REPORT

TO: Energy and Environment Committee (EEC)
Regional Council (RC)

FROM: Ted Harris, Air Quality Program Lead, harrist@scag.ca.gov, (213) 236-1916

DATE: March 3, 2005

RE: Conformity Determination for the 8-hour Ozone Standard

EXECUTIVE DIRECTOR'S APPROVAL:
Hasan Ikhrata for Mark Pisano

EEC RECOMMENDED ACTION

Recommend that the Regional Council adopt Resolution 05-461-1 approving the conformity determination for the 8-Hour Ozone Standard for the 2004 Regional Transportation Plan and the 2004 Regional Transportation Improvement Program.

RC RECOMMENDED ACTION

Adopt Resolution 05-461-1 approving the conformity determination for the 8-Hour Ozone Standard for the 2004 Regional Transportation Plan and the 2004 Regional Transportation Improvement Program.

SUMMARY

This memo summarizes the proposed conformity findings for the 8-hour ozone standard for the 2004 Regional Transportation Plan (RTP) and the 2004 Regional Transportation Improvement Program (RTIP).

Key 8-hour Ozone Requirements:

The new federal conformity regulation for 8-hour ozone requires the Southern California Association of Governments (SCAG) to receive approval from the United States Department of Transportation (US DOT) on SCAG's conformity determination by June 15, 2005. Non-attainment area designations for the new 8-hour ozone standard became effective on June 15, 2004, and an approved conformity determination is required one year after the effective date. If US DOT does not approve SCAG's determination by June 15, 2005, then the region's conformity will lapse.

Table 1 presents 8-hour ozone non-attainment areas in the SCAG region. New ozone attainment years in the region include 2007 for Imperial County, 2010 for the Western portion of the Mojave Desert Air Basin, 2010 for Ventura County (South Central Coast Air Basin), 2013 for Coachella Valley (Salton Sea Air Basin), and 2021 for the South Coast Air Basin (SCAB).

Table 1: SCAG Region – Eight-hour Ozone Non-attainment Areas

Non-attainment Area	Classification	Maximum Attainment Date
South Coast Air Basin (SCAB)	Severe-17	2021
Coachella Valley – Salton Sea Air Basin (SSAB)	Serious	2013
Western Portion of Mojave Desert Air Basin (MDAB) [San Bernardino County and Antelope Valley]	Moderate	2010
Ventura County – South Central Coast Air Basin (SCCAB)	Moderate	2010
Imperial County (SSAB)	Marginal	2007

The Southern California Transportation Conformity Working Group (TCWG) and the Energy and Environment Committee developed an efficient process to obtain an approved 8-hour ozone conformity determination for the 2004 RTP and RTIP (http://www.scag.ca.gov/tcwg/index.htm). This process entails reaffirming previously approved ozone analyses and findings for the 2004 RTP and 2004 RTIP and addressing additional analyses required by the new 8-hour standard.

Reaffirming Ozone Analysis and Findings:

The 8-hour ozone conformity determination includes a reaffirmation of the approved conformity findings for both the 2004 RTP and the 2004 RTIP. This reaffirmation includes regional emissions analyses, financial constraint test, timely implementation of Transportation Control Measures (TCMs) report, the use of the latest planning assumptions and the latest approved emissions model, and the appropriate documentation of findings, including reaffirming the process for interagency consultation and public participation. Until new 8-hour budgets are approved, the new federal conformity regulation for 8-hour ozone authorizes the use of previously approved ozone analyses and findings. Specifically, the 8-hour rule requires the use of existing 1-hour ozone emission budgets where existing 1-hour and new 8-hour boundaries are the same (93.109(e)(2)(i)) or where an existing 1-hour area can be divided into the appropriate geography of the 8-hour areas (93.109(e)(2)(ii)).

In the SCAG region, existing 1-hour ozone emission budgets apply for 8-hour ozone conformity determinations until new 8-hour budgets have been approved. The 1-hour ozone non-attainment areas in Ventura County and the South Coast Air Basin (SCAB) are identical to the 8-hour non-attainment areas. Thus, the 1-hour ozone budget can be used as-is for Ventura County and SCAB. Likewise, the 1-hour budgets for the Southeast Desert Modified Air Basin (SEDAB) can be divided into two sets of 8-hour budgets for Coachella Valley and the Western Mojave Desert Air Basin.

Imperial County is the only 8-hour ozone non-attainment area in the SCAG region that does not have an approved 1-hour ozone budget. For Imperial County, the previously approved interim emission test performed for the 1-hour standard also fulfills the 8-hour ozone requirement. Thus, the ozone conformity finding for Imperial County is reaffirmed in the 8-hour ozone conformity determination for both the 2004 RTP and 2004 RTIP.

Overall, the budgets, analyses, and findings for the 1-hour standard apply to the 8-hour conformity determination, and the 8-hour conformity determination reaffirms the approved ozone determinations for both the 2004 RTP and 2004 RTIP.

Additional Analysis:

In addition to reaffirming previous conformity findings, the 8-hour ozone conformity determination includes additional analysis and refined findings. The 8-hour determination includes additional regional emissions analysis for the new attainment years in the Coachella Valley portion of the Salton Sea Air Basin (SSAB) (2013) and the South Coast Air Basin (2021), although 2020 may be used in future 8-hour conformity determination for the SCAB. The 8-hour determination refines the conformity findings for the Southeast Desert Modified area to reflect the two new 8-hour ozone non-attainment areas, the Western Portion of the Mojave Desert Air Basin (MDAB) and the Coachella Valley portion of the Salton Sea Air Basin (SSAB). In summary, all of the additional analysis is consistent with the applicable budgets.

Proposed Conformity Determinations

SCAG has determined the following conformity findings for the 2004 RTP and the 2004 RTIP under the required Federal tests for 8-Hour Ozone:

✓ **Regional Emissions Tests**

➢ Finding: SCAG's 2004 RTP/RTIP regional emissions for Ozone precursors are consistent with all applicable emissions budgets for all milestone, attainment, and planning horizon years for the following areas:

- SCAB (2003 Ozone SIP)
- SCCAB (Ventura County- 2004 Ozone SIP)
- Coachella Valley SSAB (2004 Ozone SIP)
- Western MDAB (2004 Ozone SIP)

➢ Finding: SCAG's 2004 RTP/RTIP regional emissions (build scenario) for Ozone precursors are less than the no-build emissions for the Imperial County portion of SSAB.

✓ **Reaffirmation of 2004 RTP/RTIP Conformity Tests**

➢ Finding: SCAG reaffirms the applicable conformity findings for both the 2004 RTP and the 2004 RTIP, which can be viewed at:

http://www.scag.ca.gov/rtp2001/2004draft/techappendix/FinalTechAppend.htm
and: http://www.scag.ca.gov/RTIP/final04/Sec1.pdf.

- This reaffirmation covers the findings for all applicable pollutants, including regional emissions analyses, financial constraint test, timely implementation of Transportation Control Measures (TCMs) report, applying the use of the latest planning assumptions and the latest approved emissions model, reaffirming consistency between the adopted 2004 RTIP and the adopted 2004 RTP, and reaffirming the process for interagency consultation and public participation.

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

- Finding: In addition to reaffirming the already conducted public involvement and interagency consultation test for the 2004 RTP/RTIP, the 8-hour ozone conformity determination underwent an appropriate process for interagency consultation and public participation.

Conclusion:

The conformity determination and findings for the 8-hour ozone entail reaffirming previously approved ozone conformity findings, including additional emissions analyses for two additional milestone years, and refining the ozone finding to represent Coachella Valley and the Western Portion of the Mojave Desert.

ATTACHMENTS

RESOLUTION No.05-461-1
PowerPoint Presentation for the Energy and Environment Committee

The following items will be mailed under separate cover after the close of public comment period on 2/18/05:
8-hour Ozone Conformity Finding
Conformity Determination for Searles Valley
Supplemental Regional Emissions Data—Growth Visioning

FISCAL IMPACT
The staff resources for determining air quality conformity for the new 8-hour standard are contained within the Fiscal Year 2004/05 SCAG budget.

Energy and Environment Committee

Proposed 8-hour Ozone Conformity Determination

Ted Harris
Air Quality Program Lead
Southern California
Association of Governments

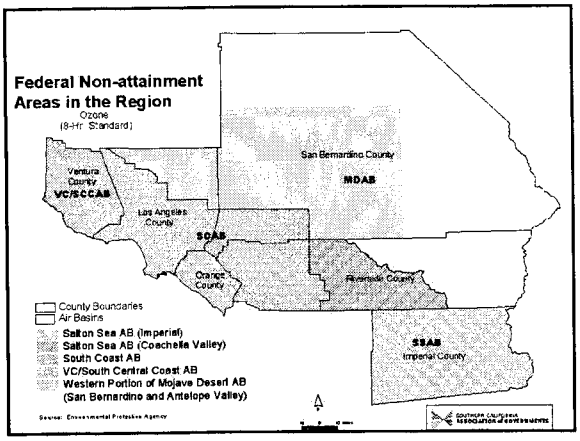
March 3, 2005

8-hour ozone Overview

- New Standard
- Boundaries
- Conformity Process

New 8-hour ozone standard

- Same pollutant as 1-hour ozone standard
  - Reading over an 8-hour period rather than a 1-hour period
- 8-hour conformity applies: June 15, 2005
  - US DOT must approve the determination by 6/15/05 or conformity lapse
- Adequate 1-hour ozone budgets apply until new 8-hour budgets are approved (~2007)



SCAG 8-hour Ozone Non-attainment Areas

Non-attainment Area	Class.	Maximum Attainment Date
South Coast Air Basin (SCAB)	Severe-17	2021
Coachella Valley Salton Sea Air Basin (SSAB)	Serious	2013
Western Portion of Mojave Desert Air Basin (MDAB) [San Bernardino County and Antelope Valley]	Moderate	2010
Ventura County South Central Coast Air Basin (SCCAB)	Moderate	2010
Imperial County (SSAB)	Marginal	2007

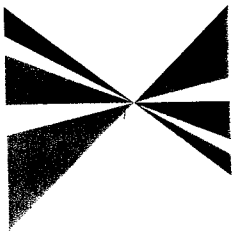
Process for 8-hour Conformity Determination

- **Interagency consultation**
- **Reaffirm existing conformity findings for 2004 RTP/RTIP with supplemental analysis and refined findings**
- **Supplemental emissions analysis for new attainment years**
  - **Coachella Valley-2013**
  - **SCAB-2021**
- **Public participation process**
- **US DOT approval**

Next Step

- EEC considers recommending RC approve Resolution 05-461- 1
- RC considers approval of Resolution 05-461- 1
- FHWA and FTA approve SCAG's Determination before June 15, 2005

SOUTHERN CALIFORNIA



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Ventura County: Judy Mikels, Ventura County • Glen Becerra, Simi Valley • Carl Morehouse, San Buenaventura • Toni Young, Port Hueneme

Orange County Transportation Authority: Lou Correa, County of Orange

Riverside County Transportation Commission: Robin Lowe, Hemet

Ventura County Transportation Commission: Keith Millhouse, Moorpark

RESOLUTION No. 05-461-1

RESOLUTION OF SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS TO ADOPT THE CONFORMITY DETERMINATION FOR THE 8-HOUR OZONE STANDARD FOR THE 2004 REGIONAL TRANSPORTATION PLAN AND THE 2004 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM

WHEREAS, the Southern California Association of Governments (SCAG) is the federally designated Metropolitan Planning Organization (MPO) pursuant to 23 U.S.C. §134(a) and (g) for the Counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura, and as such, is responsible for the preparation, adoption and regular revision of the Regional Transportation Plan (RTP) and the Regional Transportation Improvement Program (RTIP) pursuant to 23 U.S.C. §§134(g) 49 U.S.C. §5303(f) and 23 C.F.R. §450.312;

WHEREAS, pursuant to Section 130004 of the California Public Utilities Code, SCAG is the designated Regional Transportation Planning Agency and, as such, is responsible for preparation of both the RTP and RTIP under California Government Code §§ 65080 and 65082 respectively; and

WHEREAS, 42 U.S.C. § 7506(c)(1) requires SCAG's 2004 RTP and 2004 RTIP to conform with the applicable State Implementation Plan (SIPs) developed for the federal non-attainment and maintenance areas in the Mojave Desert Air Basin, the Ventura County portion of the South Central Coast Air Basin, the South Coast Air Basin, and the Salton Sea Air Basin;

WHEREAS, SCAG, as the designated MPO, is required to comply with Sections 174 and 176(c) and (d) of the Clean Air Act [42 U.S.C. §§ 7504, 7506(c) and (d)];

WHEREAS, 23 U.S.C. § 134(h)(2)(C) and 23 C.F.R. § 450.324(f)(2) requires the 2004 RTIP to be consistent with the 2004 RTP;

WHEREAS, SCAG has worked concurrently with local, state and federal jurisdictions in a continuing, cooperative and comprehensive manner as required by provisions of Federal and State law on the transportation planning processes;

WHEREAS, federal regulations at 23 CFR § 450.332(e) require that in non-attainment and maintenance areas, funding priority be given to timely implementation of transportation control measures (TCMs) contained in the applicable SIPs in accordance with the conformity regulations at 40 CFR Parts 51 and 93;

WHEREAS, 23 U.S.C. § 134(a), 49 U.S.C. § 5301 *et seq.,* 23 CFR § 450.312, and 49 CFR § 613.100 require SCAG, as the designated MPO, to maintain a continuing, cooperative and comprehensive transportation planning process in its development of the RTP and RTIP;

WHEREAS, on April 15, 2004 the United States Environmental Protection Agency promulgated the final designations for 8-hour ozone non-attainment areas;

WHEREAS, non-attainment area designations for the new 8-hour ozone standard became effective on June 15, 2004, and an approved conformity determination is required one year after the effective date;

WHEREAS, new federal conformity regulation for requires the Southern California Association of Governments (SCAG) to receive approval from the United States Department of Transportation (US DOT) on SCAG's conformity determination by June 15, 2005;

WHEREAS, 8-hour ozone non-attainment areas in the SCAG region include: 1) South Coast Air Basin (SCAB), 2) Coachella Valley – Salton Sea Air Basin (SSAB), 3) Western Portion of Mojave Desert Air Basin (MDAB) [San Bernardino County and Antelope Valley], 4) Imperial County (SSAB) 5) Ventura County – South Central Coast Air Basin (SCCAB);

WHEREAS, the Southern California Transportation Conformity Working Group (TCWG) and the Energy and Environment Committee developed an efficient process to obtain an approved 8-hour ozone conformity determination for the 2004 RTP and RTIP;

WHEREAS, the 8-hour conformity determination entails reaffirming previously approved ozone analyses and findings for the 2004 RTP and 2004 RTIP;

WHEREAS, the 8-hour conformity determination includes additional regional emissions analysis for the new attainment years in the Coachella Valley portion of the Salton Sea Air Basin (SSAB) (2013) and the South Coast Air Basin (2021);

WHEREAS, the 8-hour determination refines the conformity findings for the Southeast Desert Modified area to reflect the two new 8-hour ozone non-attainment areas, the Western Portion of the Mojave Desert Air Basin (MDAB) and the Coachella Valley portion of the Salton Sea Air Basin (SSAB);

WHEREAS, the conformity rule interim emissions test, known as *build/no build*, now requires build emissions to be less than or equal to emissions from the no build scenario and is waived altogether in areas with identical build and no-build scenarios.

WHEREAS, The Searles Valley planning area is designated as a particulate matter (PM10) federal non-attainment area. There are no proposed projects in the 2004 Regional Transportation Plan and Improvement Program (RTP/RTIP) in the Searles Valley area. Therefore, there are no differences between the 2004 RTP/RTIP build scenario and the No Project/no build scenario.

WHEREAS, the Draft Conformity Determination for the 8-hour Ozone Standard was available for public review and comment from January 18, 2005 to February 18, 2005;

WHEREAS, a public hearing was conducted at the Southern California Association of Governments on February 3, 2005;

NOW, THEREFORE BE IT RESOLVED that:

(1) Southern California Association of Governments finds as follows:

(a) SCAG's 2004 RTP/RTIP regional emissions for Ozone precursors are consistent with all applicable emissions budgets for all milestone, attainment, and planning horizon years for the South Coast Air Basin (2003 Ozone SIP), the South Central Coast Air Basin (Ventura County- 2004 Ozone SIP), Coachella Valley Salton Sea Air Basin (2004 Ozone SIP), and the Western Mojave Desert Air Basin (2004 Ozone SIP);

(b) SCAG's 2004 RTP/RTIP regional emissions (build scenario) for Ozone precursors are less than the no-build emissions for the Imperial County portion of Salton Sea Air Basin;

(c) The build and no build scenarios are identical in Searles Valley, and the associated emissions are equal under both scenarios. Therefore, transportation activity in the Searles Valley conforms to the applicable federal transportation air quality conformity requirements.

(d) The conformity findings for both the 2004 RTP and the 2004 RTIP are reaffirmed for all applicable pollutants, including regional emissions analyses, financial constraint test, timely implementation of Transportation Control Measures (TCMs) report, applying the use of the latest planning assumptions and the latest approved emissions model, reaffirming consistency between the adopted 2004 RTIP and the adopted 2004 RTP, and reaffirming the process for interagency consultation and public participation;

(e) In addition to reaffirming the already conducted public involvement and interagency consultation test for the 2004 RTP/RTIP, the 8-hour ozone conformity underwent the appropriate process for interagency consultation and public participation;

(2) The Regional Council hereby adopts the conformity findings for all federal non-attainment and maintenance areas in the SCAG region, and the Conformity Determination for the 8-hour Ozone Standard for the 2004 RTP and the 2004 RTIP will be transmitted to the Federal Transit Administration and the Federal Highway Administration to make the final conformity determination in accordance with the Federal Clean Air Act and EPA Transportation Conformity Rule at 40 CFR Parts 51 and 93

Adopted by the Regional Council of the Southern California Association of Governments at a regular meeting on this 3rd day of March 2005.

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Ronald Roberts
President
Mayor Pro Tem, City of Temecula

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Mark Pisano
Executive Director

Attest:_____

Karen Tachiki
Chief Counsel