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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.

MEMBER AGENCIES

Cities of
 Carlsbad
 Chula Vista
 Coronado
 Del Mar
 El Cajon
 Encinitas
 Escondido
 Imperial Beach
 La Mesa
 Lemon Grove
 National City
 Oceanside
 Poway
 San Diego
 San Marcos
 Santee
 Solana Beach
 Vista
 and
 County of San Diego

ADVISORY MEMBERS

Imperial County
 California Department
 of Transportation
 Metropolitan
 Transit System
 North San Diego County
 Transit Development Board
 United States
 Department of Defense
 San Diego
 Unified Port District
 San Diego County
 Water Authority
 Mexico

Wednesday, September 3, 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

- **INTERAGENCY CONSULTATION ON THE HIGHWAY SAFETY IMPROVEMENT PROGRAM**
- **SAN DIEGO REGION CONFORMITY STATE IMPLEMENTATION PLAN DEVELOPMENT**

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

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SAN DIEGO CONFORMITY WORKING GROUP (CWG)

Wednesday, September 3, 2008

ITEM #	RECOMMENDATION
1. INTRODUCTIONS	
+2. SUMMARY OF JUNE 4, 2008, MEETING	INFORMATION
<p>The summary for the June 4, 2008, CWG meeting is attached. CWG is asked to review and approve the meeting summary.</p>	
3. PUBLIC COMMENTS/COMMUNICATIONS	
<p>Members of the public will have the opportunity to address the Working Group during this time.</p>	
+4. FEDERAL HIGHWAY ADMINISTRATION PROJECT LEVEL CONFORMITY DETERMINATIONS	INFORMATION
<p>The Federal Highway Administration has circulated a letter stating that thirty days are needed to make an air quality conformity determination once the required information is submitted. The letter has been attached for your information.</p>	
5. 2008 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM	INFORMATION
<p>On July 25, 2008, the Board of Directors made a finding of conformity for the 2008 Regional Transportation Improvement Program (RTIP) and a conformity re-determination for the 2030 Revenue Constrained Regional Transportation Plan: Pathways for the Future and adopted the 2008 RTIP. The approved 2008 RTIP and its conformity document are available at www.sandag.org\2008RTIP. A conformity finding from the U.S. Department of Transportation is expected in October 2008.</p>	
+6. 2008 RTIP AMENDMENT NO. 1 INTERAGENCY CONSULTATION ON THE HIGHWAY SAFETY IMPROVEMENT PROGRAM	DISCUSSION
<p>The Highway Safety Improvement Program is a federal program designed to provide improvements to reduce traffic fatalities. This program is administered by Caltrans and is required to be included in the RTIP. As a safety program, projects are exempt for purposes of conformity. A list of projects to be included in the 2008 RTIP Amendment No. 1 is attached for consultation.</p>	
+7. U.S. ENVIRONMENTAL PROTECTION AGENCY ADVANCED NOTICE OF PROPOSED RULEMAKING: REGULATING GREENHOUSE GAS EMISSIONS UNDER THE CLEAN AIR ACT	DISCUSSION
<p>On July 11, 2008, the U.S. Environmental Protection Agency (EPA) released an Advance Notice of Proposed Rulemaking inviting public comment on the benefits and ramifications of regulating greenhouse gases under the Clean Air Act. U.S. EPA staff will provide a brief overview of this item.</p>	

8. SAN DIEGO REGION CONFORMITY STATE IMPLEMENTATION PLAN DISCUSSION
DEVELOPMENT

The federal Transportation Conformity Rule requires locally-developed procedures defining the process for interagency consultation on air quality and transportation planning documents. The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) contains streamlined requirements for state conformity State Implementation Plan (SIP). SANDAG staff will provide an overview of these requirements and discuss the development process for a San Diego Region Conformity SIP.

9. OTHER BUSINESS INFORMATION

+ next to an item indicates an attachment

The next meeting of the San Diego Region Conformity Working Group is scheduled for Wednesday, October 1, 2008, from 10:30 a.m. to 12 noon at SANDAG.

CONFORMITY WORKING GROUP

September 3, 2008

AGENDA ITEM NO.: **2**

Action Requested: INFORMATION

SUMMARY OF JUNE 4, 2008, MEETING

File Number 3000400

Item #1: Introductions

Self-introductions were made. See attached attendance list.

Item #2: Summary of May 7, 2008, Meeting

No comments were made.

Item #3: Public Comments/Communications

There were none.

Item #4: 2008 Regional Transportation Improvement Program Draft Air Quality Conformity Analysis

Rachel Kennedy, SANDAG, reviewed Appendix C of the draft Conformity Air Quality Analysis. A copy of this document was provided to CWG members. The San Diego region attained the federal 1-Hour Ozone Standard in 2001. The U.S. Environmental Protection Agency (EPA) redesignated the San Diego air basin as attainment/maintenance and approved the 1-Hour Ozone Maintenance Plan as a State Implementation Plan (SIP) revision, effective on July 28, 2003. On June 15, 2005, the U.S. EPA revoked the federal 1-Hour Ozone Standard after the 8-Hour Ozone Standard became applicable. Carl Selnick suggested that the language Ms. Kennedy clarifies is that the 8-Hour Ozone Standard became applicable for conformity on June 15, 2005.

On April 15, 2004, the U.S. EPA designated the San Diego air basin as non-attainment for the new 8-Hour Ozone Standard. This designation took effect on June 15, 2004. The air basin has been classified as a basic non-attainment area under Subpart 1 of the Clean Air Act and the attainment date for the 8-Hour Ozone Standard is June 15, 2009.

In cooperation with the San Diego Air Pollution Control District (APCD) and SANDAG, the California Air Resources Board (CARB) developed an 8-Hour Ozone Attainment Plan, which was submitted to the U.S. EPA by June 15, 2007. The budgets in the *Eight-Hour Ozone Attainment Plan for San Diego County* were found adequate for transportation conformity purposes by the U.S. EPA, effective June 9, 2008.

John Kelly, U.S. EPA, stated that the 2009 attainment date is not certain, due to the fact that San Diego is a Subpart 1 area and the U.S. EPA is in the process of reclassifying Subpart 1 areas. As a result, the 8-Hour Ozone attainment date of 2009 may change. San Diego likely will be moderate under the new classification, which would utilize 2001 to 2003 data. Mr. Kelly will provide SANDAG with text that summarizes this new information.

Elisa Arias, SANDAG, asked Mr. Kelly when the reclassification would take place. Mr. Kelly stated that the new rule will be proposed in the next few months and the final rule will be out in mid-2009. The due date for the area's attainment demonstration will most likely be required by the end of 2009.

Mr. Kelly asked SANDAG about the expected ramifications of the new rule for the Regional Transportation Plan (RTP) and the budget. Ms. Kennedy explained that SANDAG will adopt the next RTP in 2011. Carl Selnick, APCD, clarified that SANDAG will have to do a 2009 budget as a moderate area, so they most will likely do a 2011 analysis for the RTP using a 2009 budget.

Ms. Kennedy then reviewed the carbon monoxide (CO) standards. The San Diego region was designated by the U.S. EPA as a federal maintenance area for the CO standard. On November 8, 2004, CARB submitted the 2004 revision to the California SIP for CO to the U.S. EPA. Effective January 30, 2006, the U.S. EPA has approved this maintenance plan as a SIP revision.

The 2008 RTIP is consistent with the 2030 RTP: Pathways for the Future. As a financially constrained plan, the 2008 RTIP contains only those major transportation projects listed in the revenue constrained 2030 RTP. Conformity of the 2030 RTP expires on December 10, 2011. However, to comply with the Transportation Conformity Rule standards, which require a redetermination of conformity within two years of new budgets, SANDAG is redetermining conformity of the 2030 RTP: Pathways for the Future in conjunction with the 2008 RTIP.

Growth Forecasts

The 2030 Regional Growth Forecast Update is based solely on the adopted general plans and community plans and policies of the 18 cities. For the unincorporated area, the forecast is based on the most recent (June 2005) version of San Diego County's General Plan 2020 update, as directed by the Board of Supervisors.

In February 2008, SANDAG consulted with the CWG on the use of the 2030 Regional Growth Forecast Update for the air quality conformity analysis for the 2008 RTIP and 2030 RTP redetermination. Previously, both U.S. Department of Transportation (DOT) and U.S. EPA concurred that approved plans should be used as input to the air quality conformity process.

Transportation Modeling

SANDAG follows a widely used, four-step transportation modeling process of trip generation, trip distribution, mode choice, and assignment to forecast travel activity in the San Diego region. After a first pass through the four steps, a final pass is made through the mode choice and assignment steps to reflect congested travel conditions in mode decision making. Travel model results then are combined with additional post-process input and output functions to form the complete modeling chain.

The estimates of regional transportation-related emissions analysis meet the requirements established in the Transportation Conformity Rule, Sections 93.122(b) and 93.122(c).

On February 6, 2008, SANDAG staff conducted interagency consultation on the growth forecasts and transportation modeling practices to be used in the conformity analysis for the 2008 RTIP and redetermination of the 2030 RTP.

Emissions Modeling

In November 2006, CARB released Emission FACTors (EMFAC) 2007, an emissions inventory model that calculates emissions for motor vehicles operating in California. It is an integrated model that combines emission rate data with vehicle activity to calculate regional emissions. The U.S. EPA approved EMFAC 2007 for use in conformity determinations on January 18, 2008.

The air quality analysis of the 2008 RTIP and 2030 RTP was conducted using the EMFAC 2007 Burden mode. Projections of daily regional emissions were prepared for reactive organic gases (ROG), nitrogen oxides (NOx), and CO.

Regional transportation forecasts were initiated in April 2008. Output from the TransCAD model then was reformatted and adjusted to be useful for emissions modeling.

Eight-Hour Ozone Standard

Effective June 9, 2008, the U.S. EPA found the 8-Hour Ozone budgets included in the *Eight-Hour Ozone Attainment Plan for San Diego County* adequate for transportation conformity purposes. In May 2008, SANDAG prepared countywide forecasts of average weekday ROG and NOx emissions for 2008, 2010, 2020, and 2030 using the EMFAC 2007 model. ROG and NOx emissions are based on the summer season.

The analysis years were selected to comply with Sections 93.106(a) (1) and 93.118 (a) of the Transportation Conformity Rule. According to these sections, the first horizon year (2010) must be within ten years from the base year used to validate the regional transportation model (2004), the last horizon year must be the last year of the transportation plan's forecast period (2030), and the horizon years may be no more than ten years apart (2020).

The Board of Directors will be asked to make a finding of conformity for the years 2008, 2010, 2020, and 2030 using EMFAC 2007. This emissions model was approved by the U.S. EPA for use in conformity findings on January 18, 2008.

CO Standard

CO regional emissions were projected for 2010, 2018, 2020, and 2030 for the conformity determination of the 2030 RTP. CO emissions are based on the winter season. SANDAG interpolates the 2018 emissions for CO.

Emissions Modeling Results

To determine conformity of the 2008 RTIP and 2030 RTP, the plan must comply with the emission analysis described in the Regional Emissions Forecast section.

Table C.2 on page C-11 of the draft Conformity Air Quality Analysis demonstrates that the modeling meets the emissions standards for ROG and NOx. Table C.3 on page C-11 shows that projected CO emissions from the 2008 RTIP and 2030 RTP are below the 2003 CO budget of 730 tons per day. Adjustment factors were provided by CARB to account for recently adopted emission control programs not reflected in EMFAC 2007 and other corrections. Table C.4 on page C-12 includes the adjustment factors by analysis year.

Exempt Projects

Section 93.126 of the Transportation Conformity Rule exempts certain highway and transit projects from the requirement to determine conformity. The categories of exempt projects include safety,

mass transit, air quality (ridesharing and bicycle and pedestrian facilities), and others (such as planning studies).

Table C.5 of the draft Conformity Air Quality Analysis illustrates the exempt projects considered in the 2008 RTIP and 2030 Revenue Constrained RTP. Additional unidentified projects could be funded with revenues expected to be available from the continuation of existing state and federal programs. There are a number of bicycle and pedestrian improvement exempt projects.

John Kelly mentioned a new house resolution (HR 6049) that proposes to provide a \$20 per month pre-tax subsidy for bike commuters. This will be allowed, but not required, for all employers.

Implementation of Transportation Control Measures

There are four federally approved Transportation Control Measures (TCM) that must be implemented in San Diego, which the SIP refers to as Transportation Tactics. They include ridesharing, transit service improvements, traffic flow improvements, and bicycle facilities and programs.

These TCMs were established in the 1982 SIP, which identified general objectives and implementing actions for each tactic. The TCMs have been fully implemented. Ridesharing, transit, bicycling, and traffic flow improvements continue to be funded, although the level of implementation established in the SIP has been surpassed. No TCMs have been removed or substituted from the One-Hour Ozone Maintenance Plan, which is the applicable SIP. The list of actions that implemented the TCMs is available at SANDAG.

Interagency Consultation Process and Public Input

The consultation process followed to prepare the air quality conformity analysis for the 2008 RTIP and 2030 RTP redetermination complies with the San Diego Transportation Conformity Procedures adopted in July 1998. In turn, these procedures comply with federal requirements under 40 CFR 93. Interagency consultation involves SANDAG, as the Metropolitan Planning Organization for San Diego County, the APCD, Caltrans, CARB, U.S. DOT, and U.S. EPA.

Consultation is a three-tier process that:

1. Formulates and reviews drafts through a conformity working group;
2. Provides local agencies and the public with opportunities for input through existing regional advisory committees and workshops; and
3. Seeks comments from affected federal and state agencies through participation in the development of draft documents and circulation of supporting materials prior to formal adoption.

SANDAG consulted on the development of the air quality conformity analysis of the 2008 RTIP and 2030 RTP conformity redetermination at meetings of the CWG, as follows:

- On February 6, 2008, SANDAG staff presented the schedule for the preparation of the 2008 RTIP and its conformity analysis. Staff also presented information on the 2030 Regional Growth Forecast Update and Transportation Control Measures.
- On April 2, 2008, SANDAG consulted the CWG on the conformity criteria and procedures to be followed to determine conformity of the 2008 RTIP, including the latest emissions model, emissions budgets and interim emissions analysis, and public involvement and outreach.

- On May 7, 2008, SANDAG staff presented information on the Revenue Constrained financial assumptions and stated that the CWG would be receiving the 2008 RTIP exempt projects by e-mail for interagency consultation. Staff distributed the list of exempt projects to the CWG on May 9, 2008. Additional exempt projects were distributed to the CWG on May 13, 2008, via e-mail. Additionally, staff confirmed that a redetermination of conformity would be done for the 2030 RTP, in conjunction with the 2008 RTIP in order to provide consistency with the new 8-Hour Ozone budgets.

Sookyung Kim, SANDAG, received comments from Mike Brady and Sandy Johnson, Caltrans, regarding the exempt projects. Both Mr. Brady and Ms. Johnson recommended using different categories. Ms. Kim addressed the comments and made changes to categories where necessary. There were several projects that were changed from noncapacity increasing to capacity increasing. Ms. Kim forwarded an e-mail to CWG members describing all changes to the exempt projects. Ms. Kennedy highlighted future key dates for the 2008 RTIP and 2030 RTP air quality conformity redetermination.

- On June 2, 2008, SANDAG released the draft air quality conformity analysis of the 2008 RTIP and 2030 RTP to the San Diego Region CWG for a review-and-comment period. On June 4, 2008, the draft air quality analysis was discussed at the meeting of the San Diego Region CWG. Applicable comments submitted will be incorporated into the final report.
- On June 20, 2008, the draft 2008 RTIP and its conformity determination and the 2030 RTP conformity redetermination will be released for public review.
- On July 18, 2008, a public hearing on the draft 2008 RTIP and its conformity determination and the 2030 RTP conformity redetermination will be held.
- The Board will be asked to approve the 2008 RTIP and its conformity determination and the 2030 RTP conformity redetermination at its July 25, 2008, meeting.

Ms. Kennedy reminded members that this analysis is still in draft format. CWG members may submit additional comments via e-mail or letter.

Sookyung Kim, SANDAG, asked Kathy Gomez, Caltrans, and Wade Hobbs, FHWA, to review the exempt project list and confirm that the project information provided suffices their requirements.

Item #5: Eight-Hour Ozone Attainment Plan for San Diego County Status Update

Ms. Kennedy informed the CWG that on May 23, 2008, the Notice of Adequacy for the 8-Hour Ozone budgets was published in the Federal Register. These budgets are to be used for future transportation conformity determinations effective June 9, 2008. Ms. Kennedy thanked John Kelly and Karina O'Connor, U.S. EPA, for their assistance with getting the new budgets through the federal process quickly.

Item #6: Other Business

Ms. Kennedy announced that the next statewide CWG meeting would be held on November 13, 2008, in Fresno.

Ms. Kennedy closed the meeting after reminding members that the next CWG Meeting will be held on July 2, 2008, from 10:30 a.m. to 12 noon at SANDAG.

San Diego Region Conformity Working Group

Meeting Attendance

June 4, 2008

Name	Agency
Carl Selnick	APCD
Dennis Wade (phone)	CARB
Mike Brady (phone)	Caltrans
Rafael Ambrosi	Caltrans
Cathy Gomez (phone)	Caltrans
Sandy Johnson	Caltrans
John Kelly (phone)	EPA
Wade Hobbs (phone)	FHWA
Michael Morris	FHWA
Elisa Arias	SANDAG
Rachel Kennedy	SANDAG
Sookyung Kim (phone)	SANDAG
Antoinette Meier	SANDAG
Carla Walecka (phone)	TCA

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DIVISION OF LOCAL ASSISTANCE – MS. 1
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TTY 711



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JUL 3 2008

SANDAG PLANNING DEPT

*Flex your power!
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May 27, 2008

TO: Public Work Directors of Cities and Counties in California
Metropolitan Planning Organizations
Regional Transportation Planning Agencies
Councils of Governments

Dear Director:

RE: Federal Highway Administration Project-Level Air Quality Conformity Determinations

This letter is to inform you that the Federal Highway Administration (FHWA) needs a minimum of 30 days to make an air quality conformity determination once the required information is submitted (refer to attached FHWA letter). This timeframe should be factored into the schedule for any project assigned to the Department of Transportation (Caltrans) under SAFETEA-LU Section 6005 -- that is, projects with Environmental Impact Statements and Environmental Assessments, plus any Categorical Exclusions not assigned under Section 6004, as discussed below.

As you are aware, all projects that are funded or approved by the FHWA or the Federal Transit Administration (FTA) must comply with the conformity requirements of the Clean Air Act Section 176(c), codified at 42 United States Code (USC) 7506(c). The Clean Air Act and implementing regulation (Code of Federal Regulations (CFR) at 40 CFR 93 Subparts A and B), specify that projects which are not fully exempt from conformity requirements must have a project-level conformity analysis and determination.

Prior to the National Environmental Policy Act (NEPA) assignment the FHWA was responsible for making a project-level conformity determination for all projects at the time that final NEPA action occurred. Under NEPA assignment, the conformity determination for projects covered under Section 6004 of SAFETEA-LU is made along with the NEPA approval by Caltrans. The air quality conformity determination for projects covered under Section 6005 of SAFETEA-LU projects was expressly excluded from the Pilot Program assignment by statute. Therefore, Section 6005 projects continue to need a conformity determination from FHWA, although all other NEPA related actions are assigned to Caltrans.

For Section 6005 non-CE projects, the local agency must document the project level conformity analysis consistent with the annotated outline provided at:
<http://www.dot.ca.gov/ser/vol1/sec6/ch38nepa/AQConfrm/AOCnfrmOutline.doc>. Public involvement is required regarding the project-level conformity analysis for projects requiring an EA or an EIS. This will normally be done as part of the NEPA document public circulation process. Language should be

All Cities, Counties, MPOs, RTPAs and COGs
Directors
May 27, 2008
Page 2

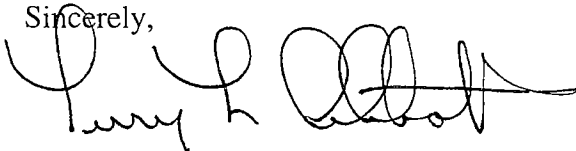
used in public notices that references the conformity analysis, and the analysis should be made available to the public along with the NEPA document. Response to public comments addressing the conformity analysis must be documented in the conformity analysis that is submitted to FHWA to support the conformity determination.

The local agency shall submit a copy of the project level conformity analysis and evidence that public involvement and circulation procedures were followed (including a summary of public comments and responses or statement that none were received), to Caltrans when requesting a conformity determination, preferably as soon as the information can be gathered. Caltrans will submit the formal conformity determination request for Section 6005 projects to FHWA once the required information is received by the local agency. FHWA will then take up to 30 days to make a project-level air quality conformity determination. Please time your submittal to FHWA so that their air quality conformity determination is not on the critical path for completion of your final environmental document or Section 6005 CE.

For SAFETEA-LU Section 6004 projects, Caltrans has been assigned the responsibility for making air quality determinations, and no FHWA review is necessary. Procedures for documenting and obtaining this determination can be found in the Caltrans Standard Environmental reference at <http://www.dot.ca.gov/ser/vol1/sec6.ch38nepa/AQConfrm>.

Questions regarding project level conformity analysis and conformity determinations should be directed to your Caltrans District Air Quality Technical Specialists. Your District Local Assistance Engineer can provide up-to-date contact information.

Sincerely,



TERRY L. ABBOTT
Chief
Division of Local Assistance

cc: Caltrans District Local Assistance Engineers



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
650 Capitol Mall, Suite 4-100
Sacramento, CA. 95814
April 28, 2008

IN REPLY REFER TO
HDA-CA
Document # S51681

Mr. Will Kempton, Director
California Department of Transportation
1120 N Street
Sacramento, CA 95814

Attention: Jay Norvell, Division Chief, Environmental Analysis

Dear Mr. Kempton:

SUBJECT: FHWA Project-Level Air Quality Conformity Determinations

Thank you for the opportunity to participate in the recent Environmental Management Board meeting. It was an opportunity for FHWA to discuss our recent guidance: *Transportation Planning Requirements and Their Relationship to NEPA Process Completion*. It was also an opportunity for FHWA and Caltrans to discuss NEPA assignment and clarify project level conformity requirements. Prior to NEPA assignment, the project level conformity determination was made as part of the environmental document. For projects assigned under Section 6005 of SAFETEA-LU, FHWA retains responsibility for making project level conformity determinations. Therefore, FHWA must make the project level conformity determination, prior to Caltrans' approval of the environmental document. As discussed at the Management Board meeting, FHWA needs at least 30 days to make a project-level air quality conformity determination.

Recently, the FHWA has received a growing number of requests from Caltrans to provide accelerated reviews and determinations for project-level air quality conformity analyses. In several instances, Caltrans has requested a turn-around time of less than a week. All submittals requiring FHWA action are reviewed in the order in which they are received and we need at least 30 days to make a project-level air quality conformity determination. Therefore, we would appreciate your assistance in assuring that the Districts, including Local Assistance, are aware that they should submit their project-level air quality analyses to FHWA at least 30 days prior to the target date for the National Environmental Policy Act (NEPA) determination. To expedite the process, the project-level air quality analyses can be e-mailed to: Anh.Chau@fhwa.dot.gov, Aimee.Kratovil@fhwa.dot.gov, and Joseph.Vaughn@fhwa.dot.gov

If you have any questions on project level conformity, please contact Aimee Kratovil, FHWA Air Quality Specialist, at (916) 498-5866 or Joseph Vaughn, FHWA Air Quality Specialist at (916) 498-5346.

Sincerely,

/s/ K. Sue Kiser

For
Gene K. Fong
Division Administrator



FTIP BACK-UP LIST FOR HIGHWAY SAFETY IMPROVEMENT PROGRAM PROJECTS
 FOR FFY 2009/2010 AND 2010/2011 PROGRAM YEARS

District	Agency Name	MPO	Description of Work	Location of Work	Total Project Cost	Local/Other Funds	Federal Funds	Program Year (FFY) 09/10	Program Year (FFY) 10/11
11	Escondido	SANDAG	RECONSTRUCT ROADWAY TO INCREASE VERTICAL CLEARANCE.	SR 78 AT THE NORDAHL RD. OVERCROSSING	\$918,400	\$91,840	\$826,560		\$826,560
11	National City	SANDAG	CONSTRUCT MEDIANS, TURN LANES, ROADWAY WIDENING, TRAFFIC SIGNALS AND BEACONS, AND SIDEWALKS.	E. 8TH STREET BETWEEN K AVE. AND PALM AVE. AND AT THE INTERSECTION OF E 8TH ST. AND L AVE.	\$1,130,000	\$230,000	\$900,000	\$900,000	
11	San Marcos	SANDAG	INSTALL COUNT-DOWN PEDESTRIAN HEADS	VARIOUS INTERSECTIONS ALONG SAN MARCOS BLVD. AND ALONG RANCHO SANTA FE RD.	\$241,400	\$24,140	\$217,260		\$217,260
11	San Marcos	SANDAG	INSTALL SIGNAL INTERCONNECT SYSTEM, FIBER OPTIC CABLE, REMOTE TELEVISION CAMERAS; INTEGRATE WITH THE CITY OF SAN MARCOS TRAFFIC MANAGEMENT CENTER	MISSION RD. FROM PICO AVE. TO BOSSTICK BLVD.	\$327,300	\$32,730	\$294,570		\$294,570
11	San Marcos	SANDAG	INSTALL TRAFFIC SIGNAL.	MULBERRY DR. AND ROSE RANCH RD.	\$204,600	\$20,460	\$184,140		\$184,140
11	San Marcos	SANDAG	MODIFY TRAFFIC SIGNAL AND RECONFIGURE INTERSECTION.	MISSION RD. AND KNOLL RD.	\$298,400	\$29,840	\$268,560		\$268,560
11	Santee	SANDAG	UPGRADE TROLLEY SIGNAL EQUIPMENT.	CUYAMACA ST. BETWEEN PROSPECT AVE. AND MISSION GORGE RD. AND TO TROLLEY STATION .	\$47,900	\$4,790	\$43,110	\$43,110	
11	Vista	SANDAG	CONSTRUCT POSITIVE PROTECTIVE BARRIER AT BUS STOP	WEST VISTA WAY BETWEEN EMERALD DR. AND THUNDER DR.	\$495,000	\$49,500	\$445,500		\$445,500
11	Vista	SANDAG	CONSTRUCT RIGHT-TURN LANE; UPGRADE TRAFFIC SIGNAL; CONSTRUCT CURB, GUTTER, SIDEWALK AND RETAINING WALL; INSTALL SIGNS, STRIPES AND SAFETY BARRIERS	EASTBOUND OFFRAMP FROM SR78 ONTO SYCAMORE AVE.	\$1,281,500	\$381,500	\$900,000		\$900,000
Total SANDAG						\$864,800	\$4,079,700	\$943,110	\$3,136,590



Fact Sheet

<http://www.epa.gov/epahome/anprfs.htm>

Last updated on Friday, July 11th, 2008.

You are here: [EPA Home](#) Fact Sheet about ANPR on Regulating Greenhouse Gas Emissions

Advance Notice of Proposed Rulemaking: Regulating Greenhouse Gas Emissions under the Clean Air Act

ACTION

- On July 11, 2008, the U.S. Environmental Protection Agency (EPA) released an Advance Notice of Proposed Rulemaking (ANPR) inviting public comment on the benefits and ramifications of regulating greenhouse gases (GHGs) under the Clean Air Act (CAA).
- The ANPR is one of the steps EPA has taken in response to the U.S. Supreme Court's decision in *Massachusetts v. EPA*. The Court found that the Clean Air Act (CAA) authorizes EPA to regulate tailpipe greenhouse gas emissions if EPA determines they cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare.
- The ANPR reflects the complexity and magnitude of the question of whether and how greenhouse gases could be effectively controlled under the Clean Air Act.
- The document summarizes much of EPA's work and lays out concerns raised by other federal agencies during their review of this work. EPA is publishing this notice at this time because it is impossible to simultaneously address all the agencies' issues and respond to the agency's legal obligations in a timely manner.
- Key Issues for Discussion and Comment in the ANPR:
 - Descriptions of key provisions and programs in the CAA, and advantages and disadvantages of regulating GHGs under those provisions
 - How a decision to regulate GHG emissions under one section of the CAA could or would lead to regulation of GHG emissions under other sections of the Act, including sections establishing permitting requirements for major stationary sources of air pollutants
 - Issues relevant for Congress to consider for possible future climate legislation and the potential for overlap between future legislation and regulation under the existing CAA
 - Scientific information relevant to, and the issues raised by, an endangerment analysis
 - Information regarding potential regulatory approaches and technologies for reducing GHG emissions
- EPA will accept public comment on the ANPR for 120 days following publication in the Federal Register.

BACKGROUND

- In April 2007, the Supreme Court concluded that GHGs meet the CAA definition of "air pollutant," and that section 202(a)(1) of the CAA therefore authorizes regulation of GHGs subject to an Agency determination that GHG emissions from new motor

vehicles cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. This determination is known as the endangerment test.

- A decision to regulate GHG emissions under one section of the CAA could or would lead to regulation of GHG emissions under other sections of the Act, including sections establishing permitting requirements for major stationary sources of air pollutants.
- On May 14, 2007, in response to the Supreme Court's decision, the President issued an Executive Order to control greenhouse gas emissions from motor vehicles, nonroad vehicles, and nonroad engines.
 - EPA began work with Departments of Energy, Agriculture, and Transportation (DOT) to develop new regulations to cut GHG emissions from new motor vehicles and their fuels.
 - EPA had planned to propose these GHG rules by the end of 2007, but this did not occur. A major factor contributing to this outcome was Congress' approval and the President's signature into law of the Energy Independence and Security Act (EISA) on December 19, 2007.
- With the enactment of the EISA on December 19, 2007, the policy context for the response to the Supreme Court decision changed.
 - DOT received new authority and a mandate from Congress to tighten Corporate Average Fuel Economy standards in coordination with EPA. EPA will consider this change in evaluating CAA new motor vehicle standards.
 - EPA received new authority and a mandate from Congress to strengthen the existing CAA renewable fuels standard.

HOW TO COMMENT

- Comments should be identified by the following Docket ID Number: EPA-HQ-OAR-2008-0318
- Comments should be submitted by one of the following method
 - www.regulations.gov: Follow the on-line instructions for submitting comments.
 - Email: a-and-rDocket@epa.gov
 - Fax: 202-566-9744
 - Mail: Air and Radiation Docket and Information Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460. In addition, please mail a copy of your comments on the information collection provisions to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attn: Desk Officer for EPA, 725 17th St. NW., Washington, DC 20503.
 - Hand Delivery: EPA Docket Center, EPA West Building, Room 3334, 1301 Constitution Ave., NW, Washington DC, 20004. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

More Information

- For more information on GHG emissions from transportation, go to: <http://epa.gov/otaq/climate/>
- Further information on this action and other background information is available at: <http://epa.gov/climatechange/>