

T.R.P.C.

AUG 17 2015

MEMORANDUM OF AGREEMENT

BETWEEN

**THURSTON REGIONAL PLANNING COUNCIL
AND
OLYMPIC REGIONAL CLEAN AIR AGENCY**

**REGARDING
AIR QUALITY PLANNING FOR THE THURSTON REGION**

WHEREAS 23 CFR 450.314(c) requires a written agreement between the Metropolitan Planning Organization (MPO) and the designated air quality planning agency describing their respective roles and responsibilities for air quality related transportation planning; and

WHEREAS Thurston Regional Planning Council (TRPC) is the federally-designated MPO for the Lacey-Olympia-Tumwater urbanized area, pursuant to 23 USC 134(d); and

WHEREAS TRPC is not the designated agency for air quality planning under section 174 of the Clean Air Act (42 USC 7504); and

WHEREAS the Olympic Region Clean Air Agency (ORCAA) was formed pursuant to chapter 70.94 RCW and is the local government agency charged with regulatory and enforcement authority for air quality issues in Thurston County, as well as the counties of Clallam, Grays Harbor, Jefferson, Mason, and Pacific; and

WHEREAS the Lacey-Olympia-Tumwater area, called the Thurston County Nonattainment Area, violated the 24-hour standard for Particulate Matter 10 microns and smaller (PM₁₀) ten times in the late 1980s; and

WHEREAS the U.S. Environmental Protection Agency (EPA) designated Thurston County as a moderate PM₁₀ nonattainment area when the 1990 Clean Air Act Amendments were passed; and

WHEREAS the primary source of PM₁₀ that violated National Ambient Air Quality Standards (NAAQS) was wood smoke associated with woodstoves and fireplaces; and

WHEREAS ORCAA and the Washington State Department of Ecology (Ecology) submitted a State Implementation Plan to EPA in 1987 and a supplement to that plan in 1991 describing actions to attain the NAAQS, which was approved by EPA in July 1993; and

WHEREAS ORCAA successfully implemented the identified control measures, restoring PM₁₀ levels to well below the NAAQS standards by the early 1990's, where they have remained since; and

WHEREAS ORCAA and Ecology submitted to the EPA in 1999 a request for redesignation to a maintenance area and a 10-year maintenance plan, which EPA approved in 2000; and

WHEREAS redesignation in 2000 to a maintenance area included provisions that imposed transportation conformity regulations on the Thurston County Maintenance Area (TCMA) for the first time, to ensure Federal funding and approval are given to transportation plans, programs and projects that are consistent with the air quality goals established by the State Implementation Plan (SIP) and which will not cause new air quality violations, worsen existing violations, or delay timely attainment of the NAAQS; and

WHEREAS transportation conformity rules mandate that MPOs must make a transportation conformity determination on any updated or amended transportation plan in accordance with the Clean Air Act and EPA transportation conformity regulations (40 CFR part 93); and

WHEREAS particulate matter in the TCMA remains well below the NAAQS standards for PM₁₀ throughout the mandatory ten-year monitoring period; and

WHEREAS the Clean Air Act requires a second ten-year plan following the first ten-year plan; and

WHEREAS Ecology proposed and EPA approved development of a Limited Maintenance Plan (LMP) for the ten-year period ending in 2020 because the TCMA has minimal risk of violating the PM₁₀ standard; and

WHEREAS Ecology amended the SIP in March 2013 to include the SIP Revision for the Thurston County, Washington Second 10-Year Limited Maintenance Plan for PM₁₀; which was approved by EPA in October 2013; and

WHEREAS the most recent SIP revision for the TCMA is the final maintenance plan for this area, ensuring compliance through 2020 and fulfilling the second 10-year planning requirement of the Clean Air Act Section 175 A (b); and

WHEREAS the control measures in the Maintenance Plan and the Limited Maintenance Plan include no transportation control measures; and

WHEREAS ORCAA and Ecology rules provide ORCAA with the legal authority to implement, maintain and enforce the control measures in the approved Limited Maintenance Plan; and

WHEREAS TRPC and ORCAA have carried out their respective functions pertaining to Clean Air Act requirements for over 20 years without conflict or controversy; and

WHEREAS an agreement between the two organizations fulfills federal MPO requirements.

NOW THEREFORE, pursuant to the Washington Interlocal Cooperation Act (RCW 39.34), and the above recitals that are incorporated herein, it is mutually agreed as follows:

SECTION 1. That ORCAA will continue to lead clean air activities within the TCMA, including but not restricted to monitoring, reporting, and consulting with Ecology and EPA on approved methodologies and practices, and apprising TRPC of any changes in air quality status that threaten the NAAQS.

SECTION 2. That TRPC will continue to provide ORCAA with output from the regional travel demand model as requested.

SECTION 3. That TRPC will continue to review regionally-significant transportation project proposals for their impacts on PM₁₀ levels in the TCMA and conduct conformity determinations for the Regional Transportation Plan, the Regional Transportation Improvement Program, and any amendments to those adopted plans.

SECTION 4. That TRPC will continue to administer the federal Congestion Mitigation and Air Quality Improvement (CMAQ) program and comply with those program requirements.

SECTION 5. That ORCAA and TRPC will continue to consult and collaborate on an as-needed basis to fulfill each organization's mission and mandated state and federal responsibilities pertaining to air quality.

SECTION 6. That this Agreement constitutes the entire agreement between ORCAA and TRPC concerning their respective roles and responsibilities for air quality-related transportation planning in Thurston County.

SECTION 7. Effective Date. This Agreement shall become effective immediately upon execution by the last party to sign.

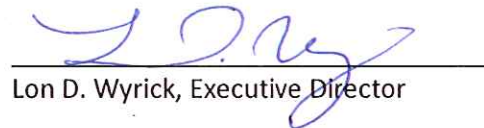
RESOLVED this 12th day of August, 2015.

Olympic Region Clean Air Agency

Thurston Regional Planning Council



Franca L. McNair, Executive Director



Lon D. Wyrick, Executive Director

Date: 8/12/15

Date: 8-7-15

Approved as to form for ORCAA:

Approved as to form for TRPC:

