

Appendix F: Clean Air Act Conformance
Conformity Documentation of the amended 2030 Metropolitan Council
Transportation Policy Plan to the 1990 Clean Air Act Amendments
July 3, 2012

The United States Environmental Protection Agency's (EPA's) *40 CFR PARTS 51 and 93*, referred to together with all applicable amendments as the "Conformity Rule," requires the Metropolitan Council (the Council) to prepare a conformity analysis of the region's *Transportation Policy Plan* (the Plan), as well as the *Transportation Improvement Program* (TIP). Based on an air quality analysis, the Council must determine whether the Plan conforms to the requirements of the 1990 Clean Air Act Amendments (CAAA) with regard to National Ambient Air Quality Standards (NAAQS) for mobile source criteria pollutants. Under consultation procedures developed by the Minnesota Interagency and Transportation Planning Committee, the MPCA reviews the Council's conformity analysis before the Plan is approved for public review; a letter describing the MPCA's review is on page F-3.

Specifically, the Minneapolis/St. Paul Metropolitan Area is within an EPA-designated carbon monoxide (CO) limited maintenance area. A map of this area, which for air quality analysis purposes includes the seven-county Metropolitan Council jurisdiction plus Wright County and the City of New Prague, is shown in Exhibit B-1. The term "maintenance" reflects the fact that regional CO emissions were unacceptably high in the 1970s when the NAAQS were introduced, but were subsequently brought under control through a metro-area Vehicle Inspection and Maintenance (VIM) Program completed in the 1990s. The EPA then re-designated the area as in attainment of the NAAQS for CO in 1999 and approved a "maintenance plan" containing a technical rationale and actions designed to keep emissions below a set region-wide budget. The maintenance plan was updated in 2005, when changes to the emissions rates approved by EPA necessitated an update of the approved CO budget as well. A second ten-year maintenance plan was approved by EPA on November 8, 2010 as a "limited maintenance plan." Every long-range Plan or TIP approved by the Council must be analyzed using specific criteria and procedures defined in the Conformity Rule to verify that it does not result in emissions exceeding this current regional CO budget.

A conforming TIP and Plan, satisfying the aforementioned analysis requirement, must be in place in order for any federally funded transportation program or project phase to receive FHWA or FTA approval. This appendix describes the procedures used to analyze the amended 2030 Transportation Policy Plan and lists findings and conclusions supporting the Metropolitan Council's determination that this TIP conforms to the requirements of the CAAA.

The analysis described in the appendix has resulted in a Conformity Determination that the projects included in the amended 2030 Transportation Policy Plan meet all relevant regional emissions analysis and budget tests as described herein. The 2013-2016 Transportation Improvement Program conforms to the relevant sections of the Federal Conformity Rule and to the applicable sections of Minnesota State Implementation Plan for air quality.

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I. CONFORMITY OF THE AMENDED 2030 TRANSPORTATION POLICY PLAN: FINDINGS AND CONCLUSIONS

An analysis of the regionally significant projects listed in the Plan was prepared. The analysis included the projects listed in Tables F-1 through F-4. This analysis meets the following Conformity Rule requirements:

- *Inter-agency consultation* (§93.105, §93.112). The Minnesota Pollution Control Agency (MPCA), Minnesota Department of Transportation (MnDOT), Environmental Protection Agency (EPA), and Federal Highway Administration (FHWA) were consulted during the preparation of the Plan and its conformity review and documentation. The "Transportation Conformity Procedures for Minnesota" handbook provides guidelines for agreed-upon roles and responsibilities and inter-agency consultation procedures in the conformity process.
- *Regionally significant and exempt projects* (§93.126, §93.127). The Plan analysis includes all known federal and nonfederal regionally significant projects as defined in §93.101 of the Conformity Rule. Exempt projects not included in the regional air quality analysis were identified by the inter-agency consultation group and classified in accordance with §93.126 of the Conformity Rule.
- *Donut areas* (§93.105(c)(2)). No regionally significant projects are planned or programmed for the City of New Prague. The air quality analysis of CO emissions for Wright County is prepared by the Council as part of an intergovernmental agreement with the County, MNDOT and the Council. Four regionally significant projects were identified for Wright County to be built within the analyses period of the Plan. The projects are in the maintenance area, but are outside of the Metropolitan Council's seven-county planning jurisdiction.
- *Latest planning assumptions* (§93.110). The Council is required by Minnesota statute to prepare regional population and employment forecasts for the Twin Cities Seven-County Metropolitan Area. The published source of socioeconomic data for this region is the Metropolitan Council's *2030 Regional Development Framework*. This planning document provides the Council with socio-economic data (planning assumptions) needed to develop long range forecasts of regional highway and transit facilities needs. The latest update to these forecasts was published December 31, 2011.

Other conformity requirements have been addressed as follows:

- The Plan was prepared in accordance with the *Public Participation Plan for Transportation Planning*, adopted by the Council on February 14, 2007. This process satisfies SAFETEA-LU requirements for public involvement, in addition to the public consultation procedures requirement of Conformity Rule §93.105.
- The Plan addresses the fiscal constraint requirements of 23 CFR Section 450.324 and Section 93.108 of the Conformity Rule. Chapter 3 of the TIP documents the consistency of proposed transportation investments with already available and projected sources of revenue.
- The Council certifies that the Plan does not conflict with the implementation of the SIP, and conforms to the requirement to implement the Transportation System Management Strategies which are the adopted Transportation Control Measures (TCMs) for the region. All of the adopted TCMs have been implemented.
- The Plan includes the 2013-16 TIP projects. Moreover, any TIP projects that are not specifically listed in the Plan are consistent with the policies and purposes of the Plan and will not interfere with other projects specifically included in the Plan.
- There are no projects which have received NEPA approval and have not progressed within three years.
- Although a small portion of the Twin Cities Metropolitan Area is a maintenance area for PM-10, the designation is due to non-transportation sources, and therefore is not analyzed herein.

II. CONSULTATION PROCEDURES

A. PUBLIC INVOLVEMENT PROCESS

The Council remains committed to a proactive public involvement process used in the development and adoption of the plan as required by the Council's Public Participation Plan for Transportation Planning. The Public Participation Plan is in Appendix D of the 2030 Transportation Policy Plan (revision adopted February 14, 2007) and complies with the public involvement process as defined in 23 CFR 450.316 and the SAFETEA-LU requirements of Title 23 USC 134(i)(5), as well as the most current revisions to the Conformity Rule.

In addition to the Public Participation Plan, the Council continues to develop, refine and test public involvement tools and techniques as part of extensive ongoing public involvement activities that provide information, timely notices and full public access to key decisions and supports early and continuing involvement to the development of plans and programs. For example, open houses, comment mail-in cards, emails, letters, internet bulletin board, voice messages and notices on its web site are used to attract participation at the open houses, disburse informational materials and solicit public comments on transportation plans.

B. INTERAGENCY CONSULTATION PROCESS

An interagency consultation process was used to develop the TIP. Consultation continues throughout the public comment period to respond to comments and concerns raised by the public and agencies prior to final adoption by the Council. The Council, MPCA and MnDOT confer on the application of the latest air quality emission models, the review and selection of projects exempted from a conformity air quality analysis, and regionally significant projects that must be included in the conformity analysis of the plan. An interagency conformity work group provides a forum for interagency consultation. The work group has representatives from the Council, MPCA, MnDOT, EPA and the FHWA. An interagency meeting was held on July 1, 2012 to consult during the preparation of the Plan document. Ongoing communication occurred along with periodic meetings, draft reports, emails and phone calls.

III. PROJECT LISTS AND ASSUMPTIONS

Definition of Regionally Significant and Exempt Projects

Pursuant to the Conformity Rule, the projects listed in the 2013-2016 TIP and Plan were reviewed and categorized using the following determinations to identify projects that are exempt from a regional air quality analysis, as well as regionally significant projects to be included in the analysis. The classification process used to identify exempt and regionally significant projects was developed through an interagency consultation process involving the MPCA, EPA, FHWA, the Council and MnDOT. Regionally significant projects were selected according to the definition in Section 93.101 of the Conformity Rules:

Regionally significant project means a transportation project (other than an exempt project) that is on a facility which serves regional transportation needs (such as access to and from the area outside of the region, major activity centers in the region, major planned developments such as new retail malls, sports complexes, etc., or transportation terminals as well as most terminals themselves) and would normally be included in the modeling of a metropolitan area's transportation network, including at a minimum all principal arterial highways and all fixed guideway transit facilities that offer an alternative to regional highway travel.

Junction improvements and upgraded segments less than one mile in length are not normally coded into the Regional Travel Demand Forecast Model (RTDFM), and therefore are not considered to be regionally significant, although they are otherwise not exempt. The exempt air quality classification codes used in the "AQ" column of project tables of the TIP are listed in Exhibit F-4. Projects which are classified as exempt must meet the following requirements:

1. The project does not interfere with the implementation of transportation control measures.
2. The project is segmented for purposes of funding or construction and received all required environmental approvals from the lead agency under the NEPA requirements including:
 - a. A determination of categorical exclusion: or
 - b. A finding of no significant impact: or
 - c. A final Environmental Impact Statement for which a record of decision has been issued.
3. The project is exempt if it falls within one of the categories listed in Section 93.126 in the Conformity Rule. Projects identified as exempt by their nature do not affect the outcome of the regional emissions analyses and add no substance to the analyses. These projects are determined to be within the four major categories described in the conformity rule.
 - a. Safety projects that eliminated hazards or improved traffic flows.
 - b. Mass transit projects that maintained or improved the efficiency of transit operations.
 - c. Air quality related projects that provided opportunities to use alternative modes of transportation such as ride-sharing, van-pooling, bicycling, and pedestrian facilities.
 - d. Other projects such as environmental reviews, engineering, land acquisition and highway beautification.

2013-2016 Transportation Improvement Program

The inter-agency consultation group, including representatives from MnDOT, FHWA, MPCA, EPA, and the Council, reviewed the list of projects to be completed by the 2013-2016 TIP timeframe, including the following:

- In-place regionally significant highway or transit facilities, services, and activities;
- Projects selected through the Council's Regional Solicitation process;
- Major Projects from MnDOT's ten-year work program; and

- Regionally significant projects (regardless of funding sources) which are currently:
 - under construction, or;
 - undergoing right-of-way acquisition, or;
 - come from the first year of a previously conforming TIP (2011-2014), or;
 - have completed the NEPA process.

Each project was assigned to a horizon year (2015 or 2020) and categorized in terms of potential regional significance and air quality analysis exemption as per Sections 93.126 and 93.127 of the Conformity Rule, using the codes listed in this Appendix. The resulting list of regionally significant projects for 2015 and 2020 is shown in Tables F-1 through F-2.

Table F-4 contains a list of regionally significant projects selected by TAB from the 2012 Regional Solicitation. These projects are scheduled to be amended into the TIP for 2015-2016 in January 2013. The conformity determination in this analysis applies whether these projects are included or not.

2030 Transportation Policy Plan

The inter-agency consultation group also reviewed projects to be completed before 2030 but not within the 2013-2016 TIP timeframe, including the project types listed above, as well as regionally significant planned projects in the TPP and other regionally significant projects, regardless of funding source. Each project was assigned to a horizon year (2015, 2020, or 2030) and categorized in terms of potential regional significance and air quality analysis exemption as per Sections 93.126 and 93.127 of the Conformity Rule, using the codes listed in this Appendix. The resulting list of regionally significant projects for 2015, 2020 and 2030 is shown in Tables F-1 through F-3

Wright County and City of New Prague Projects

A significant portion of Wright County and the City of New Prague are included in the Twin Cities CO maintenance area established in October 1999. However, since neither the county nor the cities are part of the Seven County Metropolitan Area, Wright County and New Prague projects were not coded into the Seven-County regional transportation model. However, Wright County and New Prague projects are evaluated for air quality analysis purposes, and the emissions associated with the regionally significant projects identified are added to the Seven-County region's emissions total. No regionally significant projects are currently planned or programmed for the City of New Prague during the time period of this plan. Three Wright County projects were considered in the regional air quality analysis:

- TH 25: Construct 4 lane from Buffalo to start of 4 lane south of I-94 in Monticello
- I-94: Add WB C-D road between CSAH 37 and CSAH 19 interchanges in Albertville.
- I-94: Add WB auxiliary lane between CSAH 18 interchange and TH 25 interchange in Monticello

Route	Description	Agency	MNDOT Project Number/Comments
TH 25	TH 55 IN MONTICELLO TO I-94 IN BUFFALO, WRIGHT CO. - RECONSTRUCT TO 4 LANES	MNDOT	8605-44
TH 23	FROM E OF ST. CLOUD TO TH 25 IN FOLEY - 2 TO 4 LANE EXPANSION	MNDOT	
I-94	ADD WB C-D ROAD BETWEEN CSH 37 ND CSAH 19 INTERCHANGES IN ALBERTVILLE. INCLUDES WB OFF RAMP FOR CSAH 19	MNDOT	8680-145
I-94	ADD WB AUXILLARY LANE BETWEEN CSAH 18 INTERCHANGE AND TH 25 INTERCHANGE IN MONTICELLO	MNDOT	8605-44
CSAH 116	SUNFISH LAKE BOULEVARD TO GERMANIUM ST - RECONSTRUCT TO FOUR LANES	ANOKA COUNTY	

Table F-1
Regionally Significant Projects
2015 Action Scenario

CSAH 23	147 TH ST TO 181 TH ST – CONSTRUCTION OF 6-LANE FACILITY, INTERSECTION UPGRADES TO ACCOMMODATE BRT BUSES ON CEDAR AVENUE	DAKOTA COUNTY	
CSAH 109	MAIN ST TO JEFFERSON HWY – CONSTRUCT 4-LANE DIVIDED ROAD	HENNEPIN COUNTY	
CSAH 17	CSAH 14 (MAIN ST) TO CSAH 116 (BUNKER LAKE BLVD) – RECONSTRUCTION TO SIX-LANE ROADWAY IN BLAINE AND FOUR-LANE ROADWAY IN HAM LAKE	ANOKA COUNTY	002-617-018
CSAH 2	19 TH ST SW TO 12 TH ST SW AND THE I-35 INTERCHANGE – RECONSTRUCTION	WASHINGTON COUNTY	
CSAH 81	TH 100 TO CSAH 10 – RECONSTRUCT TO 6-LANE URBAN DIVIDED ROADWAY	HENNEPIN COUNTY	
CSAH 96	AT TH 10 IN ARDEN HILLS-CONSTRUCT INTERCHANGE, ETC.	RAMSEY COUNTY	062-596-003
TH 7	AT LOUISIANA AVE IN ST. LOUIS PARK- CONSTRUCT INTERCHANGE ETC.	ST. LOUIS PARK	2706-226
CSAH 10	FROM VICKSBURG LANE TO PEONY LN IN MAPLE GROVE-RECONSTRUCT TO 4-LANE DIVIDED ROADWAY, TRAILS, ETC.	MAPLE GROVE	
CSAH 116	FROM CSAH 7 TO 38 TH AVE IN ANOKA & ANDOVER-RECONSTRUCT TO 4-LANE DIVIDED RDWY, PED/BIKE TRAIL, ETC.	ANOKA COUNTY	
TH 13	FROM ZINRAN AVE S TO LOUISIANA AVE S IN SAVAGE-RECONSTRUCT TH 13/101 INCLUDING AN OVERPASS FOR EB 101 TRAFFIC, ETC	SCOTT COUNTY	
TH 36	AT HILTON TRAIL IN PINE SPRINTS-RECONSTRUCT INTERSECTION	MNDOT	8204-55
TH 169/I-494	NEW INTERCHANGE CONSTRUCTION	MNDOT	2776-03B
CITY	ON GRANARY RD FROM 25 TH AVE TO 17 TH AVE SE IN MPLS-CONSTRUCT FIRST SEGMENT AS 3-LANES WITH TURN LANES, SIGNALS, LIGHTING, SIDEWALKS AND BICYCLE TRAIL	MINNEAPOLIS	141-433-02
CSAH 17	ON SCOTT CSAH 17 FROM SCOTT CSAH 78 TO SCOTT CSAH 16-RECONSTRUCT, ETC	SCOTT COUNTY	70-617-22
CSAH 5	AT TH 13 IN BURNSVILLE-CONSTRUCT INTERCHANGE, ACCESS CLOSURES, FRONTAGE RDS, ETC	DAKOTA COUNTY	19-605-28
TH 101	FROM CARVER CSAH 18(LYMAN BLVD) CSAH 14(PIONEER TR) IN CHANHASSEN-RECONSTRUCT TO 4-LN RDWY, ETC	CHANHASSEN	194-010-11
TH 149	FROM TH 55 TO I-494 IN EAGAN RECONSTRUCT FROM 4-LN RDWY TO 6-LN RDWY, TRAIL, ETC	EAGAN	195-010-10
CSAH 11	ON ANOKA CSAH 11(FOLEY BLVD) FROM 101ST TO EGRET IN COON RAPIDS-RECONSTRUCT TO 4-LN RDWY, NEW SIGNALS, TRAIL, ETC	ANOKA COUNTY	02-611-32
CSAH 18	ON CARVER CSAH 18(LYMAN BLVD) FROM CARVER CSAH 15(AUDUBON RD) TO CARVER CSAH 17(POWERS BLVD) IN CHANHASSEN-RECONSTRUCT TO 4-LN RDWY, ETC	CARVER COUNTY	10-618-13
CSAH 61	FROM CSAH 3(EXCELSIOR BLVD) TO NO OF TH 7 IN HOPKINS AND MINNETONKA- COUNTY UPGRADE TO A 4-LANE RDWY, INTERSECTION IMPROVEMENTS, ETC	HENNEPIN COUNTY	27-661-46
TH 36	FROM HAZELWOOD AVE TO TH 61 IN MAPLEWOOD-CONSTRUCT SPLIT- DIAMOND INTERCHANGE BETWEEN ENGLISH ST/TH 61, ACCESS CLOSURES, SIGNAL INSTALLATION, ETC	MAPLEWOOD	138-010-18
CSAH 51	FROM ANOKA CSAH 12 TO 121 ST AVE IN COON RAPIDS & BLAINE – RECONSTRUCT TO 4-LN ROADWAY	ANOKA COUNTY	02-651-07

Table F-1 Regionally Significant Projects 2015 Action Scenario			
I-94	EB I-94 FROM 7 TH ST EXIT TO MOUNDS BLVD- ADD AUXILLARY LANE	MNDOT	6283-175
I-494	FROM I-35W TO TH 100 IN BLOOMINGTON AND RICHFIELD- ADD AUXILLARY LANE		
CR 5	CONSTRUCT INTERCHANGE AT TH 13	CITY OF BURNSVILLE	019-605-028Scott Cty
TH 61	REPLACE MISSISSIPPI RIVER BRIDGE AND APPROACHES	MnDOT	1913-64
TH 52	REPLACE LAFAYETTE BRIDGE	MnDOT	6244-30
	CEDAR AVENUE BUS RAPID TRANSIT	METROPOLITAN COUNCIL	
	CENTRAL CORRIDOR LIGHT RAIL TRANSIT	METROPOLITAN COUNCIL	CCLRT

Table F- 2 Regionally Significant Projects 2020 Action Scenario			
Route	Description	Agency	MnDOT Project Numbers – comments
TH 36	NEW ST CROIX RIVER CROSSING	MNDOT	8217-82045
TH 610	CONSTRUCT FROM I-94 to CSAH 81		
I- 35E	FROM MARYLAND TO I-94, RECONSTRUCT WITH MNPASS LANE, RECONSTRUCT MARLYLAND AVE INTERCHANGE	MnDOT	6280-308
TH 100	FROM 36 th ST to CEDAR LAKE RD- RECONSTRUCT INTERCHANGES AND ADD AUXILLARY LANES	MnDOT	2734-33
	I-35W BUS RAPID TRANSIT	METROPOLITAN COUNCIL	
	PENN AVE BUS RAPID TRANSIT	METROPOLITAN COUNCIL	
	EMERSON-FREMONT BUS RAPID TRANSIT	METROPOLITAN COUNCIL	
	CHICAGO AVE BUS RAPID TRANSIT	METROPOLITAN COUNCIL	
	SNELLING AVE BUS RAPID TRANSIT	METROPOLITAN COUNCIL	
	EAST 7 TH ST BUS RAPID TRANSIT	METROPOLITAN COUNCIL	
	WEST 7 TH ST BUS RAPID TRANSIT	METROPOLITAN COUNCIL	
	SOUTHWEST LIGHT RAIL TRANSIT	METROPOLITAN COUNCIL	
	BOTTINEAU LIGHT RAIL TRANSIT	METROPOLITAN COUNCIL	

Table F- 3
Regionally Significant Projects
2030 Action Scenario

Route	Description	Agency	MnDOT Project Numbers - Comments
	AMERICAN BOULEVARD ARTERIAL BUS RAPID TRANSIT	METROPOLITAN COUNCIL	
	CENTRAL AVE ARTERIAL BUS RAPID TRANSIT	METROPOLITAN COUNCIL	
	NICOLLET AVE ARTERIAL BUS RAPID TRANSIT	METROPOLITAN COUNCIL	

Table F- 4
Regionally Significant Projects
Potential 2020 Action Scenario

Route	Description	Agency	MnDOT Project Numbers – comments
CSH 81	RECONSTRUCTION OF CSAH 81 FROM NORTH OF 63 RD AVE NORTH TO NORTH OF CSAH 8 IN BROOKLYN PARK TO A MULTI-LANE DIVIDED ROADWAY INCLUDING CONCRETE MEDIAN AND WITH A MUTLI-USE TRAIL	Hennepin County	
Pierce Butler	EXTENSION OF PIERCE BUTLER ROUTE ON A NEW ALIGNMENT FROM GROTTO ST TO ARUNDEL ST AT MINNEHAHA AVE AS A FOUR-LANE ROADWAY WITH BIKE LANES AND SIDEWALKS	St. Paul	
CSAH 42	RECONSTRUCTION OF CSAH 42 (FORD PKWY) IN ST PAUL FROM WEST OF HOWELL ST TO SNELLING AVE TO INCLUDE RAISED MEDIANS, BIKE LANES AND TURN	Ramsey County	
CSAH 35	RECONSTRUCTION OF CSAH 35 (PORTLAND AVE) FROM 67TH ST TO 77TH ST IN RICHFIELD TO BE A 2-LANE ROADWAY WITH A CENTER TURN LANE AND INCLUDING TRANSIT FACILITIES, BIKE LANES AND PEDESTRIAN FACILITIES	Richfield	
CSAH 116	RECONSTRUCT CSAH 116 FROM TOW-LANE UNDIVIDED TO A FOUR-LANE DIVIDED ROADWAY FROM JUST EAST OF CRANE ST THROUGH JEFFERSON ST IN THE CITIES OF ANDOVER AND HAM LAKE, INCLUDING SEPARATED BIKE/PED FACILITY, SIGNALIZED INTERSECTIONS AND IMPROVE AT-GRADE RAIL CROSSING.	Anoka County	
CSAH 53	Reconstruct CSAH 53 from 150 feet west of Washburn Avenue to 16th Avenue in Richfield, to a 3-lane section center turn lane, raised concrete median, signal replacement, sidewalks, and on-road bikeways.	Hennepin County	
CSAH 11	Reconstruction of CSAH 11 (Foley Blvd) from north of Egret Blvd to north of Northdale Blvd as a 4-lane divided roadway as well as a trail and sidewalk, ponds, traffic signals and dedicated left- and right-turn lanes	Anoka County	
CSAH 17	Reconstruction of CSAH 17 from south of CSAH 78 to north of CSAH 42 as a 4-lane divided roadway and multi-use trail	Scott County	
CSAH 34	Reconstruction of CSAH 34 (Normandale Blvd) from W94th St to the 8500 block of Normandale Blvd in Bloomington as a 4-lane divided roadway with left-turn lanes and multiuse trails	Bloomington	
TH 55	Expansion of TH 55 to a 6-lane roadway from the TH 149 north intersection through the TH 149 south intersection including traffic signals, and construction of a multi-use trail	Eagan	
TH 101/CSAH 144	Construction of an interchange of TH 101 and CSAH 144 in Rogers, multi-use trail and sidewalk, signals and lighting	Rogers	
Chicago Ave	Buses and service demonstration for limited stop service on Chicago and Portland Avenues in Minneapolis and Richfield and American Blvd in Bloomington	Metro Transit	

Snelling Ave	Buses and service demonstration for limited stop service on Snelling Avenue in Roseville and St Paul, Ford Parkway in St Paul, and 46th Street in Minneapolis	Metro Transit	
E 7 th St	Buses and service demonstration for limited stop service on East 7th Street, Arcade Avenue, Maryland Avenue and White Bear Avenue in St Paul and White Bear Avenue in Maplewood	Metro Transit	
W 7 th St	Buses and service demonstration for limited stop service on West 7th Street in St Paul, Bloomington, and MSP International Airport	Metro Transit	

IV. CONFORMITY DEMONSTRATION

The EPA, in response to a MPCA request, redesignated the Twin Cities seven-county Metropolitan Area and Wright County as in attainment for CO in October 1999. A 1996 motor vehicle emissions budget (MVEB) was revised in January 2005 in a revision to the SIP. The SIP amendment revised the MVEB budget to a not-to-exceed threshold of 1,961 tons per day of CO emissions for the analysis milestone years of 2009, 2015, 2020 and 2030. In 2010, in response to a MPCA request, the EPA approved a Limited Maintenance Plan for the maintenance area. A limited maintenance plan is available to former non-attainment areas which demonstrate that monitored concentrations of CO remain below 85% of the eight-hour National Ambient Air Quality Standard (NAAQS) for eight consecutive quarters. MPCA ambient CO monitoring data shows that eight hour concentrations have been below 70% of the NAAQS since 1998 and below 30% of the NAAQS since 2004.

Under a limited maintenance plan, the EPA has determined that there is no requirement to project emissions over the maintenance period and that “an emissions budget may be treated as essentially not constraining for the length of the maintenance period because it is unreasonable to expect that such an area will experience so much growth in that period that a violation of the CO NAAQS would result.” No regional modeling analysis is required, however federally funded projects are still subject to “hot spot” analysis requirements.

The limited maintenance plan adopted in 2010 determines that the level of CO emissions and resulting ambient concentrations continue to demonstrate attainment of the CO NAAQS. The following additional programs will also have a beneficial impact on CO emissions and ambient concentrations: Ongoing implementation of an oxygenated gasoline program as reflected in the modeling assumptions used the SIP; A regional commitment to continue capital investments to maintain and improve the operational efficiencies of highway and transit systems; Adoption of a regional long-term 2030 Regional Development Framework that supports land use patterns that efficiently connect housing, jobs, retail centers, and transit oriented development along transit corridors; The continued involvement of local government units in the regional 3C transportation planning process allows the region to address local congestion, effectively manage available capacities in the transportation system, and promote transit supportive land uses as part of a coordinated regional growth management strategy. For all of these reasons, the Twin Cities CO maintenance areas will continue to attain the CO standard for the next 10 years.

V. TIMELY IMPLEMENTATION OF TRANSPORTATION CONTROL MEASURES

Pursuant to the Conformity Rule, the Council reviewed the Plan and certifies that the Plan conforms with the SIP and does not conflict with its implementation. All Transportation System Management (TSM) strategies which were the adopted TCM's for the region have been implemented or are ongoing and funded. There are no TSM projects remaining to be completed. There are no fully adopted regulatory new TCM's nor fully funded non-regulatory TCM's that will be implemented during the programming period of the TIP. There are no prior TCM's that were adopted since November 15, 1990, nor any prior TCM's that have been amended since that date.

As part of the Urban Partnership Agreement (UPA), additional transit lanes have been added to Marquette and 2nd Ave in Minneapolis, and transit capacity in the I-35W corridor has been enhanced through dynamic priced shoulder lanes.

A list of officially adopted TCM's for the region may be found in the November 27, 1979 Federal Register notice for EPA approval of the Minneapolis-St. Paul CO Maintenance Plan, based upon the 1980 Air Quality Control Plan for Transportation, which in turn cites transit strategies in the 1978-1983 Transportation Systems Management Plan. It is anticipated that the Transportation Air Quality Control Plan will be revised in the near future. The following lists the summary and status of the currently adopted TCM's:

- **Vehicle Inspection and Maintenance Program** (listed in Transportation Control Plan as a potential strategy for hydrocarbon control with CO benefits). This program became operational in July 1991 and was terminated in December 1999.
- **I-35W Bus/Metered Freeway Project.** Metered freeway access locations have bus and carpool bypass lanes at strategic intersections on I-35W. In March, 2002 a revised metering program became operational. The *2030 Transportation Policy Plan* calls for the implementation of Bus Rapid Transit in the I-35W corridor. As part of the Urban Partnership Agreement (UPA), additional transit lanes have been added to Marquette and 2nd Ave in Minneapolis, and transit capacity in the I-35W corridor has been enhanced through dynamic priced shoulder lanes.
- **Traffic Management Improvements** (multiple; includes SIP amendments):
 - *Minneapolis Computerized Traffic Management System.* The Minneapolis system is installed. New hardware and software installation were completed in 1992. The system has been significantly extended since 1995 using CMAQ funding. Traffic signal improvements were made to the downtown street system to provide daily enhanced preferred treatment for bus and LRT transit vehicles in 2009.
 - *St. Paul Computerized Traffic Management System.* St. Paul system completed in 1991.
 - *University and Snelling Avenues, St. Paul.* Improvements were completed in 1990 and became fully operational in 1991.
- **Fringe Parking Programs.** Minneapolis and St. Paul are implementing ongoing programs for fringe parking and incentives to encourage carpooling through their respective downtown traffic management organizations.
- **Stricter Enforcement of Traffic Ordinances.** Ongoing enforcement of parking idling and other traffic ordinances is being aggressively pursued by Minneapolis and St. Paul.
- **Public Transit Strategies** (from the 1983 Transportation Systems Management Plan):
 - *Reduced Transit Fares.* Current transit fares include discounts for off-peak and intra-CBD travel. Reduced fares are also offered to seniors, youth, medicare card holders, and persons with disabilities.
 - *Transit Downtown Fare Zone.* All transit passengers can ride either the Minneapolis or Saint Paul fare zones for 50 cents. Since March 2010 passengers can ride Nicollet Mall buses for free within the downtown zone.

- *Community-Centered Transit.* The Council is authorized by legislation to enter into and administer financial assistance agreements with local transit providers in the metropolitan region, including community-based dial-a-ride systems. This program had been used to provide funding assistance to local agencies operating circulation service coordinated with regular route transit service. A regional restructuring of dial-a-ride service, now called Transit Link, occurred in 2010.
- *Flexible Transit.* Routes 755 and 756 in Medicine Lake were operated on a flex-route in 2006 by First Student, a private provider. Also, Metro Mobility, a service of the Council, as well as the dial-a-ride services mentioned above, operates with flexible routes catered to riders' special needs.
- *Total Commuter Service.* The non-CBD employee commuter vanpool matching services provided by this demonstration project, mentioned in the 1983 Transportation Systems Management Plan as well as the Transportation Control Plan, are now by the Van-Go! program, a service of the Council.
- *Elderly and Handicapped Service.* ADA Paratransit Service is available for people who are unable or have extreme difficulty using regular route transit service because of a disability or health condition. ADA Paratransit Service provides "first-door-through-first-door" transportation in 89 communities throughout the metropolitan area for persons who are ADA-certified. The region's ADA paratransit service is provided by four programs, namely Metro Mobility, Anoka County Traveler, DARTS, and H.S.I. (serving Washington County). In addition, every regular-route bus has a wheelchair lift, and drivers are trained to help customers use the lift and secure their wheelchairs safely. LRT trains offer step-free boarding, and are equipped with designated sections for customers using wheelchairs. In addition, all station platforms are fully accessible.
- *Responsiveness in Routing and Scheduling.* Metro Transit conducted a series of Transit Redesign "sector studies" to reconfigure service to better meet the range of needs based on these identified transit market areas. The Sector 1 and 2 studies, covering the northeast quadrant of the region, were the first to be completed. Following the successful reorganization of transit service in those areas, the remaining sector were studied and changes were implemented. Service is now re-evaluated as needed..
- *CBD Parking Shuttles.* The downtown fare zones mentioned above provide fast, low-cost, convenient service to and from parking locations around the CBD.
- *Simplified Fare Collection.* The fare zone system in place at the time of the Transportation Systems Management Plan has since been eliminated. Instead, a simplified fare structure based upon time (peak vs. off-peak) and type (local vs. express) of service has been implemented, with discounts for select patrons (e.g. elderly, youth). Convenient electronic fare passes are also available from Metro Transit, improving ease of fare collection and offering bulk-savings for multi-ride tickets.
- *Bus Shelters.* Metro Transit coordinates bus shelter construction and maintenance throughout the region. Shelter types include standard covered wind barrier structures as well as lit and heated transit centers at major transfer points and light-rail stations.
- *Rider Information.* Rider information services have been greatly improved since the 1983 Transportation Systems Management Plan was created. Schedules and maps have been re-designed for improved clarity and readability, and are now available for download on Metro Transit's web-site, which also offers a custom trip planner application to help riders choose the combination of routes that best serves their needs. Bus arrival and departure times are posted in all shelters, along with the phone number of the TransitLine automated schedule information hotline. Some shelters and stations have real time "next trip" information.
- *Transit Marketing.* Metro Commuter Services, under the direction of Metro Transit, coordinates all transit and rideshare marketing activities for the region, including five Transportation Management Organizations (TMOs) that actively promote alternatives to driving alone through employer outreach, commuter fairs, and other programs. Metro Commuter Services also conducts an annual Commuter Challenge, which is a contest encouraging commuters to pledge to travel by other means than driving alone.

- *Cost Accounting and Performance-Based Funding.* Key criteria in the aforementioned Transit Redesign process include service efficiency (subsidy per passenger) and service effectiveness (passengers per revenue-hour). Metro Transit uses these metrics to evaluate route cost-effectiveness and performance and determine which routes are kept, re-tuned, or eliminated.
- *"Real-Time" Monitoring of Bus Operations.* The regional Transit Operations Center permits centralized monitoring and control of all vehicles in the transit system.
- *Park and Ride.* Appendix J of the *Transportation Policy Plan* provides guidelines intended for use in planning, designing, and evaluating proposed park-and-ride facilities served by regular route bus transit. The guidelines can also be used for park-and-ride lots without bus service and at rail stations. The Metropolitan Council administers capital funding to transit operating agencies building, operating, and maintaining park-and-ride facilities. In 2009 the region served 108 park-and-ride facilities with a capacity of 25,700. Average usage in 2009 was 67 percent.
- **Hennepin and First Avenue One-Way Pair.** These streets in downtown Minneapolis were re-configured subsequent to the 1980 Air Quality Control Plan for Transportation to address a local CO hot-spot issue that has since been resolved. The streets reverted to a two-way configuration in 2009.

The above list includes two TCM's that are traffic flow amendments to the SIP. The MPCA added them to the SIP since its original adoption. These include in St. Paul, a CO Traffic Management System at the Snelling and University Avenue. While not control measures, the MPCA added two additional revisions to the SIP which reduce CO: a vehicle emissions inspection/maintenance program, implemented in 1991, to correct the region-wide carbon monoxide problem, and a federally mandated four-month oxygenated gasoline program implemented in November 1992. In December 1999 the vehicle emissions inspection/maintenance program was eliminated.

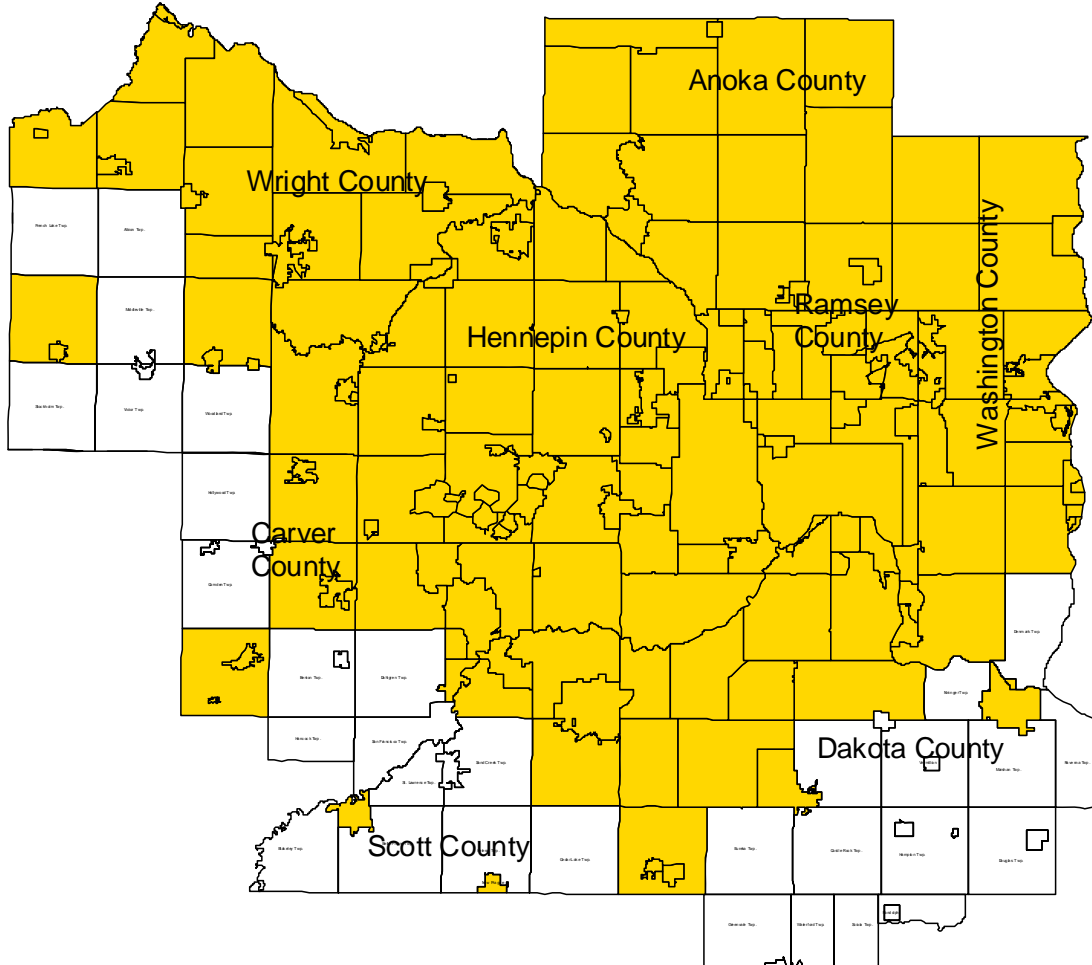
The MPCA requested that the USEPA add a third revision to the SIP, a contingency measure consisting of a year-round oxygenated gasoline program if the CO standards were violated after 1995. The USEPA approved the proposal. Because of current state law which remains in effect, the Twin Cities area has a state mandate year-round program that started in 1995. The program will remain regardless of any USEPA rulemaking.

VI. EXHIBITS

This section contains the exhibits referenced in this appendix.

Exhibit 1.

**Carbon Monoxide Maintenance Area
Seven County Metropolitan Area
and Wright County**



Note: Shaded area is designated maintenance.



EXHIBIT 2

PROJECTS THAT DO NOT IMPACT REGIONAL EMISSIONS, AND PROJECTS THAT ALSO DO NOT REQUIRE LOCAL CARBON MONOXIDE IMPACT ANALYSIS

Certain transportation projects eligible for funding under Title 23 U.S.C. have no impact on regional emissions. These are "exempt" projects that, because of their nature, will not affect the outcome of any regional emissions analyses and add no substance to those analyses. These projects (as listed in Section 93.126 of conformity rules) are excluded from the regional emissions analyses required in order to determine conformity of the TPP and TIPs.

Following is a list of "exempt" projects and their corresponding codes used in column "AQ" of the 2013-2016 TIP. The coding system is revised from previous TIPs to be consistent with the coding system for exempt projects in the proposed Minnesota Pollution Control Agency (MPCA) revision to the State Implementation Plan for Air Quality for Transportation Conformity.

Except for projects given an "A" code or a "B" code, the categories listed under Air Quality should be viewed as advisory in nature, and relate to project specific requirements rather than to the TIP air quality conformity requirements. They are intended for project applicants to use in the preparation of any required federal documents. Ultimate responsibility for determining the need for a hot-spot analysis for a project under 40 CFR Pt. 51, Subp. T (The transportation conformity rule) rests with the U.S. Department of Transportation. The Council has provided the categorization as a guide to project applicants of possible conformity requirements, if the applicants decide to pursue federal funding for the project.

SAFETY

Railroad/highway crossing.....	S-1
Hazard elimination program	S-2
Safer non-federal-aid system roads.....	S-3
Shoulder improvements	S-4
Increasing sight distance	S-5
Safety improvement program	S-6
Traffic control devices and operating assistance other than signalization projects.....	S-7
Railroad/highway crossing warning devices.....	S-8
Guardrails, median barriers, crash cushions	S-9
Pavement resurfacing and/or rehabilitation	S-10
Pavement marking demonstration.....	S-11
Emergency relief (23 U.S.C. 125).....	S-12
Fencing.....	S-13
Skid treatments.....	S-14
Safety roadside rest areas.....	S-15
Adding medians	S-16
Truck climbing lanes outside the urbanized area.....	S-17
Lighting improvements.....	S-18
Widening narrow pavements or reconstructing bridges (no additional travel lanes).....	S-19
Emergency truck pullovers	S-20

MASS TRANSIT

Operating assistance to transit agencies.....	T-1
Purchase of support vehicles.....	T-2
Rehabilitation of transit vehicles.....	T-3
Purchase of office, shop, and operating equipment for existing facilities	T-4
Purchase of operating equipment for vehicles (e.g., radios, fareboxes, lifts, etc.).....	T-5
Construction or renovation of power, signal, and communications systems	T-6
Construction of small passenger shelters and information kiosks	T-7

Reconstruction or renovation of transit buildings and structures (e.g., rail or bus buildings, storage and maintenance facilities, stations, terminals, and ancillary structures).....	T-8
Rehabilitation or reconstruction of track structures, track and trackbed in existing rights-of-way.....	T-9
Purchase of new buses and rail cars to replace existing vehicles or for minor expansions of the fleet.....	T-10
Construction of new bus or rail storage/maintenance facilities categorically excluded in 23 CFR 771	T-11

AIR QUALITY

Continuation of ride-sharing and van-pooling promotion activities at current levels.....	AQ-1
Bicycle and pedestrian facilities	AQ-2

OTHER

Specific activities which do not involve or lead directly to construction, such as:

Planning and technical studies	
Grants for training and research programs	
Planning activities conducted pursuant to titles 23 and 49 U.S.C.	
Federal-aid systems revisions	O-1
Engineering to assess social, economic and environmental effects of the proposed action or alternatives to that action	O-2
Noise attenuation	O-3
Advance land acquisitions (23 CFR 712 or 23 CFR 771)	O-4
Acquisition of scenic easements	O-5
Plantings, landscaping, etc.....	O-6
Sign removal	O-7
Directional and informational signs.....	O-8
Transportation enhancement activities (except rehabilitation and operation of historic transportation buildings, structures, or facilities).....	O-9
Repair of damage caused by natural disasters, civil unrest, or terrorist acts, except projects involving substantial functional, locational, or capacity changes	O-10

Projects Exempt from Regional Emissions Analyses that may Require Further Air Quality Analysis

The local effects of these projects with respect to carbon monoxide concentrations must be considered to determine if a "hot-spot" type of an analysis is required prior to making a project-level conformity determination. These projects may then proceed to the project development process even in the absence of a conforming transportation plan and TIP. A particular action of the type listed below is not exempt from regional emissions analysis if the MPO in consultation with other state agencies MPCA, MnDOT, the EPA, and the FHWA (in the case of a highway project) or the FTA (in the case of a transit project) concur that it has potential regional impacts for any reason.

Channelization projects include left and right turn lanes and continuous left-turn lanes as well as those turn movements that are physically separated. Signalization projects include reconstruction of existing signals as well as installation of new signals. Signal preemption projects are exempt from hotspot analysis. Final determination of which intersections require an intersection analysis by the project applicant rests with the U.S.DOT as part of its conformity determination for an individual project.

Projects Exempt from Regional Emissions Analyses

Intersection channelization projects.....	E-1
Intersection signalization projects at individual intersections	E-2
Interchange reconfiguration projects	E-3
Changes in vertical and horizontal alignment.....	E-4
Truck size and weight inspection stations.....	E-5

Regionally significant projects

The following codes identify the projects included in the "action" scenarios of the TIP air quality analysis:

Baseline - Year 2010A-10
Action - Year 2015A-15
Action - Year 2020A-20
Action - Year 2030A-25

Non-Classifiable Projects

Certain unique projects cannot be classified as denoted by a "NC." These projects were evaluated through an interagency consultation process and determined not to fit into any exempt nor intersection-level analysis category, but they are clearly not of a nature which would require inclusion in a regional air quality analysis.

Traffic Signal Synchronization

Traffic signal synchronization projects (Sec. 83.128 of the Conformity Rules, Federal Register, August 15, 1997) may be approved, funded, and implemented without satisfying the requirements of this subpart. However, all subsequent regional emissions analysis required by subparts 93.118 and 93.119 for transportation plans, TIPS, or projects not from a conforming plan and TIP must include such regionally significant traffic signal synchronization projects.