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Prepared by:

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for

The Association of Metropolitan Planning Organizations

**HR 2454 – America Clean Energy and Security Act of 2009
Amendment in the nature of a substitute offered on May 18th, 2009**

**Section 222 - GREENHOUSE GAS EMISSIONS REDUCTIONS THROUGH
TRANSPORTATION EFFICIENCY.**

Amends the Clean Air Act

New Part D – Planning Requirements

New Sec. 841

- 3 years after the enactment of the section each State shall submit, to the EPA Administrator, goals to reduce transportation-related greenhouse gas emissions reductions. The goals shall be reasonably commensurate with the targets for overall greenhouse gas emissions reduction established under the Act.
- Each transportation plan and TIP shall ensure a plan to achieve the goals and be submitted to the EPA Administrator and the Sec. of USDOT. This applies to all MPO's exceeding 200,000.
- The EPA Administrator shall publish proposed regulations within 1 year, and issue final regulations within 2 years, establishing standards to use in developing goals, plans, and strategies and for monitoring progress toward the goals.
Standards include:
 - Data collection techniques for assessing transportation related greenhouse gas emissions;
 - Methodologies for determining baselines;
 - Models and methodologies for scenario analysis;
 - Models and methodologies for estimating emissions reductions from the strategies.
 - The regs may approve or improve existing models and methodologies.
- Every 6 years the Administrator in coordination with USDOT shall assess current and projected progress in reducing transportation-related greenhouse gas emissions. The assessment will examine reductions due to:
 - vehicle efficiency;
 - transportation fuels;
 - efficiency in using transportation systems.
- Each State shall develop goals in:

- concurrence with State air quality and transportation agencies;
 - consultation with MPOs over 200,000 and local air quality and transportation agencies;
 - with public involvement (comment periods and meetings).
- Goals shall be set for 4 yr, 10 yr, and 20yr periods.
- The goals shall establish targets to reduce transportation-related greenhouse gas emission in a covered area. Target shall ensure that levels of emissions stabilize and decrease after a designated year – consider 2010 as the designated year.
- Covered area includes statewide, each MPO over 200,000 and may be established voluntarily for other MPO's.
- Every 4 years the goals shall be revised and updated.
- Each reduction plan shall be based upon the models and methodologies issued by the EPA, use transportation and land use scenario analysis to address emissions and economic development impacts, and be developed with public involvement (comment periods and meetings) including stakeholders based on age, race, income and disability. The plan shall also be developed with MPO's, localities comprising MPO's, the State, and air quality, environmental health, and transportation agencies (State and regional).
 - Development of the plan shall also include consultation with State and local housing, public health, economic development, environment, and public transportation agencies.
- Strategies – In developing the goals and plans the State or MPO, as applicable, shall consider transportation and land use strategies to reduce transportation related GHG emissions including:
 - Increase or improve public transportation;
 - Updates to zoning and other land use regulations and plans to support development that:
 - Coordinates transportation and land use planning;
 - Focus future growth close to job center and public facilities;
 - Use existing infrastructure;
 - Promote walking, biking, and public transportation use;
 - Mixed land use.
 - Implementation of a complete streets policy;
 - Construction of bike and ped infrastructure
 - Projects to promote telecommuting, flexible work schedules, or satellite work centers;
 - Pricing measures (tolling, pay-as-you-drive insurance);
 - Intemodal freight system strategies;
 - Parking policies
 - Intercity rail service;

- Travel demand projects;
 - Road restrictions that only permit passenger buses or HOV;
 - Reduce vehicle idling;
 - Policies that encourage replacement vehicles or retrofits;
 - Whatever else EPA thinks may reduce transportation GHGs.
- EPA will publish (including on their website) the goals and plans submitted and the anticipated effects of the plan.
 - EPA, in consultation with the USDOT, shall certify the State or MPO reduction plan, if the plan will likely meet the goals. If the plan is not certified the State or MPO has one year to resubmit.
 - If the State **fails to submit** the goals, has failed to ensure the submission of a plan, or failed to submit a revised plan for any area of the State the Administrator can impose a prohibition (irrespective of a nonattainment area) under Section 179(b)(1) of the Clean Air Act to the area. *(EPA can prohibit funds to be used for projects under Title 23 (highways) unless for safety or projects that improve air quality. Attached is Section 179(b)(1)).*
 - EPA cannot impose a prohibition based on content or adequacy of a goal or plan submitted or failure to achieve the goals.
 - Grants – Such sums as may be necessary are authorized for the EPA to make grants to States or MPO's to support activities (data collection, modeling, monitoring, policies and strategies), development of goals and plans, and implementation of certified plans.
 - Priority shall be given to applicants based on total GHS reductions, per capita GHG reductions, cost effectiveness (dollars per tons of GHG reductions resulting from the plan), short- and long-term reductions; other factors the EPA determines appropriate.