Transportation Conformity Working Group
Interagency Consultation
Meeting Summary

Tuesday, May 24, 2005
10:00 AM – 12:00 PM

Southern California Association of Governments
818 W 7th Street, 12th Floor
Los Angeles, CA 90017
Riverside 'A' Conference Room

The Transportation Conformity Working Group (TCWG) held its monthly meeting on Tuesday, May 24, 2005 at SCAG's downtown offices. The following summary is intended to summarize the matters discussed. An audio recording of the entire meeting is available for review at SCAG's office.

1.0 CALL TO ORDER

The meeting was called to order at about 10:00 AM by Chair Ty Schuiling, SANBAG.

2.0 WELCOME AND SELF-INTRODUCTIONS

ATTENDANCE:

In Person:

Rosemary Ayala, SCAG
Herman Cheng, MTA
Mike Gainor, SCAG
Ted Harris, SCAG
Kathryn Higgins, SCAQMD
Doug Kim, MTA
Laleh Modrek, Caltrans
Sylvia Patsaouras, SCAG
Christopher Patton, City of LA
Ty Schuiling, SANBAG
Arnie Sherwood, ITS/UCB
Carla Walecka, TCA
Leann Williams, Caltrans
Andy Woods, Caltrans District 7
Sean Yeung, Caltrans

Via Teleconference:

Mike Brady, Caltrans
Paul Fagan, Caltrans District 8
Karina O'Connor, EPA
Toby Tiktinsky, EPA
Ben Cacatian, Ventura County

2.0 PUBLIC COMMENT PERIOD

There were no public comments at this meeting.

4.0 CHAIR'S REPORT

There was no report at this time.

5.0 ACTION ITEMS

5.1 Approval of the April 26, 2005 Meeting Summary

Motion was made to approve the item and unanimously approved.

6.0 INFORMATION ITEMS

6.1 2004 RTIP Update (Rosemary Ayala, SCAG)

Rosemary Ayala, SCAG staff, presented an update on the 2004 RTIP, reporting that Amendment #7 was scheduled to be approved by Caltrans and then transmitted to the federal agencies for their approval. Amendment #8 is currently under review by SCAG. The goal is to have all the commissions and the amendment completed no later than June 30th so it is approved by SCAG before the funding agencies prior to the adoption of the state budget. On the STIP side, we do not know what the mix of the funding is going to be. We have re-authorization still pending, and we do not know what the tribal gaming is going to do. Consequently, the state is proposing two tiers: a conservative and a more optimistic. This may mean that we may have to model two programs so in the event these decisions we can move forward and have the TIP into the Federal agencies as required by August 1, 2006.

Chair Schuiling inquired of Ms. Ayala if she aware of an e-mail recently circulated by Caltrans earlier in the week indicating that it appeared that it was unlikely that there would be successful reauthorization in a June timeframe. There was unwillingness on the part of some on Capital Hill to have another continuing resolution. Which would cause the State to have an OA lock down as of about June 1st and be unable to obligate additional local assistance funds as of May 31 or June 1, 2005. Mrs. Ayala stated she would follow-up on the e-mail and do some research on this.

6.2 RTP Update (Naresh Amatya, SCAG)

Naresh Amatya, SCAG staff, presented an update on the 2007 RTP stating that in terms of the schedule update, the main issue for staff is whether or not we are going to proceed with a tri-annual process which will require SCAG to adopt a plan by April 2007 or proceed with an escalated process which calls for adopting the updated plan in August 2006. Modeling is important issue as SCAG is going through significant modeling improvements and wants to take full advantage of this. In order to use the new modal the only way we can accommodate that is go through the regularly scheduled tri-annual process.

6.3 Statewide Transportation Conformity Overview (Mike Brady, Caltrans)

Mike Brady, Caltrans, reported that the committee discussed the status of 8-Hour Conformity Determination which is in good shape. The only major area that is outstanding is San Joaquin Valley, and essentially all of their items are in. SCAG is in good shape.

Status of authorization - there is no news, nothing official.

The statewide STIP – the financial constraint lock down was the major issue. There are still a few analyses that need to be done but if the differences turn out to be insignificant from last time, it should be okay. Federal Highways is working with programming at Caltrans to fix that.

EPA – Lisa Hanf is the new Chief of Air Planning and Air Divisions.

PM 2.5 Implementation Rule – There are some updates being worked on.

EPA guidance documents on PM 2.5 - on inventory, multiple, jurisdictions, etc. Mr. Brady would post them on the TCWG website when they become available.

Imperial County – the PM 10 redesignation is based on a court decision and a proposed failure to attain finding. The proposal has not yet been finalized.

Arnie Sherwood, ITS/UCB, added that SACOG lapse will probably last until February 2006. There was a discussion from FHWA on what needs to be done when doing the TIP. FHWA saod anytime you are do a conformity update, either the RTP or RTIP you have to do the other one at the same time. The next one would be the 2006 RTIP and we will need to conform the RTP at the same time.

Mike Brady, stated that this is what has been going on for years but it has been more formalized in the last few months. Essentially, it has always been assumed that the TIP and the RTIP are consistent. If you do a TIP amendment and do conformity on it, the projects also included in the RTIP. But this will mean that you would have to be explicit about it.

6.4 PM 2.5 Guidance Update (Toby Tirtinsky, EPA)

Toby Tirtinsky, EPA, stated that he wants to reiterate that, unless the state agency and EPA find that it is not significant and before its SIP is submitted, areas do not have to consider precursors unless EPA or stage agency makes a significant finding. These are on a case by case basis through the SIP process areas. We will need to consider going through this significant process to evaluate whether NOx, sulfur oxides, or ammonia are considered significant to the area.

The question was raised as to when the 'Hot Spot' guidance document and rule for PM 2.5 would be finalized? The response was given that guidance would not come out until the actual rule is finalized. There is still discussion going on with DOT about the options. The schedule for the rule is probably October.

Question was asked if EPA going to develop new methodology to estimate the PM 2.5? The response that a modified version of AP-42 was being used and there was a modification to that for PM 2.5. A discussion needs to be had with ARB to find out if they want to continue using it.

6.5 2007 AQMP Update (Kathryn Higgins, SCAQMD)

Kathryn Higgins, SCAQMP, stated there was no new news to report. Staff is currently preparing the base line emissions inventory and expects it to be frozen after next month. South Coast AQMP is also starting the preliminary modeling and there has been some coordination with SCAG and ARB.

SCAQMP does not have a date yet for the AQMP Advisory Committee meetings, which will begin in late summer or fall. As far as over all time lines for the draft, the Draft 2007 AQMP is scheduled for release in August 2006 and then the final hearing by a board in February 2007.

6.6 Reauthorization Update

Doug Kim, MTA, inquired if the committee was aware of the amendments to the CMAQ program that Senator Clinton has introduced. Senator Clinton introduced changes to the CMAQ language that the Senate is considering. The language allows the purchase of fuel using CMAQ funds which opens the door to a non-capital expense. It also establishes a clear priority for diesel retro-fit construction equipment. Your traditional CMAQ funded projects, which often deal with on road sources of emissions, become a secondary priority. This would change the way we program CMAQ dollars nationwide and in our region.

Ty Schuiling stated that this had been a topic on the statewide conference call that have been facilitated by Wil Kempton but he was not aware of what the state's stance is on this legislation at this time.

Doug Kim stated that the language of the amendments clearly states that CMAQ needs to move towards using cost effectiveness as its primary criteria for programming dollars. It takes it a step further in one clause that says that in programming CMAQ dollars, regions should give priority funding to diesel retrofit of construction equipment, off road. It would really change the way we all do business.

Mike Brady, Caltrans, stated that there was another provision in the amendment that prohibits the use of contact provision that requires the use of cleaner or newer retrofitted equipment by contractors unless you pay for it from the CMAQ funds.

6.7 NEPA Conference Overview (Ty Schuiling, SANBAG)

Ty Schuiling, SANBAG, discussed the NEPA Conference that occurred in the first week of May at University of California, Irvine. Purpose of the conference was to reconsider the use or application of the National Environmental Policy Act. The policy calls for framing of alternatives in response to clear articulation of a purpose and need for doing something. The purpose of this was to determine if there ways to improve the use of NEPA or maybe even the language of NEPA to encourage early application and internalization of environmental impacts.

We have been invited to Washington, D.C., in June to make presentations to trade and transportation officials and EPA. The key issue from the purview of this committee is that there is a growing consensus that the freight movement issues is as much an environmental issue as it is a transportation infrastructure issue. We will not solve our problems by simply building truck lanes, adding capacity to railroads, and finding a few more sites that are inter-modal. We are going to hit a wall air quality wise, given the growth forecast and the propensity to move freight by diesel. The outcome of this in terms of strategy needs to be one that couples the environmental side with the freight movement capacity side of the equation.

Ted Harris, SCAG, stated that there is a potential future conformity issue with the ports. The conformity issue is that our on road budget with different SIP's will be lower and lower because more of that pie of the permissible pollutants would be taken by Good Movement. It is a huge issue that will take lots of money and effort on coordination.

Christoperher Patton, City of Los Angeles, said we talk about a 26 billion dollar infrastructure need, but no one has put dollars to the cost to reduce emissions efficiently to get anywhere near attainment. Furthermore, another piece that needs to be dealt with is the maintenance piece. When you look at the damage done to our system, it is essentially the sole cause of

much of our freeway breakage. This is another cost that we have not begun to talk about internalizing.

6.8 8-Hour Ozone Conformity (Ted Harris, SCAG)

We are in conformity for 8-Hour Ozone, and we want to thank everyone of a very successful collaborative process.

Searles Valley is now in conformity as well, that was part of the determination.

6.9 TCM Update (Ted Harris, SCAG)

SCAG staff went through the database and looked at 300+ TCMs and looked at funding and project descriptions an in initial review. We have some packets with the information that we will hand out. We are facilitating input from the CTCs. Of the three hundred projects there are about fifty projects that appear to not be committed TCMs. The main reason for those is that there was not funding in the first two years of the TIP for ROW or construction. Once we get enough input from the committee, we can talk about it more. Perhaps two meetings from now we can have a finalized sheet of all the different TCMs. Which ones are committed TCMs and which are not.

Mike Ganor stated that one of the reports he generated lists all the TCM projects that require more clarification. The second report lists the projects that do not appear to meet the criteria as described in the project description. The third list includes all projects that appear to be committed TCMs. Staff will work with the CTC's to verify whether it actually is a TCM.

Staff is looking for input from the CTC's to clarify on whether the description is accurate and the funding is where it should be. If a project should not be there, this will be clarified in the next TIP. The 2006 RTIP Guidelines will provide clear TCM guidance.

6.10 Information Sharing (Group Discussion)

There was no discussion at this time.

7.0 COMMENT PERIOD

None at this time.

8.0 ADJOURNMENT

The meeting adjourned at approximately 12:00 Noon. The next meeting of the TCWG will be Tuesday, June 28