

## **Agenda Item Summary**

**To:** Policy Board

**From:** Robert Aloise, Director of Planning

**CC:** Matt Hart, Executive Director; Jon Colman, Transportation Committee Chair

**Meeting Date:** June 27, 2022 (Transportation Committee)

**Subject:** Resolution on Conformity with the Clean Air Act – Ozone

**Background:** Each Metropolitan Planning Organization (MPO) is required to demonstrate that its Metropolitan Transportation Plan (MTP) and Transportation Improvement Program (TIP) do not violate the federal Clean Air Act. The Connecticut Department of Transportation (CTDOT) performs a statewide analysis, with all MTP and TIP projects analyzed together. CTDOT's most recent analysis (February 2022) shows that CRCOG is part of the Greater Connecticut Ozone Non-Attainment Area and is in an attainment area for fine particulate matter (PM 2.5). CRCOG needs to demonstrate its concurrence with CTDOT's determination.

**Benefit to Member Towns/CRCOG:** This is a compliance requirement for CRCOG's transportation planning program. This program includes multi-modal planning, operations and management efforts, coordination of funding opportunities, and integration of performance measures. Details can be found in CRCOG's [Unified Planning Work Program](#).

**Financial/Operational Impact:** Conformity with the Clean Air Act, and acknowledgement thereof, is a requirement for MPOs, and compliance is needed in order to continue receiving federal transportation funding.

**Project Schedule:** n/a

**Recommendation:** CRCOG Staff recommends approval.

**Attachments:**

- Resolution on Conformity with the Clean Air Act – Ozone

## RESOLUTION ON CONFORMITY WITH THE CLEAN AIR ACT – OZONE

**WHEREAS**, the Capitol Region Council of Governments (CRCOG) is required to submit an Air Quality Conformity Statement to the US Federal Highway Administration (FHWA) and to the US Environmental Protection Agency (EPA) in accordance with the final conformity rule promulgated by EPA (40 CFR 51 and 93) when adopting an annual Transportation Improvement Program (TIP) or when effecting a significant revision of the Metropolitan Transportation Plan (MTP); and;

**WHEREAS**, Title 42, Section 7506 (3) (A) states that conformity of transportation plans and programs will be demonstrated if:

1. the plans and programs are consistent with recent estimates of mobile source emissions;
2. the plans and programs provide for the expeditious implementation of certain transportation control measures;
3. the plans and programs contribute to annual emissions reductions consistent with the Clean Air Act of 1977, as amended; and

**WHEREAS**, it is the opinion of CRCOG that the plans and programs approved today, June 27, 2022, and submitted to FHWA and EPA conform to the requirements of Title 42, Section 7506 (3) (A) as interpreted by EPA (40 CFR 51 and 93); and

**WHEREAS**, the State of Connecticut has elected to assess conformity in the Greater Connecticut Ozone Nonattainment area (Litchfield, Hartford, Tolland, New London, and Windham Counties) and the Connecticut Department of Transportation has jointly assessed the impact of all transportation plans and programs in this Ozone Nonattainment area (Ozone and PM2.5 Air Quality Conformity Determination February 2022); and

**WHEREAS**, the Connecticut Department of Transportation's assessment (above) has found that plans and programs jointly meet mobile source emission's guidelines advanced by EPA pursuant to Section 7506 (3) (A).

**NOW THEREFORE BE IT RESOLVED**, that CRCOG finds that the 2019-2045 MTP and the FFY 2021-2024 TIP and all Amendments conform to air quality requirements of the U.S. Environmental Protection Administration (40 CFR 51 and 93), related U.S. Department of Transportation guidelines (23 CFR 450), and Title 42, Section 7506 (3) (A) and hereby approves the existing Ozone and PM2.5 Air Quality Conformity Determination dated February 2022, contingent upon no major adverse comments received during said period.

### CERTIFICATE

I certify the above is a true copy of a resolution adopted by the Transportation Committee, acting as the Policy Board, at its meeting held on June 27, 2022.

BY: \_\_\_\_\_  
Jason Bowsza, Secretary

DATE: \_\_\_\_\_