

TPB R7-2007
October 18, 2006

**NATIONAL CAPITAL REGION TRANSPORTATION PLANNING BOARD
777 North Capitol Street, N.E.
Washington, D.C. 20002**

**RESOLUTION FINDING THAT
THE 2006 CONSTRAINED LONG RANGE PLAN AND
THE TRANSPORTATION IMPROVEMENT PROGRAM FOR FY 2007-2012
CONFORM WITH THE REQUIREMENTS OF THE
CLEAN AIR ACT AMENDMENTS OF 1990**

WHEREAS, the National Capital Region Transportation Planning Board (TPB) has been designated by the Governors of Maryland and Virginia and the Mayor of the District of Columbia as the Metropolitan Planning Organization (MPO) for the Washington Metropolitan Area; and

WHEREAS, the U.S. Environmental Protection Agency (EPA), in conjunction with the U.S. Department of Transportation (DOT), under the Clean Air Act Amendments of 1990 (CAAA), issued on November 24, 1993 "Criteria and Procedures for Determining Conformity to State or Federal Implementation Plans of Transportation Plans, Programs, and Projects Funded or Approved Under Title 23 U.S.C. or the Federal Transit Act," and, over the years, subsequently amended this guidance, most recently on April 5, 2005, which taken together provide the specific criteria for TPB to make a determination of conformity of its financially Constrained Long Range Transportation Plan (CLRP) and Transportation Improvement Program (TIP) with the state implementation plans for air quality attainment within the Metropolitan Washington non-attainment area; and

WHEREAS, on February 19, 2004, the Metropolitan Washington Air Quality Committee (MWAQC) approved the region's severe area ozone State Implementation Plan (SIP) and on February 23, 2004 the state air agencies submitted this SIP with its associated mobile source emissions budgets to EPA; and

WHEREAS, in the May 13, 2005 *Federal Register* EPA approved SIP revisions submitted by the District of Columbia, Maryland, and Virginia, which included these mobile emissions budgets in a demonstration of attainment of the one-hour national ambient air quality standard for ozone; and

WHEREAS, TPB staff developed a work program to address all procedures and requirements, including public and interagency consultation, and the work program was released for public comment on February 9, 2006 and approved by the TPB at its April 19, 2006 meeting; and

WHEREAS, in each year's update of the CLRP since 2000, the TPB has explicitly accounted for the funding uncertainties affecting the Metrorail system capacity and levels of service beyond 2005 by constraining transit ridership to or through the core area to 2005 levels; and

WHEREAS, as a result of the "Metro Matters" commitments for Metro's near-term funding, the transit ridership constraint to or through the core area was applied in the 2005 CLRP conformity analysis using 2010 ridership levels rather than 2005 levels; and

WHEREAS, while progress was made during 2006 in Congress and the legislatures of Maryland, Virginia, and District of Columbia to identify additional revenues for WMATA's future capital needs, this additional revenue was not assumed to be available in the financial plan and the transit ridership constraint to or through the core area was applied in the 2006 CLRP conformity analysis using 2010 ridership levels ; and

WHEREAS, on September 14, 2006, the draft Air Quality Conformity Determination of the 2006 CLRP and the FY 2007-2012 TIP, the draft 2006 CLRP and the FY 2007-2012 TIP and web-based information were released for a 30-day public comment period and inter-agency review, and the comments and staff responses to them were reviewed and accepted for inclusion in the CLRP and TIP by the TPB on October 18, 2006; and

WHEREAS, the analysis reported in *Air Quality Conformity Determination of the 2006 Constrained Long Range Plan and the FY 2007-2012 Transportation Improvement Program for the Washington Metropolitan Region*, dated October 18, 2006 demonstrates adherence to the approved mobile source emissions budgets for volatile organic compounds and nitrogen oxides, demonstrates that fine particle emissions (PM_{2.5}) meet the requirement that such emissions are not greater than 2002 levels, meets all regulatory, planning and interagency consultation requirements, and therefore provides the basis for a finding of conformity of the plan and program with the requirements of the CAAA; and

WHEREAS, in the attached letter of October 11, 2006, MWAQC has provided favorable comments on the *Air Quality Conformity Determination of the 2006 Constrained Long Range Plan and the FY 2007-2012 Transportation Improvement Program for the Washington Metropolitan Region*, urging "... the States and local governments to maintain their commitments to TERMS and other emission reduction measures, regardless of whether implementation of these measures is currently necessary for conformity";

NOW, THEREFORE, BE IT RESOLVED THAT THE NATIONAL CAPITAL REGION TRANSPORTATION PLANNING BOARD determines that the 2006 Constrained Long Range Plan and the Transportation Improvement Program for FY 2007-2012 conform with all requirements of the Clean Air Act Amendments of 1990.

Adopted by the Transportation Planning Board at its regular meeting on October 18, 2006.