

## **Agenda Item Summary**

**To:** Policy Board, Transportation Committee

**From:** Cara Radzins, Deputy Director of Transportation Planning

**CC:** Matt Hart, Executive Director; Rob Aloise, Director of Transportation Planning

**Meeting Date:** May 22, 2024 (Transportation Committee: May 20, 2024)

**Subject:** Resolution: Conformity with the Clean Air Act (Ozone)

**Background:** Each Metropolitan Planning Organization (MPO) is required to maintain a four-year Transportation Improvement Program (TIP), detailing all federal surface transportation funding. When approving a new TIP, the MPO must submit an Air Quality Conformity Statement to the Federal Highway Administration (FHWA) and to the U.S. Environmental Protection Agency (EPA) to demonstrate that the level of emissions from projects within the TIP is compliant with the Clean Air Act.

CRCOG falls within the Greater Connecticut Ozone Nonattainment Area. CTDOT assesses conformity Area by looking at the impact of all transportation plans and programs in the Nonattainment Area. The analysis conducted by CTDOT indicates that, when combined with all other regional plans and TIPs in the Greater Connecticut Ozone Nonattainment Area, *CRCOG's TIP is compliant with current conformity rules.*

**Benefit to Member Towns/CRCOG:** Maintenance of a TIP is a requirement for MPOs, and compliance is needed in order to continue receiving federal transportation funding. Part of this compliance includes confirmation that a new TIP meets the standards of the Clean Air Act.

**Financial/Operational Impact:** CRCOG's TIP for FFY2025-2028 programs \$290.4 million in transit projects and \$702.7 million in highway projects for a total transportation program of \$993.1 million for the Capitol Region.

**Project Schedule:** October 1, 2024 – September 30, 2028

**Recommendation:** Staff recommends approval. The Transportation Committee will provide a recommendation at their meeting on May 20, 2024.

**Attachments:**

- Resolution: Conformity with the Clean Air Act (Ozone)

## **RESOLUTION 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 Federal Highway Administration (FHWA) and to the U.S. 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; and 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, May 24, 2024, 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 (CTDOT) has jointly assessed the impact of all transportation plans and programs in this Ozone Nonattainment Area (Air Quality Conformity Determination February 2023); and

**WHEREAS**, CTDOT's assessment has found that plans and programs jointly meet mobile source emissions guidelines advanced by EPA pursuant to Section 7506 (3) (A),

**NOW THEREFORE BE IT RESOLVED**, that CRCOG finds that the 2023-2050 MTP and the FFY 2025-2028 TIP and all Amendments conform to air quality requirements of the EPA (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 Air Quality Conformity Determination dated February 2024, contingent upon no major adverse comments being received during said period.

### **CERTIFICATE**

I certify the above is a true copy of a resolution adopted by the Policy Board at its meeting held on May 22, 2024.

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

Jason Bowsza, Secretary