

ARB DRAFT

Transportation Conformity SIP Update: Suggested Schedule for Assessment

CAPCOA Planning Managers & Statewide Conformity Working Group

September 2014

SIP Backlog Overview / Status

EPA, ARB, and the Air Districts have been working together to identify items in the SIP backlog as well as establishing the 4-year work plan to address the backlog. The effort to clear the backlog also addresses pending SIPs (not by definition “backlog”) and forthcoming SIPs as well. Updates have been and will continue to be provided to the CAPCOA Planning Managers and Statewide Conformity Working Group.

The general approach to clear the backlog is to first withdraw as many items as possible. Remaining items will be assessed for approvability. Items will be updated to the extent possible to make fully approvable if necessary. The overall goal is to avoid negative consequences moving through the process which include a transportation conformity freeze or lapse and/or the imposition of highway sanctions.

Note that the backlog lists and overall 4-year management plan will be updated annually (at the end of each year) throughout the backlog clearing effort.

Transportation Conformity SIP Overview / Status

A suggested schedule has been developed for individual regional review, assessment and discussions on the Transportation Conformity SIPs. *It is important to note that this is not a rulemaking schedule; rulemaking will be conducted at the local level as appropriate.* The latest rule and/or MOU and/or most recent update of the transportation conformity SIP will be reviewed and assessed for approvability. Since the Transportation Conformity SIP must be developed via interagency consultation, it is suggested that the established working groups for each region be used to discuss how and when to move forward to cooperatively develop a federally approvable transportation conformity SIP. Many, if not all, MPOs have interagency consultation “working” groups in place that address TIP, RTP, project-level development, implementation and corresponding conformity demonstrations.

In general, the transportation conformity SIP is required to include the following elements:

- Interagency consultation procedures for

- the development of transportation plans and projects and corresponding regional and project-level conformity demonstrations, and
- the development of Federally required air quality plans.
- A process for resolving conflicts among agencies via the Governor or Governor's designee
- Public consultation procedures, which can generally be satisfied by referencing the MPO procedures per 23 CFR 450.316(a).
 - This CFR provision has the MPOs periodically review their public involvement process to assure open access to the MPO decision making processes, which are then reviewed in the context of certification reviews conducted by FHWA and FTA.
- Two additional provisions regarding enforceable written commitments for emission reduction credit and project-level mitigation

Some portions (e.g., ARB SIP processing and appeal process to Governor's office) will be common to all updates and the goal is to provide consistency statewide to the extent possible.

A key component in developing the suggested schedule for assessing the transportation conformity SIPs and developing a plan to move forward is to balance the current work load for all parties involved. The suggested schedule attempts to be cognizant of the FSTIP efforts, EMFAC 2014 release, 2008 8-hour Ozone SIP development, as well as backlog clearing efforts. In addition, the suggested assessment schedule attempts to take into account the number of nonattainment areas, MPOs, Counties, and Air Districts that are involved with each region. The assessment schedule also attempts to take advantage of opportunities for improved efficiency, providing more consistency throughout regions, with respect to both process and documentation. Again, *this is not a rulemaking schedule; rulemaking will be conducted at the local level as appropriate.*

Next Steps

Please review and comment on the suggested schedule for assessing Transportation Conformity SIPs in the backlog and provide any feedback by October 1, 2014. Status updates will continue to be provided at the CAPCOA Planning Managers and Statewide Conformity Working Group meetings throughout the process.

Contacts

If you have any specific questions re: the TC SIP status and/or process, please contact Cari Anderson, ARB Cari.Anderson@arb.ca.gov and Karina O'Connor, EPA oconnor.karina@epa.gov

Previous Updates / References

CAPCOA Planning Managers, July 2014 Meeting:

- Commitments and Best Practices for Addressing the SIP Backlog, NACAA-ECOS-EPA SIP Reform Workgroup (provided to Statewide Conformity Working Group, file: EPA Agreement.pdf, posted online @:
http://www.dot.ca.gov/hq/env/air/state_cwg/2014Mar/epa_agreement.pdf
- Transportation Conformity SIPs, ARB Draft, March 2014 (provided to Statewide Conformity Working Group, file: Draft ARB Handout 3.12.14 CACWG.pdf, posted online @:
http://www.dot.ca.gov/hq/env/air/state_cwg/2014Mar/arb_draftt_confsips.pdf

Statewide Conformity Working Group, March 2014 Meeting:

- Commitments and Best Practices for Addressing the SIP Backlog, NACAA-ECOS-EPA SIP Reform Workgroup (provided to Statewide Conformity Working Group, file: EPA Agreement.pdf, posted online @:
http://www.dot.ca.gov/hq/env/air/state_cwg/2014Mar/epa_agreement.pdf
- Transportation Conformity SIPs, ARB Draft, March 2014 (provided to Statewide Conformity Working Group, file: Draft ARB Handout 3.12.14 CACWG.pdf, posted online @:
http://www.dot.ca.gov/hq/env/air/state_cwg/2014Mar/arb_draftt_confsips.pdf

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Options	Groupings	MPO / County	Air Districts (if more than 1)	Order for Assessment	Schedule			
					2014	2015	2016	2017
Withdraw		Santa Barbara		1	3rd qtr			
		Monterey Bay		2	3rd qtr			
Review for approvability issues	District - MPO concurrent areas	SANDAG		3		1st qtr		
		Butte		4		2nd qtr		
	Large MPO/Regions (multiple areas)	SJV (Kern)	E. Kern, San Joaquin	6		4th qtr		
		SACOG	El Dorado, Feather River, Placer, Sacramento, Yolo- Solano	7			3rd qtr	
		SCAG	Antelope Valley, Imperial, Mohave Desert, South Coast, Ventura	8			4th qtr	
Draft New	MPO	San Louis Obispo		5		3rd qtr		
	Isolated Rural Areas	Caltrans	Calaveras; Mariposa; Northern Sierra; Tehema	9				1st qtr
Other Work Efforts					SIP Backlog Clearing			
					2015 FSTIP Review - 2nd qtr, 2014		SCAG RTP/SCS - 1st qtr, 2016	
					EMFAC & 08 SIP Efforts - 4th qtr, 2014		2017 FSTIP Review - 2nd qtr, 2016	

NOTE: This is not a rulemaking schedule; rulemaking will be conducted at the local level as appropriate.