



Item #4 Action

Regional Planning Partnership

September 21, 2011

Proposal from Ad-hoc Subcommittee to Improve Process for Determining Projects of Air Quality Concern

Issue: Should the Partnership create a subcommittee and delegate authority to it to review and take action on Project of Air Quality Concern (POAQC) determinations and hot spot analyses and establish a process by which the subcommittee will approve POAQCs?

Recommendation: That the Partnership establish the Project Level Conformity Group (PLCG), a subcommittee tasked with reviewing and taking action on PM_{2.5} and PM₁₀ POAQC determinations and hot spot analyses.

Discussion: The Partnership formed an ad-hoc subcommittee in May 2011 to review the current process for determining POAQCs and recommend improvements. The subcommittee evaluated the practices in other regions, reviewed the current SACOG process, and now recommends the following improvements:

1. Form a standing subcommittee to review and act on POAQC determinations.
2. Revise submittal, review, and approval procedures.
3. Create a project-level conformity webpage.
4. Improve the standard form and accompanying instructions.
5. Annually, remind project sponsors of the POAQC determination process.

Attachment A summarizes changes proposed by the subcommittee. Upon conceptual approval of these changes by the RPP, staff will create a POAQC packet for the RPP's review and approval at the October meeting. The packet will include procedures for handling POAQC determinations in Eastern Solano County.

JLC:gg
Attachment

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POAQC & Hot-Spot Analysis Process Highlights

The Regional Planning Partnership (RPP) Project Level Conformity Group is tasked with reviewing and deciding Project of Air Quality Concern (POAQC) determinations and hot-spot analyses. The Project Level Conformity Group is open to all interested parties, with membership confirmed by the RPP. This initial membership list below is consistent with the membership of other similar bodies in California.

Federal rules require that POAQC determinations and hot-spot analyses go through “interagency consultation.” The RPP charge states that the purpose of the RPP is “to assist SACOG with its transportation and air quality planning and programming processes, with an emphasis on technical issues, by providing consultation... The Partnership exists to help meet the inter-agency consultation requirements of both [SAFETEA-LU] and the Federal Clean Air Act.” The Partnership charge also allows for the creation of subcommittees to help carry out that charge. “The Partnership may establish such subcommittees, task forces, or study groups as it deems appropriate to carry out its charge.”

Initial Subcommittee Membership

- ARB
- Caltrans
- EDCTC
- EDAQMD
- EPA
- FRAQMD
- FHWA
- FTA
- PCTPA
- Placer County APCD
- SACOG
- SMAQMD
- Yolo-Solano AQMD

A. Process

1. Submit Form

Using the “Instructions for POAQC Determination,” the project sponsor determines if its project requires a POAQC determination. If it does, the sponsor sends the completed POAQC form to SACOG, allowing two weeks for review and approval. Alternatively, if the sponsor concludes that its project is a POAQC, the sponsor may elect to skip the POAQC process and submit a project-level hot-spot analysis to the subcommittee.

2. Review

SACOG staff does a cursory review. Next it forwards the form via email to the members of the Project Level Conformity Group for 14 days of review. (SACOG staff tracks the project in a spreadsheet to record when review begins and ends as well as when action takes place.)

3. Comments, Questions, and Approval

During the 14-day review period, the Project Level Conformity Group may make comments, ask questions, and request more information. The Project Level Conformity Group may also arrange special telephone conferences, as needed. Although individual reviewers may informally contact the project sponsor directly, they will send official comments and questions through the subcommittee membership email list.

- a. If no comments or questions are made, the project is automatically approved on the 15th day, with written email confirmation from EPA and either FHWA, for a project categorized under federal consultation process 6005, or Caltrans, in the case where the project falls under 6004.
- b. In the case of formal comments or questions, the project sponsor will address them promptly to ensure speedy approval.
- c. Although all members of the Project Level Conformity Group may comment on a project, actual approval of a POAQC determination or a Hot-Spot Analysis can only be decided by EPA and either FHWA or Caltrans in the case of a 6005 or 6004 categorized project, respectively.
- d. At their discretion, EPA, and FHWA (or Caltrans in the case of a 6004 C.E. project) may approve a project sooner than 15 days, cutting short the review period.

4. Disagreement

If approval by EPA and FHWA/Caltrans (see above) is not reached through this process—or for any reason—the project sponsor may choose one of the following options:

- a. Escalate the decision to the full Partnership.
- b. Perform a hot-spot analysis (in lieu of pursuing a POAQC determination).

5. Follow-up

- a. SACOG posts the action and documentation online.
- b. Quarterly, the Project Level Conformity Group presents status updates to the RPP and reminds the RPP that membership is open to anyone, with membership confirmed by the RPP.

B. Webpage

SACOG maintains a webpage dedicated to POAQC and Hot Spot Analysis. The website includes projects, forms, guidance, and past decisions.

C. Advance Notification

SACOG will annually notify project sponsors to remind them of the POAQC process.

D. Procedure for Handling Project of Air Quality Concern Determinations for Eastern Solano County

- a. The Eastern Solano County cities of Vacaville, Dixon, and Rio Vista fall within both the Yolo-Solano Air Quality Management District (YSAQMD) boundary and the Sacramento Federal Nonattainment Area. Because Eastern Solano County is in the Sacramento Nonattainment Area, it is linked to the SACOG region for purposes of air quality conformity.
- b. Eastern Solano County projects go through Metropolitan Transportation Commission's (MTC) interagency consultation body, the Air Quality Conformity Task Force, for POAQC determinations.

- c. YSAQMD will, on a quarterly basis, provide an update to SACOG's RPP on determinations made for projects in the Eastern Solano County region.
- d. Additionally, YSAQMD will, on an as-needed basis, determine if an individual project needs to be presented to both MTC's Air Quality Conformity Task Force and SACOG's RPP Project Level Conformity Group.