

# Air Quality Memorandum

**REPORT NO.** 41a

**DATE** August 30, 2023

**SUBJECT** CONFORMITY ANALYSIS FOR THE WFRC 2024-2029 TRANSPORTATION IMPROVEMENT PROGRAM.

**ABSTRACT** The Infrastructure Investment and Jobs Act (IIJA) and the Clean Air Act Amendments (CAAA) require that all regionally significant highway and transit projects in air quality non-attainment and maintenance areas be derived from a “conforming” Regional Transportation Plan and Transportation Improvement Program. A conforming Plan or Program is one that has been analyzed for emissions of controlled air pollutants and found to be within the emission limits established in the State Implementation Plan (SIP) or within guidelines established by the Environmental Protection Agency (EPA) until such time that a SIP is approved. This conformity analysis is made by the Wasatch Front Regional Council (WFRC), as the Metropolitan Planning Organization for the region, and submitted to the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) for their concurrence. This conformity analysis is being prepared according to the transportation conformity rulemakings promulgated by the Environmental Protection Agency (EPA) as of April 2012 and according to FHWA guidelines found in the IIJA legislation.

Section 93.122(g)(1) of the Transportation Conformity Rule (40 CFR part 93) states that a new TIP may be demonstrated to conform “... without new regional emissions analysis if the previous regional emissions analysis also applies to the ... TIP.” Section 93.122 includes the following four conditions. First, the TIP must include all projects that must be started within the TIP time frame in order to achieve the transportation network envisioned in the plan. Second, all regionally significant projects in the TIP must be included in the regional emissions analysis. Third, the design concept and scope for TIP projects must not have changed significantly from the plan. And fourth, the previous regional emissions analysis is consistent with all conformity requirements. As discussed below, the WFRC 2024-2029 TIP meets the conditions of CFR 93.122(g)(1) and therefore conforms to the State Implementation Plan and the EPA guidelines for interim conformity for all applicable non-attainment and maintenance areas and pollutants. Therefore, all the transportation projects in southern Box Elder, eastern Tooele, western Weber, Davis, and Salt Lake Counties included in the 2024-2029 TIP are found to conform.

## Wasatch Front Regional Council

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The following conformity findings for the WFRC 2024-2029 TIP are based on the transportation systems and planning assumptions described in the WFRC 2023-2050 RTP and the Air Quality Memorandum 41 dated May 26, 2023.

- X            The 2024-2029 TIP conforms to the “Build less than 1990” emission test and the emission budgets in the Ogden City PM<sub>10</sub> Maintenance Plan. All projects in Ogden City included in the TIP may go forward.
- X            The 2024-2029 TIP conforms to the emission budgets in the Salt Lake County PM<sub>10</sub> Maintenance Plan. All projects in Salt Lake County included in the TIP may go forward.
- X            The 2024-2029 TIP conforms to the interim “Build less than 2008” emissions test for emissions in the Salt Lake PM<sub>2.5</sub> non-attainment area. All projects in southern Box Elder, eastern Tooele, western Weber, Davis, and Salt Lake Counties included in the TIP may go forward.
- X            The 2024-2029 TIP conforms to the interim emission budgets from the 1997 Ozone Maintenance Plan for Salt Lake and Davis Counties. All projects in the Northern Wasatch Front ozone non-attainment area including eastern Tooele, western Weber, Davis, and Salt Lake Counties included in the TIP may go forward.

#### **TIP Timeframe**

All projects which must be started no later than 2029 in order to achieve the transportation system envisioned by the 2023-2050 RTP are included in the 2024-2029 TIP. Implementing these projects within the TIP time frame is dependent on available funding. Funding availability is based on the most reasonable assumptions available at the time the RTP was prepared. Projects in the RTP are considered “financially constrained”, that is, they are not included in the RTP without identifying a reasonable funding source.

#### **Regionally Significant**

All regionally significant projects, regardless of funding source (federal, state, or local) are included in the TIP and RTP. All regionally significant projects are also included in the regional emissions analysis of the Plan. Regionally significant projects are identified as those projects involving a new or existing principal arterial or select minor arterials identified in Air Quality Memorandum 41. The most recent Utah Department of Transportation Functional Classification map was used to identify principal arterials. Interstate highways, freeways, expressways, and principal arterials were all treated as principal arterials for the purpose of determining regionally significant projects.

In addition to the regionally significant transportation projects which were identified and included in the regional emissions analysis, it is the practice of WFRC to include a number of minor arterials and collectors in the travel model in order to produce a more accurate model of current and future traffic conditions. Including minor arterials and collectors in the travel model does not mean these facilities should be treated as regionally significant facilities.

**Concept and Scope**

The design concept and scope of all regionally significant projects in the TIP have not changed substantially from the design and scope identified in the Plan.

**Previous Plan Conformity**

WFRC's Air Quality Memorandum 41 demonstrates that the WFRC 2023-2050 RTP for the Salt Lake/West Valley Area and the Ogden/Layton Area conforms to state air quality requirements and EPA interim conformity regulations. The conformity demonstration for the 2023-2050 RTP has been documented in Air Quality Memorandum 41. The FHWA concurrence with this demonstration of conformity is documented in a letter dated May 31, 2023.

All of the regionally significant projects in the 2024-2029 TIP are identified in the 2023-2050 RTP without any substantial changes to design or scope. All of the projects identified in the 2023-2050 RTP are included in the regional emissions analysis.

**Public Comment**

The 2024-2029 TIP will be made available for public inspection and comment for a 30-day period as required in the EPA conformity regulations. Air Quality Memorandum 41a (this document) is available to the public upon request and has been posted to the WFRC website ([www.wfrc.org](http://www.wfrc.org)).