

Under the federal transportation conformity rule, before an MPO or the Department of Transportation (DOT) can approve a transportation plan or program, a conformity determination must be made which shows timely implementation of all of the TCMs in the approved SIP and demonstrates that all obstacles to TCM implementation have been removed. In the case of Santa Barbara County, the nine TCMs identified in the 1982 SIP must meet the timely implementation criterion in order for the transportation plan and program to be approved and projects to be funded. Because the Goleta Transit Center was implemented but was later discontinued, this TCM cannot be found to meet the criterion of timely implementation.

The preamble to the conformity regulation at 58 FR 62198 states that if the original project sponsor or the cooperative planning process decides not to implement the TCM or decides to replace it with another TCM, a SIP revision which removes the TCM will be necessary before plans and programs may be found in conformity. (In order to be approved by EPA, such a SIP revision must include substitute measures that achieve emissions reductions sufficient to meet all applicable requirements of the CAA, including section 110(l).)

In order to meet the requirement of the conformity regulation for timely implementation of TCMs and to enable FHWA to approve SBCAG's transportation plan and program, Santa Barbara County and the State of California have opted to revise the SIP to delete the Goleta Transit Center TCM from the SIP and replace the measure with an alternative TCM for which timely implementation can be demonstrated. On November 14, 1994, California submitted a SIP revision for Santa Barbara County which replaces the Goleta Transit Center TCM with TCM-5, Improve Commuter Public Transit Service.

The state-adopted 1994 SIP commits to implement the following levels of transit service associated with TCM-5:

1. SBMTD Isla Vista/Santa Barbara City College (SBCC) Express Service: SBMTD will continue to operate an express bus line between Isla Vista and SBCC (about 25 miles). The service was initiated in September 1993.

2. SBMTD Downtown Waterfront Shuttle Service and Expansion: SBMTD will continue to provide electric shuttle service along State Street and on the Waterfront in the City of Santa Barbara. In addition, SBMTD will purchase two additional electric-powered buses to expand this service.

3. APCD Clean Air Express and Expansion: The SBAPCD will continue to operate compressed natural gas (CNG) commuter bus service from the northern county and Ventura County into Santa Barbara. Four new buses, for a total of nine, will be added to this service.

4. Santa Maria Area Transit (SMAT) New Service Lines and Expansion: SMAT will maintain new Route 6 which was added in 1993. Another route, Route 7, will be added to this service. In addition, SMAT will purchase one new CNG bus to serve Route 7.

5. Santa Ynez Transit Expansion: A new electric bus will be purchased for expansion of fixed route service in the Santa Ynez Valley.

6. Santa Barbara Rail Service Expansion (AMTRAK): Two additional trains per day are planned between Santa Barbara and San Diego. Improvements to the existing Santa Barbara rail station have also been programmed to support the service expansion.

The SIP anticipates a reduction of 3,301 daily vehicle trips, or a total of 45,410 daily VMT in 1996 from the implementation of TCM-5. The reduction in vehicle trips and VMT is estimated to lead to emission reductions of 36.2 kg ROG/day and 73.1 kg NO_x/day in 1996. The 1982 ozone SIP took no emission reduction credit for the Goleta Transit Center. SBMTD survey data indicated that an average of seven persons per day were using the transit center and the park-and-ride lot was providing free parking for patrons of nearby businesses. Because TCM-5 is expected to result in significantly greater reductions in vehicle trips, VMT, and emissions than the Goleta Transit Center, the SIP revision does not weaken the federally-approved 1982 SIP.

III. EPA's Action

This action approves TCM-5, contained in the California ozone SIP for Santa Barbara County submitted to EPA by the State of California on November 14, 1994. The action also deletes the Goleta Transit Center from the 1982 ozone SIP. This latter TCM is no longer subject to the timely implementation criterion of the conformity regulation. EPA has evaluated the submitted TCM and has determined that it is consistent with the CAA, EPA regulations, and EPA policy. Therefore, TCM-5 in Santa Barbara's SIP revision is being approved under section 110(k)(3) of the CAA as meeting the requirements of sections 110(a) and (l) and part D. Today's action does not affect the remainder of the submitted 1994 ozone SIP revision for Santa

Barbara County. EPA will take separate action on the bulk of Santa Barbara's 1994 ozone SIP revision in future rulemaking.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future implementation plan. Each request for revision to the state implementation plan shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

EPA is publishing this notice without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in a separate document in this **Federal Register** publication, the EPA is proposing to approve the SIP revision should adverse or critical comments be filed. This action will be effective June 30, 1995, unless, by May 31, 1995, adverse or critical comments are received.

If the EPA receives such comments, this action will be withdrawn before the effective date by publishing a subsequent document that will withdraw the final action. All public comments received will then be addressed in a subsequent final rule based a separate proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. If no such comments are received, the public is advised that this action will be effective June 30, 1995.

IV. Regulatory Process

This action has been classified as a Table 2 Action by the Regional Administrator under the procedures published in the **Federal Register** on January 19, 1989 (54 FR 2214-2225), as revised by an October memorandum from Michael H. Shapiro, Acting Assistant Administrator for Air and Radiation.

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises and government entities with jurisdiction over population of less than 50,000.

SIP approvals under sections 110 and 301(a) and subchapter I, Part D of the CAA do not create any new requirements, but simply approve