

LINKING AIR QUALITY & TRANSPORTATION PLANNING

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Topics for Discussion

- What is an MPO?
- What does an MPO do?
- What plans does an MPO produce?
- How does Air Quality intersect with Transportation Planning?
- What is a Conformity Freeze? A Conformity Lapse?
- What are Highway Sanctions?
- Take-aways

Purpose of an MPO

23 CFR 450.300: Purpose. Set forth the national policy that the MPO designated for each urbanized area is to carry out a continuing, cooperative and comprehensive performance-based multimodal transportation planning process including the development of a metropolitan transportation plan (MTP) and a transportation improvement program (TIP).

MPO means the **policy board** of an organization created and designated to carry out the metropolitan transportation planning process.

Who Makes Up the Policy Committee (Board), the decision-making body of the MPO?

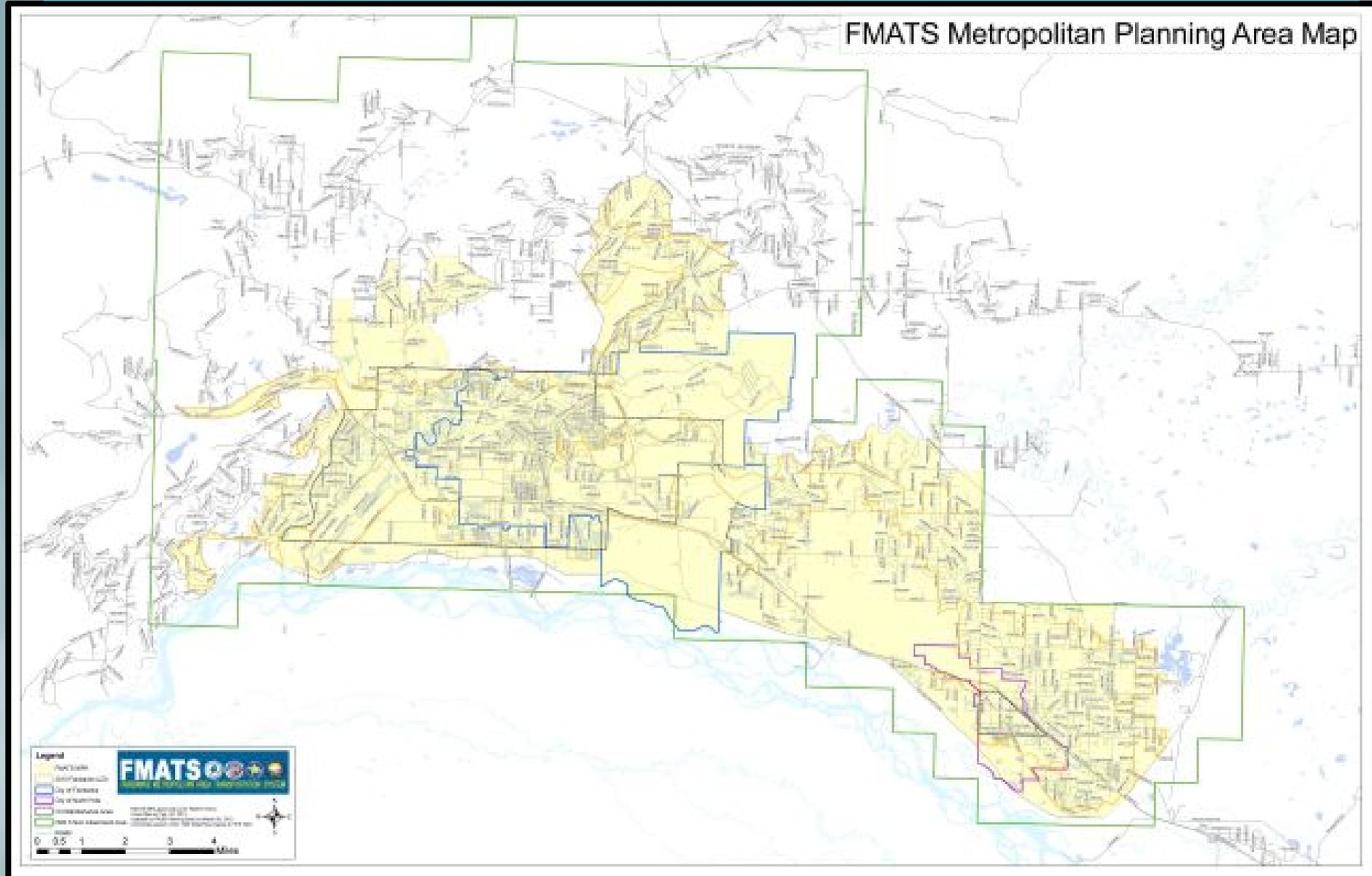
- Fairbanks North Star Borough Mayor
- City of Fairbanks Mayor
- City of North Pole Mayor
- City of Fairbanks Council Representative
- FNSB Assembly Representative
- DOT&PF NR Director
- DEC Air Quality Director



Who Makes Up the Technical Committee?

- Fairbanks North Star Borough Planning Commission
- Fairbanks North Star Community Planning
- Fairbanks North Star Transit
- City of Fairbanks Public Works and Engineering
- City of North Pole Director of City Services
- Alaska Railroad Corporation
- Alaska DOT&PF and DEC
- Tanana Chiefs Conference
- University of Alaska
- Fort Wainwright
- Freight Provider

FMATS Approved Boundary



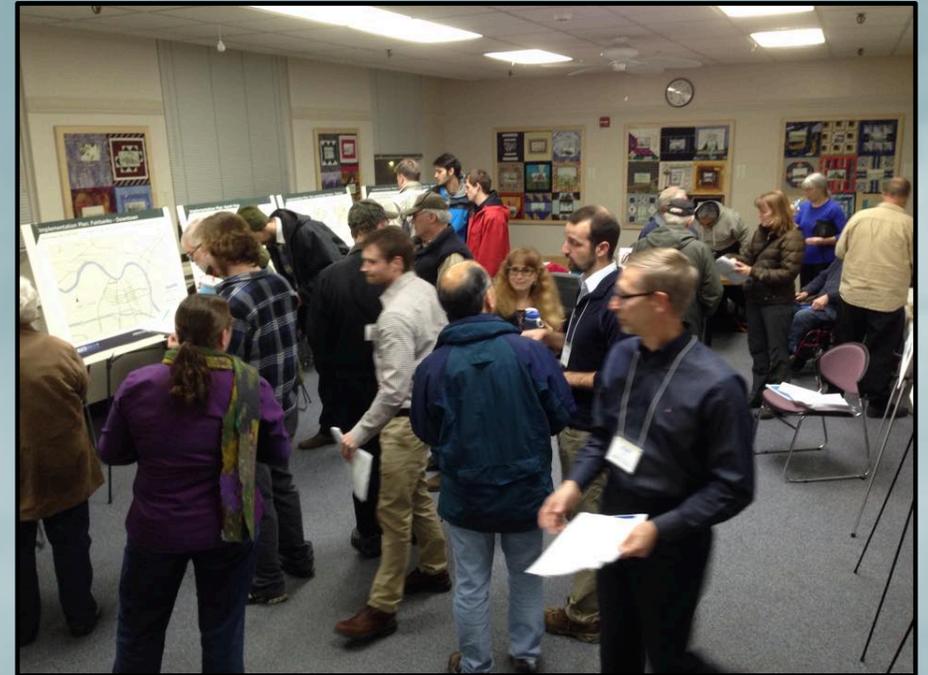
Metropolitan Transportation Plan (MTP)

- Twenty-year Plan
- Performance Based Plan
- Fiscally Constrained
- Includes Mitigation Activities, Operational and Management Strategies, Capital Investment Strategies, Transportation and Transit Enhancement Activities
- Effective date is the date of the conformity determination by the FHWA and FTA



Goals of the MTP

1. Coordinate planning efforts to provide an integrated transportation and land use system that embodies smart growth principles and stimulates the economy to grow.
2. Provide a safe, efficient, secure and interconnected multi-modal transportation system for all users.
3. Protect the environment, improve air quality, promote energy efficiency and enhance the regional quality of life.
4. Optimize the utility and lifespan of the existing transportation system.



Transportation Improvement Program (TIP)

- Four-year spending plan
- All significant scope changes require Policy Committee approval
 - Projects slipping and increase costs have a big impact
- All dollars are accounted for in the program

FMATS FFY 13 Offset List
December 26, 2012

FMATS 2012 - 2015 TRANSPORTATION IMPROVEMENT PROGRAM - AMENDMENT #3
APPROVED 7.23.12

Line	Project Description	Fund	Amount	FFY12	FFY13	FFY14	FFY15
2000	55.6. Minnow Slough Upgrade: FMSB	FCTP	FMATS	2			
		FCTP		3			
		FCTP		7			
		FCTP		4			
	Project Total						
2000	55.6. Minnow Slough Reconstruction	FCTP	FMATS	2			
		FCTP		3			
		FCTP		7			
		FCTP		4			
	Project Total						
1795	81724 88 Noble Street Upgrade: Fairbanks	381	FMATS	2			
	Reconstruction Noble St. from 1st Avenue to Coffey Road	FEDCTP		2			
	Includes \$3.21M of GF-Noble Funds and the state match	GF-Noble		2			
	Match from GF-Noble	FCTP		2			
		FEDCTP		3			
		GF-Noble		3	373.0		
		FEDCTP		7		37.0	
		GF-Noble		7	909.7		
		GF-Noble		4	90.3		
	\$30.0 in ROW donation	CMAQ		4			223.1
		ROW		4			187.0
		SB230		4			50.0
		SB46		4			
		FCTP		4			943.0
		FEDCTP		4			296.9
	Advance Construct (AC) from 2012 to 2011	M46		4			4,633.1
		AC		4			186.8
		ACC		4			1,800.8
	Project Total			4	1,000.0	410.0	8,987.0
							-1,800.8
							0.0

Construction 7+Utilities
4 of 29



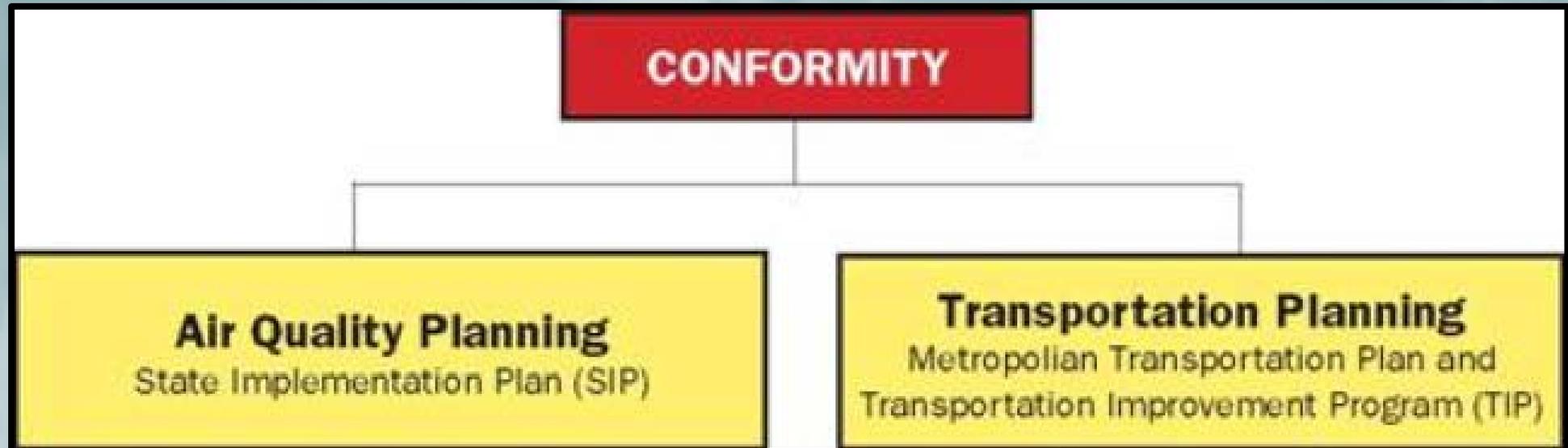
2015 – 2018 TIP

- Carryover Roadway Projects from the 2012 – 2015 TIP (not in construction)
 - Birch Hill Bicycle and Pedestrian Facilities
 - Noble Street Upgrades
 - Gillam Way Reconstruction
 - McGrath Road Upgrades
 - Cushman Street Bridge Replacement
 - Wendell Avenue Bridge Replacement (GO Bond-non-FMATS)
 - Tanana Loop/Alumni Drive Intersection Improvements
- Estimated Cost to Construct: \$30,100,000

Fiscal Constraint of the TIP

- Projects in air quality nonattainment and maintenance areas can be included in the first 2 years of the TIP only if funds are "available" or "committed."

How does the work of the MPO intersect with Air Quality?



Air Quality and Transportation Planning Intersect

- Conformity Determination
 - *Status Quo*
 - *Freezes*
 - *Lapses*
- Planning Agreements for Defining Roles and Responsibilities for Air Quality Planning
- Highway Sanctions
- Fiscal Constraint

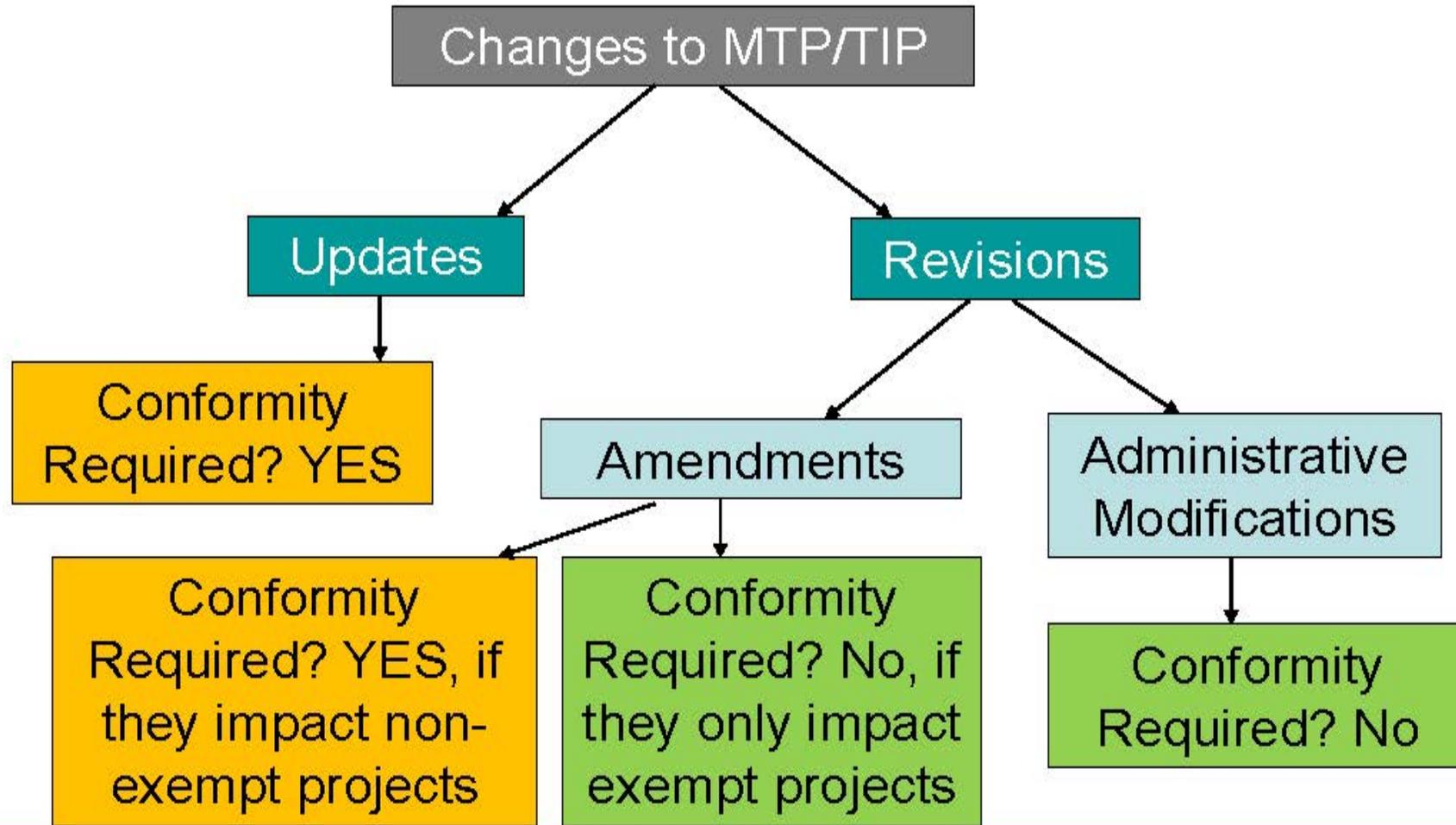


Conformity

Conformity means a Clean Air Act (42 U.S.C. 7506(c)) requirement that ensures that Federal **funding and approval are given to transportation plans, programs and projects that are consistent with the air quality goals established by a State Implementation Plan (SIP).**

Conformity to 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 NAAQS** or any required interim emission reductions or other milestones in any nonattainment or maintenance area.

Conformity Needed for MTP or TIP?



Conformity Determination

- 23 CFR 450.324(m) In nonattainment and maintenance areas for transportation-related pollutants, the MPO, as well as the FHWA and the FTA, must make a conformity determination on any updated or amended transportation plan in accordance with the Clean Air Act and the EPA transportation conformity regulations
- Required for the TIP prior to inclusion in the STIP
- Required for the MTP for approval by the FHWA and FTA
- Requires the latest planning assumptions and interagency consultation

Who is Responsible for Conformity?

- Traffic Modeling – latest model, VMT estimating and forecasting procedures
- Incorporate latest emissions factors, planning assumptions, and emissions model – population, employment, land use, vehicle age, fleet mix
- Circulate draft MTP/TIP for interagency and public comment
- Ensure public participation procedures are followed
- Ensure timely implementation of TCMs
- Respond to significant comments on TIP/MTP conformity document
- In CO and PM 2.5 non-attainment area
- Consult with agencies throughout the conformity determination process
- Consult on the development of the SIP and motor vehicle emissions budgets

Exempt Project List

In conformance with the CAA and Transportation Conformity Regulations, certain highway and transit projects are exempt from the conformity requirement:

- Safety: Railroad/highway crossing, shoulder improvements, increasing sight distance, safety imp., guardrails, pavement resurfacing, rest areas, medians, lighting, widening narrow pavements
- Mass Transit: operating assistance, support vehicle purchase, rehabilitation of transit vehicles, construction of kiosks, shop, shelters, new buses

Note: This list is not all-inclusive. See 40 CFR 93.126, 127



Exempt Project List

- Air Quality: continuation of ride-shares and van-pool promotional activities, bike and pedestrian facilities
- Other: non-construction related activities, engineering studies, advance land acquisitions, landscaping, directional and informational signs

Note: This list is not all-inclusive. See 40 CFR 93.126, 127



Status-Quo

- Through consultation, cooperation, coordination and quality modeling, FMATS continues to program transportation projects and programs
- FMATS now has a Limited Maintenance for Carbon Monoxide



Image courtesy of TerraTerpret

However.....

Conformity Lapse

- A conformity determination for an MTP or TIP has expired
- Results from failure to establish conformity within a required time frame or failure to meet emissions budgets or pass one of the conformity tests
- A 12-month conformity lapse grace period is implemented when an area misses an applicable deadline resulting in a lapse.

Conformity Lapse Grace Period

- Limited projects can proceed but must have a valid TIP in place
- Prepare an interim MTP as a basis for advancing projects eligible to proceed under a lapse
- Must be consistent with the most recent conforming plan

Conformity Lapse

- Lapse occurs when the grace period expires
- Unlike sanctions, a lapse affects transit capacity projects and regionally significant non-federal projects
- Exempt projects, TCMs, and phases approved prior to the lapse may advance
- At this point, federal highway funds can be delayed or diverted

EPA's Potential Action on DEC's State Implementation Plan

- If the EPA's partial disapproval of the Moderate SIP includes the Motor Vehicle Emissions Budgets
- Published in the Federal Register
 - *Public comment period*
 - *Respond to Comments*
 - *Set Effective Date of partial disapproval*
- A SIP failure results in a Conformity Freeze
 - *Very rarely occurs*
- Sanction clock begins



Conformity Freeze

- The State has 24 months to correct the SIP deficiency
- Begins on the effective date of the SIP disapproval
 - *No new TIP or MTP conformity determinations allowed*
 - *No amendments that require conformity allowed*
 - *Individual project-level conformity may proceed*
- If not corrected in 24 months, highway sanctions result



Conformity Freeze and Conformity Lapse

- If the MTP/TIP conformity determination lapses during a conformity freeze:
 - *Go into a 12-month grace period before lapse begins unless highway sanctions apply, whichever comes first*
 - *Only exempt projects can proceed in a lapse*
 - *Federal highway funds can be delayed or diverted*



Mitigating the Transportation Impacts

- Prepare an Interim MTP consistent with the most recent conforming MTP and TIP subject to interagency consultation prior to a conformity freeze
- Prepare an Interim MTP and TIP containing only projects not subject to conformity prior to a conformity lapse
- Can include exempt projects that were not in the conforming plan or TIP
- May want to consider qualified projects be added to the SIP as TCMs prior to the lapse/sanctions



Sanctions

- Used for purposes of enforcing deadlines for SIP submittals and the implementation of approved SIP measures
- Intended to induce the state to develop strategies to attain the air quality standards
- Eighteen months after disapproval, 2:1 offset sanction on new or expanded stationary source permits imposed; currently there are no stationary source budgets or targets. Only residential budgets were in the moderate SIP.
 - *Expensive and difficult to obtain; a very serious penalty*

SANCTIONS



Sanctions

- Six months after offset sanctions, highway sanctions will be imposed and a conformity lapse takes effect (immediately, no grace period)
 - *Prohibition on federal funds for transportation projects except for certain safety, transit, and air quality beneficial projects*
 - *Highway sanctions can be imposed even when the SIP deficiency is not transportation-related*



Sanctions

- Halt the approval of projects and the award of any grants funded under Title 23, Highways including STP, Bridge, NHS, IM, and CMAQ
- Title 49 projects under the Federal Transit Act are categorically exempt
- Projects subject to sanctions
 - *Expand highway capacity, nonexempt development activities, addition of general purpose through lanes, new highway facilities on new locations, new interchanges, reconfiguration of existing interchanges, additions of new access points, increasing functional capacity, relocation of highways, repaving or resurfacing except for safety purposes, project development of non-exempt projects*

Exemptions from Highway Sanctions

- Safety programs and projects
- Air quality improvement projects that would not encourage SOVs



Exemptions from Highway Sanctions

- Seven congressionally-authorized activities
 - *Public transit*
 - *Construction/restriction of roads or lanes solely for HOVs or buses*
 - *TDM: Planning reduce employee work-trip-related emissions*
 - *Ramp metering, signalization, etc. that improve traffic flow*
 - *Parking facilities serving multiple occupancy vehicle*
 - *Programs restricting in areas of emission concentration*
 - *Programs for breakdown and accidents scene management, nonrecurring congestion*
- *Other transportation-related programs as agreed by the EPA Administrator and the Secretary of Transportation*



Planning Agreement Requirements

- If the **MPA does not include the entire nonattainment area**, there shall be a written agreement among the State DOT, State air quality agency, affected local agencies, and the MPO describing the process for cooperative planning and analysis of all projects outside the MPA within the nonattainment area.
- If the **MPO is not the designated agency for air quality planning under section 174 under the Clean Air Act**, there shall be a written agreement between the MPO and the designated air quality planning agency describing their respective roles and responsibilities for air quality related transportation planning.

Take-Aways

- Interagency consultation, coordination and cooperation are critical in working through the air quality and transportation regulations
- Implementation of intermodal transportation projects and programs, with consideration of the environment, will contribute to the urban area's goal of attainment
- With over twenty years of transportation conformity experience, Fairbanks has demonstrated that the conformity process works

Questions?

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