



Transportation Conformity 101

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What Is A Non-Attainment Designation?

- When an area is identified as not meeting a federal air quality standard (NAAQS) based on monitored values of the outside air, it is designated by the U.S. Environmental Protection Agency (EPA) as non-attainment and given a target date to meet the standard.

What Does A Non-Attainment Designation Mean?

- Non-attainment area cannot make air quality worse;
- More difficult to build or expand new transportation facilities for single occupant vehicles;
- Non-attainment areas must demonstrate conformity to state air quality goals.

What is Transportation Conformity?

- Transportation conformity is the process that is used to review the transportation plans and programs in a region to ensure they conform with to the state's air quality plan
- Conformity ensures Federal funding and approvals are given to those transportation activities that are consistent with air quality goals.

Air Quality and Transportation Planning

- 1990 CAA amendments added specificity to the relationship between air quality planning and transportation planning
 - *Reason: Controlling mobile sources is critically important to meeting NAAQS*

Air Quality and Transportation Planning

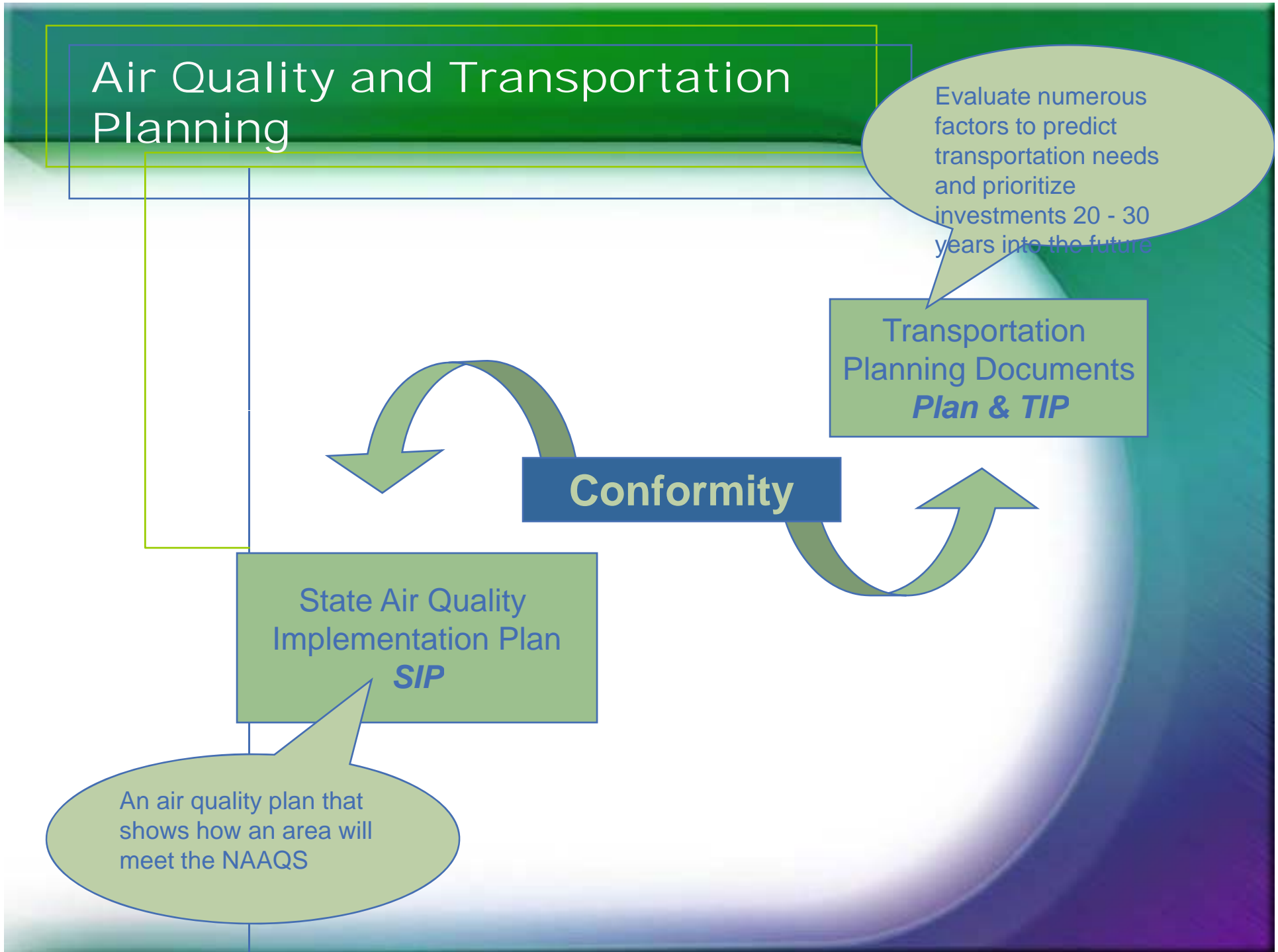
Evaluate numerous factors to predict transportation needs and prioritize investments 20 - 30 years into the future

Transportation Planning Documents
Plan & TIP

Conformity

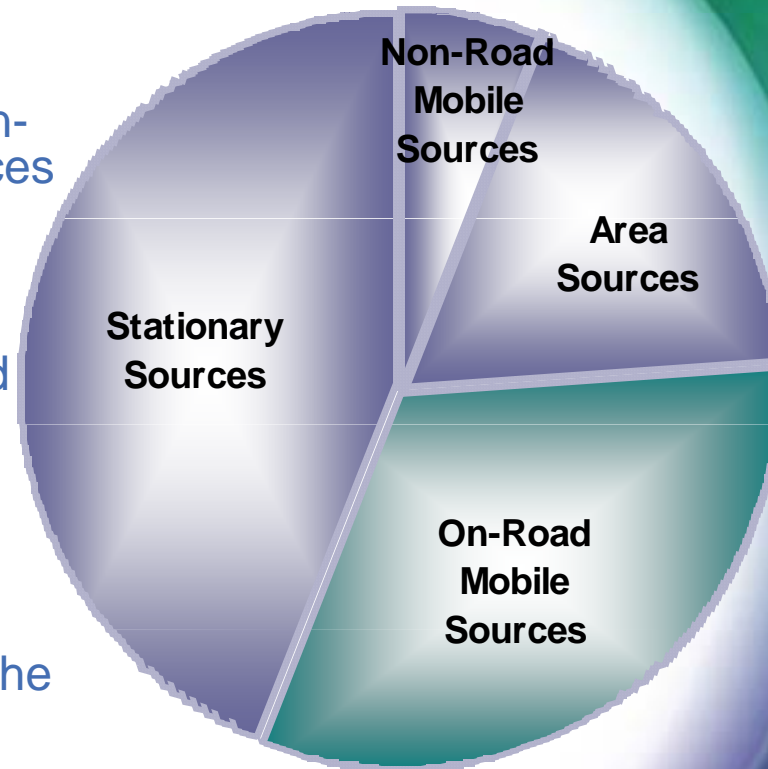
State Air Quality Implementation Plan
SIP

An air quality plan that shows how an area will meet the NAAQS



What Emissions Sources Does the SIP Address?

- Transportation conformity addresses emissions from on-road mobile sources
- On-road mobile sources are emissions created by cars, trucks, buses, etc.
- Transportation conformity covers just one piece of the emission pie...



Categorizing Sources

- EPA classifies emissions into three categories:
 - Point/Stationary (electric utilities, refineries, etc.)
 - Area (dry cleaners, paints, solvents, etc.)
 - Mobile (cars, trucks, buses, etc.)
- Mobile sources are further categorized into:
 - On-road (cars, trucks, buses)
 - Non-road (airplanes, trains, construction equipment, etc.)

What is Transportation Conformity?

- Established by the Clean Air Act section 176 (c)
- Requires evaluation of emissions from transportation plans, programs, and projects BEFORE any element may be implemented
- Ensures Federal funding and approval goes to those transportation activities that are consistent with air quality goals
- Applies in geographic areas where transportation related pollutants:
 - Violate national air quality standards (non-attainment areas)
 - Have violated national air quality standards (maintenance areas)

Interagency Coordination

- Interagency coordination must occur during key phases of the conformity process including the following:
 - development of the SIP,
 - transportation plan/TIP;
 - determining when SIP, plan, or TIP revisions are needed; and
 - determining project level conformity.
- The process has been found to be most effective when considered as a continuous process involving all key stakeholders in a conformity determination.

What is a Conformity Determination?

- A document that demonstrates the total emissions projected for a plan, program, or project is within the emissions limits ("budgets") established by the State Implementation Plan (SIP)

When is Conformity Required?

- Conformity must be determined –
 - At least every 4-years
 - Clock starts when FHWA/FTA make a conformity determination
 - Not when MPO submits a plan to FHWA/FTA
 - Prior to approval/acceptance of a transportation Plan, a TIP, and certain Plan/TIP amendments
 - Prior to approval of Federal projects
 - 24 months after certain SIP actions

What is a Conformity Lapse?

- Existing conformity determination will expire if:
 - More that 4-years pass after the last transportation conformity determination, and
 - There is no new conformity determination
- Lapse will occurs 12 months after an applicable deadline is missed
 - If STIP/TIP in place, it will freeze (i.e. no changes), but projects can continue to advance
 - If Plan in effect but STIP/TIP expired, FHWA/FTA cannot authorize projects

Responsibility for Making a Conformity Determination

- The Metropolitan Planning Organization (MPO) must formally make a conformity determination on its transportation plans and TIPs prior to submitting them to FHWA/FTA for an independent review and conformity determination.
- Must be done in accordance with the required interagency consultation process

Regional Emissions Analysis

- ***Regional emissions analysis is the key analytical component of a conformity determination. It demonstrates that transportation investments are consistent with air quality goals and will not make the air quality worse.***

Regional Emissions Analysis

- Conformity Tests
 - Budget Test – Use if SIP is Approved
 - Demonstrates that plan/TIP will not exceed the established emission budgets
 - Must be completed for:
 - Last year of the plan
 - Any years where a budget is established in the SIP
 - An intermediate year so that analysis years are not more than 10 years apart
 - Attainment year
 - Interim Emissions Test – Use if SIP has not been approved
 - Build/No-Build ; and
 - Less than Baseline Test

Assumptions and Data

- *Latest planning assumptions, traffic modeling, and EPA-approved emissions models must be used each time a regional emissions analysis is conducted.*
- *This requirement ensures that the latest planning, travel, vehicle age and fleet mix, demographic, and economic assumptions are reflected in conformity determinations.*

Interagency Consultation

- Regulations require the participation of all relevant agencies
- Participants typically include:
 - Metropolitan Planning Organizations (MPOs)
 - State Departments of Transportation (SCDOT)
 - State Air Quality Agencies (SCDHEC)
 - US DOT (FHWA/FTA)
 - US EPA
- Ensures all agencies –
 - Meet regularly
 - Share information
 - Collaboratively make decisions

Timely Implementation of TCMs

- *When an EPA-approved SIP includes Transportation Control Measures (TCMs), each time a conformity determination is made the MPO must demonstrate that these measures are being implemented on schedule as called for in the SIP.*

Transportation Control Measures

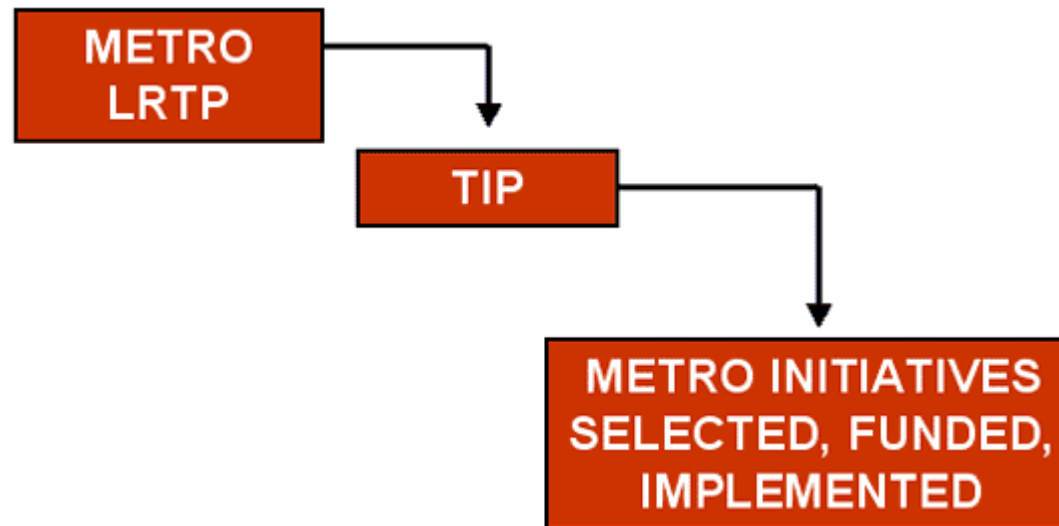
- programs for improved public transit;
- restriction of certain roads or lanes to, or construction of such roads or lanes for use by, passenger buses or high-occupancy vehicles (HOV);
- employer-based transportation management plans, including incentives;
- trip-reduction ordinances;
- traffic flow improvement programs that achieve emissions reductions;
- fringe and transportation corridor parking facilities serving multiple-occupancy vehicle programs or transit service;
- programs to limit or restrict vehicle use in downtown areas or other areas of emission concentration particularly during periods of peak use;
- programs for the provision of all forms of high-occupancy, shared-ride services;
- programs to limit portions of road surfaces or certain sections of the metropolitan area to the use of non-motorized vehicles or pedestrian use, both as to time and place;
- programs for secure bicycle storage facilities and other facilities, including bicycle lanes, for the convenience and protection of bicyclists, in both public and private areas;
- programs to control extended idling of vehicles;
- reducing emissions from extreme cold-start conditions;
- employer-sponsored programs to permit flexible work schedules;
- programs and ordinances to facilitate non-automobile travel, provision and utilization of mass transit, and to generally reduce the need for need for single-occupant vehicle travel, as part of transportation planning and development efforts of a locality, including programs and ordinances applicable to new shopping centers, special events, and other centers of vehicle activity;
- programs for new construction and major reconstruction of paths, tracks, or areas solely for use by pedestrian or other non-motorized means of transportation when economically feasible and in the public interest. For purposes of this clause, the Administrator shall also consult with the Secretary of the Interior;
- programs to encourage removal of pre-1980 vehicles.

Project Level Conformity

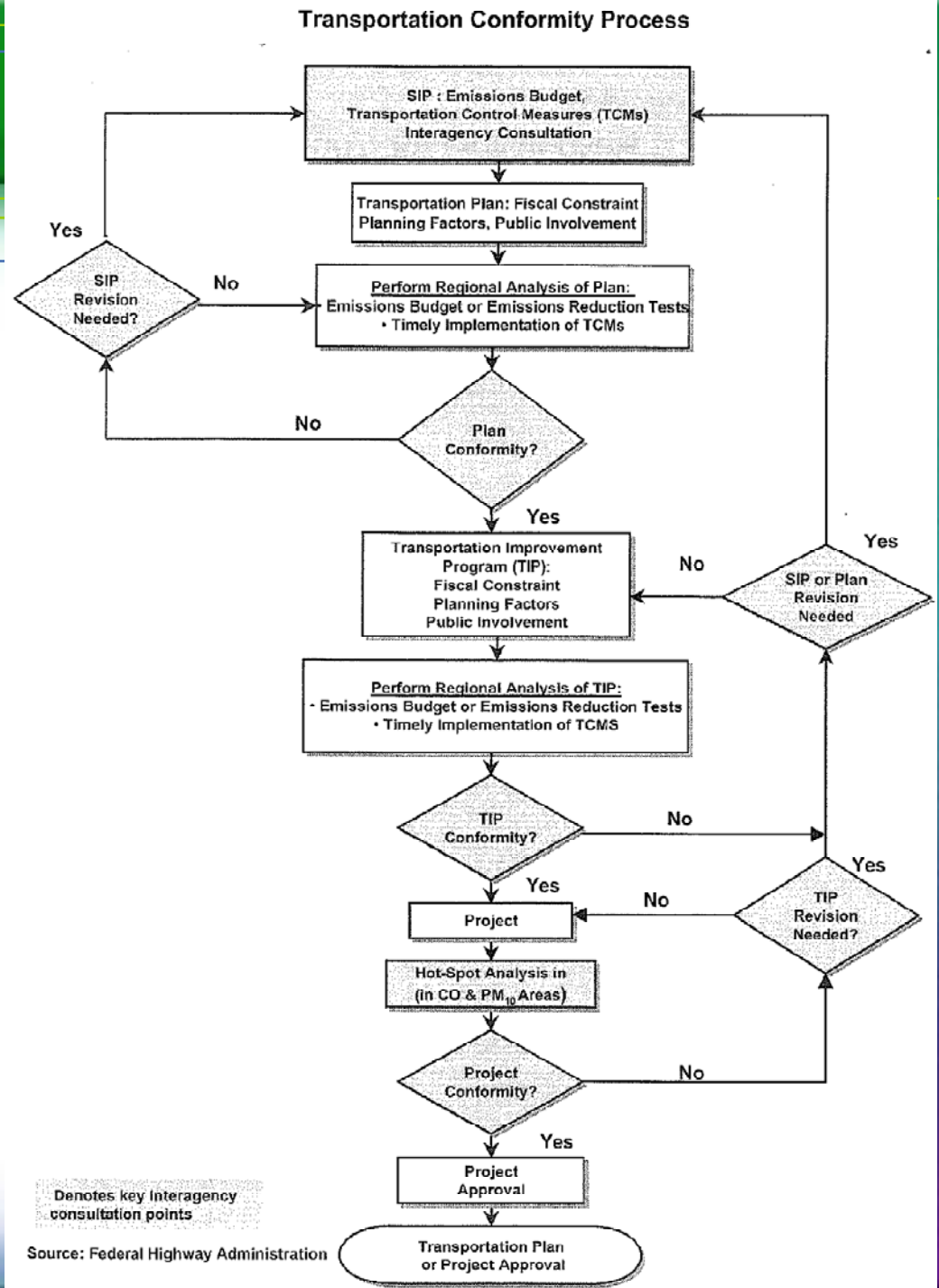
- For projects of “air quality concern” from a plan and TIP in PM non-attainment areas
 - Intermodal freight or bus terminals
 - New highway projects with lots of diesel trucks
 - Congested intersections involving significant traffic
- Conducted during NEPA by project sponsor

Transportation Planning Process Without Conformity

The MPO planning process



Transportation Planning Process With Conformity



Conformity Websites

- www.epa.gov/otaq/stateresources/transconf/index.htm
 - Guidance and rulemakings
 - EPA's adequacy reviews of submitted SIP budgets
- www.fhwa.dot.gov/environment/conform.htm
 - FHWA programs including guidance
 - TCMs

Questions

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