

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING)
OBLIGATION OF ROADWAY AND)
TRANSIT FUNDS PROVIDED IN THE FY)
2003 UNITED STATES DEPARTMENT OF)
TRANSPORTATION (USDOT))
APPROPRIATION ACT AND OF)
PROGRAMMING THE LOCAL FUNDING)
FOR PORTLAND STREETCAR)
RIVERPLACE EXTENSION PROJECT.

RESOLUTION NO. 03-3309A

Introduced by Councilor Rod Park

WHEREAS, the 2003 federal transportation appropriation bill includes funding for three roadway and five transit projects located inside Metro's boundary and/or planning area (see Exhibit A); and

WHEREAS, the United States Department of Transportation (USDOT) regulations stipulate that all federally funded transportation projects must be shown in both the Metropolitan and the State Transportation Improvement Programs (MTIP and STIP respectively); and

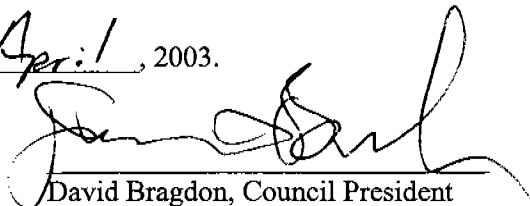
WHEREAS, the USDOT regulations also stipulate that local funding for a transportation project may be considered as being eligible to match future federal funds if, among other things, that project is included in the MTIP and STIP.

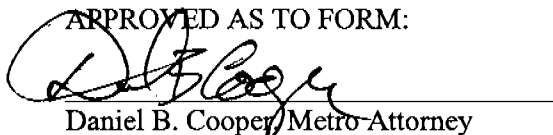
WHEREAS, all of the projects that have received funding derive from, or are consistent with the conforming (see Exhibit B), financially constrained system of the Regional Transportation Plan, so that no policy, air quality or financial issues impede their implementation; now, therefore

BE IT RESOLVED,

1. The MTIP is amended to authorize obligation in Fiscal Year 2003 of the sums identified in Exhibit A and the local funding of the Portland Streetcar RiverPlace Extension Project in an amount expected not to exceed \$13,810,000.
2. Metro Staff are authorized to request amendment of the STIP to reflect this action and to coordinate administrative details with staff of the Oregon Department of Transportation (ODOT).

ADOPTED by the Metro Council this 10th day of April, 2003.


David Bragdon, Council President

APPROVED AS TO FORM:

Daniel B. Cooper Metro Attorney

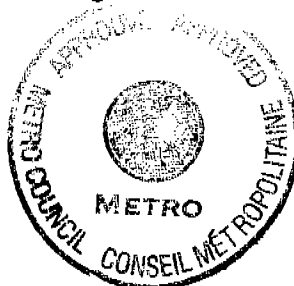


EXHIBIT A

Metro Jurisdiction Transportation Projects Included in the FY 2003 Omnibus Appropriations Bill

<u>Highway Program Projects</u>	<u>Funding</u>
National Trade Corridor Program	
• I-5 Trade Corridor DEIS	\$3,500,000
Bridge Discretionary	
• Sauvie Island Bridge Replacement Project	\$2,000,000
Public Land Highway Program (PLHP)	
• Tualatin River National Wildlife Refuge Turn Lanes	\$745,000
<u>Transit Program Projects</u>	
• Interstate Max LRT	\$70,000,000
• Wilsonville-Beaverton Commuter Rail	\$2,500,000
• Portland, Tri-Met Buses	\$2,000,000
• Wilsonville, South Metro Area Rapid Transit (SMART) Buses	\$250,000
• Portland Metropolitan Region (Job Access)	<u>\$2,150,000</u>
TOTAL <u>FEDERAL APPROPRIATIONS:</u>	\$83, 145,000
<u>City of Portland Local Funds</u>	
• Central City Streetcar, Phase 3 (PSU/Riverplace)	\$13,810,000

EXHIBIT B

AIR QUALITY CONFORMITY EVALUTION OF THE U.S. DOT FY 03 EARMARK APPROPRIATIONS FOR THE PORTLAND METROPOLITAN REGION

ISSUE

In March 2003 Congress appropriated funds for three highway and five transit projects in the Portland-area Air Quality Maintenance Area (AQMA). Additionally, the City of Portland has programmed up to \$13,810,000 of local funds to design and construct extension of the Central City Streetcar from PSU to the Riverplace neighborhood. These local funds, if programmed in the MTIP, can be considered as match against a planned, federally funded extension from the Riverplace terminus to the North Macadam redevelopment district. Federal and state regulations require that *no* transportation project may cause violation of air quality standards or lead to worsening of potential exceedences. Prior to amending the MTIP to authorize obligation of the appropriated sums, Metro must demonstrate that the projects approved by Congress or local governments for funding will meet this air quality test.

ANALYSIS

As shown in Exhibit A of the Resolution, Congress appropriated funds for three highway projects including funding for:

1. Preparation of the I-5 Trade Corridor Draft EIS;
2. Engineering to replace the Sauvie Island bridge; and
3. Construction of turn lanes on 99W near Tualatin for ingress to the Tualatin River National Wildlife Refuge.

Each of these projects is exempt from state and federal quantitative conformity requirements. The first project will conduct preliminary engineering of various highway improvement concepts for the purpose of assessing potential social, economic and environmental effects of alternatives still under consideration by policy makers.

The second project merely replaces an existing facility and by definition does not add capacity for generation of new emissions sources and is exempt from analysis by rule.

The third project provides safety improvements on an existing highway that add no additional capacity for motor vehicle travel and associated emissions. Each of these activities is exempt by the state conformity rule.

The five transit projects include:

1. The FY 03 increment of Full Funding Grant Agreement monies that are the federal share of construction financing for the Interstate MAX light rail extension project in the City of Portland. This project is included in the conforming 2000 Regional Transportation Plan.

2. Financing for progress on the Wilsonville-Beaverton Commuter Rail project in Washington County. This project is included in the conforming 2000 Regional Transportation Plan.
3. The third and fourth projects are for purchase of transit buses by TriMet and Wilsonville SMART, respectively, which are activities exempt from the state conformity rule governing quantitative analysis of emissions effects.
4. The fifth project is the FY 03 increment of federal funding for TriMet's Job Access/Reverse Commute program – a Transportation Demand Management program – and is exempt from quantitative analysis requirements.

The City of Portland has programmed approximately \$13,810,000 of local funds for Phase 3 extension of the Central City Streetcar from PSU to a terminus in the Riverplace neighborhood. This project is included in the conforming, financially constrained 2000 RTP (RTP #1015) and requires no further analysis of conformity issues.

CONCLUSION

All eight projects are either exempt from conformity analysis requirements or already derive from a conforming Regional Transportation Plan. No further analysis of air quality effects is needed. All the projects are consistent with policies of the RTP and there is no impediment to programming the appropriated funds for obligation in the Metropolitan and State Transportation Improvement Programs.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 03-3309A FOR THE PURPOSE OF AUTHORIZING OBLIGATION OF ROADWAY AND TRANSIT FUNDS PROVIDED IN THE FY 2003 UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) APPROPRIATION ACT AND OF PROGRAMMING THE LOCAL FUNDING FOR PORTLAND STREETCAR RIVERPLACE EXTENSIOIN PROJECT.

DATE: March 20, 2003

Presented by: Andy Cotugno

BACKGROUND

This Resolution would amend the Metropolitan Transportation Improvement Program (MTIP) to approve obligation of funds for three highway and five transit projects provided "earmark" funding in the United States Department of Transportation (USDOT) FY 2003 Appropriations bill. It would also program up to \$13,810,000 of City of Portland local funds for Phase 3 extension of the Central City Streetcar from Portland State University (PSU) to the Riverplace neighborhood. Federal regulation require inclusion of all federally funded transportation projects in a Metropolitan and State Transportation Improvement Program (MTIP and STIP, respectively). Locally financed projects must also be included in the MTIP/STIP if the local funds are to be considered as match against future federally financed components of the initial, locally financed project. Federal and state regulations require analysis of potential air quality effects of all federally funded and/or "regionally significant" transportation projects.

ANALYSIS/INFORMATION

Each year, the state, via ODOT, receives appropriation of various categories of federal transportation funding. Some of this funding comes in the form of dedicated "earmarks" for specific projects. In FY 2003, the Metro region received funds for eight such projects shown in Exhibit A of the resolution: three roadway projects (I-5 Trade Corridor DEIS funds; reconstruction of Sauvie Island Bridge and turn lanes on 99W at the Tualatin River National Wildlife Refuge) and five transit projects (Interstate MAX and Commuter Rail funds; TriMet and SMART bus purchase funds; and Jobs Access program funds).

All of these projects are either identified in or are consistent with the 2000 Regional Transportation Plan, so that programming the funds in the MTIP and STIP present no issues of consistency with the region's transportation policies. (The Sauvie Island bridge project lies outside of Metro's jurisdiction but within its planning sphere.) The Appropriations Bill provides new funding to implement the projects; financial constraint is not an issue.

The City of Portland has requested inclusion of local funds it has programmed toward design and construction of a Central City Streetcar extension from PSU to Riverplace neighborhood. This will enable the City to count is expenditures as match against a planned additional extension from Riverplace to the North Macadam redevelopment District, for which the City hopes to secure federal financing.

As described in Exhibit B of the Resolution, there are no issues of air quality conformity outstanding either. Insofar as all the projects derive from the 2000 Regional Transportation Plan

(RTP), they are “covered” by the conformity determination produced upon approval of the RTP. More to the point, all but the Interstate MAX, Portland Streetcar and Commuter Rail projects are exempt by rule from quantitative evaluation of emissions effects under the State’s conformity rule.

1. **Known Opposition:** None
2. **Legal Antecedents:** Federal regulations require that all federal transportation funds and potentially significant transportation projects be included in a Metropolitan and/or State Transportation Improvement Program. State and federal regulations require analysis of transportation project consistency with the State (air quality) Implementation Plan.
3. **Anticipated Effects:** Nine projects will proceed as anticipated and/or more rapidly than previously anticipated due to new revenue.
4. **Budget Impacts:** Metro will need to budget matching funds toward its share of support for the I-5 Trade Corridor DEIS, as anticipated.

RECOMMENDED ACTION

Approval of Metro Resolution No. 03-3309A.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING)
OBLIGATION OF ROADWAY AND)
TRANSIT FUNDS PROVIDED IN THE FY)
2003 UNITED STATES DEPARTMENT OF)
TRANSPORTATION (USDOT))
APPROPRIATION ACT.)

RESOLUTION NO. 03-3309

Introduced by Councilor Rod Park

WHEREAS, the 2003 federal transportation appropriation bill includes funding for three roadway and five transit projects located inside Metro's boundary and/or planning area (see Exhibit A); and

WHEREAS, the United States Department of Transportation (USDOT) regulations stipulate that all federally funded transportation projects must be shown in both the Metropolitan and the State Transportation Improvement Programs (MTIP and STIP respectively); and

WHEREAS, all of the projects that have received funding derive from, or are consistent with the conforming (see Exhibit B), financially constrained system of the Regional Transportation Plan, so that no policy, air quality or financial issues impede their implementation; now, therefore

BE IT RESOLVED,

1. The MTIP is amended to authorize obligation in Fiscal Year 2003 of the sums identified in Exhibit A.
2. Metro Staff are authorized to request amendment of the STIP to reflect this action and to coordinate administrative details with staff of the Oregon Department of Transportation (ODOT).

ADOPTED by the Metro Council this 22 day of _____, 2003.

David Bragdon, Council President

APPROVED AS TO FORM:

Daniel B. Cooper, Metro Attorney

**Metro Jurisdiction Transportation Projects
Included in the FY 2003 Omnibus Appropriations Bill**

Highway Program Projects

Funding

National Trade Corridor Program

- I-5 Trade Corridor DEIS \$3,500,000

Bridge Discretionary

- Sauvie Island Bridge Replacement Project \$2,000,000

Public Land Highway Program (PLHP)

- Tualatin River National Wildlife Refuge Turn Lanes \$745,000

Transit Program Projects

- Interstate Max LRT \$70,000,000
- Wilsonville-Beaverton Commuter Rail \$2,500,000
- Portland, Tri-Met Buses \$2,000,000
- Wilsonville, South Metro Area Rapid Transit (SMART) Buses \$250,000
- Portland Metropolitan Region (Job Access) \$2,150,000

TOTAL: \$83, 145,000

**AIR QUALITY CONFORMITY EVALUTION
OF
THE U.S. DOT FY 03 EARMARK APPROPRIATIONS
FOR
THE PORTLAND METROPOLITAN REGION**

ISSUE

In March 2003 Congress appropriated funds for three highway and five transit projects in the Portland-area Air Quality Maintenance Area (AQMA). Federal and state regulations require that no transportation project may cause violation of air quality standards or lead to worsening of potential exceedences. Prior to amending the MTIP to authorize obligation of the appropriated sums, Metro must demonstrate that the projects approved by Congress for funding will meet this air quality test.

ANALYSIS

The three highway projects include funding for:

1. Preparation of the I-5 Trade Corridor Draft EIS;
2. Replacement of Sauvie Island bridge; and
3. Construction of turn lanes on 99W near Tualatin for ingress to the Tualatin River National Wildlife Refuge.

Each of these projects is exempt from state and federal quantitative conformity requirements. The first project will conduct preliminary engineering of various highway improvement concepts for the purpose of assessing potential social, economic and environmental effects of alternatives still under consideration by policy makers.

The second project merely replaces an existing facility and by definition does not add capacity for generation of new emissions sources and is exempt from analysis by rule.

The third project provides safety improvements on an existing highway that add no additional capacity for motor vehicle travel and associated emissions. Each of these activities is exempt by the state conformity rule.

The five transit projects include:

1. The FY 03 increment of Full Funding Grant Agreement monies that are the federal share of construction financing for the Interstate MAX light rail extension project in the City of Portland. This project is included in the conforming 2000 Regional Transportation Plan.
2. Financing for progress on the Wilsonville-Beaverton Commuter Rail project in Washington County. This project is included in the conforming 2000 Regional Transportation Plan.
3. The third and fourth projects are for purchase of transit buses by TriMet and Wilsonville SMART, respectively, which are activities exempt from the state conformity rule governing

quantitative analysis of emissions effects.

4. The fifth project is the FY 03 increment of federal funding for TriMet's Job Access/Reverse Commute program – a Transportation Demand Management program – and is exempt from quantitative analysis requirements.

CONCLUSION

All eight projects are either exempt from conformity analysis requirements or already derive from a conforming Regional Transportation Plan. No further analysis of air quality effects is needed. All the projects are consistent with policies of the RTP and there is no impediment to programming the appropriated funds for obligation in the Metropolitan and State Transportation Improvement Programs.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 03-3309 FOR THE PURPOSE OF AMENDING THE MTIP TO AUTHORIZE OBLIGATION OF UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) FY 03 EARMARK APPROPRIATIONS.

DATE: March 20, 2003

Presented by: Andy Cotugno

BACKGROUND

This Resolution would amend the Metropolitan Transportation Improvement Program (MTIP) to approve obligation of funds for three highway and five transit projects provided "earmark" funding in the United States Department of Transportation (USDOT) FY 2003 Appropriations bill. Federal regulation require inclusion of all federally funded transportation projects in a Metropolitan and State Transportation Improvement Program (MTIP and STIP, respectively). Federal and state regulations require analysis of potential air quality effects of all federally funded and/or "regionally significant" transportation projects.

ANALYSIS/INFORMATION

Each year, the state, via ODOT, receives appropriation of various categories of federal transportation funding. Some of this funding comes in the form of dedicated "earmarks" for specific projects. In FY 2003, the Metro region received funds for eight such projects shown in Exhibit A of the resolution: three roadway projects (I-5 Trade Corridor DEIS funds; reconstruction of Sauvie Island Bridge and turn lanes on 99W at the Tualatin River National Wildlife Refuge) and five transit projects (Interstate MAX and Commuter Rail funds; TriMet and SMART bus purchase funds; and Jobs Access program funds).

All of these projects are either identified in or are consistent with the 2000 Regional Transportation Plan, so that programming the funds in the MTIP and STIP present no issues of consistency with the region's transportation policies. (The Sauvie Island bridge project lies outside of Metro's jurisdiction but within its planning sphere.) The Appropriations Bill provides new funding to implement the projects; financial constraint is not an issue.

As described in Exhibit B of the Resolution, there are no issues of air quality conformity outstanding either. Insofar as all the projects derive from the 2000 Regional Transportation Plan (RTP), they are "covered" by the conformity determination produced upon approval of the RTP. More to the point, all but the Interstate MAX and Commuter Rail projects are exempt by rule from quantitative evaluation of emissions effects under the State's conformity rule.

1. **Known Opposition:** None
2. **Legal Antecedents:** Federal regulations require that all federal transportation funds be included in a Metropolitan and/or State Transportation Improvement Program. State and federal regulations require analysis of transportation project consistency with the State (air quality) Implementation Plan.

3. **Anticipated Effects:** Eight projects will proceed as anticipated and/or more rapidly than previously anticipated due to new revenue.
4. **Budget Impacts:** Metro will need to budget matching funds toward its share of support for the I-5 Trade Corridor DEIS, as anticipated.

RECOMMENDED ACTION

Approval of Metro Resolution No. 03-3309.