



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105**

Mr. Kome Ajise
Executive Director
Southern California Association of Governments
900 Wilshire Boulevard, Suite 1700
Los Angeles, California 90017

Re: Concurrence for Express Bus Service Project in Orange County as Transportation Control Measure Substitution for Two Transit Projects

Dear Mr. Ajise:

This letter responds to your letter dated July 15, 2022, requesting Environmental Protection Agency (EPA) review and concurrence on a Transportation Control Measure (TCM) substitution from the Orange County Transportation Authority (OCTA). OCTA is proposing to replace a paratransit vehicle expansion project and a new transit station project in the City of Placentia with a new 10-mile Main Street Bravo! express bus service between the City of Anaheim and the City of Costa Mesa in Orange County. Based on our review of your letter and enclosure, EPA concurs that the TCM substitution submitted by the Southern California Association of Governments (SCAG) for OCTA meets the requirements for substitution of TCMs from an approved State Implementation Plan (SIP). As a result of our concurrence, SCAG can adopt amendments to its Regional Transportation Improvement Program and Regional Transportation Plan for the substitute TCM and include it in the next transportation conformity analyses.

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), signed into law on August 10, 2005, revised the Clean Air Act's section 176(c) transportation conformity provisions for procedures to use when substituting or adding TCMs to approved SIPs. The Clean Air Act as amended requires that the replacement TCM must achieve equal or greater emissions reductions; be implemented on a consistent schedule; and be supported by adequate resources and authority to be implemented, monitored, and enforced. The TCM must also have been developed through a collaborative process involving all affected jurisdictions, EPA, and the public. The Clean Air Act procedures provide a mechanism whereby TCMs can be added to, or substituted for, in the approved SIP, without a formal rulemaking process.

This letter transmits our decision that EPA concurs with the TCM substitution submitted by SCAG for OCTA. In reaching this decision, we have reviewed the technical information for the substitute TCM provided by SCAG and have determined that the substitute TCM meets the Clean Air Act section 176(c)(8) requirements for substitute TCMs. We have enclosed a table that summarizes our evaluation for the substitute TCM.

SCAG can now make conformity determinations based on this substitute TCM, and the substitute TCM is now part of the federally enforceable SIP. We anticipate that the California Air Resources Board will submit the substitute TCM for incorporation in the codified applicable SIP within 90 days, as required by Clean Air Act section 176(c)(8). EPA will then proceed to update the Code of Federal Regulations via a Federal Register notice to clarify which TCM is part of the federally enforceable SIP. If you have any questions regarding this decision, please contact me at (415) 972-3183 or Karina O'Connor at (775) 434-8176.

Sincerely,

Elizabeth J. Adams
Director, Air Division

Enclosure

cc: Wayne Nastri, South Coast Air Quality Management District
Steven Cliff, California Air Resources Board
Nesamani Kalandiyur, California Air Resources Board
Vincent Mammano, Federal Highway Administration
Antonio Johnson, Federal Highway Administration
Ted Matley, Federal Transit Administration
Rongsheng Luo, Southern California Association of Governments
Darrell Johnson, Orange County Transportation Agency
Marlon Flournoy, California Department of Transportation
Rodney Tavitas, California Department of Transportation

Enclosure – Technical Support Document for Southern California Association of Governments’ (SCAG’s) Transportation Control Measure Substitution: Two Transit Projects in Orange County

Transportation Control Measure (TCM) Under Review: A Paratransit Vehicle Expansion Project and a Transit Station in Placentia, Replaced with a 10-mile Express Bus Service along Main Street between the City of Anaheim and the City of Costa Mesa in Orange County Portion of the South Coast Air Basin		Date of TCM Substitution Receipt by EPA: July 15, 2022	
Reviewers: Karina O’Connor		Date: 12/22/22	
Transportation Review Criteria from <i>Clean Air Act section 176(c)</i>		Is Criterion Satisfied? Y/N	Documentation/Comments
<i>176(c)(8)(A)(i)</i>	The substitute measures achieve equivalent or greater emissions reductions than the control measure to be replaced;	Y	<p>Two transit projects, a paratransit vehicle expansion project and a new transit station project in the City of Placentia, in Orange County have been delayed. The additional 15 vans are no longer needed in the near term due to a reduction in paratransit service associated with the coronavirus pandemic. The Placentia Metrolink Transit Station is delayed due to protracted negotiations with the BNSF Railway, which owns the tracks that would serve the station. The replacement TCM is a 10-mile express bus service (Main Street Bravo!) along Main Street between the Anaheim Regional Transportation Intermodal Center and the South Coast Metro district in the city of Costa Mesa in Orange County. The replacement projects will provide additional transit service in this corridor and will provide equivalent emission reductions for PM_{2.5}, CO, ROG and NO_x as supported with emission model runs and documented by the Orange County Transportation Authority (OCTA) and included in the Appendix to SCAG’s July 2022 OCTA TCM Substitution report.¹</p> <p>The methodology for analyzing emissions impacts used assumptions and modeling techniques consistent with those used in the SIP, utilizing the Orange County Transportation Analysis Model 5.0 (OCTAM), and California Air</p>

¹ Based on the emissions estimates in the appendix to SCAG’s Orange County Transportation Authority Transportation Control Measure Substitution Report (July 2022), in year 2022, the substitute TCM would contribute 0.1 kg/day ROG and PM₁₀, 0.2 kg/day - 0.3 kg/day NO_x, and 1.4 kg/day CO emission reductions above the emission reductions associated with the original two TCMs and provide equivalent emission reductions of PM_{2.5}. In 2037, the substitute TCMs would contribute 0.3 kg/day ROG, 0.8 kg/day – 0.9 kg/day NO_x, 4.6 kg/day CO, 0.4 kg/day PM₁₀ and 0.1 kg/day PM_{2.5} emission reductions above the emission reductions associated with the original two TCMs. In 2045, the substitute TCMs would contribute 0.4 kg/day - 0.5 kg/day ROG, 1.1 kg/day – 1.2 kg/day NO_x, 6.4 kg/day CO, 0.5 kg/day PM₁₀ and 0.2 kg/day PM_{2.5} emission reductions above the emission reductions associated with the original two TCMs.

			Resources Board's (CARB's) EMFAC2017 model.
<i>176(c)(8)(A)(ii)</i>	The substitute control measures are implemented in accordance with a schedule that is consistent with the schedule provided for control measures in the implementation plan;	Y	The original transit projects were to be completed by December 2022. The replacement bus express service will be in place and can be operational by December 2022. The original TCMs are not relied upon for reasonable further progress or attainment in the approved SIP. Both the original and the replacement TCM projects are located in Orange County, within the South Coast Air Basin (SCAB).
<i>176(c)(8)(A)(iii)</i>	The substitute and additional control measures are accompanied with evidence of adequate personnel and funding and authority under State or local law to implement, monitor, and enforce the control measures;	Y	OCTA has the legal authority to implement and operate the express bus service project and has implemented similar projects before. OCTA has secured Measure M2 funds for the express bus service project in Orange County.
<i>176(c)(8)(A)(iv)(I)</i>	The substitute and additional control measures were developed through a collaborative process that included participation by representatives of all affected jurisdictions (including local air pollution control agencies, the State air pollution control agency, and State and local transportation agencies);	Y	Interagency consultation occurred at SCAG's publicly noticed Transportation Conformity Working Group (TCWG) meeting originally on June 22, 2021, then revised and presented on February 22, 2022 and again on April 26, 2022, prior to release of the document for a 15-day public review on May 6, 2022. SCAG provided further updates in meetings on May 24, June 28 and July 26, 2022. The documents were also emailed to the TCWG on February 17, 2022 and March 7, 2022. Members of the TCWG include: EPA, FHWA, FTA, CARB, Caltrans, the South Coast Air Quality Management District, and the county transportation authorities (including, among others, OCTA).
<i>176(c)(8)(A)(iv)(II)</i>	The substitute and additional control measures were developed through a collaborative process that included consultation with the Administrator;	Y	EPA was included in the area's TCWG process and with updates in later TCWG meetings. All comments provided were addressed and incorporated into the final TCM substitution report as appropriate.
<i>176(c)(8)(A)(iv)(III)</i>	The substitute and additional control measures were developed through a collaborative process that included reasonable public notice and opportunity for comment; and	Y	A public comment period was held on the draft report, which was presented to and approved by SCAG's Energy and Environmental Committee (EEC) on June 2, 2022. (The comment period was publicly noticed on May 6, 2022 and closed on May 21, 2022.) The replacement TCM was presented to the SCAG Regional Council on July 7, 2022. These meetings were publicly noticed. The draft documentation was available for review at the Southern California Association of Governments office, located at 900 Wilshire Boulevard Los Angeles, CA 90017 or www.scag.ca.gov . No comments were received.
<i>176(c)(8)(A)(v)</i>	The metropolitan planning organization, State air pollution	Y	The replacement TCM was approved, in the form of a vote of the SCAG Regional Council, on July 7, 2022. CARB has also concurred with the substitution in a

	<p>control agency, and the Administrator concur with the equivalency of the substitute or additional control measures.</p>		<p>letter dated December 9, 2022 from Steven S. Cliff, CARB Executive Officer, to Kome Ajise, Executive Director, SCAG. On September 29, 2006, concurrence on TCM substitutions was delegated from the EPA Administrator to the Regional Administrators. On August 20, 2008, concurrence on TCM substitutions was re-delegated from the Region IX Regional Administrator to the Director of the Air Division in Region IX. This letter documents the Region IX Air Division Director's review and concurrence on the substitution.</p>
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