

TRANSPORTATION CONFORMITY ANALYSIS AND FINDING OF CONFORMITY FOR THE 2040 LONG-RANGE TRANSPORTATION PLAN AND FY 2018-2021 TRANSPORTATION IMPROVEMENT PROGRAM

Federal Transportation Conformity requirements apply to Long-Range Transportation Plans (LRTPs), Transportation Improvement Programs (TIPs), and projects funded or approved by the Federal Highway Administration (FHWA) or the Federal Transit Administration (FTA) in areas that do not meet or previously did not meet air quality standards for ozone, carbon monoxide, particulate matter, or nitrogen dioxide. Such areas are referred to as “nonattainment areas” or “maintenance areas”, respectively. Conformity requirements help ensure that federal funding and approval goes to transportation activities that are consistent with air quality goals – in other words, that emissions produced by future traffic do not exceed levels prescribed by the Environmental Protection Agency (EPA). The Hampton Roads region became a maintenance area for the 1997 National Ambient Air Quality Standard (NAAQS) for ozone and has been designated an attainment area for all updates to the NAAQS since the 1997 standard. The 1997 NAAQS were revoked by the EPA effective April 6, 2015 (Federal Register, Volume 80, Number 44, March 6, 2015). With the revocation of the 1997 NAAQS for ozone, transportation conformity requirements no longer applied to the Hampton Roads region.

On April 23, 2018, FHWA and FTA issued *Interim Guidance on Conformity Requirements for the 1997 Ozone NAAQS*, in response to the U.S. Court of Appeals for the DC Circuit February 16, 2018 decision in *South Coast Air Quality Management District v. EPA*, No. 15-1115, which struck down portions of the *2008 Ozone NAAQS SIP Requirements Rule* concerning the ozone NAAQS. According to the *Interim Guidance*, any updates and amendments to LRTPs and TIPs for projects “not exempt from transportation conformity may not proceed until transportation conformity with the 1997 ozone NAAQS is determined.” The *Interim Guidance* is intended to stay in effect until further clarification is received from the EPA regarding possible impacts.

Based upon the *Interim Guidance*, the HRTPO Board approved the initiation of a Transportation Conformity Analysis on the 2040 LRTP and the FY 2018-2021 TIP at its May 17, 2018 meeting. In order to expedite the conformity analysis process and avoid project delays, the HRTPO Board also approved a Resolution authorizing the Transportation Technical Advisory Committee (TTAC) to approve the project list for the conformity analysis (and any related planning assumptions), and to initiate the public review of the draft analysis.

At its June 6, 2018 meeting, the TTAC approved the list of regionally-significant projects for the 2040 LRTP and FY 2018-2021 TIP for transportation conformity analysis and the conformity analysis work was initiated with an Interagency Consultation Group (ICG) meeting held during the TTAC meeting. The analysis has been completed by the VDOT Environmental Division and documents that all applicable regulatory requirements, including the emission budget tests, are satisfied. A finding of conformity for the 2040 LRTP and FY 2018-2021 TIP has been proposed. The documents were made available for public review from August 1, 2018 through August 16, 2018. No public comments were received.

Upon HRTPO Board approval, VDOT will transmit the final air quality conformity analysis to the FHWA to initiate the 45-day federal review and approval process. It is anticipated that the FHWA and FTA, in consultation with the EPA, will provide their finding of conformity by mid-October 2018.

The TTAC has recommended HRTPO Board approval of the transportation conformity analysis and finding of conformity for the 2040 LRTP and FY 2018-2021 TIP. The HRTPO Board Action Letter documenting approval of this item will be included in the appendix of the report before distribution.

Enclosure: Hampton Roads, Virginia Eight-Hour Ozone Maintenance Area – Regional Conformity Analysis: 2040 Long-Range Transportation Plan and FY 18-21 Transportation Improvement Program Report

RECOMMENDED ACTION:

Approve the transportation conformity analysis and finding of conformity for the 2040 LRTP and FY 2018-2021 TIP.

MAP-21/FAST ACT REGIONAL TRANSIT PERFORMANCE MEASURES AND TARGETS

Recent federal legislation established that States and Metropolitan Planning Organizations (MPOs) will be required to prepare and use a set of federally-established performance measures and set targets. Each MPO will need to establish and approve initial regional performance targets in a number of areas including roadway safety, pavement condition, bridge condition, roadway performance, freight, and transit.

The Federal Transit Administration (FTA) Performance-Based Planning final rule requires transit performance measures in the area of state of good repair, also referred to as transit asset management (TAM). There are four TAM asset categories for which MPOs are required to establish regional targets and monitor progress:

- Rolling Stock - Buses, ferry boats, light rail vehicles, trolley buses, and vans
- Equipment/Service Vehicles - Non-revenue automobiles, trucks, and other rubber tire vehicles
- Infrastructure - Light rail
- Facilities - Facilities for passengers, parking, maintenance, and administrative purposes

For the rolling stock and equipment/service vehicles asset classes, performance measures are based on the percentage of vehicles that have met or exceeded their useful life benchmark. The performance measures for infrastructure are based on track segments with restrictions, and the performance measures for facilities are based on the percentage rated below adequate condition.

Hampton Roads Transit (HRT), as a Tier I transit agency, must develop and carry out its own TAM plans. As Tier II transit agencies, the Williamsburg Area Transit Authority (WATA) and Suffolk Transit are eligible to participate in group TAM plans. WATA and Suffolk Transit are using the statewide targets that were established by the Virginia Department of Rail and Public Transportation (DRPT).

HRTPO staff prepared a recommended list of regional transit asset management targets based on a weighted average of HRT, WATA, and Suffolk Transit Fiscal Year 2019 targets.

These targets are:

Asset Type	Performance Measure	Asset Classes	HRTPO Target
Rolling Stock	% of revenue vehicles within each asset class that have met or exceeded their useful life benchmark	Bus	< 41%
		Cutaway Buses	< 10%
		Ferry Boat	< 50%
		Light Rail Vehicles	< 0%
		Minibus	< 20%
		Trolley Buses	< 3%
		Van	< 25%
Equipment/ Service Vehicles	% of vehicles that have met or exceeded their useful life benchmark	Non-Revenue/ Service Vehicles	< 92%
		Trucks & Other Rubber Tire Vehs	< 70%
Infrastructure	% of track segments, signals, and systems with performance restrictions	Light Rail Infrastructure	< 3%
Facilities	% of facilities in each asset class rated under 3.0 on FTA's TERM scale	Passenger/Parking	< 1%
		Maintenance	< 10%
		Administrative	< 10%

The draft regional TAM performance targets were made available for public review and comment from August 15, 2018 through August 28, 2018.

RECOMMENDED ACTION:

Approve the regional transit asset management performance targets.

FY 2018-2021 TIP REVISION – CMAQ AND RSTP TRAFER REQUESTS FROM HRTPO RESERVE ACCOUNTS

Due to available funding in the HRTPO Reserve Accounts for the Congestion Mitigation Air Quality Improvement Program (CMAQ) and Regional Surface Transportation Program (RSTP), HRTPO staff encouraged members of the Transportation Technical Advisory Committee (TTAC) to review their current CMAQ and RSTP projects and notify HRTPO staff of any projects requiring additional funding due to cost overruns and/or projects that could advance as a result of receiving earlier year allocations. The TTAC has recommended HRTPO Board approval of the allocation of funds from the CMAQ and RSTP Reserve Accounts to three projects as detailed below:

- Chesapeake – UPC 18591 – Portsmouth Boulevard Widening
 - Receive allocation of \$600,000 FY Previous RSTP, including State match, from the HRTPO RSTP Reserve Account

- James City County – UPC 102980 – Pocahontas Trail Multimodal Corridor
 - Receive allocation of \$2,045,145 FY 2024 RSTP, including State match, from the HRTPO RSTP Reserve Account
 - Receive allocation of \$201,000 FY Previous CMAQ, including State match, from the HRTPO CMAQ Reserve Account
 - Receive allocation of \$3,855 FY 2019 CMAQ, including State match, from the HRTPO CMAQ Reserve Account
 - Receive allocation of \$750,000 FY 2023 CMAQ, including State match, from the HRTPO CMAQ Reserve Account
 - Receive allocation of \$750,000 FY 2024 CMAQ, including State match, from the HRTPO CMAQ Reserve Account

- Newport News – UPC 4483 – Atkinson Boulevard
 - Receive allocation of \$400,000 FY Previous RSTP, including State match, from the HRTPO RSTP Reserve Account
 - Receive allocation of \$2,262,132 FY 2019 RSTP, including State match, from the HRTPO RSTP Reserve Account
 - Receive allocation of \$322,340 FY 2020 RSTP, including State match, from the HRTPO RSTP Reserve Account

Should the HRTPO Board approve the fund transfers from the CMAQ and RSTP Reserve Accounts as described above, the FY 2018-2021 Transportation Improvement Program (TIP) will be amended to update the funding information associated with the affected projects. This item was made available for public review and comment from August 6, 2018 through August 20, 2018.

RECOMMENDED ACTION:

Approve the CMAQ and RSTP fund transfers described above and the associated TIP amendments.