



Transportation Conformity Overview

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Statutory Requirements

FCAA §176(c)

- Metropolitan planning organization (MPO) may not approve a regional transportation plan (RTP), transportation improvement program (TIP), or transportation project that does not conform to the approved state implementation plan (SIP)
- No RTP, TIP, or project may
 - cause or contribute to a new violation of the national ambient air quality standards (NAAQS)
 - increase the frequency or severity of an existing NAAQS violation
 - delay attainment of the NAAQS



Regulatory Requirements

40 CFR Part 93, Subpart A

- Frequency (conformity triggers)
- Conformity analysis
- Interagency consultation
- Timely implementation of SIP transportation control measures (TCM), if applicable
- Fiscal constraint of the RTP and TIP



Conformity Triggers

- Required for nonattainment and maintenance areas for transportation-related NAAQS (O_3 , $PM_{2.5}$, PM_{10} , CO , and NO_2)
- Must be demonstrated
 - within 12 months of the effective date for new nonattainment designations
 - at least every four years or when MPO updates or amends its RTP and TIP with non-exempt projects
 - within 24 months of adequacy or approval by EPA of a SIP action that includes motor vehicle emissions budgets (MVEB)



Conformity Analysis

- MPO must
 - Use latest planning assumptions (40 CFR §93.110)
 - Use latest on-road emissions estimation model (40 CFR §93.111)
 - Pass the applicable emissions test (40 CFR §93.118 and §93.119)
 - MVEB/budget test
 - Interim emissions test(s)



Conformity Analysis

- MVEB/Budget Test – a demonstration that RTP/TIP-based emissions are consistent with adequate/approved MVEBs in the SIP
- Regional emissions analysis – projected on-road mobile source emissions for specific years within the timeframe of the RTP/TIP
- MVEBs – projected on-road mobile source emissions inventories for an area's attainment year, milestone years leading to attainment, or maintenance horizon year



Interagency Consultation

- Communication and consensus among federal, state, and local air quality and transportation officials to establish how conformity will be applied for an area
 - Air quality partners: United States Environmental Protection Agency (EPA), TCEQ, and local air agencies
 - Transportation partners: Federal Highway Administration and Federal Transit Administration (FHWA-FTA), Texas Department of Transportation (TxDOT), MPO, and local transit agencies
- Public review and opportunity to comment



TCM Implementation

- TCM – a mobile source control measure included in the SIP to reduce emissions from transportation sources by
 - reducing vehicle use
 - changing traffic flow
 - mitigating congestion
- Eligible TCMs are listed in Section 108 of the Clean Air Act
- RTP and TIP must provide for timely implementation of all TCMs adopted into the SIP consistent with schedules included in the SIP



Fiscal Constraint

- RTP and TIP must include sufficient financial information to demonstrate that transportation projects can be implemented while the federally supported transportation system is being adequately operated and maintained (23 CFR §450)
- Must be demonstrated before conformity is determined



Conformity Process

MPO

- Initiates conformity process
- Performs air quality conformity analysis for RTP and TIP
- Prepares conformity documents

Public

- Reviews RTP, TIP, and conformity documents
- Submits comments to MPO

MPO

- Amends RTP, TIP, and conformity documents and presents them to MPO policy board for approval
- Submits approved documents for review by conformity consultation partners (FHWA-FTA, EPA, TxDOT, and TCEQ)

Partners

- Review RTP, TIP, and conformity documents
- Provide comments to MPO and work with MPO to resolve issues
- Reach concurrence that all issues have been addressed adequately and transportation conformity is determined



Contact Information

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