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4 RESOLUTION

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8 METROPOLITAN TRANSPORTATION BOARD

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10 of the

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12 MID-REGION COUNCIL OF GOVERNMENTS OF NEW MEXICO

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14 R-12-15 MTB

15 **APPROVING THE TRANSPORTATION CONFORMITY WITH AIR**
16 **QUALITY PLANS FOR THE 2035 METROPOLITAN**
17 **TRANSPORTATION PLAN (MTP) AS AMENDED, AND**
18 **THE 2012-2017 TRANSPORTATION IMPROVEMENT PROGRAM (TIP),**
19 **FOR THE ALBUQUERQUE METROPOLITAN PLANNING AREA**
20

21 WHEREAS the Moving Ahead for Progress in the 21st Century Act (MAP-21) of
22 2012 and the Safe, Accountable, Flexible, Efficient Transportation Equity Act-A Legacy
23 for Users (SAFETEA-LU) of 2005 requires metropolitan planning organizations to
24 develop a long range intermodal/multimodal financially constrained transportation plan
25 for each metropolitan area; and

26 WHEREAS, the Metropolitan Transportation Board (MTB) is the metropolitan
27 planning organization (MPO) for the Albuquerque Metropolitan Planning Area (AMPA);
28 and

29 WHEREAS, the 2035 MTP as amended identifies transportation facilities for the
30 AMPA to the year 2035 and includes a financial plan which demonstrates how the plan
31 will be implemented and is shown to be fiscally constrained (Attachment B); and

32 WHEREAS, the 2035 MTP as amended also includes the 2012-2017
33 Transportation Improvement Program (TIP) as amended; and

34 WHEREAS, the MPO received a copies of letters (Attachment A-1 & A-2) from
35 the EPA to FHWA, and from FHWA to the City of Albuquerque Environmental
36 Health/Air Quality Division verifying that the most recent Carbon Monoxide (CO) levels
37 at air quality monitors remain below 85% of the National Ambient Air Quality Standard
38 (NAAQS) for CO, as required by the 2006-2016 Limited Maintenance Plan for Carbon
39 Monoxide: Albuquerque-Bernalillo County; and

40 WHEREAS, the 2035 MTP and amendment was developed in accordance with
41 federal metropolitan transportation planning process requirements, as prescribed in Title
42 23, Code of Federal Regulations, Part 450 (23 CFR 450) and other relevant regulations,
43 including requirements for interagency consultation, financial constraint, and public
44 participation; and

45 WHEREAS, the 2035 MTP as amended conforms with Air Quality Plans, which
46 include the Transportation Conformity State Implementation Plan (SIP) and the 2006-
47 2016 Limited Maintenance Plan for Carbon Monoxide: Albuquerque-Bernalillo County;
48 and

49 WHEREAS, the MTB is responsible for local approval of the Transportation
50 Conformity for the 2035 MTP, and the 2012-2017 TIP,

51 NOW THEREFORE, BE IT RESOLVED BY THE Metropolitan Transportation
52 Board of the Mid-Region Council of Governments of New Mexico that the 2035 MTP as
53 amended, and the 2010-2017 TIP are hereby found to conform to the State
54 Implementation Plans for the Albuquerque/Bernalillo maintenance area.

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58 PASSED, ADOPTED and APPROVED this 16th day of November 2012 by the
59 Metropolitan Transportation Board of the Mid-Region Council of Governments of New
60 Mexico.

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62 
63 Isaac Benton, Chair
64 Metropolitan Transportation Board

65 ATTEST:  for
66 _____
67 Dewey V. Cave
Executive Director, Mid-Region Council of Governments



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

September 11, 2012

Mr. J. Don Martinez
Division Administrator
U.S. Department of Transportation
Federal Highway Administration
4001 Office Court Drive, Suite 801
Santa Fe, New Mexico 87507



Dear Mr. Martinez:

In preparation for the planned transportation conformity determination currently underway by the Mid-Region Council of Governments (MRCOG), the Albuquerque Environmental Health Department has requested my office confirm the current carbon monoxide design value for Albuquerque/Bernalillo County. Albuquerque/Bernalillo County is under an EPA-approved Limited Maintenance Plan for carbon monoxide (CO) and thus must demonstrate that the design value is sufficiently below the National Ambient Air Quality Standards (NAAQS) for CO in order to support a finding of conformity by the MRCOG or by the Federal Highway Administration.

The continued applicability of limited maintenance for Albuquerque/Bernalillo County is dependent upon monitoring data showing that the area is meeting the air quality criteria for limited maintenance areas (less than or equal to 85% of the relevant CO NAAQS). The current design value for CO, based on the latest quality-assured data available at this time, is 2.6 ppm for the 8-hour CO NAAQS (9.0 ppm) and 3.4 ppm for the 1-hour CO NAAQS (35.0 ppm). These values represent 29% and 10% of the relevant standards, respectively. Therefore, the design value for Albuquerque/Bernalillo County is well below the NAAQS threshold, and thus this criterion of the conformity rule is met.

If you have any questions, please feel free to contact me or Jeff Riley of my staff at (214) 665-8542.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Guy Donaldson".

Guy Donaldson
Chief
Air Planning Section

cc: Ms. Margaret Nieto
City of Albuquerque Environmental Health Department

Mr. Terry Doyle
Mid-Region Council of Governments

Mr. Greg Heitmann
Federal Highway Administration

Mr. Rodolfo Monge-Oviedo
Federal Highway Administration

Mr. Tony Ogboli
Federal Transit Authority



U.S. Department
of Transportation
**Federal Highway
Administration**

New Mexico Division

October 3, 2012

R-12-15 MTB Attachment A-2

4001 Office Court Drive
Suite 801
Santa Fe, NM 87507
505-820-2021
505-820-2040

In Reply Refer To:
ENVI 1

Ms. Margaret Nieto
City of Albuquerque
Environmental Health/Air Quality Division
P.O. Box 1293
Albuquerque, NM 87103

RE: Mid-Region Council of Governments transportation
Conformity air quality design values

Dear Ms. Nieto:

This letter is to acknowledge the Environmental Protection Agency's (EPA) review of the design values for Carbon Monoxide (CO). The review is provided for the transportation conformity determination amendment to the plan regarding the I-25/Paseo del Norte Interchange project. This review is part of the conformity determination as conducted by the Mid-Region Council of Governments (MRCOG).

As described in the EPA letter dated September 11, 2012, the Albuquerque/Bernalillo County area is under an EPA-approved Limited Maintenance Plan for CO. Under this plan amendment, the design value for CO must be under the National Ambient Air Quality Standards (NAAQS) for CO in order to demonstrate conformity by MRCOG and the Federal Highway Administration.

The EPA has reviewed the design values associated with the MRCOG managed Metropolitan Planning Organization area for Albuquerque/Bernalillo County. They have noted that the CO design value for the area of concern is well below NAAQS thresholds and thus meets the criterion of the conformity rule and requirements for the Limited Maintenance Plan. For this determination the values were 2.6 ppm for the 8-hour CO NAAQS and 3.4 ppm for the 1-hour CO NAAQS. These values represent 29% and 10% of the relevant standards respectively.

With this confirmation that the design values for CO are in line with the Limited Maintenance Plan, we expect MRCOG to complete the transportation conformity determination pertaining to the amendment of the Metropolitan Transportation Plan as scheduled. If you have questions, please contact me at (505) 660-7626 or by email at greg.heitmann@dot.gov.

Sincerely yours,



Gregory L. Heitmann
Environmental/Realty Specialist

For: J. Don Martinez
Division Administrator

cc:

Mr. Terry Doyle, Mid-Region Council of Governments
Ms. Anne McLaughlin, NMDOT, Planning
Mr. Blake Roxlau, NMDOT, Environmental Design Manager
Ms. Coleman Burnett, NMDOT, Environmental Specialist
Mr. Hooshang Tavanaiepour, NMDOT, Central Design Center



Mid-Region Metropolitan Planning Organization

Mid-Region Council of Governments
809 Copper Avenue NW
Albuquerque, New Mexico 87102
(505) 247-1750-tel. (505) 247-1753-fax
www.mrcog-nm.gov

TO: Metropolitan Transportation Board

FR: Dave Pennella, Transportation Program Manager

Date: November 9, 2012

RE: **I-25 & Paseo del Norte (PdN) Interchange Reconstruction Project
Fiscal Constraint of the TIP and 2035 MTP**

TIP Fiscal Constraint

In order to add any project to the TIP, the entire project or a project development phase (PE, design, rights-of-way acquisition, or construction) must be fully funded and all fund sources must be included in the TIP.

Currently, the I-25 & Paseo del Norte project is in the TIP as follows (CN A301180):

FY 2012 (obligated)

CMAQ-Flex funds of \$1,473,840 + \$251,160 state match = \$1,725,000

FY 2016 (to be moved to 2017)

NHPP funds \$13,368,910 + state match \$2,278,223 = \$15,647,133

However, because the funds programmed can not fully fund construction, the project is currently authorized in the TIP for only the project development phases of environmental documentation, preliminary engineering, design, and rights-of-way acquisition.

All funds currently programmed in the TIP are available (FY 2012) or are reasonably expected to be available (FY 2016). The FY 2016 funds could be utilized earlier through "advanced construction" or through a SIB loan or by switching fiscal years with existing TIP projects. The current TIP is fiscally constrained with this project funded up to but not including construction.

The TIP amendment to add the construction phase to this project is dependent upon \$93,000,000 being available for completion of final design and construction;

- voters have approved local bond funds so; \$55,000,000 will be available from the City of Albuquerque and Bernalillo County;
- with the local funds available, State funding of \$29,750,000 is now available;
- in addition, there remains a balance of High Priority Program (HPP) for this project of \$6,877,590 + \$1,719,398 state match = \$8,596,988;
- these funds, along with those currently programmed in the TIP will fully fund the construction phase of the project.

The following funds have received voter approval or State Legislative approval as appropriate.

\$50,000,000	City Bond Funds
\$ 5,000,000	County Bond Funds
<u>\$29,750,000</u>	<u>State Funds</u>
\$84,750,000	subtotal of new funding

\$ 8,596,988	HPP Funds (balance remaining)
\$ 1,725,000	obligated funds in FFY 2012
<u>\$15,647,133</u>	<u>FY 2016 funds programmed in the TIP</u>
\$110,719,121	TOTAL AVAILABLE for the Project

\$ 93,000,000 Current Estimated Project Cost for Remaining Design, Rights-of-way acquisition and Construction

The TIP amendment will add construction funding and authorize the construction phase for this project. Since all proposed funding being amended into the TIP has been fully approved and is guaranteed funding, the TIP is fiscally constrained with this amendment.

MTP Fiscal Constraint

The current *2035 Metropolitan Transportation Plan* (MTP), the long-range plan for this metro area, is fiscally constrained over its entire 20+ year period. The entry in Appendix F for this project noted a more extensive project scope with a cost of \$350 million. The larger project scope has been rejected with a \$93 million project proposed at the interchange. Remaining funding will be utilized over the next twenty years to make future improvements in the vicinity of the interchange.

The proposed amendment to the 2035 MTP modifies Appendix F to split the project entry, which currently lists a single \$350 million project, into one entry for the \$93 million dollar project proposed for construction and a separate entry for \$257 million of future improvements in the vicinity of this interchange. The combined total remains \$350 million. Therefore the MTP remains fiscally constrained. (The proposed amendment also adds a "key" to Appendix F that was inadvertently omitted from the final version; this has no effect on fiscal constraint.)