

Air Quality Subcommittee (AQS) Meeting Notes

May 10, 2018

Attendees

Kwame Arhin, FHWA (teleconference)
Ian Beam, MDOT (teleconference)
Gregory Becoat, EPA
Kevin Black, FHWA (teleconference)
Terri Brixen, Resident
Alex Brun, MDE (teleconference)
Sara Calcinore, EPA
Lauren DeVore, DNREC
Tony Di Giacomo, Cecil County
Mike DuRoss, DelDOT (teleconference)
Lindsay Donnellon, FHWA (teleconference)
Heather Dunigan, WILMAPCO
Gary Greening, MDOT (teleconference)
Jolyon Shelton, DNREC
Bill Swiatek, WILMAPCO
Colleen Turner, MDOT (teleconference)

Acceptance of the notes from the April 12 Meeting

- See: www.wilmapco.org/aqs
- The notes were accepted without corrections or clarifications.

2015 Ozone Designations and 1997 Ozone Designations – G. Becoat

- Mr. Becoat began the discussion by informing everyone that the original 2015 ozone designations were in November of 2017. The designations were for all the areas that the EPA determined would be in attainment and attainment unclassifiable. The recent designations occurred on April 30th 2018 where the other 51 areas within the 22 states were not designated in the first round of designations (November 16th, 2017). These recent designations include Philadelphia, Wilmington, Atlantic City, Maryland area, which was designated marginal (including Cecil Co. and New Castle Co.). Marginal classification means, that within 3 years of the effective date of the standard (60 days) is the attainment date. June 30th, 2021 would be the attainment date for the area.
- From the transportation and conformity stand point, you have a year from the effective date, (June 30th, 2019) to conform to the new standard and you must include the attainment date (2021) within the analysis year.
- Mr. Swiatek asked if that would be the first year tested. Mr. Becoat confirmed that it would be the first year. Mr. Shelton asked when conformity is demonstrated does it

represent the MOVES model. Mr. Becoat confirmed that it does represent the MOVES model.

- Mr. Becoat gave a quick summary about the history of the 1997 Ozone designations because of the recent *South Coast Air Quality Management District v. EPA* ruling. When EPA came out with the designations implementation rule in 2008 there was a portion of the rule that said if the area was in maintenance for the 1997 standard and attaining the 2008 standard that they would no longer have to show conformity for the 1997 ozone standard. The EPA had a lot of areas throughout region 3 -- 22 areas -- that no longer had to show conformity because they were following this rule. The EPA has been operating on these rules since July 2015. Unfortunately, EPA lost the case. Those 22 areas must perform transportation conformity. EPA submitted a petition for a rehearing for the court case. EPA included letters of how the areas would be significantly impacted because of the 1997 standard coming back into effect. The biggest concern for many of the areas participating in conformity again is that their budgets rely on MOBILE6.2 (previous model before MOVES). The problem with using MOBILE6.2 is that its outputs are lower than the MOVES model outputs. This raises concern because if areas relied on MOBILE6.2 and had to analyze 2021 as a year (with MOVES) they may not pass budgets in place.
- Currently, EPA is looking to the Office of Transportation and Air Quality (OTAQ) for guidance to deal with what they call orphan areas (areas that didn't need conformity and now do). In the case of WILMAPCO, it is not an orphan area and all that needs to be performed is an analysis with the 1997 Ozone budget. Dover/Kent County MPO, however, is one of the orphan areas. Luckily, their budget was developed with MOVES.
- Mr. Becoat presented a question: "When does that clock start where we have to show that we're conforming to the standard?" Mr. Becoat answered his question by telling everyone that as of right now it's the date the court hearing came out. EPA's hope is that they get a stay because of the rehearing; in turn this will buy more time. Mr. Becoat said that it will take a couple months to receive that decision. EPA is looking at things case by case. For each area, the EPA is reviewing the last time a transportation conformity was completed, what budgets they used, and what model they used. This information is then given to OTAQ to determine guidance to address each area.
- Mr. Swiatek reassures AQS that with the document in the fall, WILMAPCO will be including 2021 as an analysis year, and showing the 1997 standard as a test.
- Ms. Turner asked if attainment is based on years 2018, 2019, 2020 because 2021 won't have a full ozone season? Ms. Turner also asked if there would be any guidance developing maintenance plans if the court case sticks. Mr. Becoat said he didn't have an answer to that and doesn't know if there is any guidance to come. Lastly, Ms. Turner asked if areas should have to include a qualitative statement in conformity that says areas also meet the 1997 standard. Mr. Becoat informed her that you should include a statement.
- Mr. Becoat informed everyone that if anybody needs something, to reach out to him.

- Mr. Shelton asked if an area doesn't have the resources to run a conformity analysis what happens? Mr. Becoat informed him that conformity lapse would take place, and that they have a one-year grace period.

Update: Draft Maryland CMAQ Performance Measurement- B. Swiatek/C. Turner

- Mr. Swiatek began with a quick summary about what happened during the last meeting. Maryland Department of Transportation (MDOT) gave a presentation on their CMAQ on- road mobile source emissions targets that were set for the performance measurement requirements for FHWA. Concerns were raised about general issues with CMAQ spending in Cecil County, and how all recent funding went to roundabout projects without WILMAPCO's knowledge. The last month has been spent trying to figure out what happened with the spending.
- Yesterday WILMAPCO participated in a call with MDOT to try and sort out a path moving forward that can be mutually agreed upon. WILMAPCO is trying to encourage MDOT to have a little more diversification in the spending of CMAQ money.
- Mr. Swiatek referred to a distributed handout that described a list of potential CMAQ projects in Cecil County based on projects that were submitted as priorities by the county and towns of Perryville and North East. MDOT agreed that they would like to see more diversification of the program moving forward; having projects that produce better emissions benefits in Cecil County.
- What was not agreed upon was the performance target. MDOT is firm in wanting to keep targets based on historical trends. This means that the roundabout projects would be the basis for the CMAQ targets in Cecil County. Whereas WILMAPCO feels the target should be based on future bike/ped projects or transit projects. This disagreement has led WILMAPCO to look at setting their own performance target for Cecil County for CMAQ based on potential future targets. Ms. Dunigan agreed with Mr. Swiatek.
- Ms. Brixen asked a question about the roundabouts, and what the discussion was behind them? Ms. Dunigan believes that they were done as safety projects. Originally roundabout projects were supposed to be funded by the state, not CMAQ.
- Ms. Turner said historical data was the best methodology for moving forward because they don't know what projects are going to be funded through CMAQ in the future. Ms. Turner pointed out that accuracy will be debatable. MDOT believes there will be a very small differential in target settings between MDOT's method and WILMAPCO's proposed method.
- Mr. Swiatek informed everybody that WILMAPCO compiled the list of projects to show that there have been projects submitted by the county and other local governments for funding that would be CMAQ eligible, and they have a better emissions/financial cost benefit ratio (according to FHWA) than roundabouts. Roundabouts are important for other reasons, such as safety, but the main question is what is the best use of CMAQ money and whether it supports air quality beneficial projects. Mr. Swiatek reassured the group that he would keep everybody informed regarding WILMAPCO's methodology.

Mr. Swiatek agrees with MDOT's concern in not setting the bar too high with potential projects and then not being able to fund the projects in the future.

- Ms. Dunigan said the Air Quality Subcommittee (AQS) does provide guidance to TAC/Council on the selection of CMAQ funded projects.
- Ms. Turner said that in Maryland the county decides what projects they would like to submit through priority letters to MDOT.
- Ms. Dunigan said that WILMAPCO can list the projects that are currently listed as group projects in the TIP; which would be limited to the 40, 272 and bus transit.
- Mr. Swiatek updated Mr. Beam, who joined the call, about the current situation saying that the AQS is trying to put together a list of projects that are in the CTP or have been submitted by the priority letters. These projects need to be CMAQ eligible for MDOT to consider using CMAQ funds in the future. Ultimately MDOT has the authority to select the projects, but WILMAPCO wants to help select the best projects from an AQ perspective.
- Ms. Turner believes there needs to be a follow-up with Cecil County and WILMAPCO to discuss this. She believes the projects need to come directly from the county and not through WILMAPCO.

Draft Delaware CMAQ Performance Measurement- M. DuRoss

- Mr. DuRoss said for the past couple of months, Delaware has been working on the on-road mobile source emissions estimates that are needed for CFR 490.807 subpart H. Delaware has tried to develop emissions estimates for three sets of projects. The first is state fiscal 2017, those emissions estimates are needed for the FHWA online CMAQ reporting system. These estimates were due March 1st; they were finished in April but haven't been put in the system yet. The second set of emissions estimates is the state fiscal 2018-2021 emissions, these are needed for the performance management three on-road two-and four-year targets that are due next Friday (May 18th, 2018). The two-year target is 2019, and the four-year target is 2021. The third set is from the capital program, an estimate of the CMAQ spending by category for fiscal 2022, 2023, and 2024. DelDOT is trying to line up all three sets of emissions to get the best picture of the potential reductions across the six-or seven-year period. DelDOT's goal is to use the federal highway CMAQ emissions tool kit wherever possible. The problem DelDOT is facing is that the tool kit applies to about half of the projects. For the second half, they need to come up with off-network emissions estimates; many of those would have been called qualitative emissions reductions. Details are trying to be collected from project managers and the finance division so that DelDOT can attempt to develop a quantitative estimate.
- For projects where DelDOT doesn't have the specificity, they will try to provide an estimate based upon a typical project. In the 2017-2024 CMAQ funding, the main categories of projects were state wide trails, bike and ped projects, ride sharing, traffic mitigation, and industrial track. Today, DelDOT has the estimates for the first half of the projects for the 2018-2021 group. They can use the tool kit or clearly develop an off-network estimate. For the two-year target of 2019 most of the projects are known, and

DelDOT feels comfortable with this reduction. Over the next week, DelDOT needs to work on the fiscal 2020 and 2021 categories related to bike/ped projects and the transportation management improvements. The funds are identified for those out years, but they don't have the specific knowledge of exactly where the funds will go.

- For the four-year target, DelDOT is working through how they can generate a target, which is reasonable versus a potential trend based upon an illustrative type of project reduction. For 2021, DelDOT is going to have to make some assumptions to develop a target; it is uncertain at this time and will most likely change. In the fiscal 2017-2024 spreadsheet from the finance group, the CMAQ spending did include the WILMAPCO score. DelDOT has tried generating the estimates for the last 3 years of the CTP; the fiscal 2022-2024.
- Mr. Swiatek asked Mr. DuRoss if the detailed project emissions benefits would influence the type of projects that are selected. Mr. DuRoss believes that it could, pointing out the importance of their finance department including the WILMAPCO score in their spreadsheet. His concern, however, is getting the targets done by next week. Mr. DuRoss cautioned the group, that the estimates from the projects are relatively small in comparison to the overall mobile source budget. As of now, DelDOT is trying to determine the implications of hitting or missing the targets.
- Mr. Swiatek asked if Mr. DuRoss could highlight the pedestrian element from the Christina River Bridge project next month when he presents a full picture of the DelDOT CMAQ target. FHWA said they needed to see an analysis showing that this project produced an emissions benefit, as it has been flagged by the AQS as a concern for potentially not doing so.

Draft 2050 RTP – B. Swiatek

- Mr. Swiatek summarized that the importance of the Regional Transportation Plan (RTP) is WILMAPCO's principal plan that comes up with strategic policies, goals, and objectives for the region. The RTP also lists the major transportation projects to undertake in the next decade; containing a constrained list and an aspiration list. The RTP is updated every four years, the next one is due in March 2019. The schedule is looking at viewing some of the background material, this includes projects from the last regional progress report (from last year) that showed progress from the past RTP and the ability to meet different actions.
- Mr. Swiatek then discussed the results of a telephone public opinion survey from residents of New Castle and Cecil Counties. Questions involved asking the residents about their feelings about transportation, land use, etc. This survey gives WILMAPCO a sense of how the public is thinking about the transportation system.
- WILMAPCO is currently doing agency outreach through the TAC. Project lists are being developed based on projects WILMAPCO has worked on in the past few years that they would like to see funded. In August, WILMAPCO will be starting the Air Quality Conformity Analysis for their RTP as well as some of the scenario planning for the

- technical analysis that can happen with the document. Public outreach will start during the summer and continue until the document is adopted in March 2019.
- The strategic policy of the RTP is based on WILMAPCO's three goals. Each goal contains several objectives, under the objectives are actions, and each action has one or more performance measures.
 - Overall, 50% of actions proceeded well and had green lights in the 2017 Progress Report. 29% had yellow lights; these actions had some progress but not full. 21% of the actions had red lights; they did not progress well. Red lights are going to be focused on to see if they should change to help make them happen in the future.
 - Moving forward, WILMAPCO wants to focus more on driving development into Center Transportation Investment Areas (TIAs) and expanding what is considered a Center (or similar) TIA in 2050 RTP. This would require: "opening the box" on how they define transportation areas. A meeting is set with New Castle County to discuss and look at Core TIAs (I-95 corridor) to see if suburban centers can be identified within them.
 - Another example of a change is looking at supporting high technology transit and highway projects; this was given a yellow light. Mr. Swiatek believes that having much more language in the 2050 RTP to reflect the transportation changes is important. With this mindset, specific measures need to be looked at, like the improvement of transit system performance, autonomous vehicle, and connected vehicle preparation.
 - Mr. Swiatek discussed the strengthening of sub regional plans. Although it received a green light in the last report, WILMAPCO would still like to strengthen the studies and have public participation. WILMAPCO wants to consider autonomous vehicles, natural and cultural resource protection, and multimodal connectivity to healthy affordable foods, employment and services in all their future studies as a requirement.
 - Another key change would be a requirement to use all the WILMAPCO project prioritization processes to select projects for funding. WILMAPCO believes that their project prioritization should be used to select projects. WILMAPCO would like to add in processes for selecting the Transportation Alternatives Program (TAP) and CMAQ projects, in addition to the overall process. The TAP was reviewed in the progress report and found that in one year it wasn't using the WILMAPCO process to select projects.
 - Environmental actions to be included in the draft 2050 RTP include adapting to climate change impacts such as sea level rise and storm flooding. WILMAPCO would like to exceed their transportation conformity standards; funding CMAQ projects with the greatest air quality benefits. In terms of performance measures, they're mostly unchanged from the 2017 progress report. In the draft 2050 RTP, as the federal performance measures come online they need to be identified where they're appropriate in the actions. WILMAPCO would also like to look at the technical scores of the aspirational projects; which hasn't been done since the last RTP update.
 - WILMAPCO has had early coordination with different agencies to try and develop a project list. Several sub regional projects have been completed like the Glasgow Avenue Study,

Route 9 Master Plan, and North Claymont, etc. These projects will be given different technical scores.

Other Business

- Mr. Becoat mentioned that the NTAQS conference is being actively planned. It is set for August 7 and 8 in Newark, New Jersey. More information:
<https://www.northeastdiesel.org/pdf/ntaqs-flyer18.pdf>

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