

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE) ORDINANCE NO. 04-1045A
2000 REGIONAL TRANSPORTATION PLAN)
("RTP") FOR CONSISTENCY WITH THE)
2004 INTERIM FEDERAL RTP AND) Introduced by Councilor Rod Park
STATEWIDE PLANNING GOALS)

WHEREAS, the Metro Council approved the 2000 RTP by Ordinance No. 00-869A (For the Purpose of Adopting the 2000 Regional Transportation Plan) on August 10, 2000 as the regional "Transportation System Plan" ("TSP") required by state Goal 12 through the statewide planning Goal 12 through the state Transportation Planning Rule ("TPR"); and

WHEREAS, a key purpose of the regional TSP is to define a system of transportation facilities and services adequate to meet transportations needs and support planned land uses set forth in the 2040 Growth Concept, consistent with the requirements of other statewide planning goals; and

WHEREAS, the Land Conservation and Development Commission approved and acknowledged the 2000 RTP and 2020 Priority System on July 9, 2001, as the regional TSP for the Portland metropolitan region until the next RTP update; and

WHEREAS, the Metro Council directed that the 2004 update to the RTP be narrowed in scope to only address federal planning requirements and approved the 2004 Interim Federal RTP by Resolution No. 03-3380A (For the Purpose of Adopting the 2004 Regional Transportation Plan as the Federal Metropolitan Transportation Plan to Meet Federal Planning Requirements) on December 11, 2003; and

WHEREAS, as a follow-up to the 2004 update, Exhibit "A" identifies consistency amendments to the 2000 RTP to address statewide planning goals and implement the 2004 Interim Federal RTP in anticipation of a major review of RTP policies and projects to be completed by 2007; and

WHEREAS, no major changes to policies and projects are proposed in Exhibit "A"; and

WHEREAS, cities and counties in the region have made amendments to their transportation systems plans in order to comply with Metro's 2000 RTP, and these TSP amendments have generated proposed amendments to the functional system maps in the RTP, new transportation projects and studies and changes in the location, description, cost or timing of previously approved projects; and

WHEREAS, Metro and cities and counties of the region have completed corridor studies and comprehensive planning pursuant to Title 11 of the Urban Growth Management Functional Plan, since adoption of the 2000 RTP, and these plans have generated proposed technical amendments to Chapter 6 (Implementation) of the RTP; and

WHEREAS, the Metro Council has received and considered the advice of its Joint Policy Advisory Committee on Transportation and its Metro Policy Advisory Committee, and all proposed amendments identified in Exhibit "A" have been the subject of a 45-day public review period; and

WHEREAS, the Metro Council held public hearings on amendments to the 2000 RTP identified in Exhibit "A" on May 13 and July 8, 2004; now, therefore

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Text and maps in Chapter 2 (Transportation) of the Regional Framework Plan ("RFP"), and Chapter 1 (Regional Transportation Policy) and Chapter 3 (Growth and the Preferred System) of the 2000 RTP are hereby amended as set forth in Part 1 (Policy Amendments) of Exhibit "A", attached and incorporated into this ordinance.
2. Text and maps in Chapter 5 of the 2000 RTP are hereby amended as set forth in Part 2 (Project Amendments) of Exhibit "A" to identify the scope and nature of the proposed transportation improvements that address the 20-year needs.
3. Text in Chapter 6 (Implementation) of the 2000 RTP is hereby amended as set forth in Part 3 (Technical Amendments) of Exhibit "A" to demonstrate regional compliance with state and federal planning requirements and establish regional TSP and functional requirements for city and county comprehensive plans and local TSPs.
4. Metro's 2000 RTP and these amendments to it, together with Titles 2 and 10 of the Urban Growth Management Functional Plan, comprise Metro's 2000 RTP, adopted as the regional functional plan for transportation under ORS 268.390, and the regional transportation system plan required by state planning law.

5. The Findings of Fact and Conclusions of Law in Exhibit "CB", attached and incorporated into this ordinance, explain how these amendments to the RTP comply with state transportation and land use planning laws and the RFP.

ADOPTED by the Metro Council this _____ day of July, 2004.

David Bragdon, Council President

ATTEST:

Approved as to Form:

Christina Billington, Recording Secretary

Daniel B. Cooper, Metro Attorney

Exhibit B to Ordinance No. 04-1045A (For the purpose of amending the 2000 Regional Transportation Plan (RTP) for consistency with the 2004 interim federal RTP and statewide planning goals)

Findings of Fact and Conclusions of Law

I. Overview

The 2000 Regional Transportation Plan (RTP) was adopted by the Metro Council on August 10, 2000 by Ordinance 00-869A (For the Purpose of Adopting the 2000 Regional Transportation Plan; Amending Ordinance No. 96-647C and Ordinance No. 97-715B). The Land Conservation and Development Commission acknowledged the 2000 RTP on June 15, 2001.

This ordinance adopts amendments to the 2000 Regional Transportation Plan (RTP), the regional transportation system plan (TSP) and the regional functional plan for transportation, as required by ORS 268.390, and establishes consistency with the state Transportation Planning Rule (TPR) and interim 2004 Federal RTP. No major changes to policies or projects are proposed. The proposed amendments are identified in Exhibit "A" and focus on incorporating new transportation projects, and policy and technical updates that were approved in the 2004 Interim Federal RTP on Dec. 11, 2003. Metro is not required to update the regional transportation plan for state planning purposes until 2007.

State law provides for adoption of Findings to demonstrate that a decision complies with applicable laws and standards. The following Findings are intended to explain how the amendments comply with applicable state and regional standards in general. Ordinance 04-1045A transmits the amendments to the 2000 RTP to the Department of Land Conservation and Development pursuant to the post-acknowledgement process at ORS 197.610.

II. Statewide Planning Laws

Statewide Planning Goal 1 – Citizen Involvement

The 2000 RTP was the culmination of a major, five-year effort to completely overhaul the plan to reflect new federal and state regulations and the (then) newly adopted 2040 Growth Concept. It was the first RTP to be acknowledged by the LCDC as consistent with statewide planning goals, and included a significant level of public involvement.

The amendments under consideration in this ordinance were previously approved by Metro Resolution 03-3380A (For the Purpose of Designation of the 2004 Regional Transportation Plan as the Federal Metropolitan Transportation Plan to Meet Federal Planning Requirements) on December 11, 2003 as part of the 2004 Federal Update. The public involvement process for the federal update is described below, followed by a description of additional public involvement opportunities provided prior to Metro Council approval of this ordinance.

2004 Federal Update to the RTP – Public Involvement Opportunities

The 2004 Federal Update to the RTP provided several public comment opportunities 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, posted on Metro's web site, e-mailed via the Planning Department E-News to more than 5,000 individuals, mailed via postcard to the RTP interested parties mailing list and advertised through Metro's transportation hotline, where citizens could leave comments as well as receive information. 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.

In October, 2003, Metro staff worked with members of the Transportation Policy Alternatives Committee (TPAC), representatives of transportation agency employees, including the Oregon Department of Transportation (ODOT), TriMet, South Metro Area Rapid Transit (SMART), the Port of Portland and other interested parties to develop a comprehensive inventory of regional transportation projects identified in local plans and special studies adopted since the 2000 RTP was completed. This inventory includes:

- new projects or studies that are not currently in the 2000 Regional Transportation Plan, but that have been adopted in local transportation system plans (TSPs) and regional corridor studies through a public process
- updates to existing 2000 RTP projects or studies to reflect changes in project location, description, cost and recommended timing

In a series of four half-day workshops, this effort focused on incorporating all "housekeeping" amendments generated by local plans that have been adopted since the RTP was approved in August 2000. Since Metro commented separately on all of these local plans during their respective adoption activities, friendly amendments that were consistent with RTP policies had already been identified for most projects.

Proposed amendments to the 2000 RTP were organized into four discussion packets: policy amendments, project amendments, technical amendments and the air quality conformity determination. The proposed amendments were posted on Metro's website and available upon request during the public comment period that began on October 31, 2003 and ended on December 10, 2003. The Metro Council held a public hearing on December 4 on the proposed amendments, and extended the public comment period in response to testimony provided at the hearing. The Regional Freight Advisory Committee was also provided with copies of the proposed amendments for review and comment. A summary of the public comments received on the 2004 RTP discussion packets and the Metro Council and Joint Policy Advisory Committee on Transportation (JPACT) recommendations related to those comments was posted on Metro's website on December 5 and updated on December 10. The summary includes all written comments received between October 3, 2003 and December 10, 2003 and public testimony provided at the December 4 public hearing.

Approval of the 2004 Federal Update to the RTP on December 11, 2003 by Resolution No. 03-3380A (For the Purpose of Designation of the 2004 Regional Transportation Plan as the Federal Metropolitan Transportation Plan to Meet Federal Planning Requirements) followed JPACT and

Metro Council consideration of more than 130 comments received during the public comment period. The comment period for the Air Quality Conformity Determination packet was extended to 5 p.m. on January 13, 2004 to allow public review and comment of the air quality conformity results, which were posted on Metro's website. The air quality conformity determination was approved by a separate Resolution No. 03-3382A (For the Purpose of Adopting the Portland Area Air Quality Conformity Determination For the 2004 Regional Transportation Plan and 2004-07 Metropolitan Transportation Improvement Program) on January 15, 2004.

2000 RTP Amendments Public Comment Opportunities

The 2000 RTP amendments were available for review on Metro's website or upon request by email or telephone during a public comment period that was held on the proposed policy, project and technical amendments (as identified in Exhibit "A") from April 15 to June 1, 2004.

Following Metro's Public Involvement Policy for Transportation Planning, a notice of the proposed amendments and opportunities for public comment was published in the Oregonian in the legal ad section and on page E5 as a display ad on March 29, 2004. This notification was also posted on Metro's Transportation Hotline at (503) 797-1900 and Metro's website prior to the start of the public comment period. In addition, Metro solicited comments on the proposed amendments from the Transportation Policy Advisory Committee (TPAC), Metro Technical Advisory Committee, (MTAC), the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Policy Advisory Committee (MPAC). The committees include technical staff and elected officials from throughout the region in addition to state and federal agency representatives. The Metro Council also held a public hearing on May 13, 2004 on the proposed amendments. No public comments were received during the public comment period.

The amendments to the 2000 RTP comply with statewide Goal 1 in the citizen involvement policies applied to its development and adoption as required in the Plan for its implementation.

Statewide Planning Goal 2 – Land Use Planning

The 2000 RTP is a consistent part of the land use planning process and policy framework established by Metro's adopted and acknowledged 1995 Regional Urban Goals and Objectives ("RUGGO"s) and 1997 Regional Framework Plan required by Metro Charter and ORS 268.390. The 2000 RTP is the regional transportation functional plan for ORS 268.390(2) and the regional Transportation System Plan required by OAR 660-012-0012. Within the 1997 Regional Framework Plan, the 2000 RTP is the regional transportation component to implement the acknowledged 2040 Growth Concept.

The 2000 RTP includes Policy 4.0 that requires consistency between land use and transportation planning. As an overall policy, it establishes the regional policy direction concerning land use planning and its relationship to transportation planning and transportation projects. The amendments to the 2000 RTP comply with statewide Goal 2 because they are part of the state and federal planning processes and policy framework to implement the state-acknowledged 2040 Growth Concept and incorporate projects, policies and technical amendments adopted in local TSPs since August of 2000 and that were approved in the 2004 Interim federal RTP to meet federal planning requirements.

Coordination with affected governments is required by statewide Goal 2. As indicated by the documentation of notice under Goal 1, Metro solicited comments from affected governments and received no comments during the public comment period. During the 2004 Federal Update to the RTP, Metro accommodated the concerns expressed in comments received during that comment period to the maximum extent practicable. In addition, the DLCD Notice of Proposed Amendment was submitted to DLCD on March 19, 2004 in advance of the first evidentiary hearing on May 13, 2004.

The findings in Section III, below, show that these amendments to the RTP are consistent with the policies of the RFP.

Statewide Planning Goal 3 – Agricultural Lands

Because this ordinance applies only to territory within Metro’s urban growth boundary, Goal 3 does not apply.

Statewide Planning Goal 4 – Forest Lands

Because this ordinance applies only to territory within Metro’s urban growth boundary, Goal 4 does not apply.

Statewide Planning Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces and Statewide Planning Goal 6 – Air, Land and Water Resources Quality

The 2000 RTP is designed to implement the 2040 Growth Concept and applicable regional goals and objectives, which apply these statewide goals. Sections 1.2.4 and 1.3.4 of the 2000 RTP contain policies, which protect any water land quality and natural resources. As the regional transportation system plan, the RTP constitutes the land use decision about need, mode and function of planned transportation facilities and improvements. The RTP also identifies the general location of planned transportation facilities and improvements. The land use decision specifying the general location of planned regional transportation facilities and improvements will be made by cities and counties as they develop and adopt local TSPs that implement the RTP. While the specific alignment of a project may be incorporated into a TSP, such decisions are subject to the project development requirements in Section 6.7 of the RTP, and must include Findings of consistency with applicable statewide planning goals, including Goals 5 and 6. RTP policies 7.0, 8.0, 9.0 and 10.0 and corresponding objectives would apply during the project development process.

In addition, the transportation projects identified in the proposed amendments have been found to conform with the Clean Air Act and federal planning requirements by Metro Resolution No. 03-3080A. The U.S. Department of Transportation and U.S. Environmental Protection Agency jointly acknowledged the conformity determination in March 2004. The amendments also support implementation of the region’s Ozone Maintenance Plan and timely implementation of the State Implementation Plan.

Statewide Planning Goal 7 – Areas Subject to Natural Disasters and Hazards

The amendments to the 2000 RTP are not intended to directly affect these areas. The RTP is a systems level plan which contains the regional Transportation Systems Plan (“TSP”), 2000 RTP capital improvements are expressly contingent upon local action to include proposed

improvements in the affected local comprehensive plan supported by Findings of compliance with applicable statewide goals during the project implementation of this transportation system plan. *See*, 6.7.1 through 6.7.4. If it is determined that the 2000 RTP system element or proposed improvement cannot comply with any affected goal, including Goal 5, 6, 7 at the time a final land use decision is taken the 2000 RTP will be amended as needed consistent with Section 6.6.2.

In addition, federal law requires an assessment of the potential environmental impacts of many of the transportation system improvements identified in the amendments to the 2000 RTP. In cases where significant environmental impacts are possible, detailed analyses are required to determine and quantify potential adverse effects and develop actions to mitigate unavoidable impacts and protect these resources.

Statewide Planning Goal 8 – Recreational Needs

The amendments to the 2000 RTP furthers Goal 8 by identifying transportation system improvements that will enhance the level of mobility and improve access to recreational sites for citizens and visitors. Amendments to the bicycle and pedestrian policies in Section 1.3.5, as well as the bicycle, pedestrian and multi-use path improvements identified in Chapter 5 will accomplish this.

The amendments to the 2000 RTP comply with statewide Goal 8 because the amendments include planned trail projects that will improve access of citizens and visitors to recreational sites, including the Tonquin Trail in Washington County and the East Buttes Powerline Trail in Clackamas County.

Statewide Planning Goal 9 – Economic Development

There are a number of 2000 RTP policies that contribute to a stable and healthy economy by seeking to assure availability of key transportation facilities:

Section 1.2.1 identifies industrial areas and intermodal facilities as primary components of Metro's 2040 Growth Concept. These areas are identified in Figure 1.0. A network of major street connections to the regional highway system and intermodal facilities serve industrial areas.

Policy 20.1 establishes 2040 Growth Concept implementation policy that the highest priority for the regional transportation system includes complementary transportation projects and programs that best serve the transportation needs of intermodal facilities and industrial areas, as well as the central city and regional centers.

Figure 1.12 demonstrates the planned arterial connections of industrial areas and intermodal facilities to state highways.

Figure 1.16 demonstrates planned public transportation connections to all regional centers and the central city.

Figure 1.17 demonstrates the planned freight and intermodal facilities connections to state rail, highway, air, and shipping facilities.

The amendments to the 2000 RTP furthers Goal 9 by establishing two tiers of industrial areas (“regionally significant” and “local”) for the purpose prioritizing transportation planning and project funding for regionally significant industrial areas. The regionally significant industrial areas are the most important industrial areas economically in the region and offer the best opportunities for new family-wage jobs.

Statewide Planning Goal 10 – Housing

There are a number of TSP policies that contribute to providing for the housing needs of citizens in the region. Title 1 of the Urban Growth Management Functional Plan contains selective increased densities coordinated with public transportation and required minimum densities and no prohibition of accessory dwelling units to assure multi-family and affordable housing options.

Section 1.3.3, Policy 5.0 establishes the policy of providing transportation facilities, which provide access to housing throughout the regional for all people.

The amendments to the 2000 RTP comply with Goal 10 because the transportations projects anticipate the substantial housing growth that will occur in the region during the next 20 years and address transportation needs that will result from that growth.

Statewide Planning Goal 11 – Public Facilities and Services

The amendments to the 2000 RTP comply with Goal 11 and include public facility plan identification of anticipated projects and rough cost estimates in Exhibit “A” to this ordinance. This amendment would revise Appendix 1.1 and Chapter 5 of the 2000 RTP to include identification of the project segments and rough cost estimates.

Statewide Planning Goal 12 – Transportation

- OAR 660-012-0015(2)(a): consistency with State TSP
- 0030(4): demonstrate consistency with measures to reduce reliance upon auto
- 0035(2): evaluate alternative land use designations to meet regional transportation needs
- 0035(3)(a): are the types and levels of facilities and services appropriate to serve the land uses identified in the RFP?
- 0035(3)(b): consistency with State Implementation Plan under CWA and State Water Quality Management Plan
- 0035(3)(c): minimize ESEE consequences
- 0035(3)(d): does the system minimize conflicts and facilitate connections between modes of transportation?
- 0035(4): progress toward achievement of approved alternative standard

The Findings for Ordinance 00-869A (For the Purpose of Adopting the 2000 Regional Transportation Plan; Amending Ordinance No. 96-647C and Ordinance No. 97-715B), which adopted the 2000 RTP on August 10, 2000, provided extensive Findings regarding consistency with Goal 12 and the Transportation Planning Rule. Because the amendments to the 2000 RTP are minor, the Findings on pages 17-51 in Exhibit “E” to Ordinance 00-869A ((For the Purpose of Adopting the 2000 Regional Transportation Plan; Amending Ordinance No. 96-647C and

Ordinance No. 97-715B) are incorporated by reference and apply to the amendments to the 2000 RTP.

Statewide Planning Goal 13 – Energy Conservation

The 2000 RTP contains Policy 10.0, which calls for the design of transportation systems that promote efficient use of energy. The amendments to the 2000 RTP comply with Goal 13 and include bicycle, pedestrian and transit projects and creation of Transportation Management Associations that will, upon implementation, provide for energy savings by increasing walking, bicycling, carpooling, use of transit throughout the region thereby reducing fuel consumption.

Statewide Planning Goal 14 – Urbanization

Because this ordinance applies only to territory within Metro’s urban growth boundary, Goal 14 does not apply.

Statewide Planning Goal 15 – Willamette River Greenway

The Land Conservation and Development Commission adopted the Oregon Department of Transportation Willamette River Greenway Plan segments, including the cities of Milwaukie, Gladstone, Lake Oswego, West Linn, Wilsonville, Portland and Multnomah and Clackamas counties. The amendments to the 2000 RTP identify projects that are located in these communities and could include crossings of the Willamette River Greenway, including the Trolley Trestle Trail. This Goal will be addressed when preliminary engineering and further design details are completed by project sponsors.

Statewide Planning Goals 16 through 19 (Estuarine Resources, Coastal Shorelands, Beaches and Dunes and Ocean Resources)

Because this ordinance applies only to territory within Metro’s urban growth boundary and these resources or features do not exist within the UGB, Goals 16 through 19 do not apply.

III. Regional Framework Plan

The Regional Framework Plan (RFP), including the Appendix, was adopted by the Metro Council in December 1997 and contains the overall land use and transportation policies for the future. The RFP has been acknowledged by the LCDC as meeting the State Planning Goals and includes the 2040 Growth Concept, which provides the land use context for the 2000 RTP.

Policy 1.1 – Urban Form: This policy calls for a compact urban form and affordable housing choices. The amendments to the 2000 RTP comply with RFP Policy 1.1 by facilitating implementation of the 2040 Growth Concept with specific multi-modal projects that address mobility and accessibility needs and using transportation investments to support mixed-use development and leverage the 2040 Growth Concept, affordable housing choices and compact urban form to reduce travel demand.

Policy 1.3 – Affordable Housing: This policy seeks opportunities for a wide range of housing opportunities. The amendments to the 2000 RTP support RFP Policy 1.3 by serving the transit

and transportation needs of the economically disadvantaged in the region by connecting low-income populations with employment areas and related social services.

Policy 1.6 – Growth Management: This policy calls for efficient management of urban land, among other things. The amendments to the 2000 RTP support RFP Policy 1.6 by leveraging the implementation of the 2040 Growth Concept.

Policy 2.1 – Intergovernmental Coordination: This policy calls for intergovernmental coordination. See Findings for Statewide Planning Goal 2.

Policy 2.2 – Consistency between Land Use and Transportation Planning: This policy addresses consistency between land use and transportation planning. The 2040 Growth Concept of the RFP was developed to coordinate land use and transportation planning in the region. The 2000 RTP facilitates implementation of the 2040 Growth Concept with policies and specific multi-modal projects that adequately address transportation needs and use transportation investments to leverage the 2040 Growth Concept. The project and policy amendments to the 2000 RTP provide adequate transportation facilities to support the 2040 Growth concept and enhance jobs and housing. The amendments are consistent with RFP Policy 2.2.

Policy 2.3 - Public Involvement: This policy refers to characteristics of a good public involvement effort, including timely public notice, full public access to key decision points and opportunities to comment. See Findings for Statewide Planning Goal 1.

Policy 2.4 – System Objectives: This policy identifies providing accessibility and mobility to and from central city, regional centers and industrial areas and intermodal facilities as the highest priority when developing transportation system plans. The amendments to the 2000 RTP include multi-modal projects and demand management programs to serve current and future travel needs and improve safety, access and mobility throughout the region. The amendments provide for statewide, national and international connections to and from the region, consistent with the Oregon Transportation Plan. The amendments are consistent with Policy 2.4 of the RFP.

Policy 2.5 – Transportation Finance: This policy addresses financing transportation improvements that support the 2040 Growth Concept and emphasize the effective use of transportation infrastructure. The amendments to the 2000 RTP include multi-modal projects and demand management programs to support implementation of the 2040 Growth and improve the efficiency of the existing transportation system. The amendments are consistent with Policy 2.5 of the RFP.

Policy 2.6 – Urban Form: This policy addresses maintaining a compact urban form and using transportation investments to leverage desired land use patterns that support the 2040 Growth Concept. See Findings for Policy 1.1 of the RFP.

Policy 2.7 – Jobs/Housing Balance: This policy addresses jobs/housing balance in the region. The amendments to the 2000 RTP provide transportation facilities that support a balance of jobs and housing in the region.

Policy 2.8 – Transportation Education: This policy addresses improving the safety of the transportation system and encouraging bicyclists, motorists and pedestrians to share the road safely. The amendments to the 2000 RTP include projects to minimize the conflicts between modes and are consistent with Policy 2.8 of the RFP.

Policy 2.9 - Barrier-free Transportation: This policy addresses providing access to better transportation choices for travel in the region and serving special access needs for all people, including elderly, youth and disabled. The amendments to the 2000 RTP include bicycle, pedestrian and transit improvements that improve transportation access for all people in the region, consistent with Policy 2.9 of the RFP.

Policy 2.10 – Transportation Balance: This policy addresses provision of a balanced, multi-modal transportation system. The amendments to the 2000 RTP include bike, pedestrian, motor vehicle, freight and demand management projects and are consistent with Policy 2.10 of the RFP.

Policy 2.11 – Street Design: This policy addresses linking land use with transportation through street design and calls for the design of regional streets to reflect the function and character of surrounding land uses, consistent with regional street design concepts. The amendments to the 2000 RTP include projects that integrate land use, automobile, bicycle, pedestrian, freight and public transportation needs through local and regional street design to support implementation of the 2040 Growth Concept. The amendments are consistent with Policy 2.11 of the RFP.

Policy 2.12 – Motor Vehicle Transportation: This policy addresses providing a motor vehicle system of arterials and collectors that connect the central city, regional centers, industrial areas and intermodal facilities and providing mobility within the region. The amendments to the 2000 RTP update motor vehicle functional classifications for arterials and collectors and include projects to improve mobility within the region. The amendments are consistent with Policy 2.12 of the RFP.

Policy 2.13 – Public Transportation: This policy addresses providing adequate, reliable and safe public transportation options in the region that support the 2040 Growth. The 2000 RTP amendments include transit improvements and bicycle and pedestrian connections to transit, consistent with Policy 2.13 of the RFP.

Policy 2.14 – Pedestrian Transportation: This policy addresses providing safe, convenient and direct pedestrian access to land uses as part of transportation improvements. The 2000 RTP amendments update pedestrian system classifications for regional streets and include pedestrian projects to improve pedestrian mode share and accessibility, consistent with Policy 2.14 of the RFP.

Policy 2.15 – Bicycle Transportation System: This policy addresses providing safe, convenient and direct bicycle access to land uses as part of transportation improvements. The 2000 RTP amendments update bicycle system classifications for regional streets and include bicycle projects to improve bicycle mode share, and bicycle access and connectivity throughout the region, consistent with Policy 2.15 of the RFP.

Policy 2.16 – Freight Movement: This policy addresses enhancing freight movement in the region and protecting public/private investments in the freight network. The 2000 RTP amendments provide for the movement of people and goods through an interconnected system of highway, air, marine and rail systems, including passenger and freight intermodal facilities and air and water terminals. The amendments are consistent with Policy 2.16 of the RFP.

Policy 2.17 – Parking Management: This policy addresses managing and optimizing the efficient use of parking to support the 2040 Growth Concept. The amendments to the 2000 RTP do not affect parking management and are consistent with Policy 2.17 of the RFP.

Policy 2.18 – Transportation Demand Management: This policy addresses managing travel demand on the existing transportation system enhance mobility and support the use of alternative transportation modes by improving regional accessibility to public transportation, carpooling, telecommuting, bicycling and walking options. The amendments to the 2000 RTP include multi-modal projects and demand management programs to improve access and mobility between throughout the region. The amendments are consistent with Policy 2.18 of the RFP.

Policy 2.19 – Transportation System Management: This policy addresses emphasizing preservation and maintenance in the selection of transportation projects. The 2000 RTP amendments complement preservation and maintenance of the existing transportation system with ITS/technology based solutions and are consistent with Policy 2.19 of the RFP.

Policy 2.20 – Right-of-Way Opportunities: This policy addresses providing opportunities for right-of-way preservation. The amendments to the 2000 RTP identify the general location of multi-modal projects that have been previously approved in local transportation system plans and studies. The amendments are consistent with Policy 2.20 of the RFP.

Policy 2.21 – Adequacy of Transportation Facilities: This policy addresses the provision of adequate transportation facilities. See Findings for Policy 2.2 and Statewide Planning Goal 12.

Policy 2.22 – Urban to Urban Travel and Tourism: This policy addresses travel and tourism between urban areas. The amendments to the 2000 RTP include multi-modal projects to improve access and mobility between urban areas within the region. The amendments are consistent with Policy 2.22 of the RFP.

Policy 2.23 – Recreational Travel and Tourism: This policy addresses recreational travel and tourism. See Findings for Statewide Planning Goal 8.

Policy 2.24 – Natural Environment: This policy calls for placing a priority on protecting the natural environment, reducing impacts of construction, reducing impacts on parks, open space, natural areas and wetlands and avoiding fragmentation of parks, natural areas, etc. See Findings for Statewide Planning Goal 6.

Policy 2.25 – Water Quality: This policy seeks to minimize the amount of new impervious surfaces associated with transportation projects. Water quality has gained increasing importance with the efforts to protect salmon runs. See Findings for Statewide Planning Goal 6.

Policy 2.26 – Clean Air: This policy addresses maintenance of clean air in the region. See Findings for Statewide Planning Goal 6.

Policy 2.27 – Energy Efficiency: This policy addresses designing the transportation system to promote efficient use of energy and reduce the region’s transportation-related energy consumption. See Findings for Statewide Planning Goal 13.

Policy 2.28 – Motor Vehicle Level of Service: This policy addresses the provision of adequate motor vehicle level of service. The 2000 RTP amendments include new street connections and capacity improvements, consistent with Policy 2.28 of the RFP.

Policy 2.29 – Transit Level of Service: This policy addresses the provision of an adequate level of transit service in the region. The 2000 RTP amendments include transit improvements to increase transit accessibility in the region, consistent with Policy 2.29 of the RFP.

Policy 2.30 – Local Street Connectivity: This policy addresses the provision of local street connectivity. The 2000 RTP amendments include new street connections to reduce the impact of local travel on regional streets and improve pedestrian and bicycle circulation and access to transit, consistent with Policy 2.30 of the RFP.

IV. Regional Transportation Policies

Policy 1.0 – Public Involvement: This policy refers to characteristics of a good public involvement effort, including timely public notice, full public access to key decision points and opportunities to comment. The amendments are consistent with Policy 1.0 of the RTP. See Findings for Policy 2.3 of the RFP and Statewide Planning Goal 1.

Policy 2.0 – Intergovernmental Coordination: This policy calls for intergovernmental coordination. The amendments are consistent with Policy 2.0 of the RTP. See Findings for Policy 2.1 of the RFP and Statewide Planning Goal 2.

Policy 3.0 – Urban Form: This policy refers to facilitating implementation of the 2040 Growth Concept with strategies that address mobility and accessibility needs with an emphasis on multi-modal investments. The amendments are consistent with Policy 3.0 of the RTP. See Findings for Policies 1.1 and 2.6 of the RFP.

Policy 4.0 – Consistency between Land-use and Transportation Planning: This policy addresses consistency between land use and transportation planning. The amendments are consistent with Policy 4.0 of the RTP. See Findings for Policy 2.2 of the RFP and Statewide Planning Goal 12.

Policy 5.0 - Barrier-free Transportation: This policy addresses providing access to better transportation choices for travel in the region and serving special access needs for all people,

including elderly, youth and disabled. The amendments are consistent with Policy 5.0 of the RTP. See Findings for Policy 2.9 of the RFP.

Policy 5.1 – Interim Special Needs Transportation Policy: This policy addresses the provision of transportation choices to economically disadvantaged persons. The amendments are consistent with Policy 5.1 of the RTP. See Findings for Policy 1.3 and Policy 2.9 of the RFP.

Policy 5.2 – Interim Job Access and Reverse Commute Policy: This policy addresses serving the transit and transportation needs of the economically disadvantaged in the region by connecting low-income populations with employment areas and related social services. The amendments are consistent with Policy 5.2 of the RTP. See Findings for Policy 1.3 and Policy 2.9 of the RFP.

Policy 6.0 – Transportation Safety and Education: This policy addresses improving the safety of the transportation system and encouraging bicyclists, motorists and pedestrians to share the road safely. The amendments are consistent with Policy 6.0 of the RTP. See Findings for Policy 2.8 of the RFP.

Policy 7.0 – The Natural Environment: This policy calls for placing a priority on protecting the natural environment, reducing impacts of construction, reducing impacts on parks, open space, natural areas and wetlands and avoiding fragmentation of parks, natural areas, etc. The amendments are consistent with Policy 7.0 of the RTP. See Findings for Statewide Planning Goal 6 and Policy 2.24 of the RFP.

Policy 8.0 – Water Quality: This policy seeks to minimize the amount of new impervious surfaces associated with transportation projects. The amendments are consistent with Policy 8.0 of the RTP. See Findings for Statewide Planning Goal 6 and Policy 2.25 of the RFP.

Policy 9.0 – Clean Air: This policy addresses maintenance of clean air in the region. The amendments are consistent with Policy 9.0 of the RTP. See Findings for Statewide Planning Goal 6 and Policy 2.26 of the RFP.

Policy 10.0 – Energy Efficiency: This policy addresses designing the transportation system to promote efficient use of energy and reduce the region's transportation-related energy consumption. The amendments are consistent with Policy 10.0 of the RTP. See Findings for Statewide Planning Goal 13 and Policy 2.27 of the RFP.

Policy 11.0 – Regional Street Design: This policy addresses linking land use with transportation through street design and calls for the design of regional streets to reflect the function and character of surrounding land uses, consistent with regional street design concepts. The amendments are consistent with Policy 11.0 of the RTP. See Findings for Policy 2.11 of the RFP.

Policy 12.0 – Local Street Design: This policy addresses linking land use with transportation through street design. The amendments to the 2000 RTP include projects that integrate land use, automobile, bicycle, pedestrian, freight and public transportation needs through local and regional street design to support implementation of the 2040 Growth Concept. The amendments

are consistent with Policy 12.0 of the RTP. See Findings for Policy 2.11 and Policy 2.30 of the RFP.

Policy 13.0 – Regional Motor Vehicle System: This policy addresses providing an adequate motor vehicle system of arterials and collectors that connect the central city, regional centers, industrial areas and intermodal facilities, providing mobility within the region as well as statewide, national and international connections. The amendments are consistent with Policy 13.0 of the RTP. See Findings for Policy 2.12 of the RFP.

Policy 14.0 – Regional Public Transportation System: This policy calls for an appropriate level, quality and range of public transportation options to serve this region and support implementation of the 2040 Growth Concept. The amendments are consistent with Policy 14.0 of the RTP. See Findings for Policies 2.9, 2.13 and 2.29 of the RFP.

Policy 14.1 – Public Transportation System Awareness and Education: This policy addresses expanding the amount of information available about public transportation. The amendments are consistent with Policy 14.1 of the RTP. See Findings for Policies 2.8, 2.9, 2.13 and 2.29 of the RFP.

Policy 14.2 – Public Transportation Safety and Environmental Impacts: This policy calls for making public transportation a safe and environmentally-friendly form of transportation. The amendments are consistent with Policy 14.2 of the RTP. See Findings for Policies 2.9, 2.13 and 2.29 of the RFP.

Policy 14.3 – Regional Transportation Performance: This policy addresses the provision of fast, reliable transit service. The amendments are consistent with Policy 14.3 of the RTP. See Findings for Policies 2.9, 2.13 and 2.29 of the RFP.

Policy 15.0 – Regional Freight System: This policy addresses enhancing freight movement in the region. The amendments are consistent with Policy 15.0 of the RTP. See Findings for Policy 2.16 of the RFP.

Policy 15.1 – Regional Freight System Investments: This policy addresses protecting public/private investments in the freight network. The amendments are consistent with Policy 15.1 of the RTP. See Findings for Policy 2.16 of the RFP.

Policy 16.0 – Regional Bicycle System Connectivity: This policy addresses the provision of a continuous regional network of safe and convenient bikeways connected to other transportation modes and local bikeway systems. The amendments are consistent with Policy 16.0 of the RTP. See Findings for Policy 2.15 of the RFP.

Policy 16.1 - Regional Bicycle System Mode Share and Accessibility: This policy addresses providing safe, convenient and direct bicycle access to land uses as part of transportation improvements to increase bicycle mode share. The amendments are consistent with Policy 16.1 of the RTP. See Findings for Policy 2.15 of the RFP.

Policy 17.0 – Regional Pedestrian System: This policy addresses designing the pedestrian environment to be safe, direct, convenient and accessible for all users. The amendments are consistent with Policy 17.0 of the RTP. See Findings for Policy 2.14 of the RFP.

Policy 17.1 – Regional Pedestrian Mode Share: This policy addresses providing safe, convenient and direct pedestrian access to land uses as part of transportation improvements to increase pedestrian mode share. The amendments are consistent with Policy 17.1 of the RTP. See Findings for Policy 2.14 of the RFP.

Policy 17.2 – Regional Pedestrian Access and Connectivity: This policy addresses providing safe, convenient and direct pedestrian access to land uses as part of transportation improvements. The amendments are consistent with Policy 17.2 of the RTP. See Findings for Policy 2.14 of the RFP.

Policy 18.0 – Transportation System Management: This policy calls for the use of ITS/technology-based solutions to optimize the performance of the region's transportation systems. It also calls for the development of access management plans for urban areas that are consistent with regional street design concepts. The amendments are consistent with Policy 18.0 of the RTP. See Findings for Policy 2.19 of the RFP.

Policy 19.0 – Regional Transportation Demand Management: This policy addresses managing travel demand on the existing transportation system enhance mobility and support the use of alternative transportation modes by improving regional accessibility to public transportation, carpooling, telecommuting, bicycling and walking options. The amendments are consistent with Policy 19.0 of the RTP. See Findings for Policy 2.18 of the RFP.

Policy 19.1 – Regional Parking Management: This policy addresses managing and optimizing the efficient use of parking to support the 2040 Growth Concept. The amendments are consistent with Policy 19.1 of the RTP. See Findings for Policy 2.17 of the RFP.

Policy 19.2 – Peak Period Pricing: This policy addresses managing and optimizing the use of highways in the region to reduce congestion, improve mobility and maintain accessibility within limited resources. The amendments to the 2000 RTP complement and are consistent with Policy 19.2 of the RTP.

Policy 20.0 – Transportation Funding: This policy addresses ensuring the allocation of fiscal resources is driven by both land use and transportation benefits to maintain and improve efficiency of existing system and develop an adequate transportation system to implement planned land uses. The amendments are consistent with Policy 20.0 of the RTP. See Findings for Policy 2.2, Policy 2.5, Policy 2.19 and Policy 2.21 of the RFP.

Policy 20.1 – 2040 Growth Concept Implementation: This policy addresses implementing a regional transportation system that supports the 2040 Growth Concept. The amendments are consistent with Policy 20.1 of the RTP. See Findings for Policies 1.1, 1.6, 2.5 and 2.6 of the RFP, Policy 3.0 of the RTP and Statewide Planning Goal 2.

Policy 20.2 – Transportation System Maintenance and Preservation: This policy addresses emphasizing preservation and maintenance in the selection of transportation projects. The amendments are consistent with Policy 20.2 of the RTP. See Findings for Policy 2.19 of the RFP.

Policy 20.3 – Transportation Safety: This policy addresses prioritizing funding system deficiencies that threaten the safety of the traveling public. The amendments are consistent with Policy 20.3 of the RTP.

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 04-1045A FOR THE PURPOSE OF AMENDING THE 2000 REGIONAL TRANSPORTATION PLAN (RTP) FOR CONSISTENCY WITH THE 2004 INTERIM FEDERAL RTP AND STATEWIDE PLANNING GOALS

Date: April 13, 2004

Prepared by: Kim Ellis

PROPOSED ACTION

This ordinance would adopt amendments to the 2000 Regional Transportation Plan (RTP), the regional transportation system plan (TSP) and the regional functional plan for transportation, as required by ORS 268.390, and establish consistency with the state Transportation Planning Rule (TPR) and interim 2004 Federal RTP. No major changes to policies or projects are proposed. The proposed amendments focus on incorporating new transportation projects, and policy and technical updates that were approved in the 2004 Interim Federal RTP on Dec. 11, 2003. Metro is not required to update the regional transportation plan for state planning purposes until 2007.

The amendments to the 2000 RTP, included as Exhibit "A" are organized as follows:

- Policy Packet (Exhibit A, Part 1) – Chapter 1 of the Regional Transportation Plan (RTP) presents the overall policy framework for specific transportation policies, objectives and actions identified throughout the plan. It also sets a direction for future planning and decision-making by the Metro Council and the implementing agencies, counties and cities.

The Policy Packet includes functional map amendments to various modal system maps and policy text changes to Chapter 1 of the 2000 RTP to establish two tiers of industrial areas ("regionally significant" and "local") for the purpose of transportation planning and project funding. The amendments reflect changes recommended in local transportation plans adopted since 2000 that were endorsed by Metro as "friendly amendments" as part of the local review process, and policy discussions during the 2004 Interim Federal Update to the RTP.

- Project Packet (Exhibit A, Part 2) - Chapter 5 of the 2000 RTP includes a description of the priority system, which is intended to satisfy the state TPR requirements for an "adequate" system, as well as procedures and criteria in Chapter 6 for amending the projects. As the federally recognized system, the 2004 RTP financially constrained system is the source of transportation projects that are currently eligible for state and federal funding. New transportation projects amended into local plans since adoption of the 2000 RTP and that were included in the 2004 Interim Federal RTP financially constrained system would need to be amended into the 2000 RTP priority system in order to advance to project development planning and construction prior to 2007, when the next RTP update is required.

The Project Packet identifies a list of projects recommended for amendment into Chapter 5 of the 2000 RTP, which defines the 2020 RTP Priority System. The packet was limited to new projects recommended in local transportation plans or corridor studies adopted since 2000 and endorsed by Metro as "friendly amendments" as part of the local review process and that were included in the updated financially constrained system as part of the 2004 Federal Update. The amendments include project recommendations from the I-5 Trade Corridor Partnership Study, Powell/Foster Corridor Study (Phase 1), Pleasant Valley Concept Plan, Powell Boulevard Streetscape Study and the McLoughlin Boulevard Enhancement Plan. Projects that require goal exceptions findings have not be

recommended for inclusion in these amendments. Local jurisdictions will address their local land use regulations through the land use permitting process that will occur during the final design and construction phases of a particular project.

- Technical Packet (Exhibit A, Part 3) - Chapter 6 of the 2000 RTP establishes regional compliance with state and federal planning requirements, and sets requirements for city and county compliance with the RTP. This chapter also identifies future studies needed to refine the RTP as part of future updates. These future studies are consistent with state TPR provisions that require refinement planning in areas where a transportation need exists, but further analysis is required to define specific solutions. Since the 2000 RTP update, a number of corridor studies and concept plans for new urban areas have been completed, and approved by local or regional officials, or are about to be completed.

The Technical Packet incorporates several technical changes to Chapter 6 of the 2000 RTP that delete technical requirements that have been addressed through recently adopted corridor studies and frame future work that must still be completed as part of future updates to the RTP. The changes reflected in the technical amendments include recommendations from the following planning efforts: Powell-Foster Corridor study (Phase I), I-5 South – Wilsonville Area study and Regional Travel Option strategic planning.

BACKGROUND

The most pressing need for amendments to the 2000 RTP is to establish regional consistency with statewide planning goals for policies and projects adopted in the 2004 Interim Federal RTP to allow projects to advance toward project development and possibly construction during the period in which separate state and federal RTP documents exist.

On December 11, 2003, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council approved the 2004 Interim Federal Regional Transportation Plan (RTP) by Resolution No. 03-3380A. The 2004 RTP update was narrowed to include only those amendments needed to address federal planning regulations and ensure continued certification by federal agencies. As a result, the 2004 update focused on updating the 2000 RTP financially constrained system. Amendments to the plan that address state planning goals and Transportation Planning Rule requirements were deferred to the next scheduled update, due for completion in 2007.

As a result, Metro now has two, regional transportation plans in place that serve separate purposes:

- **2000 RTP meets state planning requirements and serves as the basis for land use decisions in the region**
In 1991, the Land Conservation and Development Commission adopted the Oregon Transportation Planning Rule (TPR). The TPR implements State Land Use Planning Goal 12, Transportation, which was adopted by the Oregon Legislature in 1974. The TPR requires most cities and counties and the state's four MPOs (including Metro) to adopt transportation system plans that consider all modes of transportation, energy conservation and avoid principal reliance on any one mode to meet transportation needs. By state law, local plans in MPO areas must be consistent with the regional transportation system plan (TSP).

In the Portland region, the existing 2000 RTP and 2020 priority system serves as the regional Transportation System Plan (TSP) that meets state planning requirements, as required by the Transportation Planning Rule. As the regional TSP, the 2000 RTP serves as the regional strategy for addressing transportation needs, integrating land use and transportation to implement the 2040

Growth Concept, and determining whether regional transportation projects are consistent with state planning goals until the next RTP update. Metro is not required to update the regional TSP until 2007.

- **2004 Interim Federal RTP meets federal planning requirements**

The 2004 Interim Federal RTP and 2025 financially constrained system is the “federally recognized” transportation plan that meets federal planning requirements. Projects that are included in the 2025 Financially Constrained System are eligible to receive state and federal funds and have been demonstrated to conform with the Clean Air Act. Metro is not required to update the federal plan until 2007.

Because the amendments to the 2000 RTP represent more of a "housekeeping" effort, the emphasis in the public comment period will be on the proposed changes to the plan, not the overall 2000 RTP document.

Public Comment Opportunities

A public comment period was held on the proposed policy, project and technical amendments was held from April 15 to June 1, 2004. Because this update of the RTP constitutes a "housekeeping" effort, the emphasis in the public comment period was on the staff recommended changes to the plan as identified in the public review document, not the overall RTP document. The proposed amendments were consolidated into a single public review document that was available for review on Metro's website. The Metro Council held a public hearing on May 13, 2004 on Exhibit "A." No public comments were received during the public comment period.

The Metro Council is being asked to approve Exhibits "A," and "B" and direct this Ordinance, and Exhibits "A," and "B" upon its adoption by the Metro Council be submitted to the Department of Land Conservation and Development pursuant to the post-acknowledgement process at ORS 197.610.

ANALYSIS/INFORMATION

1. Known Opposition

None known.

2. Legal Antecedents

Previous related Metro Council actions include:

- Metro Ordinance No. 00-869A, adopting the 2000 RTP as the regional transportation system plan for the Portland metropolitan region.
- Metro Resolution No. 02-3186A, amending the 2000 RTP and 2002 MTIP to incorporate OTIA bond projects.
- Metro Ordinance No. 02-946A, amending the 2000 RTP to incorporate post-acknowledgement amendments to the 2000 RTP.
- Metro Ordinance 03-1007A, amending the 2000 RTP to incorporate the two phases of the South Corridor Study.
- Metro Resolution 03-3351, amending the 2000 RTP and MTIP to incorporate the South Corridor LRT Project recommendations.
- Metro Resolution 04-3080A, approving the 2004 Federal Update to the Regional Transportation Plan as the Federal Metropolitan Transportation Plan to meet federal planning requirements.

3. Anticipated Effects

Approval of this Ordinance completes an interim update to the 2000 RTP to meet federal planning requirements and allows projects in the updated 2004 RTP financially constrained system to be funded and allowed to proceed to project development, and possibly construction, during the development of the 2007 RTP. Projects, in particular, need to be included in both documents in order to receive federal and state funding and move forward to construction during the period when separate state and federal transportation plans are in place. Several projects are under consideration for federal earmarks and state funding through the Oregon Transportation Investment Act III.

The Council is considering a budget proposal to postpone the next scheduled update to the RTP to allow more staff resources to be devoted to the 2040 Re-evaluation. This proposal would defer the bulk of the next RTP update to 2006-07, which would still meet state and federal planning requirements. In the interim, Metro will likely be asked amend the RTP, as necessary, to incorporate projects resulting from corridor studies or other transportation planning efforts.

If this proposal is approved, staff recommends that an explanatory handout be provided for the general public in the short term, since a Fall 2004 start to the next RTP update has been widely discussed.

4. Budget Impact

None.

RECOMMENDED ACTION

Adopt Ordinance 04-1045A.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ENDORSING A)
SUPPLEMENTAL MULTI-YEAR FUNDING)
COMMITMENT OF METROPOLITAN)
TRANSPORTATION IMPROVEMENT PROGRAM)
FUNDS FOR THE I-205/MALL LRT PROJECT AND)
ENDORSING A REFINED REGIONAL FUNDING)
PLAN)

RESOLUTION NO. 04-3468

Introduced by
Councilor Rod Monroe

WHEREAS, on January 23, 1997, the Metro Council adopted Resolution No. 96-2442 For the Purpose of Endorsing a Regional Position on Reauthorization of the Intermodal Surface Transportation Efficiency Act (ISTEA) that established a multi-year commitment of Metropolitan Transportation Improvement Program (MTIP) funds totaling \$55 million over the period of FY 1999-2009 for the South/North LRT Project; and

WHEREAS, on June 24, 1999, the Metro Council adopted Resolution No. 99-2804A For the Purpose of Endorsing the Interstate Max Light Rail (LRT) Project and South Corridor Financing Strategy and Amending the MTIP that added \$12.5 million to the multi-year commitment of MTIP funds; making a total allocation of MTIP funds of \$67.5 million available for the "North LRT/South Corridor Financing Strategy;" and

WHEREAS, on March 20, 2003, the Metro Council adopted Resolution No. 03-3290 For the Purpose of Endorsing a Multi-Year Commitment of MTIP Funds for a Regional Funding Plan that added \$50.0 million over the period of Fiscal Year (FY) 2006-2015 to the multi-year commitment of MTIP funds; making a total allocation of MTIP funds of \$117.5 million available for a regional funding plan consisting of the Interstate MAX, South Corridor, Commuter Rail, and North Macadam projects; and

WHEREAS, the regional funding plan requires that the multi-year commitment of MTIP funds be allocated to TriMet which, through a combination of (a) direct use of federal grants of MTIP funds and/or (b) direct or indirect borrowing against the multi-year commitment of MTIP funds, is authorized to provide (a) up to \$55 million of net proceeds (net of borrowing cost) to the Interstate MAX project (only \$40 million of which is required by the Interstate MAX project), (b) \$10 million of net proceeds to the Commuter Rail project, (c) \$10 million of net proceeds to the North Macadam project, subject to the City of Portland committing its share of local match to the South Corridor project, and (d) \$15 million of net proceeds to the South Corridor project; and

WHEREAS, on April 17, 2003, the Metro Council adopted Resolution No. 03-3303 For the Purpose of Amending the Locally Preferred Strategy for the South/North Corridor Project to Define a Two-Phased Major Investment Strategy for the South Corridor that, as a result of the South Corridor Supplemental Draft Environmental Impact Statement (SDEIS) published on December 20, 2002 and related hearings, (a) established the I-205 LRT project as the Locally Preferred Alternative for Phase 1 of the South Corridor Project and Milwaukie LRT as Phase 2 of the South Corridor Project, (b) proposed the incorporation of a Mall alignment into the Phase 1 South Corridor Project, and (c) established a conceptual finance plan for the South Corridor Project; and

WHEREAS, on January 15, 2004, the Metro Council adopted Resolution No. 04-3403 For the Purpose of Finalizing the Decision to add the Portland Mall Alignment to the Locally Preferred Alternative for Phase I of the South Corridor Light Rail Project, that amends the South Corridor Locally Preferred Alternative by extending Light Rail Transit from the Steel Bridge to Union Station and then on

5th and 6th avenues along the Portland Transit Mall to the Portland State University Terminus at SW Jackson Street, and

WHEREAS, the Oregon Department of Transportation (ODOT) must program its \$23 million contribution to the I-205/Mall LRT Project into the FY'04-FY'07 MTIP and State Transportation Improvement Program (STIP) to make funds available in a timely manner; and

WHEREAS, further engineering, cost estimating and financial planning for the I-205/Mall LRT project has determined the need for supplemental local revenues, and a refined financial plan has been recommended that requires additional funding commitments by TriMet, Clackamas County, ODOT, City of Portland, and the MTIP; and

WHEREAS, Metro Council and JPACT action committing additional MTIP and ODOT funds and refining the regional funding plan is required to (a) meet Federal Transit Administration (FTA) criteria for advancing the I-205/Mall LRT project into Final Design, (b) implement the regional projects endorsed by the above-referenced actions by Metro Council and JPACT, and (c) ensure the efficient use of the multi-year commitment of MTIP funds in TriMet's borrowing program; now therefore

BE IT RESOLVED that the Metro Council hereby:

1. Adopts the Regional Funding Plan for the South Corridor, Commuter Rail, and North Macadam Projects shown in Exhibit A.
2. Amends the FY 2004 – 2007 Metropolitan Transportation Improvement Program (Metro Resolution No. 03-3381A, adopted on December 11, 2003) to reflect the supplemental commitment of regional federal formula funds and the supplemental commitment of ODOT funds described in the Regional Funding Plan for the South Corridor, Commuter Rail, and North Macadam Projects.

ADOPTED by the Metro Council on this _____ day of July 2004.

David Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney

**Exhibit A to Resolution No. 04-3468
Regional Funding Plan for the South Corridor, Commuter Rail,
and North Macadam Projects**

1. Multi-Year Commitment of MTIP Funds to Regional Funding Plan

1.1 Metro hereby supplements the multi-year commitment of Metropolitan Transportation Improvement Program (MTIP) funds set forth in Resolution No. 03-3290, and amends the MTIP, as follows:

<u>Fiscal Year</u>	<u>CURRENT</u> Multi-Year Commitment of MTIP Funds under Resolution No. 03-3290	<u>PREVIOUS</u> MTIP Funds Applied to Interstate MAX Project	<u>PROPOSED</u> Supplemental Multi-Year Commitment of MTIP Funds to Refined Regional Funding Plan	<u>TOTAL</u> Multi-Year Commitment of MTIP I-205/Mall LRT, Commuter Rail, No. Macadam Projects
FY '99	\$1,500,000	\$1,500,000	\$ -	\$ -
FY '00	\$6,000,000	\$6,000,000	\$ -	\$ -
FY '01	\$6,000,000	\$6,000,000	\$ -	\$ -
FY '02	\$6,000,000	\$6,000,000	\$ -	\$ -
FY '03	\$6,000,000	\$6,000,000	\$ -	\$ -
FY '04	\$6,000,000	\$6,000,000	\$ -	\$ -
FY '05	\$6,000,000	\$6,000,000	\$ -	\$ -
FY '06	\$8,000,000	\$4,000,000	\$ -	\$4,000,000
FY '07	\$8,000,000	\$ -	\$ -	\$8,000,000
FY '08	\$8,000,000	\$ -	\$1,300,000	\$9,300,000
FY '09	\$8,000,000	\$ -	\$1,300,000	\$9,300,000
FY '10	\$8,000,000	\$ -	\$1,300,000	\$9,300,000
FY '11	\$8,000,000	\$ -	\$1,300,000	\$9,300,000
FY '12	\$8,000,000	\$ -	\$1,300,000	\$9,300,000
FY '13	\$8,000,000	\$ -	\$1,300,000	\$9,300,000
FY '14	\$8,000,000	\$ -	\$1,300,000	\$9,300,000
FY '15	\$8,000,000	\$ -	\$1,300,000	\$9,300,000
Total	\$117,500,000	\$41,500,000	\$10,400,000	\$86,400,000

As used in this Regional Funding Plan, the term MTIP funds includes Surface Transportation Program (STP) and Congestion Mitigation Air Quality (CMAQ) funds, or any successor federal transportation funding programs allocated by formula to metropolitan regions.

1.2 TriMet will prepare and implement a financing program to use, through direct federal grants to projects and/or a borrowing strategy, the MTIP funds committed in Section 1.1 to provide the following amounts, net of borrowing costs, to the following projects:

Project	Millions
I-205/Mall LRT Project	\$48.5
Commuter Rail Project	\$10.0
North Macadam Project	\$10.0

TriMet may employ the multi-year commitment of MTIP funds to provide the amounts shown to the respective projects in any manner that facilitates its funding and borrowing program. TriMet may pledge any portion of the multi-year commitment of MTIP funds to any borrowing or borrowings it deems necessary or desirable to achieve the purpose of this Regional Funding Plan. TriMet may employ any portion of the multi-year commitment of MTIP funds to pay preventative maintenance or capital costs required to make TriMet general funds available to provide the amounts shown above to the respective projects.

- 1.3 TriMet will enter binding agreements with FTA and local governments committing TriMet to provide the amounts shown in Section 1.2 to the respective projects. To provide such amounts, TriMet will enter loan agreements relying on receipt of the annual amounts shown in Section 1.1 to help repay such obligations. Accordingly, the annual amounts shown in Section 1.1 are fully committed to TriMet; subject only to authorization and appropriation of MTIP funds.
- 1.4 TriMet will provide to the I-205/Mall LRT, Commuter Rail, and North Macadam Projects the amounts shown in Section 1.2, above, regardless of the borrowing costs incurred in implementing this regional funding plan. TriMet will neither be provided additional MTIP funds nor be required to reimburse MTIP funds in the event borrowing costs differ from those assumed in preparing this plan. In the event that interest rates do not permit MTIP-backed bonds to provide the full \$68.5 million anticipated in Section 1.2 from the multi-year commitment of MTIP funds, TriMet will employ general fund borrowing to provide the difference to the applicable project(s). Because the multi-year commitment of MTIP funds will be used directly or in a revenue-bonding or borrowing strategy in accordance with the finance plans for these Projects, Metro will provide assurances, legal opinions, or enter into appropriate IGA's reasonably requested by TriMet that are requested by third parties to effectuate the bonding strategy and that are consistent with the purposes set forth in this Exhibit A.
- 1.5 A mix corresponding to the needs of TriMet's financing program of Surface Transportation Program (STP) and Congestion Mitigation Air Quality (CMAQ) funds will be used to fulfill the multi-year commitment of MTIP funds. Representatives of Metro and TriMet will cooperatively determine the appropriate mix of CMAQ and STP funds to be used to fulfill the multi-year commitment of MTIP funds.

2. I-205/Mall LRT Project

- 2.1 The finance plan for Final Design and construction of the I-205/Mall LRT Project is currently anticipated to be as follows:

Funding Source	\$Millions
Federal Sec. 5309 Funds (3)	\$296.2
MTIP (TriMet bonds)	\$48.50
TriMet General Fund	\$25.33
Clackamas County	\$35.33
ODOT (4)	\$23.00
City of Portland (2)	\$65.33
Total Project Revenues (1)	\$493.70

Note 1: Does not include contributions for Preliminary Engineering

Note 2: Includes \$2 million for shelter replacement on Mall.

Note 3: Includes \$3 million for shelter replacement on Mall.

Note 4: Does not include more than \$10 million in Project savings resulting from the purchase of ODOT ROW.

This finance plan is preliminary, and subject to change due to Preliminary Engineering, Final Design, Full Funding Grant Agreement negotiations with FTA, and other future adjustments. The funding plan is based on an assumed schedule for receiving Section 5309 and local funds. The finance plan contemplates interim borrowing costs resulting from the unavailability of federal funds when required by the construction schedule. In the event federal funds are appropriated to the project at a slower rate than assumed or local funds are not received when scheduled, interim borrowing costs and the total project cost may be higher than anticipated in the finance plan. Any such cost increase will be counter-balanced by either additional local funding contributions or cost reductions from project scope reductions.

- 2.2 The commitment of MTIP funds to the I-205/Mall LRT Project is subject to funding commitments by the other state, regional and local contributors, as contemplated in the finance plan, as it may be amended from time to time.
- 2.3 FTA procedures require that Final Design be between 60 and 100 percent complete prior to commencing Full Funding Grant Agreement (FFGA) negotiations. The finance plan anticipates that about \$35 million of Final Design and related engineering and administration costs will be incurred prior to executing a FFGA, and that such cost will be paid with proceeds from MTIP-backed bonds and/or MTIP grant funds. MTIP will not be repaid or reimbursed for such expenditures, should the project not proceed to construction.
- 2.4 In the event that the City of Portland cannot commit sufficient funds to construct a mall segment, the \$10 million (net of borrowing costs) allocated to the North Macadam Project in Section 1.2 will be reallocated to the I-205/Mall LRT Project. In the event that even with the addition of this \$10 million there remains insufficient funding to construct a mall segment, a FFGA for a minimum operable segment between Gateway and the Clackamas Regional Center will be sought, and the finance plan adjusted accordingly.
- 2.5 The proposed ODOT \$3M supplemental commitment to the project, raising ODOT's contribution from \$20 million to \$23 million, presumes that the region will assist ODOT in seeking replacement federal funds for the I-205 auxiliary lane project. The \$23 million contribution to the project from ODOT requires amending the FY'04 – FY'07 MTIP and STIP to ensure that the funding is available in a timely manner.

3. Commuter Rail Project

- 3.1 \$10 million, net of debt service, will be provided to the Commuter Rail Project in accordance with the finance plan set forth in the *Definitive Agreement* between Washington County and TriMet, as may be amended by the FFGA. The County will provide a sufficient amount of County funds and state lottery bond proceeds to achieve a 50 percent local share of total capital costs for the Commuter Rail Project.
- 3.2 The portion of the multi-year commitment of MTIP funds required to provide \$10 million (net of borrowing cost) to the Commuter Rail project is currently fully committed to TriMet, and is currently being spent to pay the costs of Final Design for the Commuter Rail project. MTIP will not be repaid or reimbursed for such expenditures, should the Commuter Rail project not proceed to construction.

4. North Macadam Project

- 4.1 The *South Waterfront Central District Project Development Agreement* among the Portland Development Commission, Oregon Health & Science University, and several private entities sets forth a \$102.9 million program of public transportation, infrastructure, greenway, housing, research facility, neighborhood, and parks improvements; and a finance plan to accomplish this program. A key element of the improvement program is the extension of the Portland Streetcar between SW Moody and SW Gibbs; which is currently estimated to cost \$15.8 million. The finance plan for this project consists of \$5.8 million in tax increment and LID funds, and \$10 million provided by TriMet as a result of the multi-year commitment of MTIP funds shown in Section 1.1. As part of managing the overall program budget, the TriMet funds may be made available to other projects in the improvement program, provided the recipient project is an eligible project under TriMet statutes.
- 4.2 The obligation to provide to TriMet the portion of the multi-year commitment of MTIP funds required to provide \$10 million (net of borrowing cost) to North Macadam improvements is subject only to the City of Portland's binding commitment of \$60 million (assuming the mall to PSU option) to pay a share of the capital costs of the I-205/Mall LRT Project. Subject to such a binding commitment, TriMet will borrow funds relying on this portion of the multi-year commitment of MTIP funds and, in FY2006, provide to PDC \$10 million to design and build North Macadam improvements. Such funds will be provided to PDC independent of whether the I-205/Mall LRT Project advances to Final Design or construction. In the event the City of Portland is unable to provide such a binding commitment, the \$10 million will be reallocated to the I-205/Mall LRT Project.

STAFF REPORT

FOR THE PURPOSE OF ENDORSING A SUPPLEMENTAL MULTI-YEAR FUNDING COMMITMENT OF METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM FUNDS FOR THE I-205/MALL LRT PROJECT AND ENDORSING A REFINED REGIONAL FUNDING PLAN

Date: June 24, 2004

Prepared by: Richard Brandman
Ross Roberts

BACKGROUND

This resolution adopts the funding plan for the I-205/Portland Mall Light Rail Project as outlined in Exhibit A of the resolution. Table 1 shows the evolution of the I-205/Mall LRT project funding plan. An initial funding plan was developed that is reflected in the "Original" column in Table 1. This funding plan resulted in a potential \$25.90 million shortfall in project revenue. A strategy was developed to close this gap and consists of the following actions:

- (a) Reduce Project costs by \$10.5 million - saving \$4.2 million in local funds
- (b) Secure additional funding from TriMet of \$5.33 million,
- (c) Secure additional funding from City of Portland of \$1.33 million,
- (d) Secure additional funding from PSU of \$2 million,
- (e) Secure additional funding from Clackamas County of \$1.33 million,
- (f) Secure additional funding from ODOT of \$3 million, and
- (g) Secure a supplemental multi-year commitment of MTIP funds to cover the remaining \$8.7 million shortfall. TriMet would bond the \$8.7 million in MTIP funds at a total cost of \$10.4 million.
- (h) Note: \$5 million in capital cost was added to cover the cost of Mall shelter replacement, currently anticipated to be 40% funded {\$2 million} through a local improvement district and 60% funded {\$3 million} through Federal Transit Administration Section 5309 funds.

This resolution specifically programs an additional \$1.3 million in MTIP funds (STP and/or CMAQ funds) over an eight-year period from FY 08 through FY 15 to fund \$8.7 million of the project's local share. This allocation totals \$10.4 million, which is required to cover the debt service on the bonds.

Subsequent to the adoption of this resolution, Intergovernmental Agreements (IGAs) will be established between TriMet, Metro and partner jurisdictions to formalize the funding commitments and to facilitate the flow of project funds to TriMet. Federal funding is anticipated to provide 60% of the project's funding and would be secured through a Full Funding Grant Agreement (FFGA) between TriMet and the FTA. The FFGA would be negotiated once the project has attained a 60% level of design. The project is currently approaching the 30% design threshold for Preliminary Engineering. FTA approval is required to advance into Final Design.

Table 1. I-205/Portland Mall LRT Project Costs and Revenues

Project Cost	Original	Revised	Change
Project Capital Cost	\$ 499.21	\$ 488.70	
<i>Scope Reductions</i>			\$ (10.51)
<i>Scope Addition for Mall Shelters</i>			\$ 5.00
Net Capital Cost	\$ 499.21	\$ 493.70	\$ (5.51)
Funding Source	Original	Revised	Change
Federal Sec. 5309 Funds (3)	\$ 299.51	\$ 296.20	\$ (3.31)
MTIP (TriMet bonds)	\$ 39.80	\$ 48.50	\$ 8.70
TriMet General Fund	\$ 20.00	\$ 25.33	\$ 5.33
Clackamas County	\$ 34.00	\$ 35.33	\$ 1.33
ODOT (4)	\$ 20.00	\$ 23.00	\$ 3.00
City of Portland (Incl PDC and PSU)(2)	\$ 60.00	\$ 65.33	\$ 5.33
GAP	\$ 25.90	\$ -	\$ (25.90)
Total Project Revenues (1)	\$ 499.21	\$ 493.70	\$ (5.51)

- (1) Does not include contributions for Preliminary Engineering
- (2) Includes \$2 million for shelter replacement on Mall.
- (3) Includes \$3 million for shelter replacement on Mall.
- (4) Does not include more than \$10 million in Project savings resulting from the purchase of ODOT ROW.

Table 2 below shows the total *Revised Regional Rail Funding Plan* as modified by the proposed resolution. TriMet will prepare and implement a financing program to use, through direct federal grants to projects, and/or a borrowing strategy, the MTIP funds committed in Table 2 to provide the following amounts, net of borrowing costs, to regional rail projects, \$48.5 million to the I-205/Mall LRT Project, \$10.0 million to the Wilsonville to Beaverton Commuter Rail Project, and \$10.0 million to North Macadam projects .

Table 2. Multi-year Revised Regional Rail Funding Plan

<u>FISCAL YEAR</u>	<u>CURRENT</u> Multi-Year Commitment of MTIP Funds under Resolution No. 03- 3290	<u>PREVIOUS</u> MTIP Funds Applied to Interstate MAX Project	<u>PROPOSED</u> Supplemental Multi-Year Commitment of MTIP Funds to Refined Regional Funding Plan	<u>TOTAL</u> Multi-Year Commitment of MTIP I-205/Mall LRT, Commuter Rail, No. Macadam Projects
FY '99	\$1,500,000	\$1,500,000		
FY '00	\$6,000,000	\$6,000,000		
FY '01	\$6,000,000	\$6,000,000		
FY '02	\$6,000,000	\$6,000,000		
FY '03	\$6,000,000	\$6,000,000		
FY '04	\$6,000,000	\$6,000,000		
FY '05	\$6,000,000	\$6,000,000		
FY '06	\$8,000,000	\$4,000,000		\$4,000,000
FY '07	\$8,000,000			\$8,000,000
FY '08	\$8,000,000		\$1,300,000	\$9,300,000
FY '09	\$8,000,000		\$1,300,000	\$9,300,000
FY '10	\$8,000,000		\$1,300,000	\$9,300,000
FY '11	\$8,000,000		\$1,300,000	\$9,300,000
FY '12	\$8,000,000		\$1,300,000	\$9,300,000
FY '13	\$8,000,000		\$1,300,000	\$9,300,000
FY '14	\$8,000,000		\$1,300,000	\$9,300,000
FY '15	\$8,000,000		\$1,300,000	\$9,300,000
Total	\$117,500,000	\$41,500,000	\$10,400,000 *	\$86,400,000**

* Includes \$8.7 million MTIP project funds plus \$2.7 million in bonding costs

** Provides \$68.5 million for I-205/Mall LRT, Commuter Rail, and North Macadam Projects

ANALYSIS/INFORMATION

- 1. Known Opposition** There is no known opposition to this resolution.
- 2. Legal Antecedents** Metro is vested with the authority to implement the MTIP by the State of Oregon through the requirements of the Statewide Transportation Planning Rule.
- 3. Anticipated Effects** This resolution would providing funding for a series of inter-related regional rail projects by finalizing the funding plan for the I-205/Mall LRT Project, and contributing funds to the Wilsonville to Beaverton Commuter Rail Project and North Macadam Projects.
- 4. Budget Impacts** This resolution would result in the programming of \$10.4 million in MTIP funds from FY 08 through FY 15 at a rate of \$1.3 million per year.

RECOMMENDED ACTION

Metro Council approve Resolution No. 04-3468.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE 2004-07)
METROPOLITAN TRANSPORTATION)
IMPROVEMENT PROGRAM (MTIP) TO TRANSFER)
FUNDS FROM THE HALL BOULEVARD BIKE)
LANES AND INTERSECTION TURN LANES)
PROJECT TO THE ROSE BIGGI ROAD EXTENSION)
PROJECT.)
)

RESOLUTION NO. 04-3476

Introduced by
Councilor Rod Park

WHEREAS, the Metro Council and the Joint Policy Advisory Committee on Transportation (JPACT) approved the award of approximately \$1.438 million in regional flexible funds for the design, acquisition and construction of bike lanes and vehicle turn lanes and signal improvements at intersections for Hall Boulevard between 12th Avenue and Allen Boulevard; and

WHEREAS, the City of Beaverton has reported that the right-of-way impacts and costs associated with the Hall Boulevard; 12th to Allen project have increased beyond original estimates; and

WHEREAS, potential hazardous materials remediation impacts have created uncertainty for the potential of additional cost increases associated with the Hall Boulevard project; and

WHEREAS, the City of Beaverton has requested the transfer of unspent funds on the Hall Boulevard project to the Rose Biggi road extension project between the light rail tracks and Crescent Street (see Exhibit A); and

WHEREAS, the City of Beaverton will work with the Federal Highway Administration and Oregon Department of Transportation on the resolution of satisfactorily completing the Hall Boulevard project or reimbursing spent funds as required; and

WHEREAS, the Rose Biggi road extension project is an essential component of creating a connected street system of appropriate scale to support the redevelopment of downtown Beaverton as a regional center; and

WHEREAS, the Rose Biggi project was evaluated and recommended for partial funding during the previous Transportation Priorities process; and

WHEREAS, the Rose Biggi project is a part of the Beaverton Transportation System Plan and the Regional Transportation Plan financially constrained system, adopted consistent with Metro public involvement guidelines; and

WHEREAS, funding of the Rose Biggi project beginning in 2005 is timely to serve the next phase of development adjacent to the Beaverton Central light rail station and within the Beaverton regional center; and,

WHEREAS, the city of Beaverton will be applying for additional funds to fund the Rose Biggi road extension project from Crescent Street to Hall Boulevard in the Transportation Priorities 2006-09 process to complete all phases of the project; now, therefore,

BE IT RESOLVED, the 2004-07 Metropolitan Transportation Improvement Program (adopted December 11, 2003 by Metro Resolution No. 03-3381A FOR THE PURPOSE OF APROVING THE 2004-07 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM FOR THE PORTLAND METROPOLITAN AREA) is amended to transfer the remaining unspent funds of \$1,375,510 from the Hall Boulevard bike lanes and intersection improvement project to the Rose Biggi road extension project between the light rail tracks and Crescent Street; and,

BE IT FURTHER RESOLVED, the award of these funds is conditioned on the City of Beaverton complying with Metro signage and public information guidelines and the planting of street trees consistent with the Green Streets guidebook.

ADOPTED by the Metro Council this _____ day of _____, 2004.

David Bragdon, Council President

APPROVED AS TO FORM:

Daniel B. Cooper, Metro Attorney



MEMORANDUM

City of Beaverton
Engineering Department
Transportation Division

To: Ted Leybold, Principal Transportation Planner
From: Margaret Middleton, Senior Transportation Planner
Date: May 27, 2004
Subject: *Request for MTIP/STIP Project Deferral of Hall Blvd. and Funding Exchange to Rose Biggi Avenue, LRT to Crescent Street*

The City of Beaverton requests that STIP Key 11460, SW Hall Blvd.: SW 12th – SW Allen Blvd. be deferred to a future date, and that its remaining funding authority be applied to Rose Biggi Avenue: Light Rail Tracks (LRT) to Crescent Street.

The City is requesting the switch because of environmental and cost issues discovered during the early stages of the preliminary design of the Hall Blvd. project. The environmental issues are related to two specific items; environmental justice and potential contaminated soil and groundwater concerns. One property is under DEQ directions to perform an investigation into potentially contaminated soil and groundwater. In addition, several properties and/or buildings would need to be acquired that house low income tenants creating an environmental justice issue. Two additional properties that would need to be partially or fully acquired are former gas stations, creating additional contaminated soil and groundwater concerns, as well. All of these issues together have substantially increased the cost of the project with the upper cost limit not known because of the potential for contaminated soil and groundwater.

The City is committed to improving Hall Blvd. to include bicycle lanes in the future. One option the City may pursue is to apply for a grant that includes adequate funding when final cost estimates are available. However, this can only be an option after DEQ and the one property owner complete their study of the contaminated soil and groundwater and any resulting remediation.

According to ODOT, \$62,329.57 of the \$317,111.00 federal funds obligated on this project (under Agreement #19127, EA #PE000517) has been applied. The project's total authority in the MTIP is \$1,594,868.

The City requests that the remaining funding authority be transferred to the improvement of Rose Biggi Avenue from north of the light rail tracks to Crescent Street, as discussed at our May 14, 2004, meeting.

The Rose Biggi Avenue project sets the stage for achieving the 2040 Growth Concept in the Beaverton Regional Center through additional redevelopment. Previously, Metro and the City worked together to realize The Round, and through Metro funded both the initial Rose Biggi Avenue and Henry Street (renamed Millikan Way) improvements to Regional Center standards. The portion of the street from Millikan to the LRT, including the LRT crossing, is already funded through the City's development agreement with The Round. The Rose Biggi Avenue,

LRT to Crescent Street project completes the intermodal circulation system of Crescent, Rose Biggi, Millikan, Watson, and Hall, and facilitates redevelopment of the Regal Cinema site.

The street design is as follows:

Street section for STA 0+00 to STA 1+75 (175 feet) = 10-14-14-10 (Two 14-foot shared travel lanes and two 10-foot pedestrian-friendly sidewalks with Green Street trees and tree wells.) This section will connect to the north side of an existing LRT crossing (RX873) approved on August 21, 1998 under ODOT Order No. 98-040 and constructed in 1998 as part of the Westside Light Rail project. The street section must comply with the conditions stated in the ODOT Order.

Street section for STA 1+75 to STA 3+26 (151 feet) = 10-8-12-12-8-10 (Two 12-foot shared travel lanes, two 8-foot parking strips, and two 10-foot pedestrian-friendly sidewalks with Green Street trees and tree wells) Area (includes Rose Biggi Avenue and east and west connections with Crescent Street) = 21,825 SF

Requested programming is as follows:

Design: September 2004 - June 2005

Right of Way: January 2005 - June 2005

Construction: July 2005 – November 2005

Phase	FY 2004-05	FY 2005-06	FY 2006-07	TOTAL
PE	\$179,674	\$59,892		\$239,566
ROW	\$109,125	\$436,500		\$545,625
Construction		\$614,194	\$68,244	\$682,438
				\$1,647,629

To complete 2040 implementation in this area of the Regional Center, the City will also be proposing the final two phases of Rose Biggi Avenue improvements from Crescent Street to Westgate Drive, and from Westgate Drive to Hall Blvd. on the north. These two applications will be submitted in the current MTIP funding cycle.

If you have any questions or need further information regarding this request, please feel free to contact me (503-526-2424) or Randy Wooley (503-526-2443). For information on the Hall Blvd. project, contact Joel Howie (503-526-2592). For information on the Rose Biggi Avenue projects, contact Jim Brink (503-526-2450).

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 04-3476, FOR THE PURPOSE OF AMENDING THE 2004-07 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM (MTIP) TO TRANSFER FUNDS FROM THE HALL BOULEVARD BIKE LANES AND INTERSECTION TURN LANES PROJECT TO THE ROSE BIGGI ROAD EXTENSION PROJECT.

Date: June 18, 2004

Prepared by: Ted Leybold

BACKGROUND

In the 2000 Transportation Priorities process, JPACT and the Metro Council awarded \$1,437,840 (federal share) to the Hall Boulevard bike lanes and intersection turn lanes and signals improvement project. Work during the early design and preliminary engineering phase of the project identified additional right-of-way impacts and uncertainties regarding potential hazardous materials remediation liabilities that have increased costs and the risk of additional costs to the project.

The identification of these additional impacts to property owners, costs and risk of future liabilities has caused the City of Beaverton to delay implementation of this project until the future risks are better understood and the costs and impacts of the project are warranted for additional congestion relief purposes.

The City of Beaverton has requested a transfer of the unspent regional flexible funds from the Hall Boulevard project (\$1,437,840) to the Rose Biggi road extension project from its current terminus at the light rail tracks to Crescent Street. The Rose Biggi project was a candidate project during the Transportation Priorities 2004-07 funding process and was recommended for partial funding. As the partial funding would not have been adequate for construction of this segment, the City requested transfer of the funding amount to another project that was time sensitive to the provision of a road project associated with a private development in the Scholls town center.

The City is now planning for future development phases of their regional center near the Beaverton Central light rail station. Provision of the Rose Biggi will serve the next phase of development as the current phases are now being completed.

The City will also be applying for the next segments of the Rose Biggi road extension project from Crescent Street to Hall Boulevard through the Transportation Priorities 2006-09 program.

ANALYSIS/INFORMATION

1. **Known Opposition** None known at this time.
2. **Legal Antecedents** This resolution amends the 2004-07 Metropolitan Transportation Improvement Program (MTIP) as adopted by Metro Resolution No. 03-3381A (FOR THE PURPOSE OF APROVING THE 2004-07 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM FOR THE PORTLAND METROPOLITAN AREA, adopted December 11, 2003) to

transfer the programming of funds from the Hall Boulevard bike lane and intersection improvements project to the Rose Biggi road extension project.

3. **Anticipated Effects** Adoption of this resolution is a necessary step to allow the expenditure of regional flexible funds on the Rose Biggi road extension project between the light rail tracks and Crescent Street.
4. **Budget Impacts** Adoption of this resolution has no effect on the Metro budget.

RECOMMENDED ACTION

Metro Council approve Resolution No. 04-3476.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF MAKING) RESOLUTION NO. 04-3475
RECOMMENDATIONS TO THE)
ENVIRONMENTAL QUALITY COMMISSION) Introduced by Councilor Monroe
OF THE STATE OF OREGON CONCERNING)
OXYGENATED FUELS AND METHYL)
TERTIARY BUTYL ETHER)

WHEREAS, in 1996, the Oregon Environmental Quality Commission completed a Portland Area Carbon Monoxide Maintenance Plan (Plan) and in 1997 the United States Environmental Protection Agency (EPA) approved the Plan; and,

WHEREAS, the Plan included a requirement for oxygenated gasoline in the winter to reduce Carbon Monoxide emissions from transportation sources in the region and to avoid exceeding Federal and state Carbon Monoxide standards; and,

WHEREAS, methyl tertiary butyl ether (MTBE) has been used in some portions of the United States to oxygenate fuels; and,

WHEREAS, MTBE readily dissolves in water, can give water an unpleasant taste and odor, can move rapidly through soils and aquifers, is resistant to microbial decomposition, is difficult to remove in water treatment and the EPA has classified MTBE as a potential human carcinogen; and,

WHEREAS, potential and documented contamination of water resources by MTBE has become a cause for major public concern that drinking water supplies and human health may be at risk to the extent that the states of California and Washington have banned the use of MTBE as a fuel additive; and,

WHEREAS, the Department of Environmental Quality is producing a draft Second Portland Area Carbon Monoxide Maintenance Plan which may or may not require the continued use of oxygenated fuels; now therefore;

BE IT RESOLVED,

1. The Metro Council recommends to the Environmental Quality Commission of the State of Oregon that should oxygenated fuels be included in the Second Portland Area Carbon Monoxide Maintenance Plan, methyl tertiary butyl ether (MTBE) should not be allowed as a oxygenate or fuel additive.

2. The Metro Council directs its Chief Operating Officer to coordinate with the Environmental Quality Commission and Department of Environmental Quality to encourage the Oregon State Legislature to prohibit the use of MTBE in the state of Oregon as a fuel additive to oxygenate fuel.

ADOPTED by the Metro Council this ____ day of July 2004.

David Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 04-3475, FOR THE PURPOSE OF MAKING RECOMMENDATIONS TO THE ENVIRONMENTAL QUALITY COMMISSION OF THE STATE OF OREGON CONCERNING OXYGENATED FUELS AND METHYL TERTIARY BUTYL ETHER

Date: June 28, 2004

Prepared by: Mark Turpel

BACKGROUND

Consistent with Federal Clean Air Act, and an agreement with the US Environmental Protection Agency (EPA), the Environmental Quality Commission of the State of Oregon (EQC) has directed that a draft Second Portland Area Carbon Monoxide Maintenance Plan (CO Plan) be prepared. This CO Plan will be completed in draft form and provided to the public for review in Fall 2004 with an anticipated final decision by the EQC late 2004 or early 2005. The EQC's CO Plan will then be submitted to the US Environmental Protection Agency for approval.

The previous CO Plan completed in 1996, and approved by the EPA in 1997, included a requirement that oxygenated fuels be provided for transportation vehicles in the metropolitan area in the winter when CO problems are more pronounced. Oxygenated fuels reduce Carbon Monoxide emissions compared to fuels without such compounds. Several compounds may be used to oxygenate fuel, including ethanol, produced from agricultural products and methyl tertiary butyl ether (MTBE), derived from petroleum. In the past, ethanol has been the primary additive used to oxygenate fuels in the Metro area. However, improvements to motor vehicle engines has resulted in substantial reductions to carbon monoxide emissions from transportation sources, such that current carbon monoxide emissions are well below maximum permitted rates and these decreases are greater than those attributable to oxygenated fuels. In addition, Carbon Monoxide emissions are forecast to decrease even more in the future to the year 2025 without considering the effects of oxygenated fuel.

In June 2004 when the Joint Policy Advisory Committee (JPACT) discussed recommendations for the Environmental Quality Commission concerning the new CO Plan, members were asked whether they wished to make recommendations about oxygenated fuel. Though JPACT declined to make a recommendation at that time, it did ask that the matter be brought back at a later date for further discussion. In addition, the Metro Council, in considering the new CO Plan and the question of oxygenated fuels, discussed concerns with the use of MTBE as an additive to oxygenate fuel.

The proposed resolution does not take a position with regard to an EQC requirement for oxygenated fuels. However, it does recommend that should the EQC approve such a requirement for the Metro area, that it work to ensure that MTBE not be the additive used to oxygenate fuel. This approach is proposed in order to protect the health and safety of the residents of the region as well as avoiding the higher than normal expenses of water cleanup characteristic of MTBE should MTBE be inadvertently released into water supplies, particularly those which rely upon groundwater as drinking water sources in the region.

Attached is a fact sheet prepared by the Department of Environmental Quality about oxygenated fuels in the Portland area. Important considerations include the facts that the banning of MTBE in California and Washington could lead to MTBE producers looking for other markets, though most of the gasoline transported to Oregon is via a petroleum pipeline from Washington State from which MTBE is banned. The oxygenate alternative, ethanol, was compared with MTBE in a State of California study. It found that "...the direct effects of ethanol (if any public exposure were to occur) would be substantially less severe than the effects of MTBE."

ANALYSIS/INFORMATION

1. **Known Opposition** The States of California and Washington have banned the use of MTBE. However, the EPA has not definitively determined the safety of MTBE, and there are trade associations (such as the Oxygenated Fuels Association) that assert that the overall benefits of MTBE outweigh the risks. Accordingly, there could be opposition from trade associations to this resolution that makes recommendations about banning MTBE use.
2. **Legal Antecedents** Federal law includes the Clean Air Act (42 U.S.C. 7401) as well as transportation legislation (23 U.S.C 109j) concerning transportation plans, programs and projects developed, funded or approved by the US Department of Transportation. State legislation includes OAR Chapter 340, Division 252. Metro legal antecedents include *Resolution No. 96-2260, For the Purpose of Recommending to the Environmental Quality Commission the Transportation Control Measures (TCM's), contingencies, and emission budgets to be included in the Portland Region's Ozone and Carbon Monoxide (CO) Maintenance Plans*, numerous resolutions concerning transportation conformity of the region's transportation plan and metropolitan transportation improvement program and *Resolution No.03-3457, For the Purpose of Making Recommending to the Environmental Quality Commission of the State of Oregon Concerning the Second Portland Area Carbon Monoxide Maintenance Plan*.
3. **Anticipated Effects** Adoption of this resolution will support the progress of the CO Plan, including support for avoiding the use of MTBE, already banned in the states of California and Washington. .
4. **Budget Impacts** No direct budget impacts to Metro.

RECOMMENDED ACTION

It is recommended that Resolution 04-3475 be approved.



State of Oregon
Department of
Environmental
Quality

Air Quality Division
811 SW 6th Avenue
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DEQ's Office of
Communications &
Outreach, Portland, for
more information at (503)
229-5696 (toll-free at 1-
800-452-4011, ext. 5696)

Oxygenated Fuel in Portland

DEQ seeks input on continuing

oxygenated fuel in the Portland area

DEQ is consulting with interested groups to determine if oxygenated fuel should remain in the carbon monoxide (CO) air quality plan for the Portland area. DEQ has determined that oxygenated fuel (oxyfuel) is not needed to meet federal air standards for CO. Oxyfuel provides reductions of carbon monoxide, air toxics and greenhouse gases.

Background

From the 1970s to the early 1990s, the Portland area failed to meet the National Ambient Air Quality Standard for CO. After the 1990 Clean Air Act Amendments, Portland and other carbon monoxide "non-attainment" areas were required to use oxygenated fuels during the coldest months of the year. DEQ implemented these rules in 1992 to reduce carbon monoxide emissions by providing extra oxygen molecules in the area's fuel, allowing vehicles to achieve more complete combustion. The two most common fuel additives that meet the oxygenate requirements are ethanol and methyl tertiary butyl ether (MTBE). Currently, ethanol is the only additive used in Oregon; however, in the past, MTBE was used sporadically across the state.

Current conditions

Carbon monoxide concentrations in the Portland area are now approximately half the level that air quality standards allow and are expected to remain low into the foreseeable future. Cars will continue to be built with more effective catalytic converters and computerized engine controls that optimize combustion without extra oxygen.

Benefits of oxygenated fuel

Oxyfuel continues to lower total CO emissions by about 5%, and also reduces the relative toxicity of motor vehicle emissions by a similar amount. Ethanol in fuel also decreases greenhouse gas emissions, although estimates of that benefit vary widely. In addition, ethanol is a renewable energy source and contributes to the nation's energy independence. Ethanol is produced from corn and other grains, so its use as fuel strengthens agricultural markets.

Disadvantages of oxygenated fuel

J.S. Environmental Protection Agency data show oxygenated fuel lowers vehicle fuel mileage about 2%; however, many drivers claim the decrease in mileage is greater.

Representatives of the petroleum industry indicate the oxygenated fuel requirement increases the consumer cost up to 3¢ per gallon. However, fuel suppliers earn a 52¢ per gallon subsidy (in the form of a federal tax credit) for each gallon of ethanol blended into gasoline. With this subsidy, the ethanol industry claims that oxygenated fuel is about 1.5¢ per gallon cheaper than conventional gasoline. Some fuel suppliers in the Portland area provide oxyfuel throughout the year.

Industry fees support administration of the oxygenated fuel program. Annual permit fees are \$2500 for each of 13 fuel terminals and \$250 for each of 24 fuel distributors.

There is concern that retaining the oxyfuel requirement may increase use of MTBE as a gasoline oxygenate in Oregon, as MTBE has been banned in California and Washington. Ingestion of MTBE-contaminated drinking water or inhalation of combustion by-products of MTBE increases the risk of contracting cancer. However, the oil refineries that produce Portland's fuel no longer make MTBE and the compound is banned from the pipeline that delivers the vast majority of fuel to the area.

Oxyfuel in the future

Given the significant drop in CO concentrations in the Portland area, DEQ has determined that oxyfuel is not needed to meet the CO standards. DEQ is preparing a new plan to show how the Portland area will continue to meet the CO standard through 2017. DEQ is consulting with government agencies and affected stakeholders on the merits of removing oxyfuel requirements. The new Portland Area CO Maintenance Plan will be available for review and public comment from Aug. 16 through Sept. 20, 2004. DEQ will report comments received to the Oregon Environmental Quality Commission along with a recommendation on whether to keep oxyfuel in the CO plan. The Commission is expected to meet in early December 2004 to consider adoption of the plan.

For more information

Contact Dave Nordberg, Air Quality Planning, Portland, (503) 229-5519 (toll-free in Oregon at 1-800-452-4011, ext. 5519).

Last Updated: 6/22/04
By: D. Nordberg
DEQ 04-AQ-002



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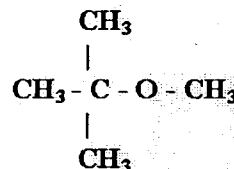
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MTBE Fact Sheet

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What is MTBE?

MTBE is shorthand for methyl tertiary-butyl ether. It was first used in the late 1970's in concentrations as high as 2 to 7 percent (volume/volume) as a replacement for lead to boost octane. More recently, MTBE has been used at concentrations of 11 to 15 percent in "oxygenated" and "reformulated" gasoline. The 1990 Clean Air Act Amendments require areas that violated the national ambient air quality standards for carbon monoxide (typically a winter problem) or ozone (typically a summer problem) to use oxygenated or reformulated gasoline, respectively, during the problem months.

Is MTBE Gasoline Used in Oregon?

The Oregon Department of Environmental Quality (DEQ) does not require that MTBE be used in Oregon. Reformulated gasoline is not needed to maintain compliance with ozone standards in Oregon. Although some areas of the State rely on oxygenated fuels to maintain compliance with carbon monoxide standards during the winter months, ethanol rather than MTBE has been used to meet the requirements of the 1990 Clean Air Act. MTBE has been detected in our State's gasoline supply. Levels measured so far are generally quite low; a couple percent or less. Therefore, it appears that MTBE may be entering Oregon as a residual component of gasoline from states such as California that have used MTBE extensively as a key element of their air quality strategy. Or, the low levels of MTBE may have been added to maintain adequate octane levels.

What Happens to MTBE when it enters the Environment?

MTBE quickly evaporates from open containers and surface water, so it is commonly found as a vapor in the air. MTBE can be broken down quickly in the air by sunlight. MTBE also can return to earth in precipitation as snow or rain. MTBE is very soluble in water. It is also very mobile in soils and, if released to the ground, may get into groundwater. Once in groundwater, MTBE is difficult to remove and may remain there a long time. It also is very mobile in groundwater and has been found at cleanup sites in Oregon as far away as ¾ mile from where it was spilled. MTBE does not appear to build up significantly in plants and animals.

Is MTBE Impacting Oregon's Environment?

DEQ has found soil and groundwater contaminated by MTBE due to gasoline leaks. Although the MTBE contamination is severe enough in a couple locations to be a major concern, it is generally detected at much lower levels than have been found in California or New York.

In a recent study conducted by DEQ and the Oregon Health Division water samples were collected from 45 public drinking water systems that use wells located within ¼ mile of a gasoline underground storage tanks. The study also sampled 5 drinking water systems that derive water from lakes used for motorized watercraft recreation. MTBE was detected in only one sample and at a very low concentration. The public drinking water supplies in two other communities are known to be impacted by MTBE and remedial measures are being taken.

What are the Health Threats from MTBE?

Laboratory studies on rats and mice suggest that drinking MTBE contaminated water at concentrations greater than several thousand parts per billion (ppb) may cause gastrointestinal irritation, liver and kidney damage, and nervous system effects. Breathing MTBE vapors may also cause nose and throat irritation. Exposure to large amounts of MTBE has been shown to cause cancer in laboratory animals, and it is possible MTBE could cause cancer in humans. The U.S. Environmental Protection Agency (EPA) is performing more studies to better understand the potential cancer effects of MTBE. MTBE has a very unpleasant taste and odor, and these properties can make contaminated drinking water unacceptable to the public. To avert these aesthetic effects, EPA has issued a Drinking Water Advisory for MTBE recommending that concentrations in drinking water not exceed 20 to 40 ppb. EPA believes these low levels are protective of human health.

Does DEQ have a Cleanup Level for MTBE?

DEQ's recently completed guidance document, Risk-Based Decision Making for Remediation of Petroleum-Contaminated Sites, specifies a 20 ppb cleanup standard for MTBE in water that is used for drinking. This level is based on taste and odor and was derived from the Environmental Protection Agency's drinking water advisory of 20 to 40 ppb.

What Next?

The DEQ, Oregon Health Division, and Oregon Department of Agriculture are working together to better assess the presence and impact of MTBE in Oregon. To accomplish this we are:

- continuing to monitor for MTBE in groundwater at leaking underground storage tank sites;
- continuing to identify potential sources of MTBE contamination as part of the source water assessments for each public water system; and
- continuing to monitor motor fuel quality and document the occurrence of MTBE in Oregon's fuel supply.

The EPA is assessing the problems relating to the use of MTBE and it is likely that EPA will establish a secondary drinking water standard for MTBE in the near future. EPA also is seeking a ban or phase out of MTBE as a fuel additive. DEQ will continue to watch developments carefully and incorporate new information into our efforts as it becomes available.

Where do I get More Information on MTBE?

If you have specific questions about your drinking water, you should contact the agency or organization that provides your drinking water. They are required by Federal and State law to monitor the quality of their drinking water and provide this information to their customers.

For general information about MTBE, you can contact Merlyn Hough with DEQ Tanks Program at 1-800-844-8467 or Kevin Parrett with DEQ Cleanup Program at 1-800-452-

4011. You may also get information at our internet site at www.deq.state.or.us

For general information about drinking water, contact the Oregon Health Division at 503-731-4010 or go to their internet site at: <http://www.ohd.hr.state.or.us>

For general information about motor fuel testing, you can contact the Oregon Department of Agriculture, Measurement Standards Division, at 503-986-4670 or go to their internet site at: www.oda.state.or.us

The following internet sites also have excellent information on MTBE:

- www.epa.gov
- www.atsdr.cdc.gov/tfacts91.html

This page updated October 2000

DEQ Online is the official web site for the Oregon Department of Environmental Quality. If you have questions or comments about the web site contact DEQ's [webmaster](#).

M E M O R A N D U M

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METRO

DATE: June 29, 2004

TO: JPACT and Interested Parties

FROM: Tom Kloster, Regional Planning Manager
Ted Leybold, Principal Transportation Planner
Bill Barber, Senior Transportation Planner

SUBJECT: Transportation Enhancements Metro Area Screening Process Options

* * * * *

The Oregon Department of Transportation (ODOT) has charged Metro with conducting a screening process to narrow the number of applications for Transportation Enhancements funding from the Metro area to seven applications and two alternates. This is an effort to limit the number of total statewide applications to be reviewed by state staff and the Transportation Enhancements Advisory Committee to a manageable number.

A Notice of Intent to apply for Enhancements funding is due to ODOT from eligible agencies by July 9th, 2004. Complete applications are due to ODOT by September 10th, 2004. This provides two months for the Metro area narrowing process and subsequent time for completion of the full applications by staff for the nine narrowed projects.

Metro staff proposed three alternatives for consideration by TPAC that meet the time frame of the existing narrowing process schedule. Those options are summarized below.

TPAC Recommendation:

TPAC has recommended Option 1 for JPACT consideration, modified to allow the full TPAC committee to make the final narrowing decision at its July 30th meeting after a recommendation from the subcommittee structure as described below. A special TPAC meeting may be required on August 6th to finish this task.

JPACT is requested to consider the TPAC recommendation of a modified Option 1 approach and to act on defining a narrowing process for the region's TE applications.

Option 1 is for a subcommittee of TPAC, including the six citizen members and a representative from each of the four sub-regional coordinating committees to make the narrowing decision. The TPAC decision would directly inform ODOT TE staff and potential applicants without JPACT and Metro Council approval. A draft narrowing recommendation could be reviewed by TPAC at its August 27th meeting for review and comment. The sub-committee would have the opportunity to meet immediately following that TPAC meeting to reaffirm or reconsider its draft selection and make a final decision. This would allow less than two weeks for agency staff to complete the full applications.

Option 2 is to have Metro staff make a recommendation directly to JPACT and the Metro Council. This option would require JPACT to have an August meeting that traditionally is not held. Assuming Metro Council concurrence the week following the JPACT recommendation, this process would allow approximately three weeks for agency staff to complete the full applications.

Both of the above screening processes would be conducted based on the Notice of Intent to apply materials and whatever other supplemental information that can reasonably be requested from potential applicants. The sub-committee would base its decision or Metro staff would base its recommendation on the competitiveness of the applications per the Enhancements program project selection criteria listed in the application materials (including being an eligible activity and meeting project requirements).

Option 3 is to submit a regional application for a sub-allocation of funds to the Metro area for distribution through a competitive process at the regional level. A rational would need to be developed to determine the amount of requested funds (such as percent of Metro area to statewide population applied to total available funds). Such a sub-allocation would allow a technical review and project evaluation at the regional level and the traditional decision process used for other regional transportation decisions. As the OTC is not scheduled to make its decision on allocations until April 2005, such a process would be subsequent to that time and not coordinated with the MTIP or STIP process. An obvious risk is that such a request would be denied and no Enhancements funding allocated to the Metro area.

All of these processes allow for JPACT and Metro Council comment on the statewide process, including a recommendation on regional priorities if desired, following the STIP public comment period in October and November of 2004 and prior to the TE advisory committee scheduled recommendation in February of 2005.

Jurisdictional staff are advised to prepare the Notice of Intent forms for Enhancement projects or programs they wish to submit as the due date

for these forms in July 9th, the day following the July 8th JPACT meeting.

Attachments: Enhancement Program Notice of Intent Form,
 Project Selection Criteria.

NOTICE OF INTENT

This Notice is a **required** step in applying for Transportation Enhancement funds. **Due: July 9, 2004**

Mail to: ODOT Transportation Enhancement Program, 355 Capitol St NE, Rm 102 Salem OR 97301

INSTRUCTIONS: (1) Enter project information in the boxes below. (2) Attach a letter or narrative (1 page max.) explaining the need for the project, type and extent of proposed work, property ownership status, funds requested and matching funds available, and the role of any co-applicants or partners.

(3) Attach a vicinity map and site map or other appropriate graphics—1 or 2 pages.

APPLICANT	
Agency: Address:	Contact Person: Title: Telephone:
CO-APPLICANT (if any)	
PROJECT (name, location, and one-line description)	
COST SUMMARY	RIGHT-OF-WAY NEEDS
TE Funds Requested:	Property to be purchased?
Matching Funds:	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> don't know yet
Other Non-TE costs:	Easements or donated property?
Total Project Cost:	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> don't know yet
COORDINATION ISSUES (mark all that apply)	
<input type="checkbox"/> Project located in MPO jurisdiction (metropolitan area with population >50,000)	<input type="checkbox"/> Project on railroad property
<input type="checkbox"/> Project within state highway right-of-way	<input type="checkbox"/> Project at or near a railroad crossing
<input type="checkbox"/> Use of land owned by another agency	<input type="checkbox"/> Contribution from other than applicant
	<input type="checkbox"/> Maintenance by other than applicant

ODOT Reply Area

Transportation Enhancement Program
Project Selection Procedures for the FY 2006 to 2009 STIP Cycle
(effective May 2004 for project selection and programming)

Most Transportation Enhancement (TE) projects are selected through a competitive application process. Additional projects are funded through the TE Discretionary Account. The procedures and criteria for competitive selection are shown in parts 1 through 3 below.

The policy and procedures for obtaining discretionary funds are in part 4.

1. APPLYING FOR FUNDS

- 1a. Call for Projects:** The Oregon Department of Transportation (ODOT) solicits new TE projects on a two-year cycle to coincide with updates of the Statewide Transportation Improvement Program (STIP) or as needed to fill openings in the program. Requests for funds are only accepted during publicized application periods. The application period for FY 2007-2009 construction funding will run from May to September 2004 with results announced in April 2005.

The TE Program solicits proposals from a wide range of interests, including planning and public works, recreation and conservation, historic preservation, bicycle and pedestrian programs, and trails advocates. ODOT announces each application period via mail and email notices, news releases, and the web page for the TE program. Announcements are also sent to a variety of agencies, associations, and interest groups for publication in their newsletters. Applicants get at least three months to prepare and return applications.

- 1b. Obtaining Materials:** Application materials may be obtained from the TE Program Manager at (503) 986-3528 or from the Transportation Enhancement program web site:

<http://www.odot.state.or.us/lgs/funding.html>

To minimize printing and mailing costs, the application materials are provided electronically. Printed copies are available on request. Prospective applicants inquiring at times outside a publicized application period can have their name put on a list to be notified when the next application period opens.

- 1c. Who May Apply:** Applications are accepted from tax-funded public agencies that can enter into a contractual agreement with the ODOT. Prospective applicants include federal agencies and Indian tribes, state agencies including ODOT, city and county governments, and other local public agencies supported by tax revenues.

Private entities and non-profit organizations may apply in partnership with a public

agency. In such cases the public agency is treated as the primary applicant and must be willing to assume legal and financial responsibility for the project by entering a contract with ODOT. This contract is called the inter-governmental agreement or IGA.

Any agency with a TE project in the current program may only apply if the agreement (IGA) and Prospectus are complete and the project is actively advancing. If a project has not yet attained FHWA authorization, or if the contract date has fallen more than twelve months behind schedule, the sponsoring agency may not apply for new TE funding and may not sponsor a project for others without first canceling the current TE project.

1d. Number of Applications: Due to the high demand for TE funds, there is a limit on the number of applications that will be accepted from each applicant. In metropolitan areas (population over 50,000) the Metropolitan Planning Organization (MPO) is required to pre-select applications from their area of jurisdiction and submit only the top candidates and two alternates. Two special cases are explained below the table.

<i>Type of Applicant</i>	<i>Maximum Number of Applications</i>
Federal agency or Indian tribe State agency (including ODOT) Local public agency other than a city or county	1 in each ODOT district from each agency
County government	1 per county (projects not within a TMA or MPO or incorporated city)
City government	1 per city (projects not within a TMA or MPO)
Metropolitan Planning Organization (MPO) or Transportation Management Area (TMA)	3 total from any combination of eligible applicants within the MPO area. 4 total from any combination of eligible applicants within the Salem-area or Eugene-area TMA. 7 total from any combination of eligible applicants in the Portland-area (Metro) TMA.

- The above limits do not apply to non-construction projects such as safety/education or planning and research projects (TE Activities #2 and #10). Statewide or regional projects are also exempt if they involve similar work occurring at sites in more than one ODOT region.
- An agency may commit to being a partner, co-applicant or contributor on proposals put forth by other agencies as long as the number of applications from all involved partners does not exceed the total allowed separately under the

limits above.

1e. Approval to Apply: All applications must include explicit support from agency management and (where appropriate) elected officials such as city council or county commission. The certification statement in the application must be signed by an officer or manager with direct authority over budget and staff priorities, as noted below:

- Federal agencies: National Forest District Ranger or Forest Supervisor, BLM Area Manager or District Manager, Fish and Wildlife Service Refuge Manager.
- Local agencies and Indian tribes: City manager or administrator, county judge or commission chair, tribal manager or administrator. In cities over 50,000 a department manager or equivalent official with budget authority may sign.
- ODOT: Area Manager, Region Manager or Section Manager

If the project is within an MPO area the TE application must be pre-approved by the MPO. The MPO reviews project proposals before the final due date and approves some or all or them based on the maximum number allowed (see 1d above). All projects in MPO areas must be added to the Metropolitan Transportation Improvement Program before being added to the statewide program (STIP).

Advance approval by an Area Commission on Transportation is not required. However, applicants should discuss TE proposals with the ACT before applying or during the public comment period, and provide copies of their application if requested. This allows ACT members to get familiar with local projects before they send comments to the TE selection committee.

1f. Grounds for Disqualification: Applications that do not adhere to the published requirements will not be accepted. The application packet will clearly indicate the grounds for disqualification, including those listed below. Applications that are not eligible for TE funding will also be removed from consideration.

- Late delivery
- Failure to comply with specified page limits and formatting requirements
- Missing required signatures, support documents, or other essential information

2. PROJECT SELECTION IN THE COMPETITIVE PROCESS

The TE Program uses inter-agency, interdisciplinary committees to review and prioritize applications. All members must conduct themselves in accordance with state ethics and conflict-of-interest rules. This is of special concern in project selection if the member is employed by or closely affiliated with any agency or organization competing for funds.

2a. Selection Committee: The TE Advisory Committee serves as the selection committee statewide if there is less than \$10 million to award, or if there is a

statewide theme or focus for the solicitation. This is the case with reduced TE funding through FY 2009. The approved committee composition is:

4	Local government representatives – two nominated by the League of Oregon Cities and two nominated by the Association of Oregon Counties
4	ODOT staff selected by the ODOT Director (including the TE Program Manager and ODOT Economic Revitalization Team Liaison)
2	Public “at large” members not affiliated with specific interest groups
1	Oregon Transportation Commission member

2b. Selection Process: TE projects are selected from the applications received on time and in good order, which meet the TE eligibility requirements and pass a technical review by ODOT staff. The process and responsibilities are as follows:

- The TE Program Manager reviews applications for completeness and compliance with application requirements. The TE Program Manager and FHWA determine eligibility for TE funding. Applications that are ineligible, incomplete, or inconsistent with the application instructions are disqualified.
- ODOT conducts a technical review to assess feasibility, readiness to proceed, and conformance to standards. Reviewers include staff from the region office and programs or disciplines appropriate to each project. Projects that consistently rate satisfactory or higher advance to the public review phase.
- ODOT solicits comments during the public involvement process for the Draft STIP or in separate meetings. Each ACT, ERT and MPO receives a list of projects being considered, with a request to comment on local priorities. The MPOs must return a ranked list of the projects within their jurisdiction. The TE Program Manager evaluates public comments, the ACT, ERT, and MPO replies, and technical review ratings and advances about 30 projects to the selection committee.
- The selection committee evaluates and prioritizes the applications. Members individually evaluate applications based on the scoring system established for each round of funding. They then meet to discuss and select projects and develop a ranked selection list.
- The committee selects projects for more than the amount of funds available. They recommend the top-ranking projects for funding—up to the maximum funds available—and assign several others to a “Reserve List.”
- The committee sends the ranked selection list to the ODOT Director. He or she may accept the list “as is” or return comments to the committee. When agreement is reached the Director forwards the list of recommended projects to OTC for approval. OTC approval may occur as a separate action or as part of adopting the STIP.

The OTC member of the TE Advisory Committee facilitates the project selection meeting, or may delegate this job to the TE Program Manager. The FHWA Division Office and the following ODOT offices are invited to attend as non-voting advisors: Pedestrian-Bicycle Program, Rail Division, Environmental Section, and Scenic Byways Program.

- 2c. Selection Criteria:** The TE Program uses a point system intended to give fair consideration to all kinds of projects, from all areas of the state. An example is shown below. The TE Advisory Committee may make minor adjustments to the scoring factors and weightings to address specific goals for each funding cycle. A full description of the scoring system appears in the application packet for each funding cycle.

Max. Points

Criteria

25	QUALITY OF EXPERIENCE: Enhanced quality or experience for people using Oregon's transportation system. Effective use of funds for a project or activity that promotes the intent of the Transportation Enhancement program.
20	TECHNICAL MERIT: Realistic scope, schedule and cost estimate. Feasible and appropriate solution for the situation. Adherence to current standards, techniques, and priorities for the type of project proposed.
20	SUPPORT: Financial commitments, pledged contributions, and expressed approval by government agencies, the public, and local non-profit groups. Relationship to adopted plans and policies and other investments in the area. Progress on project development, and readiness to proceed.
20	IMPORTANCE: Uniqueness, urgency, and priority of the project (including how important Enhancement funding is to the project).
15	SPECIAL EMPHASIS CRITERIA: Relationship to the current focus or priorities for Oregon's TE program.

100 points possible

2d. Focus Areas: For FY 2006-2009 the highest priority for Transportation Enhancement funding is directed to projects that benefit state highways and state-owned transportation facilities and that fall into one or more of the following project types:

- Bicycle/pedestrian facilities
- Repair and operation of historic transportation buildings
- Landscaping and scenic preservation
- Control of highway-related water pollution
- Main Streets and streetscape projects

Projects will also receive preference in the selection process if they:

- Will benefit a rural/distressed community or Special Transportation Area (STA).
- Are linked to an upcoming pavement preservation project, mixed-use or compact development, or Economic Revitalization Team effort.
- Directly support existing tourism and economic development efforts, or have tourism promotion or economic development as their primary focus.

2e. Quotas and Balancing Factors: Selection committee members apply the scoring criteria without regard to funding history or regional distribution of projects. There

is no special consideration for applicants that did not receive TE funds in the last funding cycle and no specific advantage for projects on a current Reserve List.

In the FY 2006-2009 funding cycle there is no assurance of geographic balance between ODOT regions. There is also no assurance of geographic balance among counties, ACT areas or other political divisions within a given region. However, project size, type, and location will enter the committee's discussion after the initial scoring process, and will serve as factors to consider in reaching consensus on project selection.

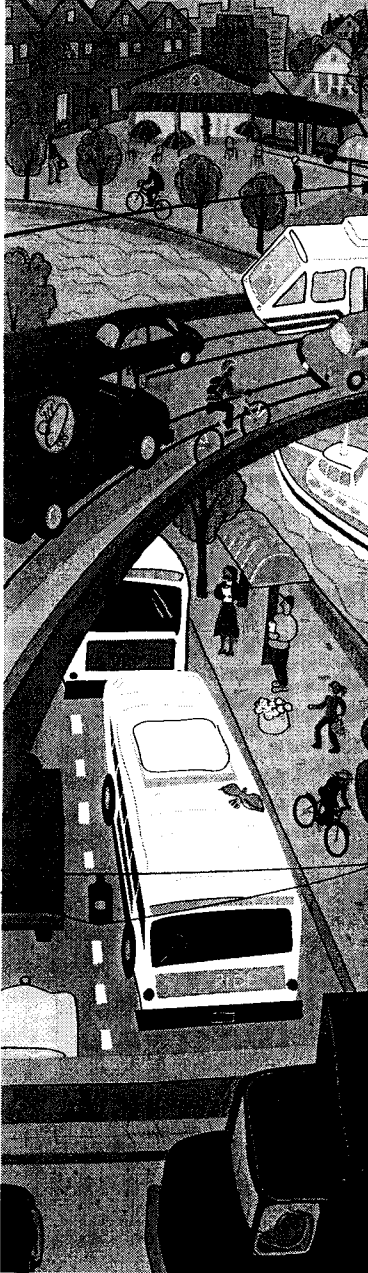


Transportation Planning Public Involvement Policy

Adopted by the Metro Council
on June 10, 2004



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Transportation Planning Public Involvement Policy

EXECUTIVE SUMMARY

Public Involvement in Regional Transportation Planning and Funding Activities

Metro's public involvement policy for regional transportation planning and funding activities is intended to support and encourage broad-based public participation in development and review of Metro's transportation plans, programs and projects. The policy was developed in July 1995 in response to citizen interest and changes in state and federal planning requirements. It was revised in January 2004 in concert with the 2004 federal update to the Regional Transportation Plan.

The policy details procedures and guidelines that Metro is expected to follow in order to ensure that public involvement efforts are proactive and provide opportunities for the region's residents and interest groups to actively participate in the development and review of regional transportation plans, programs and major projects.

The policy is intended to focus on Metro's major actions and decisions. Examples covered by these procedures include the Regional Transportation Plan and the Metropolitan Transportation Improvement Program. If a proposed action or decision is clearly a normal course-of-business activity that does not significantly affect the public or alter public policy, it may not be necessary to apply these procedures.

A detailed public involvement work plan consistent with Metro's public involvement goals and objectives will be developed for each plan, program or project. These specific work plans will include opportunities for public involvement, key decision points and what strategies will be used to seek out and consider the participation of groups that have been historically under-served by the transportation system, such as older, low income



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and minority residents. The work plans also will specify how information related to the project will be disseminated to the public and other interested parties, including public meetings, hearings, Metro's web site, paid advertisements, mailings and flyers.

Public involvement goals

- Provide complete information
- Provide timely public notice
- Provide full public access to key decisions
- Support broad-based, early and continuing involvement

Policy objectives

1. Develop a detailed public involvement plan and clear timeline of decision points early in the transportation planning and funding process.
2. Involve those traditionally under-served by the existing system and those traditionally under-represented in the transportation process and consider their transportation needs in the development and review of Metro's transportation plans, programs and projects. This includes, but is not limited to, minority and low-income households and persons who are unable to own and/or operate a private automobile, such as youth, the elderly and the disabled.
3. Remove barriers to public participation for those traditionally under-represented in the transportation planning process.
4. Involve local, regional and state jurisdictions that own and operate the region's transportation system in the development and review of Metro's transportation plans, programs and projects.
5. Provide adequate public notice of public involvement activities and time for public review and comment at key decision points, including but not limited to approval of transportation plans and improvement programs.
6. Provide information on regional transportation planning and funding activities in a timely manner to interested parties.
7. Provide opportunities for the public to provide input on the proposed transportation plan, project or project. Create a record of public comment received and agency response regarding draft transportation plans and programs at the regional level.
8. Provide updated summaries of public comment at key decision points.
9. Provide additional opportunities for public comment if there are significant differences between the draft and final plans.

10. Ensure that development of local transportation plans and programs are conducted according to Metro guidelines for local public involvement.
11. Periodically review and update the public involvement process to reflect feedback from the public.

Public involvement guidelines

A set of public involvement guidelines has been developed to ensure the policy objectives are met. The guidelines are detailed in Section 3. Activities and other opportunities described in each public involvement plan should be consistent with the guidelines established by Metro's policy. The guidelines are more specific for certain types of long-term plans and programs.

Local government public involvement – For transportation plans and projects submitted to Metro for federal funding, local governments should comply with the *Local public involvement checklist* (Appendix H in this document).

Compliance and dispute resolution

The Public Involvement Procedures establish minimum standards for public involvement opportunities that agencies producing transportation plans and programs (and in Metro's case, projects) are expected to follow. However, failure to exactly comply with the procedures contained in the policy shall not, in and of itself, render any decisions or actions invalid.

The dispute resolution process will focus on determining the degree of compliance with the guidelines contained in this policy and the extent to which the agency's actions met the intent of the policy by achieving the goals and objectives of the public involvement procedures. If the spirit of the guidelines contained in this policy has not been met, an agency may be required to conduct additional public involvement activities to ensure there has been adequate public review.

Effective date of policy

This policy will become effective when it is adopted into the Regional Transportation Plan. From that point forward, conformance will be required for public involvement activities pertaining to Metro's transportation plans, programs and project development activities. Metro will periodically, or at least every three years, review and evaluate this public involvement policy. Amendments to the policy will require a 45-day public comment period prior to adoption.

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SECTION 1 INTRODUCTION

Metro's public involvement policy for its regional transportation planning, programming and project development activities was developed to ensure inclusive and effective participation in the formation of public policy. It responds to strong interest in the region and complies with changes to state and federal planning requirements. The policy is intended to support and encourage broad-based public participation in the development and review of Metro's transportation plans, programs and projects. The goal of Metro's public involvement policy is to invite and provide for early and continuing public participation throughout the transportation planning and funding process in the Portland metropolitan region. This policy establishes consistent minimum standards to accomplish this goal; standards beyond these minimums may be applied as warranted and are encouraged.

Adopted in 1991, the federal Intermodal Surface Transportation Efficiency Act (ISTEA) was amended in 1998 as the Transportation Equity Act for the 21st Century (TEA-21). These Congressional acts expanded public participation in the transportation planning process and required increased cooperation among the jurisdictions that own and operate the region's transportation system. These partners include the region's 24 cities, three counties, Oregon Department of Transportation, Oregon Department of Environmental Quality, Port of Portland, TriMet, Washington Regional Transportation Council, Washington Department of Transportation, Southwest Washington Air Pollution Control Authority and other Clark County governments. The acts require urban areas, through a metropolitan planning organization (MPO), to develop and implement a continuing, cooperative, and comprehensive transportation planning process. As the designated MPO for the Portland metropolitan area, Metro is responsible for the transportation planning process, including development of metropolitan transportation plans and transportation improvement programs (TIPs), studies of major transportation investments, and management systems, among others. ISTEA also required MPOs to develop a public involvement process and to incorporate this process into the overall transportation planning process. The public involvement process should be proactive and should provide "complete information, timely public notice, full access to key decisions, and (support) early and continuing involvement of the public in developing plans and (programs)."

Oregon state planning goal 1 is citizen involvement. It requires that each governing body adopt and publicize a program for citizen involvement that is appropriate to the scale of the planning effort. The public involvement program should allow for continuity of information and enable citizens to understand the issues. Goal 1 also calls for regional agencies to use existing local citizen involvement programs established by counties and cities.

Local public involvement procedures and guidelines also have been developed to ensure that there is adequate public participation at the local level in the formulation and adoption of local transportation plans and programs from which projects are drawn and submitted to Metro for federal funding. Compliance with these local procedures will be demonstrated through completing each step outlined in the *Local public involvement checklist* (Appendix H of this document).

SECTION 2 SCOPE OF POLICY

The policy is intended to focus on Metro's major actions and decisions. Metro develops and adopts the Regional Transportation Plan (RTP), the Metropolitan Transportation Improvement Program (MTIP) and other regional transportation plans and programs (see Figure 1 in Appendix A for an overview of the transportation programming and planning process). This public involvement policy applies to all of Metro's transportation plans and programs.

If a proposed action or decision is clearly a normal course-of-business activity that does not significantly affect the public or alter public policy, it may not be necessary to apply these procedures. But if there is a question as to whether a project is broad-based enough to warrant application of these procedures, the agency should follow them to ensure appropriate public notification and participation. Certain (i.e., minor) modifications to the Metropolitan Transportation Improvement Program are specifically exempted by the ISTEA from public involvement requirements (see Appendix G).

Metro also is responsible for development (e.g., identifying design, alignment, cost, etc.) of some projects of a regional scope, such as corridor studies and transit projects. Project development occurs in many phases and not all phases are subject to this policy. Initial planning-oriented project development activities may include preparation of preliminary cost estimates, scope and location. These types of initial project development efforts managed by Metro for major projects on the regional transportation system are subject to this policy to the extent that they help define the project so a decision can be made whether to include the project in a plan and/or program.

Later phases of project development, such as final design and alignment, generally follow a programming decision to fund the project and are not subject to this policy. Existing state and federal guidelines govern the public outreach activities that are required during these later phases. Metro transportation plans, programs and project development activities will be reviewed and approved consistent with the public involvement procedures and guidelines defined in Sections 3 and 4.

SECTION 3 METRO PUBLIC INVOLVEMENT PROCEDURES

The procedures in this section shall apply to all Metro transportation planning, programming (i.e., funding) and project development activities, where Metro acts as the lead agency. Metro will provide for public involvement, consistent with the following goals, objectives and guidelines, in development of its short and long-range regional transportation plans, programs and projects. A detailed public involvement plan should be developed appropriate to each plan, program or project. The overall intent of each public involvement plan should be consistent with the goals and objectives of Metro's policy.

GOAL

Provide complete information, timely public notice, full public access to key decisions, and support broad-based and early and continuing involvement of the public in developing regional transportation plans, programs and projects.

OBJECTIVES

Policy objectives

1. Develop a detailed public involvement plan and clear timeline of decision points early in the transportation planning and funding process.
2. Involve those traditionally under-served by the existing system and those traditionally under-represented in the transportation process and consider their transportation needs in the development and review of Metro's transportation plans, programs and projects. This includes, but is not limited to, minority and low-income households and persons who are unable to own and/or operate a private automobile, such as youth, the elderly and the disabled.
3. Remove barriers to public participation by those traditionally under-represented in the transportation planning process.
4. Involve local, regional and state jurisdictions that own and operate the region's transportation system in the development and review of Metro's transportation plans, programs and projects.
5. Provide adequate public notice of public involvement activities and time for public review and comment at key decision points, including but not limited to approval of transportation plans and improvement programs.
6. Provide information on regional transportation planning and funding activities in a timely manner to interested parties.
7. Provide opportunities for the public to provide input on the proposed transportation plan, project or project. Create a record of public comment received and agency response regarding draft transportation plans and programs at the regional level.
8. Provide updated summaries of public comment at key decision points.
9. Provide additional opportunities for public comment if there are significant differences between the draft and final plans.
10. Ensure that development of local transportation plans and programs are conducted according to Metro guidelines for local public involvement.

11. Periodically review and update the public involvement process to reflect feedback from the public.

The following additional objective applies to Metro review of locally developed plans and programs from which projects are drawn and submitted for regional funding:

12. Ensure that development of local transportation plans and programs was conducted according to Metro guidelines for local public involvement as defined in the *Local public involvement checklist*.

PUBLIC INVOLVEMENT PLAN

A public involvement plan will be developed for each Metro program or project. The public involvement plan will specify the opportunities for public involvement, including the opportunities for participation by the general public (workshops, hearings) and by citizen advisory committees, as appropriate. The plan, program or project public involvement plan should identify the under-served (e.g., minority, low income) population and what strategies will be used to seek out and consider their participation. The structure also should identify and describe key decision points.

Each plan, program or project public involvement structure will be subject to the goals, objectives and guidelines described in this section. The public involvement opportunities described in each public involvement plan should be consistent with the guidelines that follow. The guidelines are more specific for certain types of long-term plans and programs. It is recognized that these activities vary significantly and that there are any number of methods that could be employed to meet the overall intent of providing adequate, accessible public involvement during the planning process.

The public involvement structure may be fully defined at the start of the process, or it may be developed in concept (outline format) initially and then refined as a scoping element of the plan, program or project.

GUIDELINES

The purpose of these guidelines is to ensure that all transportation plans, programs and project development activities requiring Metro action include public involvement prior to action by the Metro Council. These guidelines also will help ensure that the goals and objectives for Metro and local public involvement will be achieved.

How to use these guidelines:

All Metro plans, programs and project development activities are subject to the following guidelines. The guidelines for timeliness of notification are more restrictive for long-term, large-scale (i.e., “major”) planning and programming efforts than for the other

activities. These long-term, large-scale activities include major updates to the Regional Transportation Plan and the Metropolitan Transportation Improvement Program. These are the two primary ongoing documents guiding improvements to the regional transportation system.

The regional planning process also involves other large-scale planning efforts, such as major planning studies of transportation needs in particular transportation corridors and subareas of the region. These major planning and programming activities are identified in Metro's Unified Work Program, have long-range significance and generally take more than one year to complete.

Metro's review of its regional transportation plans, programs and project development efforts will conform to the following guidelines:

1. Timeliness of notification

Provide minimum advance notice for public participation in regional transportation planning, programming and project development. Minimum required notice will depend on the type of plan, program or project development effort under review. Generally, notice for key decision points or kickoff for any major project, program or plan should be given to the mailing list, neighborhood associations and other stakeholders and interested parties at least 45 days in advance to allow a full cycle of neighborhood and community group meetings between notice and action. A longer lead time is desirable, if possible.

Notices of project kickoff should include information about how to join the project mailing list and how to participate in problem definition, goals and objectives and alternatives to be studied. If a citizen advisory committee (CAC) is to be used – it is optional for any particular plan or program – the advance notice should indicate that a CAC is being recruited. Notices of key decision points should outline how and when decisions will be made and how comment on decisions can be made. For other projects, advance notice will depend on the scope and schedule of the effort. It is recognized that each project is unique and that a very visible or targeted public information effort can somewhat compensate for a shortened time frame when necessary.

As appropriate, notice may be through an announcement on the Metro web site and transportation hotline, a mailing or a newspaper advertisement.

Two weeks' notice to the project mailing list is required for public involvement opportunities and informational activities, understanding that there may be special circumstances where this is not feasible or desirable. It is recognized that each planning activity is unique and that a very visible or targeted public information effort can somewhat compensate for a shortened time frame when necessary. Where possible, neighborhood associations and other interest groups should be notified 45 calendar days in advance. Examples of public involvement events include:

- public hearings or open houses to review proposed plans or programs
- neighborhood meetings or workshops to discuss proposed plans/scoping documents
- JPACT discussion of proposed work scope for major study/plan
- JPACT/Metro Council non-voting discussion of proposed plans/programs.

2. Notification methods

Notices of public hearings, meetings and other activities should be published in a newspaper of general circulation, such as The Oregonian. For projects that are not regional in scope and do not carry a federal requirement to publish regional notice, notice in community newspapers may be substituted. Other media (e.g., radio, television) should be used as needed. In addition, an up-to-date mailing list should be kept to directly notify affected and interested persons and groups. Each mailing list should include interested reporters and neighborhood group contacts. Examples of affected and interested parties are listed in Appendix C. The Metro web site should include listings of all public meetings and key decision points.

3. Content of notifications

Notifications should be easy to understand and provide adequate information and/or indicate how additional information can be obtained. To the extent possible, notifications of public involvement activities should include the following information:

- What action is being undertaken and an explanation of the process.
- What issues are open for discussion (e.g., regional significance).
- Who is holding the event/meeting and to whom comments will be made.
- How the comments will be used.
- How much time is scheduled for public comment at meetings.
- Who should be interested/concerned and what are the major issues.
- Who may be contacted by telephone, in writing or by other means to offer comments and/or suggestions.
- Future opportunities for comment and involvement.
- The purpose, schedule, location, and time of meetings.
- The location(s) where information is available.
- The comment period for written/oral comments.
- The process that may be available for supplementing or modifying the final plan or program (including identifying the anticipated time period for the next plan/program update).

4. Scheduling of meetings

Meetings and hearings should be scheduled to allow the best opportunity for attendance by the general public and interest groups.

5. Access to meetings

Meetings and hearings should be conducted in a convenient and fully accessible location. Meeting/hearing locations should be accessible by transit.

6. Form of communication

All technical and policy information should be summarized so that it is easily understood and usable by the public. The public also should have full access to technical data and analysis. To the extent possible, knowledgeable persons should be available to answer technical and policy questions at key public meetings and hearings. An opportunity should be provided for the public to initiate ideas as well as respond to plans, programs and project ideas proposed by staff.

7. Comment and review periods

Provide adequate time for public review of draft documents or staff recommendations prior to comment or testimony, such as public hearings. The length of comment and review periods will vary based on the nature of the plan or program and the total amount of time available to complete the planning and programming process.

When making air quality conformity determinations for transportation plans and programs Metro will follow the public participation requirements in the State Conformity Rule 340-252-0060(4). Metro will make available to the public the draft conformity determination and all supporting documents. Written notification of the availability of the draft determination and all supporting documents shall also be provided to any party requesting such notification. Comments submitted to Metro during the review period shall be made part of the record of any final decision.

8. Form and use of public comment

Comment should be invited from a broad range of sources. As appropriate, public comments will be used to revise work scopes and/or draft transportation plans and programs. Summaries of comments received will be up to date and will be forwarded to advisory committees and policy-makers considering the plans, programs and projects. Parties making comments (oral or written) should identify the organization they represent (if any).

9. Feedback/response to public comment

Comments should be responded to in a timely manner. As appropriate, comments and concerns may be addressed as a group rather than individually. A general summary of public comments and agency responses should be provided to participants in the regional planning process, while maintaining a complete record containing copies or transcripts of all public input for public review. For long term plans, programs and projects, a feedback mechanism should be established to occur regularly and to maintain public interest. Significant oral and written comments on the draft RTP and MTIP will become part of the final plan and MTIP.

10. Evaluation/refinement of public involvement process

The public involvement process should be evaluated for effectiveness at regular intervals, or upon the completion of major planning efforts. Major modifications to Metro's general public involvement process should be published for a 45-day public comment period prior to adoption.

11. Advisory committees

Citizen or policy advisory committees may be formed for transportation projects, but they are not required. If used, they are to comply with Title 2.19 of the Metro Code.

12. Remove barriers to involvement

Metro encourages public involvement and technical staff to use creative outreach methods. It is especially important to develop outreach when Metro goes to people rather than asking community members to come to Metro.

SECTION 4: RELATION OF THIS POLICY TO LOCAL PUBLIC INVOLVEMENT PROCESSES

Before a transportation project initiated by a local government can be included in a Metro plan or program, the sponsoring local jurisdiction must demonstrate that the local transportation plan or program – from which the project was drawn – incorporated adequate public involvement by completing the *Local public involvement checklist* (appendix H). This policy seeks to ensure the integrity of local decisions regarding projects (from local plans and programs) submitted for regional funding or other action. Discussion and review of local projects, for possible inclusion in Metro's plans and programs, will focus on regional issues only. Metro expects that local jurisdictions will resolve local issues during local planning and programming, prior to the time projects are forwarded to Metro.

SECTION 5: COMPLIANCE

Metro will be expected to comply with this policy. However, failure to exactly comply with the procedures contained in this policy shall not, in and of itself, render any decisions or actions invalid. If there is question of whether the policy's goals and objectives have been met by Metro's public involvement efforts, the dispute resolution process described later in this section shall apply. The dispute resolution process shall focus on whether Metro made a reasonable attempt to achieve the intent of the policy.

5. A. How the policy and its procedures will be applied

This policy establishes minimum standards for public involvement opportunities that Metro is expected to follow when producing transportation plans, programs and projects. It is recognized, however, that each planning activity is unique and that there may be special circumstances (e.g., extremely short time frame) where strict adherence to the guidelines may not be possible or desirable. Metro can employ a very visible or targeted public information effort to compensate somewhat in the event of an extremely short time frame for a particular activity.

5. B. Dispute-resolution process

The dispute-resolution process will focus on determining the degree of compliance with the guidelines contained in this policy. The extent to which the agency's actions met the intent of the policy by achieving the goals and objectives of procedures will be considered. If it is determined that Metro has not met the spirit of the guidelines contained in this policy, Metro may be required to conduct additional public involvement activities to ensure there has been adequate public review.

Questions of adequacy of compliance with this policy should first be addressed to Metro's planning director. If the dispute cannot be resolved by the planning director, it will be forwarded to Metro's chief operating officer for consideration. If the dispute cannot be resolved by the chief operating officer, it will be forwarded to the Metro Council.

5. C. Effective date of policy

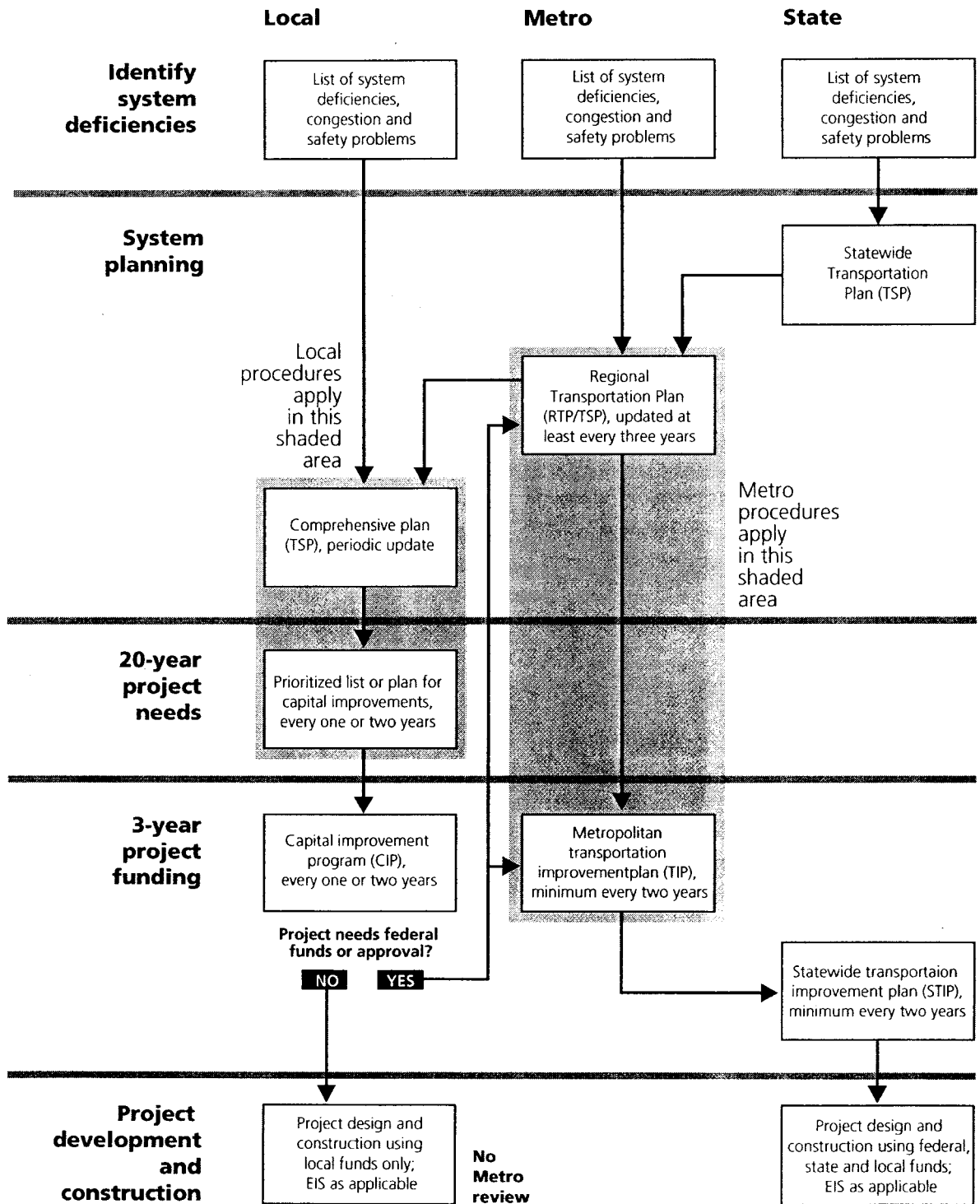
This policy will become effective when it is adopted into the Regional Transportation Plan. From that point forward, conformance with this policy will be required for public involvement activities and adoption decisions pertaining to Metro's transportation plans, programs and project development activities. The following current or upcoming activities will be subject to this policy:

1. Metro transportation plans (e.g., Regional Transportation Plan: 2007 Update)
2. Metro transportation programs (e.g., Fiscal year 2006-09 Metropolitan Transportation Improvement Program)
3. Metro transportation project development activities (e.g., Highway 217 Corridor Study)

5. D. Amendments to policy

Metro will periodically, or at least every three years (consistent with ISTEA), review and evaluate this public involvement policy. Amendments to the policy will require a 45-day public comment period prior to adoption.

Transportation Planning and Programming Process



APPENDIX B

Glossary

Citizen advisory committee (CAC) – Selected for a specific issue, project or process, a group of citizens volunteer are appointed by Metro to represent citizen interests on regional transportation issues.

The Intermodal Surface Transportation Efficiency Act (ISTEA), signed into law on Dec. 18, 1991, provides regions and states with additional funding and more flexibility in making transportation decisions. The act places significant emphasis on broadening public participation in the transportation planning process to include key stakeholders, including the business community, community groups, transit operators, other governmental agencies and those who have been traditionally underserved by the transportation system. Among other things, the act requires the metropolitan area planning process to include additional considerations such as land use, intermodal connectivity, methods to enhance transit service and needs identified through the management systems.

The Joint Policy Advisory Committee on Transportation (JPACT) provides a forum for elected officials from area cities and counties and representatives of agencies involved in transportation to evaluate transportation needs and coordinate transportation decisions for the region and to make recommendations to the Metro Council.

The Metro Committee for Citizen Involvement (MCCI) was established (under a different name) by the Regional Urban Growth Goals and Objectives (RUGGO) in 1991. Committee members represent the entire area within the boundaries of Clackamas, Multnomah and Washington counties and are appointed by the Metro Council. According to its bylaws, the mission of the MCCI is to “advise and recommend actions to the Metro Council on matters pertaining to citizen involvement.”

The **Metro Council** is composed of six members elected from districts throughout the metropolitan region and a council president elected regionwide. The council approves Metro policies, including transportation.

Metropolitan planning organization (MPO) is an organization designated by the Governor to provide a forum for cooperative transportation decision-making for the metropolitan planning area. Metro is the MPO for the Oregon portion of the Portland-Vancouver metropolitan area.

Metropolitan Transportation Improvement Program (MTIP) – A staged, multi-year, intermodal program of transportation projects consistent with the metropolitan transportation plan.

Oregon’s statewide planning goals form the framework for a statewide land-use planning program. The 19 goals cover four broad categories: land use, resource management, economic development and citizen involvement. Locally adopted comprehensive plans must be consistent with the statewide planning goals.

Transportation disadvantaged/persons potentially under-served by the transportation system are identified in the ISTEA metropolitan area planning regulations as those individuals who have difficulty in obtaining transportation because of their age, income, physical or mental disability. This includes, but is not limited to, low-income and minority households. Persons who are unable to own and/or operate a private automobile (e.g., youth, the elderly and the disabled) also may be included in this category.

Regional Transportation Plan (RTP) – The official intermodal transportation plan developed and adopted through the metropolitan transportation planning process for the metropolitan planning area.

Metro’s Regional Urban Growth Goals and Objectives (RUGGOs), adopted in 1991, produced an urban growth policy framework and represents the starting point for the agency’s long-range regional planning program.

Signed into law on June 9, 1998, the **Transportation Equity Act for the 21st Century (TEA-21)** authorizes highway, highway safety, transit and other surface transportation programs for the years 1998 through 2003. TEA-21 builds on the initiatives established in the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), which was the last major authorizing legislation for surface transportation.

The Transportation Planning Rule was adopted in 1991 to implement Statewide Planning Goal 12 (Transportation). The rule requires the state’s metropolitan areas to reduce reliance on the automobile by developing transportation system plans that improve opportunities for walking, biking and use of transit, demonstrate reductions in vehicles miles of travel per capita and in parking spaces per capita.

The Transportation Policy Alternatives Committee (TPAC) provides technical input to the JPACT policy-makers. TPAC’s membership includes technical staff from the same governments and agencies as JPACT, plus representatives of the Federal Highway Administration and the Southwest Washington Regional Transportation Council. There are also six citizen representatives appointed by the Metro Council.

APPENDIX C

Interested and Affected Parties (examples)

The mailing list of interested and affected parties for any plan, program or project study may include but is not limited to the following. Notification lists should be appropriate to the project, its scope, timeline and budget.

Elected officials

Neighborhood associations

Property owners

Business groups

Users of the facility or corridor

Persons who have previously expressed interest in similar projects or related studies

Persons potentially under-served by the transportation system

APPENDIX D

Notification methods/strategies (examples)

Methods of notifying the public of opportunities for involvement may include but are not limited to:

- News bulletins
- Newsletters
- Public notices
- Distribution of flyers
- Public service announcements
- Electronic bulletin board
- Billboards
- Posters
- News stories
- Advertisements
- Mailings to interested/affected party's list

APPENDIX E

Opportunities for public involvement (examples)

Following are examples and ideas for strategies to provide for public involvement in transportation planning. Many of these ideas and descriptions are taken from “Innovations in Public Involvement for Transportation Planning,” distributed jointly by the Federal Highway Administration and the Federal Transit Administration (January 1994). A copy of this document can be obtained from Metro.

This list is meant to provide ideas for consideration. Metro does not intend to prescribe specific strategies for use for any particular project. Jurisdictions are free to choose one or more of the following or to use any other appropriate strategies for their public involvement activities.

Brainstorming is a simple technique used in a meeting where participants come together in a freethinking forum to generate ideas. Used properly – either alone or in conjunction with other techniques – brainstorming can be a highly effective method of moving participants out of conflict and toward consensus.

A **charrette** is a meeting to resolve a problem or issue. Within a specified time limit, participants work together intensely to reach a resolution.

Citizen surveys assess widespread public opinion. A survey is administered to a sample group of citizens via a written questionnaire or through interviews in person, by phone, or by electronic media. The limited sample of citizens is considered representative of a larger group. Surveys can be formal (scientifically assembled and administered) or informal.

A **citizens’ advisory committee** is a representative group of stakeholders that meets regularly to discuss issues of common concern. While citizens’ advisory committees have been used for many years and the technique itself is not innovative, it can be used very creatively.

A **collaborative task force** is assigned a specific task with a time limit to come to a conclusion and resolve a difficult issue, subject to ratification by official decision-makers. It can be used on a project level or for resolving issues within a project. Its discussion can help agencies understand participants’ qualitative values and reactions to proposals. It can aid in development of policies, programs, and services and in allocation of resources.

Focus groups are a tool used to gauge public opinion. Borrowed from the marketing and advertising industry, they define transportation as a product with the public as customers. Focus groups are a way to identify customer concerns, needs, wants, and expectations. They can inform sponsors of the attitudes and values that customers hold and why. Each focus group involves a meeting of a carefully selected group of individuals convened to discuss and give opinions on a single topic.

Media strategies inform the public about projects and programs through newspapers, radio, television and videos, billboards, posters and displays, mass mailings of brochures or newsletters, and distribution of flyers. Better information enhances public understanding of a project or program and is the basis of meaningful public involvement efforts.

A **period for written and oral comments** provides an opportunity for in-depth and more lengthy consideration and response by the public to draft recommendations. A comment period allows interested parties an opportunity to present their opinion on a particular project without the need for attending meetings or hearings.

Public meetings and hearings provide opportunities for information exchange. Public meetings present information to the public in any number of ways and obtain informal input from citizens. Held throughout the planning process, they can be tailored to specific issues or citizen groups and can be informal or formal. Public hearings are more formal events than public meetings and generally focus on a specific proposal or action. Held prior to a decision point, a public hearing gathers citizen comments and positions from all interested parties for public record and input into decisions. Facilitators can be used to effectively guide the discussions at meetings.

Telephone techniques make use of the telephone for two-way communication with the public. The telephone can be used to obtain information and to give opinions. Its use has entered a new era of potential applications to community participation, going beyond question-and-answer techniques toward the evolving new multi-media connections with television and computers.

A **transportation fair** is an event used to interest citizens in transportation and in specific projects or programs. It is typically a one-day event, heavily promoted to encourage people to attend. Attractions such as futuristic vehicles can be used to bring people to the fair, and noted personalities can also draw participants.

Video techniques use recorded visual and oral messages to present information to the public, primarily via videotapes or laser disks. Video information can be presented at meetings or hearings. Many households own a videotape player, which provides an additional opportunity for information dissemination.

Visioning leads to a goals statement. Typically it consists of a series of meetings focused on long-range issues. Visioning results in a long-range plan. With a 20- or 30-year horizon, visioning also sets a strategy for achieving the goals.

APPENDIX F

Public Involvement Provisions excerpted from the Metropolitan Area Planning regulations (23 CFR Part 450 Sub-part C)

§450.316 Metropolitan transportation planning process: Elements.

(1) Include a proactive public involvement process that provides complete information, timely public notice, full public access to key decisions, and supports early and continuing involvement of the public in developing plans and TIPs and meets the requirements and criteria specified as follows:

(i) Require a minimum public comment period of 45 days before the public involvement process is initially adopted or revised;

(ii) Provide timely information about transportation issues and processes to citizens, affected public agencies, representatives of transportation agency employees, private providers of transportation, other interested parties and segments of the community affected by transportation plans, programs and projects (including but not limited to central city and other local jurisdiction concerns);

(iii) Provide reasonable public access to technical and policy information used in the development of plans and TIPs and open public meetings where matters related to the Federal-aid highway and transit programs are being considered;

(iv) Require adequate public notice of public involvement activities and time for public review and comment at key decision points, including, but not limited to, approval of plans and TIPs (in nonattainment areas, classified as serious and above, the comment period shall be at least 30 days for the plan, TIP and major amendment(s));

(v) Demonstrate explicit consideration and response to public input received during the planning and program development processes;

(vi) Seek out and consider the needs of those traditionally underserved by existing transportation systems, including but not limited to low-income and minority households;

(vii) When significant written and oral comments are received on the draft transportation plan or TIP (including the financial plan) as a result of the public involvement process or the interagency consultation process required under the U.S. EPA's conformity regulations, a summary, analysis, and report on the disposition of comments shall be made part of the final plan and TIP;

(viii) If the final transportation plan or TIP differs significantly from the one which was made available for public comment by the MPO and raises new material issues which interested parties could not reasonably have foreseen from the public involvement efforts, an additional opportunity for public comment on the revised plan or TIP shall be made available;

(ix) Public involvement processes shall be periodically reviewed by the MPO in terms of their effectiveness in assuring that the process provides full and open access to all;

(x) These procedures will be reviewed by the FHWA and the FTA during certification reviews for TMAs, and as otherwise necessary for all MPOs, to assure that full and open access is provided to MPO decision-making processes;

(xi) Metropolitan public involvement processes shall be coordinated with statewide public involvement processes wherever possible to enhance public consideration of the issues, plans, and programs and reduce redundancies and costs;

SECTION 450.322 (c): Metropolitan Transportation Plan

There must be adequate opportunity for public official (including elected officials) and citizen involvement in the development of the transportation plan before it is approved by the MPO, in accordance with the requirements of 450.316(b)(1). Such procedures shall include opportunities for interested parties (including citizens, affected public agencies, representatives of transportation agency employees, and private providers of transportation) to be involved in the early stages of the plan development/update process. The procedures shall include publication of the proposed plan or other methods to make it readily available for public review and comment and, in nonattainment [transportation management areas], an opportunity for at least one formal public meeting annually to review planning assumptions and the plan development process with interested parties and the general public. The procedures also shall include publication of the approved plan or other methods to make it readily available for information purposes.

SECTION 450.324 (c): Metropolitan Transportation Improvement Program (TIP)

There must be reasonable opportunity for public comment in accordance with the requirements of 450.316(b)(1) and, in nonattainment [transportation management areas], an opportunity for at least one formal public meeting during the TIP development process. This public meeting may be combined with the public meeting required under 450.322(c). The proposed TIP shall be published or otherwise make readily available for review and comment. Similarly, the approved TIP shall be published or otherwise made readily available for information purposes.

SECTION 450.326: TIP: Modification

Public involvement procedures consistent with 450.316(b)(1) shall be used in amending the TIP, except that these procedures are not required for TIP amendments that only involve projects of the type covered in 450.324(i).

APPENDIX G: DEVELOPMENT OF POLICY

This draft public involvement policy was developed by the Metro Committee for Citizen Involvement and the Transportation Policy Alternatives Committee. This policy incorporates input from public involvement and planning professionals and citizens in the region. Following a 45-day public review and comment period, the policy will be revised as appropriate and submitted to the Metro Council for adoption into the Regional Transportation Plan.

MCCI was established by the Regional Urban Growth Goals and Objectives process and re-affirmed by the 1992 Metro home-rule charter and is assisting the Metro Council in developing and reviewing public involvement procedures for all Metro activities, including planning.

TPAC includes staff from the region's governments and transportation agencies and has six citizen members. This committee provides technical advice on regional transportation issues to Metro's policy-makers. Metro staff also are assisting in development of the procedures and guidelines.

Adoption of the public involvement procedures will occur through review and action by Metro's policy-makers, including the Joint Policy Advisory Committee on Transportation and the Metro Council. JPACT provides a forum for elected officials and representatives of agencies involved in transportation to evaluate needs in the region and to make recommendations to the Metro Council. The Metro Council is composed of six members elected from districts throughout the metropolitan region and a council president elected region-wide. The council approves Metro policies, including transportation.

The draft public involvement procedures will be published for a 45-day public comment period. JPACT and the Metro Council will consider public comment in their review.

APPENDIX H: LOCAL PUBLIC INVOLVEMENT CHECKLIST

Local jurisdictions/project sponsors must complete this checklist for local transportation plans and programs from which projects are drawn which are submitted to Metro for regional funding or other action. Section 3.D of Metro's local public involvement policy for transportation describes the certification process, including completion of this checklist. See Section 3.D for information about the other certification steps.

If projects are from the same local transportation plan and/or program, only one checklist need be submitted for those projects. For projects not in the local plan and/or program, the local jurisdiction should complete a checklist for each project.

The procedures for local public involvement (Section 3) and this checklist are intended to ensure that the local planning and programming process has provided adequate opportunity for public involvement prior to action by Metro. To aid in its review of local plans, programs and projects, Metro is requesting information on applicable local public involvement activities. Project sponsors should keep information (such as that identified in italics) on their public involvement program on file in case of a dispute.

A. Checklist

- 1. At the beginning of the transportation plan or program, a public involvement program was developed and applied that met the breadth and scope of the plan/program. Public participation was broad-based, with early and continuing opportunities throughout the plan/program's lifetime.

Keep copy of applicable public involvement plan and/or procedures.

- 2. Appropriate interested and affected groups were identified and the list was updated as needed.

Maintain list of interested and affected parties.

- 3. Announced the initiation of the plan/program and solicited initial input. If the plan/program's schedule allowed, neighborhood associations, citizen planning organizations and other interest groups were notified 45 calendar days prior to (1) the public meeting or other activity used to kick off public involvement for the plan/program; and (2) the initial decision on the scope and alternatives to be studied.

Keep descriptions of initial opportunities to involve the public and to announce the project's initiation. Keep descriptions of the tools or strategies used to attract interest and obtain initial input.

- ❑ 4. Provided reasonable notification of key decision points and opportunities for public involvement in the planning and programming process. Neighborhood associations, citizen planning organizations and other interest groups were notified as early as possible.

Keep examples of how the public was notified of key decision points and public involvement opportunities, including notices and dated examples. For announcements sent by mail, document number of persons/groups on mailing list.

- ❑ 5. Provided a forum for timely, accessible input throughout the lifetime of the plan/program.

Keep descriptions of opportunities for ongoing public involvement in the plan/program, including citizen advisory committees. For key public meetings, this includes the date, location and attendance.

- ❑ 6. Provided opportunity for input in reviewing screening and prioritization criteria.

Keep descriptions of opportunities for public involvement in reviewing screening and prioritization criteria. For key public meetings, this includes the date, location and attendance. For surveys, this includes the number received.

- ❑ 7. Provided opportunity for review/comment on staff recommendations.

Keep descriptions of opportunities for public review of staff recommendations. For key public meetings, this includes the date, location and attendance. For surveys, this includes the number received.

- ❑ 8. Considered and responded to public comments and questions. As appropriate, the draft documents and/or recommendations were revised based on public input.

Keep record of comments received and response provided.

- ❑ 9. Provided adequate notification of final adoption of the plan or program. If the plan or program's schedule allows, the local jurisdiction should notify neighborhood associations, citizen participation organizations and other interest groups 45 calendar days prior to the adoption date. A follow-up notice should be distributed prior to the event to provide more detailed information.

Keep descriptions of the notifications, including dated examples. For announcements sent by mail, keep descriptions and include number of persons/groups on mailing list.

B. Certification Statement

(project sponsor)

certifies adherence to the local public involvement procedures developed to enhance public participation.

(signed)

(date)

C. Summary of Local Public Involvement Process

Please attach a summary (maximum 2 pages) of the key elements of the public involvement process for this plan, program or group of projects.

APPENDIX I: OREGON'S STATEWIDE PLANNING GOALS AND GUIDELINES

GOAL 1: CITIZEN INVOLVEMENT

OAR 660-015-0000(1)

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process. The governing body charged with preparing and adopting a comprehensive plan shall adopt and publicize a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the on-going land-use planning process.

The citizen involvement program shall be appropriate to the scale of the planning effort. The program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues.

Federal, state and regional agencies, and special-purpose districts shall coordinate their planning efforts with the affected governing bodies and make use of existing local citizen involvement programs established by counties and cities.

The citizen involvement program shall incorporate the following components:

1. Citizen Involvement – To provide for widespread citizen involvement.

The citizen involvement program shall involve a cross-section of affected citizens in all phases of the planning process. As a component, the program for citizen involvement shall include an officially recognized committee for citizen involvement (CCI) broadly representative of geographic areas and interests related to land use and land-use decisions. Committee members shall be selected by an open, well-publicized public process.

The committee for citizen involvement shall be responsible for assisting the governing body with the development of a program that promotes and enhances citizen involvement in land-use planning, assisting in the implementation of the citizen involvement program, and evaluating the process being used for citizen involvement.

If the governing body wishes to assume the responsibility for development as well as adoption and implementation of the citizen involvement program or to assign such responsibilities to a planning commission, a letter shall be submitted to the Land Conservation and Development Commission for the state Citizen Involvement Advisory Committee's review and recommendation stating the rationale for selecting this option, as well as indicating the mechanism to be used for an evaluation of the citizen involvement program. If the planning commission is to be used in lieu of an independent CCI, its members shall be selected by an open, well-publicized public process.

2. Communication – To assure effective two-way communication with citizens.

Mechanisms shall be established which provide for effective communication between citizens and elected and appointed officials.

3. Citizen Influence – To provide the opportunity for citizens to be involved in all phases of the planning process.

Citizens shall have the opportunity to be involved in the phases of the planning process as set forth and defined in the goals and guidelines for Land Use Planning, including Preparation of Plans and Implementation Measures, Plan Content, Plan Adoption, Minor Changes and Major Revisions in the Plan, and Implementation Measures.

4. Technical Information – To assure that technical information is available in an understandable form.

Information necessary to reach policy decisions shall be available in a simplified, understandable form. Assistance shall be provided to interpret and effectively use technical information. A copy of all technical information shall be available at a local public library or other location open to the public.

5. Feedback Mechanisms – To assure that citizens will receive a response from policy-makers.

Recommendations resulting from the citizen involvement program shall be retained and made available for public assessment. Citizens who have participated in this program shall receive a response from policy-makers. The rationale used to reach land-use policy decisions shall be available in the form of a written record.

6. Financial Support – To insure funding for the citizen involvement program.

Adequate human, financial, and informational resources shall be allocated for the citizen involvement program. These allocations shall be an integral component of the planning budget. The governing body shall be responsible for obtaining and providing these resources.

A. Citizen involvement

1. A program for stimulating citizen involvement should be developed using a range of available media (including television, radio, newspapers, mailings and meetings).

2. Universities, colleges, community colleges, secondary and primary educational institutions and other agencies and institutions with interests in land-use planning should provide information on land-use education to citizens, as well as develop and offer courses in land-use education which provide for a diversity of educational backgrounds in land-use planning.

3. In the selection of members for the committee for citizen involvement, the following selection process should be observed: citizens should receive notice they can understand of the opportunity to serve on the CCI; committee appointees should receive official notification of their selection; and committee appointments should be well publicized.

B. Communication

Newsletters, mailings, posters, mail-back questionnaires, and other available media should be used in the citizen involvement program.

C. Citizen influence

1. *Data Collection* – The general public through the local citizen involvement programs should have the opportunity to be involved in inventorying, recording, mapping, describing, analyzing and evaluating the elements necessary for the development of the plans.

2. *Plan Preparation* – The general public, through the local citizen involvement programs, should have the opportunity to participate in developing a body of sound information to identify public goals, develop policy guidelines, and evaluate alternative land conservation and development plans for the preparation of the comprehensive land-use plans.

3. *Adoption Process* – The general public, through the local citizen involvement programs, should have the opportunity to review and recommend changes to the proposed comprehensive land-use plans prior to the public hearing process to adopt comprehensive land-use plans.

4. *Implementation* – The general public, through the local citizen involvement programs, should have the opportunity to participate in the development, adoption, and application of legislation that is needed to carry out a comprehensive land-use plan.

The general public, through the local citizen involvement programs, should have the opportunity to review each proposal and application for a land conservation and development action prior to the formal consideration of such proposal and application.

5. *Evaluation* – The general public, through the local citizen involvement programs, should have the opportunity to be involved in the evaluation of the comprehensive land use plans.

6. *Revision* – The general public, through the local citizen involvement programs, should have the opportunity to review and make recommendations on proposed changes in comprehensive land-use plans prior to the public hearing process to formally consider the proposed changes.

D. Technical information

1. Agencies that either evaluate or implement public projects or programs (such as, but not limited to, road, sewer, and water construction, transportation, subdivision studies, and zone changes) should provide assistance to the citizen involvement program. The roles, responsibilities and timeline in the planning process of these agencies should be clearly defined and publicized.
2. Technical information should include, but not be limited to, energy, natural environment, political, legal, economic and social data, and places of cultural significance, as well as those maps and photos necessary for effective planning.

E. Feedback mechanism

1. At the onset of the citizen involvement program, the governing body should clearly state the mechanism through which the citizens will receive a response from the policy-makers.
2. A process for quantifying and synthesizing citizens' attitudes should be developed and reported to the general public.

F. Financial support

1. The level of funding and human resources allocated to the citizen involvement program should be sufficient to make citizen involvement an integral part of the planning process.

Metro

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 24 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; Brian Newman, deputy council president, District 2; Carl Hosticka, District 3; Susan McLain, District 4; Rex Burkholder, District 5; Rod Monroe, District 6.

Auditor – Alexis Dow, CPA

Metro's web site

www.metro-region.org

**REGIONAL FLEXIBLE FUNDS REVENUE STREAM AFTER TAKE-DOWNS FOR SOUTH CORRIDOR, COMMUTER RAIL, NORTH MACADAM
SENATE VERSION OF 2004-09 TRANSPORTATION AUTHORIZATION BILL (FHWA ESTIMATE)**

	SAFETEA							NEXT TEA						TOTAL
	'03	'04	'05	'06	'07	'08	'09	'10	'11	'12	'13	'14	'15	
STP	\$14,762,220	\$16,138,671	\$21,427,381	\$22,250,801	\$22,315,042	\$23,434,081	\$23,777,533	\$25,994,585	\$34,513,119	\$35,839,403	\$35,942,877	\$37,745,314	\$38,298,513	\$352,439,541
CMAQ	\$9,968,106	\$11,158,734	\$16,852,141	\$15,929,557	\$15,975,396	\$16,773,892	\$17,019,561	\$19,052,442	\$28,773,375	\$27,198,153	\$27,276,420	\$28,639,773	\$29,059,230	\$263,676,779
SUBTOTAL	\$24,730,326	\$27,297,405	\$38,279,522	\$38,180,358	\$38,290,439	\$40,207,973	\$40,797,094	\$45,047,027	\$63,286,494	\$63,037,557	\$63,219,297	\$66,385,087	\$67,357,742	\$616,116,320
INTERSTATE MAX SO. CORRIDOR, COMMUTER RAIL, NORTH MACADAM COMMITMENT	-\$6,000,000	-\$6,000,000	-\$6,000,000	-\$8,000,000	-\$8,000,000	-\$8,000,000	-\$8,000,000	-\$8,000,000	-\$8,000,000	-\$8,000,000	-\$8,000,000	-\$8,000,000	-\$8,000,000	-\$98,000,000
PROPOSED SUPPLEMENTAL SOUTH CORRIDOR ALLOCATION						-\$1,300,000	-\$1,300,000	-\$1,300,000	-\$1,300,000	-\$1,300,000	-\$1,300,000	-\$1,300,000	-\$1,300,000	-\$10,400,000
UNALLOCATED MTIP BALANCE	\$18,730,326	\$21,297,405	\$32,279,522	\$30,180,358	\$30,290,439	\$30,907,973	\$31,497,094	\$35,747,027	\$53,986,494	\$53,737,557	\$53,919,297	\$57,085,087	\$58,057,742	\$507,716,320

**REGIONAL FLEXIBLE FUNDS REVENUE STREAM AFTER TAKE-DOWNS FOR SOUTH CORRIDOR, COMMUTER RAIL, NORTH MACADAM
HOUSE VERSION OF 2004-09 TRANSPORTATION AUTHORIZATION BILL (METRO ESTIMATE)**

	SAFETEA							NEXT TEA						TOTAL
	'03	'04	'05	'06	'07	'08	'09	'10	'11	'12	'13	'14	'15	
STP	\$14,762,220	\$16,138,671	\$16,670,503	\$17,311,123	\$17,361,103	\$18,231,715	\$18,498,921	\$20,223,787	\$20,890,239	\$21,693,017	\$21,755,648	\$22,846,635	\$23,181,477	\$249,565,059
CMAQ	\$9,968,106	\$11,158,734	\$11,863,907	\$11,214,408	\$11,246,679	\$11,808,820	\$11,981,771	\$13,412,919	\$14,260,545	\$13,479,840	\$13,518,630	\$14,194,330	\$14,402,219	\$162,510,907
SUBTOTAL	\$24,730,326	\$27,297,405	\$28,534,410	\$28,525,531	\$28,607,782	\$30,040,535	\$30,480,692	\$33,636,706	\$35,150,784	\$35,172,857	\$35,274,279	\$37,040,964	\$37,583,696	\$412,075,967
INTERSTATE MAX SO. CORRIDOR, COMMUTER RAIL, NORTH MACADAM COMMITMENT	-\$6,000,000	-\$6,000,000	-\$6,000,000	-\$8,000,000	-\$8,000,000	-\$8,000,000	-\$8,000,000	-\$8,000,000	-\$8,000,000	-\$8,000,000	-\$8,000,000	-\$8,000,000	-\$8,000,000	-\$98,000,000
PROPOSED SUPPLEMENTAL SOUTH CORRIDOR ALLOCATION						-\$1,300,000	-\$1,300,000	-\$1,300,000	-\$1,300,000	-\$1,300,000	-\$1,300,000	-\$1,300,000	-\$1,300,000	-\$10,400,000
UNALLOCATED MTIP BALANCE	\$18,730,326	\$21,297,405	\$22,534,410	\$20,525,531	\$20,607,782	\$20,740,535	\$21,180,692	\$24,336,706	\$25,850,784	\$25,872,857	\$25,974,279	\$27,740,964	\$28,283,696	\$303,675,967

2003 is actual funding authority. 2004 based on funding authority from continuing resolutions. Other years based on Senate and House bill versions of authority for FFY 2004-09 and an identical growth rate to the reauthorization bill for FFY 2010-15.
Assumes 100 percent of authorizations available for allocation to projects. Limitations are placed on these amounts by USDOT to adjust for actual revenues available each fiscal year.
Dollars are in year of expenditure, whose purchasing power declines with inflation through time.

Joint Policy Advisory Committee on Transportation (JPACT) Retreat

What: A one-day retreat to continue discussions regarding how we can collectively meet the need for transportation improvements and develop a priority action plan by JPACT members.

When: Monday, July 26, 2004, 7:30 a.m. to 2:00 p.m.

Where: Oregon Zoo, Skyline Room (located immediately inside front gates, downstairs from the Cascade Grill Restaurant)

Who: Participation by JPACT Members and Alternates, Metro Council President David Bragdon, Port of Portland Commission Chair Jay Waldron and guest speaker Rick Gustafson.

*TPAC Members and Alternates invited as observers.

Cost: \$25.00 to cover room costs and food.

To register for the retreat, please complete this form and return with payment to: JPACT Retreat, c/o Renee Castilla, Metro, 600 NE Grand Ave., Portland, OR 97232 or fax to (503) 797-1930. Please call Ms. Renee Castilla, Metro at (503) 797-1916 for more registration information if needed.

Name: _____ **Organization:** _____

Address: _____

Phone #: _____ **Fax:** _____ **Email:** _____

Room Fee, Breakfast and Box Lunch Order - \$25.00

Continental Breakfast, Coffee and Juice provided for morning and box lunches in afternoon. Please indicate preference below:

Roast Beef Turkey Vegetarian

Payment: \$ _____

Payment Method: _____ Check (Payable to Metro)
_____ Credit Card (check one): _____ MasterCard _____ Visa

Card No: _____ Expiration Date: _____

Cardholder Name: _____ Signature: _____

JPACT Retreat Proposal

For review by JPACT at July 8 meeting

Date: Monday, July 26

Time: 7:30 am to 2:00 pm (depending on Agenda)

Place: Oregon Zoo, Skyline Room

Participants: JPACT members and alternates, Port of Portland Commission Chair Jay Waldron, Rick Gustafson

Purpose: Continuation of discussion from previous JPACT retreat to identify how we can collectively meet the need for transportation improvements and establish a priority for action by JPACT members.

Agenda:

1. Update from the Transportation Finance Working Group – Jay Waldron (60 minutes)

The Transportation Finance Working Group, with representatives from local government, business organizations and political consultants, has been meeting for over a year to study the feasibility of a ballot measure to fund transportation projects. Co-Chair Jay Waldron will present the group's findings and recommendations.

2. Discussion of the connection between transportation and the economy – Rick Gustafson (60 minutes)

Following the recent business roundtable on transportation finance, it is apparent that we need to clarify the connection between transportation and the economy and the need to invest in transportation to promote economic development.

3. Break (15 minutes)
4. MPO Update – Rex Burkholder (30 minutes)

Review of the initial MPO Summit held at Metro in June and discussion of next steps and JPACT priorities to bring to the next MPO summit in the fall.

5. ACT Discussion – Andy Cotugno (1 hour 15 minutes)
6. Lunch – Speaker? (45 minutes)
7. Discussion of legislative issues and strategy – Randy Tucker?(1 hour)

COMMITTEE TITLE JPACT

DATE July 8, 2004

NAME	AFFILIATION
Rod Park	Council
Andy Chapman	Metro
MATTHEW GARRETT	ODOT
Fred Hansen	TRIMET
Eric Anderson	CLATSOP Co
Maria Rojo de Jeffrey	Multco
Rod Monroe	Metro Council
DICK PEDERSEN	DEQ
Dean Lookingbill	RTC (attorney for Mayor Joyce Pollard)
PETER CAPELL	CLARK COUNTY
Dow Wagner	WSDOT
Larry Haverkamp	Clatsop Mult. Co.
KARL RONDE	C ³
Rex Burkholder	Metro Council
Kathy Busse	Wash. County
LAUREL WENTWORTH	CITY OF PORTLAND
Dave Nordberg	DEQ
Audrey O'Brien	DEQ

COMMITTEE TITLE JPACT

DATE July 8, 2004

NAME	AFFILIATION
Annette Liebe	DEQ
Sharon Nassut	
Deborah Mirdock	PSU
MARK GARRITY	WSDOT
NEIL MCFARLANE	TriMet
FEENEY	" "
Brian Doherty	Miller Nash
Robin Katz	Port of Portland
margaret middleton	City of Beaverton
William	OTIEB
ROB DRAKE	CITIES OF WASH. CTY.
Jed Feyhold	Metro
Kim Ellis	Metro
OLIVIA CLARK	TRIMET
John	Clackamas County
Karen Schilling	Multnomah County
Mark Tunzel	METRO
Greg Miller	Assoc. Gen. Contractors

