

Fort Collins and Greeley Carbon Monoxide Maintenance Areas Conformity Determination

for the

North Front Range Metropolitan Planning Area
FY2020-2023 Transportation Improvement Program

The North Front Range Metropolitan Planning Organization
419 Canyon Avenue, Suite 300 Fort Collins, CO 80521

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June 6, 2019



Introduction

This report demonstrates the FY2020-2023 Transportation Improvement Program (TIP) meets the federally prescribed air quality conformity requirements for the Carbon Monoxide (CO) National Ambient Air Quality Standard (NAAQS). The conformity determination applies to the Fort Collins and Greeley CO Maintenance Areas.

A conformity determination report for the Denver-North Front Range Northern Subarea 8-Hour Ozone Nonattainment Area was prepared concurrently in coordination with this document to have the same effective date.

Background

The North Front Range Metropolitan Planning Organization (NFRMPO) serves as the Lead Planning Agency for CO air quality issues in the North Front Range region. The NFRMPO has 15 local government members, including 13 municipalities and portions of Larimer and Weld counties.

The NFRMPO is required to conduct an air quality conformity determination on the Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP) to determine conformance with the Colorado Statewide Implementation Plan (SIP) and must comply with the Clean Air Act, the Transportation Conformity Regulation, the Statewide and Metropolitan Planning Regulation, and other applicable federal and state requirements.

The conformity determination ensures that transportation plans, programs, and projects do not:

- Create new violations of the NAAQS;
- Increase the frequency or severity of NAAQS violations; or
- Delay timely attainment of the NAAQS or achievement of any interim milestone.

Portions of the cities of Fort Collins and Greeley and their immediate vicinities are designated as maintenance areas for CO, shown in **Figure 1**.

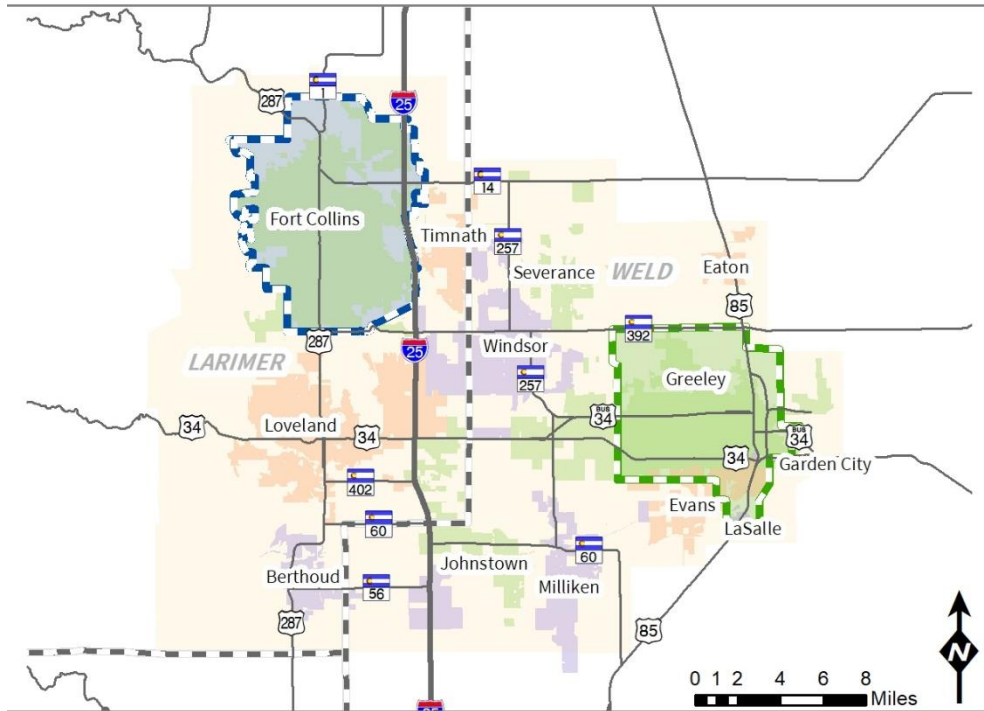
The Fort Collins area was designated by the Environmental Protection Agency (EPA) as nonattainment for CO in 1979. The last violation of the CO standard in Fort Collins was in 1991. The EPA redesignated Fort Collins as an attainment/maintenance area in 2003 with the approval of the first 10-year maintenance plan. The second 10-year maintenance plan was approved by the EPA in 2013 and demonstrates continued attainment through 2023.¹

The Greeley area was designated by the EPA as nonattainment for CO in 1977. The last violation of the CO standard in Greeley was in 1988. The EPA redesignated Greeley as an attainment/maintenance area in 1999 with the approval of the first 10-year maintenance plan. The second 10-year maintenance plan was approved by the EPA in 2013 and demonstrated continued attainment through 2019.²





¹ 78 FR 56164, <https://federalregister.gov/a/2013-21987>, 2013

² 78 FR 46816, <https://federalregister.gov/a/2013-18439>, 2013

Figure 1: Fort Collins and Greeley CO Maintenance Area Boundaries



Legend

-  Fort Collins Maintenance Area
-  Greeley Maintenance Area
-  NFRMPO Planning Area
-  County Boundaries

April 2019
Sources: CDOT, NFRMPO



Finding

The second 10-year maintenance plans for both Fort Collins and Greeley meet the requirements and provisions of EPA’s limited maintenance plan option. To qualify for this option, the maintenance plans demonstrated CO levels at or below 85 percent of the 8-hour standard of 9 parts per million (ppm) for eight consecutive quarters. There are no commitments to Transportation Control Measures (TCMs) in either maintenance plan.

Transportation plans and improvement programs in carbon monoxide limited maintenance plan areas are presumed to automatically satisfy the emissions budget test requirement, and no regional emissions analysis is required.

The FY2020-2023 TIP meets all conformity criteria as identified in 40 CFR 93.109 and meets all planning requirements identified in 23 CFR 450.

Public Participation

The 2019 Public Involvement Plan (PIP) guides the NFRMPO’s public participation activities for all plans and programs. The NFRMPO invited public participation throughout the development of the FY2020-2023 TIP and the associated conformity determinations.

A public hearing notice was published on April 27, 2019, with the documents made available to the public on April 26, 2019. The documents are available on the NFRMPO website at <http://nfrmpo.org/air-quality> and at the NFRMPO Office as a print copy. The public comment period ends at 5:00 p.m. on May 31, 2019.

The North Front Range Air Quality and Transportation Planning Council (NFRT&AQPC) will hold a public hearing regarding this conformity determination prior to their monthly meeting on June 6, 2019 at the Johnstown Community Center at 101 Charlotte St; Johnstown, Colorado 80550. Minutes of the NFRMPO Planning Council's public hearing will be available at the NFRMPO office and website: nfrmpo.org.

The FY2020-2023 TIP was made available for a 30-day public comment period from April 1, 2019 through April 30, 2019. Public comments will also be taken at the June 6, 2019 NFRT&AQPC meeting. It is anticipated the TIP will be adopted at this meeting.

***Appendix A: Resolution 2019-10 North Front Range Transportation & Air Quality
Planning Council (NFRT&AQPC) Adoption***

RESOLUTION NO. 2019-10
OF THE NORTH FRONT RANGE TRANSPORTATION & AIR QUALITY PLANNING COUNCIL
ADOPTING CONFORMITY DETERMINATIONS FOR THE NORTH FRONT RANGE METROPOLITAN
PLANNING AREA FY2020-2023 TRANSPORTATION IMPROVEMENT PROGRAM (TIP) AND THE FISCALLY
CONSTRAINED 2040 REGIONAL TRANSPORTATION PLAN AMENDED JUNE 2017 AND FOR THE
NORTHERN SUBAREA OF THE UPPER FRONT RANGE TRANSPORTATION PLANNING REGION 2040
REGIONAL TRANSPORTATION PLAN AND THE FY2019-2022 STATEWIDE TRANSPORTATION
IMPROVEMENT PROGRAM

WHEREAS, 23 CFR §450.324 requires development through continuing, cooperative, and comprehensive (“3C”) multimodal transportation planning process of a fiscally constrained Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP) for Metropolitan Planning Organizations (MPOs); and

WHEREAS, the Planning Council as the MPO is the agency responsible for developing and amending the RTP and TIP; and

WHEREAS, portions of the cities of Fort Collins and Greeley are currently designated as maintenance areas for carbon monoxide (CO) for which the Planning Council performs conformity determinations; and

WHEREAS, the Planning Council through a Memorandum of Agreement (MOA) (2008) has agreed to perform ozone conformity determinations for the Northern Subarea of the Denver-North Front Range 8-hour ozone nonattainment area which includes portions of Larimer and Weld counties outside the MPO contained in the Upper Front Range Transportation Planning Region (UFRTPR); and

WHEREAS, Section 93.110(a) of the conformity rule requires conformity determinations based on the most recent planning assumptions in force at the time of conformity analysis; and

WHEREAS, the planning assumptions for the Northern Subarea were updated prior to conformity analysis; and

WHEREAS, the air quality conformity determinations conducted on the NFRMPO’s fiscally constrained 2040 RTP, Amended June 2017, the FY2020-2023 TIP, and the Colorado FY2019-2022 Statewide TIP (STIP) using the 2040 planning assumptions were within the federally approved emissions budgets; and

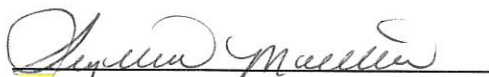
WHEREAS, the Planning Council received no public comment opposing the finding of conformity during the public comment period or during the public hearing;

NOW, THEREFORE, BE IT RESOLVED the North Front Range Transportation & Air Quality Planning Council determines the fiscally constrained 2040 RTP, the FY2020-2023 TIP, the 2040 Upper Front Range RTP, and the Colorado FY2019-2022 STIP conform to the State Implementation Plan (SIP) demonstrating positive air quality conformity redeterminations.

Passed and adopted at the regular meeting of the North Front Range Transportation & Air Quality Planning Council held this 6th day of June 2019.


Kristie Melendez, Chair

ATTEST:


Suzette Mallette, Executive Director

Appendix B: CDPHE Conformity Concurrence



COLORADO
Air Quality Control Commission
Department of Public Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

Ms. Suzette Mallette, Executive Director
North Front Range Metropolitan Planning Organization
419 Canyon Avenue, Suite 300
Fort Collins, CO 80521

May 28, 2019

The Colorado Air Pollution Control Division (APCD) has reviewed your agency's conformity determinations for its FY2018-2021 Transportation Improvement Program (TIP). The AQCC agrees that the North Front Range Metropolitan Planning Organization's (NFRMPO) FY 2020-2023 TIP, as of April 18, 2019, conforms to the State Implementation Plan (SIP) and emissions budgets for ozone precursors and carbon monoxide.

The North Front Range Metropolitan Planning Organization's and the Air Pollution Control Division's analyses indicate that emissions budgets for these pollutants will not be exceeded in any of the project or plan horizon years. Therefore, the APCD concurs with this conformity determination.

Should you have any questions, please contact Richard Coffin at the APCD, at 303-692-3127 or at richard.coffin@state.co.us.

Sincerely,

Rick Coffin, Air Quality Planner
Air Pollution Control Division

Cc: Tim Russ, U.S. EPA, Region 8
Bill Haas, FHWA
Doug Rex, DRCOG
Becky Karasko, NFRMPO
Rose Waldman, CDOT



Appendix C: U.S. Department of Transportation Conformity Finding



U.S. Department
of Transportation

July 31, 2019

Federal Highway Administration
Colorado Division
12300 West Dakota Ave., Ste 180
Lakewood, Colorado 80228

Ms. Suzette Mallette
Executive Director, NFRMPO
419 Canyon Avenue, Suite 300
Fort Collins, CO 80521

Subject: Conformity Redetermination for the NFRMPO 2040 RTP Amendment and Amended 2019-2022 TIP

Dear Ms. Mallette:

In accordance with the Clean Air Act of 1990, as amended, and 23 CFR 450, the U.S. Department of Transportation (USDOT) is required to make air quality conformity determinations of Regional Transportation Plans (RTP) and Transportation Improvement Programs (TIP) in non-attainment and maintenance areas. Consistent with the Federal Highway Administration (FHWA)/ Federal Transit Administration (FTA) Region 8 Memorandum of Agreement (MOA) for Transportation Planning Oversight, the FHWA Colorado Division office signs the letter on behalf of FTA Region 8.

On June 6, 2019, the North Front Range Metropolitan Planning Organization (NFRMPO) adopted an air quality conformity redetermination for the Fort Collins and Greeley urbanized areas for the 2040 RTP Amendment, as well as for the northern subarea of the Upper Front Range Transportation Planning Region (UFR TPR) 2040 RTP and the portion of the 2019-2022 State Transportation Improvement Program within the Upper Front Range region. On March 2, 2017, NFRMPO adopted a conformity determination for the Amended 2016-2019 TIP. The NFRMPO adopted both conformity determinations in its capacity as the Metropolitan Planning Organization.

Based on our evaluation of the NFRMPO 2040 RTP Amendment and Amended 2019-2022 TIP conformity determinations, in coordination with the Environmental Protection Agency (EPA), the Denver Regional Council of Governments (DRCOG), the NFRMPO, the Colorado Air Quality Control Commission, the Regional Air Quality Council and the Colorado Department of Transportation, we have re-determined that Fort Collins and Greeley urbanized areas have met the requirements of 40 CFR 51 and 93, 23 CFR 450, and 49 CFR 613 along with FHWA/FTA policies and guidance. Furthermore, the NFRMPO conformity redetermination is consistent with the 2008 DRCOG/NFRMPO 8-Hour Ozone MOA.

A conformity redetermination for the NFRMPO 2040 RTP Amendment and Amended 2019-2022 TIP is hereby made. We are also making a conformity redetermination for the northern subarea of the Upper Front Range TPR 2040 RTP and the Upper Front Range portion of the 2019-2022 State Transportation Improvement Program. This conformity redetermination does not restart the clock for

conformity for either the NFRMPO Amended 2040 RTP or the 2019-2022 TIP. Our action is consistent with the FHWA/FTA Transportation Planning MOA.

Sincerely,

JOHN M CATER

Digitally signed by JOHN M
CATER
Date: 2019.07.31 11:08:42 -06'00'

John M. Cater, P.E.
Division Administrator

cc: Mr. Doug Rex, DRCOG
Ms. Barbara Kirkmeyer, Upper Front Range TPR
Mr. Rick Coffin, APCD
Ms. Marissa Gaughan, CDOT
Mr. Tim Kirby, CDOT
Ms. Ranae Tunison, FTA
Mr. Tim Russ, EPA