



INTERAGENCY CONSULTATION COMMITTEE

SEPTEMBER 28, 2006 – 9:00 A.M. TO 11:00 A.M.
COMMUNITY PLANNING ASSOCIATION

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****AGENDA****

I. AGENDA ADDITIONS/CHANGES

9:00

II. OPEN DISCUSSION/ANNOUNCEMENTS/INTRODUCTIONS

9:05 A. Introduce Mike DuBois - new IDEQ Representative

III. CONSENT AGENDA

9:10 *A. Approve the June 1, 2006 Meeting Minutes Chair

IV. ACTION ITEMS

9:15 *A. Approve Revisions to the ICC Bylaws Jay Witt

V. INFORMATION/DISCUSSION ITEMS

9:45 A. Update – TIP and **Communities in Motion** Conformity Jay Witt

9:55 B. Update -PLAQ Revision Greg Vitley

10:15 D. Update – Monitoring and Exceedences Mike DuBois

10:40 E. Update – Treasure Valley Air Quality Council/Plan Mike DuBois

VI. OTHER

10:55 A. Next Meeting Chair/Jay Witt

VII. ADJOURNMENT

11:00 Chair

**Attachments will be distributed 14 days prior to the meeting.*

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INTERAGENCY CONSULTATION COMMITTEE

June 1, 2006 – 9:00 a.m. to 11:00 a.m.

Community Planning Association

MINUTES

ATTENDEES: Beth Baird, City of Boise
Scott Frey, FHWA
Jorge Garcia, IDEQ
Pamela Golden, HDR Consultants
Cecelia Hockett, ACHD/Commuteride (for Don Kostelec *Vice Chair*)
Katey Levihn, ACHD
Greg Vitley, Idaho Transportation Department, District 3
Yancey Willis, COMPASS
Jay Witt, COMPASS

MEMBERS ABSENT: Kevin Bittner, Valley Regional Transit
Leonard Herr, IDEQ, *Chair*
Don Kostelec, ACHD, *Vice Chair*

OTHERS PRESENT: Ryan Head, COMPASS
Diane Wilton, COMPASS

CALL TO ORDER:

Chair Leonard Herr and *Vice Chair* Don Kostelec were unable to attend the meeting. Jay Witt moved and Jorge Garcia seconded the motion to allow Jay chair the meeting. Motion was unanimously approved.

AGENDA ADDITIONS/CHANGES

Jay Witt asked the committee to move the election of officers to the last item in Information/Discussion Items due to time constraints. Jorge Garcia moved and Beth Baird seconded the motion to move the election of officers. Motion was unanimously approved.

OPEN DISCUSSION/ANNOUNCEMENTS

The committee members introduced themselves and Jay Witt introduced Ryan Head, who is COMPASS' summer intern.

CONSENT AGENDA

A. *Approve the April 27, 2006 Meeting Minutes*

Jorge Garcia moved and Greg Vitley seconded the motion to approve the minutes as written. Motion was unanimously approved.

ACTION ITEMS

A. Approve FY2007-2011 TIP Regional Emissions Analysis Draft Model Networks

Jay Witt provided an overview of the FY2007-2011 TIP Regional Emissions Analysis Draft Model Networks; specifically Project Numbers 39, 55, 86, 94 and 110. These are projects that ACHD plans to fund either with impact fees, or local monies. Scott Frey asked for clarification on Project Numbers 94 and 110 which are listed as right-of-way projects. Katey Levihn stated they are "place holders" for right-of-way preservation and could be used to purchase right-of-way in the future. In the meantime, a study is planned for Fairview Avenue to review access management and alternative issues. Scott Frey expressed concern about having unfunded projects in the conformity network. Jay stated that as long as a project is not regionally significant, it does not count towards "fiscal constraint" per discussion earlier in the year.

Jay Witt asked the committee to allow COMPASS staff to have flexibility in the approval of these networks; to allow projects to move around in the analysis years without having to secure ICC approval. Jay Witt explained that this would be helpful with the upcoming I-84 and other GARVEE projects.

Jay Witt asked the ICC committee members if Project Numbers 39, 55, 86, 94, and 110 respectively should be in the analysis. The projects are in the draft CIP; they are regionally significant, but not yet in the long range plan. Katey Levihn stated that Project Number 94 (Franklin Rd/Eagle Rd to Milwaukee) and Project Number 110 (Overland Rd/Meridian to Maple Grove) are listed as right-of-way preservation only and not for widening at this point, and could be left out of the analysis at this time.

After discussion, Beth Baird moved and Katey Levihn seconded the motion to approve the FY2007-2011 TIP Regional Emissions Analysis Draft Model Networks excluding Project Numbers 94 and 110 in this draft and to grant COMPASS the flexibility to shuffle projects within the final analysis. Motion was unanimously approved.

B. Endorse the Three Cities River Crossing Roadway Project Qualitative PM₁₀ Conformity Demonstration

Pam Golden provided a preliminary analysis for the Three Cities River Crossing Roadway Qualitative PM₁₀ Conformity Demonstration and stated that the PM₁₀ emissions are not a concern. Scott Frey drafted language to explain that no modeling is done for PM₁₀ project level conformity. Scott Frey suggested that Pam Golden use 10,000 diesel trucks as the benchmark per EPA guidance, and that no hot spots are identified.

After discussion, Jorge Garcia moved, and Greg Vitley seconded the motion with the addition that 10,000 diesel trucks be the benchmark, and there are no hot spots identified. Motion was unanimously approved.

C. Approve Modification to Conformity Demonstration Networks To Accommodate Accelerated Connecting Idaho projects.

Jay Witt stated the I-84 Connecting Idaho project has advanced from an out year to program year (FY 2006). As a result, the network assumptions for the FY 2006-2010 TIP conformity demonstration, as well as the CIM conformity demonstration networks, need to be modified. He also feels that this will be the "standard operating procedure" for all Connecting Idaho projects. Specifically, Jay Witt asked the ICC committee members for approval to change of FY2006-2010 TIP demonstration amendment as well as the draft CIM to allow for the I-84 widening project between the Garrity and Meridian interchanges. Jay Witt also requested the ICC committee members for blanket flexibility to COMPASS staff to move projects between conformity networks for GARVEE projects only. Jay Witt suggested using email to contact members for confirmation and Scott Frey stated this would be fine to use email for confirmation action. Katey Levihn felt the same, but suggested that the confirming action should be on the agenda for the next meeting.

After discussion, Katey Levihn moved and Jorge Garcia seconded the motion to utilize email for confirmation action in amending the TIP and network assumption conformity networks for GARVEE projects only. The ICC Committee members will be emailed no later than the public comment period, and the confirmation

item will appear as an Information/Discussion item on the next meeting's agenda. Motion was approved unanimously.

INFORMATION/DISCUSSION ITEMS

A. Update on potential PLAQ revisions

Greg Vitley provided an update on the PLAQ revision, and discussed the various changes suggested by ITD, DEQ, and FHWA. The changes are:

1. Adding a paragraph stating that the ICC supports the PLAQ.
2. Screening is still based on volume; however, the volume will now be based on total intersection numbers and not by each approach.
3. Greg Vitley read the following statement which will be used for NEPA documents regarding the 10,000 diesel truck criteria as suggested by Scott Frey.

"The proposed project is not a project of air quality concern as defined by 40.CFR.93 therefore, the project level conformity determination of 40.CFR.93 has been satisfied and no qualitative PM₁₀ hot spot analysis is necessary. There are currently no EPA models or methodology available to analysis individual projects for the potential to cause or contribute to PM10 concentrations. The emissions due to construction operations for this project will be mitigated and implemented of the following best management practices"... , and then they are listed.

*B. Update – **Communities in Motion** Regional Emissions Analysis*

Yancey Willis provided an overview and stated the results did not change significantly. Yancey stated that by year 2010, both NO_x emissions and VOC emissions could rise, but still stay within budget.

C. Draft Revision to the ICC Bylaws

Jay Witt asked the ICC committee members to submit comments/corrections regarding the revisions and these will be an action item on the next meeting agenda.

D. Election of Officers

Jay Witt explained that according to the ICC Committee Bylaws, Vice Chair Don Kostelec automatically moves into the Chair position.

Greg Vitley moved and Katey Levihn seconded Don Kostelec rotating into the Chair position. Motion passed unanimously.

Jay Witt asked for nominations for the Vice-Chairperson position.

Greg Vitley nominated and Katey Levihn seconded Kevin Bittner as Vice-Chair, provided this is acceptable with the nominee. Jay Witt asked for any other nominations. Hearing none, Jay closed the nominations. The motion was approved unanimously.

OTHER

The next ICC meeting is scheduled for September 28, 2006 at 9 a.m. at COMPASS.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:58 a.m.



MEMORANDUM

TO: Interagency Consultation Committee
FROM: Jay Witt P.E., Modeling Principal Planner
DATE: September 11, 2006
RE: Revision to the Interagency Consultation Committee (ICC) Bylaws

ACTION REQUESTED:

Adopt the revised ICC Bylaws.

BACKGROUND:

Early this year, the Federal Highway Administration (FHWA) representative, Scott Frey, was advised by FHWA legal council to change his ICC status to non-voting (ex-officio). In addition, based on conversations in December 2005 between COMPASS staff and local Environmental Protection Agency (EPA) representative, Doug Cole, it is likely EPA would prefer to be ex-officio members of the ICC as well. Therefore, COMPASS staff drafted updated ICC bylaws in March 2006 to reflect these changes.

The purpose, roles, and activities of the ICC are given by the State of Idaho's Conformity State Implementation plan (SIP) located in the Idaho Administrative Code (IDAPA). IDAPA lists the ICC member agencies and other agencies entitled to participate; however, the specific format of the ICC meetings (e.g. voting status and structures) are left to the discretion of each committee. The ICC's bylaws address these administrative components that are not covered in IDAPA.

A draft of the revised bylaws was originally distributed as part of the March 30, 2006 meeting packet. It was again distributed as part of the April 27, 2006 and June 1, 2006 meeting packets.

STATUS:

A final draft of the revised ICC Bylaws is attached. It includes a new Section V, based on a Committee Chair/Vice Chair rotation process instead of an election process. This was added to the draft based on comments received at the June 2006 ICC meeting. Staff request ICC members review the final draft, in particular Section V, and adopt the attached bylaws at the September 28, 2006 meeting.

Attachment (1)

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Treasure Valley ICC Bylaws

Final Draft: September 2006

I. ICC Purpose and Incorporation by Reference

- A. The transportation conformity rules (under 40 CFR §§93.105 and 93.112) apply to nonattainment and maintenance areas and require that agencies including EPA, DOT, State DOTs, State and local air quality agencies, and MPOs collaboratively develop transportation conformity demonstrations. The Idaho conformity SIP, as established in Idaho's Administrative Rules (IDAPA 58.01.01) sections 563 through 574, establishes the transportation conformity process in Idaho and the Interagency Consultation Committee (ICC) for Treasure Valley nonattainment and maintenance areas.
- B. The bylaws document how the ICC functions for any nonattainment and/or maintenance area in (or part of) Ada and/or Canyon Counties. IDAPA 58.01.01 §§563 through 574 are incorporated by reference.

II. ICC Lead Agency

- A. The Community Planning Association of Southwest Idaho (COMPASS) is the Metropolitan Planning Organization (MPO) for Ada and Canyon Counties. As such, COMPASS is designated as the lead agency responsible for conformity demonstrations within Ada and Canyon Counties, as applicable, pursuant to IDAPA 58.01.01 Section 568.02.
- B. IDAPA 58.01.01 Section 569.02 outlines COMPASS' administrative responsibilities as the lead agency. They include:
 - 1. Conformity demonstrations corresponding to long-range transportation plans, TIPs and their amendments;
 - 2. Preparing conformity demonstrations for the entire nonattainment or maintenance area, including areas beyond the boundaries of the MPO, where no agreement is in effect as required by 23 CFR 450.310(f);
 - 3. Identify regionally significant projects through the consultation process;
 - 4. Implementing TCMs in air quality nonattainment and/or maintenance areas, as applicable;
 - 5. Providing technical and policy input on emissions budgets;
 - 6. Performing transportation modeling, regional emissions analyses, and project level analysis, as necessary;
 - 7. Documenting timely implementation of TCMs, as required, for determining conformity; and
 - 8. Distributing relevant materials to ICC members, and people on the distribution list, per IDAPA 58.01.01 Section 570.01.c.

III. ICC Meetings and Materials

- A. The ICC will meet as required by the needs of the various transportation planning agencies in the region.
- B. All meetings of the ICC shall be subject to the 30-day public notice provisions of IDAPA 58.01.01 Section 570.
- C. Notification Methods. Meeting time, date and location and associated agenda (if available) will be noticed by the following methods:
 - 1. Posting on the COMPASS website;
 - 2. Posting on COMPASS' message board, located at the COMPASS offices;
 - 3. Notification via email, fax, or U.S. mail to all ICC Members and to any agency entitled to participate and/or members of the public specifically requesting notification of ICC meetings,

IV. ICC Meeting Voting Status and Procedures

- A. Federal and State conformity regulations do not require ICC meetings have a voting structure to fulfill the interagency consultation requirements. IDAPA 58.01.01 Section 567.02 lists agencies that should make up a given ICC. Using IDAPA 58.01.01 Section 567.02 as a guide, each of the following listed agencies or entities have requested and are given one (1) vote on ICC:
 - 1. Ada County Highway District (ACHD);
 - 2. ACHD Commuteride;
 - 3. City of Boise.
 - 4. COMPASS as the Metropolitan Planning Organization (MPO);
 - 5. Idaho Department of Environmental Quality (IDEQ);
 - 6. Idaho Transportation Department, District 3 (ITD);
 - 7. Valley Regional Transit (VRT)
- B. Assignment of Primary Voting Representative. Each of the agencies or entities listed in Section IV.A shall provide the name of the person, in writing to COMPASS, identified to serve as their respective primary-voting representative on the ICC.
- C. Assignment of Alternative Voting Representative. Each of the agencies or entities listed in Section IV.A may provide the name of a person or persons, in writing to COMPASS, identified to serve as the alternative-voting representative in the absence of the primary representative.
- D. Member agencies listed in IDAPA 58.01.01 Section 567.02 but not listed in Section IV.A above can be granted ICC voting status upon written request from the agency.
- E. Member agencies listed in Section IV.A. can become non-voting members upon written request from the agency.
- F. Vote Delegation. Any of the agencies or entities listed in IDAPA 58.01.01 Section 567.02 can delegate their respective role or responsibility, including voting status, to another eligible entity pursuant to IDAPA 58.01.01 Section 567.06. An ICC member

making such delegation shall notify the ICC (via COMPASS) of the delegation in writing.

G. Voting Procedures.

1. Roberts Rules of Order on voting shall apply to all ICC voting.

a) Only issues directly related to items specifically identified on the publicly noticed meeting agenda unless changed by unanimous consent of the members present are eligible for being voted upon.

b) Voting shall be by deliberative assembly where each voting member in attendance at a meeting is entitled to cast a vote on a motion with a second that directly relates to an issue or item identified in the publicly noticed meeting agenda unless changed by unanimous consent of the members present. No absentee, mail or proxy voting (except as delegated under Section IV.C and Section IV.F) shall be allowed.

2. A quorum of simple majority must be present at the opening of any meeting, which involves voting. The majority vote shall prevail.

H. Each meeting of the ICC shall be opened and called to order by the ICC Committee Chairperson or the Vice Chairperson in his or her absence.

I. All ICC meetings will be open to the public.

J. Any Agencies Entitled to Participate, as defined pursuant to IDAPA 58.01.01 Section 567.02, and 03, or members of the Public are encouraged to participate at the ICC meetings, but will not receive voting rights.

V. ICC Chairperson and Vice Chairperson

A. Each agency representative listed in Section VI.A, with the exception of the COMPASS representative, will rotate into the positions of Vice Chairperson and Chairperson of the ICC.

B. Rotation Order.

1. The rotational order of the Chair will be:

a) ACHD Commuteride representative

b) Valley Regional Transit representative (VRT)

c) City of Boise representative

d) Idaho Transportation Department District 3 representative

e) Ada County Highway District (ACHD) representative

f) Idaho Department of Environmental Quality, Boise Region representative

2. The rotational order of the Vice Chair will be:

- a) Valley Regional Transit representative (VRT)
- b) City of Boise representative
- c) Idaho Transportation Department District 3 representative
- d) Ada County Highway District (ACHD) representative
- e) Idaho Department of Environmental Quality, Boise Region representative
- f) ACHD Commuteride representative

C. Term. The length of time an ICC Chairperson and Vice Chairperson may serve in such positions shall be limited to one (1) year.

D. Representative Turn-over.

1. In the event the agency representative holding the Chair position leaves the committee, the Vice Chairperson shall automatically rotate into the Committee Chair position. The agency representative next in succession per V.B.2 will assume the Vice Chair position.

2. In the event both agency representatives holding the Chair and Vice Chair positions leave the committee, the ICC representative with the longest tenure will rotate into the Committee Chair position. The Vice Chair position will be filled by the representative from the agency next in the rotational order per V.B.2.

VI. Conflict Resolution

A. Conflict resolution shall follow the procedures described pursuant to IDAPA 58.01.01 Section 573.

VII. ICC Bylaws Amendment Provisions

A. These bylaws may be amended provided that such amendments are introduced at a regularly scheduled ICC meeting and acted upon at the next regularly scheduled ICC meeting.