MEETING NOTICE
AND AGENDA

SAN DIEGO CONFORMITY WORKING GROUP
The San Diego Conformity Working Group may take action on any item appearing on this agenda.

Wednesday, June 4, 2008
10:30 a.m. to 12 noon
SANDAG, Conference Room 8C
401 B Street, Suite 800
San Diego, CA  92101-4231

Staff Contact: Rachel Kennedy
(619) 699-1929
rke@sandag.org

AGENDA HIGHLIGHTS

• 2008 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (RTIP) DRAFT AIR QUALITY CONFORMITY ANALYSIS

Please contact Rachel Kennedy prior to the meeting if you wish to participate by conference call.

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To request this document or related reports in an alternative format, please call (619) 699-1900, (619) 699-1904 (TTY), or fax (619) 699-1905.
ITEM #  | RECOMMENDATION
---|---
1.  | INTRODUCTIONS
+2.  | SUMMARY OF MAY 7, 2008, MEETING
3.  | PUBLIC COMMENTS/COMMUNICATIONS
4.  | 2008 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (RTIP) DRAFT AIR QUALITY CONFORMITY ANALYSIS
   | DISCUSSION
   | SANDAG requested submittal of new projects or revisions to projects for inclusion in the 2008 RTIP. Project submittals were due April 23, 2008. The Conformity Working Group (CWG) has discussed the conformity criteria and procedures to be followed to determine conformity of the 2008 RTIP. SANDAG staff will provide a presentation on the draft Air Quality Conformity Analysis (to be e-mailed to the CWG on June 2, 2008).
+5.  | EIGHT-HOUR OZONE ATTAINMENT PLAN FOR SAN DIEGO COUNTY STATUS UPDATE
   | DISCUSSION
   | On January 31, 2008, the U.S. Environmental Protection Agency initiated a budget adequacy review for the Eight-Hour Ozone Attainment Plan for San Diego County. On May 23, 2008, the Notice of Adequacy for the Eight-Hour Ozone budgets were published in the Federal Register. These budgets are to be used for future transportation conformity determinations effective June 9, 2008.
6.  | OTHER BUSINESS
7.  | ADJOURNMENT
   | INFORMATION
   | INFORMATION
   | The next meeting of the San Diego Region Conformity Working Group is July 2, 2008, from 10:30 a.m. to 12 noon at SANDAG.

+ next to an item indicates an attachment
SUMMARY OF MAY 7, 2008, MEETING

Item #1: Introductions
Self-introductions were made. See attached attendance list.

Item #2: Summary of April 2, 2008, Meeting
No comments were made.

Item #3: Public Comments/Communications
There were no comments.

Item #4: 2008 Regional Transportation Improvement Program (RTIP) Consultation on Conformity Criteria and Procedures

Rachel Kennedy, SANDAG, announced that SANDAG requested submittals of new projects or revisions to projects for inclusion in the 2008 RTIP. Project submittals were due April 23, 2008. Next steps in the preparation of the 2008 RTIP conformity determination were discussed.

(a) Revenue Assumptions – Sookyung Kim, SANDAG, presented the Revenue Assumptions for the 2008 RTIP. Since the San Diego region is a non-attainment area, the SANDAG RTIP is required to be a revenue-constrained document with programmed projects based upon committed funding. Funding assumptions are generally based upon: (1) authorized or appropriated levels of federal and state funding from current legislation; (2) conservative projections of future federal and state funding assuming a continuation of current funding levels; (3) the most current revenue forecasts for TransNet, and (4) the planning and programming documents of the local transportation providers.

The projects to be programmed in the 2008 RTIP have been escalated based upon anticipated inflation. For the State Transportation Improvement Program (STIP) and State Highway Operations Protection Program (SHOPP), the revenues and program are based on the 2008 Fund Estimate. The Fund Estimate documents a 3 percent escalation rate for the Transportation Improvement Fund (TIF). For the TransNet projects, SANDAG used a 3.6 percent rate, which is a blended rate for both the right-of-way and construction based on historical trends and is consistent with the adopted 2030 RTP.

A detailed list of the revenue assumptions was distributed. The federal, state, local, and other RTIP revenue sources were discussed.
Federal Revenues: The federal revenues are based on the current federal authorizing legislation, the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) which is scheduled to expire in 2009. The 2008 RTIP assumes that there will be a new federal authorization that will continue the existing formula programs.

State Revenues: The state highway projects programmed are based on the 2008 STIP adoption. The transit state-funded program is based on estimates provided by the State Controller’s office.

Local Revenues: TransNet revenues are estimated based upon taxable retail sales forecasts derived from SANDAG’s short-term forecasting model.

Other Funds: The other funds include contributions from various state funding sources, local agency contributions, private sector funding, advertising income, investment earnings, passenger fare revenue, and other miscellaneous income. Revenues from these sources are generally consistent with established historical trends or are based upon funding commitments from local agencies.

(b) Exempt Projects (to be distributed via e-mail) – Sookyung Kim, SANDAG, explained that project submittals were received by SANDAG on April 23, 2008, for inclusion in the 2008 RTIP. Ms. Kim stated that she has reviewed 150 projects and has an additional 550 projects left to review. Exempt projects make up approximately 75 percent of the project submittals. She hopes to have everything ready to distribute to the Conformity Working Group (CWG) members by the end of the week.

Ms. Kennedy explained that she will e-mail the project list and the comment period deadline to Conformity Working Group members by Friday May 9, 2008. This deadline will allow enough time for the SANDAG modelers to code projects correctly before the final conformity runs.

Sandy Johnson, Caltrans, asked Mike Brady, Caltrans, to provide a review of the Safety Improvement Program Exemption. Mr. Brady explained that there is a conformity exemption for safety improvement projects that would otherwise require a hot spot analysis. In the past, a project qualified for the safety improvement program exemption if it had been funded through HSIP. Elisa Arias, SANDAG, asked if all projects that have HSIP funding would qualify for the exemption. Mr. Brady stated that only projects that are mostly funded through HSIP would qualify for the Safety Improvement Program Exemption. Ms. Kim, SANDAG, asked if projects that were not funded through HSIP would qualify for the Safety Improvement Program Exemption. Mr. Brady stated that this exemption category was established specifically for HSIP projects. Wade Hobbs, FHWA, confirmed and stated that only projects funded by the HSIP program were eligible. This does not include candidate projects or potentially eligible projects. The only other safety projects that qualify for this exemption are public safety programs that are not capital improvement projects.

(c) Concurrent 2008 RTIP Conformity Determination and 2030 RTP Redetermination – Ms. Kennedy clarified that SANDAG is doing a concurrent conformity determination for the 2008 RTIP and redetermination for the 2030 RTP. There have been no changes to the 2030 RTP. However, when new budgets are adopted, a redetermination of the RTP and RTIP is
required. The new budgets are part of the Eight-Hour Ozone Attainment Plan for San Diego County and will be approved by the Environmental Protection Agency prior to the SANDAG Board’s adoption of the 2008 RTIP.

Ms. Kennedy reminded members that on January 31, 2008, the U.S. EPA issued the budget adequacy review for the Eight-Hour Ozone Attainment Plan for San Diego County. The public comment period closed on March 1, 2008. No comments were received on the budget. The budget was published in the register and an official letter should be received in the next couple of weeks.

Rachel Kennedy, SANDAG, went over the remainder of the 2008 RTIP schedule:

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>June 2, 2008</td>
<td>Issue 2008 RTIP Draft Conformity Analysis to CWG for review and comment</td>
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<tr>
<td>June 20, 2008</td>
<td>Draft 2008 RTIP and its conformity determination released for public review</td>
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<tr>
<td>July 18, 2008</td>
<td>Public hearing on Draft RTIP and conformity determination</td>
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<tr>
<td>July 25, 2008</td>
<td>SANDAG Board of Directors will be asked to make a finding of conformity on the 2008 RTIP, redetermine conformity of the 2030 RTP, and approve the 2008 RTIP and its conformity determination</td>
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**Item #5: Eight-Hour Ozone Attainment Plan for San Diego County Status Update**

This item was discussed as part of Agenda Item 4.

**Item #6: Transportation Planning Requirements and Their Relationship to National Environmental Policy Act (NEPA) Approvals**

Wade Hobbs and Joe Vaughn, FHWA, provided an overview of the recent guidance issued by FHWA to clarify transportation planning requirements and its conformity significance. The new guidance is intended to provide more flexibility regarding when a project must be fully funded in the Regional Transportation Plan. Mr. Vaughn explained that when NEPA approval is required on a project, all project phases have to be fully programmed in the Transportation Improvement Plan (TIP). Once the project is programmed, a conformity determination can be requested from FHWA.

Mike Brady, Caltrans, stated that this new process is very similar to the conformity determination process practiced prior to Senate Bill (SB) 45. Mr. Brady said that this process was problematic because the project was programmed prior to finishing the environmental document and costs changed after the environmental document was complete. After SB 45, agencies did not have to program the construction phase of the project until the environmental document was complete. Mr. Brady asked if this was still possible or if the entire project had to be programmed upfront.

Mr. Vaughn stated that this new guidance provided more flexibility to go forward with a study without programming the entire project. The project does not have to be fully programmed until after the environmental document is approved and the project is fully funded.

Elisa Arias, SANDAG, asked if large-scale construction projects that go beyond the period of the TIP have to be fully programmed.
Mr. Vaughn stated that once it becomes a project, it has to be programmed. The project could be phased with separate RODs, but approval would only be given to the phase of the project that is fully funded and programmed.

Wade Hobbs, FHWA, commented that in the San Diego region, FHWA allows agencies to start PE phase activities without having the project fully funded and programmed. He stated that there will only be minor changes to the current practice as a result of this guidance. The biggest change is that future phases outside of the TIP cycle may need to be programmed when the environmental document is signed.

Sookyung Kim, SANDAG, stated that SANDAG has not been including the total project in the program if the project lasts longer than the TIP period. However, SANDAG includes the total project cost, which may be more than what is in the program, to demonstrate that the project is fully funded. Wade Hobbs agreed that this process was appropriate as long as the project is fully funded.

**Item #7: Other Business**

Rachel Kennedy announced that the statewide Conformity Working Group meeting would be held on May 12, 2008, from 10:30 to 3:30 p.m. The meeting was originally scheduled at SANDAG; however, due to state budgetary issues, the meeting will not be in San Diego. SANDAG will host a call-in center and Rachel Kennedy will send out the SANDAG conference room information.

Ms. Kennedy closed the meeting after reminding members that the next Conformity Working Group Meeting will be held on June 4, 2008, from 10:30 to 12:00 noon at SANDAG.
# San Diego Region Conformity Working Group

## Meeting Attendance

May 7, 2008

<table>
<thead>
<tr>
<th>Name</th>
<th>Agency</th>
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<tbody>
<tr>
<td>Carl Selnick</td>
<td>APCD</td>
</tr>
<tr>
<td>Dennis Wade (phone)</td>
<td>ARB</td>
</tr>
<tr>
<td>Mike Brady (phone)</td>
<td>Caltrans</td>
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<tr>
<td>Connery Cepeda</td>
<td>Caltrans</td>
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<tr>
<td>Cathy Gomez (phone)</td>
<td>Caltrans</td>
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<tr>
<td>Sandy Johnson</td>
<td>Caltrans</td>
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<tr>
<td>Karina O’Connor (phone)</td>
<td>EPA</td>
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<tr>
<td>Wade Hobbs (phone)</td>
<td>FHWA</td>
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<tr>
<td>Michael Morris</td>
<td>FHWA</td>
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<tr>
<td>Joe Vaughn (phone)</td>
<td>FHWA</td>
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<tr>
<td>Elisa Arias</td>
<td>SANDAG</td>
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<td>Rachel Kennedy</td>
<td>SANDAG</td>
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<tr>
<td>SookYung Kim</td>
<td>SANDAG</td>
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<tr>
<td>Antoinette Meier</td>
<td>SANDAG</td>
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<tr>
<td>Carla Walecka (phone)</td>
<td>TCA</td>
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in the Standard Navy Distribution List that is available at http://
The request should contain the name, approximate date during which the case
record was developed, the address of the individual concerned and be signed.

RECORD ACCESS PROCEDURES:
Individuals seeking access to information about them contained in
this system of records should address written inquiries to their servicing
Human Resources Office. Official mailing addresses are published in the
Standard Navy Distribution List that is available at http://doni.daps.dla.mil/
sndl.aspx.
The request should contain the name, approximate date during which the case
record was developed, the address of the individual concerned and be signed.

CONTESTING RECORD PROCEDURES:
The Navy’s rules for accessing records, and for contesting contents and
appealing initial agency determinations are published in Secretary of the Navy
Instruction 5211.5; 32 CFR part 701; or may be obtained from the system
manager.

RECORD SOURCE CATEGORIES:
Employee, supervisors, co-workers or other agency or contractor-employee
personnel, and private individuals to include family members of employee
and outside practitioners.

EXEMPTIONS CLAIMED FOR THE SYSTEM:
None.

ENVIRONMENTAL PROTECTION AGENCY

[FR Doc. E8–11662 Filed 5–22–08; 8:45 am]
BILLING CODE 5001–06–P

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–6699–2]

Environmental Impact Statements and Regulations: Availability of EPA
Comments

Availability of EPA comments prepared pursuant to the Environmental
Review Process (ERP), under section 309 of the Clean Air Act and Section
102(2)(c) of the National Environmental Policy Act as amended. Requests for
copies of EPA comments can be directed to the Office of Federal Activities at
202–564–7167.

An explanation of the ratings assigned to draft environmental impact
statements (EISs) was published in FR dated April 11, 2008 (73 FR 19833).

Draft EISs

EIS No. 20080044, ERP No. D–BIA–
L69001–OR, Cascade Locks Resort and
Casino Project, Application for the
Fee–to–Trust Transfer of 25 Acres of
Land within the City of Cascade
Locks, Confederated Tribes of the
Warn Springs Reservation of Oregon,
Cascade Locks, Hood River County,
OR.

Summary: EPA expressed environmental concerns about air
quality impacts and construction
impacts to fish populations, and
recommended additional air quality
analyses be performed. Rating EC2.