

ADOPTION OF THE SUMMER 2026 AIR QUALITY CONFORMITY DETERMINATION STATEMENT FOR THE 1997 POUGHKEEPSIE OZONE NON-ATTAINMENT AREA

WHEREAS, the Dutchess County Transportation Council (DCTC) has been designated by the Governor of the State of New York as the Metropolitan Planning Organization (MPO) responsible, together with the State, for the comprehensive, continuing, and cooperative transportation planning process for the Dutchess County portion of the Poughkeepsie-Newburgh NY Urban Area; and

WHEREAS, the federal surface transportation programs that are the responsibility of the DCTC are authorized by the Infrastructure Investment and Jobs Act (IIJA or 'Infrastructure Act') (PL 117-58, November 15, 2021); and

WHEREAS, the Federal Highway Administration and Federal Transit Administration issued a Final Rule (Federal Register Vol. 81, No. 103) on May 27, 2016 that implements the provisions of Title 23 U.S.C. 134 and 135, and Title 49 U.S.C. 5303 and 5304; and

WHEREAS, Title 23 U.S.C. Section 134 (Metropolitan Transportation Planning) requires that a Metropolitan Planning Organization develop a Metropolitan Transportation Plan (MTP) and Transportation Improvement Program (TIP) that comply with the transportation conformity rule set forth in 40 CFR Part 93 (Determining Conformity of Federal Actions to State or Federal Implementation Plans); and

WHEREAS, in November 2018 the United States Environmental Protection Agency (EPA) promulgated guidance to assist MPO's with implementing the February 16, 2018 decision from the United States Court of Appeals for the District of Columbia Circuit in South Coast Air Quality Mgmt. District v. EPA ("South Coast II," 882 F.3d 1138); and

WHEREAS, said guidance provided the requirements to demonstrate transportation conformity for areas that were in a nonattainment or maintenance status for the 1997 ozone NAAQS, but designated attainment for the stricter 2008 ozone NAAQS, referred to as 'orphan areas'; and

WHEREAS, the Dutchess County Transportation Council falls into this 'orphan area' category, known locally as the 1997 Poughkeepsie Ozone Non-attainment Area, which includes Orange and Putnam counties; and

WHEREAS, the Dutchess County Transportation Council adopted its most recent air quality conformity determination statement for its MTP and TIP on June 25, 2025, which was subsequently approved by the Federal Highway Administration and Federal Transit Administration on February 6, 2026; and

WHEREAS, the Dutchess County Transportation Council has drafted a new MTP that requires a new air quality conformity determination statement for the Poughkeepsie (Mid-Hudson) Ozone Non-attainment Area; and

WHEREAS, the State's Interagency Consultation Group (ICG) reviewed the recommended projects in the draft MTPs and concurred on their 'Exempt' and 'Non-exempt' status for air quality conformity purposes; and

WHEREAS, the Dutchess County Transportation Council, Orange County Transportation Council, and New York Metropolitan Transportation Council subsequently completed a new transportation conformity determination statement for their MTPs and TIPs; and

WHEREAS, the Dutchess County Transportation Council held a 30-day public comment period for the new air quality conformity determination statement, ending on July 31, 2026; now therefore be it

RESOLVED, that the Dutchess County Transportation Council adopts the attached 'Summer 2026' air quality conformity determination statement for the 1997 Poughkeepsie Ozone Non-attainment Area.

CERTIFICATE, the undersigned, duly qualified and Secretary of the Dutchess County Transportation Council, certifies that the foregoing is a true and correct copy of a resolution adopted at a meeting on August 6, 2026.

8/6/2026
Date

By Julianne Fuda
Julianne Fuda, P.E., Secretary
Dutchess County Transportation Council