

East-West Gateway Council of Governments
Regionally Significant Project Screening Criteria
For Use in the Transportation Regional Emissions Analysis
And Conformity Process
For Transportation Plan and Transportation
Improvement Program
St. Louis Non-Attainment and Maintenance Areas

1. Background

This document is intended to serve as a tool for assisting with determining whether a transportation project in the St. Louis Region is “Regionally Significant” with respect to the air quality conformity requirements for Transportation Plan and Transportation Improvement Program (TIP) found in the Transportation Conformity Regulations (40 CFR Part 93). The purpose is to provide pertinent information to the Inter Agency Consultation group (IACG) on the characteristics that would normally be used to determine whether a transportation project is regionally significant, especially if a roadway facility does not meet the definition of regionally significant project in the transportation conformity regulations. As defined in 40 CFR 93.101 transportation projects (other than exempt projects) located on transportation facilities that are classified as principal arterial or higher are regionally significant. Pursuant to all applicable regulations, the IACG will make the final determination of regional significance¹ on a case-by-case basis if needed and additional criteria beyond what is being presented in this document may be used at the IACG’s discretion. Transportation conformity is required by the Clean Air Act section 176(c) (42 U.S.C. 7506(c)) to ensure that federal funding and approval are given to highway and transit projects that are consistent with ("conform to") the air quality goals established by a state air quality implementation plan (SIP). Conformity, to the purpose of the SIP, means that transportation activities will not cause new air quality violations, worsen existing violations, or delay timely attainment of the National Ambient Air Quality Standards (NAAQS).

Jefferson, St. Charles and St. Louis Counties, the City of St. Louis and Boles Township in Franklin County in Missouri and Madison, Monroe and St. Clair Counties in Illinois make up the non-attainment area for the 2015 NAAQS for ozone (O3).

The eight county (MO-IL) area is in attainment of the 1997 O3 NAAQS (standard revoked in 2015). In 2018 EPA redesignated this area to attainment of the 2008 O3 NAAQS and it is considered a maintenance area. The 2008 O3 NAAQS has not been revoked.

In 2018, the five Missouri counties were redesignated to attainment for the 1997 annual fine particulate matter (PM_{2.5}) NAAQS. In 2019, the three Illinois counties and Baldwin

¹ See Missouri Transportation Conformity Regulations 10 CSR 10-5.480

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Township in Randolph County Illinois were also redesignated to attainment for this NAAQS. Based on EPA's 2016 Fine Particulate Matter National Ambient Air Quality Standards: State Implementation Plan Requirements: Final Rule, when EPA redesignates an area to attainment for the 1997 annual PM_{2.5} NAAQS, the 1997 standard is revoked and conformity requirements no longer apply for long-range transportation plan, Transportation Improvement Program (TIP) or at project level. These areas are identified as "maintenance (standard revoked)".

For the 2012 annual PM_{2.5} NAAQS, EPA classified all of Illinois as in attainment for this standard effective January 2019. In July 2019, EPA classified the five Missouri counties making up the St. Louis region as in attainment for the 2012 standard. Since the area is in attainment, conformity requirements do not apply.

Part of the region, consisting of the City of St. Louis and that portion of St. Louis County within the I-270 loop, had been classified as a limited maintenance area for Carbon Monoxide (CO). The Missouri Limited Carbon Monoxide Maintenance Plan option allows plan conformity without a technical analysis. As of March 29, 2019, the twenty-year maintenance period for this pollutant has been concluded (area is considered to be in attainment of the CO standard).

The East-West Gateway Council of Government (EWG), as the Metropolitan Planning Organization (MPO,) is the lead agency for developing transportation air quality conformity determination for the 2008 and 2015 O₃ NAAQS for the Long-Range Transportation Plan, TIP and TIP amendments. U.S. DOT makes the final determination of conformity.

Vehicle mile traveled (VMT) for transportation projects (non-regionally significant, non-exempt projects) which cannot be captured by EWG's travel demand model will be analyzed according to reasonable professional practice according to 40 CFR 93.122 Procedures for determining regional transportation-related emissions. According to 93.122, the regional emissions analysis for a transportation plan or TIP must include all regionally significant projects expected in the non-attainment areas, including those that are non-federal (those that need no federal funding or approval). Notwithstanding the other requirements of 40 CFR 93.126, 93.127 and 93.128, all non-exempt road improvement projects, including those not requesting federal funds, will be considered for regional significance and subject to inclusion in an air quality conformity analysis.

Definitions of potential project classifications and their criteria are outlined below. The MPO and IACG will follow the definition in the Federal Transportation Conformity Regulations. Please note that for cases in which the regional significance of a project is unclear the IACG will consult to determine the classification of a project.

2. Federal Transportation Conformity Regulations Definition of Regional Significance

40 CFR § 93.101 Definitions. (Verbatim from Federal Regulations)

Regionally significant project means a transportation project (other than an exempt project) that is on a facility which serves regional transportation needs (such as access to and from the area outside of the region, major activity centers in the region, major planned developments such as new retail malls, sports complexes, etc., or transportation terminals as well as most terminals themselves) and would normally be included in the modeling of a metropolitan area's transportation network, including at a minimum all principal arterial highways and all fixed guideway transit facilities that offer an alternative to regional highway travel.

3. Examples of Projects that are Regionally Significant

Below are examples of projects which must be included in the network modeling, regional emissions analysis and conformity analysis for Transportation Plan, TIP and amendments to Plan and TIP.

Interstates and Expressways

New segment
Added through lane
Continuous auxiliary lane
New interchange

Principal Arterial

New segment
Added through lane
Continuous auxiliary lane
New interchange

Rail and Fixed Guide-Way Transit

Major expansion of fixed rail or fixed guide-way system

4. Examples of Projects that are not -Regionally Significant (Non-Exempt)

- Addition of thru traffic lanes on arterial roads that do not extend the full distance between major intersections
- Addition of thru traffic lanes on roads that are not functionally classified as an arterial or higher and do not serve regional transportation needs
- New collector roads that serve minor developments
- New or expanded park-and-ride lots that do not serve regional transportation needs
- New collector road overpasses

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As aforementioned, VMT for projects (non-regionally significant, non-exempt projects) as listed above which cannot be captured by EWG’s travel demand model will be analyzed according to reasonable professional practice according to 40 CFR 93.122 Procedures for determining regional transportation-related emissions. All non-regionally significant (non-exempt) projects still need to be included in the Regional Emissions Analysis even if the VMT cannot be captured in the travel demand model. In the future and as applicable, EWG will consult with the IACG and document the use of “off-model” methods for determining VMT and emissions in Transportation Conformity Determination documentation.

5. Examples of Projects that May be Regionally Significant

Listed below are examples of the types of projects that the IACG is to determine whether or not they are regionally significant, non-exempt. If a project is determined to be a regionally significant non-exempt project, it is to be included in the transportation network modeling and conformity analysis.

Interstates and Expressways

Modification of an existing interchange

Principal Arterial

Modification of an existing interchange or intersection

Minor Arterial

New segment

Added through lane

Continuous auxiliary lane

Modification of an existing interchange or intersections

Rail and Fixed Guide-Way Transit

New stations or terminals that serve major regional transportation needs

6. Exempt Projects

Sections 93.126 –128 of the Transportation Conformity Regulations (March 2010) identify highway and transit project types which are exempt from the requirement to determine conformity altogether (93.126 and 93.128) or exempt from regional emissions analysis (93.127) and key caveats to be considered. These sections are presented in their entirety at the end of this section. The most recent version of the Transportation Conformity Regulations can be found at:

<http://www.epa.gov/otaq/stateresources/transconf/regs/420b10006.pdf> .

Table 2 in Section 93.126 lists projects which are exempt and may proceed toward implementation even in the absence of a conforming transportation plan and Transportation Improvement Program (TIP). A particular action of the type listed in

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Table 2 is not exempt if EWG, in consultation with other agencies in the IACG, concurs that it has potentially adverse emissions impacts for any reason. The Missouri Department of Transportation (MoDOT), the Illinois Department of Transportation (IDOT), the Missouri Department of Natural Resources (MDNR), the Illinois Environmental Protection Agency (Illinois EPA) and EWG must ensure that exempt projects do not interfere with transportation control measure (TCM) implementation.

Please note that in Section 93.127, sentences two, three and four are referring to project-level conformity determination which is the responsibility of the project sponsor, not the Metropolitan Planning Organization (MPO). Although it is true that certain situations trigger the necessity for hot-spot/project level analysis per 40 CFR93, it was determined that this obligation is not led by the MPO and is not covered by this document.

Moreover, any necessary hot-spot/project level analysis is generally performed by the project sponsor. It was the consensus of the IACG in 2019 that a roundabout project falls under the category of intersection channelization projects in Table 3. A particular action of the type listed in Section 93.127, Table 3 is not exempt from regional emissions analysis if EWG, in consultation with other agencies in the IACG, concurs that that has potential regional impacts for any reason.

40 CFR § 93.126 Exempt projects. (Verbatim from Federal Regulations)

Notwithstanding the other requirements of this subpart, highway and transit projects of the types listed in Table 2 of this section are exempt from the requirement to determine conformity. Such projects may proceed toward implementation even in the absence of a conforming transportation plan and TIP.

A particular action of the type listed in Table 2 of this section is not exempt if the MPO in consultation with other agencies (see 93.105(c)(1)(iii)), the EPA, and the FHWA (in the case of a highway project) or the FTA (in the case of a transit project) concur that it has potentially adverse emissions impacts for any reason. States and MPOs must ensure that exempt projects do not interfere with TCM implementation. Table 2 follows:

40 CFR §93.126 - Table 2—Exempt Projects (Verbatim from Federal Regulations)

Safety

- Railroad/highway crossing.
- Projects that correct, improve, or eliminate a hazardous location or feature.
- Safer non-Federal-aid system roads.
- Shoulder improvements.
- Increasing sight distance.
- Highway Safety Improvement Program implementation.
- Traffic control devices and operating assistance other than signalization projects.
- Railroad/highway crossing warning devices.
- Guardrails, median barriers, crash cushions.
- Pavement resurfacing and/or rehabilitation.

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- Pavement marking.
- Emergency relief (23 U.S.C. 125).
- Fencing.
- Skid treatments.
- Safety roadside rest areas.
- Adding medians.
- Truck climbing lanes outside the urbanized area.
- Lighting improvements.
- Widening narrow pavements or reconstructing bridges (no additional travel lanes).
- Emergency truck pullovers.

Mass Transit

- Operating assistance to transit agencies.
- Purchase of support vehicles.
- Rehabilitation of transit vehicles¹.
- Purchase of office, shop, and operating equipment for existing facilities.
- Purchase of operating equipment for vehicles (e.g., radios, fareboxes, lifts, etc.).
- Construction or renovation of power, signal, and communications systems.
- Construction of small passenger shelters and information kiosks.
- Reconstruction or renovation of transit buildings and structures (e.g., rail or bus buildings, storage and maintenance facilities, stations, terminals, and ancillary structures).
- Rehabilitation or reconstruction of track structures, track, and trackbed in existing rights-of-way.
- Purchase of new buses and rail cars to replace existing vehicles or for minor expansions of the fleet¹.
- Construction of new bus or rail storage/ maintenance facilities categorically excluded in 23 CFR part 771.

Air Quality

- Continuation of ride-sharing and van-pooling promotion activities at current levels.
- Bicycle and pedestrian facilities.

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Other

- Specific activities which do not involve or lead directly to construction, such as:
 - Planning and technical studies.
 - Grants for training and research programs.
 - Planning activities conducted pursuant to titles 23 and 49 U.S.C. Federal-aid systems revisions.
- Engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action.
- Noise attenuation.
- Emergency or hardship advance land acquisitions (23 CFR 710.503).
- Acquisition of scenic easements.
- Plantings, landscaping, etc.
- Sign removal.
- Directional and informational signs.
- Transportation enhancement activities (except rehabilitation and operation of historic transportation buildings, structures, or facilities).
- Repair of damage caused by natural disasters, civil unrest, or terrorist acts, except projects involving substantial functional, locational or capacity changes.

Note:¹ In PM₁₀ and PM_{2.5} nonattainment or maintenance areas, such projects are exempt only if they are in compliance with control measures in the applicable implementation plan.

40 CFR § 93.127 Projects exempt from regional emissions analyses. (Verbatim from Federal Regulations) (Please see paragraph 3 on page 4 for discussion about this portion of the Federal Regulations)

Notwithstanding the other requirements of this subpart, highway and transit projects of the types listed in Table 3 of this section are exempt from regional emissions analysis requirements. The local effects of these projects with respect to CO concentrations must be considered to determine if a hot-spot analysis is required prior to making a project-level conformity determination. The local effects of projects with respect to PM₁₀ and PM_{2.5} concentrations must be considered and a hot-spot analysis performed prior to making a project-level conformity determination, if a project in Table 3 also meets the criteria in §93.123(b)(1). These projects may then proceed to the project development process even in the absence of a conforming transportation plan and TIP. A particular action of the type listed in Table 3 of this section is not exempt from regional emissions analysis if the MPO in consultation with other agencies (see §93.105(c)(1)(iii)), the EPA, and the FHWA (in the case of a highway project) or the FTA (in the case of a transit project) concur that it has potential regional impacts for any reason. Table 3 follows:

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Table 3—Projects Exempt From Regional Emissions Analyses (Verbatim from Federal Regulations)

- Intersection channelization projects.
- Intersection signalization projects at individual intersections.
- Interchange reconfiguration projects.
- Changes in vertical and horizontal alignment.
- Truck size and weight inspection stations.
- Bus terminals and transfer points.

40 CFR § 93.128 Traffic signal synchronization projects. (Verbatim from Federal Regulations)

Traffic signal synchronization projects may be approved, funded, and implemented without satisfying the requirements of this subpart. However, all subsequent regional emissions analyses required by §§93.118 and 93.119 for transportation plans, TIPs, or projects not from a conforming plan and TIP must include such regionally significant traffic signal synchronization projects.

7. Regional Significant Screening Criteria Interrogatories

The following questions can be used to assess whether projects are regionally significant, when it is unclear, such as when projects are on facilities smaller than a principal arterial.

- 1.) What are the exempt status and functional classification of the roadway project?
 - A non-exempt project on a roadway facility classified as a principal arterial or higher is considered regionally significant.
 - A project listed under 40 CFR 93.126 or 93.127 is exempt unless the IACG determines that it should be treated as non-exempt because it has potentially adverse emissions for any reason, or regional impacts for any reason.

- 2.) Is the facility either included in the regional travel demand forecasting model, or would it be if it does not currently exist?
 - East-West Gateway includes most “major” roadways (most major collectors and above) in order to improve model performance so if a roadway is not modeled it can generally be considered to be non-regionally significant.

- 3.) Does the facility provide direct connection between two roadways classified as a principal arterial or higher?
 - Direct connections between major principal arterials and in particular connections to the interstate can generally be considered regionally significant.

- 4.) Does the facility provide the primary regional connectivity to a “major activity center”?
 - This is a criterion listed in the federal regional significance definition; however there can be different interpretations as to what constitutes a major activity center. East-West Gateway suggests the following as general types of major activity centers, with specific locations to be determined on a case-by-case basis:
 - Major hospitals and regional medical centers
 - Central business districts of cities with greater than 5,000 population
 - Major regional retail centers and malls (greater than 1,000,000 square feet)
 - Major colleges and universities
 - Tourist destinations
 - Airports
 - Freight terminals and intermodal transfer centers
 - Sports complexes

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5.) Does the project add significant vehicular capacity?

- A project adding general purpose through lanes will typically be regionally significant more often than one that is adding a continuous center turn lane or other projects that do not add significant roadway capacity.

6.) What is the length of the roadway segment being improved and what is the overall corridor length?

- Projects extending (or completing) long sections (typically greater than one mile) is more likely to be regionally significant.
- If the corridor is lengthy and there is an absence of other principal arterials in the vicinity then the roadway is more likely to be regionally significant.
- Collectively, when a series of smaller projects on a regionally significant facility are completed, the overall improvements can be regionally significant.

7.) What is the current Annual Average Daily Traffic (AADT) of the roadway segment?

- This is less important in determining regional significance although it will provide additional information to be considered along with the above criteria. High traffic segments will tend to be more correlated with the increased regional significance of a roadway.

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8. Acronyms

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| AADT | Average Annual Daily Traffic |
| BRT | Bus Rapid Transit |
| CAA | Clean Air Act Amendments of 1990 |
| EPA | U.S. Environmental Protection Agency |
| EWG | East-West Gateway Council of Governments |
| FHWA | Federal Highway Administration |
| FTA | Federal Transit Administration |
| IACG | Inter Agency Consultation Group |
| IDOT | Illinois Department of Transportation |
| Illinois EPA | Illinois Environmental Protection Agency |
| L RTP | Long-Range Transportation Plan |
| MDNR | Missouri Department of Natural Resources |
| MoDOT | Missouri Department of Transportation |
| MPO | Metropolitan Planning Organization (EWG) |
| NAAQS | National Ambient Air Quality Standards |
| SIP | State Implementation Plan |
| TCM | Transportation Control Measure |
| TIP | Transportation Improvement Program |