



REGION 6

DALLAS, TX 75270

April 11, 2025

Mr. Al Alonzi
Division Administrator - Texas
Federal Highway Administration
300 East 8th Street, Suite 826
Austin, TX 78701

Dear Mr. Alonzi:

The United States Environmental Protection Agency (EPA) has reviewed final transportation conformity determination documents for the amended *RMS 2050 Metropolitan Transportation Plan (MTP)* and the *RMS 2023-2026 Transportation Improvement Program (TIP)*, submitted by the El Paso Metropolitan Planning Organization (EPMPO) for interagency consultation and review. A conformity determination is necessary for the El Paso, Texas coarse particulate matter (PM₁₀) National Ambient Air Quality Standard (NAAQS) nonattainment area and carbon monoxide (CO) NAAQS maintenance area, as well as the El Paso-Las Cruces, Texas-New Mexico 2015 8-hour ozone NAAQS nonattainment area due to the amended MTP and TIP, and the need to comply with the Infrastructure Investment and Jobs Act signed into law on November 15, 2021. Although a June 2023 D.C. Circuit court decision reversed EPA's nonattainment designation of El Paso County for the 2015 8-hour ozone NAAQS, the consultation partners agreed to include the El Paso County portion of the ozone nonattainment area in the conformity analysis should EPA re-issue a nonattainment designation for El Paso County in response to the court's decision.

Any issues associated with the demonstration of conformity were addressed in conference calls and e-mails with the EPMPO, the Federal Highway Administration (FHWA) Texas Division office, the FHWA New Mexico Division office, the Texas Department of Transportation, the New Mexico Department of Transportation, the Texas Commission on Environmental Quality, the New Mexico Environment Department, and the EPA. The criteria for our review and the interagency consultation process can be found at 40 CFR Part 93, Subpart A and guidance memoranda issued by the FHWA and the EPA for transportation conformity determinations.

Based on the information submitted to the EPA and discussed during the interagency consultation process, the estimated El Paso area emissions of PM₁₀ for the amended RMS 2050 MTP and the RMS 2023-2026 TIP will be below the Motor Vehicle Emissions Budget (MVEB) established in the PM₁₀ State Implementation Plan approved by the EPA on January 18, 1994 (59 FR 02535). Since the CO NAAQS maintenance area is subject only to a limited maintenance plan, no regional emissions analysis is required for conformity.

The estimated El Paso County portion of the 2015 ozone NAAQS nonattainment area emissions of nitrogen oxides (NO_x) and Volatile Organic Compounds (VOC) for the amended RMS 2050 MTP and the RMS 2023-2026 TIP will be below the MVEBs established in the 1-hour ozone NAAQS SIP approved by the EPA on June 10, 2004 (69 FR 32450). Further, the Doña Ana County portion of the 2015 ozone NAAQS nonattainment area estimated emissions of NO_x and VOC for the amended RMS 2050 MTP and the RMS 2023-2026 TIP will be below the baseline year emissions established for this analysis as per 40 CFR 93.119(b)(2)(ii). We have no further comments and are supportive of a positive conformity finding by the FHWA for the El Paso and Las Cruces areas.

I appreciate your cooperation in consulting with us and ensuring all provisions of the transportation conformity rules have been properly addressed. If you have any questions, please feel free to contact me at (214) 665-7161, or Jeff Riley of my staff at (214) 665-8542.

Sincerely,

Melanie Magee
Section Supervisor, Infrastructure & Ozone Section

cc: Mr. Eduardo Calvo, AICP
El Paso Metropolitan Planning Organization

Mr. Jose Campos
Federal Highway Administration, Texas Division

Mr. Rodolfo Monge-Oviedo
Federal Highway Administration, New Mexico Division

Ms. Donna Huff
Texas Commission on Environmental Quality

Mr. Michael Baca
New Mexico Environment Department

Mr. Doug Booher
Texas Department of Transportation, Environmental Affairs Division

Mr. Humberto Gonzalez, Jr., P.E.
Texas Department of Transportation, Transportation Planning and Programming Division

Ms. Jolene Herrera
New Mexico Department of Transportation