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METRO

Agenda

MEETING:	METRO COUNCIL
DATE:	August 16, 2007
DAY:	Thursday
TIME:	2:00 PM
PLACE:	Metro Council Chamber

CALL TO ORDER AND ROLL CALL

1. INTRODUCTIONS

2. CITIZEN COMMUNICATIONS

3. REGIONAL TRAVEL OPTIONS PROGRAM EVALUATION REPORT — Peck

4. MINORITY, WOMEN AND EMERGING SMALL BUSINESS CONTRACT UTILIZATION — Matthews

5. CONSENT AGENDA

5.1 Consideration of Minutes for the August 2, 2007 Metro Council Regular Meeting

5.2 **Resolution No. 07-3832**, For the Purpose of Confirming the Appointment of Kathy Folsom to the Regional Solid Waste Advisory Committee (SWAC)

5.3 **Resolution No. 07-3826**, For the Purpose of Amending the 2006-09 Metropolitan Transportation Improvement Program (MTIP) to Reallocate $1 Million of Regional Flexible Funds from the Construction Phase to the Preliminary Engineering Phase of the Eastside Street Car Loop Project

6. ORDINANCES – FIRST READING

6.1 **Ordinance No. 07-1160**, Amending the FY 2007-08 Budget and Appropriations Schedule to Implement Council Projects, and Declaring an Emergency

7. ORDINANCES - SECOND READING

7.1 **Ordinance No. 07-1147B,** Amending Metro Code Chapters 5.01, 5.02, 5.05, and 7.01 to Ensure that All of the Region's Non-Putrescible Waste Undergoes Material Recovery Prior to Disposal, to Eliminate the Regional System Fee and Excise Tax Credit Program, and to Make Related Changes — Harrington

7.2	**Ordinance No. 07-1159,** For the Purpose of Authorizing the Chief Operating Officer to Execute a Franchise Amendment to Extend the Term of the Forest Grove Transfer Station Franchise to December 31, 2008	Harrington

8. RESOLUTIONS

8.1	**Resolution No. 07-3802**, For the Purpose of Committing Metro South and Metro Central Transfer Stations to Achieve Dry Waste Materials Recovery Standards for Specified Loads	Harrington
8.2	**Resolution No. 07-3824**, For the Purpose of Approving an Air Quality Conformity Determination for the 2008-2011 Metropolitan Transportation Improvement Program	Burkholder
8.3	**Resolution No. 07-3825**, For the Purpose of Approving the 2008-2011 Metropolitan Transportation Improvement Program for the Portland Metropolitan Area	Burkholder
8.4	**Resolution No. 07-3860**, Designating Council Projects and Confirming Lead Councilors and Council Liaisons and Sunsetting Their Predecessors, August 2007	Burkholder
9.	**EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660(1)(d), FOR THE PURPOSE OF DELIBERATING WITH PERSONS DESIGNATED TO CONDUCT LABOR NEGOTIATIONS**	Dull

10. CHIEF OPERATING OFFICER COMMUNICATION

11. COUNCILOR COMMUNICATION

ADJOURN

THE METRO COUNCIL WILL BE IN RECESS UNTIL SEPTEMBER 4, 2007

Television schedule for August 16, 2007 Metro Council meeting

Clackamas, Multnomah and Washington counties, and Vancouver, Wash. Channel 11 -- Community Access Network www.tvctv.org -- (503) 629-8534 2 p.m. Thursday, Aug. 16 (live)	**Portland** Channel 30 (CityNet 30) -- Portland Community Media www.pcmtv.org -- (503) 288-1515 8:30 p.m. Sunday, Aug. 19 2 p.m. Monday, Aug. 20
Gresham Channel 30 -- MCTV www.mctv.org -- (503) 491-7636 2 p.m. Monday, Aug. 20	**Washington County** Channel 30 -- TVC-TV www.tvctv.org -- (503) 629-8534 11 p.m. Saturday, Aug. 18 11 p.m. Sunday, Aug. 19 6 a.m. Tuesday, Aug. 21 4 p.m. Wednesday, Aug. 22
Oregon City, Gladstone Channel 28 -- Willamette Falls Television www.wftvaccess.com -- (503) 650-0275 Call or visit website for program times.	**West Linn** Channel 30 -- Willamette Falls Television www.wftvaccess.com -- (503) 650-0275 Call or visit website for program times.

PLEASE NOTE: Show times are tentative and in some cases the entire meeting may not be shown due to length. Call or check your community access station web site to confirm program times.

Agenda items may not be considered in the exact order. For questions about the agenda, call Clerk of the Council, Chris Billington, (503) 797-1542. Public hearings are held on all ordinances second read and on resolutions upon request of the public. Documents for the record must be submitted to the Clerk of the Council to be considered included in the decision record. Documents can be submitted by e-mail, fax or mail or in person to the Clerk of the Council. For additional information about testifying before the Metro Council please go to the Metro website www.metro-region.org and click on public comment opportunities. For assistance per the American Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office).

Agenda Item Number 5.1

Consideration of Minutes for the August 2, 2007 Metro Council Regular Meeting

Consent Agenda

Metro Council Meeting
Thursday, August 16, 2007
Metro Council Chamber

MINUTES OF THE METRO COUNCIL MEETING

Thursday, August 2, 2007
Metro Council Chamber

Councilors Present: David Bragdon (Council President), Kathryn Harrington, Robert Liberty, Rex Burkholder, Carl Hosticka, Brian Newman

Councilors Absent: Rod Park (excused)

Council President Bragdon convened the Regular Council Meeting at 2:01 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

Roberta Schwarz, 2206 Tanler Drive, West Linn, OR 97068, said a petition supported the White Oaks Savannah parcel with 415 signatures on it. She spoke to the partnership for the White Oaks Savannah. She noted that they had applied to the state lottery for financial support. They also had commitments from the City of West Linn and the federal government. She urged that Metro become the fourth partner. She talked about the science of the area and felt this area met the criteria.

3. CONSENT AGENDA

3.1 Consideration of minutes of the July 19, 2007 Regular Council Meeting.

Motion:	Councilor Harrington moved to adopt the meeting minutes of the July 19, 2007 Regular Metro Council.
Vote:	Councilors Burkholder, Harrington, Newman, Hosticka and Council President Bragdon voted in support of the motion. The vote was 5 aye, the motion passed with Councilor Liberty abstaining from the vote.

4. ORDINANCES – FIRST READING

4.1 **Ordinance No. 07-1159,** For the Purpose of Authorizing the Chief Operating Officer to Execute a Franchise Amendment to Extend the Term of the Forest Grove Transfer Station Franchise to December 31, 2008.

Council President Bragdon assigned Ordinance No. 07-1159 to Council.

5. ORDINANCES – SECOND READING

5.1 **Ordinance No. 07-1147A,** Amending Metro Code Chapters 5.01, 5.02, 5.05, and 7.01 to Ensure that All of the Region's Non-Putrescible Waste Undergoes Material Recovery Prior to Disposal, to Eliminate the Regional System Fee and Excise Tax Credit Program, and to Make Related Changes.

Council President Bragdon said this ordinance was already on the table as well as Councilor Newman's amendments. He noted that consideration of Councilor Newman's amendments had been postponed until today.

Councilor Newman noted that his amendments were on the table. He yielded the floor to Councilor Harrington to speak to the ordinance.

Councilor Harrington said as Metro has been working with our regional partners and solid waste industry stakeholders on a program for increasing recovery of dry material in the region in order to reach the 64% recovery goal, we were faced with issues regarding two landfills in Washington County.

She noted that this was our third public hearing on an ordinance for this Enhanced Dry Waste Recovery Program, also known as EDWRP. We were down to the final clauses, including dealing with complications with two landfills in Washington County. The need for recovery, EDWRP, was bigger than these complications.

Since March, Mike Hoglund, Director of the Metro Solid Waste & Recycling department, had been working with both landfill operators, investing time in a workgroup dealing with the Lakeside Landfill, which included representatives from the Lakeside, the State Department of Environmental Quality (DEQ), and Washington County.

The workgroup concluded their discussions last Friday July 27th.

During much of the workgroup process there was agreement on the target closure date of July 1, 2012, but most recently commitment to this goal waned. Lakeside wanted the ability to continue to operate (even without Metro tonnage) in order to execute to the full closure tonnage capacity (500,000 tons) in order to meet their current business plan. Lakeside was unwilling to consider a closure with fewer tons. So, no date certain closure.

Should we have any questions on that, Mr. Hoglund was available here as was Metro Senior Attorney Marv Fjordbeck.

The A version of the ordinance included a surcharge/fee concept as a potential solution for dealing with the Lakeside challenge, should that be the wish of the Council. The amendment on the table would remove the surcharge/fee concept ensuring a clean and clear policy across the region of requiring all mixed dry waste in the region to be processed for recovery thereby reducing the volume of material destined for landfills.

Councilor Newman then talked about the amendments on the floor. These four amendments were straightforward. They took out the surcharge from the ordinance. He explained why the surcharge had been taken out. They had heard from the community that they did not want any perceived favoritism to any facility. Even the operators of Lakeside Landfill did not support the surcharge. He explained the intent of the amendments. He also noted Councilors Hosticka and Liberty were instrumental in bringing forward the amendments.

Councilor Hosticka said Councilor Newman did a good job of drafting the amendments. He was leery of special considerations. He also had trouble with the concept of going outside their

responsibilities of stewardship by having a facility pay Metro money. He urged adoption of the amendments.

Councilor Harrington said she would be supporting the amendments. She commended Mr. Hoglund for his work with Lakeside, Washington County and the State DEQ to come to some working agreement on what EDWRP meant in the context of the desired Lakeside closure. She also appreciated the patience of her colleagues, as the process for policy development and legislative process has dragged on for a few months. It was very clear to her that the Metro Council has been open-minded and disciplined to seek input from the public, from the Solid Waste Advisory Committee and from the Metro Policy Advisory Committee, and had worked in collaboration with our local partners, particularly Washington County and the State DEQ to construct policies and programs that will meet the 64% recovery need of our region and get us there given the varied conditions and needs of our region.

Councilor Liberty said he seconded Councilor Newman's amendments because he agreed with the intent of the amendments. He thanked Councilor Harrington for her efforts.

Vote to amend:	Councilors Hosticka, Burkholder, Harrington, Newman, Liberty and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.

Council President Bragdon opened a public hearing on Ordinance No. 07-1147B.

Steven Burke, Bull Mountain 16287 Lenier Lane Tigard, OR 97224 said he was elected to the non-existing Bull Mountain Council. He said there was a demonstrated history of non-conformance by Lakeside Reclamation Landfill. The landfill was a serious problem both because of asbestos and ground water. He did not support Lakeside Landfill as part of the Metro approved facilities. He was concerned that while Metro was sending dry waste to this landfill other haulers were sending toxic materials.

Ray Phelps, Allied Waste Services 10295 SW Ridder Rd Wilsonville OR 97035 provided his testimony for the record. Council President Bragdon asked about the dates that Mr. Phelps talked about in his testimony and were those dates integrated into the amendment. Mr. Fjordbeck, Senior Attorney, said the date recommendation had been integrated into the ordinance.

Dave White, ORRA/TRI-County 1739 NW 156th Ave Beaverton OR 97006, 5.01.135 said his concern was that Metro was the third agency doing the same thing that two other agencies were doing, inspection. He was concerned about redundancy and a waste of the public's funds. He urged removing this portion of the ordinance. He asked if they were successful in meeting the goal of Enhanced Dry Waste Recovery Program (EDWRP), what was the percentage they should be meeting? Council President Bragdon asked about duplicate inspections. Mr. Hoglund, Solid Waste and Recycling Director, responded that this came out of the material recovery standards. He noted Allied Waste had requested that this be moved to the dry waste facility ordinance. They were not trying to duplicate but if they saw something that needed to be taken care of, they would notify the appropriate agency.

Paul Phillips, Lakeside Landfill, Beaverton OR 97007 thanked Councilors Harrington and Park for their efforts. He also noted Mr. Hoglund's efforts. He explained the Memorandum of Understanding (MOU). A copy of his testimony is included in the record.

Doug Drennen, Lakeside Landfill, said he supported EDWRP. He urged Metro to continue working with Lakeside Landfill. He talked about his work at Metro in closing St. Johns Landfill. He requested Metro work with them closely to get the amount of tonnage so that the Landfill could close. Councilor Newman said now that they amended the ordinance to remove the surcharge he asked why they were still working on an MOU. What was the purpose of the MOU? Mr. Hoglund said until the vote was just taken they had continued to work on the MOU. All of the designated facilities had to update their Designated Facility Agreement (DFA). They would continue to work with Lakeside Landfill. Lakeside Reclamation would have to come back next year to explain how they would meet Metro's requirements. He noted they had to renew their DFA next year. Mr. Drennan added that Mr. Grabborn had already engaged in getting a better handle on how much dry waste went through their facility.

Art Kamp, 14520 SW Pleasant Valley Rd. Beaverton, OR 97007 provided his testimony for the record.

David Van Riper, 14800 SW Pleasant Valley Rd Beaverton OR 97007 said he supported the ordinance as amended. He asked that no future privileges be provided to Lakeside Landfill.

Claire Towry, Northwest Environmental Defense Center, 2503 SE 17th Ave Portland OR 97202 expressed their support for the amendments. They wanted to encourage the highest standards. She supported the timeline change. She talked about what would happen if an exemption were allowed. She spoke to closure and post closure funds and that these were not adequate for closing the landfill. She felt third party oversight was needed for this landfill. Lakeside's application for a new DEQ permit renewal would create too many delays that existed before the amendments. She supported requiring the highest standards.

Councilor Harrington asked the DEQ representative about permits. Audrey O'Brien, DEQ, said Lakeside had two DEQ permits. One permit was for the landfill, which expired January 30, 2008. The permit that DEQ authorized allowed the landfill to operate and to close. The other permit that Lakeside had was a compost permit. Councilor Hosticka asked about financial assurances. Ms. O'Brien said Lakeside did have financial assurances for closure. DEQ had asked for an update on the financial assurances. Councilor Liberty asked about notices of non-compliance to Lakeside. Ms. O'Brien said they had issued five notices of non-compliance to Lakeside. Councilor Liberty asked if there had been any violation. Ms. O'Brien said corrections had been made so they did not go to formal enforcement action.

Richard Ponzi, 22230 Jaquith, Newberg OR 9732 thanked all of the Council for being patient with the neighbors. He spoke to the closure of the Landfill. He provided a history of the closures that had been promised over the years. They had seen the growth of the landfill. There had never been a land use decision on this non-conforming landfill. There was a contamination problem and the landfill had continued to expand. He endorsed the amendments.

Mike Dewey, Waste Management, said there had been some reflection on special treatment. From their standpoint they did not see special treatment. He appreciated distinguishing them from the special treatment. He talked about the increased enforcement and Mr. Phelps' comments. He felt Metro should address some of Mr. Phelps' issues. He was confused by the MOU. He wasn't sure why there was a need for an MOU. If this was something that was going forward, they would like to know what was in the MOU. Councilor Harrington talked about the working group and the draft MOU. They were trying to achieve a closure goal for Lakeside in the MOU. The work group had finished their work. Councilor Liberty asked clarifying questions. Mr. Dewey

responded to his concerns. Councilor Liberty asked about the 25% materials incoming and the 15% going out. Mr. Dewey said they believed, based upon where staff was going, it would be 15% out going.

Maria Ponzi Fogelstrom, 14665 SW Winery Lane Beaverton, OR 97007 echoed her father's comments and thanks. She opposed any special treatment for Lakeside. She represented Ponzi Winery. She talked about the wine industry and state tourism (a copy of her testimony was included in the record).

Rob Burchfield, 20050 SW Aten Rd. Beaverton, OR 97007 said he supported the amendments and the regulations. He appreciated the diligence on this issue. He talked about the DEQ notice of non-compliance. He spoke to what comes next with regard to Lakeside Reclamation. He noted a letter that was sent to Mike Hoglund on July 26th (a copy of which is included in the meeting record) and highlighted several of his comments in the letter concerning compliance.

Council President Bragdon closed the public hearing and announced that this ordinance would be at the Council for final consideration on August 16, 2007.

Councilor Liberty said he wanted to hear from staff about Mr. Phelps' comments. Mr. Hoglund said 2.6 million tons of waste was generated in the region every year. They hoped for 1.25 million tons with this program. He said currently 25% recovery was expected from the waste facilities. He said the new standard expected 15% residual going out the door. He noted that the 15% was a safety net. He then talked about timing. He reminded that this was a new standard. They wanted it to take effect January 1, 2009. They were asked to delay by Waste Management so they could build their facility. He explained the extension to July 1, 2009. They were taking a hands-off approach but wanted to have a phase-in period.

Councilor Harrington asked about the 25% and 15% language. The 25% language stayed in the Code and the 15% was being added. She talked about compliance and what the message was to the industry. Mr. Hoglund responded to her question.

Councilor Burkholder clarified that he would be voting in favor of the ordinance as amended. This was a proper way to reduce materials that would be landfill. This was a smart thing to do. This mandatory recycling was a good idea. Metro had every right to expect all of our providers to perform a high quality of service in exchange for the business that Metro sent their way. He felt the ordinance itself was the right step in terms of recycling.

Councilor Liberty concurred with Councilor Burkholder's comments. He would be supporting this ordinance. He talked about Lakeside and raised the issue about whether they should consider their DFA now instead of later.

Councilor Nemwan said he would also support the ordinance as amended. He thanked Councilor Harrington for her work. She had been very thorough and had kept Council informed along the way. He also thanked staff for all of their hard work. He talked about the MOU and said he wouldn't support any exception to the standards that were in this ordinance. He wanted all facilities to achieve those standards. He echoed Councilor Liberty's comments about considering Lakeside's DFA now. He felt it was time to ensure standards had been met.

Councilor Harrington said she was supporting the B version of this ordinance. Councilor Hosticka said he appreciated all of the work that had gone into this ordinance. He would be supporting the ordinance as amended.

Council President Bragdon said due to the amendments that were passed today, the final vote would be on August 16th. He said they would hold a public hearing. He noted that there would be no MOU developed behind the scenes. They had also asked staff to review Lakeside's DFA. He also thanked Councilor Harrington and staff for their hard work.

6. CHIEF OPERATING OFFICER (COO) COMMUNICATION

Michael Jordan, COO, said they were continuing their negotiations with their labor unit. He was requesting an executive session on August 16th. He talked about the timeline.

7. COUNCILOR COMMUNICATION

There were none.

8. ADJOURN

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 3:24 p.m.

Prepared by

Chris Billington
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF AUGUST 2, 2007

Item	Topic	Doc. Date	Document Description	Doc. Number
5.1	Amendment	070307	To: Metro Council From: Councilors Hosticka and Newman Re: Proposed amendment to Ordinance No. 07-1147A	080207c-01
5.1	Flyer	8/2/07	To: Metro Council From: Larry Harvey, PacWest Re: Flyer titled, "False Allegations Outright Information on Lakeside Reclamation Landfill"	080207c-02
5.1	Letter	7/25/07	To: Councilor Hosticka From: Jim Fisher, President Roofing and Construction Company Re: Supporting Lakeside Reclamation Landfill	080207c-03
5.1	Letter	7/18/07	To: Councilor Newman and Metro Council From: Brent Kerr, Kerr Contractors Re: Supporting Lakeside Reclamation Landfill	080207c-04
5.1	Letter	7/12/07	To: Councilor Newman From: Scott Bernhardt, President Bones Construction Inc Re: Supporting Lakeside Reclamation Landfill	080207c-05
5.1	Letter	7/13/07	To: Councilor Newman From: John Knez Jr., Knez Building Materials Re: Supporting Lakeside Reclamation Landfill	080207c-06
5.1	Letter	7/17/07	To: Councilor Burkholder From: Mark McGregor, Clean it up Mark! Re: Supporting Lakeside Reclamation Landfill	080207c-07
5.1	Letter	7/23/07	To: Council President Bragdon From: Jack Hoeck, VP Environmental Services Rexius Forest By-products Re: Supporting Lakeside Reclamation Landfill	080207c-08
5.1	Letter	7/23/07	To: Councilor Burkholder and Metro Council From: Andrew Voss, Voss Materials Re: Supporting Lakeside Reclamation Landfill	080207c-09

5.1	Letter and attachments	7/26/07	To: Mike Hoglund, Solid Waste & Recycling Director From: Rob Burchfield and John Frederick Re: Lakeside Reclamation request for specific information, 2007 Washington County's Franchise Agreement, Letter to Tom Brian, Washington County Commission Chair from Art Kamp and John Frederick, Letter from Mark Brown to Art Kamp and John Frederick and Letter to Washington County Board of Commissioners from Art Kamp, Rob Burchfield, John Frederick and others	080207c-10
5.1	Testimony	8/2/07	To: Metro Council From: Ray Phelps, Allied Waste Management Re: Testimony on Ordinance No. 07-1147A	080207c-11
5.1	Testimony	8/2/07	To: Metro Council From: Maria Ponzi Fogelstrom Re: Ordinance No. 07-1147A	080207c-12
5.1	Testimony	8/2/07	To: Metro Council From: Paul Phillips, PacWest Communications representing Lakeside Landfill Re: Ordinance No. 07-1147A	080207c-13
5.1	Testimony	8/2/07	To: Metro Council From: Art Kamp Re: Ordinance No. 07-1147A	080207c-14

Agenda Item Number 5.2

Resolution No. 07-3832, For the Purpose of Confirming the Appointment of Kathy Folsom to the Regional Solid Waste Advisory Committee (SWAC)

Consent Agenda

Metro Council Meeting
Thursday, August 16, 2007
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING THE APPOINTMENT OF KATHY FOLSOM TO THE REGIONAL SOLID WASTE ADVISORY COMMITTEE (SWAC)	))))	RESOLUTION NO. 07-3832 Introduced by David Bragdon, Council President

WHEREAS, Metro Code Chapter 2.19.130 established the Regional Solid Waste Advisory Committee (SWAC) to evaluate policy recommendations to the Metro Council regarding regional solid waste management and planning; and

WHEREAS, Metro Code Chapter 2.19.030 states that all members and alternate members of all Metro Advisory Committees shall be appointed by the Council President subject to confirmation by the Council; and

WHEREAS, Metro Code Chapter 2.19.130 authorizes representatives and alternates for the SWAC; and

WHEREAS, vacancies have occurred in the SWAC membership; and

WHEREAS, the Council President has appointed Kathy Folsom as an alternate member representing the County of Washington, subject to confirmation by the Metro Council; now therefore,

BE IT RESOLVED, that the Metro Council confirms the appointment of Ms. Folsom to Metro's SWAC.

ADOPTED by the Metro Council this _____ day of _____, 2007.

_____
David Bragdon, Council President

_____
Daniel B. Cooper, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 07-3832 FOR THE PURPOSE OF CONFIRMING THE APPOINTMENT OF KATHY FOLSOM TO THE REGIONAL SOLID WASTE ADVISORY COMMITTEE (SWAC)

Date: July 25, 2007 Prepared by: Susan Moore

BACKGROUND

The 25-member Regional Solid Waste Advisory Committee (SWAC), representing recyclers, the hauling industry, disposal sites, citizen-ratepayers and local governments, evaluates policy options and presents recommendations to the Metro Council regarding regional solid waste management and planning.

The following individual has been recommended to serve as a member of the SWAC:

1. Washington County has recommended Kathy Folsom as the new alternate representative to Metro's Solid Waste Advisory Committee. (See Attachment 1).

ANALYSIS/INFORMATION

1. **Known Opposition**
   There is no known opposition.

2. **Legal Antecedents**
   ORS 192.610 "Governing Public Meetings", Metro Code Chapter 2.19.030, "Membership of the Advisory Committees" and 2.19.130, "Metro Solid Waste Advisory Committee", are the relevant legal documents related to these appointments.

3. **Anticipated Effects**
   This resolution is intended to appoint the following individual for non-term limited service on the SWAC: Kathy Folsom.

4. **Budget Impacts**
   None.

RECOMMENDED ACTION

The Council President has reviewed the qualifications of Ms. Folsom and finds her qualified to advise Metro in the matters of solid waste management and planning. Therefore, Council confirmation of this appointment by adoption of Resolution No. 07-3832 is recommended.

Kathy Folsom

2781 NW Molini Terrace, Hillsboro, OR 97124
(503) 846-2817 kathy_folsom@co.washington.or.us

Career Profile

Experienced professional with 19 years of experience in utility and transportation regulatory analysis. Responsible for analysis of proposals from regulated energy, telephone, water and solid waste companies. Resourceful and organized with strong skills in improving, advocating or achieving efficient compliance with orders, administrative rules and statutes. Strong technical skills in connection with the investigation of industry proposals, financing, rate design, and rate increases.

Professional Experience

Management Analyst II
Washington County Solid Waste and Recycling, Hillsboro, OR (2006 – Present)
Responsibilities include

- Oversee annual rate review of 15 haulers and 3 disposal facilities
- Administer and revise solid waste ordinances
- Review landfill and compost facilities franchising
- Determine rate design policies
- Supervise recycling specialist work program
- Manage $1.1 million Solid Waste and Recycling budget

Regulatory Analyst III
Washington Utilities and Transportation Commission, Olympia, WA (1994 – 2006)
Responsibilities included

- Analyzed and developed recommendations on highly complex petitions, tariff revisions, rate requests, affiliated interest, and transfer of property filings.
- Developed, presented, and defended authoritative expert testimony or technical presentations in contested cases.
- Lead staff on all financial issues and filings including security issuances, determination of appropriate rate of return, and financial reporting.
- Provided technical assistance to regulated companies, customers, shareholders, industry groups, and law firms in interpreting, understanding, and complying with commission statutes and rules.
- Served as agency Plain Talk Representative; responsible for rewriting documents in plain and concise language.

Utilities Rate Research Specialist II
Washington Utilities and Transportation Commission, Olympia, WA (1990 – 1994)
Responsibilities included

- Independently interpreted, evaluated, and analyzed filings pertaining to the regulation of public utility and solid waste companies.
- Prepared testimony for formal cases involving utility and transportation companies.
- Independently researched, drafted and implemented rulemaking proposals and revisions.

Kathy Folsom, Page 2

Utilities Rate Research Specialist I
Washington Utilities and Transportation Commission, Olympia, WA (1988 – 1990)
Responsibilities included

- Utilized financial and economic skills to develop studies involving financial, cost, marketing and operating characteristics of transportation and utility companies.
- Prepared and coordinated written and oral reports.

Education

Portland State University, Portland, OR
M.B.A. Business (1987)

Washington State University, Pullman, WA
B.A. Business Administration – Finance (1984)

Agenda Item Number 5.3

Resolution No. 07-3826, For the Purpose of Amending the 2006-09 Metropolitan Transportation Improvement Program (MTIP) to Reallocate $1 Million of Regional Flexible Funds from the Construction Phase to the Preliminary Engineering Phase of the Eastside Street Car Loop Project

Consent Agenda

Metro Council Meeting
Thursday, August 16, 2007
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE 2006-09 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM (MTIP) TO REALLOCATE $1 MILLION OF REGIONAL FLEXIBLE FUNDS FROM THE CONSTRUCTION PHASE TO THE PRELIMINARY ENGINEERING PHASE OF THE EASTSIDE STREETCAR LOOP PROJECT	))))))))	RESOLUTION NO. 07-3826 Introduced by Councilor Rex Burkholder

WHEREAS, the Metropolitan Transportation Improvement Program (MTIP) prioritizes projects from the Regional Transportation Plan to receive transportation related funding; and

WHEREAS, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council must approve the MTIP and any subsequent amendments to add new projects to the MTIP or any significant changes in scope to existing projects; and

WHEREAS, the JPACT and the Metro Council approved the 2006-09 MTIP on August 18, 2005; and

WHEREAS, the City of Portland has requested a change in scope from a funding authority award to the Eastside Streetcar Loop project as defined in the 2006-09 MTIP; and

WHEREAS, the reasons for this request were submitted as required by the MTIP amendment procedures and summarized in the staff report to this resolution; and

WHEREAS, the program has been determined in conformity with the State Implementation Plan for air quality per federal regulations; and

WHEREAS, the program is consistent with the Regional Transportation Plan; now therefore

BE IT RESOLVED that the Metro Council hereby adopts the recommendation of JPACT to amend the 2006-09 Metropolitan Transportation Improvement Program to reallocate $1 million of funding authority from the construction phase to the preliminary engineering phase of the Eastside Streetcar Loop project.

ADOPTED by the Metro Council this 16th day of August 2007.

David Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 07-3826, FOR THE PURPOSE OF AMENDING THE 2006-09 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM (MTIP) TO REALLOCATE $1 MILLION OF REGIONAL FLEXIBLE FUNDS FROM THE CONSTRUCTION PHASE TO THE PRELIMINARY ENGINEERING PHASE OF THE EASTSIDE STREETCAR LOOP PROJECT

Date: July 18, 2007 Prepared by: Ted Leybold

BACKGROUND

During the 2005 Transportation Priorities funding allocation process, the City of Portland applied for and was awarded funding authority of $1 million for the construction of the Eastside Streetcar project. During the application process, the City anticipated project development costs to be adequately funded by local and federal earmark funds.

This was based on the anticipation that adoption of a new federal funding program for smaller transit capital projects (i.e. the Small Starts Program) would be adopted in the upcoming surface transportation authorization bill and that FTA would develop review and approval criteria that were significantly more streamlined than those for New Starts Program that fund larger transit capital projects such as light rail.

However, the Advance Notice of Proposed Rulemaking published in January 2006 did not reflect that expectation. Final rules will not be ready until sometime next year. Consequently, the planning and preliminary engineering efforts for the Portland Streetcar Loop Project have proven to be more extensive than anticipated. Therefore, the city is requesting that the $1.0 million MTIP allocation be made available for preliminary engineering.

While construction costs and funding strategy have not yet been finalized, project staff at this time does not anticipate seeking future allocations of regional flexible funds to "backfill" these funds for construction of the project.

ANALYSIS/INFORMATION

1. **Known Opposition** None known at this time.

2. **Legal Antecedents** Amends the 2006-09 Metropolitan Transportation Improvement Program adopted by Metro Council Resolution 05-3606 on August 18, 2005 (For the Purpose of Approving the 2006-09 Metropolitan Transportation Improvement Program for the Portland Metropolitan Area).

3. **Anticipated Effects** Adoption of this resolution will make available $1 million in transportation funding to the City of Portland for preliminary engineering and design of the Eastside Streetcar Loop project from funds originally programmed for construction of that project.

4. **Budget Impacts** None.

RECOMMENDED ACTION

Approve Metro Resolution No. 07-3826.

Agenda Item Number 6.1

Ordinance No. 07-1160, Amending the FY 2007-08 Budget and Appropriations Schedule to Implement Council Projects, and Declaring an Emergency

First Reading

Metro Council Meeting
Thursday, August 16, 2007
Council Chamber

BEFORE THE METRO COUNCIL

AMENDING THE FY 2007-08 BUDGET AND APPROPRIATIONS SCHEDULE TO IMPLEMENT COUNCIL PROJECTS AND DECLARING AN EMERGENCY	))))	ORDINANCE NO. 07-1160 Introduced by Council President Bragdon

WHEREAS, the Metro Council has reviewed and considered the need to modify appropriations within the FY 2007-08 Budget; and

WHEREAS, the need for the change in appropriation has been justified; and

WHEREAS, adequate funds exist for other identified needs; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That the FY 2007-08 Budget and Schedule of Appropriations are hereby amended as shown in the column entitled "Revision" of Exhibits A and B to this Ordinance to implement several Council projects.

2. This Ordinance being necessary for the immediate preservation of the public health, safety or welfare of the Metro area in order to meet obligations and comply with Oregon Budget Law, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this _____ day of _____ , 2007.

_____
David Bragdon, Council President

Attest:

_____
Christina Billington, Recording Secretary

Approved as to Form:

_____
Daniel B. Cooper, Metro Attorney

Exhibit A
Ordinance No. 07-1160

ACCT	DESCRIPTION	Current Budget FTE	Current Budget Amount	Revision FTE	Revision Amount	Amended Budget FTE	Amended Budget Amount
	General Fund						
Planning Department							
	Personal Services						
SALWGE	*Salaries & Wages*						
5010	Reg Employees-Full Time-Exempt						
	Administrative Assistant	2.00	79,296	-	0	2.00	79,296
	Assistant Regional Planner	1.00	45,293	-	0	1.00	45,293
	Assistant Transportation Planner	2.00	90,586	-	0	2.00	90,586
	Associate Management Analyst	3.00	173,487	-	0	3.00	173,487
	Associate Regional Planner	5.00	277,319	-	0	5.00	277,319
	Associate Trans. Planner	7.00	374,561	-	0	7.00	374,561
	Director II	1.00	137,175	-	0	1.00	137,175
	Manager I	5.00	414,856	0.83	72,000	5.83	486,856
	Manager II	5.00	467,858	-	0	5.00	467,858
	Principal Regional Planner	5.00	391,579	-	0	5.00	391,579
	Principal Transportation Engineer	1.00	81,184	-	0	1.00	81,184
	Principal Transportation Planner	6.00	472,763	-	0	6.00	472,763
	Program Analyst IV	1.00	66,848	-	0	1.00	66,848
	Program Director II	1.00	121,444	-	0	1.00	121,444
	Program Supervisor II	2.00	167,884	-	0	2.00	167,884
	Senior Management Analyst	1.00	66,843	-	0	1.00	66,843
	Senior Public Affairs Specialist	2.00	107,457	-	0	2.00	107,457
	Senior Public Relations Coordinator	1.25	81,294	-	0	1.25	81,294
	Senior Regional Planner	8.00	525,189	-	0	8.00	525,189
	Senior Transportation Planner	11.00	737,815	-	0	11.00	737,815
	Transit Program Director I	1.00	110,722	-	0	1.00	110,722
	Transit Program Director II	1.00	148,071	-	0	1.00	148,071
	Transit Project Manager I	1.00	88,275	-	0	1.00	88,275
	Transit Project Manager II	1.00	90,973	-	0	1.00	90,973
5015	Reg Empl-Full Time-Non-Exempt						
	Administrative Secretary	1.00	32,280	-	0	1.00	32,280
	Management Technician	1.00	39,171	-	0	1.00	39,171
	Program Assistant 2	4.00	148,144	-	0	4.00	148,144
	Secretary	1.00	30,756	-	0	1.00	30,756
5020	Reg Emp-Part Time-Exempt						
	Associate Regional Planner	1.60	93,323	-	0	1.60	93,323
	Senior Regional Planner	1.40	99,996	-	0	1.40	99,996
5030	Temporary Employees		143,229		0		143,229
5080	Overtime		5,000		0		5,000
5089	Salary Adjustments						
	Merit Adjustment Pool (non-represented)		27,212		0		27,212
	Step Increases (AFSCME)		122,747		0		122,747
	COLA (represented employees)		122,747		0		122,747
	Other Adjustments (non-represented)		27,212		0		27,212
	Other Adjustments (AFSCME)		20,458		0		20,458
FRINGE	*Fringe Benefits*						
5100	Fringe Benefits						
	Base Fringe (variable & fixed)		2,118,556		24,480		2,143,036
5190	PERS Bond Recovery		211,856		2,448		214,304
Total Personal Services		**84.25**	**$8,561,459**	**0.83**	**$98,928**	**85.08**	**$8,660,387**

Exhibit A
Ordinance No. 07-1160

ACCT	DESCRIPTION	Current Budget FTE	Current Budget Amount	Revision FTE	Revision Amount	Amended Budget FTE	Amended Budget Amount
	General Fund						
Planning Department							
	Materials & Services						
GOODS	*Goods*						
5201	Office Supplies		394,610		2,622		397,232
5205	Operating Supplies		69,300		1,250		70,550
5210	Subscriptions and Dues		35,150		0		35,150
SVCS	*Services*						
5240	Contracted Professional Svcs		4,869,360		100,000		4,969,360
5251	Utility Services		8,386		0		8,386
5260	Maintenance & Repair Services		79,101		0		79,101
5265	Rentals		5,250		0		5,250
5280	Other Purchased Services		435,785		0		435,785
IGEXP	*Intergov't Expenditures*						
5300	Payments to Other Agencies		2,222,000		0		2,222,000
INCGEX	*Internal Charges for Service*						
5400	Charges for Service		56,500		0		56,500
OTHEXP	*Other Expenditures*						
5440	Program Purchases		4,355,368		0		4,355,368
5450	Travel		111,015		1,000		112,015
5455	Staff Development		15,500		1,200		16,700
Total Materials & Services			**$12,657,325**		**$106,072**		**$12,763,397**
	Debt Service						
LOAN	*Loan Payments*						
5610	Loan Payments-Pirncipal		450,000		0		450,000
5615	Loan Payments-Interest		67,763		0		67,763
Total Debt Service			**$517,763**		**$0**		**$517,763**
TOTAL REQUIREMENTS		**84.25**	**$21,786,547**	**0.83**	**$205,000**	**85.08**	**$21,991,547**

Exhibit A
Ordinance No. 07-1160

ACCT	DESCRIPTION	Current Budget FTE	Current Budget Amount	Revision FTE	Revision Amount	Amended Budget FTE	Amended Budget Amount
	General Fund						
Regional Parks & Greenspaces Department							
Total Personal Services		**40.70**	**$3,674,130**	**0.00**	**$0**	**40.70**	**$3,674,130**
	Materials & Services						
GOODS	*Goods*						
5201	Office Supplies		43,338		10,000		53,338
5205	Operating Supplies		56,951		10,000		66,951
5210	Subscriptions and Dues		2,497		0		2,497
5215	Maintenance & Repairs Supplies		83,621		0		83,621
5225	Retail		11,357		0		11,357
SVCS	*Services*						
5240	Contracted Professional Svcs		732,713		260,000		992,713
5250	Contracted Property Services		608,633		0		608,633
5251	Utility Services		113,282		0		113,282
5255	Cleaning Services		262		0		262
5260	Maintenance & Repair Services		55,037		0		55,037
5265	Rentals		29,262		0		29,262
5270	Insurance		26,780		0		26,780
5280	Other Purchased Services		49,462		0		49,462
5290	Operations Contracts		5,399		0		5,399
IGEXP	*Intergov't Expenditures*						
5300	Payments to Other Agencies		270,169		0		270,169
5310	Taxes (Non-Payroll)		205,645		0		205,645
OTHEXP	*Other Expenditures*						
5450	Travel		2,701		0		2,701
5455	Staff Development		21,220		0		21,220
5475	Claims Paid		0		0		0
5490	Miscellaneous Expenditures		8,223		0		8,223
Total Materials & Services			**$2,326,552**		**$280,000**		**$2,606,552**
TOTAL REQUIREMENTS		**40.70**	**$6,000,682**	**0.00**	**$280,000**	**40.70**	**$6,280,682**

Exhibit A
Ordinance No. 07-1160

ACCT	DESCRIPTION	Current Budget FTE	Current Budget Amount	Revision FTE	Revision Amount	Amended Budget FTE	Amended Budget Amount
	General Fund						
General Expenses							
	Contingency & Unappropriated Balance						
CONT	*Contingency*						
5999	Contingency						
	* Contingency		3,315,651		0		3,315,651
	* Opportunity Account		500,000		(280,000)		220,000
	* Reserved for Future Planning Needs		300,000		(205,000)		95,000
	* Recovery Rate Stabilization reserve		2,311,588		0		2,311,588
	* PERS Reserve		2,796,058		0		2,796,058
UNAPP	*Unappropriated Fund Balance*						
5990	Unappropriated Fund Balance						
	* Stabilization Reserve		2,000,000		0		2,000,000
	* Reserve for Future Natural Areas Operations		764,453		0		764,453
	* Tourism Opportunity & Comp. Account		96,655		0		96,655
	* PERS Reserve		2,796,056		0		2,796,056
	* Computer Replacement Reserve (Planning)		90,000		0		90,000
	* Tibbets Flower Account		352		0		352
	* Reserve for Future Debt Service		2,151,706		0		2,151,706
Total Contingency & Unappropriated Balance			**$17,122,519**		**($485,000)**		**$16,637,519**
TOTAL REQUIREMENTS		**410.81**	**$102,688,773**	**1.00**	**$0**	**411.81**	**$102,688,773**

Exhibit B
Ordinance 07-1160
Schedule of Appropriations

	Current Appropriation	Revision	Revised Appropriation
GENERAL FUND			
Council Office	1,836,470	0	1,836,470
Finance & Administrative Services	7,986,508	0	7,986,508
Human Resources	1,607,004	0	1,607,004
Metro Auditor	516,803	0	516,803
Office of Metro Attorney	1,866,238	0	1,866,238
Oregon Zoo	24,484,816	0	24,484,816
Planning	21,268,784	205,000	21,473,784
Public Affairs & Government Relations	1,819,550	0	1,819,550
Regional Parks & Greenspaces	6,000,682	280,000	6,280,682
Special Appropriations	4,982,517	0	4,982,517
Non-Departmental			
Debt Service	1,876,661	0	1,876,661
Interfund Transfers	11,320,221	0	11,320,221
Contingency	9,223,297	(485,000)	8,738,297
Unappropriated Balance	7,899,222	0	7,899,222
Total Fund Requirements	**$102,688,773**	**$0**	**$102,688,773**

All Other Appropriations Remain as Previously Adopted

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO.07-1160, AMENDING THE FY 2007-08 BUDGET AND APPROPRIATIONS SCHEDULE TO IMPLEMENT COUNCIL PROJECTS AND DECLARING AN EMERGENCY

Date: August 8, 2007 Prepared by: Margo Norton

BACKGROUND

This ordinance is companion legislation to Resolution 07-3860 which sets forth Council projects for consideration, projects which, if approved, require amendments to the FY 2007-08 budget.

Project Title: Exploration and framing of conservation education and natural areas maintenance ballot measure.

Total project costs are estimated to be $500,000, including the cost of the May 2008 election. This budget amendment implements the first phase of that effort. It provides budget authority to contract with a professional project manager to help the Metro Council answer some basic fundamental questions about whether to proceed with a ballot measure, and if so, to shape the ballot measure in a way that best supports the Council Goals and Objectives. The work of the project manager will include meeting with key stakeholders to discern their interests in the measure, organizing the technical work of Metro staff, and framing the technical and policy questions that the Council will need to act on that are associated with this potential measure. The implementing budget ordinance appropriates $130,000 in Materials and Services to purchase contracted professional services ($120,000) and necessary supplies ($10,000). The identified source of funds is the $500,000 Opportunity Fund account.

This action does not provide for elections expense nor the other costs associated with placing a measure on the ballot. Additional funding will be necessary if the Council takes action to place a measure on the May 2008 ballot. Additional estimated costs are $370,000.

Project Title: Realizing the Parks and Natural Areas Network.

Total project costs are estimated to be $150,000. The Metro Council has taken a series of steps to acquire, protect, restore and reforest natural areas and open new parks for recreational use. However, the Council's strategic goal of an interconnected *system* of ecologically healthy natural areas and parks has remained out of our reach, largely for lack of a unifying vision, political will, and clear plan of action among the many jurisdictions in the region with parks and natural area authority. GPAC envisioned the best interconnected system of natural areas and greenspaces in the world. The Council officially endorsed this vision by resolution in 2006. This project would manifest that vision by giving it definition and setting in motion its implementation. In order to conduct this work and maintain the acquisition program, this proposal anticipates the use of an outside consultant to serve as project manager.

The implementing budget ordinance appropriates $150,000 in Materials and Services to purchase contracted professional services ($140,000) and necessary supplies ($10,000). The identified source of funds is the $500,000 Opportunity Fund account.

Taken in conjunction with the previous proposal, the remaining balance in the Opportunity Fund account would be $220,000.

Project Title: Performance-based growth management

The goal of this project is to ensure that growth management decisions are consistent with and reinforce the region's aspirations for compact development and urban revitalization. Performance-based growth management is one of the projects in the *New Look* portfolio. Current year consultant costs to begin this project are already included in the Planning Department's FY 2007-08 operating budget. There is no budget amendment being proposed at this time, although staff capacity to manage this work is dependent on Council authorization of additional resources to support other *New Look* projects. Also, additional funds will likely be needed in FY 2008-09 to collect and measure data and to refine the process for the new performance-based approach to growth management.

Project Title: Urban and Rural Reserves

Total project costs for FY 2007-08 are estimated to be $205,000. The project establishes one new position in the Planning Department, beginning September 1, 2007, and provides $100,000 in additional consultant services for the analysis and preliminary selection of reserve study areas. An additional $500,000 will be needed in FY 2008-09 to complete the analysis leading to Council designation of Urban Reserves.

Successful completion of this project will result in a new process for identifying appropriate land for urbanization purposes that incorporates local community vision and regional needs, provides certainty for rural landowners and neighbor communities, and respects the natural features that shape the sense of place for the region.

The new position will manage the reserve analysis and designation process, establishing a single contact for internal and external communication and project management. It reflects the increased work load and political visibility of the new urban and rural reserves and supplements, but does not replace, the skills and resources available with existing staff. The contracted services will analyze factors in evaluation of study areas for urban or rural reserve designation. The FY 2007-08 costs reflect start-up for the project and decision-making structure between July – December 2007, and study area analysis following DLCD adoption of reserve rules in January 2008. It assumes a collaborative approach to the reserves analysis with counties and other stakeholders at technical and elected levels.

The implementing budget ordinance establishes the position and appropriates $205,000 in operating expenses for FY 2007-08. The source of the funds is the $300,000 Planning earmark account, leaving a balance of $95,000. Future funding will be needed to maintain the staff position for an additional two years (estimated $300,000) and to complete the contracted analysis in FY 2008-09 (estimated $500,000). The FY 2008-09 costs reflect analysis of transportation, infrastructure, land use and design, and other factors for consideration in urban reserves designation. The project does not include extensive public engagement, scenario modeling or other factors, which could increase the budget needs.

ANALYSIS/INFORMATION

1. **Known Opposition:** None known.

2. **Legal Antecedents:** ORS 294.450 provides for transfers of appropriations within a fund, including transfers from contingency, if such transfers are authorized by official resolution or ordinance of the governing body for the local jurisdiction.

3. **Anticipated Effects:** The purpose of this ordinance is to implement Resolution 07-3860, in part Designating Council Projects, as proposed. This ordinance may need modification to mirror the ultimate outcome of Resolution 07-3860.

4. **Budget Impacts:** Three Council projects require immediate use of contingency funds identified as the " Opportunity Fund account" ($280,000 of $500,000); and funds identified as "Planning Earmark" ($205,000 of $300,000). Some Council projects have also identified the need for funding in subsequent years. This ordinance does not address issues of future funding.

RECOMMENDED ACTION

In order to implement approved Council projects, staff recommends adoption of this Ordinance.

Agenda Item Number 7.1

Ordinance No. 07-1147B, Amending Metro Code Chapters 5.01, 5.02, 5.05, and 7.01 to Ensure that All of the Region's Non-Putrescible Waste Undergoes Material Recovery Prior to Disposal, to Eliminate the Regional System Fee and Excise Tax Credit Program, and to Make Related Changes

Second Reading

Metro Council Meeting
Thursday, August 16, 2007
Metro Council Chamber

BEFORE THE METRO COUNCIL

AMENDING METRO CODE CHAPTERS 5.01, 5.02, 5.05, AND 7.01 TO ENSURE THAT ALL OF THE REGION'S NON-PUTRESCIBLE WASTE UNDERGOES MATERIAL RECOVERY PRIOR TO DISPOSAL, TO ELIMINATE THE REGIONAL SYSTEM FEE AND EXCISE TAX CREDIT PROGRAM, AND TO MAKE RELATED CHANGES	ORDINANCE NO. 07-1147B (including technical amendments) Introduced by Michael Jordan, Chief Operating Officer, with the concurrence of David Bragdon, Council President

WHEREAS, Metro is accountable for meeting the state-mandated 2009 waste reduction goal for the tri-county region, and the recovery of additional "dry waste" material generated by the building industry is a key component of reaching the 64% goal; and

WHEREAS, dry waste consists primarily of wood, metal, corrugated cardboard, concrete, drywall and roofing; and

WHEREAS, over 90% of this material is reusable or recoverable with current technology and markets; and

WHEREAS, a minimum of 33,000 additional tons of dry waste per year could be recovered by a regional program to require the processing of all dry waste before disposal; and

WHEREAS, such a program was recommended by a stakeholder group in 2003 as the option most likely to help the region attain its recovery goal for the building industry sector; and

WHEREAS, this recommendation was subsequently incorporated in the region's interim waste reduction plan approved by Council in 2006; and

WHEREAS, by July 1, 2009 it is the intent of the Metro Council that all dry waste originating from the Metro region be subject to processing for material recovery ~~or subject to a landfill surcharge intended to discourage unprocessed dry waste from going directly to a landfill~~ and to ensure competition in the Metro region's dry waste processing industry; and

WHEREAS, the Chief Operating Officer recommends approval of this ordinance; now therefore

THE METRO COUNCIL ORDAINS AS FOLLOWS:

SECTION 1. Metro Code section 5.01.010 is amended as follows:

5.01.010 Definitions

For the purposes of this chapter unless the context requires otherwise the following terms shall have the meaning indicated:

(a) "Activity" means a primary operation or function that is performed in a Solid Waste Facility or at a Disposal Site, including but not limited to Resource Recovery, Composting, Energy Recovery, and other types of Processing; Recycling; Transfer; incineration; and disposal of Solid Waste; but excluding operations or functions such as Segregation that serve to support the primary Activity.

(b) "Agronomic application rate" has the meaning provided in OAR 340-093-0030(4).

(c) "Chief Operating Officer" means the Metro Chief Operating Officer or the Chief Operating Officer's designee.

(d) "Cleanup Material Contaminated By Hazardous Substances" means solid waste resulting from the cleanup of releases of hazardous substances into the environment, including petroleum contaminated soils and sandbags from chemical spills. Cleanup Material Contaminated By Hazardous Substances does not mean solid waste generated by manufacturing or industrial processes.

(e) "Closure" means the restoration of a Solid Waste Facility or a Disposal Site to its condition prior to the commencement of licensed or franchised Solid Waste activities at the site. Closure includes, but is not limited to, the removal of all accumulations of Solid Waste and Recyclable Materials from the site.

(f) "Code" means the Metro Code.

(g) "Compost" means the stabilized product of composting.

(h) "Composting" means the controlled biological decomposition of organic material.

(i) "Composting Facility" means a site or facility which utilizes organic material to produce a useful product through the process of composting.

(j) "Council" means the Metro Council.

(k) "DEQ" means the Department of Environmental Quality of the State of Oregon.

(l) "Direct haul" means the delivery of Putrescible Waste from a Solid Waste Facility directly to Metro's contract operator for disposal of Putrescible Waste. Direct Haul is an Activity under this chapter.

(m) "Disposal site" means the land and facilities used for the disposal of Solid Wastes whether or not open to the public, but does not include transfer stations or processing facilities.

(n) "District" has the same meaning as in Code Section 1.01.040.

(o) “Energy recovery” means a type of Resource Recovery that is limited to methods in which all or a part of Solid Waste materials are processed to use the heat content, or other forms of energy, of or from the material.

(p) "Franchise" means the grant of authority or privilege given by the Council to operate a Disposal Site, Transfer Station, or an Energy Recovery facility, or to conduct any activity specified in Section 5.01.045(b) of this chapter.

(q) "Franchisee" means the person to whom a Franchise is granted by the Council under this chapter.

(r) "Franchise fee" means the fee charged by Metro to the Franchisee for the administration of the Franchise.

(s) "Hazardous waste" has the meaning provided in ORS 466.005.

(t) “Household hazardous waste” means any discarded, useless or unwanted chemical, material, substance or product that is or may be hazardous or toxic to the public or the environment and is commonly used in or around households and is generated by the household. “Household hazardous waste” may include but is not limited to some cleaners, solvents, pesticides, and automotive and paint products.

(u) “Inert” means containing only constituents that are biologically and chemically inactive and that, when exposed to biodegradation and/or leaching, will not adversely impact the waters of the state or public health.

(v) “License” means the permission given by the Council or Chief Operating Officer to operate a Solid Waste Facility not exempted or requiring a Franchise under this chapter that Transfers, and Processes Solid Waste, and may perform other authorized Activities.

(w) "Licensee" means the person to whom a License is granted by the Council or Chief Operating Officer under this chapter.

(x) “Local Transfer Station” means a Transfer Station that serves the demand for disposal of Putrescible Waste that is generated within a single Service Area, and may provide fewer disposal services than are provided by a Regional Transfer Station.

(y) “Material recovery” means a type of Resource Recovery that is limited to mechanical methods of obtaining from Solid Waste materials which still have useful physical or chemical properties and can be reused, recycled, or composted for some purpose. Material

Recovery includes obtaining from Solid Waste materials used in the preparation of fuel, but excludes the extraction of heat content or other forms of energy from the material.

(z) "Metro Designated Facility" means a facility in the system of transfer stations, Metro Franchised facilities and landfills authorized under Chapter 5.05 of this Title to accept waste generated in the area within the jurisdiction of Metro.

(aa) "Non-putrescible waste" means any Waste that contains no more than trivial amounts of Putrescible materials or minor amounts of Putrescible materials contained in such a way that they can be easily separated from the remainder of the load without causing contamination of the load. This category includes construction waste~~,~~ and demolition waste~~debris, and land clearing debris~~; but excludes Cleanup Materials Contaminated by Hazardous Substances, ~~and S~~Source-Separated Recyclable Material, ~~whether or not sorted into individual material categories by the generator~~ special waste, land clearing debris and yard debris.

(bb) "Person" has the same meaning as in Code Section 1.01.040.

(cc) "Petroleum contaminated soil" means soil into which hydrocarbons, including gasoline, diesel fuel, bunker oil or other petroleum products have been released. Soil that is contaminated with petroleum products but also contaminated with a hazardous waste as defined in ORS 466.005, or a radioactive waste as defined in ORS 469.300, is not included in the term.

(dd) "Process," "Processing" or "Processed" means a method or system of altering the form, condition or content of Wastes, including but not limited to composting, vermiprocessing and other controlled methods of biological decomposition; classifying; separating; shredding, milling, pulverizing, or hydropulping; but excluding incineration or mechanical volume reduction techniques such as baling and compaction.

(ee) "Processing facility" means a place or piece of equipment where or by which Solid Wastes are processed. This definition does not include commercial and home garbage disposal units, which are used to process food wastes and are part of the sewage system, hospital incinerators, crematoriums, paper shredders in commercial establishments, or equipment used by a recycling drop center.

(ff) "Processing residual" means the Solid Waste destined for disposal which remains after Resource Recovery has taken place.

(gg) "Putrescible" means rapidly decomposable by microorganisms, which may give rise to foul smelling, offensive products during such decomposition or which is capable of attracting or providing food for birds and potential disease vectors such as rodents and flies.

(hh) "Putrescible waste" means Waste containing Putrescible material.

(ii) "Rate" means the amount approved by Metro and charged by the Franchisee, excluding the Regional System Fee as established in Chapter 5.02 of this Title and franchise fee.

(jj) “Recyclable material” means material that still has or retains useful physical, chemical, or biological properties after serving its original purpose(s) or function(s), and that can be reused, recycled, or composted for the same or other purpose(s).

(kk) “Recycle” or “Recycling” means any process by which Waste materials are transformed into new products in such a manner that the original products may lose their identity.

(ll) "Recycling drop center" means a facility that receives and temporarily stores multiple source separated recyclable materials, including but not limited to glass, scrap paper, corrugated paper, newspaper, tin cans, aluminum, plastic and oil, which materials will be transported or sold to third parties for reuse or resale.

(mm) "Regional Solid Waste Management Plan" means the Regional Solid Waste Management Plan adopted as a functional plan by Council and approved by DEQ.

(nn) “Regional Transfer Station” means a Transfer Station that may serve the disposal needs of more than one Service Area and is required to accept solid waste from any person who delivers authorized solid waste to the Regional Transfer Station.

(oo) “Reload” or “Reload facility” means a facility that performs only Transfer and delivers all solid waste received at the facility to ~~by means of a fixed or mobile facilities including but not limited to drop boxes and gondola cars, but excluding solid waste collection vehicles, normally used as an adjunct of a solid waste collection and disposal system, between a collection route and~~ another Solid Waste facility ~~or a disposal site~~ after it receives such solid waste, generally within 24 hours of receipt.

(pp) "Resource recovery " means a process by which useful material or energy resources are obtained from Solid Waste.

(qq) “Reuse” means the return of a commodity into the economic stream for use in the same kind of application as before without change in its identity.

(rr) “Segregation” means the removal of prohibited wastes, unauthorized wastes, bulky material (such as but not limited to white goods and metals) incidental to the Transfer of Solid Waste. Segregation does not include Resource Recovery or other Processing of Solid Waste. The sole intent of segregation is not to separate Useful Material from the Solid Waste but to remove prohibited, unauthorized waste or bulky materials that could be hard to handle by either the facility personnel or operation equipment.

(ss) “Service Area” means the geographic locale around a solid waste facility that is defined by the characteristic that every point within such area is closer in distance to the solid waste facility contained in such area than to any other solid waste facility or disposal site. As used in this definition, “distance” shall be measured over improved roads in public rights-of-way.

(tt) "Solid waste" means all Putrescible and Non-Putrescible Wastes, including without limitation, garbage, rubbish, refuse, ashes, waste paper and cardboard; discarded or abandoned vehicles or parts thereof; sewage sludge, septic tank and cesspool pumpings or other sludge; commercial, industrial, demolition and construction waste; discarded home and industrial appliances; asphalt, broken concrete and bricks; manure, vegetable or animal solid and semi-Solid Wastes, dead animals;~~,~~ infectious waste as defined in ORS 459.386;~~,~~ ~~petroleum contaminated soils~~ and other such wastes, including without limitation, cleanup materials contaminated with hazardous substances, commingled recyclable material, petroleum contaminated soil, special waste, source-separated recyclable material, land clearing debris and yard debris; but the term does not include:

(1) Hazardous wastes as defined in ORS 466.005;

(2) Radioactive wastes as defined in ORS 469.300;

(3) Materials used for fertilizer, soil conditioning, humus restoration, or for other productive purposes or which are salvageable for these purposes and are used on land in agricultural operations and the growing or harvesting of crops and the raising of fowls or animals, provided the materials are used at or below agronomic application rates; or

(4) Explosives.

(uu) "Solid waste facility" means the land and buildings at which Solid Waste is received for Transfer, Resource Recovery, and/or Processing but excludes disposal.

(vv) "Source Separate" or "Source Separated" or "Source Separation" means that the person who last uses recyclable material separates the recyclable material from Solid Waste.

(ww) "Source-separated recyclable material" or "Source-separated recyclables" means ~~material~~ solid waste that has been Source Separated by the waste generator for the purpose of Reuse, Recycling, or Composting. This term includes (1) all homogenous loads of Recyclable Material~~s~~ that ~~are~~ has been Source Separated by material type for the purpose of recycling (i.e., source-sorted) and (2) ~~R~~residential and commercial commingled Recyclable Materials, which includes only those recyclable material types that the local jurisdiction, where the materials were collected, permits to be mixed together in a single container as part of its residential curbside recyclable material collection program. This term does not include any other commingled recyclable materials. ~~that are mixed together in one container (i.e., commingled).~~

(xx) "Special waste" means any waste (even though it may be part of a delivered load of waste) which one or more of the following categories describes:

1) Containerized waste (e.g., a drum, barrel, portable tank, box, pail, etc.) of a type listed in 3 through 9 and 11 of this definition below.

(2) Waste transported in a bulk tanker.

(3) Liquid waste including outdated, off spec liquid food waste or liquids of any type when the quantity and the load would fail the paint filter liquid (Method 9095, SW-846) test or includes 25 or more gallons of free liquid per load, whichever is more restrictive.

(4) Containers (or drums) which once held commercial products or chemicals, unless the containers (or drums) are empty. A container is empty when:

(A) All wastes have been removed that can be removed using the practices commonly employed to remove materials from the type of container, e.g., pouring, pumping, crushing, or aspirating.

(B) One end has been removed (for containers in excess of 25 gallons); and

(i) No more than one inch thick (2.54 centimeters) of residue remains on the bottom of the container or inner liner; or

(ii) No more than 1 percent by weight of the total capacity of the container remains in the container (for containers up to 110 gallons); or

(iii) No more than 0.3 percent by weight of the total capacity of the container remains in the container for containers larger than 110 gallons.

(C) Containers that once held acutely hazardous wastes must be triple-rinsed with an appropriate solvent or cleaned by an equivalent alternative method. Containers that once held substances regulated under the Federal Insecticide, Fungicide, and Rodenticide Act must be empty according to label instructions or triple-rinsed with an appropriate solvent or cleaned by an equivalent method. Plastic containers larger than five gallons that hold any regulated waste must be cut in half or punctured, and be dry and free of contamination to be accepted as refuse.

(5) Sludge waste from septic tanks, food service, grease traps, or wastewater from commercial laundries, Laundromats or car washes.

(6) Waste from an industrial process.

(7) Waste from a pollution control process.

(8) Residue or debris from the cleanup of a spill or release of chemical substances, commercial products or wastes listed in 1 through 7 or 9 of this definition.

(9) Soil, water, residue, debris, or articles which are contaminated from the cleanup of a site or facility formerly used for the generation, storage, treatment, recycling, reclamation, or disposal of wastes listed in 1 through 8 of this definition.

(10) Chemical-containing equipment removed from service (for example: filters, oil filters, cathode ray tubes, lab equipment, acetylene tanks, CFC tanks, refrigeration units, or any other chemical containing equipment).

(11) Waste in waste containers that are marked with a National Fire Protection Association identification label that has a hazard rating of 2, 3, or 4, but not empty containers so marked.

(12) Any waste that requires extraordinary management or special handling.

Examples of special wastes are: chemicals, liquids, sludge and dust from commercial and industrial operations; municipal waste water treatment plant grits, screenings and sludge; contaminated soils; tannery wastes, empty pesticide containers, and dead animals or by-products.

(13) Radioactive waste.

(14) Medical waste.

(~~xx~~yy) "Transfer" means the Activity of receiving Solid Waste for purposes of transferring the Solid Waste from one vehicle or container to another vehicle or container for transport. Transfer may include segregation, temporary storage, consolidation of Solid Waste from more than one vehicle, and compaction, but does not include Resource Recovery or other Processing of Solid Waste.

(~~yy~~zz) "Transfer station" means a Solid Waste Facility whose primary Activities include, but are not limited to, the Transfer of Solid Waste.

(~~zz~~aaa) "Useful material" means material that still has or retains useful physical, chemical, or biological properties after serving its original purpose(s) or function(s), and which, when separated from Solid Waste, is suitable for use in the same or other purpose(s). Types of Useful Materials are: material that can be Reused; Recyclable Material; organic material(s) suitable for controlled biological decomposition such as for making Compost; material used in the preparation of fuel; material intended to be used, and which is in fact used, for construction or land reclamation such as Inert material for fill; and material intended to be used, and which is in fact used, productively in the operation of landfills such as roadbeds or alternative daily cover.

For purposes of this Code, Cleanup Material Contaminated By Hazardous Substances are not Useful Materials.

(~~aaa~~bbb) “Vermiprocessing” means a controlled method or system of biological Processing that utilizes worms to consume and digest organic materials, and that produces worm castings for productive uses.

(~~bbb~~ccc) "Waste" means any material considered to be useless, unwanted or discarded by the person who last used the material for its intended and original purpose.

(~~ccc~~ddd) “Waste hauler” means any person who is franchised, licensed or permitted by a local government unit pursuant to state law to collect and haul Solid Waste.

(~~ddd~~eee) "Yard debris" means vegetative and woody material generated from residential property or from commercial landscaping activities. "Yard debris" includes landscape waste, grass clippings, leaves, hedge trimmings, stumps and other vegetative waste having similar properties, but does not include demolition debris, painted or treated wood.

(~~eee~~fff) "Yard debris facility" means a yard debris processing facility or a yard debris reload facility.

(~~fff~~ggg) "Yard debris reload facility" means an operation or facility that receives yard debris for temporary storage, awaiting transport to a processing facility.

SECTION 2. Metro Code section 5.01.040 is amended as follows:

5.01.040 Exemptions

(a) In furtherance of the purposes set forth in this chapter, except as provided in Sections 5.01.040(b) through (d) below, the Metro Council declares the provisions of this chapter shall not apply to:

(1) Municipal or industrial sewage treatment plants accepting sewage, sludge, septic tank and cesspool pumpings or other sludge.

(2) Disposal Sites, Transfer Stations, or Solid Waste Facilities owned or operated by Metro.

(3) Facilities that (A) exclusively receive non-Putrescible Source-Separated Recyclable Materials, and (B) reuse or recycle such materials, or transfer, transport or deliver such materials to a person or facility that will reuse or recycle them.

(4) Facilities that exclusively receive, process, transfer or dispose of Inert Wastes.

(5) The following operations, which do not constitute Yard Debris Facilities:

(A) Persons who generate and maintain residential compost piles for residential garden or landscaping purposes.

(B) Residences, parks, community gardens and homeowner associations.

(C) Universities, schools, hospitals, golf courses, industrial parks, and other similar facilities, if the landscape waste or yard debris was generated from the facility's own activities, the product remains on the facility grounds, and the product is not offered for off-site sale or use.

(D) Operations or facilities that chip or grind wood wastes, unless:

(i) such chipped or ground wood wastes are processed for composting; or

(ii) such operations or facilities are otherwise regulated under Metro Code Section 5.01.045.

(6) Temporary transfer stations or processing centers established and operated by a government for 60 days or less to temporarily receive, store or process Solid Waste if Metro finds an emergency situation exists.

(7) Any Reload facility that:

(A) Accepts Solid Waste collected under the authority of a single solid waste collection franchise granted by a local government unit, or from multiple solid waste collection franchises so long as the area encompassed by the franchises is

(B) Is owned or controlled by the same person granted franchise authority ascribed in subsection (A); and

(C) Delivers any Putrescible Waste accepted at the operation or facility to a Transfer Station owned, operated, Licensed or Franchised by Metro; and

(D) Delivers all other Solid Waste accepted at the facility except Inert Wastes to a Metro Designated Facility authorized to accept said Solid Waste, or to another solid waste facility ~~or Disposal Site~~ under authority of a Metro Non-System License issued pursuant to Chapter 5.05.

(8) Persons who own or operate a mobile facility that processes Petroleum Contaminated Soil at the site of origin and retains any treated Petroleum Contaminated Soil on the site of origin.

(b) Notwithstanding Section 5.01.040(a), all persons shall comply with Sections 5.01.030(a), (b), (d) and (f).

(c) Notwithstanding Section 5.01.040(a)(2) of this chapter, Metro shall comply with Section 5.01.150 of this chapter.

(d) Notwithstanding Sections 5.01.040(a)(3) through 5.01.040(a)(8) of this chapter, the provisions of Section 5.01.135 of this chapter shall apply to operations and facilities described in Sections 5.01.040(a)(3) through 5.01.040(a)(8) of this chapter.

SECTION 3. Metro Code section 5.01.125 is amended as follows:

5.01.125 Obligations and Limits for Selected Types of Activities

(a) A holder of a License or Franchise for a Material Recovery facility~~, Reload~~ or ~~Local T~~Transfer Station, ~~or a holder of a Franchise~~ issued after July 1, 2000, ~~for a Regional Transfer Station~~ shall perform Material Recovery from Non-Putrescible Waste accepted at the facility as specified in this section or as otherwise specified in its license or franchise, or shall deliver such Non-Putrescible Waste to a Solid Waste facility ~~whose primary purpose is~~ authorized by Metro to recover useful materials from Solid Waste.

(b) ~~A holder of a License or Franchise for a Material Recovery facility or Local Transfer Station, or a holder of a Franchise issued after July 1, 2000 for a Regional Transfer Station,~~ A licensee or franchisee subject to subsection (a) of this section shall recover at least 25% by weight of Non-Putrescible waste accepted at the facility and waste delivered by public customers. For the purposes of calculating the amount of recovery required by this subsection, recovered waste shall exclude both waste from industrial processes and ash, inert rock, concrete, concrete block, foundry brick, asphalt, dirt, and sand. Failure to maintain the minimum recovery rate specified in this section shall constitute a violation enforceable under Metro Code Sections 5.01.180 and 5.01.200. After ~~January 1, 2009,~~ December 31, 2008the requirements of this subsection will not be applicable to licensees or franchisees unless Metro Council determines that this standard should be reinstated to replace the processing residual standard established in 5.01.125(c).

(c) ~~(c)~~ Effective January 1, 2009, a licensee or franchisee subject to subsection (a) of this section shall:

(1) ~~At a minimum,~~ Process non-putrescible waste accepted at the facility and delivered in drop boxes and self-tipping trucks to recover cardboard, wood, and metals, ~~(~~including aluminum~~)~~. Processing residual from such a facility shall not contain more than 15 percent, by total combined weight, of cardboard or wood pieces of greater than 12

inches in size in any dimension and metal pieces greater than eight inches in size in any dimension

(2) Take quarterly samples of processing residual that are statistically valid and representative of the facility's residual (not less than a 300-pound sample) and provide results of such sampling to Metro in the monthly report due the month following the end of that quarter.

(3) Based on observation, audits, inspections and reports, Metro inspectors shall conduct or require additional analysis of waste residual at the facility in accordance with section 5.01.135(c). Failure to maintain the recovery level specified in subsection (c)(1) of this section shall constitute a violation enforceable under Metro Code. The first two violations of this subsection by a single licensee or franchisee shall not result in the imposition of a civil penalty.

(4) Failure to meet the reporting requirements in subsection (c)(2) of this section shall constitute a violation enforceable under Metro Code after ~~July 1,~~ June 30, 2009.

(d) ~~In addition to the requirements of (a) and (b) in this section,~~ A holder~~s~~ of a Franchise for a Local Transfer Station:

(1) Shall accept Putrescible Waste originating within the Metro boundary only from persons who are franchised or permitted by a local government unit to collect and haul Putrescible Waste.

(2) Shall not accept hazardous waste.

(3) Shall be limited in accepting Putrescible Waste during any fiscal year to an amount of Putrescible Waste equal to the demand for disposal of Putrescible Waste generated within a Service Area as specified in accordance with this chapter.

(4) Shall accept Solid Waste from any Waste Hauler who operates to serve a substantial portion of the demand for disposal of Solid Waste within the Service Area of the Local Transfer Station.

~~(d)~~(e) ~~In addition to the requirements of (a) and (b) in this section,~~ A holder~~s~~ of a Franchise for a Regional Transfer Station, in accordance with its franchise ~~issued after July 1, 2000~~:

(1) Shall accept authorized Solid Waste originating within the Metro boundary from any person who delivers authorized waste to the facility, on the days and at the times established by Metro in approving the Franchise application.

(2) Shall provide an area for collecting Household Hazardous Waste from residential generators at the Franchised Solid Waste Facility, or at another location more convenient to the population being served by the franchised Solid Waste Facility, on the days and at the times established by Metro in approving the Franchise application.

(3) Shall provide an area for collecting source separated recyclable materials without charge at the Franchised Solid Waste Facility, or at another location more convenient to the population being served by the franchised Solid Waste Facility, on the days and at the times established by Metro in approving the Franchise application.

(f) A holder of a license for a reload facility shall deliver all non-putrescible waste received at the facility to a solid waste facility authorized by Metro to recover useful materials from solid waste.

(g) A holder of a license or franchise for a solid waste facility shall not crush, grind or otherwise reduce the size of non-putrescible waste except when such size reduction constitutes a specific step in the facility's material recovery operations, reload operations, or processing residual consolidation or loading operations, and such size reduction is described and approved by Metro in an operating plan.

SECTION 4. Metro Code section is amended as follows:

5.01.135 Inspections and Audits of Solid Waste Facilities

(a) The Chief Operating Officer shall be authorized to make such inspection or audit as the Chief Operating Officer deems appropriate, and shall be permitted access to the premises of a licensed or franchised facility, and all other Solid Waste Facilities, at all reasonable times during business hours with or without notice or at such other times with 24 hours notice after the Franchise or License is granted to assure compliance with this chapter, the Code, the Franchise or License, and administrative procedures and performance standards adopted pursuant to Section 5.01.132 of this chapter.

(b) Inspections or audits authorized under subsection (a) of this section shall occur regularly and as determined necessary by the Chief Operating Officer. Results of each inspection shall be reported on a standard form specified by the Chief Operating Officer.

(c) The Chief Operating Officer shall have access to and may examine during such inspections or audits any records pertinent in the opinion of the Chief Operating Officer to the License or Franchise, or to the provisions of this chapter, including but not limited to the books, papers, records, equipment, blueprints, operation and maintenance records and logs and operating rules and procedures of the Licensee, Franchisee or Solid Waste Facility operator. Such inspections or audits may include taking samples and conducting analysis of any waste or

other material, including storm water runoff, water treatment or holding facilities, leachate, soil and solid waste. The Chief Operating Officer shall coordinate any sampling or follow-up activities with DEQ or local jurisdictions as necessary to prevent the imposition of redundant requirements on operations.

(d) Any violations discovered by the inspection or audit shall be subject to the penalties provided in Section 5.01.200.

SECTION 5. The definition of "special waste" in Metro Code section 5.02.015(hh) shall be amended as follows:

(hh) "Special waste" ~~means any waste (even though it may be part of a delivered load of waste) which one or more of the following categories describes:~~shall have the meaning assigned thereto in Metro Code section 5.01.010.

~~(1) Containerized waste (e.g., a drum, barrel, portable tank, box, pail, etc.) of a type listed in 3 through 9 and 11 of this definition below.~~

~~(2) Waste transported in a bulk tanker.~~

~~(3) Liquid waste including outdated, off spec liquid food waste or liquids of any type when the quantity and the load would fail the paint filter liquid (Method 9095, SW-846) test or includes 25 or more gallons of free liquid per load, whichever is more restrictive.~~

~~(4) Containers (or drums) which once held commercial products or chemicals, unless the containers (or drums) are empty. A container is empty when:~~

~~(A) All wastes have been removed that can be removed using the practices commonly employed to remove materials from the type of container, e.g., pouring, pumping, crushing, or aspirating.~~

~~(B) One end has been removed (for containers in excess of 25 gallons); and~~

~~(i) No more than one inch thick (2.54 centimeters) of residue remains on the bottom of the container or inner liner; or~~

~~(ii) No more than 1 percent by weight of the total capacity of the container remains in the container (for containers up to 110 gallons); or~~

~~(iii)No more than 0.3 percent by weight of the total capacity of the container remains in the container for containers larger than 110 gallons.~~

~~(C) Containers that once held acutely hazardous wastes must be triple-rinsed with an appropriate solvent or cleaned by an equivalent alternative method. Containers that once held substances regulated under the Federal Insecticide, Fungicide, and Rodenticide Act must be empty according to label instructions or triple-rinsed with an appropriate solvent or cleaned by an equivalent method. Plastic containers larger than five gallons that hold any regulated waste must be cut in half or punctured, and be dry and free of contamination to be accepted as refuse.~~

~~(5) Sludge waste from septic tanks, food service, grease traps, or wastewater from commercial laundries, Laundromats or car washes.~~

~~(6) Waste from an industrial process.~~

~~(7) Waste from a pollution control process.~~

~~(8) Residue or debris from the cleanup of a spill or release of chemical substances, commercial products or wastes listed in 1 through 7 or 9 of this definition.~~

~~(9) Soil, water, residue, debris, or articles which are contaminated from the cleanup of a site or facility formerly used for the generation, storage, treatment, recycling, reclamation, or disposal of wastes listed in 1 through 8 of this definition.~~

~~(10) Chemical-containing equipment removed from service (for example: filters, oil filters, cathode ray tubes, lab equipment, acetylene tanks, CFC tanks, refrigeration units, or any other chemical containing equipment).~~

~~(11) Waste in waste containers that are marked with a National Fire Protection Association identification label that has a hazard rating of 2, 3, or 4, but not empty containers so marked.~~

~~(12) Any waste that requires extraordinary management or special handling.~~

~~Examples of special wastes are: chemicals, liquids, sludge and dust from commercial and industrial operations; municipal waste water treatment plant grits, screenings and sludge; contaminated soils; tannery wastes, empty pesticide containers, and dead animals or by-products.~~

~~(13) Radioactive waste.~~

~~(14)Medical waste.~~

SECTION 6. Effective July 1, 2009, Metro Code Section 5.02.046 is repealed.

SECTION 7. Effective July 1, 2009, Metro Code Section 5.02.047 as amended by Ordinance No. 07-1146 is amended to read:

5.02.047 Regional System Fee Credits

~~(a) A solid waste facility which is certified, licensed or franchised by Metro pursuant to Metro Code Chapter 5.01 or a Designated Facility regulated by Metro under the terms of an intergovernmental agreement shall be allowed a credit against the Regional System Fee otherwise due each month under Section 5.02.045 for disposal of Processing Residuals from the facility. The Facility Recovery Rate shall be calculated for each twelve-month period before the month in which the credit is claimed. The amount of such credit shall be in accordance with and no greater than as provided on the following table:~~

~~System Fee Credit Schedule~~

~~Facility Recovery Rate~~

~~From Above~~	~~Up To & Including~~	~~System Fee Credit of no more than~~
~~0%~~	~~30%~~	~~0.00~~
~~30%~~	~~35%~~	~~9.92~~
~~35%~~	~~40%~~	~~11.46~~
~~40%~~	~~45%~~	~~13.28~~
~~45%~~	~~100%~~	~~14.00~~

~~(b) The Chief Operating Officer:~~

~~(1) Shall establish administrative procedures to implement subsections (b) and (c) of Metro Code Section 5.02.046; and~~

~~(2) May establish additional administrative procedures regarding the Regional System Fee Credits, including, but not limited to establishing eligibility requirements for such credits and establishing incremental System Fee Credits associated with Recovery Rates which fall between the ranges set forth in paragraph (a) of this section.~~

~~(c)~~ Any person delivering Cleanup Material Contaminated By Hazardous Substances that is derived from an environmental cleanup of a nonrecurring event, and delivered to any Solid Waste System Facility authorized to accept such substances shall be allowed a credit in the amount of $11.58 against the Regional System Fee otherwise due under Section 5.02.045(a) of this Chapter.

~~(d) During any Fiscal Year, the total aggregate amount of credits granted under the Regional System Fee credit program shall not exceed the dollar amount budget without the prior review and authorization of the Metro Council.~~

~~(e) The Director of the Solid Waste and Recycling Department shall make a semi-annual report to the Council on the status of the credit program. The report shall include that aggregate amount of all credits paid during the preceding six months and the amount paid to each facility eligible for the credit program. The report shall also project whether the appropriation for the credit program will be sufficient to meet anticipated credit payment requests and maintain existing contingency funding.~~

SECTION 8. The definition of "Special waste" in Metro Code section 5.05.010 shall be amended as follows:

(v) "Special waste" shall have the meaning assigned thereto in Metro Code Section ~~5.02.015~~5.01.010.

SECTION 9. The following definitions of "Material Recovery," "Processing Residual," and Recyclable Material," shall be added to Metro Code section 5.05.010, other Code subsections in that section shall be renumbered accordingly, and other Code references to such subsection shall be amended accordingly:

"Material recovery " shall have the meaning assigned thereto in Metro Code section 5.01.010.

"Processing residual" shall have the meaning assigned thereto in Metro Code section 5.01.010.

"Recyclable material" shall have the meaning assigned thereto in Metro Code section 5.01.010.

SECTION 10. Metro Code section 5.05.030 shall be amended as follows:

5.05.030 Designated Facilities of the System

(a) Designated Facilities. The following described facilities constitute the designated facilities of the system, the Metro Council having found that said facilities meet the criteria set forth in Metro Code Section 5.05.030(b):

(1) Metro South Station. The Metro South Station located at 2001 Washington, Oregon City, Oregon 97045.

(2) Metro Central Station. The Metro Central Station located at 6161 N.W. 61st Avenue, Portland, Oregon 97210.

(3) Facilities Subject to Metro Regulatory Authority. All disposal sites and solid waste facilities within Metro which are subject to Metro regulatory authority under Chapter 5.01 of the Metro Code.

(4) ~~(4)~~ Lakeside Reclamation (limited purpose landfill). The Lakeside Reclamation limited purpose landfill, Route 1, Box 849,

Beaverton, Oregon 97005, subject to the terms of an agreement between Metro and the owner of Lakeside Reclamation authorizing receipt of solid waste generated within Metro only as follows:

(A) As specified in an agreement entered into between Metro and the owner of the Lakeside Reclamation Landfill authorizing receipt of such waste; or

(B) Subject to a non-system license issued to a person transporting to the facility solid waste not specified in the agreement.

(5) (5) Hillsboro Landfill (limited purpose landfill). The Hillsboro Landfill, 3205 S.E. Minter Bridge Road, Hillsboro, Oregon 97123, subject to the terms of an agreement between Metro and the owner of Hillsboro Landfill authorizing receipt of solid waste generated within Metro only as follows:\

(A) As specified in an agreement entered into between Metro and the owner of the Hillsboro Landfill authorizing receipt of such waste; or

(B) Subject to a non-system license issued to a person transporting to the facility solid waste not specified in the agreement.~~.~~

(6) Columbia Ridge Landfill. The Columbia Ridge Landfill owned and operated by Waste Management Disposal Services of Oregon, Inc. (dba Oregon Waste Systems, Inc.) subject to the terms of the agreements in existence on November 14, 1989, between Metro and Oregon Waste Systems, Inc. and between Metro and Jack Gray Transport, Inc., including any subsequent amendments thereto. In addition, Columbia Ridge Landfill may accept solid ~~special~~ waste generated within Metro:

(A) As specified in an agreement entered into between Metro and Waste Management Disposal Services of Oregon, Inc. ~~Waste Systems~~ authorizing receipt of such waste; or

(B) Subject to a non-system license issued to a person transporting to the facility solid~~special~~ waste not specified in the agreement.

(7) Roosevelt Regional Landfill. The Roosevelt Regional Landfill, located in Klickitat County, Washington. Roosevelt Regional Landfill may accept ~~special~~ solid waste generated within Metro only as follows:

(A) As specified in an agreement entered into between Metro and Regional Disposal Company authorizing receipt of such waste; or

(B) Subject to a non-system license issued to a person transporting to the facility ~~special~~ solid waste not specified in the agreement.

(8) Finley Buttes Regional Landfill. The Finley Buttes Regional Landfill, located in Morrow County, Oregon. Finley Buttes Regional Landfill may accept ~~special~~ solid waste generated within Metro only as follows:

(A) As specified in an agreement entered into between Metro and Finley Buttes Landfill Company authorizing receipt of such waste; or

(B) Subject to a non-system license issued to a person transporting to the facility ~~special~~ solid waste not specified in the agreement.

(9) Coffin Butte Landfill. The Coffin Butte Landfill, located in Benton County, Oregon, which may accept solid waste generated within ~~the District~~ Metro only as follows:

(A) As specified in an agreement entered into between Metro and the owner of the Coffin Butte Landfill authorizing receipt of such waste; or

(B) Subject to a non-system license issued to a person transporting to the facility solid~~special~~ waste~~s~~ not specified in the agreement.

(10) Wasco County Landfill. The Wasco County Landfill, located in The Dalles, Oregon, which may accept solid waste generated within ~~the District~~ Metro only as follows:

(A) As specified in an agreement entered into between Metro and the owner of the Wasco County Landfill authorizing receipt of such waste; or

(B) Subject to a non-system license issued to a person transporting to the facility solid waste~~s~~ not specified in the agreement.

(11) Cedar Grove Composting, Inc. The Cedar Grove Composting, Inc., facilities located in Maple Valley, Washington, and Everett, Washington. Cedar Grove Composting, Inc., may accept solid waste generated within ~~the District~~Metro only as follows:

(A) As specified in an agreement entered into between Metro and Cedar Grove composting, Inc., authorizing receipt of such waste; or

(B) Subject to a non-system license issued to a person transporting to Cedar Grove Composting, Inc., solid waste~~s~~ not specified in the agreement.

(12) Weyerhaeuser Regional Landfill. The Weyerhaeuser Regional Landfill, located in Castle Rock, Washington, and the Weyerhaeuser Material Recovery Facility, located in Longview, Washington. The Weyerhaeuser Material Recovery Facility is hereby designated only for the purpose of accepting solid waste for transfer to the Weyerhaeuser Regional Landfill. The Weyerhaeuser Regional Landfill and the Weyerhaeuser Material Recovery Facility may accept solid waste generated within ~~the District~~Metro only as follows:

(A) As specified in an agreement entered into between Metro and Weyerhaeuser, Inc., authorizing receipt of such waste; or

(B) Subject to a non-system license issued to a person transporting to the Weyerhaeuser Regional Landfill or the Weyerhaeuser Material Recovery Facility solid waste~~s~~ not specified in the agreement.

(b) Changes to Designated Facilities to be Made by Council. From time to time, the Council, acting pursuant to a duly enacted ordinance, may remove from the list of designated facilities any one or more of the facilities described in Metro Code Section 5.05.030(a). In addition, from time to time, the Council, acting pursuant to a duly enacted ordinance, may add to or delete a facility from the list of designated facilities. In deciding whether to designate an additional facility, or amend or delete an existing designation, the Council shall consider:

(1) The degree to which prior users of the facility and waste types accepted at the facility are known and the degree to which such wastes pose a future risk of environmental contamination;

(2) The record of regulatory compliance of the facility's owner and operator with federal, state and local requirements including but not limited to public health, safety and environmental rules and regulations;

(3) The adequacy of operational practices and management controls at the facility;

(4) The expected impact on the region's recycling and waste reduction efforts;

(5) The consistency of the designation with Metro's existing contractual arrangements;

(6) The record of the facility regarding compliance with Metro ordinances and agreements or assistance to Metro in Metro ordinance enforcement; and

(7) Other benefits or detriments accruing to residents of the region from Council action in designating a facility, or amending or deleting an existing designation.

(c) The Chief Operating Officer is authorized to execute an agreement, or an amendment to an agreement, between Metro and a designated facility for non-putrescible waste. Effective July 1, 2008, an existing designated facility authorized to receive non-putrescible waste shall notify Metro of ~~their~~ its intent to seek an agreement to recover non-putrescible waste from the Metro region in accordance with subsection (g) or to only take processed non-putrescible waste from authorized facilities included in subsection (f). ~~, or to take unprocessed dry waste from the Metro region subject to the fee or surcharge as determined by Metro Council in accordance with Section 11 of the Ordinance.~~ No later than December 31, 2008, the Chief Operating Officer shall modify existing agreements to ensure substantial compliance with either subsection (f) or (g) of this section ~~or Section 11 of this Ordinance~~ as appropriate. If the Chief Operating Officer and a designated facility are not able to establish an agreement by November 1, 2008, then the Chief Operating Officer shall terminate the existing agreement following termination procedures described in the existing agreement, but no later than December 31, 2008.

(d) An agreement, or amendment to an agreement between Metro and a designated facility for Putrescible waste shall be subject to approval by the Metro Council prior to execution by the Chief Operating Officer.

~~(d)~~(e) An agreement between Metro and a designated facility shall specify the types of wastes from within Metro boundaries that may be delivered to, or accepted at, the facility.

(f) ~~(e)~~ An agreement between Metro and a designated facility ~~that authorizes the facility to accept non-putrescible waste that has not yet undergone material recovery, is not processing residual, and originated or was generated within Metro boundaries shall demonstrate substantial compliance with facility performance standards, design requirements and operating requirements adopted pursuant to Metro Code Chapter 5.01.132 for non-putrescible waste material recovery facilities.~~shall not authorize the facility to accept non-putrescible waste originating or generated within Metro boundaries after December 31, 2008, unless:

(1) Such non-putrescible waste is received from a facility that has been issued a license or franchise pursuant to Chapter 5.01 authorizing such facility to perform material recovery on non-putrescible waste;

(2) Such non-putrescible waste is received from a designated facility that has entered into an agreement with Metro, in accordance with subsection (f) of this section, authorizing such designated facility to perform material recovery on non-putrescible waste; or

(3) The facility has entered into an agreement with Metro, in accordance with subsection (f) of this section, authorizing the facility to perform material recovery on non-putrescible waste that has not yet undergone material recovery.

(g) An agreement between Metro and a designated facility that, after December 31, 2008, authorizes the facility to accept non-putrescible waste that has not yet undergone material recovery, is not comprised of processing residual, and originated or was generated within Metro boundaries shall:

(1) Require such designated facility to perform material recovery on such waste; and

(2) Demonstrate, in a manner that can be verified and audited, that such processing achieves material recovery substantially comparable to that required of in-region material recovery facilities by Metro Code subsections 5.01.125(a) and (b) by either:

(A) Meeting such material recovery requirements for all non-putrescible waste received at the facility, whether or not from within Metro boundaries; or

(B) Keeping all non-putrescible waste received from within Metro boundaries segregated from other waste throughout processing, keeping processing residual from such processing segregated from other solid waste after processing, and meeting such material recovery requirements for all such non-putrescible waste.

(3) Demonstrate, in a manner that can be verified and audited, that such facility substantially complies with (A) the performance goals described in Metro Code sections 5.01.067(i) (as amended by Section 1 of Metro Ordinance No. 07-1138) and 5.01.075(c) (as amended by Section 2 of Metro Ordinance No. 07-1138), and (B) the performance standards, design requirements, and operating requirements applicable to licensed and franchised material recovery facilities operating within the Metro region and adopted by Metro as administrative procedures pursuant to Metro Code section

5.01.132 (as amended by Section 3 of Metro Ordinance No. 07-1138).

~~**SECTION 11.** Not later than March 1, 2008, the Chief Operating Officer shall provide the Metro Council with a recommendation for a form of additional solid waste fee or surcharge to be imposed on designated facilities seeking to dispose of unprocessed, non-putrescible waste from within the Metro region. The recommended fee or surcharge shall be applied as to provide substantially equivalent disposal rates among material recovery facilities and designated facilities for disposal of unprocessed non-putrescible wastes. The recommendation of the Chief Operating Officer shall also include an amount for the proposed additional solid waste fee or surcharge, a proposal for the administrative procedures required to implement the imposition and collection of such fee or surcharge, the effective dates, and a recommendation on the uses to which the revenues generated by such fee or surcharge may be put.~~

SECTION ~~12.~~ 11. Metro Code section 5.05.035(a), as amended by Ordinance No. 07-1138,shall be further amended as follows:

5.05.035 License to Use Non-System Facility

A waste hauler or other person may transport solid waste generated within Metro to, or to utilize or cause to be utilized for the disposal or other processing of any solid waste generated within Metro, any non-system facility only by obtaining a non-system license in the manner provided for in this Section 5.05.035. Applications for non-system licenses for Non-putrescible waste, Special waste and Cleanup Material Contaminated By Hazardous Substances shall be subject to approval or denial by the Chief Operating Officer. Applications for non-system licenses for Putrescible waste shall be reviewed by the Chief Operating Officer and are subject to approval or denial by the Metro Council.

(a) Application for License. Any waste hauler or other person desiring to obtain a non-system license shall make application to the Chief Operating Officer, which application shall be filed on forms or in the format provided by the Chief Operating Officer. Applicants may apply for a limited-duration non-system license which has a term of not more than 120 days and is not renewable. An application for any non-system license shall set forth the following information:

(1) The name and address of the waste hauler or person making such application;

(2) The location of the site or sites at which the solid waste proposed to be covered by the non-system license is to be generated;

(3) The nature of the solid waste proposed to be covered by the non-system license;

(4) The expected tonnage of the solid waste proposed to be covered by the non-system license:

(A) The total tonnage if the application is for a limited duration non-system license; or

(B) The annual tonnage if the application is for any other non-system license;

(5) A statement of the facts and circumstances which, in the opinion of the applicant, warrant the issuance of the proposed non-system license;

(6) The non-system facility at which the solid waste proposed to be covered by the non-system license is proposed to be transported, disposed of or otherwise processed; and

(7) The date the non-system license is to commence; and, for limited duration non-system licenses, the period of time the license is to remain valid not to exceed 120 days.

In addition, the Chief Operating Officer may require the applicant to provide, in writing, such additional information concerning the proposed non-system license as the Chief Operating Officer deems necessary or appropriate in order to determine whether or not to issue the proposed non-system license.

An applicant for a non-system license that authorizes the licensee to transport non-putrescible waste that has not yet undergone material recovery, is not processing residual, and originated or was generated within Metro boundaries shall provide documentation that the non-system facility is in substantial compliance with the facility performance standards, design requirements and operating requirements adopted pursuant to Metro Code Chapter 5.01.132 for non-putrescible waste material recovery facilities.~~.~~ Any applicant or licensee that is authorized or seeks to deliver non-putrescible waste to a non-system facility after ~~January 1, 2009~~ December 31, 2008, must demonstrate that the non-system facility will be in substantial compliance with the material recovery requirements in Metro Code section 5.01.125.

SECTION ~~13.~~ 12. Metro Code section 7.01.020 shall be amended as follows:

7.01.020 Tax Imposed

(a) For the privilege of the use of the facilities, equipment, systems, functions, services, or improvements owned, operated, certified, licensed, franchised, or provided by Metro, each user except users of solid waste system facilities shall pay a tax of 7.5 percent of the payment charged by the operator or Metro for such use unless a lower rate has been established as provided in subsection 7.01.020(b). The tax constitutes a debt owed by the user to Metro which is extinguished only by payment of the tax directly to Metro or by the operator to Metro. The user shall pay the tax to Metro or to an operator at the time payment for the use is made. The operator shall enter the tax on his/her records when payment is collected if the operator

keeps his/her records on the cash basis of accounting and when earned if the operator keeps his/her records on the accrual basis of accounting. If installment payments are paid to an operator, a proportionate share of the tax shall be paid by the user to the operator with each installment.

(b) The Council may for any period commencing no sooner than July 1 of any year and ending on June 30 of the following year establish a tax rate lower than the rate of tax provided for in subsection 7.01.020(a) or in subsections 7.01.020(c)-(e) by so providing in an ordinance adopted by Metro. If the Council so establishes a lower rate of tax, the Chief Operating Officer shall immediately notify all operators of the new tax rate. Upon the end of the fiscal year the rate of tax shall revert to the maximum rate established in subsection 7.01.020(a) unchanged for the next year unless further action to establish a lower rate is adopted by the Council as provided for herein.

(c) For the privilege of the use of the solid waste system facilities, equipment, systems, functions, services, or improvements, owned, operated, licensed, franchised, or provided by Metro, each user of solid waste system facilities and each solid waste facility licensed or franchised under Chapter 5.01 of this Code to deliver putrescible waste directly to Metro's contractor for disposal of putrescible waste shall pay a tax in the amount calculated under subsection (e)(1) for each ton of solid waste exclusive of compostable organic waste accepted at Metro Central or Metro South stations and source separated recyclable materials accepted at the solid waste system facilities. In addition, each user of solid waste system facilities and each solid waste facility licensed or franchised under Chapter 5.01 of this Code to deliver putrescible waste directly to Metro's contractor for disposal of putrescible waste shall also pay the additional tax in the amount set forth under Section 7.01.023 for each ton of solid waste exclusive of compostable organic waste accepted at Metro Central or Metro South stations and source separated recyclable materials accepted at the solid waste system facilities. The tax constitutes a debt owed by the user to Metro which is extinguished only by payment of the tax directly to Metro or by the operator to Metro. The user shall pay the tax to Metro or to an operator at the time payment for the use is made. The operator shall enter the tax on his/her records when payment is collected if the operator keeps his/her records on the cash basis of accounting and when earned if the operator keeps his/her records on the accrual basis of accounting. If installment payments are paid to an operator, a proportionate share of the tax shall be paid by the user to the operator with each installment.

(d) For the Metro fiscal year beginning July 1, 2002, the tax rate imposed and calculated under this section shall be sufficient to generate net excise tax revenue of $6,050,000 after allowing for any tax credit or tax rebate for which provision is made in this chapter. For each Metro fiscal year thereafter the tax rate imposed and calculated under this section shall be sufficient to generate net excise tax revenue equal to the net excise tax revenue authorization in the previous fiscal year as adjusted in accordance with Section 7.01.022.

(e) (1) The excise tax rate for each ton of solid waste, exclusive of (i) source separate recyclable materials accepted at the solid waste system facilities, (ii) inert materials, (iii) Cleanup Materials Contaminated by Hazardous Substances, and (iv) compostable organic waste delivered to Metro

Central or Metro South stations, shall be the amount that results from dividing the net excise tax revenue amount set forth in subsection (d) by the amount of solid waste tonnage which the Chief Operating Officer reports to the Council under subsection (f)(2). Subject to the provisions of subsection 7.01.020(b), the rate so determined shall be Metro's excise tax rate on solid waste during the subsequent Metro fiscal year. Commencing with Metro fiscal year 2006-07, and each fiscal year thereafter, the rate determined by this subsection shall be effective as of September 1st unless another effective date is adopted by the Metro Council.

(2) The excise tax rate for each ton of solid waste constituting Cleanup Materials Contaminated by Hazardous Substances shall be $1.00.

(f) By March 1st of each year, the Chief Operating Officer shall provide a written report to the Metro Council stating the following:

(1) For the twelve (12) month period ending the previous December 31; the amount of solid wastes, exclusive of inert materials, delivered for disposal to any Solid Waste System Facility that is not exempt pursuant to Section 7.01.050(a) of this chapter, and

(2) The amount of such solid wastes that would have been delivered for disposal to any such non-exempt Solid Waste System Facility if the Regional Recovery Rates corresponding to each calendar year set forth on the following schedule had been achieved:

Year	Regional Recovery Rate
2005	56%
2006	56.5%
2007	57%
2008	57.5%
2009	58%

The result of such calculation by the Chief Operating Officer shall be used to determine the excise tax rate under sub-section (e)(1).

~~(g) (1) A solid waste facility which is licensed or franchised by Metro pursuant to Metro Code Chapter 5.01 shall be allowed a credit against the Excise Tax otherwise due under Section 7.01.020(e)(1) for disposal of Processing Residuals from such facility. The Facility Recovery Rate shall be calculated for each twelve (12) month period before the month in which the credit is claimed. Such credit shall be dependent upon the Facility Recovery Rate achieved by such facility and shall be no greater than as provided on the following table:~~

Excise Tax Credit Schedule		
Facility Recovery Rate		Excise Tax
From Above	Up To & Including	Credit of no more than
0%	30%	0.00
30%	35%	1.92
35%	40%	2.75
40%	100%	3.51

(2) During any Fiscal Year, the total aggregate amount of excise tax credits granted under the provisions of this subsection shall not exceed the dollar amount budgeted for such purpose without the prior review and authorization of the Metro Council.

(3) The Chief Operating Officer may establish procedures for administering the Excise Tax Credits set forth in subsection (g)(1), including, but not limited to, establishing eligibility requirements for such credits and establishing incremental Excise Tax Credits associated with Recovery Rates which fall between the ranges set forth in paragraph (g)(1).

SECTION 14. 13. Metro Code section 7.01.028 shall be amended as follows:

7.01.028 Budgeting of Excess Revenue

Commencing with the Metro fiscal year beginning July 1, 2000, and each year thereafter, if the tax revenues collected under the tax rate imposed by Section 7.01.020(e) exceed the net excise tax revenue amount set forth in Section 7.01.020(d) as adjusted by Section 7.01.022, such additional revenue shall be apportioned as follows:

(a) Such excess net excise tax revenue shall first be placed in a Recovery Rate Stabilization Reserve established in the Metro General fund. The amount of excess net excise tax revenues in such account shall not exceed an amount equal to 10 percent of the total amount of excise tax collected under Metro Code Chapter 7.01 during the period of the two (2) most recent Metro fiscal years. The budgeting or expenditure of all such funds within this account shall be subject to review and approval by the Metro Council.

(b) If at the end of any fiscal year the maximum permitted balance for the Recovery Rate Stabilization Account has been reached, during the following fiscal year any additional excess net excise tax revenues shall be used to increase the tax credit provided under Metro Code Section 7.01.020(g) for any solid waste facility that has achieved a Facility Recovery Rate greater than 45%. Such excess revenue shall be used on a dollar-for-dollar basis to reduce the tax liability of all such qualifying facilities. The amount of the additional tax credit shall not exceed the total excise tax otherwise due from the facility under this chapter.

(c) Any remaining excess revenue over the amounts apportioned in subsections (a) and (b) of this section shall be placed in the account established in subsection(a).

SECTION ~~15.~~14. Metro Code sections 7.01.160 and 7.01.170, and Section 4 of Metro Ordinance No. 07-1138 (Metro Code section 5.05.030(e)) are repealed.

SECTION ~~16.~~ 15 Metro Code sections 7.01.180 and 7.01.190 are repealed.

SECTION ~~17.~~ 16 Sections 1, 2, 3, 4, 5, 8, 9, 10, 11, ~~12~~ and ~~15~~ 14 of this ordinance shall be effective 90 days after the adoption of this ordinance. Sections 6, 7, 12, 13, ~~14,~~ and ~~16~~ 15 of this ordinance shall be effective on ~~January~~ July 1, 2009.

ADOPTED by the Metro Council this _____ day of _____, 2007.

_____
David Bragdon, Council President

Attest: Approved as to Form:

_____ _____
Council Clerk Recording Secretary Daniel B. Cooper, Metro Attorney

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STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 07-1147, FOR THE PURPOSE OF ADOPTING LEGISLATION TO ENSURE THAT ALL OF THE REGION'S NON-PUTRESCIBLE WASTE UNDERGOES MATERIAL RECOVERY PRIOR TO DISPOSAL, TO ELIMINATE THE REGIONAL SYSTEM FEE AND EXCISE TAX CREDIT PROGRAM, AND TO MAKE RELATED CHANGES

Date: April 26, 2007 Prepared by: Bryce Jacobson

BACKGROUND

Higher levels of material recovery from commercial sources are essential to achieving the region's 64% state-mandated waste reduction goal. Greater recovery of building industry waste is a key component of the region's efforts.

In 2003, a stakeholder study group examining options for increasing recovery from this sector recommended that Metro should require processing of all construction and demolition debris loads before landfilling. Metro Council then directed staff to develop a program that would require all dry waste to be processed prior to landfill disposal.

C&D (also referred to as dry waste) consists primarily of six types of material: wood, metal, corrugated cardboard, concrete, drywall and roofing. On a typical construction or demolition project, over 90% of the waste materials are reusable or recoverable with current technology and markets.

The region's building industry has a well-developed system of over 90 source-separated recyclers and salvagers, seven facilities that recover recyclable material from mixed dry waste, and two dry waste landfills.

- **Building material reuse facilities** accept and resell used building materials (salvage) taken out of buildings during demolition or remodeling. *Salvaged materials have a positive value, with most salvage retailers paying for materials or providing a tax-deductible receipt.*
- **Source-separated recyclers** accept loads of already sorted materials, which are essentially 100% recyclable. *These facilities pay for materials like cardboard and metal or charge between $5/ton - $25/ton for materials that have well-developed local markets (wood, land clearing debris and rubble).*
- **Dry waste facilities** accept mixed loads of debris that are free of food waste and that meet their particular standards for minimum recovery content. *Tip fees at dry waste recovery facilities vary, but are usually $65-70/ton. These facilities typically achieve a 25-50% material recovery rate.*
- **Transfer stations** process mixed dry loads for recovery and achieve an 18–35% recovery rate. *The Metro tip fee for all waste is $70/ton; private transfer stations generally charge a slightly lower rate to attract dry waste flow.*

- **Dry waste landfills** accept loads of mixed dry waste and dispose of the debris without doing any type of post collection recovery/sorting. *Landfilling of dry waste costs $50 to $61/ton.*

For many generators of mixed dry waste, particularly on the west side, two dry waste landfills, Hillsboro and Lakeside, are the facilities of choice because they are the lowest cost options. Landfilling waste material is simply less costly than processing it for recovery.

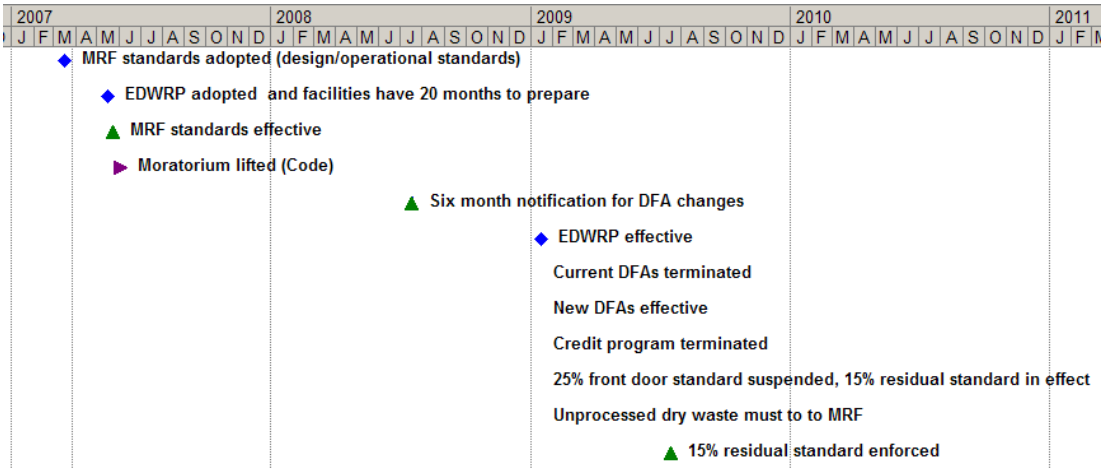
Hillsboro and Lakeside landfills collectively dispose of 125,000 tons of dry waste each year. The intent of this ordinance before Council is to spur at least 33,000 tons per year of new recovery by requiring the processing of dry waste for material recovery before landfilling.

The ordinance would affect all private facilities accepting Metro region mixed dry waste. Major provisions are as follows:

- All mixed dry waste generated in the Metro region would be required to be processed for material recovery prior to landfill disposal by January 1, 2009.
- Materials specified for recovery are those with steady markets: wood, metal and corrugated cardboard.
- The current "front door" 25% recovery requirement for dry waste facilities would be replaced by a new "back door residual" standard that would measure a how effective a facility is at recovering wood, corrugated cardboard and metal. This standard would require that no more than 15% (by weight) of wood, cardboard and metal pieces (size specified) be present in the processing residual.
- The controversial Regional System Fee Credit program would end when this program takes full effect in January 2009.
- Facilities will have approximately 18 months before the required processing provision takes effect, but will have 25 months to meet the new performance requirement of this ordinance (15% "back door" residual standard) before it is enforced, beginning July 1, 2009.
- By March 1st, 2008, the Chief Operating Officer of Metro will recommend to Metro Council an additional per ton solid waste fee or surcharge that could be imposed on any designated facility (i.e., area landfill) still seeking to dispose of mixed dry waste after the program becomes effective. The recommended fee or surcharge would provide substantially equivalent disposal rates among material recovery facilities and designated facilities, eliminating current economic uncertainties for recovery and disposal facilities in Washington County.

The following timeline displays key dates in the program's implementation and enforcement.

Figure 1
Key Dates for Dry Waste Recovery and MRF Standards



ANALYSIS/INFORMATION

1. **Known Opposition:** Lakeside landfill owner Howard Grabhorn, Washington county officials, and SWAC (most of the 9-6 majority opposing cited implementation uncertainties relative to Lakeside as the basis for their opposition).

2. **Legal Antecedents:** ORS 268.317, Metro Code Chapters 5.01, 5.05, and the Metro Charter

3. **Anticipated Effects**:

   Economic Effects
   EDWRP is likely to increase posted tip fees for mixed dry waste at private facilities throughout the region. The policy is to allow more operating costs to be covered by gate revenue (especially the cost of processing more material with potentially lower recovery content), and to replace revenue lost to the planned elimination of the Metro fee and tax credit programs.

   The increase in recovery facility gate rate will incent additional source separated recycling as generators seek to avoid the now higher gate rate for dry waste. This increase in source separated recycling is estimated to be in the range of 5,000-10,000 additional tons per year.

   Metro staff studied six types of "typical" construction projects to estimate the likely disposal cost increases for generators as a result of EDWRP:
   - Residential kitchen remodel with small addition
   - New single-family house
   - Complete demolition of a single-family house
   - Residential re-roofing job
   - Commercial remodeling project

- New “big-box” commercial retail space

Cost increases in the residential sector construction projects should be well under $100 per project; as a function of total project cost they were well under ½ of one percent increase. Residential single-family demolition costs increased more than any other project type. Total disposal costs there should increase from $100 to over $700 or less than 1% to almost 5% of the total job cost.

Commercial construction project costs for an office remodel should increase from $20 to over $200. A large “big-box” retail store should increase between $200 and $1,800. Because of the higher overall costs for these commercial projects, the cost increases as a percent of total project cost were small, mostly under .05%.

Environmental Effects

Enhanced Dry Waste Recovery will increase recovery in the region by a minimum of 33,000 tons of new dry waste recovery each year. This newly recovered material will serve as manufacturing feedstock in some instances, alternative fuel sources in others. In each case, the material recovered reduces the need to extract raw materials, eliminating attendant energy use and pollution associated with virgin material extraction.

As shown in Figure 2, the dry waste diverted from landfill disposal and recovered in some fashion will result in a reduction in greenhouse gases, energy consumption and airborne wastes.

Figure 2

Environmental Effects of EDWRP*

Action	Quantity	Equivalent to…
Reduce greenhouse gases by	25,931 MTCE (Metric tons of carbon equivalent)	keeping 19,567 cars off the road for a year
Reduce energy consumption by	733,971 Million BTU (British thermal units)	the energy used by 6,977 average households during a year
Reduce airborne wastes by	35,000 tons	21.8 million miles of heavy truck travel

*These benefits are projected by the National Recycling Coalition Environmental Benefits Calculator.

4. Budget impacts: Effect on the General Fund is in two parts: the base excise tax and the additional tax. The contribution to the Recovery Rate Stabilization Reserve would be reduced by about $20,000 per year. Revenue from the additional tax (for Parks, MERC and the Zoo) would be reduced by about $115,000 per year. Effect on the Solid Waste Fund is essentially fiscally neutral.

RECOMMENDED ACTION

The Chief Operating Officer recommends Metro Council approve Ordinance 07-1147.

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Agenda Item Number 7.2

Ordinance No. 07-1159, For the Purpose of Authorizing the Chief Operating Officer to Execute a Franchise Amendment to Extend the Term of the Forest Grove Transfer Station Franchise to December 31, 2008

Second Reading

Metro Council Meeting
Thursday, August 16, 2007
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE CHIEF OPERATING OFFICER TO EXECUTE A FRANCHISE AMENDMENT TO EXTEND THE TERM OF THE FOREST GROVE TRANSFER STATION FRANCHISE TO DECEMBER 31, 2008	)))))	ORDINANCE NO. 07- 1159 Introduced by The Chief Operating Officer with Concurrence of Council President David Bragdon

WHEREAS, the Metro Council authorized the issuance of Metro Solid Waste Franchise No. FR-004 ("the Franchise") to the Forest Grove Transfer Station ("Forest Grove") on December 31, 1997, and thereby authorized Forest Grove to operate and maintain a solid waste transfer station; and

WHEREAS, the initial term of the Franchise was 5 years and the Franchise provided for an automatic extension, beginning on December 31, 2002, if Forest Grove was not in default under the Franchise at the end of the initial term; and

WHEREAS, on December 31, 2002, the expiration date of the Franchise was automatically extended, and the current expiration date of the Franchise is December 31, 2007; and

WHEREAS, the Metro Council has authorized the issuance of three local solid waste transfer station franchises that have expiration dates of December 31, 2008, and Metro Code Section 5.01.087 requires these three franchisees to submit renewal applications for Metro Council consideration and action no later than September 1, 2008; and

WHEREAS, the Solid Waste and Recycling Department is conducting the System Improvement Planning project, which will assess the best approach for putrescible waste allocation and which is scheduled for completion in early to mid-2008; and

WHEREAS, amending the Franchise to extend it one year to December 31, 2008, will allow the Department to complete the System Improvement Planning project before the Metro Council considers Forest Grove's application for renewal of the Franchise and also will provide the Metro Council the opportunity to consider all three local transfer station franchise renewal applications and the Forest Grove regional transfer station franchise renewal application concurrently in 2008; now therefore:

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The Metro Council hereby amends Metro Solid Waste Franchise No. FR-004 as provided in Exhibit A.

ADOPTED by the Metro Council this _____ day of _____ 2007.

_____
David Bragdon, Council President

Attest:

_____
Christina Billington, Recording Secretary

Approved as to Form:

_____
Daniel B. Cooper, Metro Attorney

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1650 | FAX 503 797 1795

METRO

AMENDMENT NO. 2

TO METRO SOLID WASTE FACILITY FRANCHISE NUMBER FR-004

FRANCHISEE:	FACILITY NAME AND LOCATION:
Waste Management of Oregon 7227 NE 55th Avenue Portland, OR 97218 Tel (503) 992-3015 Fax (503) 357-4822	Forest Grove Transfer Station 1525 B Street Forest Grove, OR 97218 Tel (503) 992-3015 Fax (503) 357-4822
OPERATOR:	**PROPERTY OWNER:**
Waste Management of Oregon 7227 NE 55th Avenue Portland, OR 97218 Tel (503) 992-3015 Fax (503) 357-4822	Waste Management of Oregon 7227 NE 55th Avenue Portland, OR 97218 Tel (503) 992-3015 Fax (503) 357-4822

Issued in accordance with the provisions of Metro Code Chapter 5.01. Solid Waste Facility Franchise No. FR-004 is amended as follows:

Section 2 is amended to read as follows:

2. TERM AND APPLICABILITY OF FRANCHISE

2.1 The initial term of this Franchise shall be five (5) years commencing upon the execution of this Franchise and terminating five (5) years thereafter; provided, however, that if, at the end of the initial term of this Franchise, Franchisee is not then in default under this Agreement, the term of this Agreement shall be automatically extended for an additional five (5) years commencing on the expiration of the initial term. Commencing on December 31, 2007, the term of this Franchise shall be extended one year and the Franchise shall terminate on December 31, 2008.

The above amendment shall be effective upon the date signed by the Chief Operating Officer, and shall remain in effect until the expiration of this license.

METRO	**Franchisee's Acceptance & Acknowledgement of Receipt**
Signature	Signature of Franchisee
Michael Jordan, Chief Operating Officer	
	Print name and title
Date	Date

M:\rem\od\projects\Legislation\2007\071159 Forest Grove Exhibit A.doc

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO.07-1159 FOR THE PURPOSE OF AUTHORIZING THE CHIEF OPERATING OFFICER TO EXECUTE A FRANCHISE AMENDEMENT TO EXTEND THE TERM OF THE FOREST GROVE TRANSFER STATION FRANCHISE UNTIL DECEMBER 31, 2008

Date: July 12, 2007 Prepared by: Bill Metzler

BACKGROUND

The Forest Grove Transfer Station (FGTS) is operating under a Solid Waste Franchise agreement issued by Metro on December 31, 1997. The term of the franchise is five years (ending December 31, 2002) with an automatic extension for an additional five years (ending on December 31, 2007), provided that FGTS was not in default under the Franchise at the end of the initial term. FGTS is owned and operated by Waste Management of Oregon.

In addition to the FGTS – which is a regional transfer station, there are three other Metro franchised local transfer stations operating in the Metro region[1]: Pride Recycling located in Sherwood, Willamette Resources Inc. (WRI) located in Wilsonville, and the Troutdale Transfer Station located in Troutdale. All three of the local transfer station franchises will expire on December 31, 2008.

Extending the term of the FGTS franchise for one year to expire on December 31, 2008 will allow the Metro Council to consider and act on all four Metro transfer station franchise renewal applications concurrently, and prior to their expiration at the end of 2008. In addition, the Solid Waste and Recycling Department is conducting the System Improvement Planning project, scheduled for completion in early to mid-2008, that will assess the best approach for putrescible waste allocation. Extending the term of the FGTS franchise for one year, through December 31, 2008, will allow for the completion of the System Improvement Planning project.

The FGTS accepts putrescible solid waste generated from inside and outside the Metro region, and has been operating since 1985 under authority of a Metro franchise issued in 1984. The FGTS also holds a Metro Non-System License (NSL) authorizing it to transport up to 160,000 tons of solid waste per calendar year to the Riverbend Landfill in McMinnville Oregon for disposal. In April 2007 there was an incident where FGTS exceeded tonnage caps imposed by its NSL. However, FGTS is regarded as well-run and has a good compliance record with all public health, safety, and environmental rules and regulations.

Ordinance No. 07-1159 will authorize the Chief Operating Officer to execute a Franchise amendment to extend the term of the Franchise for one year ending on December 31, 2008. The proposed franchise amendment (Amendment #2 to Franchise No. FR-004) is attached as Exhibit A to Ordinance No. 07-1159.

[1] The Columbia Environmental transfer station is not yet operational, but was issued a Metro franchise in 2005 to operate as a local transfer station with a putrescible waste tonnage cap of 38,000 tons per year.

ANALYSIS/INFORMATION

1. **Known Opposition**: There is no known opposition, however Waste Management has expressed its preference to obtain a standard five-year franchise renewal for the Forest Grove Transfer Station instead of the proposed one-year extension.

2. **Legal Antecedents:** The Metro Code Chapter 5.01, Metro Franchise No. FR-004.

3. **Anticipated Effects:** The resolution will authorize the Chief Operating Officer to execute a Franchise amendment that extends the term of the Forest Grove Transfer Station Franchise one year, starting December 31, 2007 and ending on December 31, 2008.

4. **Budget Impacts:** There are no budget impacts.

RECOMMENDED ACTION

The Chief Operating Officer recommends adoption of Ordinance No. 07-1159.

M:\rem\od\projects\Legislation\2007\071159 Forest Grove Stfrpt.doc

Agenda Item Number 8.1

Resolution No. 07-3802, For the Purpose of Committing Metro South and Metro Central Transfer Stations to Achieve and Report on Dry Waste Material Recovery Standards for Specified Loads

Metro Council Meeting
Thursday, August 16, 2007
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF COMMITTING METRO SOUTH AND METRO CENTRAL TRANSFER STATIONS TO ACHIEVE DRY WASTE MATERIAL RECOVERY STANDARDS FOR SPECIFIED LOADS.	)))))	RESOLUTION NO. 07-3802 Introduced by Councilors Kathryn Harrington and Rod Park

WHEREAS, Metro is accountable for meeting state mandated waste recovery goals for the tri-county region; and

WHEREAS, the recovery of additional "dry waste" material generated by the building industry is a key component of achieving the state-mandated waste reduction goal of 64%; and

WHEREAS, Metro regulates private solid waste facilities in the region that accept dry waste; and

WHEREAS, Ordinance 07-1147 would require private solid waste facilities accepting mixed dry waste to ensure processed residual does not contain more than 15% of size-specified cardboard, wood and metal pieces by weight; and

WHEREAS, Metro owns two waste transfer stations that accept dry waste from commercial haulers and the public; and

WHEREAS, Metro has been a leader in implementing sustainable practices at the public facilities; and

WHEREAS, Metro Council desires Metro facilities to meet the standards proposed for private solid waste facilities in Ordinance 07-1147; and

WHEREAS, Metro accepts all types and sizes of incoming dry waste loads from both commercial haulers and independent self-haulers, while private facilities are free to choose which loads to accept or reject.

WHEREAS, this fundamental difference makes mixed dry waste loads received at the public facilities not strictly comparable in volume or composition to loads received at private recovery facilities; and

WHEREAS, for the purpose of comparing recovery performance between public facilities and private facilities, mixed dry waste loads delivered in loose drop boxes and self tipping vehicles at public facilities is most comparable to the types of loads accepted at private facilities; now therefore,

BE IT RESOLVED, the Metro Council directs staff to take appropriate steps to ensure that the contract operator of Metro South and Central transfer stations will consistently meet or exceed the recovery performance and reporting standards described in Ordinance 07-1147 for all dry waste received in loose drop boxes and self-tipping vehicles.

ADOPTED by the Metro Council this _____ day of _____2007.

_____
David Bragdon, Council President

Approved as to Form:

_____
Daniel B. Cooper, Metro Attorney

STAFF REPORT
IN CONSIDERATION OF RESOLUTION NO. 07-3802, FOR THE PURPOSE OF COMMITTING METRO SOUTH AND METRO CENTRAL TRANSFER STATIONS TO ACHIEVE AND REPORT ON DRY WASTE MATERIAL RECOVERY STANDARDS FOR SPECIFIED LOADS.

Date: June 21, 2007 Prepared by: Bryce Jacobson

BACKGROUND

Higher levels of material recovery from commercial sources are essential to achieving the region's 64% state-mandated waste reduction goal. Increased recovery of materials like wood, cardboard and metal from "dry waste" generated by the building industry is a key component of achieving this goal.

In 2003, a stakeholder study group examining options for increasing recovery from this sector recommended that Metro require processing of all construction and demolition debris loads for material recovery before landfilling. Metro Council then directed staff to develop such a program proposal.

Ordinance 07-1147, which establishes this region-wide dry waste recovery program, contains a new performance standard for material recovery applicable to all privately owned facilities receiving unprocessed dry waste. The new standard requires that residual from dry waste processing contain no more than 15% cardboard, wood and metal by weight (size- specified in the ordinance).

Data from 2006 residual assays show that most private facilities are already meeting this recovery standard. Both Metro facilities have also met the standard in most samples taken to date.

As a regional leader in implementing sustainable practices at its facilities, Metro declares its intent, through this resolution, to measure, report, and achieve the same recovery performance standard for private facilities contained in Ordinance 07-1147.

ANALYSIS/INFORMATION

1. **Known Opposition:** There is no known opposition to this resolution.

2. **Legal Antecedents:** ORS 268.317, Metro Code Chapters 5.01, 5.05, and the Metro Charter.

3. **Anticipated Effects:** Contracted operator at Metro's two transfer facilities achieves higher recovery levels for dry waste loads received in loose drop boxes and self-tipping vehicles.

4. **Budget impacts:** No direct impacts on Metro's budget. The resolution highlights the need for Metro staff to work with the Metro facility operator to identify and implement minor process changes and measure dry waste recovery performance at Metro's two transfer stations.

RECOMMENDED ACTION

The Chief Operating Officer recommends Metro Council approve Resolution 07-3802.

Agenda Item Number 8.2

Resolution No. 07-3824, For the Purpose of Approving an Air Quality Conformity Determination for the 2008-2011 Metropolitan Transportation Improvement Program

Metro Council Meeting
Thursday, August 16, 2007
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING THE AIR QUALITY CONFORMITY DETERMINATION FOR THE 2008-2011 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM	)))))	RESOLUTION NO. 07- 3824 Introduced by Councilor Rex Burkholder

WHEREAS, clean air contributes to the health of residents and the quality of life of a region; and

WHEREAS, the federal Clean Air Act and other federal laws include air quality standards designed to ensure that federally supported activities meet air quality standards and these federal standards apply to the Metro area with regard to on-road transportation activities; and

WHEREAS, Chapter 340, Division 252, Transportation Conformity, of the Oregon Administrative Rules was adopted to implement section 176(c) of the federal Clean Air Act, as amended, and these state rules also apply to Metro area on-road transportation activities; and

WHEREAS, these federal and state regulations require an air quality conformity determination whenever regionally significant changes are made to certain transportation documents, such as the metropolitan transportation improvement program; and

WHEREAS, the 2008 - 2011 Metropolitan Transportation Improvement Program (MTIP) has been proposed and this 2008 – 2011 MTIP contains new projects that include federal funding and are regionally significant updates and changes; and

WHEREAS, the air quality analysis included in Exhibit "A" demonstrates that the changes included in the 2006-2009 MTIP could be built and the resulting total air quality emissions, to the year 2025, are forecast to be less than the motor vehicle emission budgets, or maximum transportation source emission levels; and

WHEREAS, the Metro Council adopted Resolution No. 07-3773 For the Purpose of Allocating $64.0 Million of Transportation Priorities Funding For the Years 2010 and 2011, Pending Air Quality Conformity Determination, on March 15, 2007, now, therefore,

BE IT RESOLVED that the Metro Council:

1. Approves the air quality conformity determination as documented in Exhibit "A".

2. Directs the Chief Operating Officer to forward the air quality conformity determination to the Federal Highway Administration and Federal Transit Administration for approval.

ADOPTED by the Metro Council this _____ day of August 2007.

David Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 07-3824, FOR THE PURPOSE OF APPROVING THE AIR QUALITY CONFORMITY DETERMINATION FOR THE 2008-2011 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM

Date: July 18, 2007 Prepared by: Mark Turpel

BACKGROUND

Overview

Federal and state regulations require that the 2008-2011 Metropolitan Transportation Improvement Plan (MTIP) be tested to see whether the existing on-road transportation system, plus all of the proposed new transportation projects, complies with air quality standards. This air quality analysis – known as an air quality conformity determination - must be approved in order for the region and local jurisdictions to continue to be eligible to receive federal funds for transportation projects.

The Metro area is in compliance with all air pollutants regulated by federal and state regulations. However, the existing status of air quality in the Metro region is that it has a "maintenance" status for Carbon Monoxide. That is, while the region has improved Carbon Monoxide levels and has not exceeded maximum levels since 1989, it still must monitor Carbon Monoxide levels and complete air quality conformity determinations for Carbon Monoxide.

Carbon Monoxide Conformity Determination

Exhibit "A" to Resolution No. 07-3824, For The Purpose of Approving the Air Quality Conformity Determination for the 2008-2011 Metropolitan Transportation Improvement Program, includes a Carbon Monoxide emission analysis.

The analysis shows that federal and state air quality standards for Carbon Monoxide can be met in the Metro region even with: 1) the existing transportation system, and, 2) the projects included in the 2008-2011 Metropolitan Transportation Improvement Program; 3) all of the other improvements included in the financially constrained system of the 2004 Regional Transportation Plan; and 4) all other local transportation projects that are considered regionally significant

In addition, there has been concern that because of court cases and new proposed federal regulation, the region also should assess the Ozone conditions. Accordingly, Table 1, below shows the results of air quality modeling for the region for various time horizons for Carbon Monoxide as well as the precursors of Ozone – Hydrocarbons and Oxides of Nitrogen.

As Table 1 demonstrates, for each of the time horizons and for each air pollutant, the region is forecast to meet the motor vehicle emission budgets, or maximum levels of pollutants from motor vehicles.

Table 1. Comparison of Motor Vehicle Emission Budgets and Forecast Surface Transportation Emissions

Year	**Carbon Monoxide Motor Vehicle Emission Budget** (pounds/ winter day)	**Forecast Carbon Monoxide Emissions** (pounds/ winter day)	**Hydrocarbon Motor Vehicle Emission Budget** (tons/summer day)	**Forecast Hydrocarbon Emissions** (tons/summer day)	**Oxides of Nitrogen Motor Vehicle Emission Budget** (tons/ summer day)	**Forecast Oxides of Nitrogen Vehicle Emissions** (tons/summer day)
2010	1,033,578	976,015	40	32.6	52	46.6
2015	n/a	n/a	40	23.5	55	28.5
2017	1,181,341	837,797	n/a	n/a	n/a	n/a
2020	n/a	n/a	40	21.5	59	23.9
2025	1,181,341	901,569	40	19.5	59	19.3

Accordingly, approval of the air quality conformity determination can be considered.

If approved, the conformity determination may be forwarded to the Federal Highways Administration and Federal Transit Administration, who, after conferring with the EPA, may approve the conformity determination. Approval of the conformity determination also allows consideration of approval of the 2008-2011 MTIP.

ANALYSIS/INFORMATION

1. **Known Opposition** None.

2. Legal Antecedents

Federal: 40 CFR 93. (transportation air quality conformity)

State: OAR 340-252 (transportation air quality conformity)

Metro:

Resolution No. 03-3381A, FOR THE PURPOSE OF ADOPTING THE 2004-2007 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM FOR THE PORTLAND METROPOLITAN AREA, adopted on December 11, 2003.

Resolution No. 03-3382A-02, FOR THE PURPOSE OF ADOPTING THE PORTLAND AREA AIR QUALITY CONFORMITY DETERMINATION FOR THE 2004 REGIONAL TRANSPORTATION PLAN AND 2004-2007 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM, adopted on January 15, 2004

Resolution No. 05-3529A, FOR THE PURPOSE OF ALLOCATING $62.2 MILLION OF TRANSPORTATION PRIORITIES FUNDING FOR THE YEARS 2008 AND 2009, PENDING AIR QUALITY CONFORMITY DETERMINATION, adopted on March 24, 2005.

Resolution No. 05-3589A, FOR THE PURPOSE OF AMENDING THE REGIONAL TRANSPORTATION PLAN TO MOVE THE I-205 NORTHBOUND ONRAMP/AIRPORT WAY INTERCHANGE IMPROVEMENT FROM THE ILLUSTRATIVE LIST TO THE FINANCIALLY CONSTRAINED LIST, adopted on June 9, 2005.

Resolution No. 07-3773 FOR THE PURPOSE OF ALLOCATING $64.0 MILLION OF TRANSPORTATION PRIORITIES FUNDING FOR THE YEARS 2010 AND 2011, PENDING AIR QUALITY CONFORMITY DETERMINATION, adopted on March 15, 2007.

3. Anticipated Effects Allows for consideration of approval of proposed transportation projects in the 2008-2011 MTIP.

4. **Budget Impacts** None directly by this action. Upon approval of another related resolution for the 2008-2011 Metropolitan Transportation Improvement Program, the budget impact would be provision of funding support for some Metro transportation activities.

RECOMMENDED ACTION

Approve Resolution No. 07-3824, FOR THE PURPOSE OF APPROVING THE AIR QUALITY CONFORMITY DETERMINATION FOR THE 2008-2011 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM.

AIR QUALITY CONFORMITY DETERMINATION

For the

2008-2011 Metropolitan Transportation Improvement Program (MTIP)

July 31, 2007

METRO

Exhibit A to
Resolution No. 07-3824

Table of Contents

Appendices

1.0 Overview

1.1 What is Transportation Conformity/Report Purpose

Transportation Conformity is described by the US Department of Transportation as "…*a way to ensure that Federal funding and approval are given to those transportation activities that are consistent with air quality goals. It ensures that these transportation activities do not worsen air quality or interfere with the 'purpose' of the State Implementation Plan (SIP), which is to meet the National Ambient Air Quality Standards (NAAQS*)."

This report analyses the 2008-2011 MTIP, estimating the future air quality conditions and comparing those with the motor vehicle emission budgets, or maximum amounts of regulated pollutants generated by on road vehicles. This analysis, using best available information and Environmental Protection Agency (EPA) and Oregon Department of Environmental Quality (DEQ) approved methods, confirms whether proposed transportation improvements conform with federal and state air quality laws.

1.2 Results/Conclusions

Table 1. Comparison of Motor Vehicle Emission Budgets and Forecast Surface Transportation Emissions

Year	**Carbon Monoxide Motor Vehicle Emission Budget** (pounds/ winter day)	**Forecast Carbon Monoxide Emissions** (pounds/ winter day)	**Hydrocarbon Motor Vehicle Emission Budget** (tons/summer day)	**Forecast Hydrocarbon Emissions** (tons/summer day)	**Oxides of Nitrogen Motor Vehicle Emission Budget** (tons/ summer day)	**Forecast Oxides of Nitrogen Vehicle Emissions** (tons/summer day)
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2020	n/a	n/a	40	21.5	59	23.9
2025	1,181,341	901,569	40	19.5	59	19.3

From these data, we conclude the 2008-2011 MTIP and the proposed transportation improvements contained within it, meet federal and state air quality standards. That is, for the years 2010, 2017 and 2025, Carbon Monoxide emissions from on road transportation sources are less than maximum allowed levels (motor vehicle emission budgets). Further, for the years 2010, 2015, 2020 and 2025, Ozone precursors (Hydrocarbons and Oxides of Nitrogen) are less than the maximum allowed levels.

1.3 Regulatory Background

The federal Clean Air Act is the primary regulatory framework for national, state and local efforts to protect air quality. Under the Clean Air Act, the EPA is responsible for setting standards, known as national ambient air quality standards (NAAQS), for pollutants considered harmful to people and the environment. These standards are set at levels that are meant to protect the health of the most sensitive population groups, including the elderly,

children and people with respiratory diseases. Air quality planning is focused on meeting the NAAQS and deadlines set by the federal EPA and DEQ for meeting the standards. Further, the United States Department of Transportation has established regulations. Failing to conform restricts an area's ability to receive federal transportation funds during any period for which the air quality approval has lapsed.

More specifically, federal air quality conformity requirements come from the integration of requirements in the Clean Air Act Amendments of 1990 and the *Intermodal Surface Transportation Efficiency Act* (ISTEA) of 1991 and are codified at 40 CFR Part 93. These requirements were also included in the *Transportation Equity Act for the 21st Century* (TEA21) and most recently in the *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users* (SAFETEA-LU). SAFETEA-LU has made changes and additions to the previous air quality requirements for transportation planning and these are reflected in this document.

Oregon's air quality regulations, adopted by the Oregon Environmental Quality Commission under OAR 340-200-0040 and approved by EPA, establishes rules and standards for determining air quality conformity of transportation plans, programs and projects within Oregon (specifically, OAR 340 Division 252). These regulations contain all federal requirements plus a few additional state standards. The Department of Environmental Quality is responsible for writing the air quality plan for the Metro region. By meeting the Oregon standards for purposes of demonstrating air quality conformity, the federal standards are also met.

Metro is the Portland area's designated Metropolitan Planning Organization (MPO). As the MPO, Metro is the lead agency for development of regional transportation plans and the scheduling of federal transportation funds in the Portland urban area. The Metro Council, after receiving recommendations from the Joint Policy Advisory Committee on Transportation (JPACT), approves regional transportation plans and implementation programs and air quality conformity determinations. In addition, the Transportation Policy Alternatives Committee (TPAC) is specifically named in the state rule as the standing committee designated for "interagency consultation", a technical review process.

The 2004 Regional Transportation Plan (RTP) and 2004-2007 Metropolitan Transportation Improvement Plan (MTIP) were conformed and, after consultation with the USEPA, received approval of USDOT on March 5, 2004. On November 1, 2005, the USDOT approved the conformity determination of the 2006-2009 MTIP. As Metro and the region have proposed a new MTIP – for the years 2008-2011, an air quality conformity determination has been prepared for the transportation improvements proposed in this latest transportation improvement plan.

In order to demonstrate that the proposed 2008-2011 MTIP meets federal and state air quality planning requirements, Metro must complete a technical analysis, consult with relevant agencies and provide for public comment. The draft conformity determination report is then brought to JPACT for consideration and then the Metro Council. If the Metro Council approves the air quality conformity determination, it is submitted to the United States Department of Transportation (USDOT). In practice, this means review by

the Federal Highway Administration and Federal Transit Administration. The USDOT makes a conformity determination after consultation with the Environmental Protection Agency. Upon USDOT approval, federal funding of transportation projects may commence.

1.4 Status of Pollutants in the Region

The National Ambient Air Quality Standards adopted by both the EPA and DEQ identify seven air pollutants for which standards are established and regulations in place to address areas which exceed or exceeded the standards in the past. (Other air pollutants, such as benzene, have been identified, but standards and procedures for addressing them have not been approved.) These seven air pollutants are:

- Carbon Monoxide;
- Lead;
- Nitrogen Dioxide;
- Ozone;
- Particulate Matter (2.5 micrometers and smaller diameter);
- Particulate Matter (10 micrometers and smaller diameter); and,
- Sulfur Dioxide.

The Portland/Vancouver area has one interconnected airshed. However, given the State boundary along the Columbia River and the differing jurisdictions and state laws, the Federal government approved each side of the airshed taking responsibility for its area. For the Oregon side, a Metro area airshed was established.

The Metro region has not exceeded the standards for five of these air pollutants – Lead, Nitrogen Dioxide, PM10, PM2.5 and Sulfur Dioxide. In the past, the Metro region has exceeded Carbon Monoxide and Ozone standards. Charts showing the historic record for the Metro area are included below.

The current status, as determined by the US EPA as of April 9, 2007, is that the Metro area has a maintenance status for Carbon Monoxide and is in attainment for both 1 hour and 8 hour Ozone. (For Carbon Monoxide see the EPA's Green Book located at: http://www.epa.gov/oar/oaqps/greenbk/cmcs.html#OREGON. For the Ozone status see: http://www.epa.gov/oar/oaqps/greenbk/gncl3.html).

Carbon Monoxide

The Oregon DEQ describes carbon monoxide as follows:

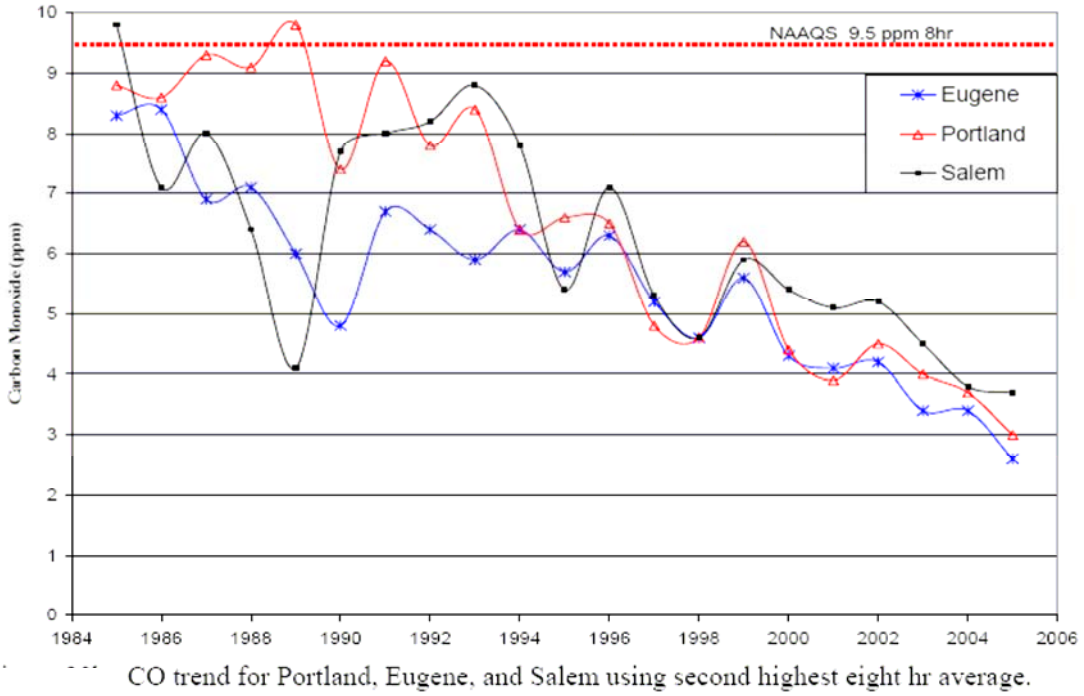
> "*Carbon monoxide is a colorless, odorless gas. In the body, CO binds tightly to hemoglobin (the red pigment in blood which transports oxygen from the lungs to the rest of the body). Once hemoglobin is bound to CO, it can no longer carry oxygen. In this way, CO reduces the oxygen-carrying capacity of the blood and can result in adverse health effects. High concentrations of CO strongly impair the functions of oxygen-dependent tissues, including brain, heart, and muscle. Prolonged exposure to low levels of CO aggravates existing conditions in people*

with heart disease or circulatory disorders. There is a correlation between CO exposure and increased hospitalization and death among such patients. Even in otherwise healthy adults, carbon monoxide has been linked to increased heart disease, decreased athletic performance, and diminished mental capacity. Carbon monoxide also affects newborn and unborn children. High CO levels have been associated with low birth weights and increased infant mortality.

A major natural source of CO is spontaneous oxidation of naturally occurring methane (swamp gas). The major human-caused source is incomplete combustion of carbon-based fuels, primarily from gasoline-powered motor vehicles. Other important sources are wood stoves and slash burns. How a motor vehicle is operated has an effect on the amount of CO emitted. In stop-and-go driving conditions, CO emissions are high. Emissions are also increased when the outside temperature is low. Oregon's most serious CO problems occur during the winter in urban areas when CO emitted by slow-moving traffic is trapped near the ground where people can inhale them."

As shown by the figure below, the Portland Metro area has not exceeded the 8 hour Carbon Monoxide standards since 1989 and total emissions have been trending downward.

Figure 1. Carbon Monoxide Trends – Total Emissions, All Sources



CO trend for Portland, Eugene, and Salem using second highest eight hr average.

Source: 2005 Oregon Air Quality Data Summaries, Oregon Department of Environmental Quality see http://www.deq.state.or.us/aq/forms/2005ar/2005ar.pdf

As of March 2007, the Metro area is a maintenance area for carbon monoxide (CO), meaning that while the region meets federal CO standards, it must continue to monitor CO levels through a air quality conformity determination comparing forecast levels of air quality assuming proposed transportation investments with motor vehicle emission budgets, or maximum allowed levels of the pollutant from the on-road and transit elements of the region's transportation system. In 2006, the EPA approved a new CO State Implementation Plan (SIP) finding new CO motor vehicle emission budgets adequate for transportation conformity purposes in the Second Portland Area Carbon Monoxide Maintenance Plan. This second CO maintenance plan is effective through 2017, after which time conformity demonstration will no longer be necessary, if the area continues to not violate the CO NAAQS.

For Carbon Monoxide, the Metro jurisdictional boundary was established as the geographic extent of concern for which emission budgets (maximum pollutant levels) were created. Below is a map of the metro jurisdictional boundary used for the air quality analysis.

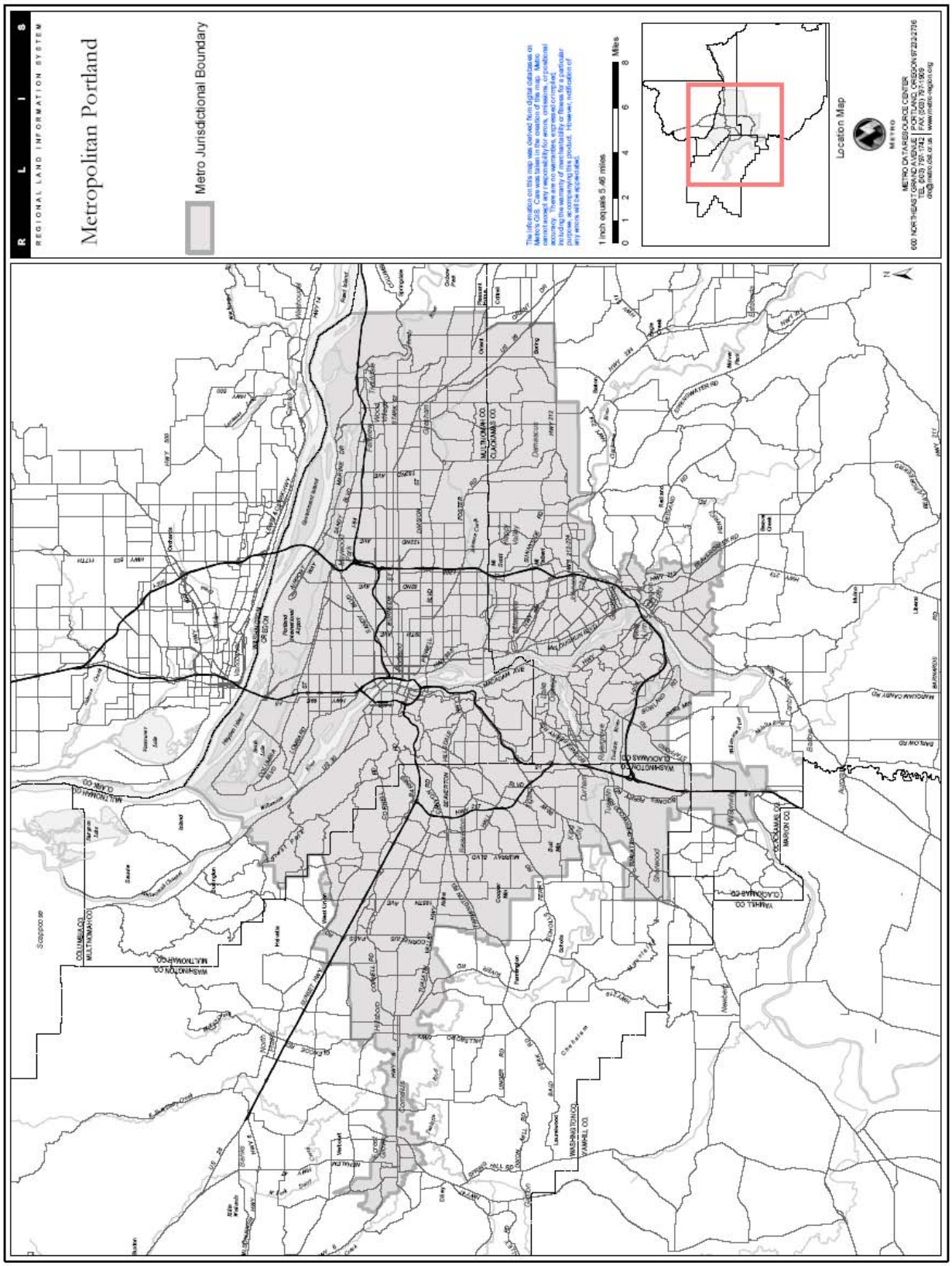


Figure 2. Carbon Monoxide - Area Analyzed

Ozone

The Oregon DEQ describes ozone and its threat as follows:
"Ozone (a component of smog) is a pungent, toxic, highly reactive form of oxygen. A new eight hour standard protects the public against lower level exposures over a longer time period which has been found to be more detrimental than shorter peak levels. The long term exposure effects cause significant breathing problems, such as loss of lung capacity and increased severity of both childhood and adult asthma.

Ozone causes irritation of the nose, throat, and lungs. Exposure to ozone can cause increased airway resistance and decreased efficiency of the respiratory system. In individuals involved in strenuous physical activity and in people with pre-existing respiratory disease, ozone can cause sore throats, chest pains, coughing, and headaches. Plants can also be affected. Reductions in growth and crop yield have been attributed to ozone. Ozone can affect a variety of materials, resulting in fading of paint and fiber, and accelerated aging and cracking of synthetic rubbers and similar materials. It is also a major contributor to photochemical smog.

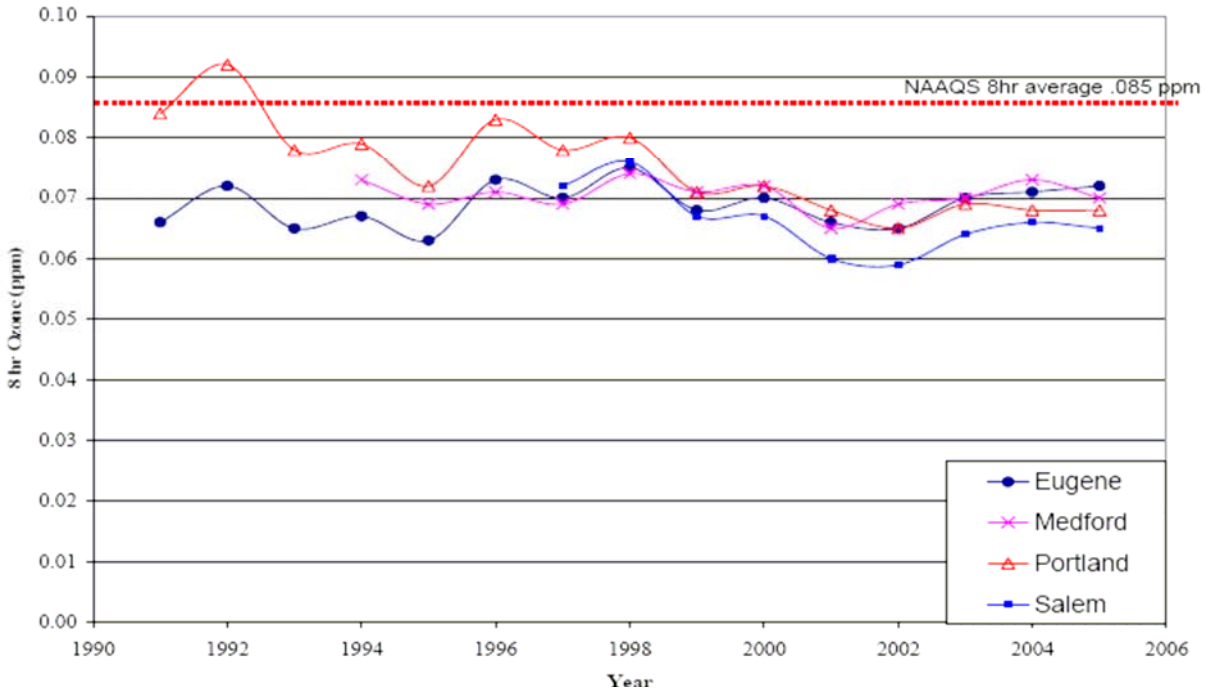
Ozone is not emitted directly into the air. It is formed through a series of photochemical (sunlight requiring) reactions between other pollutants and oxygen (O_2) during hot weather. Most important are nitrogen oxides and volatile organic compounds. To control ozone pollution, it is necessary to control emissions of these other pollutants. It is primarily caused by chemicals from car and small engine exhaust, and business and industry emissions on hot sunny days.

The Portland region has attained the one hour ozone standard and in 1996 EPA approved a 10-year plan to maintain good air quality."

In February 2007, the Oregon Environmental Quality Commission adopted an updated Portland Ozone Maintenance Plan and the DEQ submitted this to the US EPA, whose approval is pending. A very recent court case, *South Coast Air Quality Management District v. EPA*, December 2006, heard before the US Court of Appeals, has indicated that: "*Because one-hour conformity determinations constitute "controls", under section 172(e), they remain "applicable requirements" that must be retained*." However, further actions, judicial and otherwise, are pending. That is, neither a final legal ruling has not yet been concluded, nor have further EPA regulatory actions been defined.

Below is a chart showing the historic rates of Ozone levels in the Metro region as compared with the federal and state standards.

Figure 3. Ozone Trends – Total Emissions, All Sources

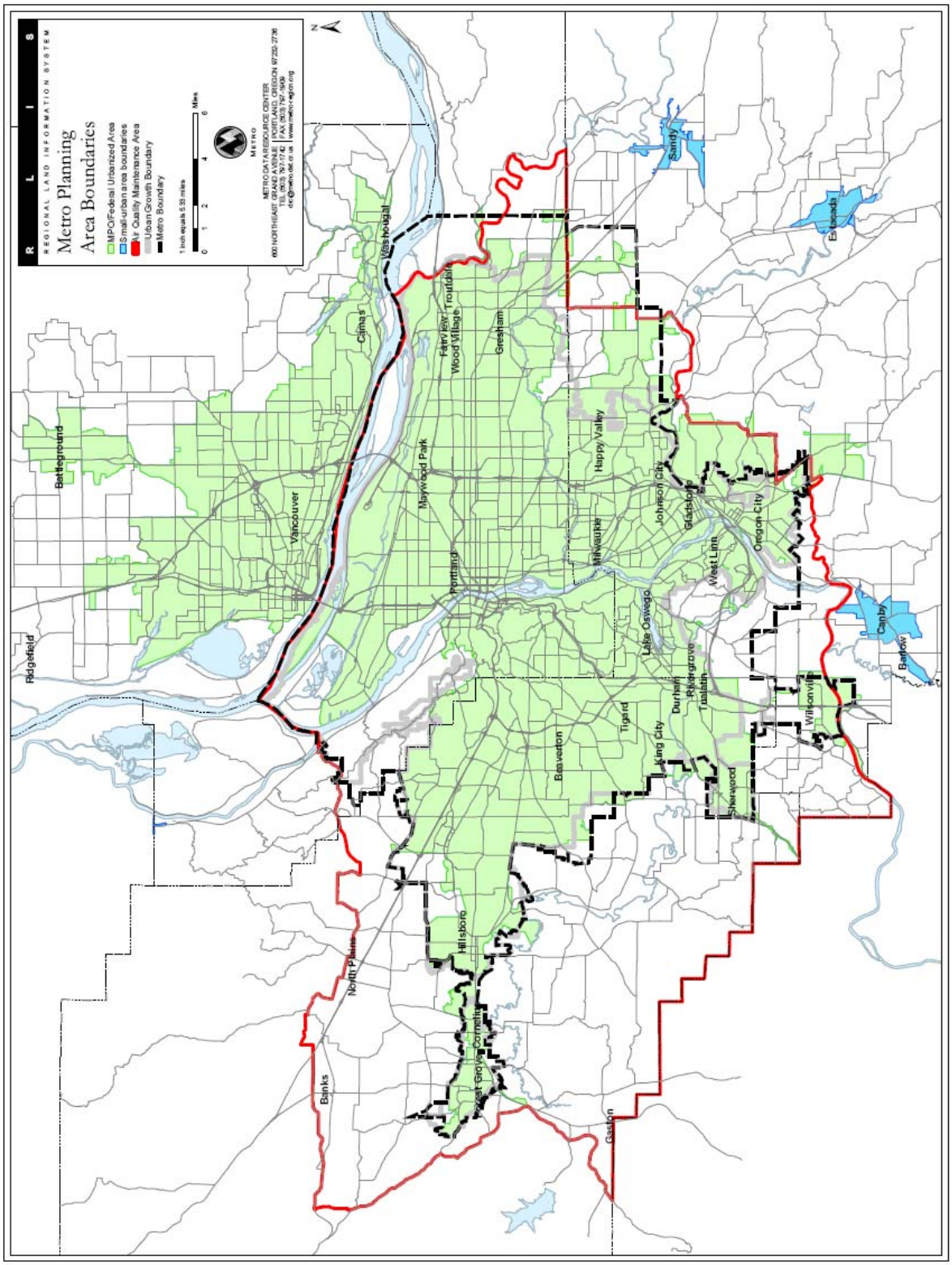


. Ozone trend using the three year average of fourth highest eight hour ozone value.

Source: 2005 Oregon Air Quality Data Summaries, Oregon Department of Environmental Quality see

http://www.deq.state.or.us/aq/forms/2005ar/2005ar.pdf

Figure 4 Ozone - Air Quality Maintenance Area



2.0 Demonstration of Conformity for CO

This air quality analysis is organized around and addresses those sections of the federal statutes and state administrative rule that are applicable to this MTIP and RTP amendment conformity determination. Accordingly, each subsection will cite a subject (e.g. "Consultation") and then describe how the requirement was addressed. Federal statutes concerning transportation air quality conformity begin at 40 CFR 93.100 and end at 40 CFR 93.128. Oregon administrative rules for transportation conformity follow federal statute and begin at OAR 340-252-0010 and end at OAR 340-252-0290. Each section is address in numerical order, except as noted in Appendix E.

2.1 GENERAL REQUIREMENTS

2.2.1 Applicability (OAR 340-252-0020 and 40 CFR 93.102)

This conformity rule applies to the proposed 2008-2011 Metropolitan Transportation Improvement Program as the Metro area has a Carbon Monoxide maintenance status and the actions being proposed are regionally significant as confirmed in consultation with other agencies including the DEQ, EPA, Federal Highway Administration, Federal Transit Administration, ODOT and TriMet at a meeting held on March 12, 2007. As the legal status of the Ozone requirements is not yet resolved, an Ozone analysis is also included, also concurred by members of the interagency consultation group.

2.1.2 Frequency of Conformity Determinations (OAR 340-252-0050 and 40 CFR 93.104)

These regulations call for a new conformity determination no less frequently than every three years or upon preparation of a new MTIP. On November 1, 2005, the USDOT approved the air quality conformity determination for the 2006-2009 MTIP. With the proposed 2008-2011 MTIP, air quality conformity is also required.

In addition, federal regulations mandate that a conformity determination be done within 18 months of EPA approval of an implementation plan which changes TCMs and state regulations call for conformity within 24 months of EQC adoption of a state implementation plan revision with adds TCMs. The EPA approved a new Carbon Monoxide SIP effective February 23, 2006. Accordingly, as of August 2007 a conformity determination would also be required.

Accordingly, this conformity determination has been prepared for the 2008-2011 MTIP.

2.1.3 Consultation (OAR 340-252-0060 and 40 CFR 93.105)

This section addresses the consultation requirements for air quality planning. The regulations in this section state that the metropolitan planning organization is responsible for development the transportation plan (RTP) and transportation improvement program (MTIP), making the conformity determination, performing regional emissions analysis and documenting timely implementation of transportation control measures.

Consultation is comprised of two components – technical and public. Agency representatives must be provided the opportunity to review and comment on the technical

aspects of a conformity determination and the public must be given the opportunity to see the conformity determination report and provide comment.

On March 12, 2007, representatives of the Federal Highway Administration, Federal Transit Administration, EPA, DEQ, ODOT, TriMet and Metro met and discussed the upcoming 2008-2011 MTIP and discussed and commented on a Pre-Conformity Plan (see Appendix F). Further, TPAC was part of the many months of the development process of the proposed 2008-2011 MTIP and they were also provided the Pre-Conformity Plan and project summary for discussion at their March 30, 2007 meeting.

These technical groups will be provided an opportunity to comment on this document during a 30 day period staring June 15, 2007 and ending July 16, 2007.

In addition to technical review, an opportunity for public comment period also must be provided prior to taking formal action. Reasonable access to technical and policy information must be provided at the beginning of the public comment period. Any charges for public inspection and copying must be consistent with a specified fee schedule.

Metro is making this document available on its website at the beginning of the public comment period, June 15, 2007, so that it may be accessed for free at any public library via the internet or from a resident's home, if they have a computer and internet access. In addition, a telephone number has been advertised so that the public may call should they have questions. Metro has also arranged to mail hard copies of this report to those who may wish to use this method of inspecting the document. Metro has also provided a telephone number for the hearing impaired so that questions may be answered using TTY technology, so that text messages may be conveyed back and forth. Public comments received by July 16, 2007, will be compiled and written responses addressing comments will be completed and made available to the Joint Policy Advisory Committee on Transportation and the Metro Council and will be included in Appendix B.

2.1.4 Content of Transportation Plans (OAR 340-252-0070 and 40 CFR 93.106)

This regulation concerns the years in which a "snapshot" of transportation conditions are estimated. The years may not be more than 10 years apart and the first horizon year must not be more than 10 years from the base year. The last year must be the last year of the transportation plan's forecast period and the forecast demographic conditions (location and amount of jobs, housing and population) for each of these analysis years must be included in the plan.

The 2004 RTP is based on forecasts out to the year 2025. The air quality analysis years for this 2008-2011 MTIP include 2010, 2015, 2017, 2020 and 2025 to address the Carbon Monoxide and Ozone budgets established by the relevant SIP.

2.1.5 Relationship of Transportation Plan and TIP Conformity with the NEPA Process (OAR 340-252-0080 and 40 CFR 93.107)

This provision provides some flexibility between the projects described in the RTP and MTIP and specific projects for which National Environmental Policy Act (NEPA) analysis is being completed.

The Sunrise Project is currently being considered in a NEPA effort and for purposes of air quality conformity determination modeling, the project was analyzed consistent with the definition of the project already in the financially constrained system of the RTP. That is, the Project was modeled from 1-205 to 122nd as a 4 lane, limited access expressway, parallel with Hwy212. The Sunrise Project EIS and Damascus/Boring Concept Plan will identify projects beyond 122nd Avenue in the future.

The OTIA funding award is for that portion of the project that is included in the existing financially constrained 2004 RTP - that is, I-205 to 122nd (also known as Phase 1 of Unit 1). No construction project beyond 122nd was modeled for the conformity analysis or programmed in the MTIP at this time (and no right-of-way acquisition east of 122nd Avenue is planned at this time).

When a project hasn't been adequately defined through the NEPA process, conformity allows coding the network based upon a placeholder project as best as can be defined at the time. For purposes of this air quality conformity determination, a specific configuration to the phase 1 project has been made. If the final configuration is substantially different that what has been assumed, there will need to be a determination whether additional conformity analysis will be needed at that time.

2.1.6 Fiscal Constraints for Transportation Plans and TIP (OAR 340-252-0090 and 40 CFR 93.108)

This section requires that transportation plans and transportation improvement programs be fiscally constrained. That is, that the total cost of the transportation plan and the TIP be equal or less than the total of identified transportation resources. The 2004 RTP was adopted to include a fiscally constrained system. Likewise, the 2008-20011 MTIP has been created based on the availability of funds, the project list starting from one that vastly exceeded available dollars, to the proposed project list consistent with foreseeable revenues during the program period.

Each project included in the Financially Constrained System of the Regional Transportation Plan and those programmed in the Metropolitan Transportation Improvement Program has an identified funding source(s) that can be reasonably expected to be available over the planning period. This is documented in section 1.4 of the 2008-2011 MTIP.

2.2 CRITERIA AND PROCEDURES FOR DETERMINING CONFORMITY

2.2.1 General (OAR 340-252-0100 and 40 CFR 93.109)

This section outlines which portion of the conformity rule is applicable for particular actions. Compliance with this section is specifically demonstrated in the following sections.

2.2.2 Latest Planning Assumptions (OAR 340-252-0110 and 40 CFR 93.110)

The assumptions about land use, including the location of jobs, housing and the demographic characteristics of the population are a key element in the transportation analysis and accordingly, are reflected in the air quality assessment. As noted before, using estimates of the location and quantity of total housing, population and jobs for the years 2005, 2010, 2015 and 2025 were estimated for the 2004 RTP. These forecasts, as part of the 2004 RTP, were adopted by the Metro Council. As they provide a 20 year forecast – 2005 through 2025, they provide a long enough time horizon to understand the results of both the forecast demographic and employment changes and how the combination of the existing transportation system and improvements included in the financially constrained system will operate. From this, air quality analysis is derived.

2.2.3 Latest Emissions Model (OAR 340-252-0120 and 40 CFR 93.111)

One difference from the last conformity determination and this one is that a new air quality emission model is required to be used. This new model, MOBILE6.2, the latest EPA approved model, has been employed for this air quality conformity determination.

2.2.4 Consultation (OAR 340-252-0130 and 40 CFR 93.112)

This section refers back to the earlier section on consultation and provides for the state implementation plans (SIP) to have additional consultation requirements if appropriate. The second Portland Area CO Maintenance Plan and both the first and second Ozone Maintenance Plans have no further consultation requirements beyond those already addressed in the earlier consultation section.

2.2.5 Timely Implementation of Transportation Control Measures (OAR 340-252-0140 and 40 CFR 93.113)

The State and Federal conformity regulations require that the air quality conformity determination demonstrates compliance with Transportation Control Measures (TCM) that are included in the Carbon Monoxide Maintenance Plan by providing for the timely completion or implementation of all TCM. It must also be demonstrated that nothing in the MTIP program or RTP amendment interferes with the implementation of TCMs.

The Second Portland Area CO Maintenance Plan includes three TCM and has been approved by the Oregon Environmental Quality Commission and US EPA and are addressed below. These TCM are: 1) Transit Service Increase; 2) Bicycle Paths; and 3) Pedestrian Paths.

> **TCM 1. Transit Service Increase**
> *Regional transit service revenue hours (weighted by capacity) shall be increased 1.0% per year. The increase shall be assessed on the basis of a 5 year rolling average of actual hours for assessments conducted between 2006 and 2017. Assessments made for the period through 2008 shall include the 2004 opening of Interstate MAX."*

Compliance Actions - Transit Service Increase

This transit service TCM calls for a calculation of actual hours for assessments conducted between 2006 and 2017. However, data is only available for 2006, and other years necessary to calculate a five-year average beginning 2006 are estimated based on financial plans. The first full assessment using actual service hours would first be calculated in year 2011, with data from 2006 through 2010. Presented below are projections of transit service hours with a combination of actual service hours in year 2006 and planned hours from 2007 through 2010.

Table 5. Service Hours – Weighted by Capacity

	Bus	Rail (bus equivalency)	Streetcar (bus equivalency)	Commuter Rail (bus equivalency)	Total	Percent Change year-to-year
2006 (actual)	1,953,420	1,126,543	33,640		3,113,603	-
2007 (planned)	1,953,420	1,133,601	39,582		3,126,603	0.42%
2008 (planned)	1,953,420	1,167,070	54,839	0	3,175,329	1.56%
2009 (planned)	1,953,420	1,199,760	54,839	17,521	3,225,539	1.58%
2010 (planned)	1,953,420	1,543,304	54,839	21,023	3,572,586	10.76%
Average annual change						**2.6%**

Source: TriMet. Year 2006 is actual service hours weighted by capacity derived from the Monthly Reports prepared by TriMet's Financial Analysis Division. Years 2007 through 2010 are projections based on planned changes to service. Streetcar hours were provided by Portland Streetcar Inc.

Findings. Accordingly it is found that this transit service TCM concerning transit service increase been met because:

- the above analysis of weighted transit service hours shows an annual average transit service increase of 2.6 percent, which exceeds the TCM of 1.0 percent.

TCM 2. Bicycle Paths

"Jurisdictions and government agencies shall program a minimum total of 28 miles of bikeways or trails within the Portland metropolitan area between the years 2006 through 2017. Bikeways shall be consistent with state and regional bikeway standards. A cumulative average of 5 miles of bikeways or trails per biennium must be funded from all sources in each Metropolitan Transportation Improvement Program (MTIP). Facilities subject to this TCM must be in addition to those required for expansion or reconstruction projects under ORS 366.514."

Compliance Actions - Bicycle Paths

As shown in Table 2[1], the region has allocated funding for at least 20.54 miles of bicycle lanes and multi-use paths for 2006-2011. This represents an average of 6.85 miles per biennium, 37% above the 5 mile per biennium target for new bicycle/trail improvements.

Table 2. MTIP 2006-2011 Bicycle Projects

2006-2007 Funding		2008-2009 Funding	
Beaverton Powerline trail	1.95 mi	Springwater trail	0.9 mi
Washington SQ RC multi-use trail	0.57 mi	Marine Dr. bike lanes	1.5 mi
Mcloughlin: I-205 to Hwy 43 bridge	0.10 0mi	Gresham-Fairview trail	1.9 mi
102nd Ave boulevard improvements	0.80 mi	Gresham MAX trail	1.9 mi
Hwy 99W: 64th to Canterbury	0.00 mi	Rock Creek trail	0.8 mi
Hwy 224 Preservation project	0.00 mi	Trolley trail	6.0 mi
Total 2006-2007	3.42 mi	SE 92nd Ave	0.38 mi
		Waud Bluff trail	0.25 mi
		Total 2008-2009	11.73 mi
2010-2011 Funding			
NE/SE 50s Bikeway	4.30 mi		
East Baseline St, Cornelius	0.54 mi		
East Burnside	0.55 mi		
Total 2010-2011	5.39 mi		
Total 2006-2011		**20.54 mi**	

Additionally, the RTP Financially Constrained list includes several bicycle projects to be completed by 2017. A sample is provided below (analysis was not continued once it could be shown that the goal could be met. In no case were projects beyond the year 2015 included).

Table 3. RTP Financially Constrained System Bicycle Projects

SE Holgate Bikeway, Phase 1 (28th to 136th)	5.53 mi
NE Glisan Street Bikeway (162nd to 202nd)	2.01 mi
Total:	**7.54 mi**

Adding this mileage to the 20.54 miles from 2006-2011 MTIP allocations totals 28.708 miles, which slightly exceeds the target of 28 miles by 2017.

Findings. Accordingly, it is found that this TCM concerning bicycle paths has been met because:

- almost 21 miles of bicycle paths are programmed for the years 2006-2011; and,
- the Financially Constrained System of the RTP shows an additional 7.54 miles of bicycle paths to be constructed by 2017; and,

1. Mileage counts are derived from GIS measurements based on project descriptions.

- the total miles planned to be constructed by 2017 is 28.08 miles, which slightly exceeds the TCM of 28 miles by the year 2017.

TCM 3. Pedestrian Paths

"Jurisdictions and government agencies shall program at least nine miles of pedestrian paths in mixed use centers between the years 2006 through 2017, including the funding of a cumulative average of 1½ miles in each biennium from all sources in each MTIP. Facilities subject to this TCM must be in addition to those required for expansion or reconstruction projects under ORS 366.514.except where such expansion or reconstruction is located within a mixed-use center."

Compliance Actions - Pedestrian Projects

As shown in Table 4 below, the region has allocated funding for at least 6.5 miles of new pedestrian improvements in mixed-use centers for 2006-2011.[2] This represents an average of 2.17 miles per biennium, 44% above the 1.5 mile for new pedestrian improvements.

Table 4. MTIP 2006-2011 Pedestrian Projects[3]

2006-2007 Funding		2008-2009 Funding	
St John's Ped/Freight Improvement	0.45 mi	Forest Grove TC*	0.65 mi
Hillsboro Regional Center Ped Project	1.77 mi	Milwaukie TC	0.26 mi
Central Eastside Bridgeheads	0.10 mi	SE 92nd Ave	0.38 mi
Total 2006-2007	2.22 mi	Gresham MAX trail	0.40 mi
		Total 2008-2009	1.69 mi

2010-2011 Funding	
Hood Street: Se Division St to SE Powell Blvd	0.18 mi
Foster-Woodstock: SE 87th St to SE 101st St	1.13 mi
East Baseline St, Cornelius: 10th Ave to 19th Ave	0.18 mi
East Burnside: 3rd Ave to 14th Ave	1.1 mi
Total 2010-2011	2.59 mi

Total 2006-2011 6.5 mi

*Note Scope of Forest Grove TC project reduced due to cost constraint

Additionally, the RTP Financially Constrained list includes several bicycle projects to be completed by 2017.

2. Mileage counts are derived from GIS measurements based on project descriptions.
3. The MAX multi-use path project is 2.32 miles total, with 1.90 miles being applied to the bike/trail TCM target, and 0.40 miles counting toward TCM pedestrian target, as it is located in the Gresham regional and Rockwood town centers.

Table 5. RTP Financially Constrained System Pedestrian Projects

SW Capitol Hwy Ped Improvements (Multnomah to Taylor's Ferry)	1.0 mi
SE 17th Ave Milwaukie (SE Ochoco to SE Lava Drive)	0.9 mi
Sandy Blvd Pedestrian Improvements	0.24 mi
Pine St Sherwood (Willamette to Sunset)	0.47 mi
Westhaven Rd Pathways (Morrison to Springcrest)	0.17 mi
Total:	**2.78 mi**

Adding this mileage to the 6.5 miles from the 2006-2011 MTIP allocations totals 9.28 miles, which exceeds the target of 9 miles by 2017.

Findings. Accordingly, it is found that this TCM concerning pedestrian projects has been met because:

- a total of 6.5 miles of pedestrian paths are programmed for the period 2006-2011; and,
- a total of an additional 2.78 miles of pedestrian paths are included in the Financially Constrained System of the RTP by the year 2017; and
- the total of programmed and planned pedestrian paths between 2006 and 2017 is 9.28 miles, which slightly exceeds the TCM of 9 miles by the year 2017. (The calculation of pedestrian facility funding was not continued once it could be shown that the target could be met. In no case were projects beyond the year 2015 counted in the tally)
- the number of miles of pedestrian paths funded per average biennium is 2.17 miles per biennium, 44% above the 1.5 mile for new pedestrian improvements.

Overall TCM findings

The above facts and findings for each TCM demonstrate the timely completion or implementation of each TCM. In addition, the above examination of each TCM demonstrates that there are no obstacles that interfere with the implementation of any TCM in the current or proposed CO maintenance plans, including no obstacles in the MTIP or RTP as proposed to be amended.

Accordingly, it is found that the criteria and procedures of *Criteria and Procedures: Timely Implementation of TCMs*, (*OAR 340-252-0140 and 40 CFR 93.113*) have been met.

2.2.6 Currently conforming transportation plan and TIP (OAR 340-252-0150 and 40 CFR 93.114)

This section concerns projects, and that only one conforming transportation plan or TIP may exist at any one time and the old conformity determination for a transportation plan or TIP expires once the new one is approved. Potentially a project could lose its conformity determination if not built and not carried over to the new conformity determination.

The 2008-2011 MTIP, upon conformity determination approval, will allow for three years of transportation improvements to proceed, consistent with the financially constrained system of the 2004 RTP.

2.2.7 Motor Vehicle Emissions Budget **(OAR 340-252-0190 and 40 CFR 93.118)**

This section requires that the projected emissions from the entire transportation system not exceed the approved motor vehicle emission budget for each year that an emission budget has been established. The EPA found that the motor vehicle emission budgets in the *Second Portland Area Carbon Monoxide Maintenance Plan* are adequate for transportation conformity purposes (see Appendix D)

These EPA approved budgets for wintertime Carbon Monoxide levels from all on-road transportation sources are as follows:

2005 - 1,238, 575 pounds per day
2010 – 1,003,578 pounds per day
2017 – 1,181,341 pounds per day (2017 is the proposed end year of the Maintenance Plan)
2025 – same as 2017

The 1996 Portland Ozone Maintenance Plan (which may or may not be applicable depending on pending judicial action and EPA decisions) includes the following MOBILE5 based motor vehicle emission budgets:

Year	Hydrocarbon Motor Vehicle Emission Budget (tons/summer day)	Oxides of Nitrogen MotorVehicle Emission Budget (tons/ summer day)
2010	40	52
2015	40	55
2020	40	59
2025	40	59

As is shown below, none of these budgets have been exceeded.

Using the Metro travel forecast model, the transportation network capacity that would result with the implementation of the financially constrained system of the 2004 RTP and the specific timing of projects included in the proposed 2008-2011 MTIP, as consistent with the financially constrained 2004 RTP, the forecasts of population, housing, employment and the use of the MOBILE6.2 air quality model with the assumptions as listed above, the following results, when comparing these to the motor vehicle emission budgets, is found:

Table 6. Carbon Monoxide and Ozone Emission Results Compared with Budgets

Year	**Carbon Monoxide Motor Vehicle Emission Budget** (pounds/ winter day)	**Forecast Carbon Monoxide Emissions** (pounds/ winter day)	**Hydrocarbon Motor Vehicle Emission Budget** (tons/summer day)	**Forecast Hydrocarbon Emissions** (tons/summer day)	**Oxides of Nitrogen Motor Vehicle Emission Budget** (tons/ summer day)	**Forecast Oxides of Nitrogen Vehicle Emissions** (tons/summer day)
2010	1,033,578	976,015	40	32.6	52	46.6
2015	n/a	n/a	40	23.5	55	28.5
2017	1,181,341	837,797	n/a	n/a	n/a	n/a
2020	n/a	n/a	40	21.5	59	23.9
2025	1,181,341	901,569	40	19.5	59	19.3

Accordingly, based on these model results, the other data provided in this document and on documents in the appendices, it is concluded that the proposed 2008-2011 MTIP meets the transportation air quality conformity determination requirements and standards.

2.3 REGIONAL EMISSIONS ANALYSIS & METHODOLOGY

2.3.1 Transportation Networks

The projects listed in Appendix A are those assumed for the region. This list includes the project name, location, project description, whether it was included in the air quality analysis (for example, some of the projects are exempt, like safety improvements that do not include capacity improvements) and the year that the project was assumed to be completed and therefore added to the system modeled.

2.3.2 Procedures for Determining Regional Transportation-Related Emissions (OAR 340-252-0230 and 40 CFR 93.122)

This section requires that the analysis be performed for all "regionally significant" projects. Metro's approach has been to attempt to model any improvement that can be modeled. This approach helps ensure that any capacity increases that may be involved in an improvement are included in the analysis and that all possible consideration of improvements has been made.

This section also addresses the model assumptions and methods to be used. The Metro travel demand model was used in the first step of this analysis. Once the travel demand model has been run for a particular year, with the attendant assumptions about the transportation network improvements and capacities, transit service levels, jobs, housing and demographic characteristics, the miles traveled and the speeds at which the miles are traveled are estimated.

MOBILE6.2, the air quality model, is the second step taken to estimate air pollutant levels for the year that the transportation model was run. To run MOBILE6.2, several additional assumptions must be made. Following are the assumptions made for running MOBILE6.2

Table 7. MOBILE6.2 Input Assumptions

	Parameter	Details	Data Source
a.	Emission Model Version:	MOBILE6.2	EPA
b.	Emission Model Runs:	2010, 2015, 2025	EPA, DEQ
c.	Time Periods:	Seven - 2200hrs-0559; 0600-0659;0700-0859; 0900-1359; 1400-1459, 1800-1859 (PM shoulder); 1500-1759 and 1900-2159.	
d.	Pollutants Reported:	Carbon Monoxide, Ozone	
e.	Vehicle Class:	As per MOBILE6.2	EPA
f.	Functional Class:	MOBILE6.2 default (freeways, arterials, local and ramp)	
g.	Temperatures:	Min, Max for January	OR DEQ
h.	VMT mix:	MOBILE6.2 default	
i.	Speed:	3-65 MPH	
j.	Vehicle Registration:	1999 fleet for 2000 run, all other runs using 2004 fleet, except for trips originating in Washington State which are provided through the SW Clean Air Agency.	OR DEQ / ODOT DMV
k.	I/M Program:	Assumes no oxygenated fuels and two Inspection and Maintenance tests depending on vehicle manufacture year - Basic and On-Board Diagnostic*	OR DEQ
l.	Reid Vapor Pressure:	13.6 – Jan.	OR DEQ

* This conformity determination does not assume oxygenated fuels or the Enhanced I/M test – in contrast to earlier air quality conformity determination analyses. As a result, transportation emission results are higher than if these programs were in place (as they were in the past). This is a change from the pre-Conformity Plan discussed at the Interagency Consultation meetings in March 2007.

The transit network used for this analysis included the existing transit network as well as the improvements included in the financially constrained system of the RTP, which includes TriMet's Transit Investment Plan.

This section also provides for emission reduction credits for any transportation control measures (TCM) that may be implemented as long as timely implementation can be assured. As the analysis has demonstrated that the region's regional CO emission levels have been achieved at this time without the use of emission reduction credits, these credits have not been included in these calculations.

2.3.3 Exempt Projects (OAR 340-252-0270 and 40 CFR 93.126)

This section includes certain safety (railroad/highway crossings, hazard elimination program, etc.), mass transit (operating assistance to transit agencies, purchase of support vehicles, etc.) air quality (ride-sharing and van pooling promotion, bicycle and pedestrian facilities, etc.), unless the standing committee concurs that the project has potentially adverse emission impacts.

As noted in Appendix A, all projects that could be modeled were included in this conformity determination. However, most all of projects qualifying as an exempt project would not be included in the travel forecast model and this air quality analysis.

2.3.4 Projects Exempt from Regional Emissions Analyses (OAR 340-252-0280 and 40 CFR 93.127)

In addition to the list of exempt projects, certain projects are exempt from regional emissions analyses. These include intersection channelization projects, intersection signalization at individual intersections, changes in vertical and horizontal alignments and other projects that do not significantly affect the regional emission analysis (but which must have a local hot spot analysis to check on potential impact to the area directly around the project's location.)

As was noted in the section above, all possible improvements possible to be modeled in the travel forecast model were included.

2.3.5 Traffic Signal Synchronization Projects (OAR 340-252-0290 and 40 CFR 93.128)

Regionally significant traffic signal synchronization projects must be included as required by these sections of federal and state statutes. The literature suggests that throughput from such traffic signal synchronization projects can be increased by as much as ten percent. However, the Metro travel forecast model has been revised to allow only additional 50 vehicles per hour more capacity through intersections with traffic signal signalization projects than those without this feature. Analysis of existing or in construction projects will provide better information about the actual capacity increase that such improvements provide. Recent traffic signal synchronization changes include:

- a joint City of Gresham/Multnomah County adaptive (real-time) traffic signal control system on Burnside Road between Eastman Parkway and Powell Boulevard; (2006) (An assessment of effectiveness of this project is underway)
- a Portland Central City signal re-timing of 150 intersections (2005)
- an incidence responsive (for example an accident on I-205) traffic signal system on 82nd Avenue (being completed). This approach was also completed for Barbur Boulevard.

As future air quality conformity determinations are made, the Metro travel forecast model will continue to improve its modeling by including consideration of traffic signal synchronization projects.

APPENDIX A – *Project List*

Metro Region Transportation Project List*

2004 RTP Project list as
Amended by Metro Resolution No. 03-3380A
Ordinance No. 04-1045A, and Ordinance No. 05-3589

Travel Forecast Model Input?	RTP Number	Sponsor Agency	Project Name	Project Location	Project Description	Earliest Air Quality Analysis Year Project Operating for 2008-11 MTIP Analysis
Y	1001	TriMet	I-205 LRT Extension	Gateway RC to Clackamas TC	Construct LRT and improvements to downtown transit mall	2010
Y	1003	TriMet	Milwaukie Light Rail Extension	Rose Quarter to Milwaukie TC	Construct LRT	2015
N	1007	Multnomah Co.	Broadway and Burnside Bridge Improvements	Broadway and Burnside bridges	Broadway-painting, phase 1 seismic retrofit, sidewalk replacements and resurface bridge deck and approaches; Burnside - deck rehabilitation, mechanical mprovemensts, painting and phase 1 seismic retrofit	2004-25
N	1008	ODOT/Metro	I-5 South Corridor Study	Highway 217 to Wilsonville/Charbonneau	Study to define needed improvements for motor vehicle, truck and transit travel in corridor	2025
N	1009	Portland	Springwater Trail Access Improvements	Sellwood Bridge to SPRR	Construct shared-use path; improve bicycle/pedestrian access	2010
N	1010	Multnomah Co.	Morrison Bridge Deck Replacement	Morrison Bridge	Replace deck on lift-span and bridge approach	2010
Y	1012	Multnomah Co.	Sellwood Bridge Replacement	Multnomah County	Implement recommendations from South Willamette Study	2010
Y	1015	TriMet/Portland	Portland Street Car - Phase 3a (River Place)	PSU to Riverplace	Construct street car	2010
N	1020	Various	Red Electric Line Trail	Willamette Park to Oleson Road	Study feasibility of shared-use path	2010
N	1022	Portland	I-84/Banfield Trail	Willamette River/Eastbank Esplanade to I-205 bike lanes	Study feasibility of shared-use path	2025
Y	1024	ODOT	I-5/McLoughlin Ramps	McLoughlin to I-5 north at Division	Construct new I-5SB off-ramp and I-5 NB on-ramp at McLoughlin Boulevard	2025
Y	1025	ODOT	I-5/North Macadam Access Improvements	NB I-5 to NB Macadam Avenue	Construct new off-ramp	2015
N	1027	Portland/ODOT	South Portland Improvements	South Portland sub-area	Redesign Naito Pkwy as a neighborhood collector and reconnect east-west local streets. Rebuild Ross Island Bridge Ramps to separate regional traffic from neighborhood streets and improve access to I-405 and I-5	2015
N	1028	Portland/ODOT	Kerby Street Improvements	Kerby Street at I-5	Improve I-405/Kerby Street interchangeto calm traffic and improve local access	2010
Y	1029	Portland	SE Water Avenue Extension	SE Water Avenue	Extend SE Water Avenue from Carruthers to Division Place	2010
Y	1030	ODOT	Ross Island Bridge Interchange	East approach to Ross Island Bridge	Interchange improvement	2025
Y	1032	Portland	Southern Triangle Circulation Improvements	Between the Ross Island Bridge - Hawthorne Bridge/ Willamette River - SE Grand-MLK	Improve local street network and regional access routes in the area. Improve freeway access route from CEID to I-5 SB via the Ross Island Bridge	2025
N	1035	Portland	SW Columbia Street Reconstruction	18th Avenue to Naito Parkway	Rebuild street	2010

* includes all 2004 RTP financially constrained system, all 2008-2011 MTIP and locally funded projects.

Metro Region Transportation Project List*

2004 RTP Project list as
Amended by Metro Resolution No. 03-3380A
Ordinance No. 04-1045A, and Ordinance No. 05-3589

Travel Forecast Model Input?	RTP Number	Sponsor Agency	Project Name	Project Location	Project Description	Earliest Air Quality Analysis Year Project Operating for 2008-11 MTIP Analysis
N	1036	Portland	Broadway/Flint Arena Access	Broadway/Flint at Rose Quarter	Intersection realignment	2010
Y	1037	Portland	Bybee Boulevard Overcrossing	Bybee Boulevard/McLoughlin Boulevard	Replace substandard 2-lane bridge with 2-lane bridge with standard clearance	2015
Y	1039	Portland	SE Belmont Ramp	Belmont ramp of Morrison Bridge, eastside	Reconstruction of the ramp to provide better access to the Central Eastside	2015
N	1046	Portland	Transit Mall Restoration	Central City	Reduce maintenance and repair costs	2010
N	1047	Portland	SE 7-8th Avenue Connection	Central Eastside Industrial District	Construct new street connection from SE 7th to 8th Avenue at Division Street	2015
N	1048	Portland	South Waterfront Pedestrian and Bicycle Access Improvements	South Waterfront District of the central city	Implement pedestrian and bicycle district access improvements identified in the South Waterfront Framework Plan, including overcrossings of I-5, improvements to Sheridan-Corbett and the Greenway Trail	2010
N	1049	Portland	South Waterfront Transit Improvements	South Waterfront District of the central city	Implement transit improvements identified in the North Macadam Framework Plan, including central city transit hub and local bus service improvements	2015
N	1050	TriMetPortland	North Macadam TMA	South Waterfront District of the central city	Implement transportation management area improvements identified in the South Waterfront Framework Plan (placeholder TMA)	2010
N	1051	Portland	W. Burnside Street Improvements	W 15th to NW 23rd	Boulevard design improvements including pavement reconstruction, wider sidewalks, curb extensions, safer crossings, traffic signals at W 20th Pl and W 22nd, and traffic management to limit motorist delays	2010
N	1052	Portland	North Macadam Street Improvements	South Waterfront District of the central city	Implement street improvements identified in the South WaterfrontFramework Plan, including Bancroft, Bond, Curry, River Parkway, Harrison connector, key access intersections and other street improvements	2010
N	1053	Portland	Naito Parkway Improvements	NW Davis to SW Market	Complete boulevard design improvements, including bike lanes, pedestrian crossings and pavement reconstruction	2010
N	1054	Portland	Broadway/Weidler Improvements, Phase II and III	At Arena and 15th Avenue to 24th Avenue	Complete boulevard design improvements and ITS	2010
N	1055	Portland/ODOT	MLK/Grand Improvements	Central Eastside and Lloyd districts	Complete boulevard design improvements	2025
N	1057	Portland	Eastbank-Springwater Trail Connector (Three Bridges) Improvement	Sellwood Bridge to SPRR	Construct shared-use path and three bridges to connect the Eastbank Esplanade and Springwater Corridor shared-use path, including new bridges over McLoughlin boulevard and Johnson Creek	2010
N	1062	Multnomah Co.	WRBAP Future Phase Project Implement.	Morrison Bridge	Morrison Bicycle Pathway; improve pedestrian access	2010

* includes all 2004 RTP financially constrained system, all 2008-2011 MTIP and locally funded projects.

Metro Region Transportation Project List*

Travel Forecast Model Input?	RTP Number	Sponsor Agency	Project Name	Project Location	Project Description	Earliest Air Quality Analysis Year Project Operating for 2008-11 MTIP Analysis
N	1068	Portland	SE Division Place/SE 9th Bikeway	SE 7th Avenue to SE Center Street	Retrofit bike lanes to existing street	2025
N	1080	Portland	Hawthorne Boulevard Pedestrian Improvements	20th Avenue to 60th Avenue	Improved lighting, crossings, bus shelters, bike parking, benches and parallel facility bike improvements	2010
Y	1082	Portland	SE Grand Avenue Bridgehead Improvements	Central Eastside Industrial District	Reconstruct west edge of SE Grand at bridgehead to provide sidewalks and urban standard turn lanes for vehicles and truck safety and access	2010
N	1084	Portland	Clay/2nd Pedestrian/Vehicle Signal	SW Clay Street and SW 2nd Avenue	New signal installation	2010
Y	1086	TriMet/Portland	Portland Street Car - Phase 3b (Gibbs)	Riverplace to Gibbs Street	Construct street car	2010
Y	1087	TriMet/Portland	Portland Street Car - Phase 3c (Bancroft)	Gibbs Street to Bancroft Street	Construct street car	2010
Y	1089	Portland	East Burnside/NE Couch Couplet and Street Improvements	East 12th Avenue to Burnside Bridge	Implement a one-couplet design including new traffic signals, widened sidewalks, curb extension, bike lanes, on-street parking and street trees	2015
Y	1090	Portland	W Burnside/NW Couch Couplet and Street Improvements	Burnside Bridge to West 15th Avenue	Implement a one-couplet design including new traffic signals, widened sidewalks, curb extension, bike lanes, on-street parking and street trees	2015
N	1095	Portland	Union Station Multi-modal Center Study	North transit mall in Central City	Identify improvements to meet additional transportation services to Union Station.	2025
N	1096	Portland	Barbur/I-5 Corridor Study	I-405 to Highway 217	Assess corridor improvement options	2010
N	1097	Portland	Naito Parkway Street and Pedestrian Improvements	Broadway Bridge north of Terminal one property	Construct streetscape improvements including pedestrian amenities	2010
Y	1098	Portland	Aerial Tram	Marquam Hill - South Waterfront District	Develop and implement an aerial tram between Marquam Hill and South Waterfront District. Project implementers include Oregon Health & Science University, Portland Aerial Tram Inc, and others.	2010
N	1100	ODOT/Portland	Central City TSM improvements	Central City - various locations	Implement Central City TSM improvements to arterials.	2010
N	1101	Portland	SW Jefferson Street ITS	At SW 18th Avenue	Communications infrastructure; closed circuit TV cameras, variable message signs for remote monitoring and control of traffic flow	2015
N	1102	Portland	Macadam Avenue ITS	Three signals between the Sellwood Bridge and Hood/Bancroft	Communications infrastructure; closed circuit TV cameras, variable message signs for remote monitoring and control of traffic flow	2015
N	1103	Portland	N. Going Street ITS	Two signals at N. Greeley and at Interstate Avenue	Communications infrastructure; closed circuit TV cameras, variable message signs for remote monitoring and control of traffic flow	2015
N	1104	Portland	NW Yeon/St. Helens	Four signals between I-405/Vaughn/23rd and Nicolai Street	Communications infrastructure; closed circuit TV cameras, variable message signs for remote monitoring and control of traffic flow	2010

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N	1105	Portland	SW-NW 14/16th - SW 13th/14th Avenue ITS	Six signals between SW Clay and NW Glisan	Communications infrastructure; closed circuit TV cameras, variable message signs for remote monitoring and control of traffic flow	2015
Y	1106	Portland	Portland Streetcar - Eastside, Phase 1 (Lloyd District)	Pearl District to Lloyd District	Construct street car from NW Lovejoy/10th Avenue to NE 7th Avenue/Oregon Street	2010
Y	1107	Portland	Portland Streetcar - Eastside, Phase 2 (Central Eastside Industrial District)	Lloyd District to Central Eastside Industrial District	Construct street car from NE Oregon Street to Water Avenue	2010
N	1108	Portland	Streetcar Feasibility Study	Inner eastside Portland neighborhoods	Conduct a feasibility study of streetcar service	2010
Y	1109	Portland	Going Street Rail Overcrossing	North Going Street at Swan Island	Seismic retrofit project will include work to both the substructure and superstructure to help minimize the risk of structural collapse in a major earthquake	2010
N	1113	Portland	Going Street Bikeway	N Interstate Avenue to N Basin Street and N. Lagoon to Channel	Retrofit bike lanes to existing street	2010
N	1118	TriMet	Sandy Boulevard Frequent Bus	Sandy Boulevard	Construct improvements that enhance Frequent Bus service	2015
N	1119	Portland	Sandy Boulevard/Burnside/12th Avenue Intersection	Sandy Boulevard/Burnside/12th Avenue Intersection	Redesign intersection	2010
N	1120	Portland	Sandy Boulevard Multi-Modal Improvements, Phase I	12th Avenue to 47th Avenue	Retrofit existing street with multi-modal boulevard improvements including redesign of selected intersections to add turn lanes and improve pedestrian crossings, bike lanes, on-street parking, and safety improvements	2010
N	1122	Portland	Sandy Boulevard Multi-Modal Improvements, Phase II	47th Avenue to 99th Avenue	Retrofit existing street with multi-modal boulevard improvements including redesign of selected intersections to add turn lanes and improve pedestrian crossings, bike lanes, on-street parking, and safety improvements	2015
N	1126	Portland	NE/SE 50s Bikeway	NE Tillamook to SE Woodstock	Retrofit streets to add bike lanes	2015
N	1130	Portland	Hollywood TC Pedestrian District Improvements	NE Halsey Street, NE 37th to 47th, Tillamook Street to I-84	Multi-modal street improvements, traffic signals, restriping, improved pedestrian crossings and connections to transit center	2010
N	1135	TriMet	MLK/Lombard Frequent Bus	PCBD to St. Johns Town Center	Construct improvements that enhance Frequent Bus service	2015
N	1137	Portland	Lombard/St. Louis/Ivanhoe Multi-modal Improvements	Lombard Street/St. Louis/Ivanhoe Streets	Implement signal and pedestrian crossing improvements to improve pedestrian safety and freight flow	2010
N	1138	TriMet	Lombard/39th Frequent Bus	Milwaukie Town Center to St. Johns Town Center	Construct improvements that enhance Frequent Bus service	2010
N	1143	ODOT	N / NE Lombard Bikeway	N Reno to N Columbia; St. Johns Bridge to MLK Boulevard	Retrofit bike lanes to existing street	2015
N	1147	Portland	Willamette Cove Segment Trail	Willamette Cove to St. Johns Bridge	Study feasbility of shared-use path	2010

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N	1150	Portland/ODOT	St. Johns TC Pedestrian District	Lombard Street: MLK Jr. Boulevard to St. Johns TC	Plan and construct improvements to the pedestrian environment within the Pedestrian District such as improved lighting and crossings	2010
N	1156	Portland	SE Ellis Bikeway	SE Foster Road to SE 92nd Avenue	Retrofit bike lanes to existing street	2025
N	1157	Portland	SE 92nd Avenue Bikeway and Pedestrian Improvements	SE Powell Boulevard to Foster Road	Construct sidewalk, crossing improvements, and bike lanes	2010
N	1158	Portland	Lents TC Pedestrian District	Lents Town Center Pedestrian District	Pedestrian facility improvements to key links accessing th Foster-Woodstock couplet	2015
N	1159	Portland	Foster Pedestrian Access to Transit Improvements	Powell Boulevard to Lents TC	Improve sidewalks, lighting, crossings, bus shelters & benches	2010
N	1160	Portland	Foster-Woodstock, Phase I	87th-94th Avenues and 92nd Avenue within the Foster-Woodstock couplet	Implement Lent Town Center Business District Plan with new traffic signals, pedestrian amenities, wider sidewalks, pedestrian crossings, street lighting, increased on-street parking	2015
N	1161	Portland	Foster-Woodstock, Phase II	87th-94th Avenues and 92nd Avenue within the Foster-Woodstock couplet	Implement Lent Town Center Business District Plan with new traffic signals, pedestrian amenities, wider sidewalks, pedestrian crossings, street lighting	2015
N	1162	Portland	Foster Road Improvements	79th to 87th Avenues	Implement Lent Town Center Business District Plan with new traffic signals, pedestrian amenities, wider sidewalks, pedestrian crossings, street lighting, increased on-street parking, as appropriate	2025
Y	1163	ODOT	I-205/Powell Boulevard/Division interchanges	I-205 and Powell Boulevard and Division Street	Construct improvements to allow full turning movements	2025
N	1164	ODOT	I-205 Ramp Study - PE/EA	I-205/Powell to Division	Perform a design study to evaluate modifications to the existing overpass at I-205 and Powell Boulevard, including full access ramps to and from I-205. The study should also address impacts to the interchange influence area along Powell Boulevard, Division Street, and SE 92nd Avenue.	2010
N	1165	ODOT	I-205 Ramp Right-of-way Acquisition	I-205/Powell to Division	Acquire ROW	2010
N	1166	Portland	Capitol Highway/Vermont/30th Avenue Intersection Improvement	Capitol Highway at Vermont and 30th Avenue	Provide traffic safety and pedestrian and bicycle improvements at this intersection and approaching street segments	2015
N	1167	Portland	Capitol Highway Improvements	Sunset Boulevard to Barbur Boulevard	Provide pedestrian and bicycle improvements to implement Capitol Highway Plan	2015
N	1168	Portland	Hillsdale Intersection Improvements	BH Highway/Capitol Highway/Bertha Boulevard	Redesign the intersection with "boulevard design"	2010
N	1169	Portland	SW Vermont Bikeway, Phase I and II	SW Oleson to 45th Avenue; SW 45th Avenue to SW Terwilliger	Retrofit bike lanes to existing street	2025
N	1171	Portland	SW 30th Avenue Bikeway	BH Highway to SW Vermont Street	Retrofit bike lanes to existing street	2025

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N	1172	Portland	SW Bertha Bikeway Improvements	SW Vermont to BH Highway	Widen street to add bike lanes	2010
N	1173	Portland/ODOT	Hillsdale TC Pedestrian Improvements	Capitol, BH Highway, Bertha. and neighborhood streets	Construct pedestrian and street network improvements	2015
N	1176	Portland	SW Beaverton-Hillsdale Highway Pedestrian and Bicycle Improvements	Capitol Highway to 65th Avenue	Construct sidewalks, crossing improvements for access to transit and bike improvements	2010
N	1177	Portland	SW Sunset Pedestrian and Bicycle Improvements	Capitol Highway to Dosch Road	Construct sidewalks, crossing improvements for access to transit and bike improvements	2010
N	1181	Portland	Beaverton-Hillsdale Highway ITS	Three signals: at Terwilliger, Bertha Boulevard and Shattuck Road	Communications infrastructure; closed circuit TV cameras, variable message signs for remote monitoring and control of traffic flow	2015
Y	1184	ODOT/WashCo	BH Highway/Oleson/Scholls Ferry Redesign	BH Highway/Scholls/Oleson intersection	Redesign intersection to improve safety and relieve traffic congestion (FC project to complete PE and construct Phase 1 of project realigning Oleson Rd. to provide direct connections to Scholls Ferry Rd. and BH Hwy)	2015
Y	1185	Washington Co.	Oleson Road Improvements	Fanno Creek to Hall Boulevard	Improve to urban standard with bike lanes, sidewalks, lighting, crossings, bus shelters & benches; signal at 80th	2010
N	1189	Portland	SW 62nd Avenue at Beaverton-Hillsdale Highway	SW 62nd Avenue at Beaverton-Hillsdale Highway	Install median refuge to improve pedestrian crossing.	2010
N	1193	Portland/ODOT	West Portland TC Safety Improvements	Barbur/Capitol/Taylors Ferry intersection	Safety improvements, incl. signalization at Capitol Hwy/Taylors Ferry and Huber/Barbur and sidewalks and crossing improvements	2010
N	1199	Portland/ODOT	Barbur Boulevard Pedestrian Access to Transit Improvements	Downtown Portland to Tigard	Improve sidewalks, lighting, crossings, bus shelters and benches	2010
N	1202	Portland	SW Capitol Highway Pedestrian and Bicycle Improvements	Multnomah Boulevard to Taylors Ferry Road	Construct sidewalks, improve crossings and bike facilities	2010
N	1209	Portland	NW 23rd Avenue Reconstruction	Burnside Street to Lovejoy Street	Rebuild street	2010
N	1211	Portland	Garden Home/Oleson/Multnomah Improvements	Multnomah Boulevard to 71st Avenue	Reconstruct intersection, sidewalks, crossings	2010
N	1212	Portland	SE Division Bikeway	SE 52nd to SE 82nd; SE 122nd to Portland city limit	Retrofit bike lanes to existing street	2025
N	1214	Portland	Division Street Transit Improvements, Phase I	SE Grand Avenue to 136th Avenue	Improve sidewalks, lighting, crossings, bus shelters & benches	2010
N	1219	Portland	Belmont Pedestrian Improvements	25th Avenue to 43rd Avenue	Identify improvements along Belmont to enhance pedestrian access to transit, improve safety, and enhance streetscape such as traffic signals, lighting, bus shelters, benches, and crossings	2015
N	1220	Portland	Fremont Pedestrian Improvements	NE 42nd Avenue to 52nd Avenue	Plan and develop streetscape and transportation improvements	2010

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N	1221	Portland	Killingsworth Street Improvements	N. Interstate to NE MLK Jr. Blvd.	Construct street improvements to improve pedestrian connections to Interstate Max LRT and to establish a mainstreet character promoting pedestrian-oriented activities	2010
N	1223	Portland	NE Alberta Pedestrian Improvements	NE Alberta - MLK Boulevard to 33rd Avenue	Construct streetscape and transportation improvements	2010
N	1224	Portland	NE Cully Boulevard Multi-modal Improvements	NE Fremont to Columbia Blvd.	Road reconstruction (Prescott-Killingsworth) including Intersection improvements at Prescott. Bike lanes (Prescott-Columbia). Sidewalks and crossing improvements (Killingsworth -Fremont)	2015
N	1225	Portland	Lower Albina Area Improvements	Russell Avenue, Albina Avenue, Mississippi Avenue	Construct improvements to Russell (Williams - Interstate), Albina & Mississippi (Russell - Interstate) to enhance ped connections from Eliot neighborhood and Lower Albina dist to the LRT station	2015
N	1226	Portland	Killingsworth Bridge Improvements	Killingsworth at I-5	Improvements to bridge to create a safe and pleasant crossing for pedestrians and bicyclists over I-5	2025
N	1227	Portland	Tacoma Mainstreet Plan Phase III, Spokane & Umatilla Bike Boulevard	7th Avenue to Tacoma Overcrossing	Project development and implementation of Spokane/Umatilla bike boulevard to complete Tacoma Mainstreet Plan	2010
N	1230	Portland	NE/SE 122nd Avenue ITS	Seven signals between Powell Boulevard and Airport Way	Communications infrastructure; closed circuit TV cameras, variable message signs for remote monitoring and control of traffic flow	2015
N	1231	Portland	SE Tacoma Street ITS	Four signals between Sellwood Bridge and SE 45th/Johnson Creek Boulevard	Communications infrastructure; closed circuit TV cameras, variable message signs for remote monitoring and control of traffic flow	2015
N	1232	TriMet	NW 23rd/Belmont Frequent Bus	NW 23rd to Mt. Tabor via Belmont Avenue	Construct improvements that enhance Frequent Bus service	2010
N	1233	TriMet	Hawthorne Boulevard Frequent Bus	Hawthorne Boulevard	Construct improvements that enhance Frequent Bus service	2010
N	1234	Portland	Lombard Street Improvements	I-5 to Denver Street	Establish a landscaped boulevard to promote pedestrian-oriented uses and to create a safe, pleasant pedestrian link to I-5 w/ new traffic light and road access to Fred Meyer development	2010
N	1235	Portland	Prescott Station Area Street Improvements	Prescott, Skidmore and Maryland streets	Construct improvements to Prescott & Skidmore (Interstate-Maryland) & Maryland (Interstate-Prescott) to provide neighborhood focal point at LRT	2015
N	1236	TriMet	NE 15/Jackson Park Frequent Bus Improvements		Construct improvements that enhance Frequent Bus service	2010
N	1237	TriMet	Fessenden Frequent Bus Improvements		Construct improvements that enhance Frequent Bus service	2010

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N	1239	Portland	NE Sandy Boulevard ITS	Burnside to 82nd Avenue	Communications infrastructure; closed circuit TV cameras, variable message signs for remote monitoring and control of traffic flow	2010
N	1240	Portland	82nd Avenue ITS Corridor	82nd Avenue: entire corridor within city limits	Communications infrastructure; closed circuit TV cameras, variable message signs for remote monitoring and control of traffic flow	2010
N	1242	Portland	MLK/Interstate ITS	MLK/Interstate Avenue intersection	Communications infrastructure; closed circuit TV cameras, variable message signs for remote monitoring and control of traffic flow	2010
N	1245	Portland	Capitol Highway Pedestrian Improvements	SW Barbur Blvd. to 49th Avenue	Complete curb extensions and medians recommended in the Capitol Highwayy Plan	2015
N	1246	Portland	NE Klickitat/Siskiyou Bikeway	NE 14th Avenue to Rocky Butte Road	Retrofit streets to add bike boulevard	2025
N	1247	Portland	SE Holgate Bikeway, Phase I	28th Avenue to 136th Avenue	Retrofit street to add bike lanes	2010
N	1248	Portland	SE Holgate Bikeway, Phase II	SE McLoughlin Boulevard to SE 39th Avenue	Stripe bike lanes	2025
N	1252	Portland	Inner Powell Streetscape Plan	Ross Island Bridge to SE 50th Avenue	Develop streetscape improvements that address pedestrian safety and urban design issues	2010
N	1253	Portland	NE Prescott Pedestrian and Bicycle Improvements	NE Prescott, Cully to I-205; sidewalks from Sandy to I-205	Retrofit bike lanes to existing street; improve sidewalks, lighting and crossings	2010
N	1259	Portland	N/NE Skidmore Bikeway	N Interstate to NE Cully	Retrofit streets to add bike boulevard	2010
N	1263	Portland/ODOT	Banfield SC Pedestrian Improvements	60th, 82nd, 148th, 162nd & intersecting streets	Improve sidewalks, lighting, crossings, bus shelters & benches	2015
N	1264	Portland	Ventura Park Pedestrian District	Eastside MAX Station Corridor at 122nd Avenue	Improve sidewalks, lighting, crossings, bus shelters & benches to improve ease of crossing and install curb extensions at transit stops.	2010
N	1266	Portland	NE/SE 99th Avenue Phases II and III	NE Glisan Street to SE Washington Street and SE Washington Street to SE Market Street	Reconstruct primary local main street in Gateway regional center	2015
Y		Portland/ODOT	US 30: Lake Yard Hub Access	Entrance into Lake Yard	New signal and turn lane into Lake Yard from Hwy 30.	2010
N	1271	ODOT	Linnton Community Bike and Pedestrian Improvements	Harbor Avenue to 112th Avenue	Replace 2 traffic signals @ 105th & 107th Ave., curb bulb-outs, sidewalks, and possibly adding pedestrian crossings	2025
N	1277	Portland	NW Champlain Viaduct Reconstruction	NW Champlain/US 30	Replace existing viaduct with retaining wall and geofoam fill	2010
N	1278	Portland	SE 39th Avenue Reconstruction, Safety and Pedestrian Improvements	Sandy Boulevard to Woodstock Boulevard	Reconstruct street (Burnside - Holgate). Construct sidewalks and crossing improvements (Stark - Schiller). Upgrade three pedestrian signals to full signals, remodel two full signals, and provide channelization improvements to three other signals to improve safety at high accident locations	2010

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N	1279	Portland	Holgate Street Improvements	SE 39th Avenuee to 52nd Avenue	Reconstruct street pavement structure and stormwater drainage facilities, upgrade corner curb ramps to ADA standards, improve pedestrian crossings and add bike lanes	2010
Y	2000	Multnomah Co.	Hogan Corridor Improvements	Stark Street to Palmquist (Stark to Powell in FC)	Interim capacity improvements and access controls	2010
Y	2006	Multnomah Co.	Hogan Corridor Improvements	Glisan Street to Stark Street	Upgrade to include bicycle and pedestrian facilities and center turn lane/median	2010
N	2008	Portland	102nd Avenue Boulevard and ITS/Safety Improvements, Phase 1	NE Weidler to NE Glisan Street	Implement Gateway regional center plan with boulevard design retrofit, new traffic signals, improved pedestrian facilities and crossings, street lighting, bicycle lanes and multi-modal safety improvements	2010
N	2010	Portland	Halsey/Weidler Boulevard and ITS	within regional center between I-205 and NE 114th Avenue	Implement Gateway regional center plan with boulevard design retrofit, new traffic signals, improved pedestrian facilities and crossings, street lighting and new bicycle facilities	2025
N	2011	Portland	Glisan Street Boulevard and ITS	within regional center between I-205 and NE 106th Avenue	Implement Gateway regional center plan with boulevard design retrofit, new traffic signals, improved pedestrian facilities and crossings, street lighting and new bicycle facilities	2015
N	2012	Portland	SE Stark/Washington Boulevard and ITS/Safety Improvements	92nd Avenue to 111th Avenue	Implement Gateway regional center plan with boulevard design retrofit, new traffic signals, improved pedestrian facilities and crossings, street lighting, bicycle lanes and multi-modal safety improvements	2015
N	2014	Multnomah Co.	Glisan Street Bikeway	162nd Avenue to 202nd Avenue	Widen to retrofit bike lanes to existing street	2010
N	2015	Portland	102nd Avenue Boulevard and ITS/Safety Improvements, Phase II	NE Glisan Street to SE Market Street	Implement Gateway regional center plan with boulevard design retrofit, new traffic signals, improved pedestrian facilities and crossings, street lighting, bicycle lanes and multi-modal safety improvements	2015
N	2017	Portland	SE Stark/Washington Bikeway	NE 75th Avenue to Portland city limits (excluding 92nd Avenue to 111th Avenue)	Retrofit bike lanes to existing street	2010
N	2018	Portland	SE 111th/112th Avenue Bikeway	SE Mt. Scott Boulevard to SE Market Street	Retrofit bike lanes to existing street	2025
N	2019	Portland	NE Glisan Bikeway	NE 47th Avenue to NE 162nd Avenue (excluding segment of I-205 to NE 106th Avenue	Retrofit bike lanes to existing street	2010
N	2020	Portland	Gateway Regional Center Pedestrian District Improvements, Phase 1	Gateway Regional Center	High priority local street and pedestrian improvements in regional center	2010
N	2021	Portland	Gateway Regional Center Pedestrian District Improvements, Phase II	Gateway Regional Center	High priority local street and pedestrian improvements in regional center	2015

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N	2022	Portland	Gateway Traffic Management	Gateway Regional Center	Manage traffic infiltration in residential areas east and west of Gateway & necessary street and utility work; improve connectivity	2015
N	2023	TriMet/Portland	Gateway TMA Startup	Gateway Regional Center	Implements a transportation management association program with employers (placeholder TMA)	2015
N	2025	TriMet	Division Street Frequent Bus Capital Improvements	Gresham to PCBD	Construct improvements that enhance Frequent Bus service	2010
N	2026	Portland	NE/SE 99th Avenue Phase I/NE Pacific Avenue	NE 99th from NE Weidler to Glisan Street and NE Pacific Avenue from 97th to 102nd Avenue	Reconstruct primary local main street in Gateway regional center	2010
N	2027	TriMet/Gresham	Civic Neighborhood LRT station/plaza	MAX line west of Gresham City Hall	LRT station and retail plaza	2010
Y	2028	ODOT	Powell Boulevard Improvements - East County	174th Avenue to Eastman Parkway	Implement streetscape design based on Gresham study recommendations	2010
Y	2029	Multnomah Co.	242nd Avenue Reconstruction	Powell Boulevard to Burnside Road	Reconstruct 242nd Avenue to five lanes	2025
Y	2032	Multnomah Co.	Burnside/Hogan Intersection Improvement	Intersection of 242nd/Burnside Street	Improve intersection by adding a southbound through lane	2025
N	2035	Gresham	Cleveland Street Reconstruction	Stark Street to Powell Boulevard	Reconstruct street from Stark Street to Powell Boulevard	2015
N	2036	Gresham	Wallula Street Reconstruction	Division Street to Stark Street	Reconstruct street from Division Street to Stark Street	2025
N	2038	Gresham	Walters Road Reconstruction	Powell Boulevard to 7th Street	Reconstruct to improve access to Springwater Trail	2025
N	2039	Gresham	Regner Road Reconstruction	Cleveland Street to city limits	Reconstruct Regner Road from Cleveland to city limits	2025
Y	2041	Multnomah Co.	257th Avenue Corridor Improvements	Division Street to Powell Valley Road	Reconstruct street to arterials standards, including bike lanes, sidewalks, drainage, lighting and traffic signals	2010
N	2042	Multnomah Co.	257th Avenue Intersection Improvements	Intersection of 257th/Palmquist Road/US 26	Realign intersection to provide for safety, capacity, bike and pedestrian movements	2010
Y	2044	Multnomah Co.	Orient Drive Improvements	282nd Avenue to 257th Avenue	Improve Orient Drive	2025
Y	2045	Multnomah Co.	190th Avenue Improvements	Butler Road to Highland Drive and Powell Boulevard to 190th Avenue	Reconstruct and widen street to five lanes with sidewalks and bike lanes. Widen and determine the appropriate cross-section for Highland Drive and Pleasant View Drive from Powell Boulevard to 190th Avenue based on the recommendations from Phase 2 of the Powell Boulevard/Foster Road Corridor Study	2015
N	2047	Gresham	Division Street Improvements	Kelly Street to Burnside Street	Complete boulevard design improvements	2010
N	2048	Multnomah Co.	Burnside Street Improvements	NE Wallula Street to Hogan Road	Complete boulevard design improvements	2010

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Y	2051	ODOT	US 26/Springwater Interchange Improvement	US 26 at Springwater	New interchange on US 26 to serve industrial area	2010
N	2052	Gresham	MAX Shared-Use Path	Ruby Junction to Cleveland Station	Construct new shared-use path	2010
N	2053	Gresham	Gresham/Fairview Trail	Springwater Trail to Marine Drive	Springwater Trail connection	2010
N	2054	Gresham	Springwater Trail Connections	Springwater Trail at 182nd Avenue and Pleasant View/190th Ave.	Provide bike access to regional trail	2025
N	2055	Gresham	SW Walters Road/Springwater Trail Access	SW 7th to Powell Boulevard	Upgrade pedestrian signal to full traffic signal and provide bike access to regional trail	2025
N	2056	Multnomah Co.	Division Street Bikeway	174th Avenue to Wallula Avenue	Retrofit street to add bike lanes	2015
N	2057	Gresham/ODOT	Gresham RC Pedestrian and Ped-to-MAX Improvements	Burnside, Division, Powell, Civic Way, Eastman Pkwy, Main Street, Cleveland and intersecting streets and LRT stations areas	Improve sidewalks, lighting, crossings, bus shelters and benches	2010
N	2058	Gresham	Springwater Trail Pedestrian Access	Eastman, Towle, Roberts, Regner, Hogan	Improve sidewalks and lighting	2025
N	2059	Gresham	Division Street Pedestrian to Transit Access Improvements	174th to Wallula Avenue	Improve sidewalks, lighting, crossings, bus shelters and benches	2025
N	2065	Gresham	Phase 3 Signal Optimization	System-wide	Optimize signals	2010
Y	2069	ODOT	I-205 Interchange Improvement	I-205 NB/Airport Way Interchange	New I-205 NB on-ramp at I-205/Airport Way interchange (Phase 1 in FC: modify signing, striping channelization and signal timing for NB on-ramp) **- changed to full improvement in FC system.**	2010
Y	2070	ODOT	I-205 Interchange Improvement	I-205 SB/Airport Way Interchange	**Widen I-205 SB off-ramp at Airport Way to include a new right turn lane.**	2010
Y	2074	Multnomah Co.	Sandy Boulevard Widening	122nd Avenue to 238th Avenue	Widens street to five lanes with sidewalks and bike lanes	2025
N	2076	TriMet	181st Avenue Frequent bus	Gresham to Columbia South Shore	Construct improvements that enhance Frequent Bus service	2015
Y	2077	Multnomah Co.	181st Avenue Widening	Halsey Street to EB on-ramp to I-84	Widens street to three lanes southbound	2010
N	2080	Multnomah Co.	202nd Railroad Crossing Improvement	202nd Avenue/railroad bridge	Replacing railroad bridge to allow for road widening	2010
Y	2081	Multnomah Co.	223rd Railroad Crossing Improvement	223rd Avenue/railroad bridge	Replacing railroad bridge to allow for road widening and two crossings; one north of Sandy and one south of I-84	2010
Y	2084	Multnomah Co.	181st Avenue Intersection Improvement	181st Avenue/Glisan Street intersection	Improve intersection	2025
Y	2085	Multnomah Co.	181st Avenue Intersection Improvement	181st Avenue/Burnside Road intersection	Improve intersection	2025
Y	2088	Portland	NE Marine Drive/122nd Avenue Improvements	NE Marine Drive/122nd Avenue intersection	Signalization, widen dike to install left turn lane on Marine Drive	2010

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N	2091	Portland	NE/SE 148th Avenue Bikeway	NE Marine Drive to Knott and NE Glisan to SE Division	Retrofit bike lanes to existing street	2015
Y	2099	Multnomah Co.	201st/202nd Avenue Corridor Improvements	Sandy Boulevard-Powell Boulevard	Reconstruct and widen to three lanes (Sandy to Halesey in FC System)	2010
N	2101	Gresham	Stark Street Improvements	190th to 197th	Complete boulevard design improvements	2015
N	2102	Gresham	Stark Street Improvements	181st to 190th	Complete boulevard design improvements	2010
N	2103	Multnomah Co.	181st Avenue Improvements	Glisan to Yamhill	Complete boulevard design improvements	2015
N	2104	Multnomah Co.	Burnside Road Boulevard Improvements	181st Avenue to 197th Avenue	Complete boulevard design improvements	2015
N	2105	Gresham	Rockwood TC Pedestrian and Ped-to-MAX Improvements	181st, 188th, Stark and intersecting streets and LRT station areas	Improve sidewalks, lighting, crossings, bus shelters and benches	2025
Y	2109	Multnomah Co.	Glisan Street Improvements	202nd Avenue to 207th Avenue	Complete reconstruction of Glisan Street to five lanes	2010
Y	2110	Multnomah Co.	MKC Collector	Halsey Street to Arata Road	Construct new collector of regional significance	2025
N	2115	MultCo/FV/ WV	Fairview-Wood Village TC Pedestrian Improvements	Fairview, Halsey, Glisan and neighborhood streets	Improve sidewalks, lighting, crossings, bus shelters and benches	2025
N	2116	Multnomah Co.	NE 223rd Avenue Bikeway and Pedestrian Improvements	NE Halsey Street to Marine Drive	Retrofit bike lanes and sidewalks on existing street	2015
N	2120	Multnomah Co.	Sandy Boulevard Bicycle and Pedestrian Improvements	162nd to Troutdale	Retrofit bike lanes and sidewalks on existing street	2025
Y	2123	Multnomah Co.	Stark Street Improvements	257th Avenue to Troutdale Road	Widens street to five lanes	2010
Y	2124	Multnomah Co.	Halsey Street Improvements - Troutdale	238th to 257th	Improve Halsey Street to 3 lanes and complete boulevard design improvements	2015
N	2125	Mult. Co./Troutdale	Troutdale TC Pedestrian Improvements	Old Col. River Highway, 257th/Graham, Buxton Road	Improve sidewalks, lighting, crossings, bus shelters and benches	2025
N	2126	Troutdale	257th Avenue Pedestrian Improvements	Cherry Park Road to Stark Street	Improve sidewalks, lighting, crossings, bus shelters and benches	2010
Y	3001	ODOT	Highway 217 Improvements	NB - TV Highway/Canyon Road to US 26	Widen NB to three lanes; ramp improvements	2015
Y	3003	ODOT	US 26/Jackson School Road interchange	Jackson School Road at US 26	Construct new interchange	2010
N	3004	ODOT	US 217 EIS Study	I-5 to US 26	Complete planning and environmental works for improvements in corridor	2015
Y	3005	ODOT	US 26 Refinement and EA Study	Sylvan interchange to 185th Avenue	Complete planning and environmental work for improvements in corridor	2010
Y	3006	ODOT	US 26 Improvements	US 26 between Sylvan and Highway 217	Complete interchange improvements by adding third through-lane and collector distributor system from Camelot Court to Sylvan Road (Phase 3)	2010

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Metro Region Transportation Project List*

Travel Forecast Model Input?	RTP Number	Sponsor Agency	Project Name	Project Location	Project Description	Earliest Air Quality Analysis Year Project Operating for 2008-11 MTIP Analysis
Y	3008	ODOT	US 26 Improvements	Highway 217 to Murray Boulevard	Widen US 26 to six lanes	2010
Y	3009	ODOT	US 26 Improvements	Murray Boulevard to Cornell Road	Widen US 26 to six lanes	2010
Y	3011	ODOT	US 26 Improvements	Cornell Road to 185th Avenue	Widen US 26 to six lanes	2010
N	3012	Hillsboro	Rock Creek Greenway Shared-Use Path	TV Highway to Evergreen Parkway	Completes shared-use path along Rock Creek from Tualatin Valley Highway to Evergreen Parkway	2010
N	3013	Various	Bronson Creek Greenway Shared-Use Path	Beaverton Creek to Powerline Trail	Study feasibility of corridor and construct shared-use path	2010
N	3014	Various	Powerline Beaverton Trail Corridor Trail	Bronson Creek Greenway to Farmington Road	Plan, design and construct shared-use path	2010
N	3015	Various	Beaverton Creek Greenway Corridor Study	Rock Creek to Fanno Creek Greenway	Study feasibility of corridor and construct shared-use path	2010
N	3016	Washington Co.	Washington County ATMS	Washington County	Acquire hardware for new traffic operations center and conduct needs analysis	2010
N	3017	TriMet	Beaverton Hillsdale Highway- Frequent Bus	Beaverton-Hillsdale Highway	Improvements to enhance Frequent bus service	2010
Y	3019	Beaverton	Beaverton Connectivity Improvements I: East-West	(1) Center: Cedar Hills to Hocken via Westgate/Dawson; (2) Crescent: Cedar Hills to Hall; (3) Millikan Way: Watson/Hall to 114th; (4) Broadway to 115th connection; (5) Electric to Whitney to Carousel to 144th	Complete central Beaverton street connections	2015
Y	3020	Beaverton	Beaverton Connectivity Improvements II: North/South	(6) Rose Biggi: Westgate to Broadway; (7) 120th Ave.: Center to Canyon; (8) 114th/115th: LRT to Beaverton-Hillsdale Hwy./Griffith Drive; (9) Tualaway Ave.: Electric to Millikan	Complete central Beaverton street connections	2015
N	3021	Washington Co.	2040 Centers and Station Areas Pedestrian System Infill	Regional pedestrian system in Washington County	Fill in missing gaps in regional pedestrian system	2010
N	3022	Washington Co.	2040 Centers and Station Areas Bicycle System Infill	Regional bicycle system in Washington County	Fill in missing gaps in regional bicycle system	2010
Y	3029	Beaverton	Lombard Improvements	Broadway to Farmington	Three lane improvement to realign road with segment to the north with pedestrian facilities	2010
Y	3030	Beaverton	Farmington Road Improvements	Hocken Avenue to Murray Boulevard	Widen to five lanes; intersections improvements, add turn lanes, bike lanes and sidewalks	2015
Y	3032	Beaverton	Cedar Hills Boulevard Improvements	Farmington Road to Walker Road	Widen to five lanes with sidewalks and bike lanes	2025
Y	3033	Beaverton	125th Avenue Extension	Brockman Street/Greenway to Hall Boulevard	Construct two/three-lane extension with intersection improvements, bike lanes and sidewalks	2025
Y	3034	Beaverton	Hall Boulevard Extension	Cedar Hills Boulevard to Hocken	Construct three-lane extension with bikeways and sidewalks	2015
Y	3035	Beaverton	Hocken Avenue Improvements	LRT to Beaverton Creek	Widen to 3 lanes with bike lanes and sidewalks and reconstruct bridge	2010

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Metro Region Transportation Project List*

Travel Forecast Model Input?	RTP Number	Sponsor Agency	Project Name	Project Location	Project Description	Earliest Air Quality Analysis Year Project Operating for 2008-11 MTIP Analysis
Y	3038	Beaverton	Center Street Improvements	Hall Boulevard to 113th Avenue	Widen to three lanes with bikeways and sidewalks	2025
Y	3039	Beaverton	Hocken Avenue Improvements	Farmington Road to Millikan Way	Widen street to accommodate 2 additional lanes between Tualatin Valley Highway and Farmington Road to allow turn lanes	2025
N	3041	Beaverton	Hall/Watson Improvements	Allen Boulevard to Cedar Hills Boulevard	Complete boulevard design improvements including crosswalks and intersection improvements, lighting and furniture replacement, create pedestrian plazas and park entries, add turn lanes, bike lanes, and sidewalks	2015
N	3042	ODOT/Beaverton/ TriMet	TV Highway Pedestrian Access to Transit Improvements	Murray to Highway 217	Improve sidewalks, lighting, crossings, bus shelters and benches	2015
N	3045	Beaverton	Farmington Road Bikeway	Hocken to Highway 217	Retrofit to include bike lanes	2025
N	3046	Beaverton	Hall Boulevard Bikeway	BH Highway to Cedar Hills Boulevard	Retrofit to include bike lanes	2015
N	3047	Beaverton	Watson Avenue Bikeway	BH Highway to Hall Boulevard	Retrofit to include bike lanes	2015
N	3049	Beaverton	Downtown Beaverton Pedestrian/Bike Improvements	Hocken Avenue/TV Highway/113th Avenue/110th Avenue/Cabot Street	Improve sidewalks, bike lanes, lighting, crossings, bus shelters and benches	2010
N	3051	WashCo/Beaverton /TriMet	Hall Boulevard/Watson Pedestrian-to-Transit Improvements	Cedar Hills Boulevard to Tigard TC	Improve sidewalks, lighting, crossings, bus shelters and benches	2015
N	3052	Beaverton	110th Avenue Pedestrian Improvements	B-H Highway to Canyon Road	Fill in missing sidewalks	2010
N	3053	Beaverton	117th Avenue Pedestrian Improvements	light rail transit to Center Street	Improve sidewalks, lighting, crossings	2010
N	3055	ODOT/Beaverton	Beaverton-Hillsdale Highway Pedestrian and Bicycle Improvements	65th Avenue to Highway 217 (only portion from 91st to Hwy. 217 Financially Constrained)	Improve sidewalks, lighting, crossings, bus shelters and benches; stripe bike lanes	2025
N	3057	Beaverton	Denney Road Bike/Pedestrian Improvements	Nimbus Avenue to Scholls Ferry Road	Improve sidewalks, crossings and fill in bicycle network gaps	2025
N	3058	TriMet/Beaverton	Beaverton Regional Center TMA	Beaverton Regional Center	Implements a transportation management association program with employers	2010
Y	3061	ODOT/WashCo	TV Highway System Management	TV Highway from Highway 217 to 209th	Interconnect signals on TV Highway from 209th Avenue to Highway 217	2015
Y	3063	Washington Co.	Murray Boulevard Improvements	TV Highway to Allen Boulevard	Signal coordination	2010
Y	3067	Washington Co.	185th Avenue Improvements	West View High School to Springville Road	Widen to five lanes with bike lanes and sidewalks	2015
N	3071	WashCo/THPRD	Fanno Creek Greenway Shared-Use Path	Greenwood Inn to Scholls Ferry Road	Completes Fanno Creek Greenway shared-use path	2010
N	3072	Tualatin Hills PRD	Beaverton Powerline Shared-Use Trail	Farmington Road to Scholls Ferry Road	Construct multi-use trail within powerline easement	2010
Y	3074	Beaverton	Hall Boulevard Bikeway	12th Street to south of Allen Boulevard	Retrofit to include bike lanes; intersection turn lanes at Allen Boulevard	2025

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N	3075	Beaverton/WashCo	Cedar Hills Boulevard Improvements	Butner Road to Walker Road	Improve sidewalks, lighting, crossings, bike lanes, bus shelters and benches	2010
Y	3076	Beaverton	Allen Boulevard Improvements	Highway 217 to Western Avenue	Widen to five lanes with bike lanes and sidewalks	2015
N	3079	Beaverton	Allen Boulevard Bike/Ped Improvements	Western Avenue to Scholls Ferry Road	Retrofit to include bike lanes and fill in missing sidewalks	2015
Y	3091	Hillsboro	Quatama Street Improvements	205th Avenue to 227th Avenue; 227th at Baseline	Widen to three lanes and extend to Baseline with sidewalks and bike lanes	2015
N	3092	Washington Co.	Powerline/Rock Creek Trail	Bethany/Kaiser Road to Evergreen Road/Rock Creek Greenway	Construct shared-use path for bicyclists and pedestrians just north of US 26	2010
N	3094	Hillsboro	Cornell Road Bikeway	Elam Young Parkway (W) to Ray Circle	Retrofit to include bike lanes	2010
N	3095	Washington Co.	170th Avenue Pedestrian Improvements	Merlo Drive to Elmonica light rail station	Fill in sidewalk gaps and extend to light rail eastside only	2010
N	3098	Washington Co.	Walker Road Bike/Ped Improvements	Canyon Road to Cedar Hills Boulevard	Retrofit to include bike lanes and sidewalks	2025
Y	3099	Washington Co.	1st Avenue/Glencoe Road	Lincoln Street to Evergreen Road	Widen to three lanes with sidewalks and bike lanes	2010
Y	3102	Washington Co.	Baseline Road Improvements	201st to 231st Avenue	Widen to three lanes with bike lanes and sidewalks	2010
Y	3104	Hillsboro	NW Aloclek Drive Extension	NW Amberwood Drive to Cornelius Pass Road	New three-lane facility with sidewalks and bike lanes	2010
Y	3105	Hillsboro	E/W Collector	185th Avenue to west of Cornelius Pass Road	New 3-lane facility	2010
Y	3106	Washington Co.	229th/231st/234th Connector	Lois Street to Dogwood Street	New 3-lane facility and bridge	2010
Y	3107	Hillsboro/WashCo.	SW 205th Avenue Improvements	LRT to Baseline Road	Widen to five lanes, including bridge, sidewalks and bike lanes (sidewalk on eastside and bike lanes only in financially constrained system)	2015
N	3111	Washington Co.	First Avenue Improvements	Grant Street to Glencoe High School	Improve sidewalks and pedestrian crossings and make transit improvements	2010
Y	3112	ODOT	First Avenue Improvements	Oak Street to Baseline Street	Rechannelize NB and SB to provide protected left turn lanes and signal phasing at 1st/Oak and 1st/Baseline	2010
Y	3113	Hillsboro	10th Avenue Improvements	Main Street to Baseline Road	Add right turn lane and widen sidewalk	2010
Y	3114	Hillsboro	NE 28th Avenue Improvements	Grant Street to East Main Street	Widen to three lanes with sidewalks, bike lanes, street lighting and landscaping	2010
Y	3118	Hillsboro	Tualatin Valley Highway/Brookwood Avenue Intersection Alignment	Tualatin Valley Highway at Brookwood Avenue	Reconfigure TV Highway/Brookwood Avenue/Witch Hazel intersection and roadway improvements to Alexander Street	2010
N	3123	TriMet/Hillsboro	Hillsboro Regional Center TMA Startup	Hillsboro Regional Center	Implements a transportation management association program with employers	2010

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Y	3126	Washington Co.	Cornelius Pass Road Improvements	TV Highway to Baseline Road	Widen to five lanes including sidewalks and bike lanes	2010
N	3127	ODOT/Hillsboro/ WashCo	Hillsboro RC Pedestrian Improvements	18th, 21st, Oak, Maple and Walnut streets	Improve sidewalks, lighting, crossings, bus shelters and benches	2010
Y	3128	Washington Co.	Cornell Road Improvements	Arrington Road to Main Street	Widen to five lanes	2025
Y	3131	Washington Co.	Evergreen Road Improvements	25th Avenue to 253rd Avenue	Widen to five lanes including sidewalks and bike lanes	2010
Y	3133	Washington Co./ ODOT	Cornelius Pass Road Interchange Improvement	US 26/Cornelius Pass Road	Construct eastbound on-ramp, westbound off-ramp and southbound auxiliary lane	2010
Y	3134	Washington Co.	Cornelius Pass Road Improvements	TV Highway to Baseline Road	Widen to three lanes including sidewalks, bike lanes and signals at Johnson and Francis	2010
Y	3135	Washington Co.	Cornelius Pass Road Improvements	Baseline Road to Aloclek Drive	Widen to five lanes including sidewalks and bike lanes	2010
Y	3137	Washington Co.	Brookwood Avenue Improvements	TV Highway to Baseline Road	Widen to three lanes including sidewalks and bike lanes	2010
Y	3139	Hillsboro	US 26 Overcrossing - Sunset IA	NW Bennett Avenue to NW Wagon Way	Construct two-lane new overcrossing with sidewalks and bike lanes to better connect areas north and south of US 26	2010
Y	3140	Hillsboro	229th Avenue Extension	NW Wagon Way to West Union Road	New three-lane facility with sidewalks and bike lanes	2015
Y	3141	Washington Co.	170th/173rd Improvements	Baseline to Walker	Improve to 3 lanes	2015
Y	3143	Washington Co.	Walker Road Improvements	Cedar Hills to 158th Avenue	Widen to five lanes including sidewalks and bike lanes	2015
Y	3144	Washington Co.	Walker Road Improvements	158th Avenue to Amberglen Parkway	Widen to five lanes including sidewalks and bike lanes	2015
Y	3147	Hillsboro	25th Avenue Improvements	Cornell Road to Evergreen	Widen street to three lanes with bike lanes	2015
Y	3148	Washington Co.	Walker Road Improvements	Highway 217 to Cedar Hills Boulevard	Widen to three lanes including sidewalks and bike lanes	2015
Y	3149	ODOT/Washington Co.	Shute Road Interchange Improvements	Shute Road and US 26	Relocate westbound on-ramp to construct westbound to southbound loop ramp and widen overcrossing to accommodate additonal southbound through lane	2010
Y	3150	Washington Co.	Cornell Road System Management	10th Avenue to Multnomah County line	Upgrade traffic controllers and install CCTV cameras and monitoring stations	2010
Y	3153	Forest Grove	David Hill Road Connector	Thatcher Road to Highway 47 (Sunset Drive)	Extend easterly from Thatcher Road to Sunset Drive (Highway 47) as a two -lane arterial facility with left-turn lanes at major intersections, traffic signal at 47 and bike lanes	2010
Y	3157	Washington Co.	Sunset Drive Improvements	University Avenue to Beal Road	Widen to three lanes including bike lanes, signals and sidewalks	2010

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Y	3158	Washington Co.	Martin Road/Cornelius-Schefflin Road Improvements	Forest Grove northern UGB to Roy Road	Realign with widened paved shoulders Martin Road and Cornelius Schefflin Road	2010
Y	3159	ODOT/Forest Grove	Highway 8 Improvements - Forest Grove	B' Street to Cornelius city limits	Complete boulevard design improvements (OTIA project in FC)	2015
N	3160	Washington Co.	Verboort Road Intersection Improvement	at Highway 47	Intersection safety improvement	2015
N	3163	ODOT/Forest Grove	Forest Grove TC Pedestrian Improvements	TV Highway, Pacific, 19th, College, Sunset, "B" and intersecting streets	Improve sidewalks, lighting, crossings, bus shelters and benches	2010
N	3164	TriMet	TV Highway Frequent Bus	Forest Grove to Hillsdale via TV Highway and B-H Highway	Provide improvements that enhance frequent bus service	2004-25
N	3166	Cornelius/ODOT	Highway 8 Intersection Reconstruction - 10th Avenue	Intersection of 10th Avenue and Highway 8 couplet at Baseline and Adair	Increase turning radii, add protected turn lanes, and improve pedestrian crossings to support freight access and improve pedestrian and vehicle safety	2010
N	3167	Cornelius/ODOT	Highway 8 Intersection Realignment - 19th/20th Avenue	Intersection of 19th/20th Avenue and Highway 8 at initiation of couplet	Create new intersection by the aligning of 19th Avenue/20th Avenue at Highway 8; improve S. 20th (including RR crossing) to S. Alpine and improve N. 19th to RR crossing north of N. Davis)	2010
N	3168	Cornelius/ODOT	Highway 8/14th Avenue Intersection Improvements	Intersection of 14th Avenue at Highway 8 couplet (Adair and Baseline)	Intersection geometry improvements and conversion of pedestrian signal to full mode signalization for improved Main Street District circulation and improved pedestrian safety on Adair and Baseline streets	2010
N	3169	Cornelius/ODOT	Main Street Couplet improvements	Highway 8 couplet from 10th to 19th Avenue	Complete boulevard design improvements to Baseline, 11th, 12th, 13th, 14th, and 17th Avenues, and pedestrian alley within the Adair/Baseline couplet in Main Street District	2010
N	3170	Cornelius/ODOT	West Couplet Enhancement	1st Avenue to 10th Avenue	Complete boulevard design improvements	2015
N	3171	Cornelius/Wash Co.	North Davis Street Reconstruction	19th Avenue to 10th Avenue	Reconstruct street to urban standards	2015
Y	3172	Forest Grove	23rd/24th Avenue Extension	Hawthorne Ave. to Quince St. (Hwy. 47)	Construct collector roadway with left-turn lane at Hawthorne	2010
N	3178	Washington Co.	Westhaven Road Pathways	Morrison to Springcrest	Constructs off-road pathway to improve bicycle and pedestrian access to Sunset transit center	2015
Y	3182	Washington Co.	Cornell Road Improvements - West Cedar Mill	143rd Avenue to Murray Boulevard	Widen to five lanes with boulevard design treatment	2025
Y	3183	Washington Co.	Cornell Road Improvements	Murray Boulevard to Saltzman Road	Widen to three lanes with bikeways and sidewalks	2010
Y	3185	Washington Co.	Barnes Road Improvement	Saltzman Road to 119th Avenue	Widen to five lanes with intersection improvement at Saltzman	2010
Y	3186	Washington Co.	Murray Boulevard Improvements - Cedar Mill	US 26 to Cornell Road	Widen Murray Boulevard to five lanes and improve Cornell/Murray intersection	2010
Y	3188	Washington Co.	Saltzman Road Improvements	Cornell Road to Laidlaw Road	Widen to three lanes with sidewalks and bike lanes	2010

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N	3192	Washington Co.	Cedar Mill Town Center Local Connectivity, Phase 1	Various locations in the town center	Construct additional local road connections to improve traffic circulations	2010
N	3195	Washington Co.	Saltzman Pedestrian Improvements	Marshall Road to Dogwood Road	Construct sidewalks on west side of road	2010
Y	3197	Washington Co.	Bethany Boulevard Improvements, Phase 1	Bronson Road to West Union Road	Widen to three lanes with bike lanes and sidewalks	2010
Y	3204	Washington Co.	Cornell Road Improvements - East Tanasbourne	179th Avenue to Bethany Boulevard	Widen to five lanes with sidewalks and bike lanes	2010
N	3208	Washington Co.	Tanasbourne TC Pedestrian Improvements	Cornell, Evergreen Pkwy and intersecting streets	Improve sidewalks, lighting, crossings, bus shelters and benches	2025
Y	3216	Washington Co.	185th Avenue Improvements	TV Highway to Bany Road	Widen to three lanes	2015
Y	3217	Washington Co.	Farmington Road Improvements	185th Avenue to 209th Avenue	Widen to three lanes	2015
Y		Hillsboro	Airport Road	Brookwood to 48th	3 lane road improvement	2010
Y		Hillsboro	Cherry Lane	231st to Cornelius Pass	Extend 3-lane road.	2010
Y		Hillsboro	Davis Road	Hillsboro	Extend 3-lane road to River Road	2010
Y		Hillsboro	Alexander Road	Hillsboro	Extend 2-lane road to Davis Road (link Lone Oak Roa	2010
Y		Hillsboro	188th Avenue	Hillsboro	Extend 2-lane road south to Walker Road	2010
N	4001	TriMet	Killingsworth Frequent Bus	Swan Island to Clackamas TC	Construct improvements that enhance Frequent Bus service	2015
Y	4004	ODOT	I-5 Reconstruction and Widening	Greeley Street to I-84	Modernize freeway and ramps to improve access to the Lloyd District and Rose Quarter (Greeley ramp improvements in financially constrained system)	2010
Y	4005	ODOT	I-5 North Improvements	Lombard Street to Expo Center/Delta Park	Widen to six lanes	2010
Y	4006	ODOT	I-5/Columbia Boulevard Improvement	I-5/Columbia Boulevard interchange	Construct full direction access interchange based on recommendations from I-5 North Trade Corridor Study	2015
Y	4007	Multnomah Co.	Sauvie Island Bridge Replacement	Sauvie Island Bridge	Replace substandard bridge	2010
N	4009	ODOT	I-5 Trade Corridor Study and Tier 1 DEIS	I-405 (OR) to I-205 (WA)	Plan improvements to I-5 to benefit freight traffic	2010
N	4011	Portland	NE Marine Drive Bikeway	NE 6th to 33rd Avenue and Gantenbein to Vancouver Way	Retrofit bike lanes to existing street; off-street paths in missing locations	2010
N	4012	Portland	N/NE Lombard/Killingsworth ITS	Six signals: at junction, MLK, Interstate, Greeley, Portsmouth and Philadelphia/Ivanhoe	Communications infrastructure; closed circuit TV cameras, variable message signs for remote monitoring and control of traffic flow	2015

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N	4017	Port	SW Quad Access	33rd Avenue	Provide street access from 33rd Avenue into SW Quad	2015
Y	4021	Port	Airport Way Improvements, West	82nd Avenue to PDX terminal	Widen to three lanes in both directions	2010
Y	4022	Portland/Port	East Columbia/Lombard Street Connector	Columbia/US 30 Bypass: NE 82nd Avenue to I-205	Provide free-flow connection from Columbia Boulevard/82nd Avenue to US 30 Bypass/I-205 interchange	2010
Y	4026	Port/Portland	Cascades Parkway Connection	Cascades Parkway to Alderwood Road	Construct two-lane extension	2010
Y	4028	Port	Airport Way/82nd grade separation	82nd Avenue/Airport Way	Construct grade separated overcrossing	2015
N	4029	Portland	PDX ITS	Traffic signalization	Communications infrastructure; closed circuit TV cameras, variable message signs for remote monitoring and control of traffic flow	2010
N	4031	Port	Airport Way return and Exit Roadways	Airport Way	Relocate Airport Way exit roadway and construct new return roadway	2015
N	4032	Port	Airport Way terminal entrance roadway relocation	PDX terminal	Relocate and widen Airport Way northerly at terminal entrance to maintain access and circulation	2010
N	4033	Port	Airport Way east terminal access roadway	PDX east terminal	Construct Airport Way east terminal access roadway	2015
Y	4037	Portland/Port	Lombard-Columbia Connection near MLK Jr. Boulevard	Columbia Boulevard and Lombard Street near MLK	Improve road connection between Columbia Boulevard and Lombard in the vicinity of MLK Jr. Boulevard to 11/13th Avenue to facilitate freight movement. **PE only in FC system**.	2010
Y	4038	Port	82nd Avenue/Alderwood Road Improvement	82nd Avenue/Alderwood Road intersection	Construct new turn lanes, restripe and modify traffic signal	2010
N	4039	**City of Portland**	NE 92nd Avenue	NE 92nd/Columbia Boulevard/Alderwood	Improvement to be defined	2010
Y	4040	Portland	47th Avenue Intersection and Roadway Improvements	at Columbia Boulevard	Widen and channelize NE Columbia Boulevard to facilitate truck turning movements; add sidewalks and bike facilities	2010
Y	4041	Portland	Columbia Boulevard/Alderwood Improvements	at Alderwood Road intersection	Widen and signalize intersection	2010
N	4042	Port	Cornfoot Road Intersection Improvement	Alderwood/Cornfoot intersection	Add signal, improve turn lanes at intersection	2010
N	4043	Portland	33rd/Marine Drive Intersection Improvement	NE 33rd and Marine Drive	Signalize 33rd/Marine Drive intersection for freight movement	2015
Y	4044	Port/Portland	Columbia/82nd Avenue Improvements	Columbia Boulevard at 82nd Avenue southbound ramps	Add through lanes on Columbia Boulevard, a SB right turn lane and signalize	2010
Y	4045	Port/Portland	Airport Way/122nd Avenue Improvements	Airport Way at 122nd Avenue	**Add a second northbound left turn lane and a second south bound through lane on NE 122nd.**	2010
N	4046	Portland	NE Alderwood Bikeway	NE Columbia Boulevard to Alderwood Trail	Retrofit bike lanes to existing street	2015

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N	4049	Portland	NE 82nd Avenue Bikeway	Columbia Boulevard to Airport Way	Retrofit bike lanes to existing street	2010
N	4050	Portland	N/NE Columbia Boulevard Bikeway	N Lombard to MLK Boulevard	Retrofit bike lanes to existing street	2015
N	4051	Portland	NE Cornfoot Bikeway	NE Alderwood to NE 47th Avenue	Retrofit bike lanes to existing street	2025
N	4053	Port	Pedestrian and Bicycle Access Improvements	PDX terminal between N. Frontage Road and the terminal building	Provide pedestrian and bicycle access to the terminal	2010
N	4054	Portland	N Columbia Pedestrian Improvements, Phase I and Phase II	Swift to Portland Road; Argyle Way to Albina	Construct sidewalk and crossing improvements.	2010
N	4055	Port	Airtrans/Cornfoot Rd Intersection Improvement	Airtrans and Cornfoot Road	Provide channelization, construct new traffic signal	2010
N	4056	Portland	Columbia Boulevard ITS	Six signals between N. Burgard and I-205	Communications infrastructure; closed circuit TV cameras, variable message signs for remote monitoring and control of traffic flow	2015
N	4057	Portland	N/NE Marine Drive ITS	Three signals between N. Portland Road and NE 185th Avenue	Communications infrastructure; closed circuit TV cameras, variable message signs for remote monitoring and control of traffic flow	2010
N	4058	Portland	NE Airport Way ITS	Three signals between I-205 and NE 158th Avenue	Communications infrastructure; closed circuit TV cameras, variable message signs for remote monitoring and control of traffic flow	2010
N	4059	Port	82nd Avenue Pedestrian Access Improvements	Airport Way to Alderwood Road	Provide pedestrian improvements	2010
N	4060	Port/Portland	Lightrail station/track realignment	PDX terminal	Realign light rail track into terminal building (incudes double tracking)	2015
Y	4063	ODOT/Portland	N. Lombard Improvements	Lombard Street from Rivergate Boulevard (Purdy) to south of Columbia Slough bridge	Widen street to three lanes	2010
N	4064	Port	Marine Drive Improvement, Phase 2	Rail overcrossing	Contruct rail overcrossing	2025
Y	4065	Port/Portland	North Lombard Overcrossing	South Rivergate	Construct overpass from Columbia/Lombard intersection into South Rivergate entrance to separate rail and vehicular traffic. Project includes motor vehicle lanes, bike lanes, and sidewalks.	2010
N	4067	Port	Columbia River Channel Deepening - Regional Share	Deepen Columbia River Channel from Astoria to Portland	State-wide issue, project is outside Metro region	2010
N	4072	Portland	N. Force/Broadacre/Victory Bikeway	N. Marine Drive to N. Denver	Signed bikeway connection to I-5 river crossing	2025
N	4073	Portland/Metro	Kelley Point Park Access Trail/40 Mile Loop Trail	Vicinity of Kelley Point Park	Construct shared-use path	2010
N	4076	Various	Columbia Slough Greenway Trail Study	Kelly Point Park to Blue Lake Park	Determine feasibility of shared-use path of regional significance	2010
N	4082	Port/RR	Ramsey Rail Complex	South of Columbia Slough bridge	Construct six tracks and one mainline track and lead	2010

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Metro Region Transportation Project List*

Travel Forecast Model Input?	RTP Number	Sponsor Agency	Project Name	Project Location	Project Description	Earliest Air Quality Analysis Year Project Operating for 2008-11 MTIP Analysis
N	4084	Port	East Airport Pedestrian and Bicycle Access Improvements	Mt. Hood Avenue to Marine Drive	Provide bicycle and pedestrian connection between Mt. Hood Avenue and Marine Drive	2010
N	4085	Port	Terminal area Bicycle and Pedestrian Improvements	Southside of PDX terminal to 82nd Avenue	Provide bicycle and pedestrian connection between terminal and 82nd Avenue south of Airport Way	2010
N	4086	Port	PIC Bike and Pedestrian Improvements	Portland International Center	Provide bicycle and pedestrian connection between Alderwood Road and Mt. Hood LRT station	2010
Y	4087	Port	Leadbetter Street Extension and Grade Separation	to Marine Drive	Extend street and construct grade separation	2010
N	4088	Port/Portland	Terminal 4 Driveway Consolidation	Lombard Street at Terminal 4	Consolidate two signalized driveways at Terminal 4	2010
Y		Port	I-205 SB off-ramp at Airport Way		Install an additional SB right turn lane	2010
N		**Port**	**Sandy/105th**	**Intersection**	**Add SB left turn lane**	2010
N	5001	TriMet	Transit center and park-and-ride upgrades	Various locations in subarea	Construct, expand and/or upgrade transit stations and park-and-rides throughout subarea	2004-25
Y	5007	ODOT	Highway 212	Rock Creek to Damascus	Construct climbing lanes to 172nd Avenue	2010
N	5013	ODOT	I-205 Climbing Lanes	Willamette River to West Linn in Clackamas County	New SB Truck climbing lane at I-205 bridge (between Willamette River and 10th Street) - PE/ROW in financially constrained system	2025
Y	5016	ODOT	Highway 213 Grade Separation	Washington Street at Highway 213	Grade separate southbound Highway 213 at Washington Street and add a northbound lane to Highway 213 from just south of Washington Street to the I-205 on-ramp.	2015
Y	5017	ODOT	Highway 213 Intersection Improvements	Abernethy at Highway 213	Intersection improvements	2015
Y	5020	ODOT	Highway 213 Improvements	Clackamas CC to Leland Road	Access management, sidewalks and capacity improvements including (adding one lane in each direction north of Canyon Ridge Drive in FC system)	2015
Y	5021	ODOT	Highway 224 Extension	I-205 to Highway 212/122nd Avenue	Construct new four-lane highway and reconstruct Highway 212/122nd Avenue interchange	2015
Y	5023	ODOT	I-205/Highway 213 Interchange Improvement	I-205 at Highway 213	Reconstruct I-205 southbound off-ramp to Highway 213 to provide more storage and enhance freeway operations and safety	2015
N	5024	ODOT/Clackamas County	Sunrise Project Supplemental EIS	I-205 to Rock Creek	Corridor analysis from I-205 to 172nd Avenue to develop and complete the environmental process that would determine selected alternative and develop phasing recommendations adequate to support future ROW acquisition	2010
N	5025	ODOT/Clackamas County	Sunrise Corridor Unit 2 Locational EIS	Rock Creek to US 26	Evaluate Sunrise Corridor Unit 2 as part of the Damascus/Boring Concept plan	2010

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Metro Region Transportation Project List*

Travel Forecast Model Input?	RTP Number	Sponsor Agency	Project Name	Project Location	Project Description	Earliest Air Quality Analysis Year Project Operating for 2008-11 MTIP Analysis
N	5026	Metro	Portland Traction Co. Shared-Use Trail	Milwaukie to Gladstone	Planning, PE and construction of multi-use trail	2010
N	5027	Metro/ODOT	I-205 South Corridor Study- EIS	I-5 to Highway 224	Conduct EIS corridor analysis to study long-term transit and road improvements	2015
N	5033	Various	Willamette River Greenway Study	Sellwood Bridge to Lake Oswego	Study feasibility of corridor	2010
N	5035	TriMet	McLoughlin Boulevard Rapid Bus	Milwaukie TC to Oregon City TC	Construct improvements that enhance Rapid Bus service	2015
N	5037	Milwaukie/ClackCo	Lake Road Improvements	21st Avenue to Highway 224	Reconstruct street to narrow travel lanes and bike lanes and add sidewalks, landscaped median, curbs, storm drainage and left turn refuges at some intersections	2010
N	5040	Milwaukie	Railroad Avenue Bike/Ped Improvement	37th Avenue to Linwood Road	Retrofit bike lanes and sidewalks	2015
N	5041	Milwaukie	37th Avenue Bike/Ped Improvement	Highway 224 to Harrison Street	Retrofit bike lanes and sidewalks	2015
Y	5045	Clack. Co./Milwaukie	Linwood/Harmony/Lake Road Improvements	Linwood/Harmony/Lake Road intersection	Add NB right turn lane, add EB right turn lane, add WB left turn lane and grade separate UPRR	2015
N	5048	ODOT	McLoughlin Boulevard Improvements - Milwaukie	Harrison Street to Kellogg Creek	Complete boulevard design improvements	2010
N	5052	Milwaukie	17th Avenue Trolley Trail Connector	Springwater Corridor to Trolley Trail	Construct sidewalks on 17th Avenue to provide trail connection	2015
N	5053	Region	Tillamook Branch Trestle Trail Study	Milwaukie TC to Lake Oswego TC	Conduct feasibility study of east-west multi-use trail connection across Willamette River in conjunction with evaluating bridge as a freight connection and possible future commuter rail connection	2010
N	5059	Milwaukie	King Road Boulevard Improvements	42nd Avenue to Linwood Avenue	Boulevard design, including wider sidewalks, bikeway, median treatment and access management	2025
N	5062	TriMet/Milwaukie	Milwaukie TMA Startup	Milwaukie town center area	Implements a transportation management association program with employers	2015
Y	5066	Clackamas Co.	East Sunnyside Road Improvements	122nd Avenue to 172nd Avenue	Widen to five lanes to improve safety and accessibility to Damascus	2015
Y	5067	Clackamas Co.	Johnson Creek Boulevard Interchange Improvements	Johnson Creek Boulevard at I-205	Add loop ramp and NB on-ramp; realign SB off-ramp	2025
Y	5069	Clackamas Co.	Harmony Road Improvements	Sunnyside Road to Highway 224	Widen to five lanes to improve safety and accessibility	2015
Y	5070	Clackamas Co.	Otty Road Improvements	82nd Avenue to 92nd Avenue	Widen and add turn lanes	2010
Y	5071	Clackamas Co.	William Otty Road Extension	I-205 frontage road to Valley View Terrace	Extend William Otty Road as two-lane collector to improve east-west connectivity	2025
Y	5072	Clackamas Co.	West Monterey Extension	82nd Avenue to Price Fuller Road	Two-lane extension to improve east-west connectivity	2015

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Metro Region Transportation Project List*

2004 RTP Project list as
Amended by Metro Resolution No. 03-3380A
Ordinance No. 04-1045A, and Ordinance No. 05-358

Travel Forecast Model Input?	RTP Number	Sponsor Agency	Project Name	Project Location	Project Description	Earliest Air Quality Analysis Year Project Operating for 2008-11 MTIP Analysis
Y	5073	Clackamas Co.	Monterey Improvements	82nd to new overcrossing of I-205	Widen to five lanes from 82nd to I-205	2010
Y	5074	Clackamas Co.	Causey Avenue Extension	Causey - over I-205 to new east frontage road	Extend new three-lane crossing over I-205 to improve east-west connectivity	2025
Y	5076	Clackamas Co.	Fuller Road Improvements	Johnson Creek Boulevard to Otty Road	Widen street and add turn lanes	2010
Y	5077	Clackamas Co.	Summers Lane Extension	122nd Avenue to 142nd Avenue	New three-lane extension to provide alternative e/w route to Sunnyside	2025
Y	5080	Clackamas Co.	Fuller Road Improvements	Harmony Road to Monroe Street	Widen to three lanes with sidewalks and bike lanes; includes disconnecting auto access to King Road	2025
Y	5081	Clackamas Co.	Boyer Drive Extension	82nd Avenue to Fuller Road	New two-lane extension	2025
N	5082	Clackamas Co.	82nd Avenue Multi-Modal Improvements	Clatsop Road to Monterey Avenue	Widen to add sidewalks, lighting, crossings, bike lanes and traffic signals	2015
N	5085	Clackamas Co.	Clackamas RC Bike/Pedestrian Corridors	Clackamas RC existing and new developments	Provide bike and pedestrian connections in the RC	2025
N	5086	Clackamas Co.	82nd Avenue Boulevard Design Improvements	Monterey Avenue to Sunnybrook Street	Complete boulevard design improvements	2010
Y	5087	Clackamas Co.	West Sunnybrook Road Extension	82nd Avenue to Harmony Road	Construct three-lane extension to provide alternative e/w route to Sunnyside Road	2025
N	5089	Clackamas Co.	Sunnyside Road Bikeway	SE 82nd Avenue to I-205	Restripe to include bike lanes	2015
N	5090	Clackamas Co.	Lawnfield Road Bikeway	SE 82nd Dr. to SE 97th Avenue	Widen to include bike lanes	2025
N	5091	Clackamas Co.	Causey Avenue Bikeway	I-205 path to SE Fuller	Restripe to include bike lanes	2015
N	5092	Clackamas Co.	SE 90th Avenue Bikeway	SE Causey to SE Monterey	Construct bike lanes	2025
N	5093	Clackamas Co.	SE 97th Avenue Bikeway	SE Lawnfield to SE Mather	Construct bike lanes	2025
N	5094	Clackamas Co.	CRC Trail	Clackamas Regional Park to Phillips Creek	N Clackamas shared-use path	2015
N	5095	Clackamas Co.	Phillips Creek Greenway Trail	Causey Avenue to Mt. Scott Greenway	Conduct feasibility study and construct trail ($100,000 feasibility study in FC only)	2010
N	5098	TriMet	King Road Frequent Bus	Clackamas Regional Center	Construct improvements that enhance Frequent Bus service	2015
N	5099	TriMet	Webster Road Frequent Bus	Clackamas Regional Center	Construct improvements that enhance Frequent Bus service	2015
N	5100	Clackamas Co.	Fuller Road Pedestrian Improvements	Harmony Road to King Road	Improve sidewalks	2010
N	5101	Clack. Co./ODOT	Clackamas RC Pedestrian Improvements	82nd Avenue, Sunnyside, Sunnybrook, Monterey and intersecting streets	Improve sidewalks, lighting, crossings, bus shelters and benches	2025
N	5103	Clackamas Co.	Clackamas County ITS Plan	County-wide	Advanced transportation system management and intelligennt transportation system program	2010

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Metro Region Transportation Project List*

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Y	5106	Clackamas Co.	SE 82nd Drive Improvements	Highway 212 to Lawnfield Road	Widen to five lanes to accommodate truck movement	2025
N	5109	Clackamas Co.	82nd Drive Bicycle Improvements	SE Jennifer Street to Fred Meyer	Widen to include bike lanes	2015
N	5110	Clackamas Co.	Jennifer Street Bicycle Improvements	SE 106th to 120th Avenue	Widen to include bike lanes	2010
N	5117	Clackamas Co.	Linwood Road Bike Lanes	SE Monroe Street to SE Johnson Creek Boulevard	Widen to include bike lanes	2010
N	5126	Oregon City	South Amtrak Station Phase 2	Oregon City Amtrak Station	Improve Amtrak station	2010
N	5132	Oregon City	Main Street Extension	Highway 99E to Main Street	Widen to include bike lanes	2010
Y	5133	Oregon City	Washington/Abernethy Connection	Abernethy Road to Washington Street	Construct new two lane minor arterial with sidewalks and bike lanes	2015
N	5135	ODOT/ClackCo	McLoughlin Boulevard Improvements Phase 1 - Oregon City	I-205 to 10th Street	Complete boulevard design improvements	2010
N	5136	Clackamas Co.	7th Street Improvements	High Street to Division Street	Complete boulevard design improvements	2015
N	5137	Oregon City	Washington Street Improvements	Abernathy to 5th Street	Complete boulevard design improvements	2025
N	5138	Oregon City	Washington Street Improvements	Abernathy to Highway 213	Complete boulevard design improvements	2015
N	5142	TriMet	Mollala Avenue Frequent Bus	Oregon City to Clackamas Community College	Construct improvements that enhance Frequent Bus service	2015
N	5143	Oregon City/ ODOT/TriMet	Oregon City RC Pedestrian Improvements	McLoughlin, Main, Washington, 7th, 5th and neighborhood streets	Improve sidewalks, lighting, crossings, bus shelters and benches	2025
N	5144	Oregon City/ODOT	Oregon City RC River Access Improvements	McLoughlin Boulevard	Improve pedestrian access to the Willamette River from downtown Oregon City	2025
N	5149	Oregon City	Oregon City Bridge Study	Highway 43/7th Street in Oregon City	Evaluate long-term capacity of Oregon City bridge	2010
N	5150	TriMet/Oregon City	Oregon City TMA Startup Program	Oregon City Regional Center	Implements a transportation management association program with employers	2025
N	5152	Oregon City	Willamette River Shared-Use Path	Clackamette Park and Smurfit	Construct shared-use path	2015
Y	5154	Clackamas Co.	Beavercreek Road Improvements Phase 3	Clackamas Community College to urban growth boundary	Widen to 4 lanes with sidewalks and bike lanes	2025
Y	5156	Oregon City	Beavercreek Road Improvements, Phase 1	Highway 213 to Molalla Avenue	Green Street major arterial design, widen to five lanes, improve access management, and provide sidewalks and bike lanes to connect multi-family and commercial/ employment areas	2010
N	5157	Oregon City	Mollala Avenue Streetscape Improvements	7th Street to Highway 213 (9 segments)	Streetscape improvements, including widening sidewalks, sidewalk infill, ADA accessibility, bike lanes, reconfigure travel lanes, add bus stop amenities, streetscape	2004-25

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Metro Region Transportation Project List*

Travel Forecast Model Input?	RTP Number	Sponsor Agency	Project Name	Project Location	Project Description	Earliest Air Quality Analysis Year Project Operating for 2008-11 MTIP Analysis
N	5161	TriMet	Macadam Frequent Bus	Lake Oswego to PCBD	Construct improvements that enhance Frequent Bus service	2015
N	5165	Lake Oswego	Willamette Greenway Path	Roehr Park to George Rogers Park	shared-use path	2010
N	5169	Lake Oswego	Trolley Trestle Repairs	Lake Oswego to Portland	Repair trestles along rail line	2010
N	5171	Lake Oswego	Transit Station Relocation	from 4th Avenue to location TBD	Relocate transit station	2025
N	5172	TBD	Lake Oswego Trolley Study	Study phasing of future trolley commuter service between Lake Oswego and Portland	Study phasing of future trolley commuter service between Lake Oswego and Portland	2010
Y	5199	ODOT	I-205 Auxiliary Lanes	I-5 to Stafford Road	Add auxiliary lanes as part of pavement preservation project	2010
Y	5204	Clackamas Co.	Stafford Road	Stafford Road/Rosemont intersection	Realign intersection, add signal and right turn lanes	2010
N	5207	Clack. Co./Happy Valley/NCPRD	Mt. Scott Creek Trail	Sunnyside Road to Mt. Talbert	Feasibility study and construction of undercrossing of Sunnyside Road to Mt. Talbert (feasibility study of $100,000 in FC only)	2025
Y	5209	Clackamas Co.	122nd/129th Improvements	Sunnyside Road to King Road	Widen to three lanes, smooth curves	2025
N	5211	Happy Valley	Scott Creek Lane Pedestrian Improvements	SE 129th Avenue to Mountain Gate Road	Construct pedestrian path and bridge crossing	2010
Y	6000	WashCo/TriMet	Beaverton-Wilsonville Commuter Rail	Wilsonville to Beaverton	Peak-hour service only with 30-minute frequency in existing rail corridor	2010
N	6004	ODOT	I-5/99W Connector Corridor Study	I-5 to 99W	Conduct study and complete environmental design work for I-5 to 99W Connector. (See Project 6141)	2010
Y	6011	ODOT/Tigard	Highway 217 Overcrossing - Cascade Plaza	Nimbus to Locust	Provide a new connection from Nimbus to Washington Square south of Scholls Ferry Road	2025
Y	6015	Tigard/WashCo	Greenburg Road Improvements, North	Hall Boulevard to Washington Square Road	Widen to five lanes with bikeways and sidewalks	2010
Y	6016	Tigard/WashCo	Greenburg Road Improvements, South	Shady Lane to North Dakota	Widen to five lanes with bikeways and sidewalks	2010
Y	6018	Washington Co.	Scholls Ferry/Allen Intersection Improvement	Scholls Ferry Road/Allen Boulevard intersection	Realign intersection	2015
N	6019	Washington Co.	Oak Street Improvements	Hall Boulevard to 80th Avenue	Signal improvement, bikeway and sidewalks	2010
N	6020	Tualatin Hills PRD	Beaverton Powerline Shared-Use Trail	Scholls Ferry Road to Tualatin River Greenway	Plan, design and construct multi-use path	2010
Y	6025	Washington Co.	Scholls Ferry Road TSM Improvements	Highway 217 to 125th Avenue	Implement appropriate TSM strategies such as signal interconnects, signal re-timing and channelization to improve traffic flows	2010
N	6026	TriMet/WashCo	Washington Square Regional Center TMA Startup Program	Washington Square Regional Center	Implements a transportation management association program with employers	2010
N	6029	TriMet	Hall/Kruse Frequent Bus	Tigard-Lake Oswego-Kruse Way	Construct improvements that enhance Frequent Bus service	2015

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Metro Region Transportation Project List*

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Y	6034	Tigard	Walnut Street Improvements, Phase 3	135th Avenue to 121st Avenue	Widen to three lanes with bikeways and sidewalks	2015
Y	6035	Tigard	Gaarde Street Improvements	110th Avenue to Walnut Street	Widen to three lanes with bikeways and sidewalks	2010
Y	6040	Tigard	72nd Avenue Improvements	99W to Hunziker Road	Widen to five lanes	2010
Y	6041	Tigard	72nd Avenue Improvements	Hunziker Road to Bonita Road	Widen to five lanes	2015
Y	6042	Tigard	72nd Avenue Improvements	Bonita Road to Durham Road	Widen to five lanes with bikeways and sidewalks	2015
Y	6045	Tigard	Dartmouth Street Improvements	72nd Avenue to 68th Avenue	Widen to four lanes with turn lanes	2015
N	6056	ODOT	Highway 99W/Hall Boulevard Intersection Improvements	99W/Hall Boulevard	Add turn signals and modify signal	2015
N	6057	Tigard	Washington Squre Regional Center Greenbelt Shared Use Path	Hall Boulevard to Highway 217	Complete shared-use path construction	2015
N	6064	TriMet	Hall Boulevard Frequent Bus	Tualatin-Hall-TV Highway	Construct improvements that enhance Frequent Bus service	2015
Y	6065	Tualatin	Herman Road Improvements	Tualatin Road to Cipole Road	Widen to three lanes including bike lanes and sidewalks	2010
Y	6066	ODOT/Tualatin	I-5 Interchange Improvement - Nyberg Road	Nyberg Road/I-5 interchange.	Widen Nyberg Road/I-5 interchange	2010
N	6070	ODOT/WashCo	Lower Boones Ferry	Boones to Bridgeport	Sidewalk, bikeway, interconnect signals	2010
Y	6071	Washington Co.	Tualatin-Sherwood Road Improvements	99W to Teton Avenue	Widen to five lanes with bike lanes and sidewalks; intertie signals at Oregon and Cipole streets	2015
Y	6073	Tualatin	124th Avenue Improvements	Myslony Street to Tualatin-Sherwood Road	Construct new 3 lane arterial with bikeways and sidewalks	2015
Y	6076	Tualatin	Myslony/112th Connection	Myslony to Tualatin-Sherwood Rd. @ Avery	Extend 3 lane road with sidewalks and bike lanes	2010
N	6079	WashCo/Tualatin/ ODOT	Tualatin TC Pedestrian Improvements	Nyberg, Boones Ferry, Tualatin, Tualatin-Sherwood, Sagert and neighborhood streets	Improve sidewalks, lighting, crossings, bus shelters and benches	2010
N	6080	Tualatin/Durham	Tualatin River Pedestrian Bridge	Durham City Park to Tualatin Community Park	Construct cantilevered pedestrian/bike path on railroad trestle across Tualatin River to Tualatin town center	2010
N	6081	WashCo/Tualatin	Nyberg Road Pedestrian and Bike Improvements	65th Avenue to I-5	Complete sidewalks and bike facilities	2010
N	6083	TriMet /WashCo	Tualatin Town Center TMA Startup	Tualatin Town Center	Implements a transportation management association program with employers	2010
Y	6086	Wilsonville	Kinsman Road Extension	Kinsman Road to Boeckman Road	Two-lane extension	2010
Y	6088	Wilson./WashCo	Elligsen Road Improvements	Canyon Creek to Parkway Center	Improve Elligsen Road to 5 lanes	2015

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Y	6090	Wilsonville	Boeckman Road Extension - West	Boeckman Road to Tooze Road	Extend 3 lanes with sidewalks and bike lanes	2015
Y	6093	Wilsonville	Barber Street Extension	Barber Street at Kinsman Road	Extend Barber Street as 3 lanes to 110th	2015
N	6105	Wilsonville	Town Center Loop Bike and Pedestrian Improvements	Parkway to Wilsonville Road	Retrofit street to add bike lanes and sidewalks	2015
N	6109	Washington Co.	Beef Bend/175th Avenue Realignment	Beef Bend at 175th Avenue	Realign intersection to eliminate offset of Been Bend road with 175th Avenue	2025
Y	6119	Washington Co./Beaverton	Teal Boulevard Extension	Barrows Road to Scholls Ferry Road	Construct 2-lane extension with sidewalks and bike lanes to town center loop and Barrows Road	2010
Y	6121	Beaverton/WashCo /Tigard	Murray Boulevard Extension	Scholls Ferry Road to Barrows Road at Walnut Street	Construct 2-lane roadway and bridge, additional turn lanes at intersections, bike lanes, and sidewalks	2010
Y	6122	Beaverton	Davies Road Connection	Scholls Ferry Road to Barrows Road	Three lane connection with bikeways and sidewalks	2015
Y	6127	Lake Oswego	Boones Ferry Road Improvements -	Kruse Way to Washington Court	Widen to five lanes with sidewalks and bike lanes; Boones Ferry Corridor Stugy completed in 2000 with Lake Grove Town Center study work continuing in 2003/04 funded by City. Project will be broken into three phases; upper, middle and lower.	2015
N	6129	Clackamas Co.	Bangy Road Intersection Improvements	Bangy Road/Bonita Road intersection	Add traffic signal and turn lanes	2015
N	6130	Clackamas Co.	Bangy Road Intersection Improvements	Bangy Road/Meadows Road intersection	Add traffic signal and turn lanes	2015
N	6131	Lake Oswego	Willamette River Greenway	Roehr Park to Tryon Creek	shared-use path	2015
N	6135	Clackamas Co.	Boones Ferry Road Bike Lanes	Kruse Way to Multnomah County line	Construct bike lanes	2010
N	6138	ODOT/Wilsonville	Wilsonville Road/I-5 Interchange Improvements (Phase 1 and 2)	Town Center Loop to Boones Ferry Road ramps	Construct ramp improvements (PE and ROW only in financially constrained system) **Construction**	2015
Y	6141	ODOT/WashCo	I-5/99W Connector: Phase 1 Arterial	I-5 to 99W	Acquire right-of-way and construct new arterial based on recommendations from I-5/99W Arterial connection study that protects through traffic movements between these highways.	2015
Y	6142	Durham	Upper Boones Ferry Road Improvement	Durham Road to Tualatin River	Widen to 3 lanes with sidewalks and bike lanes	2010
N	7000	Clackamas Co.	172nd Avenue Improvements	Foster Road to Highway 212	Widen to five lanes	2025
Y	7001	Clackamas Co.	Sunnyside Road Improvements	172nd Avenue to Highway 212	Widen to five lanes in preferred/3 lanes in strategic and constrained	2015

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Y	7006	Portland	SE Foster Improvements	SE 122nd Avenue to Jenne Road	Widen Foster Road to four lanes from SE 122nd to SE Barbara Welch Road. Widen and determine the appropriate cross section of Foster Road from SE Barbara Welch Road to Jenne Road by completing Phase 2 of the Powell Boulevard/Foster Road Corridor Study in order to meet roadway, transit, pedestrian and bike needs	2015
Y	7007	Portland/Gresham	SE 174th North/South Improvements	SE Foster to Powell Boulevard	Based on the recommendations from the Powell Boulevard/Foster Road Corridor Study (#1228), construct a new north-south capacity improvement project in the vicinity of SE 174th Avenue/Jenne Road between SE Powell Boulevard and Giese Road in Pleasant Valley. This replaces former project 7007 which widened Jenne Road to three lanes from Powell Boulevard to Foster Road	2015
N	7009	Clackamas Co.	SE 145th/147th Bike Lanes	SE Clatsop to SE Monner	Widen to construct bike lanes	2015
N	7010	Clackamas Co.	SE 162nd Avenue Bike Lanes	SE Monner to SE Sunnyside	Widen to construct bike lanes	2025
N	7011	Clackamas Co.	SE Monner Bike Lanes	SE 147th to 162nd Avenue	Widen to construct bike lanes	2025
Y	7019	Clackamas Co.	242nd Avenue Improvements	Multnomah County line to Highway 212	Reconstruct and widen to three lanes	2025
N	7022	TriMet	Sunnyside Road Frequent bus	Clackamas TC to Damascus TC	Construct improvements that enhance Frequent bus s	2015
Y	7034	Gresham/Mult. Co	Foster Road Extension		New north extension of Foster Road	2015
Y	7035	Gresham/Mult. Co	Giese Road Extension	Giese Road to Foster Road	New extension of Giese Road to Foster Road	2025
Y	7036	Gresham/Mult. Co	190th Avenue Improvements	Butler Road to city limits	Widen to five lanes with sidewalks and bike lanes	2025
Y	7037	Gresham/Mult. Co	172nd Avenue Improvements	Giese Road to Butler Road	Upgrade street to urban standards with sidewalks and bike lanes	2025
N	7038	Gresham/Mult. Co	172nd Avenue Improvements	Bulter Road to Cheldelin Road	Upgrade street to urban standards with sidewalks and bike lanes	2025
N	7039	Gresham/Mult. Co	Giese Road Improvements	172nd Avenue to 182nd Avenue	Upgrade street to urban standards with sidewalks and bike lanes	2025
N	7040	Gresham/Mult. Co	Giese Road Improvements	182nd Avenue to 190th Avenue	Upgrade street to urban standards with sidewalks and bike lanes	2025
Y	7041	Gresham/Mult. Co	Foster Road bridge	Foster Road	Construct bridge crossing	2025
Y	7042	Gresham/Mult. Co	Giese Road Extension bridge	Giese Road	Construct bridge crossing	2025
Y	7043	Gresham/Mult. Co	Butler Road Bridge	Bulter Road	Construct bridge crossing	2025

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Metro Region Transportation Project List*

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N	8000	Metro	Bicycle Travel Demand Forecasting Model	Region-wide	Develop regional bicycle travel demand forecasting model	2010
N	8001	Metro	Bike Safety, Educ.& Encouragement Pilot Project	Region-wide	Encourage bicyclist, pedestrian and motorist safety	2010
N	8002	Metro	Expand "Bike Central" Program	Selected Regional Centers and Town Centers	Provide shower, locker and storage facilities for bike commuters	2015
N	8003	Metro	LRT Station Area "Free Bike" Pilot Project	LRT Station Areas throughout the region	Administer free bike program in station areas	2025
N	8004	TriMet	LRT and Transit Station Bike Parking	Selected LRT Station Areas and transit centers	Administer and maintain bicycle lockers	2015
N	8005	Metro	Regional TOD Projects	Region-wide	Flexible funding program to leverage transit-oriented development	2004-25
N	8007	ODOT	Pedestrian/Bicycle Improvements to ODOT Preservation/Maintenance Projects	Various locations in region	Implement bicycle and pedestrian enhancements as part of preservation and maintenance projects on ODOT facilities	2004-25
N	8025	TriMet/SMART	Transit Center Upgrades	Region-wide	New or improved transit centers at various locations in the region	2004-25
N	8028	TriMet	Vehicle Purchases	1.5% per year expansion	Vehicle purchases to provide for expanded service	2004-25
N	8032	TriMet/SMART	Bus Operating Facilities	Region-wide	Bus operating facilities	2004-25
N	8035	TriMet/SMART	Frequent/Rapid Bus Improvements	Baseline Network	Transit stations, improved passenger amenities, bus priority and reliability improvements	2025
N	8038	TriMet	Tri-Met Park and Ride Lots	Baseline Network	Park-and-ride facilities to serve bus and light rail stops and stations	2004-25
N	8042	SMART	SMART Park and Ride Lots	SMART district	Park-and-ride facilities to serve bus and commuter rail station	2004-25
N	8043	TriMet/SMART	Bus Stop Improvements	Region-wide	Bus stop improvements region-wide	2004-25
N	8046	TriMet/SMART	Bus Priority Treatments	Region-wide	Bus Priority Treatments	2025
N	8049	TriMet	Priority Pedestrian Access to Transit Improvements	Region-wide	Construct improvements that enhance pedestrian access to transit - sidewalks, crosswalks, ADA improvements	2004-25
N	8050	Metro/SMART	SMART TDM Program	SMART district	Regional employer outreach, transit marketing, vanpool and carpool, station cars and car sharing programs	2004-25
N	8052	Metro/TriMet	Regional Travel Options TDM Program	Financially Constrained	Regional employer outreach, transit marketing, vanpool and carpool, station cars and car sharing programs	2004-25
N	8053	Metro/TriMet	Region 2040 Initiatives	Region-wide	Implementation of innovative transportation solutions in locations with high regional significance	2004-25
N	8054	Metro/DEQ	ECO Clearinghouse	Region-wide	Continue provision of ECO information clearinghouse services	2004-25

* includes all 2004 RTP financially constrained system, all 2008-2011 MTIP and locally funded projects.

Metro Region Transportation Project List*

Travel Forecast Model Input?	RTP Number	Sponsor Agency	Project Name	Project Location	Project Description	Earliest Air Quality Analysis Year Project Operating for 2008-11 MTIP Analysis
N	8055	Metro/TriMet	Transportation Management Associations Innovative Programs	Region-wide	Implementation of innovative transportation solutions in locations with high regional significance	2004-25
N	8056	Metro/TriMet	Future Transportation Management Associations Start-Up and Sustainability	Region-wide	Future implementation and sustainability of TMA's with employers	2004-25
N	8057	TriMet	LIFT Vehicle Purchases	Region-wide	4 percent per year expansion	2010
N	8058	TriMet	Ride Connection Vehicle Purchases	Region-wide	Purchase five vehicles per year	2010

* includes all 2004 RTP financially constrained system, all 2008-2011 MTIP and locally funded projects.

APPENDIX B – *Public Notice*

(Text submitted to the Oregonian for public notice ad for publication on June 15, 2007)

Metropolitan Transportation Improvement Program (MTIP) Air Quality Conformity Determination Notice

Metro has prepared an Air Quality Conformity Determination for the 2008-11 Metropolitan Transportation Improvement Program (MTIP) as required by state and federal law. The document shows that the metro area, including the 25 cities and the urban portions of 3 counties of the greater Portland region, will continue to meet federal and state air-quality standards to the year 2025, even with the transportation improvements included in the 2004 Regional Transportation Plan (RTP) as implemented through the 2008-11 MTIP.

The document is available for public review and comment for a 30-day period beginning at noon on Friday, June 15, 2007, and ending at noon on Monday, July 16, 2007. Copies of the document may be obtained from the planning office at 600 NE Grand Avenue, Portland, Oregon, or downloaded from Metro's web site: www.metro-region.org/airquality. You may also request a copy by phone at 503-797-1735.

The factors addressed in the Air Quality Conformity Determination are used to estimate future carbon monoxide emissions and precursors of smog (volatile organic compounds and oxides of nitrogen) from cars and trucks operating within the greater Portland air shed to the year 2025. The estimated emissions must not exceed the "budget" established for mobile sources by plans approved for the region by the Oregon Environmental Quality Commission and the United States Environmental Protection Agency.

You may submit comments by mail to Metro Planning 600 NE Grand Avenue, Portland, Oregon, 97232, or by email at trans@metro.dst.or.us. The hearing impaired may call TDD 503-797-1804. Comments must be received by noon on Monday, July 16, 2007.

The Metro council will hold a hearing on Thursday, August 16, 2007, in the council chamber to deliberate on the air quality conformity document, consider public comments received during the comment period, and act on a resolution to adopt the 2008-11 MTIP with the Air Quality Conformity Determination report.

APPENDIX C – *Federal Register Notice of Proposed Approval of State Implementation Plan for Portland Oregon – Portland Carbon Monoxide Second 10-Year Maintenance Plan* (September 6, 2005)

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[Docket ID #: R10–OAR–2005–OR–0001; FRL–7964–7]

Approval and Promulgation of State Implementation Plans: Oregon; Portland Carbon Monoxide Second 10-Year Maintenance Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes to approve the second 10-year maintenance plan for carbon monoxide (CO) for the Portland, Oregon CO Attainment Area. Specifically, in this action EPA

proposes to approve the following: Oregon's demonstration that the Portland CO Attainment Area will maintain air quality standards for CO through the year 2017; a revised CO motor vehicle emissions budget for transportation conformity purposes using the MOBILE6.2 emissions model and latest growth and planning assumptions; and revised state implementation plan (SIP) control strategies and contingency measures.

DATES: Comments must be received on or before October 6, 2005.

ADDRESSES: Submit your comments, identified by Docket ID No. R10–OAR–2005–OR–0001, by one of the following methods:

1. Federal eRulemaking Portal: *http://www.regulations.gov*. Follow the on-line instructions for submitting comments.

2. Agency Web site: *http://www.epa.gov/edocket*. EDOCKET, EPA's electronic public docket and comment system, is EPA's preferred method for receiving comments. Follow the on-line instructions for submitting comments.

3. Mail: Environmental Protection Agency, Office of Air, Waste and Toxics, Attn: Connie Robinson, Mail code: AWT–107, 1200 Sixth Avenue, Seattle, WA 98101.

4. Hand Delivery: Environmental Protection Agency Region 10, Attn: Connie Robinson (AWT–107), 1200 Sixth Ave., Seattle, WA 98101, 9th floor. Such deliveries are only accepted during EPA's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. R10–OAR–2005–OR–0001. EPA's policy is that all comments received will be included in the public docket without change, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through regulations.gov or e-mail. The EPA EDOCKET and the Federal regulations.gov Web site are "anonymous access" systems, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through EDOCKET or regulations.gov, your e-mail address will be automatically captured and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit EDOCKET on line or see the **Federal Register** of May 31, 2002 (67 FR 36102). For additional instructions on submitting comments, go to Section I. General Information of the **SUPPLEMENTARY INFORMATION** section of this document.

Docket: All documents in the docket are listed in the EDOCKET index at *http://www.epa.gov/edocket*. Although listed in the index, some information may not be publicly available, such as CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in EDOCKET or in hard copy at EPA Region 10, Office of Air, Waste, and Toxics, 1200 Sixth Avenue, Seattle, Washington, from 8 a.m. to 4:30 p.m. Monday through Friday, excluding legal holidays. Please contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection.

FOR FURTHER INFORMATION CONTACT: Connie Robinson, Environmental Protection Agency, Region 10, Office of Air, Waste, and Toxics, AWT–107, 1200 Sixth Ave., Seattle, WA 98101; phone: (206) 553–1086; fax number: (206) 553–0110; e-mail address: *robinson.connie@epa.gov*.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. General Information

A. What Should I Consider as I Prepare My Comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through RME, regulations.gov or e-mail. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD–ROM that you mail to EPA, mark the outside of the disk or CD–ROM as CBI and then identify electronically within the disk or CD–ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for Preparing Your Comments.* When submitting comments, remember to:

i. Identify the rulemaking by docket number and other identifying information (subject heading, **Federal Register** date and page number).

ii. Follow directions—The Agency may ask you to respond to specific questions or organize comments by referencing a CFR part or section number.

iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

iv. Describe any assumptions and provide any technical information and/or data that you used.

v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.

vi. Provide specific examples to illustrate your concerns, and suggest alternatives.

vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

viii. Make sure to submit your comments by the comment period deadline identified.

II. What Is the Purpose of This Proposed Rulemaking?

The purpose of this proposed rulemaking is to solicit comment on the

State of Oregon's plan to replace the existing CO maintenance plan for the Portland area in Oregon with a second 10-year maintenance plan to demonstrate continued maintenance of the CO ambient air quality standard through 2017.

The State of Oregon presented a trend analysis of the historical CO monitored data for the Portland area demonstrating that since the Portland area was redesignated to attainment, CO concentrations have fallen steadily. That trend reflects a national pattern of new vehicles producing considerably reduced amounts of CO. Implementation of new national control measures including tighter standards for motor vehicle tailpipe emissions and cleaner fuel will result in significant improvements of air quality for the next 10-year period. EPA agrees with Oregon's analysis and proposes to approve the second 10-year maintenance plan through this rulemaking and notice in the **Federal Register**.

Federal transportation conformity regulations require that transportation agencies use the latest EPA mobile source emissions model for conformity determinations. EPA officially released a new version of motor vehicle emissions model (MOBILE6) on January 29, 2002. All SIPs that are adopted after that date must use the new model to estimate motor vehicle emissions. The release of MOBILE6 also began a 24-month grace period for conformity. All conformity determinations that are initiated after January 29, 2004 must use a MOBILE6 model. The Oregon Department of Environmental Quality (ODEQ) used MOBILE6.2 to estimate CO emissions for the Portland area for the next 10-year maintenance period through 2017 and conducted a technical analysis with MOBILE6.2 that showed new motor vehicle emissions will not cause or contribute to violations of the air quality standards. EPA agrees with this analysis and proposes to approve revised motor vehicle emissions budgets for conformity determinations.

The State of Oregon took this rulemaking opportunity to change several of the emission control strategies and contingency measures. EPA finds these changes acceptable and proposes to approve them in this rulemaking.

III. What Is the Background for This Action?

In a March 15, 1991 letter to the EPA Region 10 Administrator, the Governor of Oregon recommended the Portland area be designated as nonattainment for CO as required by section 107(d)(1)(A) of the Clean Air Act (the "Act"). The area was designated by EPA as nonattainment for CO and classified as "moderate" with a design value less than or equal to 12.7 parts per million (ppm) under the provisions outlined in sections 186 and 187 of the Act.

The State of Oregon, following the requirements of the Act, prepared and submitted revisions to the Oregon SIP that first included an attainment plan, and then developed a plan to demonstrate maintenance of the standard for a 10-year period beyond the statutory attainment date. EPA published approval of a redesignation request to attainment and the first 10-year maintenance plan on September 2, 1997.

The first 10-year CO maintenance plan included a commitment for periodic review of the plan and submission of the second 10-year maintenance plan to EPA during the last two years of the first 10-year maintenance period. The planning effort included detailed technical analyses such as preparation of base and future year emissions inventories, review of control measures for CO, etc. The results of this planning effort provide the basis of today's proposed approval by EPA.

IV. What Is the Status of Current CO Levels in the Portland Area and How Do They Compare With the Federal Standards?

The national 8-hour CO ambient standard is attained when the daily average 8-hour CO concentration of 9.0 ppm is exceeded no more than one time in a calendar year for two consecutive years. Since the redesignation of the Portland area to attainment for CO on October 2, 1997, the second highest concentration in a calendar year measured by the approved monitoring network was 7.3 ppm, which is less than 9.0 ppm.

V. How Have the Public and Stakeholders Been Involved in This Rulemaking Process?

ODEQ met directly with a variety of stakeholder groups, including representative of the petroleum and ethanol industries, the Oregon Environmental Council and with other state agencies to seek input on the CO maintenance plan. Those state agencies included the Oregon Department of Energy, Agriculture, and Economic and Community Development. Notices were published in the newspaper and public hearings were conducted by ODEQ. ODEQ responded to all comments and the Environmental Quality Commission adopted the revisions to the SIP under OAR 340–200–0040 on December 10, 2004, effective December 25, 2004.

VI. What Are the Sources and Magnitude of CO Emitted in the Portland Maintenance Area?

An emissions inventory was prepared for the Portland area for the base year of 1999. The year 1999 was selected for the inventory because that year reflected the highest ambient CO concentrations in Portland's recent history and therefore represented a conservative base for demonstrating future compliance with the CO NAAQS. The emissions inventory is a list, by source, of the air contaminants directly emitted into the Portland CO Area's air. The data in the emissions inventory is based on calculations and is developed using emission factors, which is a method for converting source activity levels into an estimate of emissions contributions for those sources. Because violations of the CO NAAQS are most like to occur on winter weekdays, the inventory prepared reflects a "design day" with ambient temperatures, traffic volumes and other emission source activity levels of a typical winter weekday in 1999.

In addition to the base year 1999 inventory, emission forecasts were prepared for 2005, 2010 and 2017. These projected inventories were prepared in accordance with EPA guidance. The projections in Table 1 below show that total calculated CO emissions, are not expected to exceed the level of the 1999 base year inventory during the second 10-year maintenance plan period.

TABLE 1.—1999 BASE YEAR ACTUAL EMISSIONS AND *2005, *2010 AND *2017 PROJECTED EMISSIONS

[Pounds CO/winter day]

Emissions	1999	*2005	*2010	*2017
Point Source	106,590	67,401	71,085	76,241
Area Source	809,454	872,852	925,684	999,648

TABLE 1.—1999 BASE YEAR ACTUAL EMISSIONS AND *2005, *2010 AND *2017 PROJECTED EMISSIONS—Continued
[Pounds CO/winter day]

Emissions	1999	*2005	*2010	*2017
Non-Road Mobile	372,098	530,435	619,753	690,469
On-Road Mobile	1,525,114	1,226,323	975,074	834,301
Total	2,813,256	2,697,011	2,591,596	2,600,659

* Without oxy fuel program and without enhanced Inspection and Maintenance (I/M) testing.

The large decrease in point source emissions between 1999 and 2005 is the result of permanent closure of a large aluminum company. The emissions inventory predicts substantial future reductions in CO emissions, largely as a result of a decrease in on-road emissions, which are expected to continue to decline as older motor vehicles are replaced by newer vehicles that meet Federal Tier II emission standards and operate on low sulfur fuels.

VII. How Does the State Demonstrate Maintenance of the CO Standard for the Second 10-Year Period?

The current, EPA-approved first 10-year CO maintenance plan used a rollforward approach to demonstrate maintenance of the CO standard. A review and update of this methodology to a probabilistic rollback approach using more recent monitored air quality and projected emissions data was conducted to demonstrate continued maintenance of the CO standard for a second 10-year period. The probabilistic analysis showed that the CO standard was maintained on all three permanent monitoring sites in 1999 with at least 99% probability. The probabilistic rollback approach demonstrated regional, long-term maintenance by demonstrating that maintenance at the monitoring site with the highest design value (82nd and Division) will be maintained for a second 10-year period with the same level of assurance.

VIII. What Control Measures Are Being Proposed for This Second 10-Year Plan?

The second 10-year plan changes the I/M program requirement for CO from the current Enhanced I/M program to a basic I/M program for CO. Moderate CO Attainment areas were only required to implement a basic I/M program. This is a change to the CO SIP only. The Ozone Maintenance Plan continues to require the Enhanced I/M Program. ODEQ will consider vehicles that meet the enhanced test requirement as also meeting the basic test requirement. If the Ozone Plan is changed to a basic I/M program, it will already be approved for CO.

The Oxygenated Fuel Program remains a control measure in the Portland CO maintenance area until October 31, 2007 when it will be discontinued. It will then become a contingency measure in the second 10-year maintenance plan as required by 175A(d).

Best Available Control Technology (BACT) continues to be required. The plan also continues to offer an industrial Growth Allowance that may be used by new or expanding sources instead of securing emission offsets.

The Transportation Control Measures (TCMs) in this plan replace the TCMs specified in the first Portland Area CO Maintenance Plan. The emission reduction benefits of these TCMs are included in the emission projections on which the Portland Area CO Maintenance Plan is based. The revised TCMS are:

Transit Service Increase: Region transit service revenue hours (weighted by capacity) shall be increased 1.0% per year. The increase shall be assessed on the basis of a 5-year rolling average of actual hours for assessments conducted between 2006 and 2017.

Bicycle Paths: Jurisdictions and government agencies shall program a minimum of 28 miles of bikeways or trails within the Portland metropolitan area between the years 2006 through 2017.

Pedestrian Paths: Jurisdictions and government agencies shall program at least nine miles of pedestrian paths in mixed use centers between the years 2006 through 2017.

Oregon has a TCM substitution policy under which identified TCMs may be substituted in whole, or in part, with other TCMs providing equivalent emission reductions. See 62 FR 4621, September 2, 1997. Appendix D9–2 of the second 10-year maintenance plan identifies the requirements for TCM substitutions.

IX. What Contingency Measures Are Considered, in Case of the Monitored Exceedance or Violation of the Federal Standard?

The maintenance plan is to contain contingency measures to ensure that the State will promptly correct any violation of the standard that occurs during the maintenance period. The contingency measures in the second 10-year maintenance plan for the Portland area are based on risk of violation and actual violation.

If monitored CO levels at any monitoring site register a second high concentration equaling or exceeding 8.1 ppm during a calendar year, ODEQ will form a planning group to evaluate the implementation of additional emission strategies. Additional strategies to be considered include, but are not limited to: Increased parking pricing in the Central City, increased funding for transit, value pricing on major roadways that increase vehicle travel capacity, a trip reduction program, modified regional parking ratios, and accelerated implementation of bicycle and pedestrian networks.

If the Portland area violates the NAAQS for CO, the following contingency measures will automatically be implemented. New Source Review requirements will be changed. The requirement to install Best Available Control Technology will be replaced with Lowest Achievable Emissions Rate technology. The downtown parking lid will be reinstated if the violation occurs in the downtown area formerly subject to the parking lid requirement. If the violation occurs in 2007 or later, the Oxygenated Fuel Program will be reinstated.

X. How Does This Action Affect Transportation Conformity?

Under Section 176(c) of the Act, transportation plans, programs, and projects in nonattainment or maintenance areas that are funded or approved under the Federal Transit Act, must conform to the applicable SIP. In short, a transportation plan is deemed to conform to the applicable SIP if the emissions resulting from

implementation of that transportation plan are less than or equal to the motor vehicle emission level established in the SIP for the maintenance year and other analysis years.

In this maintenance plan, procedures for estimating motor vehicle emissions are well documented. The regional motor vehicle emissions calculated by MOBILE6.2 were used in the probabilistic rollback method to compute a threshold level of regional emissions inventory that would provide maintenance of the CO standard with 99% certainty and confidence through the second 10-year maintenance period. The computed attainment threshold of regional motor vehicle emissions can be used to assess the long term attainment prospects. The total on-road motor vehicle CO emissions in the Portland area for 2005, 2010 and 2017 are shown in Table 2.

TABLE 2.—PORTLAND MAINTENANCE AREA CO MOTOR VEHICLE EMISSIONS BUDGETS

[Pounds per winter day]

Year	2005	2010	2017
Budget	1,238,575	1,033,578	1,181,341

For the purpose of demonstrating transportation conformity in the timeframe of the area's transportation plan for all years beyond 2017, motor vehicle emissions must be less than or equal to the maintenance plan's motor vehicle emissions budget for 2017.

XI. In Conclusion, How Would This EPA Approval Affect the General Public and Citizens of the Portland Area?

This action proposes to approve measures adopted by ODEQ to ensure maintenance of the Federal air quality standards for CO in the Portland area for a second 10-year period and protect the health and welfare of the area citizens from adverse effects of degraded air quality levels.

XII. Statutory and Executive Order Reviews

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this proposed action is not a ''significant regulatory action'' and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001). This proposed action merely proposes to approve state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this proposed rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule proposes to approve pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4).

This proposed rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have Federalism implications because it does not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely proposes to approve a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This proposed rule also is not subject to Executive Order 13045 ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This proposed rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: August 23, 2005.

Julie M. Hagensen,

Acting Regional Administrator, EPA Region 10.

[FR Doc. 05–17537 Filed 9–2–05; 8:45 am]

BILLING CODE 6560–50–P

APPENDIX D - *EPA approval of the Portland Carbon Monoxide Second 1- Year Maintenance Plan* (January 24, 2006)

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[Docket No.: EPA–R10–OAR–2005–OR–0001; FRL–8015–3]

Approval and Promulgation of State Implementation Plans: Oregon; Portland Carbon Monoxide Second 10-Year Maintenance Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This action finalizes our approval of the State Implementation Plan (SIP) revisions submitted by the Oregon Department of Environmental Quality on January 3, 2005. EPA is approving the State of Oregon's second 10-year carbon monoxide (CO) maintenance plan for the Portland maintenance area. Specifically, EPA is approving the following: Oregon's demonstration that the Portland CO Attainment Area will maintain air quality standards for CO through the year 2017; a revised CO motor vehicle emissions budget for transportation conformity purposes using the MOBILE6.2 emissions model and latest growth and planning assumptions; and revised state implementation plan (SIP) control strategies and contingency measures.

DATES: This final rule is effective on February 23, 2006.

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA–R10–OAR–2005–OR–0001. All documents in the docket are listed on the *http://www.regulations.gov* Web site. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through *http://www.regulations.gov* or in hard copy at the EPA, Region 10, Office of Air, Waste and Toxics (AWT–107), 1200 Sixth Avenue, Seattle WA. EPA requests that if all possible, you contact the contact listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 to 4:30 excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: Gina Bonifacino, Office of Air, Waste and Toxics (AWT–107), EPA Region 10,

1200 Sixth Avenue, Seattle WA 98101; telephone number: (206) 553–2970; fax number: (206) 553–0110; e-mail address: *bonifacino.gina@epa.gov*.

SUPPLEMENTARY INFORMATION:

Throughout this document, wherever "awe," "aus," or "aour" is used, we mean the EPA. Information is organized as follows:

I. What Is the Background of This Rulemaking?

On September 6, 2005, EPA published in the **Federal Register**, a detailed description of our proposed action to approve the Portland, Oregon, CO Second 10-year maintenance plan. See 70 FR 52956.

The air quality data shows that the Portland CO maintenance area has not recorded a violation of the primary or secondary CO air quality standards since 1989. EPA believes the area will continue to meet the National Ambient Air Quality Standards (NAAQS or standards) until at least 2017 as required by the Clean Air Act.

II. What Comments Did We Receive on the Proposed Action?

EPA provided a 30-day review and comment period to solicit comments on our proposal published in the September 6, 2005 **Federal Register.** We received one comment letter on the proposed rulemaking. This comment letter was from Pacific Environmental Advocacy Center on behalf of the Northwest Environmental Defense Center. In general, the letter opposed the proposed SIP revision. The comments and our responses are summarized as follows:

Comment: The commenter states that EPA cannot approve Oregon's proposed CO Maintenance Plan because it does not account for agricultural sources' contributions to CO in the Portland area.

Response: The Portland Area Carbon Monoxide Maintenance Plan Emission Inventory and Forecast was prepared using current and applicable EPA procedure and guidance documents and computer software programs. The primary procedure and guidance documents are Procedures for the Preparation of Emission Inventories for Carbon Monoxide and Precursors of Ozone, Volume I, and Emission Inventory Requirements for Carbon Monoxide State Implementation Plans. Emission factors were taken from the supplemental Short List of AMS SCCS and Emission Factors, and Compilation of Air Pollutant Emission Factors (AP–42).

By letter dated November 15, 2005, as corrected on November 21, 2005, the Oregon Department of Environmental Quality (ODEQ) provided specific information in response to the comment. As part of the Portland carbon monoxide maintenance plan, agricultural activity was inventoried per EPA guidance. The types of agricultural activity inventoried by ODEQ were orchard pruning burning (11 tons/year), agriculture field burning (61 tons/year) and non-road agriculture equipment (298.9 tons/year) for a total of 370.8 tons/year. The 370.8 tons of CO that ODEQ calculates are generated by agriculture in the Portland area represents .07% of the region's total. ODEQ informed EPA that there are no Concentrated Animal Feeding Operations (CAFOs) within the boundary of the Portland CO Maintenance Area.

CO is not a pollutant where transport is a concern and there is no information to suggest that CO emissions from CAFOs outside of the Portland CO Maintenance Area impact CO levels within the maintenance area. For these reasons, EPA finds the State of Oregon's second 10-year CO maintenance plan for the Portland CO Maintenance Area adequately accounts for emissions from agricultural sources.

Comment: The commenter states ODEQ cannot properly implement the maintenance plan as a result of budget cuts. Specifically, the commenter is concerned because the ODEQ air program is expected to lose nearly 20 staff members and 4 of the 5 air quality monitors that were installed in the Portland area several years ago are being decommissioned.

Response: ODEQ has informed EPA that the four air quality monitors which are to be decommissioned by ODEQ due to budget cuts are part of a temporary effort to investigate toxic air pollutants in the Portland airshed. The monitors to be removed do not measure CO and are not required by EPA for monitoring of CO. As stated in the maintenance plan submitted by ODEQ, three CO monitors operating in the Portland CO maintenance area will continue to operate throughout the second 10-year period. For these reasons, EPA believes that ODEQ will continue to fulfill the monitoring commitments set forth in the Maintenance Plan.

III. What Is Our Final Action?

EPA is taking final action to approve the Portland, Oregon CO Second 10-Year Maintenance Plan consistent with the published proposal. A Technical Support Document on file at the EPA Region 10 office contains a detailed analysis and rationale in support of the plan.

IV. Statutory and Executive Order Reviews

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001). This action merely approves state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104–4).

This rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have federalism implications because it does not have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely approves a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This rule also is not subject to Executive Order 13045 "Protection of Children from Environmental Health Risks and Safety Risks" (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by March 27, 2006. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: December 8, 2005.

L. Michael Bogert,

Regional Administrator, EPA Region 10.

■ Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart MM—Oregon

■ 2. Section 52.1970 is amended by adding paragraph (c)(145) to read as follows:

§ 52.1970 Identification of plan.

* * * * *

(c) * * *

(145) On December 27, 2004, the Oregon Department of Environmental Quality submitted to the Regional Administrator of EPA, the Second Portland Area Carbon Monoxide Maintenance Plan that demonstrates continued attainment of the NAAQS for carbon monoxide through the year 2017.

(i) Incorporation by reference.

(A) Oregon Administrative Rules, Chapter 340: 200–0040, 204–0090 and 242–0440, as effective December 15, 2004.

■ 3. Paragraph (a) of § 52.1973 is revised to read as follows:

§ 52.1973 Approval of plans.

(a) Carbon monoxide.

(1) EPA approves as a revision to the Oregon State Implementation Plan, the Second Portland Area Carbon Monoxide Maintenance Plan, effective December 15, 2004, and submitted to EPA on December 27, 2004.

(2) [Reserved]

* * * * *

[FR Doc. 06–636 Filed 1–23–06; 8:45 am]
BILLING CODE 6560–50–P

APPENDIX E

Summary of Non-Applicable State and Federal Regulations and Why They Are Not Addressed

In some cases there are sections of federal statutes or state administrative rule that do not apply or do not apply directly and are not addressed.

Sections not addressed directly and reasons for not addressing them include:

Purpose (OAR 340-252-0010 and 40 CFR 93.100 - handled by addressing all sections with specific requirements);

Definitions (OAR 340-252-0030 and 40 CFR 93.101 - this conformity determination uses these definitions when addressing requirements in other sections);

Priority (OAR 340-252-0040 and 40 CFR 93.103 - this applies to the priorities that the Federal Highway Administration and Federal Transit Administration place on transportation improvements that have been prepared to attain or maintain air quality standards.);

Projects from a Plan and TIP (OAR 340-252-0160 and 40 CFR 93.115 - this is a project level requirement and must be satisfied by the project, but is not needed in a regional emissions conformity determination.);

Localized CO and PM_{10} Violations (OAR 340-252-0170 and 40 CFR 93.116 – this determination is a region-wide analysis. This section concerns local project conditions. Individual projects are responsible for independent hot spot, or localized CO analyses. The region has always been in compliance with PM_{10} standards. Accordingly, this section does not apply);

Compliance with PM_{10} Control Measures (OAR 340-252-0180 and 40 CFR 93.117 – as noted, the region has always been in compliance with PM_{10} standards, so this section does not apply);

Emission Reductions in Areas without Motor Vehicle Emissions Budgets (OAR 340-252-0200 and 40 CFR 93.119 - the Metro region has EPA approved emission budgets, so this section does not apply);

Consequences of Control Strategy Implementation Plan Failures (OAR 340-252-0210 and 40 CFR 93.120 – EPA has approved implementation plans for the Metro region, so this section does not apply);

Requirements for Adoption or Approval of Project by Other Recipients of Funds Designated under Title 23 USC or the Federal Transit Laws (OAR 340-252-0220 and 40

CFR 93.121- this conformity determination is being conducted to ensure that all federally funded transportation projects, as well as regionally significant locally funded projects, are assessed and no exception is being sought under this section);

Procedures for Determining Localized CO and Pm_{10} Concentration (OAR 340-252-0240 and 40 CFR 93.123 – as noted above, this is a region-wide analysis of CO. Individual projects are responsible for local CO hot spot analyses independent of this region-wide analysis);

Using the Motor Vehicle Emissions Budget in the Applicable Implementation Plan or Implementation Plan Submission (OAR 340-252-0250 and 40 CFR 93.124 – this regulation concerns the implementation plan, not the conformity determination directly, accordingly it is not addressed);

Enforceability of Design Concept and Scope and Project-Level Mitigation and Control Measures (OAR 340-252-0260 and 40 CFR 93.125 – this is a individual project level requirement that each project must address and is not a region-wide requirement).

APPENDIX F – Pre-Conformity Plan

Metro
2008-2011 Metropolitan Transportation Improvement Plan (MTIP)
Air Quality Conformity Plan
March 20, 2007
DRAFT

Background

The Metro region is proposing the following procedures to conduct an air quality conformity analysis of the Fiscal Year 2008-2011 Metropolitan Transportation Improvement Plan (MTIP). This air quality conformity plan is intended to follow the requirements set forth in Oregon Administrative Rules, Chapter 340, Division 252 (OAR 340-252 "Transportation Conformity"), which, in turn, is intended to implement the Federal Clean Air Act (42 U.S.C 7401 and 23 U.S.C 109j, as amended). These conformity determinations must be periodically updated and the proposed air quality conformity determination of the 2008-2011 MTIP is meant to comply with these updating requirements.

The Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council are scheduled to adopt a resolution for the FY08-FY011 MTIP, including the results of the air quality analysis, in August 2007, following a 30 day technical and public review period. JPACT and the Metro Council, in concert, are the Metropolitan Planning Organization for the greater Portland, Oregon metropolitan area including 25 cities and portions of three counties. The conformity determination will then be submitted to the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) mid-August (see attached schedule). After consultation with the US Environmental Protection Agency, the region will be notified by FHWA and FTA as to whether the MTIP conformity determination is approved which would allow the transportation improvements included in the MTIP, to proceed.

This Metro air quality conformity plan is being submitted to the interagency consultation partners for comments and to seek consensus. Both federal and state law require interagency consultation. State law requires that the Transportation Policy Advisory Committee (TPAC) be the interagency consultation body for the Metro area. In order to meet federal requirements, representatives of the following agencies coordinate for interagency consultation:

- Federal Highway Administration, Oregon Division
- Federal Transit Administration, Region X
- US Environmental Protection Agency, Region X
- Oregon Department of Transportation
- Oregon Department of Environmental Quality
- TriMet
- Metro

Early notification of the procedures and schedule will assist in the interagency consultation requirements of OAR 340-252-0060. The procedures may be revised as Metro proceeds

with the analysis. If changes are sought, there will be notification of interagency consultation partners about such changes, and, if needed, additional consultation and opportunity for comment will be provided.

Air Quality Regulatory Status of the Metro area

As of March 2007, the Metro area is a maintenance area for carbon monoxide (CO), meaning that while the region meets federal CO standards, it must continue to monitor CO levels through a air quality conformity determination comparing forecast levels of air quality assuming proposed transportation investments with motor vehicle emission budgets, or maximum allowed levels of the pollutant from the on road and transit elements of the region's transportation system. In 2006, the EPA approved a new CO State Implementation Plan (SIP) finding new CO motor vehicle emission budgets adequate for transportation conformity purposes in the Second Portland Area Carbon Monoxide Maintenance Plan.

Another possible air pollutant of concern within the Metro region is ground level ozone, which is comprised of volatile organic compounds, or VOC, (also known as hydrocarbons) and oxides of Nitrogen (NOx) that are emitted from a variety of sources, including on-road motor vehicles and some transit vehicles. In June 2005, the EPA revoked the 1 hour ozone standard and an 8 hour ozone standard was promulgated. For the Metro area, this meant that the maintenance status for the 1 hour ozone standard to which the Metro area previously had to demonstrate air quality conformity was no longer required. Further, the Metro area was in attainment with the 8 hour ozone standard. Accordingly, for the 2005 conformity determination, only CO was formally assessed.

A very recent court case, South Coast Air Quality Management District v. EPA, has indicated that: "*Because one-hour conformity determinations constitute "controls", under section 172)e), they remain "applicable requirements" that must be retained*." However, further actions, judicial and otherwise, are pending. That is, a final legal ruling has not yet been concluded. As a result, the air quality conformity determination for the 2008-2011 MTIP will include only CO air quality conformity determination. A separate analysis of VOC and NOx will be conducted and reported by Metro to the interagency consultation members. Should judicial review be completed during the period prior to the air quality conformity determination report provided for 30 day public and technical review, the ozone element would be added if needed.

Air Quality Forecasting Overview

Assessing air quality from surface transportation sources is achieved by first running Metro's travel demand computer model that uses forecasts of households and jobs as well as the characteristics of the future transportation system. The results of the transportation model are then used in an air quality computer model to estimate the amount of air pollutants that would be generated under these conditions, comparing these amounts to maximums set for the surface, on-road transportation system. More specific information about these models and assumptions are listed below.

Travel Demand Model Specifications
The Metro travel demand model (Agnes) will be used in the MTIP conformity process. The specifications for this model are documented in the report *Technical Specifications-March 1998 Travel Demand Model.*

The generation of person trips, the distribution patterns of the trips, the mode selection, and the time of day profile will be forecasted using the above Metro model. The vehicle trips from this model will be assigned to the conformity networks to determine speeds and VMT.

Project Listing
A listing of all projects included in the financially constrained system of the Regional Transportation Plan will be provided in the air quality conformity determination report along with their status with regard to:

a. whether the project was an input to the travel forecasting model;
b. the earliest year the project was forecast to be operational.

Exempt Projects
The air quality conformity determination report will identify exempt projects in the MTIP.

Demographics
The following demographic data will be used in the transportation model:

a. Population/Housing: Census data was used to validate the 2000 population and housing data. Population forecasts to the year 2025 were approved by JPACT and the Metro Council as part of the 2004 Federal Update to the Regional Transportation Plan, after review and comment by local government technical staffs.

b. Employment: Oregon Employment Department ES-202 was used for the 2000 employment base and further detailed by Metro estimates of self-employed. Employment forecasts to the year 2025 were approved by JPACT and the Metro Council as part of the 2004 Federal Update to the Regional Transportation Plan, after review and comment by local government technical staff.

c. Socio-economics: Metro uses socio-economic data issued by the Census Bureau from the 2000 Census, including household size, incomes, age and head of household. In addition, the population, housing and job forecasts use data from the State of Oregon concerning birth and death rates as well as forecasts from Global Insight that was used in the regional economic forecast.

Validation year: The base year for the Metro transportation model (Agnes) is the year 2000. The model was last validated for that base year in 2003.

RTP Horizon: 2025 based on the 2004 Federal Update of the RTP.

MTIP years: FY 2008-2011

Transportation Networks
The Metro year 2005 transportation network will be the base year network from which all future year networks are developed. The 2005 network includes the highway and transit system as of January 2005.

Future transportation networks include completion of all regionally significant projects and other projects that can be modeled, as included in the MTIP and the Financially Constrained System of the 2004 Federal Update to the Regional Transportation Plan. Future year networks will also include a transit system from the TriMet *Transit Investment Plan* (2004), which is consistent with the Metro RTP, 2004 Federal Update.

Air Quality Model Assumptions
The following provides information on the Metro transportation network model and the EPA approved MOBILE6.2 air quality emissions model that will be used in the emissions analysis. Metro will use the following inputs for the MOBILE6.2. computer model to complete the MTIP conformity analysis:

	Parameter	Details	Data Source
a.	Emission Model Version:	MOBILE6.2	EPA
b.	Emission Model Runs:	See Analysis Years table, above	EPA, DEQ
c.	Time Periods:	Seven - 2200hrs-0559; 0600-0659;0700-0859; 0900-1359; 1400-1459, 1800-1859 (PM shoulder); 1500-1759 and 1900-2159.	
d.	Pollutants Reported:	CO	
e.	Vehicle Class:	As per MOBILE6.2	EPA
f.	Functional Class:	MOBILE6.2 default (freeways, arterials, local and ramp)	
g.	Temperatures:	Minimum and Maximum temperatures for January	OR DEQ
h.	VMT mix:	MOBILE6.2 default	
i.	Speed:	3-65 MPH	
j.	Vehicle Registration:	All runs using 2004 fleet, except for trips originating in Washington State which are provided through the SW Clean Air Agency.	OR DEQ / ODOT DMV
k.	I/M Program:	Assumes On-Board Diagnostic	OR DEQ
l.	Reid Vapor Pressure:	Winter - 13.6psi	OR DEQ

Conformity Criteria
Conformity will be based on the requirements of OAR 340-252-0190 (Criteria and Procedures: Motor Vehicle Emissions Budget). Specifically, 252-0190 (b)(A) states that for each analysis year, the emission analysis must demonstrate that the emissions from the Action scenario is less than or equal to the motor vehicle emissions budget(s) established for the last year of the maintenance plan, and for any other years for which the maintenance plan establishes motor vehicle emission budgets. In addition, the regional emissions analysis must be performed for the last year of the transportation plan's forecast period.

Motor Vehicle Emission Budgets and Analysis Years
Based on the Second Portland Area Carbon Monoxide Maintenance Plan, as found adequate for transportation conformity purposes by the EPA on February 15, 2005, the following are the motor vehicle emission budgets to be used in the analysis.

Motor Vehicle Emission Budgets for Carbon Monoxide

2005 – 1,238,575 lbs. per winter day
2010 – 1,033,578 lbs. per winter day
2017 – 1,181,341 lbs. per winter day
2025 – same as 2017

Based on these required emission budget years, the requirements in OAR 340-252-0190 and data availability, the following are the years in which the Metro transportation model will be run and MOBILE6.2 software for this conformity determination.

Analysis Years	**2010**	**2015**	**2017**	**2020**	**2025**
Tasks	- Full Transportation Model run - Trip Assignments - MOBILE6.2	- Interpolate vehicle trips - Trip Assignments - MOBILE6.2	- Interpolate emissions between 2015 and 2025	- Interpolate emissions between 2015 and 2025	- Full Transportation Model run - Trip Assignments - MOBILE6.2
Transportation Network	2010	2015	No unique network	No unique network	2025

Transportation Control Measures
The Second Portland Area CO Maintenance Plan approved by the EPA includes several TCM which must be shown to be addressed. These TCM include the following:

1. Transit Service Increase: Regional transit service revenue hours (weighted by capacity) shall be increased 1.0% per year. The increase shall be assessed on the basis of a 5 year rolling average of actual hours for assessments conducted between 2006 and 2017. Assessments made for the period through 2008 shall include the 2004 opening of Interstate MAX.

2. Bicycle Paths: Jurisdictions and government agencies shall program a minimum total of 28 miles of bikeways or trails within the Portland metropolitan area between the years 2006 through 2017. Bikeways shall be consistent with state and regional bikeway standards. A cumulative average of 5 miles of bikeways or trails per biennium must be funded from all sources in each Metropolitan Transportation Improvement Program (MTIP). Facilities subject to this TCM must be in addition to those required for expansion or reconstruction projects under ORS 366.514.

3. Pedestrian Paths: Jurisdictions and government agencies shall program at least nine miles of pedestrian paths in mixed use centers between the years 2006 through 2017,

including the funding of a cumulative average of 1½ miles in each biennium from all sources in each MTIP. Facilities subject to this TCM must be in addition to those required for expansion or reconstruction projects under ORS 366.514.except where such expansion or reconstruction is located within a mixed-use center.

The air quality conformity determination for the 2008-2011 MTIP will include an analysis of whether these TCM have been addressed.

Air Quality Conformity Determination Schedule
for the Adoption of the
2008-2011 Metropolitan Transportation Improvement Plan
March 2006

The following is the proposed schedule for air quality analysis, public and technical review and approval of the air quality conformity determination for the upcoming 2008-2011 Metropolitan Transportation Improvement Plan (MTIP). This schedule was developed to receive provide for public and local technical review, Environmental Protection Agency review and Federal Highway Administration and Federal Transit Administration approval by September 2007.

Mar 12, 2007	Interagency consultation on detailed 2008-11 MTIP air quality conformity determination assumptions, methods, etc.
Mar 15, 2007	**Metro Council action on 2008-11 MTIP - pending air quality analysis**.
Mar 30, 2007	TPAC introduction to upcoming 2008-11 MTIP air quality analysis.
Mar/Apr 15, 2007	Local governments provide locally funded project information.
May 1, 2007	Air quality conformity determination emission analysis begins.
June 15, 2007	Air quality conformity modeling and draft report complete. 30-day public review period begins of complete air quality conformity analysis, including emission results. Analysis also sent to TPAC members, federal air quality partners (EPA, FHWA, FTA).
July 16, 2008	30-day public review of 2008-11 MTIP with air quality conformity analysis ends.
Jul 16-20, 2007	Federal interagency consultation concerning air quality analysis results, recommendations.
Jul 27, 2007	TPAC: Consultation on air quality analysis results, recommendations.
Aug 9, 2007	JPACT: Recommend adoption of the air quality conformity determination and 2008-11 MTIP.
Aug 16, 2007	Metro Council: Adopt air quality conformity determination and 2008-11 MTIP.
Aug 17, 2007	Submit to USDOT for conformity determination.
October 1, 2007	Conformity determination approval from FHWA/FTA.

* * * *

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 07-3824, FOR THE PURPOSE OF APPROVING THE AIR QUALITY CONFORMITY DETERMINATION FOR THE 2008-2011 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM

Date: July 18, 2007 Prepared by: Mark Turpel

BACKGROUND

Overview

Federal and state regulations require that the 2008-2011 Metropolitan Transportation Improvement Plan (MTIP) be tested to see whether the existing on-road transportation system, plus all of the proposed new transportation projects, complies with air quality standards. This air quality analysis – known as an air quality conformity determination - must be approved in order for the region and local jurisdictions to continue to be eligible to receive federal funds for transportation projects.

The Metro area is in compliance with all air pollutants regulated by federal and state regulations. However, the existing status of air quality in the Metro region is that it has a "maintenance" status for Carbon Monoxide. That is, while the region has improved Carbon Monoxide levels and has not exceeded maximum levels since 1989, it still must monitor Carbon Monoxide levels and complete air quality conformity determinations for Carbon Monoxide.

Carbon Monoxide Conformity Determination

Exhibit "A" to Resolution No. 07-3824, For The Purpose of Approving the Air Quality Conformity Determination for the 2008-2011 Metropolitan Transportation Improvement Program, includes a Carbon Monoxide emission analysis.

The analysis shows that federal and state air quality standards for Carbon Monoxide can be met in the Metro region even with: 1) the existing transportation system, and, 2) the projects included in the 2008-2011 Metropolitan Transportation Improvement Program; 3) all of the other improvements included in the financially constrained system of the 2004 Regional Transportation Plan; and 4) all other local transportation projects that are considered regionally significant

In addition, there has been concern that because of court cases and new proposed federal regulation, the region also should assess the Ozone conditions. Accordingly, Table 1, below shows the results of air quality modeling for the region for various time horizons for Carbon Monoxide as well as the precursors of Ozone – Hydrocarbons and Oxides of Nitrogen.

As Table 1 demonstrates, for each of the time horizons and for each air pollutant, the region is forecast to meet the motor vehicle emission budgets, or maximum levels of pollutants from motor vehicles.

Table 1. Comparison of Motor Vehicle Emission Budgets and Forecast Surface Transportation Emissions

Year	**Carbon Monoxide Motor Vehicle Emission Budget** (pounds/ winter day)	**Forecast Carbon Monoxide Emissions** (pounds/ winter day)	**Hydrocarbon Motor Vehicle Emission Budget** (tons/summer day)	**Forecast Hydrocarbon Emissions** (tons/summer day)	**Oxides of Nitrogen Motor Vehicle Emission Budget** (tons/ summer day)	**Forecast Oxides of Nitrogen Vehicle Emissions** (tons/summer day)
2010	1,033,578	976,015	40	32.6	52	46.6
2015	n/a	n/a	40	23.5	55	28.5
2017	1,181,341	837,797	n/a	n/a	n/a	n/a
2020	n/a	n/a	40	21.5	59	23.9
2025	1,181,341	901,569	40	19.5	59	19.3

Accordingly, approval of the air quality conformity determination can be considered.

If approved, the conformity determination may be forwarded to the Federal Highways Administration and Federal Transit Administration, who, after conferring with the EPA, may approve the conformity determination. Approval of the conformity determination also allows consideration of approval of the 2008-2011 MTIP.

ANALYSIS/INFORMATION

1. **Known Opposition** None.

2. Legal Antecedents

Federal: 40 CFR 93. (transportation air quality conformity)

State: OAR 340-252 (transportation air quality conformity)

Metro:

Resolution No. 03-3381A, FOR THE PURPOSE OF ADOPTING THE 2004-2007 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM FOR THE PORTLAND METROPOLITAN AREA, adopted on December 11, 2003.

Resolution No. 03-3382A-02, FOR THE PURPOSE OF ADOPTING THE PORTLAND AREA AIR QUALITY CONFORMITY DETERMINATION FOR THE 2004 REGIONAL TRANSPORTATION PLAN AND 2004-2007 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM, adopted on January 15, 2004

Resolution No. 05-3529A, FOR THE PURPOSE OF ALLOCATING $62.2 MILLION OF TRANSPORTATION PRIORITIES FUNDING FOR THE YEARS 2008 AND 2009, PENDING AIR QUALITY CONFORMITY DETERMINATION, adopted on March 24, 2005.

Resolution No. 05-3589A, FOR THE PURPOSE OF AMENDING THE REGIONAL TRANSPORTATION PLAN TO MOVE THE I-205 NORTHBOUND ONRAMP/AIRPORT WAY INTERCHANGE IMPROVEMENT FROM THE ILLUSTRATIVE LIST TO THE FINANCIALLY CONSTRAINED LIST, adopted on June 9, 2005.

Resolution No. 07-3773 FOR THE PURPOSE OF ALLOCATING $64.0 MILLION OF TRANSPORTATION PRIORITIES FUNDING FOR THE YEARS 2010 AND 2011, PENDING AIR QUALITY CONFORMITY DETERMINATION, adopted on March 15, 2007.

3. Anticipated Effects Allows for consideration of approval of proposed transportation projects in the 2008-2011 MTIP.

4. **Budget Impacts** None directly by this action. Upon approval of another related resolution for the 2008-2011 Metropolitan Transportation Improvement Program, the budget impact would be provision of funding support for some Metro transportation activities.

RECOMMENDED ACTION

Approve Resolution No. 07-3824, FOR THE PURPOSE OF APPROVING THE AIR QUALITY CONFORMITY DETERMINATION FOR THE 2008-2011 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM.

Agenda Item Number 8.3

Resolution No. 07-3825, For the Purpose of Approving the 2008-2011 Metropolitan Transportation Program for the Portland Metropolitan Area

Metro Council Meeting
Thursday, August 16, 2007
Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING THE 2008-2011 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM FOR THE PORTLAND METROPOLITAN AREA	))))	RESOLUTION NO. 07- 3825 Introduced by Councilor Rex Burkholder

WHEREAS, the Portland metropolitan area Metropolitan Transportation Improvement Program (MTIP), which reports on the programming of all federal transportation funds to be spent in the region, must be updated every two years in compliance with federal regulations; and

WHEREAS, the Metro Council and Joint Policy Advisory Committee on Transportation (JPACT) have recently proposed programming of the "regional flexible funds" portion of the federal allocation of transportation funds to this region through the Transportation Priorities 2008-11 process; and

WHEREAS, the Oregon Department of Transportation has proposed programming of federal transportation funds for projects in the Portland metropolitan area through the State Transportation Improvement Program (STIP); and

WHEREAS, the transit service providers TriMet and South Metropolitan Area Rapid Transit (SMART) have proposed programming of federal transit funds; and

WHEREAS, these proposed programming of funds must be found in compliance with all relevant federal law and administrative rules, including a demonstration of compliance with the Oregon State implementation plan for air quality; and

WHEREAS, the draft Metropolitan Transportation Improvement Program for the Portland, Oregon metropolitan area, attached as Exhibit A, demonstrates compliance with all relevant federal law and administrative rules; and

WHEREAS, the companion Metro Resolution No. 07-3824, For the Purpose of Approving an Air Quality Conformity Determination for the 2008-11 Metropolitan Transportation Improvement Program, demonstrates compliance with the federal Clean Air Act and the Oregon State implementation plan for air quality; and

WHEREAS, a public process has provided an opportunity for comments on the programming of federal funds to specific projects in specific fiscal years and whether that programming meets all relevant laws and regulations, in addition to extensive public processes used to those projects to receive these funds; now therefore

BE IT RESOLVED that the Metro Council adopt the Metropolitan Transportation Improvement Program for the Portland metropolitan areas as shown in Exhibit A; and

BE IT FURTHER RESOLVED that projects in the existing 2006-09 MTIP that do not complete obligation of funding prior to September 30, 2007 will be programmed into the 2008-11 MTIP following consultation with federal agencies and the Transportation Policy Alternatives Committee on an air quality conformity determination.

ADOPTED by the Metro Council this 16th day of August, 2007

David Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney

Resolution No. 07-3825
Exhibit A

May be found on the Metro Website http://www.metro-region.org/library_docs/trans/adoption_draft_mtip2_web.pdf

The document is at the top of the box with downloadable files and is called "Adoption Draft 2008-11 Metropolitan Transportation Improvement Program".

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 07-3825, FOR THE PURPOSE OF APPROVING THE 2008-11 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM FOR THE PORTLAND METROPOLITAN AREA.

Date: August 16, 2007 Prepared by: Ted Leybold

BACKGROUND

The 2008-11 Metropolitan Transportation Improvement Program (MTIP) is a report that summarizes all programming of federal transportation funding in the Metro region for the federal fiscal years 2008 through 2011 and demonstrates that the use of these funds will comply with all relevant federal laws and administrative rules.

Generally, there are three sources of proposed programming of federal transportation funds that are reflected in the MTIP; "regional flexible funds" whose projects are selected in the Transportation Priorities process by JPACT and the Metro Council, projects and maintenance on the national highway system proposed by the Oregon Department of Transportation through the State Transportation Improvement Program (STIP) process, and transit projects proposed by the region's transit agencies. Federal regulations designate JPACT and the Metro Council as the bodies responsible for allocating the comprehensive package of federal highway and transit funds for the Portland metropolitan area.

The projects and programs recently selected by JPACT and the Metro Council to receive regional flexible funds for the years 2010 and 2011 have been assigned to their respective years of allocation and fund type (Surface Transportation Program or Congestion Mitigation/Air Quality) in the MTIP. Furthermore, previous programming of these funds for the years 2008 and 2009 have been updated to reflect changes in construction schedules and project costs.

The programming of state highway funds is proposed through the state wide State Transportation Improvement Program process. Projects and programs within the Metro region are summarized within the MTIP. Projects that increase vehicle capacity is included in Table 4.1. Other state projects: bridge rehabilitation, pavement preservation, safety, and operations are summarized in Tables 4.2.1 through 4.2.4.

The programming of federal transit funds to the metropolitan region is summarized in Table 2.2-1. In addition to the regional flexible funds programmed to transit activities through the Transportation Priorities process, there are several types of federal funds summarized, including rail new starts, a program for low income access to jobs, allocations for bus purchases and allocations for maintenance of the bus and rail systems. The proposed programming of funds is consistent with the TriMet Transit Investment Plan, a 5-year rolling capital improvement program that guides the short-term implementation of the 20-year Regional Transportation Plan.

Adoption of this resolution would fulfill JPACT and the Metro Council's role within federal law to program federal funds, consistent with federal regulations as documented in Exhibit A; the Metropolitan Transportation Improvement Program for the Portland metropolitan area, federal fiscal years 2008 through 2011.

ANALYSIS/INFORMATION

1. **Known Opposition** None known at this time.

2. Legal Antecedents This resolution programs transportation funds in accordance with the federal transportation authorizing legislation (currently known as SAFETEA-LU). The allocation process is intended to implement the Transportation Priorities 2005 and 2007 program allocations as defined by Metro Resolution Nos. 05-3529 and 07-3773. This MTIP must be consistent with the Regional Transportation Plan, adopted by Metro Ordinance No. 04-1045A. This MTIP must also be determined to be in conformance with the federal Clean Air Act, which would be accomplished through action on draft Metro Resolution No. 07-3824.

3. Anticipated Effects Adoption of this resolution is a necessary step to make the transportation projects and programs defined in the MTIP, provided as Exhibit A, eligible to receive federal funds to reimburse project costs.

4. **Budget Impacts** Adoption of this resolution is a necessary step in making eligible federal surface transportation program funds for planning activities performed at Metro. This includes $928,000 of federal funds to be used for planning activities at Metro in the next fiscal year. Grant funds allocated to Metro planning require a match totaling 10.27% of project costs. This would include $405,000 through the course of the 2008 – 2011 time period. Metro would also negotiate with other transportation agencies for responsibility of a portion of $830,000 of required local match for other regional planning and program activities over the course of the 2008 – 2011 time period.

RECOMMENDED ACTION

Approve the resolution as recommended.

Agenda Item Number 8.4

Resolution No. 07-3860, Designating Council Projects and Confirming Lead Councilors and Council Liaisons and Sunsetting their Predecessors, August 2007

Metro Council Meeting
Thursday, August 16, 2007
Council Chamber

BEFORE THE METRO COUNCIL

DESIGNATING COUNCIL PROJECTS AND CONFIRMING LEAD COUNCILORS AND COUNCIL LIAISONS AND SUNSETTING THEIR PREDECESSORS, AUGUST 2007	))))	Resolution No. 07-3860 Introduced by Council President David Bragdon

WHEREAS, the development and/or implementation of certain Metro projects have policy implications that require the attention of the Metro Council; and

WHEREAS, some projects with policy implications are of a scope and complexity that, for purposes of efficiency, benefit from the focused attention of a subset of the Council and are called "Council Projects"; and

WHEREAS, members of the Council have identified such projects; and

WHEREAS, those projects identified have been defined and put forth in the form of project proposals, included in Exhibit A; and

WHEREAS, the Council President, working with members of the council, has designated specific councilors to play lead and/or liaison roles on projects as specified in Exhibit A; and

WHEREAS, the projects in Exhibit A replace several previously-designated council projects that have now achieved their goals and completed their purpose:

now therefore

BE IT RESOLVED:

1. The Council confirms the project proposals, including the designation of projects, project definitions, lead councilor assignments, and councilor liaison assignments as specified in Exhibit A for Exploration and Framing of Conservation Education and Natural Areas Maintenance Bond Measure, Realizing the Parks and Natural Areas Network, Performance-Based Growth Management, and Urban and Rural Reserves.

2. The Council directs that the Exploration and Framing of Conservation Education and Natural Areas Maintenance Bond Measure will sunset May 31, 2008, Realizing the Parks and Natural Areas Network will sunset July 31, 2008, Performance-Based Growth Management will sunset December 31, 2009, and Urban and Rural Reserves will sunset December 31, 2009.

3. The Council directs that those Council Projects that have laid the groundwork for the Council Projects adopted in this resolution and which are now complete, specifically the Public Opinion Research for Conservation Education / Regional System, Shape of the Region and Neighbor Cities projects, are sunsetted as Council Projects as of the date of this resolution. The Council Projects adopted in this resolution will continue the work of the previous set, only at a new level of focus and detail.

ADOPTED by the Metro Council this 16th day of August, 2007.

David Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney

Metro Council Project Proposal / Work Plan
Part One: Council Project Proposal

1) **Project Title:** Exploration and framing of conservation education and natural areas maintenance ballot measure

2) **Lead Councilor:** Burkholder

3) **Council Liaisons:**

4) **Project Begin Date:** August 2007

5) **Estimated Date of Completion:** May 2008

6) **Project Description (What issue/problem will be addressed?):**

Residents of the Portland region own some of the most remarkable urban natural areas and parkland in the world. Yet the level of maintenance and care that these valuable regional resources receive is currently insufficient, threatening the ecosystems that they are designed to protect and limiting public enjoyment of parks and natural resources. Local jurisdictions have identified maintenance and operations of parks and greenspaces as an area of concern. We are currently surveying parks directors to find out where the most need is within their respective departments, so that we can effectively address region-wide needs for facilities maintenance, invasive species removal, natural areas restoration, and operations support.

Not only do we need to directly address this lack of care, but we also need to educate Metro area residents to act as stewards for our region's natural resources. Ensuring the eco-literacy of today's children is essential to creating a public that is engaged in conservation issues and is sufficiently informed to provide regional leadership. Outdoor school has traditionally been Oregon's way of introducing children to the joys and science of nature. The program currently serves 12,000 of the 17,500 6th graders who are enrolled in the region's public schools, as well as over 2,000 high school students who develop their leadership skills as volunteer counselors. Many Metro area school districts cannot afford to send their students to outdoor school, and even districts that have continued the program are struggling to find ways to fund it. Solutions include cutting other programs, using staff time to organize fundraisers, shortening students' time at outdoor school from one week to three days, and passing on some or all of the program costs to families. At best, these are stopgap measures that take up disproportionate amounts of valuable time and resources in our already-strained public school system; at worst they are discriminatory policies that unfairly restrict access to environmental education for low-income families and districts. Because of the perpetual struggle to reallocate resources, it is unlikely that the outdoor school program will continue without a stable source of funding. Outdoor school costs $60 per student to cover program costs, transportation, teacher stipends, and staff time, and it would cost roughly $6 million in order to provide all of the region's publicly educated 6th graders with a week-long program.

Furthermore, many parks and natural areas lack sufficient educational programs and activities to engage and educate the people that they serve. All citizens of the region need opportunities to learn about the natural areas surrounding them and the importance of caring for these areas. Through learning, people gain appreciation for the environment, making them more likely to devote their time and energy to land stewardship and conservation. As a sign of the level of need for more educational programming in our parks system, the Nature in Neighborhoods grant program has generated $18.6 million dollars' worth of project proposals in its pre-application stage over the past two years. All of the projects submitted have

had an educational component, and over 50% of them have had a "strong to medium" environmental education element. Nature in Neighborhoods, which has funded 53 projects and leveraged almost $4 million in matching funds, will no longer be funded in 2008. Additional resources could be used to extend this program, as well as fund conservation education at the Zoo and education, community outreach, and volunteer programs in our region's parks. The Zoo is currently updating their Master Plan and a recommendation is being brought forward to expand current conservation efforts, which includes developing a conservation education campus on site.

The recent passage of the 2006 Natural Areas bond measure brought the importance of publicly owned natural areas to the forefront. Recent public opinion research shows that over 60% of Metro area residents support tax increases to fund conservation education and natural areas maintenance. Metro has been successful in setting aside land for recreation and conservation; now we must ensure that our region's natural areas have adequate funds and a public that is engaged in conservation issues to care for them. This project will explore the possibility of endorsing a ballot measure to raise funds to care for natural areas and support environmental education, and if so, determines the nature of such a measure.

7) Policy Questions (What major policy questions must be answered?)

- Should the Metro Council support a ballot measure in the May 2008 election to fund operations and maintenance for the region's parks and natural areas as well as conservation education programs, including a region-wide Outdoor School equitably serving all 6th graders?

- How much money should such a ballot measure seek to raise, and how would funds be allocated between outdoor school, other conservation education programs, and maintenance and restoration projects in the region's natural areas?

- Should the measure be created by initiative petition or council referral?

- Should the measure be funded by an increase in the solid waste excise tax, and if so, how much of an increase would be required?

- How would this additional funding affect Metro's budget, e.g. general fund cap on expenditures?

- If this measure is funded by an increase in the solid waste excise tax, what are the economic impacts of such a tax increase and other Solid Waste initiatives?

- What benefits would the passage of this measure bring to the region?

8) Outcomes (What must be in place for policy development to be considered complete?) A council decision about whether to put a measure funding conservation education and natural areas maintenance on the May 2008 ballot. If the council decides to pursue this measure, consensus must be reached on the best way in which to move forward.

9) Connection to Council Goals and Objectives: This meets several of the Council's goals. Specifically, the Metro Charter states that Metro's "…most important service… [is] policy making to preserve and enhance the quality of life and the environment for ourselves and future generations…"

The Council Goals and Objectives this project connects to are:

- **Great Places:** Residents of the region enjoy vibrant, accessible and physically distinct places to live, work and play. Particularly 1.1, Natural areas, park land, and outdoor recreation infrastructure are accessible to all.

- **Environmental Health:** The region's wildlife and people thrive in a healthy urban ecosystem. Particularly 2.2, Our community is inspired to create a better future for wildlife and the environment.

- **Smart Government:** Metro leads a fiscally sound, efficient and congruent system of governance where public services are funded appropriately and provided by the most suitable units of government. Particularly 4.1, Regional needs are supported by appropriate regional funding mechanisms, and 4.2, Public services are available and equitable.

10) Resources Required / Budget Implications:

The work plan will include putting together the necessary components of a ballot measure, including the framing of important policy questions for Council consideration, development of agreements with local partners as it relates to the distribution options and impacts of funding, and all of the necessary details and logistics of managing this project through to an election. This budget amendment will not pay for activities related to promoting the ballot measure if the Council proposes one.

Summary of Expenses:

Election Expenses	$290,000
Contracted Project Manager	120,000
Public Opinion Survey	30,000
Public Outreach	50,000
Misc. Supplies	10,000
Total	$500,000

Timeline and work plan for exploration and framing of conservation education and natural areas maintenance ballot measure

Tasks	August	September	October	November	December	January
Council approves project proposal						
Hire contract project manager						
Meet with representatives of solid waste industry and local government representatives, etc.						
Meet with educators, park providers, and other stakeholders						
Determine program specific and funding amounts						
Council check in						
Broader stakeholder input						
Council vote on whether to refer ballot measure						

Metro Council Project Proposal / Work Plan
Part One: Council Project Proposal

1) **Project Title: Realizing the Parks and Natural Areas Network**

2) **Lead Councilor:** Bragdon

3) **Council Liaisons:**

4) **Project Begin Date:** July 2007

5) **Estimated Date of Completion:** July 2008 (initial phase)

6) **Project Description (What issue/problem will be addressed?):** The Metro Council has taken a series of steps to acquire, protect, restore and reforest natural areas and open new parks for recreational use. However, the Council's adopted strategic goal of an interconnected *system* of ecologically healthy natural areas and parks has remained out of our reach, largely for lack of a unifying vision, political will, and clear plan of action among the many jurisdictions in the region with parks and natural area authority.

   Without such a vision and the collective will to implement it, this adopted Council strategic goal will not be fulfilled, and the voter-approved acquisition program may result in an accumulation of excellent purchases but no coherent network. Currently a variety of federal, state, regional and local funds (as well as Non-governmental Organization funds) are spent in support of parks and natural areas, but they are spent in a fragmented and inconsistent manner.

   There are more than 50,000 acres of parks and natural areas in public ownership in the region, most of which is not providing the service it was intended to provide:

   More than half of our publicly owned land is deforested. It is not good wildlife habitat; it is not cleaning the air or the water and it is not helping with global warming. Even as we purchase more land, that percentage will increase, as non-native invasive species take over.

   Four in ten of our region's residents do not have a neighborhood park within walking distance. Those neighborhood parks that do exist are often deteriorating. Inequities exist in the provision of parks services and local funding efforts.

   We have built only 194 miles of trail in a trails network envisioned at more than 900 miles. The existing trails "system" is a disjointed array of trail segments with 25 gaps.

   Greenspaces Policy Advisory Committee envisioned the best interconnected system of natural areas and greenspaces in the world. The Council officially endorsed this vision by resolution in 2006. This project would manifest that vision by giving it definition and setting in motion its implementation.

7) **Policy Questions (What major policy questions must be answered?)**

How can existing parks owners and managers work more effectively together with existing resources? One first step that has been suggested is better coordination of public information, mapping, etc. A second suggestion has been the development of a unified federal agenda in the way that Joint Policy Advisory Committee on Transportation (JPACT) does for transportation.

Is there a more optimal "division of labor" among the various jurisdictions compared to the current hodge-podge of responsibilities? Specifically for our agency, should the Metro Council continue to be an operator, or should an official practice be adopted that Metro Council gets out of the operations business and serves as the acquisition agent, the educator, the conduit of funds but that local governments serve as the operator? (This question becomes increasingly germane as the Metro Council acquires more land. Should it be turned over to local operators?)

What major elements of the natural areas and parks system should be implemented next and how will they be funded? What are the region's one, five and ten year goals?

8) Outcomes (What must be in place for policy development to be considered complete?)

1. An agreement among major parks providers in the region to work together more explicitly on key identified aspirations.

2. A decision by Council about what the agency's future role will be with regard to operations, and a new understanding between ourselves and local governments about who is going to do what.

3. Options and strategies for what constitutes the "regional network" (not synonymous with Metro ownership) and how to fund it.

9) Connection to Adopted Council Strategic Goals and Objectives:

1.1 Natural areas, park land and outdoor recreation infrastructure are accessible to all.

2.1 Natural areas are large enough, have the appropriate balance of species and are interconnected with other natural areas so that normal ecological processes are maintained.

10) Resources Required / Budget Implications:

Contracted Consultants	120,000
Public Outreach	20,000
Misc. Supplies	10,000
Total	$150,000

A budget amendment has been prepared that provides more detail on the budget outlined here.

Metro Council Project Proposal / Work Plan

Part One: Council Project Proposal

1) **Project Title: Performance-based growth management**

2) **Lead Councilor:** Carl Hosticka

3) **Council Liaisons:** TBD

4) **Project Begin Date:** August, 2007

5) **Estimated Date of Completion:** 2009

6) **Project Description**

The goal of this project is to ensure that growth management decisions are consistent with and reinforce the region's aspirations for compact development and urban revitalization. With a performance-based growth management approach, decisions to draw down urban reserves would be tied to efficient development in centers, corridors, and employment areas. Performance-based growth management is one of the projects in the *New Look* portfolio. The project will work in concert with the urban and rural reserves program to deliver a system that links decisions to draw down urban reserves with urban performance (efficient, quality development in centers, corridors, and employment areas).

The Metro Council is currently required by Oregon law to maintain a 20-year supply of land for housing and employment and to re-evaluate its land supply every five years. This can be accomplished by adding land to the urban growth boundary (UGB) or by adopting measures to use land within the boundary more efficiently. To meet this requirement, Metro estimates demand based on forecasts of population and job growth, as well as how demand that can be accommodated through redevelopment, infill, and absorption of vacant land. To ensure that these estimates are grounded in reality, state law requires Metro to begin its analysis by looking at data from the last five years.

The current system leaves too little room for consideration of regional aspirations and fails to adequately address local jurisdictions' readiness and fiscal ability to plan and develop expansion areas. Choices of where UGB expansion areas are located are constrained by narrow criteria (primarily soil classifications) that inadequately consider the resulting efficiency of the region's urban form.

Metro remains free, however, to make assumptions and estimates based upon other information so long as it explains why the information is a better indicator of future needs. Developing such a system will require a substantial research phase to increase Metro's understanding of relevant indicators in the urban land marketplace. Designing and implementing this system will require a high degree of collaboration amongst regional partners. It is anticipated that these collaborators will include existing Metro committees (reserves, housing, finance, employment committees) as well as state, regional, and local partners who share implementation responsibility. The project will

require work in the 2009 legislative session to make amendments to state laws, including those laws requiring a 20-year land supply and a 5-year review cycle.

7) **Policy Questions**

How do we define "performance"?

- *Documents such as the 2040 Growth Concept, the Regional Urban Growth Goals and Objectives, the Future Vision, the Regional Framework Plan, and Council Goals and Objectives provide some guidance. For the purposes of this proposal, what are the most essential guideposts?*

How do we measure performance?

Performance inside of the UGB:

- *What economic, demographic and land-use changes provide the best indicators of compact development and urban revitalization opportunities?*
- *Which performance indicators within the UGB demonstrate a need for increasing regional capacity through future expansion as opposed to redevelopment within the UGB?*
- *What trigger-points should signal the need for policy changes (e.g. zoning), development incentives (e.g. urban renewal), or land supply (e.g. UGB expansion)?*

Land selection outside of the UGB:

- *How do community needs and aspirations translate into criteria for choosing a particular urban reserve for UGB expansion?*
- *What environmental, economic, demographic and land-use characteristics and design preferences should the Council consider when determining which locations inside of an urban reserve meet the needs of nearby urban areas?*

How are performance criteria applied in UGB decisions?

- *At what point does the need for additional developable land (either inside or outside the UGB) necessitate action?*
    - *How can tradeoffs amongst values and inherent tensions between conflicting benchmarks be reconciled?*

8) Outcomes

- Land supply managed to support the 2040 Growth Concept.
- A transparent process that utilizes prioritized targets and explicit tipping points resolves tensions between conflicting values.
- Monitoring of land use system is based on continuous measurement, analyzing economic and demographic indicators that inform established land use goals.
- Criteria for establishing the inventory of urban reserves illustrate actual land use performance and expected trends. Urban reserve inventories synchronize with the needs for residential and employment land.
- Growth management decisions, such as UGB expansion and re-investment incentives, advance regional goals.
- New measures are included as standard reporting in next Urban Growth Report.
- The need for new legislation is identified and broad support for that legislation is developed prior to 2009 session.

9) Connection to Council Goals and Objectives

1. Great Places
Goal: Residents of the region enjoy vibrant, accessible and physically distinct places to live, work and play.
1.2 The region's centers and corridors are distinctive, attractive and efficient and while fully developed they are also continually and dynamically re-creating themselves.

2. Environmental Health
Goal: The region's wildlife and people thrive in a healthy urban ecosystem.
2.5 Urban land is used efficiently and resource land is protected from urban encroachment.

3. Economic Vitality
Goal: Residents and businesses benefit from a strong and equitable regional economy.
3.1 Land is available to meet the need for housing and employment.
3.3 Access to jobs, services, centers and industrial areas is efficient.
3.6 The region's rural economy thrives because of its proximity to the urban area, not in spite of the urban area.

10) Resources Required / Budget Implications

This project will be completed using a combination of Metro staff and consultant resources. This project will require Council authorization of additional resources in the budget for 2008 / 2009 and 2009 / 2010. Resources are available in the adopted 2007 / 2008 budget for consultant services to assist in developing and refining the conceptual approach. Future budgets include additional resources for collecting and measuring data, identifying and supporting necessary legislative changes, refining the process for the new performance-based approach to growth management, and applying the approach to the 2009 Urban Growth Report and the next growth management decision in 2010.
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Metro Council Project Proposal / Work Plan
Part One: Council Project Proposal

11) Project Title

Urban and Rural Reserves

12) Lead Councilor

Kathryn Harrington

13) Council Liaisons

The entire Council will play a role in the urban and rural reserves project

14) Project Begin Date

August 2007

15) Estimated Date of Completion

2009

16) Project Description (What issue/problem will be addressed?)

Metro and regional leaders have identified the need for a different approach to selecting areas for urban expansion and for bringing these areas into the urban growth boundary. With the successful passage of House Bill 2051 and Senate Bill 1011, the region is poised to embark on a collaborative process that will utilize the results of the three Shape of the Region work elements to frame a more thoughtful regional approach to how we plan for growth through the designation of linked urban and rural reserves. Recent experience suggests that one of the unexpected outcomes of the current UGB process is less than desirable, and often impractical, urban form. Further, the current system lacks consideration of the type of community we are trying to create when we expand the UGB. Agricultural land, which receives high value in both the culture and the economy of the region, lacks long-term certainty that urbanization won't eventually limit its productivity. Finally, the current requirements do not directly reflect the value of natural areas in their own right. Though the current system allows for urban reserve designation, it does not allow for a transparent analysis of broad urbanization criteria nor does it include a role for rural reserves.

This project also includes outreach to the neighbor communities of the region through the Transportation Growth Management (TGM) Grant Metro recently received for the 2007-2009 biennium. The purpose of this grant project is to increase coordination with communities outside of Metro's jurisdictional boundary regarding transportation and land use issues that will influence the future urban and rural form of the northern Willamette Valley.

Successful completion of this project proposal will result in a new process for identifying appropriate land for urbanization purposes that incorporates local community vision and regional needs, provides certainty for rural landowners and neighbor communities, and respects the natural features that shape the sense of place for the region.

This project proposal represents three phases: Department of Land Conservation and Development (DLCD) rulemaking, identification of reserve study areas and refinement and adoption of urban

reserves in coordination with county adoption of rural reserves in 2009. This project proposal does not include the necessary additional analysis of urban reserve areas leading to a UGB expansion decision in 2010. This project does assume the creation of a Regional Reserves Committee, chaired by representatives of Metro and Clackamas, Multnomah and Washington counties, and to include representatives of other major state and regional stakeholder groups. This group will review proposed reserve study areas, regional reserve issues and recommend urban and rural reserve areas for consideration by Metro and the counties.

17) Policy Questions (What major policy questions must be answered?)

Rulemaking

- What are the key outcomes Council desires through the DLCD rulemaking process? Are there specific tools or measures that are necessary to guide the identification of reserve areas?

Reserve Study Area identification

- Are there specific locations or types of land that should not be urbanized, no matter the consequences for other parts of the region?
- Are there specific locations of land that should be urbanized to complement existing urban areas, or locations that need additional analysis?

Refinement and Designation of Urban Reserves & Coordination with Rural Reserves

- What are the specifics of the written agreement, such as the roles and responsibilities for the designation of urban and rural reserves that will provide the framework for the coordination between Metro and its partners?
- What level of analysis will the Council be comfortable with for both the identification and the refinement of reserve areas? Specifically, what level of fiscal analysis is necessary to make the most informed decision?
- What level of coordination is necessary and achievable with neighboring cities and counties?

18) Outcomes (What must be in place for policy development to be considered complete?)

- An approach to designating urban and rural reserves in a linked structure as defined by SB 1011 that meets the growth management needs of Metro, neighboring communities and counties and cities within the Metro jurisdictional boundary. The approach is developed through a DLCD rulemaking process.
- Written agreements between Metro and the counties within the metropolitan area, and adjacent counties if they are willing, that outlines the process and roles and responsibilities to designate reserves along with growth management and implementation actions that are essential for the long-term success of the reserves.
- Successful guidance of the reserves process and recommendations for urban and rural reserve areas that reflect broad support from a Regional Reserves Committee chaired by Metro and county representatives.
- Designation of urban and rural reserves as defined in the written agreement(s), adopted by Metro and the three counties, and approved by Land Conservation and Development Commission (LCDC) for utilization in future growth management decisions.

- Increased coordination with the neighboring communities of the greater region on the future urban and rural form of the northern Willamette Valley.

- A broad level of regional urban and rural land stability that provides certainty for the citizens of the greater region.

9) Connection to Council Goals and Objectives

This project is connected to all four Council Goals:

1) Great Places: Residents of the region enjoy vibrant, accessible and physically distinct places to live, work and play,
2) Environmental Health: The region's wildlife and people thrive in a healthy urban ecosystem,
3) Economic Vitality: Residents and businesses benefit from a strong and equitable regional economy.
4) Smart Government: Metro leads a fiscally sound, efficient and congruent system of governance where public services are funded appropriately and provided by the most suitable units of government.

10) Resources Required / Budget Implications

This Council Project Proposal will exceed the level of resources available in the FY0708 budget. The adopted FY0708 budget includes fewer resources in FY0708 than was available for the FY0607, yet the magnitude of the work is greater. For FY0708, staff estimates the need for another FTE to manage the Reserves process and an additional $100,000 for the analysis and preliminary selection of reserve study areas. Staff estimates the resource needs for the Reserve analysis to increase in FY0809 to approximately $500,000 due to the greater level of analysis leading to Council designation of Urban Reserves. These costs do not include extensive public engagement, scenario modeling or the costs of close collaboration with the Counties in the analysis and designation process. These, and other factors could increase the budget impacts of this work**.**

Approval of this project proposal implies additional financial commitment by the Council, or would require a revision of expectations and/or a reallocation of resources from other work program areas.

STAFF REPORT

RESOLUTION NO.07-3860, Designating Council Projects and Confirming Lead Councilors and Council Liaisons and sunsetting their predecessors, August 2007.

Date: August 16, 2007 Prepared by: Michael Wetter

BACKGROUND

This resolution recognizes that as Council Projects (policymaking projects formally designated by the Metro Council) successfully complete their original scope, they often lead to new, more focused and well-defined policymaking initiatives. At this point, it makes sense to recognize the success of the original Council Project, sunset it, and initiate its successor.

The Shape of the Region and Neighbor Cities Council Projects have completed their original scopes and laid groundwork for two new policy initiatives, the Performance Growth Management and Urban and Rural Reserves. This resolution sunsets the Shape of the Region and Neighbor Cities projects in their original form and establishes Council Projects for Performance Growth Management and Urban and Rural Reserves. Similarly, the Public Opinion Research for Conservation Education / Regional System Council Project has completed its original scope and laid groundwork for a new policy initiative, which is embodied in the Exploration and Framing of Conservation Education and Natural Areas Maintenance Bond Measure Council Project. This resolution sunsets the original proposal and initiates its successor. Greenspaces Policy Advisory Committee (GPAC), a Metro Council appointed committee, has completed its original scope and laid the groundwork for the Realizing the Parks and Natural Areas Network Council Project, which is put forth as a Council Project in this resolution.

If this resolution is approved in present form, the Council Project Portfolio, listing the completed ones at the bottom, is as follows:

Project	Liaisons	Pjct Manager	Status
Performance Growth Management	Hosticka	Reid	Active
Urban and Rural Reserves	Harrington	O'Brien	Active
Exploration and Framing of Conservation Education and Natural Areas Maintenance Bond Measure	Burkholder		Active
Realizing the Parks and Natural Areas Network	Bragdon	Wetter	Active
Investing in Our Communities	Liberty Bragdon Newman	McArthur	Active
2035 Regional Transportation Plan	Burkholder Park Newman	Ellis	Active
Regional Transportation Funding	Newman Burkholder Park		Active
Windfall Tax: Farmlands, Fairness and Fine New Neighborhoods	Liberty	Wagner	Active
Growth Management Communications Plan	Bragdon Hosticka Burkholder	Coney	Active
Housing Supply	Burkholder Liberty	Uba	Active
Disposal System Planning	Park	Ehinger	Active
Regional Solid Waste Management Plan	Park	Matthews	Active
Oregon Convention Center Subsidy Gap	Park	Wagner	Active
Health Care Delivery: Scope of Work	Hosticka	Wagner	Active
Nature in Neighborhoods Nature-Friendly Practices Program	Newman	Triplett	Active
Regional Leadership Initiative	Bragdon, Burkholder, Hosticka	Stacey	Active
Public Opinion Research for Conservation Education / Regional System	*Burkholder*	*Kent*	*Complete*
Shape of the Region	*Hosticka Park Newman*	*McArthur*	*Complete*
Neighbor Cities	*Park*	*O'Brien*	*Complete*
2007 Oregon Legislative Assembly	*Hosticka Newman*	*Tucker*	*Complete*
Nature in Neighborhoods (original)	*Hosticka, McLain*	*Deffebach*	*Complete*
Nature in Neighborhoods Monitoring Program	*Hosticka McLain*	*Triplett*	*Complete*
Nature in Neighborhoods Grants Program	*Park McLain Hosticka*	*Triplett*	*Complete*
Measure 37 Analysis	*Liberty Hosticka*	*Neill*	*Complete*
Natural Areas Bond Measure	*Bragdon*	*Desmond*	*Complete*
Concept and Comprehensive Planning (Construction Excise Tax)	*Newman*	*Wagner*	*Complete*

ANALYSIS/INFORMATION

1. **Known Opposition:** None.

2. **Legal Antecedents:** Resolution 05-3551, For the Purpose of Designating Council Projects and Assigning Lead Councilor and Council Liaisons adopted on March 3, 2005, Resolution No. 05-3628, Designating Additional Council Projects and Confirming Lead Councilor and Council Liaisons for Fall 2005 adopted on November 17, 2005, Resolution No. 06-3666, Designating Council Projects and Confirming Lead Councilor and Council Liaisons for Nature in Neighborhood and New Look Communications adopted February 9, 2006, Resolution No. 06-3692, For the Purpose of Designating an Additional Council Project and Confirming a Lead Councilor and Council Liaisons for Spring 2006 and Resolution No. 07-3815, For the Purpose of Designating Council Projects and Confirming Lead Councilor and Council Liaisons for the Regional Transportation Funding Projected adopted on May 10, 2007. All of these resolutions adopted council projects.

3. **Anticipated Effects** Authorizes lead councilors to play lead councilor role on behalf of the council and authorizes staff to begin work on projects. Projects may require budget amendments to be implemented as written.

4. **Budget Impacts** A budget ordinance would be required to designate funds for the Council Projects identified in the resolution. Council Project proposals in Exhibit A indicate the following funding requirements:

Exploration and Framing of Conservation Education and Natural Areas Maintenance Bond Measure

Expenses	$290,000
Contracted Project Manager	120,000
Public Opinion Survey	30,000
Public Outreach	50,000
Misc. Supplies	10,000
Total	500,000

Realizing the Parks and Natural Areas Network

Contracted Consultants	120,000
Public Outreach	20,000
Misc. Supplies	10,000
Total	$150,000

Performance Growth Management

This project will be completed using a combination of Metro staff and consultant resources. This project will require Council authorization of additional resources in the budget for 2008 / 2009 and 2009 / 2010. Resources are available in the adopted 2007 / 2008 budget for consultant services to assist in developing and refining the conceptual approach. Future budgets include additional resources for collecting and measuring data, identifying and supporting necessary legislative changes, refining the process for the new performance-based approach to growth management, and applying the approach to the 2009 Urban Growth Report and the next growth management decision in 2010.

Urban and Rural Reserves

For FY0708, staff estimates the need for another FTE to manage the Reserves process and an additional $100,000 for the analysis and preliminary selection of reserve study areas. Staff estimates the resource needs for the Reserve analysis to increase in FY0809 to approximately $500,000 due to the greater level of analysis leading to Council designation of Urban Reserves. These costs do not include extensive public engagement, scenario modeling or the costs of close collaboration with the Counties in the analysis and designation process. These, and other factors could increase the budget impacts of this work.

Approval of this project proposal implies additional financial commitment by the Council, or would require a revision of expectations and/or a reallocation of resources from other work program areas.