



# TRANSPORTATION CONFORMITY WORKING GROUP

## Meeting Minutes

April 25, 2023

10:00 a.m. – 12:00 p.m.

The meeting was held via Zoom, teleconference, and in-person. A digital recording of the meeting is available for listening in SCAG's office.

### Attendee List

#### **SCAG Staff:**

Asuncion, John  
Calderon, Karen  
Gutierrez, Pablo  
Lo, Nancy  
Luo, Rongsheng  
Sun, Lijin

#### **Via Teleconference:**

Anderson, Kelsie  
Bade, Rabindra  
Becha, Karishma  
Brugger, Ron  
Carneiro, Lucas  
Carpio, Wellvin  
Cooper, Keith  
Emery, Edward  
Espinoza Araiza, Erika  
Garfio, Angel  
Henkelman, John  
Huddleston, Lori  
Kahrs, Jacqueline  
Kalandiyur, Nesamani  
Kang, Peter  
Lay, Keith  
Lee, David  
Marroquin, Nancy  
Masters, Martha  
Mervin, Acebo  
Miranda, Jude  
Moran, Nohemi  
Morris, Michael  
O'Connor, Karina  
Richmai, Michael  
Shankel, James  
Tavitas, Rodney  
Vaca, Erika  
Wang, Sam  
Vosti, Bill  
Yoon, Andrew

TCA  
Caltrans District 12  
Caltrans Headquarters  
LSA  
Rincon Consultants  
LA Metro  
ERP  
RCTC  
Caltrans Headquarters  
OCTA  
Ventura County APCD  
LA Metro  
Caltrans Headquarters  
ARB  
Caltrans Headquarters  
ICF  
Caltrans District 8  
LA Metro  
RCTC  
FTA  
Caltrans District 12  
SBCTA  
FHWA  
US EPA Region 9  
LA Metro  
Caltrans District 7  
Caltrans Headquarters  
Caltrans Headquarters  
South Coast AQMD  
Rincon Consultants  
Caltrans District 7



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## MEETING SUMMARY

### 1. CALL TO ORDER AND SELF-INTRODUCTIONS

Andrew Yoon, TCWG Chair, called the meeting to order at 10:02 a.m.

### 2. PUBLIC COMMENT PERIOD

None.

### 3. CONSENT CALENDAR

#### 3.1. February 28, 2023 TCWG Meeting Minutes

The meeting minutes were approved.

#### 3.2. March 28, 2023 TCWG Meeting Minutes

The meeting minutes were approved.

### 4. INFORMATION ITEMS

#### 4.1. Review of PM Hot Spot Interagency Review Form

RIV180140: It was determined that this project is not a project of air quality concern.

4.1a Request for Interagency Consultation to confirm that the recently released National Electric Vehicle Infrastructure Formula (NEVI) projects are exempt projects

Pablo Gutierrez, SCAG, provided a brief overview of the NEVI projects and the exemption status determination request.

In response to questions, Pablo Gutierrez, SCAG, confirmed that there would be no impact if the exemption status could not be determined at today's meeting; however, SCAG would not program these projects into SCAG's FTIP until their exemption status has been determined; Karina O'Connor, EPA, agreed to check with EPA's Office of Transportation and Air Quality (OTAQ) to see if the NEVI projects could qualify as transportation enhance activities that are exempt from requirements to determine conformity pursuant to 40 CFR Section 93.126.

#### 4.2. RTP Update

Nancy Lo, SCAG, reported the following:

- SCAG staff incorporated comments on the Draft Connect SoCal 2020 Amendment No. 3 and 2023 FTIP Consistency Amendment #23-03 and continued to revise the draft Amendments document.
- SCAG staff would release the revisions for an additional 15-day public review period and notify TCWG of the availability of the revisions.

#### 4.3. FTIP Update

John Asuncion, SCAG, reported the following:

- The Draft 2023 FTIP Consistency Amendment #23-03 was included as part of the Draft Connect SoCal 2020 Amendment No. 3 and would follow the same approach and schedule as reported under Item 4.2.

#### 4.4. Status Update on Regional Transportation Conformity Lockdown

Rongsheng Luo, SCAG, reported the following:

- ARB had developed and officially submitted the interim off-model adjustment factors for EMFAC2021 to EPA.
- SCAG staff had applied the interim off-model adjustment factors in the transportation conformity analysis portion of the revisions to Draft Connect SoCal 2020 Amendment No. 3 and 2023 FTIP Consistency Amendment #23-03.
- The revised Draft Amendments continued to meet all transportation conformity requirements.
- SCAG staff appreciated Nesamani Kalandiyur, ARB, Karina O'Connor, EPA, and all involved ARB and EPA staff for



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their effective collaboration and timely submittal of the interim off-model adjustment factors.

- SCAG staff had requested and appreciated an advanced and expedited federal review and approval of the amendments as soon as possible upon SCAG RC adoption on June 1, 2023, pending EPA final approval of the interim off-model adjustment factors for EMFAC2021 that were used in the conformity analysis.

Karina O'Connor, EPA, confirmed that SCAG could release the revisions to the draft Amendments document including revisions to the conformity analysis with the interim off-model adjustment factors; However, the interim off-model adjustment factors must be approved by EPA before SCAG RC adoption.

## 4.5. EPA Update

Karina O'Connor, EPA, reported the following:

### **Interim Off-Road Adjustment Factors for EMFAC2021:**

- EPA staff fully anticipated their final approval of the interim off-road adjustment factors in time before SCAG RC adoption on June 1, 2023.

### **South Coast AQMD Lawsuit regarding the 1997 8-Hour Ozone Contingency Measures SIP Plan:**

- This is not a traditional attainment or reasonable further progress plan or maintenance plan. Rather, it is a specific plan under the Clean Air Act (CAA) Section 182(e)(5).
- Because the area is designated as Extreme ozone nonattainment area, and when the South Coast AQMD prepared an attainment plan for the area, it can be based on commitments to achieve projected emissions reduction from new emissions control technologies or improvements that are yet in place. This is commonly known as black box.
- Under CAA Section 182(e)(5), the State must adopt contingency measures within three years before the reductions are relied upon for the attainment date.
- This 1997 8-Hour ozone contingency measures SIP Plan contains contingency measures for the measures in the black box.
- EPA's Transportation Conformity Regulations Section 93.120 related to SIP disapproval, specifically control strategy implementation plan, does not apply here. This is because EPA does not view the specific plan developed under CAA Section 185(e)(5) as a control strategy implementation plan. Should there be EPA disapproval of the South Coast AQMD's 1997 8-Hour ozone contingency measures SIP Plan, EPA does not think a conformity freeze would be triggered, and that EPA would not need to do a protective finding.

## 4.6. ARB Update

Nesamani Kalandiyur, ARB, reported the following:

- ARB staff submitted the interim off-model adjustment factors to EPA and provided to SCAG staff. Upon EPA final approval, they would be posted on ARB's website.

## 4.7. Air Districts Update

- 4.7.1. Status Update on EPA Final Disapproval of AVAQMD Rule 315; Failure to Submit Contingency Measures for the 2008 8-Hour Ozone NAAQS for Antelope Valley Portion of West Mojave Desert Ozone Nonattainment Area; and Proposed Limited Disapproval of AVAQMD Rules 1301, 1302, 1303, 1304, 1305, and 1309  
No representatives to provide an update.

- 4.7.2. Status Update on EPA Final Limited Disapproval of MDAQMD Rule 1160; Final Disapproval of MDAQMD Rule 315; Failure to Submit Contingency Measures for the 2008 8-Hour Ozone NAAQS



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for San Bernardino County Portion of West Mojave Desert Ozone Nonattainment Area; Proposed Limited Disapproval of MDAQMD Rules 1301, 1302, 1303, 1304, and 1305; and Proposed Limited Disapproval of MDAQMD Rule 1157

No representatives to provide an update.

Karina O'Connor, EPA, reported that EPA had paused sanctions clocks triggered by EPA final limited disapproval of MDAQMD Rule 1160. EPA proposed to approve the amended MDAQMD Rule 1160. Once EPA finalizes the approval, relief from sanctions will become permanent.

4.7.3. Status Update on EPA Proposed Limited Disapproval of SCAQMD Rules 1106, 1106.1, and 1107; Final Limited Disapproval of SCAQMD Rule 1118; Final Limited Disapproval of Reasonable Available Control Technology Demonstrations for Sources Covered by the EPA's 2016 Oil and Gas Control Techniques Guidelines for SCAQMD; Failure to Submit Contingency Measures for the 2008 8-Hour Ozone NAAQS for Coachella Valley Ozone Nonattainment Area  
Lijin Sun, SCAG, reported on behalf of SCAQMD that there were no updates this month.

4.7.4. Status Update on EPA Final Limited Disapproval of Reasonable Available Control Technology Demonstrations for Sources Covered by the EPA's 2016 Oil and Gas Control Techniques Guidelines for VCAPCD

John Henkelman, VCAPCD, reported the following:

- VCAPCD staff had been making incremental progress and was still on schedule to develop, adopt, and submit amended rules before the imposition of highway sanction on October 31, 2024.

## 5. INFORMATION SHARING

Lori Huddleston, LA Metro, requested information from SCAG, ARB, and Caltrans Headquarters regarding Caltrans' Carbon Reduction Program and funds. LA Metro staff would attend the May workshop and would like to get information on how these requirements relate to the other GHG/VMT state requirements. Caltrans Headquarters staff would follow up on the request after the meeting.

## 6. ADJOURNMENT

The next meeting of the TCWG would be held on Tuesday, May 23, 2023 via Zoom, teleconference, and in-person. Please submit PM Hot Spot Analysis Interagency Review Forms for the next meeting to Lijin Sun, [sunl@scag.ca.gov](mailto:sunl@scag.ca.gov), by Tuesday, May 9, 2023.