



# Chicago Metropolitan Agency for Planning

Agenda Item No. 7.0

233 South Wacker Drive  
Suite 800  
Chicago, Illinois 60606

312 454 0400  
[www.cmap.illinois.gov](http://www.cmap.illinois.gov)

## MEMORANDUM

**To:** Transportation Committee

**From:** CMAP Staff

**Date:** August 31, 2018

**Re:** Transportation Air Quality Conformity in the CMAP Region

---

---

Recently, there have been a number of regulatory, legal, and technical challenges that may have a profound impact on transportation conformity analysis in the near and long term. New nonattainment areas for the 2015 Ozone NAAQS and a notice for Findings of Failure To Submit State Implementation Plan Submittals for the 2008 Ozone NAAQS, *South Coast Air Quality Management District vs EPA*, a new MOVES model, and data are among these challenges. Given the importance of conformity to transportation planning and implementation, CMAP staff intends to provide regular updates and go into more detail on issues affecting transportation conformity with the transportation committee at future meetings.

As a precursor to discussing many of the issues mentioned above at future meetings an overview of the current state of transportation conformity in the CMAP region is useful. The CMAP region is an air quality nonattainment area for ozone. As a nonattainment area the region is subject to conformity under the Clean Air Act of 1970. Transportation conformity has been subject to a number of formal rules to clarify the requirements for implementers, the most recent of which is from 2012. FHWA and FTA funding and approvals are only given to highway and transit activities that will not cause new air quality violations, worsen existing air quality violations, or delay timely attainment of the relevant air quality standard, or any interim milestone. Both ON TO 2050 and the Transportation Improvement Program (TIP) must demonstrate that the region conforms to the National Ambient Air Quality Standards (NAAQS) for ozone. This is accomplished through travel demand and air quality modeling that demonstrates the region does not exceed the approved Motor Vehicle Emission Budget (MVEB) for the CMAP area contained in the Illinois Environmental Protection Agency (IEPA) State Implementation Plan (SIP).

The CMAP region currently has to comply with three different ozone standards, each of which has different ozone nonattainment classifications and nonattainment geographies:

<u>Year</u>	<u>Standard</u>	<u>Classification</u>
1997	0.080 parts per million (PPM)	Moderate – Maintenance
2008	0.075 PPM	Moderate – Nonattainment*
2015	0.070 PPM	Marginal – Nonattainment

\*Due to a failure to attain the 2008 Ozone NAAQS by December 31, 2018 the region is expected to be reclassified as Serious –nonattainment for the 2008 Standard. There are additional standards, measures and controls that the region will have to meet. These will be discussed at Tier II Consultation and will be shared in future updates.

A change in the Nonattainment classification by EPA will likely result in the either the development of a new SIP or a modification of the existing SIP for the CMAP region as the [SIP Elements](#) for each classification are either different or enhanced.

Changes to the standards and classifications have been accompanied by changes to the non-attainment geography for the CMAP region. Under the 2008 NAAQS, Cook, DuPage, Kane, Lake, McHenry, and Will Counties and portions of Grundy (Aux Sable and Goose Lake Townships) and Kendall (Oswego Township) Counties in Illinois, Lake and Porter Counties in Indiana, and Kenosha County (I-94 corridor to Lake Michigan) in Wisconsin comprise the IL-IN-WI nonattainment area. CMAP is only responsible for performing transportation conformity for the Illinois portion of the IL-IN-WI nonattainment area. Under the 2015 standard the Illinois portion of the nonattainment area changed. McHenry County is now classified as being in attainment and will no longer be included in the modeling CMAP does to demonstrate conformity to the 2015 standard. However, because the 2008 standard also applies to the CMAP region and McHenry County is part of the nonattainment area under that standard so to demonstrate conformity to the 2008 standard CMAP’s analysis must include McHenry County.

Transportation conformity must be demonstrated for each scenario year that is required in the [Transportation Conformity Regulations](#) issued by the U.S. EPA in 2012. The current scenario years analyzed by CMAP are 2020, 2025, 2030, 2040, and 2050. Scenario years for modeling are required to be no more than 10 years apart however, as part of the [maintenance plan](#) for the 1997 8-hour ozone standard the state has to demonstrate through 2025 that the CMAP region is in attainment of the 1997 8-hour ozone standard. To do this required including 2025 as a scenario year for transportation conformity modeling. In recent conformity demonstrations the CMAP region has been just barely below the region’s MVEB for Volatile Organic Compounds (VOC’s) in 2025. This is in part because many of the benefits of the policies in GO TO 2040 and ON TO 2050 occur in later years as do the impacts of technological advances on cars and truck emissions.

Projects included in the TIP or ON TO 2050 plan that have certain “not exempt” or “exempt tested” [work types](#), primarily those that add capacity, are subject to inclusion in CMAP’s conformity analysis. Using the projected “open to traffic” year provided by project sponsors, each not exempt project is assigned to a scenario year for modeling. As an example, a project that will be open to traffic in 2022 will be part of the 2025 scenario year but not the 2020 scenario

year as the impacts of that project on the model will not occur until after 2020 but would be in place prior to 2025.

The conformity regulations require a formal interagency consultation process for developing SIPs, metropolitan transportation plans, TIPs, and making conformity determinations. At CMAP the consultation team is comprised of staff from CMAP, FHWA, FTA, U.S. EPA, RTA, IEPA, and IDOT and is referred to as the Tier II Consultation Team. Consultation meetings typically occur a couple of times a year, as needed to address transportation conformity issues, primarily on a technical level. Conformity is also addressed by the Transportation Committee and the MPO Policy Committee through review of the semi-annual conformity analyses and TIP amendments. The MPO Policy Committee is the body that approves the conformity determination stating that the TIP and ON TO 2050 demonstrate conformity to the region's MVEB. FHWA and FTA must jointly approve the amendments to the CMAP TIP and IDOT STIP and certify that the conformity analysis performed by CMAP meets the applicable criteria of 40 CFR 51 and 93.

ACTION REQUESTED: Discussion

###