



# AGENDA

## TRANSPORTATION PLANNING COMMITTEE (TPC) MEETING

### JASPER-JEFFERSON-ORANGE-HARDIN REGIONAL TRANSPORTATION STUDY (JJOHRTS) AREA

**Wednesday, August 30, 2023**  
**VIRTUAL MEETING ONLY**  
**9:30 a.m.**

1. ROLL CALL OF VOTING MEMBERS AND CERTIFICATION OF A QUORUM
2. ADOPTION OF THE AGENDA
3. PUBLIC COMMENTS
4. MINUTES OF THE LAST MEETING (July 27, 2023)
5. REVIEW AND APPROVAL OF RESOLUTION ADOPTING THE TRANSPORTATION CONFORMITY DETERMINATION FOR THE JOHRTS METROPOLITAN TRANSPORTATION PLAN (MTP-2045) AND THE JOHRTS FY 2023-2026 TRANSPORTATION IMPROVEMENT PROGRAM (TIP)  
*Bob Dickinson – Director, Transportation and Environmental Resources, SETRPC*
6. OTHER BUSINESS
7. SET NEXT MEETING DATE – September 28, 2023
8. ADJOURNMENT



**TRANSPORTATION  
PLANNING COMMITTEE  
MINUTES OF THE  
JASPER-JEFFERSON-ORANGE-HARDIN  
REGIONAL TRANSPORTATION STUDY (JJOHRTS) AREA**

---

DATE: July 27, 2023

TIME: 10:00 a.m.

PLACE: South East Texas Regional Planning Commission (SETRPC)  
(In Person, Virtual and Live Stream Meeting)

---

**I. ROLL CALL OF VOTING MEMBERS AND CERTIFICATION OF QUORUM**

Commissioner Vernon Pierce, Jefferson County, called the meeting to order, welcomed guests and requested introductions.

**II. ADOPTION OF THE AGENDA**

Commissioner Pierce called for a motion to adopt the agenda as presented. Mr. Jon Sherwin, Public Works Director, City of West Orange, made the motion. Mr. Kelvin Knauf, Director of Planning & Community Development, City of Orange, seconded the motion which was carried unanimously.

**III. PUBLIC COMMENTS**

No public comments.

**IV. MINUTES OF THE LAST MEETING – June 15, 2023**

Commissioner Pierce, Jefferson County, called for a motion to adopt the minutes as presented. Commissioner L.W. Cooper, Hardin County, made the motion. Mr. Jon Sherwin, Public Works Director, City of West Orange, seconded the motion which was carried unanimously.

## **V. REPORT ON THE STATUS OF TRANSPORTATION PLANNING ACTIVITIES**

*Bob Dickinson, Director, Transportation and Environmental Resources*

*Lisa Collins, Director of Transportation Planning & Development, TxDOT - Beaumont District*

The South East Texas Regional Planning Commission – Metropolitan Planning Organization (SETRPC-MPO) staff continued work on the following activities:

1. SETRPC staff is continuing to work with the TxDOT Beaumont District and TxDOT Transportation Planning and Programming Division (TP&P), the Texas Commission on Environmental Quality, the Environmental Protection Agency-Dallas Regional Office, the Federal Highway Administration-Austin Division, and the Federal Transit Administration-Fort Worth Regional Office to lay out the requirements for completing the transportation air quality conformity determination on the JOHRTS MTP-2045 and the JOHRTS FY 2023-2026 TIP.
2. SETRPC staff has worked to finalize the Draft Transportation Conformity Document for the JOHRTS MTP-2045 and the JOHRTS FY 2023-2026 Transportation Improvement Program (TIP).
3. SETRPC will hold public meetings during the end of July and first week of August to give the public the opportunity to learn about and to comment on the Transportation Conformity document for the JOHRTS MTP-2045 and the JOHRTS FY 2023-2026 TIP.
4. SETRPC has worked on the Draft JOHRTS 2024 Unified Planning Work Program.
5. SETRPC staff continues to work with TxDOT-Beaumont District, TxDOT TP&P staff, WSP-USA Inc., and Texas A&M Transportation Institute to develop the JOHRTS MTP-2050.
6. SETRPC staff will participate in a virtual TEMPO Quarterly meeting on Thursday, July 13 and Friday, July 14, 2023.
7. SETRPC staff will attend TxDOT's sponsored STIP workshop in Austin on July 19, 2023.

*Lisa Collins, Director of Transportation Planning & Development, TxDOT – Beaumont District, updated the members on their progress:*

- The draft UTP numbers are looking good and that it appears there would be a lot of work coming over the next 10 years
- There are no specific project updates
- Mr. Scott Ayers will be retiring at the end of August 2023

**VI. PRESENTATION ON TXDOT MARITIME DIVISION FUNDING OPPORTUNITIES**

*Travis Milner, Planning & Strategy Director, Maritime Division, TxDOT – Houston*

Mr. Dickinson, Director, Transportation & Environmental Resources, SETRPC, introduced Mr. Travis Milner, Planning & Strategy Director, Maritime Division, TxDOT – Houston and invited him to begin his presentation.

Mr. Milner gave a brief overview on the Funding Opportunities, the Seaport Connectivity Program, the Maritime Infrastructure Program, the Ship Channel Improvement Revolving Fund and who is eligible for this project.

**VII. REVIEW AND APPROVAL OF THE “DRAFT” JOHRTS FY 2024 UNIFIED PLANNING WORK PROGRAM (UPWP)**

*Bob Dickinson, Director, Transportation and Environmental Resources*

Mr. Dickinson explained to the members that every year, each agency that coordinates transportation planning around the state, has to update their Unified Planning Work Program Document. He gave an overview of some of projects included in the “DRAFT” JOHRTS FY 2024 UPWP to be undertaken by the SETRPC-MPO from October 1, 2023, to September 30, 2024. He then asked to have the document approved by the committee.

Commissioner Pierce, Jefferson County, called for a motion to adopt the “DRAFT” JOHRTS FY 2024 Unified Planning Work Program as presented. Commissioner Johnny Trahan, Orange County, made the motion. Commissioner L.W. Cooper, Hardin County, seconded the motion which was carried unanimously.

**VIII. REVIEW AND APPROVAL OF THE “DRAFT” REVISED SETRPC TITLE VI - ENVIRONMENT JUSTICE AND “DRAFT” REVISED LIMITED ENGLISH PROFICIENCY PLAN (LEP)**

*Bob Dickinson, Director, Transportation and Environmental Resources*

Mr. Dickinson explained that the South East Texas Regional Planning Commission has updated its latest Title VI and Environmental Justice Plan, and Limited English Proficiency (LEP) Plan. These plans address the MPO’s responsibilities as a recipient of federal funding to Improve Access to Services for Persons with LEP. These plans outline the policies and program elements in place to address Title VI and Environmental Justice and identify reasonable steps for providing language assistance to persons with LEP who wish to participate effectively in the MPO's transportation planning process. They were updated using the most current available data from the U.S. Census Bureau’s decennial Census and the annual American Community Survey. In addition, with the transfer of Jasper County to SETRPC in 2021, Jasper County is now included in the data collection and analysis covered by these plans. He then asked for the documents to be approved by the committee.

Commissioner Pierce, Jefferson County, called for a motion to adopt the "DRAFT" revised SETRPC Title VI-Environment Justice and "DRAFT" revised Limited English Proficiency Plan as presented. Commissioner L.W. Cooper, Hardin County, made the motion. Mr. Jon Sherwin, Public Works Director, City of West Orange, seconded the motion which was carried unanimously.

**IX. REVIEW AND APPROVAL OF THE "DRAFT" SETRPC MPO FY 2022 ANNUAL TRANSPORTATION PROJECT LISTING (ATPL)**

*Bob Dickinson – Director, Transportation and Environmental Resources, SETRPC*

Mr. Dickinson explained to the members that the ATPL document included in the meeting packet is a list of projects provided by the TxDOT Planning and Programming Division in Beaumont. These projects were let to construction between the dates of October 1, 2021, and September 30, 2022. He then asked to have the document approved by the committee.

Commissioner Pierce, Jefferson County, called for a motion to adopt the "DRAFT" SETRPC MPO FY 2022 Annual Transportation Project Listing as presented. Commissioner L.W. Cooper, Hardin County, made the motion. Mr. Jon Sherwin, Public Works Director, City of West Orange, seconded the motion which was carried unanimously

**X. STATUS REPORT ON DEVELOPMENT OF THE JJOHRTS METROPOLITAN TRANSPORTATION PLAN (MTP-2050)**

*Bob Dickinson – Director, Transportation and Environmental Resources, SETRPC*

Mr. Dickinson included an updated status map and stated that we are on track with federal transportation regulations requirements to update our JJOHRTS MTP-2050.

**XI. PRESENTATION REPORT ON SOUTH EAST TEXAS TRANSIT (SETT) RURAL TRANSIT PASSENGER TRIP SUMMARY**

*Bob Dickinson – Director, Transportation and Environmental Resources, SETRPC*

As an informational item, Mr. Dickinson provided the members with a summary regarding the SETT Rural Transit Passenger Trips.

**XII. OTHER BUSINESS**

Mr. Dickinson gave a brief overview of the July Status Regional Transportation Project Map

As an informational item, Mr. Dickinson included a presentation on the I-14 System in Texas for everyone to review.

Mr. Dickinson invited everyone to register for the upcoming Vision Zero Safe Streets for Texans training to be held on Thursday, August 17, 2023, at the City of Orange Planning Department Community Room in Orange, Texas.

**XIII. SET NEXT MEETING DATE**

Mr. Dickinson stated that there will be a hybrid JJORHTS Technical Committee meeting on Thursday, August 24, 2023, at 10:00 a.m.

**XIV. ADJOURNMENT**

Commissioner Pierce adjourned the meeting at 11:01 a.m.

## **MEMBERS PRESENT**

Brandon Belaire	Traffic Engineer, City of Beaumont
Clint Fore	Public Works Director, City of Port Neches
Ernie Koch	Commissioner, Hardin County
Johnny Trahan	Commissioner, Orange County
Jon Sherwin	Public Works Director, City of West Orange
Kelvin Knauf	Dir. of Planning & Community Development, City of Orange
Krystal Lastrape	Community Planner, FHWA
Lisa Collins	Dir. of Trans. Planning & Dev., TxDOT – Beaumont District
L.W. Cooper	Commissioner, Hardin County
Mark Allen	County Judge, Jasper County
Mike Lund	Interim City Manager, City of Bridge City
Raymond Sanchez	Field Rep TxDOT TP&P, TxDOT
Robert Woods	Public Works Director, City of Nederland
Steve Clark	City Manager, City of Lumberton
Vernon Pierce	Commissioner, Jefferson County

## **GUESTS PRESENT**

Jennifer Pate	Director Community Relations, Gulf Coast
Kevin Hall	Travel Forecasting Program Manager, Texas A&M - TTI
Lanie Brown	Representative, Rep. Brian Babin
Sarah Dupre	Public Information Officer, TxDOT
Tammye Fontenot	Model Task Lead Planner, TxDOT – Austin
Todd Carlson	Research Scientist, Texas Transportation Institute
Travis Milner	Planning & Strategy Director, TxDOT, Maritime Division – Houston

## **SETRPC STAFF PRESENT**

Bob Dickinson	Director, SETRPC
James Moore	Senior GIS Analyst, SETRPC
Lucie Michaud	Administrative Assistant, SETRPC
Rachael Robinson	Transportation Planner, SETRPC



Augusts 30, 2023

TO: JJOHRTS TRANSPORTATION PLANNING COMMITTEE

FROM: BOB DICKINSON, DIRECTOR  
TRANSPORTATION AND ENVIRONMENTAL RESOURCES DIVISION

SUBJECT: ADOPTION OF RESOLUTION ADOPTING THE JOHRTS TRANSPORTATION  
CONFORMITY DETERMINATION FOR THE JOHRTS METROPOLITAN  
TRANSPORTATION PLAN (MTP) – 2045 AND THE JOHRTS FY 2023-2026  
TRANSPORTATION IMPROVEMENT PROGRAM (TIP).

Attached for your review and consideration is a resolution adopting the JOHRTS Transportation Conformity Determination for the JOHRTS Metropolitan Transportation Plan (MTP) – 2045 and the JOHRTS FY 2023-2026 Transportation Improvement Program (TIP).

As a result of the Environmental Protection Agency (EPA) Guidance on the South Coast II vs EPA Court Decision of November 2018, the MPO was required to go through a Transportation Conformity Determination process which will end on November 21, 2023. To ensure the region is in conformance with this guidance, an updated Transportation Conformity Determination is required, and once approved, will be valid for a 4 year period. SETRPC staff has finalized a new Transportation Conformity Determination and is ready for approval by the TPC. Thus, the completion of this process will maintain continuity to ensure that work on projects within the JOHRTS MTP-2045 and the JOHRTS FY 2023-2026 can continue construction for another 4 years.

If any questions arise, please do not hesitate to contact Bob Dickinson at 409- 899-8444 x7520 or [bdickinson@setrpc.org](mailto:bdickinson@setrpc.org).

President – Michael Sinegal, Jefferson County | 1<sup>st</sup> VP – Wayne McDaniel, Hardin County | 2<sup>nd</sup> VP – Johnny Trahan, Orange County  
3<sup>rd</sup> VP – Mark Allen, Jasper County | 4<sup>th</sup> VP – Glenn Johnson, Port Neches | 5<sup>th</sup> VP – Kimberly Cline, Lumberton  
Treasurer – Amanda Gates, Kirbyville | Secretary – Cathy Nagel, Pine Forest

Executive Director – Shanna Burke  
2210 Eastex Freeway Beaumont, Texas 77703-4929  
(409) 899-8444 | (409) 347-0138 fax  
[setrpc@setrpc.org](mailto:setrpc@setrpc.org) | <http://www.setrpc.org>



# Resolution

NO. 2023-10

**A RESOLUTION BY THE TRANSPORTATION PLANNING COMMITTEE OF THE JEFFERSON-ORANGE-HARDIN REGIONAL TRANSPORTATION STUDY ADOPTING THE TRANSPORTATION CONFORMITY DETERMINATION FOR THE JOHRTS METROPOLITAN TRANSPORTATION PLAN (MTP) – 2045 AND THE JOHRTS FY 2023-2026 TRANSPORTATION IMPROVEMENT PROGRAM (TIP).**

**WHEREAS**, the Beaumont-Port Arthur Orphan Maintenance Area JOHRTS Metropolitan Transportation Plan (MTP) - 2045 and the JOHRTS FY 2023-2026 Transportation Improvement Program (TIP) are in conformance under the November 2018 U.S. Environmental Protection Agency (EPA) guidance regarding the implementation of the District of Columbia Circuit Court’s February 16, 2018 decision; and

**WHEREAS**, SETRPC is responsible for carrying out the transportation conformity process, in consultation with the State and local air quality planning agencies, State and local transportation agencies, Environmental Protection Agency (EPA), and U.S. Department of Transportation (USDOT); and

**WHEREAS**, the JOHRTS MTP-2045 and the JOHRTS FY 2023-2026 TIP have been developed in compliance with SETRPC’s *Public Participation Plan*; and

**WHEREAS**, transportation conformity can be demonstrated for the 1997 Ozone National Ambient Air Quality Standards (NAAQS) on the JOHRTS MTP-2045 and the JOHRTS FY 2023-2026 TIP is showing that the following criteria has been met:

- i. Uses the latest planning assumptions, and
- ii. Meets all consultative requirements, and
- iii. Meets fiscal constraint requirement in the development of the JOHRTS Metropolitan Transportation Plan (MTP) - 2045

**THEREFORE, BE IT RESOLVED** that the Transportation Planning Committee of the Jefferson-Orange-Hardin Regional Transportation Study is shown that the South East Texas Regional Planning Commission Metropolitan Planning Organization JOHRTS MTP-2045 and the JOHRTS FY 2023-2026 TIP are in conformance under the EPA guidance on the South Coast II vs EPA Court Decision of November 2018.

**INTRODUCED AND PASSED BY THE TRANSPORTATION PLANNING COMMITTEE OF THE JEFFERSON-ORANGE-HARDIN REGIONAL TRANSPORTATION STUDY ON this the 24th day of August, 2023.**

**APPROVED:**

**APPROVED:**

---

Martin Gonzalez, P.E., Secretary  
JJOHRTS Transportation Planning Committee  
TxDOT-Beaumont District Engineer

---

Johnny Trahan, Chairman  
JJOHRTS Transportation Planning Committee  
Commissioner, Orange County



Jefferson-Orange-Hardin Regional Transportation Study

**DRAFT**

# Transportation Conformity Report

SETRPC JOHRTS FY 2023-2026 TIP

SETRPC JOHRTS MTP-2045

---

*South East Texas Regional Planning Commission  
Metropolitan Planning Organization (SETRPC-MPO)  
for the Jefferson-Orange-Hardin Regional  
Transportation Study (JOHRTS) Area*

**SETRPC**  
SOUTH EAST TEXAS REGIONAL PLANNING COMMISSION

  
TRANSPORTATION &  
ENVIRONMENTAL  
RESOURCES

**30-day Public Comment Period:**

July 14, 2023 to August 14, 2023

**Adopted on:**

TBD

*This document was prepared in cooperation with the U.S. Department of Transportation, Federal Highway Administration, Federal Transit Administration, and the Texas Department of Transportation.*



*This page is intentionally left blank.*

# Table of Contents

- Table of Contents .....3
- Glossary of Abbreviations .....5
- Chapter 1: Executive Summary .....7
  - 1.1 Conformity Overview .....7
  - 1.2 Maintenance Area .....7
  - 1.3 Conformity Criteria .....7
  - 1.4 MTP & TIP Conformity .....8
- Chapter 2: Air Quality .....9
- Chapter 3: Conformity .....10
  - 3.1 Transportation Conformity .....10
  - 3.2 Purpose .....10
  - 3.3 Criteria .....10
  - 3.4 Document Format .....11
  - 3.5 Electronic Data Submittal .....11
- Chapter 4: MTP & TIP Conformity .....12
  - 4.1 Overview .....12
  - 4.2 Submittal Frequency .....12
  - 4.3 Regionally Significant Projects .....12
  - 4.4 Latest Planning Assumptions .....13
  - 4.5 Non-Federal Projects .....13
  - 4.6 Exempt Projects/Programs .....13
  - 4.7 Constraints .....13
  - 4.8 Summary Statement .....14
- Chapter 5: Travel Demand Model .....15
  - 5.1 Overview .....15
  - 5.2 Modeling Process .....15
    - 5.2.1 Demographic Development .....15
    - 5.2.2 Network Development .....16
  - 5.3 Model Validation .....16

Chapter 6: TCMs ..... 17

    6.1 Description of TCM status ..... 17

Chapter 7: Interagency Consultation ..... 18

    Description of Interagency Consultation Including Process ..... 18

Chapter 8: Public Participation ..... 20

    8.1 Process Description ..... 20

Chapter 9: List of Appendices ..... 23

    Appendix A: Resolution ..... 23

    Appendix B: JOHRTS MTP-2045 ..... 23

    Appendix C: JOHRTS FY 2023-2026 TIP ..... 23

    Appendix D: JOHRTS Transportation Planning Committee Agendas and Minutes ..... 23

    Appendix E: Interagency Consultative Process Meetings Summaries ..... 23

    Appendix F: Public Participation Process Documents ..... 23

## Glossary of Abbreviations

ACS	American Community Survey
CAA	Clean Air Act Amendments
EPA	United States Environmental Protection Agency
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
IAC	Inter-Agency Consultation
JOHRTS	Jefferson Orange Hardin Transportation Study
MPO	Metropolitan Planning Organization
MTP	Metropolitan Transportation Plan
NAAQS	National Ambient Air Quality Standards
NOx	Oxides of nitrogen
PPP	Public Participation Plan
SETRPC	South East Texas Regional Planning Commission
SIP	State Implementation Plan
TAZ	Traffic Analysis Zone
TCEQ	Texas Commission on Environmental Quality
TCM	Transportation Control Measure
TDC	Texas Demographic Center
TDM	Travel Demand Model
TIP	Transportation Improvement Program
TPC	Transportation Planning Committee
TxDOT-TPP	Texas Department of Transportation – Transportation Planning and Programming Division

TWC	Texas Workforce Commission
USDOT	United States Department of Transportation
UTSA	University of Texas - San Antonio
VMT	Vehicle Miles Traveled
VOC	Volatile organic compounds

# Chapter 1: Executive Summary

## 1.1 Conformity Overview

Section 176(c)(4) of the Clean Air Act Amendments (CAAA) of 1990 requires Metropolitan Planning Organizations (MPOs) for areas designated as nonattainment or maintenance for the pollutant ozone to conduct an air quality conformity analysis to ensure Metropolitan Transportation Plans (MTPs) and Transportation Improvement Programs (TIPs) are consistent with the region's air quality goals. Recent court rulings in the *South Coast Air Quality Management District vs EPA (South Coast II)* case have affected the status of areas such as the Jefferson-Orange-Hardin Regional Transportation Study (JOHRTS) area which was re-designated to attainment with a maintenance plan for the 1997 8-hour Ozone NAAQS in 2010 and was designated attainment/unclassifiable for the 2008 8-hour Ozone NAAQS and 2015 8-hour Ozone NAAQS.

The court rulings have resulted in such areas, known as 'orphan' areas, having to demonstrate conformity under their previous designation for the 1997 8-hour Ozone NAAQS. Based on the [November 2018 EPA guidance document 'Transportation Conformity Guidance for the South Coast II Court Decision.'](#) a regional emissions analysis is not required for this conformity demonstration. This document details this effort by the South East Texas Regional Planning Commission-MPO (SETRPC-MPO), with technical assistance from the Texas Department of Transportation – Transportation Planning and Programming Division (TxDOT-TPP), to perform the air quality conformity analysis and obtain a conformity determination.

## 1.2 Maintenance Area

The Beaumont-Port Arthur area (Hardin, Jefferson, and Orange Counties) was re-designated from nonattainment to attainment-maintenance for the 1997 8-hour Ozone NAAQS, effective November 19, 2010. The area was initially designated attainment/ unclassifiable for the 2008 8-hour Ozone NAAQS and remains in attainment for that standard as well as the new 2015 8-hour Ozone NAAQS. When the 1997 8-hour Ozone NAAQS was revoked by the US Environmental Protection Agency (EPA), transportation conformity requirements for the 1997 8-hour Ozone NAAQS were also revoked (effective 4/6/2015). The court's decision in *South Coast II* reinstated the conformity requirements for the area as part of maintenance for the 1997 8-hour Ozone NAAQS. The EPA's November 2018 guidance document for areas affected by the *South Coast II* decision includes the conformity criteria that the EPA considers applicable to 'orphan' areas.

## 1.3 Conformity Criteria

As per the EPA guidance referenced in Section 1.2, conformity for the 1997 8-hour Ozone NAAQS can be demonstrated by the SETRPC-MPO, with technical assistance from TxDOT-TPP, by meeting 1) use of the latest planning assumptions, 2) consultation requirements, 3) fiscal constraint



requirements of MTPs and TIPs, and 4) if applicable, timely implementation of Transportation Control Measures (TCMs). As the JOHRTS region has no TCMs, requirement 4) is not part of the conformity criteria for the region.

## 1.4 MTP & TIP Conformity

Results of the transportation conformity determination demonstrate that the JOHRTS MTP-2045 and the JOHRTS FY 2023-2026 TIP meet all transportation air quality conformity requirements of the CAAA and the *South Coast II* guidance. This conformity determination involved Interagency Consultation (Chapter 7) and Public Participation (Chapter 8).

## Chapter 2: Air Quality

### 2.1 Air Pollution

Based on the CAAA, the EPA sets national standards, known as National Ambient Air Quality Standards (NAAQS), for six criteria pollutants: ozone, particulate matter, carbon monoxide, sulfur dioxide, nitrogen oxides and lead. In the JOHRTS region, the primary pollutant issue is ozone. The Texas Commission on Environmental Quality (TCEQ), in concert with the MPO, is responsible for attributing nitrogen oxides (NOx) and volatile organic compounds (VOC) amounts to on-road vehicles. Ground level ozone is known to trigger a variety of health problems. It is particularly harmful for children, older adults and people of all ages who have lung diseases such as asthma.

### 2.2 Background

The Beaumont-Port Arthur area (Hardin, Jefferson, and Orange Counties) was re-designated from nonattainment to attainment-maintenance for the 1997 8-hour Ozone NAAQS, effective November 19, 2010. The area was initially designated attainment/ unclassifiable for the 2008 8-hour Ozone NAAQS and remains in attainment for that standard as well as the new 2015 8-hour Ozone NAAQS. When the 1997 8-hour Ozone NAAQS was revoked by the EPA, transportation conformity requirements for the 1997 8-hour Ozone NAAQS were also revoked (effective 4/6/2015).

The court's decision in the *South Coast II* case reinstated the conformity requirements for the area as part of maintenance for the 1997 8-hour Ozone NAAQS. The EPA's November 2018 guidance document for areas affected by the *South Coast II* decision includes the conformity criteria that the EPA considers applicable to 'orphan' areas. As a result of a court case and subsequent rulings, it has been determined by EPA that transportation conformity applies for the revoked 1997 8-hour Ozone NAAQS and that these areas must demonstrate transportation conformity of MTPs and TIPs. The SETRPC-MPO Transportation Conformity Determination for the JOHRTS 2040 Metropolitan Transportation Plan (MTP) and the JOHRTS 2019-2022 Transportation Improvement Program was issued by the U. S. Department of Transportation on July 26, 2019, to meet the new requirements.

The SETRPC-MPO Transportation Conformity Determination for the JOHRTS MTP-2045 Metropolitan Transportation Plan (MTP) and the JOHRTS 2019-2022 Transportation Improvement Program was issued by the U.S. Department of Transportation on November 21, 2019.

In addition, the SETRPC-MPO is working to complete a Transportation Air Quality Conformity action on the JOHRTS MTP-2045 and the JOHRTS 2023-2026 Transportation Improvement Program by August 2023.

## Chapter 3: Conformity

### 3.1 Transportation Conformity

Transportation conformity establishes the framework for improving air quality to protect public health and the environment. Specifically, the CAAA section 176(c) requires that federally funded or approved highway and transit activities are consistent with ('conform to') the purpose of the State Implementation Plan (SIP).

Conformity to the purpose of the SIP means the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) funding and approvals are given to highway and transit activities that will not cause new air quality violations, worsen existing air quality violations, or delay timely attainment of the relevant air quality standard, or any interim milestone.

### 3.2 Purpose

This report and its supporting appendices explain the conformity determination for the JOHRTS MTP-2045 and the JOHRTS FY 2023-2026 TIP with respect to the requirement of transportation conformity for 'orphan' areas such as the JOHRTS region. See Section 1.1 Conformity Overview; Section 1.2 Maintenance Area; Section 2.2 Background; and Section 3.3 Criteria for further explanation regarding 'orphan' areas.

### 3.3 Criteria

As a result of the *South Coast II* decision, transportation conformity for the 1997 8-hour Ozone NAAQS applies in 'orphan' areas. This includes the JOHRTS region as an Orphan Maintenance Area e.g., 1997 maintenance yet 2008 attainment. The SETRPC-MPO Transportation Conformity Determination for the JOHRTS 2040 Metropolitan Transportation Plan (MTP) and the JOHRTS 2019-2022 Transportation Improvement Program was issued by the U. S. Department of Transportation on July 26, 2019, to meet the new requirements. In addition, the SETRPC-MPO Transportation Conformity Determination for the JOHRTS MTP-2045 Metropolitan Transportation Plan (MTP) and the JOHRTS 2019-2022 Transportation Improvement Program was issued by the U.S. Department of Transportation on November 21, 2019.

As an Orphan Maintenance Area, transportation conformity for the MTP and TIP for the 1997 8-hour Ozone NAAQS can be demonstrated without a regional emissions analysis. As no regional emissions analysis is required, there is no requirement to use the latest emissions model, or use either the emissions budget test or interim emissions test. As no regional emissions analysis is required, there is by extension no requirement to perform emission modeling or regional travel demand modeling specifically to support a regional emissions analysis.

Based on the *South Coast II* decision, transportation conformity for the 1997 8-hour Ozone NAAQS can be demonstrated, without a regional emissions analysis as per guidance referenced in Section 1.2, by:

- Use of the latest planning assumptions, including TCMs;
- Meeting consultation requirements; and
- Meeting fiscal restraint requirements.

Documentation of SETRPC-MPO actions to demonstrate adherence to the three above criteria are contained in subsequent chapters of this document.

### **3.4 Document Format**

This Transportation Conformity Report is a streamlined version of the Model Conformity Documentation outline adopted by the Technical Working Group for Mobile Source Emissions. As this conformity does not require a regional emissions analysis, the Transportation Conformity Report does not contain a section on emissions modeling. Additionally, the Travel Demand Model section describes the status of the validated travel demand model (TDM) and does not include discussion pertaining to use of the TDM to develop inputs to the regional emissions analysis.

### **3.5 Electronic Data Submittal**

The MTP, TIP, and Transportation Conformity Report are available in PDF format on SETRPCs website: <https://www.setrpc.org/3183-2/> or by calling (409) 899.8444 x7520.

## Chapter 4: MTP & TIP Conformity

### 4.1 Overview

The MTP is the official multimodal transportation plan for the JOHRTS area and addresses a 20-year planning horizon. The MTP includes goals and objectives that reflect regional values and long-term regional transportation needs. The MTP underscores the vital role transportation plays in the social, environmental, and economic health of the area. The fiscally constrained MTP is the [Jefferson-Orange-Hardin Regional Transportation Study Metropolitan Transportation Plan-2045 \(JOHRTS MTP-2045\)](#).

The JOHRTS FY 2023-2026 TIP presents the various highway and transit projects that are expected to be let for construction or implementation within the next four years. Regional transportation projects and programs are identified and prioritized in the TIP. The fiscally constrained TIP is the [Jefferson-Orange-Hardin Regional Transportation Study Fiscal Years 2023-2026 Transportation Improvement Program \(JOHRTS FY 2023-2026 TIP\)](#).

### 4.2 Submittal Frequency

For nonattainment and maintenance areas subject to conformity requirements, regional transportation conformity analysis is required to be performed on a 4-year cycle. As the JOHRTS MTP-2045 and JOHRTS FY 2023-2026 TIP have been developed, this conformity determination represents the second conformity determination of the JOHRTS MTP-2045 and the JOHRTS FY 2023-2026 TIP.

As the region remains designated attainment for the 2008 8-hour Ozone NAAQS and the 2015 8-hour Ozone NAAQS, the region is required to update the MTP on a 5-year cycle.

### 4.3 Regionally Significant Projects

The networks used in the TDM consist of existing and planned future roadways. Functionally classified roadways (collector and above) or projects seeking federal funding are considered regionally significant. Most of the roadways contained in the model networks are regionally significant. Some roadways are included that are not regionally significant but are necessary to define the traffic analysis zone (TAZ) structure used in the TDM. Networks for the 2016, 2021, 2026 and Forecast Year 2045 were developed to support the JOHRTS MTP-2045 and JOHRTS FY 2023-2026 TIP.

Funding specifics for project is noted in the annotation for each project. The funding is identified as Federal, State or Local.

While the cities in the JOHRTS region have public transit systems and while there are rural transit systems in the lesser populated portions of the three-county area; these systems do not represent a significant portion of the Vehicle Miles Traveled (VMT). Therefore, mode choice was not used in this TDM.

See JOHRTS MTP-2045 and JOHRTS FY2023-2026 TIP for the area's project listing.

## 4.4 Latest Planning Assumptions

The JOHRTS MTP-2045 was developed using the latest demographic and roadway activity assumptions at the time of its development in 2018 and 2019. As the JOHRTS FY 2023-2026 TIP is drawn from the JOHRTS MTP-2045, the JOHRTS FY 2023-2026 TIP is based on these same planning assumptions. Details of the development of these planning assumptions are provided in the context of discussion of the regional TDM (Chapter 5).

## 4.5 Non-Federal Projects

The MTP must include the design concept and descriptions for all existing and proposed regionally significant transportation projects, regardless of funding source ([23 CFR 450.324\(f\)\(9\)](#)). Further, it must also identify all necessary financial resources from public and private sources that are reasonably expected to be available to carry out the plan. Such regionally significant projects are included within the conformity determination of the MTP.

Non-federal projects funded by sources such as local governments and local transportation authorities, such as signal improvements, intersection improvements and local roadway widening, may be of insufficient scale or scope to require inclusion within a transportation conformity regional emissions analysis. These 'non-regionally significant' projects that do not require any federal project approval actions (i.e., environmental clearance or permit approvals) are not individually listed within the MTP or TIP.

## 4.6 Exempt Projects/Programs

Highway and transit projects characterized as Safety, Mass Transit, Air Quality or Other ([40 CFR 93.126](#)) are exempt from the requirement to determine conformity. Absent Consultative Partner consensus that such projects have the potential for adverse emissions impacts, these projects may proceed to the project development process even in the absence of a conforming MTP and TIP.

Projects exempt from Regional Emission Analysis ([40 CFR 93.127](#)) include: intersection channelization projects; intersection signalization projects at individual intersections; interchange reconfiguration projects; changes in vertical and horizontal alignment; truck size and weight inspection stations and bus terminals and transfer points. Absent Consultative Partner consensus that such projects have the potential for regional impacts, these projects may also proceed to the project development process even in the absence of a conforming MTP and TIP.

For SETRPC projects, as described above, see JOHRTS MTP-2045 and JOHRTS FY 2023-2026 TIP.

## 4.7 Constraints

One of the key requirements of the MTP and TIP is financial constraint, which is intended to ensure that the total estimated cost of projects included in the MTP does not exceed reasonably available estimated revenues. A conformity determination on financially constrained plans ensures that

conformity findings are based on realistic plans and programs and that any TCMs and other projects that may be beneficial to air quality are funded.

#### *4.7.1 Long-Range Financial Constraint (MTP)*

The JOHRTS MTP-2045 financial element identifies all sources of funds reasonably expected to be available and any innovative financial strategies that may be necessary to implement the MTP. The financial element of the MTP is documented in JOHRTS MTP-2045.

#### *4.7.2 Short-Range Financial Constraint (TIP)*

Financial constraint is also required for a conforming TIP, with funds programmed being equal to the total funds available. The JOHRTS FY 2023-2026 TIP comprises the first four years of transportation activities in the JOHRTS MTP-2045 and the requirement of financial constraint ensures that those activities committed to be funded in that timeframe have the financial resources available for implementation.

### **4.8 Summary Statement**

The JOHRTS MTP-2045 and the JOHRTS FY 2023-2026 TIP adhere to the conformity requirements as described in EPA's November 2018 guidance. The JOHRTS MTP-2045 and, by extension, the JOHRTS FY 2023-2026 TIP were developed based on the latest planning assumptions at the time of MTP development in 2019. The JOHRTS MTP-2045 and JOHRTS FY 2023-2026 TIP meet the fiscal constraint requirements. The conformity process was completed for the JOHRTS MTP-2045 and JOHRTS FY 2023-2026 TIP following the required consultative process described in the Texas Conformity SIP.

## Chapter 5: Travel Demand Model

### 5.1 Overview

The JOHRTS regional TDM is used to estimate and forecast vehicular traffic patterns and roadway volumes in the Jefferson-Orange-Hardin County region. This model is a Trans CAD-based model cooperatively developed by TxDOT-TPP, the SETRPC-MPO and the TxDOT-Beaumont District.

To establish that the JOHRTS model is suitable for forecasting future traffic, the model is validated to match observed conditions in a current year. In the case of the version of the JOHRTS model used in development of the JOHRTS MTP-2045, the validation year is the year 2016 as it was the year for which the most current set of non-state roadway and state roadway traffic counts that are critical to a robust validation were available.

### 5.2 Modeling Process

The JOHRTS TDM uses the traditional three-step process of trip generation, trip distribution and traffic assignment to estimate and forecast travel patterns and traffic volumes. The 'mode-choice' step of the process is excluded in the JOHRTS model given the very small amount of transit demand in the region.

The critical inputs to the three-step process are TAZ demographics and the model networks. Both inputs are developed locally in cooperative fashion by the SETRPC-MPO and the TxDOT-Beaumont District.

#### 5.2.1 Demographic Development

Demographic data inputs to the development of JOHRTS MTP-2045 involved creation of population and employment estimates for the year 2016 and forecasts for the years 2021, 2026 and 2045. The demographic inputs were submitted to TxDOT-TPP, who developed and validated the model for use in MTP development.

The year 2016 population demographics were based on two sources of Census data. The 2016 Census American Community Survey (ACS) 5-year block group data were used and supplemented by block-level 2010 Census data to establish TAZ level population and households. Targeted review of aerial photos, previous data sources along with internet searches, and phone calls were performed to obtain information on group quarters, schools, and special generators.

Year 2016 employment demographics were developed based on data from the Texas Workforce Commission (TWC). Due to schedule challenges in TxDOT's transition from TWC-based employer data to InfoUSA employer data for the model year 2016, TxDOT and SETRPC along with staff from the Texas Demographic Center (TDC) at University of Texas at San Antonio (UTSA) developed an



approach to make use of latest available TWC data. The latest available TWC data for the region was the year 2013 data. That data is a basis for estimating 2016 data. SETRPC then performed review of aerial photos, Census data, and previous model data to determine areas of growth and developed growth rates by employment category based on observed growth areas. The growth rates were applied to each category of employment to develop the estimated 2016 data and reviewed the resultant data for reasonableness in numeric growth and in its relationships to other TAZs and to adjacent residential growth.

Both the population and employment demographics were adjusted to match the county-level control totals which were provided by the TDC through TxDOT. The control totals provided both numeric targets for each category and established the relationships between the demographic elements which were followed.

Forecasts of population, households and employment were developed by SETRPC at the TAZ level to serve as inputs for travel model forecasting to support development of the JOHRTS MTP-2045. Using county-level control totals for population, households and employment provided by the Texas Demographic Center (TDC), SETRPC developed TAZ level demographics through allocation of county totals informed by the 2016 base year data, local knowledge of development since 2016, and planned future development and development constraints. The TAZ-level demographics for 2021, 2026 and 2045 were provided to TxDOT-TPP for review and use in application in the JOHRTS travel model that was validated to the year 2016.

### **5.2.2 Network Development**

Along with TAZ demographics for the base and future years, SETRPC developed model networks for the base year 2016 and future years 2021, 2026 and 2045. Starting with a modeling network representing the year 2013, SETRPC added completed roadway projects on regionally significant facilities to bring the network up to a representation of the year 2016.

The future year networks were created by adding projects from the JOHRTS FY 2023-2026 TIP and JOHRTS MTP-2045 to the base year 2016 network in the future years as projects became operational. These networks are used in the JOHRTS TDM to develop estimated and forecasted travel patterns and traffic volumes in the 3-county region.

### **5.3 Model Validation**

The model was validated by TxDOT-TPP to within 1.5% of observed traffic counts at the regional level for the year 2016. As the model is validated to recently observed conditions and in keeping with traditional use of regional travel models, the JOHRTS TDM is applied to the forecast future travel demand in the JOHRTS region for the MTP year of 2045.

## Chapter 6: TCMs

### 6.1 Description of TCM status

The JOHRTS region is not required to have, nor has TCMs.

## Chapter 7: Interagency Consultation

### Description of Interagency Consultation Including Process

Specific consultative procedures are specified for the transportation conformity process. The procedures provide a means for ensuring input from the public and other government agencies in the MTP development process. Under these procedures, the SETRPC-MPO public involvement policy is published in the JOHRTS MTP-2045 and is available online at <http://www.setrpc.org/> during the public comment period. All posted meetings are open to the public. Federal, State, and local agencies, as well as citizens, are given an opportunity to see which projects are being proposed in the TIP and the MTP, to comment on the effect that these projects will have on the region's air quality, and to propose projects during the designated project selection process each year. The MTP and the conformity statement itself must also go through an additional thirty-day public and interagency review process before final approval.

The Texas consultative procedures specifically require coordination with the following government agencies, hereafter known as the Inter-Agency Consultation (IAC) partners, during the transportation conformity process and for the interagency review: TxDOT-TPP; TCEQ; FHWA; FTA; and EPA.

The purpose of this group is to ensure that the modeling methodology utilized in this conformity analysis is consistent with the on-road modeling utilized in the SIP and that the most recent planning assumptions were used. The IAC partners were consulted regularly during the conformity process, and Table 7-1 summarizes the meetings that occurred before local determination of this conformity document by the MPO Transportation Planning Committee (TPC). The SETRPC-MPO committee structure helps to ensure that the consultative requirements are met during the transportation conformity determination development process.

The consultative procedures require that copies of the conformity determination to be submitted by the SETRPC-MPO to the IAC partners for a ninety-day review period, a copy of all comments received during the public comment period and, a summary of any action which was taken to address the comments received. After addressing IAC partner comments and, if necessary, revising the Transportation Conformity Report, the SETRPC-MPO then submits the report to the IAC partners along with the JOHRTS MTP-2045 and the JOHRTS FY 2023-2026 TIP.

Table 7-1 summarizes the IAC partner meetings held as part of SETRPC's consultative process. From July 1, 2023, to August 24, 2023, the SETRPC-MPO provided opportunities for consultation on the MTP, TIP, and conformity.

Table 1: Interagency Consultation Meetings

Date	MPO	TxDOT	TCEQ	FHWA	EPA	Subject
June 12, 2023	X	X		X		Transportation Conformity for JOHRTS 2045-MTP and FY 2023 2026 TIP  EPA November Guidance <i>South Coast II</i>
June 28, 2023	X	X	X	X	X	Transportation Conformity – Pre-Analysis Consensus Plan

At the conclusion of the MTP, TIP and Transportation Conformity Report public involvement period, the three documents were provided to the IAC partners for an iterative 90-day review and comment period. Following FHWA, EPA, TxDOT-TPP and TCEQ concurrence, US Department of Transportation (USDOT) issues a Conformity Determination letter.

## Chapter 8: Public Participation

### 8.1 Process Description

Appendix A of the JOHRTS MTP-2045 provides detailed descriptions of the JOHRTS public involvement process. The JOHRTS [Public Participation Plan](#) was and released for public comment and was approved by the JOHRTS TPC on December 17, 2017. Chapter 11, 11.6 in the JOHRTS MTP-2045, describes the project selection process used for the preparation of the JOHRTS MTP-2045. Public comments received during the public involvement period are contained in Appendix A of the JOHRTS MTP-2045.

The JOHRTS public involvement process is designed to provide proactive public involvement in the transportation planning process. This process was used throughout the development of the JOHRTS MTP-2045 and JOHRTS FY 2023-2026 TIP, including the project selection process and MTP/TIP public reviews.

For each meeting, a notice was sent to the four newspaper editors (Beaumont Enterprise, Port Arthur News, Orange Leader, and The Examiner) in the JOHRTS region for public posting. Also, the meetings and comment periods shown in Table 8-1 were advertised in the retail sections of several daily and weekend issues of the area newspapers.

Locations of public meetings, as well as MTP and TIP public involvement periods, were evaluated as steps toward enhancing public involvement under environmental justice directives. The public meetings were increased to four hybrid and virtual meetings during the public involvement period, and public access was enhanced by relocating meetings in the major cities throughout the JOHRTS region.

The Transportation Conformity Report, including the MTP and the TIP, were made available to the public and local governmental agencies, at all public meetings. The Report was also posted on the SETRPC-MPO website during the 30-day public comment period.

Table 8-2 provides a list of the JOHRTS TPC meetings. The TPC meetings ensure a transportation planning process that is comprehensive, cooperative, and continuing in nature, by providing a forum for both the public and city/county officials to decide on the shape and scope of transportation plans, programs, and projects in the JOHRTS region. Notices for the TPC meetings were sent to the city clerks (Beaumont, Orange, and Port Arthur), county clerks (Jefferson, Orange, and Hardin), and the regional newspapers.

Table 8-3 provides a list of the JOHRTS Technical Committee meetings.



Table 8-4: JOHRTS Technical Committee Activities

Date	Meeting Topics
N/A	No meetings were held

## **Chapter 9: List of Appendices**

**Appendix A: Resolution**

**Appendix B: JOHRTS MTP-2045**

**Appendix C: JOHRTS FY 2023-2026 TIP**

**Appendix D: JOHRTS Transportation Planning Committee  
Agenda and Minutes**

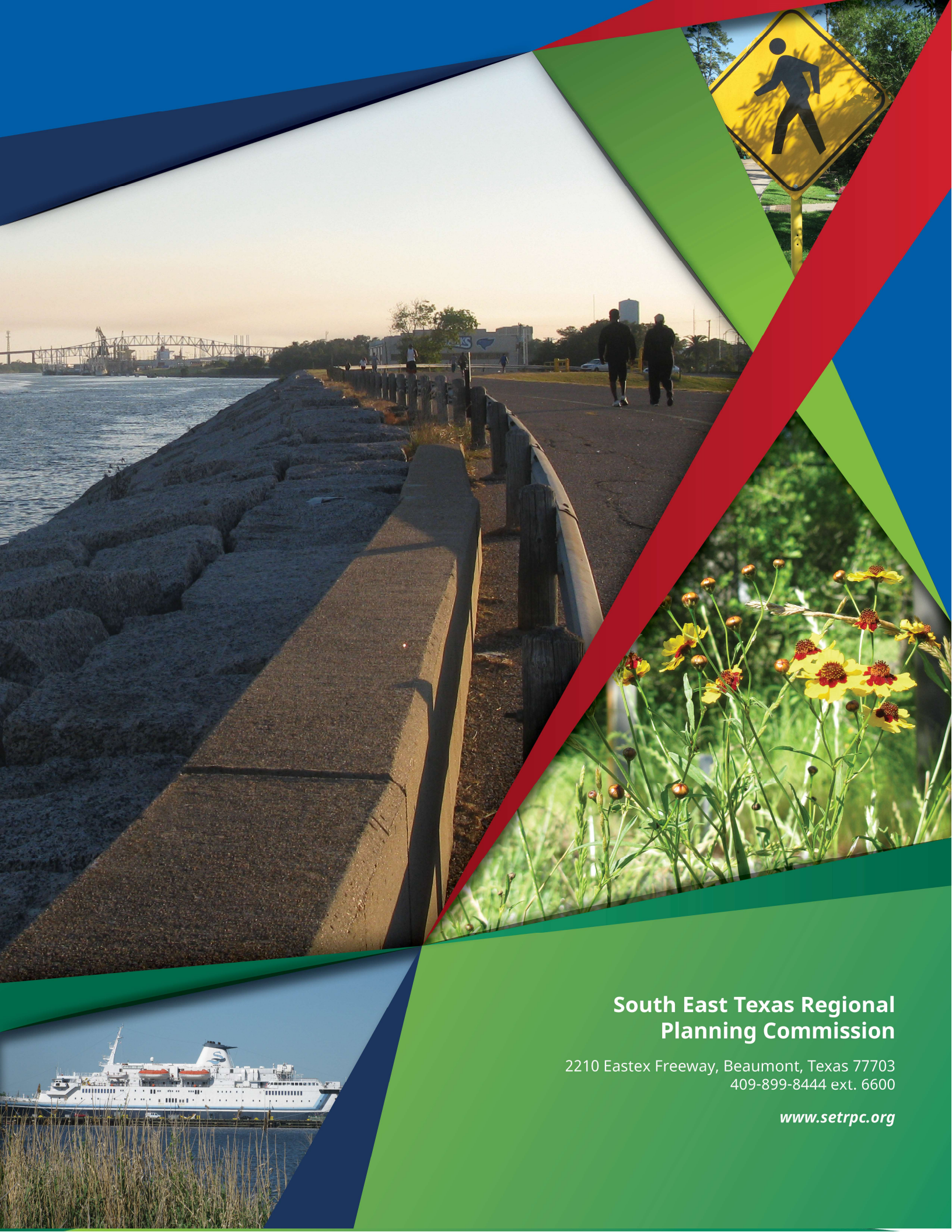
**Appendix E: Interagency Consultative Process Meetings  
Summaries**

**Appendix F: Public Participation Process Documents**



*This page is intentionally left blank.*

*This page is intentionally left blank.*



**South East Texas Regional  
Planning Commission**

2210 Eastex Freeway, Beaumont, Texas 77703  
409-899-8444 ext. 6600

[www.setrpc.org](http://www.setrpc.org)