

TPB R1-2010
July 15, 2009

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

**RESOLUTION FINDING THAT THE 2009 CONSTRAINED LONG RANGE PLAN AND
THE TRANSPORTATION IMPROVEMENT PROGRAM FOR FY 2010-2015
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 these regulations and provided additional guidance, 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, a work program was developed to address all procedures and requirements, including public and interagency consultation, and the work program was released for public comment on January 15 and approved by the TPB at its February 18, 2009 meeting; and

WHEREAS, on February 18 and March 18, 2009, the TPB approved the major projects submitted for inclusion in the air quality conformity assessment for the 2009 CLRP and FY 2010-2015 TIP; and

WHEREAS, in each year's update of the CLRP between 2000 and 2004, 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 through

2008 CLRP conformity analysis using 2010 ridership levels rather than 2005 levels; and

WHEREAS, in October 2008 federal legislation was enacted to authorize \$150 million per year for 10 years in funding for WMATA's capital and preventive maintenance projects, and, the legislatures of Maryland, Virginia, and District of Columbia have taken steps to identify the required dedicated local matching revenues and this additional revenue was assumed to be available in the financial plan for the 2009 CLRP and the transit ridership constraint to or through the core area was applied in the 2009 CLRP conformity analysis using 2020 ridership levels for 2030; and

WHEREAS, on June 11, 2009, the draft Air Quality Conformity Determination of the 2009 CLRP and FY 2010-2015 TIP and web-based information were released for a 30-day public comment period and inter-agency review; and

WHEREAS, the analysis reported in *Air Quality Conformity Determination of the 2009 Constrained Long Range Plan and the FY 2010-2015 Transportation Improvement Program for the Washington Metropolitan Region*, dated July 15, 2009 demonstrates adherence to all mobile source emissions budgets for volatile organic compounds, nitrogen oxides, carbon monoxide and fine particle emissions (PM_{2.5}), and demonstrates that PM_{2.5} emissions 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 June 24, 2009, the Metropolitan Washington Air Quality Committee (MWAQC) has provided favorable comments on the *Air Quality Conformity Determination of the 2009 Constrained Long Range Plan and the FY 2010-2015 Transportation Improvement Program for the Washington Metropolitan Region*, and also continued to “strongly urge state and local governments to maintain their commitments to Transportation Emission Reduction Measures (TERMs) and other emission reduction measures to advance meeting the new ozone and particulate matter standards as soon as possible.”;

NOW, THEREFORE, BE IT RESOLVED THAT THE NATIONAL CAPITAL REGION TRANSPORTATION PLANNING BOARD determines that the 2009 Constrained Long Range Plan and the Transportation Improvement Program for FY 2010-2015 conform with all requirements of the Clean Air Act Amendments of 1990.

Adopted by the Transportation Planning Board at its regular meeting on July 15, 2009

Metropolitan Washington Air Quality Committee

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June 24, 2009

Honorable Charles Jenkins, Chair
National Capital Region Transportation Planning Board
777 North Capitol Street, NE
Washington, D.C. 20002

Dear Chair Jenkins:

The Metropolitan Washington Air Quality Committee (MWAQC) has reviewed the June 11, 2009 draft *Air Quality Conformity Determination Of The 2009 Constrained Long Range Plan And The FY2010-2015 Transportation Improvement Program For The Washington Metropolitan Region*. We are pleased the proposed transportation plan meets both the interim emissions tests and the proposed new motor vehicle emissions budgets for both the 8-hour ozone and PM_{2.5} standards.

As allowed by EPA in the interim before 8-hour ozone and PM_{2.5} mobile budgets are developed and approved, conformity for the 8-hour ozone standard is being tested against the 1-hour ozone mobile budgets in the region's approved SIP. For PM_{2.5}, the region selected the build no greater than 2002 interim emissions test in this year's conformity analysis. We note that this analysis uses the same approach as the conformity determination for the 2008 CLRP and FY 2009-2014 TIP. We are concerned about the extended delay in EPA action on the mobile budgets proposed in 2007 and 2008.

We note that projected 2010 motor vehicle emissions in the region are closer to the proposed new 2010 mobile budgets than they were last year. We recognize that the 2010 mobile emissions budget was included in 8-Hour Ozone Attainment Demonstration because the Transportation Planning Board agreed to provide emissions reductions in 2010 to help meet requirements of the Clean Air Act. Changes in the socio-economic trends in the region can result in changes in the mobile source emissions, thereby affecting the region's air quality. The assumptions in the modeling are updated on a regular basis to reflect these changes in the Washington region. In light of the current economic downturn, we should watch these trends carefully to ensure continuing compliance with the proposed mobile budgets.

For future years, we acknowledge the expectation that there will be substantial reductions in transportation emissions occurring by 2020 and in succeeding years, resulting in transportation emissions well below the current maximum allowable emission levels. However, as you're aware, the EPA recently promulgated more stringent National Ambient Air Quality Standard (NAAQS) for both 8-hour ozone and PM_{2.5}. EPA is also now considering whether to lower the ozone NAAQS even further and may release a new motor vehicle emission model that could substantially affect emission estimates in the region. If the region is designated as a nonattainment area under these new standards, State Implementation Plans will be due to EPA in 2013. Additional emission reductions will very likely be needed across all sectors to meet these new more stringent standards. We continue to strongly urge state and local governments to maintain their commitments to Transportation Emission Reduction Measures (TERMs) and other emission reduction measures to advance meeting the new ozone and particulate matter standards as soon as possible.

Thank you for the opportunity to comment on the draft conformity analysis. We look forward to working closely with you on making further improvements to the region's air quality.

Sincerely,



Hon. Phil Mendelson, Chair
Metropolitan Washington Air Quality Committee