

Resolution 2016-13

Adopt the Transportation/Air Quality Conformity Determination for the Orange County Portion of the NY-NJ-CT PM2.5 Non-Attainment Area

WHEREAS, the Orange County Transportation Council (OCTC) has been designated by the Governor of the State of New York as the Metropolitan Planning Organization (MPO) responsible, together with the State, for the comprehensive, continuing, and cooperative transportation planning process for Orange County; and,

WHEREAS, OCTC is required to submit a Transportation/Air Quality Conformity Determination to the U.S. Federal Highway Administration (FHWA) and to the U.S. Environmental Protection Agency (EPA) in accordance with the final conformity rule promulgated by EPA (40 CFR 51 and 93) when another MPO in the same non-attainment area makes significant revisions to transportation projects in its Transportation Improvement Program (TIP) and/or Long-Range Transportation Plan (LRTP); and,

WHEREAS, there are no significant changes to transportation projects that might impact air quality in the OCTC FFY 2017-2021 TIP or LRTP; and,

WHEREAS, Title 42 USC, Section 7506 (3) (A) states that conformity of transportation plans and programs will be demonstrated if:

1. the plans and programs are consistent with recent estimates of mobile source emissions,
2. the plans and programs provide for the expeditious implementation of certain transportation control measures,
3. the plans and programs contribute to annual emissions reductions consistent with the Clean Air Act of 1990, as amended, and

WHEREAS, Orange County has been designated by the EPA to be a part of the NY-NJ-CT PM2.5 Non-Attainment Area with New York City, Long Island, Westchester and Rockland Counties, and

WHEREAS, changes to transportation projects in the OCTC and NYMTC FFY 2017-2021 TIPs necessitate the need to reevaluate transportation/air quality conformity for the NY portion of the NY-NJ-CT PM2.5 Non-Attainment Area, and

WHEREAS, OCTC has coordinated transportation/air quality conformity and the regional emissions analyses with NYMTC, and

WHEREAS, OCTC and NYMTC have assessed the impact of all non-exempt transportation projects in their TIPs and LRTPs, and

WHEREAS, the results of the regional emissions analyses in the PM2.5 conformity determination demonstrate compliance with the emissions budgets for PM2.5, and

WHEREAS, a 30-day public comment period on the conformity determination and accompanying OCTC FFY 2017-2021 TIP beginning June 29, 2016 and ending July 29, 2016 resulted in no comments; and

WHEREAS, OCTC and NYMTC have issued these conformity determinations contingent upon the approval of the proposed PM2.5 motor vehicle emissions budgets for the New York Metropolitan Area by the EPA; and

WHEREAS, it is the opinion of the Orange County Transportation Council that the transportation projects in the OCTC FFY 2017-2021 TIP and Long Range Transportation Plan continue to conform with the requirements of Title 42 USC, Section 7506 (3) (A) as interpreted by EPA (40 CFR 51 and 93) and that the transportation projects in the Plan and TIP will not cause new air quality violations, worsen existing conditions, or delay timely attainment of National Ambient Air Quality Standards,

NOW, THEREFORE, BE IT RESOLVED that based on the analyses performed by the Orange County Transportation Council and the New York Metropolitan Transportation Council we find that the transportation projects in the OCTC FFY 2017-2021 TIP and OCTC Long Range Transportation Plan conform to transportation/air quality requirements of the U.S. Environmental Protection Agency (40 CFR 51 and 93), related U.S. Department of Transportation guidelines (23 CFR 450) and with Title 42 USC, Section 7506 (3) (A).

CERTIFICATE: The undersigned duly qualified Secretary of the Orange County Transportation Council certifies that the foregoing is a true and correct copy of a resolution adopted by the voting members of the Council on August 2, 2016.

Date: _____

By: _____
Todd Westhuis, P.E., Secretary
Orange County Transportation Council