

CONFORMITY LAPSE GRACE PERIOD

**STATUS OF THE 2022 TRANSPORTATION CONFORMITY FOR:
MOBILITY 2045 – 2022 UPDATE, AND
2023-2026 TRANSPORTATION IMPROVEMENT PROGRAM**



RTC
Regional Transportation Council

**DECEMBER 12, 2022 PUBLIC MEETING
JENNY NARVAEZ, PROGRAM MANAGER**

2022 TRANSPORTATION AIR QUALITY CONFORMITY ANALYSIS

PURPOSE

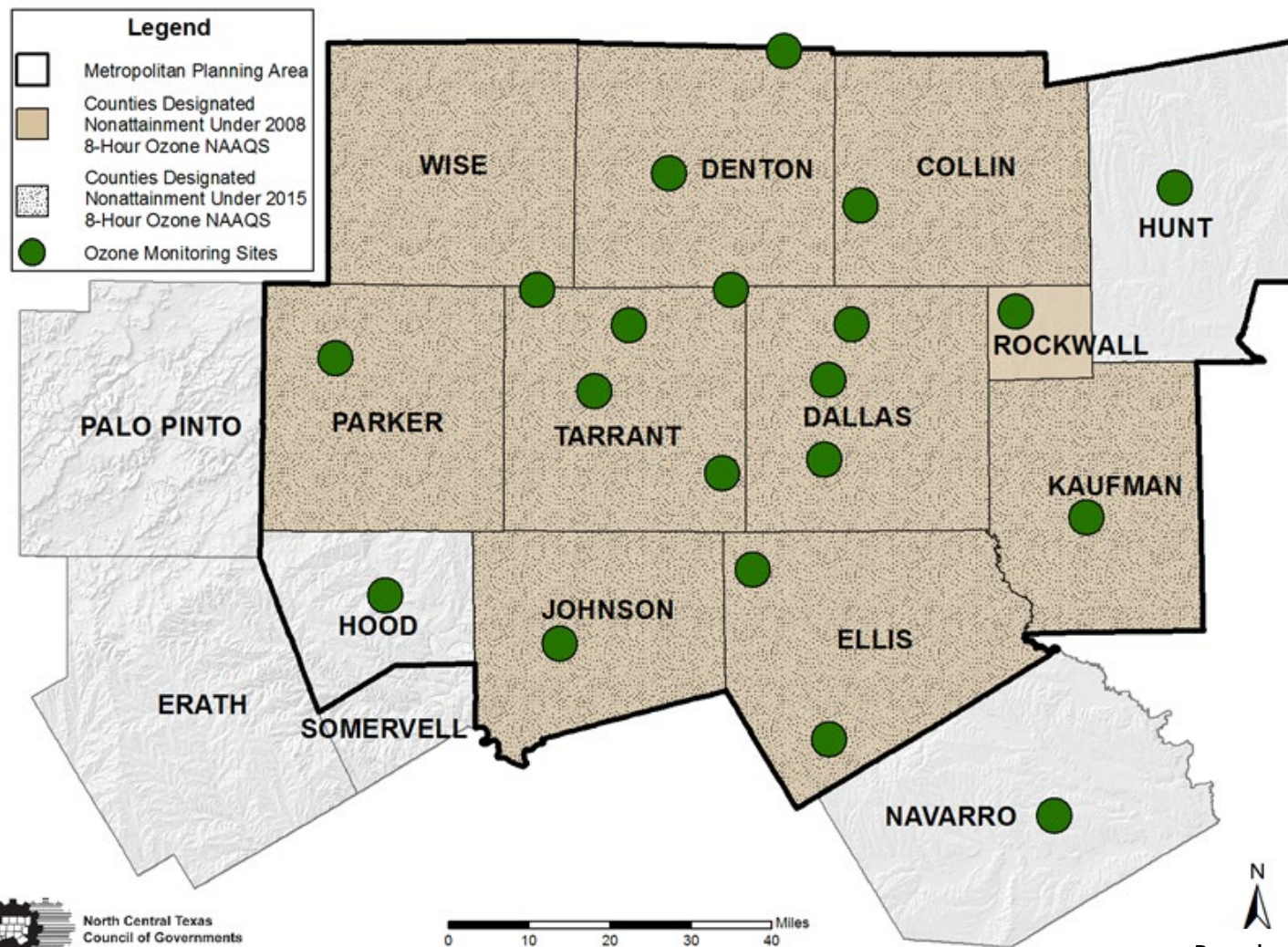
Required by Federal Legislation

Demonstrates that projected emissions from transportation projects are within emission limits (Motor Vehicle Emissions Budgets) established by the State Implementation Plan (SIP)

Ensures federal funding and approval is applied to transportation projects that are consistent with air quality planning goals

2022 TRANSPORTATION AIR QUALITY CONFORMITY ANALYSIS

Nonattainment Areas Under the 8-Hour Ozone Standards



2022 TRANSPORTATION AIR QUALITY CONFORMITY ANALYSIS

REASONS AND HIGHLIGHTS

New Metropolitan Transportation Plans (MTPs) and Transportation Improvement Programs (TIP) **must be found to conform** before being accepted by the U.S. Department of Transportation

- Mobility 2045 (previous plan)

 - Adopted by the Regional Transportation Council (RTC) on June 14, 2018

 - Achieved USDOT Transportation Conformity Determination on November 21, 2018

SCENARIOS

Conformity Demonstration Against Current Motor Vehicle Emissions Budgets, **OR**
Conformity Demonstration Against Anticipated Motor Vehicle Emissions Budgets

ANALYSIS YEARS

2023, 2026, 2036, and 2045

FEDERAL REGULATIONS ON LAPSE GRACE PERIOD

Occurs if a conformity determination is not made according to required frequency requirements

Areas have a one-year grace period after missed deadline before a conformity lapse begins

During the 12-month grace period, only transportation projects in the most recent conforming MTP and TIP can be funded or approved

If a conformity determination is not made by the end of the one-year grace period, Mobility 2045 and 2023-2026 TIP enter a conformity lapse

During a conformity lapse, 3 types of projects may be funded:

- Exempt projects (ex. safety, air quality, certain transit)

- Transportation Control Measures in the State Implementation Plan

- Any projects that were approved prior to the conformity lapse

TIMELINE

June 9, 2022 – RTC Approval (allowing for 90-day consultation review of document)

June 15, 2022 – Documentation Submittal to **Consultation Partners**

July 5, 2022 – Supplemental Information Sent to Consultation Partners

October 7, 2022 – Federal Highway Administration (FHWA) Informally Communicates Lapse Grace Period

October 7, 2022 – First Installment of Comments from FHWA Received

November 3, 2022 – NCTCOG Replies to All Received Comments

November 17, 2022 – FHWA Formally Communicates Lapse Grace Period

November 22, 2022 – One-Year Conformity Lapse Grace Period Initiated

December 8, 2022 – FHWA Communicates Priority and Schedule

INTERAGENCY CONSULTATION PARTNERS

AGENCIES PREPARED TO ROUTE CONFORMITY APPROVAL LETTERS



Environmental Protection Agency – Region 6



Texas Commission on Environmental Quality



Texas Department of Transportation



US Department of Transportation

Federal Highway Administration

Federal Transit Administration

NEXT STEPS TOWARDS DETERMINATION

- FHWA Approval of 2023-2026 STIP – November 18, 2022
- FHWA Review of DFW Conformity Analysis
- NCTCOG Responds to FHWA Comments
- USDOT Determination*

***Before November 22, 2023 to avoid Conformity Lapse, but as soon as possible to minimize project delays and associated cost increases.**

CONTACT US



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