

## **II. FEDERAL REQUIREMENTS AND REGIONAL REVIEW FUNCTION**

### **A. Requirements of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users**

Below is a discussion of key federal requirements that are in place regarding development of the TIP. These include a prioritized list of financially constrained improvements, a consideration of “flexing” funds between traditional highway and transit sources of money, completion of congestion management studies prior to inclusion of any project that contributes to an increase in single occupant vehicles, and the role of public involvement throughout the process.

As a requirement of SAFETEA-LU, the MPO, in cooperation with state and local agencies and transit operators, have developed a prioritized and financially reasonable TIP. Priority is reflected by the year in which a project is shown. Priorities and financial analysis are provided for all five years of the TIP. Financial reasonableness is evaluated on three fronts: ❶ MDOT ensures that federal funding requests during the TIP planning process are reasonable for our region; ❷ MDOT provides documentation of the state's capacity to meet the match requirements associated with state sponsored projects in the TIP; while ❸ Local governments also provide documentation of the same financial reasonableness requirements to match the federal funds requested for locally sponsored projects.

As a further requirement of SAFETEA-LU, the TIP is required to take full advantage of the increased flexibility of Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) capital funds. MDOT provides a “statement of concurrence” that consideration of this provision (funding crossover) has been utilized in the development of all state initiatives. Documentation of project prioritization, financial reasonableness and flexible funding is included in Appendix B.

Projects included in the 2008-2012 TIP have been cooperatively determined by members of the MPO. The project selection process considered the air quality implications and regional mobility enhancement prior to inclusion in the final TIP document.

An additional requirement of SAFETEA-LU is to include a financial plan that demonstrates that the projects proposed in the TIP can be funded. The TIP demonstrates that the region, through public and private funding, is reasonably able to generate the projected resources needed to carry out the projects in the TIP.

Another requirement of SAFETEA-LU states that in a “transportation management area classified as a non-attainment area for ozone and/or carbon monoxide, any highway project (programmed with federal funds) that will result in carrying capacity for single-occupant vehicles must be part of an approved congestion management system (CMS)”. CMS guidelines were adopted by the MPO in October, 1997. As potential capacity projects enter the state planning process, the MPO is invited to

participate in interagency discussions. This process allows the MPO to offer recommendations that are considered during the analysis to address congestion prior to building additional lane capacity. At three stages in this interagency process the MPO adopts a resolution approving the analysis to date. The MPO also conducts ongoing data collection and monitoring to assess conditions and ascertain the effectiveness of a range of strategies to relieve congestion. Individual project listings in Chapter VI identify specific corridors in which projects are located.

Also as a requirement of SAFETEA-LU, the public must have an opportunity to review and comment on the TIP in the early stages of preparation with at least one public meeting. Formal public participation procedures to govern metropolitan transportation planning activities were updated by the MPO in January 2007. These guidelines reaffirmed a framework for public participation and information dissemination.

The MPO offered citizens, affected public agencies, private providers of transportation and other interested parties reasonable opportunities to comment on both the first and final drafts of the TIP. Information on the TIP development schedule was provided to the members of the Citizen Advisory Committee (CAC) along with documentation describing the information available in the TIP. Opportunities to comment on the draft TIP were publicized primarily through electronic means (web site and e-newsletters) and CAC meetings, with outreach work undertaken by Public Involvement staff. Flyers were distributed that announced that the

draft TIP projects were available online with comments accepted through May 29, 2007. The final draft TIP document was also made available online as well as in print. Additional flyers announcing that a public meeting on the TIP would take place were distributed and an announcement in local papers published. The CAC members were asked to distribute the flyer to their constituencies as an additional way of disseminating the information.

Additionally, public involvement activities were announced on the Internet via the Baltimore Metropolitan Council (BMC) web site. Documents were provided to 21 libraries throughout the region as well as the local planning departments.

A public meeting on the final draft will be held on August 21, 2007 and a meeting of the elected officials sitting as the MPO will be held on August 28, 2007 to also take comment. Written comments by mail or e-mail are accepted during the public review periods. A summary of all comments received, both verbal and written, BRTB responses to comments, and the public participation notices are included in Appendix D.

Additionally, the MTA, in lieu of a separate, mandated public hearing for federal funding assistance under 49 USC Sections 5307 and 5309, has exercised its option to use the August 21 public meeting for the Baltimore Region 2008-2012 TIP to satisfy the public hearing requirements for these applications. The MTA must explicitly state during their planning process that the MPO meeting and comment period for the TIP is being used to

satisfy the public hearing requirements for projects under 49 USC Sections 5307 and/or 5309. This option was offered by the FTA to all grantees as of April 1996.

## **B. Environmental Justice**

Environmental justice (EJ) considers whether low-income and minority populations bear disproportionate impacts resulting from governmental decisions. Historically, EJ was borne out of civil rights and environmental complaints from low-income and minority communities. Concerns were raised, showing that these communities suffered disproportionately from exposure to toxic chemicals and the siting of industrial plants and waste facilities.

In 1994, Presidential Executive Order 12898 directed federal agencies to review its procedures and make EJ part of their mission by identifying and addressing the effects of all programs, policies, and activities on “minority populations and low-income populations.”

In 1997, the U.S. Department of Transportation (DOT) issued, “Order to Address Environmental Justice in Minority Populations and Low-income Populations.”

The DOT Order directs consideration of two groups. A person whose household income is at or below the U.S. Department of Health and Human Services poverty guidelines is considered low-income. A person belonging to the following groups are considered part of minority populations:

- Person of origin in any of the black racial groups of Africa
- Person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin
- Person of origin in the Far East, Southeast Asia, Indian subcontinent, or Pacific Islands
- Person of origin of the original people of North America (American Indian, Alaskan Native)

The DOT Order applies to all policies, programs and other activities undertaken, funded or approved by the DOT, including metropolitan planning. There are three fundamental DOT environmental justice principles:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

Metropolitan planning organizations (MPOs) are responsible for assessing the benefits and burdens of transportation system investments for different socio-economic groups. This includes both a data collection effort and engagement

of minority, low-income, and disability populations in public involvement activities.

In Transportation Outlook 2035, an analysis was done to measure the region's ability to improve access to jobs and other destinations. Included in this document is information about where upcoming transportation projects are located relative to concentrations of minority and low-income populations. Two maps (Exhibit II-1 and Exhibit II-2) show areas where the percentages of minority and low-income populations are higher than for the region. Data from the 2000 Census is used to calculate the regional information.

#### Minority Populations

From the 2000 United States Census the region's minority population is 34% of the total population, although, the concentrations of such groups are not equally distributed throughout the region. For example, the number of African-Americans living in Baltimore city is significantly higher than in other jurisdictions. In order to show where large concentrations of minorities are living in the region, we looked at census block areas (i.e. neighborhoods) with populations greater than 22% - the median (midpoint) rate. Exhibit II-1 shows Census block groups with minority populations greater than 22%.

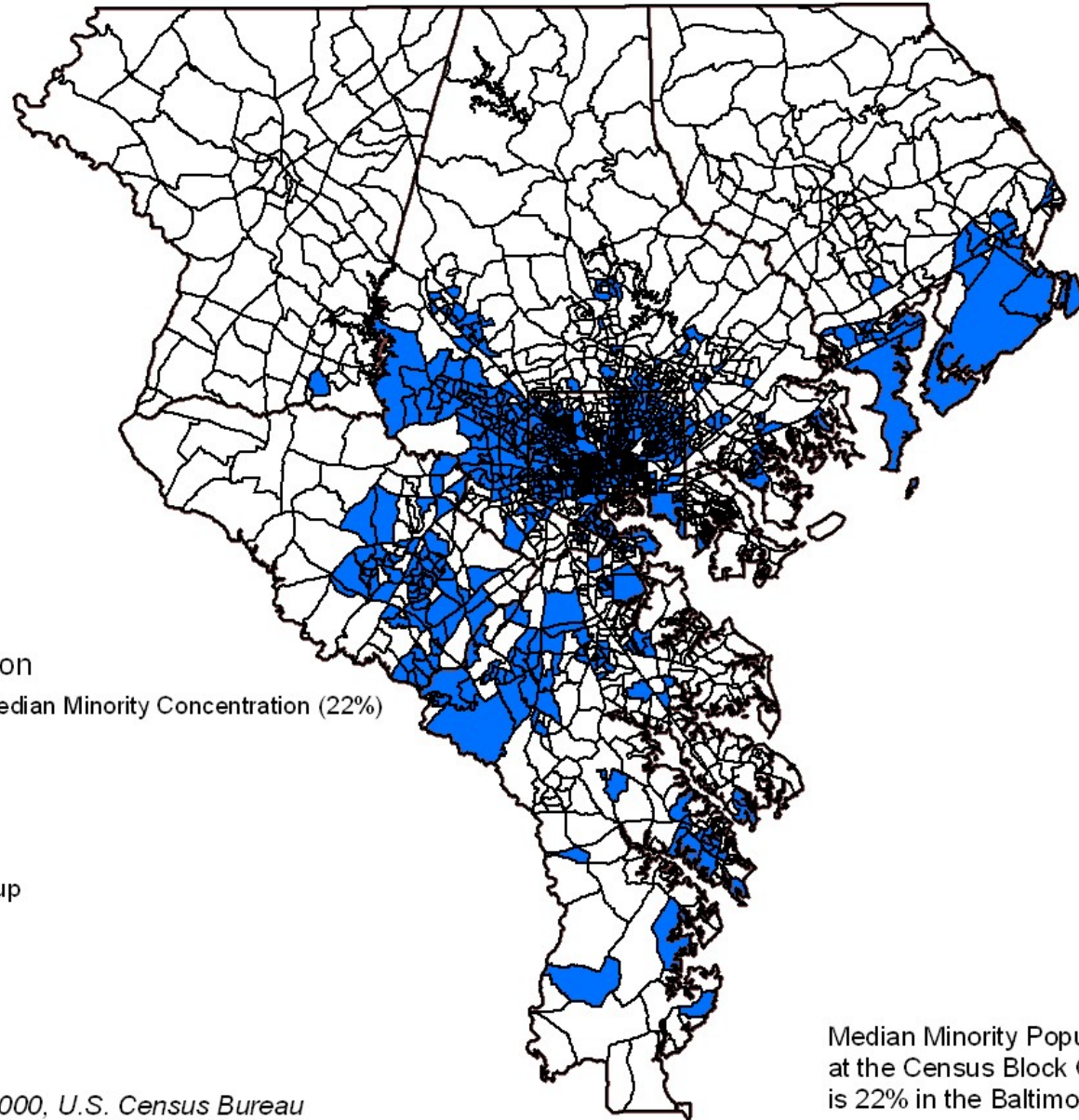
#### Low-income Populations

Similarly, income is not distributed equally throughout any region. As a result, the region's median household income (\$49,817) was used to show the levels of income around this region. Low-income populations can be identified as earning 50% of the median household income. Therefore, a household at the 50% rate has a maximum income of \$24,909, while a household at the 80% rate has a maximum income of \$39,854. Exhibit II-2 shows Census block groups that are 50% and 80% of the region's median household income.

When a transportation project enters project planning consideration of EJ is undertaken. These studies are conducted by the appropriate state agency (e.g. Maryland State Highway Administration, Maryland Transit Administration, and Maryland Transportation Authority) or a local jurisdiction during the project planning phase. Opportunities for public participation are central to these efforts.

Additional EJ maps are available in Section VI: Individual Project Listings. These maps show the locations (by jurisdiction) of specific projects in relation to minority and low-income population concentrations.

## Exhibit II-1 Minority Concentration, Baltimore Region, 2000



Minority Concentration

 Above Regional Median Minority Concentration (22%)

 Counties

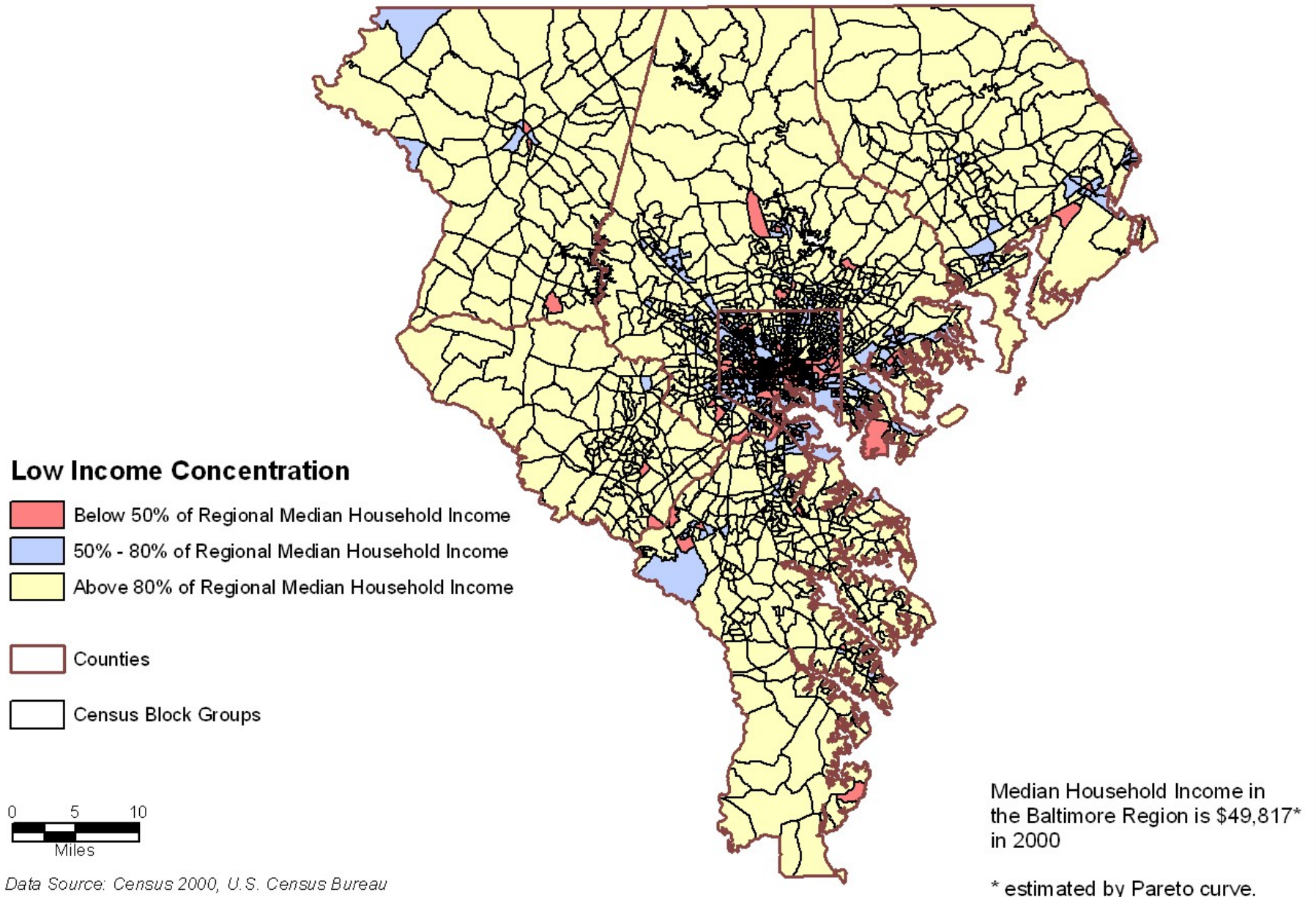
 Census Block Group

0 5 10  
Miles

Data Source: Census 2000, U.S. Census Bureau

Median Minority Population Concentration  
at the Census Block Group level  
is 22% in the Baltimore Region in 2000

## Exhibit II-2 Low Income Concentration, Baltimore Region, 2000



### **C. Using Management and Operations Initiatives to Improve the Transportation System**

Along with traditional system improvements, the region has been working on increasing system efficiency and safety through improved management and operations (M&O) of the transportation system. M&O can be defined as: “An integrated program to optimize the performance of existing infrastructure through the implementation of multi- and inter-modal, cross-jurisdictional systems, services, and projects designed to preserve capacity and improve security, safety, and reliability of the regional transportation system. Transportation systems management and operations includes regional operations collaboration and coordination activities among transportation and public safety agencies, and improvements such as traffic detection and surveillance, arterial management, freeway management, demand management, work zone management, emergency management, electronic toll collection, automated enforcement, traffic incident management, roadway weather management, traveler information services, commercial vehicle operations, traffic control, freight management, and coordination of highway, rail, transit, bicycle, and pedestrian operations.” Source: Association of Metropolitan Planning Organizations.

Simply put, M&O means more efficient use of the existing transportation system. M&O has become a major emphasis area of federal transportation policy and funding because of the many

potential benefits of M&O activities, such as improved safety, reduced travel time, improved throughput, reduced incident response time, reduced operating costs, and improved productivity. SAFETEA-LU includes a number of programs that encourage and promote M&O. Title VI, section 6001 requires that regional transportation plans contain operational and management approaches to relieve congestion and maximize the safety and mobility of people and goods. The region will continue to address federal transportation legislation requirements and recommendations.

In FY 2007, the M&O Strategic Deployment Plan was adopted. This document, which is an update of the Intelligent Transportation Systems Strategic Deployment Plan prepared in 1998, provides a framework for continued deployment and development of regional M&O projects. The M&O SDP identified the following eight high priority projects:

1. Facilitate Incident Management Training Opportunities
2. Facilitate Regional M&O Outreach, Education, and Training Opportunities
3. Link Regional Transportation Planning and Operations
4. Enhance M&O Along Critical Corridors and Evacuation Routes
5. Establish a Regional Transportation Information System
6. Traffic Control System Reliability Enhancements
7. Secure Critical Regional Transportation Infrastructure

## 8. Implement Regionally Coordinated Adaptive Traffic Control Systems

The M&O SDP Implementation Steering Committee was initiated in FY 2007 to assist with execution of the M&O SDP in general and High Priority Project #2 in particular.

The M&O Partnership was initiated to act as an advisory board to the BRTB. The Partnership directs and champions coordinated management and operation of the region's transportation network. This group is working with the BRTB and MDOT to develop a process to integrate M&O projects into the transportation planning process (refer to High Priority Project #3 above). Over the next several years, regional M&O deployment will be guided by the M&O SDP as well as the M&O Partnership.

Enhanced incident management continues to be identified as a high priority for the region, and efforts to improve coordination at incidents have been and will continue to be incorporated into the projects initiated by the Baltimore Regional Operations Coordination (B-ROC) Committee. The B-ROC Committee focuses on enhancing incident response operations across jurisdictions, agencies, modes, and facility types. Priority coordination projects are identified by the B-ROC Committee and are implemented as resources become available. The B-ROC Committee will also address High Priority Project #1 from the M&O SDP.

The Traffic Signal Subcommittee has been meeting quarterly to provide a forum for the region's traffic engineers to

discuss issues of common concern and to coordinate signal operations across jurisdictional and operational boundaries. This group has initiated several signal timing studies to address the need for coordinated timing. This committee also held well-attended Traffic Signal Operations Forums in December 2004 and 2005 and March 2007. The subcommittee anticipates holding this type of event every 18 months. This committee will also be involved in implementing High Priority Projects #6 and #8.

There are also continuing efforts to develop a regional Multi-modal Traveler Information System (MMTIS). This system was conceived as a partnership involving public and private sector interests to provide timely and accurate, multi-modal, regional traveler information. Potential benefits of this system include improved travel time reliability and increased transit utilization. Congestion mitigation and emissions reductions benefits are also expected to be derived from regional MMTIS deployment. This project continues to be a high priority for the region and work will continue at the local, regional, and state levels to develop a transportation information system, as indicated by High Priority Project #5.

Emergency preparedness planning has been an area of increased consideration during the last several years. To address some of the needs in this area, the Regional Protective Action Coordination Guidelines (RPACG) were adopted in FY 2007. The guidelines provide a framework for coordination in the event of a large-scale emergency. While preparing the guidelines, additional

project needs were identified, and these projects will be undertaken as resources are available. The Transportation & Public Works Subcommittee was initiated in FY 2005 to address emergency preparedness issues. It will address next steps identified in the development of the RPACG as well as High Priority Projects #4 and #7.

Projects in the 2008-2012 TIP that incorporate M&O functions are designated with the following statement below the project justification: \*Supports regional M&O initiatives.

#### **D. Coordinating Human Service Transportation**

SAFETEA-LU continued to support transportation initiatives for Elderly and Disabled populations through the FTA Section 5310 Capital Grant Program and low income populations through FTA Section 5316 Job Access and Reverse Commute (JARC) Program, and established the FTA Section 5317 New Freedom Program. With the addition of this new funding program SAFETEA-LU also established the requirement that all of these programs be coordinated. MTA is the administrator for all three programs and is also the lead in developing the Baltimore Area Coordinated Transportation Plan. The coordination takes place in the form of a locally developed Coordinated Human Service Transportation Plan. All of the projects funded through these programs “must be derived from a locally developed, coordinated

public transit- human services transportation plan”.<sup>3</sup> This provision is aimed at improving transportation services for persons with disabilities, older adults and individuals with lower incomes, and ensuring that communities are coordinating transportation resources provided through multiple Federal programs. MTA and the BRTB developed the Baltimore Area Coordinated Transportation Plan in September 2007.

#### Elderly & Individuals with Disabilities Program

SAFETEA-LU reaffirms this program with continued funding. This program provides capital funds to non-profit organizations serving the elderly and persons with disabilities. The only major change is that the projects must also come from a locally developed coordinated plan. Non-profit organizations provide 20 percent of the cost to match the 80 percent provided by the FTA. The MTA provides staff support for the solicitation of applications and arranges for the acquisition of the vehicles. The review of the applications and awarding of the funds are the responsibility of the Governor's Interagency Committee on Specialized Transportation. This committee was created in 1975 through Executive Order 01.01.1975.02.

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<sup>3</sup> Language taken from Circulars FTA C 9045.1 [New Freedom Program Guidance and Application Instructions](#) and FTA C 9050.1 [The Job Access and Reverse Commute \(JARC\) Program Guidance and Application Instructions](#). Chapter 1, page I-2.

### Job Access and Reverse Commute Program

The JARC Grants program is intended to develop transportation services designed to transport welfare recipients and low-income individuals to and from jobs and develop transportation services for residents of urban, suburban, and rural areas to suburban employment sites. SAFETEA-LU continued to support this program for job access and reverse commute initiatives yet also implemented changes in the JARC Program, including: now a formula program; projects are competitively selected; projects come from a locally developed coordinated plan; and funds can be used for planning, operational or transit capital projects. Under the formula the Baltimore region will receive less than it typically did under the previous competitive program. For capital projects, FTA will provide funds for up to 80 percent of the cost while the recipient of the grant will match the funds with a minimum of 20 percent of the cost of the project. For operational projects, FTA will provide funds for up to 50 percent of the cost while the recipient of the grant will match the funds with a minimum of 50 percent of the cost of the project.

Through FY 2007, the Baltimore region has received over \$9.3 million in federal funds for the region's JARC programs. Funding requested through this program is reflected in the TIP.

### New Freedom Program

In addition to continuing support of transportation initiatives for Elderly and Disabled populations, SAFETEA-LU established

the New Freedom Program. This program provides grants for transportation that are new and go beyond the requirements of Americans with Disabilities Act of 1990. This is a formula grant program "to provide additional tools to overcome existing barriers facing Americans with disabilities seeking integration into the work force and full participation in society ... and expand the mobility options available to people with disabilities beyond the requirements of the ADA of 1990."<sup>4</sup>

### **E. Additional Programs for Seniors and Persons with Disabilities**

In addition to the FTA Section 5310 Program, MTA has been actively pursuing ways to assist the Elderly and Persons with Disabilities. All new bus purchases are lift-equipped. The MTA operates a fleet of buses that is fully accessible to the elderly and persons with disabilities.

Bus operators receive, as part of their training program, disability awareness/passenger assistance technique training for the special needs of passengers. This training emphasizes Americans with Disabilities Act (ADA) service requirements and techniques for communicating with the elderly and people who are disabled. The needs of the elderly and disabled customers, those with hidden disabilities and blind, deaf and mentally retarded travelers are discussed. Operators are instructed in the operation of

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<sup>4</sup> Federal Transit Administration Circular FTA C 9045.1 New Freedom Program Guidance and Application Instructions, May 1, 2007, Page II-1

the lift-equipment and in providing assistance to riders from the disability community.

MTA operates a Mobility Program and Reduced Fare Program for the elderly and persons with disabilities. Mobility provides comparable ADA service for those who can not use fixed-route service. The Reduced Fare Program provides a 33% discount for the elderly and persons with disabilities in accordance with requirements for recipients of federal operating assistance from FTA (49 CFR 609.23).

In addition to these programs, MTA initiated two new programs: MTA Taxi Access Premium Service and the Senior Ride Program.

#### MTA Taxi Access Premium Service

The MTA Taxi Access Premium Service is a program that is open to eligible MTA Mobility customers. This program offers program participants same day transportation options through a network of taxi providers. Participants in the program can use the service for any purpose and take it to anywhere within the service area of Mobility. There is a premium fare of \$3.00 that the participant pays for each ride and the participant is responsible for any portion of a fare that exceeds the \$50.00 limit. Participants are able to take up to four trips per day and be accompanied by up to 3 people per trip.

#### Senior Ride Program

Since FY 2006, MTA has awarded grants to qualified applicants to encourage and facilitate the development of volunteer transportation services for low-income and moderate-income seniors. Each year, MTA has offered statewide up to a total of \$100,000 in State funds to be matched with 25% local contribution. The projects must provide door-to-door transportation services, use primarily volunteer drivers, and have a dispatching system. Five organizations in the Baltimore region have received funding through this program, three of which have received funding both years.

### **F. Regionally Significant Transportation Improvements**

For informational purposes and air quality analysis in non-attainment and maintenance areas, the Statewide and Metropolitan Planning Regulations (23 CFR Part 450 and 49 CFR Part 613) require the inclusion of all regionally significant projects using only state, local or private funds in the TIP. A regionally significant project is defined as:

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.

Table II-1 identifies all regionally significant projects funded by state or local agencies or private developers.

Table II-1  
Regionally Significant Projects

**Maryland Transportation Authority**

<b><u>PROJECT</u></b>	<b><u>LIMITS</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>YEAR OF OPERATION</u></b>
I-95 (Section 100)	From south of the I-895 (N) split to approximately 2.7 miles north of MD 43	Widen from 4 to 6 lanes (add 2 Express Toll Lanes in each direction). Improve interchanges at I-895, I-695, & MD 43.	2011
I-95 (Section 200)	From MD 43 to north of MD 22 (18 miles)	Study to investigate capacity and safety needs.	2013
I-95/MD 24 Interchange Construction (Phase 1)	I-95/MD 24/MD 924	Construct improvements to the I-95/MD 24 interchange, including upgrades to MD 24 and the reconstruction of the MD 24/MD 294 intersection to a grade separated interchange.	2009

**State Highway Administration**

<b><u>PROJECT</u></b>	<b><u>LIMITS</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>YEAR OF OPERATION</u></b>
MD 140, Reisterstown Road	Garrison View Road to north of Owings Mills Boulevard	Widen from 4 to 6-lanes	2010

**Baltimore County**

<b><u>PROJECT</u></b>	<b><u>LIMITS</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>YEAR OF OPERATION</u></b>
Campbell Boulevard	MD 7 to US 40 US 40 to Bird River Road Bird River Road to MD 43 extended	New 4 lane road New 4 lane road New 4 lane road	2008 2008 2008
Cherry Hill Road	Extension to Owings Mills Boulevard	New 2 lane road	2009
Dolfield Boulevard	1-795 to MD 140	New 4 lane road	2010
Forge Road	Cross Road to Forge View Road	Widen from 2 to 4	2008
Gunview Road	Klausmier Road to US 1	New 4 lane road	2010
Honeygo Boulevard	Forge Road to US 1	New 4 lane road	2008
Old Harford Road	Placid Ave to Cub Hill Road	Widen from 2 to 4	2008
Owings Mills Boulevard	Winands Road to MD 26 Winands Road to Lyons Mill Road	Widen from 2 to 4 lanes new 4 lane road	2008 2010
Perry Hall Boulevard	Rossville Road to Honeygo Boulevard	Widen from 2 to 4 lanes	2010
Rolling Road	Windsor Mill Road to MD 26	Widen from 2 to 4 lanes	2009
Walther Boulevard	South of Joppa Road to Joppa Road Joppa Road to Seven Courts Drive	Widen from 2 to 5 lanes Widen from 0/2 to 4 lanes	2010 2012
Warren Road	MD 45 to Loch Raven Reservoir	Widen from 2 to 4 lanes	2010

**Carroll County**

<b><u>PROJECT</u></b>	<b><u>LIMITS</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>YEAR OF OPERATION</u></b>
Boxwood Drive Extended	Dogwood Drive terminus north to MD 88	New 2 lane road	2012
Georgetown Boulevard Extended	Georgetown Boulevard terminus at Londontown Boulevard north to Progress Way to Bennett Road	New 4 lane road	2012

**Harford County**

<b><u>PROJECT</u></b>	<b><u>LIMITS</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>YEAR OF OPERATION</u></b>
Bata Blvd Access Road	MD 543 to Bata Blvd	New 2 lane road	2012
North Avenue	US 1 to MD 924	New 2 lane road	2009
Perryman East	MD 715 to Michealsville Road	New 2 lane road	2010
Tollgate Road	Plumtree Road to Bel Air South Parkway	New 2 lane road	2012

**Howard County**

<b><u>PROJECT</u></b>	<b><u>LIMITS</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>YEAR OF OPERATION</u></b>
Dorsey Run Road	CSX RR spur to Guilford Road	New 2 lane road plus 1 center turn lane at intersections	2009
	MD 175 to CSX RR spur crossing	Widen from 2 to 3 at intersections	2010

Dorsey Run Road, North	Montevideo Road to MD 175	Construct 1 lane in each direction plus 1 center turn lane at intersections (5 lanes at MD 175 intersection)	2008
	MD 103 to Montevideo Road	Widen from 2 to 3 at intersections	2009
Guilford Road	AA County line to Dorsey Run Road Bridge over CSX tracks	Widen from 2 to 5 lanes Widen from 2 to 5 lanes	2008 2008
Linden Church Road	Linden Church Road at MD 32	New interchange	2011
Loop Road (Stevens & Gorman Roads)	MD 216/Leishear Road to All Saints Road at MD 216 East	New 4 lane road and interchange	2008
MD 108	Woodland Rd to West of Centennial Lane	Widen from 2 to 4 lanes	2011
MD 32	MD 32 @ Burntwoods Rd	New interchange	2009
North Ridge Rd	MD 99 to US 40	New 2 lane roadway	2011
Skylard Blvd (West Loop Rd)	Existing Skylard Blvd to MD 216	New 4 lane roadway with turning lanes at MD 216	2012
US 29	South of MD 175 to Middle Patuxent River (south of MD 32)	Widen northbound from 2 to 3 lanes	2010
Wellworth Way Access	Wellworth Way to MD 32	Extend 2 lanes	2011

## **G. Conformance with Air Quality Planning**

The CAAA require careful evaluation of the conformity between transportation plans and programs against the applicable State Implementation Plan (SIP) for attaining air quality standards. The procedures for performing this evaluation have been documented and issued by the U.S. Environment Protection Agency (EPA) in the final rule, "Criteria and Procedures for Determining Conformity to State or Federal Implementation Plans of Transportation Plans, Programs and Projects Funded or Approved under Title 23 USC or the Federal Transit Act", hereafter termed Final Rule.

The Baltimore metropolitan area, as a result of its designation as a "moderate" non-attainment area with regard to the 8-hour ozone National Ambient Air Quality Standard (NAAQS) and a non-attainment area with regard to the fine particulate matter (PM<sub>2.5</sub>) NAAQS, has conducted a comprehensive analysis of conformity for the 2008-2012 TIP with air quality goals as a pre-condition of its acceptance by federal funding agencies. The results of this work, as summarized below and in an accompanying report entitled Conformity Determination of Transportation

Outlook 2035 and the FY 2008-2012 Transportation Improvement Program, concluded that the region's transportation plan and program are in conformity with air quality goals.

The conformity determination referred to above is founded upon technical analyses of the impact on areawide emissions of air pollutants associated with building, or not building, projects contained in the TIP. These air quality analyses are based upon Round 7 cooperative socio-economic forecasts, which were endorsed on February 27, 2007. All projects that serve as emission reduction strategies (ERS) in the TIP are identified as such by the ERS heading on the top right corner of the page. ERS-related projects which have been implemented in the past year have been documented in the conformity determination report.

It should be noted that many of the projects contained in the TIP involve non-capacity improvements such as bridge replacement, bridge rehabilitation, streetscaping, road reconstruction, road resurfacing, road rehabilitation, traffic engineering, safety projects, and bicycle and pedestrian facilities. These improvements do

not alter the functional traffic capacity of the facilities being improved and are “exempt” from the requirement to determine conformity according to the Final Rule. Therefore they were not included in the travel demand model-based technical analysis.

Projects in the TIP that are not identified as exempt in the Final Rule are identified in the conformity document as “non-exempt.” They are not exempt from the requirement to determine conformity. These projects in the TIP typically involve capacity improvements. Non-exempt projects which are regionally significant were included in the travel demand model. Non-exempt, non-regionally significant projects were evaluated to determine whether they were suitable to be included in the travel demand model. Non-exempt, non-regionally significant projects which were not able to be evaluated in the travel demand model were reviewed through a manual quantitative analysis.

Upon completion of the travel demand forecasting task, the results were analyzed by the Maryland Department of Environment (MDE) to estimate the emission effects of the highway based transportation

system. The results are portrayed in tons per day of NO<sub>x</sub>, VOC, and CO, and tons per year of PM<sub>2.5</sub> and the PM<sub>2.5</sub> precursor NO<sub>x</sub>, for future horizon years.

Documentation of local CO analyses is required for some “exempt” and all “non-exempt” projects that are located in the Central Business District of Baltimore City. If local CO violations were not examined through the National Environment Policy Act (NEPA) process, a qualitative analysis would have been performed and submitted by the sponsoring agency. However, no projects fall into this category.

Conformity determinations by the MPO were made with input from the local jurisdictions and modal administrations. All projects were assessed by the Interagency Consultation Group (ICG) to determine conformity status for testing. Through coordination with the submitting agencies, the MPO made a determination of conformity by testing projects in the model or performing quantitative analyses.