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MEETING NOTICE AND AGENDA

SAN DIEGO CONFORMITY WORKING GROUP

The San Diego Conformity Working Group may take action on any item appearing on this agenda.

MEMBER AGENCIES

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 National City
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 Solana Beach
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 and
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Imperial County
 California Department
 of Transportation
 Metropolitan
 Transit System
 North San Diego County
 Transit Development Board
 United States
 Department of Defense
 San Diego
 Unified Port District
 San Diego County
 Water Authority
 Mexico

Wednesday, January 5, 2011

10:30 a.m. to 12 noon

SANDAG, Conference Room 8C
 401 B Street, Suite 800
 San Diego, CA 92101-4231

Staff Contact: Rachel Kennedy
 (619) 699-1929
 rke@sandag.org

AGENDA HIGHLIGHTS

- **2050 REGIONAL TRANSPORTATION PLAN: CONFORMITY CRITERIA AND PROCEDURES**

Please contact Rachel Kennedy prior to the meeting if you wish to participate by conference call.

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SAN DIEGO CONFORMITY WORKING GROUP

Wednesday, January 5, 2011

ITEM #	RECOMMENDATION
1. INTRODUCTIONS	
+2. SUMMARY OF THE OCTOBER 6, 2010, MEETING	INFORMATION
<p>The summary of the October 6, 2010, Conformity Working Group (CWG) meeting is attached. The CWG is asked to review the meeting summary.</p>	
3. PUBLIC COMMENTS/COMMUNICATIONS	
<p>Members of the public will have the opportunity to address the Working Group during this time.</p>	
+4. 2010 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM CONFORMITY DETERMINATION	INFORMATION
<p>On September 24, 2010, the SANDAG Board adopted the 2010 Regional Transportation Improvement Program (RTIP) and made a finding of conformity for the 2010 RTIP and a conformity redetermination for the 2030 Regional Transportation Plan (RTP). FHWA and FTA have found that the 2010 RTIP and 2030 RTP conform to the applicable state implementation plans in accordance with the provisions of 40 CRF Parts 51 and 93.</p>	
5. 2050 REGIONAL TRANSPORTATION PLAN: CONFORMITY CRITERIA AND PROCEDURES	DISCUSSION
<p>The CWG will discuss the conformity criteria and procedures to be followed to determine conformity of the 2050 RTP. Attachments for this item will be e-mailed prior to the CWG meeting. SANDAG staff will make brief presentations on the following topics:</p>	
<ul style="list-style-type: none">a. Draft list of Revenue Constrained projectsb. Draft list of exempt projectsc. Revenue Constrained Financial Assumptions	
6. 2050 REGIONAL TRANSPORTATION PLAN: CONFORMITY ANALYSIS METHODOLOGY	INFORMATION
<p>At its November 19, 2010, meeting, the SANDAG Board of Directors approved the shortening of the conformity timeframe and methodology for conducting the air quality conformity determination for the 2050 RTP.</p>	

ITEM #	RECOMMENDATION
<p>7. EMFAC 2010 DEVELOPMENT</p> <p>California Air Resources Board (ARB) staff will provide the CWG with an update on the development of the next generation of EMFAC software.</p>	DISCUSSION
<p>8. EIGHT-HOUR OZONE STANDARD RE-CLASSIFICATION UPDATE</p> <p>Staff from U.S. EPA and the San Diego Air Pollution Control District will provide an update on the proposed rule to Implement the 1997 8-Hour Ozone standard.</p>	DISCUSSION
<p>9. OTHER BUSINESS</p>	INFORMATION

+ next to an item indicates an attachment

The next meeting of the San Diego Region Conformity Working Group is scheduled for February 2, 2011, from 10:30 a.m. to 12 noon at SANDAG.

San Diego Association of Governments
SAN DIEGO CONFORMITY WORKING GROUP

January 5, 2011

AGENDA ITEM NO.: **2**

Action Requested: INFORMATION

SUMMARY OF THE OCTOBER 6, 2010, MEETING

Item #1: Introductions

Self-introductions were made. See attached attendance list.

Item #2: Summary of April 7, 2010, Meeting

Rachel Kennedy, SANDAG, asked the Conformity Working Group (CWG) to review the meeting summary. No corrections were made at that time. However, a correction was submitted before the meeting via e-mail from Ilene Gallo regarding a spelling error in her name.

Item #3: Public Comments/Communications

No public comments were made.

Item #4: 2010 Regional Transportation Improvement Program (RTIP)

Sookyung Kim, SANDAG, commented that on September 3, 2010, the Transportation Committee (TC) held a public hearing on the proposed final 2010 RTIP, which includes all the projects that are programmed from FY 2011 to FY 2015 and will be incorporated as part of the 2011 Federal Statewide Transportation Improvement Program (FSTIP). At the public hearing, SANDAG received a couple of public comments that were in favor of the program SANDAG is proposing.

On September 24, 2010, the SANDAG Board of Directors adopted the 2010 RTIP. On October 1, the final 2010 RTIP was submitted to the state, which will be incorporated with the rest of the state's Metropolitan Planning Organizations (MPOs) transportation improvement programs. A public notice for the FSTIP will be issued on October 9, and it will be submitted to the Federal Highway Administration, the Federal Transit Administration, and the Environmental Protection Agency by November 1, 2010. SANDAG anticipates final approval of the FSTIP by mid-December 2010.

Item #5: 2050 Regional Transportation Plan (RTP): Conformity Criteria and Procedures

a. 2050 RTP Public Outreach

Anne Steinberger, SANDAG, informed the group that SANDAG has released the results of the Public Opinion Survey conducted in June 2010. Input from these results is being used as SANDAG develops its scenarios for the 2050 RTP. An interesting finding was that many people were aware of Senate Bill 375, which requires that MPOs address greenhouse gas emissions through planning

efforts. Survey respondents provided input on how policy makers should consider funding options and policy options for the transportation networks. These results came out fairly balanced among highways, transit, and local streets and roads.

Another public outreach effort included converting the survey that was developed for the telephone poll to an online survey in English and Spanish that SANDAG could use with the general public. Results from the online survey were collected through the end of September. Ms. Steinberger commented that there are some interesting differences between the Public Opinion Survey, which is a statistically valid random sample of the County, and the online Community Survey, which included interested stakeholders, people on SANDAG's mailing lists, and people that heard about the survey at meetings. Results from the Community Survey show that the public wants more focus on transit and alternatives to highways when developing the transportation networks. Ms. Steinberger mentioned that as soon as the results were presented to the Board, the CWG would receive links to this information.

Ms. Steinberger commented that an effort in the last month has been to secure input on parking policies that would support transit. A series of workshops has been held to get input on these policies with SANDAG's Public Works directors, Planning Directors, and other interested stakeholders. Also, a public workshop was held with SANDAG's Stakeholders Working Group. Another public workshop is being planned for October 20, 2010, to get input on these policies, and an outreach effort is underway to secure participation in this final workshop. All the results from these workshops will be compiled and presented to the Board to provide input into the planning process.

SANDAG is working with a consultant to develop a web-based, interactive visualization tool to get input on the four scenarios that the Board is considering for the revenue constrained networks. This will provide another good input effort that SANDAG staff can take into community meetings to introduce the tool and have the community use the tool at these meetings, or send out information asking people to go online and access the tool. People will be able to explore options and say what they think the policy makers should consider and submit it to SANDAG. This will be the first tool of its kind in California¹.

SANDAG promotes all of its meetings through a dedicated webpage, so people are aware of the different input and decision points, and how the 2050 RTP is being developed so that they can participate in the process. Also, SANDAG has several thousand people in a database specifically for RTP outreach. A summer newsletter was sent in September and a fall newsletter will be sent in the coming weeks with more updates.

¹ Since the October CWG meeting, staff has been working to refine and finalize the visualization tool to provide an interactive format for users to review and understand elements of the draft RTP network scenario accepted by the Board of Directors. Development of the visualization tool continues, but the anticipated final tool will demonstrate how user-selected land use priorities, transportation infrastructure, and funding options affect the draft transportation network scenario.

b. Latest Emission Model

Ms. Kennedy, SANDAG, commented that EMFAC 2007 is the emissions model that is currently approved for conformity determinations. As per SANDAG's current schedule for the conformity of the 2050 RTP, SANDAG staff will be doing model runs in December 2010. SANDAG staff is planning to use EMFAC 2007 and, assuming the release of EMFAC 2010 by the California Air Resources Board (ARB) in December of this year, SANDAG is will perform conformity runs with both versions. SANDAG anticipates including the emissions data from the runs done with both, EMFAC 2007 and EMFAC 2010, in the draft 2050 RTP. SANDAG will include the data from the version of EMFAC that is applicable at the time of RTP adoption, which is anticipated in summer of 2011. This is the same practice that was employed with the previous 2030 RTP, which was adopted in 2007. At that time two sets of model outputs, one from EMFAC 2003 and another one from EMFAC 2007, were included in the draft 2030 RTP. The EMFAC 2003 model output was removed from the final 2030 RTP approved by the Board.

c. Revenue Constrained Financial Assumptions

Ms. Kim, SANDAG, gave a briefing on the draft revenue constrained financial assumptions for the 2050 RTP. She pointed out that the numbers on the list of draft revenue sources (provided as an attachment) that is currently proposed were expressed in 2010 dollars. What will be included in the final plan are the dollars in the year of the expenditure, so the amounts will change.

Revenues are broken-down at the local, state, and federal level. With 60 to 65 percent coming from local sources, 20 to 25 percent from state sources, and the rest from federal sources. Ms. Kim added that 20 years ago the majority of funds came from state and federal sources.

Ms. Kim commented that the San Diego Region is the first region to incorporate SB 375 as part of the 2050 RTP. The 2030 RTP included three scenarios: revenue constrained, reasonably expected, and unconstrained. Because of the new SB 375 requirements, two scenarios are being proposed for the 2050 RTP: revenue constrained and unconstrained. As a result, SANDAG is expanding some of its revenue sources in the revenue constrained plan. This expansion of the revenue sources in the revenue constrained scenario is also in response to comments received for previous RTPs, that the revenue constrained seemed very constrained and that additional revenue sources that have not been considered before should probably be considered.

A couple of things that are different on the local side are that future local revenues are being added. This includes one of the provisions that are part of the current *TransNet* ordinance, which says that SANDAG will pursue a sales tax for "Quality of Life". Other new items include Innovative Partnering Fees and Transit Public Private Partnerships.

On the state side, an addition is Proposition 1B/ Proposition 1A/ Other. Historically, the state has provided new revenue sources for transportation every five to six years. SANDAG is assuming that in the future there will be a continuous revenue source for transportation.

On the federal side, Federal Rail Administration (FRA)/ High Speed Rail funds were added. Currently there is only a one to two year history for these funds; however, this source is likely to continue. Additionally, SANDAG is assuming one major New Start for funding grant agreements from the Federal Transit Administration (FTA) Discretionary funds, plus three Small Starts every decade. These

will be refined in future RTPs. The network selected by the Board will determine which transit projects will be included in the 2050 RTP, and which transit projects will be competitive in these discretionary areas.

Ilene Gallo, Caltrans, asked if the "Quality of Life" *TransNet* sales tax was going to be running at the same time as the current *TransNet*. Ms. Kim commented that the current *TransNet* tax started in 2008 and it runs until 2048; depending on when the current "Quality of Life" tax will be adopted, and on how many years this sales tax runs for, it would run concurrently. Since the 2050 RTP has a horizon year of 2050, and the current *TransNet* expires in 2048, it is assumed that there will be another extension to the existing *TransNet* Program

Item #6: 2050 RTP: Proposed Conformity Analysis Methodology

Ms. Kennedy mentioned that at its September 17, 2010, meeting the TC accepted for review and distribution, the draft proposed methodology for conducting the air quality conformity determination for the 2050 RTP for a 30-day comment period, and scheduled a public hearing to solicit public comments on shortening the conformity timeline and proposed methodology for the regional emissions analysis for the October 15, 2010, TC meeting.

Ms. Kennedy mentioned that the staff report that was presented to the TC on September 17, was provided as an attachment to the agenda. An e-mail has been sent to the CWG informing the group of the 30-day comment period. Also, the draft methodology has been posted on the SANDAG Web site, both on the Public Notice and 2050 RTP pages. No public comments have been received to date; however, the comment period extends to October 18, 2010. If any public comments are received, they will be incorporated as appropriate. Pending recommendation by the TC on the October 15, 2010, meeting, SANDAG staff will bring the proposed methodology to the Board of Directors on November 19, 2010, for its approval. This methodology will then be used in the preparation of the conformity document for the 2050 RTP.

The draft proposed methodology and shortening of the conformity timeframe was presented and discussed at the August and September 2010 CWG meetings. Ms. Kennedy reminded the group that any additional comments can still be submitted via e-mail throughout the comment period.

Item #7: Proposed Conformity Rule Revisions

Karina O'Connor, U.S. Environmental Protection Agency (EPA), was not able to join the group. However, she provided Ms. Kennedy with information on the proposed conformity rule revisions to share with the group. Ms. O'Connor also provided highlights of the restructuring of the rule, which was published in the Federal Registrar on August 13, 2010. There was a 30-day comment period that followed, which closed in September.

Nine organizations submitted comments to EPA by the September 13 closing date of the comment period. An additional comment was also received and posted on October 1.

The restructuring of the rule makes it clear how the transition to the new National Ambient Air Quality Standards (NAAQS) will occur and ensures consistency in the transition. The rule proposes that existing budgets be used, describes how the baseline year is defined, and proposes an

additional near-term year if the attainment year has past or if it is not defined. This will require an additional analysis within five years of the date the conformity determination is approved.

The new rule also explains how areas can work with EPA when it makes a clean data finding to allow the areas to use the most recent year with clean data as a budget. Also, the rule explains that for transportation related pollutants (PM, ozone, NO₂, CO) conformity for the secondary standard is needed. This may be a new requirement for the 2010 ozone standard which is the first transportation NAAQS and may have a different secondary standard.

Additionally, Ms. Kennedy provided information on a few inquiries she made to Ms. O'Connor. Ms. Kennedy asked when EPA anticipated publishing the final rule. Ms. O'Connor responded that EPA anticipates publishing the final rule before October 2011, which is when the 2010 ozone NAAQS nonattainment designations become effective. However, this is just an estimate.

Ms. Kennedy also asked when the new rule would go into effect and if there would be a grace period. Ms. O'Connor responded that, other than for new attainment areas that get the one-year grace period before conformity applies, EPA anticipates that the changes would go into effect within 30 days of the publication date. However, it has not been officially decided. Ms. Kennedy commented that SANDAG is interested in this point because it is working the 2050 RTP and its conformity determination, and it anticipates adopting it in the summer of 2011. Therefore, SANDAG is trying to determine if another near-year conformity analysis will be needed.

Ms. Kennedy also inquired what type of comments EPA received on the proposal. Ms. O'Connor said that comments were published on EPA's Web site. She also added that most comments received were in favor of restructuring sections 93.109 and 93.119, and in support of extending the flexibility for clean data areas to all NAAQS, for which EPA has a clean data policy. Some MPOs, including SANDAG, commented with some concerns regarding the new near-term analysis requirement. On the other hand, an air quality agency commented in support of this requirement. At the time, Ms. O'Connor did not have any information regarding whether EPA would consider revisions to the proposed rule based on comments that were received.

Mike Brady, Caltrans, stated that Caltrans sent a comment letter on the restructuring rule to clarify a couple of points. Ms. Kennedy commented that SANDAG's comments were very brief regarding the new near-term, five-year analysis, as it could potentially affect the conformity analysis of the RTIP.

Item #8: EMFAC 2010 Development

Dennis Wade, ARB, commented that the agency is still on track to release the new version of the model before the end of the year. Submittal for approval to EPA would happen soon after.

Item #9: Eight-Hour Ozone Standard Re-classification Update

John Kelly, EPA, was not able to join the call. Carl Selnick, Air Pollution Control District, mentioned he had heard that the due date for the rule to require the State Implementation Plan (SIP) was going to be signed in March 2011, publication in late March, and effective date in April 2011. The SIP would be due a year after. Ms. Kennedy mentioned that the new EMFAC is expected to be available by that time. Mr. Selnick added that the budgets for the new SIP would use EMFAC 2010.

Item #10: Other Business

Mike Brady commented that Google has now much more traffic data available than it used to.

Item #11: Upcoming Meetings

Ms. Kennedy stated that the next meeting of the CWG is scheduled for Wednesday, November 3, 2010, from 10:30 a.m. - 12:00 p.m. Meeting materials will be sent to the group in advance.

**San Diego Region Conformity Working Group
Meeting Attendance
October 6, 2010**

Name	Agency
Dennis Wade (phone)	ARB
Mike Brady (phone)	Caltrans
Ilene Gallo (phone)	Caltrans Dist. 11
Jose Marquez (phone)	Caltrans Dist. 11
Stew Sonnenberg (phone)	FHWA
Elisa Arias	SANDAG
Andrea Hoff	SANDAG
Rachel Kennedy	SANDAG
Sookyung Kim	SANDAG
Anne Steinberger	SANDAG
Domingo Vigil	SANDAG
Carl Selnick (phone)	SDAPCD



U.S. Department
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**Federal Highway
Administration**

**Federal Highway Administration
California Division**

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December 14, 2010

In Reply Refer To:
HDA-CA

Mr. Gary Gallegos, Executive Director
San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92101

Dear Mr. Gallegos:

SUBJECT: Conformity Determination for SANDAG's 2010 RTIP and Conformity Re-
Determination to the 2030 RTP

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed our review of the conformity determination for the San Diego Association of Governments' (SANDAG's) 2010 Regional Transportation Improvement Program (RTIP) and conformity re-determination to the 2030 Regional Transportation Plan (RTP). A FTA/FHWA air quality conformity determination is required pursuant to the Environmental Protection Agency's (EPA) *Transportation Conformity Rule*, 40 CFR Parts 51 and 93, and the United States Department of Transportation's *Metropolitan Planning Rule*, 23 CFR Part 450.

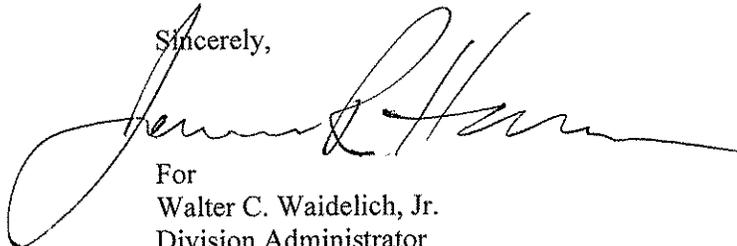
On September 24, 2010, SANDAG adopted the 2010 RTIP and corresponding conformity determination. The conformity analysis submitted by SANDAG indicates that all air quality conformity requirements have been met. Based on our review, we find that the 2010 RTIP and 2030 RTP conform to the applicable state implementation plan in accordance with the provisions of 40 CFR Parts 51 and 93. In accordance with the July 15, 2004, *Memorandum of Understanding (MOU) between the Federal Highway Administration, California Division and the Federal Transit Administration, Region IX*, the FTA has concurred with this conformity determination. Additionally, this conformity determination was made after consultation with the EPA, Region 9 office.

If you have questions or need additional information concerning this conformity determination, please contact Mr. Stew Sonnenberg of the FHWA California Division office at (916) 498-5889.

Sincerely,

/s/ Leslie T. Rogers

Leslie T. Rogers
Regional Administrator
Federal Transit Administration



For
Walter C. Waidelich, Jr.
Division Administrator
Federal Highway Administration



cc: (email)

Hymie Luden, FTA Region IX

Dennis Jacobs, Caltrans HQ Programming

Gary Gallegos, SANDAG

Sookyung Kim, SANDAG

Michelle Merino, SANDAG

John Kelly, EPA Region IX

Fardad Falakfarsa, Caltrans

cc:

SANDAG MTIP Binder

SANDG RTP Binder