



## U.S. DEPARTMENT OF TRANSPORTATION

Federal Highway Administration  
Oregon Division  
530 Center Street, Suite 100  
Salem, Oregon 97301  
503-399-5749

Federal Transit Administration  
Region 10  
915 Second Avenue, Room 3142  
Seattle, Washington 98174-1002  
206-220-7954

November 1, 2005

IN REPLY REFER TO

HPL.3-OR

90.220

X-Ref 724.412

Mr. David Bragdon, President  
Metro Council  
600 Northeast Grand Avenue  
Portland, Oregon 97232-2736

RE: Air Quality Conformity Determination  
Fiscal Year (FY) 2006-2009 Transportation Improvement Program (TIP)

Dear Mr. Bragdon:

The Portland metropolitan area is designated maintenance for carbon monoxide. The Oregon Department of Environmental Quality has submitted the second maintenance plan to the U.S. Environmental Protection Agency (EPA). EPA has determined that the motor vehicle emissions budget in the second plan is adequate for transportation conformity purposes.

The Clean Air Act of 1990 as amended requires that transportation plans, programs and projects cannot create new National Ambient Air Quality Standards (NAAQS) violations, increase the frequency or severity of existing NAAQS violations or delay attainment of the NAAQS. The Metropolitan Planning Organization (MPO) and the U.S. Department of Transportation (FHWA and FTA) are required to make a transportation conformity determination for both the Regional Transportation Plan and the TIP in non attainment and maintenance areas. Transportation conformity ensures that Federal funding and approval are given to those transportation activities that are consistent with air quality goals, and do not worsen air quality or interfere with the purpose of the State Implementation Plan (SIP).

A USDOT air quality conformity determination for the TIP is required by Oregon Administrative Rule (OAR) 340-252-0050, Section 93.104 of the *Transportation Conformity Rule* and 23 C.F.R. 450, the FHWA and FTA *Metropolitan Planning Rule*. The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed our review of the Metro conformity determination for the FY 2006-2009 TIP. Our USDOT conformity determination is based upon Metro's conformity determination analysis and documentation submitted to our offices by Metro's August 19, 2005, letter and attachments, and interagency consultation.

The Metro Council adopted the FY 2006-2009 TIP and associated air quality conformity determination on August 18, 2005. The conformity analysis provided by Metro indicates that all air quality conformity requirements have been met. Based on our review, we find that the FY



2006-2009 TIP conforms to the SIP in accordance with the *Transportation Conformity Rule*; the January 2, 2002, *Revised Guidance for Implementing the March 1999 Circuit Court Decision Affecting Transportation Conformity*; EPA's May 14, 1999, *Conformity Guidance on the Implementation of the March 2, 1999, Conformity Court Decision*; and, the Oregon conformity SIP.

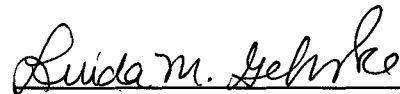
This USDOT conformity determination has been developed in accordance with Oregon Administrative Rules (OAR) Chapter 340 Division 252, Transportation Conformity, which defines the procedures and frequency for demonstrating conformity within the State of Oregon. This federal conformity determination was made after consultation with EPA Region 10, pursuant to the *Transportation Conformity Rule*.

This letter constitutes the joint FHWA and FTA air quality conformity determination for Metro's FY 2006-2009 TIP. If you have any questions regarding this conformity determination, please contact Michelle Eraut, FHWA at (503) 587-4716 or Linda Gehrke, FTA at (206) 220-4463.

Sincerely,



David O. Cox  
Division Administrator  
Federal Highway Administration



Linda Gehrke  
Acting Regional Administrator  
Federal Transit Administration

cc:

METRO (Andy Cotugno)  
EPA (Wayne Elson)  
ODEQ (Dave Nordberg)  
ODOT (Matthew Garrett, Region 1 Manager)  
(Jason Tell, Region 1 Planning Manager)  
(Marina Orlando, Environmental Services)  
(Steve Leep, Finance)  
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