



## Peer Exchanges

Planning for a Better Tomorrow

FHWA/FTA  
Transportation Planning Capacity Building

*Transportation Planning Capacity Building Program*

– Peer Exchange Report –

# “Best Practices in Air Quality Conformity Consultation Processes”

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- Exchange Host Agency:** Capital District Transportation Committee (CDTC) (Albany, New York)
- Exchange Participants:** Capital District Transportation Committee (CDTC) (Albany, New York)  
Environmental Protection Agency (EPA), Region II  
Federal Transit Administration (FTA), Region II  
Federal Highway Administration (FHWA), Headquarters  
Federal Highway Administration (FHWA), New York Division Office  
Genesee Transportation Council (GTC) (Rochester, New York)  
Knoxville Regional Transportation Planning Organization (KRTPO)  
New York State Department of Transportation (NYSDOT)  
New York State Department of Environmental Conservation (NYSDEC)  
New York Metropolitan Transportation Council (NYMTC)  
North Central Texas Council of Governments (NCTCOG)  
Orange County Metropolitan Planning Organization  
Poughkeepsie-Dutchess County Transportation Council  
Syracuse Metropolitan Transportation Council  
Triangle J Council of Governments (TJCOG) (Raleigh-Durham, North Carolina)

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## Executive Summary

This report describes a one-day peer exchange on “Best Practices in Air Quality Conformity Consultation Processes.” The event was supported by the Federal Highway Administration (FHWA) and Federal Transit Administration’s (FTA) Transportation Planning Capacity Building (TPCB) Program.

The Association of New York State Metropolitan Planning Organizations (NYSMPOs) requested the event to learn about best practices in air quality conformity consultation between Metropolitan Planning Organizations (MPOs) and state Departments of Transportation (DOTs) in other parts of the country. Peer agency staff from Dallas, Texas, Raleigh, North Carolina, and Knoxville, Tennessee, came to Albany, New York, to share knowledge and discuss opportunities for MPOs in New York State to be more effective and involved partners in the transportation - air quality conformity determination process.

Each peer agency shared specific tools and strategies it used to streamline its interagency consultation processes in recent years. Information was organized around three questions to help focus conversation:

- How is the interagency conformity process standardized in your region?
- How are technical issues and assumptions for conformity consultation identified and resolved in your region?
- How do consultation partners address the complex timing challenges of meeting conformity requirements, given the many overlapping planning and programming processes MPOs manage?

Several key themes emerged from the day’s discussions:

- Developing an interagency air quality consultation method is an iterative process that should be based on regional conditions and capabilities;
- Air quality consultation provides an opportunity for MPOs to strengthen and deepen their traditional transportation planning processes while expanding their work into the “non-traditional” realm of air quality; and
- Air quality consultation is extremely complex, not only because of its technical complexity, but also due to the political and administrative challenges of coordinating across multiple agencies working at multiple scales.

## I. Peer Exchange Overview

The purpose of this peer exchange was to provide an opportunity for MPOs and other interagency consultation group members in New York State to learn how MPOs from other regions around the country have become more active and involved partners in the interagency consultation process. The three peer agencies (Knoxville, Tennessee; Raleigh, North Carolina; and Dallas, Texas) represented regions with a mix of small, medium, and large populations to reflect the diversity of metropolitan regions in New York State.

The event was a day-long meeting hosted at the offices of the Capital District Transportation Committee (CDTC)<sup>1</sup> in Albany, New York. Transportation planning professionals from six New York MPOs, the Environmental Protection Agency (EPA), the FTA Region II, the FHWA New York Division Office, the New York State Department of Environmental Conservation (NYSDEC),

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<sup>1</sup> The Capital District Transportation Committee (CDTC) is the designated MPO for the Albany-Schenectady-Troy metropolitan area.

and the New York State Department of Transportation (NYSDOT) attended to learn from peer agency experiences. The meeting included brief presentations by the host and peer agencies, followed by discussion of the administrative, technical, and political challenges of designing an effective conformity consultation process. The day concluded with a facilitated summary and reflection on the issues highlighted throughout the day. Discussions were focused around three main questions posed to the peer agencies from Knoxville, Raleigh-Durham, and Dallas-Fort Worth:

- How is the interagency air quality conformity process codified in your region?
- How are technical issues and assumptions for conformity consultation identified and resolved in your region?
- How do consultation partners address the complex timing challenges of meeting conformity requirements, given the many overlapping planning and programming processes MPOs manage?

## II. Background on Air Quality Conformity

The 1990 Federal Clean Air Act Amendments (CAAA) require “transportation conformity” to ensure that Federally-funded long-range transportation plans (LRTPs), transportation improvement programs (TIPs), and individual projects are consistent with state air quality implementation plans called State Implementation Plans (SIPs). Regions that do not meet the National Ambient Air Quality Standards (NAAQS) are formally designated as either nonattainment areas (NAA) or maintenance areas (MA) by the EPA. Nonattainment and maintenance areas are required to demonstrate how their regional transportation plans and programs will address air quality concerns and conform to air quality pollutant emission targets (called “emissions budgets”) established in the SIP (this demonstration is called “meeting conformity”). If regions cannot demonstrate that their transportation plans include enough measures to meet air quality conformity, they may lose Federal funding for their transportation projects. As such, the air quality conformity process can be controversial and plays a significant role in determining transportation funding for regions with air quality challenges around the country.

Federal regulation broadly defines the framework for interagency conformity consultation procedures, but the specific tools and strategies that facilitate interagency communications and actions are often defined at the state and local level among the multiple environmental and transportation planning offices and agencies involved. In New York State, the air quality conformity determination process is carried out by an Interagency Consultation Group (ICG) comprised of representatives from EPA Region II, NYSDOT, NYSDEC, FTA Region II, FHWA New York Division, and the MPO for the metropolitan region in question. The MPO and NYSDOT are responsible for creating an initial transportation conformity determination for the region in question, which is then reviewed and signed-off on by Federal partner agencies.

In 2007, led by the FHWA New York Division office, members of the New York ICG began doing research to evaluate their own processes and identify areas for improvement. The NYSMPO requested a peer exchange to identify ways for New York MPOs to support that effort and improve their participation in the ICG process by identifying noteworthy practices in other regions outside of New York State.

## III. Key Themes and Lessons Learned

Several overarching themes emerged from the day’s discussions:

- ***Developing an interagency consultation method is an iterative process that should be based on regional conditions and capabilities*** – There is no one “right” way to

design a conformity consultation process. There are always opportunities to refine and improve methods in order to respond to regional needs and context.

- *For example:* The peer agency staff who shared their consultation processes during the exchange represented organizations of varying size, degree/type of air quality challenge, and level of staff and resource capacity to engage in consultation efforts (e.g., the smallest peer expert MPO in attendance has approximately 10 staff members total, while the largest peer agency has 12 separate departments and hundreds of staff). Yet, each organization was able to share ideas for how to develop a successful consultation method because it had worked with partner agencies to design a process that was tailored to meet the needs and constraints of its particular region (as reflected by the examples supporting other Key Themes).
- ***Air quality consultation provides an opportunity for MPOs to strengthen and deepen their traditional transportation planning processes while expanding their work into the “non-traditional” realm of air quality*** – NAA designation may help to clarify and strengthen the roles and responsibilities of MPOs. MPOs may view the interagency consultation process as an opportunity to improve planning goals and interagency communication to enhance broader regional transportation planning objectives rather than as a regulatory burden.
  - *For example:* The New York Metropolitan Transportation Council (NYMTC) noted that successfully obtaining an air quality conformity determination is seen as one of the “crown jewels” of the transportation planning process in its region. Given the scale of the region’s transportation infrastructure and the complexity of its air quality challenges, every successful conformity determination is seen as a validation of the MPO’s programs and planning rigor.
- ***Air quality consultation is extremely complex, not only because of its technical complexity, but also due to the political and administrative challenges of coordinating across multiple agencies working at multiple scales*** – Creating a forum of different MPOs in the same state to share resources may help to overcome challenges and streamline processes statewide, especially for smaller, resource-strapped MPOs who have limited staff and resources to devote to meeting conformity requirements.
  - *For example:* New York State’s eight MPOs in nonattainment serve highly varied and diverse metropolitan regions, from the largest in the country (i.e., New York City, with more than 11 million residents) to some of the smallest (i.e., Glens Fall, with a population just under 140,000). Yet the state’s air quality ICG is charged with developing an equitable, transparent, and standardized process that is flexible enough to meet the needs of each individual region despite the extreme differences that exist between them. NYSMPO – a coalition of the MPOs in New York State that convenes to share information and ideas, and work toward common goals – established an Air Quality Working Group and requested this peer exchange to overcome such complexities and support the ICG in its efforts to improve the conformity process’ ability to serve diverse needs and address diverse challenges.

In addition to discussing broad themes, peer agencies shared specific tools and strategies for improving consultation processes in response to each of the event’s three discussion questions. The ideas and information shared by peers may inform revisions to New York State’s consultation process in the future.

## How to Codify Interagency Conformity Processes

- **Adopt a pre-analysis consensus plan that clearly articulates the roles and responsibilities of consultation partners and establishes a framework for decision-making that all members agree to follow** – Using a pre-analysis consensus plan can help manage the many activities required for completing a conformity report. It provides a template to standardize air quality analysis methods and agree on technical assumptions and appropriate plan inputs (i.e., analysis years, data, assumptions, etc.). Having a pre-analysis consensus plan can help to avoid potentially costly information changes after data analysis starts. It also clarifies expectations and provides a forum for all agencies involved in developing the plan to influence how the conformity process will be managed.
  - *For example:* The first step the North Central Texas Council of Governments (NCTCOG) in Dallas-Fort Worth takes each time an air quality conformity consultation cycle begins is to develop a pre-analysis consensus plan. The plan establishes a timeframe and coordinates actions among consultation partners. It is considered a strong management tool that spells out baseline objectives, goals, and assumptions, while remaining flexible enough for participating agencies to amend when/if/as needed during the consultation process in response to changing needs or conditions.
  
- **Streamline the conformity report preparation process** – Due to the complex nature of the air quality conformity process, standardizing the documentation format for Federal reporting requirements can help make the conformity consultation process more smooth and efficient.
  - *For example:* The NCTCOG worked with its interagency consultation partners and other MPOs around the state to [standardize the structure of conformity reports](#). MPOs now use copied language for sections of the conformity report that are consistent each time a report needs to be prepared, and only insert language in the particular sections that need amending. This helps to make the documentation process easier and more efficient on the MPO side, but also streamlines review for approving agencies by making the format consistent from one report to another over time.
  - *For example:* Currently, the Triangle J Council of Governments (TJCOG) in Raleigh-Durham, North Carolina uses the previous year's accepted conformity report as a template for new conformity reports to be developed. The document is sent out with a request for specific updates or changes to be considered in the next conformity designation, which helps to streamline the report preparation process. A cover page lists the items contained in the report and the pages where the information can be found, which helps to streamline review and comment.
  
- **Maintain a detailed process schedule** – A detailed schedule clarifies roles, responsibilities, and target dates in order for agencies to coordinate effectively and meet milestones and deadlines. It is helpful to include notes about which specific agencies (or lead staff people) are accountable for each particular task identified (during both pre- and post-analysis) as well as the timeframe for each task's completion. The schedule should be attached to the pre-analysis consensus plan and be agreed upon as early as possible, while recognizing that it is a planning aid that can be changed and adapted over time.
  - *For example:* As a complement to the pre-consensus analysis plan, TJCOG (in Raleigh-Durham) uses a large spreadsheet that outlines the conformity schedule of different MPO and other agencies' actions with specific staff assigned to each task. This provides clear accountability for various assignments. The

spreadsheet assigns responsibilities to particular agencies and TJCOG manages deadlines to ensure that each job is completed by the appropriate staff person in the agreed-upon timeframe.

- **Document processes and decisions** – A formal system that tracks the decisions and actions of previous meetings helps to hold agencies accountable and provides a basis for evaluating and improving procedures.
  - *For example:* The Knoxville Regional Transportation Planning Organization (KRTPO) includes approved minutes from consultation meetings as a formal part of each transportation conformity determination report.
- **Develop a checklist that organizes essential conformity information within the LRTP and the TIP** – LRTPs and TIPs have to demonstrate air quality conformity (i.e., show that they won't violate Federal air quality standards by contributing more emissions than SIP budgets allow for the region in question). Providing a checklist of actions related to the Federal conformity designation requirements within the TIP and LRTP helps to organize and clarify conformity expectations for projects up front.
  - *For example:* NCTCOG uses a conformity checklist in developing the LRTP and the TIP, which helps to ensure that all pre-agreed upon information is contained in the conformity documentation for final project selection.

#### **How to Identify and Resolve Technical Issues and Assumptions**

- **Establish timelines for submitting and reviewing conformity data by consultation partners** – Scheduling conformity review and evaluation (and revisions of technical information, if needed) on a regular basis gives each agency a reasonable expectation of when they will need to respond to their partners' work, and resolve issues, information discrepancies, or other disputes. Stipulating that partners will have to wait until the next round if they fail to submit necessary information in the time allowed creates an incentive for timely submission and review. The pre-analysis consensus plan should articulate timelines up front and outline any consequences that will follow a delay in the schedule (e.g., LRTP lapse, project delay in the National Environmental Protection Act (NEPA) review process).
  - *For example:* NCTCOG instituted a 90-day interagency consultation review period during which consultation partners confirm that the conformity analysis followed the correct rules, guidelines, and analysis procedures. The first 30 days are allocated for the consultation partners to evaluate the submitted conformity documentation and provide comments. The next 30 days are given to the MPO to review comments and perform the necessary updates before returning to the consultation partners for the last 30 days of review, finalization, and approval.
- **Determine exempt vs. nonexempt project status early on** – Exempt projects do not affect the operating characteristics of a roadway (e.g., distance, speed, or capacity), and are therefore not required to be included in a conformity analysis. Non-exempt projects are large enough to be "regionally significant" and may pose air quality concerns due to their size and impact on the transportation system (e.g., adding highway capacity). As such, all nonexempt projects require a conformity determination if agencies want to include them in their LRTPs and/or TIPs. Agreeing early in the process which projects will be defined as exempt and nonexempt helps establish up front which projects will be subject to the added scrutiny of conformity analysis. Identifying significant projects and working to define up front technical issues that might arise during the conformity process can reduce costly delays in the design and construction of a project.

- *For example:* In order to clearly identify exempt/nonexempt projects, NCTCOG worked closely with their consultation providers to create a working [definition of what constitutes a “regionally significant”](#) project. Having a set of criteria to define “regional significance” across multiple LRTP and TIP update cycles saves time by providing a consistent approach to determining which projects need to be analyzed for conformity from the outset.
- ***Improve the transparency, consistency, and reasonableness of data inputs and develop protocols for deciding which data to use*** – Expending the effort upfront to ensure that the correct data (i.e., projected growth in population or vehicle miles traveled (VMT)) are used will allow the conformity process, and the project’s construction, to move ahead more smoothly. Developing protocols to address and overcome disagreements among agencies on which data inputs will be used is another key step that agencies can take to proactively address technical disputes among interagency partners. A common challenge here lies in disagreement over whether to use national Highway Performance Monitoring System (HPMS) data or regionally generated travel demand model output data to estimate the conformity implications of different projects and plans. HPMS data is widely available and creates consistency in analysis across regions, so states typically use HPMS data to determine SIP budgets (the allowable expenditure of vehicle emissions under which conformity is maintained or attained). MPOs, on the other hand, may prefer to use the outputs of their regional travel demand models, which they believe provide a more accurate picture of how specific projects will impact regional emissions (and thus, determine conformity).
  - *For example:* The MPOs in New York State feel that regionally-developed travel demand models provide a more accurate picture of current and future travel behavior (and thus, emissions) because they use region-specific data not contained in the HPMS. However, the state uses HPMS for SIP budget development. As part of the New York ICG’s recent effort to improve the conformity consultation process, MPOs are engaging the state in significant discussion and consultation as to how these two data sets can be better reconciled for conformity purposes.
  - *For example:* The Texas Department of Transportation (TexDOT) contracts with the Texas Transportation Institute to coordinate [quarterly meetings](#) to discuss planning issues, and develop standardized procedures and methodologies for meeting conformity. By bringing together all those associated with transportation conformity and mobile emissions, technical ideas are identified and, as appropriate, prioritized based on importance, timeframe, and resources. As a result, the Texas Transportation Institute [developed standardized approaches to quantify air quality benefits](#) of transportation related emission reduction control strategies like Transportation Control Measures (TCMs). Establishing standardized methodologies was a key step to streamline conformity efforts.

**How to Address the Complex Timing Challenges of Meeting Conformity Requirements, Given the Many Overlapping Planning and Programming Processes MPOs Manage**

- ***Include internal MPO planning cycles and deadlines in the multi-agency conformity process schedule*** – Include LRTP and TIP development information and deadlines in the multi-agency conformity schedule developed during the pre-consensus plan. This will help to ensure that MPO staff are not only collaborating with the appropriate state, Federal, and environmental agency staff to meet conformity, but with staff at other offices within the MPO whose work takes place on overlapping timeframes and may impact conformity determination outcomes.

- *For example:* In order to stay on schedule, NCTCOG holds monthly manager meetings to review and change its strategic calendar as necessary. NCTCOG has a phased planning process for LRTP and TIP development (3-5 years, 24 months, 18 months, etc.) and conformity analyses are scheduled concurrently with these other regulatory activities. Staying informed of multiple planning cycles and contingencies is essential to meet conformity and keep projects moving forward.
- ***Identify a neutral agency aligned with regional or statewide planning goals to facilitate and manage the consultation process*** – An impartial facilitator may be more efficient in coordinating and providing oversight, reminding agencies of their roles and responsibilities, and holding partners accountable to their deadlines. Management of the consultation process by third party agency may reduce the administrative burden of individual member agencies, which gives them more time to concentrate on their own specific conformity tasks and deadlines. This may be particularly helpful to smaller agencies with limited staff and resources. If no third party agency exists to play this role, MPOs could consider designating a “conformity champion” internal to the MPO to coordinate and manage the pre-analysis consensus plan and help all agencies stay on track with the agreed upon schedule.
  - *For example:* The three MPOs in and around Raleigh-Durham, North Carolina contract with TJCOG to manage the conformity process for the region. TJCOG does not have decision-making authority in the transportation planning process; it does not approve conformity, or adopt the LRTP. Instead it acts as a neutral third party to coordinate and collaborate across authorities and jurisdictions to facilitate the consultation process. TJCOG is also responsible for writing the conformity report, which the MPOs (and the state DOT for rural areas outside of MPO jurisdiction) review for accuracy before sending on to the consultation group for final approval. Having TJCOG manage the process in this way allows the MPOs to focus their efforts on the technical planning work related to conformity. It also facilitates collaboration with state agencies due to TJCOG’s role as a larger regional actor that is aligned with statewide regional planning efforts.

## IV. Appendix: Summary of Presentations

### A. New York's Interagency Consultation Group (ICG) Process

*Joseph Rich, Air Quality/Urban Transportation Planner, FHWA, New York Division*  
*Chris O'Neill, Senior Transportation Planner II, CDTC*

There are 13 MPOs responsible for regional transportation planning in New York State. Of these, eight are in nonattainment areas (NAA) or maintenance areas (MA) for one or more of the NAAQS (see table below).

| Nonattainment Status in New York State            |                     |             |      |       |
|---|---------------------|-------------|------|-------|
| MPO Area  | Criteria Pollutants |             |      |       |
|   | 8-hr Ozone          | CO          | PM10 | PM2.5 |
| Albany  | √ *                 |             |      |       |
| Buffalo   | √ *                 |             |      |       |
| Glens Falls                                       | √ *                 |             |      |       |
| NYMTC   | √                   | Maintenance | √ ** | √     |
| Poughkeepsie                                      | √ *                 |             |      |       |
| Orange County                                     | √ *                 |             |      | √     |
| Rochester   | √ *                 |             |      |       |
| Syracuse  |                     | Maintenance |      |       |
| Rural counties<br>Chautauqua,<br>Jefferson, Essex | √                   |             |      |       |

Note: \* will soon be considered for MA designation

\*\* PM10 nonattainment status applies to Manhattan only

Source: U.S. Department of Transportation (2007). *Effectiveness of the Interagency Consultation Group Process in New York*. Federal Highway Administration, New York Division.

In New York, an ICG is responsible for managing the air quality conformity consultation process statewide. The ICG is comprised of representatives from the following organizations:

- FTA (Region II Office)
- FHWA (New York Division)
- EPA (Region II Office)
- NYSDEC (Main Office)
- NYSDOT (Main Office)
- Affected MPOs as appropriate

Voting within the ICG is by consensus, as opposed to a majority vote. Members coordinate activities through monthly meetings, and NYSDOT facilitates information sharing among the members. The ICG holds the following responsibilities in the transportation conformity process:

- Identify all exempt/nonexempt and regionally significant projects for analysis.
- Model transportation demand and regional emissions.
- Analyze emissions (conformity test).
- Manage public participation and review.
- Create the conformity determination statement.

In a 2005 FHWA Customer Survey of NYSDOT and NYSMPO employees, air quality conformity was associated with the greatest number of both negative and positive responses. To investigate the wide difference in employee perceptions and identify areas for improvement, FHWA's New York Division Office conducted a review of the New York ICG process in 2007. FHWA sent a detailed questionnaire to the eight NAA or MA MPOs in New York and conducted four on-site interviews with MPO staff. Based on this analysis, the FHWA New York Division Office issued a report entitled, *Effectiveness of the Interagency Consultation Group Process in New York*. The

report included a number of recommendations for improving and standardizing the ICG process, which members of the ICG are now working to implement. These are:

- Reaffirm MPOs as full partners in the ICG process.
- Evaluate and revise all guidance documents to reflect full MPO partnership in the ICG process.
- Fully involve all ICG members, including MPOs, in the early stages of SIP development.
- Convene regular monthly ICG meetings, rather than ad hoc consultations.
- Send ICG meeting agendas to all partners preferably a week in advance.
- Adopt official summaries of the ICG meetings to document decisions and commitments.
- Consider adopting a protocol that maintains the exempt/nonexempt classification of a project that has been agreed to by the ICG until the project's status has changed (via MPO notification) or when some new information is available that warrants a new review.
- Develop a standard for the amount of detail required in project descriptions.
- Encourage MPOs not to release draft TIPs and LRTPs for public review until the draft conformity analysis is available.
- Clarify conflict resolution processes for all members of the ICG.

Despite recent improvements to the New York ICG process as a result of these findings, MPO staff note several remaining challenges:

- There is no standardized project information sheet.
- There is a disconnect between HPMS data, which is used by the state to develop SIP budgets, and MPOs' regional travel demand modeling, which rely on different data and assumptions.
- There are inconsistencies between TIP and LRTP conformity.
- There is not a standardized methodology or guidance used to evaluate project air quality benefits (i.e., intelligent transportation systems).
- NYSDECs transportation conformity regulation (Part 240) is outdated and inconsistent with EPA conformity regulations.

The purpose of the TPCB peer exchange was to discuss these challenges and learn how MPOs and state agencies address them in other parts of the country.

## **B. The Big Picture – Conformity and Regional Transportation Planning**

### Conformity in New York State

*Christopher O'Neill, Senior Transportation Planner II, CDTC*

The Federally-mandated transportation planning processes through which MPOs develop their LRTP and TIP are ambitious and complex. Demonstrating transportation-air quality conformity is only one aspect among the many planning requirements that MPOs manage and are responsible for. Conformity consultation is a complex and challenging process. It requires the integration of goals and objectives being developed by multiple agencies working across multiple scales on highly technical issues. State environmental agencies lead the SIP development process, for example, while MPOs lead the transportation planning process. Conformity determinations involve transportation and environmental agencies at the local, state and Federal level, but final decision-making authority rests with FHWA. The technical complexity of air quality conformity compounds the challenges of cross-agency collaboration and creates additional demands for consensus-building.

For the NYMTC, the air quality conformity determination is viewed as one of the “crown jewels” of the regional transportation planning process and one of the main reasons for MPOs' existence. Each successful conformity determination is a validation of MPOs' programs and credibility. It is

critical that MPOs build the skills to successfully manage the conformity process since failing to achieve conformity means their region could lose Federal transportation funding.

In recent years, members of the New York ICG have moved from focusing on the minimum Federal requirements for meeting conformity to considering the wider relationship between conformity regulations and statewide planning objectives. The new perspective allows for a more holistic approach to TIP creation and air quality requirements.

The New York ICG process works well, especially as ICG partners progressively move towards more collaborative and standardized management of the process. Yet, there is still room for improvement as the New York ICG process evolves.

#### Conformity in Dallas-Fort-Worth, Texas

*Chris Klaus, Senior Program Manager, NCTCOG*

NCTCOG is the MPO for the Dallas-Fort-Worth region. It is also an association of local governments established to assist in planning for common needs and coordinating regional development. Its jurisdiction covers 16 counties, nine of which are in nonattainment for the 1997 8-hour ozone NAAQS. Currently, NCTCOG's metropolitan planning area (MPA) is smaller than the nonattainment area. NCTCOG's travel demand model uses a VMT-based analysis inside the MPA and an HPMS-based analysis outside the MPA.

In Texas, MPOs lead transportation conformity planning and are responsible for calling the consultation meetings. The consultation process begins with a pre-analysis consensus plan, followed by a locally-approved LRTP, TIP, and conformity determination. Aside from quarterly meetings, MPOs communicate with consultation partners on their own timelines. For NCTCOG, which has a large staff, the whole planning process is completed internally. In recent years, the interagency consultation partners worked with NCTCOG and other MPOs statewide to [streamline the conformity report preparation process](#). They standardized the structure of conformity reports for consistency across all MPOs in the state and allowed MPOs to use copied language for sections that are consistent each time a report needs to be prepared. Approval of the preliminary plan by the MPO policy board triggers a formal 90-day process of concurrent review, transmittal of comments, follow-up remarks or changes, and eventual approval by all interagency consultation partners.

TexDOT contracts with the Texas Transportation Institute to coordinate [quarterly meetings](#) to discuss planning issues, and develop standardized procedures and methodologies for meeting conformity. By bringing together all those associated with transportation conformity and mobile emissions, technical ideas are identified and, as appropriate, prioritized based on importance, timeframe, and resources. For example, the Texas Transportation Institute [developed standardized approaches to quantify air quality benefits](#) of transportation-related emission reduction control strategies like TCMs. Establishing standardized methodologies was a key step in streamlining conformity efforts.

The state of Texas completes some of the data inventory for SIP development in-house, but contracts with NCTCOG and consultants to complete other parts. For example, NCTCOG performs the on-road mobile vehicle emissions inventory for the entire nonattainment area, which is used to create emissions projections that feed into SIP motor vehicle emission budgets. Updating the SIP in a timely manner is an ongoing challenge due to limited state resources and the existence of multiple nonattainment areas statewide.

#### Overview in Raleigh-Durham, North Carolina

*John Hodges Cople, Regional Planning Director, TJCOG*

TJCOG is a council of governments, an association of municipal and county governments in central North Carolina's "Region J." The 7-county region is home to three separate MPOs

(TJCOG is not an MPO) and three state highway divisions. Jurisdictional complexity and overlapping institutional arrangements provide a challenging context in which to manage the interagency consultation process. The region was considered a maintenance area as of December 2007, but expects a nonattainment designation in the future when EPA makes changes to the NAAQS.

TJCOG holds no decision-making authority in the transportation planning process. It does not approve conformity or adopt the LRTP but acts as a neutral third party to coordinate and collaborate across authorities and jurisdictions to facilitate the consultation process. TJCOG is responsible for writing the conformity determination report, but does not approve it. Approval must be given by the three MPOs in the region and the North Carolina Department of Transportation (NCDOT) for the rural areas outside of MPO jurisdiction.

In North Carolina, a single travel demand model developed by the University of North Carolina at Chapel Hill is used by MPOs and state DOT divisions to develop the LRTP and the SIP. Travel demand models are used for these purposes because they were found to provide better information than HPMS data sets. The region has no TCMs but does complete an off-model analysis (analyses performed without the specific use of a travel demand model).

As in Texas, a pre-analysis consensus plan is used to coordinate actions among air quality consultation partners. The pre-analysis consensus plan is considered a strong management tool given the complexity of the region, and the need for annual conformity determinations. As a companion to the pre-analysis plan, TJCOG uses a large spreadsheet that outlines the conformity schedule of different MPO's actions with specific staff assigned to each task as a means to provide clear accountability for various assignments. The spreadsheet assigns responsibilities to particular agencies and TJCOG manages deadlines to ensure that each job is completed. Because air quality expertise resides at the state level, it is important that TJCOG oversee the multitude of actions involved in the conformity process so that tasks at the regional and local levels are not delayed. In addition to these processes, the state convenes a monthly informational conference call, and decision-making meetings occur at a regional level in coordination with TJCOG.

**Question:** *The state performs the MOBILE6 analysis for all regions. Do they return the post processing data to TJCOG?*

**Answer:** Yes, and the data provided is sufficient. TJCOG wants to use air quality modeling results earlier in the conformity process to influence project selection. TJCOG would also like to build in a feedback loop for this information, but this has been a challenge.

#### Overview in Knoxville, Tennessee

*Michael Conger, Senior Transportation Engineer, KRTPO*

KRTPO is located in eastern Tennessee and coordinates comprehensive regional transportation planning for the urban areas of Knoxville. Complex air-quality issues characterize the region. For example, KRTPO's planning area encompasses two principal counties and parts of two other counties – all of which are currently in nonattainment for ozone and PM 2.5 – but the nonattainment area also includes parts of additional counties that fall outside of KRTPO's planning area. In addition, one census block group within the nonattainment area is home to a coal power plant that has significant impacts on air pollution and part of the nonattainment area overlaps with the Great Smoky Mountain National Park, which generates a large amount of visitor traffic.

The KRTPO is responsible for the conformity analysis in its region through a Memorandum of Agreement (MOA) with the Tennessee DOT and the adjacent MPO with whom KRTPO shares the nonattainment area for ozone. KRTPO coordinates and schedules all of the interagency

consultation processes, initiates the plan, sets the timeline, and begins consultation procedures. In addition, a statewide informational interagency call with other nonattainment areas is held every other month to facilitate communication at the state and regional levels. The consultation process is relatively informal and does not require an affirmative response for each action item. Silence from consultation partners equates with acceptance of the plan.

KRTPO hopes to combine conformity timelines for the multiple pollutants in its nonattainment area to limit the frequency of conformity determinations. KRTPO also sees a need for additional regional cooperation around air quality conformity timelines. Currently, if one MPO fails to adopt a LRTP or TIP in the necessary timeframe, it can cause a lapse and affect the project implementation schedules of every other county in the region.

The conformity process can be challenging in Tennessee, and can affect an agency's ability to engage in other planning activities. However, the ICG process is recognized as providing legitimacy to KRTPO's mission, has allowed them to expand and improve their planning processes, and has fostered more regional interaction in the area than would have occurred otherwise.

### **C. Codifying the Interagency Consultation Group (ICG) Process**

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#### Dallas, Fort-Worth, Texas

For the Dallas, Fort-Worth area, the MPO starts the initial consultation planning process by preparing and submitting a pre-analysis consensus plan. Consultation members review and discuss assumptions identified in the pre-analysis consensus plan, such as which TCMs will be coded or post-processed, review the technical aspects of the plan, and submit emission factor input files for review. This initial process ensures that once emission factor inputs are calculated, and model runs are executed, they incorporate parameters that were initially agreed upon. Assumptions and parameters used are generally consistent with the applicable SIP motor vehicle emissions budgets (MVEBs) being tested. Deviation occurs in an attempt to use latest planning assumptions, where appropriate. The pre-consensus plan is key to managing the smooth flow of the consultation process because all of these issues are agreed upon up front.

**Question:** *Are consultation actions initiated by NCTCOG?*

**Answer:** NCTCOG coordinates the conference call, prepares the pre-analysis consensus plan, and reviews the necessary elements with the interagency group. NCTCOG staff submit proposed emission factor input files intended for use by the other consultation partners who review them and provide feedback. The pre-analysis plan is adopted via email sign-off. If there is disagreement about the plan, the group is flexible and will incorporate changes.

The conformity process contains three overlapping steps; data analysis, public involvement, and formal interagency consultation. Typically, a full conformity process can take up to 1 year as the data analysis step includes pre-analysis consensus, LRTP and TIP development, and air quality emissions analysis of the LRTP and TIP. Following the MPOs policy body adoption, submission of the final conformity documentation triggers a 90-day interagency review period, which is the most formal part of the consultation process. During this time, all consultation partners confirm that the analysis follows the correct rules, guidelines, and analysis procedures. Prior to the 90-day review, the process is managed through informal communication to allow for flexibility. Due diligence is carried out during this informal planning phase through conference calls and email. In this way, any issues that arise may be resolved prior to state and Federal agency reviews. Historically, the Texas consultation partners are unanimous in the approval of the pre-consensus plan to facilitate moving projects forward. Public involvement is conducted throughout the LRTP, TIP, and air quality conformity preparations, all the way up to their final adoption.

Multiple agencies are involved in the conformity determination process. The EPA Region 6, TexDOT, FTA, local MPO, FHWA, and the Texas Commission on Environmental Quality (state air

agency for Texas) comprise the conformity consultation group, where FHWA and FTA formally approve or deny the conformity determination.

NCTCOG uses a checklist to clarify expectations in developing the LRTP and the TIP from a conformity standpoint. Internally, the list helps to ensure that all of pre-agreed upon information is contained in the documentation.

**Question:** *Do you get many conformity questions from the public?*

**Answer:** The most common questions are general, and directed towards the LRTP or TIP, not necessarily the conformity designation.

#### Raleigh-Durham, North Carolina

For TJCOG, the process closely follows a pre-consensus plan. In the past, conformity consultation was a difficult process that required facilitation. Using a consensus agreement has helped substantially. One person in the consultation group handles all the Federal agency coordination. For instance, an FHWA employee will coordinate with the EPA and all other Federal agencies. This allows the MPOs to focus their work on state and local stakeholders.

Currently, the previous years accepted conformity report is used as a template for new conformity reports to be developed. The document is sent out with a request for specific updates or changes to be considered in the next conformity designation, which helps to streamline the report preparation process. A cover page lists the items contained in the report and the pages where the information can be found, which helps to streamline review and comment.

**Question:** *What is the incentive to participate?*

**Answer:** The incentive to participate is the regional impact on other MPOs; if one region is in nonattainment, it will affect the designations of all other regions.

**Question:** *There are separate emissions budgets for each county. Does that decouple you? You cannot pass if one county is one pound above, and another county is two pounds below a particular NAAQS?*

**Answer:** Yes, however, it has not affected decisions about the types of investments needed to respond to regional planning activities.

**Question:** *Who receives the consensus plan? Is the public included?*

**Answer:** The consensus plan is sent to MPOs, state agencies, and any other stakeholders (airport authority, transit agencies, etc). Public comments are submitted by each MPO as an appendix because they have different reporting characteristics (i.e., length, comments, responses, etc.).

#### Knoxville, Tennessee

The conformity method used in Knoxville closely follows the conformity guidelines outlined in the Tennessee Conformity SIP. Many of the procedures are completed via conference calls. Items that need review have a 14-day comment period. If no comments are received, then agreement is assumed. The guidelines for the process remain the same for each subsequent conformity report.

KRTPO does not use a technical pre-consensus plan. Mr. Conger noted that every situation is unique, so defining a process or pre-consensus plan that would be able to address every issue or exception is difficult. KRTPO does take a systematic approach to the consultation process, however, and provides documentation of the assumptions and inputs used in the conformity analyses. Meeting minutes are distributed to members and become a formal part of the transportation conformity determination report.

## **D. Resolving Technical Issues and Data Assumptions**

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### Dallas, Fort-Worth, Texas

Most technical issues arise during the post analysis, when agencies review the transportation networks included in MPO plans.. Reviewing the transportation networks can be a lengthy and complicated process, given that it involves thousands of discreet data points, as well as the assumptions underlying them. At NCTCOG, for example, each analysis year network consists of over 42,000 links, 4,500 zones, 12,000 roadway centerline miles, 290 freeway segment IDs and 774 arterial segment IDs.

NCTCOG focuses resources on major projects to minimize issues that might occur. If delayed, project costs increase when construction costs rise over time. Therefore, there is an incentive to get all the technical issues solved from the beginning of the process.

Currently, the travel demand model VMT used to calculate on-road mobile emissions inventories prepared by NCTCOG have to be reconciled with HPMS VMT. This is done using an arbitrary HPMS adjustment factor, which is applied to successfully validated travel demand model VMT from the bottom-up. In the future, NCTCOG plans to work with TexDOT and other agencies to find better ways to reconcile the travel demand model and HPMS data. When there is no model in place, using HPMS data makes sense, but the travel demand model is considered by NCTCOG to be more precise and accurate.

**Question:** *Does your group have the autonomy to decide what projects are considered exempt or nonexempt, and which are brought to the ICG?*

**Answer:** Yes. In order for this to happen, NCTCOG worked closely with our consultation partners to develop a [general definition of what constitutes a roadway to be regionally significant](#). In developing networks, all known roadways are coded to assist with accuracy and connectivity. Project listings are separated into three database tables: freeways, regionally significant arterials, and non-regionally significant roadways. These project listings are brought to the public and ultimately used for approval of TIP modifications and NEPA consistency reviews.

**Comment:** The ICG process means working with your partners to determine if there are fatal flaws in the plan. Creating an exempt/nonexempt determination is critical to building credibility into the process by having Federal partners agree to these determinations from the start.

### Raleigh-Durham, North Carolina

TJCOG sends coded networks to local planners, which are reviewed, discussed, and changed as necessary. After this has been done, a list of non-fiscally constrained project alternatives is modeled, and projects are designated as regionally significant, exempt, or nonexempt. This avoids the problem of having to model last-minute project submissions.

Technical issues generally arise in the pre-consensus plan phase. In certain cases, TJCOG would turn to the air quality agency for advice. SIP budgets are determined at the county level, therefore TJCOG is not involved in the technical issues of that process.

North Carolina MPOs begin the LRTP with three or four scenarios (i.e., moderate multi-modal, highway intensive, transit intensive, etc.) to demonstrate options to policymakers and the public to spur discussion of how to prioritize limited transportation resources. One plan is chosen with several modeled variations, and fiscal considerations help to further refine the plan.

**Question:** *Is there an air quality analysis of all the alternatives?*

**Answer:** No, currently there is not a good link between the travel demand model and MOBILE6, so air quality conformity is not considered. Instead, three to four unconstrained big picture alternatives are presented to show the impacts on standard factors (i.e., congestion, transit ridership, VMT, etc). Those plans are presented at public meetings; a fiscally constrained option is identified and further refined to become the preferred alternative. At that point, TJCOG can conduct an air quality analysis on the preferred plan. It would be ideal to apply the air quality analysis earlier, but currently it is not possible.

#### Knoxville, Tennessee

Technical issues generally occur in relation to running the MOBILE6 emissions model. To begin the consultation process, KRTPO will hold a conference to discuss how to develop the assumptions and inputs used in the MOBILE6 analysis. The group has limited experience with travel demand modeling and relies on KRTPO to leverage its expertise. KRTPO will defer to the state and local air agencies for some specific inputs. The consultation group works to identify potential issues early in the process, and comes to an agreement on how to resolve them. On technical issues, the group defers to the EPA.

There have been several issues regarding SIP development. KRTPO models are measured in relationship to SIP budgets, so consistency is important. KRTPO is upgrading its models, which may present potential problems with consistency. It will be important to maintain understanding across agencies, and to work together to resolve any difficulties. Travel demand models are calibrated to account for HPMS data.

**Comment:** It would be interesting to compare a travel demand model and HPMS data, keeping everything constant, to determine if there is a difference. HPMS was never designed to account for the level of detail being addressed in contemporary planning models. Travel demand models have issues, but they provide better predictions than the HPMS data.

**Question:** *What are the effective ways of resolving these kinds of conflicts?*

**Answer 1:** We have found that the best way to resolve issues is by working together to come to a consensus agreement.

**Answer 2:** To resolve issues it is important to choose numbers, data, assumptions, etc. that are transparent, consistent, and reasonable. Even the best models make assumptions that do not always hold true.

### **E. Addressing the Timing Challenges of Overlapping Planning Processes**

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#### Dallas, Fort-Worth, Texas

In order to stay on schedule, the MPO holds monthly manager meetings to review and change the strategic calendar as necessary. The NCTCOG and state agencies are aware of each other's scheduled activities in order to stay informed of the deadlines and issues facing each agency. NCTCOG has a phased planning process for LRTP and TIP development (3-5 years, 24 months, 18 months etc.) and conformity analyses are scheduled concurrently with other regulatory activities. Staying informed of each agency's planning cycles and contingencies helps to keep projects moving forward. In addition, quarterly statewide Technical Working Group meetings are held for the purposes of evaluating and choosing a model (or models) and associated methods and assumptions to be used in [Hot-Spot and Regional Emissions Analyses](#).

#### Raleigh, North Carolina

For TJCOG, all planning activities pivot off the LRTP schedule, which is on a 4-year cycle. The TIPs are a conforming subset of the LRTP. This makes the LRTP a keystone activity in North Carolina because it guides the TIP and ultimately leads to conformity.

### Knoxville, Tennessee

Timing has been a major challenge at KRTPO. The agency has not been able to implement as many scenario planning and visioning activities as it would like because of the demanding conformity schedules it must maintain. KRTPO is currently upgrading its scenario planning model in the hopes that it will be able to undertake scenario planning efforts in future plans.

**Question:** *Was KRTPO able to successfully implement a land use model? Is it being used for trip generation and distribution?*

**Answer:** Currently, KRTPO has an allocation model in which a control total is provided and the model allocates certain characteristics based on a series of factors. For example, if a roadway is built, certain development activities become more attractive for the modeled area.

**Question:** *What prompted the creation of the model?*

**Answer:** KRTPO did not have a good method of allocating activities at the traffic zone level.

**Comment:** Timing issues may be more relevant from the state's perspective, and within the interagency group, as opposed to the MPO, in terms of State Transportation Improvement Program (STIP) development, adoption, and coordination of conformity analyses into those cycles.

**Question:** *It has been suggested that Federal agencies may have the viewpoint that conformity is one of the most important tasks MPOs have, with little recognition they are also responsible for many other planning actions. Do other peers have any reflections on this perspective?*

**Answer:** In North Carolina, the MPOs contract with TJCOG to manage the conformity process. TJCOG's role as facilitator may allow the MPOs to feel that the process is more locally owned. Having an outside facilitator allows the MPOs to do more planning work. The pre-consensus agreement makes TJCOG responsible for reminding each agency what activities they are accountable for. Previously, the region would regularly lapse on completing conformity designations; therefore it was critical to change the process. TJCOG has the role of a larger regional actor that is aligned with statewide regional planning efforts. The agency acts as a more neutral facilitator, which may provide for a more effective management of the broader interagency conformity consultation process.

## V. Attachments

### A: Acronyms

|        |   |
|--------|---|
| CAA    | Clean Air Act   |
| CDTC   | Capital District Transportation Committee                         |
| DOT    | Department of Transportation                                      |
| EPA    | Environmental Protection Agency                                   |
| FHWA   | Federal Highway Administration                                    |
| FTA    | Federal Transit Administration                                    |
| GTC    | Genesee Transportation Council                                    |
| HPMS   | Highway Performance Monitoring System                             |
| ICG    | Interagency Consultation Group                                    |
| KRTPO  | Knoxville Regional Transportation Planning Organization           |
| LRTP   | Long-Range Transportation Plan                                    |
| MA     | Maintenance Area  |
| MPO    | Metropolitan Planning Organization                                |
| MVEB   | Motor Vehicle Emissions Budget                                    |
| NAA    | Nonattainment Area  |
| NAAQS  | National Ambient Air Quality Standards                            |
| NCDOT  | North Carolina Department of Transportation                       |
| NCTCOG | North Central Texas Council of Governments                        |
| NYMTC  | New York Metropolitan Transportation Council                      |
| NYSDEC | New York State Department of Environmental Conservation           |
| NYSDOT | New York State Department of Transportation                       |
| NYSMPO | Association of New York State Metropolitan Planning Organizations |
| RTP    | Regional Transportation Plan                                      |
| SIP    | State Implementation Plan   |
| STIP   | State Transportation Improvement Program                          |
| TCM    | Transportation Control Measure                                    |
| TexDOT | Texas Department of Transportation                                |
| TIP    | Transportation Improvement Program                                |
| TJCOG  | Triangle J Council of Governments                                 |

## **B. Key Contacts**

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## C: Participant List

### *Peer Experts*

| First | Last   | Title                          | Organization  |
|-------|--------|--------------------------------|---|
| Chris | Klaus  | Senior Transportation Engineer | North Central Texas Council of Governments              |
| John  | Hodges | Regional Planning Director     | Triangle J Council of Governments                       |
| Mike  | Conger | Senior Transportation Engineer | Knoxville Regional Transportation Planning Organization |

### *Peer Exchange Participants*

| First     | Last        | Organization  |
|-----------|-------------|---|
| Chris     | O'Neill     | Capital District Transportation Committee               |
| Sreekumar | Nampoothiri | Capital District Transportation Committee               |
| Rob       | Griffith    | Federal Highway Administration, New York Division       |
| Victor    | Waldron     | Federal Transit Administration                          |
| Emily     | Biondi      | Federal Highway Administration Headquarters             |
| Joe       | Rich        | Federal Highway Administration, New York Division       |
| Maria     | Chau        | Federal Highway Administration, New York Division       |
| Patrick   | Lentile     | New York State Department of Transportation             |
| Michele   | Bager       | New York State Department of Transportation, Albany     |
| Mike      | Sheehan     | New York State Department of Environmental Conservation |
| Chris     | Hardej      | New York Metropolitan Transportation Council            |
| Angelina  | Foster      | New York Metropolitan Transportation Council            |
| Sangeeta  | Bhowmick    | New York Metropolitan Transportation Council            |
| Fred      | Budde       | Orange County Metropolitan Planning Organization        |
| Mario     | Cologne     | Syracuse Metropolitan Transportation Council            |
| Eoin      | Wrafter     | Poughkeepsie-Dutchess County Transportation Council     |
| Rich      | Perrin      | Genesee Transportation Council (GTC)                    |

#### D. Peer Exchange Agenda

| Begin      | End        | Description  |
|------------|------------|--|
| 8:30 a.m.  | 8:50 a.m.  | Welcome and Introductions<br>Goals for the Exchange                    |
| 8:50 a.m.  | 9:15 a.m.  | Introduction to the New York State ICG Process                         |
| 9:15 a.m.  | 10:15 a.m. | The Big Picture—Conformity and Regional<br>Transportation Planning     |
| 10:15 am   | 10:30 am   | Morning Break  |
| 10:30 a.m. | 11:15 a.m. | Codifying the Interagency Consultation Process                         |
| 11:15 a.m. | 12:30 p.m. | Resolving Technical Issues and Data Assumptions                        |
| 12:30 pm   | 1:00 pm    | Lunch Break  |
| 1:00 p.m.  | 3:30 p.m.  | Addressing Timing Challenges of Overlapping Planning<br>Processes      |
| 3:30 p.m.  | 3:45 p.m.  | Afternoon Break  |
| 3:45 p.m.  | 4:45 p.m.  | Blueprint: Lessons Learned and Ideas for Moving<br>Forward in New York |
| 4:45 p.m.  | 5:00 p.m.  | Evaluation   |

#### E: Links to Peer MPO Web sites

Capital District Transportation Committee  
[www.cdtcmpo.org](http://www.cdtcmpo.org)

The Association of New York State Metropolitan Planning Organizations  
[www.nysmpos.org](http://www.nysmpos.org)

North Central Texas Council of Governments  
[www.nctcog.org](http://www.nctcog.org)  
<http://www.nctcog.org/trans/air>

Triangle J Council of Governments  
[www.tjcog.dst.nc.us/](http://www.tjcog.dst.nc.us/)

Knoxville Regional Transportation Planning Organization  
[www.knoxtrans.org](http://www.knoxtrans.org)