

Consultation Procedures
For the
Hampton Roads Ozone Nonattainment
Area
In Support of the Transportation
Conformity Regulations
Revised July 18, 2005

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List of Acronyms

CAA	Clean Air Act
DOT	Department of Transportation
EPA	Environmental Protection Agency
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
HRPDC	Hampton Roads Planning District Commission
ICG	Interagency Consultation Group
LRP	Long Range Plan - Constrained
MPO	Metropolitan Planning Organization
SIP	State Implementation Plan
TIP	Transportation Improvement Program
TTC	Transportation Technical Committee
VDEQ	Virginia Department of Environmental Quality
VDOT	Virginia Department of Transportation
VDRPT	Virginia Department of Rail and Public Transportation
VMT	Vehicle Miles Traveled

Introduction

The Transportation Conformity Rule (hereafter, the Rule) (40 CFR Parts 51 and 93) was developed to implement section 176(c) of the Clean Air Act (CAA), as amended, which prohibits the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), and the Metropolitan Planning Organizations (MPOs) from approving any transportation project, program, or plan that does not conform with an approved State Implementation Plan (SIP). The August 15, 1997 Federal Register contains the final, revised regulations on air quality conformity and §93.105 of these regulations specifies requirements for interagency consultation during the SIP revision and conformity processes. This document sets forth the interagency consultation procedures for the Hampton Roads, Virginia ozone maintenance area in accordance with § 93.105 of the Rule.

In accordance with the Rule, the consultation procedures set forth in this document have been adopted by the following agencies who comprise the interagency consultation group (ICG) in determining conformity of transportation plans and programs. Appendix A contains a complete list of the ICG members including voting privileges and chairmanship responsibilities.

Virginia Department of Transportation (VDOT)
Virginia Department of Environmental Quality (VDEQ)
Virginia Department of Rail and Public Transportation (VDRPT)
Hampton Roads Metropolitan Planning Organization (MPO)
Hampton Roads Planning District Commission (HRPDC)
Environmental Protection Agency (EPA)
Federal Highway Administration (FHWA)
Federal Transit Administration (FTA)



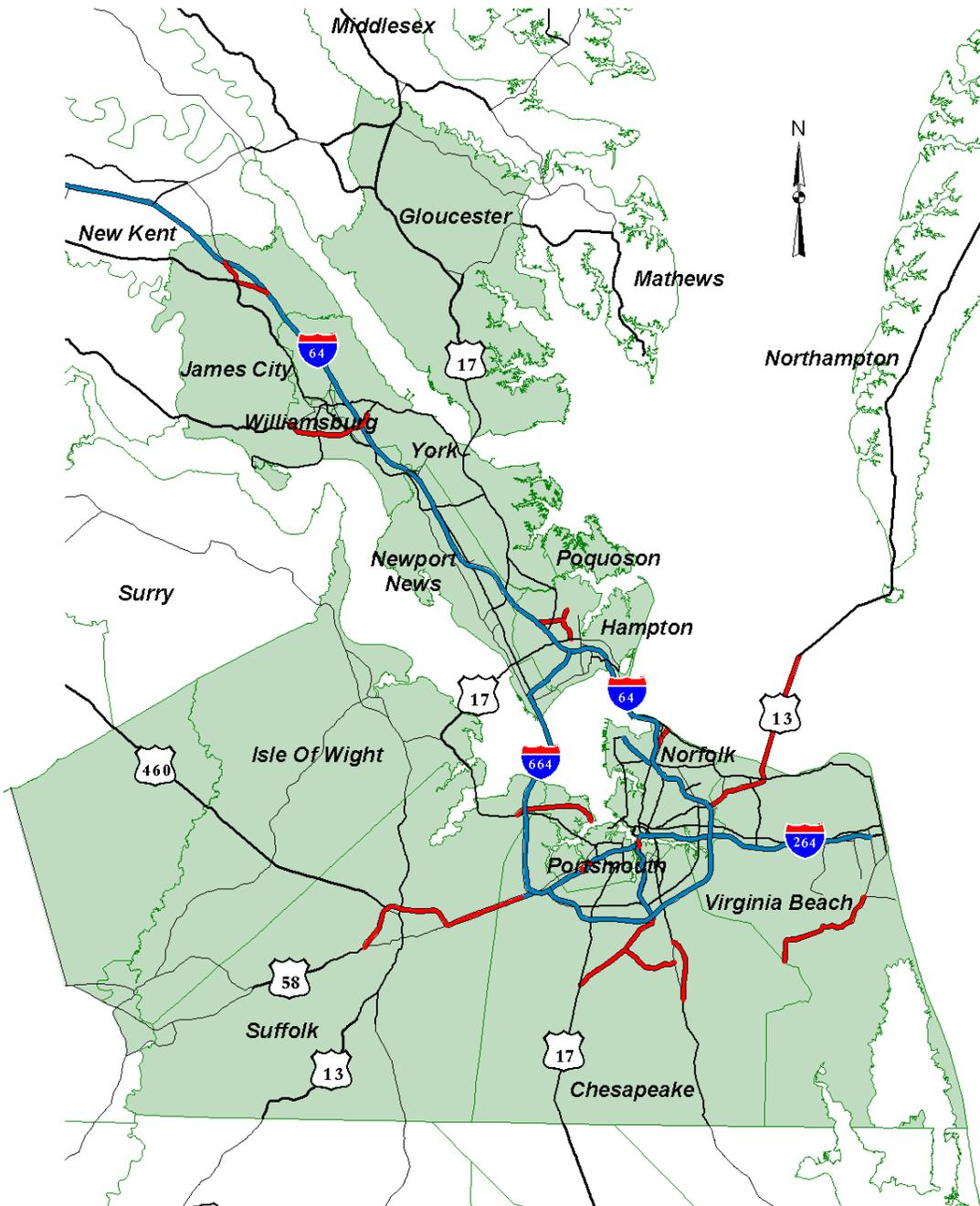
The conformity regulations emphasize the need for effective interagency consultation at each stage of the conformity process for both SIP development and for individual conformity determinations. These procedures only address the conformity determination process. In general, the consultation procedures in the Rule require that revisions to SIPs include procedures for interagency consultation among federal, state, and local agencies, conflict resolution, and public consultation. All parties responsible for developing, submitting, or implementing provisions of the SIP must consult on the development of the SIP, transportation plan, Transportation Improvement Program (TIP), and associated conformity determinations. EPA will not approve SIP revisions unless interagency consultation consists of procedures to be undertaken by the MPO, VDOT, FHWA, VDEQ, and EPA before making conformity determinations. Public consultation procedures must be developed in accordance with the requirements for public involvement in 23 CFR part 450. Reasonable opportunity for consultation with and between all parties must be provided for. The consultation procedures that follow specify the roles, responsibilities, and procedures for the conformity determination process in the Hampton Roads nonattainment area. Changes made to these procedures must adhere to § 93.105 of the Rule and be approved by the ICG.

Hampton Roads Ozone Nonattainment Area

On June 26, 1997, EPA approved Virginia's request for redesignation of the Hampton Roads, Virginia marginal ozone nonattainment area from nonattainment to attainment and approved the area's maintenance SIP. On June 15, 2004, EPA redesignated Hampton Roads as a marginal nonattainment area. This reclassification occurred as the result of EPA promulgating a new 8-hour ozone standard (62 FR 38856). The nonattainment area includes the counties of James City, York, Gloucester and Isle of Wight along with the cities of Chesapeake, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg. Figure 1 presents a map of the nonattainment area.

In accordance with federal regulations, the Hampton Roads MPO produces a financially constrained Regional Long-Range Transportation Plan (LRP) at least every three years that addresses a planning horizon of at least 20 years. The purpose of the plan is to identify deficiencies in the transportation system and provide projects and programs designed to address such deficiencies. Development of the LRP also requires the participation of the Transportation Technical Committee (TTC) comprised of representatives from the local jurisdictions. The TTC produces recommendations on the LRP and other transportation proposals for the MPO's approval, based on the best available data and technical processes. The Hampton Roads MPO and VDOT are responsible for developing conformity demonstrations for all transportation plans and programs within this nonattainment area. In practice, the Hampton Roads MPO serves as the forum for cooperative transportation decision-making in the Hampton Roads ozone nonattainment area and VDOT conducts the technical conformity analysis. The HRPDC serves as the Hampton Roads MPO's lead staff.

Figure 1
Hampton Roads Nonattainment Area



Overview of the Conformity Process

The consultation procedures are applicable throughout the conformity process. From the initial agreement that an action taken triggers a conformity analysis (i.e., an amendment to a current plan or program) to the review of the final conformity report, each member of the ICG must remain informed and involved. The basic steps of the conformity process are outlined below with procedures requiring action by the ICG noted with the symbol: . For more information on the following steps, see the Worksheet for the Conformity Consultation Process and Responsibilities Table in Appendix B.

1 **Conformity Trigger**

- ❖ Notification of change
- ❖ Analyze scope of change 
- ❖ Creation of analysis schedule
- ❖ Agreement to schedule 

Amending or adopting a TIP or LRP or changing the scope or schedule of a regionally significant project may trigger a new analysis. TIPs and LRPs are typically adopted or amended once a year. Due to the resources required to demonstrate conformity, additional actions which trigger an analysis are only accepted at six month intervals. The HRPDC, in cooperation with the localities, is responsible for alerting VDOT to any of these potential conformity triggers. If the scope of the action warrants a conformity analysis, as determined by the ICG, VDOT is responsible for preparing a schedule for the analysis which the ICG approves. Appendix C contains a list of conformity triggers.

2 **Project List**

- ❖ Development of project list
- ❖ Review of project list
- ❖ Agreement to project list 

VDOT is responsible for preparing a conformity project list to identify the proposed transportation projects based on input from representatives of the local jurisdictions. This list identifies the following information: jurisdiction, facility, termini, improvement, and number of lanes. If the project is modeled, the year in which it will be analyzed is also shown. Otherwise, the reason for excluding it is shown (i.e., not regionally significant or exempt). VDOT will provide a draft project list to the TTC for each locality to review. The project list is finalized and approved by the ICG at the conformity kick-off meeting and changes cannot be made once the analysis is underway (unless as a means of addressing failed conformity). Appendix D illustrates the format for the conformity project list.

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3 Planning Assumptions

- ❖ Review of current assumptions
- ❖ Agreement to review ☐
- ❖ Update assumptions, as needed
- ❖ Agreement to updates ☐

Before beginning any conformity analysis, VDOT and the HRPDC are responsible for gathering information from the local jurisdictions and various agencies to determine whether the current planning assumptions are still valid or require updating. Justification for not updating data (when more current data exists) is required as part of the conformity documentation and should be reviewed and agreed upon by the ICG. Then, VDOT and the HRPDC update the assumptions as needed. Finally, the ICG approves the final, latest planning assumptions to be used in the conformity analysis. Appendix E lists key planning assumptions and their update schedules.

4 Modeling

- ❖ Speed calculations
- ❖ VMT calculations
- ❖ Emissions modeling
- ❖ Off-line calculations

VDOT provides transportation networks by analysis year and scenario to HRPDC. On-road vehicle emissions are estimated by pairing emission factors from the most recent MOBILE model recognized by EPA with vehicle miles traveled (VMT) and speed calculations. In addition, off-line calculations (e.g., emission reduction credits, local/collector roads) are performed by VDOT and HRPDC.

5 Conformity Report

- ❖ Preparation and internal review
- ❖ TTC review of the draft report ☐
- ❖ MPO approval for public review
- ❖ Public review
- ❖ Final MPO approval

VDOT prepares a report which documents the methodology used, the process followed, and the results calculated for the conformity analysis. Representatives from VDOT, VDEQ, and the HRPDC internally review the document and then VDOT incorporates any comments received. The TTC reviews the analysis and recommends the MPO's approval for public review. The MPO then releases the conformity report for public comment. The HRPDC makes the conformity analysis available to the public in accordance with the MPO's public involvement procedures and forwards any comments received to VDOT. VDOT works with the appropriate ICG participant to address the comments received during this period and incorporates these comments into the final report, which, then, must be adopted by the MPO.

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6**Federal Review
And Approval**

- ❖ EPA and FHWA Review
- ❖ FHWA Approval

VDOT is responsible for submitting the final report and supporting documents to FHWA for their review and approval. FHWA forwards copies to FTA and EPA for their review. VDOT works with the appropriate member of the ICG to address any comments received. Upon completion of the review process, FHWA issues their conformity finding.

Consultation Procedures – Conformity Rule §93.105

Since Virginia does not have approved conformity consultation procedures as part of the SIP, the consultation procedures identified in the Rule apply. This document does not attempt to outline the consultation procedures applicable to the SIP revision process. Instead, the consultation procedures that follow specify the roles, responsibilities, and procedures for the conformity determination process in the Hampton Roads ozone nonattainment area pursuant to the Rule.

The consultation procedures required by the Rule are paraphrased below in italicized text with the appropriate section noted. A description of how each requirement is addressed in the Hampton Roads nonattainment area follows.

§ 93.105 (a) 1-2

The SIP revision shall include procedures to be undertaken by MPOs, State departments of transportation (DOT), and FHWA with State and local air agencies and EPA before making conformity determinations, and by State and local air agencies and EPA with MPOs, State DOT, and FHWA in developing applicable SIPs. Before EPA approves SIP revisions, MPOs and state DOTs must provide reasonable opportunity for consultation with State air agencies, local air quality and transportation agencies, FHWA, and EPA, before making conformity determinations.

This section does not directly apply to conformity determinations, and therefore is not within the scope of this document.

§ 93.105 (b) 1

States shall provide well-defined consultation procedures for involving representatives of the MPOs, state and local air quality planning agencies, State DOTs, local or regional offices of EPA, FHWA, and FTA and other organizations with applicable responsibilities. All parties must consult with each other on the development of the SIP, transportation plan, the TIP, and associated conformity determinations.

Again, these consultation procedures deal with conformity determinations only and should compliment each MPO's public involvement procedures. These procedures will be combined with consultation procedures developed from other nonattainment and maintenance areas across the state and included in Virginia's conformity SIP once developed by VDEQ. These conformity consultation procedures compliment the Hampton Roads MPO Public Involvement Procedures, as adopted by the MPO September 2003.

§ 93.105 (b) 2

Interagency consultation procedures shall include at a minimum the following general factors:

§ 93.105 (b) 2, i

The roles and responsibilities assigned to each agency at each stage in the SIP process and the transportation planning process, including technical meetings;

The development of the transportation plan, TIP, and air quality conformity determination is a collaborative process with all relevant agencies participating through MPO meetings and associated TTC and ICG meetings as necessary. The roles and responsibilities of each agency in the transportation planning and conformity processes are shown in the following table.

Agency	Planning Role	Conformity Role
EPA	Advises on air quality issues as necessary	Advises on air quality issues as necessary; comments on final conformity analysis
FHWA	Participates on TTC & MPO	Advises on air quality issues as necessary; approves of final conformity analysis; represents the interests of FTA
HRPDC	Staff to MPO	Develops traffic and land use forecasts; assists with performance of off-line calculations ; conducts public review process
VDEQ	Advises on air quality issues as necessary	Advises on air quality issues as necessary; comments on conformity analysis
VDOT	Participates on TTC, MPO, ensures consistency between conformity and planning documents	Advises on air quality issues as necessary; assists with performance of off-line calculations; performs and documents conformity technical analysis, and facilitates approval process
VDRPT	Participates on TTC & MPO	Advises on transit issues as necessary

§ 93.105 (b) 2, ii

The organizational level of regular consultation;

The organizational level of consultation includes the ICG membership as defined in Appendix A. The ICG reviews and approves the process schedule, the final project list, the models and methodologies used, and the latest planning assumptions. These consensus points are shown on the consultation worksheet in Appendix B along with the general conformity timeline.

Chairmanship responsibility is rotated among each component of the ICG (Federal agencies, State agencies, Regional agencies, and localities) at the beginning of each conformity analysis. Chairmanship responsibilities are detailed in Appendix A.

A quorum of 12 of the 22 ICG members must be present for votes to be taken. Each member of the ICG receives one vote. If a vote is taken, the decision is based on the majority opinion.

§ 93.105 (b) 2, iii

A process for circulating (or providing ready access to) draft documents and supporting materials for comment before formal adoption or publication;

VDOT provides documentation (and supporting materials upon request) of the conformity analysis to the ICG at key milestones and will request concurrence/adoption of such documents as necessary. Conformity documents in electronic and/or hard copy form are distributed in the following quantities:

	Agency	# of Copies
Draft - Internal Review	VDOT	3
	HRPDC	1
	VDEQ	1
Draft – Public Review	HRPDC	4
Final Document	VDOT	5
	VDEQ	2
	VDRPT	1
	EPA	1
	FHWA/FTA	2
	HRPDC	20

§ 93.105 (b) 2, iv

The frequency of, or process for convening, consultation meetings and responsibilities for establishing meeting agendas;

A kick-off meeting for the entire ICG will be held at the beginning of each conformity cycle. At this meeting, consensus should be reached on the following items: the analysis schedule, the conformity project list, and the latest planning assumptions. Additional meetings may be called at the request of members of the ICG. The member requesting the meeting will be responsible for coordination with the chair to provide agendas to all participants prior to the meeting.

§ 93.105 (b) 2,v

A process for responding to the significant comments of involved agencies; and

VDOT will prepare responses to significant comments received from the ICG on each aspect of the conformity process and will distribute such responses to the ICG. As necessary, other ICG members will assist VDOT in responding to public and agency comments pertaining to their areas of expertise. Comments received from the public concerning the TIP or LRP will be addressed by HRPDC.

§ 93.105 (b) 2,vi

A process for the development of a list of the Transportation Control Measures (TCMs) which are in the applicable implementation plan.

TCMs are not currently included in the Hampton Roads implementation plan. VDOT and HRPDC are responsible for estimating the emissions impact of TCM-like measures such as Intelligent Transportation System projects used for conformity credit. The ICG must review, comment, and approve the analysis performed for estimating these credits. If the SIP is revised to include TCMs for the Hampton Roads nonattainment area, these measures must be coordinated with VDEQ.

§ 93.105 (c) 1

Interagency consultation procedures shall also include the following specific processes:

§ 93.105 (c) 1, i

A process involving the MPO, state and local air quality planning agencies, state and local DOTs, EPA, and FHWA for the following:

Evaluating and choosing a model (or models) and associated methods and assumptions to be used in hot-spot analyses and regional emissions analyses;

The determination of conformity involves use of the latest planning assumptions to compute mobile source emissions. Specific models, methods, and data sets which have changed from the previous year's analysis are identified, reviewed,

and evaluated each year and incorporated, as appropriate. The ICG will be given the opportunity to review and comment on the use of such models, methods, and data sets at the kick-off meeting. Appendix E itemizes the latest planning assumptions and who is responsible for developing each.

§ 93.105 (c) 1,ii

Determining which minor arterials and other transportation projects should be considered "regionally significant" for the purposes of regional emissions analysis (in addition to those functionally classified as principal arterial or higher or fixed guideway systems or extensions that offer an alternative to regional highway travel), and which projects should be considered to have a significant change in design concept and scope from the transportation plan or TIP;

Inputs to the conformity analysis are documented through the conformity project list noting which projects are regionally significant. (At a minimum, this will include roads functionally classified as principal arterial and above, as defined in the Rule.) This list is finalized and approved by the ICG at the kick-off meeting and changes cannot be made once the analysis begins. Appendix D provides a sample conformity project list.

§ 93.105 (c) 1,iii

Evaluating whether projects otherwise exempted should be treated as non-exempt in cases where potential adverse emissions impacts may exist for any reason;

The conformity project list indicates which projects are considered exempt. It is the responsibility of the ICG to identify projects, otherwise exempt, which should be treated as non-exempt.

§ 93.105 (c) 1,iv

Making a determination whether past obstacles to implementation of TCMs which are behind schedule have been identified and are being overcome, and whether maximum priority to approval or funding of TCMs is being given. This process shall also consider whether delays in TCM implementation necessitate revisions to the SIP, or removal or substitution of the TCM(s).

TCMs are not currently included in the Hampton Roads implementation plan. If benefits from TCM-like measures or other off-line projects are calculated for conformity credit, they must be incorporated in the conformity analysis in accordance with the schedule agreed upon by the ICG. Once such credit is used in a conformity analysis, the area is committed to funding and carrying out these projects as assumed in the analysis.

§ 93.105 (c) 1,v

Identifying projects located at sites in PM₁₀ nonattainment areas which have vehicle and roadway emission and dispersion characteristics which are identical

to those at sites which have violations verified by monitoring, and therefore require quantitative PM₁₀ hot-spot analysis;

Hampton Roads is not currently designated as a PM₁₀ nonattainment area, therefore, hot-spot analyses are not required.

§ 93.105 (c) 1,vi

Notification of transportation plan or TIP revisions or amendments which add or delete exempt projects; and

All project programming activities are relayed through regularly scheduled TTC and MPO meetings, as well as meetings and correspondence involving the entire ICG. Changes that add or delete exempt projects do not trigger a new conformity analysis; however, these changes are reflected on the conformity project list which is circulated at the kick-off meeting.

§ 93.105 (c) 1,vii

Choosing conformity tests and methodologies for isolated rural nonattainment and maintenance areas.

The Hampton Roads nonattainment area is not considered an isolated rural nonattainment or maintenance area.

§ 93.105 (c) 2

A process involving the MPO and State and local air quality planning agencies and transportation agencies for the following:

§ 93.105 (c) 2, i

Evaluating events which trigger new conformity determinations in addition to triggers in §93.104 (new control strategy, SIP revision, TCM change, budget change); and

Additional events which may trigger new conformity determinations include introduction of a new emission factor model, revised planning assumptions, or revisions to the SIP. A complete list of conformity triggers is included in Appendix C. It is the responsibility of all ICG members to bring to VDOT's attention any of these actions which could trigger a new conformity determination. Upon notification of such an action, VDOT will analyze the scope of the action and document its findings for ICG review and concurrence.

§ 93.105 (c) 2,ii

Consulting on emissions analysis for transportation activities which cross the borders of MPOs or nonattainment areas or air basins.

The Hampton Roads nonattainment area does not cross borders of MPOs or nonattainment areas or air basins. Statewide air quality planning issues are the responsibility of VDEQ. VDOT and HRPDC provide data input as necessary.

§ 93.105 (c) 3

Where the metropolitan planning area does not include the entire nonattainment or maintenance area, a process involving the MPO and State DOT for cooperative planning and analysis for purposes of determining conformity of all projects outside the metropolitan area and within the nonattainment area. (i.e. if MPO area does not include the entire nonattainment/maintenance area)

The Hampton Roads MPO area includes all jurisdictions in the nonattainment area. Therefore, all jurisdictions participate in the MPO planning process to ensure that all relevant projects are included in the conformity analysis.

§ 93.105 (c) 4

A process to ensure that plans for construction of regionally significant projects which are not FHWA/FTA projects are disclosed to the MPO on a regular basis to ensure that any changes to those plans are immediately communicated.

If the project is state or locally funded, the project sponsor (i.e. locality, state agency, transit operator, etc.) brings the project forward to the TTC for inclusion in the MPO's adopted thoroughfare system. HRPDC is responsible for identifying these non-federal projects for inclusion in the TIP and/or LRP and VDOT is responsible for including all projects listed in the TIP and/or LRP in the conformity analysis.

§ 93.105 (c) 5

A process involving the MPO and other recipients of title 23 funds (for projects which are not FHWA/FTA projects) to ensure the MPO receives sufficient information on the project's location, design, and scope to accurately reflect it in the regional emissions analysis.

Where assumptions are required to be made regarding the design or scope of certain projects, the information regarding the assumed location and design concept and scope of such projects will be developed by VDOT or the local jurisdiction in cooperation with the project sponsor. HRPDC is responsible for identifying these non-federal projects for inclusion in the TIP and/or LRP. HRPDC will work with the project sponsor (i.e. locality, state agency, transit operator, etc.) to ensure that the project is described in sufficient detail in the TIP and LRP. VDOT is responsible for incorporating the project design, scope, and schedule commitments in the conformity analysis.

§ 93.105 (c) 6

A Process for consulting on the design, schedule, and funding of research and data collection efforts for the regional transportation model development by the MPO (e.g. household/travel transportation surveys).

When the regional transportation model is updated (at a minimum of every 10 years), the ICG must agree to the process required and the final data to be included. Appendix E provides a list of the latest planning assumptions that should be reviewed periodically and incorporated into the model as necessary.

§ 93.105 (c) 7

A process for providing final documents to each agency after approval or adoption.

Final documents are disseminated by VDOT as previously described in section 93.105 (b) 2,i.

§ 93.105 (d)

A process to implement conflict resolution provisions as defined in the Rule.

The Rule defines the procedures for resolution of conflicts among state agencies or between state agencies and an MPO. The Rule states that conflicts shall be escalated to the Governor if they cannot be resolved by the heads of the involved agencies.

In the Hampton Roads Nonattainment Area if VDOT, VDEQ, or the MPO strongly disagrees with a decision made by the ICG and the matter cannot be resolved within the ICG the following group will be convened in an attempt to gain resolution:

- FHWA's Virginia Division Administrator or designee authorized to speak for the agency;
- EPA's Region 3 Representative or designee authorized to speak for the agency;
- VDEQ's Director or designee authorized to speak for the agency;
- VDOT's Commissioner or designee authorized to speak for the agency;
- VDRPT's Director or designee authorized to speak for the agency;
- Chairman of the Hampton Roads MPO or designee authorized to speak for the MPO; and
- Executive Director of the HRPDC or designee authorized to speak for the PDC.

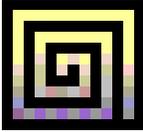
If this group cannot resolve the matter, then within 14 calendar days of this decision a member may appeal to the Governor for a final decision. The Governor may delegate his or her role in the process, but not to the head or staff of the VDEQ, VDOT, VDRPT, PDC, or MPO.

§ 93.105 (e)

Establish a proactive public involvement process which provides opportunity for public review and comment.

At a minimum, the public is provided reasonable access to technical and policy information considered by the agency at the beginning of the public comment period and prior to taking formal action on a conformity determination. Throughout the planning process, there are many opportunities for citizen participation. The MPO's public participation process includes public meetings and notices with requests for public comment on transportation plans, transportation improvement programs, and conformity analyses. Public hearings are routinely held on route and service changes, major capital improvement projects, and policy changes. VDOT also holds public meetings on specific transportation improvements as projects proceed through planning studies, environmental evaluations, and recommended alternatives. VDOT also provides the public an opportunity to address transportation needs annually at the Hampton Roads District Financial Planning and Programming Meeting.

The *Hampton Roads Public Involvement Procedure*, as adopted in September of 2003, requires a public review of the conformity analysis before the the associated TIP or LRP can be adopted by the MPO. The HRPDC is responsible for public notice and availability.



APPENDIX A: Interagency Consultation Group

Chairmanship responsibility will be rotated among each component of the ICG (Federal agencies, State agencies, Regional agencies, and localities comprising the Hampton Roads MPO) and is rotated at the beginning of each conformity analysis. Chairmanship responsibilities include conducting meetings of the ICG. A quorum of 11 of the 20 voting ICG members must be present for votes to be taken. If a vote is taken the decision is based on the majority opinion. The following are the voting members of the ICG with one vote given to each member.

Federal Agencies

Environmental Protection Agency – Region 3
Federal Highway Administration – Virginia Division
Federal Transit Administration

State Agencies

Virginia Department of Environmental Quality – Headquarters
Virginia Department of Rail and Public Transportation
Virginia Department of Transportation – Central Office Transportation Planning & Environmental

Regional Agencies

Hampton Roads Planning District Commission
Hampton Roads Transit
James City County Transit

Hampton Roads Metropolitan Planning Organization

James City County
York County
City of Chesapeake
City of Hampton
City of Newport News
City of Norfolk
City of Poquoson
City of Portsmouth
City of Suffolk
City of Virginia Beach
City of Williamsburg
Isle of Wight County (including the
Town of Smithfield)

APPENDIX B: Worksheet for the Conformity Consultation Process in Hampton Roads

	Action Item	players	timeframe	goal date	date consensus reached
	Conformity Trigger (TIP/LRP Action)	HRPDC/localities			
✓	Analyze Scope of Action	VDOT/ICG			
✓	Conformity Schedule	ICG/VDOT			
	Conformity Project List Development	VDOT	4 weeks		
✓	Review & Approval of Conformity Project List	ICG	2 weeks		
✓	Review & Approval of Latest Planning Assumptions	ICG	4 weeks		
	Travel Demand and Emissions Calculations				
	✧ <i>Develop travel demand networks by analysis year and scenario</i>	VDOT			
	✧ <i>Develop forecast volumes by analysis year and scenario</i>	HRPDC/VDOT/localities	12 weeks		
	✧ <i>VMT and Speed Calculations</i>	VDOT			
	✧ <i>Emission Modeling</i>	VDOT			
	✧ <i>Off-line Calculations</i>	VDOT/HRPDC			
	Draft Report Preparation	VDOT	6 weeks		
	Internal Review of Draft Report	VDOT/VDEQ	2 weeks		
	Draft Report to TTC	TTC			
	Recommendation on Draft Report to MPO	TTC			
	MPO Approval of Draft Report for Public Review	HRMPO	4 weeks		
	Public Review of Draft Report	HRPDC	2 weeks		
	MPO Adoption of Draft Report	HRMPO	4 weeks		
	Final Report Preparation	VDOT	2 weeks		
	Federal Review of Final Report	FHWA/FTA/EPA	6 weeks		
	FHWA Approval of Conformity Finding	FHWA			
✓	requires action by the ICG				

Step in the Conformity Process	Who is responsible	Time required
1. Conformity Trigger		
Notification of change	HRPDC/project sponsor	
Analysis of scope of change & determine impact	VDOT	
Creation of analysis schedule	VDOT	
Agreement to schedule	ICG	
2. Project List		6 weeks
Development of project list	VDOT	
Review of project list	Localities	
Agreement to project list	ICG/TTC/MPO	
3. Planning Assumptions*		8 weeks
Review of current assumptions	VDOT/VDEQ/HRPDC	
Agreement to assumptions review & schedule for any updates needed	ICG	
Update assumptions, as needed	VDOT/HRPDC	
Agreement to updates	ICG	
4. Modeling		12 weeks
Network development	VDOT/HRPDC	
VMT & Speed calculations	VDOT	
Emissions modeling	VDOT	
Off-line calculations	VDOT/HRPDC	
5. Conformity Report		12 weeks
Preparation of conformity report	VDOT	
Internal review	VDOT/HRPDC/VDEQ	
TTC review of the draft report	TTC	
Approval for public review	MPO	
Public review	HRPDC	
Final MPO adoption	MPO	
6. Federal Approval and Review		6 weeks
EPA and FHWA review	EPA/FHWA	
FHWA approval	FHWA	

* See Appendix E.

APPENDIX C: List of Conformity Triggers

The following events trigger a conformity analysis:

1. Designation of an area to nonattainment status
2. Prior to the adoption of LRPs and TIPs (In nonattainment areas, TIPs must be updated every 2 years and LRPs every 3 years)
3. Amendments to LRPs or TIPs involving regionally significant projects
4. Changes to regionally significant projects including changes to project:
 - schedule – such as a change that would alter the analysis year in which the project should be included;
 - scope – such as a change in capacity or alignment;
 - funding – such as a change from private to state or federal funding;
 - approval status – such as a project advancing from feasibility or preliminary engineering status to construction or right-of-way; or if 3 years have lapsed since project was active (per § 93.104 of the Rule)
5. Revisions to the area’s SIP (i.e. creation or change to the emissions budget, addition or deletion of transportation control measures)
6. A minimum of every 3 years
7. Changes to major assumptions on which emissions credits are based (e.g., HOV lanes)
8. Introduction of a new emission factor model
9. Other actions as deemed necessary by the ICG

Note: §93.104 of the Rule lists the triggers for LRP and TIP conformity determinations

APPENDIX D: Conformity Project List

Improvement Type Definitions and Conformity Status:

Bridge replacement	Replacement of an existing bridge with no increase in capacity; striping or constructing additional lanes should be indicated as "Widen"	Exempt
Feasibility study/ New facility	Planning-level studies Construction of a new facility (road, intersection, access point, interchange, etc.)	Exempt Non-exempt
Preliminary engineering	Work up to, but not including right of way (ROW) acquisition and construction; includes preparation of environmental documents	Exempt; project must be modeled for conformity prior to ROW acquisition or final environmental document approval
Interchange/intersection improvement	Improvement to an existing interchange/intersection; construction of a new interchange/intersection should be indicated as "New facility"	Usually exempt; a significant increase in capacity may not be exempt, but may not require a change to the model
Reconstruction/Safety	Non-capacity expansion improvements, including hard-surfacing unpaved roads, pavement widening, horizontal or vertical alignment improvements, etc.; addition of continuous through-lanes should be indicated as "Widen"	Exempt
Relocation/realignment	Improvement to an existing facility off of the existing alignment; new interchanges/intersections should be indicated as "New facility"	Exempt
Turn Lane	Addition of a left, right, or center turn lane; addition of continuous through-lanes should be indicated as "Widen"	Exempt
Widen	Addition of through-lanes	Non-exempt

Sample Format:

LRP Label	PPMS	Jurisdiction	Functional Class	Facility	Termini		Improvement
					From	To	
	12379	Chesapeake	1	I-64	Battlefield Blvd.	I-464	Widening

# Lanes		Analysis Years				Source		Regionally Significant
Existing	Proposed	2002	2007	2015	2023	TIP	LRP	
4	6 + 2 HOV				x		x	Yes

APPENDIX E: Latest Planning Assumptions

Planning assumptions to be reviewed	Frequency of review	Who is responsible for developing
Socioeconomic data for forecast year and each analysis year (VDOT – ensures within 10% of VEC projections)	Each conformity round	HRPDC
<u>Emission factor inputs:</u> DMV Vehicle Registration Data VMT Mix Data	Annually At least every 5 yrs	VDOT/VDEQ VDOT
Analysis Years	Each conformity round	VDOT
Emission Budget	As SIP revised/updated	VDEQ
Freeflow Vehicle Speeds	At least every 5 yrs	VDOT
Temperatures	As SIP revised/updated	VDOT/VDEQ
Control Strategies	Each conformity round	VDOT/VDEQ
Off-line Calculations	Each conformity round	VDOT/HRPDC
Model Calibration	At least every 10 years or as needed	VDOT/HRPDC
VMT	As LRP is updated	HRPDC

*The above list of planning assumptions to be reviewed are based on the FHWA/FTA memorandum, "Use of Latest Planning Assumptions in Conformity Determinations" dated January 18, 2001.