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# Hot Topics: *Emerging Air Quality Issues*

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# General Overview

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- ▶ CMAQ Program Changes Under MAP-21
- ▶ MSAT Interim Guidance Update
- ▶ Project & Planning Consistency

# CMAQ Program Changes Under MAP-21

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- ▶ **MAP-21 & CMAQ – the BASICS! (Section 1113)**
  - ▶ Program continues for 2013 and 2014
  - ▶ State CMAQ is based on FY 09 proportions
  - ▶ Eligibility guidelines intact
  - ▶ Priority for PM 2.5
  - ▶ Performance planning
- ▶ **Estimated CMAQ Funding**
  - ▶ FY 2013 - \$2.21 Billion
  - ▶ FY 2014 - \$2.23 Billion
- ▶ **Apportionment**
  - ▶ CMAQ statutory formula removed in MAP-21
  - ▶ State's Federal-aid Highway Program total based on prior years

# CMAQ Program Changes Under MAP-21

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- ▶ Project Eligibility
  - ▶ Prior eligibilities continue in MAP-21
  
- ▶ CMAQ Federal Share
  - ▶ Energy Independence & Security Act (EISA) provided a temporary, full Federal share for CMAQ projects in 2008 and 2009
  - ▶ Standard share provided in 23 U.S.C. 120 applies on October 1, 2012
  
- ▶ Evaluation & Assessment
  - ▶ MAP-21 requires implementation and maintenance of the CMAQ reporting system
  - ▶ Annual reports covering program obligations also to continue
  
- ▶ Cost Effectiveness
  - ▶ Program focus on cost efficiency

# MSAT Interim Guidance Update

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- ▶ First *draft* under review
- ▶ Update with MOVES analysis
  - ▶ Diesel Particulate Matter (DPM) is the most significant MSAT
- ▶ Update with recent research

# Project & Planning Consistency

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## ▶ Planning Consistency Background

- ▶ FHWA previously issued guidance on Planning requirements for NEPA in January 2008.
- ▶ FHWA issued clarification on the January 2008 guidance in February 2011.
- ▶ Planning consistency applies to environmental documents seeking FHWA action.

# Project & Planning Consistency

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## ▶ Requirements

- ▶ Projects in a metropolitan planning area must be consistent with the MPO's fiscally constrained Transportation Plan
- ▶ Projects in a metropolitan planning area must be consistent with the MPO's fiscally constrained TIP/STIP
- ▶ Projects in rural areas are anticipated to be consistent with the State's Long Range Transportation Plan (SLRTP) and fiscally constrained STIP.

# Project & Planning Consistency

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## ▶ Common Questions

- ▶ Can a project be considered consistent if included in the illustrative list of an MPO's MTP (i.e., unfunded, non-fiscally constrained)?
- ▶ Can a project be considered consistent if only a portion or phase of the project is included in the MPO's MTP.
- ▶ Is a project included in a fiscally constrained and conforming (in a non-attainment area) MPO MTP considered consistent if the project cost noted in the environmental document is substantially greater (more than 50 percent) than that noted in the MTP?
- ▶ Can NEPA work continue on projects that are not consistent with the MPO Transportation Plan or TIP/STIP?



# Resources

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FHWA Air Quality Website:

[http://www.fhwa.dot.gov/environment/air\\_quality/cmaq](http://www.fhwa.dot.gov/environment/air_quality/cmaq)

FHWA MAP-21 Website:

<http://www.fhwa.dot.gov/map21/>

FHWA Transportation Planning and Relationship to NEPA  
Process Completion Guidance:

January 28, 2008 Memorandum

<http://www.fhwa.dot.gov/planning/tprandnepamemo.htm>

February 9, 2011 Supplement to January 28, 2008 Memorandum

<http://www.fhwa.dot.gov/planning/supplementmemo.htm>

# Contacts

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