



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 X
915 Second Avenue, Room 3142
Seattle, Washington 98174-1002
206-220-7954

March 5, 2004

IN REPLY REFER TO

HPL.3-OR

90.220

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

RE: Conformity Determination for the Fiscal Year 2004 Regional Transportation Plan (RTP) and
Fiscal Year 2004-2007 Metropolitan Transportation Improvement Program (MTIP)

Dear Mr. Bragdon:

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed our review of the Portland Metro local conformity determination for the Fiscal Year (FY) 2004 RTP and FY 2004-2007 MTIP. A joint FHWA/FTA air quality conformity determination for the RTP and the TIP is required by *Section 93.104* of the Environmental Protection Agency's (EPA) August 15, 1997, *Transportation Conformity Rule Amendments: Flexibility and Streamlining: Final Rule, 40 CFR Parts 51 and 93 (Transportation Conformity Rule)* and the FHWA/FTA Metropolitan Planning Rule, *23 CFR 450*. Our USDOT conformity determination is based upon Metro's conformity determination analysis and documentation submitted to our offices, by your March 4, 2004, letter and attachments, as well as supplemental documentation.

The Metro Council and Joint Policy Advisory Committee on Transportation adopted the local conformity determination on the FY 2004 RTP and FY 2004-2007 MTIP on March 4, 2004. The local conformity analysis and supplemental documentation provided by Metro indicates that all air quality conformity requirements have been met. Based on our review, we find that the FY 2004 RTP and the FY 2004-2007 MTIP conform to the applicable state implementation plan in accordance with: *40 CFR Parts 51 and 93*; the January 2, 2002, *Revised Guidance for Implementing the March 1999 Circuit Court Decision Affecting Transportation Conformity*; and, the EPA's May 14, 1999, *Conformity Guidance on Implementation of the March 2, 1999, Conformity Court Decision*. This USDOT conformity determination has been developed in accordance with *Oregon Administrative Rule (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 X, pursuant to the *Transportation Conformity Rule*.

This letter constitutes the joint FHWA/FTA air quality conformity determination for Metro's FY 2004 RTP and FY 2004-2007 MTIP. If you have any questions regarding this federal conformity finding, please contact Michelle Eraut, FHWA, at (503) 587-4716 or Jennifer Bowman, FTA, at (206) 220-7953.

Sincerely,



David O. Cox
Division Administrator
Federal Highway Administration



R. F. Krochalis
Regional Administrator
Federal Transit Administration

cc:

FTA	(Rebecca Reyes-Alicea, Jennifer Bowman)
EPA	(Wayne Elson)
ODOT	(Jill Vosper, STIP Manager)
	(Vince Carrow, Environment)
	(Matthew Garrett, Region 1)
DEQ	(Dave Nordberg)
METRO	(Andy Cotugno)

ME/ma