

## Statewide Conformity Working Group

### February 9, 2021 Meeting Notes

#### 1. US EPA Updates (Karina O'Connor)

- Staff Updates:
  - Karina, Panah, and John Kelly still primary conformity contacts
  - Confirmation hearings planned for new administrator (Michael Regan)
- Regulatory Updates and SIP Actions:
  - Updated NAAQS table – will share with group. Questions? Contact John Kelly (Rodney will send updated table statewide)
  - Two-year grace period for EMFAC14 ends on August 15<sup>th</sup> (last day to use)
  - Region 9 SIP Updates
    - EPA completed final approval of the California air quality plans for the 2008 ozone standard for San Joaquin Valley, South Coast, Ventura, Coachella and Imperial
      - Proposals have been published for Eastern Kern, Western Nevada, and Sacramento
    - PM 10 and PM 2.5 (2012 and 2006 standards) plans approved for South Coast and San Joaquin Valley.
- Litigation
  - Routine litigation on SIPs with inaction on 18-month requirement
  - Recently lost case on ozone implementation rule (should be no impact on conformity)
  - SAFE Rule litigation update: currently stayed depending on EPA and NHTSA response to Biden's Executive Order on Green House Gas emissions. The EO calls on EPA and NHTSA to consider publishing for notice and comment a proposed rule suspending, revising or rescinding the rule by April 2021. Action on SAFE Part 2 should also be proposed by July 2021.
    - Rodney clarified that EMFAC2017 is still in place (has not been revoked). April timeframe for EPA and NHTSA action on the existing rule – will likely be proposal but still too early to tell.
    - AQEH Branch (Caltrans HQ) will rewrite FAQs when the litigation is resolved
    - Rongsheng: amending RTP/SCS – is there a cutoff date for continuing use of adjustment factors for EMFAC2017?
      - Karina – continue to use them until further notice
- Sanctions Clocks
  - No active sanctions in CA currently - watching clocks to prevent sanctions from taking place
  - There are some old sanctions due to older ozone standards, but these areas stayed, thus are not impacting project delivery

## 2. FHWA Updates (Joseph Vaughn)

- Staff Updates
  - Patrick Pittenger, community planner + regional conformity (northern sac valley/California) – to be finalized and sent out to group (SACOG MTC SLOCOG and AMBAG)

## 3. CARB Updates (Nesamani Kalandiyur)

- Staff Updates:
  - Kevin Hendrawn new staff working on conformity (replaced Shannon Hatcher)
  - Steve Cliff now deputy administrator of NHTSA (National Highway Traffic Safety Administration)
- CARB Board has adopted several key regulations and SIPs
  - Advanced Clean Trucks – requires increasing sales of zero emission models
  - Heavy Duty low NOx Omnibus – stricter standards/engine requirements
  - 70 ppb Ozone base year emission inventory for all nonattainment areas
  - 70 ppb Ozone Reasonably Available Control Technology (RACT) SIPs for 12 districts/nonattainment areas
  - San Diego 70 & 75 ppb Ozone Attainment Plan SIP
  - South Coast 2006 24-hour PM2.5 Attainment Plan SIP
  - Coachella Valley 80 ppb Ozone Extreme Attainment Plan SIP
  - Indian Wells Second 10-Year PM10 Maintenance Plan
- 2020 Mobile Source Strategy adopted
  - Staff is incorporating comments received from air districts, as well as Board direction and will hold third public workshop in March, and release the final 2020 MSS for CARB Board consideration in late spring
- EMFAC Updates
  - 2021 model is released (January 2021)
    - Now fully functional as web-based
    - Updated DMV data 2000-2019
    - Updated emission rates
    - EV Module
    - Energy Module
    - Latest adopted regulations (i.e. ACT and Low NOx Omnibus)
      - SAFE Vehicle Rule is incorporated into the EMFAC2021 model
    - Conversations are happening internally as to readiness in case of rescission of SAFE Vehicle Rule and corresponding model amendments
      - Rongsheng: what would this process look like? Answer: The EMFAC2021 model will be revised and released for public. For any other process, will need to discuss with management

- Technical documentation in progress and to be submitted to EPA for approval this spring
- SB 375
  - Reviewed and approved nine (most of them second SCSs, and two third SCSs)
  - Working to post online but need to be ADA compliant
- 4. Caltrans HQ Updates
  - Staff Updates
    - Marilee Retired – Rodney is the new Branch Chief
      - Rodney will still be performing AQ responsibilities but transitioning more to Luke and Lexie
      - Staff vacancy in branch now (AQ, GHGs)
  - Conformity Status Table Updates
    - Will be updating soon; ADA compliance is a challenge. Will share with group when available
  - Clarification of Exemptions
    - Has been an invaluable tool
    - Long process/changing admin – will hold off on any new potential exemptions at this time
  - CT-EMFAC
    - Will update with EMFAC2021
  - FSTIP Update (Jackie Kahrs)
    - Schedule: at this point the next important milestone is March 1<sup>st</sup>, MPOs will have finalized 2021 FTIPs and submitted to Caltrans
    - March 8<sup>th</sup> public review and comment period (ends March 22<sup>nd</sup>)
    - April 1<sup>st</sup> Caltrans will submit the 2021 FSTIP to FHWA/FTA for review and approval
    - Hoping to be approved by April 16<sup>th</sup> (on track)
      - Antonio: MPOs please submit conformity packages with FTIPs. FHWA will not send a letter to each MPO, instead they will be sending email concurrence for conformity determinations – will be official with approval of FSTIP (?)
  - Other Topics
    - August 16<sup>th</sup> end of grace period for use of EMFAC2017
      - Could be challenges in certain areas
      - Rongsheng: EMFAC14 grace period for project level conformity is only one year – aware of any issues in the state (including SCAG) regarding application of EMFAC17 for project level. Answer: no, only a regional issue so far. Again, stressing time constraint on amendments (get them in now).
      - Harold: will there be a link to the latest version of CT-EMFAC on your websites Answer: We will follow up with DEA

## 5. MPO Updates

- Brian Lasagna BCAG
  - December 2020 adopted latest RTP and Conformity
- Rongsheng Luo, SCAG
  - SCAG received FHWA/FTA approval for last 2020 RTP/SCS June 5 of last year
  - Scheduled to adopt 2021 FTIP next month
  - Initiated first amendment to 2020 RTP/SCS
    - Draft tentatively up for release in July
    - Final tentatively up for adoption in September (upon adoption to be submitted to FHWA/FTA for approval)
  - Providing CARB and air district latest travel data for SIP purposes
- SLOCOG
  - 2021 FTIP submitted
  - Used EMFAC2017
- MTC
  - Finished 2021 FTIP/conformity analysis last fall
  - End of February, commission will be approving
  - Hoping for federal approval in April
  - Plan Bay Area 2050 (new RTP)
    - Resolving this spring
- SANDAG
  - 2021 RTP release draft later this spring w/conformity
  - Final late 2021
- Valley
  - 2021 FTIPs submit to Caltrans by March 1<sup>st</sup>
  - Travel modeling updates occurring
  - Public engagement on scenario development for SCS/SB375
  - One of the areas with conformity issues with EMFAC2017 (5/8 cannot pass, in discussions with CARB/EPA)
    - Attempting FTIP updates by August 15<sup>th</sup>
    - Rodney advised avoiding programming "engineering studies only" to avoid conformity issues with later amendments
- Ben Cacatian
  - Drafting TCMs for RACM analysis for SIP
  - District is moving locations (still in city of Ventura)

## 6. Info Sharing/Open Discussion

- Once in person again – hoping to set up another Intro to Conformity course
- Next Meeting possibly Mid-September