



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

AUG 27 2015

Mr. Hasan Ikhata
Executive Director
Southern California Association of Governments
818 West Seventh Street, 12th Floor
Los Angeles, California 90017-3435

Dear Mr. Ikhata:

This letter responds to your letter dated June 4, 2015, requesting EPA review and concurrence of a three TCM substitution from the Los Angeles County Metropolitan Transportation Authority (Metro), Riverside County Transportation Authority (RCTC) and the San Bernardino Association of Governments (SANBAG). Since your staff is currently working on additional information for the Metro and RCTC substitutions, this letter focuses only on the SANBAG substitution. SANBAG is proposing to replace two park and ride lots with a vanpool program in San Bernardino County. Based on our review of your letter and enclosures, EPA concurs that the TCM substitution submitted by the Southern California Association of Governments (SCAG) for SANBAG meets the requirements for substitution of TCMs from an approved State Implementation Plan (SIP). As a result of our concurrence, SCAG can adopt amendments to its Regional Transportation Improvement Program and Regional Transportation Plan for the substitute TCM, and include it in the next transportation conformity analyses.


The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), signed into law on August 10, 2005, revised the Clean Air Act's section 176(c) transportation conformity provisions for procedures to use when substituting or adding TCMs to approved SIPs. The Clean Air Act as amended requires that the replacement TCM must achieve equal or greater emission reductions; be implemented on a consistent schedule; and be supported by adequate resources and authority to be implemented, monitored and enforced. The TCM must also have been developed through a collaborative process involving all affected jurisdictions, EPA, and the public. The Clean Air Act procedures provide a mechanism whereby TCMs can be added to, or substituted for, in the approved SIP, without a formal rulemaking process.

This letter transmits our decision that EPA concurs with the TCM substitution submitted by SCAG for SANBAG. In reaching this decision, we have reviewed the technical information for the substitute TCM provided by SCAG and have determined that the substitute TCM meets the Clean Air Act section 176(c)(8) requirements for substitute TCMs. We have enclosed a table that summarizes our evaluation for the substitute TCM.

SCAG can now make conformity determinations based on this substitute TCM, and the substitute TCM is now part of the federally enforceable SIP. We anticipate that the California Air Resources Board (CARB) will submit the substitute TCM for incorporation in the codified applicable SIP within 90 days, as required by Clean Air Act section 176(c)(8). EPA will then proceed to update the Code of Federal Regulations via a Federal Register notice to clarify which TCM is part of the federally enforceable SIP.

If you have any questions regarding this decision, please contact me at (415) 947-8715 or Karina O'Connor at (775) 434-8176.

Sincerely,



Elizabeth Adams
Acting Director, Air Division

Enclosure

cc: Jillian Wong, South Coast Air Quality Management District
Jon Taylor, California Air Resources Board
Dennis Wade, California Air Resources Board
Jermaine Hannon, Federal Highway Administration
Stew Sonnenberg, Federal Highway Administration
Ted Matley, Federal Transit Administration
Katie Benouar, California Department of Transportation

Enclosure – Technical Support Document for Southern California Association of Governments' (SCAG's) Transportation Control Measure Substitution: Park and Ride Lots in San Bernardino County

<p>Transportation Control Measure (TCM) Under Review: Park and Ride Lots Replacement with a Regional Vanpool Program in San Bernardino County Portion of the South Coast Air Basin</p>		<p>Date of TCM Substitution Receipt by EPA: June 23, 2015</p>	
<p>Reviewers: Karina O'Connor</p>		<p>Date: 06/25/15</p>	
<p>Transportation Review Criteria from <i>Clean Air Act section 176(c)</i></p>		<p>Documentation/Comments</p>	
<p>176(c)(8)(A)(i)</p>	<p>The substitute measures achieve equivalent or greater emissions reductions than the control measure to be replaced;</p>	<p>Y</p>	<p>Completion of the Upland Metrolink Station Park and Ride Lot Expansion Project is delayed and the Rialto Metrolink Station Park and Ride Lot Expansion Project has been reduced in scope. The replacement TCM is a Regional Vanpool program that includes 128 new commuter vanpools in fiscal years 2015 and 2016, 172 vanpools by 2023 and 218 vanpools by 2035 in San Bernardino County. The replacement projects provide equivalent emission reductions for PM, CO, ROG and NOx as supported with emission model runs and documented by the San Bernardino Association of Governments (SANBAG) in a May 11, 2015 letter to SCAG that was included as appendix A to SCAG's report titled "SANBAG Substitution Request," dated June 2015, and submitted to EPA on June 3, 2015. The methodology for analyzing emissions used assumptions and modeling techniques from "Methods to Find the Cost-Effectiveness of Funding Air Quality Projects" published by the California Air Resources Board (CARB) in May 2005 (validated in 2013), as well as 2013 Emission Factor Tables (also by CARB).</p>
<p>176(c)(8)(A)(ii)</p>	<p>The substitute control measures are implemented in accordance with a schedule that is consistent with the schedule provided for control measures in the implementation plan;</p>	<p>Y</p>	<p>The original Transit Centers were to be completed by December of 2015. The replacement TCM project will be built and operational by December of 2016. The original TCM is not relied upon for reasonable further progress or attainment in the approved SIP. Both the original and the replacement TCM project are located in Riverside County, within the South Coast Air Basin (SCAB).</p>
<p>176(c)(8)(A)(iii)</p>	<p>The substitute and additional control measures are accompanied with evidence of adequate personnel and funding and authority under State or local law to implement, monitor, and enforce the control measures;</p>	<p>Y</p>	<p>The Riverside Transit Agency (RTA) has the legal authority to implement and operate the Express Bus Expansion projects and has implemented similar projects before. RTA has secured local funds for capital and operating expenses for the Express Bus Expansion projects in Riverside County.</p>
<p>176(c)(8)(A)(iv)(I)</p>	<p>The substitute and additional control measures were developed through a collaborative process that included</p>	<p>Y</p>	<p>Interagency consultation occurred at SCAG's publicly noticed Transportation Conformity Working Group meetings on April 28 and May 26, prior to release of the document for a 15-day public review. Members of the Conformity Working</p>

	participation by representatives of all affected jurisdictions (including local air pollution control agencies, the State air pollution control agency, and State and local transportation agencies);		Group include: EPA, FHWA, FTA, CARB, Caltrans, the South Coast Air Quality Management District, and the county transportation authorities (including, among others, the Los Angeles County Metropolitan Transportation Authority).
<i>176(c)(8)(A)(iv)(II)</i>	The substitute and additional control measures were developed through a collaborative process that included consultation with the Administrator;	Y	EPA was included in the area's Transportation Conformity Working Group process and in multiple conference calls.
<i>176(c)(8)(A)(iv)(III)</i>	The substitute and additional control measures were developed through a collaborative process that included reasonable public notice and opportunity for comment; and	Y	A 15-day public comment period was held on the draft report, which was presented to and approved by SCAG's Energy and Environmental Committee (EEC) and publicly noticed on May 13, 2015. The replacement TCM was presented to the SCAG Regional Council on June 4, 2015. These meetings were publicly noticed. The draft documentation was available for review at the Southern California Association of Governments office, located at 818 W. Seventh St., Los Angeles, CA 90017 and www.scag.ca.gov . No comments were received.
<i>176(c)(8)(A)(v)</i>	The metropolitan planning organization, State air pollution control agency, and the Administrator concur with the equivalency of the substitute or additional control measures.	Y	The replacement TCM was approved, in the form of a vote of the SCAG Regional Council, on June 4, 2013. CARB has also concurred with the substitution in a letter dated August 26, 2015 from Richard Corey to Hasan Ikhrata. On September 29, 2006, concurrence on TCM substitutions was delegated from the EPA Administrator to the Regional Administrators. On August 20, 2008, concurrence on TCM substitutions was re-delegated from the Region IX Regional Administrator to the Director of the Air Division in Region IX. This letter documents the Region IX Air Division Director's review and concurrence on the substitution.