



Metro



## APPENDIX C

2023 Regional Transportation Plan

# Federal air quality attainment status certification

November 30, 2023

[oregonmetro.gov/rtp](https://oregonmetro.gov/rtp)

## **Metro respects civil rights**

Metro fully complies with Title VI of the Civil Rights Act of 1964 that requires that no person be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination on the basis of race, color or national origin under any program or activity for which Metro receives federal financial assistance.

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If any person believes they have been discriminated against regarding the receipt of benefits or services because of race, color, national origin, sex, age or disability, they have the right to file a complaint with Metro. For information on Metro's civil rights program, or to obtain a discrimination complaint form, visit [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights) or call 503-797-1536.

Metro provides services or accommodations upon request to persons with disabilities and people who need an interpreter at public meetings. If you need a sign language interpreter, communication aid or language assistance, call 503-797-1700 or TDD/TTY 503-797-1804 (8 a.m. to 5 p.m. weekdays) 5 business days before the meeting. All Metro meetings are wheelchair accessible. For up-to-date public transportation information, visit TriMet's website at [www.trimet.org](http://www.trimet.org).

**Metro is the federally mandated metropolitan planning organization** designated by the governor to develop an overall transportation plan and to allocate federal funds for the region.

The Joint Policy Advisory Committee on Transportation (JPACT) is a 17-member committee that provides a forum for elected officials and representatives of agencies involved in transportation to evaluate transportation needs in the region and to make recommendations to the Metro Council. The established decision-making process assures a well-balanced regional transportation system and involves local elected officials directly in decisions that help the Metro Council develop regional transportation policies, including allocating transportation funds.

Regional Transportation Plan website: [\*\*oregonmetro.gov/rtp\*\*](http://oregonmetro.gov/rtp)

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

JAN 16 2017

OFFICE OF  
AIR AND WASTE

Portland Transportation Conformity Interagency Consultation Group  
c/o Ms. Martha Bennett, Chief Operating Officer  
Metro Regional Center  
600 NE Grand Avenue  
Portland, Oregon 97232-2736

Dear Portland Transportation Conformity Interagency Consultation Group:

Congratulations on reaching the end of the 20-year maintenance period for carbon monoxide!

The U.S. Environmental Protection Agency is providing this letter in its consultative role to document that the transportation conformity requirements under Clean Air Act (CAA) section 176(c), for the Portland, Oregon carbon monoxide (CO) area ended on October 2, 2017. This date marks 20 years from the effective date of redesignation of the area to attainment for the CO National Ambient Air Quality Standard (NAAQS). See 62 FR 46208 (October 2, 1997).

Under 40 CFR 93.102(b)(4) of the EPA's regulations, transportation conformity applies to maintenance areas through the 20-year maintenance planning period, unless the maintenance plan specifies that the transportation conformity requirements apply for a longer time period. Pursuant to CAA section 176(c)(5) and as explained in the preamble of the 1993 final rule, conformity applies to transportation related pollutants and their precursors for which an area is designated nonattainment or is subject to a maintenance plan approved under CAA section 175A for areas redesignated to attainment. The EPA further clarified this conformity provision in its January 24, 2008 final rule (73 FR 4420, 4434-5).

This letter documents that, because the approved maintenance plan for the Portland CO area did not extend the maintenance period beyond 20 years from redesignation, transportation conformity requirements for CO ceased to apply after October 2, 2017 (i.e., 20 years after the effective date of the EPA's approval of the first 10-year maintenance plan and redesignation of the area to attainment for the CO NAAQS). As a result, Metro may reference this letter to indicate that the transportation conformity requirements of 40 CFR Part 93 no longer apply for the CO NAAQS. In addition, project sponsors can reference this letter to indicate that as of October 2, 2017, transportation conformity requirements also no longer apply for the CO NAAQS for FHWA/FTA projects as defined in 40 CFR 93.101. Even though the conformity obligation for CO has ended, the terms of the maintenance plan remain in effect and all measures and requirements contained in the plan must be complied with until the state submits, and the EPA approves, a revision to the state plan. See *GM Corp. v. United States*, 496 U.S. 530 (June 14, 1990). Such a State Implementation Plan revision would have to comply with the anti-backsliding requirements of CAA section 110(1), and if applicable, CAA section 193, if the intent of the revision is to remove a control measure or to reduce its stringency.

If you have questions about the transportation conformity requirements in the Portland area, please contact Karl Pepple, of my staff, at (206) 553-1778 or [pepple.karl@epa.gov](mailto:pepple.karl@epa.gov).

Sincerely,

A handwritten signature in black ink that reads "Tim Hamlin". The signature is written in a cursive style with a long horizontal stroke at the end.

Timothy B. Hamlin  
Director

cc: Mr. Mark Smith  
Oregon Department of Environmental Quality

Ms. Natalie Liljenwall  
Oregon Department of Transportation

Ms. Carol Newvine  
Oregon Department of Transportation

Ms. Michelle Eraut  
Federal Highway Administration

Mr. Ned Conroy  
Federal Transit Administration

Ms. Grace Cho  
Metro

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If you picnic at Blue Lake or take your kids to the Oregon Zoo, enjoy symphonies at the Schnitz or auto shows at the convention center, put out your trash or drive your car – we’ve already crossed paths.

**So, hello. We’re Metro – nice to meet you.**

In a metropolitan area as big as Portland, we can do a lot of things better together. Join us to help the region prepare for a happy, healthy future.

**Metro Council President**

Lynn Peterson

**Metro Councilors**

Ashton Simpson, District 1

Christine Lewis, District 2

Gerritt Rosenthal, District 3

Juan Carlos González, District 4

Mary Nolan, District 5

Duncan Hwang, District 6

**Auditor**

Brian Evans

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**If you have a disability and need accommodations**, call 503-220-2781, or call Metro’s TDD line at 503-797-1804. If you require a sign language interpreter, call at least 48 hours in advance.



**Metro**

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For more information, visit  
**[oregonmetro.gov/rtp](https://oregonmetro.gov/rtp)**

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November 30, 2023