



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION FEDERAL HIGHWAY ADMINISTRATION
819 TAYLOR STREET, ROOM 14A02 300 E. 8TH STREET, ROOM 826
FORT WORTH, TEXAS 76102-9003 AUSTIN, TEXAS 78701

July 22, 2019

In Reply Refer to:
HPP-TX

El Paso Metropolitan Planning Organization
Transportation Conformity Determination for the
Sunland Park, New Mexico 2015 8-Hour Ozone
Standard Non-Attainment Area

Mr. James M. Bass, Executive Director
Texas Department of Transportation
125 E. 11th Street
Austin, TX 78701-2483

Dear Mr. Bass

On June 4, 2018, the U.S. Environmental Protection Agency (EPA) designated Sunland Park, New Mexico (NM) within the El Paso metropolitan planning area as non-attainment in accordance with the 2015 8-hour ozone standard, with an effective date of August 3, 2018. As such, a transportation conformity determination for the Sunland Park, NM non-attainment area is required by August 3, 2019. The El Paso Metropolitan Planning Organization's Transportation Policy Board adopted a transportation conformity determination for the Sunland Park, NM non-attainment area on January 25, 2019, addressing the Destino 2045 Metropolitan Transportation Plan (MTP) and Destino FY 2019-2022 Transportation Improvement Program (TIP). Based upon our review of the transportation conformity determination documentation and consultation with the EPA, the Texas Commission on Environmental Quality (TCEQ), the Texas Department of Transportation (TxDOT), the New Mexico Department of Transportation (NMDOT), the New Mexico Environment Department (NMED) and FHWA's New Mexico Division office, we hereby find that transportation conformity determination for the Sunland Park, NM ozone non-attainment area, addressing the Destino 2045 MTP and Destino FY 2019-2022 TIP, meets all the requirements for making a joint conformity determination under the Clean Air Act Amendments of 1990.

Additionally, we find

- that the Destino 2045 MTP satisfactorily complies with the requirements of 23 CFR §450.324 regarding the development and content of metropolitan transportation plans in air quality non-attainment areas; and
- that the Destino FY 2019-2022 TIP satisfactorily complies with the requirements of 23 CFR §450.326 regarding the development and content of transportation improvement programs in air quality non-attainment areas.

In their letter dated July 19, 2019, the EPA has indicated that they have no unresolved issues concerning this conformity determination. Also, while not responsible for transportation conformity actions in New Mexico, TxDOT and TCEQ have indicated their support for this conformity determination. Additionally, the NMDOT, the NMED and FHWA's New Mexico Division office have indicated their support of the transportation conformity determination. The conformity determination and procedures used to make this determination are in accordance with the provisions of the transportation conformity rule (40 CFR Parts 51 and 93), dated August 15, 1997, as amended.

This conformity determination satisfies the requirement that transportation conformity be demonstrated for the Sunland Park, NM non-attainment area within one year of the effective date of the area's non-attainment designation (i.e., August 3, 2019). Please note that this action does not restart the four-year time clock associated with the update of the MTP. Accordingly, an updated MTP and corresponding transportation conformity determination will be required by November 6, 2022.

The Federal Highway Administration (FHWA) acts as executive agent for the Federal Transit Administration (FTA) on transportation conformity determinations. Accordingly, this letter will serve as a joint FHWA/FTA conformity determination.

Should you have any questions concerning this action, please contact Jose Campos at Jose.Campos@dot.gov or (512) 536-5932, Barbara Maley at Barbara.Maley@dot.gov or (214) 224-2175 or Genevieve Bales at Genevieve.Bales@dot.gov or (512) 536-5941.

Sincerely yours,

A handwritten signature in blue ink that reads "Marcus D. Wilson".

For Achille Alonzi
Division Administrator