A G E N D A

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METRO

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MEETING: **METRO POLICY ADVISORY COMMITTEE**
DATE: November 28, 2007
DAY: Wednesday, 5:00-7:00 p.m.
PLACE: Metro Council Chamber/Annex

NO	AGENDA ITEM	PRESENTER	ACTION	TIME
	CALL TO ORDER	Fuller		
1	SELF INTRODUCTIONS & COMMUNICATIONS	All		5 min.
2	CITIZEN COMMUNICATIONS FOR NON-AGENDA ITEMS			5 min.
3	CONSENT AGENDA • November 14, 2007	Fuller	Action	5 min.
4	COUNCIL UPDATE	Liberty	Update	5 min.
5	NEW LOOK – DRAFT 2035 RTP FEDERAL COMPONENT	Ellis	Action	60 min.
6	REGIONAL HOUSING CHOICE REVOLVING FUND	Liberty	Information/ Discussion	20 min.
7	ORDINANCE 07-1165, FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 3.09 (LOCAL GOVERNMENT BOUNDARY CHANGES) TO IMPLEMENT 2007 OREGON LAWS CHAPTER 173 AND UPDATE THE CHAPTER, AND DECLARING AN EMERGENCY	Benner	Introduction/ Discussion	15 min.

UPCOMING MEETINGS:
MPAC: December 12
MPAC Coordinating Committee, Room 270: December 12, 2007

For agenda and schedule information, call Kim Bardes at 503-797-1537. e-mail: bardes@metro.dst.or.us
MPAC normally meets the second and fourth Wednesday of the month.
To receive assistance per the Americans with Disabilities Act,
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Metro Policy Advisory Committee

November 28, 2007
Item 3 – Consent Agenda Meeting Summary for November 14, 2007

METRO POLICY ADVISORY COMMITTEE MEETING RECORD
November 14, 2007 – 5:00 p.m.
Metro Regional Center, Council Chambers

Committee Members Present: Richard Burke, Nathalie Darcy, Dave Fuller, Richard Kidd, Charlotte Lehan, Alice Norris, Sandra Ramaker, Paul Savas, Bob Sherwin, Chris Smith

Committee Members Absent: Ken Allen, Jeff Cogen, Tom Hughes, Margaret Kirkpatrick, Tom Potter, Martha Schrader, Erik Sten, Steve Stuart

Alternates Present: Shirley Craddick, Laura Hudson, Donna Jordan, Donald McCarthy

Also Present: Bill Bash, City of Cornelius; Al Burns, City of Portland; Carol Chesarek, Forest Park Neighborhood; Jillian Detweiler, TriMet; Jack Hoffman, Urban Land Institute; Leeanne MacColl, League of Women Voters; Irene Marvich, League of Women Voters; Sidaro Sin, City of Lake Oswego; Derrick Tokos, Multnomah County

Metro Elected Officials Present: Liaisons – Carl Hosticka, Council District 3; Kathryn Harrington, Council District 4; Robert Liberty, Council District 6 others: Council President David Bragdon

Metro Staff Present: Dan Cooper, Andy Cotugno, Kim Ellis, Ken Ray

1. SELF-INTRODUCTIONS & COMMUNICATIONS

Chair Dave Fuller, called the meeting to order at 5:03 p.m. Chair Fuller asked those present to introduce themselves. Chris Smith said that this would be his last MPAC meeting as he is running for City of Portland Councilor.

Chair Fuller created a nominating committee, composed of past chairs, to nominate next year's chair, 1st Vice Chair, and 2nd Vice Chair. The nominating committee would meet on December 12th.

2. CITIZEN COMMUNICATIONS FOR NON-AGENDA ITEMS

There was none.

3. CONSENT AGENDA

The meeting summaries from July 11, July 25, and October 10 Joint MPAC/JPACT meetings as well as the most recent MTAC Appointments.

Motion:	Richard Burke, Washington County Special Districts, with a second from Mayor Alice Norris, City of Oregon City, moved to adopt the consent agendas without revisions and the MTAC appointments.

Vote:	The motion passed unanimously.

4. COUNCIL UPDATE

Councilor Kathryn Harrington made some brief announcements. She also announced the appointment of Councilor Carlotta Collette for Metro District 2. Councilor Harrington thanked those that participated in the process of appointing Councilor Collette.

5. JPACT UPDATE

Andy Cotugno, Planning Director, spoke about the Regional Transportation Plan (RTP) and that JPACT was working on it. He said that he anticipated they would be adopting the draft RTP in December pending the air quality conformity analysis. The plan and conformity analysis would be submitted to Federal Highway Administration and Federal Transit Administration staff for review in February. He mentioned that there was an upcoming policy question about what they should be looking for in an appropriations bill. JPACT would be going to Washington DC in March. He outlined some deadlines in association with State Transportation Improvement Program (STIP) for the committee members.

Mr. Cotugno gave an update on the proposed JPACT bylaws changes. He said the bylaws were back with the subcommittee for further consideration and they would not be acted upon at this time.

Councilor Harrington said that there was more detailed information on the JPACT bylaws provided in previous MPAC packets which could be found on the Metro MPAC web page.

6. MAKING THE GREATEST PLACE

Robin McArthur, Regional Planning Director, explained that the New Look had been renamed the "greatest place initiative." She reviewed the proceedings from the October 26th Regional Roundtable event. She said that the Greatest Place project got good feedback at that time. She announced that there would be a Greatest Place newsletter produced by Metro twice a year. Ms. McArthur reviewed a beige and blue spreadsheet for members with special attention to the "touch-points for MPAC" tracks. That spreadsheet will be attached to the permanent record.

Councilor Shirley Craddick, City of Gresham, asked why the title had been changed.

Ms. McArthur said they wanted to shift the focus of the name from the process, which was "New Look" to the actual hoped for outcome, which was making the Greatest Place.

Councilor Harrington added that the spreadsheet was a good tool to help MPAC prepare for upcoming work that would be scheduled for MPAC review and participation. She said there was a lot of work ahead.

Councilor Robert Liberty added his strong agreement.

7. DRAFT 2035 RTP – FEDERAL COMPONENT

Chair Fuller asked if the joint meeting had been informative and helpful. Most members indicated that it had been both.

Richard Burke, Washington County Special Districts, spoke to the fact that it was helpful for him to have the range of perspectives from the combined committees.

Chair Fuller agreed and also praised the staff for their work on the Regional Roundtable and the positive outcomes of that event.

Mr. Cotugno reviewed the material provided in the meeting packet for the members. He said that comments were technically still coming in and that the public comment period was still open at this time.

He said that MPAC would need to weigh-in on the recommendations regarding the RTP and that it would require action from the committee on November 28.

Mr. Burke said he was impressed about a phenomenon at the joint meeting – the need to get everyone in a regional mindset. He said it was clear that each constituency had their own interests, especially when dollars were short. He said it struck him that there was nothing built into the process that seemed to overcome that conflict of interest. It seemed to him that the things they would agree on would be the easy items. He expressed concern over the process resulting in an efficient use of the committee's time and a product that was good for both the region and the individual jurisdictions.

Mr. Cotugno said that those working on the RTP paid a lot of attention to that issue. He said that different constituencies and jurisdictions were responsible for different parts of the system. There was an incredible amount of fragmentation over the issues, not to mention revenue sources, and it was Metro's job to knit those systems together in order to meet the public's need. He said that staff looked to MPAC and JPACT, Metro's two key official committees, to rise above the parochialism. The Metro Council did not own any part of the system. He said he also appreciated the perspective of the freight task force who questioned how the system was used, and not just who owned it. Mr. Cotugno said that staff, at JPACT's recommendation, bifurcated the process into the state and federal components because the federal requirements had a real deadline that requires the plan to be updated every four years. He mentioned that the current plan was set to lapse in early March, and if it did lapse then that would threaten the flow of federal dollars into the region. He stressed that they all had an interest in not allowing that to happen. He said that the federal plan required projects to be tied to a reasonable revenue stream. He said that the state requirements were broader: to have a transportation plan that would meet regional land use goals/plans, and to have a financial strategy that would meet project needs. It was a difference in the questions of "what can we afford" and "what should we try for." The federal plan had been developed already and is the subject of the comment period underway, but it could be amended after the fact, if needed, during the state component of the RTP update. Additional work in the state component would focus on ensuring the set of projects recommended as priorities are reflective of the policy objectives in the RTP. He noted it is unclear whether the current list of financially constrained projects are fully supportive of the policy objectives.

Councilor Liberty asked if they had a suggestion about how to treat the project list.

Mr. Cotugno said the project list represented projects that were eligible for federal funding. That didn't mean the full list would be funded, it just meant that funding was limited to those projects on the list.

Councilor Liberty asked if people should be thinking of amendments now?

Mr. Cotugno said it could be changed at any time as part of the public review process. There was, however, a lot of analysis that needed to be done during the state component of the RTP update to lead to a more informed conclusion about what the region is trying to accomplish with investments in the transportation system. He said it might be necessary to revisit the federal list once the end of the state process was reached. He said that there were four details to discuss: performance measures, congestion standards, alternative modes of transportation, and the definition of what constitutes the regional transportation system.

Mayor Charlotte Lehan, City of Wilsonville, expressed concern about using these motor vehicle performance standards. She stated that the more urban the region became, the less useful the standards. She spoke about how congestion could not be a performance measure. She also noted that vehicle miles traveled (VMT) rose 8% - and said that a reduction of VMTs should be a performance measure.

Mr. Cotugno pointed out that the plan did result in a reduction of VMTs, and that the plan did promote and include for a 10% reduction of VMTs.

Mayor Lehan pointed out that most strategies to reduce congestion tended to increase VMTs.

There was discussion about acceptable/normal levels of congestion. Mr. Cotugno said that "acceptable" levels of congestion were those that were "accepted" or acknowledged as tolerable at any given point in time, for example, rush hour. He pointed out that to completely reduce congestion, the price tag would be beyond any of the region's financial resources.

There was discussion about the possibility of building your way out of congestion. Mr. Cotugno used Houston and Atlanta as examples of that scenario and how it does not seem to work. Mayor Lehan talked about different types of density and how you could never build yourself out of congestion and used Manhattan as an example. Ms. Darcy stressed that the plan needed to use a different term than 'acceptable' for congestion.

Councilor Liberty talked about terminology making the problem worse. He also talked about the nature of our community as a commuter community.

Mr. Cotugno welcomed public comment, and talked about different projects on the project list.

Motion:	Chris Smith, Citizen Representative for Multnomah County, with a second from Mayor Richard Kidd, City of Forest Grove, moved that MPAC reluctantly acknowledged the need to include the motor vehicle performance measures identified in the staff recommendation, but wished to underscore that these were not performance measures that were consistent with the acknowledged policy objectives.

Vote:	The motion passed unanimously.

Mr. Cotugno noted there were about ten different goals that the document covered. He continued to talk about prioritizing the goals and objectives. The language reflected in the document was 'economic competitiveness.' Mr. Cotugno suggested it be changed from 'economic competitiveness' to 'overall well-being.'

Mr. Paul Savas, Clackamas County Special Districts, asked what would be an example of a project that created 'economic well-being.'

Mr. Cotugno used freight projects and access to industrial areas as an example. He also used centers as an example (light rail, bus access, etc.) of economic development. It was not just about highways and trucks.

Chair Fuller asked about the freight that goes through the state without adding anything to the economy, except 'wearing out the roads.'

Mayor Lehan noted that the interstates were the region's lifeline out, so while the argument was who should pay, the Feds should pay more than they do. She said that we couldn't ignore it because it was every bit our lifeline as it was Sacramento's or anywhere else.

Chair Fuller noted that tolling might be a good idea.

Motion:	Mayor Alice Norris, City of Oregon City, with a second from Paul Savas, Clackamas County Special Districts, moved to adopt a change in the staff recommended language to read "region's economic and land use strategies," to be better understood.

Vote:	The motion passed unanimously.

Mr. Cotugno noted that the next topic for discussion was value pricing. He reviewed the wording in the document related to pricing.

Councilor Shirley Craddick, City of Gresham, asked what value pricing meant.

Mr. Cotugno explained that it was paying to use the fast-moving lane to escape congestion.

Mayor Kidd asked about language regarding pricing in the document.

Mr. Cotugno noted that the region has not done much work in pricing for eight or nine years.

Motion:	Bob Sherwin, Governing Body of School District, with a second from Mayor Richard Kidd, City of Forest Grove, moved to adopt the staff recommended language proposed in the staff recommendation to TPAC.

Vote:	The motion passed with one nay vote by Charlotte Lehan.

Mayor Lehan explained why she did not agree with the previous motion and proposed an amendment for that motion.

Motion:	Mayor Charlotte Lehan, City of Wilsonville, with a second from Sandra Ramaker, Multnomah County Special Districts, moved to amend the previous motion to change the wording to "consider a broader application of value pricing as a management tool."

Vote:	The motion passed unanimously.

Councilor Carl Hosticka asked about whether or not JPACT had commented on the language.

Kim Ellis replied that they would have the opportunity in the near future. In addition, MTAC and TPAC will meet on November 19 at a special RTP workshop to further discuss these and other public comments. MTAC will make a recommendation to MPAC on November 21. TPAC will make a recommendation to JPACT on November 30.

Mr. Savas asked about the word 'promote' and whether it was too strong. He wondered if 'promote' could replace 'consider.' Mayor Lehan expressed that why bother putting an objective in the plan that only considered pricing. She felt the region needed to be more aggressive and forward thinking on this issue. The committee discussed that value pricing should be promoted in the region as a management tool, not just when new throughway capacity was being added to the system. Committee members recognized additional work is needed to provide more guidance on when and where value pricing should be applied, but that the RTP should not limit that consideration to new capacity.

Motion:	Paul Savas, Clackamas County Special Districts, with a second from Charlotte Lehan, Mayor of Wilsonville, moved to change the language to read "promote a broader application of value pricing as a management tool."

Vote:	The motion passed unanimously.

Mr. Cotugno said that the last issue they needed to focus on dealt with the definition of what constitutes the regional system. He discussed the elements that were outlined in the packet material. There was discussion over the different components and transportation types outlined in the document. The committee agreed to wait to discuss this item after MTAC had an opportunity to review the new staff recommended language.

Councilor Harrington asked whether or not the language would come back to MPAC at the next meeting.

Mr. Cotugno said that the whole package would come back to MPAC at the November 28th MPAC meeting. He said that they were still in the public comment period and that there might still be some issues that get flagged for further discussion.

8. 2008 WORK PROGRAM & MPAC ROLE

Chair Fuller reviewed changes that had taken place at MPAC over the course of the year. He noted that early on they developed a legislative agenda. They had improved participation and the instances of quorum for the meetings. They added positions and people to the table. And, most importantly, he said meetings were more productive, and if an agenda did not appear to be meaningful then they cancelled the corresponding meeting. He said they worked on producing a long-range plan for the year so that they had a better timeframe for scheduling items and meetings. They also created a more formal process for forecasting the items they were dealing with. He noted that it had been a productive year.

Councilor Harrington agreed that it had been a good year, and that they made good use of their time. She then reviewed the Greatest Place timeline for the members. She said that at the December 12th meeting there would be additional information regarding agendas and timelines. She said that attendance and actions did carry importance within the Metro Council.

Mayor Lehan noted that meetings once were ineffective and it was difficult to maintain a quorum. She identified success and improvement.

There being no further business, Chair Fuller adjourned the meeting at 6:54 p.m.

Respectfully submitted,

Tony Andersen
Policy Associate Intern

ATTACHMENTS TO THE RECORD FOR NOVEMBER 14, 2007

The following have been included as part of the official public record:

AGENDA ITEM	DOCUMENT DATE	DOCUMENT DESCRIPTION	DOCUMENT NO.
#8 MPAC Role	11/1/07	Spreadsheet to go with the 2008 Work Program & MPAC Role agenda item: Draft Preliminary 2008 MPAC New Look Work Plan	111407-MPAC-01
Informational	11/6/07	Memorandum from Kathleen Brennan-Hunter, Metro Natural Areas Program Director to Chair Fuller and MPAC re: Natural Areas Program Implementation Update	111407-MPAC-02
Informational	11/8/07	Land Conservation and Development Department Proposed New OAR 660, Division 27 Urban and Rural Reserves in the Portland Metropolitan Area November 8, 2007, Draft Rules for LCDC Public Hearing November 29, 2007	111407-MPAC-03
#6 Making the Greatest Place	Fall 2007	New Look: The Regional Transportation Plan, 2035 Regional Transportation Plan Highlights	111407-MPAC-04
#7 Draft 2035	11/14/07	Memorandum from Kim Ellis, Principal Transportation Planner, to MPAC and Interested Parties re: Public Review Draft 2035 RTP – Public Comments Received to Date (Updated)	111407-MPAC-05
#7 Draft 2035	11/13/07	Letter to Metro Planning from David Fuller, Mayor of Wood Village re: 2035 Regional Transportation Plan and Memorandum of Understanding from Mayors: Weatherby, Bemis, Thalhofer, and Fuller	111407-MPAC-06
#7 2035 Draft	2007	Attachment A: DLCD Suggestion Regarding Division 21 Provisions and Attachment B: Alternative Wording Options Suggest for Rule 0040(10)	111407-MPAC-07
Informational	2007	Brochure: Nature in Neighborhoods Capital Grants Program	111407-MPAC-08
#6 Greatest Place	Fall 2007	Flyer: Making the Greatest Place, Focus on infrastructure	111407-MPAC-09
#7 2035 Draft	10/15/07	New Look, The Regional Transportation Plan: Public Review Draft: 2035 Regional Transportation Plan Federal Component	111407-MPAC-10

Metro Policy Advisory Committee

November 28, 2007
Item 5 – New Look – Draft 2035 RTP Federal Component

MPAC Agenda Information

Agenda Item Title: Resolution No. 07-3831A (For the Purpose of Approving the Federal Component of the 2035 Regional Transportation Plan (RTP) Update)

Presenters: Andy Cotugno and Kim Ellis (Metro)

MPAC Meeting Date: November 28, 2007

Purpose/Objective: Approve Resolution No. 07-3831A.

Action Requested/Outcome: Discuss updated recommendations in Exhibit "B" and approve Resolution No. 07-3831A.

Background and context:
The 2035 RTP public comment period began on October 15 and ended on November 15, 2007. Resolution No. 07-3831A is attached for your consideration. Attachment 1 to the staff report includes a public comment summary report that compiles all comments received during the comment period. Amendments to the October 15 draft 2035 RTP have been proposed based on the comments received. Proposed amendments to the October 15 draft 2035 Regional Transportation Plan (RTP) are separated into two exhibits to the resolution:

- **Exhibit B (Items for JPACT Discussion)** - comments and policy issues recommended for further discussion and approval individually. Items identified to date are:
    1. Regional Motor Vehicle Performance and Non-SOV Modal Targets Measures
    2. Overlapping goal purposes in Goal 2 (Sustain Economic Competitiveness and Prosperity) and Goal 9 (Ensure Sustainability)
    3. Value pricing
    4. Regional transportation system definition and funding responsibilities for different parts of the transportation system
    5. Investment priorities
    6. Emerging communities
- **Exhibit C (Consent Items for JPACT Consideration)** - other comments that identify proposed changes to the public review draft 2035 RTP and do not warrant further discussion. These items are recommended for approval as a package by consent.

The federal component of the update focused on:

1. updating regional policies that guides planning and investments in the regional transportation system to respond to key trends and issues facing the region;
2. incorporating projects that have been adopted in local and regional plans, and corridor studies through a public process since the last Regional Transportation Plan (RTP) update in 2004;

3. updating the transportation revenue forecast and regional investment priorities to match current funding sources and historic funding trends; and
4. identifying additional issues to be addressed during the state component of the RTP update.

The focus of the public review is on Federal compliance elements, not Transportation Planning Rule (TPR) or other regional requirements. The TPR and regional requirements will be the focus of the state component of the RTP update in 2008. All elements of the federal component will be subject to refinement during the state component of the update.

What has changed since MPAC last considered this issue/item?

The attached legislation and proposed amendments were unanimously approved by MTAC on November 21, 2007.

What is the timeline for further consideration of this agenda item (e.g., MTAC, MPAC, Council)

MPAC's recommendation will be forwarded to TPAC, JPACT and the Metro Council. Upcoming discussions that are scheduled to occur to finalize the federal component of the 2035 RTP, include:

November 27 Metro Council discussion of policy issues and recommended changes

November 28 MPAC recommendation to JPACT and the Metro Council

November 30 TPAC recommendation to JPACT

December 13 JPACT and Metro Council consider final action on 2035 RTP (federal component)

Once the federal component of the 2035 RTP is completed, staff will begin working on federally-required air quality conformity analysis and the state component of the update.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING THE FEDERAL COMPONENT OF THE 2035 REGIONAL TRANSPORTATION PLAN (RTP) UPDATE	))))	RESOLUTION NO. 07-3831A Introduced by Councilors Rex Burkholder and Rod Park

WHEREAS, the Metro Council and the Joint Policy Advisory Committee on Transportation (JPACT) approved Resolution No. 06-3661 (For the Purpose of Approving A Work Program For the 2035 Regional Transportation Plan (RTP) Update and Authorizing the Chief Operating Officer to Amend Contract No. 926975), on June 15, 2006; and

WHEREAS, Metro was awarded a Transportation & Growth Management Grant for the 2005 – 2007 Biennium to prepare a regional plan for freight and goods movement and recommendations from this planning effort will be forwarded for consideration as part of the 2035 RTP update; and

WHEREAS, the most recent update to the RTP was completed in March 2004 and the next federal update must be approved by the United States Department of Transportation in consultation with the Environmental Protection Agency by March 2008 to provide continued compliance with federal transportation and air quality regulations and ensure continued funding eligibility of projects and programs using federal transportation funds; and

WHEREAS, Phase 1 of the RTP is the federally recognized metropolitan transportation plan for the Portland metropolitan region that must be updated every four years and serves as the threshold for all federal transportation funding in the region; and

WHEREAS, Phase 2 of the RTP will fulfill statewide planning requirements to implement Goal 12 Transportation, as implemented through the Oregon Transportation Planning Rule (TPR); and

WHEREAS, the RTP is a central tool for implementing the Region 2040 Growth Concept, and constitutes a policy component of the Metro Regional Framework Plan; and

WHEREAS, it is Metro's intent to integrate this update to the RTP with the New Look regional transportation and air quality process and consolidate periodic updates to the RTP to meet applicable federal, state and regional planning purposes; and

WHEREAS, the 2035 RTP update timeline and process was expanded by the Metro Council, at the recommendation of JPACT, to allow for completion of the federal component of the 2035 RTP before the current plan expires on March 5, 2008 and provide for additional technical analysis and policy development to address state and regional planning requirements by Fall 2008; and

WHEREAS, the Metro Council approved Resolution No. 07-3793 (For the Purpose of Accepting the Chapter 1 Regional Transportation Policy Framework as the Provisional Draft For the Purpose Of Completing Phase 3 of the 2035 Regional Transportation Plan (RTP) Update), on March 15, 2007; and

WHEREAS, the federal update requires the development of a "financially constrained" system of investments that address regional travel demand, yet are constrained to reasonably anticipated funding levels during the plan period; and

WHEREAS, the Collaborative Environmental Transportation Agreement for Streamlining (CETAS) work group, consisting of the Oregon Department of Transportation and ten state and federal transportation, natural resource, cultural resource and land-use planning agencies, was consulted on

potential environmental impacts and mitigation strategies on October 16, 2007, and were provided an opportunity to comment on the federal component of the 2035 RTP; and

WHEREAS, the state component of the 2035 RTP will continue in 2008 to address outstanding issues identified during the federal component of the 2035 RTP, including development of performance measures, prioritization of investments, compliance with state planning requirements and development of a transportation finance strategy to fund needed investments; and

WHEREAS, the federal component of the 2035 RTP is set forth in "Exhibit A," attached hereto, and will be updated to reflect key findings and recommendations from additional technical and policy analysis to be conducted during the state component of the RTP update in 2008; and

WHEREAS, a 30-day public comment period was held on the federal component of the 2035 RTP from October 15 to November 15, 2007; and

WHEREAS, a summary of public comments received during the comment period and recommended amendments is set forth in "Exhibit B" and "Exhibit "C", attached hereto; and

WHEREAS, the Metro Council, JPACT, the Metro Policy Advisory Committee (MPAC), Metro Technical Advisory Committee (MTAC), Transportation Policy Advisory Committee (TPAC), the Regional Travel Options (RTO) Subcommittee of TPAC, the Regional Freight and Goods Movement Technical Advisory Committee, the Bi-State Transportation Committee, the Regional Freight and Goods Movement Task Force and other elected officials, city and county staff, and representatives from the business, environmental, and transportation organizations from the Portland-Vancouver metropolitan region assisted in the development of and were provided an opportunity to comment on the federal component of the 2035 RTP; and

WHEREAS, JPACT and MPAC have recommended that the federal component be approved by the Metro Council; now, therefore

BE IT RESOLVED BY THE METRO COUNCIL THAT:

1. The Metro Council approves the federal component of the 2035 Regional Transportation Plan update, attached and incorporated into this resolution as Exhibit "A", and as amended by Exhibit "B" and Exhibit "C", and directs staff to consolidate all three exhibits into a single document for submittal to FHWA and FTA for review.

2. Staff shall conduct the federally-required air quality conformity analysis, hold a 30-day public comment period on the results of the analysis and develop findings demonstrating compliance with federal planning requirements.

3. Staff shall initiate the state component of the RTP update, which will result in amendments to Exhibit "A", as amended by Exhibits "B" and "C", to meet state planning requirements.

ADOPTED by the Metro Council this ____day of December 2007.

David Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 07-3831A, FOR THE PURPOSE OF APPROVING THE FEDERAL COMPONENT OF THE 2035 REGIONAL TRANSPORTATION PLAN (RTP) UPDATE

Date: October 9, 2007 Prepared by: Kim Ellis

BACKGROUND

Metro is the regional government responsible for regional land use and transportation planning under state law and the federally designated metropolitan planning organization (MPO) for the Portland metropolitan region. As the federally designated MPO, Metro is responsible for updating the metropolitan transportation plan, also referred to as the Regional Transportation Plan (RTP), every four years in coordination with the agencies that own and operate the region's transportation system. Metro is also responsible for developing a regional transportation system plan (TSP), consistent with Oregon Transportation Planning Rule (TPR) requirements.

Metro's jurisdictional boundary encompasses the urban portions of Multnomah, Washington and Clackamas counties. Metro's planning partners include the 25 cities, three counties and affected special districts of the region, ODOT, Oregon Department of Environmental Quality (DEQ), Port of Portland, South Metro Area Rapid Transit (SMART), TriMet and other interested community, business and advocacy groups as well as state and federal regulatory agencies such as the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA). Metro also coordinates with the City of Vancouver, Clark County Washington, the Port of Vancouver, the Southwest Washington Regional Transportation Council (RTC), C-Tran, the Washington Department of Transportation, the Southwest Washington Air Pollution Control Authority and other Clark County governments on bi-state issues. The Southwest Washington Regional Transportation Council is the federally designated MPO for the Clark County portion of the Portland-Vancouver metropolitan region.

2035 REGIONAL TRANSPORTATION PLAN UPDATE

The 2035 RTP update represents the first significant update to the plan since 2000. The region is experiencing unprecedented growth and increasing competition for limited funds. The current RTP includes projects that would cost more than twice the anticipated funding. This update involved a new approach to address these issues and federal requirements. The Metro Council initiated the 2035 RTP Update on September 22, 2005 with approval of Resolution #05-3610A (for the Purpose of Issuing a Request for Proposals to Develop a Work Scope for an Expanded 2005-08 Regional Transportation Plan Update that Incorporates the "Budgeting for Outcomes" Approach to Establishing Regional Transportation Priorities).

The new approach (1) included a strong education component to increase community and stakeholder awareness of the issues, (2) used an outcomes-based approach to assess 2040 implementation and to evaluate and prioritize the most critical transportation investments, (3) emphasized collaboration with regional partners and key stakeholders to resolve the complex issues inherent in realizing the region's 2040 Growth Concept, and (4) integrated land use, economic, environmental and transportation objectives that are part of the 2040 Growth Concept. The process considered information learned from the 2005 *Cost of Congestion Study,* 2006 New Look public opinion research and the *Regional Freight and Goods Movement Plan*.

In January 2007, the 2035 RTP update timeline and process was expanded by the Metro Council, at the recommendation of JPACT, to allow for completion of the federal component of the 2035 RTP before the

current plan expires on March 5, 2008 and provide for additional technical analysis and policy development to address state and regional planning requirements by Fall 2008.

The federal component of the update is anticipated to be complete by December 2007 to allow adequate time to complete air quality conformity analysis and federal consultation before the current plan expires on March 8, 2008.

SUMMARY OF DECISION-MAKING FRAMEWORK

Metro's transportation planning activities are guided by a federally mandated decision-making framework, called the metropolitan transportation planning process. Metro leads this process in consultation and coordination with federal, state, regional and local governments, and engagement of other stakeholders with an interest in or who are affected by this planning effort. Metro facilitates this consultation and coordination through four advisory committee bodies—the Joint Policy Advisory Committee on Transportation (JPACT), the Metro Policy Advisory Committee (MPAC), the Transportation Policy Alternatives Committee (TPAC) and the Metro Technical Advisory Committee (MTAC).

The 2035 RTP update process relied on this existing decision-making structure for development, review and adoption of the plan. MPAC, JPACT and the Metro Council made recommendations at key decision points based on input from TPAC, MTAC, the Council-appointed Regional Freight Plan Task Force and the public participation process.

APPROACH AND TIMELINE DEVELOPMENT OF FEDERAL COMPONENT OF 2035 RTP

The process addressed new federal planning requirements, including SAFETEA-LU legislation. The new federal transportation law—SAFETEA-LU—made changes to requirements for transportation planning, including amending the formal update cycle to four years and making specific changes to requirements affecting planning for special needs, security, safety, system management and operations and environmental mitigation. The changes are addressed in this update to the plan.

Consistent with SAFETEA-LU, the federal component of the update focused on:

1. updating regional policies that guide planning and investments in the regional transportation system to respond to key trends and issues facing the region and meet federal planning requirements;
2. incorporating projects and programs that have been adopted in local and regional plans, and corridor studies through a public process since the last RTP update in 2004;
3. updating the transportation revenue forecast and regional investment priorities to match current funding sources and historic funding trends that are "reasonably anticipated to be available;"
4. identifying additional issues to be addressed during the state component of the RTP update in 2008.

The following section describes the RTP timeline and process for developing the federal component of the 2035 RTP.

June 2006-January 2007 – Research and Policy Development – Metro staff conducted background research on trends and issues affecting travel in the region, convened five stakeholder workshops on desired outcomes and needs for the region's transportation system and conducted scientific public opinion research on transportation needs and priorities. This information is available to download on Metro's website at www.metro-region.org/rtp.

January-March 2007 - Provisional Policy Framework Development – The background research in the previous phase guided development of a provisional draft policy framework that established goals and objectives for the regional transportation system. At the recommendation of the Metro Policy Advisory

Committee (MPAC) and the Joint Policy Advisory Committee on Transportation (JPACT), the provisional draft policy framework (Chapter 1) was accepted by the Metro Council to guide identification of transportation needs and investment priorities.

April 2007 – Identification of Regional Mobility Corridor Priorities – In March and April 2007, the Regional Freight and Goods Movement Task Force, MPAC and JPACT participated in separate workshops to identify mobility issues and priorities for investments in the RTP. In April, Metro, TriMet and the Oregon Department of Transportation (ODOT) convened a technical workshop to build on the direction provided in the previous policy-level discussions. Nearly 60 participants attended this workshop, including Transportation Policy Alternatives Committee (TPAC) and Metro Technical Advisory Committee (MTAC) members and other local government staff.

Summer 2007 - RTP Project Solicitation and System Analysis - In June 2007, agencies submitted projects and programs that came from local and regional plans or studies that had been previously adopted through a public process. The investments submitted responded to the provisional policy framework. ODOT and TriMet collaborated with Metro and local agencies to identify investments that respond to mobility corridor priorities identified by the Freight Task Force, JPACT and MPAC in April. In addition, local agency TPAC representatives for each of the three counties worked with the cities within their respective county to identify other community-building investments to complement the regional mobility corridor investments. The result of this effort was the development of the 2035 RTP Investment Pool. Proposed investments were submitted in one of two complementary investment strategy tracks:

- **Track 1: State and Regional Mobility Corridor Investment Strategy** focuses on regional mobility corridor investments that leverage the 2040 Growth Concept and improve interstate, intrastate and cross-regional people and goods movement.
- **Track 2: Community-Building Investment Strategy** focuses on community-building investments that leverage 2040 Growth Concept through street and transit system improvements that provide for community access and mobility.

Metro conducted a technical analysis of the performance of the system projects and programs submitted. The results of the analysis are included in the federal component of the 2035 RTP.

August – October 2007 – Development of RTP Financially Constrained System and Draft 2035 - Metro staff worked with local governments, ODOT, SMART and TriMet to narrow the 2035 RTP Investment Pool to match expected revenue that can "reasonably be expected to be available" during the plan period. This set of investments is also called the financially constrained system. In addition, staff further refined the policy framework to respond to key findings of the technical analysis, policy discussions at the Freight Regional and Goods Movement Task Force, MPAC, JPACT and the Metro Council and informal comments provided by local governments and interested stakeholders over the summer.

SUMMARY OF STAKEHOLDER ENGAGEMENT AND PUBLIC PARTICIPATION PLAN FOR THE FEDERAL COMPONENT OF THE 2035 RTP UPDATE

The public participation plan was designed to meet regional and federal requirements for public participation and respond to the key issues raised during the scoping phase in 2006. This section describes the *stakeholder engagement and outreach* components that will inform development of an updated 2035 RTP plan, and support the decision-making role of the Metro Council, JPACT and MPAC and the participatory role of public agencies, targeted stakeholder groups and the general public.

Metro's targeted stakeholders and planning partners include the 25 cities, three counties and affected special districts of the region, Oregon Department of Transportation (ODOT), Oregon Department of Environmental Quality, Port of Portland, SMART, TriMet and other interested community, business and advocacy groups as well as state and federal regulatory officials and resource agencies. Metro also

coordinates with the City of Vancouver, Clark County Washington, the Port of Vancouver, the Southwest Washington Regional Transportation Council (RTC), C-Tran, the Washington Department of Transportation, the Southwest Washington Air Pollution Control Authority and other Clark County governments on bi-state issues. In addition, the Bi-State Coordination Committee advises the Metro Council and JPACT on issues of significance to both Oregon and Washington. The Regional Travel Options Subcommittee to TPAC and the Regional Trails Working Group were also coordinated with throughout the update process.

This broad spectrum of stakeholders was the primary focus of the public participation plan. Methods for engaging public agencies and targeted public and private sector stakeholder groups included regional public forums; mayors'/chair's forums; stakeholder, task force, and advisory committee workshops; and meetings with County Coordinating committees. County Coordinating Committees are a forum for staff and elected officials from the counties to coordinate work with their counterparts from the cities within their boundaries in a public setting.

Community and stakeholder engagement

In Fall 2006, Metro held nine stakeholder workshops to help update the 2035 RTP policy framework. The workshops engaged 127 individuals and 50 different community organizations and government entities. Four of the workshops were held with Metro's existing advisory committees. The other five workshops were held with business and community groups that represented specific public interests, public responsibilities, or groups historically underrepresented in the Portland metropolitan region's transportation planning and decision-making processes.[1]

In Fall 2006, Metro staff also conducted workshops on regional trends, current research, system barriers and policy gaps with the Regional Trails working group, local bicycle and pedestrian planners, advisory groups, and community-based advocates.

Public input was sought throughout that fall via informal paper-and web-based surveys of public priorities and transportation needs. In January 2007, Moore Information conducted a scientific public opinion survey to complement and supplement information from prior public input and engagement activities.[2]

A Metro Council-appointed task force on Regional Freight and Goods Movement, composed of multi-modal public-and private-sector freight interests, developed a *Regional Freight and Goods Movement Plan* for the RTP update. A Regional Freight Technical Advisory Committee (TAC), composed of staff from local, regional, and state agencies operating within Metro's jurisdictional boundaries, reviewed technical work products and provided recommendations to the task force.

Finally, SAFETEA-LU provisions for additional consultation with state and federal resource agencies, and tribal groups that were not already part of Metro's existing committee structure were met through a consultation meeting held on October 16, 2007 with the Collaborative Environmental Transportation Agreement for Streamlining (CETAS) work group, consisting of the Oregon Department of Transportation and ten state and federal transportation, natural resource, cultural resource and land-use planning agencies.

Public information presentation and distribution

Information on RTP developments was provided throughout the update process in media briefings of reporters and editorial boards, press releases, media packets, civic journalism, electronic newsletters, and fact sheets available through the Metro website and distributed at meetings and events.

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[1] *2035 Regional Transportation Plan Update Stakeholder Engagement Report* from the Metropolitan Group available through the 2035 RTP Update Publications page: www.metro-region.org/index.cfm/go/by.web/id=25036

[2]

Metro staff and Councilors made presentations to community groups, business organizations, local governments, the TriMet Board, the Oregon Transportation Commission, the Land Conservation and Development Commission, the Bi-State Coordination Committee and other interested advisory committees in the region.

The RTP project website also posted information about the update process, with a timeline indicating key decision points and public comment opportunities. A transportation information telephone line presented information about key decision points and directed callers to sources of more information.

Summary reports documenting the results and findings of major tasks were also developed and made available on Metro's website and through presentations at Metro's advisory committees.

Public comment period notification and comment opportunities

On October 15, 2007, the review draft of the 2035 RTP was posted on Metro's website for viewing or downloading. Printed copies were sent to all regional jurisdictions and agencies, Metro advisory committee members, and to the general public on request. This marked the start of a formal 30-day public comment period, scheduled to end on November 15, 2007.

Forty-five days prior to the October 15 opening of the public comment period, electronic notices were posted on the Metro website and distributed to all neighborhood associations, citizen participation organizations (CPOs) and interested parties who had asked to be included in Metro's RTP notification list. The notices included information on how to access the review draft online, where to call to request a hard copy, how to submit comments—by email, through an online web comment form, by US post, or in person at any of four open houses and public hearings. This information was also distributed via Metro's information telephone line, in articles included in a transportation planning e-newsletter and in each Metro Councilor's monthly newsletter.

Four public open houses and public hearings were held during the comment period: October 25 in Oregon City, Clackamas county; November 1 in Portland, Multnomah County; November 8 in Hillsboro, Washington County; and November 15 in Portland, Multnomah county. The open houses and hearings were held in conjunction with regular Metro Council meetings. Two of the open houses and hearings were scheduled to start in the early afternoon, and two in the early evening.

Thirty days before the first open house, a news advisory was sent to all major and community newspapers in the region. The advisory included information about the open houses, public hearings and comment period. The week before each open house, a newspaper advertisement was placed n the major, ethnic and community newspapers that serve the part of the region in which the open house was being held. Attachment 1 to this staff report includes a public comment report documenting all comments received during the comment period.

Finally, the RTP and its attendant Air Quality Conformity Analysis will be made available for a formal 30-day public review period before final adoption in February 2008.

OUTSTANDING ISSUES TO BE ADDRESSED DURING STATE COMPONENT OF THE 2035 RTP UPDATE

The system the region can afford with "expected revenue" is not expected to be sufficient to achieve the region's vision for the future. The state component of the RTP update will, as a result, focus on identifying those investments that the region truly needs to achieve the 2040 Growth Concept and RTP goals, and developing a funding strategy that supports implementation of those investments over time.

After the federal component of the 2035 RTP is submitted to federal agencies for review, the focus will shift to the state component of the RTP update. The state component of the 2035 RTP will continue in 2008 to address outstanding issues identified during the federal component of the 2035 RTP, including amendments to both the Oregon TPR and Oregon Transportation Plan, and development of a

transportation finance strategy to funded needed investments that exceed revenues anticipated to be available during the plan period.

Staff recommends these areas to be the focus of policy discussion and additional technical analysis during the state component of the RTP update in 2008:

1. **Performance measures and evaluation framework**
   Background: The first round of technical analysis (which included the RTP investment pool of projects) demonstrated that system-level measures are no longer sufficient to determine whether investments lead to a safe, efficient and reliable transportation system or meet other RTP goals for land use, the economy and the environment.

   What does an outcomes-based evaluation and monitoring framework look like? What measures and benchmarks are most important?

2. **Congestion management and regional mobility corridors**
   Background: How to address increasing demand on our multimodal transportation system is a critical issue for the region, particularly the *Regional Mobility Corridors* – transportation corridors centered on the region's network of interstate and state highways that include parallel networks of arterial roadways, high capacity and regional transit routes and multi-purpose paths. The network of corridors is intended to move people and freight between different parts of the region and connect the region with the rest of the state and beyond. Despite significant investments assumed in the region's transit and roadway systems, the region appears to lose ground on congestion and system reliability. When the pool of investments is narrowed to match available revenue to develop the Financially Constrained RTP, additional congestion and reductions in system reliability are expected.

   How should the region measure success for these corridors and what is the mix of strategies and investments that will help us get there?

3. **Oregon Transportation Planning Rule (TPR) implications for land use**
   Background: Recent amendments to the TPR may affect the region's ability to manage growth consistent with the 2040 Growth Concept.

   What are the implications of recent TPR amendments on the ability of the RTP and local TSPs to comply with OAR 660-012-0060, which requires land use and transportation plans to be balanced?

4. **Transportation finance**
   Background: The region's funding gap is so significant, the region must use every tool at our disposal to address current and future transportation needs in support of the Region 2040 Growth Concept. The region needs a strategy that effective links land use and transportation investment decisions. Community building investments are tied primarily to locally generated growth-related revenues. In addition, new growth areas need seed money before system development charges can begin to be collected. Both short-term and long-term strategies are needed to raise new revenues to fund needed investments.

   How do we know what level of investment we need to achieve Region 2040? Who should have primary responsibility for addressing needs on ODOT's state and district highways? Who should have primary responsibility for addressing operations, maintenance and other needs of regional bridges? What funding sources should be used to address all of the different regional mobility and community building needs?

Additional opportunities for public comment on the state component will be provided in Fall 2008.

ANALYSIS/INFORMATION

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

2. **Legal Antecedents**: There are a wide variety of past Federal, State and regional legal actions that apply to this action.

   Federal regulations include:
   - Clean Air Act, as amended [42 U.S. C. 7401, especially section 176(c)];
   - Federal statutes concerning air quality conformity [23 U.S.C. 109(j)];
   - US EPA transportation conformity rules (40 CFR, parts 51 and 93); and
   - USDOT rules that require Metro to update RTPs on a three-year cycle [23 CFR 450.322(a)].

   State regulations include:
   - Oregon Administrative Rules for Transportation Conformity, (OAR Chapter 340, Division 252); and
   - Portland Area Carbon Monoxide Maintenance Plan and Portland Area Ozone Maintenance Plan.

   Metro legislation includes:
   - Resolution 05-3610A (For the Purpose of Issuing a Request for Proposals to Develop a Work Scope for an Expanded 2005-08 Regional Transportation Plan Update that Incorporates the "Budgeting for Outcomes" Approach to Establishing Regional Transportation Priorities)
   - Resolution No. 06-3661 (For the Purpose of Approving A Work Program For the 2035 Regional Transportation Plan (RTP) Update and Authorizing the Chief Operating Officer to Amend Contract No. 926975);
   - Resolution No. 07-3793 (For the Purpose of Accepting the Chapter 1 Regional Transportation Policy Framework as the Provisional Draft For the Purpose Of Completing Phase 3 of the 2035 Regional Transportation Plan (RTP) Update).

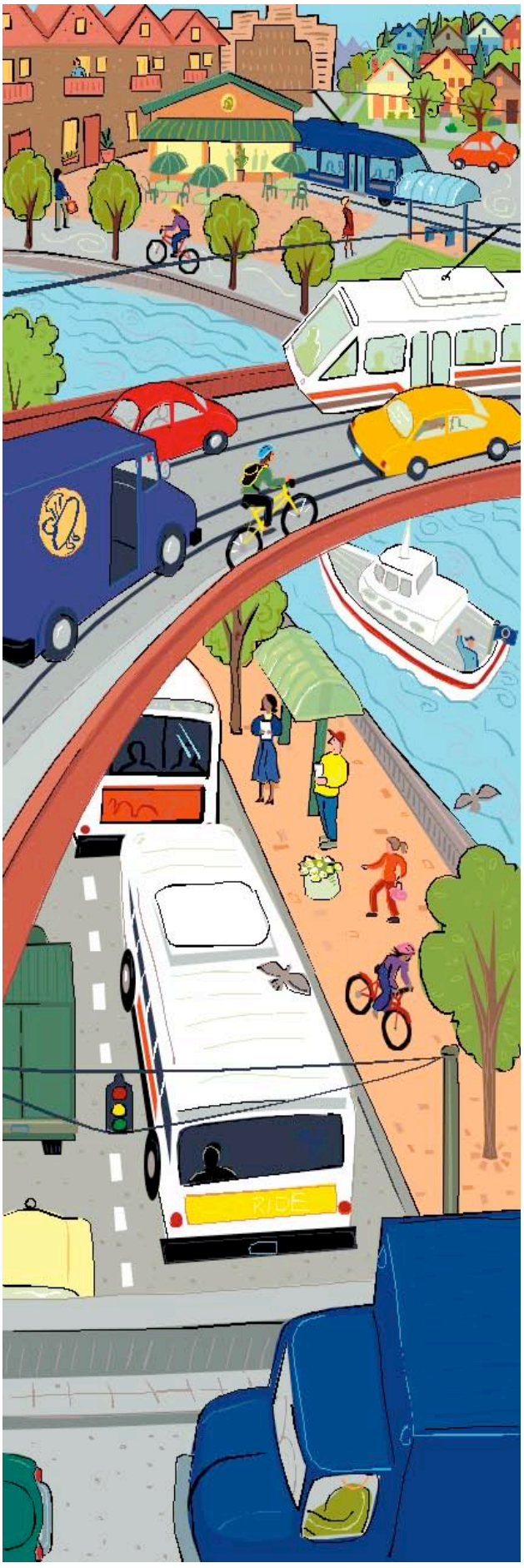
3. **Anticipated Effects**: The proposed federal component of the 2035 Regional Transportation Plan meets federal requirements for metropolitan transportation planning. With approval, staff will:
   - consolidate all three exhibits into a single document for submittal to FHWA and FTA for review,
   - proceed with the federally-required air quality conformity analysis and development of federal findings of compliance; and
   - initiate the state component of the RTP update, which will result in amendments to Exhibit "A", as amended by Exhibits "B" and "C", to meet state planning requirements.

4. Budget Impacts: There is no financial impact to approval of this resolution.

RECOMMENDED ACTION

Approve Resolution No. 07-3831A.

Attachment 1 to Staff Report to Resolution No. 07-3831A
Available to download from Metro's website at www.metro-region.org/rtp



New Look
The Regional Transportation Plan

Public Comment Report

Summary of comments received between October 15, 2007 – November 15, 2007

2035 Regional Transportation Plan

Federal Component

November 16, 2007

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PEOPLE PLACES
OPEN SPACES

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People places • open spaces

Clean air and clean water do not stop at city limits or county lines. Neither does the need for jobs, a thriving economy and good transportation choices for people and businesses in our region. Voters have asked Metro to help with the challenges that cross those lines and affect the 25 cities and three counties in the Portland metropolitan area.

A regional approach simply makes sense when it comes to protecting open space, caring for parks, planning for the best use of land, managing garbage disposal and increasing recycling. Metro oversees world-class facilities such as the Oregon Zoo, which contributes to conservation and education, and the Oregon Convention Center, which benefits the region's economy.

Your Metro representatives

Metro Council President – David Bragdon
Metro Councilors – Rod Park, District 1; Carlotta Collette, District 2; Carl Hosticka, District 3; Kathryn Harrington, District 4; Rex Burkholder, District 5; Robert Liberty, District 6.
Auditor – Suzanne Flynn

Metro's web site: www.metro-region.org

Project web site: www.metro-region.org/rtp

The preparation of this report was financed in part by the U.S. Department of Transportation, Federal Highway Administration and Federal Transit Administration. The opinions, findings and conclusions expressed in this report are not necessarily those of the U.S. Department of Transportation, Federal Highway Administration and Federal Transit Administration.

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EXHIBIT A to Resolution No. 07-3831A
Available to download from Metro's website at
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New Look
The Regional Transportation Plan

Public Review Draft

2035 Regional Transportation Plan
Federal Component

October 15, 2007

METRO
PEOPLE PLACES
OPEN SPACES

Metro
People places • open spaces

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Metro's web site: www.metro-region.org

Project web site: www.metro-region.org/rtp (Click on "2035 RTP Update)

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Exhibit "B" to Resolution No. 07-3831A

November 21, 2007

2035 Regional Transportation Plan (RTP) – Federal Component
Summary of Comments Received and Recommendations –
(comments received October 15 through November 15, 2007)

The 2035 Regional Transportation Plan (RTP) (Federal Component) Public Review Draft was released for public review from October 15 – November 15, 2007. This document includes recommended changes and policy issues identified for further discussion by the Joint Policy Advisory Committee on Transportation received in writing, at Metro Council public hearings and during discussions of the Metro Council and Metro advisory committees as part of the formal 30-day public comment period.

ITEMS FOR JPACT DISCUSSION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
1.	Performance measures	Table 1.2 (Regional Motor Vehicle Performance Measures) and Table 1.3 (2040 Regional Non-SOV Modal Targets) from the 2004 RTP should be included in Chapter 3 with additional language indicating refinements to these performance measures may occur as part of the state component of the RTP update. It is premature to not include these measures when alternative measures have not been adequately developed to replace them. Previous comments by ODOT and the OTC have stated that this is not acceptable and is inconsistent with the OHP Mobility standards for State facilities. **JPACT November 8 discussion:** JPACT members provided additional direction on this item. The committee	Oregon Department of Transportation (ODOT) JPACT	11/2/07 11/8/07	Agree. Amend Chapter 3, Section 3.5 to add Tables 1.2 and 1.3 from the 2004 RTP and the following explanatory text: "The motor vehicle performance measures in Table 3.16 represent the minimum performance level desired for transportation facilities and services within the region. Originally adopted in 2000, and amended into the Oregon Highway Plan in 2002, the performance measures reflect a level of performance the region and the Oregon Transportation Commission deemed ~~acceptable~~ tolerable at the time of their adoption, but also recognized as an incremental step toward a more comprehensive set of measures. The 2000 RTP analysis considered overall system performance as well as financial, environmental and community impacts.[1] The measures in Table 3.16 describe operational conditions that are used to evaluate the quality of service of the transportation system, using the ratio of traffic volume to planned capacity (volume/capacity ratio) of a given facility. The measures are used to identify deficient transportation facilities and services in the plan and diagnose the extent of congestion

[1] See Appendix 1.8 for supporting analysis of the 2000 RTP motor vehicle performance measures.

* TPAC will take action on these recommendations on November 30, 2007.

ITEMS FOR JPACT DISCUSSION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		generally agreed with the staff recommendation with some refinements. Commission Rogers recommended adding a preamble to the discussion and LOS table (Table 3.16) that provides more context for the public and recognizes the RTP is not planning for failure. **MPAC November 14 discussion:** MPAC members provided additional direction on this item. The committee "reluctantly" agreed with the staff recommendation with some refinements. Members recognized the measures are interim and that additional work is needed to develop a broader set of measures to evaluate performance and identify needs. Members also felt VMT/capita reduction be more prominently emphasized as a key objective of the plan. Members recommended that the word "acceptable" in Table 3.16 be replaced with another word that better conveys the region is not planning for failure or congestion. Congestion is not desirable, but cannot be solved in every corridor. It is important to convey the region has determined these standards represent a level of service that is "tolerable."			during the two-hour evening rush hour and mid-day off-peak period. This evaluation helps the region develop strategies to address congestion in a more strategic manner given limited transportation funding and potential environmental and community impacts. The system analysis described in Chapter 4 and Chapter 6 demonstrate the region cannot achieve the measures listed in this table within current funding levels or with the mix of investments included in the analysis. The RTP must demonstrate that it defines an adequate transportation system to serve planned land uses to meet state planning requirements. Additional work is needed to identify an aggregate set of performance measures to make this determination, evaluate system performance, and also consider a broader set of potential benefits and negative impacts. In the interim, the motor vehicle performance measures identified in Table 3.16 and Non-SOV Modal Targets in Table 3.17 will continue to serve as the basis for making this determination. A broader set of performance measures that consider safety, reliability, and land use, economic and environmental effects, and refinements to Table 3.16 and Table 3.17 will be developed during the state component of the RTP update. The updated measures will serve as the basis for meeting state and federal requirements, evaluating system performance, prioritizing investments and monitoring plan implementation."

* TPAC will take action on these recommendations on November 30, 2007.

Table 3.16 (formally Table 1.2)

Regional Motor Vehicle Performance Measures

Deficiency Thresholds and Operating Standards[1]

Location	Mid-Day One-Hour Peak			A.M./P.M. Two-Hour Peak					
	Preferred Operating Standard	Tolerable ~~Acceptable~~ Operating Standard	Exceeds Deficiency Threshold	Preferred Operating Standard		Tolerable ~~Acceptable~~ Operating Standard		Exceeds Deficiency Threshold	
				1st Hour	2nd Hour	1st Hour	2nd Hour	1st Hour	2nd Hour
Central City **Regional Centers** **Town Centers** **Main Streets** **Station Communities**	C	E	F	E	E	F	E	F	F
Corridors **Regionally Significant Industrial Areas** **Local Industrial Areas** **Intermodal Facilities** **Employment Areas** **Inner Neighborhoods** **Outer Neighborhoods**	C	D	E	E	D	E	E	F	E
Banfield Freeway[1] *(from I-5 to I-205)*	C	E	F	E	E	F	E	F	F
I-5 North* *(from Marquam Bridge to Interstate Bridge)*	C	E	F	E	E	F	E	F	F
Highway 99E[1] *(from the Central City to Highway 224 interchange)*	C	E	F	E	E	F	E	F	F
Sunset Highway[1] *(from I-405 to Sylvan interchange)*	C	E	F	E	E	F	E	F	F
Stadium Freeway[1] *(I-5 South to I-5 North)*	C	E	F	E	E	F	E	F	F
Other Principal Arterial Routes	C	D	E	E	D	E	E	F	E
Areas of Special Concern	Areas with this designation are planned for mixed used development, but are also characterized by physical, environmental or other constraints that limit the range of acceptable transportation solutions for addressing a level-of-service need, but where alternative routes for regional through-traffic are provided. Figures 3.19.a-e in this chapter define areas where this designation applies. In these areas, substitute performance measures are allowed by OAR.660.012.0060 (1)(d). Provisions for determining the alternative performance measures are included in Section 7.7.7 of this plan. Adopted performance measures for these areas are detailed in Appendix 3.3.								

Level-of-service is determined by using either the latest edition of the Highway Capacity Manual (Transportation Research Board) or through volume to capacity ratio equivalencies as follows: LOS C = .8 or better; LOS D = .8 to .9; LOS E = .9 to 1.0; and LOS F = 1.0 to 1.1. A copy of the level of service tables from the Highway Capacity Manual is shown in Appendix 1.8.

[1] Thresholds shown are for interim purposes only; refinement plans for these corridors are required in Chapter 7 of this plan, and will include a recommended motor vehicle performance policy for each corridor.

Source: Metro

* TPAC will take action on these recommendations on November 30, 2007.

Alternative mode share targets established in Table 3.17 are intended to be goals for cities and counties to work toward as they implement the 2040 Growth Concept at the local level. They may also serve as performance measures in Areas of Special Concern until other measures are developed. Improvement in non-single-occupancy vehicle mode share will be used to demonstrate compliance with per capita travel reductions required by the state Transportation Planning Rule. The most urbanized areas of the region will achieve higher non-single-occupancy vehicle mode shares than less developed areas closer to the urban growth boundary. See Section 7.4.6 in Chapter 7 of this plan for more detail.

Table 3.17 (formally Table 1.3)

2040 Regional Non-SOV Modal Targets

2040 Design Type	Non-SOV Modal Target
• Central city	60-70%
• Regional centers • Town centers • Main streets • Station communities • Corridors • Passenger Intermodal Facilities	45-55%
• Industrial areas • Freight Intermodal facilities • Employment areas • Inner neighborhoods • Outer neighborhoods	40-45%

In addition, per the MPAC discussion on vehicle miles traveled per capita, add a new objective under Goal 3 as follows, "Objective 3.2, Reduce vehicle miles traveled per capita."

* TPAC will take action on these recommendations on November 30, 2007.

ITEMS FOR JPACT DISCUSSION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
2.	Goals and Objectives	In the October 15 draft RTP, this objective has been revised and moved to "Potential Actions 9.2.1 as follows, "Place the highest priority on those investments that achieve multiple objectives and those investments that make the greatest contribution to the regions' ~~economic competitiveness~~ overall well-being." **JPACT November 8 discussion:** JPACT members provided additional direction on this item on November 8. The committee generally agreed with the staff recommendation with refinements, noting that the desired outcome is for the overall transportation system to be balanced to support a land use and economic strategy that sustains the region. The committee felt that individual investments do not necessarily need to address all goals or objectives in order to be priorities, and that one goal	Oregon Department of Transportation (ODOT) Regional Freight Task Force Subcommittee Ann Gardner, Portland Freight Committee	11/2/07 11/9/07 11/15/07	Amend as recommended by JPACT as follows, "Potential Actions 9.2.1, "Place the highest priority on those investments that achieve multiple objectives and those investments that make the greatest contribution to the regions' ~~overall well-being~~ economic and land use strategies as envisioned in the 2040 Growth Concept." This comment responds to edits that were made to more clearly distinguish between Goals 2 and Goal 9. Goal 2 is intended to sustain economic competitiveness and prosperity, while Goal 9 is aimed at the broader sustainability of the transportation system that balances all of the preceding goals in the plan. As proposed in the October 15 draft, Goal 9 (Sustainability) uses the term "well-being" to refer collectively to the region's quality of life, economic prosperity and other considerations from the previous goals. Use of this term recognizes that quality of life is dependent on economic competitiveness and prosperity, and economic competitiveness and prosperity is dependent on quality of life and other goals of the plan. Action 9.2.1 emphasizes prioritizing those investments that achieve multiple goals and objectives in the plan, thereby providing the greatest contribution to the region's well-being. The state component of the RTP update will define how the RTP should balance the various objectives and prioritize investments in the system. This work will be informed by the performance measures work (see Item #1) and funding responsibility discussions (see Item #4).

* TPAC will take action on these recommendations on November 30, 2007.

		should not have more weight than another goal. JPACT recommended that "overall wellbeing" be revised to "land use and economic strategy." In addition, JPACT members recognized additional work is needed to define how best to balance and prioritize investments in the system. The draft plan expands responsibilities and expectations and the plan needs to ensure this can be delivered. **MPAC November 14 discussion:** The committee agreed with the staff recommendation as refined to reflect the JPACT discussion.			
3.	Goals and Objectives	New Objective 4.3 Value Pricing - is entirely new language that was not in the March 1 draft. This language is not consistent with the legislative direction and Oregon Transportation Commission (OTC) position that the OTC is the lead for any policy discussion regarding tolling. Until that policy conversation has taken place, ODOT does not support a priority statement that investments that include value pricing be	Oregon Department of Transportation (ODOT)	11/2/07	Agree in part. Replace Objective 4.3 with the following language **Objective 4.3 Value Pricing** - Promote a broader application of value pricing as a management tool. ~~Consider value pricing as a feasible option when major, new throughway capacity is being added to the regional throughway system, using the criteria used in Working Paper 9 of the Traffic Relief Options study~~. Potential Actions: *4.3.1.* Develop a set of potential policy objectives and value pricing applications for public review.~~*Place a priority on investments that include value pricing*~~. 4.3.2. Identify several potential pricing applications for analysis of anticipated costs and benefits to the region's economy and land use objectives consistent with state policies and procedures.~~ *Identify a specific project for which value pricing is appropriate to serve as a pilot, demonstration*

* TPAC will take action on these recommendations on November 30, 2007.

		given priority, or that value pricing must always be considered when adding major new throughway capacity regardless of economic or political feasibility and public acceptance. **JPACT November 8 discussion:** JPACT members provided additional direction on this item on November 8. The committee generally agreed with the staff recommendation as presented. ODOT staff will identify additional refinements to the proposed language based on the JPACT discussion. **MPAC November 14 discussion:** MPAC members provided additional direction on this item. Committee members felt the staff recommendation was not bold enough and that value pricing should be promoted in the region as a management tool, not just when new throughway capacity was being added to the system. The committee recognized additional work is needed to provide more guidance on when and where value pricing			~~*project.*~~ 4.3.3. *Pursue Value Pricing Pilot Program funds from FHWA for development of detailed implementation plans and/or administration of pilot projects.* In addition, add value pricing as an unresolved issue in Chapter 7, Section 7. 3 recognizing new information is needed to further advance tolling in the Metro region and citing ODOT's current efforts to establish a set of state policies regarding the potential use of tolling in Oregon. Finally, delete three bullets referencing where value pricing may be appropriate on Page 3-50, as the draft language limits its application to new capacity. This change is consistent with the other recommendations on this comment. These amendments reflect current state and regional policy, previous ODOT comments on RTP pricing policies and recommendations from ODOT's August 2007 analysis of "The Future of Tolling in Oregon: Understanding How Varied Objectives Relate to Potential Applications." The concept of value pricing was included in the March 1 draft on page 40 at the request of ODOT and TPAC (see comment #115 in Attachment 1 to Staff Report to Resolution No. 07-3793). In addition, it was recommended that additional policy discussion of how and when this tool should be applied occur during Phase 3 of the RTP update. The new objective responds to this previous recommendation and reflects the 2004 RTP policy that value pricing should be evaluated when major new highway capacity is being considered. The new objective is consistent with state law for the same requirement. This policy was developed in 1999 as part of the Traffic Relief Options Study, and adopted into the 2000 RTP. The study, led jointly by Metro and ODOT, was undertaken with guidance from a citizen task force. The study found that pricing of existing highway lanes would generate the most revenue and result in the most significant reduction in congestion, vehicle miles traveled and air pollution. However, due to negative public reaction, and possible negative effects, the task force did not recommend pricing of existing lanes.

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		should be applied, but that the RTP should not limit that consideration to new capacity. The committee recommended the following language change to action 4.3.1, as follows, "~~Place a priority on investments that include~~ ~~Consider~~ Promote a broader application of value pricing as a management tool ~~for priority projects that add major new throughway capacity~~. **Nov. 15 ODOT Proposed Language:** Objective 4.1: Consider value pricing as an option and determine its feasibility consistent with state policy. Actions: 4.3.1 Develop a set of potential policy objectives and tolling applications for public review. 4.3.2 Identify several potential pricing applications for analysis of anticipated costs and benefits to the region's economy and land use objectives consistent with state policies and procedures.			Objective 4.3 as revised is consistent with and is intended to formalize the Oregon Transportation Plan (OTP) Goal 2 and related strategies 2.1.1, 2.1.8 and 2.1.9, which call for the evaluation of peak period pricing to reduce highway capacity problems and for purposes of reducing demand on state highways and ensuring consistent trip reliability in congested corridors.
4.	Regional system definition	Need to reach agreement on definition of regional system and priorities for completing gaps in the system. This includes defining what	Clackamas County JPACT	11/2/07 11/8/07	Agree. Section 3.4.1 defines eight components that are proposed to make up the regional transportation system. Regional system maps for each element have also been added to Chapter 3 to establish the geography and focus of regional transportation system

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		elements of the transportation system should be primarily a local responsibility, regional responsibility and state responsibility in terms of maintenance and expansion of existing infrastructure and services and funding needed investments. **JPACT November 8 discussion:** JPACT members provided additional direction on this item on November 8. The committee generally agreed with the staff recommendation as presented but emphasized the importance of clearly identifying what elements of the transportation system are of regional interest, and therefore should be addressed in the RTP. In addition, Commissioner Wheeler recommended that staff ensure the RTP clearly describes the Willamette River Bridges as part of the regional transportation system. **MPAC November 14 discussion:** MPAC deferred discussion of this comment to November 28, pending a recommendation from MTAC on November 21.			investments. Based on the November JPACT discussion, add language to Chapter 3, Pg. 3-21, Section 3.4.1, that specifically identifies this and other elements designated to represent the "Regional transportation system," as follows, "Multi-modal regional transportation facilities and services are defined both functionally and geographically. A facility or service is part of the regional transportation system if it provides access to any activities crucial to the social or economic health of the Portland metropolitan region, including connecting the region to other parts of the state and Pacific Northwest, and providing access to and within 2040 Target areas. Facilities that connect different parts of the region together by crossing county or city boundaries are crucial to the regional transportation system. Any link that provides access to or within a major regional activity center such as an airport or 2040 target area, is also a crucial element of the regional transportation system. Specific facilities or services are included in the RTP based on their function within the regional transportation system rather that their geometric design or physical characteristics. As a result, the designated regional transportation system includes: 1. All state transportation facilities (including interstate, state, regional and district highways and their bridges and ramps). 2. All city and county arterial facilities and their bridges. 3. City and county transportation facilities within designated 2040 centers and industrial areas. 4. All high capacity transit and regional transit systems and their bridges, as defined in this plan. 5. All regional bicycle and pedestrian facilities as defined in this plan, including regional trails with a transportation function. 6. All other transportation facilities and services that JPACT and the Metro Council determine necessary to complete the regional plan, including Willamette River Bridges, Interstate Bridges, bridges that are part of other elements of the

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					regional system, freight and passenger intermodal facilities, airports, rail facilities and marine transportation facilities. 7. Any other transportation facility, service or management strategy that is determined by JPACT and the Metro Council to be of regional interest because it has a regional need or impact (e.g. transit-oriented development, transportation system management and demand management strategies, local street connectivity, culverts that serve as barriers to fish passage and throughway overcrossings). It is the designated regional transportation system that is the focus for planning and investments in the RTP. " This language more clearly describes the regional system identified in Chapter 3. Chapter 3 also identifies a regional interest in local street connectivity and transit service planning that is implemented through Sections 7.4.5 and 7.4.10 in Chapter 7. In addition, the RTP System maps in Chapter 3 identify the Willamette River bridges and other elements as part of the regional transportation system. The system maps do not, however, define financial/funding responsibility for the different parts of the local, regional and state transportation system. Funding responsibility is proposed to be addressed as part of the state component of the RTP.
5.	Investment priorities	The RTP needs to establish criteria and a process for prioritizing investments based on the Goals identified in Chapter 3 of the plan. The draft plan includes 29 investments priorities that are all weighted equally. More direction is needed	Oregon Department of Transportation (ODOT) Regional Freight Task Force Subcommittee Ann Gardner, Portland Freight	11/2/07 11/9/07 11/15/07	Agree. The process for prioritization of investments will be addressed during the state component of the RTP update. Application of performance measures developed during the state component as well as policy direction provided by JPACT, MPAC and the Metro Council will inform this prioritization process. In the interim, staff recommends the draft be revised to be neutral on priorities until this work is completed. Therefore, replace "place a priority on" with "Implement" as follows, " *1.1.1. ~~Place a priority on~~ Implement multi-modal transportation investments that address a system gap or deficiency to reinforce growth in and improve multi-modal access to or*

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			Committee Port of Portland TPAC workshop	 11/15/07 11/19/07	*within the primary 2040 target areas.* *1.2.1. ~~Place a priority on~~ Implement investments that reduce the need for land dedicated to vehicle parking.* *2.1.1. ~~Place a priority on~~ Implement investments that address ~~multi-modal~~ system gaps to improve reliability and multi-modal access (1) from labor markets and trade areas to the primary 2040 Target Area, or (2) within 2040 Target areas.* *2.2.1. ~~Place a priority on~~ Implement investments that benefit intercity public transportation or connect such transportation with other ~~two or more passenger~~ modes.* *2.3.1. ~~Place a priority on~~ Implement investments that implement the CMP by addressing a modal gap or deficiency, or implement TSMO strategies on an arterial within a regional mobility corridor.* *2.4.1. ~~Place a priority on~~ Implement transportation investments that maintain travel time reliability on the regional freight system and provide freight access to industrial areas and freight intermodal facilities.* *2.5.1 ~~Place a priority on~~ Implement transportation investments that support state and local government efforts to attract new businesses and industries to Oregon or that keeps and encourages expansion of existing businesses and industries.* *3.1.1. ~~Place a priority on~~ Implement investments that complete a system gap to improve bicycle, pedestrian or transit access, and connect two or more modes of travel.* *3.2.1. ~~Place a priority on~~ Implement investments that remove barriers that prevent access to the transportation system for underserved populations.* *3.3.1 ~~Place a priority on~~ Implement investments that benefit or connect two or more freight modes..* *4.1.1. ~~Place a priority on~~ Implement investments that improve mobility, reliability and safety on an element of the regional mobility corridor system, consistent with the Transportation System Management and Operations (TSMO) Concept.* *4.2.1. ~~Place a priority on~~ Implement investments that include services, incentives, and supportive infrastructure to increase awareness of travel options, consistent the Demand Management Concept.*

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					4.3.4. ~~Place a priority on~~ Implement investments that include value pricing. *5.1.1. ~~Place a priority on~~ Implement investments that address recurring safety-related deficiencies on an element of the regional mobility corridor system.* *5.3.1. ~~Place a priority on~~ Implement investments that increase system monitoring for operations, management and security of the regional mobility corridor system.* *5.3.2. ~~Place a priority on~~ Implement investments that increase system monitoring for operations, management and security of the regional mobility corridor system.* *6.1.1. ~~Place a priority on~~ Implement investments that improve fish or wildlife habitat or remove a blockage or barrier limiting fish or wildlife passage in a habitat conservation area and/or wildlife corridor.* *6.2.1. ~~Place a priority on~~ Implement investments that reduce transportation-related vehicle emissions.* *6.3.1. ~~Place a priority on~~ Implement investments that reduce impervious surface coverage and stormwater run-off.* *6.4.1. ~~Place a priority on~~ Implement investments that increase efficiency of the transportation network (e.g., reduce idling and corresponding fuel consumption) or supports efficient trip-making decisions in the region.* *7.1.1. ~~Place a priority on~~ Implement investments that increase opportunities for physical activity.* *7.2.1. ~~Place a priority on~~ Implement investments that reduce or minimize transportation-related pollution.* *8.1.1. ~~Place a priority on~~ Implement investments that benefit environmental justice communities ~~target areas~~ or remove barriers to accessing the transportation system.* *8.2.1. ~~Place a priority on~~ Implement investments that remove barriers to ~~benefit special access needs~~ provide a range of high quality transportation options for people of all ages and abilities.* *~~8.2.2. Provide an appropriate level, quality and range of transportation options to serve special access needs of individuals in this region,~~ including people with low-income, children, elders and people with disabilities.* *9.1.1. ~~Place a priority on~~ Implement investments that cost-*

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					effectively maintain and preserve the function and physical characteristics of existing transportation infrastructure and services. *9.2.1. ~~Place the highest priority on~~ Ensure the region identifies cost-effective investments that achieve multiple objectives and those investments that make the greatest contribution to the region's ~~overall well-being~~ economic and land use strategies as envisioned in the 2040 Growth Concept.* *10.2.1. ~~Place a priority on~~ Implement investments that leverage other investment from governments or private business.* *10.3.1. ~~Place a priority on~~ Implement investments that increase coordination and cooperation of transportation providers.*
6.	New urban areas	Consider a new category of "emerging corridor" to the RTP to recognize corridors that facilitate one or more centers in an UGB expansion area. There are critical transportation projects that provide access to these areas and are necessary to support efficient land development consistent with the 2040 Growth Concept, but that are disadvantaged when compared to existing urban areas. The concept should be assessed during the state component of the RTP and could be defined as follows, "An emerging corridor could be defined as follows: An emerging corridor facilitates access to one or more centers in an UGB expansion area but lacks basic urban facilities such as sidewalks,	City of Gresham	11/15/07	Agree. Amend page 7-56 to add new unresolved issue as defined in the comment, as follows: **7.8.13 Emerging Communities** Emerging communities are areas brought into the urban growth boundary and that have 2040 Growth Concept design type designations. Additional work is needed to better define the needs of emerging communities and strategies needed to facilitate development in these areas, consistent with the 2040 Growth Concept. In addition, add new action under Objective 1.1. as follows, "Recognize the importance of developing emerging communities in areas brought into the urban growth boundary, consistent with the 2040 Growth concept.." In addition, this comment will be forwarded to the New Look planning process and the state component of the RTP update for consideration. The City of Portland Primary Transit Network (PTN) Study refined a TriMet methodology for evaluating the transit ridership potential and cost-effectiveness of transit that could be useful to the discussion.

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		bicycle lanes, or capacity for transit service that will accommodate efficient urban development and implementation of an adopted Plan. An emerging corridor has land use designations in place that will permit increased densities and a range of urban land uses. An emerging corridor may extend more than one mile from the nearest center; however, some portion of the corridor must be located within one mile of a center" and new action under Objective 1.1 as follows, "potential action under Objective 1.1 of Goal 1: Revisit the 2040 Growth Concept as defined in the Regional Framework Plan and make any necessary amendments to that Plan to facilitate development of areas recently brought within the UGB."			

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Exhibit C to Resolution No. 07-3831A

November 20, 2007

2035 Regional Transportation Plan (RTP) – Federal Component
Summary of Comments Received and Recommendations –
(comments received October 15 through November 15, 2007)

This document summarizes other recommended changes received to date in writing, at Metro Council public hearings and during discussions of the Metro Council and Metro advisory committees as part of the formal 30-day public comment period. The comments are proposed to be addressed as a package of consent items without discussion by JPACT.

CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
1.	Language clarification	P. iii – revise bullet on Climate Change to recognize passage by the 2007 Oregon Legislature of HB 3543, which calls for reduction of greenhouse gas emissions to 10% below 1990 levels by 2020 and 75% below 1990 levels by 2050.	Metro Legal Staff	10/23/07	Agree. Amend as requested.
2.	Language clarification	On p. 1-9, and several other places in the plan, the text says "nearly 40 designated centers…." The plan should say "the 38 centers" or "the Central City, seven Regional Centers and 30 Town Centers…" to be clear. Title 12 of the UGMFP includes station communities in the definition of "centers."	Metro Legal Staff	10/23/07	Agree. Amend as requested.
3.	Language clarification	P. 1-10: -add reduction in emissions of greenhouse gases and reduced per-person consumption of oil for transportation among the "benefits" of the Concept listed.	Metro Legal Staff	10/23/07	Agree. Amend as requested.
4.	Language clarification	P. 1-11, first paragraph: Replace the last sentence as follows: "Money that	Metro Legal Staff	10/23/07	Agree. Amend as requested.

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CONSENT ITEMS FOR JPACT CONSIDERATION					
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		would otherwise be spent on car payments, auto insurance and fuel could instead go to mortgage or rent payments."			
5.	Language clarification	P. 3-13, Objective 4.2, Potential Actions: add new action, "Support Transit Oriented Development to encourage transit use, consistent with the congestion management strategies listed on page 2-11.	Metro Legal Staff	10/23/07	Agree. Amend as requested.
6.	Language clarification	Miscellaneous typos	Metro Legal Staff	10/23/07	Agree. Amend as requested.
7.	Language clarification	P. 4-2, Principles: Describe who used the principles to select the projects on the financially-constrained list. Same for Principles on p. 6-3.	Metro Legal Staff	10/23/07	Agree. Replace last sentence in section 4.1.1 as follows, "Eligible project sponsors used the principles in Figure 4.1 to nominate projects and programs to address identified needs. "
8.	Language clarification	P. 6-2, Financially Constrained System Defined: the last sentence seems awkward, suggesting that the purpose of the system is to prove the region needs more money. That may be the effect, but it's not the purpose of the federal requirement, which is elsewhere defined as fiscal responsibility. Suggested language change: "The purpose of developing a financially constrained system is to provide a benchmark to determine whether the region has the resources to provide a transportation system that is sufficient to meet the needs of its expected long-range population and federal air quality standards."	Metro Legal Staff	10/23/07	Agree. Amend as requested.
9.	Language	P. 7-1, last bullet: this has the regional-	Metro Legal Staff	10/23/07	Agree. Amend as requested.

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	clarification	local consistency relationship backwards. Replace with "…ongoing monitoring for consistency of changes to local TSPs with the RTP, and RTP consistency with other implementing agency plans…."			
10.	State compliance	P. 7-7, 0030 transportation needs: it is important to recognize that the RTP must use the state's analysis of state needs in the region [0030(2)].	Metro Legal Staff	10/23/07	Agree. Amend as requested.
11.	Language clarification	PP. 7-6 through 7-49: It would help if the box on p. 7-6, besides stating the Section 7.2 will be updated in the state portion, also explains that all of what follows comes from the 2004 RTP and will be revised as part of the update.	Metro Legal Staff	10/23/07	Agree. Amend as requested.
12.	Projects	Include Project #10235 (South Portland Improvements) in financially constrained system. Implementation of this project will allow additional land to be developed and will remove barriers that limit walking, bicycling and access to transit.	Jim Gardner John Perry	11/1/07	This comment has been forwarded to the City of Portland to consider. This project did not meet the additional criteria that the City of Portland used to create the financially constrained list. The following criteria were used to identify projects for the federally constrained list: • Projects in Transportation System Plan (TSP) that were also on the Regional Transportation Plan (RTP) • Projects in current Office of Transportation Capital Improvement Plan (CIP) • Projects that received or requested MTIP funds • Projects that received or requested state Transportation Enhancement (TE) funds • Projects that received or requested state ODOT Grant Funds • Projects identified in the Final Systems Development Charge (SDC) project list • Included in a Modal Plan • Projects identified in completed TSP studies

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
					Projects included in the financially constrained system are required to match revenue anticipated to be available during the plan period. The city of Portland would need to identify new sources of revenue or remove other projects in order to include this project in the financially constrained system. This project, and others, will be included in additional analysis to be completed during state component of the RTP update.
13.	Transit	Develop service standards for the provision of High Capacity Transit Service that directs minimum service levels, access and connection requirements for specific land uses and destinations, capacity and other elements to better implement regional rapid transit service. This should include developing a Regional Rapid Transit network, using MAX, Commuter Rail and possibly Bus Rapid Transit, which would connect all Regional Centers and cover all the Regional Mobility Corridors. Emphasis should not only be on high capacity and frequency, but also speed.	Fred Nussbaum, AORTA	11/1/07	No change recommended. This will be further addressed in coordination with TriMet and SMART as part of state component of RTP update and Regional High Capacity Transit Study to be conducted by Metro in 2008.
14.	Goal 6, Objective 6.1	Revise Objective 6.1 Natural Environment as follows, "~~Avoid or minimize undesirable~~ Improve existing conditions and reduce transportation-related storm water run-off, effective impervious surface, and other impact~~s~~ of the transportation system on fish and wildlife habitat conservation areas, wildlife corridors, significant flora and open spaces." To ensure that the RTP	Brian Wegener, Tualatin RiverKeepers Coalition for a Livable Future and Amanda Fritz	11/1/07 11/15/07	Agree in part. Add new action as follows, "Action 6.3.3 Encourage green street designs and operational practices that improve existing conditions and reduce transportation-related storm water run-off, effective impervious surface, and other impact~~s~~ of the transportation system during project planning, design, construction, maintenance and operations activities." Improving existing conditions and incorporating green street designs may not always be practical, but should be encouraged.

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		does not accommodate or encourage growth in impervious area and the continuing decline in our fresh water resources due to urban runoff, this RTP should explicitly state performance criteria that mandate reduction in effective impervious area. The language used "avoid or minimize impacts" does not guarantee that conditions for fish and wildlife will improve.			
15.	Goal 6, Objective 6.3	Revise Objective 6.3 Water Quality and Quantity as follows, "~~Protect the region's water quality and quantity.~~ Restore the region's water quality and natural stream flows." Hundreds of miles of urban streams within Metro's jurisdiction do not meet state water quality standards for designated beneficial uses and the RTP should support restoring water quality in the region.	Brian Wegener, Tualatin RiverKeepers Coalition for a Livable Future and Amanda Fritz	11/1/07 11/15/07	Agree in part. Revise Objective 6.3 Water Quality and Quantity as follows, "Protect the region's water quality and ~~quantity.~~ natural stream flows. In addition, add new action as follows, "Action 6.3.3 Encourage green street designs, operational practices and other strategies during the project planning, design, construction, operation and maintenance activities." Improving existing conditions and incorporating green street designs may not always be practical, but should be encouraged through best practices.
16.	Goal 7, Objective 7.2	Revise Objective 7.2 Pollution Impacts as follows, "~~Minimize~~ Reduce impervious surface and transportation-related pollution impacts on residents in the region to reduce negative health effects." Impervious area should be reduced to address both pollution impacts and hydrological impacts.	Brian Wegener, Tualatin RiverKeepers Coalition for a Livable Future and Amanda Fritz	11/1/07 11/15/07	Agree in part. Revise Objective 7.2 Pollution Impacts as follows, "Minimize noise, impervious surface and other transportation-related pollution impacts on residents in the region to reduce negative health effects The objective as proposed is consistent with the language and approach called for in Title 13 of the Urban Growth Management Functional Plan, and is covered in Comment #14 and #15, which call for implementing best practices.
17.	Projects	Concerned that two proposed transportation projects, the widening of OR 217 and the I-5 to 99W connector	Brian Wegener, Tualatin RiverKeepers	11/1/07	This comment will be forwarded to ODOT and Washington County for consideration. Metro prepared an analysis of potential conflicts where proposed RTP projects intersect

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		will have severe negative impacts to significant habitat areas. For much of its length, OR 217 follows Fanno Creek and is bordered by numerous wetlands. Likewise, the I-5 to 99W connector could impact significant wetlands and the Tualatin River National Wildlife Refuge.	Coalition for a Livable Future and Amanda Fritz	11/15/07	with environmental resources. Identifying these areas of potential conflict early in the transportation planning process allows for more meaningful consideration of mitigation strategies, including project alignment, design and construction features that avoid or minimize impacts on the resource area. The two projects and others have been identified as having potential environmental impacts. The RTP project list will be updated to include a column that identifies whether a project intersects with regionally-designated habitat conservation areas and other inventoried environmental resources. Actions 6.1.2, 6.1.3, 6.1.5, 6.1.7, and 6.3.2. identify types of environmental considerations to be addressed in future planning. State and federal regulations direct how local transportation system plans and other project development activities should ensure adequate consideration of environmental impacts and design solutions to address this concern. In addition, Metro is developing a guidebook on incorporating wildlife crossings into project designs. The guidebook will serve as a resource for project designs in the Metro region.
18.	Projects	Concerned about projects #10396 (Cornelius Pass Road upgrades to add passing lanes and shoulders) and #10221 (Skyline Boulevard widening to add bike lanes) because project intersects with important wildlife corridor. Project information submitted by sponsoring agencies does not identify potential environmental impacts that should be considered as the projects move forward in project development and design phase. It is important for RTP to identify potential	Carol Chesarek Jim Emerson Christopher Foster	11/1/07 11/12/07 11/12/07	Agree. This comment will be forwarded to Multnomah County and City of Portland for consideration. The project description for #10396 will be updated to reference project is located within county designated wildlife habitat overlap zone. Metro prepared an analysis of potential conflicts where proposed RTP projects intersect with regionally-designated habitat conservation areas which are subject to regulation under Title 13 of the Urban Growth Management Functional Plan. HCAs, by definition are located inside the urban growth boundary. As noted in the comment, identifying these areas of potential conflict early

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CONSENT ITEMS FOR JPACT CONSIDERATION					
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		wildlife impacts and ensure wildlife crossing designs are integrated into project designs. Recommend creating an inventory of wildlife crossings in the region, similar to the culvert inventory created in 2002. Consider a broader definition of habitat conservation areas that includes all Goal 5 resources.			in the transportation planning process allows for more meaningful consideration of mitigation strategies, including project alignment, design and construction features that avoid or minimize impacts on the resource area. These projects and others have been identified as having potential environmental impacts. The RTP project list will be updated to include a column that identifies whether a project intersects with regionally-designated habitat conservation areas and/or other inventoried environmental resources included in the region's Goal 5 inventory. Actions 6.1.2, 6.1.3, 6.1.5, 6.1.7, and 6.3.2. identify types of environmental considerations to be addressed in future planning. State and federal regulations direct how local transportation system plans and other project development activities should ensure adequate consideration of environmental impacts and design solutions to address this concern. Recommend adding a new action directing Metro to coordinate the collection of more data to create a wildlife crossings inventory, similar to the culvert inventory, as proposed in the comment. Metro transportation staff will work with Metro Parks and Greenspaces to address these suggestions, as well as consideration of noting projects that were inventoried in the Goal 5 inventory, but that are not in a designated HCA per Title 13. Finally, Metro transportation and parks staff are developing a guidebook on incorporating wildlife crossings into project designs. The guidebook will serve as a resource for project designs in the Metro region.
19.	Graphics	Enlarge Figure 3.2 (2040 Growth Concept Map) to fill entire page for readability.	City of Gresham	10/30/07	Agree. Amend as requested.
20.	Actions	Add new action 3.2.11 to reference	Metro staff	10/30/07	Agree. Amend as follows, "3.2.11 Maintain and

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CONSENT ITEMS FOR JPACT CONSIDERATION					
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		need to periodically update regional pedestrian and bicycle inventories.			periodically update regional pedestrian and bicycle system inventories in coordination with TriMet, ODOT and local agencies."
21.	Performance measures	The RTP Round 1 Systems Analysis in Chapter 4 does not adequately report on system performance. ODOT recommends including the volume/capacity ratio maps and data in chapter 4, along with additional narrative analysis by mobility corridor and by congestion "hot spots." Some of the measures that are missing include travel times for select links, travel time contours for industrial areas and intermodal facilities, volume/capacity ratios and delay for main roadway routes on the regional freight network at mid-day, as well as volume/capacity ratios for all mobility corridors during the evening peak period.	Oregon Department of Transportation (ODOT)	11/2/07	Agree in part. A performance measures work group has started developing an evaluation framework that will guide this analysis. Travel time data for selected links is already included in Table 4.8. Truck hours of delay are reported at the system-level in Table 4.7. In the interim, volume/capacity ratio maps and data for the evening two-hour peak period will be added to Table 4.10, with main roadway routes on the regional freight network clearly identified for reference. The analysis in Chapter 4 is a placeholder that describes performance of the RTP pool of investments submitted by ODOT, Trimet and local agencies, and represents more than twice the amount of funding forecasted to be available during the plan period. The analysis was used to narrow the pool of investments to create the proposed financially constrained system, equaling the amount of funding expected to be available. The RTP Investment Pool analysis and subsequent financially constrained system analysis will serve as the starting point for development of a more aspirational system of investments that meets state planning requirements during the state component of the RTP in 2008. The more detailed motor vehicle and transit travel time contour and corridor-by-corridor analysis will be incorporated into Chapter 4 during the state component of the RTP update.
22.	Goals and Objectives	Concerned with Potential Action 2.3.1., which places priority on investments that "implement the Congestion	Oregon Department of Transportation	11/2/07	Agree in part. Add the CMP Roadmap to the Appendix of the RTP for reference. The Congestion Management Process (CMP) is a

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CONSENT ITEMS FOR JPACT CONSIDERATION					
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		Management Process (CMP) by addressing a gap or deficiency. The CMP has not been formally reviewed by partner agencies and others through a public process.	(ODOT)		federally-required element that is implemented through the Regional Transportation Plan and Metropolitan Transportation Improvement Program. The purpose of the CMP is to measure system performance, identify causes of congestion, identify and evaluate different actions and implement the most cost-effective solutions. The CMP was formally adopted into the 2000 RTP, and is included in Section 7.6.3 of the draft 2035 RTP. In 2006, Metro submitted a CMP Roadmap to FHWA that has been accepted. The Roadmap describes Metro's current efforts to meet the CMP requirements, Metro's five-year vision, and the steps necessary to achieve the vision. The roadmap identifies the regional mobility corridors that are the the primary focus of the CMP roadmap. Chapter 3 in the October 15 draft includes congestion management objectives and potential actions consistent with federal SAFETEA-LU requirements and the Metro region CMP roadmap. System management strategies and investments are emphasized (Goal 4 and related actions) to manage congestion and improve safety (Goal 5 and related actions). Goal 1, 2 and 3 and related objectives and actions are part of the region's strategy for managing congestion. Goals 6 and 7 and related objectives are part of the region's strategy for considering the environmental and community impacts of transportation investments. Collectively, the new provisions will guide project selection for the RTP as part of this update, and will establish an ongoing monitoring and evaluation system for the CMP that will occur in coordination with periodic updates to the RTP and MTIP. Potential Action 2.3.1 is consistent with the CMP roadmap. Work will continue in the state component of the RTP update to develop the monitoring

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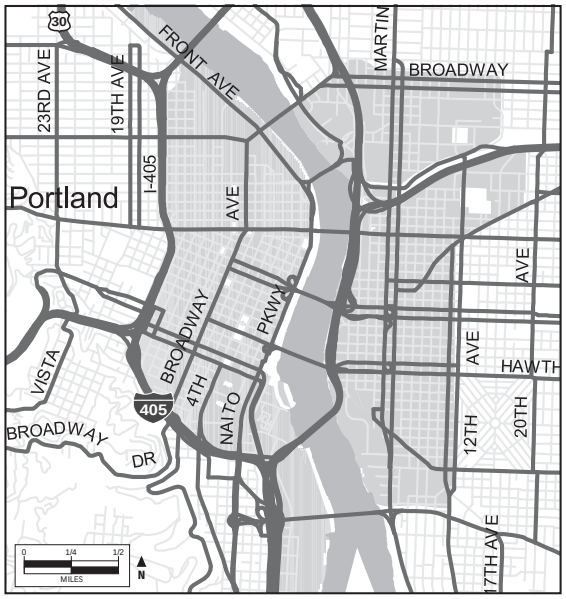
CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
					and evaluation framework for identified mobility corridors and other elements of the regional transportation system, as called for in Action 4.1.8.
23.	Policy analysis	Concerned no analysis of how the projects meet the RTP goals has been conducted.	Oregon Department of Transportation (ODOT)	11/2/07	No change recommended. Local agencies submitted a self-scoring evaluation for each community building project submitted, rating how well the project addressed each of the RTP goals. This evaluation will be included in the Appendix to the RTP for reference.
24.	Performance measures	Add Figures 1.13a-e, Areas of Special Concern as referenced in Table 1.2 of the 2004 RTP to Section 3.5 of the 2035 RTP.	Metro staff	11/2/07	Agree. In addition, add the following explanatory text: In areas of special concern, substitute performance measures identified in Chapter 7 will be used to make a determination of whether the transportation system is adequate to serve planned land uses. Areas with this designation are planned for mixed used development, but are also characterized by physical, environmental or other constraints that limit the range of acceptable transportation solutions for addressing a level-of-service need, but where alternative routes for regional through-traffic are provided. Figures 3.19a-e in this chapter defines areas where this designation applies. In these areas, substitute performance measures are allowed by OAR.660.012.0060 (1)(d). Provisions for determining the alternative performance measures are included in Section 7.7.7 of this plan. Adopted performance measures for these areas are detailed in Appendix 3.6. These designations are carried forward from the 2004 RTP. The state component of the RTP update will conduct additional analysis and may identify refinements to these designations, and new areas in the region to apply this designation.

* TPAC will take action on these recommendations on November 30, 2007.

Figure 3.19.a (formally Figure 1.14.a)

Portland Central City
Area of Special Concern



The Portland central city area east of the Willamette River and generally within the I-405 freeway ring has an extensive grid of well-connected arterial, collector and local streets. The Willamette River bridges are a key part of the transportation system, connecting the central city and adjacent neighborhoods to the region. The hilly topography has constrained much of the transportation system in the Northwest and Southwest portions of the central city. Despite these limitations, this area is expected to continue to be served by high-quality transit and be conducive to bicycle and pedestrian travel. Refer to Appendix 3.3 for detail on alternative performance measures identified for this area of special concern.

Figure 3.19.b (Formally Figure 1.14.b)

Gateway Regional Center
Area of Special Concern

Gateway regional center is defined as a major crossroads of transportation that is impacted by through traffic that is not destined for the regional center such and which presents barriers to local circulation where congested through-streets isolate some parts of the regional center. Refer to Appendix 3.3 for detail on alternative performance measures identified for this area of special concern.

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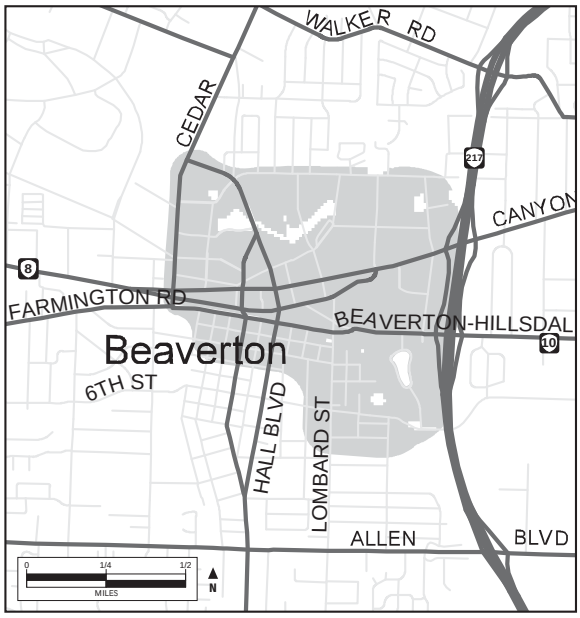
Figure 3.19.c (Formally Figure 1.14.c)

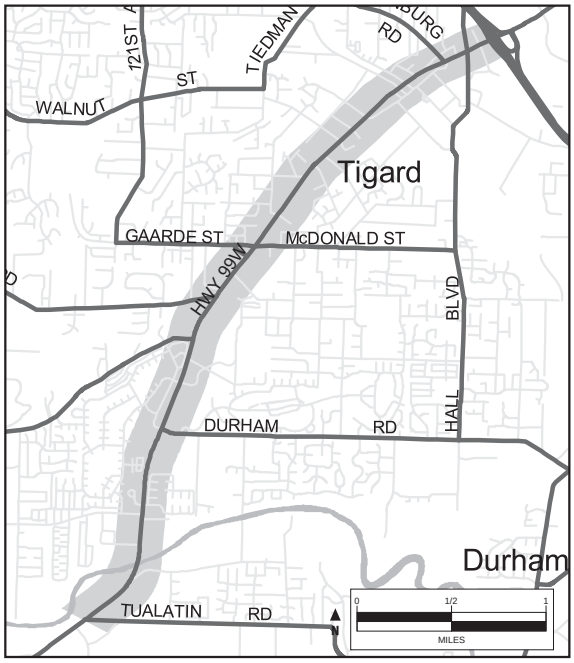
Beaverton Regional Center
Area of Special Concern



Beaverton has historically been defined as a crossroads of transportation, with both the advantages and limitations that heavy through traffic brings. While the level of access has helped make the Beaverton regional center a focus of commerce in Washington County, it also presents barriers to local circulation where congested through-streets isolate some parts of the area. Refer to Appendix 3.3 for detail on alternative performance measures identified for this area of special concern.

Figure 3.19.d (Formally Figure 1.14.d)

Highway 99W
Area of Special Concern



The Highway 99W corridor between Highway 217 and Tualatin Road is designated as a mixed-use corridor in the 2040 Growth Concept and connects the Tigard and Tualatin town centers. This corridor is also designated as an area of special concern due to existing development patterns and economic constraints that limit adding capacity to address heavy travel demand in this corridor. Local planning studies have found that approximately 50 percent of the traffic using this corridor is local. The Regional Transportation Plan establishes the proposed I-5 to 99W connector as the principal route connecting the Metro region to the 99W corridor outside of the region as an alternative to 99W. Refer to Chapter 7 for detail on refinement planning identified for this area of special concern.

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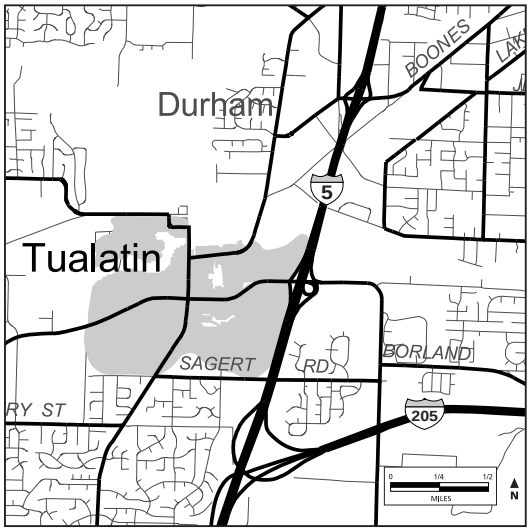
Figure 3.19.e (Formally Figure 1.14.e)

Tualatin Town Center
Area of Special Concern



Tualatin town center is adjacent to an important industrial area and employment center. New street connections and capacity improvements to streets parallel to 99W and I-5 help improve local circulation and maintain adequate access to the industrial and employment area in Tualatin. However, the analysis of travel demand on regional streets shows that several streets continue to exceed the LOS policy established in Table 3.X, including Hall Boulevard and Boones Ferry Road. Refer to Chapter 7 for detail on refinement planning identified for this area of special concern.

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
25.	Technical correction	Clarify that RTP vision recognizes that some capacity investments will be necessary.	Metro Staff	11/7/07	Agree. Recommend adding the following statement to Pg. 3-4 at the end of the first paragraph, "The RTP recognizes that new transit and road capacity are needed to achieve the Region 2040 vision and support the region's economic vitality." The March 1 draft policy included a bullet in the executive summary that was developed specific to this TPAC comment. This was inadvertently not carried forward in the October 15 draft plan as the policy framework was reorganized.
26.	Technical correction	Add the following language to page v of the Executive Summary and Chapter 3 (Pg. 3-4) at the end of the first paragraph. "In addition, the plan considers transportation and the economy as inextricably linked, and recognizes investments that serve certain land uses or transportation facilities may have a greater economic return on investment than others."	Metro Staff	11/7/07	Agree. Amend as requested. The March 1 draft policy included a bullet in the executive summary that was developed specific to this TPAC comment. This was inadvertently not carried forward as the policy framework was reorganized.
27.	Technical correction	Add the following language to the second bullet on page iii of the Executive Summary and Chapter 3 (Pg. 3-4) at the end of the first paragraph, "The plan also recognizes that focusing transportation investments and other strategies to support the gateway function of our transportation system is the primary way in which to strengthen that gateway role for the region and the rest of the state. This means ensuring reliable and efficient connections between intermodal facilities and destinations in, beyond, and through the region to promote the region's	Metro Staff	11/7/07	Agree. Amend as requested. The March 1 draft policy included a bullet in the executive summary that was developed specific to this TPAC comment. Elements of this bullet are also included now included in Chapter 2 (Page 2-18) under section 2.5 (first bullet) and objectives under Goal 2.

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		function as a gateway for trade and tourism."			
28.	Technical correction	Update Figure 3.17 on Pg. 3-43 to add a highway design designation on Tualatin Valley Highway between Hillsboro and the city of Cornelius.	City of Forest Grove	11/7/07	Agree. Amend as requested.
29.	Performance measures	Support general shift away from relying principally on level of service (LOS) to define transportation needs. Concern with LOS D being the trigger for capacity deficiencies during the mid-day period. LOS E is more appropriate and consistent with other mid-day period standards in Table 3.16.	City of Portland	11/7/07	No change recommended. A broader set of key performance measures that consider safety, reliability, and land use, economic and environmental effects, and refinements to Table 3.16 will be developed during the state component of the RTP update. This issue will be raised for consideration as part of that effort.
30.	Language clarification	Add "main streets" to the description of the 2040 Growth Concept on page 1-9.	City of Forest Grove	11/7/07	Agree. Amend as requested.
31.	Process	Clarify for the public record what elements of the RTP will be subject to refinement during the state component of the RTP update in 2008.	TPAC and MTAC ODOT	11/2/07 and 11/7/07 11/15/07	All elements of the federal component of the 2035 Regional Transportation Plan will be subject to refinement during the state component in 2008. This includes goals, objectives, performance measures, actions and other policies in Chapter 3, the system analysis in Chapter 4, investment priorities in Chapter 6 and implementation strategies in Chapter 7.
32.	Economic trends	Expand analysis in Chapter 2, Pg. 2-12 to describe the value of different goods shipped out of the Port of Portland.	Lenny Anderson, Swan Island TMA	11/5/07	Agree. Amend as requested with information from the Regional Freight Plan effort.
33.	Maintenance	Expand discussion in Chapter 2 related to Figure 2.8, pg. to describe recent maintenance of the Willamette River bridges. The information suggests that nothing has been done since the year of construction.	Lenny Anderson, Swan Island TMA	11/5/07	Agree. Amend as requested as follows, "Many bridges have all seen considerable investments in recent years. The Marquam was the first Portland bridge to undergo a seismic retrofit in 1995. The Hawthorne bridge is the oldest regional bridge in Portland. From 1998-99, the bridge went through a $21 million restoration, which included replacing the steel grated deck, removal of lead-based paint and repainting,

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
					widening the sidewalks were widened to enhance pedestrian and bicycle travel. In 2001, the sidewalks were connected to the Eastbank Esplanade. The Steel bridge is currently owned by Union Pacific with the upper deck leased to Oregon Department of Transportation, and subleased to TriMet, although the City of Portland is responsible for the approaches. Between 1984 and 1986 the Steel bridge underwent a $10 million rehabilitation including MAX construction. In 2001, a cantilevered walkway was installed on the southern side of the bridge's lower deck as part of the Eastbank Esplanade (there are also sidewalks on the upper deck). The average daily traffic in 2000 was 23,100 vehicles (including many TriMet bus lines), 200 MAX trains, 40 freight and Amtrak trains, and 500 bicycles.[1] In 1997, Multnomah County replaced the lift-span sidewalk and installed guardrails on the Broadway Bridge. Sidewalks and lighting were replaced on the Broadway Bridge in 2001. From 2003-2005 additional bridge rehabilitation work included the replacement of steel grating and some painting. In 2002, the Burnside bridge went through a seismic retrofit, making it the first bridge operated by Multnomah County to receive earthquake protection. The bridge is currently under construction in order to replace the deck. This project is scheduled to be complete in late 2007 Upon discovery of cracks in both concrete approaches in January 2004, the weight limit on the Sellwood bridge was lowered from 32 tons to 10 tons. This has caused the diversion of 94 daily TriMet bus trips over the bridge. At present there is study underway to determine whether the

[1] http://www.answers.com/topic/steel-bridge?cat=technology. Retrieved on 11/09/07.

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
					bridge should be repaired, rebuilt, closed altogether, or closed for automotive traffic (but left open for pedestrians and bicycles). A replacement is estimated at around $80 million. The Ross Island bridge underwent a $12.2 million renovation in 2000-2001. The bridge deck, sidewalk and lighting were replaced, the railings were upgraded, and the drainage system was improved During this renovation, lead paint was discovered and removed. From 2003 to 2006, ODOT completed a major rehabilitation of the St. John's bridge, including the replacement of the deck, repainting of the towers, water-proofing the main cables, replacing nearly half of the 210 vertical suspender cables, lighting upgrades, and improving access for bicycle and pedestrian travel. The region's first toll bridge, the Interstate Bridge (I-5/Columbia River Crossing) is actually made up of two side-by-side bridges. The northbound bridge was built in 1917 and the southbound bridge in 1958. Today, the Interstate Bridge carries 135,000 vehicles per day. Because congestion is so heavy in the morning and evening commute hours, bridge lifts for river traffic have been restricted during the weekday rush hour. Narrow lanes, short on-ramps, and a lack of safety shoulders on the bridge contribute to crashes. In addition, the existing bridge is at risk if a significant earthquake occurred in the region. A study is underway to determine how best to address current and future needs of this bridge. The estimated costs of bridge improvements range from $2 to $6 billion

[2] It cost travelers 5 cents to cross in 1917. In 1960, tolls of 20 cents for cars, 40 cents for light trucks, and 60 cents for heavy trucks and buses were collected until 1966 to pay off the construction bonds for the second bridge.

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
					to fund bridge, highway and transit improvements in the study area. The RTP does not include construction costs for identified improvements. The Columbia River Crossing project will seek federal, state and local funding. In addition, tolling will be studied as a method to help finance the project. Tolls paid for the construction of the existing I-5 bridges in 1917 and 1958.[2] A formal public comment period is expected in the spring of 2008 on the selection of the best alternative. The study's recommendations will be amended into the RTP as part of future updates to the plan.
34.	Bi-State coordination	Metro's RTP should be coordinated more with SW WA's RTC regional corridors visioning effort. Ironically, the most serious gap in the regional arterial network is across the Columbia River. The plans, visions, funding of the entire metro area need to be fused.	Lenny Anderson, Swan Island TMA Paul Edgar	11/5/07 10/31/07	Agree. This comment has been forwarded to the Bi-State committee for discussion and recommendation on how best to coordinate these efforts during the state component of the RTP update. See comments #94-97.
35.	Policy	Clarify what elements of RTP will be subject to refinement during state component of RTP update. Concern RTP goals, objectives and actions in Chapter 3 have not had full discussion needed to understand implications for local plans and projects. Therefore, lack of comments on Chapter 3 does not constitute acceptance of policies. Consider including 2004 RTP goals in 2035 RTP instead.	Washington County JPACT	11/7/07 11/8/07	The 2004 RTP policy chapter is not SAFETEA-LU compliant. The federal component of the RTP update will be approved by Metro Resolution, and as such does not constitute a land use action applicable to local plans. All chapters of the RTP will be subject to refinement during the state component of the RTP update, including Chapter 3, Chapter 4 system analysis, the financially constrained system of investments in Chapter 6 and implementation elements described in Chapter 7. An updated draft plan will be subject to a 45-day comment period in Fall 2008. Metro expects all agencies and interested parties to review and provide additional recommended refinements to Chapter 3 and other plan chapters during that comment period. The approval action in Fall 2008 will be by Ordinance and constitute a land use action that addresses requirements in the transportation planning rule and

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
					statewide planning goals.
36.	Technical analysis	Better distinguish between Chapter 4 analysis on RTP Investment Pool and the analysis to be summarized in Chapter 6 for the financially constrained system of investments. Clarify how these analyses will be used in the state component of the RTP update.	City of Beaverton	11/7/07	System analysis of the financially constrained system will be added to Chapter 6 after the federal component of the plan is approved. The analysis in Chapter 4 and Chapter 6 will inform development of additional scenarios analysis during the state component of the RTP update. The additional analysis will guide identification of a set of investments to meet state planning requirements. The Chapter 4 analysis will be updated accordingly to report on this set of investments. The analysis and investments in Chapter 4 will be used to determine adequacy with planned land uses, consistent with the transportation planning rule. Refinements may also be identified to the investments priorities in Chapter 6 during the state component of the RTP to respond to the additional analysis and performance measures that will be developed.
37.	Process	Include more elements of the Regional Freight and Goods Movement planning effort in the RTP	Westside Economic Alliance	11/8/07	Agree. More detailed background reports will become an appendix to the plan. In addition, performance measures and actions will be integrated into the plan during the state component of the RTP update.
38.	Federal compliance	Expand bullets on purpose of RTP on Page ii. in executive summary, to include the following language from CFR 23 450.322(b), "define short and long-term strategies to address current and future transportation needs"	FHWA	11/9/07	Agree. Amend as requested.
39.	Language clarification	Expand bullet on geopolitical instability on Page iii. in executive summary, to include the following language "Geopolitical instability, uncertain energy supplies and other trends will continue to drive up transportation costs…" and expand discussion in	Dick Scouten FTA	11/7/07 11/9/07	Agree. Amend as requested.

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		Chapter 2, Pg. 2-15.			
40.	Language clarification	Reinforce accessibility elements of the plan in executive summary.	FTA	11/9/07	Agree. Amend page iv., item #2 as follows, "**A systems approach that emphasizes completing gaps in the regional transportation network and protecting regional mobility ~~corridors to address safety and congestion deficiencies~~ to ensure a safe, accessible, reliable and seamless transportation system**. The plan views the transportation system as an integrated and interconnected whole that supports desired land use ~~and~~ as well as all modes of travel for people and goods movement. This approach relies on a broader, multi-modal definition of transportation need, recognizing that the region's ability to physically expand right-of-way to increase capacity is limited by fiscal, environmental and land use constraints. This approach responds in part to recent policy direction from the federal and state levels to better link system management with planning for the region's transportation system ~~and~~ as well as direction from the residents of the region to provide a balanced transportation system that expands transportation choices for everyone. Accessibility and reliability of the system, particularly for commuting and freight, is emphasized and will be evaluated and monitored through an integrated, multi-modal mobility corridor strategy. Improving access to and within 2040 Target Areas and completing gaps in pedestrian, bicycle and transit systems is also a critical part of this strategy."
41.	Technical analysis	Page 2-5, expand discussion of average commute time.	FHWA	11/9/07	Agree. Amend as follows, "However, the average commute time in the region grew by only 5 minutes between 1990 and 2000, increasing from 19 minutes to 25 minutes.[3] Nationally, the average commute time grew from 22 minutes to 26 minutes during this same period. By

[3] Source: U.S. Census Bureau, which stated one minute of the increase in travel time is due to a change in methodology.

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
					2006, Multnomah County residents had the shortest commutes in the region by a small margin. Clackamas County residents had the longest commutes in 2006, more than two minutes longer than Multnomah and Washington counties.
42.	Language clarification	Page 2-6, add legend or distinguish between two lines in Figure 2.2.	FHWA	11/9/07	Agree. Amend as requested.
43.	Federal compliance	Pages 2-10-2-11, expand discussion on congestion management process (CMP) to strengthen link between CMP and RTP, identify other strategies for addressing congestion in the region and add CMP Roadmap to Appendix.	FHWA and FTA	11/9/07	Agree. Amend as requested. On page 2-11, add the following language at the end of the first paragraph, "Work is underway in the region to develop a broader set of measures that consider safety, reliability, accessibility, and land use, economic and environmental effects. This work will result in refinements to existing performance measures described in Chapter 3 during the state component of the RTP update. The measures will be used to identify, among other things, deficient transportation facilities and services in the plan and diagnose the extent of congestion during the two-hour evening rush hour and mid-day off-peak period. The new set of measures will help the region develop strategies to address congestion in a more strategic manner given limited transportation funding and potential environmental and community impacts. Add new bullets on page 2-11 referencing additional congestion management strategies, as follows, • "Implementation of a high-occupancy vehicle (HOV) lane on one section of I-5 northbound. During the evening rush hour, when the HOV rule is in effect, drivers eligible to use that travel lane are able to travel significant faster (45 mph) than drivers traveling in the general purpose lanes (20-25 mph). The effects of this HOV lane are limited by bottlenecks at either end of the HOV lane section – most notably the Columbia River

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
					Crossing Bridge on the north end. • Public education efforts promoting trip-reduction, such as the Drive Less Save More Campaign. • Promotion of walking, bicycling and transit use. Many cities in the region are helping residents learn about available transportation choices, including the Travel Smart program in the City of Portland. • Safe Routes to School activities in the region. This federally-funded program provides safety education empowering students to walk or bike to school. Up to ___ percent of morning rush hour traffic are parents driving children to school. In addition, add the following descriptive language in Chapter 1, pg., as follows "**1.1.1 Federal Transportation Boundaries -** Federal law requires several metropolitan transportation planning boundaries be defined in the region for different purposes. These boundaries are shown in Figure 1.2. First, the Urbanized Area Boundary (UAB) is defined to delineate areas that are urban in nature distinct from those that are largely rural in nature. The Portland-Vancouver metropolitan region is somewhat unique in that it is a single urbanized area that is located in two states and is served by two MPOs. The federal UAB for the Oregon-portion of the Portland-Vancouver metropolitan region should not be confused with the Metro Urban Growth Boundary (UGB). Second, MPO's are required to establish a Metropolitan Planning Area (MPA) Boundary, which marks the geographic area to be covered by MPO transportation planning activities. At a minimum, the MPA boundary must include the urbanized area, areas expected to be urbanized within the next twenty years and areas within the Air Quality Maintenance Area Boundary (AQMA). The

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
					federally-designated AQMA boundary includes areas located within attainment areas that are required to be subject to air quality conformity analysis. Finally, because the region has a population of more than 200,000 the Portland-Vancouver metropolitan area is designated as a Transportation Management Area (TMA) by the federal government and must have a congestion management program, consistent with federal SAFETEA-LU regulations. Metropolitan transportation planning activities within these boundaries are documented in Metro's Unified Planning Work Program (UPWP).
44.	Federal compliance	Page 2-10, add map showing locations of identified bottlenecks.	FHWA ODOT	11/9/07 11/15/07	Agree. Amend as requested.
45.	Federal compliance	Page 2-11, expand safety discussion to identify how incidents and bottlenecks will be addressed in the plan.	FHWA	11/9/07	Agree. Amend as follows, "The RTP includes a number of investments and actions aimed at further improving safety in the region, including: • Investments targeted to address known safety deficiencies and high-crash locations • Completing gaps in regional bicycle and pedestrian systems. • Retrofits of existing streets in downtowns and along main streets to include on-street parking, street trees marked street crossings and other designs to slow traffic speeds to follow posted speed limits. • Intersection changes and ITS strategies, including signal timing. • Expanding safety education, awareness and multi-modal data collection efforts at all levels of government."
46.	Technical analysis	Page 2-13, expand discussion on safety to describe data needs to better analyze severity and economic	FHWA	11/9/07	Agree. Amend as follows, "Traffic safety affects the Metro region on multiple levels. Safety fears prevent many from choosing to walk or bike. Crashes cause personal tragedy,

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		impacts of crashes. Data is currently uneven, inaccessible and not comprehensively managed, thereby limiting evaluation and monitoring of the transportation system.			lost productivity, rising insurance costs, congestion and delay to the movement of people and goods. Increasing awareness of safety issues is a first step to improving safety in the region. Injuries and loss of life are just one method by which to gauge the impact of crashes. Economic measures provide an added perspective. According to National Safety Council figures, each vehicle fatality corresponds to $5.2 million in economic costs, which includes medical costs, lost wages, lost productivity, property damage and administrative costs.[4] Speeding has also been estimated to be a contributing factor in approximately 1/3 of all fatal crashes, representing a cost of more than $40 billion nationwide. Speeding is a complex safety problem that involves numerous factors like public attitudes, driver behavior, vehicle performance, roadway design, posted speed and enforcement strategies. Federal research shows speed-related fatality rates are highest on local and collector streets. Figure 2.7 shows crash data for 2005 by road type in the Metro region." The best, most comprehensive source of crash data is collected and maintained by ODOT's Crash Analysis Unit. The data is distributed to local governments to conduct safety analysis. ODOT is currently working to improve the usability of this data. A better system for centralized crash data for all modes of travel is needed.
47.	Federal compliance	Objective 5.1 Operational Safety and relation actions should be broadened to include public safety elements and recognize the need to include safety in	FHWA	11/9/07	Agree. Amend objective 5.1 as follows "Operational and Public Safety." Amend Action 5.1.3 as follows, "Promote safety in the planning, design, construction, ~~and~~ operation and maintenance of the transportation system." Add new

[4] Page 50. Cascadia Scorecard 2006: Seven Key Trends Shaping the Northwest, Sightline Institute (2006).

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		planning activities and for more comprehensive and useable data to improve evaluation and monitoring of safety in the region.			action 5.1.7 as follows, "Work with ODOT to improve collection, integration and comprehensibility of multi-modal safety data and to support analysis, effective response to safety issues and identification of projects and management strategies." Add new action 5.1.8 as follows, "Establish performance measures and benchmarks for evaluating and monitoring safety in the region."
48.	Federal compliance	Page 2-15, expand discussion on security and emergency management to more clearly distinguish between natural and human-caused disasters and how the region will address them.	FHWA	11/9/07	Agree. Amend as follows, The terrorist event of September 11, 2001 and Hurricane Katrina in 2005 provide good illustrations of the challenges facing metropolitan areas in preparing for and responding to unexpected security incidents or natural disasters. Terrorist attacks are sudden and without notice. Natural disasters such as the Mt. St. Helens volcanic eruption, Hurricane Katrina or earthquakes often, but not always, have some early warning. One lesson from past events is paramount—*effective coordination and communication among the many different operating agencies in a region and across the nation is absolutely essential*.[5] Such coordination is needed to allow enforcement/security/safety responses to occur in an expeditious manner, while at the same time still permitting the transportation system to handle the possibly overwhelming public response to the security incident or natural disaster. Complementary to this is the need to make sure the public has clear and concise information about the situation and what actions they should take. Most studies of sudden disruptions to the transportation network, either from natural or human-made causes, have concluded that the redundancies in a metropolitan area's transportation system provides a

[5] The Role of the Metropolitan Planning Organization (MPO) In Preparing for Security Incidents and Transportation System Response, Michael D. Meyer, Ph.D., P.E. Georgia Institute of Technology. Accessed November 10, 2007 at http://www.planning.dot.gov/Documents/Securitypaper.htm.

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
					rerouting capability that allows the flow of people and vehicles around disrupted network links. The RTP calls for placing a priority on investments that increase system monitoring for operations, management and security of the regional mobility corridor system. These types of investments would enhance existing coordination and communication efforts in the region, and recognize these facilities would serve as the primary transportation network in the event of an evacuation of the region. The plan also directs Metro to work with local, state and regional agencies to identify critical infrastructure in the region, assess security vulnerabilities and develop coordinated emergency response and evacuation plans. In addition, transportation providers are directed to monitor the regional transportation and minimize security risks at airports, transit facilities, marine terminals and other critical infrastructure. Future RTP updates will consider expanding Metro's role, as the MPO, to increase existing coordination and planning efforts in the region and funding of initiatives to address these issues."
49.	Technical analysis	Page 2-15, expand discussion to more clearly highlight potential impacts of global climate change as described in the "Key Environmental Issues" background report.	FTA Jan Secunda Mary Kyle McCurdy, 1000 Friends of Oregon	11/9/07 11/15/07 11/15/07	Agree. Amend the second paragraph in Section 2.3.8.5 to include the following language, "Transportation activities are one of the largest sources of greenhouse gas emissions. Currently, transportation accounts for an estimated 38 percent of the state's carbon dioxide emissions… While there are no State or Federal standards, it is possible to monitor the amounts of air toxics such as benzene and greenhouse gases. In 2007, the Oregon Legislature passed HB 3543, which commits the state to reduce greenhouse gas emissions to 10% below 1990 levels by 2020 and 75% below 1990 levels by 2050. Metro will begin monitoring these emissions as part of RTP updates to establish what trends there may be

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
					from transportation-based sources. Many challenges to the transportation system may arise from climate change and more research is needed to better understand the long-term affects. Warmer temperatures could affect the service life of transportation infrastructure. The predicted severe weather may increase the frequency of landslides and flooding. These types of events could result in damaged roads and rail infrastructure. Climate change could also affect system operations in the areas of safety, mobility and economic competitiveness.
50.	Policy actions	Page 3-9, Objective 2.3 – clarify how the plan addresses congestion in mobility corridors, recognizing new highway capacity is appropriate in some, but not all situations because of fiscal limitations or environmental and community impacts.	FHWA/FTA	11/9/07	Agree. Amend Action 2.3.3 to add reference to CMP process in Chapter 7, Section 7.6.3 as follows, "2.3.3 Consider a full range of options for meeting this objective…as well as small and larger-scale multi-modal capacity investments, consistent with Section 7.6.3. In addition, see recommendation for comment #22.
51.	Process	Highlight regional goods and freight movement planning effort and engagement of freight and business stakeholders in the process.	FHWA	11/9/07	Agree. Amend as requested by adding additional language on pg. 1-12.
52.	Process	Pg. 2-13, Section 2.3.8.1, describe next steps in freight planning effort to develop measures that will improve analysis tools to guide identification of freight-related investment priorities. Pg. 3-10, add action to improve data collection efforts and develop measures for freight and goods movement in the region.	FHWA	11/9/07	Agree. Amend as requested with the following new language, "Work is underway to begin development of a broad range of performance measures to be used to guide the evaluation and prioritization of investments in the RTP. Development of freight-related measures will be part of that effort." In addition, add new action as follows, "2.4.8 Improve freight-related data collection and develop measures that address the economic value of freight and goods movement."
53.	Federal compliance	Include more detailed Environmental Considerations analysis required under	FHWA	11/9/07	Agree. Include background reports on "Key Environmental Issues," "Environmental Justice in Metro's Transportation

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		SAFETEA-LU in appendix.			Planning Process" and memorandum on Environmental Considerations in the appendix. In addition, environmental analysis of the financially constrained system of projects (once approved) will be added to Chapter 6 of the plan.
54.	Federal compliance	Expand the discussion in Chapter 5, section 5.4 of the costs and revenues for Operation and Maintenance of the region's transportation system to more clearly describe how maintenance of the system will be achieved.	FHWA	11/9/07	Agree. Amend as requested.
55.	Federal compliance	Show RTP project costs and revenues in year of expenditure per CFR 450.322(f)(10)	FHWA	11/9/07	Agree. Amend as requested. This information will be included in the Appendix.
56.	Federal compliance	Increase use of visualization techniques throughout document to improve readability, including maps of congested corridors and key bottlenecks.	FHWA	11/9/07	Agree. Amend as requested. Additional maps and graphics will be added to more clearly illustrate data and other elements of the plan.
57.	Federal compliance	Add access management and value pricing to list of activities in Action 4.1.7 and expand discussion under Section 3.4.4 on transportation system management and operations to include access management.	FHWA ODOT	11/9/07 11/15/07	Agree. Amend Action 4.1.7 as follows, "Manage the existing transportation system to protect throughway, street and transit capacity, optimize operating efficiency, enhance safety and manage congestion through the application of Intelligent Transportation Systems (ITS), incident response, <u>access management, value pricing,</u> high-occupancy vehicle lanes, and other system management and demand management strategies. In addition, add description of access management on Pg. 3-49 as follows, "<u>Access management – These are physical and operational controls that regulate access to streets, and throughways from public streets and private driveways in the interest of protecting regional mobility. These measures include restrictions on the location of interchanges, restrictions on the type and amount of driveway and intersection access to streets and use of</u>

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
					physical controls, such as signals and raised medians, to preserve the function and integrity of the main facility."
58.	Project	Revise description for project #10088, as follows, "Lower Boones Ferry Road – ~~(I-5)~~ Madrona Street to ~~Portland~~ Kruse Way – ~~Improve bike/ped connections within this corridor~~ Widen to include bike lanes and turn lanes.	City of Lake Owego	10/24/07	Agree. Amend as requested.
59.	Project	A safer bicycle connection to Sauvie Island is needed. Consider a bridge at Delta Park or a multi-use trail along Highway 30.	Sidney Smith	11/1/07	No change recommended. This comment will be considered further during the state component of the RTP update.
60.	Projects	Reformat Table 6.1 to show hidden data/project information.	Margaret Middleton, city of Beaverton Jim Galloway, City of Troutdale ODOT	10/30/07 11/8/07 11/15/07	Agree. Project list display will be reformatted to improve display to show all text within each cell.
61.	Goals	The goals should be prioritized as follows, (1) Deliver Accountability, (2) Enhance Human Health, (3) Ensure Sustainability, (4) Enhance Safety and Security, (5) Promote Environmental Stewardship, (6) Ensure Effective Management of the Transportation System. Other goals will be addressed if the above goals are properly addressed.	Will Woodhull	11/3/07	No change recommended. The goals themselves are not listed in order of priority. The RTP balances across all of the goals. Priorities for investments are identified for each objective. The state component of the RTP update will develop a broad range of performance measures to be used to guide the prioritization of investments in the RTP. See also comment #2 in attachment 1 (Items for JPACT Discussion).
62.	Climate change	Page 1-5, add reference to U.S. Supreme Court ruling on CO2 emissions.	Metro staff	11/12/07	Agree. Amend as follows, "In April 2007, the U.S. Supreme Court ruled that the Environmental Protection Agency violated the Clean Air Act by improperly declining to regulate motor vehicle emissions standards to control

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
					the pollutants, such as CO2, that scientists say contribute to global warming. The ruling could also lend important authority to efforts by the states either to force the federal government to reduce greenhouse gas emissions or to be allowed to do it themselves. California and 10 other states had already enacted some regulations to require reductions in CO2 emissions prior to the ruling. In 2007, the Oregon Legislature passed HB 3543, which calls for reduction of greenhouse gas emissions to 10% below 1990 levels by 2020 and 75% below 1990 levels by 2050."
63.	Technical analysis	Page 2-5, add new section describing non-work trips in the region to complement "commuting" section and expand commuting section to disaggregate mode share and share of residents commuting to another county for work by County.	Metro staff	11/12/07	Agree. Amend as requested.
64.	Policy	Add the word "healthy" to Goal 1 as follows, "…that fosters vibrant, healthy communities…"l	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.
65.	Policy	Substitute "human health" with the word "public" in Goal 5 as follows, ""Multi-modal transportation infrastructure and services are safe and secure for the ~~public~~ human health and goods movement."	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	No change recommended. Human health is well-integrated into other RTP goals and objectives.
66.	Policy	Revise Goal 8 to more specifically reference population demographics and geography, as follows, "Regional transportation planning and investment	Noelle Dobson, Community Health Partnership	11/12/07	Agree. Amend as requested.

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		decisions ensure the benefits and impacts of investments are equitably distributed among population demographics and geography."	Coalition for a Livable Future	11/15/07	
67.	Actions	Add new action to Goal 3 as follows, "3.1.13 Coordinate with regional trail planners to encourage role of trails as part of the transportation network."	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.
68.	Actions	Page 3-11, amend Action 3.2.1, as follows "Place a priority on investments that remove barriers that prevent access to the transportation system for underserved populations. AORTA suggested language, "…that prevent access to all modes of the transportation system."	Noelle Dobson, Community Health Partnership Coalition for a Livable Future and AORTA	11/12/07 11/15/07	Agree. Amend as requested.
69.	Actions	Page 3-11, add new action to Objective 3.2. as follows, "Coordinate transportation and land uses to reduce barriers to non-motorized travel by reducing travel lengths from residential to worksites, schools, food and services."	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.
70.	Actions	Page 3-15, add new action to Objective 5.1 as follows, "Promote transportation infrastructure that supports safe and secure walking and bicycling routes for people of all ages and abilities."	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
71.	Actions	Page 3-17, amend Action 7.1.1 as follows, "Place a priority on investments that increase opportunities for ~~physical activity~~ active forms of transportation including walking, biking and transit."	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.
72.	Actions	Page 3-17, add new actions as follows, "7.1.6 Coordinate with public health professionals to conduct health impact assessments to judge potential impact of transportation infrastructure on human health. 7.1.7 Coordinate with regional trail planners to encourage role of trails as part of the transportation network. 7.1.8 Coordinate with transit providers to provide safe walking routes to transit stops."	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.
73.	Actions	Page 3-17, amend Action 7.1.2 as follows, "Locate housing, jobs, schools, parks and other destinations within ¼ mile walking distance or 1 mile bicycling distance of each other when possible."	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.
74.	Actions	Page 3-18, amend Objective 8.1 as follows, "Objective 8.1 Environmental Justice – Ensure benefits and impacts of investments are equitably distributed by population demographics and geography."	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
75.	Actions	Page 3-18, amend Action 8.2.1 as follows, "Place a priority on investments that remove barriers to benefit special access needs <u>for people of all ages and abilities</u>."	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.
76.	Language clarification	Page 7-49, first paragraph, revise as follows, "…investments lead to a safe, efficient and reliable transportation system or meet other RTP goals for land use, the economy, <u>human health</u> and the environment."	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.
77.	Measures	Page 7-49, Goal 1 add the following potential performance measures, "<u>Mode split to determine walking, biking and transit ridership rates.</u>"	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.
78.	Measures	Page 7-52, Goal 5, add <u>overall vehicle miles traveled</u> to list of potential measures.	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.
79.	Measures	Page 7-52, Goal 7, amend first bullet as follows, "Number of ~~non-automotive~~ <u>walking, biking and transit</u> trips per capita per day." And add two new potential measures as follows, "<u>Length of walking and biking trips.</u>" and "<u>Minutes of daily active transportation</u>	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		(walking and biking)."			
80.	Measures	Page 7-52, delete daily VMT and BTU's consumed per capita as these measures do not tell you anything about human health.	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.
81.	Technical analysis	Page 2-2, Section 2.1, first paragraph, add the following language, "Trends also indicate that higher numbers of low-income, culturally diverse populations are moving to areas with higher numbers of transportation system gaps and barriers. This highlights the need for regional transportation planning to strive for equitable distribution of transportation resources by both population and geographic distribution."	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.
82.	Technical analysis	Page 2-3, third paragraph, add the following language, "Regional research indicates that the areas with highest percentage of in-migration by low-income, culturally diverse populations are less served by transit, bicycle, and pedestrian facilities than higher income areas. [6]These factors highlight the need to address transportation equity	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.

[6] Regional Equity Atlas (2007). Coalition for a Livable Future in partnership with Portland State University.

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		for populations at all income levels and communities outside the central city."			
83.	Technical analysis	Page 2-3, fourth paragraph, amend last sentence as follows, "An aging population requires transportation facilities designed to equitably serve people with a range of physical abilities."	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.
84.	Technical analysis	Page 2-5, Section 2.3, first sentence, amend as follows, "Travel behavior—mode choice, commuting patterns, trip length and frequency—is influenced by demographics, land use, transportation costs, transportation access, health factors, the economy, employment locations and job types as well as social and environmental values."	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.
85.	Technical analysis	Page 2-6, Section 2.3.2, second paragraph, add the following sentence at the end, "Increases in ridership is due in part to improved bicycle infrastructure, as well as increasing recognition of the health benefits of bicycling."	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.
86.	Technical analysis	Page 2-7, Section 2.3.3, first paragraph, add the following sentence at the end, "Pedestrian activity is also influenced by increasing knowledge that walking produces significant health benefits. Therefore it is critical that our transportation system supports	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		and encourages pedestrian behavior."			
87.	Technical analysis	Page 2-13, section 2.3.8.2, first paragraph, revise as follows, "In addition, transportation systems impact chronic diseases such as asthma that are related to air quality and vehicle emissions. While the Portland region has long embraced such policies, based on land use and transportation benefits, the introduction of health ~~benefits~~ goals and objectives in transportation planning is a new realm for the region."	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.
88.	Technical analysis	Page 2-13, section 2.3.8.2, third paragraph, revise as follows, "…and the grant-funded "Active Living by Design" program administered by ~~Portland State University~~ Community Health Partnership: Oregon's Public Health Institute. ~~The~~ Active Living by Design is a multi-disciplinary approach to promoting community health. The program works with both neighborhood projects and policy initiatives ~~selects specific neighborhoods for concerted efforts~~ to promote healthy eating and physical activity in daily living. Metro incorporated active living and improved air quality as ~~a~~ goals for this RTP update, and expects to expand the region's analytical capability to allow	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		for transportation investment…"			
89.	Technical analysis	Page 2-19, first bullet, revise as follows, "Considering the regional transportation system's impact on human health could help prevent ~~lung illness and~~ chronic disease such as obesity, heart disease, diabetes and asthma that are linked to a lack of physical activity and poor air quality."	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.
90.	Technical analysis	Page 2-19, third bullet, revise as follows, "Transportation investments help shape a community's design and sense of place, which are shown to impact levels of social cohesion and individual well being."	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.
91.	Glossary	Add the following public health related terms and definitions to the glossary: **Active Living** - Lifestyles characterized by incorporating physical activity into daily routines through activities such as walking or biking for transportation, exercise or pleasure. To achieve health benefits, the goal is to accumulate at least 30 minutes of activity each day. **Active transportation** - Non-motorized forms of transportation	Noelle Dobson, Community Health Partnership Coalition for a Livable Future	11/12/07 11/15/07	Agree. Amend as requested.

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		including walking and biking. **Health Impact Assessment** - A combination of procedures, methods, and tools by which a policy, program or project may be judged as to its potential effects on the health of a population, and the distribution of these effects within the population. **Chronic disease** - An illness that is prolonged, does not resolve spontaneously and is rarely cured completely. Chronic diseases such as heart disease, cancer and diabetes account for seven of every 10 deaths in America. Although chronic diseases are among the most common and costly problems, they are also among the most preventable. Adopting healthy behaviors such as eating nutritious foods, being physically active and avoiding tobacco use can prevent or control the these diseases. **Health** - A condition of complete physical, mental and emotional well-being, not merely the absence of disease. **Walkable Neighborhood** - A place where people live within walking distance to most places they want to visit, whether it is school, work, a			

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		grocery store, a park, church, etc.			
92.	Policy and funding	Given an expected $7 billion gap in available funding sources, proposed improvements to all transportation modes would suffer. New sources of funding are needed. Absent additional financial sources, however, NAIOP would anticipate that funding priorities may need to shift from broader RTP goals to the more basic, motor vehicle capacity improvement needs on freeways and roads during the state component of the RTP update.	National Association of Industrial and Office Properties (NAIOP)	11/13/07	No change recommended. The state component of the RTP update will further address this comment. The RTP balances across all of the goals. Priorities for investments are identified for each objective. The state component of the RTP update will develop a broad range of performance measures to be used to guide the prioritization of investments in the RTP. See also comment #2 in attachment 1 (Items for JPACT Discussion). In addition, a significant focus of the state component will be on development of a short and long-term funding strategy for the region to fund needed investments adequate to serve planned land uses. The funding discussion will also focus on defining funding responsibility for different parts of the transportation system. Finally, all elements of the federal component of the 2035 Regional Transportation Plan will be subject to refinement during the state component in 2008. This includes goals, objectives, performance measures, actions and other policies in Chapter 3, the system analysis in Chapter 4, investment priorities in Chapter 6 and implementation strategies in Chapter 7.
93.	Projects and UGB planning	The transportation system in Washington County is not adequate for current and future residents. In addition, planning for the south Hillsboro area is questionable given limited transportation infrastructure in this area. Since the Western Bypass was dropped in the 1990's nothing has replaced its function. It is essential that a limited-access multi-modal transportation corridor be included in	Steve Larrance	11/14/07	No change recommended. Appendix 3.2 identifies recommendations from the Western Bypass Study and projects to address those recommendations. The RTP update will not revisit this policy decision. In addition, the I-5/99W connector, a new limited-access facility in southwest Washington County is being studied to identify additional local and regional connections to serve current and future travel needs in this part of the region. The state component of the RTP update will conduct additional analysis of the performance of the transportation system in

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		planning for the future as the area will continue to urbanize based on recent UGB expansions in the south Hillsboro area and others that might occur in future UGB decisions.			this part of the region. Areas 69 and 71 were included in the UGB in 2002. As part of the concept planning effort for these two areas, the city is looking at a larger area in order to recommend long-term boundaries for future UGB expansions or the designation of urban reserves, consistent with the conditions of Metro Ordinance 02-969B, which brought areas 69 & 71 into the UGB. Only areas 69 and 71 (approximately 340 acres) will be allowed to urbanize in the near future. The remaining land within the South Hillsboro planning effort will be evaluated for designation as an urban or rural reserve, as part of a region-wide collaborative effort by Metro, Washington, Clackamas and Multnomah counties in the next two years. The South Hillsboro Community Plan will provide information that can be used in this reserve analysis. The region-wide reserves analysis, which will look at where is the most efficient, cost-effective and appropriate (in terms of community vision) location to grow, will include the alternative analysis requirement that is required for UGB amendments. A very integral part of this analysis will be the ability to fund required infrastructure, including on and off-site transportation improvements. The same can be said for the planning efforts that recently occurred in Bethany and will occur in the Bull Mountain area in the near future. Portions of these areas were included in the UGB in 2002 and the planning processes for these areas also look at recommend long-term boundaries for future UGB expansions or the designation of urban reserves.

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
94.	Language Clarification	Add language to Chapter 1, Pg. 1-3 to recognize the important role of the Bi-State Coordination Committee in Metro's transportation planning process.	Bi-State Coordination Committee	11/15/07	Agree. Amend as follows, "In addition, the Bi-State Coordination Committee advises RTC, and JPACT/Metro on issues of bi-state significance. On issues of bi-state land use and economic significance the Committee advises the local and regional governments appropriate to the issue. Since formation in 1999, the committee has reviewed Federal transportation funding reauthorization, Columbia River Channel deepening and projects and studies focused on the I-5 Corridor. Restructuring in 2004, expanded this role to include examining the connection between land use and transportation in the I-5 corridor and taking a multi-modal approach – including freight and transit – in considering the impacts of land use and transportation decisions within the context of economic development and environmental justice issues. JPACT and the RTC Board cannot take action on an issue of major bi-state transportation significance without first referring the issue to the Bi-State Coordination Committee for their consideration and recommendation."
95.	Language Clarification	Update refinement planning description for Interstate-5 North (I-84 to Clark County) Major Corridor Refinement to reflect the decisions made to date on the Columbia River Crossing project (see page 7-33 of 2035 RTP) and explicitly call out coordination with the Bi-State Coordination Committee	Bi-State Coordination Committee	11/15/07	Agree. Amend as requested.
96.	Language Clarification	Update the refinement planning description for the Interstate 205 Major Corridor Refinement (see Page 7-35 of 2035 RTP) to explicitly call out coordination with the Bi-State Coordination Committee.	Bi-State Coordination Committee	11/15/07	Agree. Amend as requested.

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
97.	Language Clarification	Explicitly encourage bi-state coordination of planning efforts listed in 7.8.8 – 7.8.11 to help ensure smooth organization of these systems or plans as they influence the bi-state area	Bi-State Coordination Committee	11/15/07	Agree. Amend as requested.
98.	Objectives	Incorporate state greenhouse gas reductions into RTP goals and reflect the targets in the RTP performance measures.	Mary Kyle McCurdy, 1000 Friends of Oregon, Sister Jan Secunda, Jim Edelson and Coalition for A Livable Future	11/15/07	Agree. Objective 6.2 already calls for reducing greenhouse gas emissions and measures identified in Table 7.2 under goal 6 includes "tons per year of greenhouse gas emissions." Targets will be established during the state component of the RTP update. In the interim add the specific target language as a new action as follows, "Action 6.2.6 Adopt targets to reduce greenhouse gas emissions to 10 percent below 1990 levels by 2020 and 75 percent below 1990 levels by 2050."
99.	Actions	Include an action in RTP to model RTP projects to consider their effect on greenhouse gas emissions and actions to adopt offsetting land use actions and investments in transit and other modes that contribute to reducing greenhouse gas emissions.	Mary Kyle McCurdy, 1000 Friends of Oregon and Jim Edelson	11/15/07	Agree. Amend as requested. Action 6.2.5 already calls for monitoring air quality and greenhouse gas emissions at a system level. This analysis will not be conducted on a project by project basis. Add new action as follows, "Action 6.2.7 Adopt offsetting land use actions and investments in transit and other modes that contribute to meeting greenhouse gas emissions targets."
100.	Technical analysis	Add description to Section 7.1.2 of reflect potential action 6.2.5, which calls for monitoring air quality, greenhouse gas emissions and air toxics within the regional airshed.	Department of Environmental Quality (DEQ)	11/15/07	Agree. Amend as follows, "While there are no State or Federal standards, it is possible to monitor the amounts of air toxics such as benzene and greenhouse gases. Metro will begin monitoring these emissions as part of RTP updates to establish what trends there may be from transportation-based sources."
101.	Measures and Process	Include greenhouse gas emissions in the RTP performance measures that are developed during the state component and add a description of the process that will be used to select and monitor the measures over time.	Department of Environmental Quality (DEQ) and Coalition for A Livable Future	11/15/07	Agree. Air toxics and greenhouse gas emissions are already listed in the potential measures under Goals 6 and 7 on page 7-52. Expand the discussion on page 7-49 as follows, "A RTP Performance Measures Work Group will lead this effort. Table 7.2 provides a list of potential measures…as they related to…RTP goals in Chapter 3. A

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
					broader set of measures that consider safety, reliability, and land use, economic and environmental effects (such as greenhouse gas emissions) will be developed. The measures will serve as the basis for meeting state and federal requirements, evaluating system performance, prioritizing investments and monitoring plan implementation. Recommendations from the work group will be brought forward for discussion and approval by JPACT, MPAC and the Metro Council. While level-of-service…should be considered as part of a more diverse set of measures, it should be evaluated in a more comprehensive fashion to ensure…solutions…represent the best possible approaches to serving the region's current and future travel demand, and land use, economic and environmental objectives as envisioned in the 2040 Growth Concept.
102.	Refinement planning	Move the Interstate-84 to US 26 Connector from the category of Type II-Minor Corridor Refinements, to Type I-Major Corridor Refinements and update the description to reflect intent of the Memorandum of Understanding (MOU) approved by the cities in May 2007, as follows, **"Interstate-84 to US 26 Connector** The long-term need to develop a highway link between I-84 and Highway 26 exists, and has become increasingly critical since the time of the 2004 RTP. The addition of Springwater and Damascus within the UGB has heightened the need for the link. Also, the mayors of the four east Multnomah County cities—Gresham,	City of Gresham City of Troutdale City of Fairview City of Wood Village	11/15/07	Agree. Amend as requested because the refinement plan scope meets the definition of a Type I refinement plan (see page 7-32) - the mode and general location of needed transportation improvements are not determined, and a range actions must be considered prior to identifying specific projects.

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		Troutdale, Wood Village and Fairview, entered a MOU that identifies North/South transportation improvements as their shared top transportation priority. Further, the initial round of modeling for the current RTP, which include the "200% list" of projects, shows that even implementation of the 200% list of proposed arterial improvements to Hogan Road would be inadequate to meet projected demand through 2020~~2~~35. The modeling shows that Hogan will fail even with these arterial improvements. Since only projects on the financially constrained list, or "100%" list, are likely to be carried forward, the modeling actually underestimates the extent of the system failure. An Interstate-84 to US 26 Corridor Study is necessary to identify a preferred alternative to serve statewide, regional, and local freight mobility and should include an analysis of 181st Avenue, Fairview Parkway, 242nd Avenue, and 257th Avenue. An improved north/south corridor will also benefit transit-oriented development along the MAX light rail corridor, as it would move freight traffic from its current route along Burnside, where it conflicts with development of the			

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		Rockwood town center and adjacent communities. In addition to planned improvements to the Hogan Road corridor and the analysis of alternative routes, a corridor study should address: • More aggressive access management between Stark Street and Powell Boulevard on 181st, 207th, and 257th avenues • Redesigned intersections improvements on Hogan at Stark, Burnside, Division and Powell to streamline through flow • The need for a long-term primary freight route in the corridor • High capacity transit, including the potential to link Mount Hood Community College to the light rail system."			
103.	Language clarification	Concern Regional Streets and Throughways map (Figure 3.6) and Regional Mobility Corridor map (Figure 3.7) show 242nd Avenue corridor as the general location for the I-84 to US 26 connection. The general location has not been agreed to per comment #101.	City of Troutdale City of Fairview City of Wood Village	11/15/07	Agree. Amend maps to add a text note as follows, "The designation of the I-84 to US 26 connection along 242nd Avenue is an interim designation. The I-84 to US 26 Corridor refinement plan will identify the principal arterial designation in this area."
104.	Refinement planning	The RTP should be explicit about who should lead the North/South Corridor Study and recommend that Metro may be more appropriate because while the study will address a "connection" between two state facilities, the connection may also be made via local	City of Gresham	11/15/07	Update Appendix 3.1 to include Exhibit A (updated work program for corridor refinement planning) to Resolution No. 05-3616A, approved by JPACT and the Metro Council in October 2005. The resolution designated Metro as the designated led for this study. In addition, the 2007-08 UPWP calls out beginning the high capacity transit study in Spring 2007 and next priority corridor planning effort

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		arterial facilities and should include a transit element. In addition, the RTP should state the relative responsibilities of Metro and/or ODOT for the study, including funding and timing			after completion of the RTP update. The I-84/US 26 Connector corridor and the Outer southwest Area corridor are the "likely" candidates for this effort per page 55 of the 2007-08 UPWP. Section 7.7.4 of the RTP states the corridor refinement planning work program will be monitored and updated as part of the Unified Planning Work Program (UPWP). Funding for corridor refinement planning is through Metro's federal MPO planning funds and MTIP program in partnership with other state and local funding sources as appropriate, and does not need to be included on the financially constrained list of projects. This study is listed as one of five studies to be completed in the 2006-2010 time period. Work is underway to develop a regional high capacity transit system plan. Section 7.7.5, Page 7-32 calls out that Type 1 refinement plans will be conducted by state or regional agencies in partnership with local governments. Future amendments to the UPWP will more specifically define lead roles and responsibilities, consistent with Resolution No. 05-3616A. Finally, the state component of the RTP will develop additional analysis and findings for these corridors as well as a phasing strategy for completing refinement plans that remain unresolved at the time of the adoption of the state component of the 2035 RTP. This may result in refinements to Appendix 3.1 as well as the UPWP.
105.	Moved to Exhibit "B", Discussion Item #6.				

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
106.	Language clarification	The Draft RTP states that financial planning is required for federal compliance—and deletes the reference to policies. Compare 2004 RTP page v, Introduction, 2004 RTP, to Draft 2035 RTP, page 1-3.	City of Gresham	11/15/07	No change recommended. Policies in Chapter 3 are also for federal compliance as described in the second sentence under Section 1.2 on page 1-3, in addition to the financial planning included in Chapter 5. This relationship is also discussed in Section 7.1, page 7-3 in the paragraph prior to Table 7.1
107.	Policy	Current regional bicycle policies do not respond to trends in bicycling planning. Traffic speeds and volumes are the primary concern of current bicyclists and a barrier for 75% of the population who are potential cyclists. The state component of the RTP update should conduct additional analysis to refine current regional bicycle policies to classify the regional bicycle system in two ways: • *Intra-regional routes* that would be a backbone system (similar to an urban freeway) comprised mostly of off-street trails and bike lanes on regional boulevards and streets. These routes would also be the inter-center routes, connecting one center to the next. • *Intra-center routes* that target specific centers and create a three-mile bicycle travelshed within which a more complex set of routes would serve the center. These routes are imperative to increasing total bicycle mode share, therefore reducing total auto demand on the regional roadway system, and should be eligible for regional transportation	Bicycle Transportation Alliance	11/14/07	This comment will be addressed during the state component of the RTP. The analysis should also consider how this recommendation would apply in areas of the region that lack a well-connected local and arterial street network.

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		funding.			
108.	Policy	Amend Figure 3-8, Regional Mobility Corridor Concept, to include a multiuse path as a way to implement that intra-regional bicycle routes. Examples include I-84 and I-205.	Bicycle Transportation Alliance	11/14/07	The map will be refined during the state component of the RTP to address this comment. The mobility corridor concept already includes regional multi-use trails as part of the complementary facilities to the regional throughway system. Refinements to the map will better call out the role of regional multi-use trails in these corridors.
109.	Policy	Link the Local Street Network Concept, and Figure 3.9, to bicycle and pedestrian travel. Identify a policy to require connections to main streets, town and regional centers. Specifically,	Bicycle Transportation Alliance	11/14/07	Agree. Amend as requested.

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CONSENT ITEMS FOR JPACT CONSIDERATION					
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		amend the final sentence on 3-28 to say "While local streets are not intended to serve through traffic for motor vehicles, the local street network is a primary network of moving bicycle and pedestrian traffic and should be integrated in the regional planning strategy to increase access to designated centers by non-motorized travelers. Metro's local street connectivity model encourages communities to develop a connected network of local streets such as they will provide a high-level of access, comfort, and convenience for bicyclists and walkers travel to and among centers. The aggregate effect of local street design affects arterial and collector system effectiveness… Vehicle speeds on local streets are relatively low, which makes them good candidates for bicyclists and walkers traveling within and between centers. "	Coalition for a Livable Future	11/15/07	
110.	Action	Amend Action 3.1.4 to include the development of a ½ mile grid network of low-traffic routes prioritized for non-auto travel.	Bicycle Transportation Alliance	11/14/07	No change recommended. This comment will be addressed during the state component of the RTP as part of the additional regional bicycle system analysis recommended in Comment #107 and #111.
111.	Action	Add new action under Objective 3.1 as follows, "Analyze a three-mile radius from 2040 centers and work with local jurisdictions to develop bicycle and pedestrian networks that use a variety of facility types."	Bicycle Transportation Alliance	11/14/07	Agree. Amend as requested. The analysis should also provide direction on how to apply this concept in areas of the region that lack a well-connected local and arterial street network, and where existing development, topographic or other constraints will limit increased street connectivity.

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
112.	Action	Amend Potential Action 2.1.8 or add a new action that would direct Metro to develop a standard and to test retrofitting arterial streets with separated cycle-tracks.	Bicycle Transportation Alliance	11/14/07	No change recommended.
113.	Technical analysis	Page 2-6, add text "Bicycles are cost-effective and a low-cost travel mode that provide access to all age groups and income types. Bicycle activity boosts economic competitiveness because more bicycles can be driven and stored in a smaller location, decreasing the total cost of parking."	Bicycle Transportation Alliance	11/14/07	Agree in part. Language already describes how bicycling in the region supports economic activity. Amend as follows, Bicycles are cost-effective and a low-cost travel mode that provide access to all age groups and income types. Bicycle facilities boost economic activity…Bicycle activity also supports efficient urban form because more bicycles can be driven and stored in a smaller location, decreasing the total cost and land area dedicated to parking."
114.	Technical analysis	Reference more up-to-date statistics that are available for bicycle counts cited on pages 2-6 and 2-7, including 2006 data for Figure 2-3.	Bicycle Transportation Alliance	11/14/07	Agree. Amend as requested.
115.	Actions	Increase bicycle data collection efforts throughout the region, including safety and ridership on the rural road system.	Hal Ballard	11/8/07	Agree. Amend as follows, "Action 3.1.13. Expand bicycle and pedestrian count and safety data collection efforts throughout the region."
116.	Actions	Add new action to Goal 3 directing periodic updates to the regional bicycle and pedestrian system inventories.	Metro staff	11/15/07	Agree. Amend as follows, 3.1.14 Periodically update the regional bicycle and pedestrian system inventories in coordination with TriMet, SMART, ODOT and local agencies."
117.	Policy	Noise needs to be taken into consideration in regional transportation planning activities.	Robert Bailey	11/8/07	Agree. The RTP includes objectives and actions related to noise.
118.	Projects	Include the construction phase of the North Portland Greenway Trail in the financially constrained system.	Swan Island Business Association Bicycle	10/10/07	No change is recommended. This comment has been forwarded to the City of Portland for consideration. The city of Portland would need to identify new sources of revenue or remove other projects in order to include this project in the financially constrained system. The

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
			Transportation Alliance 15 postcards and 39 web comments	11/11/07 10/15/07-11/15/07	construction phase is identified on the RTP Investment Pool list of projects. Projects included in the financially constrained system are required to match revenue anticipated to be available during the plan period. However, the City of Portland felt it was premature to include in the financially constrained system because the project is not in the city Transportation System Plan (TSP).
119.	Projects	Include the construction phase of the Sullivan's Gulch Trail in the financially constrained system.	Tamara DeRidder; Bill Barber, Central Northeast Neighborhood Inc.; and MJ Coe, Sullivan's Gulch Trail Committee	11/15/07	No change is recommended. This comment has been forwarded to the City of Portland for consideration. The city of Portland would need to identify new sources of revenue or remove other projects in order to include this project in the financially constrained system. The construction phase is identified on the RTP Investment Pool list of projects. Projects included in the financially constrained system are required to match revenue anticipated to be available during the plan period. The master plan has been funded through the 2008-11 MTIP. However, the City of Portland felt it was premature to include in the financially constrained system because the project is not in the city Transportation System Plan (TSP). the city hopes to add these trails to the TSP once the studies are complete.
120.	Technical correction	Delta Park Trail (Project #10353) is not shown on financially constrained system map and include as part of the Columbia Sough Trail system (Project #10234).	City of Portland	11/15/07	Agree. Delete project #10353 (Delta Park Trail) and amend project #10234 to include the Delta Park Trail connection in the project description. In addition, update the financially constrained system map to include this trail connection as part of project #10234.
121.	Technical correction	Project #10192 - Division Streetscape and Reconstruction Project (SE 6th Avenue to SE 39th) is not a repaving project and deserves an appropriate place on the RTP list as a 2040 "Main Street." In addition, revise Goal 1 rating to "medium" and Goal 5 rating to	City of Portland and Linda Nettekoven, Hosford-Abernethy Neighborhood Development	11/15/07	Agree. Amend as requested.

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		"medium."	Association		
122.	Technical correction	Update cost for Project #10343 (West Hayden Crossing) to $99,258,000.	City of Portland	11/15/07	Agree. Amend as requested.
123.	Technical correction	RTP Functional System Maps should be updated to reflect recent Portland TSP changes and council actions.	City of Portland	11/15/07	Agree. Amend as requested during the state component of the RTP update along with other changes that are identified as a result of additional analysis and findings.
124.	Technical correction	Project 10191: Garden Home Road (Capitol Highway – Multnomah) - Divide into two projects, make changes to descriptions, then delete Project 1 from the financially constrained system and add project #2 to the financially constrained system: ~~Project 1: Reconstruct road with drainage, bike lanes, sidewalks and curbs. Cost: $10,973,967~~ Project 2: Improve and signalize the intersection at SW Garden Home and SW Multnomah boulevard. Cost: $1,931,033 Reason: City staff inadvertently combined a Systems Development Charge project (intersection improvements) with the Garden Home roadway improvements. The Garden Home project as a stand-alone project does not meet the additional City of Portland criteria outlined in Comment #12. Revised project descriptions will	City of Portland	11/15/07	Agree. Amend as requested.

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		be included in the City of Portland's TSP.			
125.	Projects	Add new project to RTP Investment pool that combines two TSP projects into one project to more clearly define property access needs in the NW Industrial District resulting from the anticipated closure of the BNSF Railroad crossing at NW Balboa Avenue:St Helens Rd (US 30) NW, (in vicinity of NW Balboa) Connectivity Improvements: Provide an alternative crossing of the BNSF Railroad to improve connectivity and safety between US 30 and the industrial properties served by NW Front Avenue in the Willbridge area of the NW Industrial District. Cost: $16,474,000	City of Portland	11/15/07	Agree. Amend as requested.
126.	Projects	Add new project to RTP Investment Pool: N. Interstate Ave. Ramp (BR #153): Replacement of the existing N. Interstate to Larrabee flyover ramp with a new structure. Cost: $14,677,225 On October 2007, this project was identified as a deficient bridge in the Safe Sound and Green Streets funding proposal. Based on an updated analysis and cost estimate by the PDOT bridge engineering section, the project scope was redefined from a	City of Portland	11/15/07	Agree. Amend as requested.

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		rehabilitation project to a complete bridge replacement. The updated project cost for a bridge replacement is $14,677,225.			
127.	Actions	3.1.4. Add to the list of potential reasons for considering bicycle boulevards: "…or when comfortable, safe, attractive facilities cannot be created.	City of Portland	11/15/07	Agree. Amend as requested.
128.	Actions	Add: 3.1.13: Research successful elements of bicycle-friendly cities around the world.	City of Portland	11/15/07	Agree. Amend as requested.
129.	Actions	5.1.6. Amend as follows: "Work with local jurisdictions, ODOT and other public agencies to collect and analyze data to identify high-frequency bicycle- and pedestrian-related crash locations and conditions and improvements to address safety-related deficiencies in these locations and under these conditions. [Bicycle crashes are not focused enough to identify high-crash locations. However, we can identify the types of conditions that typically result in crashes and look for ways to improve those conditions.]	City of Portland	11/15/07	Agree. Amend as requested.
130.	Actions	Goal 7: Multi-modal transportation infrastructure and services enhance quality of human health by providing safe, comfortable and convenient options…	City of Portland	11/15/07	Agree. Amend as requested.
131.	Actions	Objective 7.1 Active Living – Provide safe, comfortable, attractive, and convenient transportation options…	City of Portland	11/15/07	Agree. Amend as requested.
132.	Actions	7.1.2. Locate housing, jobs, schools,	City of Portland	11/15/07	Agree. Amend as requested.

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		parks and other destinations within walking and convenient bicycling distance of each other when possible.			
133.	Technical correction	Page 3-39 include as a footnote or endnote a more complete description of the state's interpretation of what is "excessively disproportionate," "unsafe," etc. and what would then be required of a jurisdiction when they do not provide the facility on the constructed or reconstructed roadway.	City of Portland	11/15/07	Agree. Amend as requested to include ODOT's interpretation of this section of the bicycle bill in ODOT's Bicycle and Pedestrian Plan, as follows "ODOT interpretation of ORS 366.514 regarding exceptions where pedestrian and bicycle facilities need not be provided can be found in the 1995 Oregon Bicycle & Pedestrian Plan. Appendix C: ODOT interpretation of ORS 366.514, p.204, http://www.oregon.gov/ODOT/HWY/BIKEPED/planproc.shtml. The law provides for reasonable exemptions. The determination that one or more exemption is met should be well-documented. The decision should allow opportunities for public review and input by interested parties. The burden is on the governing jurisdiction to show the lack of need to provide facilities.
134.	Technical analysis	Page 3-39, add a parallel discussion about appropriate distances and about the localized nature of most bicycle trips.	City of Portland	11/15/07	Agree. Amend as requested.
135.	Policy	Misdirected to structure the RTP bicycle network such that the regional system "typically correspond[s] to the arterial street network. Consider identifying a "market area" around town and regional centers with a radius equal to a reasonable trip distance for bicycle (3 miles). The goal would be to serve trips to the center within that radius. The region should broaden the provision of bikeways go beyond arterial streets. It is important for the RTP to be clear about its goals for bicycling as it will greatly affect what	City of Portland	11/15/07	No change recommended. This will be further addressed during the state component of the RTP update.

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		types of facilities are built in the region, and thus how successful the region will be at replacing automobile trips with bicycle trips.			
136.	Policy	Add a goal: Enhance comfort of users of the bicycle system. • Emphasize design that allows for side-by-side travel and conditions that allow cyclists of different speeds to pass one another. • Emphasize separation from the motor vehicle system while maintaining maximum proximity to main streets. • Focus on intersections (where overwhelming majority of crashes occur). • Focus on maintenance to allow for smooth riding conditions.	City of Portland	11/15/07	No change recommended. This comment will be addressed during the state component of the RTP update as part of the broader regional bicycle policy discussion called for in Comments #107 and #135.
137.	Bridges	The role of bridges should have a higher level policy discussion in the plan.	City of Portland	11/15/07	Agree. A broader policy discussion will be developed as part of the state component of the RTP.
138.	Bi-State coordination	Additional coordination is needed with Clark County and City of Vancouver to ensure the best transportation system for the region.	City of Portland	11/15/07	Agree. Opportunities will be identified to expand existing coordination with the Bi-State Coordination Committee, the Regional Transportation Commission and local agencies in the Vancouver/Clark County area during the state component of the RTP update. See also comments #94-97.
139.	Elderly and Disabled Transportation Needs	The RTP should provide more guidance on removing barriers to locating housing for seniors and people with disabilities near transit and well-connected neighborhoods.	TriMet	11/15/07	Agree. Several actions listed under Objective 3.2 and Objective 8.2 already provide specific guidance in this regard. Amend Action 3.2.3 as follows, "Provide land use and economic incentives to locate ~~transit connections between low-income residential areas~~ affordable housing,

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
					~~and~~ employment areas and ~~related~~ social services in close proximity to regional transit service. Additional recommendations from the 2006 Elderly and Disabled Transportation and Land Use study will be integrated into the RTP as part of the state component of the RTP update.
140.	Elderly and Disabled Transportation Needs	The objectives 3.2 and 8.2 are insufficient to guide development of a transportation system that adequately serves elderly and disabled transportation needs in the region. For example, taxi services for medical appointments and other paratransit services could benefit from demand management strategies targeted to users and providers of the services. Metro (not TriMet) should be responsible for creating a system plan for elderly and disabled transportation and conduct more analysis of travel patterns and needs of this population.	Jon Putnam	11/15/07	Add new action under Objective 8.2 as follows, "8.2.12 Work with TriMet, SMART, public, private and non-profit providers and social services staff, employers, to increase awareness of travel options and demand management strategies to reduce trips and shift trips to non-peak hours. This is not currently a work program activity for Metro. Previously, TriMet staff led development of the 2006 Elderly and Disabled Transportation Plan and the Coordinated Human Services Transportation Plan required under SAFETEA-LU. Additional analysis and recommendations from the 2006 Elderly and Disabled Transportation and Land Use study, the EDTP and CHSTP will be integrated into the RTP as part of the state component of the RTP update. Metro will continue to participate with TriMet on future updates to these plans and discuss roles and responsibilities of this work through future updates to the Unified Planning Work Program (UPWP).
141.	Actions	The region is experiencing dramatic shifts in poverty throughout the region. As people move throughout the region in search of affordable housing, the transportation options available to them have important implications for their ability to stay connected to school, jobs, services and communities of support. Action 8.2.8 should include	Ian Slingerland, Community Alliance of Tenants and Coalition for a Livable Future	11/15/07	Agree. Amend Action 8.2.8 as follows, "Provide land use and economic incentives to incorporate ~~elderly and disabled~~ housing for people of low-income, elders and people with disabilities into mixed use developments that includes public facilities such as senior centers, libraries and other public services as well as commercial and retail services such as stores, medical offices and other retail services, and economic and employment opportunities."

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		housing for people with low-income in developments that include public facilities and provide access to increased economic and employment opportunity.			See also comment #139. Additional work to better integrate affordable housing into the RTP will occur during the state component of the RTP update.
142.	Actions	Actions under Goal 1 should also include support for preservation and production of affordable housing. Too often efforts to target investments in 2040 centers and neighborhoods fail address the impact on housing costs these efforts have. Low-income people are pushed out and further removed from improved transportation options, facing increased commutes and less access to services and opportunity. Metro's Housing Choice Task Force made several recommendations, including integrate housing supply concerns and specifically affordable housing into all policy making and funding allocations.	Ian Slingerland, Community Alliance of Tenants and Coalition for a Livable Future	11/15/07	Agree. Add new objective and action under Goal 1 as follows, "Objective 1.3 Affordable Housing – Support the preservation and production of affordable housing in the region. Action 1.3.1 Integrate affordable housing concepts, issues and actions into policy making and funding allocations." See also comments #139 and 141. Additional work to better integrate affordable housing into the RTP will occur during the state component of the RTP update.
143.	Technical corrections	Change the designation of Lake Oswego to Portland streetcar from "planned" to "proposed" because a locally preferred option has not been selected. The alternatives analysis has been completed with streetcar selected as the preferred mode.	Metro staff	10/17/07	Agree. Amend as requested.
144.	Technical corrections	Add Portland Streetcar Loop as a "planned" streetcar from NW 10th/11th and Lovejoy through the Lloyd District to OMSI and over the new LRT bridge to reflect the locally preferred alternative adopted in 2006.	Metro staff	10/17/07	Agree. Amend as requested.

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
145.	Technical corrections	Change the Milwaukie LRT alignment that connects the Caruthers Bridge to the Transit Mall via I-405 to the Lincoln Street alignment to reflect the locally preferred alternative alignment.	Metro staff	10/17/07	Agree. Amend as requested.
146.	Technical corrections	Miscellaneous project list corrections: RTP #10069: East Buttes Powerline Trail: The nominating agency is listed as North Clackamas PRD. No facility owner/operator is listed. Please change both fields to Gresham, since only Gresham is carrying forth a portion of the project at this time. Please change the description to: "Build portion of trail within Gresham City Limits." RTP#10420: Palmquist Rd. Improvements: please change description from "widens to five lanes" to :"Improves to five lane collector standards, intersection improvements." RTP #10431: Highland/190th Rd. Widening: The start point should be "200' south of SW 11th (not at the intersection of Powell of Highland). RTP 10443 and 10446: The project/Program names for each of these is shown as "Improvement." Please change 10445 to be: "181st Ave. Intersection Improvement (181st/Glisan) and RTP 10446 to be	City of Gresham	11/15/07	Agree. Amend as requested.

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		"181st Ave. Intersection Improvement (181st/Burnside)." RTP #10449: 201st: Halsey to Sandy: please change description to "Improve to collector standards, signalize 201/Sandy." RTP #10455: Please change Project/Project name to be: "Rockwood TC Ped and Ped to Max: 188th LR Stations and Ped to Max." RTP 10465: 172nd Improvements: Please change project end location from "Butler" to "Foster." RTP #10472: Eastman at Division Please delete the words "Add SB RT lane and" from the Description. RTP #10477 through 10488: Please insert the phrase "Springwater Road Section" in front of any facility that is identified by number. For example, in RTP #10477, the Project/Project name would be "Springwater Road Section 4" instead of just "4." RTP #10500: 257th (Kane) at Stark, and Stark: Kane to Troutdale Road." Please delete this project. RTP #10501: Please change project/Project name from: Barnes Rd.:			

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		Powell Valley to city limits: only Powell Valley to Orient" to: "Barnes Rd.: Powell Valley to City Limits: only Orient to So. City limits." RTP #10534: Cheldelin: 172nd to 190th": Description now reads "172nd, 182nd, Foster." Please change to: "Improve existing road to minor arterial standards, signalize Cheldelin at 172nd, 182nd, Foster." RTP #10536: Clatsop: Improvements. Description now reads "162nd." Please change to :Improve Clatsop to minor arterial standards and signalize Clatsop @ 162nd." RTP #10542: Foster Rd. Improvements: Description now reads: "Improve Jenne to minor arterial standards." Please change to: "Improve Foster to Minor Arterial (Parkway) standards, 2 lanes, with turn pockets whether appropriate." RTP# 10543: 172nd: Cheldelin south to Pleasant Valley Boundary: Description now refers to Foster Rd., please delete and replace with "Improve 172nd Ave to major arterial standards." RTP #10864: New interchange on US 26 to serve industrial area: the abbreviated description. Show			

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		Gresham's involvement in the Table. RTP #11100: This is a companion project to 11074, suggest that the project/program name be changed from "Road to 190th" to: "East Buttes Loop Trail: From Rodlun Rd. to 190th"). RTP #11052, #11046, RTP #11047, RTP #11048, RTP #11050, RTP #11051: Please add information on these six projects as provided in July.			
147.	Actions	Revise Action 3.1.10 as follows, "Identify and analyze possible passenger rail service corridors…as part of the high capacity transit system plan."	Metro staff	11/15/07	Agree. Amend as requested.
148.	Actions	Revise Action 3.2.2 as follows, "Provide transit service that is accessible to people with disabilities and provide para-transit to eligible disabled individuals ~~the portions of the region without adequate~~ fixed-route service ~~in compliance~~ with the Americans with Disabilities Act of 1990."	Metro staff	11/15/07	Agree. Amend as requested.
149.	Actions	Rename "Environmental Justice Targets Areas" to be "Environmental Justice Communities" throughout the document.	Coalition for a Livable Future	11/15/07	Agree. Amend as requested.
150.	Language clarification	Revise #2 on page iv of the executive summary as follows, "This approach responds in part to recent policy direction from the federal and state levels to better link system	Coalition for a Livable Future	11/15/07	Agree in part. Amend as follows, "…a growing body of research demonstrating that adding road capacity alone is not a sustainable solution to congestion,…" It is important recognize that strategic capacity investments will be needed along with other investments in other modes and

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		management with planning for the region's transportation system, a growing body of research demonstrating that road capacity increases are not a sustainable solution to congestion, and			implementation of management and land use strategies.
151.	Language clarification	Add the word "fiscal" to number 3 on pg. iv. Of the executive summary as follows "3. A new focus on fiscal stewardship to preserve our existing transportation assets and achieve the best return on public investments."	Coalition for a Livable Future	11/15/07	Agree. Amend as requested.
152.	Language clarification	Page 2-15, Section 2.3.8.5 Environmental Restoration and Protection - Include estimates for greenhouse gas emissions to 2035 and Metro's airshed analysis mentioned in Chapter 4 (pg. 4-20) here.	Coalition for a Livable Future	11/15/07	Agree. Amend as requested.
153.	Language clarification	Add the following bullet to page 2-19, "Affordable housing and transportation are inextricably linked. Sufficient affordable housing gives people options of where to live, allowing them to be closer to work, resulting in diminished commute time, less pollution and reduced traffic congestion."	Coalition for a Livable Future	11/15/07	Agree in part. Add the following language to page 2-19, "The plan should support providing land use and economic incentives to incorporate affordable housing for people of low-income, elders and people with disabilities into mixed use developments that are served by transit and include public facilities and services, commercial and retail services such as shopping and medical offices, and economic and employment opportunities. Sufficient affordable housing gives people options of where to live, allowing them to be closer to work, resulting in diminished commute time, less pollution and reduced traffic congestion."

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
154.	Language clarification	Add the following language to action 1.1.7, "and designated corridors."	Coalition for a Livable Future	11/15/07	Agree. Amend as requested.
155.	Language clarification	Add the following language to Goal 1, "…and supports active transportation options, jobs, schools…"	Coalition for a Livable Future	11/15/07	Agree. Amend as requested.
156.	Actions	Add new action to Objective 1.1, "Minimize large new transportation infrastructure intrusions in and between currently well-connected neighborhoods."	Coalition for a Livable Future	11/15/07	Agree in part. Add new action as follows, "Design the transportation system with adequate capacity to keep regional traffic on regional system, reduce regional traffic on local streets and in residential neighborhoods and support non-auto travel."
157.	Language clarification	CLF recommended revise action 2.1.1 as follows, "Place a priority on investments that address multi-modal system gaps to improve reliability and access (1) from labor markets and trade areas to the primary 2040 Target Areas**;** or (2) to work, shopping, school and recreation within the 2040 Target Area**."** The first Potential Action focuses on moving freight into the region, without acknowledging the economic importance of travel and circulation within the 2040 target areas. AORTA recommended revise action 2.1.1 as follows, "Place a priority on investments that address ~~multi-modal~~ system gaps to improve reliability and multi-modal access from labor markets and trade areas to businesses in the	Coalition for a Livable Future	11/15/07	Agree in part. Amend action 2.1.1 as follows, "Place a priority on investments that address ~~multi-modal~~ system gaps to improve reliability and multi-modal access (1) from labor markets and trade areas to the primary 2040 Target Areas**;** or (2) within 2040 Target Areas**."**

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		primary 2040 Target Areas and employment areas.			
158.	Language clarification	Revise action 2.1.6 as follows, "Provide a complementary network of community bus and streetcar service connections that serve 2040 Target Areas and provide access to regional transit on arterial streets and the regional high capacity transit network, consistent with Regional Transit System Map. The Regional Transit System Concept on page 3-29 shows both High Capacity Transit and Regional Transit on Arterial Streets.	Coalition for a Livable Future	11/15/07	Agree. Amend as requested.
159.	Actions	Add new action under Goal 6 as follows, "Develop a comprehensive plan to reduce transportation-related greenhouse gas emissions to meet state goals."	Coalition for a Livable Future	11/15/07	No change recommended. The state RTP will constitute the regional transportation plan's role in reducing transportation-related greenhouse gas emissions. See comments #98-101.
160.	Language clarification	Add new action under Objective 6.4, Encourage transportation investments that discourage large new low-density housing development."	Coalition for a Livable Future	11/15/07	No change recommended.
161.	Language clarification	Revise action 8.1.1 as follows, "Place a priority on investments that benefit environmental justice ~~target areas~~ communities, address past transportation equity issues or remove barriers to accessing the transportation system."	Coalition for a Livable Future	11/15/07	Agree in part. Revise action 8.1.1 as follows, "Place a priority on investments that benefit environmental justice ~~target areas~~ communities or remove barriers to accessing the transportation system."
162.	Language clarification	Revise action 8.1.2 as follows, "Evaluate benefits and impacts of	Coalition for a Livable Future	11/15/07	Agree. Amend as requested.

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		recommended investments on environmental justice ~~target areas~~ communities."			
163.	Language clarification	Revise action 8.1.3 as follows, "When a major disparity exists, ~~expand~~ modify a project to include commensurate benefits for those significantly burdened by project."	Coalition for a Livable Future	11/15/07	Agree. Amend as requested.
164.	Language clarification	Combine action 8.2.1 and 8.2.2 as follows, "Place a priority on investments that ~~remove barriers to benefit special access needs~~ provide ~~an appropriate level,~~ a range of high quality ~~and range of~~ transportation options to serve special access needs of individuals in this region, including people with low-income, children, elders and people with disabilities."	Coalition for a Livable Future	11/15/07	Agree in part. Combine action's 8.2.1 and 8.2.2 as follows, "Combine action 8.2.1 and 8.2.2 as follows, "Place a priority on investments that remove barriers to ~~benefit special access needs~~ provide ~~an appropriate level,~~ a range of high quality ~~and range of~~ transportation options to serve special access needs of individuals in this region, including people with low-income, children, elders and people with disabilities."
165.	Language clarification	Revise action 8.2.7 as follows, "Encourage new and existing development to create and enhance pedestrian facilities near low income, elderly and disabled developments… in areas serving low income, elderly and disabled individuals. "	Coalition for a Livable Future	11/15/07	Agree. Amend as requested.
166.	Language clarification	Add new action under 8.2 as follows, "Work with nonprofit and for profit affordable housing developers to encourage the location of public transportation near affordable housing."	Coalition for a Livable Future	11/15/07	Agree. Amend as requested.
167.	Language clarification	Revise Goal 9 title to be "Fiscal Stewardship" because the objectives under the goal relate to efficient use of public funds. Collectively, Goals 1, 2,	Coalition for a Livable Future and AORTA	11/15/07	Agree. Amend as requested.

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		6 and 8 represent sustainability, which is also covered under the principles section of the RTP in Chapter. In addition, bring objective 10.2 (Stable and Innovative Funding) back into Goal 9.			
168.	Language clarification	Rewrite Goal 9 as follows, "Ensure the Best Return on Taxpayer Funded Investments and Programs." AORTA comment – revise Goal 9 as follows, Goal 9: Ensure Fiscal Responsibility Regional transportation planning and investment decisions maximize the return on public investments in infrastructure, preserving past investments for the future, emphasizing management strategies and prioritizing investments that reinforce Region 2040 and achieve multiple goals.	Councilor Robert Liberty and AORTA	11/15/07	Agree in part. Amend as follows, "Goal 9: ~~Sustainability~~Fiscal Stewardship - Regional transportation planning and investment decisions ~~promote responsible fiscal, social and environmental stewardship by maximizing~~ ensure the best return on public investments in infrastructure and programs ~~and placing the highest priority on investments that reinforce Region 2040 and achieve multiple goals~~." See also comment #2 in the discussion items and comment #167 in the consent items.
169.	Language clarification	CLF comment - Revise Goal 10 as follows, "The region's government, business, institutional and community leaders work together in an open and transparent manner, encourage public involvement, and provide meaningful opportunities for public input in transportation decisions. Public and private stakeholders coordinate their efforts so the public experiences an integrated, comprehensive system of transportation facilities and services	Coalition for a Livable Future and AORTA	11/15/07	Agree. Amend as follows, "community leaders work together in an open and transparent manner so the public has meaningful opportunities for input in transportation decisions and experiences..."

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		that bridge governance, institutional and fiscal barriers." Alternate language suggested by AORTA "…so the public is fully involved and has ownership in transportation decisions and experiences…"			
170.	Language clarification	Revise section 4.3.8 Environmental Justice Analysis as follows, "The RTP Investment Pool projects were intersected with identified Environmental Justice Communities ~~Target Areas (2000 census block groups with two or more socioeconomically sensitive populations)~~. (a census block group that has a concentration of people living in poverty, low-income people, people of color, elderly, children, people with disabilities, and other populations protected by Title VI and related nondiscrimination statutes)."	Coalition for a Livable Future	11/15/07	Agree. Amend as requested.
171.	Measures	Add new measure under Goal 5, "Per capita crashes, serious injuries and fatalities by census block group."	Coalition for a Livable Future	11/15/07	Agree. Amend as requested. These will be considered during the state component of the RTP update.
172.	Measures	Add new measure under Goal 6, "Calculate estimates of greenhouse gas emissions of potential transportation investments."	Coalition for a Livable Future	11/15/07	Agree. Amend as requested. These will be considered during the state component of the RTP update.

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
173.	Measures	Revise and add the following potential measures under Goal 8, "Distribution of transportation investments by mode (transit, pedestrian, bicycle, road expansion, etc.) and dollar amount by environmental justice ~~target area~~ communities. Smog, particulate and air toxic pollutant concentrations by census block group and cross-referenced with EJ communities. Demographic profile of planned transportation project users/beneficiaries, including income, race, age, and household location as compared to demographic profile of community where the investment is being made. Rates of asthma and air-quality related health incidents by census block group and cross-referenced with EJ communities and EJ population distribution. Obesity rates and rates of diseases associated with low levels of physical activity by Census block group and cross-referenced with EJ communities and EJ population distribution. Participation rates of EJ target community members in transportation decision-making.	Coalition for a Livable Future	11/15/07	Agree. Amend as requested. These will be considered during the state component of the RTP update, as it may not be reasonable or possible to measure all of these.

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		Community facilities & basic services assessment within ¼ mile radius of transit stops in EJ communities and EJ populations."			
174.	Glossary	Replace definition of Environmental Justice (EJ) Community (Formerly EJ Target Area) : An EJ community is a census block group that ~~include two or more socio-economically sensitive populations with a population density greater than 2.5 times the regional average in 2000. This includes minorities, seniors, and people with disabilities, low-income, or who do not speak English.~~ has a concentration of people living in poverty, people with low-income, people of color, elderly, children, people with disabilities, and other populations protected by Title VI and related nondiscrimination statutes. "Concentration" shall be defined as having a population density in a Census Block Group of any of the groups listed above greater than the regional percentage based on the most recent actual census bureau data within the ¼-mile corridor of the proposed new transportation facility (except for freeways) and within the 1-mile corridor of any freeway-related project." Former definition set threshold for inclusion very high, possibly high enough to eliminate all	Coalition for a Livable Future	11/15/07	Agree in part. Amend definition as follows, "An EJ community is a census block group that ~~include two or more socio-economically sensitive populations with a population density greater than 2.5 times the regional average in 2000.~~ has a concentration of people living in poverty, people with low-income, people of color, elderly, children, people with disabilities, and other populations protected by Title VI and related nondiscrimination statutes. "Concentration" shall be defined as having two or more socio-economically sensitive populations with a population density in a Census Block Group of any of the groups listed above greater than 2.5 times the regional ~~average in 2000~~ percentage based on the most recent actual census bureau data. ~~This includes minorities, seniors, and people with disabilities, low-income, or who do not speak English.~~ " In addition, add a map of the environmental justice communities subject to evaluation to Chapter 1, page 1-6 to complement the Title VI and Environmental Justice discussion. This definition is what has been used by other metropolitan planning organizations in their planning processes, and in previous updates to the Metropolitan Transportation Improvement Program (MTIP). As a result, this definition was also used in the background report "Environmental Justice in Metro's Transportation Planning Process" during the scoping phase of the 2035 RTP update. The report created a demographic profile of the region for all EJ communities and then applied the concentration definition to identify areas that would be the focus of analysis to measure benefits and impacts on

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		but one community in the region.			environmental justice communities. The analysis found many EJ communities overlap in the region. Refinements to broaden the definition and methodology will be considered during the state component of the RTP update.
175.	Glossary	Add new definition as follows, "Environmental Justice Populations- people living in poverty, people with low-income as determined annually by the U.S. Department of Health and Human Services Low-Income Index, people of color, elderly, children, people with disabilities, and other populations protected by Title VI and related nondiscrimination statutes living within the ¼ mile corridor of the proposed new transportation facility (except for freeways) and within the 1-mile corridor of any freeway-related project."	Coalition for a Livable Future	11/15/07	Agree in part. Amend glossary as follows, "Environmental Justice Populations- people living in poverty, people with low-income as determined annually by the U.S. Department of Health and Human Services Low-Income Index, people of color, elderly, children, people with disabilities, and other populations protected by Title VI and related nondiscrimination statutes." Refinements to be specific about proximity to transportation facilities will be addressed during the state component of the RTP update.
176.	Technical analysis	Add a "Global Context" and "Northwest Context" to the plan. The RTP contains Federal, State and Regional context sections – but no global context and no context for the Northwest. The global context includes increased global economic integration and competition, (including competition between metropolitan areas and the specialization of national and metropolitan economies and labor forces), global climate change, rising fuel costs and increasing environmental problems. The	Metro Councilor Robert Liberty	11/15/07	Agree. Some of this is already discussed in Chapter 2. Chapter 2 will be expanded to further highlight these concepts in the introduction to Chapter 2.

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		Northwest context should include discussion of trade and freight relationships with eastern Oregon and Washington and with the cities of Cascadia, from Eugene to Vancouver, BC.			
177.	Language clarification	Revise Objective 1.1 as follows, "Compact Urban Form and Design" "~~Leverage Region 2040 land uses~~ Give priority to transportation investments that ~~to~~ reinforce growth in, and multi-modal access to 2040 Target Areas and ensure that development in 2040 Target Areas are consistent with and support the transportation investments." The current wording is confusing in that it refers to "leveraging land uses" to reinforce growth in 2040 Target Areas" instead of leveraging transportation investments to reinforce growth in the target areas. "Land uses" in the 2040 growth areas, in turn, should reflect and support the transportation investments made to support them, which is the subject of potential Action 1.1.2.	Metro Councilor Robert Liberty	11/15/07	Agree in part. Investment priorities are established through action statements, not the objective statements. Amend Objective 1.1 as follows, "Compact Urban Form and Design – ~~Leverage~~ Use transportation investments ~~Region 2040 land uses~~ to reinforce growth in, and multi-modal access to 2040 Target Areas and ensure that development in 2040 Target Areas is consistent with and support the transportation investments."
178.	Language clarification	Revise action 1.1.1 as follows, "Place a priority on ~~multimodal~~ transportation investments that address a system gap or deficiency to reinforce growth in and improve multi-modal access to or within the primary 2040 target areas."	AORTA	11/15/07	Agree. Amend as requested.

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
179.	Language clarification	Revise Goal 8 as follows, "Regional transportation planning, programs and investment decisions ensure the benefits and adverse impacts of investments and programs are equitably distributed between different parts of the region and between neighborhoods with different incomes, races and ethnicities."	Metro Councilor Robert Liberty	11/15/07	Agree in part. Revise Goal 8 as follows, "Regional transportation planning, programs and investment decisions ensure the benefits and adverse impacts of investments and programs are equitably distributed between different parts of the region and between census block groups with different incomes, races and ethnicities." The environmental justice analysis will be conducted at a census block group level, not a neighborhood level.
180.	Language clarification	The principles section, "equity" is described as "responsibility of the plan to the people of the region," which seems to completely diffuse the issues of fairness and justice."	Metro Councilor Robert Liberty	11/15/07	Agree. Amend page 3-2 to broaden equity discussion.
181.	Actions	Goal 8 "Potential Actions" do not define the kinds of benefits and adverse impacts that we need to consider. The plan should be clear that these include not just benefits of access and adverse environmental impacts but also direct and indirect land value impacts (increased and decreased), and job access.	Metro Councilor Robert Liberty	11/15/07	No change recommended. See comment #173. This comment will be addressed during the state component of the RTP update.
182.	Measures	Amend Potential Action 9.1.4 as follows, "~~Develop methods to consider~~ Adopt standardized measures of cost-effectiveness, least cost solutions and life-cycle cost of facilities and programs addressing the regional transportation goals to be used in the project development, project evaluation and making choices between projects and programs ~~in the evaluation process~~. "	Metro Councilor Robert Liberty	11/15/07	Agree in part. Amend as follows, "Develop ~~methods to consider~~ measures of cost-effectiveness, least cost solutions and life-cycle cost of facilities and programs to be used in the project evaluation and selection process ~~in the evaluation process~~. " The appropriateness of creating a standardized set of measures will be addressed during the state component of the RTP update.

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
183.	Measures	Amend Potential Action 9.2.6 as follows, "Develop <u>standardized</u> measures to evaluate the contribution of transportation investments and management strategies to achieving the regional transportation goals ~~to the economic competitiveness of the region and the state~~."	Metro Councilor Robert Liberty	11/15/07	Agree in part. Amend as follows, ""Develop measures to evaluate the contribution of transportation investments and management strategies to achieving the regional transportation goals ~~to the economic competitiveness of the region and the state~~." Development of measures will occur during the state component of the RTP update for all goals. The appropriateness of creating a standardized set of measures will be addressed at that time.
184.	Financially constrained system	Remove projects # Project 10866 Columbia River Crossing (for preliminary engineering and right-of-way acquisition) and Project 10870 I-5/99W Connector (to conduct study, complete environment design work and NEPA for I-5 to OR-99W and acquire ROW.) As a policy matter, it seems inappropriate to include funding for construction, right of way acquisition or preliminary engineering of projects when very different alternatives, including a no build option, are still under study by an advisory committee and which have not received final approval by various governments. Projects still being developed cannot receive the implied endorsement for funding because it undermines the integrity of the study and approval process. Funding to complete a study makes sense but funding to acquire right of way does not make sense when a choice among the alternatives has not been made and it is not clear what right of way or how much would be acquired. (See	Metro Councilor Robert Liberty	11/15/07	No change recommended. This comment will be further addressed during the state component of the RTP update as part of the performance measures and funding responsibility and strategy development discussions. This approach has been used in previous RTP updates and does not constitute a prior commitment. The RTP recognizes that the NEPA process will define the solution to address transportation needs identified in these and other mobility corridors in region, consistent with the RTP and applicable state and federal requirements. This approach does represent a policy choice for how limited transportation dollars are spent. The Financially Constrained RTP <u>includes</u>: a. 40 percent ($270.5 million) of ODOT's priorities are project development and right-of-way acquisition and some initial construction for Projects of Statewide Significance (e.g., Columbia River Crossing, Sunrise Project and I-5/99W Connector and the I-5/I-84 Interchange). b. 60 percent ($363.1 million) of ODOT's priorities address key bottlenecks on the freeway system (e.g., interchanges on I-205, I-84, OR 217 and US 26 and mainline capacity on I-5 North and US 26 West). c. Previously approved 2008-2011 State Transportation Improvement Program (STIP) commitments tied to specific modernization projects.

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		page 7-43 of the draft RTP.)			d. Approximately $515.5 million of local funding is assumed to contribute to projects of importance to cities and counties on the region's freeways and the state and district highway parts of the ODOT system in response to ODOT's limited modernization resources. e. $115 million of regional flexible funding is assumed for system and demand management strategies to complement capital investments in the mobility corridors.
185.	Financially constrained system	Currently the Regional Travel Options, Project 11054, is listed on the constrained list at $74 million over the next 27 years and "Regional ITS/TSMO", project 11104, is listed as $40 million. The program investments should be considered and analyzed as annual investments in the $10 million per year range, combined.	Metro Councilor Robert Liberty	11/15/07	No change recommended. This comment will be addressed during the state component of the RTP update and the TGM-project to develop a regional strategy for management and operations as described on page 7-56. Refinements to the financially constrained system and the plans policies for management strategies may be identified through this work.
186.	Language clarification	Page ii, last paragraph - The Metro RTP needs to be consistent with the state TSP, not just the OTP, as is referenced here. The state TSP is comprised of the OTP and state multimodal, modal, topic and transportation facility plans. The same comment applies on page 1-7.	ODOT	11/15/07	Agree. Amend as requested.
187.	Language clarification	Page 1-7, section 1-3, second paragraph: Please clarify the statement "the Illustrative system will draw from the 2035 RTP Investment Pool" to indicate that the Illustrative System will not exclusively draw from the 2035 RTP Investment Pool, but that additional Illustrative projects may be added. The so-called "200% project	ODOT	11/15/07	Agree. Amend as requested.

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		list" or 2035 RTP Investment Pool clearly does not represent all needs. For example, all projects in the Pool had to come from adopted TSPs or facility plans; jurisdictions may identify additional needs based on the new system concepts and performance measures that were not reflected in their adopted TSPs.			
188.	Technical analysis	Historical data is not presented for a consistent time period. In most cases data is reported for the period from 1990 to 2000. It is also reported for various data for the past 30 years, for years since 2000, for 1990 to 2005, and for 1991 to 2002, for example. Some of these data are related to projections for the period from 2005 to 2035. A consistent historical time series should be used with all data and this time series should be comparable to the projection time horizon. Otherwise the data may produce a skewed view of trends.	ODOT	11/15/07	Agree. To the extent possible, amend as requested. In some cases data was not available for the same time horizon.
189.	Language clarification	Page 3-9, Goal 2, Potential Action 2.1.9: refers to "priority 2040 land uses". It is not clear whether this refers to Primary or Secondary land uses or both, or something else.	ODOT	11/15/07	This refers to primary and secondary land uses. Revise to reference "2040 Target Areas."
190.	Language clarification	Page 3-10, Goal 2, Potential Action 2.3.4: it is not clear whether the phrase "that are approved by state, regional, and local agencies" refers to IAMPs or to "access points'. the Glossary.	ODOT	11/15/07	Agree. Amend as requested.
191.	Language	Also, there were additional Potential	ODOT	11/15/07	Agree. Amend as requested.

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
	clarification	Actions in the March 1 draft that have been deleted in the October 15 draft, i.e. "use access management and site design standards for interchange areas to preserve traffic efficiency and function, while ensuring safety for all modes of travel. The standards should include guidelines for pedestrian and bicycle access, access restrictions, gateway treatments at interchanges, use of medians, landscaping minimums, and other design considerations. ", and "use interchange zoning (as a base zone and/or overlay zone) to regulate the type of development that may take place at an interchange or along arterials connecting to the interchange." Rather than adding these back as potential actions, we would suggest adding the concepts represented in these former potential actions to the definition of Interchange Area Management Plans in the glossary			
192.	Language clarification	Page 3-10, Goal 2, Objective 2.4: the objective is awkwardly worded. Maybe the sentence should read "Maintain reasonable and reliable travel time and access through the region as well as between freight intermodal facilities and destinations within and outside the region, to promote…."	ODOT	11/15/07	Agree. Amend as requested.
193.	Language clarification	Page 3-10, Goal 2, Potential Action 2.4.4: the fourth bullet refers to safety deficiencies relating to "congestion on	ODOT	11/15/07	Agree. Amend as requested.

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		interchanges and hill climbs". This should be expanded to include safety deficiencies on throughway mainlines associated with interchanges, such as braided ramps, merge lanes, backups on the freeway due to congestion on the arterial network, etc.			
194.	Language clarification	Page 3-10, Goal 2, Potential Action 2.4.7: this action is listed under Objective 2.4 Freight Reliability, yet refers to "person-trip capacity". Shouldn't the reference in this case be to freight or goods movement capacity?	ODOT	11/15/07	Agree. Amend as requested.
195.	Language clarification	Page 3-11, Goal 3, Potential Action 3.1.4: bicycle boulevards may also be appropriate where arterial speeds and/or volumes are too high for bicyclist comfort and safety – not only where ROW is constrained or arterial spacing is excessive.	ODOT	11/15/07	Agree. Amend as requested.
196.	Language clarification	Page 3-11, Goal 3, Potential Action 3.2.8: it is not clear whether the phrase "that connect to side streets…." refers to "crossings" or "sidewalks".	ODOT	11/15/07	Agree. Amend as follows, "…with <u>sidewalks and crossings</u> that connect to…"
197.	Language clarification	Page 3-12, Goal 3, Objective 3.3: is the objective an <u>inter</u>modal system or a <u>multi</u>modal system?	ODOT	11/15/07	Agree. Amend as follows, "Support a <u>multimodal</u> ~~intermodal~~ freight transportation system…"
198.	Language clarification	Page 3-13, Goal 4, Objective 4.1 System Management: ODOT would like to see more emphasis on access management of Throughways as well as Arterials, for example by adding "access management" to Potential Action 4.1.7. Add additional Potential	ODOT	11/15/07	Agree. Amend as requested.

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		Action, to revise the Throughway, Street, and Boulevard design concepts to strengthen the policy guidance on appropriate access management approaches for each street design type. Such an Action would be consistent with and reinforce Potential Action 9.2.4.			
199.	Language clarification	Page 3-15, Goal 5, Objective 5.3: Since hazardous materials incidents are very common incidents disrupting transportation they should be given more attention. The Actions should say something about response to these incidents to clear them and to protect the public and environment from the spilled materials. Also, please add "trails" to the list of facilities at which to minimize security risks in Potential Action 5.3.5.	ODOT	11/15/07	Agree. Amend as requested.
200.	Language clarification	Page 3-16, Goal 6, Potential Action 6.1.2: This language is not consistent with state and federal law. Proposed language: "Consider avoiding, minimizing, or mitigating negative environmental impacts associated with transportation system and facility design, construction, and maintenance activities, in accordance with federal and state law.	ODOT	11/15/07	Agree. Amend as requested.
201.	Language clarification	Page 3-18, Goal 8, Objective 8.1, Potential Actions 8.1.1and 8.1.2) Environmental justice requirements relate to people, not "target areas". The actions should be reworded to	ODOT	11/15/07	Agree. See also comments # 149, 161 and 162 with revisions.

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		reflect that.			
202.	Language clarification	Page 3-19, Goal 9, Potential Action 9.1.1: It is not sufficient to manage assets to protect the physical infrastructure. Assets need to be managed to protect the functional characteristics of the infrastructure as well.	ODOT	11/15/07	Agree. Amend as requested.
203.	Language clarification	Page 3-21, Section 3.4 ODOT objects to the statement that "These idealized system concepts form the basis for identifying system needs…". At least with regard to the state system, current and future system performance based on OHP mobility standards will be weighed along with gaps in an idealized system for identifying needs or deficiencies.	ODOT	11/15/07	Agree. Amend as follows, "These idealized system concepts form <u>along with adopted performance measures</u> serve as the basis for identifying system needs <u>and deficiencies</u>…"
204.	Language clarification	Page 3-24, Throughways – ODOT is concerned about the text stating "The Oregon Highway Plan identifies three gaps to the region's throughway system that are needed to improve access from the Portland metropolitan region to the rest of the state and destinations beyond. These gaps are: a connection from I-5 to 99W, a connection from I-205 to US 26, and a connection from I-84 to US 26." While these needs were indeed identified by ODOT in the 1991 OHP as part of the Access Oregon Highway (AOH) Policy, the current OHP does not include a reference to these specific needs. These three gaps in the throughway	ODOT	11/15/07	Agree. Amend as requested.

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		system have been clearly identified in the 2000 and 2004 RTPs, which would be a more accurate reference.			
205.	Language clarification	Page 3-35, Regional Freight System, third paragraph, first sentence: the freight system connects our region not only to markets (demand), but also to suppliers.	ODOT	11/15/07	Agree. Amend as requested.
206.	Language clarification	Page 3-39, Regional Bike and Pedestrian Systems – States "Oregon State statutes, administrative rules and the Oregon Transportation Plan establish that pedestrian and bicycle facilities are required on all collector and higher classification arterial streets when those roads are constructed or reconstructed." This requirement is not found in the Oregon Transportation Plan. The Oregon Bicycle and Pedestrian Plan includes references to applicable state and federal statutes and the Transportation Planning Rule.	ODOT	11/15/07	Agree. Amend as requested. See also comment #133.
207.	Language clarification	Page 3-49, Traveler Information Programs – Should also mention Tripcheck.com website as a source for traveler information and freeway speeds in the Portland.	ODOT	11/15/07	Agree. Amend as requested.
208.	Language clarification	Page 3-50, Value Pricing – The Executive Summary notes with regard to value pricing on Page iv that "more work is needed to gain public support for this tool." A similar statement should be included on Page 3-50, which identifies value pricing strategies as a demand management strategy	ODOT	11/15/07	Agree. Amend as requested.

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		under the transportation systems management and operations (TSMO) concept.			
209.	Language clarification	Page 4-3, Table 4-1 – The text for footnote 2 is missing from the page.	ODOT	11/15/07	Agree. Amend as requested.
210.	Language clarification	Page 4-12, Motor Vehicle Performance, Table 4.5 (2035 RTP Round 1 - Motor Vehicle System Performance). Revise table to refer to ratios of travel demand to capacity. (For example, models can produce ratios greater than 1, an impossibility for a V/C ratio.)	ODOT	11/15/07	Agree. Amend as requested.
211.	Language clarification	Page 4-16, Table 4.10 (2035 RTP Round 1 Motor Vehicle Volumes) • The Mobility Corridors do not match the Mobility Corridors that were identified at the April 30 workshop. • The data is reported with more precision than the accuracy of the data supports. The model used to predict traffic volumes cannot predict single vehicle accuracy. • As mentioned in the cover letter, it would be helpful to see v/c ratios in table 4.10. The table shows increasing traffic volumes, but doesn't show corresponding system capacity making it difficult to assess congestion levels of the facilities. In addition, including the 2005 and 2035 Financially Constrained V/C plot maps here will present a clearer picture of system performance or lack thereof.	ODOT	11/15/07	Agree. Amend as requested.

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
212.	Language clarification	Pages 4-18 and 4-19, Summary of Key Findings from Round 1 System Analysis, Section 4.2.5 2nd Paragraph, 2nd Sentence says: "However, despite significant investments assumed in the region's throughway, transit and arterial street systems, the region appears to lose ground on congestion and system reliability in key mobility corridors." It is not clear how a conclusion on system reliability could be made since no system reliability measures are reported.	ODOT	11/15/07	Agree. Remove reference to system reliability.
213.	Language clarification	Page 5-2, last bullet, Safety funds seems to refer to a replaced safety program. HEP is now called Highway Safety Improvement Program (HSIP), and there are other programs as well.	ODOT	11/15/07	Agree. Amend as requested.
214.	Language clarification	Page 5-3, Federal Forest Receipts section: it may be worth mentioning that this traditional source of revenue can no longer assumed to be available in the future.	ODOT	11/15/07	Agree. Amend as requested.
215.	Language clarification	Page 5-4, Figure 5-1: different types of taxes are included in this one graph, and it is unclear how they are measured. Page 5-7, Table 5-1, 2nd to last row, share of highway trust fund: most of this is used for OM&P, it is therefore misleading to include it in the mod table without a footnote or explanation. Table 5-1, last row: It is misleading to include utility fees in modernization pools. Utility fees are only used for	ODOT	11/15/07	Agree. Amend as requested.

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		OM&P. Sentence below the table: please clarify that the $9,070 million is for modernization alone.			
216.	Language clarification	Page 5-8, Table 5-3: the number for 5309 New Starts/Small Starts funds should be higher. Our analysis shows it to be $ 852.5m. This excludes "Rail Modernization" formula funds (this is a separate passenger rail rehabilitation program also under Section 5309).	ODOT	11/15/07	Agree. Amend as requested.
217.	Language clarification	Page 5-11, Section 5.3.1 number 3: "$15 Vehicle Registration Fee "should be replaced by "assumed revenue". Section 5.3.1, fourth bullet: "(2003$)" should be removed. This was calculated in nominal dollars, not year-specific dollars.	ODOT	11/15/07	Agree. Amend as requested.
218.	Language clarification	Page 5-13, Section 5.3.3, fourth paragraph: first sentence should be "The initial estimates of Region 1 (rather than Statewide) Bridge Fund totals for local bridges…"	ODOT	11/15/07	Agree. Amend as requested.
219.	Language clarification	Page 5-14 Section 5.4.2, first paragraph: "Scenario 3" of the OTP, should be Scenario 2.	ODOT	11/15/07	Agree. Amend as requested.
220.	Language clarification	Page 7-1, last bullet - There is a reference to ODOT's 6-year STIP, which should be 4 years.	ODOT	11/15/07	Agree. Amend as requested.
221.	Language clarification	Page 7-6, 7-12, 7-13, 7-27, 7-30, boxed text: several reviewers have had trouble understanding which sections of chapter 7 were updated, and which ones are the old text from chapter 6 of the 2004 RTP. It would have been helpful, in addition to the boxes, to	ODOT	11/15/07	Agree. Amend as requested.

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		include a statement on page 7-1 to clarify that the bulk of chapter 7 is old, with the exception of section 7.8.			
222.	Language clarification	Page 7-49 – Notes that "While level-of-service and other congestion-related measures should be considered as part of a more diverse set of measures, it should be evaluated in a more comprehensive fashion to ensure that transportation solutions identified in future RTP updates represent the best possible approaches to serving the region's travel demands." As stated clearly in the February 28 letter from Stuart Foster, the OTC is not comfortable in moving away from the mobility standards set forth in the OHP at this time. The Commission may be willing to consider other measures to <u>supplement</u> existing ones, subject to the provisions of Action 1F3 of the OHP.	ODOT	11/15/07	Agree. Amend as requested.
223.	Glossary	Expand definition of deficiency to reference deficiency thresholds in Table 3.16 (Regional Motor Vehicle Performance Measures and 3.17 (Non-SOV Modal Targets).	ODOT	11/15/07	Agree. Amend as requested.
224.	Language clarification	Revise objective 2.2. as follows, "Ensure reliable and efficient connections between passenger intermodal facilities and destinations in <u>and</u> beyond ~~and through~~ the region to improve non-auto access to and from ~~outside~~ the region and promote the region's function as a gateway for	AORTA	11/15/07	Agree. Amend as requested.

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		tourism.			
225.	Language clarification	Revise action 2.2.1 as follows, "Place a priority on investments that benefit intercity public transportation or connect such transportation with other ~~two or more passenger~~ modes."	AORTA	11/15/07	Agree. Amend as requested.
226.	Language clarification	Revise action 2.3.1 as follows, "Place a priority on investments that implement the CMP by addressing a modal gap or deficiency, or implement TSMO strategies ~~on an arterial~~ within a regional mobility corridor."	AORTA	11/15/07	Agree. Amend as requested.
227.	Language clarification	Revise Objective 2.4 Freight Reliability, as follows, "Maintain ~~a~~ reasonable and reliable travel time and access between freight intermodal facilities and destinations in~~, within~~ and ~~through~~ beyond the region to promote the region's function as a gateway for commerce, consistent with the Regional Freight System Map."	AORTA	11/15/07	Agree. Amend as requested.
228.	Objectives	Revise Objective 2.5 Job Retention and Creation, as follows, "Sustainable Economy and Livability – Encourage retention and creation of jobs, especially within sustainable industries, and use transportation investments to protect regional livability, one of our region's prime economic assets ~~Foster the growth of new businesses and retain those that are already located in the region~~."	AORTA	11/15/07	No change recommended.
229.	Language clarification	Revise action 2.5.1 as follows, "Place a priority on transportation investments that support state and local	AORTA	11/15/07	Retain industries and add "businesses" as proposed.

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		government efforts to attract new businesses ~~industries~~ to Oregon or that keeps and encourages expansion of existing businesses ~~industries~~."			
230.	Action	Add actions to objective 2.5 as follows, "2.5.2. Support retention and creation of family wage jobs. 2.5.3. Support the retention and creation of sustainable businesses. 2.5.4. Support the retention of agriculture within and adjacent to the region."	AORTA	11/15/07	Agree. Amend as requested.
231.	Objective	Revise objective 3.1 as follows, "- ~~Make progress toward~~ Achieve Non-SOV modal targets…"	AORTA	11/15/07	Agree. Amend as requested.
232.	Language clarification	Revise action 3.1.1 as follows, "Place a priority on investments that ~~complete~~ address a system gap or deficiency to improve bicycle, pedestrian or transit access, and connect two or more modes of travel."	AORTA	11/15/07	Agree. Amend as requested.
233.	Language clarification	Revise action 4.1.1 as follows, "Place a priority on investments that use the Transportation System Management and Operations (TSMO) Concept to improve mobility, reliability and safety on an element of the regional mobility corridor system, consistent with ~~the Transportation System Management and Operations (TSMO) Concept~~.	AORTA	11/15/07	Agree. Amend as requested.
234.	Language clarification	Revise action 4.2.1 as follows, "Place a priority on investments that use the Transportation System Management and Operations (TSMO) Concept to increase awareness of travel options	AORTA	11/15/07	Agree. Amend as requested.

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		~~include~~ by means of services, incentives, and supportive infrastructure ~~to increase awareness of travel options, consistent the Demand Management Concept~~.			
235.	Language clarification	Revise action 5.1.1 as follows, "Place a priority on investments that address recurring safety-related deficiencies on an element of the regional mobility corridor system and on completing gaps in the regional bicycle and pedestrian systems." and delete action 5.1.2.	AORTA	11/15/07	Agree. Amend as requested.
236.	Language clarification	Revise action 7.1.1 as follows, "Place a priority on investments that increase opportunities for physical activity, both as an end in itself in the course of traveling to meet daily needs and accessing services." to clarify that the focus is not only promotion of opportunities for physical activity for its own sake, but as part of daily travel.	AORTA	11/15/07	No change recommended. This is addressed in the objective statement.
237.	Language clarification	Revise objective 7.1 as follows, "Provide safe and convenient transportation options that support active living and physical activity to meet daily needs and access services."	AORTA	11/15/07	Agree. Amend as requested.
238.	Language clarification	Revise action 8.1.2 as follows, "Evaluate benefits and impacts ~~of~~ on all areas affected by recommended investments, ~~on~~ especially for environmental justice target areas.	AORTA	11/115/07	See comment #162.
239.	Action	Add new action to objective 9.2 as follows, "Assure that expenditures of	AORTA	11/15/07	No change recommended. This comment will be addressed during the state component of the RTP update

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
		transportation resources for projects that also have non-transportation objectives produce clear transportation benefits commensurate with the level of investment." Several streetcar projects have been proposed as a way to leverage desirable land use patterns. Such projects would produce not only transportation benefits, but urban renewal and economic benefits. The recognition that federal, state and local funding sources are quite limited and prudent fiscal stewardship dictate that a significant portion of the funding for such projects should come from non-transportation sources.			as part of the funding responsibility discussion.
240.	Financially constrained system	Concerned about the following projects that we don't appear consistent with RTP policies: • 10875 OR 217: Braid OR 217 ramps between Beaverton-Hillsdale Hwy. and Allen Blvd. in both directions. $79,600,000 • 10846 TV Hwy – Expand to 7 lanes with bike/sidewalks. $42,000,000 • 10873 US 26W: Widen highway to 6 lanes $36,119,034 • 10596 Washington Co. Scholls Ferry Rd. – Widen to seven lanes with bike lanes and sidewalks. $19,749,000	AORTA	11/15/07	This comment has been forwarded to ODOT, TriMet, Washington County, Hillsboro and Clackamas County for consideration. The financially constrained system represents investment priorities for each respective nominating agency. The ODOT throughway projects identified fall within the Chapter 3 sizing guidelines for 6-lane throughways. The 7-lane arterial guidelines exceed the sizing guidelines called for in Chapter 3, and have been identified to address current standards for defining motor vehicle performance deficiencies. All 7-lane arterial projects will be further evaluated during the state component of the RTP update to ensure consistency with RTP goals, objectives and performance measures that will be developed during the state component of the process. Opportunities to increase arterial connectivity and implement other strategies will be examined to address identified deficiencies. In addition, Metro staff will review all self-rating in more detail as part

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		• 10894 Sunrise Hwy. Phase 1 PE: I-205 to SE 122nd Ave $15,000,000 • 10872 Add lane: SB I-205 to SB I-5 interchange ramp and extend acceleration lane and add auxiliary lane on SB I-5 to Stafford Road. $9,700,000 • 10835 185th Ave. – Widen to 7 lanes. $4,896,000 Self-ratings of these seven projects are in error. Widening an arterial to seven lanes should be a clear sign that there are insufficient alternative transportation options and/or a serious deficiency in street connectivity. Compact land use and transit, bicycle and pedestrian travel are significantly discouraged by such massive road facilities. Recommend the following projects be added in lieu of projects identified in comment # • 10231 Renovate Union Station to meet seismic and functional requirements. $30,000,000 • 10900 TriMet, P&W RR / Washington County Commuter Rail improvements – Beaverton to Wilsonville service upgrade (frequency and times of day). Will require capital improvements			of the state component of the RTP update and work with project nominating agencies to refine them.

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		including DMUs. $167,610,000 • 10902* Extension of MAX Yellow line to Hayden Island This is reflects part of the full Project 10902, which would have continued to Vancouver. $80,000,000			
241.	Policy	Designate I-205 as our primary north/south freight corridor through Portland. This will permit and facilitate new opportunities to upgrade and expand the I-205 corridor. The I-205 corridor needs to be upgraded and expanded to a minimum of 4-lanes for its full circumference. Currently too much through north/south interstate freight traffic is channeled into and through Portland and this does not have to happen. Any traffic that can be redirected to the I-205 corridor will help relieve the congestion and environmental problems found in the I-5 corridor particularly when we talk about reducing the impact of trucks.	Paul Edgar	10/31/07	This comment will be addressed during the state component of the RTP update and the regional freight and goods movement planning effort.
242.	Technical correction	Reflect projects in 2008-2011 STIP and MTIP on RTP financially constrained list and show as "committed projects."	ODOT and local agencies	10/15/07 – 11/15/07	Agree. Amend as requested.
243.	Technical correction	Update project costs, descriptions and timings per various emails and letters by ODOT, Port of Portland and local agencies that are included in public comment summary report.	ODOT, Port of Portland and local agencies	10/15/07 – 11/15/07	Agree. Amend as requested.
244.	Technical correction	Add findings and recommendations from I-5/I-405 loop study in Chapter 7	Peter Finley Fry	11/14/07	Agree. Amend as requested.
245.	Technical	Page 6-7 (map of proposed financially	City of Sherwood	11/15/07	Agree. Amend as requested.

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
	correction	constrained projects): Sherwood's project 10674 (Oregon Tonquin Roundabout), 10677 (Adams Ave North), 10702 (2040 Corridor), and 10703 are not labeled on the map. Intersection projects also do not show up on the map (i.e. 10674).			
246.	Technical correction	The map shows 99W at the north end of Sherwood as a Highway and then there is a large gap before it picks up as a Regional Street in Tualatin. It is unclear why the design classification through Sherwood would not be similar to that of Tualatin and Tigard as it is serving employment areas, corridors, 2040 centers, etc.	City of Sherwood	11/15/07	Agree. Amend as requested and to designate the area outside of the UGB between Sherwood and Tualatin as a "highway" design designation.
247.	Technical correction	Sherwood's future community streets do not show up on this map as dashed lines (i.e. Adams Ave North).	City of Sherwood	11/15/07	Agree. Amend as requested.
248.	Technical correction	Page 4-10: Sherwood is not labeled on the system map	City of Sherwood	11/15/07	Agree. Amend as requested.
249.	Technical correction	Page 7-46 – Discussion indicates that no capacity projects are proposed on 99W south of Greenburg, however the RTP project lists indicates RTP project number 10770 would widen 99W to 7 lanes through to Beef Bend.	City of Sherwood	11/15/07	No change recommended. All 7-lane arterial projects will be further evaluated during the state component of the RTP update to ensure consistency with RTP goals, objectives and performance measures that will be developed during the state component of the process.
250.	Process	Sherwood is in the process of developing the Brookman Road concept plan and initial traffic modeling indicates that, even at a no-build scenario, Pacific Highway may need to be widened to 7 lanes to accommodate anticipated traffic. While this is not in the current Sherwood	City of Sherwood	11/15/07	No change recommended. This comment will be addressed as part of the state component of the RTP update. See also comment #240 and 249.

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CONSENT ITEMS FOR JPACT CONSIDERATION

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		TSP, it is anticipated that in implementing the Brookman Road concept plan, amendments to the TSP would be necessary. The City would like confirmation on how to "reserve" the right to make anticipated near term adjustments to the RTP to reflect necessary changes identified through the concept planning process.			
251.	Projects	Recommend adding Project #10283 and #10285 to the financially constrained plan to complete the Barbur Streetscape Plan developed in partnership with ODOT Region 1 and promised by a city and state several years ago. Multi-modal improvements (transit, bike and pedestrian) are urgently needed along this corridor in order to encourage use of alternative modes and improve safety.	Hillsdale Neighborhood Association Southwest Neighborhoods Inc.	11/14/07 11/15/07	This comment has been forwarded to the City of Portland and ODOT to consider. Projects included in the plan were required to come from adopted plans or studies developed through a previous public process. Unlike other jurisdictions in the region, the City of Portland did not bring forward projects owned and operated by other agencies such as ODOT. These projects did not meet the additional criteria that the City of Portland used to create the financially constrained list. The following criteria were used to identify Portland projects for the federally constrained list: • Projects in Transportation System Plan (TSP) that were also on the Regional Transportation Plan (RTP) • Projects in current Office of Transportation Capital Improvement Plan (CIP) • Projects that received or requested MTIP funds • Projects that received or requested state Transportation Enhancement (TE) funds • Projects that received or requested state ODOT Grant Funds • Projects identified in the Final Systems Development Charge (SDC) project list • Included in a Modal Plan • Projects identified in completed TSP studies

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
					ODOT focused prioritized their limited revenue sources on operations and maintenance of the existing system, targeted capacity projects on the interstate system and project development (engineering and right-of-way acquisition) for the interstate system. This project, and others, will be included in additional analysis to be completed during state component of the RTP update. Refinements to the financially constrained system will likely be identified based on that analysis and discussions about funding responsibility.
252.	Projects	Recommend the Garden Home Road Project #10191 be deleted from the financially constrained list.	Hillsdale Neighborhood Association Southwest Neighborhoods Inc. Terry Moore Ashcreek Neighborhood Association	11/14/07 11/15/07 11/15/07 11/15/07	This comment has been forward to the City of Portland for consideration. Recommendation under comment #124 calls for dividing Project 10191: into two projects, make changes to descriptions, then delete Project 1 from the financially constrained system and add project #2 to the financially constrained system to improve and signalize the intersection at SW Garden Home and SW Multnomah boulevard.
253.	Projects	Capitol Highway projects #10272, 10273, 10282 and #10189 are high priority for multi-modal improvements in Southwest Portland and the Hillsdale Neighborhood Association and must be placed in the financially constrained list.	Hillsdale Neighborhood Association Southwest Neighborhoods Inc. Michelle Beeker	11/14/07 11/15/07 11/15/07	This comment has been forward to the City of Portland for consideration. This project did not meet the additional criteria that the City of Portland used to create the financially constrained list. See comment #251.

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
254.	Projects	Recommend the reduction or elimination of the SW Hamilton Project #10226 which we see as important but not as important as addressing the needs of our key arterials, Barbur and Capitol Highway.	Hillsdale Neighborhood Association Southwest Neighborhoods Inc.	11/14/07 11/15/07	This comment has been forward to the City of Portland for consideration.
255.	Projects	Project 10171 Burnside Couplet and Streetcar is too expensive. Other lower cost solutions should be pursued.	Michelle Beeker	11/15/07	This comment has been forward to the City of Portland for consideration.
256.	Projects	Project 10235 – do not close Ross Island Bridge ramps from Barbur Boulevard	Michelle Beeker	11/15/07	This comment has been forwarded to the City of Portland and ODOT for consideration.
257.	Process	Metro and the City of Portland needs to involve local neighborhoods in selecting and designing projects for inclusion in the Regional Transportation Plan and Metropolitan Transportation Improvement Program before the Portland's list is forwarded to Metro. Historically neighborhood input into the project lists PDOT put forward for regional funding was achieved via the "Neighborhood Needs" program. The Portland "Neighborhood Needs" program has not been utilized by PDOT for more than six years. It is for this reason that our neighborhood and many others feel left out of this process and are communicating our disagreement with the proposed RTP project listings at this time.	Hillsdale Neighborhood Association Southwest Neighborhoods Inc. Ashcreek Neighborhood Association	11/14/07 11/15/07 11/15/07	This comment has been forward to the City of Portland for consideration. In June 2007, agencies submitted projects and programs that came from local and regional plans or studies that had been previously adopted through a previous public process. The investments submitted responded to the provisional policy framework. ODOT and TriMet collaborated with Metro and local agencies to identify investments that respond to mobility corridor priorities identified by the Freight Task Force, JPACT and MPAC last spring. In addition, local agency TPAC representatives for each of the three counties worked with the cities within their respective county to identify other community-building investments to complement the mobility corridor investments. The result of this effort was the development of the 2035 RTP Investment Pool. In addition, the three County Coordinating Committees and Metro's Transportation Policy Alternatives Committee (TPAC) discussed projects to bring forward into the RTP financially constrained system as part of public meetings.
258.	Projects	Recommend eliminating or redesigning	Southwest	11/15/07	No change recommended. All 7-lane arterial projects will

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CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
		the Highway 99W Project #10770 because it would add vehicle capacity and increase trips through our coalition area without enhancing access to alternative modes along the corridor. The project is inconsistent with the needs described in the RTP (page 7-46) as it adds several additional vehicle lanes without addressing growth-related problems along the corridor.	Neighborhoods Inc.		be further evaluated during the state component of the RTP update to ensure consistency with RTP goals, objectives and performance measures that will be developed during the state component of the process.
259.	Projects	The Taylors Ferry Road Extension (Project #10545) should not be built if the financially constrained list does not also include improvements to the rest of Taylors Ferry Road (Project #10282, 10284) consistent with the Taylors Ferry Road Plan. Project #10545 would provide connectivity in Washington County without considering the impact of additional regional traffic in our community on an arterial that lacks shoulders, sidewalks, and bike paths.	Southwest Neighborhoods Inc. Ashcreek Neighborhood Association	11/15/07 11/15/07	This comment has been forward to the City of Portland for consideration. See comment #251.
260.	Projects	Include Project #10184 bike path from Foster Road at Powell Boulevard to 90th Avenue in financially constrained system.	Michelle Roach Gregory Ewer Linda Goertz Kathleen Clarkson	11/12/07 11/14/07 11/15/07 11/15/07	This comment has been forward to the City of Portland for consideration. See comment #251.
261.	Projects	Include Project 10305 bikeway on Holgate from 52nd Avenue to I-205 in financially constrained system.	Michelle Roach Gregory Ewer	11/12/07 11/14/07	This comment has been forward to the City of Portland for consideration. See comment #252.

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CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
			Linda Goertz Kathleen Clarkson	11/15/07 11/15/07	
262.	Projects	Include Project 10291 on 82nd avenue from Schiller to Clatsop	Michelle Roach Linda Goertz Kathleen Clarkson	11/12/07 11/15/07 11/15/07	This comment has been forward to the City of Portland and ODOT for consideration. See comment #.252.
263.	Projects	Include sidewalks and bike lanes on Vermont Street between 30th and 37th avenues.	Ken Meyer	11/6/07	This comment has been forward to the City of Portland for consideration. See comment #251.
264.	Projects	Remove project 10371 and 10362 from financially constrained system. These projects are not consistent with city goals and policies for addressing global warming and increasing bicycling.	Levin Nock	11/11/07	This comment has been forwarded to the Port of Portland for consideration.
265.	Projects	Include Tryon Creek Culvert Alternatives Analysis Study in RTP	City of Lake Oswego	11/13/07	This comment will be addressed during the state component of the RTP update.
266.	Project	Update refinement planning description for I-5/99W connector to reflect project steering committee recommendations. Also add reference to Tualatin-Sherwood Road not meeting LOS policy in Chapter 3.	Dave Volz	11/15/07	This comment will be addressed during the state component of the RTP update.
267.	Prioritization	The RTP update needs to prioritize transportation corridors that are critical to the movement of freight so funding can be directed to these areas rather than spreading limited dollars too thinly across the region.	Ann Gardner, Portland Freight Committee	11/15/07	Agree. This work will be completed during the state component of the RTP update in coordination with the regional freight and goods movement plan effort. Performance measures for the regional mobility system will be developed and additional analysis of mobility corridors will be conducted. Priorities for investment will be

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION

#	Category	Comment	Source	Date	Staff Recommendation to TPAC *
					refined based on that analysis.
268.	Projects	Culvert replacement for Kellogg Creek/Mt. Scott Creek should be a priority. Metro's acquisition funding should be used to leverage/match of funding of transportation investments in this area.	Pat Russell North Clackamas CPO	10/25/07 11/15/07	This comment has been forwarded to the Metro Council, City of Milwaukie and Clackamas County for consideration.
269.	Projects	Milwaukie Expressway investments should be a priority over Sunrise Corridor and more connectivity is needed in the Clackamas Industrial area to help address congestion in the area.	Pat Russell North Clackamas CPO	10/25/07 11/15/07	This comment has been forwarded to ODOT and Clackamas County for consideration. This comment will be addressed as part of the state component of the RTP update. Performance measures for the regional mobility system will be developed and additional analysis of mobility corridors will be conducted. Priorities for investment will be refined based on that analysis.
270.	Projects	Strawberry Lane pedestrian improvements and other east/west connections should be priority investments. Recent work on the Strawberry Lane overcrossing by ODOT did not address this need.	Pat Russell North Clackamas CPO	10/25/07 11/15/07	This comment has been forwarded to ODOT and Clackamas County for consideration. Funding responsibility for important overcrossing connections such as this one will be further addressed during the state component of the RTP.
271.	Projects	Focus investments in the existing urban growth boundary before addressing areas at the edge of the UGB.	Pat Russell North Clackamas CPO	10/25/07 11/15/07	This comment has been forwarded to Clackamas County and the cities in Clackamas County for consideration. Additional discussions of this issue will occur as part of the state component of the RTP update.
272.	Projects	Investments in freight mobility should be concentrated on the rail system, not the truck routes	Pat Russell	10/25/07	Additional work on freight mobility will be completed during the state component of the RTP update in coordination with the regional freight and goods movement plan effort. Performance measures for the regional mobility system will be developed and additional analysis of mobility corridors will be conducted. Priorities for investment will be refined based on that analysis.
273.	Projects	Extend LRT to Oregon City	Pat Russell	10/25/07	The draft plan includes bus rapid transit connection from Milwaukie to Oregon city via the McLoughlin Corridor in the financially constrained system. The Regional High

* TPAC will take action on these recommendations on November 30, 2007.

CONSENT ITEMS FOR JPACT CONSIDERATION					
#	**Category**	**Comment**	**Source**	**Date**	**Staff Recommendation to TPAC ***
					Capacity Transit (HCT) Study will further evaluate this in coordination with the state component of the RTP update in 2008. The evaluation will consider other HCT modes and potential alignments along I-205 and McLoughlin Boulevard.
274.	Actions	Add new action to include employers and transportation management associations in project development processes.	Westside Transportation Alliance	11/15/07	Agree. Amend as requested.
275.	Measures	Add a potential measure to assess the cost benefit to people using transit, walking and bicycling as a corollary to the cost of congestion measure that has been used in previous studies.	Westside Transportation Alliance	11/15/07	Agree. Amend as requested. Development of a final set of performance measures will occur as part of the state component of the RTP update.

* TPAC will take action on these recommendations on November 30, 2007.

Metro Policy Advisory Committee

November 28, 2007
Item 6 – Regional Housing Choice Revolving Fund

MPAC Worksheet

Agenda Item Title: Regional Housing Choice Revolving Fund Proposal

Presenter: Robert Liberty

Council Liaison Sponsor: Robert Liberty

***MPAC Meeting Target Date:** November 28, 2007

***Amount of time needed at meeting**:
Presentation: 15
Discussion: 5
Information (laying groundwork for a later decision):
Update:
Action required?:

***Purpose/Objective**:
Update and gain MPAC reactions to the Regional Housing Choice Revolving Fund.

***Action Requested/Outcome:**
MPAC approval.

Background and context:
In February 2006, MPAC accepted the report from Metro's Housing Choice Task Force. That report identified an acute need for increased housing choices for families and individuals of modest means. The Task Force recommended that Metro "direct efforts towards development of resources, and especially a new, permanent regional resource for affordable housing."

In response to this recommendation from the Task Force, and to help implement the region's 2040 Regional Framework Plan, Councilor Robert Liberty has proposed that Metro allocate $1 million as seed money for the creation of a $10-$20 million Regional Housing Choice Revolving Fund (RHCRF). If approved, Metro's $1 million contribution to the loan fund is expected to leverage $9-$19 million in matching contributions from public, private, and charitable partners to create the fund, which would be managed by an experienced nonprofit community based fund administrator, and governed by a regional board of directors. As of this date, contributions from local governments other than Portland are not anticipated.

Drawing on this $10-$20 million principal, the RHCRF would extend low-interest loans to catalyze the development and preservation of affordable housing in the Metro area. Non-profit and for-profit developers would utilize these low-interest loans for such purposes as site acquisition and holding, predevelopment costs for planning and design, and short-term debt financing for the acquisition of existing rental properties with expiring affordability requirements.

This is a different activity from the existing nonprofit organizations in the region, which engage in housing development, technical assistance to nonprofit housing developers, housing policy advocacy and assistance to potential home-buyers.

A $10 million fund could catalyze the creation or preservation of 250-350 affordable homes in the region each 2 years, and would leverage an estimated $40 million in public and private investments in housing. A $20 million fund would double the impact, creating or preserving 500-700 homes each 2 years and leveraging up to $80 million in public and private investments.

The Fund would also help implement the 2040 Growth Concept by promoting mixed-use, mixed-income patterns of development in regional centers and town centers, in light rail station communities, and along main streets and corridors. In keeping with the 2040 Growth Concept, the RHCRF would also promote best practices in green and sustainable design. Metro's experience—gained through the Transit Oriented Development and Nature In Neighborhoods programs—would serve as a valuable experience to draw upon in these efforts.

Metro's contribution of $1 million would be contingent upon several conditions being met: (1) The establishment of a fund with at least $10 million in capital that fulfills Metro's regional development and housing objectives; (2) Metro representation on the governing board; and (3) The Council is satisfied that the fund's will satisfy professional standards. These conditions must be fulfilled within two years of the Metro Council's approval of the budget amendment. The Metro Council will consider this budget amendment during September.

Enterprise Community Partners is a key partner in this work, and will serve as "midwife" in the creation of the Regional Housing Choice Revolving Fund. Enterprise is a non-profit provider of capital and expertise in support of affordable housing and community development. Working on the national scale, Enterprise has participated in the creation and administration of similar housing funds in New York City, Washington D.C., the Gulf Coast, and Los Angeles.

In cooperation with Enterprise Community Partners, state agencies and local governments, charitable foundations, private banks, and housing developers, Councilor Liberty is working to secure matching contributions and develop the Fund's organizational structure.

What has changed since MPAC last considered this issue/item?
MPAC has not yet considered this item.

What is the timeline for further consideration of this agenda item:
Council will vote on the proposal on September 27th. If passed, MPAC will be consulted again as Councilor Liberty moves forward in his work to establish the RHCRF.

What packet material do you plan to include:

Budget proposal
Full proposal
Letters of support from other partner organizations
Excerpts from Housing Choice Task Force recommendations
Minutes of MPAC meeting discussing the Housing Choice Task Force

Metro Policy Advisory Committee

November 28, 2007
Item 7 – Ordinance 07-1165 Boundary Code Changes

MPAC Worksheet

***Agenda Item Title**: Ordinance No. 07-1165, For the Purpose of Amending Metro Code Chapter 3.09 (Local Government Boundary Changes) to Implement 2007 Oregon Laws Chapter 173 and Update the Chapter, and Declaring an Emergency

Presenter: Richard Benner

Council Liaison Sponsor: Councilor Carl Hosticka

***MPAC Meeting Target Date:** November 28, 2007 (Introduction); Jan. 9, 2008 (Action)

***Amount of time needed at meeting**:
Presentation: 20 minutes
Discussion: 15 minutes
Information (laying groundwork for a later decision):
Update:
Action required?: Recommendation to Council on Jan. 9, 2008

***Purpose/Objective**: These proposed amendments intend to bring Metro's boundary change code up to date and into conformance with legislative changes and recent appellate rulings.

***Action Requested/Outcome:** Should the Council eliminate the internal (to Metro) process for appeals of changes to the boundaries of cities or special districts, as allowed by Senate Bill 615? Should the Council bring the code up to date?

Recommendation to Council on Jan. 9, 2008

Background and context: Metro Code Chapter 3.09 establishes procedures and criteria for changes to the boundaries of cities, districts and Metro, for formation of districts, and for incorporation of cities. The purpose of this chapter is to carry out the provisions of ORS 268.354. This chapter applies to formation of new cities and special districts and to all changes to the boundaries of cities and special districts, including the boundary of Metro. This chapter does not affect the region's Urban Growth Boundary (UGB) or the jurisdiction of the Metro Council to amend the UGB.

Metro's principal statute – ORS Chapter 268 – gave this responsibility to Metro at the time the Legislature abolished the Portland Metropolitan Area Local Government Boundary Commission. Changes to the statutes on boundary changes and rulings from administrative and judicial tribunals have made Chapter 3.09 out of date. For example, the 2007 Legislature amended Metro's statute to eliminate the requirement that Metro provide an internal (to Metro) process for appeals of local government boundary changes (Senate Bill 615). The amendments proposed by the ordinance would eliminate this appeals process from the chapter, with the result that such appeals would go directly to LUBA.

The ordinance makes many minor changes to the chapter in order to bring it up to date and more user-friendly.

What has changed since MPAC last considered this issue/item? Enactment of 2007 Oregon Laws chapter 173, eliminating requirement that Metro provide an internal process to appeal boundary changes. LUBA rulings in several boundary changes cases.

What is the timeline for further consideration of this agenda item: Following recommendation by MPAC, the Council will consider the ordinance at a public hearing scheduled for January 17, 2008. MTAC will consider this ordinance at their Dec. 5, 2007 and Jan. 2, 2008 meetings and will make a recommendation to MPAC for the Jan. 9, 2008 MPAC meeting.

What packet material do you plan to include: Packet will include the ordinance, Exhibit A (the amendments to the code), the staff report, and a section-by-section explanation of the amendments.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 3.09 (LOCAL GOVERNMENT BOUNDARY CHANGES) TO IMPLEMENT 2007 OREGON LAWS CHAPTER 173 AND UPDATE THE CHAPTER, AND DECLARING AN EMERGENCY	)))))	Ordinance No. 07-1165 Introduced by Chief Operating Officer Michael Jordan with the Concurrence of Council President David Bragdon

WHEREAS, the Legislature enacted 2007 Oregon Laws chapter 173 (Senate Bill 615), which repealed the requirement in ORS chapter 268 that Metro provide a process for certain local governments to appeal boundary changes by other local governments to a Metro-established boundary appeals commission; and

WHEREAS, the Legislature concluded that the process for appeals to Metro's boundary appeals commission had become redundant with appeals of boundary changes to the Land Use Board of Appeals ("LUBA"), and a pre-requisite to appeal to LUBA; and

WHEREAS, other provisions in chapter 3.09 of the Code have become obsolete; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Chapter 3.09 of the Metro Code is hereby amended, as indicated in Exhibit "A", attached and incorporated into this ordinance, in order to implement 2007 Oregon Laws chapter 173 and to make other changes to bring the chapter up to date.

2. The Findings of Fact and Conclusions of Law in Exhibit "B", attached and incorporated into this ordinance, explain how these amendments comply with the Regional Framework Plan and statewide planning laws.

3. This ordinance is necessary for the immediate preservation of public health, safety and welfare because the effective date of 2007 Oregon Laws chapter 173 is January 1, 2008, and timely repeal of code provisions that establish the boundary appeals commission will save local governments time and money on redundant appeals. An emergency is, therefore, declared to exist, and this ordinance shall take effect immediately, pursuant to Metro Charter section 39(1).

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

m:\attorney\confidential\7.13.4\07-1165.001
OMA/RPB/kvw (10/03/07)

Proposed ~~Changes~~Amendments to Metro~~'s Boundary Change~~ Code Chapter 3.09 (Local Government Boundary Changes)

~~August 2~~September 24, 2007

3.09.010 Purpose and Applicability

The purpose of this chapter is to carry out the provisions of ORS 268.354. This chapter applies to all boundary changes within the boundaries of Metro ~~or~~ and any ~~urban reserve designated by Metro prior to June 30, 1997~~ annexation of territory to the Metro boundary. Nothing in this chapter affects the jurisdiction of the Metro Council to amend the region's Urban Growth Boundary (UGB).

3.09.020 Definitions

As used in this chapter, unless the context requires otherwise:

(a) "Affected entity" means a county, city~~,~~ or ~~special~~ district for which a boundary change is proposed or is ordered.

(b) "Affected territory" means territory described in a petition.

(c) ~~"Approving entity" means the governing body of a city, county, city-county or district authorized to make a decision on a boundary change, or its designee.~~

~~(d)~~ "Boundary change" means a major or minor boundary change~~,~~ involving affected territory lying within the jurisdictional boundaries of Metro ~~and~~ or the boundaries of the urban reserves designated by Metro prior to June 30, 1997.

~~(e) "Contested case" means a boundary change decision by a city, county or district that is contested or otherwise challenged by a necessary party.~~

(d) "Deliberations" means discussion among members of a reviewing entity leading to a decision on a proposed boundary change at a public meeting for which notice was given under this chapter.

(~~f~~e) "District" means a district defined by ORS 198.710 or any district subject to Metro boundary procedure act under state law.

(f~~g~~) "Final decision" means the action by ~~an approving~~ a reviewing entity whether adopted by ordinance, resolution or other means which is the determination of compliance of the proposed boundary change with ~~all~~ applicable criteria and which requires no further discretionary decision or action by the ~~approving~~ reviewing

entity other than any required referral to electors. "Final decision" does not include resolutions, ordinances or other actions whose sole purpose is to refer the boundary change to electors or to declare the results of an election, or any action to defer or continue deliberations on a proposed boundary change.

(~~h~~g) "Major boundary change" means the formation, merger, consolidation or dissolution of a city or district.

(~~i~~h) "Minor boundary change" means an annexation or withdrawal of territory to or from a city or district or from a city-county to a city. "Minor boundary change" also means an extra-territorial extension of water or sewer service by a city or district. "Minor boundary change" does not mean withdrawal of territory from a district under ORS 222.520.

(~~j~~i) "Necessary party" means~~:~~ any county~~,~~; city; ~~or~~ district whose jurisdictional boundary or adopted urban service area includes any part of the affected territory or who provides any urban service to any portion of the affected territory~~,~~; Metro~~,~~; ~~and~~or any other unit of local government, as defined in ORS 190.003, that is a party to any agreement for provision of an urban service to the affected territory.

(~~k~~j) "Petition" means ~~a petition, resolution or other~~ any form of ~~initiatory~~ action ~~for~~ that initiates a boundary change.

(k) "Reviewing entity" means the governing body of a city, county or Metro, or its designee.

(l) ~~"Uncontested case" means a boundary change decision by an approving entity that is not challenged by a necessary party to that decision.~~

~~(m)~~ "Urban services" means sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads and mass transit.

3.09.030 ~~Uniform~~ Notice Requirements ~~for Final Decisions~~

(a) The ~~following minimum~~ notice requirements in this section apply to all boundary change decisions by ~~an approving~~ a reviewing entity except expedited decisions made pursuant to section 3.09.045. ~~Approving entities may choose to provide more notice than required.~~ These ~~procedures~~ requirements ~~are~~ apply in addition to, and do not supersede, ~~the~~ applicable requirements of ORS ~~C~~chapters 197, 198, 221 and 222 and any city or county charter ~~for~~ provision on boundary changes. ~~Each approving entity shall provide for the manner of notice of boundary change decisions to affected persons.~~

(b) ~~An approving~~ Within 45 after a reviewing entity determines that a petition is complete, the entity shall set a time for deliberations on a boundary change~~ within 30 days after the petition is completed~~. The ~~approving~~ reviewing entity shall give notice of its proposed deliberations by mailing notice to all necessary parties, by weatherproof posting of the notice in the general vicinity of the affected territory, and by publishing notice in a newspaper of general circulation in the affected territory. Notice shall be mailed and posted at least ~~45~~20 days prior to the date of~~ decision~~ deliberations ~~for major boundary changes and for those minor boundary changes which are not within the scope of adopted urban service provider agreements and for which a shorter notice period has not been agreed to by all necessary parties. However, notice of minor boundary changes to special districts may be mailed and posted at least 40 days prior to the proposed date of decision.~~ Notice shall be published as required by state law.

(c) The notice ~~of the date of deliberations~~ required by subsection (b) shall:

(1) ~~d~~Describe the affected territory in a manner that allows certainty;

(2) ~~s~~State the date, time and place where the ~~approving~~ reviewing entity will consider the boundary change; and

(3) ~~s~~State the means by which any ~~interested~~ person may obtain a copy of the ~~approving~~ reviewing entity's report on the proposal. ~~The notice shall state whether the approving entity intends to decide the boundary change without a public hearing unless a necessary party requests a public hearing.~~

(d) ~~An approving~~ A reviewing entity may adjourn or continue its final ~~decision~~ deliberations on a proposed boundary change to another time. For a continuance later than ~~31~~ 28 days after the time stated in the original notice, notice shall be reissued in the form required by subsection (b) of this section at least ~~15~~ five days prior to the continued date of decision. ~~For a continuance scheduled within 31 days of the previous date for decision, notice shall be adequate if it contains the date, time and place of the continued date of decision.~~

(e) ~~An approving~~ A reviewing entity's final decision shall be ~~reduced to writing~~ written and authenticated as its official act within ~~5 working~~ 30 days following the decision and mailed or delivered to Metro and to all necessary parties ~~parties to the decision~~. The mailing or delivery to Metro shall include payment to Metro of the filing fee required pursuant to Section ~~3.09.110~~3.09.060. ~~The date of mailing shall constitute the date from which the time for appeal runs for appeal of the decision to the Metro Boundary Appeals Commission.~~

~~(f) Each county shall maintain a current map and list showing all necessary parties entitled to receive notice of proposed boundary changes. A county shall provide copies of the map, list, and any changes thereto, to Metro.~~

3.09.040 ~~Minimum~~ Requirements for Petitions

(a) A petition for a boundary change ~~shall be deemed complete if it includes~~ must contain the following information:

(1) The jurisdiction of the ~~approving~~ reviewing entity to act on the petition;

(2) A ~~narrative,~~ map and a legal ~~and graphical~~ description of the affected territory in the form prescribed by the ~~Metro Chief Operating Officer~~reviewing entity;

(3) For minor boundary changes, the names and mailing addresses of all persons owning property and all electors within the affected territory as shown in the records of the tax assessor and county clerk;and

(4) ~~A listing of the present providers of urban services to the affected territory;~~ For boundary changes under ORS 198.855(3), 198.857, 222.125 or 222.170, statements of consent to the annexation signed by the requisite number of owners or electors.

~~(5) A listing of the proposed providers of urban services to the affected territory following the proposed boundary change;~~

~~(6) The current tax assessed value of the affected territory; and~~

~~(7) Any other information required by state or local law.~~

(b) A city, ~~or~~ county and Metro may charge a fee to recover its reasonable costs to carry out its duties and responsibilities under this chapter.

3.09.045 Expedited Decisions

(a) ~~Approving entities~~ The governing body of a city or Metro may ~~establish~~ use ~~an expedited decision~~ the process set forth in this section~~that does not require a public hearing consistent with this section~~for minor boundary changes for which the petition is accompanied by the written consents of one hundred percent of property owners and at least fifty percent of the electors, if any, within the affected territory. No public hearing is required. ~~Expedited decisions are not subject to the requirements of Sections 3.09.030(b)~~

~~and 3.09.050(a), (b), (c),(e) or (f). The expedited decision process may only be utilized for minor boundary changes where the petition initiating the minor boundary change is accompanied by the written consent of one hundred percent (100%) of the property owners and at least fifty percent (50%) of the electors, if any, within the affected territory.~~

(b) The expedited ~~decision~~ process must provide for a minimum of ~~20~~ 20 days' notice prior to the date set for decision to all ~~interested~~ necessary parties and other persons entitled to notice by the laws of the city or Metro. The notice shall state that the petition is subject to the expedited process~~. The expedited process may not be utilized if~~ unless a necessary party gives written notice of its~~ intent to contest the decision prior to the date of the decision~~.objection to the boundary change. ~~A necessary party may not contest a minor boundary change where the minor boundary change is explicitly authorized by an urban services agreement adopted pursuant to ORS 195.065.~~

(c) At least seven days prior to the date of decision the ~~approving entity~~ city or Metro shall make available to the public a ~~brief~~ report that ~~addresses the factors listed in Section 3.09.050(b). The decision record shall demonstrate compliance with the criteria contained in Sections 3.09.050(d)and (g).~~ includes the following information:

(1) The extent to which urban services are available to serve the affected territory, including any extra-territorial extensions of service;

(2) Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party; and

(3) The proposed effective date of the boundary change.

(d) ~~Decisions made pursuant to an expedited process are not subject to appeal by a necessary party pursuant to Section 3.09.070.~~ To approve a boundary change through an expedited process, the city shall:

(1) Find that the change is consistent with expressly applicable provisions in:

(A) Any applicable urban service agreement adopted pursuant to ORS 195.065;

(B) Any applicable annexation plan adopted pursuant to ORS 195.205;

(C) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020(2) between the affected entity and a necessary party;

(D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services; and

(E) Any applicable comprehensive plan; and

(2) Consider whether the boundary change would:

(A) Promote the timely, orderly and economic provision of public facilities and services;

(B) Affect the quality and quantity of urban services; and

(C) Eliminate or avoid unnecessary duplication of facilities or services.

(e) A city may not annex territory that lies outside the UGB, except it may annex a lot or parcel that lies partially within and outside the UGB. A city may not extend water, sewer or storm-water services from inside a UGB to territory that lies outside the UGB. A district may annex territory outside the UGB if the district already includes territory outside the UGB. However, such a district may extend water, sewer or storm-water services to proposed development on land outside the UGB only if the development is authorized by acknowledged provisions of the county's comprehensive plan and land use regulations.

3.09.050 ~~Uniform~~ Hearing and Decision Requirements for ~~Final~~ Decisions Other Than Expedited Decisions

(a) The following ~~minimum~~ requirements for hearings on ~~boundary change decisions~~ petitions operate in addition to ~~all procedural~~ requirements for boundary changes ~~provided for under~~ in ORS chapters 198, 221 and 222 and the reviewing entity's charter, ordinances or resolutions. ~~Nothing in this chapter allows an approving entity to dispense with a public hearing on a proposed boundary change when the public hearing is required by applicable state statutes or is required by the approving entity's charter, ordinances or resolutions.~~

(b) Not later than 15 days prior to the date set for a ~~boundary change decision~~hearing~~,~~ the ~~approving~~ reviewing entity shall make available to the public a report that addresses the criteria in subsection~~s~~ (d) ~~and (g) below,~~ and ~~that~~ includes ~~at a minimum the following:~~the following information:

(1) The extent to which urban services ~~presently~~ are available to serve the affected territory, including any extra territorial extensions of service;

(2) ~~A description of how the proposed boundary change complies with any urban service provider agreements adopted pursuant to ORS 195.065 between the affected entity and all necessary parties;~~

~~(3) A description of how the proposed boundary change is consistent with the comprehensive land use plans, public facility plans, regional framework and functional plans, regional urban growth goals and objectives, urban planning agreements and similar agreements of the affected entity and of all necessary parties;~~

~~(4)~~ Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party; and

(~~5~~3) The proposed effective date of the ~~decision~~ boundary change.

(c) ~~In order to have standing to appeal a boundary change decision pursuant to Section 3.09.070 a necessary party must appear at the hearing in person or in writing and state reasons why the necessary party believes the boundary change is inconsistent with the approval criteria. A necessary party may not contest a boundary change where the boundary change is explicitly authorized by an urban services agreement adopted pursuant to ORS 195.065. At any public hearing, the~~ The person~~s~~ or ~~entities~~ entity proposing the boundary change ~~shall have the~~ has the burden to ~~prove~~ demonstrate that the ~~petition~~ proposed boundary change meets the applicable criteria ~~for a boundary change~~.

(d) ~~An approving entity's final decision on a boundary change shall include findings and conclusions addressing the following criteria:~~ To approve a boundary change, the reviewing entity shall apply the criteria and consider the factors set forth in subsections (d) and (e) of section 3.09.045.

~~(1) Consistency with directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065;~~

~~(2) Consistency with directly applicable provisions of urban planning or other agreements, other than agreements adopted pursuant to ORS 195.065, between the affected entity and a necessary party;~~

~~(3) Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans;~~

~~(4) Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plan;~~

~~(5) Whether the proposed change will promote or not interfere with the timely, orderly and economic provisions of public facilities and services;~~

~~(6) The territory lies within the Urban Growth Boundary; and~~

~~(7) Consistency with other applicable criteria for the boundary change in question under state and local law.~~

~~(e) When there is no urban service agreement adopted pursuant to ORS 195.065 that is applicable, and a boundary change decision is contested by a necessary party, the approving entity shall also address and consider, information on the following factors in determining whether the proposed boundary change meets the criteria of Sections 3.09.050(d)and (g). The findings and conclusions adopted by the approving entity shall explain how these factors have been considered.~~

~~(1) The relative financial, operational and managerial capacities of alternative providers of the disputed urban services to the affected area;~~

~~(2) The quality and quantity of the urban services at issue with alternative providers of the urban services, including differences in cost and allocations of costs of the services and accountability of the alternative providers;~~

~~(3) Physical factors related to the provision of urban services by alternative providers;~~

~~(4) For proposals to create a new entity the feasibility of creating the new entity.~~

~~(5) The elimination or avoidance of unnecessary duplication of facilities;~~

~~(6) Economic, demographic and sociological trends and projections relevant to the provision of the urban services;~~

(7) Matching the recipients of tax supported urban services with the payers of the tax;

(8) The equitable allocation of costs to alternative urban service providers between new development and prior development; and

(9) Economies of scale.

(10) Where a proposed decision is inconsistent with an adopted intergovernmental agreement, that the decision better fulfills the criteria of Section 3.09.050(d) considering Factors (1) through (9) above.

(f) A final boundary change decision by an approving entity shall state the effective date, which date shall be no earlier than 10 days following the date that the decision is reduced to writing, and mailed to all necessary parties. However, a decision that has not been contested by any necessary party may become effective upon adoption.

(g) Only territory already within the defined Metro Urban Growth Boundary at the time a petition is complete may be annexed to a city or included in territory proposed for incorporation into a new city. However, cities may annex individual tax lots partially within and without the Urban Growth Boundary.

3.09.060 Creation of Boundary Appeals Commission

(a) The Metro Boundary Appeals Commission is created to decide contested cases of final boundary change decisions made by approving entities. The Metro Council shall appoint the Commission which shall consist of three citizen members, one each to be appointed from a list of nominees provided to the Metro Council President at least 30 days prior to the commencement of each term by Clackamas, Multnomah and Washington counties, respectively. The Council shall appoint two of the members for a initial four-year term and one for a nominal two-year term, the initial terms to be decided by chance; thereafter, each commissioner shall serve a four year term. Each Commission member shall continue to serve in that position until replaced. Commission members may not hold any elective public office.

(b) The Metro Chief Operating Officer shall provide staff assistance to the Commission and shall prepare the Commission's annual budget for approval by the Metro Council.

(c) At its first meeting and again in its first meeting of each successive calendar year, the Commission shall adopt rules of procedure that address, among other things, the means by which a position is declared vacant and the means of filling a vacant

~~position; and, the Commission at that first meeting shall elect a chairperson from among its membership, who shall serve in that position until a successor is elected and who shall preside over all proceedings before the Commission.~~

~~3.09.070 How Contested Case Filed~~

~~(a) A necessary party to a final decision that has appeared in person or in writing as a party in the hearing before the approving entity decision may contest the decision before the Metro Boundary Appeals Commission. A contest shall be allowed only if notice of appeal is served on the approving entity no later than the close of business on the 10th day following the date that the decision is reduced to writing, authenticated and mailed to necessary parties. A copy of the notice of appeal shall be served on the same day on Metro together with proof of service on the approving entity, the affected entity and all necessary parties. The notice of appeal shall be accompanied by payment of Metro's prescribed appeal fee. Service of notice of appeal on the approving entity, the affected entity and all necessary parties by mail within the required time and payment of the prescribed appeal fee shall be jurisdictional as to Metro's consideration of the appeal.~~

~~(b) An approving entity shall prepare and certify to Metro, no later than 20 days following the date the notice of appeal is served upon it, the record of the boundary change proceedings.~~

~~(c) A contested case is a remedy available by right to a necessary party. When a notice of appeal is filed, a boundary change decision shall not be final until resolution of the contested case by the Commission.~~

~~(d) A final decision of an approving entity is subject to appeal to the Commission by a necessary party when it is the last action that needs to be taken by the approving entity prior to the referral of the boundary change to the electors in those cases where approval of the electors is required or permitted.~~

~~3.09.080 Alternate Resolution~~

~~(a) On stipulation of all parties to a contested case made at any time before the close of the hearing before the Commission, the Commission shall stay further proceedings before it for a reasonable time to allow the parties to attempt to resolve the contest by other means.~~

~~(b) A contested case that is not resolved by alternate means during the time allowed by the Commission shall be rescheduled for hearing in the normal course.~~

~~3.09.090 Conduct of Hearing~~

~~(a) The Commission shall schedule and conduct a hearing on a contested case no later than 30 days after certification of the record of the boundary change proceedings.~~

~~(b) The Commission shall hear and decide a contested case only on the certified record of the boundary change proceeding. No new evidence shall be allowed. The party bringing the appeal shall have the burden of persuasion.~~

~~(c) The Commission shall hear, in the following order, the Metro staff report, if any; argument by the approving entity and the affected entity; argument of the party that contests the decision below; and rebuttal argument by the approving entity and the affected entity. The Commission may question any person appearing before it. Metro staff shall not make a recommendation to the Commission on the disposition of a contested case.~~

~~(d) The deliberations of the Commission may be continued for a reasonable period not to exceed 30 days.~~

~~(e) The Chairperson may set reasonable time limits for oral presentation and may exclude or limit cumulative, repetitious or immaterial testimony. The Chairperson shall cause to be kept a verbatim oral, written, or mechanical record of all proceedings before the Commission.~~

~~(f) No later than 30 days following the close of a hearing before the Commission on a contested case, the Commission shall consider its proposed written final order and shall adopt the order by majority vote. The order shall include findings and conclusions on the criteria for decision listed in Section 3.09.050(d) and (g). The order shall be deemed final when reduced to writing in the form adopted, and served by mailing on all parties to the hearing.~~

~~(g) The Commission shall affirm or deny a final decision made below based on substantial evidence in the whole record. The Commission shall have no authority to remand a decision made below for further proceedings before the approving entity, and may only stay its proceedings to allow for alternate resolution as provided for in this chapter.~~

~~3.09.100 Ex Parte Communications to the Boundary Appeals Commission~~

~~Commission members shall place in the record a statement of the substance of any written or oral ex parte communication on a fact in issue made to them during the pendency of the proceeding on a contested case. A party to the proceeding at its request shall be allowed a reasonable opportunity to rebut the substance of the communication.~~

~~3.09.110~~ 3.09.060 Ministerial Functions of Metro

(a) Metro shall create and keep current maps of all service provider service areas and the jurisdictional boundaries of all cities, counties and special districts within Metro. The maps shall be made available to the public at a price that reimburses Metro for its costs. Additional information requested of Metro related to boundary changes shall be provided subject to applicable fees.

(b) The Metro Chief Operating Officer shall cause notice of all final boundary change decisions to be sent to the appropriate county assessor~~(s)~~ and elections officer~~(s)~~, the Oregon Secretary of State and the Oregon Department of Revenue. Notification of public utilities shall be accomplished as provided in ORS 222.005(1).

(c) The Metro Chief Operating Officer shall establish a fee structure ~~for~~ establishing the amounts to be paid upon filing notice of city or county adoption of boundary changes, ~~appeals to the Boundary Appeals Commission~~ and for related services. The fee schedule shall be filed with the Council Clerk and distributed to all cities, counties and special districts within the Metro region.

~~3.09.120~~ 3.09.070 ~~Minor Boundary~~ Changes to Metro's Boundary

(a) ~~Minor boundary changes~~ Changes to ~~the Metro Boundary~~ Metro's boundary may be initiated by Metro or the county responsible for land use planning for the affected territory property owners and electors in the territory to be annexed, or other public agencies if allowed by ORS 198.850(3). Petitions shall meet the ~~minimum~~ requirements of ~~S~~section 3.09.040 above. The Chief Operating Officer shall establish a filing fee schedule for petitions that shall reimburse Metro for the expense of processing and considering petitions. The fee schedule shall be filed with the Council.

(b) Notice of proposed ~~minor boundary~~ changes to the Metro ~~Boundary~~ boundary shall be given as required pursuant to Section 3.09.030.

(c) Hearings ~~will~~shall be conducted consistent with the requirements of ~~S~~section 3.09.050. ~~When it takes action on a minor boundary change, the Metro Council shall consider the requirements of Section 3.09.050 and all provisions of applicable law.~~

(d) ~~Minor boundary changes~~ Changes to the Metro ~~Boundary~~ boundary may be made pursuant to the expedited process set forth in ~~S~~section 3.09.045.

(e) The following criteria shall apply in lieu of the criteria set forth in subsection~~s~~ (d) ~~or (e)~~ of ~~S~~section 3.09.050 ~~to a minor boundary change to Metro's boundary~~. The Metro Council's final decision on a boundary change shall include findings and conclusions to demonstrate that:

(1) The affected territory lies within the UGB; ~~and~~

(2) The territory is subject to measures that prevent urbanization until the territory is annexed to a city or to service districts that will provide necessary urban services; and

(3) The proposed change is consistent with any applicable cooperative or urban service agreements adopted pursuant to ORS chapter 195.

~~(f) Contested case appeals of decisions regarding minor boundary changes to the Metro Boundary are subject to appeal as provided in Section 3.09.070.~~

~~3.09.130~~ 3.09.080 Incorporation of a City that Includes Territory Within Metro's Boundary

(a) A petition to incorporate a city that includes territory within Metro's boundary shall comply with the minimum notice requirements in ~~S~~section 3.09.030, the minimum requirements for a petition in ~~S~~section 3.09.040, the hearing and decision requirements in subsections (a), (c), and (~~f~~e) of ~~S~~section 3.09.050~~, and if the incorporation is contested by a necessary party, the contested case requirements and hearing provisions of 3.09.070, 3.09.080, 3.09.090, and 3.09.100,~~ except that the legal description of the affected territory required by Section 3.09.040(a)(1) need not be provided until after the Board of County Commissioners establishes the final boundary for the proposed city.

(b) A petition to incorporate a city that includes territory within Metro's jurisdictional boundary may include territory that lies outside Metro's UGB. However, incorporation of a city with such territory shall not authorize urbanization of that territory until the Metro Council includes the territory in the UGB pursuant to Metro Code Chapter 3.01.

(c) The following criteria shall apply in lieu of the criteria set forth in ~~S~~section 3.09.050(d) ~~and (e)~~. An approving entity shall demonstrate that:

(1) ~~i~~Incorporation of the new city complies with ~~the following criteria:~~applicable requirements of ORS 221.020, 221.031, 221, 034 and 221.035;

~~(1) At least 150 people reside in the territory proposed for incorporation, as required by ORS 221.020;~~

~~(2) No part of the territory proposed for incorporation lies within the boundary of another incorporated city, as prohibited in ORS 221.020;~~

~~(3) The petition complies with the requirements of ORS 221.031;~~

~~(4) The petitioner's economic feasibility statement complies with the requirements of ORS 221.035;~~

~~(5) If some of the territory proposed for incorporation lies outside the Metro UGB, that portion of the territory conforms to the requirements of ORS 221.034;~~

(~~6~~2) The petitioner's economic feasibility statement indicates that the city must plan for average residential density consistent with Title 1 ~~(one)~~ and Title 11 ~~(eleven)~~ of the Urban Growth Management Functional Plan; and

(3~~7~~) Any city whose approval of the incorporation is required by ORS 221.031(4) has given its approval or has failed to act within the time specified in that statute.

Exhibit A to Ordinance No. 07-1165

Proposed Amendments to Metro Code Chapter 3.09
(Local Government Boundary Changes)

September 24, 2007

3.09.010 Purpose and Applicability

The purpose of this chapter is to carry out the provisions of ORS 268.354. This chapter applies to all boundary changes within the boundaries of Metro and any annexation of territory to the Metro boundary. Nothing in this chapter affects the jurisdiction of the Metro Council to amend the region's Urban Growth Boundary (UGB).

3.09.020 Definitions

As used in this chapter, unless the context requires otherwise:

(a) "Affected entity" means a county, city or district for which a boundary change is proposed or is ordered.

(b) "Affected territory" means territory described in a petition.

(c) "Boundary change" means a major or minor boundary change involving affected territory lying within the jurisdictional boundaries of Metro or the boundaries of the urban reserves designated by Metro prior to June 30, 1997.

(d) "Deliberations" means discussion among members of a reviewing entity leading to a decision on a proposed boundary change at a public meeting for which notice was given under this chapter.

(e) "District" means a district defined by ORS 198.710 or any district subject to Metro boundary procedure act under state law.

(f) "Final decision" means the action by a reviewing entity whether adopted by ordinance, resolution or other means which is the determination of compliance of the proposed boundary change with applicable criteria and which requires no further discretionary decision or action by the reviewing entity other than any required referral to electors. "Final decision" does not include resolutions, ordinances or other actions whose sole purpose is to refer the boundary change to electors or to declare the results of an election, or any action to defer or continue deliberations on a proposed boundary change.

(g) "Major boundary change" means the formation, merger, consolidation or dissolution of a city or district.

(h) "Minor boundary change" means an annexation or withdrawal of territory to or from a city or district or from a city-county to a city. "Minor boundary change" also means an extra-territorial extension of water or sewer service by a city or district. "Minor boundary change" does not mean withdrawal of territory from a district under ORS 222.520.

(i) "Necessary party" means any county; city; district whose jurisdictional boundary or adopted urban service area includes any part of the affected territory or who provides any urban service to any portion of the affected territory; Metro; or any other unit of local government, as defined in ORS 190.003, that is a party to any agreement for provision of an urban service to the affected territory.

(j) "Petition" means any form of action that initiates a boundary change.

(k) "Reviewing entity" means the governing body of a city, county or Metro, or its designee.

(l) "Urban services" means sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads and mass transit.

3.09.030 Notice Requirements

(a) The notice requirements in this section apply to all boundary change decisions by a reviewing entity except expedited decisions made pursuant to section 3.09.045. These requirements apply in addition to, and do not supersede, applicable requirements of ORS chapters 197, 198, 221 and 222 and any city or county charter provision on boundary changes.

(b) Within 45 after a reviewing entity determines that a petition is complete, the entity shall set a time for deliberations on a boundary change. The reviewing entity shall give notice of its proposed deliberations by mailing notice to all necessary parties, by weatherproof posting of the notice in the general vicinity of the affected territory, and by publishing notice in a newspaper of general circulation in the affected territory. Notice shall be mailed and posted at least 20 days prior to the date of deliberations Notice shall be published as required by state law.

(c) The notice required by subsection (b) shall:

(1) Describe the affected territory in a manner that allows certainty;

(2) State the date, time and place where the reviewing entity will consider the boundary change; and

(3) State the means by which any person may obtain a copy of the reviewing entity's report on the proposal.

(d) A reviewing entity may adjourn or continue its final deliberations on a proposed boundary change to another time. For a continuance later than 28 days after the time stated in the original notice, notice shall be reissued in the form required by subsection (b) of this section at least five days prior to the continued date of decision.

(e) A reviewing entity's final decision shall be written and authenticated as its official act within 30 days following the decision and mailed or delivered to Metro and to all necessary parties. The mailing or delivery to Metro shall include payment to Metro of the filing fee required pursuant to Section 3.09.060.

3.09.040 Requirements for Petitions

(a) A petition for a boundary change must contain the following information:

(1) The jurisdiction of the reviewing entity to act on the petition;

(2) A map and a legal description of the affected territory in the form prescribed by the reviewing entity;

(3) For minor boundary changes, the names and mailing addresses of all persons owning property and all electors within the affected territory as shown in the records of the tax assessor and county clerk; and

(4) For boundary changes under ORS 198.855(3), 198.857, 222.125 or 222.170, statements of consent to the annexation signed by the requisite number of owners or electors.

(b) A city, county and Metro may charge a fee to recover its reasonable costs to carry out its duties and responsibilities under this chapter.

3.09.045 Expedited Decisions

(a) The governing body of a city or Metro may use the process set forth in this section for minor boundary changes for which the petition is accompanied by the written consents of one hundred percent of property owners and at least fifty percent of the electors, if any, within the affected territory. No public hearing is required.

(b) The expedited process must provide for a minimum of 20 days' notice prior to the date set for decision to all necessary parties and other persons entitled to notice by the laws of the city or Metro. The notice shall state that the petition is subject to the expedited process unless a necessary party gives written notice of its objection to the boundary change.

(c) At least seven days prior to the date of decision the city or Metro shall make available to the public a report that includes the following information:

(1) The extent to which urban services are available to serve the affected territory, including any extra-territorial extensions of service;

(2) Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party; and

(3) The proposed effective date of the boundary change.

(d) To approve a boundary change through an expedited process, the city shall:

(1) Find that the change is consistent with expressly applicable provisions in:

(A) Any applicable urban service agreement adopted pursuant to ORS 195.065;

(B) Any applicable annexation plan adopted pursuant to ORS 195.205;

(C) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020(2) between the affected entity and a necessary party;

(D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services; and

(E) Any applicable comprehensive plan; and

(2) Consider whether the boundary change would:

(A) Promote the timely, orderly and economic provision of public facilities and services;

(B) Affect the quality and quantity of urban services; and

(C) Eliminate or avoid unnecessary duplication of facilities or services.

(e) A city may not annex territory that lies outside the UGB, except it may annex a lot or parcel that lies partially within and outside the UGB. A city may not extend water, sewer or storm-water services from inside a UGB to territory that lies outside the UGB. A district may annex territory outside the UGB if the district already includes territory outside the UGB. However, such a district may extend water, sewer or storm-water services to proposed development on land outside the UGB only if the development is authorized by acknowledged provisions of the county's comprehensive plan and land use regulations.

3.09.050 Hearing and Decision Requirements for Decisions Other Than Expedited Decisions

(a) The following requirements for hearings on petitions operate in addition to requirements for boundary changes in ORS chapters 198, 221 and 222 and the reviewing entity's charter, ordinances or resolutions.

(b) Not later than 15 days prior to the date set for a hearing the reviewing entity shall make available to the public a report that addresses the criteria in subsection (d) and includes the following information:

(1) The extent to which urban services are available to serve the affected territory, including any extra territorial extensions of service;

(2) Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party; and

(3) The proposed effective date of the boundary change.

(c) The person or entity proposing the boundary change has the burden to demonstrate that the proposed boundary change meets the applicable criteria.

(d) To approve a boundary change, the reviewing entity shall apply the criteria and consider the factors set forth in subsections (d) and (e) of section 3.09.045.

3.09.060 Ministerial Functions of Metro

(a) Metro shall create and keep current maps of all service provider service areas and the jurisdictional boundaries of all cities, counties and special districts within Metro. The maps shall

be made available to the public at a price that reimburses Metro for its costs. Additional information requested of Metro related to boundary changes shall be provided subject to applicable fees.

(b) The Metro Chief Operating Officer shall cause notice of all final boundary change decisions to be sent to the appropriate county assessor and elections officer, the Oregon Secretary of State and the Oregon Department of Revenue. Notification of public utilities shall be accomplished as provided in ORS 222.005(1).

(c) The Metro Chief Operating Officer shall establish a fee structure establishing the amounts to be paid upon filing notice of city or county adoption of boundary changes, and for related services. The fee schedule shall be filed with the Council Clerk and distributed to all cities, counties and special districts within the Metro region.

3.09.070 Changes to Metro's Boundary

(a) Changes to Metro's boundary may be initiated by Metro or the county responsible for land use planning for the affected territory property owners and electors in the territory to be annexed, or other public agencies if allowed by ORS 198.850(3). Petitions shall meet the requirements of section 3.09.040 above. The Chief Operating Officer shall establish a filing fee schedule for petitions that shall reimburse Metro for the expense of processing and considering petitions. The fee schedule shall be filed with the Council.

(b) Notice of proposed changes to the Metro boundary shall be given as required pursuant to Section 3.09.030.

(c) Hearings shall be conducted consistent with the requirements of section 3.09.050.

(d) Changes to the Metro boundary may be made pursuant to the expedited process set forth in section 3.09.045.

(e) The following criteria shall apply in lieu of the criteria set forth in subsection (d) of section 3.09.050. The Metro Council's final decision on a boundary change shall include findings and conclusions to demonstrate that:

(1) The affected territory lies within the UGB;

(2) The territory is subject to measures that prevent urbanization until the territory is annexed to a city or to service districts that will provide necessary urban services; and

(3) The proposed change is consistent with any applicable cooperative or urban service agreements adopted pursuant to ORS chapter 195.

3.09.080 Incorporation of a City that Includes Territory Within Metro's Boundary

(a) A petition to incorporate a city that includes territory within Metro's boundary shall comply with the minimum notice requirements in section 3.09.030, the minimum requirements for a petition in section 3.09.040, the hearing and decision requirements in subsections (a), (c), and (e) of section 3.09.050except that the legal description of the affected territory required by Section 3.09.040(a)(1) need not be provided until after the Board of County Commissioners establishes the final boundary for the proposed city.

(b) A petition to incorporate a city that includes territory within Metro's jurisdictional boundary may include territory that lies outside Metro's UGB. However, incorporation of a city with such territory shall not authorize urbanization of that territory until the Metro Council includes the territory in the UGB pursuant to Metro Code Chapter 3.01.

(c) The following criteria shall apply in lieu of the criteria set forth in section 3.09.050(d). An approving entity shall demonstrate that:

(1) Incorporation of the new city complies with applicable requirements of ORS 221.020, 221.031, 221, 034 and 221.035;

(2) The petitioner's economic feasibility statement indicates that the city must plan for average residential density consistent with Title 1 and Title 11 of the Urban Growth Management Functional Plan; and

(3) Any city whose approval of the incorporation is required by ORS 221.031(4) has given its approval or has failed to act within the time specified in that statute.

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 07-1165, FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 3.09 (LOCAL GOVERNMENT BOUNDARY CHANGES) TO IMPLEMENT 2007 OREGON LAWS CHAPTER 173 AND UPDATE THE CHAPTER, AND DECLARING AN EMERGENCY

Date: October 3, 2007 Prepared by: Richard Benner

BACKGROUND

Metro Code Chapter 3.09 establishes procedures and criteria for changes to the boundaries of cities, districts and Metro, for formation of districts, and for incorporation of cities. Metro's principal statute – ORS Chapter 268 – gave this responsibility to Metro at the time the Legislature abolished the Portland Metropolitan Area Local Government Boundary Commission. Changes to the statutes on boundary changes and rulings from administrative and judicial tribunals have made Chapter 3.09 out of date. For example, the 2007 Legislature amended Metro's statute to eliminate the requirement that Metro provide an internal (to Metro) process for appeals of local government boundary changes (Senate Bill 615). The amendments proposed by the ordinance would eliminate this appeals process from the chapter, with the result that such appeals would go directly to LUBA.

The ordinance makes many minor changes to the chapter in order to bring it up to day and more user-friendly. A section-by-section explanation is attached to this report.

ANALYSIS/INFORMATION

1. **Known Opposition**: there was no known opposition to the amendments as of the time of this report.

2. **Legal Antecedents**: authority for Metro Code Chapter 3.09 (Local Government Boundary Changes) derives from ORS 268.347-268.354. 2007 Oregon Laws Chapter 173 (Senate Bill 615) amended ORS Chapter 268 to eliminate the requirement that Metro provide an internal process for appeals of boundary changes.

3. **Anticipated Effects**: the ordinance will (1) bring Chapter 3.09 up to date with appellate rulings and changes to the statutes on boundary changes; (2) eliminate a redundant process for appeals of boundary changes by local governments; and (3) make the chapter easier to understand and use.

4. **Budget Impacts**: the ordinance will eliminate a redundant process for appeals of boundary changes by local governments. For those local governments who contest boundary changes by other local governments, the elimination of the Metro process for appeals will remove an extra step in the normal process of appeal to LUBA and the appellate courts. Metro will no longer have to staff this appeals process.

RECOMMENDED ACTION

The Metro Attorney recommends that the Metro Council enact Ordinance No. 07-1165.

ATTACHMENT TO STAFF REPORT
Ordinance No. 07-1165
Proposed Revisions to the Metro Code on Boundary Changes, Chapter 3.09
SECTION-BY-SECTION ANALYSIS
September 25, 2007

Background
Metro Code Chapter 3.09 sets forth the process and criteria for changes to the boundaries of cities and service districts within Metro, including their formation, and changes to Metro's own district boundary. Metro was given this responsibility by the state legislation that abolished the Portland Metropolitan Area Local Government Boundary Commission in 1997.

The Metro Code, however, is only one source of process and criteria for boundary changes. ORS Chapters 198 (special districts), 199 (boundary commissions), 221 (cities) and 222 (city boundary changes) all contain requirements for local government boundary changes. City and county charters and ordinances often provide direction, as well. This makes the law on boundary changes very complicated and explains the many references in the code to other sources of law.

Purpose of Revisions
These proposed revisions to the boundary change code are part of a series of updates undertaken by the Metro Council beginning in 2002. Amendments to statutes relating to boundary changes, experience with boundary changes and a desire to simplify and clarify the process for changing Metro's own district boundary led Metro to conclude that revisions were necessary. An advisory group of lawyers and other professionals with experience with boundary changes reviewed the entire boundary change code for inconsistencies with new laws and opportunities for greater clarity and process efficiency. Their recommendations provide the basis for the proposed revisions.

Of particular note, the 2007 Legislature amended Metro's statute – ORS Chapter 268 – to eliminate the requirement that Metro provide an internal process for appeals of certain boundary changes. Because LUBA ruled in a 2006 case that Metro's internal appeal process is a pre-requisite to appeals to LUBA – effectively making the Metro appeal process an additional step in an already complicated process - these code amendments repeal the internal appeal process.

Section 3.09.010 Purpose and Applicability
The revisions to this section clarify that the chapter also applies to changes to the Metro district boundary, and remove the reference to urban reserves adopted prior to June 30, 1997 (invalidated by Oregon Court of Appeals).

Section 3.09.020 Definitions
The revisions to the definitions reflect changes in the substantive sections of the chapter. Of note are the added definition of "deliberations" to clarify notification requirements when no hearing is required, and the broader definition of "petition" to cover any method of initiation of a proposed boundary change allowed by law. The definition of "approving entity" is replaced by the more accurate term "reviewing entity." The definition of "contested case" is no longer needed because the amendments eliminate Metro's internal appeals process.

Section 3.09.030 Notice Requirements

This section sets forth the notification requirements for a proposed boundary changes. The revisions to subsection (a) clarify that expedited decisions are not subject to the notice requirements in this section. To make the code easier to use, notification requirements for expedited decisions would be moved to the section on such decisions, 3.09.045.

Revisions to subsection (b) clarify the deadline by which a reviewing entity must set a time for its deliberations on a proposed boundary change and extend the deadline from 30 to 45 days (to accommodate less frequent meeting schedules of smaller cities). This gives reviewing entities more flexibility in scheduling, provides more effective notice (closer to the date of the deliberations), and conforms to ORS 198.730(4).

The revision to subsection (c)(3) removes language about decisions without a hearing because the provision no longer applies to expedited decisions (they are covered in section 3.09.045).

The revision to subsection (d) shortens the maximum time for adjournment without additional notice (from 31 to 28 days), and for new notice if required, to conform the times to ORS chapter 198.

The revision to subsection (e) extends the time for issuance of a written decision from five working days to 30 calendar days after a decision.

The amendments would eliminate subsection (f) because it is burdensome on counties and is rarely undertaken.

Section 3.09.040 Requirements for Petitions

This section specifies the contents of a petition for a boundary change. The revisions clarify and simplify the requirements and conform them to the requirements of ORS chapters 198 and 222. They also clarify the difference between the petition for a boundary change and the report on the proposed change [required by sections 3.09.045(c) and 3.09.050(b)], issued by the reviewing entity, that follows the petition.

Section 3.09.045 Expedited Decisions

Metro's statute (ORS chapter 268) requires Metro to offer an expedited process for proposed boundary changes that are not contested by a "necessary party." The revisions simplify and clarify by consolidating all requirements for expedited decisions into this section. The revisions also bring this section into conformance with other statutes on boundary changes, most importantly, with ORS chapter 198 governing special districts, which does not allow review of changes without a hearing.

The amendments remove the sentence which, in the absence of an internal appeals process, purports to have the effect of limiting appeals by "necessary parties" to LUBA, which the Metro code cannot do.

Subsection (d) of this section would now contain the criteria and factors to be met or considered in review of a proposed boundary change.
Subsection (e) clarifies the circumstances in which boundary changes or extension of services may involve territory outside the UGB. Cities may not annex outside the UGB except to include a portion of a lot or parcel split by the city boundary. Districts that already contain territory outside the UGB may annex new territory outside the UGB. But districts may extend services to property outside the UGB only if the uses to be served comply with an acknowledged comprehensive plan.

Section 3.09.050 Hearing and Decision Requirements for Decisions Other Than Expedited Decisions
As it stands today, this section sets forth the criteria and factors that must be addressed by entities reviewing a proposed boundary change (except for expedited decisions). The most important change made to this section by the revisions is to consolidate the criteria and factors and to make them clearer and more objective, as required by ORS 268.354(d). Because the revised criteria and factors appear first in revised section 3.09.045, subsection (d) of this section simply makes reference to them in section 3.09.045 rather than repeat them here.

The revisions also clarify the distinction between the contents of the report issued by the reviewing entity prior to its deliberations [subsection (b)] and the findings it issues following its decision [subsection (d)].

The amendments would eliminate subsection (f) because sections 3.09.045(c)(3) and 3.09.050(b)(3) clarify the effective date of a boundary change and because section 3.09.070 clarifies the deadline for appeals to the Metro Boundary Appeals Commission.

The amendments would also eliminate subsection (g) because the subject is covered by amendments to 3.09.045. The requirement in (g) is made applicable to boundary changes by the reference to 3.09.045(e) in 3.09.050(d).

Section 3.09.060 Creation of Boundary Appeals Commission
Section 3.09.070 How Appeals are Filed
Section 3.09.080 Alternative Resolution
Section 3.09.090 Conduct of Hearing
Section 3.09.100 Ex Parte Communications to the Boundary Appeals Commission
The amendments repeal these sections in the wake of passage of Senate Bill 615 by the 2007 Oregon Legislature, which eliminated the requirement that Metro provide an internal process for appeals of boundary changes.

New Section 3.09.060 Ministerial Functions of Metro
This section prescribes actions Metro must take after boundary changes are made. The revision to subsection (b) clarifies that notification to utilities of boundary changes is the responsibility of cities, not Metro, as provided in ORS 222.005(1).

New Section 3.09.070 Changes to Metro's Boundary

This section prescribes the process and criteria for changes by the Metro Council to the Metro district boundary. These revisions update and clarify the section, including repeal of subsection (f) to conform to elimination of the internal boundary appeals process.

New Section 3.09.080 Incorporation of a City that Includes Territory Within Metro's Boundary
These revisions simplify the references to requirements in ORS chapter 221 (cities).