

OFFICE OF BRIDGE PROGRAMS, U.S. COAST GUARD

Tappan Zee Hudson River Crossing Project Draft General Conformity Determination

U.S. Department of
Homeland Security

United States
Coast Guard



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U.S. Coast Guard Conformity Determination for the Tappan Zee Hudson River Crossing Project

The U. S. Coast Guard (USCG) has made a draft determination, in accordance with the federal Clean Air Act (CAA) section 176(c) [42 U.S.C. 7506(c)], that its issuance of a permit to construct the Tappan Zee Bridge across the Hudson River would conform to the CAA state implementation plan (SIP) for the State of New York. The USCG is making this determination based on its review of the Federal Highway Administration environmental impact statement (EIS) for the crossing project and the State of New York's commitment to revise its SIP to include emissions from construction of the bridge (FEIS Appendix H-6). The FEIS is available for review at http://www.tzbsite.com/tzbsite_2/index_2.html

Background

The CAA defines nonattainment areas as geographic regions that have been designated as not meeting one or more of the National Ambient Air Quality Standards (NAAQS). The CAA requires that a State Implementation Plan (SIP) be prepared for each non-attainment area, and a maintenance plan be prepared for each former non-attainment area that subsequently demonstrated compliance with the standards. The SIP is a state's plan for how it will meet the NAAQS by the deadlines established by the CAA.

The US Environmental Protection Agency's (EPA) Transportation Conformity Rule requires SIP conformity determinations on transportation plans, programs, and projects before they are approved or adopted. Conformity is defined as conformity to an implementation plan's purpose of eliminating or reducing the severity and number of violations of the NAAQS and achieving expeditious attainment of such standards. The Conformity Rule also establishes the process by which federal agencies determine conformance of proposed projects that are federally funded or require federal approval, such as the proposed project, the Tappan Zee Hudson River Crossing Project (TZHRC). This determination must demonstrate that the direct and indirect emissions resulting from the construction phase of the proposed action would not cause or contribute to new violations of air quality standards, exacerbate existing violations, or interfere with timely attainment or required interim emissions reductions towards attainment.

Conformity

As part of the environmental review of the Proposed Project, the Federal Highway Administration (FHWA), lead federal agency for the action, addressed the project impacts pursuant to regulations promulgated for the Transportation Conformity Rule of the CAA (40 CFR Part 93 Subpart A).

A transportation conformity and general conformity analysis following all regulatory criteria and procedures and in coordination with EPA were prepared by FHWA and included in the FEIS for the TZHRC. The USCG draft conformity determination is based on both analyses. The State of New York has committed to revise its SIP to include emissions from construction of the TZHRC. The FEIS with the general conformity analysis (Appendix H-6) may be reviewed at http://www.tzbsite.com/tzbsite_2/index_2.html.

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Conclusion

Therefore, the USCG herewith concludes that the Proposed Project as designed conforms to the purpose of the approved SIP, as revised, and is consistent with all applicable requirements. Therefore, in accordance with 40 CFR 93.158 the USCG has concluded that the TZHRC conforms with the New York State Implementation Plan.