

## **INTERAGENCY CONSULTATION GROUP (ICG)**

**Wednesday, February 4, 2009**  
**Baltimore Metropolitan Council**  
**8:30 A.M.**

### **ATTENDANCE:**

#### **Members**

Kwame Arhin, Federal Highway Administration (FHWA), Maryland Division  
Regina Aris, Baltimore Metropolitan Council (BMC)  
Emery Hines, Baltimore Regional Transportation Board (BRTB)  
Brian Hug, Maryland Department of the Environment (MDE)  
Martin Kotsch, U.S. Environmental Protection Agency (EPA) Region 3 (by telephone)  
Gail McFadden-Roberts, Federal Transit Administration (FTA) (by telephone)  
Theo Ngongang, Maryland Department of Transportation (MDOT)  
Howard Simons, MDOT  
Sara Tomlinson, BMC  
Russ Ulrich, BMC  
Marcia Ways, MDE  
Jim Wilkinson, MDE

### **WELCOME & INTRODUCTIONS:**

Ms. Regina Aris (BMC) called the meeting to order at 8:30 A.M. Members and guests introduced themselves.

### **APPROVAL OF DECEMBER 3<sup>RD</sup> ICG MEETING MINUTES:**

Ms. Aris asked for a motion to approve the minutes of the December 3<sup>rd</sup> ICG meeting. Mr. Brian Hug (MDE) asked for one change to the minutes. The word "severe" under Part B of the "Other Business" section should be changed to "serious." Mr. Hug moved to approve the minutes as amended. Mr. Howard Simons (MDOT) seconded the motion. The minutes, as amended, were approved.

### **REPORT ON RECENT MEETINGS:**

#### **Technical Committee**

Ms. Aris reported on the February 3, 2009 meeting of the Technical Committee. Highlights of the meetings follow:

- The TC approved the following resolutions:
  - Resolution #09-14 for approval of an amendment to *Transportation Outlook 2035*.
  - Resolution #09-15 for changes to the Bicycle & Pedestrian Advisory Group bylaws.

### **Baltimore Regional Transportation Board**

Ms. Aris stated that the January 27, 2009 meeting of the Baltimore Regional Transportation Board was cancelled due to inclement weather and the related meeting cancellation policy of the BRTB.

### **AIR QUALITY PLANNING/ SIP UPDATE FROM MDE:**

#### **a. 8-hour Ozone SIP for the Baltimore Nonattainment Area**

Mr. Hug discussed the adequacy finding of the Reasonable Further Progress motor vehicle emissions budgets for 8-hour ozone for the Baltimore region. In December 2008, MDE sent a letter to EPA requesting that EPA separate out the Reasonable Further Progress portion of the SIP from the Attainment portion. Now that EPA has determined the RFP budgets to be adequate, conformity can be tested against these budgets for VOCs and NOx – ozone precursors. One-hour budgets had been used previously as interim budgets, but now they will no longer apply. The Federal Register notice has not been published yet, but the letter to MDE stands as public record.

It was mentioned that if the 2009 attainment demonstration is disapproved, there will still be a conformity freeze, even though there are RFP budgets.

#### **b. 24-hour Fine Particulate Matter Nonattainment Status**

Mr. Hug discussed MDE's comments on the EPA's proposed addition of Montgomery and Prince George's Counties to the Baltimore Nonattainment Area for 24-hour PM2.5. MDE does not support this proposal. Scientifically, it does not make sense. There are inconsistencies in the science which is the focus of the letter from MDE. EPA did not consider future reductions from power plant emissions from implementation of the Maryland Healthy Air Act. Letters were added from MWAQC/MWCOG/TPB, BRTB/BMC, and the Montgomery County Council.

In evaluating the 2006-2008 monitoring data, the Baltimore region is most likely attaining the 24-hour PM2.5 standard now. EPA needs certified data by February 20<sup>th</sup>. In another potential scenario, if attaining monitoring data is submitted after February 20<sup>th</sup>, a future maintenance plan may be required.

Conformity for the 24-hour PM2.5 standard would need to be performed using an interim emissions test, consisting of either a "less-than-base year" or "build-no build" test. EPA has not yet determined what the base year would be for this option.

### **TRANSPORTATION PLANNING UPDATE:**

#### **a. Transportation Outlook 2035 Amendment**

Ms. Sara Tomlinson (BMC) distributed copies of the draft BRTB resolution to approve an amendment to *Transportation Outlook 2035*. The mix of projects in the amendment includes the Green Line, park-and-ride spaces, Carroll County transit vehicles and amenities, intermodal facilities, MARC stations, and dedicated bus lanes. The draft amendment was discussed at the December ICG meeting. Ms. Tomlinson discussed the attachment to the amendment which included the results of a conformity analysis. The amended Plan meets the requirements for the conformity analysis.

It was requested that a footnote be added to the attached table stating that the 8-hour ozone attainment budgets are able to be met, although not required.

Ms. Aris stated that 9 comments were received on the Plan amendments; however, they were not air quality-related. The resolution will be brought to the BRTB later this month. Mr. Emery Hines (BRTB) motioned to recommend approval of the resolution. Mr. Simons seconded the motion, which was approved unanimously.

***[Handout – Draft Resolution #09-14 to Approve an Amendment to Transportation Outlook 2035]***

**b. Conformity Determination of FY 2010 -2013 TIP and Transportation Outlook 2035**

Ms. Tomlinson distributed a draft letter addressed to FHWA, FTA, and US EPA, describing the methodology and assumptions to be used for the Conformity Determination of FY 2010-2013 TIP and Transportation Outlook 2035, to be performed this year. This letter was described at the February Technical Committee meeting. The horizon years to be analyzed in conformity are 2013, 2020, 2030, and 2035. The latest socio-economic assumptions will be used in the modeling, which will likely be Round 7-B. The emissions from the transportation network will be compared with the interim and SIP budgets for PM2.5. Emissions of 8-hour ozone will be compared with the RFP SIP 8-hour ozone budgets. Emissions of CO will be compared with the maintenance budget for CO.

Mr. Hug stated that MDE is comfortable with the letter as it is. Mr. Simons stated that MDOT also approves the letter as written.

***[Handout – Draft Methodology and Assumptions Letter for the Conformity Determination of the FY 2010-2013 TIP and Transportation Outlook 2035]***

**TRANSPORTATION MODELING UPDATE:**

Ms. Tomlinson discussed the status of two consultant activities in the FY 2009 UPWP related to air quality planning. The first one is a study of Metropolitan Planning Organizations around the country on what types of projects have credit taken in conformity determinations. The second project is for a consultant to provide assistance to staff in determining the best way to model transportation-related greenhouse gas emissions, and how to perform this modeling.

**OTHER BUSINESS:**

**A. Revised 8-hour Ozone Standard:**

Mr. Hug stated that Maryland will be providing EPA with their recommended attainment/nonattainment designations for the 2008 8-hour ozone standard by April. They will recommend that the Baltimore area be nonattainment, and that the nonattainment boundary remain the same.

Mr. Simons mentioned that in Queen Anne's and Kent Counties there is a maintenance plan for 8-hour ozone. He asked how a stricter standard would affect these two counties. Mr. Martin Kotsch (EPA Region 3) stated that EPA will give direction when this situation is worked out.

B. Stimulus Plan:

Mr. Kwame Arhin (FHWA) asked if the BRTB looked at conformity effects of stimulus plan projects. Ms. Aris said that the projects on the list are shovel-ready and are reflected in conformity or are system preservation projects. Mr. Arhin asked how the 2010-2013 TIP will be incorporated into state STIP, since there is no 2009-2012 TIP. Ms. Aris and Mr. Theo Ngongang (MDOT) will work on this issue.

Mr. Kotsch mentioned that EPA is asking to put DERA funds in the stimulus bill.

C. Maryland Climate Change Planning:

The Maryland General Assembly will be debating a climate change bill this year. Unlike previous years, this legislation was developed through a state process involving about 40 stakeholders. The Governor will co-sponsor the bill. The first hearing will be February 10<sup>th</sup>. The bill includes a 25 percent reduction in greenhouse gas emissions by 2020. Also, Maryland sent a comment letter to EPA, supporting a national greenhouse gas program.

D. Member Reports:

Ms. Tomlinson provided an update on the FY 2009 BRTB CMAQ competitive selection process. Five applications were received by the November 4, 2008 deadline. The applications are currently being reviewed. Similar to the first round of CMAQ funding, the BRTB has been given authority to select up to \$1 million worth of projects that reduce transportation-related emissions.

Ms. Aris asked if any of the members had any other business to discuss; hearing none, she asked for the meeting to adjourn. The meeting concluded at 9:50 A.M. The next meeting is scheduled for April 1, 2009.