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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 7, 2025

Ashlea Quinonez
Regional Administrator
U.S. Department of Housing and Urban Development
Fort Worth Regional Office
307 W. 7th St., Suite 1000
Fort Worth, TX 76102

VIA EMAIL

Subject: Finding on Certain Projects Subject to Air Quality General Conformity Review

Dear Administrator Quinonez:

General conformity requirements in 40 Code of Federal Regulations (CFR) Part 93, Subpart B and U.S. Environmental Protection Agency (EPA) guidance allow a federal agency to determine that an action is exempt from general conformity requirements if it concludes the action to be *de minimis* based on comparison to a previous project that is similar in size and scope to the proposed action and for which an emissions analysis was completed. General conformity *de minimis* thresholds in 40 CFR §93.153(b)(1) are based on criteria pollutant and classification, with lower thresholds associated with higher nonattainment classifications. Effective November 7, 2022, the Dallas-Fort Worth (DFW) and Houston-Galveston-Brazoria (HGB) ozone nonattainment areas were reclassified to severe for the 2008 eight-hour ozone National Ambient Air Quality Standard (NAAQS) (87 FR 60926). The general conformity *de minimis* threshold for this classification is 25 tons per year (tpy) of nitrogen oxides (NO_x) or volatile organic compounds (VOC) emissions, which is currently the lowest general conformity *de minimis* threshold for any ozone nonattainment area in Texas.

The Texas Commission on Environmental Quality (TCEQ) reviewed a list of historical projects determined by the U.S. Department of Housing and Urban Development (HUD) Region VI to be categorically similar to HUD-funded projects. Attachment A: Finding on Air Quality General Conformity Review contains a list of the historical projects found by TCEQ to contain adequate emissions analysis documentation. The historical projects in Attachment A are grouped according to those with estimated NO_x and/or VOC emissions less than 50 tpy but greater than or equal to 25 tpy, and those less than 25 tpy. TCEQ finds that proposed HUD-funded projects in Texas, including projects that qualify under 24 CFR §58.35 as categorical exclusions, that are categorically similar to the historical projects listed in Attachment A and that are comparable or smaller in scope and size are not expected to exceed the thresholds listed.

TCEQ provides this finding to assist HUD's review of future potential projects. However, it is a federal agency's responsibility to comply with the National Environmental Policy Act and federal general conformity requirements. This finding applies solely to general conformity determinations regarding ozone and is valid until October 7, 2027, or until a final EPA action invalidates the finding. When expired or invalidated by EPA action, the finding and project categories and historical analyses included in Attachment A may be re-evaluated.

Ashlea Quinonez
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If you have questions concerning this finding, please contact Sarah Thomas at sarah.thomas@tceq.texas.gov or (512) 239-4939.

Sincerely,

Donna F. Huff, Deputy Director
Air Quality Division
Texas Commission on Environmental Quality

Attachment

cc: Melanie Magee, U.S. Environmental Protection Agency Region 6

Attachment A:

Finding on Air Quality General Conformity Review

The following is a list of historical projects for use by Region VI of the U.S. Department of Housing and Urban Development (HUD) to determine whether projects in Texas would be considered by the Texas Commission on Environmental Quality (TCEQ) to be *de minimis* for air quality general conformity purposes. The projects are grouped according to HUD project type and estimated emissions.

It is a federal agency's responsibility to comply with the National Environmental Policy Act and federal general conformity requirements.

WATER/WASTEWATER IMPROVEMENTS

NO_x and VOC < 50 tpy and ≥ 25 tpy

None listed.

NO_x and VOC < 25 tpy

Sacramento Regional County Sanitation District's South Sacramento County Agriculture and Habitat Lands Recycled Water Program, 2017, https://d3mu86l2sz7eca.cloudfront.net/wp-content/uploads/feir_southcountygag_2-10-2017002_0_0.pdf, accessed September 3, 2025.

Las Vegas Paiute Tribe Snow Mountain Reservation Public Water System Improvement Project, 2017, https://19january2021snapshot.epa.gov/sites/static/files/2017-08/documents/environmental_assessment_for_the_las_vegas_paiute_tribe_snow_mountain_reservation_public_water_system_improvement_project.pdf, accessed September 3, 2025.

Bay Bridge Pump Station and Force Mains Replacement Project (Project No. SP-178), 2017, <https://www.ocsan.gov/wp-content/uploads/2024/06/Bay-Bridge-Pump-Station-Fi.pdf?id=41225&year=all>, accessed September 3, 2025.

FLOOD AND DRAINAGE IMPROVEMENTS

NO_x and VOC < 50 tpy and ≥ 25 tpy

None listed.

NO_x and VOC < 25 tpy

Termino Avenue Drain Project (SCH No. 2000111022), 2008, http://www.ladpw.org/pdd/reports/Termino_EIR08_Final.pdf, accessed September 3, 2025.

STREET IMPROVEMENTS

NO_x and VOC < 50 tpy and ≥ 25 tpy

Westchester/Veterans Transit Oriented District, City of Inglewood, California, 2021, <https://www.cityofinglewood.org/DocumentCenter/View/16840/TOD-Final-Environmental-Impact-Report-October-2021>, accessed September 22, 2025.

Draft environmental impact report including air quality emissions assessment - https://files.ceganet.lci.ca.gov/158703-2/attachment/Xk9FuGGkXDQd8D0yQvC_cel-OibaMXJt9e_D4OivtH0VIFmIfm40vzfDda6ZmOUi-BzC8uNUbyzc2Mjx0, accessed September 23, 2025.

*NOTE the project achieved *de minimis* emissions due to mitigation efforts.

Period of Applicability: 10/07/2025 to 10/07/2027

NO_x and VOC < 25 tpy

Century Boulevard Extension Project Between Grape Street and Alameda Street, City of Los Angeles (CML-5006(810)), 2016,
<https://apps.engineering.lacity.gov/techdocs/emg/docs/CenturyBoulevardExtension/EnvironmentalAssessment.pdf>, accessed September 3, 2025.

PUBLIC FACILITIES

NO_x and VOC < 50 tpy and ≥ 25 tpy

None listed.

NO_x and VOC < 25 tpy

Los Angeles Department of Water and Power West Los Angeles District Headquarters Administration Building, 2005,
https://www.ladwp.com/sites/default/files/documents/West_LA_District_HQ_Initial_Study_MND.pdf, accessed September 22, 2025.

Hollywood-La Kretz Customer Service and Community Center Project, 2011,
https://webprod.ladwp.com/sites/default/files/documents/Hollywood_La_Kretz_Initial_Study_Mitigated_Negative_Declaration.pdf, accessed September 22, 2025.

HOUSING

NO_x and VOC < 50 tpy and ≥ 25 tpy

None listed.

NO_x and VOC < 25 tpy

13-Lot Residential Development (APN 224-142-01) and Annexation, Escondido, California, 2014,
<https://escondido.gov/DocumentCenter/View/1815/CEQA-Environmental-Initial-Study-PDF>, accessed September 3, 2025.

Reseda Boulevard Mixed-Use Project, City of Los Angeles (Case No. ENV-2015-3703-MND), 2018,
<https://planning.lacity.gov/StaffRpt/InitialRpts/CPC-2015-3702.PDF>, accessed September 3, 2025.

The Alexan Project, City of Los Angeles (Case No. ENV-2006-6302-MND-REC 1), 2016,
<http://planning.lacity.org/StaffRpt/MND/ENV-2006-6302-MND-REC1.pdf>, accessed September 3, 2025.

Sepulveda LLC Apartments Project, City of Los Angeles (Case No. ENV-2016-2752-MND), 2016,
<https://planning.lacity.org/StaffRpt/InitialRpts/CPC-2016-2751.PDF>, accessed September 3, 2025.

Morgan Knolls Subdivision, Placer County, California, 2018,
<https://www.placer.ca.gov/DocumentCenter/View/32554/Morgan-Knolls-Tentative-Subdivision-Map-and-Variance---Extension-of-Time-20130316-PDF>, accessed September 3, 2025.

Quail Cove Subdivision Project, Antioch, California, 2018,
<https://www.antiochca.gov/fc/community-development/planning/QuailCove/QuailCoveISMND.pdf>, accessed September 3, 2025.

Period of Applicability: 10/07/2025 to 10/07/2027

Rancho Vista Commons, City of Palmdale, California, 2019,
<https://www.cityofpalmdaleca.gov/DocumentCenter/View/5105/Appendix-A-PDF?bidId=>,
accessed September 22, 2025.

Race Street Project, City of San Jose, California, 2017,
<https://www.sanjoseca.gov/home/showdocument?id=26613>, accessed September 22, 2025.