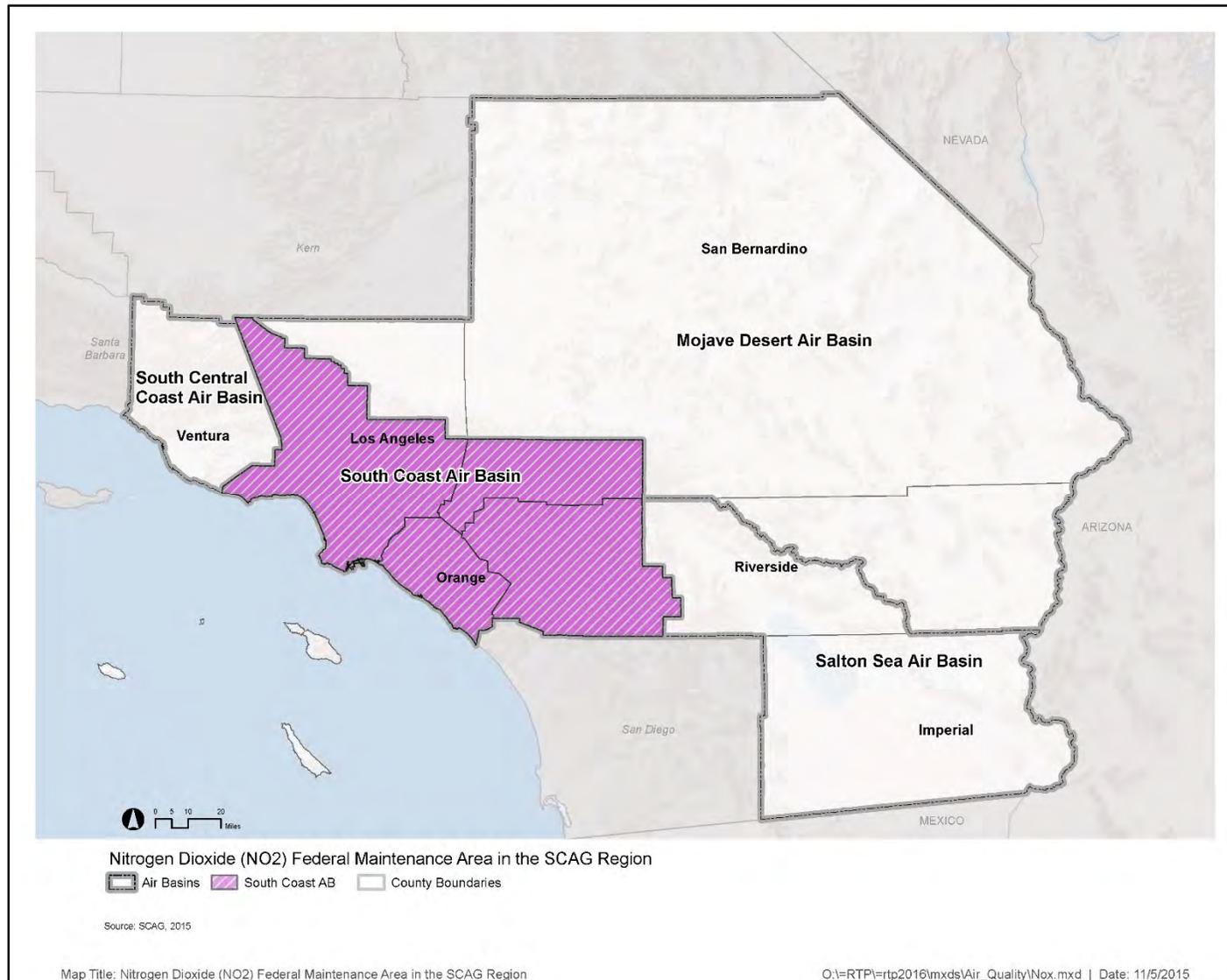
**Exhibit 6 Federal Nonattainment Areas in the SCAG region – 2012 PM<sub>2.5</sub>**



**Exhibit 7 Federal Nonattainment in the SCAG region - PM<sub>10</sub>**



### Exhibit 8 Federal Maintenance Area in the SCAG region - NO<sub>2</sub>



**Exhibit 9 Federal Maintenance Area in the SCAG region – CO**

