APPENDIX A – 53

2015 TIP Detail

San Francisco Bay Area Air Quality Conformity Protocol

MTC Resolution No. 3757

Date: July 26, 2006
W.I.: 1412
Referred by: Planning Committee

ABSTRACT

Resolution No. 3757

This Resolution approves the "San Francisco Bay Area Transportation Air Quality Conformity Protocol," listed as Attachment A (conformity procedures) and Attachment B (interagency consultation procedures), for determining the conformity of the Regional Transportation Plan and Transportation Improvement Program with federal air quality plans and procedures. These two Attachments constitute the "Conformity SIP" for the San Francisco Bay Area (the conformity portion of the State Implementation Plan (SIP)).

This Resolution will be submitted to the California Air Resources Board (ARB) and the U.S. Environmental Protection Agency (EPA) for approval as revisions to the California State Implementation Plan (SIP), which governs transportation conformity and decisions in the San Francisco Bay Area.

Date: July 26, 2006
W.I.: 1412
Referred by: Planning Committee

Re: Approval of San Francisco Bay Area Transportation Air Quality Conformity Protocol

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 3757

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code § 66500 et seq.; and

WHEREAS, the Bay Area Air Quality Management District (BAAQMD), Association of Bay Area Governments (ABAG) and MTC are collectively responsible for developing and implementing various portions of the federal air quality plans in the San Francisco Bay Area; and

WHEREAS, prior to adopting or amending the long-range Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP), MTC must first determine that these plans and programs conform to the federal air quality plan for the San Francisco Bay Area (termed the State Implementation Plan, or SIP) using procedures established by the U.S. Environmental Protection Agency (EPA); and

WHEREAS, the three agencies have prepared a protocol for determining transportation air quality conformity in compliance with Federal regulation entitled: San Francisco Bay Area Transportation Air Quality Conformity Protocol ("the Protocol"), which includes certain conformity procedures relating to transportation plans, programs, and projects and the interagency consultation procedures, attached hereto as Attachment A and Attachment B, respectively, and incorporated herein as though set forth at length; and

WHEREAS, the three agencies have revised the Protocol to reflect the most recent guidance provided by the U.S. EPA; and

WHEREAS, Federal regulations for amending the SIP require a public hearing prior to adoption or changes to the Protocol, and the BAAQMD and ABAG have delegated authority to MTC to hold a public hearing on the Protocol as proposed herein; and

WHEREAS, MTC held a duly noticed public hearing on June 9, 2006; and

WHEREAS, at the conclusion of the public hearing, the Protocol was referred back to the three respective agencies along with the public comments and staff recommendations that each agency adopt the new Protocol; and

WHEREAS, the Protocol must be submitted to the California Air Resources Board (ARB) for review and subsequent submittal to the U.S. Environmental Protection Agency (EPA) for revision of the California State Implementation Plan (SIP), now therefore be it

RESOLVED, that the Protocol to be included in the Conformity SIP are approved for submission to CARB and to EPA; and, be it further

RESOLVED, that the MTC staff may make minor adjustments, as necessary, to the Protocol in the Conformity SIP in response to ARB and EPA comments; and, be it further

RESOLVED, that this resolution supercedes MTC Resolution No. 3075.

METROPOLITAN TRANSPORTATION COMMISSION

Jon Rubin, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on July 26, 2006.

SAN FRANCISCO BAY AREA TRANSPORTATION AIR QUALITY CONFORMITY PROTOCOL

Conformity Procedures

Current federal law does not require that EPA's detailed procedures for determining the conformity of plans, programs and projects be included in the Conformity SIP. Therefore, Part 93 of MTC's conformity procedures (MTC Resolution 3075), which includes verbatim EPA's transportation conformity regulation from 40 CRF Part 93, is deleted in entirety, with the exception of sections 93.122(a)(4)(ii) and 93.125(c)(see below).

In accordance with 40 CFR section 93.122(a)(4)(ii), prior to making a conformity determination on the RTP or TIP, MTC will not include emissions reduction credits from any control measures that are not included in the RTP or TIP and that do not require a regulatory action in the regional emissions analysis used in the conformity analysis unless MTC or FHWA/FTA obtains written commitments, as defined in 40 CFR section 93.101, from the appropriate entities to implement those control measures. The written commitments to implement those control measures must be fulfilled by the appropriate entities.

In accordance with 40 CFR section 93.125(c), prior to making a project-level conformity determination for a transportation project, FHWA/FTA must obtain from the project sponsor and/or operator written commitments, as defined in 40 CFR section 93.101, to implement any project-level mitigation or control measures in the construction or operation of the project identified as conditions for NEPA approval. The written commitments to implement those project-level mitigation or control measures must be fulfilled by the appropriate entities. Prior to making a conformity determination on the RTP or TIP, MTC will ensure the project design concept and scope are appropriately identified in the regional emissions analysis used in the conformity analysis.

SAN FRANCISCO BAY AREA TRANSPORTATION AIR QUALITY CONFORMITY PROTOCOL

Interagency Consultation Procedures

I. General

These procedures implement the interagency consultation process for the nine-county San Francisco Bay Area, and include procedures to be undertaken by the Metropolitan Transportation Commission (MTC), California Department of Transportation (Caltrans), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), State and local air agencies and U.S. EPA, before making transportation conformity determinations on the Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP). Air quality planning in the Bay Area is the joint responsibility of the Metropolitan Transportation Commission (MTC), Association of Bay Area Governments (ABAG) and the Bay Area Air Quality Management District (BAAQMD).

Air Quality Conformity Task Force

To conduct consultation, staff involved in conformity issues for their respective agencies will participate in an Air Quality Conformity Task Force, hereafter referred to as the "Conformity Task Force." The Conformity Task Force is open to all interested agencies, but will include staff of:

- Federal agencies: FHWA, FTA, EPA
- State DOT: Caltrans
- Regional planning agencies: MTC, ABAG
- County transportation agencies: all CMAs,
- State and local air quality agencies: California Air Resources Board and BAAQMD
- Transit operators

MTC will maintain a directory for the current membership of the Conformity Task Force. MTC will chair the Conformity Task Force and will consult with members of the Conformity Task Force to determine items for meeting agendas and will transmit all meeting materials. Agendas and other meeting material will generally be transmitted seven days in advance of meetings, or on occasion, distributed at the meetings. MTC will prepare summary minutes of each meeting. Any member of the Conformity Task Force listed above can request MTC to call a meeting of this group to discuss issues under the purview of the Conformity Task Force as described below,

including whether certain events would trigger the need to make a new conformity determination for the Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP).

Persons of any organizational level in the member agencies may attend meetings of the Conformity Task Force. All meetings of the Conformity Task Force will be open to the public.

Meeting frequency will be at least quarterly, unless there is consensus among the federal and state transportation agencies and air quality agencies to meet less frequently. MTC will also consult with these agencies to determine which items may not require a face-to-face meeting and could be handled via conference call or email.

II. Consultation on Regional Transportation Plan (RTP) and RTP Amendments

a. RTP Consultation Structure and Process

The mechanism for developing the RTP and for reviewing RTP documents is through The Bay Area Partnership or its successor. MTC is responsible for convening meetings of The Bay Area Partnership and its subcommittees.

The Bay Area Partnership, hereafter referred to as the "Partnership", was established in 1991 by MTC as a strategic alliance to advise and implement the mandates of the Intermodal Surface Transportation Efficiency Act of 1991. The Partnership includes representatives of all federal, state and local transportation agencies involved in developing and implementing transportation policies and programs in the nine-county San Francisco Bay Area as well as other regional agencies, such as the BAAQMD, ABAG, and Bay Conservation and Development Commission (BCDC). The Conformity Task Force member agencies, including EPA and ARB, are represented on the Partnership, and therefore the Conformity Task Force member agencies may participate directly in the Partnership process. MTC maintains a directory of the current membership of the Partnership. Partnership membership changes are frequent and expected. The current membership of the Conformity Task Force will be included in the Partnership directory.

Early in the RTP development process, MTC will develop a schedule for key activities and meetings leading up to the adoption of the RTP. In developing the draft RTP, MTC brings important RTP-related issues to the Partnership for discussion and feedback. MTC is responsible for transmitting all materials used for these discussions to the Partnership prior to the meetings, or on occasion, may distribute materials at the meetings. All materials that are relevant to interagency consultation, such as the RTP schedule, important RTP-related issues, and draft RTP, will also be transmitted to the Conformity Task Force for discussion and feedback. Similar consultation will occur with RTP amendments although amendments to the RTP are few and infrequent.

Public involvement in development of the RTP and RTP Amendments will be provided in accordance with MTC's adopted public involvement procedures. Key RTP supporting documents are posted on MTC's Web site for reference.

Policy decisions and actions pertaining to the RTP are the responsibility of MTC and will be made through MTC's Commission and its standing committee structure. The MTC standing committee currently in charge of the RTP is the Planning Committee, but changes to committee names can be expected from time to time. Comments received on important RTP-related issues and materials will be reviewed and considered by MTC staff in preparation of issuing a draft and final RTP for public review. MTC staff will respond to all significant comments, and the comments and response to comments will be made available for discussion with the Planning Committee and the Commission. MTC will transmit RTP-related materials to be discussed at the Planning Committee and Commission meetings to the Conformity Task Force prior to the meeting, or on occasion, may distribute materials at the meetings. Staff and policy board members of Conformity Task Force agencies may participate in these meetings.

b. Agency Roles and Responsibilities. Development of the RTP will be a collaborative process with agencies participating through participation the Partnership and/or MTC Commission and its standing committees. The following are the expected participation of key agencies in RTP development and review.

Agency	Roles
MTC	As the MPO for the San Francisco Bay Area, MTC develops, coordinates, circulates and provides for public involvement prior to adopting the RTP. Develops supporting technical documents, environmental documents, public information and other supplemental reports related to RTP. Prepares conformity analysis for RTP and makes conformity findings prior to adoption. Includes funding for TCMs in RTP. MTC Commission will act as the final policy body in the development and adoption of the RTP.
ABAG	Adopts long-range land use and demographic projections for the Bay Area. Provides detailed demographic data to MTC for travel forecasting and regional emissions analysis.
California DOT (Caltrans)	Project initiator for all state highway projects in the MTC region. Works directly with MTC in providing and reviewing detailed technical programming information. Defines the design concept and scope of projects in the RTP to conduct regional emissions analysis. Promptly notifies MTC of changes in design concept and scope, cost, and implementation year of regionally significant projects. Conducts project level CO and PM hotspot analyses. Identifies and commits to project level CO and PM mitigation measures, as required. Implements TCMs for which Caltrans is responsible in a timely fashion.
California ARB	Develops, solicits input on and adopts motor vehicle emissions factors; seeks EPA approval for their use in conformity analyses.
BAAQMD	Reviews and comments on all aspects of the conformity determinations for the RTP.
EPA	Administers and provides guidance on the Clean Air Act and Transportation Conformity regulations. Determines adequacy of motor vehicle emissions budget used for making RTP conformity findings. Reviews and comments on conformity determinations for the RTP.

Agency	Roles
Local Municipalities	Local municipalities propose projects for inclusion in the RTP and provide related information on design concept and scope for all regionally significant projects, including facilities where detailed design features have not yet been decided. Promptly notifies MTC of changes in design concept and scope, cost, and implementation year of regionally significant projects that would affect a new conformity analysis. Conducts project level CO and PM hotspot analyses. Identifies and commits to project level mitigation measures for CO and PM, as required. Implement TCMs for which local governments have responsibility in a timely fashion.
Local Transportation Agencies (CMAs, Transit Operators)	Project initiators for certain road and transit projects. See above Local Municipalities.
FHWA/FTA	FHWA and FTA consult with EPA on finding that the RTP conforms to the SIP. Provide guidance on transportation planning regulations. Ensure that all transportation planning and transportation conformity requirements contained in 23 CFR Part 450 and 40 CFR Part 93, respectively, are met.

* While these are the key areas and agencies involved in the development of the RTP, participation in the RTP process by other agencies may occur.

c. Consultation on RTP and RTP Amendment Conformity Analysis

Consultation on the assumptions and approach to the conformity analysis of the RTP or RTP Amendment will occur during the preparation of the draft RTP or RTP Amendment. MTC typically starts discussing the assumptions and approach to the conformity analysis with the Conformity Task Force at least two to three months prior to the conformity analysis being conducted. Early in the RTP or RTP Amendment development process, MTC will consult with the Conformity Task Force on, at a minimum, the following topics:

- Travel forecasting and modeling assumptions
- Latest planning assumptions
- Motor vehicle emission factors to be used in conformity analysis
- Appropriate analysis years
- Key regionally significant projects assumed in the transportation network and the year of operation
- Status of TCM implementation
- Financial constraints and other requirements that affect conformity pursuant to Federal Statewide and Metropolitan Planning regulations.
- Reliance on a previous regional emissions analysis
- The need for an Interim RTP (in the event of a conformity lapse)

The preparation of the draft conformity analysis will typically begin after public review of the draft RTP or RTP Amendment since there may be changes to projects and programs resulting from further public input. MTC will transmit the results of the draft conformity analysis to the

Conformity Task Force prior to releasing the draft conformity analysis for public review. The Conformity Task Force will respond promptly to MTC staff with any comments. The draft conformity analysis will be available for public review at least 30 days prior to any final action by MTC on the final conformity analysis and RTP or RTP Amendment. MTC will consult with the Conformity Task Force, as needed, in preparing written responses to significant comments on the draft conformity analysis. The draft conformity analysis will be reviewed by the MTC standing committee responsible for the RTP and will be referred to the Commission for approval. Members of the public can comment on the draft conformity analysis in writing or in person at MTC meetings prior to the close of the 30-day public review period. After the Commission approves the final conformity analysis, MTC will provide the final conformity analysis to FHWA/FTA for joint review as required by 40 CRF 93.104 and 23 CRF 450.322 of the FHWA/FTA Statewide and Metropolitan Planning Rule. Copies of the final conformity analysis will also be transmitted to the Conformity Task Force and made available in the MTC/ABAG Library and MTC's Web site.

III. Consultation on Transportation Improvement Program (TIP) and TIP Amendments

a. TIP Consultation Structure and Process

Similar to the RTP development, the mechanism for developing the TIP or TIP Amendments is through the Partnership or its successor. MTC is responsible for convening meetings of the Partnership and its subcommittees. These meetings are open to the public.

The Partnership includes representatives of all federal, state and local transportation agencies involved in developing and implementing transportation policies and programs in the nine-county San Francisco Bay Area as well as other regional agencies, such as the BAAQMD, ABAG, and BCDC. The Conformity Task Force member agencies, including EPA and ARB, are represented on the Partnership, and therefore the Conformity Task Force member agencies may participate directly in the Partnership process.

Early in the TIP development process, MTC will develop a schedule for key activities and meetings leading up to the adoption of the TIP. In developing the draft TIP, MTC brings important TIP-related issues to the Partnership for discussion and feedback. MTC is responsible for transmitting all materials used for these discussions to the Partnership prior to the meetings, or on occasion, may distribute materials at the meetings. All materials that are relevant to interagency consultation, such as the TIP schedule, important TIP-related issues, and draft TIP, will also be transmitted to the Conformity Task Force for discussion and feedback. Similar consultation will occur for TIP Amendments requiring an air quality conformity determination.

Public involvement in development of the TIP or TIP Amendments will be provided in accordance with MTC's adopted public involvement procedures. Key TIP supporting documents are posted on MTC's Web site for reference.

Policy decisions and actions pertaining to the TIP are the responsibility of MTC and will be made through MTC's Commission and its standing committee structure. The MTC standing committee

currently in charge of the TIP is the Programming and Allocations Committee, but changes to committee names can be expected from time to time. Comments received on important TIP-related issues and materials will be reviewed and considered by MTC staff in preparation of issuing a draft and final TIP for public review. MTC staff will respond to all significant comments, and the comments and response to comments will be made available for discussion with the Programming and Allocations Committee and the Commission. MTC will transmit TIP-related materials to be discussed at the Programming and Allocations Committee and Commission meetings to the Conformity Task Force prior to the meeting, or on occasion, may distribute materials at the meetings. Staff and policy board members of Conformity Task Force agencies may participate in these meetings.

b. Agency Roles and Responsibilities

Development of the TIP will be a collaborative process with agencies participating through the Partnership or its successor. The following are the expected participation of key agencies in TIP development and review:

Agency	Roles
MTC	As MPO for the San Francisco Bay Area, MTC develops, coordinates, circulates and provides for public involvement prior to adopting the TIP. Develops supporting technical documents and memorandum. Ensures projects in the TIP are consistent with the RTP. Ensures project sponsors have written commitments to any CO or PM mitigation measures required as conditions to NEPA process, prior to funding approval. Prepares conformity analysis for the TIP and makes conformity findings prior to adoption. Includes funding for TCMs in the TIP to ensure timely implementation. MTC Commission will act as the final policy body in the development of the TIP, prior to submittal to Caltrans, FHWA and FTA.
ABAG	Adopts long-range land use and demographic projections for the Bay Area. Provides detailed demographic data to MTC for travel forecasting and regional emissions analysis.
California DOT (Caltrans)	Project initiator for all state highway projects in the MTC region. As such, works directly with MTC in providing and reviewing detailed technical programming information. Defines the design concept and scope of projects in the TIP to conduct regional emissions analysis and provides costs. Promptly notifies MTC of changes in design concept and scope, cost, and implementation year of regionally significant projects. Conducts project level CO and PM hotspot analyses. Identifies and commits to certain CO and PM mitigation measures, as required. Implements TCMs for which Caltrans is responsible in a timely fashion.
California ARB	Develops, solicits input on and adopts motor vehicle emissions factors. Seeks EPA approval for their use in conformity analyses
BAAQMD	Reviews and comments on all aspects of the conformity determinations for the TIP.
EPA	Administers and provides guidance on the Clean Air Act and transportation conformity regulations. Determines adequacy of motor vehicle emissions budget used for making TIP conformity findings. Reviews and comments on conformity determinations for the TIP.

Agency	Roles
Local Municipalities	Local municipalities propose projects for inclusion in the TIP. Responsible for informing MTC of design concept and scope and costs of all regionally significant projects, including non-FHWA/FTA funded projects when the project sponsor is a recipient of federal funds. Provides design concept and scope for facilities where detailed design features have not yet been decided. Promptly notifies MTC of changes in design concept and scope, cost, and implementation year of any regionally significant projects that would affect a new conformity analysis. Ensures regionally significant projects are in a conforming RTP and TIP (or otherwise meet the requirements of EPA conformity regulations, Sec. 93.121) prior to local approval action. Conducts project level CO and PM hotspot analyses. Identifies and commits to project level mitigation measures for CO and PM, as required. Implement TCMs for which local governments have responsibility in a timely fashion.
Local Transportation Agencies (CMAs, Transit Operators)	Project initiators for certain road and transit projects. See above Local Municipalities.
FHWA/FTA	FHWA and FTA consult with EPA on finding that the TIP conforms to the SIP. Provide guidance on transportation planning regulations. Ensure that all transportation planning and transportation conformity requirements contained in 23 CFR Part 450 and 40 CFR Part 93, respectively, are met.

* While these are the key areas and agencies involved in the development of the TIP, participation in the TIP process by other agencies may occur.

c. Consultation and Notification Procedures for Conformity Analysis of TIP and TIP Amendments

Adoption of a new TIP will occur at intervals specified in federal planning requirements, whereas TIP Amendments can be expected to occur much more frequently. Consultation on the assumptions and approach to the conformity analysis of the TIP or TIP Amendment will occur during the preparation of the draft TIP or TIP Amendment. MTC typically starts discussing the assumptions and approach to the conformity analysis with the Conformity Task Force at least two to three months prior to the conformity analysis being conducted. When preparing a new TIP, MTC will consult with the Conformity Task Force on the same topics listed for the RTP (see Section II.c.), as well as the additional topics listed below:

- Identification of exempt projects in the TIP
- Identification of exempt projects which should be treated as non exempt
- Determination of projects which are regionally significant (both FHWA/FTA and non FHWA/FTA funded projects)
- Development of an Interim TIP (in the event of a conformity lapse)

For TIP Amendments, MTC will consult with the Conformity Task Force as identified below:

Consultation Required in Situations Requiring a Conformity Determination, Including But Not Limited To:

- Add a regionally significant project to the TIP when it has already been appropriately accounted for in the regional emissions analysis for the RTP
- Add a non-regionally significant project to the TIP
- Add non-exempt, regionally significant project that has not been accounted for in the regional emissions analysis
- Change in non-exempt, regionally significant project that is not consistent with the design concept and scope or the conformity analysis years

In addition, notification at the beginning of the public comment period is required for major amendments that add/delete exempt project or project phases to/from the TIP and add environmental studies for non-exempt project to the TIP.

Some changes to an adopted TIP do not require consultation or notification of these changes to federal or state agencies.

No Consultation Required:
According to FHWA/FTA/Caltrans *Procedures for Minor Modification to the FSTIP*, minor change amendments are revisions to project descriptions that do not affect the scope or conflict with the environmental documents, funding revisions that are no more than $2 million but not more than 20% of the total project cost, changes to fund sources, changes to project lead agency, changes that split or combine projects with no scope or funding changes, changes to required information for grouped projects and adding or deleting projects from grouped project listings. Per the *Procedures for Minor Modification to the FSTIP*, these types of changes are considered administrative actions and do not require any public notification or consultation.

The preparation of the draft conformity analysis will typically begin during the public review period and be completed when all changes to the proposed listing of projects and programs in the draft TIP or TIP Amendment have been finalized. MTC will transmit the results of the draft conformity analysis to the Conformity Task Force prior to releasing the draft conformity analysis for public review. The Conformity Task Force will respond promptly to MTC staff with any comments. The draft conformity analysis will be available for public review at least 30 days prior to any final action by MTC on the final conformity analysis and TIP or TIP Amendment. MTC will consult with the Conformity Task Force, as needed, in preparing written responses to significant comments on the draft conformity analysis. The draft conformity analysis will be reviewed by the MTC standing committee responsible for the TIP and will be referred to the Commission for approval. Members of the public can comment on the draft conformity analysis in writing or in person at MTC meetings prior to the close of the 30-day public review period. After the Commission approves the final conformity analysis, MTC will provide the final conformity analysis to FHWA/FTA for joint review as required by 40 CRF 93.104 and 23 CRF 450.322 of the FHWA/FTA Statewide and Metropolitan Planning Rule. Copies of the final

conformity analysis will also be transmitted to the Conformity Task Force and made available in the MTC/ABAG Library and MTC's Web site.

IV. State Implementation Plan (SIP) Consultation Process

a. SIP Consultation Structure and Process

The BAAQMD, MTC and ABAG have co-lead responsibilities for preparing the SIP. The SIP will normally be developed through a series of workshops, technical meetings, and public involvement forums independent of the Conformity Task Force; however, all Conformity Task Force agencies will be provided with all information and every opportunity to fully participate in the development of the SIP. The BAAQMD will provide and update schedules for SIP development that will be available to all agencies and the public. Public involvement will be in accordance with the BAAQMD's public involvement procedures. Key documents will be posted on BAAQMD's website. SIP development will normally cover inventory development, determination of emission reductions necessary to achieve and/or maintain federal air quality standards, transportation and other control strategies that may be necessary to achieve these standards, contingency measures, and other such technical documentation as required. The SIP will include a process to develop and evaluate transportation control measures as may be suggested by the co-lead agencies, other agencies, and the public.

MTC will consult with the BAAQMD and ARB in providing the travel activity data used to develop the on-road motor vehicle emissions inventory. If new transportation control strategies are necessary to achieve and/or maintain federal air quality standards, MTC will evaluate and receive public comment on potential new measures through the SIP consultation process administered by the BAAQMD. This SIP process will define the motor vehicle emissions budget (MVEB), and its various components, that will be used for future conformity determinations of the RTP and TIP. Prior to publishing the draft SIP, the Conformity Task Force will have an opportunity to review and comment on the proposed MVEB.

The BAAQMD will circulate the draft SIP for public review, and all comments will be responded to in writing prior to adoption of the SIP by the co-lead agencies. The Boards of the co-lead agencies will formally adopt the submittal. The BAAQMD will then transmit the adopted submittal, along with the public notice, public hearing transcript and a summary of comments and responses, to the ARB.

b. Agency Roles and Responsibilities

The following provides a summary on the roles and responsibilities of the different agencies with involvement in development and review of SIP submittals dealing with TCMs or emissions budgets.

Agency	Responsibilities
MTC	MTC is a co-lead agency for development of the SIP. Responsibilities may include preparing initial drafts of SIP submittals, revising those drafts, incorporating other agencies' comments, and preparing public hearing transcripts and responding to public comments. MTC is responsible for developing regional travel demand forecasts used in the SIP emissions inventory and analysis of new TCMs. MTC develops, analyzes, and monitors and reports on implementation of federal TCMs. MTC participates in public workshops and hearings on the SIP. MTC will provide final SIP documents to the Conformity Task Force and place copies in MTC's library.
ABAG	ABAG is a co-lead agency for development of the SIP. Responsibilities may include preparing initial drafts of SIP submittals, revising those drafts, incorporating other agency comments, and preparing public hearing transcripts and responding to public comments. ABAG's responsibilities include developing regional economic, land use and population forecasts used in developing SIP inventories. ABAG participates in public workshops and hearings on SIP submittals
California DOT (Caltrans)	Caltrans participates through various meetings, workshops, and hearings that are conducted by the co-lead agencies.
California ARB	ARB participates in the SIP development process in the Bay Area. ARB receives the Bay Area's SIP submittals, and upon approval, transmits them to EPA. Concurs with TCM substitution in the SIP.
BAAQMD	BAAQMD is responsible for air quality monitoring, preparation and maintenance of detailed and comprehensive emissions inventories, and other air quality planning and control responsibilities. BAAQMD is responsible for air quality planning in the region. Its responsibilities may include preparing initial drafts of SIP submittals, revising those drafts, incorporating other agencies' comments, and preparing public hearing transcripts and responding to public comments. BAAQMD organizes and participates in public workshops and hearings on SIP submittals.
EPA	EPA receives the Bay Area's SIP submittals from the California ARB, and has the responsibility to act on them in a timely manner. EPA directly influences the content of the submittals through regulations implementing the federal Clean Air Act. EPA also has the opportunity to influence the submittals through various meetings, workshops, and hearings that are conducted by the co-lead agencies. Provides guidance on the Clean Air Act. Determines adequacy of motor vehicle emissions budget used for making RTP/TIP conformity findings. Concurs with TCM substitution in the SIP.
Local Municipalities	Local municipalities will also participate through various meetings, workshops, and hearings that are conducted by the co-lead agencies.
Local Transportation Agencies (CMAs and Transit Operators)	CMAs and transit operators participate through various meetings, workshops, and hearings that are conducted by the co-lead agencies. CMAs represent the collective transportation interests of cities and counties, and, in certain cases, other local agencies.
FHWA/FTA	Provide guidance on transportation planning regulations. Opportunities to participate in the SIP are as noted above.

V. Consultation process for model assumptions, design and data collection

Consultation on model assumptions, design and data collection will take place through two forums [1]:

Group	Role/Focus	Approximate Meeting Frequency
Conformity Task Force	Feedback on regional travel demand forecast model development and assumptions. Consultation on regional emission models and assumptions. Feedback on CO and PM hot spot analysis models developed by others	Quarterly, unless consensus to meet less frequently
Model Coordination Working Group of the Partnership	Consultation on regional travel model data collection, analysis, forecasting assumptions, and model development and calibration.	At the call of the Chair.

[1] Membership and meeting frequency changes are regular and expected. Committee structure is subject to change as new committees are formed or as additional committees are included in modeling consultation.

The Model Coordination Working Group focuses on regional transportation model development and coordination. The Working Group or its successor, among other duties, provides a process for consulting on the design, schedule and funding of research and data collection efforts and on development and upgrades to the regional travel demand forecast model maintained by MTC. MTC staff coordinates meetings and helps prepare agenda items. Agendas and packets are generally mailed out one week prior to each meeting. Participation is open to all interested agencies, including members of the Conformity Task Force and the public.

Significant modeling issues that affect or pertain to conformity determinations of the RTP and TIP will be brought by MTC to the Conformity Task Force for discussion prior to any conformity analysis that requires the use of the MTC travel demand forecast model. Any member of the Conformity Task Force can independently request information from MTC concerning specific issues associated with the MTC model design or assumptions, and MTC staff will make the information available.

Models for analysis of localized CO and PM10 hot spots have been developed by others, and the Conformity Task Force does not have any direct role in their development or application. The Conformity Task Force may:

1. Periodically review and participate with Caltrans and other agencies as appropriate in the update of these models and procedures.
2. Refer project sponsors to the most up to date guidance on hot spot analyses.

VI. Project Level Conformity Determinations for Carbon Monoxide (CO)

All project-level conformity determinations are the responsibility of FHWA and FTA. Project sponsors should use the most recent Caltrans procedures for CO analysis approved by CARB and the EPA. In accordance with Government Code 66518 and 66520, MTC will determine the following:

1. That FHWA or FTA has approved the project-level CO conformity analysis which is included in the project's environmental document.
2. That the design concept and scope of the project has not changed significantly from that used by MTC in its regional emissions analysis of the RTP or the TIP.

The Conformity Task Force may periodically review and participate with Caltrans and other agencies as appropriate in the update of the Caltrans procedures for CO analysis, and provide technical guidance to project sponsors who use these procedures.

VII. Monitoring of Transportation Control Measures (TCMs)

The periodic conformity analyses for the RTP and TIP will include updates of the implementation of TCMs in the applicable SIP. The Conformity Task Force may request more frequent updates, as needed.

Prior to conducting a new conformity analysis for an RTP or TIP, MTC will document the status of TCMs that have not been completed, by comparing progress to the implementation steps in the SIP. Where TCM emissions reductions are included as part of the MVEB, MTC will also estimate the portion of emission reductions that have been achieved. If there are funding or scheduling issues for a TCM, MTC will describe the steps being undertaken to overcome these obstacles, including means to ensure that funding agencies are giving these TCM maximum priority. MTC may propose substitution of a new TCM for all or a portion of an existing TCM that is experiencing implementation difficulties (see below).

VIII. Substitution of TCMs in the SIP

After consultation with the Conformity Task Force, MTC may recommend and proceed with the substitution of a new TCM in the SIP to overcome implementation difficulties with an existing TCM(s). The substitution will take place in accordance with MTC's adopted TCM substitution procedures, which provide for full public involvement. In the event of possible discrepancies between MTC's TCM Substitution Procedures and those in SAFETEA (Public Law 109-59), the provisions of SAFETEA will govern.

IX. Other Conformity Task Force Processes and Procedures

Interagency consultation procedures for specific conformity issues are described below:

1. Defining regionally significant projects: Regionally significant projects are defined as a transportation project (other than an exempt project) that is on a facility which serves regional transportation needs and would normally be included in the coded network for the regional transportation demand forecast model, including at a minimum all principal arterial highways and all fixed guideway transit facilities that offer an alternative to regional highway travel. MTC's travel model roadway network may also include other types of facilities for reasons of functionality or connectivity that would not normally be considered regionally significant. MTC will periodically review with the Conformity Task Force the types of facilities and projects that are coded in the network but which MTC recommends should not be classified as regionally significant (and which therefore would not trigger a new regional emissions analysis if amended into the TIP). MTC will document the decisions of the Task Force for future reference. The Task Force will also consider projects that would not be found regionally significant according to the modeling definition above, but should be treated as regionally significant for conformity purposes.

2. Determination of significant change in project design concept and scope: Project sponsors should provide timely notice to MTC of any change in the design concept or scope of any regionally significant project in the RTP and TIP. MTC will consider a significant change in design concept and scope to be one that would alter the coding of the project in the transportation network associated with the regional travel model. When a project(s) have a change in design concept and scope from that assumed in the most recent conformed TIP and RTP, MTC will not normally consider revisions to the RTP or TIP if such a revision requires a new regional emissions analysis for the entire Plan and TIP. MTC will evaluate projects that may be considered to have a change in design concept and scope and will consult with the Conformity Task Force prior to advising the project sponsor as to how MTC intends to proceed with any request to amend the RTP and/or TIP.

3. Determining if exempt projects should be treated as non-exempt: MTC will identify all projects in the TIP that meet the definition of an exempt project, as defined in the Conformity regulations. MTC will provide a list of exempt projects to the Conformity Task Force for review prior to releasing the draft TIP for public comment. If any member of the Conformity Task Force believes an exempt project has potentially adverse emission impacts or interferes with TCM implementation, they can bring their concern to the Conformity Task Force for review and resolution. If it is determined by the Conformity Task Force that the project should be considered non exempt, MTC will notify the project sponsor of this determination and make appropriate changes to the conformity analysis, as required.

4. Treatment of non-FHWA/FTA regionally significant projects: Any recipient of federal funding is required to disclose to MTC the design concept and scope of regionally significant

projects that do not use FHWA or FTA funds. MTC will request that Caltrans and local agencies identify all such projects prior to conducting a new conformity analysis for the RTP or TIP. As part of the conformity analysis, MTC will also include a written response to any significant comment received about whether any project or projects of this type are adequately accounted for in the regional emissions analysis.

5. Projects that can advance during a conformity lapse. In the event of a conformity lapse, MTC will convene the Conformity Task Force to identify projects in the RTP and TIP that may move forward. MTC will also consult the Conformity Task Force on the process for preparing an Interim RTP and TIP.

6. Addressing activities and emissions that cross MPO boundaries: When a project that is not exempt is proposed in another MPO's Plan or TIP crosses MTC's boundaries, MTC will review the project with the Conformity Task Force to determine appropriate methods for addressing the emissions impact of the project in MTC's conformity analysis, consistent with EPA's conformity regulations.

   MTC's planning area includes a portion of Solano County, which is in the Sacramento air basin. The Sacramento Area Council of Governments (SACOG) is the MPO for this planning area. MTC and SACOG, in consultation with Caltrans, the State Air Resources Board, and the Governor's Office, have developed and signed a Memorandum of Understanding for undertaking conformity analysis in eastern Solano County.

X. Conflict Resolution

Conflicts between State agencies, ABAG, MTC or BAAQMD that arise during consultation will be resolved as follows:

1 A statement of the nature of the conflict will be prepared and agreed to by the Conformity Task Force.

3. Staff of the affected agencies will meet in a good faith effort to resolve the conflict in a manner acceptable to all parties.

4. If the staff is unsuccessful, the Executive Directors or their designee of any state agency and all other parties to the conflict shall meet to resolve differences in a manner acceptable to all parties.

5. The parties to the conflict will determine when the 14-day clock (see below) starts.

6. Following these steps, the State Air Resources Board has 14 days to appeal to the Governor after Caltrans or MTC has notified the State Air Resources Board that either party plans to proceed with their conformity decision or policy that is the source of the conflict. If the State air agency appeals to the Governor, the final conformity

determination must have the concurrence of the Governor. If the State Air Resources Board does not appeal to the Governor within 14 days, the MTC or State Department of Transportation may proceed with the final conformity determination. The Governor may delegate his or her role in this process, but not to the head or staff of the State or local air agency, State department of transportation, State transportation commission or board, or an MPO.

XI. Public Consultation Procedures

MTC will follow its adopted public involvement procedures when making conformity determinations on transportation plans, and programs. These procedures establish a proactive public involvement process which provides opportunity for public review and comment by, at a minimum, providing reasonable public access to technical and policy information considered by MTC at the beginning of the public comment period and prior to taking formal action on a conformity determination for the RTP and TIP, consistent with these requirements and those of 23 CFR 450.316(b). Meetings of the Conformity Task Force and Partnership are open to the public. Any charges imposed for public inspection and copying should be consistent with the fee schedule contained in 49 CFR 7.95. These agencies shall also provide opportunity for public involvement in conformity determinations for projects where otherwise required by law.