

ADAMS COUNTY OFFICE OF PLANNING AND DEVELOPMENT

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Sherri Clayton-Williams, AICP, Director

Date: July 21, 2022

To: Adams County Transportation Planning Organization (ACTPO)
Committee Members

Andrew D. Merkel

From: Andrew D. Merkel, AICP
Assistant Director/Comprehensive Planning Manager

Subject: ACTPO Meeting: July 27, 2022

The next meeting of the ACTPO Board is **Wednesday, July 27, 2022** from **1:00-3:00 p.m.** This meeting will be conducted using as a hybrid format, with options for in-person attendance or virtual attendance.

The in-person component of the meeting will be held at Adams County Agricultural and Natural Resources Center, Meeting Rooms A1-A3, 670 Old Harrisburg Rd, Gettysburg, PA 17325. The virtual component will be held using Microsoft Teams. Instructions to access the meeting are included in the meeting notice email. Attached, please find the following documents:

- 1) Draft agenda for the July 27, 2022 ACTPO meeting,
- 2) Draft minutes from the June 22, 2022 ACTPO meeting,
- 3) Commuter Services of PA Spring and Summer 2022 Update,
- 4) Draft Onward2050 Long Range Transportation Plan, and
- 5) Draft AQ Report and Resolution for Onward2050 Long Range Transportation Plan.

Anyone needing special meeting accommodations should contact Andrew Merkel at 717-337-9824 or amerkel@adamscounty.us at least 24 hours in advance of the meeting.

Adams County Transportation Planning Organization

July 27, 2022

1:00 – 3:00 P.M.

1. Introductory Comments – Bob Gordon, ACTPO Chairman
2. Approval of Minutes: June 22, 2022
3. Staff Updates – ACOPD
 - a. HOP / Traffic Study / Project Meetings
 - b. Local Bridge Update – Adams County Bridge Engineer
4. Transit Update
 - a. Commuter Services of Pennsylvania Update
 - b. Susquehanna Regional Transportation Authority Update
5. Onward2050 – Long Range Transportation Plan Update – Adams County
 - a. Review of Onward2050
 - b. Review of Air Quality Conformity Determination Report
 - c. Review of Public Comment Period Documentation
 - d. Approval of Air Quality Conformity Determination Report **(Action Required)**
 - e. Approval of Air Quality Resolution **(Action Required)**
 - f. Adoption of Long Range Transportation Plan (Onward2050) **(Action Required)**
6. Penn DOT Comments
7. FHWA Comments
8. Public Comments
 - a. Open Public Comment Period
9. Member Comments
10. Next Meeting, Time and Place
 - a. 2022 ACTPO Meetings
 - October 26, 2022

Adams County Transportation Planning Organization (ACTPO)
Minutes for the Committee Meeting on June 22, 2022

Attendance:

Voting Members

Bob Gordon	Hamiltonban Township (Chair)
Dave Laughman	Arendtsville Borough (Vice-Chair)
Ray Green	PennDOT Central Office
Nathan Walker	PennDOT District 8-0
Charles "Skip" Strayer	Adams County Planning Commission
Bryan Johnson	Gettysburg Adams Chamber of Commerce
Bob Rhoads	Mt. Pleasant Township
Beth Nidam	SRTA – rabbittransit
Scott Small	Conewago Township
Robin Fitzpatrick	Adams Economic Alliance
Jim Martin	Adams County Commissioner

Legislative Representatives

Catherine Wallen	Representative Ecker's Office
Chris Kimple	Representative Moul's Office

Adams County Office of Planning and Development

Sherri Clayton-Williams
Andrew Merkel
Laura Neiderer

Others

Judie Butterfield	Gettysburg Borough
Matthew Boyer	Commuter Services
Jeff Puher	PennDOT District 8-0
Christopher Kufro	PennDOT District 8-0
Kenana Korkutovic	PennDOT District 8-0
Carey Mullins	PennDOT Central Office
Ronnique Bishop	FHWA PA Division
Will Cameron	County Bridge Engineer
Stacey Rice	@Home in Adams County
Bev Frey	Oxford Township
Bonnie Little	Conewago Valley School District
Rita Frealing	Gettysburg Borough
Jack Ketterman	Germany Township
David Juba	SRTA – rabbittransit
David Bolton	Abbottstown Borough

Media

None

1. Introductory Comments

Mr. Gordon called the meeting to order at 1:00pm. It was established that a quorum was present. No items were added to the agenda.

2. Approval of Minutes – April 27, 2022

A correction was made to the attendance list. Mr. Strayer motioned to approve the corrected minutes. Mr. Small seconded, and the corrected minutes were approved by a unanimous vote.

3. Staff Updates – ACOPD

- a. Mr. Merkel reported that staff attended the following HOP/Traffic Study/Project meetings since the last ACTPO board meeting:
 - Huntington Fields (Huntington Township)
 - SRTP/PA Commuter Services Board meeting
 - PennDOT – Bi-Monthly Planning Partners Call
 - USDOT – Getting Ready for the Safe Streets and Roads for All (SS4A) Program webinar
- b. Mr. Cameron reported that the 2022 interim local bridge inspections are ongoing. He also noted that a letter was sent to ACTPO by the Adams County Board of Commissioners regarding funding for bridge #123 improvement. Mr. Ketterman asked Mr. Cameron about a Germany Township bridge on Feeser Road that was downgraded to a “poor” condition rating. Mr. Cameron explained that local bridges designated as “poor” are eligible for federal funds.
 - Mr. Merkel made the board aware that the federal BIL allows the opportunity for local bridges to be funded 100% by state and federal funding requiring no local share. Historically, local bridges have been funded by 80% federal funding, 15% state funding, and 5% local funding. He said at a future meeting, the ACTPO board will have to discuss and consider how to move forward with how local bridges will be funded given that there is now another option. Mr. Kufro mentioned that is decision would relate to new bridges and not for bridges currently through the design process. Several questions were asked by members related to this matter and Mr. Merkel and PennDOT representatives provided explanations based on the specific questions. Mr. Merkel said a decision doesn’t have to be made today, but it is something that will have to be considered moving forward.

4. Transit Update

- a. Mr. Boyer reported for Commuter Service of Pennsylvania. He noted that Elmwood Staffing was recognized as the winner of the “Staffing Agency Showdown”. Commuter Services is working with rabbittransit and the @Home in Adams County staff to promote the Gettysburg to Hanover connector route. “Bike Month” took place in May and 295 new members enrolled in the commuter database during the month of May. Mr. Merkel added that the 2021 Commuter Services Program Summary was included in the meeting packet.
- b. Ms. Nidam deferred to agenda item #7. Additional transit information will be provided when that item is discussed.

5. 2023-2026 TIP – PennDOT, Adams County

- a. Mr. Merkel reviewed the draft 2023-2026 TIP which was presented at the January and April ACTPO meetings.
- b. Ms. Neiderer provided an overview of the public comment documentation that was received as part of the 30-day public comment period. Mr. Merkel added that two hybrid public information meetings for the 2023-2026 draft TIP were held on June 1, 2022 and were not well attended.
- c. Mr. Merkel reviewed the Air Quality Conformity Determination Report component of the 2023-2026 TIP. He noted that PennDOT's consultant prepares the report for the MPO. Mr. Martin motioned to approve the Air Quality Conformity Determination Report and Ms. Nidam seconded the motion. The motion passed unanimously by vote.
- d. Mr. Merkel reviewed the Air Quality Resolution, which essentially states that the 2023-2026 TIP is addressing air quality according to the air quality determination report. Mr. Merkel noted that a revision needed to be made to resolution. Mr. Laughman motioned to approve the Air Quality Resolution with the modification. Mr. Martin seconded. The motion passed unanimously by vote.
- e. Mr. Merkel reviewed the Self-Certification Resolution, a formality that is adopted with each TIP update. Mr. Strayer moved to approve the Self-Certification Resolution. Mr. Martin seconded. The Self-Certification Resolution was approved by unanimous vote.
- f. Mr. Merkel reviewed the Procedures for 2023-2026 TIP/STIP Modification. These procedures outline the process for amending or modifying the TIP. Mr. Merkel noted that the threshold determining an administrative action from an amendment is unchanged and remains at one million dollars. Some additional discussion related to the matter occurred and Mr. Merkel clarified as necessary. Mr. Laughman motioned to approve the Procedures for the 2023-2026 TIP/STIP Modification and Mr. Green seconded the motion. The motion passed unanimously by vote.
- g. Mr. Gordon entertained a motion to approve the 2023-2026 TIP. Mr. Laughman made a motion and Mr. Strayer seconded. The 2023-2026 TIP was approved unanimously by vote. Mr. Merkel reminded the Chair and Vice-Chair that signatures are required for the approved documents.

6. ONWARD2050 - Long Range Transportation Plan Update – Adams County

Ms. Neiderer reviewed the draft Long Range Transportation Plan. Some discussion occurred throughout the review related to the process for developing the LRTP update and implementation actions going forward. She noted that the draft LRTP needs to go through a 30-day public comment period similar to the TIP. Staff has identified June 24th, 2022 through July 25th, 2022 as the public comment period timeframe. Two public information meetings are set to occur as part of the public comment period on July 13th, 2022. Mr. Merkel noted that the public notice advertising the public comment period will be placed in the Gettysburg Times, the York Daily Record and the Merchandiser. The decision to advertise in the York Daily Record and the Merchandiser was made based on feedback received during the TIP public comment period. Mr. Gordon entertained a motion to authorize the 30-day public comment period for the draft LRTP. Mr. Kufro made a motion and Mr. Martin Seconded. The motion passed unanimously by vote.

7. Transit Asset management (TAM) and PTASP PM Target Update – SRTA

Mr. Juba explained that rabbittransit is in a 4-year horizon update window for the Transit Asset Management (TAM) and Public Transportation Agency Safety Plan (PTASP) targets. Mr. Juba presented the executive summary and specific targets for the update process. Mr. Laughman asked what is the primary injury category that contributes to the annual reported events for the performance measure of “Injuries”. Mr. Juba expressed that to his understanding, the primary injury category is related to “slips, trips, and falls”, but is really anything that is reported as a passenger related injury. Ms. Nidam added that for transit performance measures don’t have the same categories as other transportation performance measures. Mr. Juba asked that the board acknowledge acceptance of the transit targets. Mr. Merkel added that it is the suggestion of the staff that the board accept the transit targets as presented. Mr. Laughman made a motion to accept the targets, and Mr. Kufro seconded. The motion passed unanimously by vote.

8. 2021-2024 TIP Update – PennDOT, Adams County

- a. Mr. Puher reviewed the proposed amendment to the 2021-2024 TIP. The amendment was for an increase in the construction phase of MPMS 102333. Mr. Puher clarified that this is specifically for the Adams County portion of the project. Mr. Gordon entertained a motion to approve the amendment; Mr. Strayer moved the action and Mr. Martin seconded. The amendment was approved unanimously by vote.
- b. Mr. Puher noted that there were two administrative modifications made to the 2021-2024 TIP since the April 2022 ACTPO meeting. There is no vote required for administrative modifications.

9. PennDOT Comments

- Mr. Kufro introduced himself as the Acting District Executive for PennDOT District 8-0.
- Mr. Walker announced that he will be stepping into a new role for PennDOT at Central Office and Mr. Mullins will be fulfilling his current role at PennDOT district 8-0.
- Ms. Korkutovic provided an update on the Eisenhower Drive Extension project. The department is working to finalize the environmental analysis document and anticipates a final document to be available in Fall 2022.
- Mr. Mullins introduced himself to the board and explained he will be acting in Mr. Walker’s current position.

10. FHWA Comments

- Ms. Bishop updated the board on planning initiatives related to various FHWA programs and funding opportunity information. She also noted that the Census Bureau did finalize the criteria for defining urban areas based on the 2020 census.

11. Public Comments

- Ms. Butterfield stated that the construction in Gettysburg Borough is complete. She noted that the Gettysburg Interloop project is proceeding with Part 2 and fundraising efforts are on-going. Also, the “Parade of Chrome” is returning as part of Gettysburg Bike Week 2022.

- Ms. Wallen stated that Representative Ecker's office is generally pleased with the direction of the current projects and that they are anxious for the Peepytown Road project to get underway.

12. Member Comments

- Ms. Nidam commended the staff for their efforts on the LRTP update.
- Mr. Laughman asked if there are any mechanisms in place to receive funds from individuals, groups or non-profit organizations, and wills or estates. Ms. Clayton-Williams noted that often it is recommended that funds/money be donated to the local municipality earmarking it for a particular project or use. Mr. Kufro agreed.
- Mr. Martin also commended the staff for their efforts on the LRTP update.

13. Next Meeting, Time, and Place

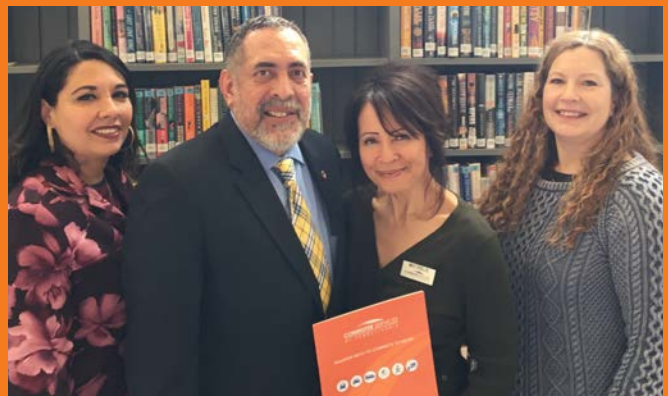
- a. The next meeting is scheduled for July 27th, 2022. A motion to adjourn the meeting at 2:24 PM was moved by Mr. Martin.

COMMUTER SERVICES OF PA

Program Update

Serving employers and commuters in Adams, Berks, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry, and York Counties.

TRANSIT CARPOOLING VANPOOLING WALKING



BIKING TELECOMMUTING STAGGERED SHIFTS

Spring and Summer 2022


COMMUTER SERVICES
OF PENNSYLVANIA
*Serving Adams, Berks, Cumberland, Dauphin,
Franklin, Lancaster, Lebanon, Perry & York Counties*

Earth Month 2022

In April, we celebrated Earth Day the entire month! We invited commuters to record their green commutes in Commute PA and engage with our social media posts by answering questions. In addition to the social media component, we held a 'race' among 15 employers to see who could have their employees track the most green trips. Eurofins was the employer with the most trips tracked. Congratulations to all of our employers that participated. Below are the Commute PA stats for April.



6,927
Greener
Trips



149,200
Miles
Not Driven



\$87,282
Commuter
Savings



6,300
Gallons of
Gas Saved



165,222
Calories
Burned

Congrats Earth Month Race Winners!

Eurofins
855 Greener Trips

County of Lancaster
464 Greener Trips

Franklin & Marshall
College
408 Greener Trips

United Disabilities
Services
131 Greener Trips

Four Seasons
Produce, Inc.
156 Greener Trips

Find us!



Bike Month 2022

National Bike to Work Day was May 20th and we encouraged regional commuters to try bicycling during the entire month of May and record those bike trips in Commute PA. In addition, we invited them to answer bike related questions on our social media pages. To add some friendly competition during the month, 13 employers and organizations participated in a Commute PA race to encourage their employees to bike to work.

Congratulations to Franklin & Marshall College and their faculty, staff, and students for having the most bike trips in May! Take a look at the overall bike stats for the month!



1,241
Bike
Trips



4,420
Miles
Not Driven



\$2,586
Commuter
Savings



197
Gallons of
Gas Saved



170,531
Calories
Burned

Congrats Bike Month Race Winners!



1.866.579.RIDE
PaCommuterServices.org

110 South Northern Way
York, PA 17402



In observance of National Bike to Work Day, Pennsylvania Department of Transportation (PennDOT), rabbittransit and Commuter Services of PA highlighted successes and multi-modal connectivity advantages for cyclists in the Commonwealth at the Middletown Train Station.

We currently host bi-monthly peer groups to discuss teleworking best practices and higher education transportation initiatives. Interested in jumping on a 30 - 45 minute call, networking with other like-minded professionals and seeing what others in the area are working on?

To be included, reach out to Stacy Newcomer,
Stacy.Newcomer@PaCommuterServices.org.



Commuter Services is a program of the non-profit Susquehanna Regional Transportation Partnership, whose board includes Lebanon Transit (LT), South Central Transit Authority (BARTA, Berks & RRTA, Lancaster) and Susquehanna Regional Transportation Authority (CAT, Cumberland/Dauphin & rabbittransit, Adams/York). Adams, Franklin, Harrisburg (Cumberland, Dauphin and Perry counties), Lancaster, Lebanon, Reading and York MPOs. The Harrisburg Regional Chamber & CREDC; the Gettysburg Adams, Greater Chambersburg and Lebanon Valley Chambers of Commerce; Greater Reading Chamber Alliance; Lancaster Chamber of Commerce & Industry and the York County Economic Alliance. One board seat is also set aside for a corporate executive. Funding is provided by the Federal Highway Administration and PennDOT in partnership with the participating MPOs.

Transportation Conformity Determination Report
1997 Ozone NAAQS

Transportation Conformity Determination
Adams County

2023-2026 Transportation
Improvement Program (TIP)
and 2050 Long Range
Transportation Plan (LRTP)

April 2022

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APPENDIX A: Regionally Significant Project List (Adams County)

Executive Summary

As part of its transportation planning process, the Adams County Transportation Planning Organization (ACTPO) completed the transportation conformity process for the 2023-2026 Transportation Improvement Program (TIP) and the Onward2050 Long Range Transportation Plan (LRTP). This report documents that the TIP and LRTP meet the federal transportation conformity requirements in 40 CFR Part 93.

Clean Air Act (CAA) section 176(c) (42 U.S.C. 7506(c)) requires that federally funded or approved highway and transit activities are consistent with (“conform to”) the purpose of the State Implementation Plan (SIP). Conformity to the purpose of the SIP means that transportation activities will not cause or contribute to new air quality violations, worsen existing violations, or delay timely attainment of the relevant NAAQS or any interim milestones. EPA’s transportation conformity rules establish the criteria and procedures for determining whether metropolitan transportation plans, transportation improvement programs (TIPs), and federally supported highway and transit projects conform to the SIP.

On February 16, 2018, the United States Court of Appeals for the District of Columbia Circuit in *South Coast Air Quality Mgmt. District v. EPA* (“*South Coast II*,” 882 F.3d 1138) held that transportation conformity determinations must be made in areas that were either nonattainment or maintenance for the 1997 ozone national ambient air quality standard (NAAQS) and attainment for the 2008 ozone NAAQS when the 1997 ozone NAAQS was revoked. These conformity determinations are required in these areas after February 16, 2019. Adams County was maintenance at the time of the 1997 ozone NAAQS revocation on April 6, 2015 and was also designated attainment for the 2008 ozone NAAQS on May 21, 2012. Therefore, per the *South Coast II* decision, this conformity determination is being made for the 1997 ozone NAAQS.

This conformity determination was completed consistent with CAA requirements, existing associated regulations at 40 CFR Parts 51.390 and 93, and the *South Coast II* decision, according to EPA’s *Transportation Conformity Guidance for the South Coast II Court Decision* issued on November 29, 2018.

1.0 Background

1.1 Transportation Conformity Process

The concept of transportation conformity was introduced in the CAA of 1977, which included a provision to ensure that transportation investments conform to a State Implementation Plan (SIP) for meeting the Federal air quality standards. Conformity requirements were made substantially more rigorous in the CAA Amendments of 1990. The transportation conformity regulations that detail implementation of the CAA requirements were first issued in November 1993, and have been amended several times. The regulations establish the criteria and procedures for transportation agencies to demonstrate that air pollutant emissions from metropolitan transportation plans, transportation improvement programs and projects are consistent with (“conform to”) the State’s air quality goals in the SIP. This document has been prepared for State and local officials who are involved in decision making on transportation investments.

Transportation conformity is required under CAA Section 176(c) to ensure that Federally-supported transportation activities are consistent with (“conform to”) the purpose of a State’s SIP. Transportation conformity establishes the framework for improving air quality to protect public health and the environment. Conformity to the purpose of the SIP means Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) funding and approvals are given to highway and transit activities that will not cause new air quality violations, worsen existing air quality violations, or delay timely attainment of the relevant air quality standard, or any interim milestone.

1.2 National Ambient Air Quality Standards

The CAA requires the EPA to set NAAQS for pollutants considered harmful to public health and the environment. A nonattainment area is any area that does not meet the primary or secondary NAAQS. Once a nonattainment area meets the standards and additional redesignation requirements in the CAA [Section 107(d)(3)(E)], EPA will designate the area as a maintenance area.

Adams County is currently designated as a maintenance area under the 1997 8-hour ozone NAAQS. The county is in attainment of the 2008 and 2015 8-hour ozone, 2006 24-hour PM_{2.5} and 2012 annual PM_{2.5} NAAQS. Transportation conformity requires nonattainment and maintenance areas to demonstrate that all future transportation projects will not prevent an area from reaching its air quality attainment goals.

1997 8-hour Ozone NAAQS

The EPA published the 1997 8-hour ozone NAAQS on July 18, 1997 (62 FR 38856), with an effective date of September 16, 1997. An area was in nonattainment of the 1997 8-hour ozone NAAQS if the 3-year average of the individual fourth highest air quality monitor readings, averaged over 8 hours throughout the day, exceeded the NAAQS of 0.08 parts per million (ppm). On May 21, 2013, the EPA published a rule revoking the 1997 8-hour ozone NAAQS, for the purposes of transportation conformity, effective one year after the effective date of the 2008 8-hour ozone NAAQS area designations (77 FR 30160).

On February 16, 2018 the D.C. Circuit reached a decision in *South Coast Air Quality Management District v. EPA*, Case No. 15-1115. In that decision, the court vacated major portions of the final rule that established procedures for transitioning from the 1997 ozone NAAQS to the stricter 2008 ozone NAAQS. By court decision, Adams County was designated as an “orphan” maintenance area since the area was maintenance for the 1997 ozone NAAQS at the time of its revocation (80 FR 12264, March 6, 2015) and was designated attainment for the 2008 NAAQS in EPA’s original designations for this NAAQS (77 FR 30160, May 21, 2012).

2008 and 2015 8-hour Ozone NAAQS

The EPA published the 2008 8-hour ozone NAAQS on March 27, 2008 (73 FR 16436), with an effective date of May 27, 2008. EPA revised the ozone NAAQS by strengthening the standard to 0.075 ppm. Thus, an area is in nonattainment of the 2008 8-hour ozone NAAQS if the 3-year average of the individual fourth highest air quality monitor readings, averaged over 8 hours throughout the day, exceeds the NAAQS of 0.075 ppm. Adams County was designated as an attainment area under the 2008 8-hour ozone NAAQS, effective July 20, 2012 (77 FR 30088).

In October 2015, based on its review of the air quality criteria for ozone and related photochemical oxidants, the EPA revised the primary and secondary NAAQS for ozone to provide requisite protection of public health and welfare, respectively (80 FR 65292). The EPA revised the levels of both standards to 0.070 ppm, and retained their indicators, forms (fourth-highest daily maximum, averaged across three consecutive years) and averaging times (eight hours). Under the Clean Air Act, the EPA administrator is required to make all attainment designations within two years after a final rule revising the NAAQS is published. Adams County is in attainment of the 2015 8-hour ozone NAAQS.

2.0 ACTPO TIP and LRTP

MPOs and Rural Planning Organizations (RPOs) each develop a TIP at the local level, which reflects the first four years of the Pennsylvania Department of Transportation (PennDOT) Twelve Year Program (TYP). The Statewide Transportation Improvement Program (STIP) covers the entire state and includes the individual TIPs representing each Planning Partner. Federal Law requires TIPs to be

updated at least every four years. Pennsylvania's MPOs and RPOs update their TIPs every two years during the TYP update process.

The Long Range Transportation Plan (LRTP) serves as the official transportation plan for a metropolitan area. The LRTP documents the current and future transportation demand and identifies long-term improvements and projects to meet those needs. The [Adams County LRTP](#) guides decision-making about transportation improvements in the county. The planning factors specified in federal regulations provide the framework for developing an LRTP. In addition, PennDOT provides guidance to help MPOs prepare LRTPs, and local policies and plans play a role in LRTP development to ensure transportation investments address current and future needs.

The February 16, 2018, *South Coast vs. EPA* Court decision did not vacate EPA's revocation of the 1997 ozone standard and the decision does not change the area's attainment status. Therefore, while such areas might be required to meet conformity requirements as part of anti-backsliding controls, such areas are not considered nonattainment or maintenance areas under the Transportation Planning Rule (23 CFR 450.104). Such areas continue to complete 5-year plan update cycles as described in 23 CFR 450.324(c). The 5-year metropolitan transportation plan update cycle continues to apply from the date of the most recent MPO metropolitan transportation plan adoption (not the most recent FHWA/FTA conformity determination). While these areas have a 5-year plan cycle for transportation planning purposes, as a result of the court decision they must still meet the 4-year frequency requirements for conformity determinations on TIPs and LRTPs as required by 40 CFR 93.104.

Appendix A provides a listing of the regional significant projects that are funded in the TIP and LRTP within Adams County. Regionally significant projects include transportation projects (other than exempt projects as defined under 40 CFR 93.126-127) that are on a facility which serves regional transportation needs.

3.0 Transportation Conformity Process

Per the court's decision in *South Coast II*, beginning February 16, 2019, a transportation conformity determination for the 1997 ozone NAAQS will be needed in 1997 ozone NAAQS nonattainment and maintenance areas identified by EPA¹ for certain transportation activities, including updated or amended TIPs and LRTPs. Once US DOT makes its 1997 ozone NAAQS conformity determination, conformity will be required no less frequently than every four years. This conformity determination report will address transportation conformity for the ACTPO 2023-2026 TIP and 2050 LRTP.

¹ The areas identified can be found in EPA's "Transportation Conformity Guidance for the South Coast II Court Decision, EPA-420-B-18-050, available on the web at: www.epa.gov/state-and-local-transportation/policy-and-technical-guidance-state-and-local-transportation.

4.0 Transportation Conformity Requirements

4.1 Overview

On November 29, 2018, EPA issued **Transportation Conformity Guidance for the South Coast II Court Decision**² (EPA-420-B-18-050, November 2018) that addresses how transportation conformity determinations can be made in areas that were nonattainment or maintenance for the 1997 ozone NAAQS when the 1997 ozone NAAQS was revoked, but were designated attainment for the 2008 ozone NAAQS in EPA's original designations for this NAAQS (May 21, 2012).

The transportation conformity regulation at 40 CFR 93.109 sets forth the criteria and procedures for determining conformity. The conformity criteria for TIPs and LRTPs include: latest planning assumptions (93.110), latest emissions model (93.111), consultation (93.112), transportation control measures (93.113(b) and (c), and emissions budget and/or interim emissions (93.118 and/or 93.119).

For the 1997 ozone NAAQS areas, transportation conformity for TIPs and LRTPs for the 1997 ozone NAAQS can be demonstrated without a regional emissions analysis, per 40 CFR 93.109(c). This provision states that the regional emissions analysis requirement applies one year after the effective date of EPA's nonattainment designation for a NAAQS and until the effective date of revocation of such NAAQS for an area. The 1997 ozone NAAQS revocation was effective on April 6, 2015, and the *South Coast II* court upheld the revocation. As no regional emission analysis is required for this conformity determination, there is no requirement to use the latest emissions model, or budget or interim emissions tests.

Therefore, transportation conformity for the 1997 ozone NAAQS can be demonstrated by showing the remaining requirements in Table 1 in 40 CFR 93.109 have been met. These requirements, which are laid out in Section 2.4 of EPA's guidance and addressed below, include:

- Latest planning assumptions (93.110)
- Consultation (93.112)
- Transportation Control Measures (93.113)
- Fiscal constraint (93.108)

4.2 Latest Planning Assumptions

The use of latest planning assumptions in 40 CFR 93.110 of the conformity rule generally applies to a regional emissions analysis. In the 1997 ozone NAAQS areas, the use of latest planning assumptions requirement applies to assumptions about transportation control measures (TCMs) in an approved SIP. However, the Adams County SIP maintenance plan does not include any TCMs.

² Available from [Policy and Technical Guidance for State and Local Transportation | US EPA](#)

4.3 Consultation Requirements

The consultation requirements in 40 CFR 93.112 were addressed both for interagency consultation and public consultation.

As required by the federal transportation conformity rule, the conformity process includes a significant level of cooperative interaction among federal, state, and local agencies. For this air quality conformity analysis, interagency consultation was conducted as required by the Pennsylvania Conformity SIP. This included conference call(s) or meeting(s) of the Pennsylvania Transportation-Air Quality Work Group (including the Pennsylvania Department of Transportation (PennDOT), DEP, EPA, FHWA, FTA and representatives from larger MPOs within the state).

Meeting and conference calls were conducted on October 28, 2021 and January 27, 2022 to review all planning assumptions and to discuss the template and content for transportation conformity analyses in 1997 ozone orphan areas.

The TIP, LRTP and associated conformity determination has undergone the public participation requirements as well as the comment and response requirements according to the procedures established in compliance with 23 CFR part 450, ACTPO's Public Participation Plan, and Pennsylvania's Conformity SIP. The draft document was made available for a 30-day public review and comment period, which included a public meeting.

4.4 Fiscal Constraint

The planning regulations, Sections 450.324(f)(11) and 450.326(j), require the transportation plan to be financially constrained while the existing transportation system is being adequately operated and maintained. Only projects for which construction and operating funds are reasonably expected to be available are included. The ACTPO, in conjunction with PennDOT, FHWA and FTA, has developed an estimate of the cost to maintain and operate existing roads, bridges and transit systems in the region and have compared the cost with the estimated revenues and maintenance needs of the new roads over the same period. The ACTPO TIP and LRTP has been determined to be financially constrained.

5.0 Conclusion

The conformity determination process completed for the ACTPO TIP and LRTP demonstrates that these planning documents meet the Clean Air Act and Transportation Conformity rule requirements for the 1997 ozone NAAQS.

Appendix A

Regionally Significant Project List

Adams County

Project Name	Description
FY 2023-2026 Highway-Bridge TIP	
Eisenhower Drive Extension (MPMS 58137)	This project consists of extending the Eisenhower Drive through Conewago Township, from where it currently ends at High Street to Hanover Road (SR 0116) west of McSherrystown. Potential improvements include new alignment alternatives, partial new alignment alternatives, as well as options to improve the existing roadway network. These changes aim to address the falling level of service (LOS), as well as improve safety within the study area.
2050 Long Range Transportation Plan	
US15-US30 Interchange Improvement (MPMS 58136)	This project consists of improving the interchange at US Route 15 & US Route 30 in Straban Township, Adams County.

**AIR QUALITY RESOLUTION FOR THE
ADAMS COUNTY TRANSPORTATION PLANNING ORGANIZATION**

Conformity of the 2023-2026 Transportation Improvement Program (TIP) and 2050 Long Range Transportation Plan (LRTP) in Accordance with the Clean Air Act Amendments of 1990.

WHEREAS, the Congress of the United States enacted the Clean Air Act Amendments of 1990 which was signed into law and became effective on November 15, 1990, hereafter referred to as “the CAAA”; and,

WHEREAS, the United States Environmental Protection Agency (EPA), under the authority of the CAAA, has defined the geographic boundaries for areas that have been found to be in nonattainment with the National Ambient Air Quality Standards (NAAQS) for ozone, carbon monoxide and particulate matter; and,

WHEREAS effective July 15, 2004, Adams County was designated by EPA as a nonattainment area under the 1997 8-hour ozone NAAQS; and,

WHEREAS, on January 14, 2008, Adams County was re-designated under the 1997 8-hour ozone standard as an attainment (maintenance) area by EPA with motor vehicle emissions budgets (MVEBs) established in the State Implementation Plan (SIP) maintenance plan; and,

WHEREAS, on April 6, 2015, EPA revoked the 1997 8-hour ozone NAAQS for all purposes and established anti-backsliding requirements for areas that remain designated nonattainment for the revoked NAAQS; and,

WHEREAS, the U.S. Court of Appeals for the D.C. Circuit issued a decision in *South Coast Air Quality Management District v. EPA* on February 16, 2018 addressing air quality requirements for former 1997 ozone maintenance areas that are in attainment of all subsequent ozone NAAQS for which Adams County satisfies the criteria; and,

WHEREAS, the transportation plans and programs are required to conform to the purposes of the State Implementation Plan and Sections 174 and 176 (c and d) of the CAAA (42 U.S.C. 7504, 7506 (c and d)); and,

WHEREAS, the Adams County Transportation Planning Organization, the Metropolitan Planning Organization for Adams County, Pennsylvania, is responsible for the development of transportation plans and programs in accordance with Section 134 of Title 23, which requires coordination and public participation with the State DOT; and,

WHEREAS, the final conformity rule (and subsequent amendments) requires that the Adams County Transportation Planning Organization determines that the transportation plans and programs conform with the CAAA requirements by meeting the criteria described in the final guidelines; and,

NOW, THEREFORE BE IT RESOLVED THAT the Adams County Transportation Planning Organization has found that the 2023-2026 TIP and 2050 LRTP contribute to the achievement and maintenance of the ambient air quality standards; and,

NOW, THEREFORE BE IT FURTHER RESOLVED THAT the Adams County Transportation Planning Organization finds that the 2023-2026 TIP and 2050 LRTP is consistent with the final conformity rule and subsequent amendments.

I hereby certify that this Resolution was adopted by ACTPO on July 27, 2022.

ATTEST:

ACTPO Chair
Robert Gordon

ACTPO Vice-Chair
David Laughman