Conformity Analysis Documentation
Checklist for MPO TIPs/RTPs

40 CFR	Criteria	P.	Comments
§93.102	Document the applicable pollutants and precursors for which EPA designates the area as nonattainment or maintenance. Describe the nonattainment or maintenance area and its boundaries.	Appendix C: • Background pp. 3-5	
§93.104 (b, c)	Document the date that the MPO officially adopted, accepted or approved the TIP/RTP and made a conformity determination. Include a copy of the MPO resolution. Include the date of the last prior conformity finding.		See Appendix C, p. 5
§93.104 (e)	If the conformity determination is being made to meet the timelines included in this section, document when the new motor vehicle emissions budget was approved or found adequate.	Appendix C: • Background pp. 3-5 • 2008 Eight-Hour Ozone Standard pp. 4-5, 27 • 2015 Eight-Hour Ozone Standard pp. 5, 27	See Appendix C, pp. 3-4
§93.106	If the metropolitan planning area is in a serious, severe, or extreme ozone nonattainment area and/or serious carbon monoxide nonattainment area and contains an urbanized population over 200,000, then RTP must specifically describe the transportation system envisioned for future years called "horizon years."	Appendix C: • Regional Plan Projects pp. 33-37 • Tables C.11, C.12 and C.13 on pp. 38-94	
§93.106 (a)(2)ii	Describe the regionally significant additions or modifications to the existing transportation network that are expected to be open to traffic in each analysis year. Document that the design concept and scope of projects allows adequate model representation to determine intersections with regionally significant facilities, route options, travel times, transit ridership and land use.	Appendix C: • Regional Plan Projects pp. 33-37 • Tables C.11, C.12 and C.13 on pp. 38-94 • Travel Modeling pp. 7–22 • Model Inputs pp. 22-25	
§93.108	Document the TIP/RTP is fiscally constrained consistent with DOT's metropolitan planning regulations at (23 CFR 450) in order to be found in conformity.	2025 Regional Plan: • Chapter 3 • Appendix I	

40 CFR	Criteria	P.	Comments
§93.109 (a, b)	Document that the TIP/RTP complies with any applicable conformity requirements of air quality implementation plans (SIPs) and court orders.	Appendix C: • Background pp. 3-5 • Motor Vehicle Emissions Modeling pp. 25-27	
§93.109 (c-k)	Provide either a table or text description that details, for each pollutant and precursor, whether the interim emissions tests and/or the budget test apply for conformity. Indicate which emissions budgets have been found adequate by EPA, and which budgets are currently applicable for what analysis years.	Appendix C: • 2008 Eight-Hour Ozone Standard pp. 4-5, 27 • 2015 Eight-Hour Ozone Standard pp. 5, 27 • Motor Vehicle Emissions Modeling Results pp. 25-27	
§93.110 (a, b)	Document the use of latest planning assumptions (source and year) at the "time the conformity analysis begins," including current and future population, employment, travel and congestion. Document the use of the most recent available vehicle registration data. Document the date upon which the conformity analysis was begun.	Appendix C: • Growth Forecasts pp. 6-7 • Travel Modeling pp. 7-22 • Model Inputs pp. 22-25 • Motor Vehicle Emissions Modeling pp. 25-27 • Interagency Consultation Process and Public Input pp. 31-33	
USDOT/EPA guidance	Documents planning assumptions are less than 5 years old at the time the conformity analysis begins. If assumptions are older than 5 years documents justification for not reviewing and updating assumptions at least every 5 years.	Appendix C: • Growth Forecasts pp. 6-7 • Travel Modeling pp. 7-22 • Interagency Consultation Process and Public Input pp. 31-33	
§93.110 (c,d,e,f)	Document any changes in transit operating policies and assumed ridership levels since the previous conformity determination. Document the use of the latest transit fares and road and bridge tolls. Document the use of the latest information on the effectiveness of TCMs and other SIP measures that have been implemented. Document the key assumptions and show that they were agreed to through Interagency and public consultation.	Appendix C: • Model Inputs pp. 22-25 • Interagency Consultation Process and Public Input pp. 31-33	
§93.111	Document the use of the latest emissions model approved by EPA.	Appendix C: • Motor Vehicle Emissions Modeling pp. 25-27	

40 CFR	Criteria	P.	Comments
§93.112	Document fulfillment of the interagency and public consultation requirements outlined in a specific implementation plan according to §51.390 or, if a SIP revision has not been completed, according to §93.105 and 23 CFR 450. Include documentation of consultation on conformity tests and methodologies as well as responses to written comments.	Appendix C: • Interagency Consultation Process and Public Input pp. 31-33	
§93.113	Document timely implementation of all TCMs in approved SIPs. Document that implementation is consistent with schedules in the applicable SIP and document whether anything interferes with timely implementation. Document any delayed TCMs in the applicable SIP and describe the measures being taken to overcome obstacles to implementation.	Appendix C: • Implementation of TCMs p. 31	
§93.114	Document that the conformity analyses performed for the TIP is consistent with the analysis performed for the Plan, in accordance with 23 CFR 450.324(f)(2).	Appendix C	
§93.115	Describe how the projects come from a conforming RTP and TIP. If this criterion is not satisfied, the project must satisfy all criteria in Table 1 of §93.109(b) for a project not from a RTP and TIP.	2025 Regional Plan: • Appendix A Appendix C: • Background p. 3-5 • Regional Plan Projects pp. 33-37 • Tables C.11, C.12 and C.13 on pp. 38-94	
§93.118 (a, c, e)	For areas with SIP budgets: Document that emissions from the transportation network for each applicable pollutant and precursor, including projects in any associated donut area that are in the Statewide TIP and regionally significant non-Federal projects, are consistent with any adequate or approved motor vehicle emissions budget for all pollutants and precursors in applicable SIPs.	Appendix C: • Background pp. 3-5 • Motor Vehicle Emissions Modeling pp. 25-27	
§93.118 (b)	Document for which years consistency with motor vehicle emissions budgets must be shown.	Appendix C: • Regional Emissions Forecasts pp. 26-27 • Motor Vehicle Emission Modeling pp. 25-27 • Interagency Consultation Process and Public Input pp. 31-33	

40 CFR	Criteria	P.	Comments
§93.118 (d)	Document the use of the appropriate analysis years in the regional emissions analysis for areas with SIP budgets, and the analysis results for these years. Document any interpolation performed to meet tests for years in which specific analysis is not required.	Appendix C: • Motor Vehicle Emissions Modeling pp. 25-27	
§93.119 [1]	For areas without applicable SIP budgets: Document that emissions from the transportation network for each applicable pollutant and precursor, including projects in any associated donut area that are in the Statewide TIP and regionally significant non-Federal projects, are consistent with the requirements of the "Action/Baseline", "Action/1990" and/or "Action/2002" interim emissions tests as applicable.	N/A	
§93.119 (g)	Document the use of the appropriate analysis years in the regional emissions analysis for areas without applicable SIP budgets. The regional emissions analysis must be performed for analysis years that are no more than ten years apart. The first analysis year must be no more than five years beyond the year in which the conformity determination is being made. The last year of the timeframe of the conformity determination (as described under §93.106(d)) must also be an analysis year.	N/A	
§93.119 (h,i)	Document how the baseline and action scenarios are defined for each analysis year.	Appendix C: • Tables C.11, C.12 and C.13 on pp. 38-94	
§93.122 (a)(1)	Document that all regionally significant federal and non-Federal projects in the nonattainment/maintenance area are explicitly modeled in the regional emissions analysis. For each project, identify by which analysis it will be open to traffic. Document that VMT for non-regionally significant Federal projects is accounted for in the regional emissions analysis	Appendix C: • Travel Modeling pp. 7-22 • Model Inputs pp. 22-25 • Tables C.11, C.12 and C.13 on pp. 38-94	

40 CFR	Criteria	P.	Comments
§93.122 (a)(2, 3)	Document that only emission reduction credits from TCMs on schedule have been included or that partial credit has been taken for partially implemented TCMs. Document that the regional emissions analysis only includes emissions credit for projects, programs, or activities that require regulatory action if: the regulatory action has been adopted; the project, program, activity or a written commitment is included in the SIP; EPA has approved an opt-in to the program, EPA has promulgated the program, or the Clean Air Act requires the program (indicate applicable date). Discuss the implementation status of these programs and the associated emissions credit for each analysis year.	N/A	
§93.122 (a)(4,5,6)	For nonregulatory measures that are not included in the STIP, include written commitments from appropriate agencies. Document that assumptions for measures outside the transportation system (e.g. fuels measures) are the same for baseline and action scenarios. Document that factors such as ambient temperature are consistent with those used in the SIP unless modified through interagency consultation.	N/A	
§93.122 (b)(1)(i) [2]	Document that a network-based travel model is in use that is validated against observed counts for a base year no more than 10 years before the date of the conformity determination. Document that the model results have been analyzed for reasonableness and compared to historical trends and explain any significant differences between past trends and forecasts (for per capita vehicle-trips, VMT, trip lengths mode shares, time of day, etc.).	Appendix C: • Travel Modeling pp. 7-22	
§93.122 (b)(1)(ii) [2]	Document the land use, population, employment, and other network-based travel model assumptions.	Appendix C: • Travel Modeling pp. 7-22	
§93.122 (b)(1)(iii) [2]	Document how land use development scenarios are consistent with future transportation system alternatives, and the reasonable distribution of employment and residences for each alternative.	Appendix C: • Growth Forecasts pp. 6-7 • Data Sources pp. 23-25	
§93.122 (b)(1)(iv) [2]	Document use of capacity sensitive assignment methodology and emissions estimates based on a methodology that differentiates between peak and off-peak volumes and speeds, and bases speeds on final assigned volumes.	Appendix C: • Travel Modeling pp. 7-22	

40 CFR	Criteria	P.	Comments
§93.122 (b)(1)(v) [2]	Document the use of zone-to-zone travel impedances to distribute trips in reasonable agreement with the travel times estimated from final assigned traffic volumes. Where transit is a significant factor, document that zone-to-zone travel impedances used to distribute trips are used to model mode split.	Appendix C: • Travel Modeling pp. 7-22	
§93.122 (b)(1)(vi) [2]	Document how travel models are reasonably sensitive to changes in time, cost, and other factors affecting travel choices.	Appendix C: • Travel Modeling pp. 7-22	
§93.122 (b)(2) [2]	Document that reasonable methods were used to estimate traffic speeds and delays in a manner sensitive to the estimated volume of travel on each roadway segment represented in the travel model.	Appendix C: • Travel Modeling pp. 7-22	
§93.122 (b)(3) [2]	Document the use of HPMS, or a locally developed count-based program or procedures that have been chosen through the consultation process, to reconcile and calibrate the network-based travel model estimates of VMT.	Appendix C: • Model inputs pp. 22-25 Interagency • Consultation Process and Public Input pp. 31-33	
§93.122 (d)	In areas not subject to §93.122(b), document the continued use of modeling techniques or the use of appropriate alternative techniques to estimate vehicle miles traveled	N/A	
§93.122 (e, f)	Document, in areas where a SIP identifies construction-related PM10 or PM 2.5 as significant pollutants, the inclusion of PM10 and/or PM 2.5 construction emissions in the conformity analysis.	N/A	
§93.122 (g)	If appropriate, document that the conformity determination relies on a previous regional emissions analysis and is consistent with that analysis.	N/A	
§93.126, §93.127, §93.128	Document all projects in the TIP/RTP that are exempt from conformity requirements or exempt from the regional emissions analysis. Indicate the reason for the exemption (Table 2, Table 3, traffic signal synchronization) and that the interagency consultation process found these projects to have no potentially adverse emissions impacts.	Appendix C: • Exempt Projects pp. 28-31 • Interagency Consultation Process and Public Input pp. 31-33	

Note that some areas are required to complete both interim emissions tests.

[2] **40 CFR 93.122(b) refers only to serious, severe and extreme ozone areas and serious CO areas above 200,000 population**

Disclaimers

This checklist is intended solely as an informational guideline to be used in reviewing Transportation Plans and Transportation Improvement Programs for adequacy of their conformity documentation. It is in no way intended to replace or supersede the Transportation Conformity regulations of 40 CFR Parts 51 and 93, the Statewide and Metropolitan Planning Regulations of 23 CFR Part 450 or any other EPA, FHWA or FTA guidance pertaining to transportation conformity or statewide and metropolitan planning. This checklist is not intended for use in ocumenting transportation conformity for individual transportation projects in nonattainment or maintenance areas. 40 CFR Parts 51 and 93 contain additional criteria for project-level conformity determinations.