

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING THE AIR)	RESOLUTION NO. 17-4816
QUALITY CONFORMITY DETERMINATION)	
FOR THE 2018-2021 METROPOLITAN)	Introduced by Councilor Craig Dirksen
TRANSPORTATION IMPROVEMENT)	
PROGRAM)	

WHEREAS, clean air contributes to the health of Metro residents and their quality of life; and

WHEREAS, the federal Clean Air Act and other federal laws and regulations, including 40 Code of Federal Regulations (CFR) 93.100 through CFR 93.129, contain air quality standards designed to ensure federally supported activities meet air quality standards; and

WHEREAS, the federal standards apply to on-road transportation plans, programs and activities in the Metro area; and

WHEREAS, Oregon Administrative Rules Chapter 340, Division 252, Transportation Conformity, was adopted to implement section 176(c) of the federal Clean Air Act, as amended, and these rules also apply to Metro area on-road transportation plans, programs and activities; and

WHEREAS, these federal and state regulations require metropolitan planning organizations (MPOs) to conduct an air quality conformity determination with each update of the regional transportation plan (RTP), the development of each metropolitan transportation improvement program (MTIP) or when substantial amendments are made to the RTP or MTIP; and

WHEREAS, a new MTIP was developed over the course of 2016-2017 to reflect the funding allocation for federal fiscal years 2018 through 2021; and

WHEREAS, an air quality conformity analysis was conducted according to state and federal laws and regulations, and through consultation with local, state, and federal agencies for the 2018-2021 MTIP; and

WHEREAS, as part of the analysis, federal, state, and local partners, through the Transportation Policy Alternatives Committee (TPAC) approved utilizing the regional emissions analysis results from the 2014 RTP for the purpose of conducting the air quality conformity determination; and

WHEREAS, through project review a number of the transportation projects identified within the 2018-2021 MTIP are exempt from air quality conformity analysis; and

WHEREAS, for those projects which are not exempt, the Air Quality Conformity Determination for the 2018-2021 MTIP are consistent with what was assessed as part of the 2014 RTP and demonstrates the timing and design of the projects included in the 2018-2021 MTIP can be built and the resulting total transportation emission to be substantially less than the motor vehicle emissions budgets, or maximum transportation source emissions levels; and

WHEREAS, analysis of the transportation projects in the financially constrained 2018-2021 MTIP demonstrates compliance with the three identified transportation control measures; and

WHEREAS, a formal public comment period was held from April 24 – May 23, 2017 and staff responded to thematic comments pertaining to the air quality determination accordingly, as shown in Appendix J of Exhibit A; and

WHEREAS, the Transportation Policy Advisory Committee recommended approval of this legislation to JPACT at the June 30, 2017 meeting; and

WHEREAS, the JPACT recommended approval of this legislation at the July 20, 2017 meeting; now therefore

BE IT RESOLVED the Metro Council hereby:

1. Adopts the recommendation of JPACT and approves the Air Quality Conformity Determination for the 2018-2021 MTIP attached to this resolution as Exhibit A.
2. Directs the Chief Operating Officer to submit the Air Quality Conformity Determination for the 2018-2021 MTIP to the U.S. Environmental Protection Agency for review and the Federal Highway Administration and Federal Transit Administration for approval.

ADOPTED by the Metro Council this ____ day of July 2017.

Tom Hughes, Council President

Approved as to Form:

Alison R. Kean, Metro Attorney