Section I
Conformity Requirements & Findings

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SECTION I

CONFORMITY REQUIREMENTS AND FINDINGS

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CONFORMITY REQUIREMENTS AND FINDINGS

PREFACE

The federally required transportation conformity analyses and findings for the 2021 Federal Transportation Improvement Program (FTIP) are set forth in the following sections. These analyses also update the conformity analyses for the 2020 Connect SoCal - Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). All transportation and air quality conformity analyses in this document are in compliance with applicable federal and state laws, including conformity and transportation planning regulations. This Technical Appendix contains three sections that specifically address the conformity analyses required for federal approval:

- Section I summarizes the conformity requirements and findings.
- Section II provides modeling methodologies and assumptions and results of the regional emissions analyses for the 2021 FTIP.
- Section III reports on the timely implementation of Transportation Control Measures (TCMs) and describes the implementation status of all applicable TCMs in the SCAG region.

FEDERAL AND STATE REQUIREMENTS

SCAG, the Metropolitan Planning Organization (MPO) for Southern California, is mandated to comply with federal and state transportation and air quality regulations. Federal transportation regulations authorize federal funding for highway, highway safety, transit, and other surface transportation programs. The Federal Clean Air Act (CAA) establishes air quality standards and planning requirements for various criteria air pollutants.

Regional Transportation Plan and Federal Transportation Improvement Program

Federal transportation law requires that SCAG develop an RTP for a 20-year minimum period. Additionally, SCAG must develop an FTIP that allocates funds over a four-year period to implement the RTP. In the federal nonattainment or maintenance areas, the RTP and FTIP must comply with the transportation conformity requirements of the U.S. Environmental Protection Agency's (EPA) Transportation Conformity Regulations.

The biennial FTIP update is produced on an even-year cycle and is consistent with the State Transportation Improvement Program (STIP) cycle.

Federal Nonattainment and Maintenance Areas

EPA may make a federal "nonattainment area" designation to any area that has not met CAA health standards for one or more criteria pollutants. A nonattainment area designation may require additional air quality controls for transportation plans, programs, and projects. The California Air Resource Board (ARB) recommends the federal nonattainment area boundaries to EPA for final designations. Subsequently, the EPA finalizes and defines the boundaries of the federally designated nonattainment areas for each criteria pollutant.

A maintenance area is any geographic region of the United States previously designated nonattainment pursuant to the CAA Amendments of 1990 and subsequently redesignated to attainment subject to the requirement to develop a maintenance plan under section 175A of the CAA, as amended.

State Implementation Plans (SIPs)

To comply with the CAA in achieving the National Ambient Air Quality Standards (NAAQS), the ARB develops SIPs for federal nonattainment and maintenance areas. In California, SIP development is a joint effort of the local air agencies and the ARB working with federal, state, and local agencies (including the MPOs). Local air quality management plans (AQMPs) are prepared in response to federal and state requirements.

In California, all SIPs have to go through three steps: air district action, ARB action, and finally EPA action. Each air district submits its respective AQMPs/SIPs to the ARB. The ARB is the official state agency that submits the SIPs to EPA for all federal nonattainment and maintenance areas in California.

The SIP includes two important components relative to transportation conformity requirements – motor vehicle emissions budgets (for all criteria pollutant SIPs) and TCMs (for ozone and CO SIPs only). The emissions budgets set an upper limit which transportation activities (for SIP purposes motor vehicles are also known as "on-road mobile sources") are permitted to emit. TCMs, required for serious and above Ozone nonattainment areas and serious CO nonattainment areas, are strategies to reduce emissions from on–road mobile sources. The 2021 FTIP must conform to the applicable SIPs [i.e., emissions budgets and TCMs] in the SCAG region.

Federal Transportation Conformity Regulations

Transportation conformity is required under CAA section 176(c) to ensure that federally supported highway and transit project activities "conform to" the purpose of the applicable SIP. Conformity currently applies to areas that are designated nonattainment, and those re-designated to attainment after 1990, maintenance areas, with plans developed for the specific transportation-related criteria pollutants. Conformity for 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 relevant NAAQS. The transportation conformity regulations are found in 40 CFR part 93 and provisions related to conformity SIPs are found in 40 CFR 51.390.

CLEAN AIR ACT AREA DESIGNATIONS IN THE SCAG REGION

2021 FTIP is subject to transportation conformity for the following three criteria air pollutants:

- Carbon Monoxide (CO) - a product of automobile exhaust. CO reduces the flow of oxygen in the bloodstream and is particularly dangerous to persons with heart disease.
- Ozone - formed by the reaction between volatile organic compounds (VOC) and oxides of nitrogen (NOx) in the presence of sunlight. Ozone negatively impacts the respiratory system.
- Particulate Matter (PM_{10} and $PM_{2.5}$) - extremely small particles and liquid droplets associated with dust, soot and combustion products. Particulate pollution has been linked to significant health problems, including aggravated asthma, increases in adverse effects on respiratory systems, chronic bronchitis, decreased lung function, and premature death.

Air Basins and Air Districts in the SCAG Region

SCAG is a six-county region that contains four air basins and five air districts:

- The South Coast Air Basin (SCAB) covers the urbanized portions of Los Angeles, Riverside, and San Bernardino counties as well as the entire County of Orange. With the exception of the Morongo and Pechanga Areas of Indian Country for the 2008 and 2015 8-hour ozone standards and the Pechanga Area for the 2012 annual $PM_{2.5}$ standard, the SCAB is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). For the 2008 and 2015 ozone standards and the 2012 $PM_{2.5}$ standard, the Morongo and Pechanga Areas of Indian Country within the SCAB are administered by their respective Indian Tribal Governments.
- The Ventura County portion of the South Central Coast Air Basin (SCCAB) covers Ventura County and is within the jurisdiction of the Ventura County Air Pollution Control District (VCAPCD).
- The Mojave Desert Air Basin (MDAB) covers the desert portions of Los Angeles, Riverside, and San Bernardino counties. A small portion of this air basin is in Kern County and outside of the SCAG region. The SCAG portion of this air basin is under the jurisdiction of three air districts:
  - The Mojave Desert Air Quality Management District (MDAQMD) administers portions of the MDAB situated in San Bernardino County and eastern Riverside County. The Riverside County portion is known as the Palo Verde Valley Area.
  - The SCAQMD administers the portion of MDAB in Riverside County situated between the Salton Sea Air Basin (SSAB) and the Palo Verde Valley Area.
  - The Antelope Valley Air Quality Management District (AVAQMD) administers the Los Angeles County portion of the MDAB.
- The Salton Sea Air Basin (SSAB) covers all of Imperial County and the eastern portion of Riverside County (excluding the MDAB portion). This air basin is under jurisdiction of two air districts:

- The Imperial County Air Pollution Control District (ICAPCD) administers the Imperial County portion of the SSAB.
- The SCAQMD administers the Riverside County portion of the SSAB situated between the SCAB and the MDAB.

Nonattainment/Maintenance Areas in the SCAG Region[1]

The federal nonattainment and maintenance areas in the SCAG region are:

- Most of Imperial County Portion of SSAB – nonattainment for 2008 and 2015 8-hour ozone; and PM_{10}
- Urbanized area of Imperial County portion of SSAB – nonattainment for 2006 24-hour and 2012 Annual $PM_{2.5}$[2]
- Morongo Indian Reservation Portion of SCAB – nonattainment for 2008 and 2015 8-hour ozone
- Pechanga Indian Reservation Portion of SCAB – nonattainment for 2008 and 2015 8-hour ozone; and 2012 Annual $PM_{2.5}$
- Riverside County Portion of SSAB (Coachella Valley) – nonattainment for 2008 and 2015 8-hour ozone; and PM_{10}
- San Bernardino County portion of MDAB:
  - Searles Valley – nonattainment for PM_{10}
  - San Bernardino County (excluding the Searles Valley area) – nonattainment for PM_{10}
- SCAB – nonattainment for 1997 & 2006 24-hour and 2012 (excluding Pechanga) Annual $PM_{2.5}$ and 2008 and 2015 8-hour ozone (excluding Morongo and Pechanga); maintenance for CO and PM_{10}.
- Ventura County Portion of SCCAB – nonattainment for 2008 and 2015 8-hour ozone
- Western MDAB (Antelope Valley portion of Los Angeles County and San Bernardino County portion of MDAB) – nonattainment for 2008 and 2015 8-hour ozone

The boundaries of the air basins, air districts, and nonattainment and maintenance areas are illustrated in Exhibit A at the end of this section.

[1] It is important to note the removal of the five 1997 8-hour ozone nonattainment areas and the one NO_2 maintenance area in the SCAG region since the adoption of the 2019 FTIP: (1) Transportation conformity for the 1997 ozone NAAQS does not need to be demonstrated in the five previous 1997 ozone NAAQS nonattainment areas in the SCAG region, because the 1997 ozone NAAQS has been revoked by U.S. EPA for all purposes and the 2008 ozone NAAQS nonattainment areas in the SCAG region are identical to the 1997 ozone nonattainment areas (U.S. EPA, Transportation Conformity Guidance for the South Coast II Court Decision, November 2018); and (2) Transportation conformity no longer applies to SCAB under the NO_2 NAAQS because the region has attained the standards consistently for over twenty years (U.S. EPA letter to SCAG, April 25, 2019).

[2] The Imperial County nonattainment area was determined by the U.S. EPA to have attained the 2006 24-hour PM2.5 NAAQS effective May 12, 2017. Nonetheless, the Imperial County nonattainment area will remain designated nonattainment for the 2006 24-hour PM2.5 NAAQS until such time as the EPA determines that the Imperial County nonattainment area meets the CAA requirements for redesignation to attainment.

Applicable Emissions Budgets in the SCAG Region

For the 2021 FTIP conformity determination, the applicable emissions budgets are established in the SIPs and approved or found adequate by EPA. Upon final adequacy or approval by EPA, the conformity budgets that are currently undergoing review or proposed approval by EPA will supersede the previously approved emission budgets and become applicable emission budgets.

- Ventura County Portion of SCCAB
  - 2016 Ventura County Air Quality Management Plan (2008 8-hour ozone NAAQS budgets effective March 30, 2020)

- SCAB
  - 2016 2006 24-hour $PM_{2.5}$ NAAQS SIP (budgets effective January 22, 2018)
  - 2007 CO SIP (Maintenance Plan) (budgets effective June 11, 2007)
  - 2010 PM_{10} SIP (Maintenance Plan) (budgets effective July 26, 2013)
  - 2018 Updates to the California State Implementation Plan (2008 8-hour ozone NAAQS budgets effective October 31 2019)
  - 2016 South Coast Air Quality Management Plan (2012 Annual $PM_{2.5}$ NAAQS budgets proposed approval by EAP on July 2, 2020)

- Riverside County Portion of SSAB (Coachella Valley)
  - 2003 PM_{10} SIP (budgets effective April 9, 2004)
  - 2018 Updates to the California State Implementation Plan (2008 8-hour ozone NAAQS budgets effective October 16, 2020)

- Western MDAB (Antelope Valley and portion of Los Angeles County and San Bernardino County portion of MDAB)
  - 2008 8-Hour Ozone Early Progress Plan (budgets effective May 20, 2008)
  - 2018 Updates to the California State Implementation Plan (2008 8-hour ozone NAAQS budgets under EPA review)

- Imperial County Portion of SSAB (Ozone)
  - Imperial County 2017 State Implementation Plan For The 2008 8-Hour Ozone Standard (2008 8-hour ozone NAAQS budgets effective March 30, 2020)
  - Imperial County 2018 Annual Particulate Matter Less Than 2.5 Microns in Diameter State Implementation Plan (2012 $PM_{2.5}$ NAAQS budgets under EPA review)
  - Imperial County 2018 Redesignation Request and Maintenance Plan for Particulate Matter Less Than 10 Microns in Diameter (PM_{10} budgets effective October 19, 2020)

SIP Status in Other Areas of the SCAG Region

In absence of the applicable emissions budgets for conformity, SCAG has to conduct interim emissions tests for regional emissions analysis of the 2021 FTIP. At the present time, there is no federally approved SIP for the following areas.

- San Bernardino County Portion of MDAB excluding Searles Valley (PM_{10})
- Searles Valley Portion of MDAB (PM_{10})
- Imperial County Portion of SSAB ($PM_{2.5}$)

Applicable TCMs

In the SCAG region, ozone SIPs developed in the South Coast Air Basin and the Ventura County portion of the South Central Coast Air Basin contain TCM strategies and are subject to the TCM analyses required by EPA's Transportation Conformity Regulations. There are no applicable TCMs in any other federal nonattainment or maintenance areas in the SCAG region. The two SIPs with TCM strategies are:

<u>2016 South Coast AQMP/SIP (SCAB)</u>

Effective October 31, 2019, the U.S. EPA approved the 2008 8-hour ozone NAAQS SIP in the 2016 South Coast Air Quality Management Plan. As a result, the 2016 South Coast Ozone AQMP/SIP is the applicable Ozone SIP for the SCAB. It is important to note that the TCM categories in the 2016 Ozone AQMP/SIP are consistent with the TCM categories in the 1994/1997/2003/2007/2012 Ozone AQMPs/SIPs.

<u>2016 Ventura County Ozone SIP (Ventura County Portion of SCCAB)</u>

Effective March 20, 2020, the U.S. EPA approved the 2008 8-hour ozone NAAQS SIP revision to the 2016 Ventura County Air Quality Management Plan. As a result, the 2016 South Coast Ozone AQMP/SIP is the applicable Ozone SIP for Ventura County. Note that the 2016 Ozone AQMP/SIP revision makes no changes to previously approved TCMs contained in 2007 Ozone AQMP/SIP revision (which EPA has not taken an action on) and the 1994 SIP (as amended in 1995 and subsequently approved by EPA on January 8, 1997).

It is further noted that the Ventura County SIP does not claim emission reduction credits from TCM projects. They have been included to assist transportation and air quality agencies to identify projects that have the potential of reducing vehicle emissions, vehicle trips and vehicle miles traveled.

It should also be noted that while the 1-hour Ozone standard has been revoked and replaced with an 8-hour Ozone standard, the TCMs in the 1-hour Ozone SIPs in both the SCAB and Ventura County remain applicable.

For more information on TCMs and timely implementation of the TCMs, see Section III of this document.

CONFORMITY STATUS OF CURRENT RTP AND FTIP

SCAG received approval of the transportation conformity determination for the 2019 FTIP and the 2016 RTP/SCS Amendment No. 3 from the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) on December 17, 2018.

The conformity determination for the 2020 Connect SoCal – RTP/SCS and 2019 FTIP Consistency Amendment #19-12 received federal approval on June 5, 2020. The conformity determination is valid through June 5, 2024.

CONFORMITY TESTS AND FINDINGS

Under the U.S. DOT Metropolitan Planning Regulations and EPA's Transportation Conformity Regulations, SCAG's 2021 FTIP needs to pass five tests:

- ✓ Consistency with SCAG's RTP/SCS
  (23 CFR, Section 450.324 of the U.S. DOT Metropolitan Planning Regulations)
- ✓ Regional Emission Analysis
  (40 CFR, Sections 93.109, 93.110, 93.118, and 93.119)
- ✓ Timely Implementation of TCMs
  (40 CFR, Section 93.113)
- ✓ Financial Constraint
  (40 CFR, Section 93.108 and 23 CFR, Section 450.324)
- ✓ Interagency Consultation and Public Involvement
  (40 CFR, Sections 93.105 and 93.112 and 23 CFR, Section 450.324)

SCAG has made the following conformity findings for the 2021 FTIP under the required federal tests:

✓ **Consistency with 2020 Connect SoCal - RTP/SCS Test**

Finding: SCAG's 2021 FTIP (project listing) is consistent with the 2020 Connect SoCal - RTP/SCS (policies, programs, and projects).

✓ **Regional Emissions Tests**

These findings are based on the regional emissions test analyses shown in Tables 21-52 in Section II of this Technical Appendix.

Finding: The regional emissions analyses for the 2021 FTIP is an update to the regional emissions analyses for the 2020 Connect SoCal – RTP/SCS.

Finding: The 2021 FTIP regional emissions for ozone precursors (2008 and 2015 NAAQS) meet all applicable emission budget tests for all milestone, attainment, and planning horizon years for the Morongo Band of Mission Indians (Morongo), Pechanga Band of Luiseño Mission Indians of the Pechanga Reservation (Pechanga), SCAB excluding Morongo and Pechanga, South Central Coast Air Basin ([SCCAB], Ventura County portion), Western Mojave Desert Air Basin ([MDAB], Los Angeles County Antelope Valley portion and San Bernardino County western portion of MDAB), and the Salton Sea Air Basin ([SSAB], Riverside County Coachella Valley and Imperial County portions).

Finding: The 2021 FTIP regional emissions analysis for $PM_{2.5}$ and its precursors (1997, 2006, and 2012 NAAQS) meet all applicable emission budget tests for all milestone, attainment, and planning horizon years in the South Coast Air Basin (SCAB) (Pechanga excluded under 2012 annual $PM_{2.5}$ NSAQS).

Finding: The 2021 FTIP regional emissions for CO meet all applicable emission budget tests for all milestone, attainment, and planning horizon years in SCAB.

Finding: The 2021 FTIP regional emissions for PM_{10} and its precursors meet all applicable emission budget tests for all milestone, attainment, and planning horizon years in SCAB and the SSAB (Riverside County Coachella Valley and Imperial County portions).

Finding: The 2021 FTIP regional emissions for PM_{10} meet the interim emission test (build/no-build test) for all milestone, attainment and planning horizon years for the MDAB (San Bernardino County portion excluding Searles Valley portion) and Searles Valley portion of San Bernardino County.

Finding: The 2021 FTIP regional emissions analysis for $PM_{2.5}$ and its precursors (2006 and 2012 NAAQS) meet the interim emission test (build/no-build test) for all milestone, attainment and planning horizon years for the SSAB (urbanized area of Imperial County portion).

✓ **Timely Implementation of TCM Test**

Finding: The TCM project categories listed in the 1994/1997/2003/2007/2012/2016 Ozone SIPs for the SCAB area were given funding priority, are expected to be implemented on schedule, and, in the case of any delays, any obstacles to implementation have been or are being overcome.

Finding: The TCM strategies listed in the 2016 Ozone SIP for the SCCAB (Ventura County) were given funding priority, are expected to be implemented on schedule, and, in the case of any delays, any obstacles to implementation have been or are being overcome.

✓ **Inter-agency Consultation and Public Involvement Test**

Finding: The 2021 FTIP complies with all federal and state requirements for interagency consultation and public involvement by following the strategies described in SCAG's Public

Participation Plan (PPP) (for more information on SCAG's PPP, please visit http://www.scag.ca.gov/participate/Pages/PublicParticipationPlan.aspx). In accordance with the PPP, SCAG's Transportation Conformity Working Group serves as a forum for interagency consultation.

The 2021 FTIP was discussed with SCAG's TCWG, which includes representatives from the federal, state, and local air quality and transportation agencies, at their monthly meetings throughout the development process (September 24, 2019 through October 27, 2020). The draft conformity analysis will be released for a 30-day public review on November 6, 2020. Two public hearings will be held on November 17 and December 1, 2020 at the SCAG's Los Angeles office with video-conferencing available from the County Regional Offices. The 2021 FTIP will also be presented to the Regional Transportation CEOs at their meeting held in January 15, 2021, fulfilling the consultation requirements of AB 1246 as codified in Public Utilities Code Sections 130058 and 130059. The 2021 FTIP is posted on the SCAG website, noticed in numerous newspapers, and distributed to libraries throughout the region. All comments on the 2021 FTIP will be documented and responded to accordingly.

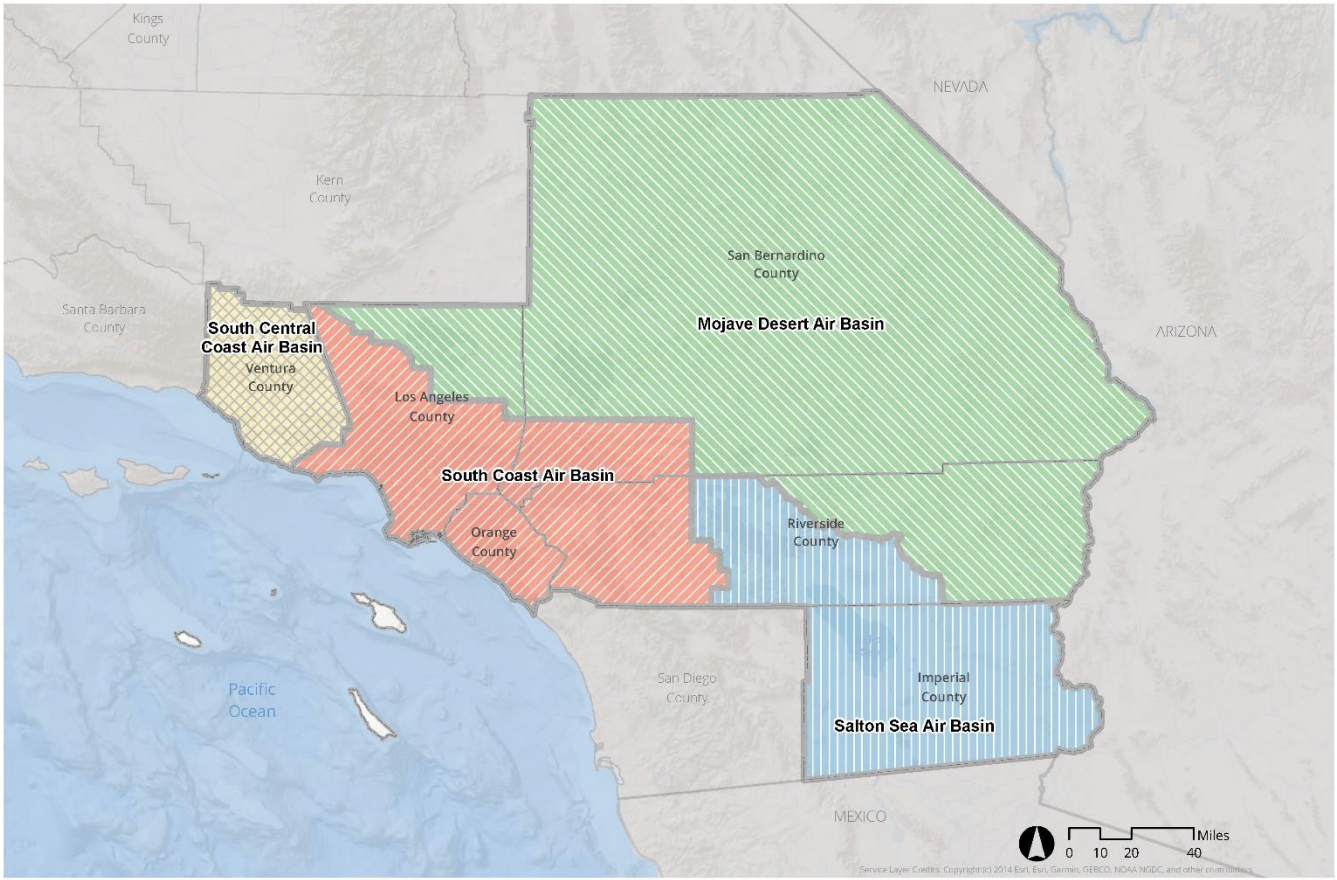
✓ **Financial Constraint Test**

Finding: The 2021 FTIP is fiscally constrained since it complies with federal financial constraint requirements under 23 U.S. Code Section 134(h) and 23 CFR Section 450.324(e). SCAG's 2021 FTIP demonstrates financial constraint in the financial plan by identifying all transportation revenues including local, state, and federal sources available to meet the region's programming totals.

EXHIBIT A: MAPS

- **Air Basins**
- **Air Districts**
- **Federal Nonattainment and Maintenance Areas**

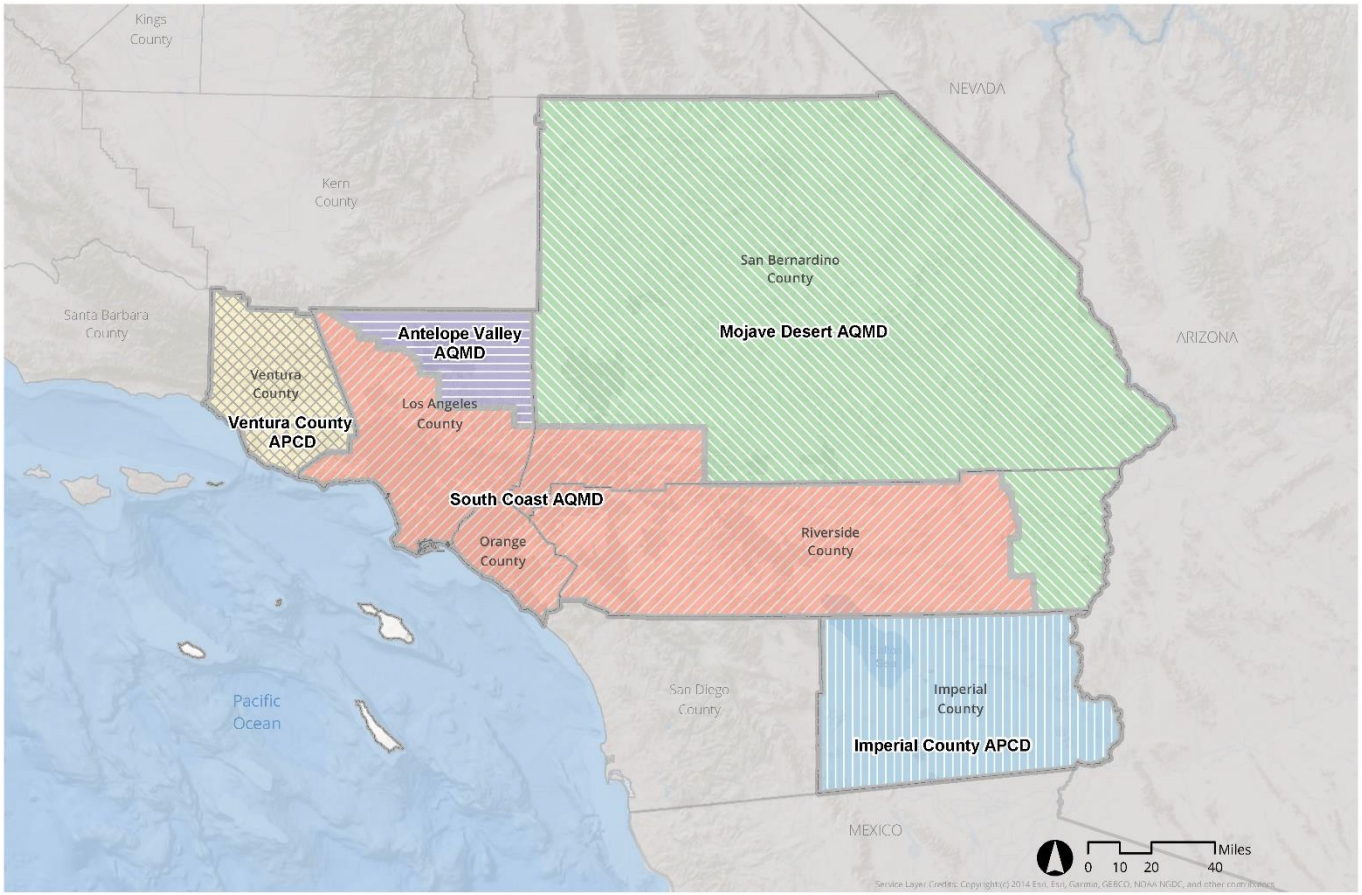
Map 1 Air Basins in the SCAG Region



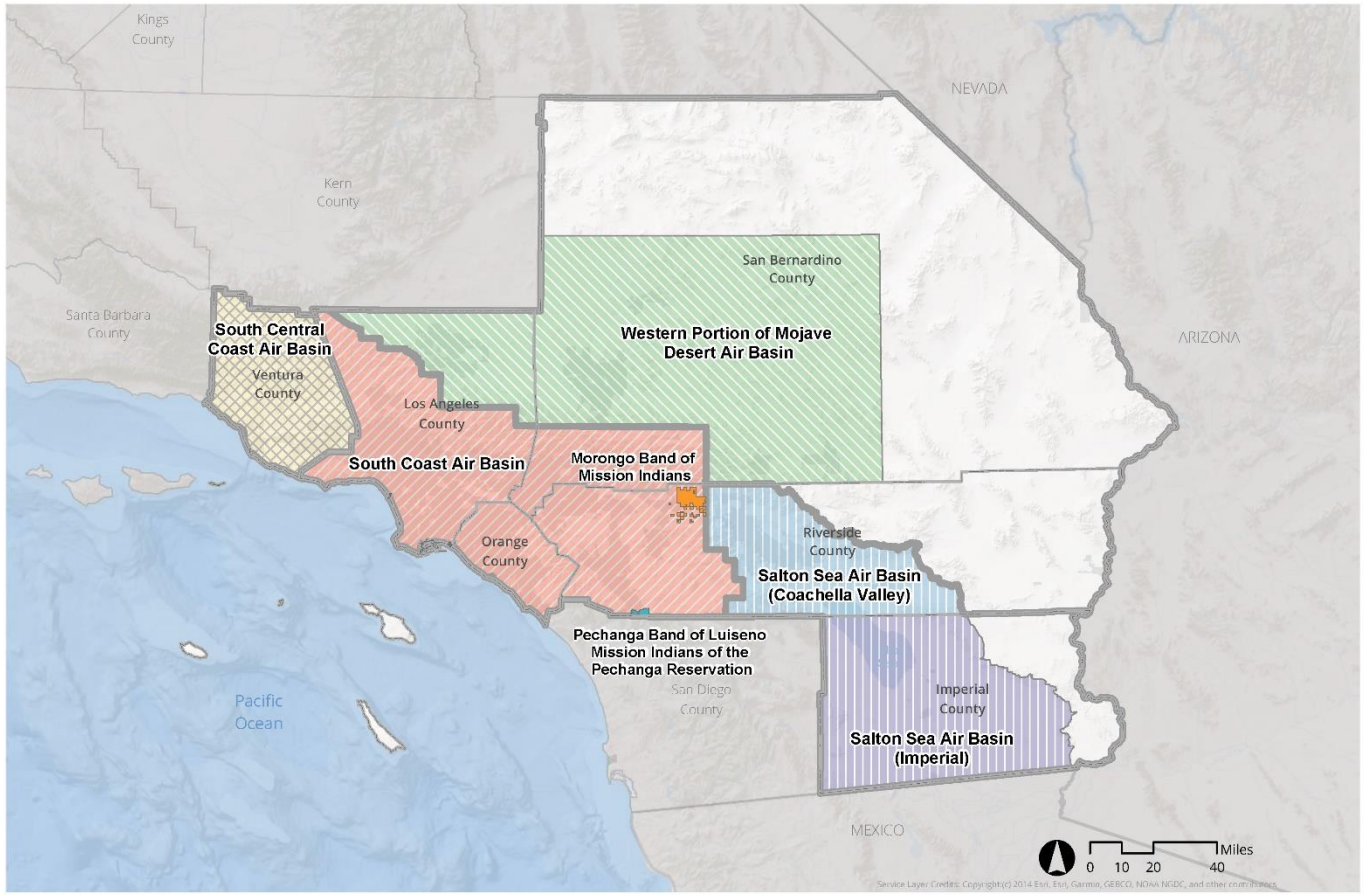
Source: SCAG, 2019

Map Title: 01_Air Basins in the SCAG Region O:\=RTP\=rtp2020\mxds\Transportation Conformity\01_Air Basins in the SCAG Region.mxd | Date: 2/27/2020

Map 2 Air Districts in the SCAG region



Map 3 Federal Nonattainment and Maintenance Areas in the SCAG region – 2008 8-hour Ozone

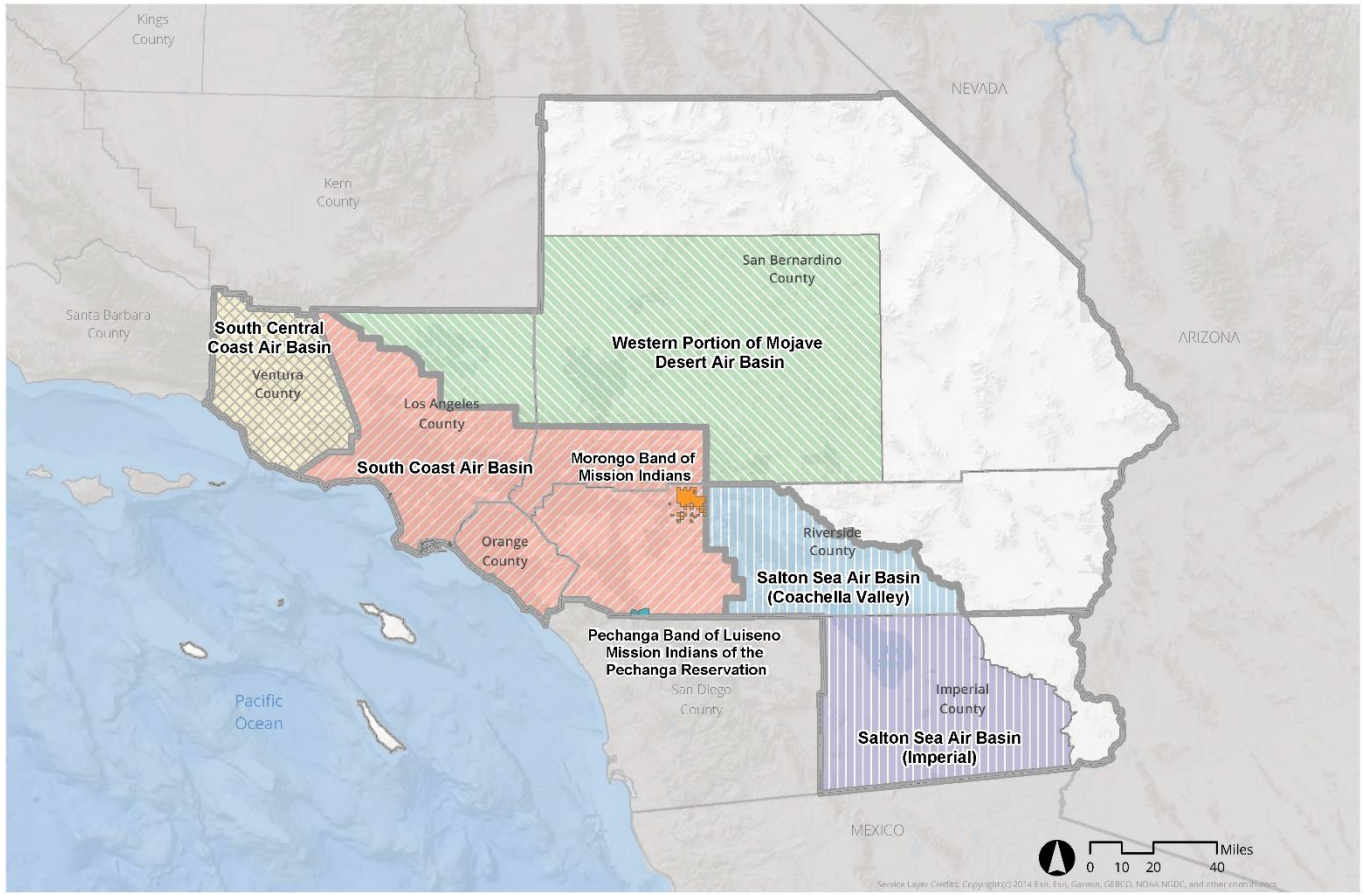


Morongo Band of Mission Indians
Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation
Salton Sea AB (Coachella Valley)
Salton Sea AB (Imperial)
South Central Coast AB
South Coast AB excluding Morongo and Pechanga
Western Portion of Mojave Desert AB
Air Basins
County Boundaries

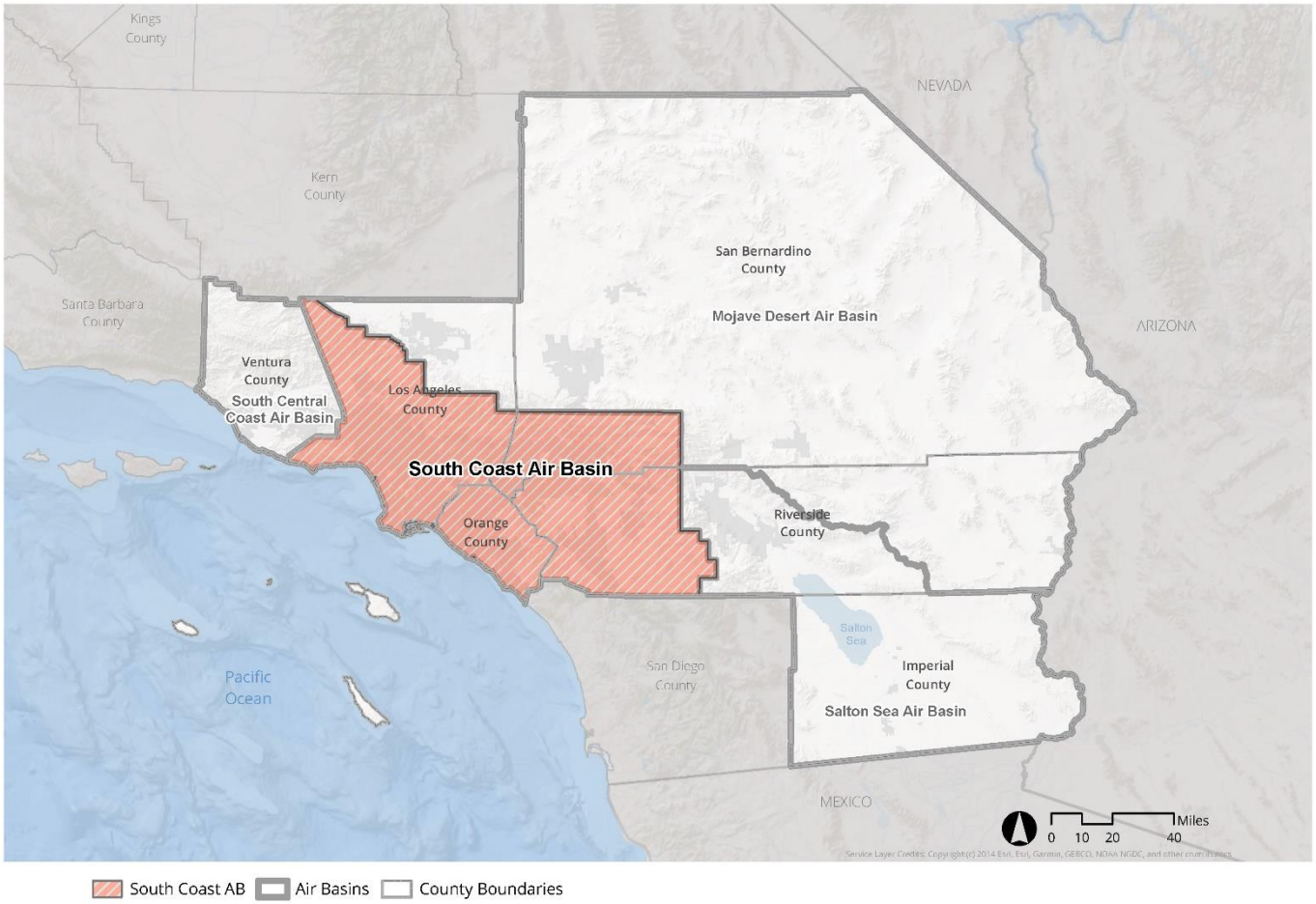
Source: SCAG, 2019

Map Title: 03_2008 8-hour Ozone Nonatainment Areas O:\=RTP\=rtp2020\mxds\Transportation Conformity\03_2008 8-hour Ozone Nonatainment Areas.mxd | Date: 2/27/2020

Map 4 Federal Nonattainment and Maintenance Areas in the SCAG region – 2015 8-hour Ozone



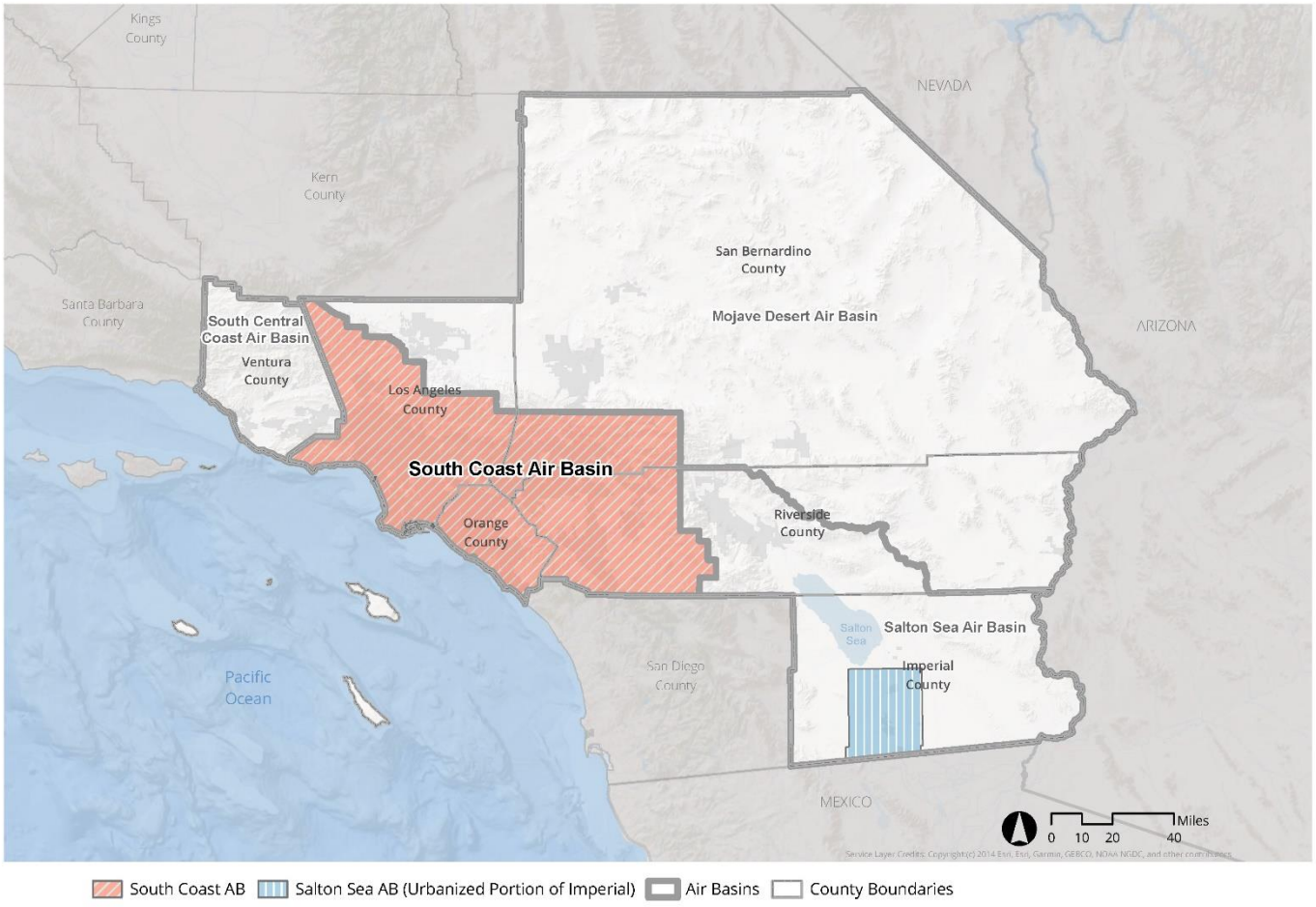
Map 5 Federal Nonattainment Areas in the SCAG region – 1997 $PM_{2.5}$



Source: SCAG, 2019

Map Title: 05_1997 PM2.5 Nonatainment Areas O:\=RTP\=rtp2020\mxds\Transportation Conformity\05_1997 PM2.5 Nonatainment Areas.mxd | Date: 2/27/2020

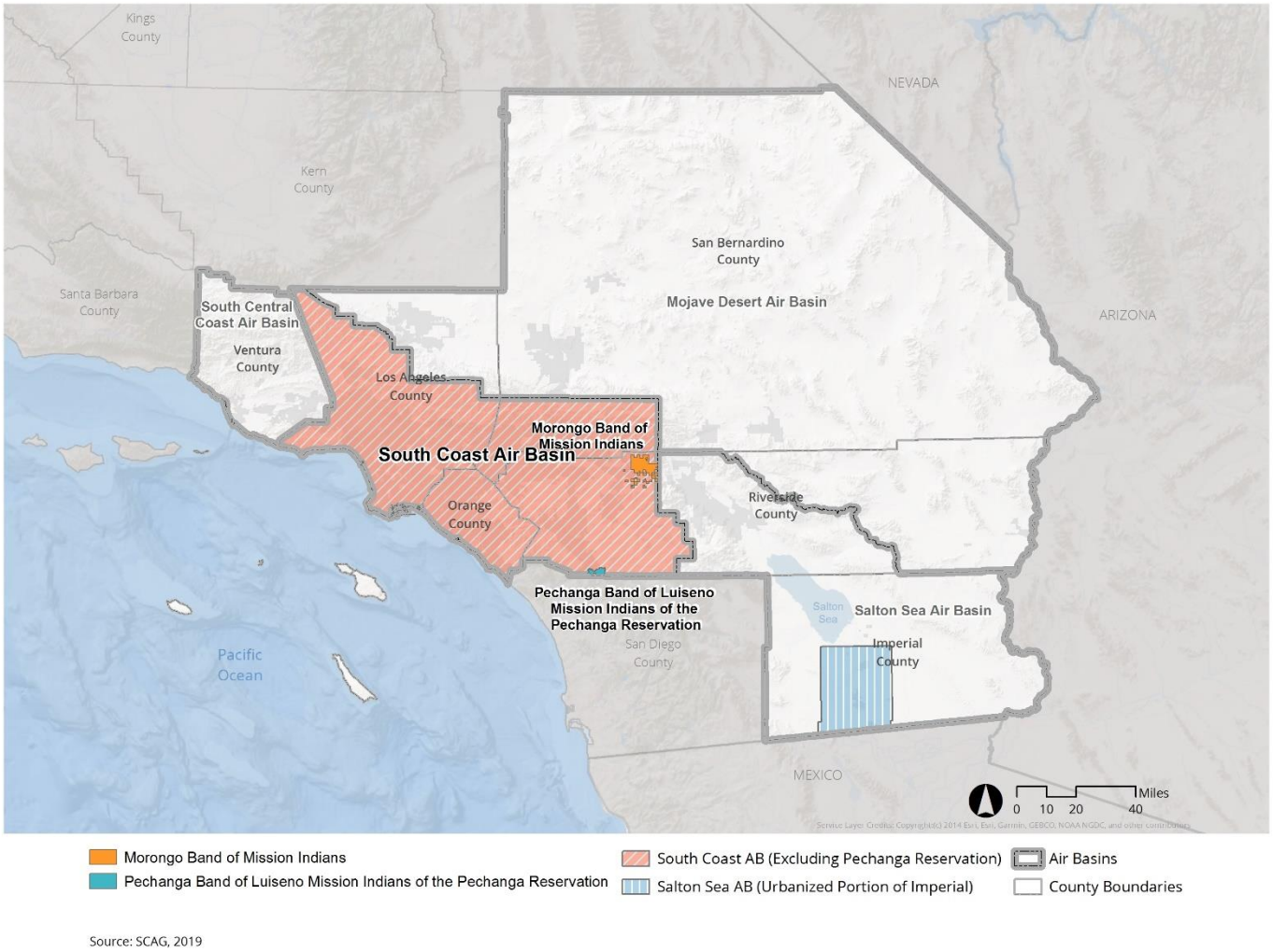
Map 6 Federal Nonattainment Areas in the SCAG region – 2006 $PM_{2.5}$



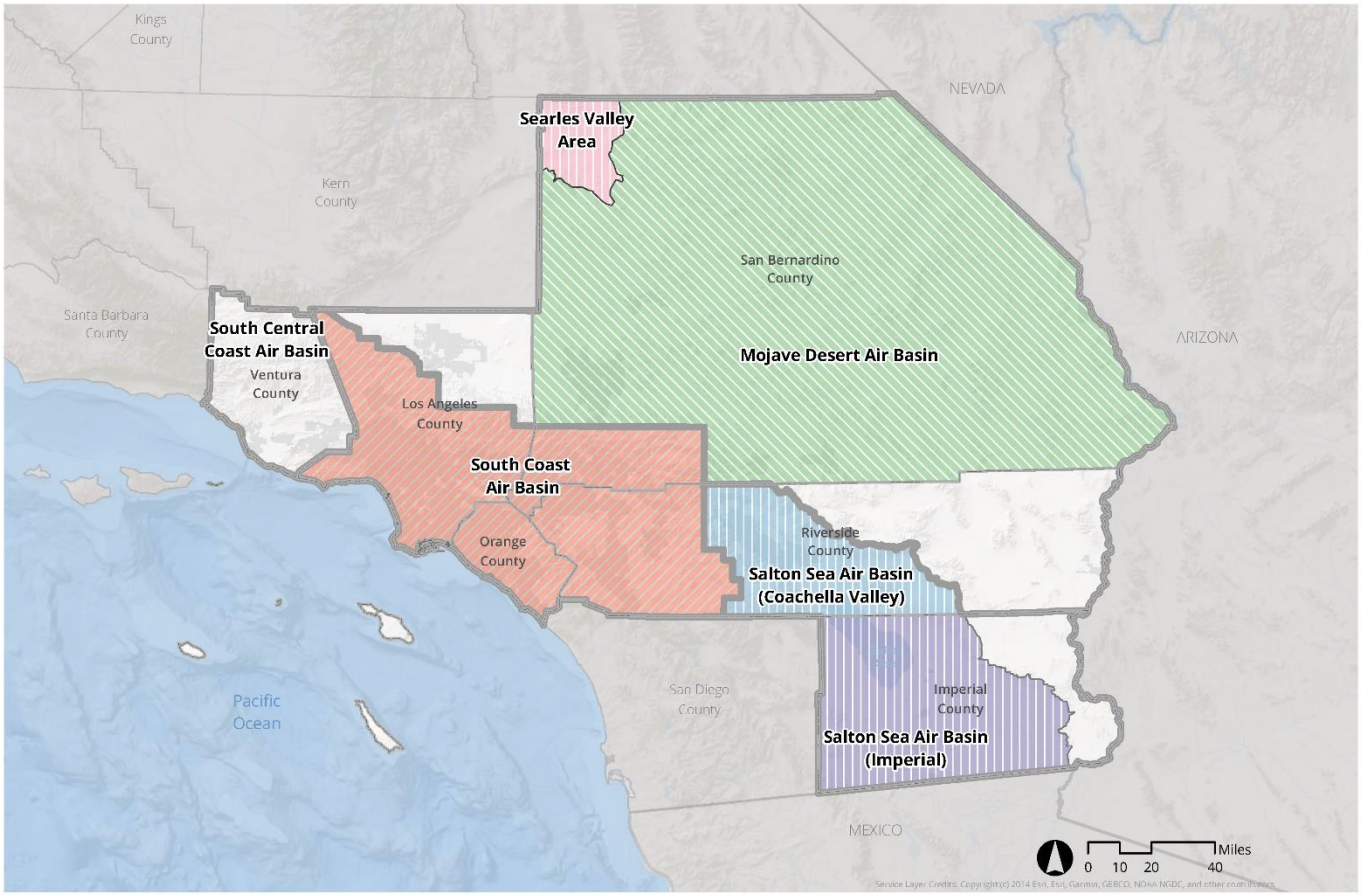
Source: SCAG, 2019

Map Title: 06_2006 PM2.5 Nonatainment Areas O:\=RTP\=rtp2020\mxds\Transportation Conformity\06_2006 PM2.5 Nonatainment Areas.mxd | Date: 2/27/2020

Map 7 Federal Nonattainment Areas in the SCAG region – 2012 $PM_{2.5}$



Map 8 Federal Nonattainment in the SCAG region - PM_{10}

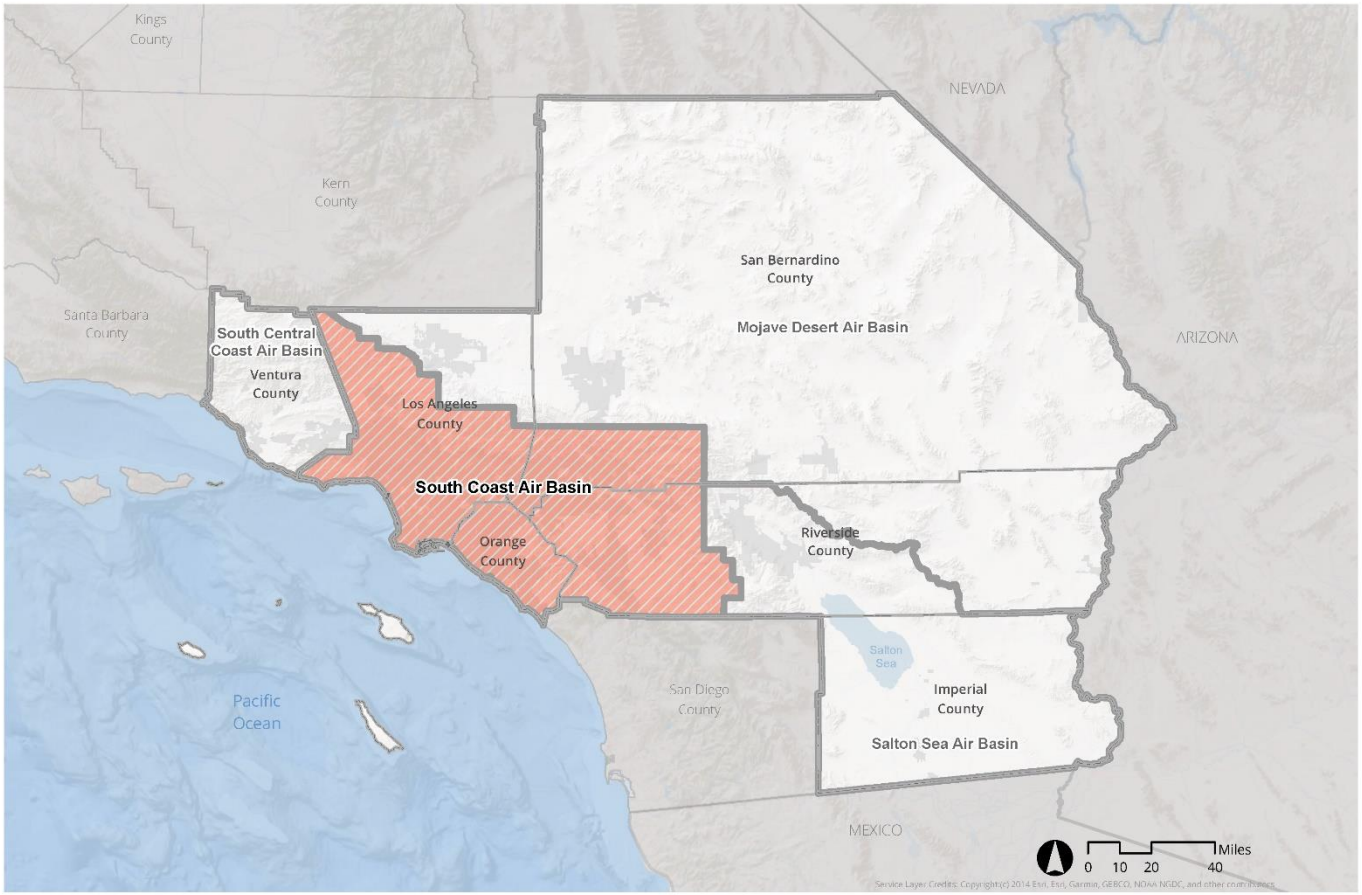


Salton Sea AB (Imperial)
Mojave Desert AB (San Bernardino County excluding Searles Valley)
Mojave Desert AB (Searles Valley) (Maintenance Area)
South Coast AB (Maintenance Area)
Salton Sea AB (Coachella Valley)
Air Basins
County Boundaries

Source: SCAG, 2019

Map Title: 08_PM10 Nonatainment and Maintenance Areas O:\=RTP\=rtp2020\mxds\Transportation Conformity\08_PM10 Nonatainment and Maintenance Areas.mxd | Date: 2/27/2020

Map 9 Federal Maintenance Area in the SCAG region - CO



Source: SCAG, 2019

Map Title: 09_CO Maintenance Area

O:\=RTP\=rtp2020\mxds\Transportation Conformity\09_CO Maintenance Area.mxd | Date: 2/27/2020