

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CERTIFYING THAT)
THE PORTLAND METROPOLITAN AREA IS IN)
COMPLIANCE WITH FEDERAL)
TRANSPORTATION PLANNING)
REQUIREMENTS)

RESOLUTION NO. 09-4038

Introduced by Michael Jordan, COO with the
Concurrence of Council President Bragdon

WHEREAS, substantial Federal funding from the Federal Transit Administration and Federal Highway Administration is available to the Portland metropolitan area; and

WHEREAS, the Federal Transit Administration and Federal Highway Administration require that the planning process for the use of these funds complies with certain requirements as a prerequisite for receipt of such funds; and


WHEREAS, satisfaction of Federal requirements is documented in Exhibit A attached hereto; now, therefore

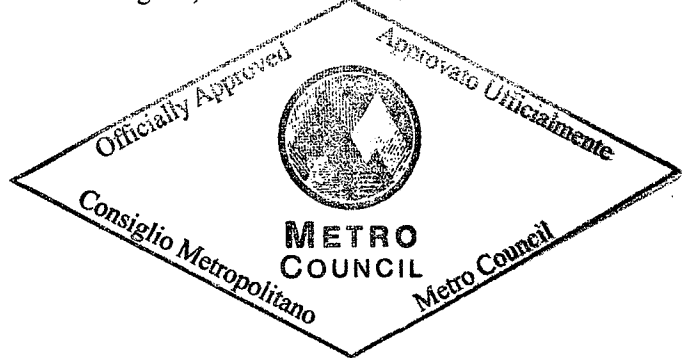
BE IT RESOLVED, that the transportation planning process for the Portland metropolitan area (Oregon portion) is in compliance with Federal requirements in Title 23 Code of Federal Regulations, Parts 450 and 500, and Title 49 Code of Federal Regulations, Part 613.

ADOPTED by the Metro Council this 16 day of April 2009.

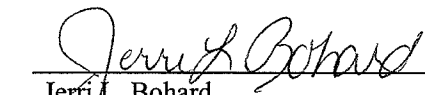

David Bragdon, Council President

Approved as to Form:


Daniel B. Cooper, Metro Attorney



APPROVED by the Oregon Department of Transportation this 14 day of May 2009.


Jerri L. Bohard
Transportation Development Administrator

Metro Self-Certification

1. Metropolitan Planning Organization Designation

Metro is the Metropolitan Planning Organization (MPO) designated by the Governor for the urbanized areas of Clackamas, Multnomah and Washington Counties, and operates in accordance with 23 U.S.C. 134 and 49 U.S.C. 5303.

Metro is a regional government with six directly elected district councilors and a regionally elected Council President. Local elected officials of general purpose governments are directly involved in the transportation planning/decision process through the Joint Policy Advisory Committee on Transportation (JPACT). JPACT provides the “forum for cooperative decision-making by principal elected officials of general purpose governments” as required by USDOT and takes action on the Regional Transportation Plan (RTP), the Metropolitan Transportation Improvement Program (MTIP) and the Unified Planning Work Program (UPWP). The Metro Policy Advisory Committee (MPAC) deals with non-transportation-related matters and with the adoption and amendment to the Regional Transportation Plan (RTP). Specific roles and responsibilities of the committees are described on page 2.

2. Geographic Scope

Transportation planning in the Metro region includes the entire area within the Federal-Aid Urban Boundary (FAUB). Metro updated the FAUB and Federal functional classification in January 2005 as recommended in Metro’s 2004 Federal Review.

3. Agreements

- a. A Memorandum of Agreement between Metro and the Southwest Washington Regional Transportation Council (RTC) delineates areas of responsibility and coordination. Executed in April 2006, the Agreement is being updated for execution in April 2009.
- b. In accordance with 23 CFR 450.314, an intergovernmental agreement (IGA) between TriMet, Oregon Department of Transportation (ODOT), and Metro was executed in July 2008, to be updated in June 2018.
- c. Yearly agreements are executed between Metro and ODOT defining the terms and use of FHWA planning funds.
- d. Bi-State Coordination Committee Charter – Metro and eleven state and local agencies adopted resolutions approving a Bi-State Coordination Committee Charter in 2004. Some were adopted in late 2003 and the balance in 2004, which triggered the transition from the Bi-State Transportation Committee to the Bi-State Coordination Committee.
- e. A Memorandum of Understanding between Metro and the Department of Environmental Quality (DEQ) describing each agency’s responsibilities and roles for air quality planning. Executed in July 2007, to be updated in July 2010.
- f. A Memorandum of Understanding between Metro and South Metro Area Regional Transit (SMART) outlining roles and responsibilities for implementing the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) was effective July 1, 2008, to be updated in June 2011.

4. Responsibilities, Cooperation and Coordination

Metro uses a decision-making structure that provides state, regional, and local governments the opportunity to participate in the transportation and land use decisions of the organization. The two key committees are JPACT and MPAC. These committees receive recommendations from the Transportation Policy Alternatives Committee (TPAC) and the Metro Technical Advisory Committee (MTAC).

JPACT

This committee is comprised of three Metro Councilors; seven locally elected officials representing cities and counties, and appointed officials from ODOT, TriMet, the Port of Portland, and DEQ. The State of Washington is also represented with three seats that are traditionally filled by two locally elected officials and an appointed official from the Washington Department of Transportation (WSDOT). All transportation-related actions (including Federal MPO actions) are recommended by JPACT to the Metro Council. The Metro Council can approve the recommendations or refer them back to JPACT with a specific concern for reconsideration. Final approval of each item, therefore, requires the concurrence of both bodies. As recommended by Metro's 2004 Federal Review, JPACT has designated a Finance Subcommittee to explore transportation funding and finance issues in detail, and make recommendations to the full committee.

In FY 2007-08, JPACT completed the bylaw review recommended in Metro's 2004 Federal Review and clarified representation of South Metro Area Regional Transit representation on the committee.

Bi-State Coordination Committee

Based on a recommendation from the I-5 Transportation & Trade Partnership Strategic Plan, the Bi-State Transportation Committee became the Bi-State Coordination Committee in early 2004. The Bi-State Coordination Committee was chartered through resolutions approved by Metro, Multnomah County, the cities of Portland and Gresham, TriMet, ODOT, the Port of Portland, RTC, Clark County, C-Tran, WSDOT and the Port of Vancouver. The Committee is charged with reviewing all issues of bi-state significance for transportation and land use. A 2003 Memorandum of Understanding (MOU) states that JPACT and the RTC Board "shall take no action on an issue of bi-state significance without first referring the issue to the Bi-State Coordination Committee for their consideration and recommendation."

MPAC

This committee was established by the Metro Charter to provide a vehicle for local government involvement in Metro's planning activities. It includes eleven local elected officials, three appointed officials representing special districts, TriMet, a representative of school districts, three citizens, two non-voting Metro Councilors, two Clark County, Washington representatives and a non-voting appointed official from the State of Oregon. Under the Metro Charter, this committee has responsibility for recommending to the Metro Council adoption of or amendment to any element of the Charter-required RTP.

The Regional Framework Plan was adopted on December 11, 1997 and updated December 28, 2005 and addresses the following topics:

- Transportation
- Land use (including the Metro Urban Growth Boundary (UGB))
- Nature in Neighborhoods
- Water supply and watershed management
- Natural hazards
- Coordination with Clark County, Washington
- Management and implementation

In accordance with this requirement, the transportation component of the Regional Framework Plan developed to meet Federal transportation planning regulations, the Oregon Transportation Planning Rule and Metro Charter requirements that require a recommendation from both MPAC and JPACT. This ensures integration of transportation with land use and environmental concerns.

5. Metropolitan Transportation Planning Products

a. Unified Planning Work Program

JPACT, the Metro Council, and the Southwest Washington RTC adopt the UPWP annually. It fully describes work projects planned for the Transportation Department during the fiscal year and is the basis for grant and funding applications. The UPWP also includes Federally funded major

projects being planned by member jurisdictions. These projects will be administered by Metro through intergovernmental agreements with ODOT and the sponsoring jurisdiction. As required by Metro's 2004 Federal Review, Congestion Management Process (CMP) and RTP update tasks were expanded in the UPWP narratives. Also, Metro identified environmental justice tasks in the UPWP in the Environmental Justice and Title VI narrative and individual program narratives; elderly and disabled planning tasks have been identified in the Elderly & Disabled Transportation Planning program narrative.

b. Regional Transportation Plan

JPACT and the Metro Council approved the 2035 Federal RTP in December 2007. This update was limited in scope and does not attempt to revisit the requirements of the Oregon Transportation Planning Rule. However, the 2035 Federal RTP includes a new policy for the purpose of transportation planning and project funding to address SAFETEA-LU provisions and key issues facing the region.

As required by Metro's 2004 Federal Review, the 2035 update addressed operating and maintenance costs paid by member jurisdictions. The 2035 RTP revenue forecast and financial analysis for operations and maintenance costs was based on a thorough evaluation of city and county, ODOT, TriMet and SMART cost projections (2035 RTP Sections 5.1 through 5.3). The financially constrained system described in Chapter 6 of the 2035 RTP was specifically developed to comply with SAFETEA-LU planning requirements. The system was developed based on a forecast of expected revenues that was formulated in partnership with ODOT, cities and counties in the Metro region, TriMet and the South Metro Area Rapid Transit (SMART) district. A background research report was also developed during Phase 2 of the update to document current funding trends and sources. The subsequent financial analysis and the background report are included in Appendix 4.3 and Appendix 6.0, respectively.

The projects and programs recommended in the financially constrained system were developed cooperatively with local jurisdictions, ODOT, and port and transit districts, and through workshops sponsored by TPAC. The financially constrained system is intended as the "Federal" system for purposes of demonstrating air quality conformity and allocating Federal funds through the MTIP process (2035 RTP Sections 7.1 and 7.5). The RTP financial plan and revenue forecast assumptions are described in Chapter 5 of the 2035 RTP. The total reasonably expected revenue base assumed in the 2035 RTP for the road system is approximately \$ 9.07 billion.

In addition to the financially constrained system, the 2004 Federal Update identifies a larger set of projects and programs for the "Illustrative System," which is nearly double the scale and cost of the financially constrained system. The illustrative system represents the region's objective for implementing the Region 2040 Plan and is being refined as part of the "State" component of the RTP update.

A new map has been added to Chapter 1 of the RTP that identifies the MPO Planning Boundary and the Air Quality Maintenance Area Boundary. This boundary defines the area that the RTP applies to for Federal planning purposes. The boundary includes the area inside Metro's jurisdictional boundary, the 2008 UGB and the 2000 census defined urbanized area boundary for the Portland metropolitan region. FHWA and FTA approved the 2035 RTP and the associated air quality conformity determination on February 29, 2008. Documentation of compliance with specific Federal planning requirements is summarized in subsequent sections of this document.

Work is continuing on the State component of the RTP update in 2008-09. Tasks related to the update were outlined in the FY 2007-08 UPWP and FY 2008-09 UPWP.

c. Metropolitan Transportation Improvement Program

The MTIP was updated in Summer 2007 and incorporated into the 2008-11 State Transportation Improvement Program (STIP). The 2007 update included the allocation of \$63 million of Surface Transportation Program (STP) and Congestion Mitigation/Air Quality Program (CMAQ) funding, programming of projects for the ODOT Modernization, Bridge, Safety, Preservation, Operations, OTIA III, Enhancements, and Immediate Opportunity Fund projects and programming of transit

funding. The first year of programming is considered the priority project funding for the region. Should any of these projects be delayed, projects of equivalent dollar value may be advanced from the second, third or fourth years of the program without processing formal Transportation Improvement Program (TIP) amendments. As recommended in Metro's 2004 Federal Review, the MTIP webpage was linked to ODOT's STIP page.

Metro is in the process of updating the 2010-13 MTIP in the current fiscal year, with adoption of an updated program scheduled for late FY 2008-09.

6. Planning Factors

Currently, Metro's planning process addresses the SAFETEA-LU planning factors in all projects and policies. Table 1 below describes the relationship of the planning factors to Metro's activities and Table 2 outlines Metro's response to how the factors have been incorporated into the planning process. The SAFETEA-LU planning factors are:

1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity and efficiency;
2. Increase the safety of the transportation system for motorized and non-motorized users;
3. Increase the security of the transportation system for motorized and non-motorized users;
4. Increase the accessibility and mobility options available to people and for freight;
5. Protect and enhance the environment, promote energy conservation and improve quality of life;
6. Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
7. Promote efficient management and operations; and
8. Emphasize the preservation of the existing transportation system.

As noted in Tables 1 and 2, Metro has reviewed and updated both the RTP and MTIP, and revised both documents to be compliant with SAFETEA-LU planning requirements.

Table 1: SAFETEA-LU Planning Factors

Factor	System Planning (RTP)	Funding Strategy (MTIP)	High Capacity Transit (HCT)
1. Support Economic Vitality	<ul style="list-style-type: none"> • RTP policies linked to land use strategies that promote economic development. • Industrial areas and intermodal facilities identified in policies as "primary" areas of focus for planned improvements. • Comprehensive, multimodal freight improvements that link intermodal facilities to industry are detailed for the plan period. • Highway Level of Service (LOS) policy tailored to protect key freight corridors. • RTP recognizes need for freight linkages to destinations beyond the region by all modes. 	<ul style="list-style-type: none"> • All projects subject to consistency with RTP policies on economic development and promotion of "primary" land use element of 2040 development such as centers, industrial areas and intermodal facilities. • Special category for freight improvements calls out the unique importance for these projects. • All freight projects subject to funding criteria that promote industrial jobs and businesses in the "traded sector." 	<ul style="list-style-type: none"> • HCT plans designed to support continued development of regional centers and central city by increasing transit accessibility to these locations. • HCT improvements in major commute corridors lessen need for major capacity improvements in these locations, allowing for freight improvements in other corridors.

Table 1: SAFETEA-LU Planning Factors

Factor	System Planning (RTP)	Funding Strategy (MTIP)	High Capacity Transit (HCT)
2. Increase Safety	<ul style="list-style-type: none"> • The RTP policies call out safety as a primary focus for improvements to the system. • Safety is identified as one of three implementation priorities for all modal systems (along with preservation of the system and implementation of the region's 2040-growth management strategy). • The RTP includes a number of investments and actions aimed at further improving safety in the region, including: <ul style="list-style-type: none"> ◦ 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 and real-time traveler information on road conditions and hazards. ◦ Expanding safety education, awareness and multi-modal data collection efforts at all levels of government. ◦ Expand safety data collection efforts and create a better system for centralized crash data for all modes of travel. 	<ul style="list-style-type: none"> • All projects ranked according to specific safety criteria. • Road modernization and reconstruction projects are scored according to relative accident incidence. • All projects must be consistent with regional street design guidelines that provide safe designs for all modes of travel. 	<ul style="list-style-type: none"> • Station area planning for proposed HCT improvements is primarily driven by pedestrian access and safety considerations.

Table 1: SAFETEA-LU Planning Factors

Factor	System Planning (RTP)	Funding Strategy (MTIP)	High Capacity Transit (HCT)
3. Increase Security	<ul style="list-style-type: none"> • System security was incorporated into the 2035 Federal RTP. • Security and emergency management activities are summarized in Section 2.4.7.4 of the 2035 RTP. • Policy framework in Section 3.3 of the 2035 RTP includes, “Goal 5: Enhance Safety and Security,” and specific security objectives and potential actions to increase security of the transportation system for all users. • Includes investments that increase system monitoring for operations, management and security of the regional mobility corridor system. • Actions direct 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. • Actions direct transportation providers to monitor the regional transportation and minimize security risks at airports, transit facilities, marine terminals and other critical infrastructure. 	<ul style="list-style-type: none"> • Transportation security will be factored into the next MTIP update, following completion of the new RTP. 	<ul style="list-style-type: none"> • System security has been a routine element of the HCT program, and does not represent a substantial change to current practice.

Table 1: SAFETEA-LU Planning Factors

Factor	System Planning (RTP)	Funding Strategy (MTIP)	High Capacity Transit (HCT)
4. Increase Accessibility	<ul style="list-style-type: none"> • The RTP policies are organized on the principle of providing accessibility to centers and employment areas with a balanced, multi-modal transportation system. • The policies also identify the need for freight mobility in key freight corridors and to provide freight access to industrial areas and intermodal facilities. • The plan emphasizes accessibility and reliability of the system, particularly for commuting and freight, and includes a new, more customized approach to managing and evaluating performance of mobility corridors. This new approach builds on using new, cost-effective technologies to improve safety, optimize the existing system, and ensure freight transporters and commuters have a broad range of travel options in each corridor. 	<ul style="list-style-type: none"> • Measurable increases in accessibility to priority land use elements of the 2040-growth concept is a criterion for all projects. • The MTIP program places a heavy emphasis on non-auto modes in an effort to improve multi-modal accessibility in the region. 	<ul style="list-style-type: none"> • The planned HCT improvements in the region will provide increased accessibility to the most congested corridors and centers. • Planned HCT improvements provide mobility options to persons traditionally underserved by the transportation system.

Table 1: SAFETEA-LU Planning Factors (continued)

Factor	System Planning (RTP)	Funding Strategy (MTIP)	High Capacity Transit (HCT)
<p>5. Protect Environment and Quality of Life</p>	<ul style="list-style-type: none"> • The RTP is constructed as a transportation strategy for implementing the region’s 2040-growth concept. The growth concept is a long-term vision for retaining the region’s livability through managed growth. • The RTP system has been "sized" to minimize the impact on the built and natural environment. • The region has developed an environmental street design guidebook to facilitate environmentally sound transportation improvements in sensitive areas, and to coordinate transportation project development with regional strategies to protect endangered species. • The RTP conforms to the Clean Air Act. • Many new transit, bicycle, pedestrian and Transportation Demand Management (TDM) projects have been added to the plan to provide a more balanced multi-modal system that maintains livability. • RTP transit, bicycle, pedestrian and TDM projects will complement the compact urban form envisioned in the 2040 growth concept by promoting an energy-efficient transportation system. • Metro coordinates its system level planning with resource agencies to identify and resolve key issues. • The region’s parking policies (Title 2 of the Urban Growth Management Functional Plan) are also designed to encourage the use of alternative modes, and reduce reliance on the automobile, thus promoting energy conservation and reducing air quality impacts. 	<ul style="list-style-type: none"> • The MTIP conforms to the Clean Air Act and continues to comply with the air quality maintenance plan in accordance with sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7605 (c) and (d)) and 40 CFR part 93. • The MTIP focuses on allocating funds for clean air (CMAQ), livability (Transportation Enhancement) and multi- and alternative modes (STIP). • Bridge projects in lieu of culverts have been funded through the MTIP to enhance endangered salmon and steelhead passage. • "Green Street" demonstration projects funded to employ new practices for mitigating the effects of storm water runoff. 	<ul style="list-style-type: none"> • Light rail improvements provide emission-free transportation alternatives to the automobile in some of the region’s most congested corridors and centers. • HCT transportation alternatives enhance quality of life for residents by providing an alternative to auto travel in congested corridors and centers.

Table 1: SAFETEA-LU Planning Factors (continued)

Factor	System Planning (RTP)	Funding Strategy (MTIP)	High Capacity Transit (HCT)
6. System Integration/Connectivity	<ul style="list-style-type: none"> • The RTP includes a functional classification system for all modes that establishes an integrated modal hierarchy. • The RTP policies and Functional Plan* include a street design element that integrates transportation modes in relation to land use for regional facilities. • The RTP policies and Functional Plan include connectivity provisions that will increase local and major street connectivity. • The RTP freight policies and projects address the intermodal connectivity needs at major freight terminals in the region. • The intermodal management system identifies key intermodal links in the region. 	<ul style="list-style-type: none"> • Projects funded through the MTIP must be consistent with regional street design guidelines. • Freight improvements are evaluated according to potential conflicts with other modes. 	<ul style="list-style-type: none"> • Planned HCT improvements are closely integrated with other modes, including pedestrian and bicycle access plans for station areas and park-and-ride and passenger drop-off facilities at major stations.
7. Efficient Management & Operations	<ul style="list-style-type: none"> • The policy component of the 2035 RTP includes specific provisions for efficient system management and operation (2035 RTP Goal 4), with an emphasis on TSM, ATMS and the use of non-auto modal targets (Table 3.17) to optimize the existing and planned transportation system. • Proposed RTP projects include many system management improvements along regional corridors. • The plan also calls for consideration of value pricing in the region to better manage capacity and peak use of the throughway system. However, more work is needed to gain public acceptance of this tool. 	<ul style="list-style-type: none"> • Projects are scored according to relative cost effectiveness (measured as a factor of total project cost compared to measurable project benefits). • TDM projects are solicited in a special category to promote improvements or programs that reduce single occupancy vehicle (SOV) pressure on congested corridors. • TSM/ITS projects are funded through the MTIP. 	<ul style="list-style-type: none"> • Proposed HCT improvements include redesigned feeder bus systems that take advantage of new HCT capacity and reduce the number of redundant transit lines.

* *Functional Plan = Urban Growth Management Functional Plan, an adopted regulation that requires local governments in Metro's jurisdiction to complete certain planning tasks.*

7. Public Involvement

Metro maintains a proactive public involvement process that provides complete information, timely public notice, and full public access to key decisions. Metro supports early and continuing involvement of the public in developing its policies, plans and programs. Public Involvement Plans are designed to both support the technical scope and objectives of Metro studies and programs while simultaneously providing for innovative, effective and inclusive opportunities for engagement. Every effort is made to employ broad and diverse methods, tools and activities to reach potentially impacted communities and other neighborhoods and to encourage the participation of low-income and minority citizens and organizations.

All Metro UPWP studies and projects that have a public involvement component require a Public Involvement Plan (PIP) that meets or exceeds adopted public involvement procedures. Metro consults with the Metro Committee for Citizen Involvement (MCCI) in the development of individual PIPs. Included in individualized PIPs are strategies and methods to best involve a diverse citizenry. Some of these may include special public opinion survey mechanisms, translation of materials for non-English speaking members of the community, citizen working committees or advisory committee structures, special task forces, web instruments and a broad array of public information materials. Hearings, workshops, open houses, charrettes and other activities are also held as needed.

The work program and PIP for the 2035 RTP update was developed with input from Metro's Advisory Committees, including Metro's Committee for Citizen Involvement. The 2035 RTP update included workshops, informal and formal input opportunities as well as a 30-day+ comment period for the community, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested persons. Public involvement opportunities and key decision points were published in the *Oregonian* and other community newspapers, posted on Metro's web site, e-mailed via the Planning Department E-News to more than 4,500 individuals, and advertised through Metro's transportation hotline. All plan documents were simultaneously published (and regularly updated) on the Metro web site, including draft plan amendments, the update schedule, other explanatory materials and summaries of public comments received. Section 1.5 in the 2035 RTP and Appendix 4.5 describe the public process in more detail.

The MTIP relies on early program kick-off notification, inviting input on the development of criteria, project solicitation, project ranking and the recommended program. Workshops, informal and formal opportunities for input as well as a 30-day+ comment period are repetitive aspects of the MTIP process. By assessing census information, block analysis is conducted on areas surrounding each project being considered for funding to ensure that environmental justice principles are met and to identify where additional outreach might be beneficial.

TPAC includes six citizen positions that are geographically and interest area diverse and filled through an open, advertised application and interview process. TPAC makes recommendations to JPACT and the Metro Council. Metro Council adopted Metro's Transportation Public Involvement Policy on June 10, 2004 by Resolution Number 04-3450.

Title VI – In April 2007, Metro completed and submitted its Title VI Plan to the FTA. This plan is now being implemented through updates to Metro's RTP and MTIP, and through corridor planning activities in the region.

Environmental Justice – The intent of environmental justice (EJ) practices is to ensure the needs of minority and disadvantaged populations are considered and the relative benefits/impacts of individual projects on local communities are thoroughly assessed and vetted. Metro continues to expand and explore environmental justice efforts that provide early access to and consideration of planning and project development activities. Metro's EJ program is organized to communicate and seek input on project proposals and to carry those efforts into the analysis, community review and decision-making processes. In addition, Metro established an agency diversity action team. The team is responsible for identifying opportunities to collaboratively develop and implement sustainable diversity initiatives across and throughout the agency. Metro's diversity efforts are most evident in three areas: Contracts and Purchasing, Community Outreach, and Recruitment and Retention.

8. Disadvantaged Business Enterprise

A revised Disadvantaged Business Enterprise (DBE) program was adopted by the Metro Council in June 1997 (Ordinance No. 97-692A).

Metro's DBE program was reviewed and submitted to FTA in August 1999. Metro currently piggybacks on ODOT's DBE program.

9. Americans with Disabilities Act

The Americans with Disabilities Act (ADA) Joint Complementary Paratransit Plan was adopted by the TriMet Board in December 1991 and was certified as compatible with the RTP by Metro Council in January 1992. The plan was phased in over five years and TriMet has been in compliance since January 1997. Metro approved the 1997 plan as in conformance with the RTP. FTA audited and approved the plan in summer 1999.

10. Affirmative Action

In accordance with 49 U.S.C. 5331, 42 U.S.C. 6101, Section 324 of title 23 U.S.C. and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27, Metro states as its policy a commitment to provide equal employment opportunities without regard to race, color, religion, national origin, sex, age, disability, sexual orientation, or marital or familial status, except where a bona fide occupational qualification exists. Compliance with this policy is administered by Metro's Human Resources Department.

11. Construction Contracts

Provisions of 23 CFR part 230 do not apply to Metro as Metro does not administer Federal and Federal-aid highway construction contracts.

12. Lobbying

Annually Metro certifies compliance with 49 CFR 20 through the FTA TEAM system.

Table 2: Metro’s Response to SAFTEEA-LU Provisions

SAFTETEA-LU Provision for all MPOs	Metro Response
<p><i>Consult/Coordinate with planning officials responsible for planned growth, economic development, environmental protection, airport operations, and freight movement.</i></p>	<p>Metro’s transportation planning and land-use planning functions are within the same department and coordinate internally.</p> <ul style="list-style-type: none"> • Metro facilitates this consultation, coordination and decision-making 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). Metro consults MPAC on land-use activities. • Metro is a member of Regional Partners for Economic Development and endorsed the Consolidated Economic Development Strategy (CEDS). • Metro has implemented a fish and wildlife habit protection program through regulations, property acquisition, education and incentives. • Metro has a standing committee to coordinate with public agencies with environmental protection responsibility. • The Port of Portland manages the airport and is represented on both TPAC and JPACT. • Metro also coordinates with freight, rail, airport operations and business interests through the Regional Freight and Goods Movement Task Force and Regional Freight and Goods Movement Technical Advisory Committee.
<p><i>Promote consistency between transportation improvements and State and local planned growth and economic development.</i></p>	<p>Metro transportation and land-use planning is subject to approval by the Oregon Department of Land Conservation and Development.</p>
<p><i>Give safety and security due emphasis as separate planning factors.</i></p>	<p>Metro addressed security and safety as individual factors in the update to the RTP in 2007.</p> <ul style="list-style-type: none"> • Separate background research papers were developed during Phase 2 of the update to document current safety issues and planning efforts, and current security planning efforts in the region. This research is included Appendix 6.0 was considered during the formulation of the 2035 RTP goals, objectives, projects and potential actions included in Chapter 3 and investment priorities in Chapter 6 of the 2035 RTP. <p>Additionally, Metro staffs the Regional Emergency Management Group (REMG), which has expanded its scope to include anti-terrorism preparedness, TriMet’s responsibility for transit security plans, ODOT’s responsibility for coordination of state security plans, Port of Portland’s responsibility for air, marine and other Port facilities security plans and implementation of system management strategies to improve security of the transportation system (e.g., security cameras on MAX and at transit stations). The group brings together local emergency managers to plan responses to security concerns and natural hazards.</p>

Table 2: Metro's Response to SAFETEA-LU Provisions (continued)

SAFETEA-LU Provision for all MPOs	Metro Response
<p><i>Discuss in the transportation plan potential environmental mitigation activities to be developed in consultation with Federal, State, and tribal wildlife, land management, and regulatory agencies.</i></p>	<p>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. A background research paper was also developed during Phase 2 of the update to document current environmental trends, issues and current mitigation strategies in the region. This research was considered during the formulation of the 2035 RTP goals, objectives, projects and potential actions included in Chapter 3 and investment priorities in Chapter 6 of the 2035 RTP. In addition, staff conducted an analysis of the potential environmental effects of transportation investments. The background research report and environmental considerations analysis is included in Appendix 6.0.</p>
<p><i>Consult with State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation in development of the transportation plan.</i></p>	<p>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, historic, cultural resource and land-use planning agencies.</p> <p>A background research paper was also developed during Phase 2 of the update to document current environmental trends, issues and mitigation strategies in the region. This research was considered during the formulation of the 2035 RTP goals, objectives, projects and potential actions included in Chapter 3 and investment priorities in Chapter 6 of the 2035 RTP. In addition, staff conducted an analysis of the potential environmental effects of transportation investments – this analysis included a comparison of the RTP investments with available State Conservation maps and inventories of historic resources. The background research report and environmental considerations analysis is included in Appendix 6.0.</p>

Table 2: Metro's Response to SAFTEEA-LU Provisions (continued)

SAFTETEA-LU Provision for all MPOs	Metro Response
<p><i>Include operation and management strategies to address congestion, safety, and mobility in the transportation plan.</i></p>	<ul style="list-style-type: none"> • System management policies in the RTP (2035 RTP Section 3.4.4) and resulting projects and programs are intended to maximize the use of existing facilities to address congestion, safety and mobility. • The regional CMP also requires local jurisdictions to explore system management solutions before adding roadway capacity to the regional system (2035 RTP Section 7.6.3). These provisions are implemented through potential actions included in Section 3.3 (particularly Goals 4 and 5), and a number of projects and programs recommended in the updated plan, and are listed in Chapter 6 of the 2035 RTP. • The plan also calls for consideration of value pricing in the region to better manage capacity and peak use of the throughway system. • RTP projects in Chapter 6 include many system management improvements along regional mobility corridors and the supporting arterial system. Work will continue in the state component of the RTP update to further expand implementation of these strategies. • Metro has established a Regional Transportation Options Committee as a subcommittee of TPAC to address demand management. The TransPort Committee is a subcommittee of TPAC to address ITS and operations.

Table 2: Metro's Response to SAFETEA-LU Provisions (continued)

SAFETEA-LU Provision for all MPOs	Metro Response
<p><i>Develop a participation plan in consultation with interested parties that provides reasonable opportunities for all parties to comment on transportation plan.</i></p>	<p>Metro has public involvement policy for regional transportation planning and funding activities to support and encourage board-based public participation in development and review of Metro's transportation plans. The Transportation Planning Public Involvement Policy was last updated in June 2004.</p> <p>The work program and public participation plan (PPP) for the 2035 RTP update was developed with input from Metro's Advisory Committees, including Metro's Committee for Citizen Involvement.</p> <p>Approval of the 2035 RTP, Resolution No. 07-3831B, followed JPACT and Metro Council consideration of approximately 300 comments received during the public comment period. The comments were summarized into a comment log and Public Comment Summary Report. Refinements were recommended to respond to the comments received. The comment period for the Air Quality Conformity Determination provided an opportunity for public review and comment on the air quality conformity methodology and results.</p> <p><i>Section 1.5 in the 2035 RTP and Appendix 4.5 describe the public process in more detail.</i></p>
<p><i>Employ visualization techniques to describe plan and make information available (including transportation plans) to the public in electronically accessible format such as on the Web.</i></p>	<p>On a regular basis, Metro employs visualization techniques. Examples include:</p> <ul style="list-style-type: none"> • RTP document is available on Metro's website • RTP newsletters and maps • MTIP document is available on Metro's website • GIS maps to illustrate planning activities • Participation in FHWA GIS Web Training <p>Video simulation of light rail on the Portland Mall and I-205 Corridor.</p>
<p><i>Update the plan at least every 4 years in non-attainment and maintenance areas, 5 years in attainment areas.</i></p>	<p>2035 Federal RTP update was completed by March 5, 2008.</p>
<p><i>Update the TIP at least every 4 years, include 4 years of projects and strategies in the TIP.</i></p>	<p>Initiated MTIP and STIP update for August 2009.</p>
<p><i>SAFETEA-LU includes a new requirement for a "locally developed, coordinated public transit/human services transportation plan" to be eligible for formula funding under three FTA grant programs (5310,5316,5317) It is not clear yet who will be responsible for these plans.</i></p>	<p>Metro participates on the Special Transportation Fund Advisory Committee and Regional Transportation Coordinating Council of the Elderly and Disabled Transportation Plan. A coordinated human services and public transportation plan is under development by those committees and has been integrated into the 2008 RTP update. Additional work will be completed during the state component of the RTP update in 2008.</p>

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 09-4038, FOR THE PURPOSE OF CERTIFYING THAT THE PORTLAND METROPOLITAN AREA IS IN COMPLIANCE WITH FEDERAL TRANSPORTATION PLANNING REQUIREMENTS

Date: April 16, 2009

Prepared by: Robin McArthur
(503) 797-1714

BACKGROUND

Federal transportation agencies (Federal Transit Administration [FTA] and Federal Highway Administration [FHWA]) require a self-certification that Metro's planning process is in compliance with certain Federal requirements as a prerequisite to receiving Federal funds. The self-certification documents that we have met those requirements and is considered yearly at the time of Unified Planning Work Program (UPWP) approval. Required self-certification areas include:

- Metropolitan Planning Organization (MPO) designation
- Geographic scope
- Agreements
- Responsibilities, cooperation and coordination
- Metropolitan Transportation Planning products
- Planning factors
- Public Involvement
- Title VI
- Environmental Justice
- Disadvantaged Business Enterprise (DBE)
- Americans with Disabilities Act (ADA)
- Affirmative Action
- Construction Contracts
- Lobbying

Each of these areas is discussed in Exhibit A to Resolution No. 09-4038.

ANALYSIS/INFORMATION

1. **Known Opposition** – No known opposition
2. **Legal Antecedents** – this resolution certifies that the Portland metropolitan area is in compliance with Federal transportation planning requirements as defined in Title 23 of the Code of Federal Regulations, Parts 450 and 500, and title 49, of the Code of Federal Regulations, Part 613.
3. **Anticipated Effects** – Approval will mean that grants can be submitted and contracts executed so work can commence on July 1, 2009, in accordance with established Metro priorities.
4. **Budget Impacts** – Approval of this resolution is a companion to the UPWP. It is a prerequisite to receipt of Federal planning funds and is, therefore, critical to the Metro budget. The UPWP matches projects and studies reflected in the proposed Metro budget submitted by the Metro Chief Operating Officer to the Metro Council. The UPWP is subject to revision in the final adopted Metro budget..

RECOMMENDED ACTION

Approve Resolution No. 09-4038 certifying that the Portland metropolitan area is in compliance with Federal transportation planning requirements.