600 NE Grand Ave.
Portland, OR 97232-2736
www.oregonmetro.gov

Metro | Agenda

Meeting: Joint Policy Advisory Committee on Transportation (JPACT)
Date: Thursday, July 14, 2011
Time: 7:30 to 9 a.m.
Place: Metro Regional Center, Council Chambers

7:30 AM	**1.**		**CALL TO ORDER & DECLARATION OF A QUORUM**	**Carlotta Collette, Chair**
7:32 AM	**2.**		**INTRODUCTIONS**	**Carlotta Collette, Chair**
7:35 AM	**3.**		**CITIZEN COMMUNICATIONS ON NON-AGENDA ITEMS**	**Carlotta Collette, Chair**
7:40 AM	**4.**		**COMMENTS FROM THE CHAIR & COMMITTEE MEMBERS**	
		*	• TIGER III	**Andy Cotugno**
		*	• Federal Transportation Funding Rescission	**Andy Cotugno**
		*	• Update on Transportation Electrification Support and Metropolitan Mobility Development Proposals	**Ted Leybold**
7:50 AM	**5.**		**CONSIDERATION OF THE JPACT MINUTES FOR JUNE 9, 2011**	
	6.		**INFORMATION / DISCUSSION ITEMS**	
7:55 AM	6.1	*	2011 Oregon State Legislative Update – INFORMATION *Outcomes*: • Learn about what the state legislature did and didn't do on transportation policy and funding issues this year. • Preliminary discussion of potential issues the region might want to support in 2012 legislative session.	**Randy Tucker**
8:05 AM	6.2	*	Federal Transportation Funding and Authorization Update – INFORMATION *Outcomes*: • Learn about the options Congress is considering for transportation funding. The outlook is grim. • Discuss ways the region can have an impact on Congressional funding. • Discuss the potential for local funding options.	**Andy Cotugno**
	7.		**ACTION ITEMS**	
8:30 AM	7.1	*	**Resolution No. 11-4265**, For the Purpose of Adopting the Regional High Capacity Transit System Expansion Policy Implementation Guidance – ACTION REQUESTED *Outcomes*: • Approval of the resolution.	**John Williams**
8:45 AM	**8.**		**ADJOURN**	**Carlotta Collette, Chair**

* Material available electronically. *For agenda and schedule information, call Kelsey Newell at 503-797-1916, e-mail: kelsey.newell@oregonmetro.gov*. To check on closure or cancellations during inclement weather please call 503-797-1700.

2011 JPACT Work Program
7/7/11

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July 14, 2011 – Regular Meeting
- State legislative recap – Information
- HCT System Expansion Policy Guidance – Action

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August 11, 2011 – Regular Meeting
- Announce LUFO at August 11 Council Session
- MTIP Amendment to Allocate TSMO Funds for Management

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September 8, 2011 – Regular Meeting
- Release of Draft Recommendation of RFFA for Public Comment
  - Vehicle Electrification RFF Allocation
- Policy Discussion on Tier 1 Regional Flexible Fund Allocation – Discussion
- TriMet's Pedestrian Network Analysis – Information

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October 13, 2011 – Regular Meeting
- Oregon state legislative agenda – Discussion
- Federal legislative agenda – Discussion
- Climate Smart Communities Scenarios Evaluation Briefing - Information

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November 10, 2011 – Regular Meeting
- Climate Smart Communities Scenarios Findings and Recommendations to be Submitted to 2012 Legislature – Discussion
- Portland Air Toxics Solutions (PATS) project – Information

Hold: Joint JPACT/MPAC Meeting
Climate Smart Communities Scenarios Results and Preliminary Recommendations

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December 8, 2011 – Regular Meeting
- Climate Smart Communities Scenarios Findings and Recommendations to be Submitted to 2012 Legislature - Action
- Oregon state legislative agenda – Adoption
- Federal legislative agenda – Adoption
- 2014-15 Regional Flexible Fund Allocation – Action

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Parking Lot:
- Update and discussion on Electric Vehicles and ETEC charging station project
- Discussion of subcommittees for JPACT – equity, economy and climate change response
- RTP amendment for CRC.
- CRC LUFO.
- Regional Indicators briefing in mid 2011.
- 2012-15 MTIP/STIP Approval and Air Quality Conformity – Action (Feb. 2012)

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JOINT POLICY ADVISORY COMMITTEE ON TRANSPORTATION
June 9, 2011
Metro Regional Center, Council Chambers

MEMBERS PRESENT	AFFILIATION
Rex Burkholder	Metro Council
Jack Burkman	City of Vancouver
Shirley Craddick	Metro Council
Nina DeConcini	Oregon Department of Environmental Quality
Donna Jordan	City of Lake Oswego, representing Cities of Clackamas Co.
Ann Lininger	Clackamas County
Neil McFarlane	TriMet
Roy Rogers	Washington County
Don Wagner	Washington State Department of Transportation

MEMBERS EXCUSED	AFFILIATION.
Sam Adams	City of Portland
Shane Bemis	City of Gresham, representing Cities of Multnomah Co.
Carlotta Collette, Chair	Metro Council
Craig Dirksen	City of Tigard, representing Cities of Washington Co.
Deborah Kafoury	Multnomah County
Steve Stuart	Clark County
Jason Tell	Oregon Department of Transportation, Region 1
Bill Wyatt	Port of Portland

ALTERNATES PRESENT	AFFILIATION
Susie Lahsene	Port of Portland
Diane McKeel	Multnomah County
Rian Windsheimer	Oregon Department of Transportation

STAFF: Kim Ellis, Megan Gibb, Mike Hoglund, Allison Kean Campbell, Ted Leybold, Robin McArthur, Chris Myers, Kelsey Newell, Dylan Rivera, Patty Unfred, Randy Tucker, Andy Shaw, Lake McTighe, Ted Leybold, Tom Kloster, Kelsey Newell, Dylan Rivera, Aaron Brown, Kathryn Sofich.

1. CALL TO ORDER AND DECLARATION OF A QUORUM

Vice Chair Rex Burkholder declared a quorum and called the meeting to order at 7:30 a.m.

2. INTRODUCTIONS

Vice Chair Burkholder introduced Ms. Nancy Boyd as new Chair for the Columbia River Crossing project and new Multnomah County cities' JPACT alternate Fairview City Councilor Lisa Barton Mullins.

3. CITIZEN COMMUNICATIONS ON NON-AGENDA ITEMS

There were none.

4. COMMENTS FROM THE CHAIR AND COMMITTEE MEMBERS

- Chair Burkholder announced that Ms. Heidi Guenin was selected to serve as the new TPAC citizen member filling the vacancy left by Ms. Marta Carillo.
- Oregon global warming commission

5. CONSENT AGENDA

- Consideration of the JPACT Minutes for May 12, 2011
- Resolution No. 11-4266, For the Purpose of Amending the 2010-11 Metropolitan Transportation Improvement Program (MTIP) to Add the Going Street Bike/Ped: N Vancouver Ave. – N Channel Ave. Project.

MOTION: Mayor Sam Adams moved, Councilor Donna Jordan seconded, to approve the consent agenda for June 9, 2011.

ACTION TAKEN: With all in favor, the motion passed.

6. A COLLABORATIVE APPROACH TO BUILDING LIVABLE, PROSPEROUS, EQUITABLE AND CLIMATE SMART COMMUNITIES USING SCENARIOS

Ms. Kim Ellis of Metro briefed the committee on the importance of the work and economic impacts of the various strategies employed. The purpose of this document is to provide guidance to a work group of Metro, state, and local agency staff and describe the evaluation approach and analytic framework to be used in Phase 1 of the Climate Smart Communities Scenarios effort. Included in the document is a process overview, a statement of guiding principles, and specific direction on the strategies and outcomes to be evaluated. The approach and framework will be updated for Phase 2 to reflect lessons learned and recommendations from Phase 1. The goal of the Climate Smart Communities Scenarios effort is to collaborate across different levels of government and public and private sectors to target investments to generate maximum local and regional benefits, and identify and implement programs and policies that help build prosperous, vibrant, equitable, and climate smart communities.

MOTION: Mr. Neil McFarlane moved, Councilor Jordan seconded, to recommend approval of the Climate Smart Scenarios to move forward to phase 1 scenario analysis.

> *Discussion*: Committee members expressed concern about the potential economic impact on cities within the region and the region as a whole. Further committee discussion focused on producing projects correctly the first time rather than have to retrofit systems in the future.

ACTION: With all in favor the motion passed.

7. PROPOSED HIGH CAPACITY TRANSIT SYSTEM EXPANSION POLICY IMPLEMENTATION GUIDANCE: RESOLUTION NO. 11-4265, FOR THE PURPOSE OF ADOPTING THE REGIONAL HIGH CAPACITY TRANSIT SYSTEM EXPANSION POLICY IMPLEMENTATION GUIDANCE

Mr. Josh Naramore of Metro briefed the committee on Resolution No. 11-4265. The resolution, if approved, would adopt the High Capacity Transit System Expansion Policy (SEP) implementation guidance guidebook. The guidebook, the first post-adoption 2035 Regional Transportation Plan (RTP) implementation activity to be completed, builds upon the SEP policy framework that was adopted as part of the 2035 RTP by:

1. Clearly articulating the decision-making process by which future High Capacity Transit (HCT) corridors will be advanced for regional investment.
2. Establishing minimum requirements for HCT corridor working groups to inform local jurisdictions as they work to advance their priorities for future HCT.
3. Defining quantitative and qualitative performance measures to guide local land use and transportation planning and investment decisions.
4. Outlining the process for updating the 2035 RTP, including potential future RTP amendments, for future HCT investment decisions.

The purpose of the guidebook is to have a tool that will help inform developers, elected officials, and agencies in the decision-making process. The guidebook will be available to local agencies however; it does take significant GIS skills to utilize. Future changes can be made to the guidebook however those changes must be discussed within the committee through the formal process.

Committee members discussed how the guidebook will help cities understand what it takes to become transit ready, how to advance HCT corridors, areas that have senior and low-income housing need transit but may not have budget to follow the guidebook, and that the guidebook is an attempt to make it clearer what type of actions can be done to be transit supportive.

8. RESOLUTION NO. 11-4264, FOR THE PURPOSE OF CONCLUDING THAT THE CONCERNS AND CONSIDERATIONS RAISED ABOUT THE COLUMBIA RIVER CROSSING PROJECT IN EXHIBIT A TO RESOLUTION NO. 08-3960B HAVE BEEN ADDRESSED SATISFACTORILY

MOTION: Commissioner Roy Rogers moved, Mr. Bill Wyatt seconded, to approve Resolution No. 11-4264.

Vice Chair Burkholder briefed the committee on the history of the Columbia River Crossing (CRC) project over the past ten years and whether the conditions adopted three years ago have been sufficiently addressed to move forward.

Mr. Andy Cotugno of Metro discussed that there have been numerous questions regarding tolling the CRC and the call for traffic demand management functions and revenue generation. Due to financial concerns the Governors of Oregon and Washington have asked each state treasurer to conduct an independent evaluation of the CRC project finances. An investment grade analysis is only done immediately before bonds are released for sale, which is right before the money is needed and therefore that analysis will be done at a later date.

The resolution before the Metro Council has identified additional areas of concern that were addressed by the Project Sponsors Council in response to Resolution No. 08-3960b approving the locally preferred alternative; those areas are:

- Tolling
- Number of Auxiliary Lanes
- Impact Mitigation and Community Enhancement
- Demand Management
- Financing Plan
- Capacity Considerations, Induced Demand, and Greenhouse Gases
- Preservation of Freight Access
- Light Rail
- Design of Bicycle and Pedestrian Facilities
- Urban Development Impacts at Re-Designed Interchanges
- Bridge Design

Resolution No. 11-4264, if adopted, would accept responses to the concerns and considerations from the Locally Preferred Alternative resolution, support proceeding with publishing the Final Environmental Impact Statement, and acknowledge the need for further refinements.

Committee members discussed the possibility of phasing the project due to financial constraints, whether phasing the project changes any critical components, the possibility of bi-state compacts, and community enhancement funds, and human powered transit. Further committee discussion focused on freight mobility and the importance of this project for freight mobility in the region.

Committee members expressed concerns that support for this project is based upon a funding plan that does not use most or all of the available funds for transportation projects throughout the region. The committee also acknowledged there is a problem downstream of the CRC near the Fremont Bridge that will require a separate project.

Councilor Harrington questioned the need to amend the section on the finance plan to recognize the finance plan will take into account phasing. The committee agreed to allow Mr. Cotugno to wordsmith the resolution.

Commissioner Roy Rogers and Mr. Jason Tell agreed to the change as a friendly amendment.

ACTION: With all favor and one abstention (Lookingbill) the motion passed.

9. ADJOURN

Chair Burkholder adjourned the meeting at 8:37 a.m.

Respectfully submitted,

Chris Myers
Recording Secretary

ATTACHMENTS TO THE PUBLIC RECORD FOR JUNE 9, 2011
The following have been included as part of the official public record:

ITEM	DOCUMENT TYPE	DOC DATE	DOCUMENT DESCRIPTION	DOCUMENT NO.
5.0	Handout	05/12/11	JPACT Minutes	060911j-01
	Handout	5/26/11	2014-15 Draft STIP Outreach	060911j-02
	PowerPoint	N/A	Climate Smart Communities Timeline	060911j-03
	Memo	N/A	Climate Smart Scenario Planning, Mayor Sam Adams	060911j-04
	PowerPoint	06/09/11	CRC Status of LPA Conditions	060911j-05
	Memo	06/08/11	Hayden Island Livability Project – Ongoing CRC Concerns	060911j-06
	Handout	06/08/11	Columbia Corridor Association	060911j-07

Kelsey Newell

Subject: FW: Secretary LaHood Announces $527 Million in Funding for New Round of Popular TIGER Grant Program

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From: Department of Transportation [mailto:usdot@govdelivery.com]
Sent: Thursday, June 30, 2011 11:25 AM
To: Dylan Rivera
Subject: Secretary LaHood Announces $527 Million in Funding for New Round of Popular TIGER Grant Program

DOT 76-11
Thursday, June 30, 2011
Contact: Justin Nisly
Tel: (202) 366-4570

Secretary LaHood Announces $527 Million in Funding for New Round of Popular TIGER Grant Program

Competitively Chosen Projects Will Create Jobs, Lay Foundation for Growth

U.S. Transportation Secretary Ray LaHood today announced that $527 million will be available for a third round of the highly successful TIGER (Transportation Investment Generating Economic Recovery) competitive grant program, which funds innovative transportation projects that will create jobs and have a significant impact on the nation, a region or a metropolitan area.

"Through the TIGER program, we can build transportation projects that are critical to America's economic success and help complete those that might not move forward without this infusion of funding," said Secretary LaHood. "This competition empowers local communities to create jobs and build the transportation networks they need in order to win the future."

In the FY11 budget President Obama signed in April, $527 million was directed to the Department of Transportation for critical investments in the nation's transportation infrastructure. States, cities, local governments, and other partnerships and groups will have until this fall to prepare their applications for the popular TIGER program, which has funded high-impact projects including roads, bridges, freight rail, transit buses and streetcars, ports, and bicycle and pedestrian paths.

The previous two rounds of the TIGER grant program provided $2.1 billion to 126 transportation projects in all 50 states and the District of Columbia. Demand for the program has been overwhelming, and during the previous two rounds, the Department of Transportation received more than 2,500 applications requesting more than $79 billion for transportation projects across the country.

Projects will be selected based on their ability to contribute to the long-term economic competitiveness of the nation, improve the condition of existing transportation facilities and systems, improve energy efficiency and reducing greenhouse gas emissions, improve the safety of U.S. transportation facilities and improve the quality of living and working environments of communities through increased transportation choices and connections. The Department will also focus on projects that are expected to quickly create and preserve jobs and spur rapid increases in economic activity.

For more information, please visit http://www.dot.gov/tiger/.

# # #

A Message from Ray LaHood - Every single time someone takes their eyes or their focus off the road – even for just a few seconds – they put their lives and the lives of others in danger. Distracted driving is unsafe, irresponsible and in a split second, its consequences can be devastating.

D!STRACTION.GOV
Official US Government Website for Distracted Driving

Update your subscriptions, modify your password or e-mail address, or stop subscriptions at any time on your Subscriber Preferences Page. You will need to use your e-mail address to log in. If you have questions or problems with the subscription service, please contact support@govdelivery.com. All other inquires can be directed to dot.comments@ost.dot.gov.

This service is provided to you at no charge by the U.S. Department of Transportation.

Kelsey Newell

Subject: TIGER III Grant Notice
Attachments: TIGER III summary.doc

From: BROUWER Travis
Sent: Friday, July 01, 2011 2:54 PM
Subject: TIGER III grant notice

Today US DOT officially posted the TIGER III grant notice, which is available at http://edocket.access.gpo.gov/2011/pdf/2011-16514.pdf. I have attached a brief summary of the program.

This year the program has $527 million for surface transportation projects across all modes. Funding will be awarded on a competitive basis for projects that have a significant impact on the nation, a metro area, or a region. The TIGER III program is very similar to last year's TIGER II program, with a number of minor changes:

- No funding is specifically set aside for the planning, preparation, or design of capital projects; however, these activities are eligible for funding as part of an overall construction project.
- An organization can be the lead applicant on no more than three applications.

Applications are due October 31st.

As you can see from looking at the lists of projects funded in the past (available at http://www.dot.gov/tiger/docs/TIGER%202%20Capital%20Highlights.pdf for FY 2010 and http://www.dot.gov/tiger/docs/TIGER%20Capital%20Highlights.pdf for ARRA), most funding goes to non-highway projects. Rail and transit are particularly competitive; most funding goes to either projects that improve the movement of freight (especially by non-highway modes) or projects that enhance the livability of communtiies. This program is intensely competitive, with billions of dollars in applications seeking the limited funding available.

I am currently engaging ODOT's leadership to determine how we want to approach this program. Given the limit on the number of applications that ODOT can file, we will need to pare down our funding requests this year (from the five applications submitted last year).

We'll provide some additional guidance on how we will proceed soon. For now, start thinking about projects that might be competitive in this program. Let me know if you have any questions.

Travis Brouwer
ODOT Federal Affairs Advisor
1158 Chemeketa St NE Salem, OR 97301
www.oregon.gov/ODOT/HWY/federal_affairs.shtml
(503) 986-3448 Cell: (503) 931-0892

US DOT TIGER III Grant Program

The US DOT National Infrastructure Investment grant program (TIGER III) will provide $527 million for surface transportation projects across all modes. Funding will be awarded on a competitive basis for projects that have a significant impact on the nation, a metro area, or a region.

The TIGER III program is very similar to the TIGER II program from 2010, with a number of minor changes:

- No funding is specifically set aside for the planning, preparation, or design of capital projects; however, these activities are eligible for funding as part of an overall construction project.
- An organization can be the lead applicant on no more than three applications.

Funding and Setasides

A total of $527 million is available. A number of set-asides were included in the legislation:

- At least $140 million will be provided to projects in rural areas (defined as outside an Urbanized Area of 50,000 or more population).
- Not more than $150 million can be used for subsidies under the Transportation Infrastructure Finance and Innovation Act (TIFIA) program.
- Not more than $25 million can be retained by US DOT for administration and oversight.

Grant Sizes

US DOT can make grant awards as small as $10 million and as large as $200 million. However, in rural areas awards may be as small as $1 million, and US DOT has indicated that the largest grants are likely to be less than $200 million. In the TIGER II program, grants ranged from $1 million to $47.6 million, with an average award of $13.25 million.

Matching Funds and Leverage

At least 20 percent of project costs must be provided from non-federal funds. However, projects in rural areas may receive up to 100 percent federal funding. US DOT will give priority to projects for which federal funding is required to complete an overall financing package. Projects can increase their competitiveness by demonstrating significant non-federal contributions.

Eligible Applicants

States, local governments, transit agencies, ports, metropolitan planning organizations and Native American Tribes, multi-state and multi-jurisdictional groups, among others, are eligible to apply.

Eligible Projects

All surface transportation capital projects are eligible, including highways and bridges, public transit, freight and passenger rail, and port improvements.

Application Process and Deadlines

Pre-applications providing basic information to validate eligibility must be submitted by October 3rd. Final applications are due October 31st.

Selection Criteria and Considerations

Primary Selection Criteria

Long-Term Outcomes: DOT will give priority to projects that have a significant impact on desirable long-term outcomes for the nation, a metropolitan area, or a region. Applications that do not demonstrate a likelihood of significant long-term benefits in this criterion will not proceed in the evaluation process. The following types of long-term outcomes will be given priority:

- *State of Good Repair:* Improving the condition of existing transportation facilities and systems, with particular emphasis on projects that minimize life-cycle costs.
- *Economic Competitiveness:* Contributing to the economic competitiveness of the United States over the medium- to long-term.
- *Livability:* Fostering livable communities through place-based policies and investments that increase transportation choices and access to transportation services for people in communities across the United States.
- *Environmental Sustainability:* Improving energy efficiency, reducing dependence on oil, reducing greenhouse gas emissions and benefitting the environment.
- *Safety:* Improving the safety of U.S. transportation facilities and systems.

Job Creation & Near-Term Economic Activity: DOT will give priority to projects that are expected to quickly create and preserve jobs and promote rapid increases in economic activity, particularly jobs and activity that benefit federally-recognized economically distressed areas.

Secondary Selection Criteria

Innovation: DOT will give priority to projects that use innovative strategies to pursue the long-term outcomes outlined above.

Partnership: DOT will give priority to projects that demonstrate strong collaboration among a broad range of participants and/or integration of transportation with other public service efforts.

DOT will give more weight to the Primary Selection Criteria.

Additional Considerations

US DOT is directed to ensure an equitable distribution across geography, transportation modes, and between urban and rural areas.

U.S. Department of Transportation
Federal Highway Administration

Notice

Subject:

RESCISSION OF FEDERAL-AID APPORTIONMENTS

Classification Code	Date	Office of Primary Interest
N4510.735	June 30, 2011	**HCFB-1**

1. **What is the purpose of this Notice?** This Notice is to notify the States that $2,500,000,000 of unobligated balances of Federal-aid highway funds apportioned to States are hereby rescinded as required by section 2207 of the Full-Year Continuing Appropriations Act, 2011, division B of Public Law (Pub. L) 112-10.

2. **What apportioned funds are being rescinded?**

   a. Pursuant to section 2207 of the Full-Year Continuing Appropriations Act, 2011, an amount of $2,500,000,000 is rescinded from the unobligated balances of funds apportioned under chapter 1 of title 23, United States Code (U.S.C.).

   b. Pursuant to section 2207 of the Full-Year Continuing Appropriations Act, 2011, the rescission shall not apply to funds distributed in accordance with:

      (1) Section 130(f) of title 23, U.S.C., for the Railway-Highway Crossings Program;

      (2) Section 104(b)(5) of title 23, U.S.C., for the Highway Safety Improvement Program;

      (3) The first sentence of section 133(d)(3)(A) of title 23, U.S.C., for the sub-allocation of Surface Transportation Program funds by population (Surface Transportation Program funds for urbanized areas with a population over 200,000; Surface Transportation Program funds for areas with a population equal to or less than 200,000; and Surface Transportation Program funds for areas with a population less than 5,000);

      (4) Section 133(d)(1) of title 23, U.S.C., for the safety set-asides under the Surface Transportation Program, as in effect on the day before the date of enactment of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Pub. L. 109-59; or

(5) Section 163 of title 23, U.S.C., for Safety Incentives to Prevent Operation of Motor Vehicles by Intoxicated Persons, as in effect on the day before the date of enactment of SAFETEA-LU.

3. **How is the rescission amount for each State determined?**

a. The total rescission amount of $2,500,000,000 is distributed among the States in the same proportion as the funds subject to the rescission were apportioned to the States for Fiscal Year (FY) 2011. The programs included in the distribution calculation are Interstate Maintenance, National Highway System, Highway Bridge, Transportation Enhancements, Surface Transportation Program (only the funds available for any area), Congestion Mitigation and Air Quality Improvement, Recreational Trails, Metropolitan Planning, State Planning and Research, and Equity Bonus.

b. The apportionments for such programs listed in subparagraph (a) are inclusive of funds programmatically distributed from the Equity Bonus Program, but exclusive of funds set aside for State Planning and Research (which are included in the calculation separately) and those funds withheld pursuant to section 154 of title 23, U.S.C. (Open Container Requirements), and section 164 of title 23, U.S.C. (Minimum Penalties for Repeat Offenders for Driving While Intoxicated or Driving Under the Influence), which are separate from, but impact, the programs by operation of law. The apportionments used to calculate the distribution of the rescission are also exclusive of funds from sections 130(f) and 104(b)(5) of title 23, U.S.C.; sections 133(d)(1) and 163 of title 23, U.S.C., as in effect on the day before the date of enactment of SAFETEA-LU; and the first sentence of section 133(d)(3)(A) of title 23, U.S.C.

c. The amount to be rescinded from each State has been determined by multiplying the total amount to be rescinded, $2,500,000,000, by the ratio that the aggregate amount of funds apportioned in FY 2011 to each State for all of the programs listed in subparagraph (a) bears to the aggregate amount of funds apportioned for all such programs for all States. Each State's share of the total amount to be rescinded is reflected in Table 1.

4. **How is each State's rescission amount to be met?** Section 2207 of the Full-Year Appropriations Act, 2011, provides that, notwithstanding section 1132 of Pub. L. 111-140, in administering the rescission, each State shall be allowed to determine the amount of the required rescission to be drawn from the programs to which the rescission applies. This means that each State may choose how to meet its rescission amount shown in Table 1 from the unobligated balances of funds which are subject to the rescission. **However, Division Administrators should encourage their State department of transportation officials to reach out to stakeholders in considering how to implement the rescission**.

5. **What actions are required?**

a. Division Administrators should ensure that this Notice is provided to the State department of transportation.

b. **No later than July 8, 2011,** the required information outlined below should be submitted on the attached Table 2 to the HCFB-1 official electronic mailbox, "FHWA, BudgetDivision". A copy of the Table 2 response also should be sent to Steven.Frankel@dot.gov. When submitting the response, please include in the e-mail subject line the following: "Response to Rescission of Federal-aid Apportionments (N4510.735)_[insert name of State]."

c. The States must identify the program codes from which amounts are to be rescinded in order to meet the State-by-State rescission amounts shown in Table 1. The program codes eligible for rescission exclude those for sections 130(f) and 104(b)(5) of title 23, U.S.C.; sections 133(d)(1) and 163 of title 23, U.S.C., as in effect prior to the date of enactment of SAFETEA-LU; and the first sentence of section 133(d)(3)(A) of title 23, U.S.C.

d. When identifying the program codes and amounts to be rescinded, States must provide the following: program code and program title from which the funds are to be rescinded, total unobligated balance, and the amount to be rescinded from the total unobligated balance.

e. The States should ensure that a sufficient amount of unobligated funds are available within each program code selected to bear the rescission. For guidance, refer to the Fiscal Management Information System (FMIS) report W10A to assist in determining the program codes and amounts to be applied to the rescission. **Once the program codes and amounts have been determined and submitted to the Federal Highway Administration's Office of Budget (HCFB-1), no obligations should be incurred by the State against the amounts identified to be rescinded.**

Victor M. Mendez
Administrator

Attachments

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

RESCISSION OF UNOBLIGATED BALANCES OF APPORTIONED CONTRACT AUTHORITY PURSUANT TO SECTION 2207 OF THE FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2011, DIVISION B OF PUBLIC LAW 112-10

STATE	AMOUNT TO BE RESCINDED
ALABAMA	$40,577,594
ALASKA	37,205,268
ARIZONA	47,164,571
ARKANSAS	32,922,951
CALIFORNIA	238,421,585
COLORADO	35,030,977
CONNECTICUT	35,171,036
DELAWARE	10,628,872
DIST. OF COL.	10,497,108
FLORIDA	120,721,687
GEORGIA	82,437,910
HAWAII	12,985,655
IDAHO	19,120,790
ILLINOIS	93,556,070
INDIANA	62,926,886
IOWA	31,098,041
KANSAS	23,306,385
KENTUCKY	41,397,498
LOUISIANA	46,135,051
MAINE	11,225,644
MARYLAND	39,736,278
MASSACHUSETTS	42,481,280
MICHIGAN	65,607,265
MINNESOTA	39,300,550
MISSISSIPPI	29,797,736
MISSOURI	59,323,624
MONTANA	27,034,888
NEBRASKA	18,489,676
NEVADA	24,132,973
NEW HAMPSHIRE	10,884,741
NEW JERSEY	69,088,294
NEW MEXICO	23,799,238
NEW YORK	114,485,672
NORTH CAROLINA	66,327,579
NORTH DAKOTA	15,829,723
OHIO	85,937,803
OKLAHOMA	40,539,888
OREGON	32,478,293
PENNSYLVANIA	106,764,339
RHODE ISLAND	14,957,696
SOUTH CAROLINA	39,157,634
SOUTH DAKOTA	18,060,164
TENNESSEE	51,950,327
TEXAS	200,895,021
UTAH	21,428,634
VERMONT	12,343,391
VIRGINIA	62,861,937
WASHINGTON	43,727,418
WEST VIRGINIA	26,307,129
WISCONSIN	46,472,817
WYOMING	17,266,413
TOTAL	$2,500,000,000

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

RESCISSION OF UNOBLIGATED BALANCES OF APPORTIONED CONTRACT AUTHORITY PURSUANT TO SECTION 2207 OF THE FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2011, DIVISION B OF PUBLIC LAW 112-10

State name: ______________________________

Amount to be Rescinded: ______________________________

Date completed: ______________________________

Program Code	Program Title	Total Unobligated Balance	Unobligated Balance to be Rescinded
		TOTAL *	________________

***Amount should equal State total from Table 1**

600 NE Grand Ave.
Portland, OR 97232-2736
www.oregonmetro.gov

Metro | Memo

Date: July 7, 2011

To: JPACT and Interested Parties

From: Carlotta Collette

Subject: Update on Transportation Electrification support and Metropolitan Mobility development proposals

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Background

In July 2010, JPACT and the Metro Council directed staff to use the 2014-15 Regional Flexible Funds Allocation to advance a proposal to support region-wide adoption of transportation electrification. At the same time, JPACT and the council directed staff to develop a consensus-based regional strategy to seek state and federal funding targeted to mobility in metropolitan areas (Metro Resolution No. 10-4160). My expectation at that time was that these proposals would be further defined prior to our consideration of them for inclusion in the 2012-15 MTIP.

Today, I am updating you on a proposed approach to asking for JPACT support to delay the development of project details for both of these proposals.

Transportation Electrification

Metro will convene a working group of public and private sector technical staff involved in this field to analyze the potential roles of regional participation. The group will recommend options for TPAC review and for JPACT to release for public comment during the regional flexible fund public comment period in September and October. A list of invited participants is attached.

Metropolitan Mobility

This proposal was written intending to help the region compete for funds that might be available in the next federal transportation authorization bill. Development of that bill in Congress has changed directions and remains undefined since the July 2010 JPACT action. Given there is no consensus on the federal transportation bill, it seems premature to define the most effective way to spend these resources.

Delay in further defining this proposal would result in the following:

1. The proposal would remain intact as currently defined by the JPACT/Council action of July 2010. Staff would seek JPACT approval of a process for defining the programs at a more timely date.
2. JPACT action to further define this proposal could occur at any of the following times:
    a. When a federal transportation authorization bill provides enough direction and confidence for JPACT action;
    b. When 2014-15 regional flexible fund authority becomes imminent and JPACT decides to proceed with further direction on the proposals; or
    c. At the request of the JPACT chair or a majority of the JPACT members to consider an item on the JPACT agenda to further define these proposals.
3. Unless further action is taken by JPACT prior to the adoption of the 2012-15 Metropolitan Transportation Improvement Program (MTIP), currently scheduled for adoption in December

2011, the proposal will be forwarded for adoption as currently defined with a condition that further policy direction will be acted on by JPACT and the Metro Council prior to those funds being obligated for expenditure. As with any project or program proposal, JPACT can act to modify the proposal during the development of its 2012-15 MTIP recommendation.

List of invited participants for the Transportation Electrification work group

Andy Back	Washington County/TPAC
Dan Blue	City of Gresham
Karen Buerig	Clackamas County/TPAC
Peter Brandom	City of Hillsboro
Ronda Chapman-Duer	Washington County
Katja Dillman	City of Portland
Warren Fish	Multnomah County
Ashley Horvat	ODOT
Scott King	Port of Portland
James Mast	Citizen
John Macarthur	Portland State University/OTREC
Young Park	Trimet
Eben Polk	Clackamas County
Paul Shirey	City of Milwaukie
Rian Windsheimer	ODOT/TPAC

DATE:	**July 7, 2011**
TO:	**JPACT**
FROM:	**Randy Tucker, Legislative Affairs Manager**
RE:	**Report on 2011 Legislative Session**

Background: Last winter JPACT and the Metro Council approved Resolution 11-4223, which established the region's transportation agenda for the 2011 legislative session.

While this agenda included some significant proposals, overall it reflected relatively limited ambitions. Among the reasons:

a) The 2009 Legislature passed a major transportation funding package (HB 2001).

b) The economic crisis that began in 2008 continued to acutely affect Oregonians. The effect of the "Great Recession" on the state budget was felt more fully this session as the stream of federal stimulus dollars dried up.

c) The 2010 elections dramatically changed the political dynamics in the Capitol. Whereas Democrats had supermajorities in both houses in 2009, they held on to the Senate by a razor-thin 16-14 margin, and for the first time in Oregon history, the House was evenly divided between Republicans and Democrats. As expected, the even partisan split slowed down or derailed a lot of legislation since either party had effective veto power over any given bill.

Outcomes: Results of the session with respect to items in the region's agenda can be found in the attached exhibit from Resolution 11-4223, which I have annotated with bill numbers and results on each topic. In addition to the items described in the attachment, there were a couple of other items of interest to the region:

- The surprising attack on the Drive Less, Save More program, which resulted in $500,000 being diverted from transportation demand management to elderly and disabled transportation. (The specific impacts on the Drive Less Save More program remain uncertain; the question is whether the cut will be applied across the board or only with respect to the expansion of the program outside the Portland region.)

- Passage of HB 3225, which allows a county to take an exception to develop a transportation facility in an urban reserve designated under SB 1011 (2007).

- The failure of HB 3415, which would have imposed a fee of .1% on all public improvement contracts to support audits conducted by the Secretary of State.

Preparation for 2012 session: Legislative leadership has already issued deadlines and limits for legislation in the short 2012 session, currently scheduled to run from February 1 to March 6 (and limited to 35 days by the 2010 constitutional amendment requiring annual sessions). The tight limits on bill introductions (two bills per member, five per committee) suggest that only high-priority issues will be advanced.

2011 Regional Transportation Agenda:
Specific recommendations, *updated with session outcomes*

HB 2001 – Defend against any efforts to modify in ways that reverse policy direction or reduce funding or authority for the Portland region or its local governments.

No significant efforts to reverse the policy direction established by HB 2001. SB 128 eliminated HB 2001's congestion pricing pilot program. The original champion of that program, Sen. Bruce Starr, criticized the management of the pilot program and said it was not going in a direction that was likely to fulfill his original hopes for it. However, the program probably was not originally designed and funded in a way that would have allowed it to achieve a larger vision.

Columbia River Crossing – Support state funding approach that recognizes statewide importance of this project.

HJR 22, urging the federal government to fund the CRC, became a bit of a political football and died in the House Revenue Committee.

ConnectOregon 4 – Support a fourth round of *ConnectOregon* funding. *[HB 2166, HB 2626]*

A fourth round of ConnectOregon funding was approved in the lottery bill, HB 5036. While the first three rounds of ConnectOregon each authorized $100 million in lottery bonds for multimodal projects, the program this year was pared back to $40 million.

Mileage-based fee – Support a mileage-based fee on electric and plug-in hybrid electric vehicles to account for impacts from vehicles that generate little or no gas tax. *[HB 2328]*

HB 2328 did not pass but conversations continue and the bill could come up in 2012. It required owners of electric or plug-in hybrid vehicles, beginning with the 2016 model year, to pay either 0.85 cents per mile or a flat fee of $300 to offset gas taxes not paid. In 2018 the per-mile rate rose to 1.56 cents and the flat fee option was eliminated.

High-speed rail – Support continued development of high-speed rail. Establish a transparent and accountable decision making process that includes regional representation.

No action.

Transportation Planning Rule – Support rulemaking to remove barriers to implementation of the 2040 Growth Concept.

SB 795 went through several iterations but ended up merely directing ODOT and DLCD to revisit the TPR, which they are already doing, "to better balance economic development and the efficiency of urban development with consideration of development of the transportation infrastructure."

Access management – Support an approach to access management that (a) better balances traffic operations with community and economic development by developing standards that work in an urban environment; (b) improves safety for all modes, including biking and walking, on urban arterials; and (c) embraces the participation of key stakeholders.

SB 264 passed. Among its provisions, it revises state access management standards so as to (a) weaken the state's authority to manage access to lower speed, lower traffic, and lower classification state roadways; (b) restrict ODOT's use of physical medians for access management or safety at new access points; and (c) establish additional access flexibility for infill development. The *bill also requires any jurisdictional transfer to a city or county to include provisions to ensure freight movement is not restricted, "unless the Oregon Transportation Commission, in consultation with the freight industry and the [city or county], concludes that the restriction is necessary for the safety of the highway users."*

High-capacity transit –Support state funding to match regional contributions to Southwest Corridor and Lake Oswego Streetcar projects.

No dollars allocated this session.

Dedicated transit funding – Support efforts to identify dedicated funding for public transit. *[HB 2582]*

Nothing happened, though conversations continue related to the senior medical deduction.

Active transportation – Continue investment of state transportation funds to bicycle and pedestrian facilities outside the road right-of-way by allocating $2 million to Urban Trail Fund to be distributed through a competitive process.

No dollars allocated.

Recreational immunity – Extend legal immunity to property owners who allow the use of trails on their land for transportation purposes.

HB 2865 passed. The bill originally applied only to cities larger than 500,000 (i.e., Portland), but was amended to allow smaller cities to opt in.

Low-speed greenways – Authorize local governments to facilitate safer walking and cycling by reducing speed limits on low-volume, low-speed neighborhood streets.

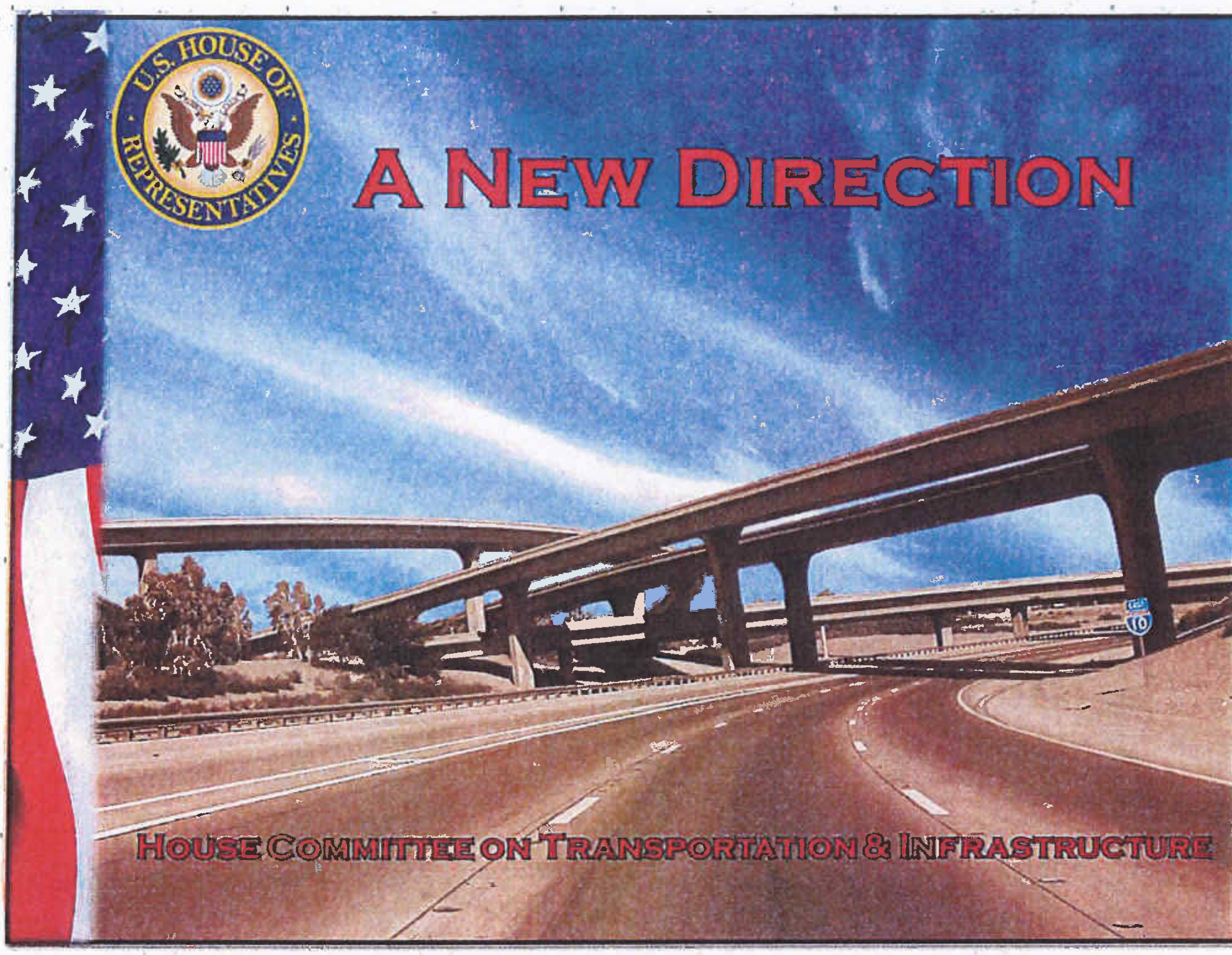
HB 3150 passed.

Climate – Monitor, and support as appropriate, legislation related to the Oregon Sustainable Transportation Initiative, proposals of the Oregon Global Warming Commission related to transportation, and other statewide efforts.

No significant legislation.

Business Energy Tax Credit – Oppose efforts to reduce or curtail use of the BETC for transportation-related conservation measures.

This program underwent a major overhaul in HB 3672; the new program ramps down and then phases out all transportation-related tax credits by 1/1/16 except those related to "alternative fuel vehicle infrastructure."



TRANSPORTATION REAUTHORIZATION PROPOSAL

JOHN L. MICA, CHAIRMAN
TRANSPORTATION AND INFRASTRUCTURE COMMITTEE

JOHN J. DUNCAN, JR., CHAIRMAN
HIGHWAYS AND TRANSIT SUBCOMMITTEE

FRANK LOBIONDO, CHAIRMAN
COAST GUARD AND MARITIME TRANSPORTATION SUBCOMMITTEE

BILL SHUSTER, CHAIRMAN
RAILROADS, PIPELINES AND HAZARDOUS MATERIALS SUBCOMMITTEE

BOB GIBBS, CHAIRMAN
WATER RESOURCES AND ENVIRONMENT SUBCOMMITTEE

TABLE OF CONTENTS

INTRODUCTION

The American people want the federal government to ensure their hard-earned tax dollars are wisely and effectively invested in improvements for the nation's infrastructure. They want investments in transportation systems to create jobs and a stronger economy.

The American people also want an end to bureaucracy, red tape, and wasteful programs. They want Washington to live within its means and make the difficult but necessary spending decisions that all Americans are forced to make for their own households. They want reform.

This fiscally responsible, multi-year proposal follows these clear mandates from the American people and creates long-term jobs by:

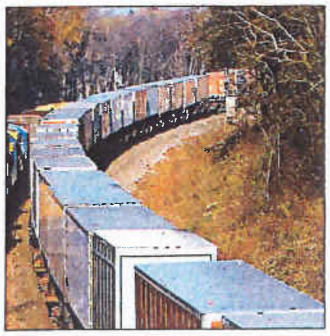
- Better leveraging and maximizing the value of limited federal resources,
- Streamlining the project approval process,
- Reforming our federal transportation programs,
- Reducing the federal bureaucracy,
- Improving programs that don't work while building upon programs that work well, and
- Providing flexibility to states to address their own unique, critical infrastructure needs.

This proposal reauthorizes the federal highway, transit, and highway safety programs and ensures that the revenues deposited into the Highway Trust Fund are used for their intended purposes. Long-term funding for these programs is essential for states to plan major infrastructure improvements. By reducing the federal bureaucracy, eliminating waste, and cutting red tape to make infrastructure programs work better, we can do more with less.

Transportation safety is a key component of this proposal, which ensures that as we seek to streamline federal programs and processes, safety also is improved.

This comprehensive proposal also makes significant reforms and improvements to federal policies and programs relating to freight and passenger rail transportation, hazardous material transportation, and maritime and waterborne transportation. More than ever, the nation's transportation systems must work together as a seamless network in order to ensure the flow of commerce and provide a sound basis for economic growth.

This is a fiscally responsible proposal that maximizes the value of our precious resources, reforms transportation programs, speeds up the completion of projects, and reduces the size of government in order to more effectively build our infrastructure and create jobs for America.



STABILIZING THE HIGHWAY TRUST FUND

As the national debt increases, the American people are becoming more frustrated with the federal government spending money it does not have. Congress must align its spending with the amount of revenue collected.

The foundation of the nation's system for funding highway and transit projects is the Highway Trust Fund. User fees — gas taxes — are deposited into the Trust Fund and distributed to states and transit agencies by formula. The promise of the Trust Fund is that these fees paid by the American people when they use the transportation system will be reinvested in projects that improve their highways, bridges, and transit systems, and not spent on other unrelated federal programs.

The Trust Fund has been essential to the success of our national transportation system because it ensures a reliable source of infrastructure funding for the states and transit agencies that allows them to plan for large multi-year projects and create long-term jobs.

However, if fiscal stability is not restored to the Highway Trust Fund, we risk losing it. In 2010, the Trust Fund brought in $35 billion in revenue, but $50 billion in spending was authorized. Over the past three years, Congress has had to transfer approximately $35 billion from the General Fund into the Highway Trust Fund to keep it solvent. Continued spending at this unsustainable rate will ensure the Trust Fund goes broke in 2013. Driving the Trust Fund into bankruptcy may result in once again having to rely on general federal revenues and the unpredictable annual appropriations process for transportation funding. This will eliminate the necessary stability the Trust Fund provides states and transit agencies.

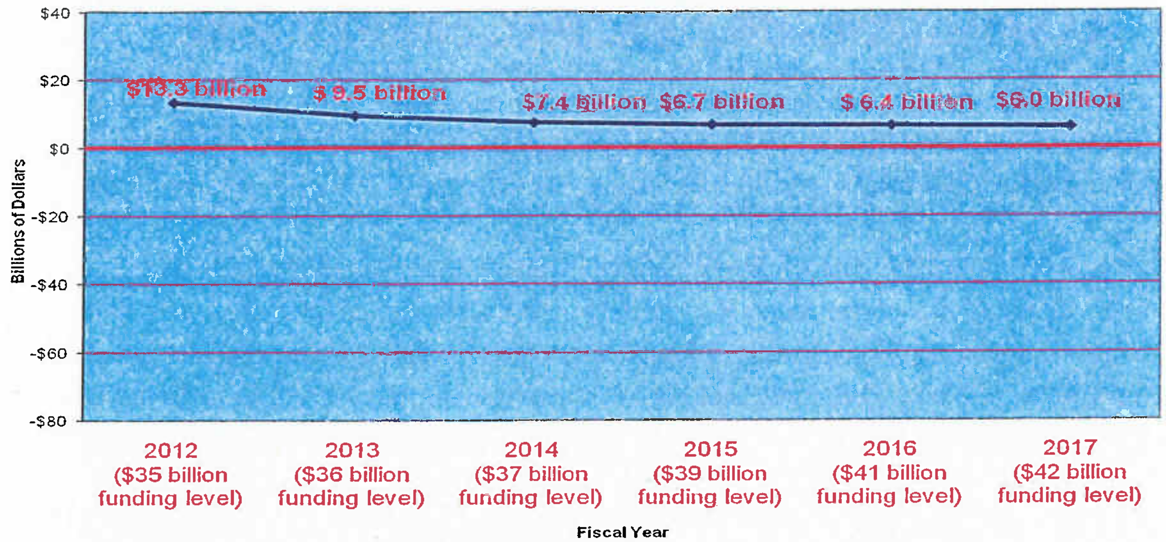
This proposal puts the "trust" back into the Trust Fund by ensuring that the nation is not spending money it does not have and aligning transportation expenditures with revenues. It authorizes approximately $230 billion over six years from the Highway Trust Fund — funding levels consistent with the amount of revenue being collected — and allows the Trust Fund to stay solvent well into the future.

Other options simply are not fiscally responsible or realistic. Neither Congress nor the Administration will support an increase in the gas tax. The Trust Fund cannot support a two-year bill at current spending levels, as some have proposed. Even extending funding for one year at current levels would require a 50% cut in 2013 to keep the Trust Fund solvent.

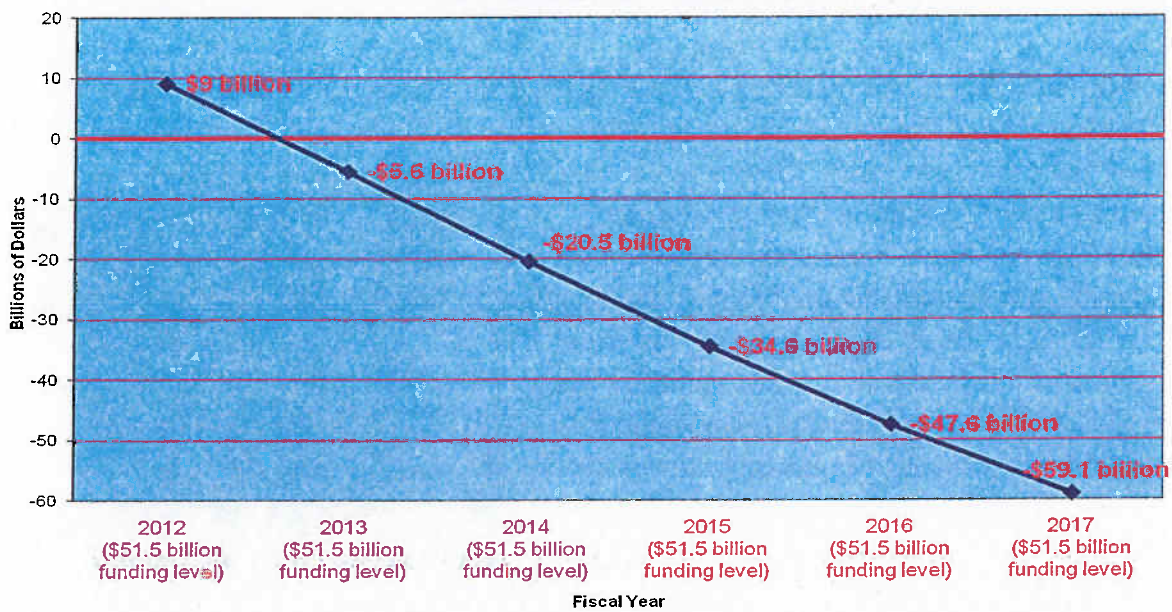
We must maintain the long-term viability of the Highway Trust Fund and ensure that the federal government stops spending money it does not have.

See charts on the following page for a comparison of Trust Fund solvency under various proposals.

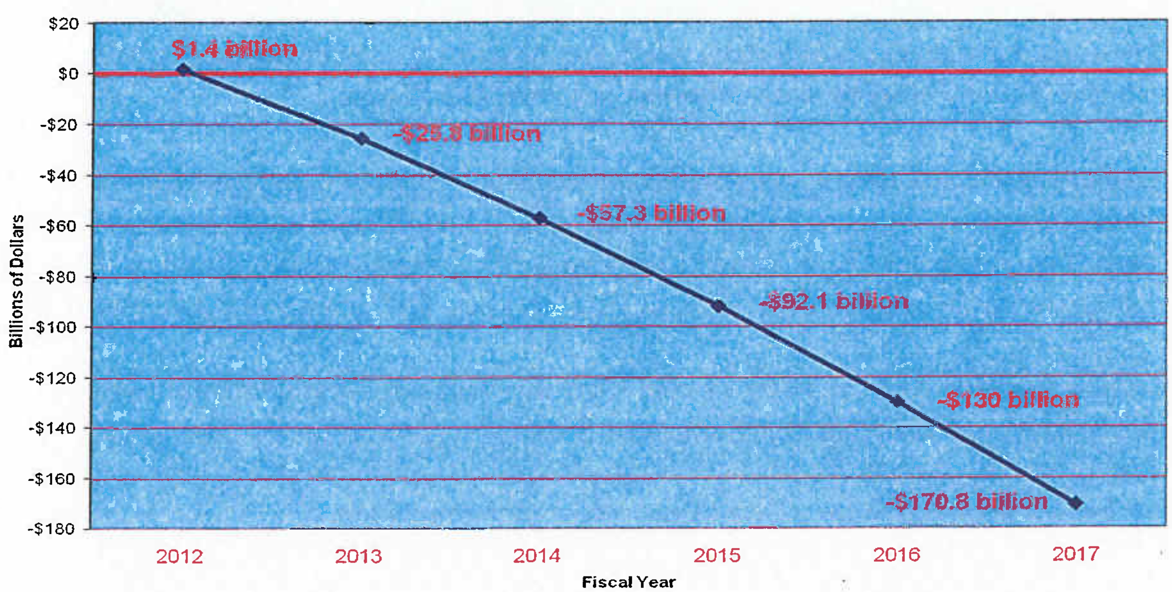
Highway Trust Fund Balance
Under the House Transportation Reauthorization Proposal



Highway Trust Fund Balance
If Current Funding Levels are Maintained



Highway Trust Fund Balance
Under the Administration's Proposal



Maximizing Existing Revenue

As federal spending is realigned with available revenues, the impact of our limited resources must be maximized. This proposal will increase the value of infrastructure resources in a number of ways, including better leveraging existing federal funds and adopting policies that will attract private sector investment.

Private sector interest in infrastructure investment is considerable, and encouraging the private sector to responsibly partner with federal and state governments can significantly enhance the amount of available federal revenue. While public-private partnerships cannot address all of our infrastructure needs, significant changes in existing programs and policy will propel private sector investment.

This proposal builds upon and improves the successful Transportation Infrastructure Finance and Innovation Act (TIFIA) loan program. The measure dedicates $6 billion to the TIFIA program resulting in $60 billion in low interest loans to fund at least $120 billion in transportation projects. Providing additional funding for TIFIA will help meet demand for credit assistance for transportation projects and enable increased leveraging of Highway Trust Fund dollars with state, local and private-sector funding.

Under this initiative, existing lanes on the Interstate Highway System remain toll-free, however states will have the ability to toll new capacity on the Interstate System. States will also have greater flexibility to toll non-Interstate highways.

The proposal rewards states that create and capitalize state Infrastructure Banks to provide loans for transportation projects at the state and local level. The percentage of federal highway funding that a state can dedicate to a State Infrastructure Bank will be increased from 10 percent to 15 percent and states will receive a specific amount of funding that can only be used to fund State Infrastructure Banks.

This initiative also unlocks existing revenue sources that are not being fully utilized for their intended purpose. The Harbor Maintenance Trust Fund is supported by cargo fees and is critical for dredging and harbor channel improvements. Despite growing maritime infrastructure needs, these funds are not being used to maintain our ports. This proposal ensures that these funds are properly used to improve the nation's harbors.

This measure improves the underutilized Rail Rehabilitation and Improvement Financing (RRIF) Program by creating a faster and more predictable application process and allowing more flexibility in loan terms. While RRIF was created to allow for loans and loan guarantees to help improve the nation's rail infrastructure, the slow process for approval and constricting terms have stunted its potential. This proposal ensures the program is able to help address the nation's growing rail infrastructure needs at a time when the economy is continuing its recovery.

These initiatives will allow federal dollars to work more effectively and generate additional revenue for infrastructure investment. Better leveraging of resources is a key component of this proposal and will ensure greater value per dollar compared to previous transportation bills.

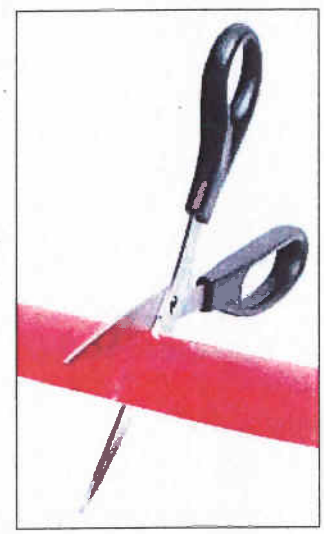
Streamlining Project Delivery & Cutting Red Tape

Government bureaucracy and red tape in the approval and permitting process cause infrastructure projects to be needlessly delayed. According to the Federal Highway Administration, highway projects can take up to 15 years to complete. While state and local governments deal with the seemingly endless review process, transportation capacity and safety improvements stall, construction costs escalate, and job creation remains on hold.

For example, after a series of fatal accidents on a roadway in Toulumne County, California, a project was proposed to widen the roadway by no more than two feet in any location, construct 2,000 feet of new guardrail, replace two culvert pipes, and resurface the road. This project took over seven years just to complete the environmental reviews and permit approvals. Unfortunately, during that seven year period there were additional serious accidents on the roadway that could have been avoided.

Project reviews are necessary to help protect the environment, but a more reasonable process is essential to using our resources more effectively. It can be done. When a design flaw caused the collapse of the I-35W bridge in Minnesota in 2007, the replacement was contracted to be completed in just 437 days and was completed significantly ahead of schedule using innovative contracting methods and a streamlined environmental review process.

This proposal employs lessons from these and other examples to streamline and condense the project review process by cutting bureaucratic red tape, allowing federal agencies to review transportation projects concurrently, setting hard deadlines for federal agencies to approve projects, and delegating more decision making authority to states.



Efficient Environmental Reviews

- Condenses the final environmental impact statement and combines it with the record of decision.
- Provides a single system to review decisions and reduce bureaucratic delay by requiring concurrent reviews and setting deadlines for approvals.
- Classifies projects in the right-of-way as categorical exclusions under NEPA.

Clarifies Eligibility for Pre-Construction Activities

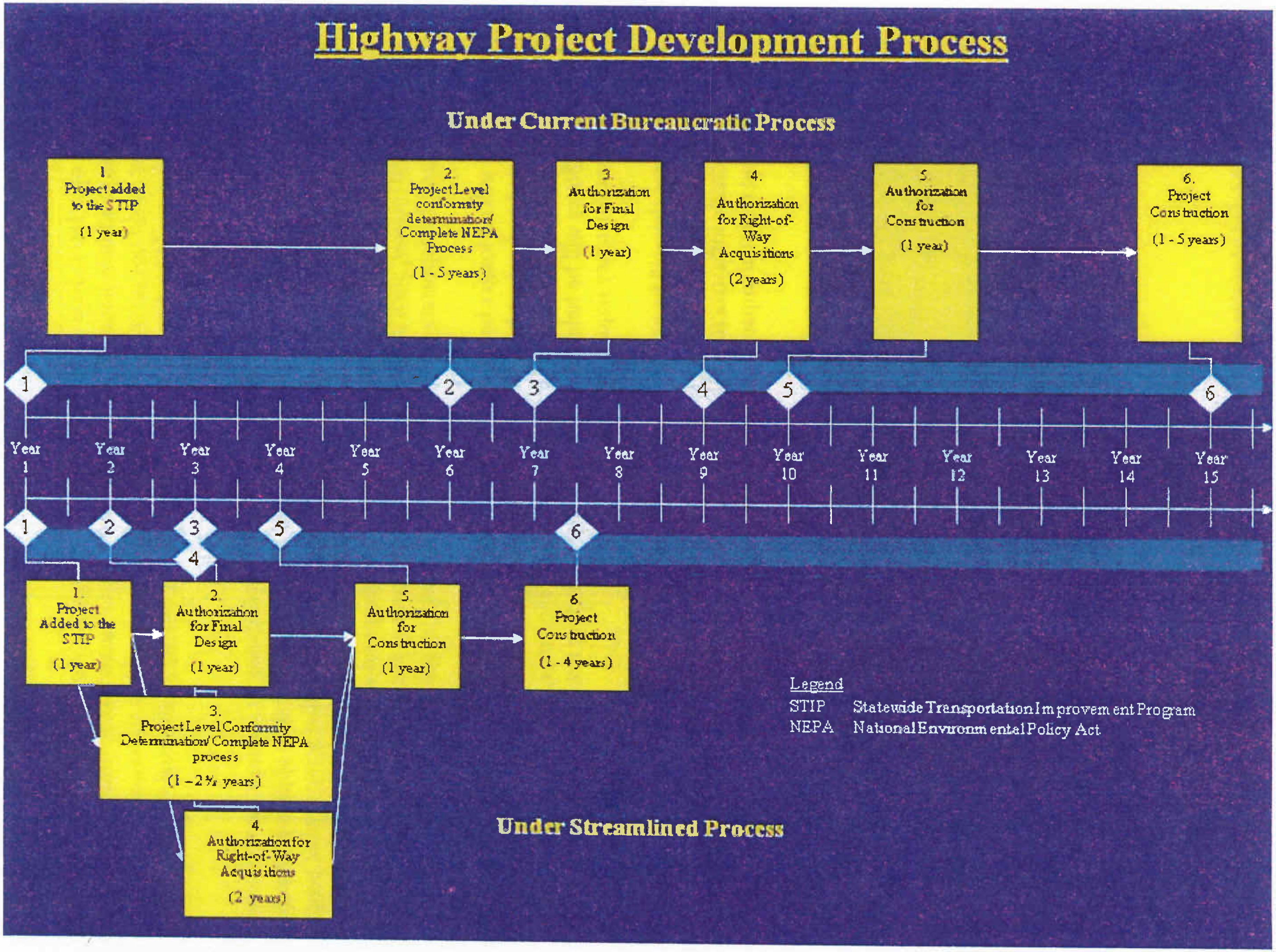
- Allows for acquisition of land during NEPA where the transaction itself does not cause a change in the area's land use or cause adverse environmental effects.
- Encourages corridor preservation to reduce project costs, delays, and impacts on communities.
- Allows detailed design prior to NEPA completion at state expense, making such work eligible for federal reimbursement only if the project is subsequently approved.

Promotes Integrated Planning and Programmatic Approaches

- Builds on the efforts in section 6001 of SAFETEA-LU and allows environmental decisions made in the planning process to be carried forward into the NEPA process.
- Clarifies authority for programmatic approaches (rather than project-by-project reviews).

By cutting the project review process time in half, we can ensure environmental protections remain in place while investing infrastructure resources in a much more effective manner.

 See chart on the following page for a comparison of the current bureaucratic process and the streamlined process under the proposal.



Highway Project Development Process
Under Current Bureaucratic Process
1 Project added to the STIP (1 year)
2. Project Level conformity determination/ Complete NEPA Process (1 - 5 years)
3. Authorization for Final Design (1 year)
4. Authorization for Right-of-Way Acquisitions (2 years)
5. Authorization for Construction (1 year)
6. Project Construction (1 - 5 years)
Year 1
Year 2
Year 3
Year 4
Year 5
Year 6
Year 7
Year 8
Year 9
Year 10
Year 11
Year 12
Year 13
Year 14
Year 15
1. Project Added to the STIP (1 year)
2. Authorization for Final Design (1 year)
3. Project Level Conformity Determination/ Complete NEPA process (1 – 2½ years)
4. Authorization for Right-of-Way Acquisitions (2 years)
5. Authorization for Construction (1 year)
6. Project Construction (1 - 4 years)
Legend
STIP Statewide Transportation Improvement Program
NEPA National Environmental Policy Act
Under Streamlined Process

Program Reform & Reducing the Size of Government

We can also increase the value of our infrastructure resources by cutting the size of government.

Currently, there are over 100 federal surface transportation programs, dozens of which were created over the last 50 years to address issues beyond the original programmatic goals. Many of these programs are duplicative or do not serve a national interest; they simply add to the massive federal bureaucracy. Dollars that could be directed to infrastructure must instead be diverted to keep numerous programs operational.

This proposal reforms surface transportation programs by consolidating or eliminating approximately 70 programs that are duplicative or do not serve a federal purpose. Rather than applying spending cuts evenly across all existing programs, this proposal identifies programs that serve similar purposes, such as the Indian Reservation Roads Program and the Transit on Indian Reservations Program, and consolidates them into a Tribal Transportation Program. The proposal also identifies programs that do not serve a federal interest, such as the National Historic Covered Bridge Preservation Program and the Nonmotorized Transportation Pilot Program, and eliminates them.

Furthermore, states will no longer be required to spend highway funding on non-highway activities. States will be permitted to fund such activities if they choose, but they will be provided the flexibility to identify and address their most critical infrastructure needs. However, this additional flexibility will not be unchecked. States will be held accountable for their spending decisions through new performance measures and transparency requirements.

Many of the programs that will be consolidated or eliminated in this proposal were created during a period when it was common to spend more than was collected in transportation revenue. We can do more with less and create infrastructure jobs by targeting federal funding to programs and projects that have regional and national impacts and eliminating programs that do not.

See the following page for a chart representing current surface transportation programmatic bureaucracy.

Current Surface Transportation Programs & Bureaucracy

FTA

- Metropolitan & Statewide Planning (5303, 5304, 5305)
- Urbanized Area Formula Grants (5307)
- Clean Fuels Grant Program (5308)
- Major Capital Investments (New Starts) (5309(d))
- Major Capital Investments (Small Starts) (5309(e))
- Fixed Guideway Modernization (5309)
- Bus and Bus Facilities (5309, 5318)
- Formula Grants for Special Needs for Elderly Individuals and Individuals with Disabilities (5310)
- Nonurbanized Area Formula Grants (5311)
- Rural Transit Assistance Program (5311((b)(3)))
- Public Transportation on Indian Reservations (5311(c))
- Transit Cooperative Research Program (5313)
- National Research & Technology Program (5314)
- Job Access and Reverse Commute Program (5316)
- New Freedom Program (5317)
- Alternative Transportation in Parks and Public Lands (5320)
- Alternatives Analysis (5339)
- University Transportation Centers Program (TEA-21 5505)
- Over the Road Bus Program/Over the Road Bus Accessibility (3038)
- National Fuel Cell Technology Development Program (SAFETEA-LU 3045)

NHTSA

- State and Community Highway Safety Grants (Sec. 402)
- Highway Safety Research and Development (Sec. 403)
- Occupant Protection Incentive Grants (Sec. 405)
- Safety Belt Performance Grants (Sec. 406)
- State Traffic Safety Information System Improvements (Sec. 408)
- Alcohol-Impaired Driving Countermeasures Incentive Grant Program (Sec. 410)
- National Driver Register (Chapter 303 of 49 USC)
- High Visibility Enforcement (Sec. 2009 of Act)
- Motorcyclist Safety (Sec. 2010 of Act)
- Child Safety and Child Booster Seat Safety Incentive Grants (Sec. 2011 of Act)
- Administrative Expenses for Programs under Chapter 4 of 23 USC

FMCSA

- Motor Carrier Safety Grants (49 USC 31104(a))
- Administrative Expenses (49 USC 31104)
- Commercial Driver's License Program Improvement Grants (49 USC 31313)
- Border Enforcement Grants (49 USC 31107)
- Performance and Registration Information System Management Grant Program (49 USC 31109)
- Commercial Vehicle Information Systems and Networks Deployment (4126 of Act)
- Safety Data Improvement Grants (Sec. 4128 of Act)
- Commercial Driver's License Information System Modernization (49 USC 31309)
- Chapter 55 of 49 USC, Intermodal Transportation (GF)

FHWA

- Interstate Maintenance Program (Sec. 119 & 104(b)(4))
  - Interstate Maintenance Discretionary Program (Takedown) (Sec. 118(c))
- National Highway System (Sec. 103 & 104(b)(1))
  - Alaska Highway (Takedown) (Sec. 104(b)(1)(A))
  - Territorial Highway Program (Takedown) (Secs. 1118 of Act & 104(b)(1)(A))
- Bridge Program (Sec. 144)
  - Bridge Setaside for Designated Projects (Takedown) (Sec 144(g))
  - Off-system Bridges and Completion of Warwick Intermodal Station (Setaside of NLT 15%) (Sec 144(g)(3)(A))
- Surface Transportation Program (Sec. 133 & 104(b)(3))
  - On-the-Job Training/Supportive Services (Takedown) (Sec. 140(b))
  - DBE Training (Takedown) (Sec. 140(c))
- Congestion Mitigation and Air Quality Improvement Program (Sec. 149 & 104(b)(2)
- Highway Safety Improvement Program (Sec. 148 & 104(b)(5))
  - Elimination of Hazards and Installation of Protective Devices at Railway-Highway Crossings (Takedown) (Sec. 130)
    - *Protective Devices at Railway-Highway Crossings (50% Setaside) (Sec. 130(e))*
  - High Risk Rural Roads (Setaside) (Sec. 148(f))
- Appalachian Development Highway System (Sec. 170 & Subtitle IV of 40 USC)
- Recreational Trails Program (Sec. 206)
- Metropolitan Planning (takedown from various programs)
- Emergency Relief (permanent authorization from GF)
- Federal Lands Highways Program
  - Indian Reservation Roads (Sec. 204)
  - Park Roads and Parkways (Sec. 204)
  - Refuge Roads (Sec. 204)
  - Public Lands Highways (Sec. 204)
    - Public Lands Discretionary (34% Setaside) (Sec. 202(b))
    - Forest Highways (66% Setaside) (Secs. 202(b) & 134 of STURAA)
- National Corridor Infrastructure Improvement Program (Sec. 1302 of Act)
- Coordinated Border Infrastructure Program (Sec. 1303 of Act)
- National Scenic Byways Program (Sec. 162)
- Construction of Ferry Boats and Ferry Terminal Facilities (Sec. 147)
- Puerto Rico Highway Program (Sec. 165)
- Projects of National and Regional Significance (Sec. 1301 of Act)
- High Priority Projects Program (Sec. 117 and Sec. 1702 of Act)
- Safe Routes to School Program (Sec. 1404 of Act)
- Deployment of Magnetic Levitation Transportation Projects (Sec. 1307) STA
- Highways for LIFE (Sec. 1502 of Act)
- Highway Use Tax Evasion Projects (Sec. 143)(Sec. 1115)
- Operation Lifesaver (Setaside from STP in 2005)
- Rail-Highway X-ing Hazard Elim. in High Speed Rail Corridors (Sec. 104(d)(2)) (STP Takedown in 2005)
- Equity Bonus Program (Sec. 105)
- Revenue Aligned Budget Authority (Sec. 110)
- Transportation, Community, and System Preservation Program
- Indian Reservation Road Bridges (Sec. 202)
- Truck Parking Facilities
- Freight Intermodal Distribution Pilot Grant Program
- Delta Region Transportation Development Program
- Work Zone Safety Grants
- Transportation Infrastructure Finance and Innovation Act Amendments (Secs. 601-609)
- Value Pricing Pilot Program (Sec. 1012(b) of ISTEA)
- National Historic Covered Bridge Preservation
- Additional Authorization of Contract Authority for States with Indian Reservations (Sec. 1214(d)(5)(A) of TEA-21)
- Nonmotorized Transportation Pilot Program
- Grant Program to Prohibit Racial Profiling
- Transportation Projects (ssambn to make specified allocations)
- Denali Access System Program
- Surface Transportation Research Program (Secs. 502, 503, 506, 507, 509, 510 and Secs. 5201, 5203, 5204, 5309, 5501-5504, 5506, 5511, 5512, 5513 of Act)
- Training and Education (Sec. 504 and Sec. 5211 of Act)
- Bureau of Transportation Statistics (Sec. 111 of Title 49)
- University Transportation Research (Secs. 5505-5506 of Title 49)
- Intelligent Transportation Systems Research (Subtitle C of Title V of Act)

Short-Term Alternatives: Long-Term Failure

A multi-year bill that stabilizes the Highway Trust Fund is the responsible approach to investing in our nation's transportation infrastructure and providing the essential stability for states to plan major projects.

Proceeding with a short-term bill instead of a multi-year proposal will have the following impacts:

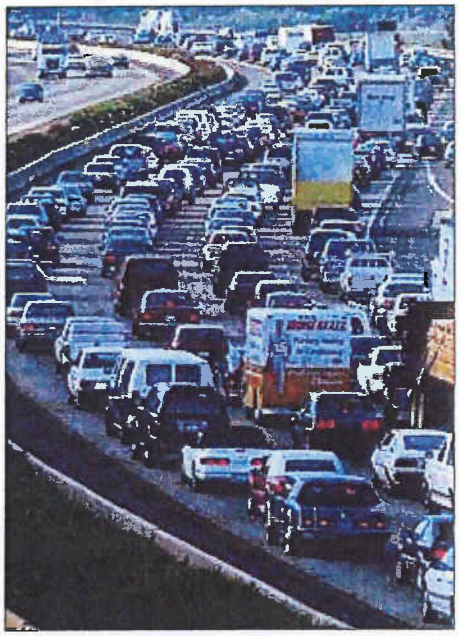
- The Highway Trust Fund will remain on a path to insolvency.
- States will not have the funding stability they need for long-term project planning.
- Federal infrastructure programs and policies will go without reform and the already bloated federal bureaucracy will continue to expand.
- The project approval process will continue to be bogged down in bureaucratic red tape.
- Existing federal resources will not be leveraged for maximum value.
- Opportunities will be missed to build upon programs that work well, such as TIFIA, and improve programs that don't, such as RRIF.
- Duplicative and non-essential federal programs will be continued, wasting tax dollars.
- Funds in the Harbor Maintenance Trust Fund will continue to be withheld from investment in harbor channel maintenance.

Federal Highway Program

Fifty years ago the goal of the Federal Highway Program was to fund road construction projects that facilitated interstate travel and interstate commerce. After the Interstate Highway System was largely completed, the Federal Highway Program began to fund a broader range of projects. Today there are more than 50 programs run by the Federal Highway Administration that fund projects ranging from graffiti removal to planting of wildflowers.

This proposal will eliminate approximately 40 Federal Highway Administration programs and focus our limited federal resources on projects that have regional or national significance. Federal approvals and processes are streamlined to ensure projects are expedited, and administrative overhead is reduced through programmatic reform, increasing the amount of funding available for projects.

State Flexibility and Accountability



- States will maintain the opportunity to fund the broad range of eligible projects under the current Surface Transportation and Congestion Mitigation and Air Quality programs, but they will not be required to spend a specific amount of funding on specific types of projects, such as transportation museums or landscaping.
- More than 90 percent of Federal Highway Program funding will be distributed through formula programs to state departments of transportation, allowing state and local transportation officials to prioritize projects rather than bureaucrats in Washington D.C.
- States are provided the maximum amount of flexibility in choosing what projects to fund with their federal highway dollars, but will be held accountable for those choices through performance measures and transparency requirements.

A Focus on the National Highway System

- The new Federal Highway Program focuses primarily on the National Highway System – a 160,000 mile system of roads that includes the Interstate Highway System and other roads important to the nation's economy, defense and freight mobility.
- More than half of the funding provided for the Federal Highway Program is directed to funding projects on the National Highway System.

Highway Safety

- The proposal continues the Highway Safety Improvement Program and allows funding to be used on safety projects on virtually any road.

Improved Leveraging of Resources

- In order to better leverage our limited federal resources, the Federal Highway Program funds the TIFIA program at $1 billion a year and distributes funding to states to capitalize State Infrastructure Banks. This keeps the federal financing bureaucracy at a minimum and maximizes states' financial capabilities.

Federal Transit Programs

The federal transit programs must do more with less. Current program funding levels are not sustainable, and this proposal focuses on policies and programs that most effectively contribute to public transportation services that meet the needs of commuters, transit-dependent individuals, and occasional transit riders.

Private Sector Partnering

- Removes current barriers that prevent the private sector from offering public transportation services.
- Provides incentives to vanpools and intercity bus operators to participate in federally-supported transit services.
- Requires that private intercity and charter bus operators be given reasonable access to federally-funded transit facilities.
- Encourages and rewards public-private partnerships when building new rail transit systems.

Focuses on Formula Programs

- Repeals discretionary programs that are unpredictable and not transparent, and focuses available funding on formula programs that provide stable and predictable funding to states and local transit agencies.
- Increases the percentage of available formula funds for transit programs that benefit suburban and rural areas, and programs that support transit services for the elderly, disabled, and transit-dependent.

Streamlines and Simplifies

- Consolidates and simplifies human service transportation programs from three separate programs to one.
- Streamlines the New Starts and Small Starts competitive grant program, cutting project development time in half.

Improves Transit Safety

- Strengthens the rail transit safety oversight program without creating a new federal transit safety bureaucracy.

Demands Better Performance

- Emphasizes and incentivizes improved performance by establishing performance management targets for all formula grant programs and incentivizing higher ridership through incorporating performance factors in apportionment formulas.

Highway & Motor Carrier Safety

Since 2005, highway fatalities have steadily declined from 43,510 to 33,808 in 2009. There also has been a dramatic reduction in severe and fatal crashes involving large trucks and buses in recent years with fatalities from crashes dropping from 5,116 in 2007 to 3,619 in 2009.

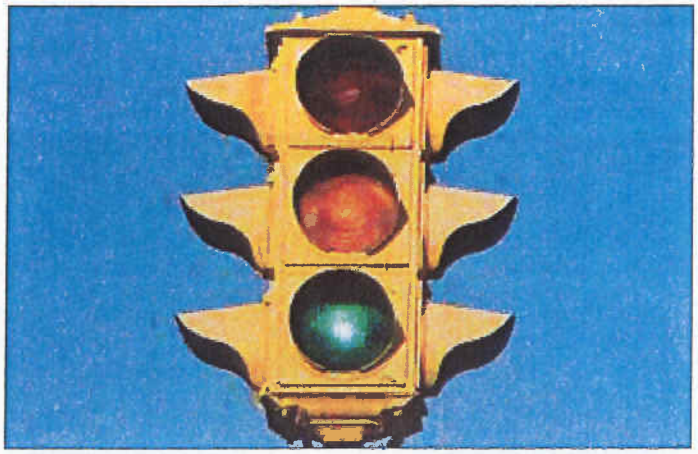
Reauthorization of the highway and motor carrier safety programs will continue the progress made in recent years by incorporating performance measures into each state's highway safety plan. Each state is required to establish quantifiable targets for each performance measure. This will help states target the most effective highway and motor carrier safety activities and hold states accountable for how they spend their federal funding.

NHTSA Safety Programs

- Focuses funding on NHTSA's highway safety grant program that distributes money to states through a formula for highway safety activities.
- Clarifies that states can use highway safety grant funding for initiatives to increase seat belt use, prevent impaired driving, and improve motorcycle safety.
- Changes the distribution formula for NHTSA's highway safety grant program so states that have laws and programs designed to increase seat belt use, prevent impaired driving, or improve the safety of young drivers receive more funding.
- Holds states accountable by requiring them to spend federal funding in areas where they are not meeting performance goals.

Motor Carrier Safety Programs

- Ensures that federal regulations keep unsafe trucks and buses off the road while allowing companies that operate in a safe and responsible manner to continue to do so.
- Prevents companies that have been shut down for violating safety standards from reincarnating as new carriers to avoid compliance.
- Consolidates grant programs and institutes new performance measures to focus state motor carrier safety efforts on reducing the number of crashes and fatalities involving large trucks and buses.
- Establishes annual inspection programs for buses.
- Requires the Secretary to establish a clearinghouse of positive drug and alcohol test results by commercial drivers.
- Requires the Secretary to prescribe regulations to establish minimum training requirements for commercial drivers.



Hazardous Materials Transportation

The Pipeline and Hazardous Materials Safety Administration oversees the safe and secure shipment of nearly 1.4 million daily movements of hazardous materials, including such common products as paints, fuels, fertilizers, alcohols, chlorine, fireworks, and batteries that are essential to the general public and local economies.

This proposal advances safety, efficiency, and accountability in the transportation of hazardous materials and promotes the nation's economic health through certainty and uniformity in the regulation of those materials.

Promotes Regulatory Certainty and Transparency

- Requires regulations to be cost-effective and based on science, not overly burdensome, and take into account the economy, private industry, and jobs.
- Establishes regulatory certainty through notice and comment rulemaking.
- Promotes efficiency by incorporating safe special permits into regulations.
- Requires program review to improve administration of motor carrier permitting.

Creates Uniformity to Grow Business and the Economy

- Eliminates differing state requirements for notification, enforcement, and permitting that hinder the free-flow of commerce and do not increase safety levels.
- Establishes uniform training and enforcement among the states.
- Ensures the nation's expert on hazardous materials transportation remains its international representative.
- Eliminates overlapping federal jurisdiction.
- Protects economic growth by preempting unreasonable burdens on commerce.

Reduces Regulatory Burdens

- Bans certain regulations whose cost-effectiveness is unproven.
- Ensures no new user fees will be imposed on the industry.
- Eliminates unnecessary package inspections that burden commerce.
- Ensures penalties are fairly imposed on those entities responsible for violations.

Promotes Accountability and Saves Money

- Allows flexibility and requires accountability in managing grant programs.
- Eliminates wasteful earmarks.

Rail Transportation

Government must do more with less and leverage its federal investments to the fullest extent. Additionally, regulatory overreach and misguided spending programs are crippling our economy, stifling job creation, and wasting our limited federal resources. This proposal streamlines the project delivery process, reduces regulatory burdens, and promotes accountability and responsibility while maintaining the highest commitment to rail safety.

Doing More With Less and Leveraging Federal Investments

- Creates a faster and more predictable application process for Rail Rehabilitation and Improvement Financing (RRIF) loans.
- Increases access to the RRIF program by providing more flexible loan terms.
- Makes high-speed rail projects eligible for RRIF loans.

Streamlining Project Delivery

- Expedites project review which reduces costs to project sponsors.
- Increases coordination among federal agencies and allows for review of projects concurrently.
- Creates greater certainty by establishing hard deadlines for agency action and decisions.
- Delegates more decision making authority to the states.
- Expands classes of projects excluded from extensive environmental review.

Reducing Regulatory Burdens

- Increases the opportunity for the successful implementation for Positive Train Control (PTC) by changing the implementation deadline, providing clear direction for rail carriers, and allowing for technology neutral solutions, while maintaining our commitment to safety.
- Improves the rulemaking process at the Federal Railroad Administration to protect against overly-burdensome regulations and red tape.

Reforming Amtrak and the High-Speed Rail Program

- Places limits on Amtrak's use of federal funds to focus it on providing better service.
- Ensures high-speed rail projects are truly high-speed in their definition and design.
- Cuts Amtrak's operating subsidy by 25 percent in FY 2012 and 2013.
- Leverages private sector dollars and expertise for high-speed rail project financing.
- Requires transparency in project funding application evaluation and selection.

Promoting Accountability and Saving Money

- Repeals the Capital Investment Grants to Support Intercity Passenger Rail Program to prevent the Administration from continuing to give federal funds to low-speed rail projects, saving $1.1 billion in FY 2012 and FY 2013.
- Eliminates the congestion grants set aside program in the Intercity Passenger Rail grants program, currently authorized at $100 million per year in FY 2012 and 2013.
- Terminates Capital Grants for Rail Line Relocation, a program whose authorization expired in FY 2009 but continues to receive appropriations.

MARITIME TRANSPORTATION

Waterborne trade at our nation's ports is vital to the American economy, and millions of jobs throughout the country are dependent upon the commercial shipping industry. This proposal will reform and streamline maritime programs and policies to remove impediments to this cheap, safe and environmentally-friendly form of transportation.

Ensures Dedicated Funds Go to Infrastructure Programs

- The Harbor Maintenance Trust Fund (HMTF) provides funds for the United States Army Corps of Engineers (Corps) to carry out the dredging of navigation channels to their authorized depths and widths. The HMTF is based upon a user fee collected from shippers that utilize the nation's coastal ports. Unfortunately, we do not invest all of these fees back into harbor maintenance. In FY 2010 the HMTF grew by $1.3 billion, but only $828.6 million was spent. If the status quo continues, the HMTF is estimated to have a balance of $6.93 billion at the end of FY 2012.
- This proposal ties HMTF expenditures to revenues and ensures that we invest funds collected for harbor maintenance as intended.

Streamlines Project Delivery & Federal Bureaucracy

- Expedites permits administered by the Corps to help address backlogs that increase project costs, which are eventually borne by U.S. consumers and shippers.
- Streamlines the study process for Corps navigation projects
- Ensures that policies and projects among departments sharing jurisdiction of the maritime transportation system are coordinated and streamlined.

Encourages Private Sector Investment and Leverages Non-Federal Funding

- Encourages short-sea shipping by prohibiting double-taxation of vessels shipping goods between domestic ports. Our entire freight transportation network will be better utilized under this initiative.
- Allows non-federal project sponsors that have already arranged financing to contract with the Corps to expedite studies for navigation projects.
- Stimulates domestic shipbuilding and creation of maritime jobs by expanding the allowable use of tax-deferred Capital Construction Fund accounts.
- Clarifies provisions relating to credit for work carried out by non-federal sponsors of Corps projects.
- Ensures that ports seeking to deepen channels are not penalized for trying to attract the larger vessels becoming more common in shipping. This provision will help the U.S. remain globally competitive.

Summary of Proposal

Highway, Transit and Highway Safety Programs

Transportation Reauthorization Bill Funding

- Provides $230 billion over six years from the Highway Trust Fund – consistent with the amount of revenue deposited into the Highway Trust Fund during that time frame.

Better Leverage Existing Resources

- Funds the TIFIA program at $1 billion per year and provides incentives for states to create and capitalize State Infrastructure Banks.

Surface Transportation Program Reform

- Consolidates or eliminates nearly 70 duplicative programs or programs not in the federal interest.
- No longer requires states to spend highway funding on non-highway activities, but permits states to fund those activities if they so choose.

Streamlining the Project Delivery Process

- Cuts bureaucratic red tape by allowing federal agencies to review transportation projects concurrently, delegates project approval authority to states, and establishes hard deadlines for federal agencies to make decisions on permits and project approvals.
- Expands the list of activities that qualify for Categorical Exclusions – an approval process that is faster and simpler than the standard process.

Federal Highway Program

- Distributes nearly all federal highway funding to state DOTs through formula programs designed to preserve existing highways, build new highway capacity, and address congestion, freight mobility, and highway safety.
- Focuses the Federal Highway Program on the Interstate Highway System and the National Highway System – the highways that facilitate interstate travel and commerce.

Transit

- Removes current barriers that prevent the private sector from offering public transportation services, provides more focus on transit programs that benefit suburban and rural areas, and improves transit options for the elderly and disabled.

Highway and Motor Carrier Safety

- Ensures that federal regulators keep unsafe trucks and buses off the road while allowing companies that operate in a safe and responsible manner to continue to do so.
- Incentivizes states to enact laws that prevent impaired driving, increase seatbelt use and improve the safety of younger drivers.

Passenger and Freight Rail Programs

Better Leveraging of Federal Funds
- Leverages private sector dollars and expertise.
- Eliminates unnecessary grant programs.

Improves Current Programs
- Reforms underperforming programs, such as the Railroad Rehabilitation and Improvement Financing (RRIF) Program, to enhance participation.
- Promotes transparency and accountability in rail programs.

Streamlines Rail Project Delivery
- Reduces red tape by allowing concurrent reviews of rail projects, setting hard deadlines for decisions by agencies, and increasing coordination among agencies.
- Delegates more authority to the states.
- Expands the use of categorical exclusions for certain classes of projects.

Enhances Rail Safety
- Ensures positive train control is properly implemented in the safest manner.

Promotes Regulatory Reform
- Requires rail regulations to be based on reasoned cost/benefit analysis and the best available science, and to consider effects on jobs and the economy.

Maritime Transportation Programs

Restores Trust to the Harbor Maintenance Trust Fund
- Ties Harbor Maintenance Trust Fund to revenues, ensuring fees paid by shippers go to channel maintenance.

Expedites Permit Processing
- Permanently extends the Corps of Engineers' Section 214 program. Permit backlogs impact the timeliness and cost of these investments - costs ultimately borne by U.S. consumers and shippers.

Expedites Navigation Studies
- Allows non-federal project sponsors to contract with the Corps to expedite their study for an enhanced navigation project.
- Exempts navigation projects from having to participate in reconnaissance phase of a project study.

Provides Equity for Deepening Projects
- Ensures that ports requesting the construction of deeper channels are not penalized for attempting to attract larger vessels.

Provides Incentives for Domestic Waterborne Transportation
- Eliminates double-taxation on shippers engaged in coast-wise or short-sea shipping.
- Expands the allowable use of Capital Construction Fund accounts to expand the U.S. flagged fleet and spur domestic shipbuilding.

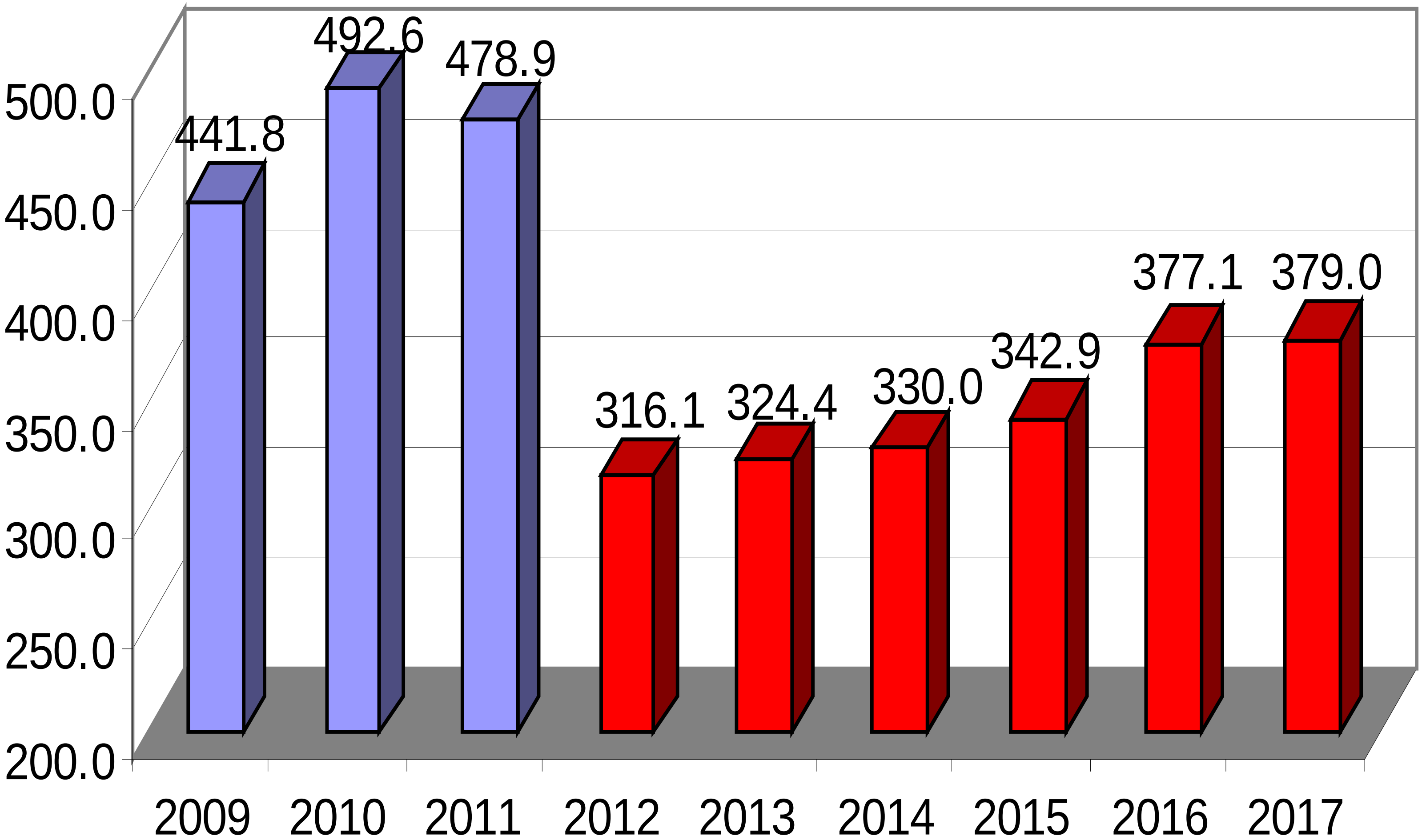
Notes

HOUSE TRANSPORTATION AND INFRASTRUCTURE COMMITTEE

2165 RAYBURN HOUSE OFFICE BUILDING, WASHINGTON, DC, 20515 (202) 225-9446

Oregon Federal Highway Formula Funding Under Mica Proposal

In Millions of Dollars



From: BROUWER Travis [mailto:Travis.BROUWER@odot.state.or.us]
Sent: Thursday, July 07, 2011 11:04 AM
To: James_McCauley@co.washington.or.us; VOLMERT Mark; Andy Shaw; firstvp@aeeo.org; office@aeeo.org; president@aeeo.org; AHanus@aocweb.org; Ali Bonakdar; Andy Cotugno; Art Schlack; Barbara Young; Barenberg, David; barnardt@opeuseiu.org; BARRY Celia; BOYATT Tom; Cam Gilmour; Chris Rall; Clark Berry; Craig Honeyman; CUYLER Alex D; Deas, Aaron; Dennis Mulvihill; dickeys@cherriots.org; Don Odermott; gkloeppel@lcog.org; jim.gosnell@westcoastcorridors.org; johnr@agc-oregon.org; John Vial; joshel@aocweb.org; Julie Warncke; kate.cusack@oregonstate.edu; Kevin; kimpuzey@uci.net; kristin.meira@pnwa.net; Lisa Mittelsdorf; Margaret Middleton; Mark Brown; Martha.Pellegrino@portlandoregon.gov; Martin Callery; mlvg@vannattapr.com; Mike Eliason; odotmac@hotmail.com; ClarkO@trimet.org; Office@OregonHighways.org; Randy Tucker; rich@ocapa.net; rick.finn@portofportland.com; RINER Andrea G; SCHILLING Karen C; Schmid, Richard; Susan Peithman; THOMPSON Paul E; Tom Zelenka; Tyler Deke; vguarino@rvcog.org; WILSON Brenda S
Subject: House releases surface transportation authorization outline

Today Congressman John Mica, chair of the house Transportation and Infrastructure Committee, released the outline of the Committee's surface transportation authorization proposal. Very little detail was provided; no draft legislation has yet been released, so we are going on just the attached brief summary and comments made at a briefing. Chairman Mica indicated that the legislation won't likely be ready for a markup in committee next week as he originally planned, so action on the bill is likely to be pushed back to later in the month or after the August recess.

As Senator Boxer's draft bill from the Environment and Public Works Committee will disagree on virtually every major point-- funding levels, length of the authorization period, program structure, etc.-- the two chambers are setting themselves up for a significant battle over this legislation, further reducing the already low chances that authorization legislation will be signed into law this year.

Here are some major provisions of the proposal.
<<Mica proposal.pdf>> <<Oregon Federal Highway Formula Funding 06-11.ppt>>

Funding

Funding levels for highways and transit programs would be set at the level that can be sustained with current Highway Trust Fund revenues. This would require cutting funding 34% in 2012, from $51.5 billion in FY 2011 to $34.2 billion. No breakdown between highways and transit is provided. This will lead to significant reductions in Oregon's federal highway funding allocation. Our preliminary estimate, based on a number of assumptions, is that Oregon's federal highway funding would fall from $479 million this year to $316 million next year. A chart showing Oregon's highway funding under this proposal is attached.

Highway Program Structure

The program structure will be significantly consolidated with the elimination of about 40 FHWA programs. Although few specifics are provided, this likely means the end of virtually all discretionary programs and of numerous setasides within existing formula programs. More than 90 percent of highway funding will flow to states via formula, and more than half of funding will go to the National Highway System. The setaside of funding for urban areas under the Surface Transportation Program program will remain. Unlike the Senate, there does not appear to be any new freight program.

Transit

Transit is likely to receive its current share of Highway Trust Fund resources. A larger share of transit funding will go to formula programs, with reduced spending on discretionary programs. A greater portion of funding will go to programs that benefit suburban and rural areas and for seniors and people with disabilities. The three human service transportation programs (JARC, New Freedom, 5310) will be consolidated into a single program. The proposal would strengthen the rail transit safety oversight program "without creating a new federal transit safety bureaucracy." This may mean more responsibility for states.

Rail
There will be a rail title, but it will not include the Amtrak/intercity passenger rail privatization proposal that Mica and Rail Subcommittee Chair Bill Shuster released two weeks ago. The Railroad Rehabilitation and Improvement Financing program would be streamlined to make it easier for railroads to access this program. The bill would also eliminate one major piece of the intercity passenger rail program, leaving the remaining program to focus on truly high-speed routes.

Bicycle/Pedestrian Programs
The 10% setaside of Surface Transportation Program funds for Transportation Enhancements will be eliminated, though eligiblity to use funds for bicycle/pedestrian and other projects will remain. It's also likely that other bicycle/pedestrian programs-- includign Safe Routes to School and Recreational Trails-- will be among those eliminated.

Performance Measures
The bill will include performance measures in areas that were not specified. The measures and targets will be developed by US DOT working with state DOTs and local transit agencies. States will be held accountable for use of funds, and those that are not meeting specific performance measures will have to spend additional federal money in these areas.

Regulatory Streamlining
Streamlining the project development and delivery process is the most significant policy initiative in the bill. The committee mentions a number of ways they hope to reduce the time needed to get projects to construction:

- Setting hard deadlines for federal agency permitting decisions and project approvals.
- Requiring federal agencies to review transportation projects concurrently.
- Pushing more projects onto the list of activities that qualify for categorical exclusions, particularly those that fall within highway right of way.
- Increasing opportunities to purchase right of way and engage in detailed design prior to NEPA completion.

Innovative Financing
Rather than a national infrastructure bank as President Obama has proposed, Mica's bill would expand the TIFIA credit program's funding more than eightfold, expand the portion of a project's cost that could be covered by TIFIA from one third to half, and allow TIFIA to cover programs and not just individual projects; this expansion of TIFIA may be useful on the CRC. The bill also will include expanded eligibility to toll new lanes on the Interstate and provide greater flexibility to toll non-Interstate routes. The bill would also encourage use of state infrastructure banks (SIBs) and even require states to put a portion of their funding into SIBs.

Travis Brouwer
ODOT Federal Affairs Advisor
1158 Chemeketa St NE Salem, OR 97301
www.oregon.gov/ODOT/HWY/federal_affairs.shtml
(503) 986-3448 Cell: (503) 931-0892

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Transportation: Collapse of a Big Tent?

Competition for Highway Bill Funding Strains an Old Coalition

By Brian Friel
CQ Staff
June 16, 2011, 2:32 p.m.

Kevork Djansezian/Getty Images

A crane works in July 2010 at a construction site for light rail that will connect Los Angeles and Culver City, Calif.

A truce of sorts has governed Washington's eclectic transportation lobby for the past two decades.

Whenever Congress has considered rewriting the law that authorizes federal surface transportation programs, the roadbuilders, the transit operators, the state highway departments, the environmentalists, the bicyclists, the Chamber of Commerce, the trade unions, the preservationists and the truckers — as well as all the other groups with an interest in the highway bill, as it's known colloquially — have for the most part joined hands rather than fought one another.

They could have battled among themselves for slices of the federal transportation budget. Instead, they have always pressed for a bigger pie — and bigger slices for everyone.

The big-tent approach has largely worked. The past three highway bills (1991, 1998 and 2005) were enacted with broad support from all corners of the transportation lobby, with overwhelming bipartisan backing and with more money for everyone.

But as work on the next highway bill gears up this summer, Congress is staring at trillion-dollar-plus annual deficits — budget gaps that have never been seen since Dwight D. Eisenhower signed the 1956 law that created the Interstate Highway System. For the transportation lobby, the "Kumbaya" days may be drawing to a close. And this time, the circle will not be getting bigger. The key committee in the Democratic Senate is suggesting flat funding, at best, while the transportation panel in the Republican House is drafting the latest highway bill with reduced spending.

Facing a smaller pie for the first time in the history of the highway program, the past beneficiaries of so much federal largess are likelier than ever before to focus on minimizing shrinkage of their own slices, even if it means advocating cuts for the other guys. An earmark ban that all sides accepted will further complicate lobbying efforts and make it harder for lawmakers to grease the legislative wheels.

"You can buy everybody off if you can afford to buy everyone off," said Ronald Utt, a transportation expert at the conservative think tank the Heritage Foundation. "The question is, have we reached the point that you can't afford to buy everyone off? I don't know if we're there yet, but we're getting close."

All Together Now

Once the province solely of roadbuilders, the highway bill began shifting to a broader portfolio of transportation programs in 1982, when President Ronald Reagan's intrepid Transportation secretary, Drew Lewis, sought to widen the political support for a 5-cent increase in the federal gasoline excise tax by promising 20 percent of the new revenues to transit systems. The move brought big-city mayors as well as urban Democratic representatives into the coalition. Transit operators over the next few years successfully carved out 20 percent of all federal gas tax revenues for their systems.

In 1991, the Democratic chairmen of the two committees that were writing the transportation bill — New York's Daniel Patrick Moynihan in the Senate and New Jersey's Robert Roe in the House — further expanded the highway bill coalition by writing in funding carve-outs for a variety of groups, including historic preservationists, cycling enthusiasts and environmentalists. As money flowed into the federal highway accounts, lawmakers used the extra dollars to buy off states that felt shortchanged by the federal formula for distributing transportation funds. They also set aside billions of dollars for thousands of local projects through earmarks. Roadbuilders and state highway departments grumbled about all the hands in the honey jar, but they went along because they kept getting more and more money.

The 1998 and 2005 bills followed the Moynihan-Roe model, funneling more money to roadbuilders while also setting aside more dollars for various other groups. To get the most it could in the 2005 negotiations, the highway bill coalition initially rallied behind a $375 billion measure funded by a gas tax increase — a 72 percent hike from the $218 billion 1998 bill. That astronomical starting point served the coalition well. It ultimately settled for a $287 billion bill, still a 31 percent increase.

Such funding hikes allowed the 2005 bill to support thousands of earmarked projects requested by lawmakers and dozens of targeted programs for roads, transit systems, bike paths, sidewalks and other infrastructure projects. Robert Poole, a transportation analyst with the libertarian Reason Foundation, estimates that roughly a third of federal highway dollars are now spent on projects other than road construction and maintenance.

"I see this as part of the overall fiscal mess the federal government has evolved into over the past several decades," Poole said. "It's not only that entitlements are beyond the government's means to afford, but other programs like the transportation program have tried to be all things to all people, especially since 1991. We can't afford that anymore."

End of the Easy Road

The federal fiscal crisis started to affect transportation programs three years ago, when the economy tanked and dedicated gas and vehicle tax revenue fell off. In 2008, Congress began infusing the Highway Trust Fund with general funds from the Treasury. Lawmakers have propped up the transportation programs with $35 billion in such infusions since then and will have to do so again this fall — or agree to begin making cuts.

Deron Lovaas, federal transportation policy director for the environmentalist Natural Resources Defense Council, sees just two options for the transportation lobby and for Congress if cuts are unavoidable. One is for an equal, across-the-board trim to all the programs funded by the Highway Trust Fund. Under that scenario, environmentalists would join hands [illegible]he transit operators and other stakeholders and agree to stick together on the way down, just as they did on the way up. The other option is for targeted cuts or the elimination of particular programs. Under that scenario, it would be every lobbyist for himself.

With the Transportation and Infrastructure Committee in the House and the Environment and Public Works Committee in the Senate drafting legislation this summer, those two options are about to be tested.

“The problem with the circular firing squad with this bill, if past is prologue, is that you need a big-tent coalition to get these bills passed,” Lovaas said. “You really need as much support as possible for this to get through Congress and for the president to sign it, which means that this is may be, counterintuitively, when the bill can least afford a circular firing squad. This is when you need everyone to circle the wagons against a hostile outside context.”

Based on conversations with other groups, Lovaas is optimistic that the traditional highway bill coalition will hold together. “There’s not a real sign, at least among the interest groups, of an interest in divisive food fights,” Lovaas said.

But others see signs that the groups may turn against one another. Poole, who argues that the trust fund should be used more exclusively for Interstate construction and maintenance and that other programs should fight for general funds from the Treasury, said the downward pressure on transportation accounts will force state highway departments, roadbuilders and highway users to rethink their willingness to support transit and other programs.

“They’ve gone along with it because there was always a net increase in highway funding,” Poole said. “Now they’re looking much more skeptically at these things.”

For their part, transit operators can remind roadbuilders of an episode in 1999, when the Clinton administration proposed diverting more funds from highways to transit. William Millar, the president of the American Public Transportation Association, opposed the administration, arguing that the roughly 80-20 split should still hold even though his members could have benefited from the increase. Millar is still the head of the transit group.

But even if the lobbyists try to stay united, lawmakers in Congress may not. The House’s 87 Republican freshmen, so many of whom found their voice or at last their crucial backing in the tea party movement, may be more receptive than their veteran colleagues to arguments that some programs are ripe for reduction or elimination. “Everybody who has some claim on the transportation budget, whether for covered bridge repairs or for regular bridge repairs or for metropolitan planning organizations, is going to be actively out there pushing for the preservation of their program at current levels or higher levels,” Utt said. “My gut feeling is that for the first time in probably two or three reauthorizations you may see some programs judged to be more important than others and some either consolidated out of existence or facing fairly significant cuts relative to what they are now.”

The congressional committee leaders’ pledge to swear off earmarks also could weaken their ability to put together overwhelming support for the legislation. Rank-and-file members will no longer rally behind the bill to protect pet projects included for their home districts and favorite causes. “Elimination of earmarks is on balance good policy and good politics,” Lovaas said. “And it also makes passage more difficult.”

At House Transportation hearings earlier this year, each group in the highway bill coalition was given the opportunity to make a pitch for its own wish list. Despite clear instructions of the chairman, Florida Republican John Mica, to prepare to make do with less, many lobbyists still argued that they needed dramatic increases in funding to maintain infrastructure built across the country under previous highway bills. Some noted that the federal gas tax hasn’t increased since 1993, and others pushed for a variety of additional financing mechanisms, from tolls to infrastructure banks to public-private ventures.

In the past, shooting for the moon worked for the transportation lobby. More money always came. But now, with deficit reduction the only talk in town, with drivers paying $4 for a gallon of gas, with voters unwilling to stomach higher taxes or deeper federal debt, the reality of budget cuts is looming over the highway bill’s many beneficiaries for the first time.

“We’re at a watershed moment looking at the next reauthorization,” Poole said. “This will be one of the classic battles of the past several decades.”

Kelsey Newell

Subject: FW: Reflections on the Impending Congressional Transportation Actions

From: Ken Orski [mailto:korski@verizon.net]
Sent: Wednesday, July 06, 2011 6:04 AM
To: Our Readers
Subject: Reflections on the Impending Congressional Transportation Actions

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Reflections on the Impending Congressional Transportation Actions

With the House Transportation and Infrastructure Committee about to release its six-year surface transportation reauthorization bill later this week (July 7 at 11 a.m.), it's not surprising that there has been plenty of speculation among Washington insiders about the Committee's impending action and its consequences.

While no one we have talked to would volunteer the precise level of funding the House T&I Committee is going to propose (or the sum the Senate Finance Committee will eventually come up with), we have found broad agreement in the Washington transportation community that both Houses will be obliged to propose significantly lower annual levels of funding than either the current (FY 2011) surface transportation budget ($41 billion for highways, $11 billion for transit, $8 billion for passenger rail) or the Administration's proposed budget for FY 2012 ($70.5 billion for highways, $22.4 billion for transit, $8.3 billion for passenger rail). Despite President Obama's and certain Democratic senators' recent rhetoric about the need for a new fiscal stimulus "that will put people back to work rebuilding our critical infrastructure," Republican opposition and the prospect of adding to the deficit, have all but erased any possibility of increased transportation spending.

The declared policy of House GOP leadership to limit future transportation budget authority to tax receipts deposited in the Highway Trust Fund has set some clear fiscal boundaries to future legislation. Those receipts are expected to amount to $37 billion in FY 2011 according to the Congressional Budget Office (CBO)— $31.8 billion to be credited to the Highway Account and $5.1 billion to the Transit Account (testimony of Joseph Kile, Asst. Director of CBO, before the Senate Finance Committee, May 17, 2011). Projecting this flow of revenue into the future, the Highway Trust Fund could be expected to receive approximately $220-230 billion over the next six-year period, 2012-2017— assuming CBO's projection of a modest one percent annual growth in HTF revenue due to a rise in travel (but no increase in the rate of fuel taxation).

While the Senate Finance Committee has yet to make its own decision as to the level of transportation funding, the senators may be expected to come reluctantly to the same conclusion as their colleagues in the House, namely that deficit financing of the transportation program is no longer politically feasible and, consequently, that "government has to learn to live within its means." Sen. Orrin Hatch (R-Utah), ranking member of the Committee, said it in so many words at the May 17 hearing on transportation financing when he challenged "those who want to finance infrastructure projects in excess of our ability to pay for them."

No doubt, limiting future budget authority to tax revenues flowing into the Highway Trust Fund will necessitate significant cuts in spending. A figure of 30 percent is commonly cited as the expected reduction in expenditures from the current level of spending. However, current expenditures have been inflated by a massive injection of stimulus funds from the American Recovery and Reinvestment Act of 2009— a total of $44 billion (including $27.5 billion for highways, $6.8 billion for transit and $8 billion for high-speed rail). The stimulus almost doubled the annual amount of funding available for transportation, making existing baseline comparisons misleading. A more accurate measure would be to compare the expected FY 2012 funding with pre-stimulus funding levels. In this comparison, the highway program would suffer a drop of 17% — from an average of $38.6 billion/year during SAFETEA-LU (FY 2005-2009) to an expected $32 billion/year in FY 2012. Adding the uncommitted HTF funds remaining in the Highway Account at the end of Fiscal Year 2011 ($14.8 billion according to a CBO estimate) would enable the annual highway allocation to be raised to about $34 billion — a drop of only 12 percent from the SAFETEA-LU level. (SAFETEA-LU data obtained from www.fhwa.dot.gov/safetealu/safetea-lu_authorizations.pdf, 4/6/2006),

Such reductions, while not insignificant, would not be catastrophic. The cut in budget authority could be absorbed by consolidating and narrowing the scope of the federal-aid program. Its primary mission would need to be refocused on traditional core highway and transit programs and on keeping existing transportation assets in a state of good repair. Proposals for major infrastructure spending (through a proposed Infrastructure Bank) would have to be deferred. Discretionary awards such as the TIGER and high-speed rail grants would have to be severely cut or entirely eliminated. So would programs that are deemed of little national significance or that do not serve the national need — such as various "transportation enhancements," categorical set-asides (e.g. "Safe Routes to School" program), and vaguely defined "livability" projects that cater to narrow constituencies. Most of these Trust Fund "hitchikers," as Sen. James Inhofe (R-OK) calls them, would have to be handed off to state and local governments.

Will states and local governments be willing and able to pick up the slack? There is speculation that some will while others may not. Certain fiscally-strapped states might be obliged to drop non-essential transportation programs. However, many other states and localities might be willing to approve significant locally-funded transportation improvements if their objectives are clearly identified and voters perceive them of true benefit. Indeed, 77 percent of local transportation ballot measures were approved in 2010 according to the Center for Transportation Excellence.

While the size of the impending transportation cuts may sound alarming when set against the current inflated spending levels distorted by the stimulus spike, many fiscal conservatives view the new austere fiscal environment as an opportunity to return the federal-aid program to its original roots. Greater spending discipline, they say, will refocus the federal mission on projects of national interests, concentrate resources on legitimate federal objectives, restore the highway program's lost sense of purpose and give states and localities more voice and responsibility in managing their transportation future. With a more constrained funding level, certain otherwise hard-to-attain reforms such as greater emphasis on asset preservation, expanded use of highway pricing and tolling, innovative methods of project delivery and higher levels of private investment, will become more compelling and politically more achievable.

What about major new infrastructure investments? Undoubtedly, they will be necessary in the longer run because of the need to replace aging facilities and accommodate future growth in population. But major capital expenditures can be---indeed, will have to be ---deferred until the recession has ended, the economy has started growing again and the federal budget deficit has been brought under control. At that more distant moment in time, perhaps toward the end of this decade, the nation might be able to resume investing in new infrastructure and embark on a new series of "bold endeavors" — major capital additions to the nation's highways and rail systems. For now, prudence, good judgment and the compelling need to rein in the deficit, dictate that government should live within its means. And that means spending no more than what is paid into the Trust Fund.

We shall soon find out if these speculations turn out to be correct.

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METROPOLITAN TRANSPORTATION COMMISSION

North Central Texas Council of Governments

TRANSLINK

RREEF

August 1, 2008

David Bragdon, President
Metro Council
600 NE Grand Ave.
Portland, OR 97232

Rex Burkholder, Chair
Joint Policy Advisory Committee on Transportation
600 NE Grand Ave.
Portland, OR 97232

Ric Stephens, Chair
Urban Land Institute, Oregon/Southwest Washington District Council
5410 NE 32nd Place #2
Portland, Oregon 97211

Gentlemen:

Thank you for the opportunity to address your constituents in the Portland metropolitan area on our experience in financing regional transportation infrastructure. You are to be commended for your efforts to take a leadership role in solving this vexing problem. We hope you find the insights that we shared with the group helpful. The Portland region has shown leadership in the past and has many successes of which to be proud.

The issue of financing the maintenance, operations, management and expansion of a region's transportation infrastructure is particularly challenging and you are not alone in this undertaking. The most important advice that we can give you is to be bold and take control of your own destiny. The federal and state government will not solve your problem for you. While federal and state legislative initiatives may ultimately be an important part of your strategy, these actions by themselves will not meet your needs.

Attached for your consideration is a summary of the key messages we collectively shared with the group.

Sincerely,

Steve Heminger, Executive Director
San Francisco Bay Area
Metropolitan Transportation Commission

Michael Morris, Director of Transportation
North Central Texas
Council of Governments

Bob Paddon, V.P. of Corporate and Public Affairs
Translink
South Coast British Columbia

David Kerr, Managing Director
RREEF Infrastructure Investments
The Deutsche Bank Group

Enclosure

Transportation Finance Expert Panel
Summary of Recommendations

1. Seize your own destiny. If you have revenue-raising authority, use it. Refer your own package to the voters. Be bold. Don't sit back and wait for the state and federal government to take care of your problems, they will not be able to fix them. Make clear to your Legislature that you are doing the responsible thing by addressing your own transportation needs. Seize the high ground.

2. Lead with a vision that is compelling to the public. Then define specific projects and programs proposed to implement that vision with a specific budget and schedule. Lastly, pursue the revenue strategy. Lead with the outcomes you are seeking and let the logical institutional arrangements follow.

3. Play to your strength as the best in the country at linking land use, multi-modal transportation, environmental quality and livability as the framework for your vision. With energy and climate change being such a big issue in the public's consciousness, the Portland area is the best positioned in the US to be successful.

4. Leverage the public attitude and awareness that things are different in the Portland region as compared to elsewhere in the country and the public is proud of that. Play on that pride. Particularly with public votes, organize investments around the areas where you are already succeeding.

5. Political leadership is essential for success in developing new or expanded financing mechanisms. Political leadership must be high profile and carry the issue through to the end.

6. You are a region of about 1.5 million people growing to 3 million people. It's your job to stand up and act like a region of 3 million people instead of being stuck in the mindset of a region of 1 million people.

7. Tolls are a critical tool for both financing and demand management. They should be pursued in all locations feasible, not simply by waiting to see how things play out on the Columbia River Crossing. Policy makers and the public should be challenged to grapple with the financing alternatives for proposed major highway projects – taxes vs. tolls. HOT lanes are particularly effective in high congestion areas, because the motorist has a choice between the free lane and the priced lane. Be bold, but be careful to not take a misstep in moving prior to adequate discussion. Tolls are controversial and handled badly can lead to a serious set-back (like Newberg-Dundee Bypass). Discussions about tolling existing facilities can be especially volatile.

8. Engage the public on a consistent, sustained basis. Develop a continuous schedule of public information topics. Capitalize on high profile events with publicity, create a commotion, and develop public interest. Publicize actions that demonstrate efficiency and effectiveness of the government agencies and the operation of the system. Use alternative methods such as Vancouver BC's "web panel" discussions. The efficiency message needs to be absolutely hammered.

   Think of the analogy of the paddle wheel on a sternwheeler. The wheel turns continuously with paddles emerging from and hitting the water one after another. Your public information campaign should follow this same pattern: you should always have another paddle (a project, a program, a decision, etc.) coming up.

9. Previous generations made substantial investments in infrastructure that provided a significant margin for growth that has now been used up. We should not leave this crumbling infrastructure to future generations to address. Draw attention to the deteriorated condition of key pieces of infrastructure in the public consciousness.

10. Design your process to intentionally contribute to your desired outcome. Define a deadline or urgent situation that demands a conclusion.

11. Take a leadership role in addressing unresolved issues; help break the logjam.

12. Public Private Partnerships (PPPs) should be demystified. They can be an effective delivery mechanism to increase accountability and assign appropriate risk to the public and private entity. Don't leave PPPs to be the "solution" to those projects at the end of the priority list, when you've run out of funds. Lead with the projects that people want, using public-private partnerships as a delivery mechanism. They are a means to the end, not the focus of attention.

    PPPs are most appropriate where a stream of revenue can be dedicated by the public entity to the private entity in exchange for building and operating the facility. PPPs aren't the "silver bullet" to fix the region's funding problems but may be appropriate where expansion projects are planned in high growth corridors to be paid for through growth in revenue generated by the users (i.e. tolls, container fees, development fees, etc.)

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING THE REGIONAL HIGH CAPACITY TRANSIT SYSTEM EXPANSION POLICY IMPLEMENTATION GUIDANCE	))))	RESOLUTION NO. 11-4265 Introduced by Councilor Carlotta Collette

WHEREAS, the Metro Council accepted elements of the Regional High Capacity Transit System Plan by Resolution No. 09-4052 (For the Purpose of Accepting the Regional High Capacity Transit System Tiers and Corridors, System Expansion Policy Framework and Policy Amendments) on July 9, 2009, for addition to the 2035 Regional Transportation Plan; and

WHEREAS, the regional high capacity transit system plan was incorporated into the 2035 Regional Transportation Plan.

WHEREAS, the Metro Council adopted the 2035 Regional Transportation Plan ("RTP") and related elements by Ordinance No. 10-1241B (For the Purpose of Amending the 2035 Regional Transportation Plan (Federal Component) and the 2004 Regional Transportation Plan to Comply with Federal and State Law; to add the Regional Transportation System Management and Operations Action Plan, the Regional Freight Plan and the High Capacity Transit System Plan; to Amend the Regional Transportation Functional Plan and Add it to the Metro Code; to Amend the Regional Framework Plan; and to Amend the Urban Growth Management Functional Plan) on June 10, 2010; and

WHEREAS, Chapter 6 of the 2035 RTP lists a number of implementation activities to be completed post-adoption, including developing guidance for implementing the high capacity transit system expansion policy and bringing it forward to the Joint Policy Advisory Committee on Transportation (JPACT), Metro Policy Advisory Committee (MPAC) and the Metro Council; and

WHEREAS, the high capacity transit system expansion policy and the implementation guidance will be revisited as part of each update of the RTP; now therefore

BE IT RESOLVED by the Metro Council:

1. That the High Capacity Transit System Expansion Policy Implementation Guidance, attached as Exhibit A, is hereby approved for distribution to local governments and others interested.
2. That proposed revisions to the Guidance shall be presented to JPACT and MPAC for recommendations to the Council, and to the Council for approval.

ADOPTED by the Metro Council this _____ day of July 2011.

Tom Hughes, Council President

Approved as to Form:

Alison Kean-Campbell, Metro Attorney

Exhibit A

www.oregon**metro.gov**

High Capacity Transit System Expansion Policy Implementation Guidance

for the Portland metropolitan region

A guidebook for local implementation

July 2011

Metro | *Making a great place*

About Metro

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

A regional approach simply makes sense when it comes to making decisions about how the region grows. Metro works with communities to support a resilient economy, keep nature close by and respond to a changing climate. Together we're making a great place, now and for generations to come.

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www.oregonmetro.gov

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Tom Hughes

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Kathryn Harrington, District 4
Rex Burkholder, District 5
Barbara Roberts, District 6

Auditor
Suzanne Flynn

HIGH CAPACITY TRANSIT SYSTEM EXPANSION POLICY GUIDELINES

In June 2010, the Portland Metropolitan region adopted the 2035 Regional Transportation Plan (RTP) that included an outline for developing a high capacity transit (HCT) system expansion policy. The system expansion policy emphasizes fiscal responsibility by ensuring that limited resources for new HCT are spent where local jurisdictions have committed supportive land uses, high quality pedestrian and bicycle access, management of parking resources and demonstrated broad based financial and political support.

One of the first post-adoption implementation steps included in Chapter 6 of the RTP called for developing regional guidance for the system expansion policy[1]. With adoption of the 2035 RTP, Metro committed to developing guidance and bringing it forward for discussion to MPAC, JPACT and Metro Council. The purpose of the system expansion policy implementation guidance is to:

> 1) Clearly articulate the decision-making process by which future HCT corridors will be advanced for regional investment.
>
> 2) Establish minimum requirements for HCT corridor working groups to inform local jurisdictions as they work to advance their priorities for future HCT.
>
> 3) Define quantitative and qualitative performance measures to guide local land use and transportation planning and investment decisions.
>
> 4) Outlines the process for updating the 2035 RTP, including potential future RTP amendments, for future HCT investment decisions.

Following the system expansion policy guidelines will enhance support for transit investments, but does not guarantee a regional investment in HCT. The ultimate decision rests with JPACT and the Metro Council. The purpose of this document is to help local jurisdictions and consultants understand and implement recent regional policy and regulatory changes with adoption of the 2035 Regional Transportation Plan, Regional Transportation Functional Plan (RTFP), and amendments to the Urban Growth Management Functional Plan (UGMFP). Additional implementation guidelines have been developed for the changes in the RTFP and UGMFP.

1.0 INTRODUCTION

Transit is necessary to implement the 2040 Growth Concept, which calls for focusing future growth in regional and town centers, station communities, main streets, and 2040 corridors. Investments in transit, particularly high capacity transit (HCT) help the region concentrate development and growth in centers and corridors, achieve local aspirations and serve as the region's most powerful tools for community building. The 2035 Regional Transportation Plan (RTP) lays out the region's transportation concepts and policies that will result in a complete and interconnected transportation system that supports all modes of travel and implementation of the 2040 Growth

[1] Section 6.7.3 of the 2035 RTP, Page 6-29 and is listed in Attachment 1.

Concept. Chapter 2 of the RTP details the policies for the regional transit system aiming to optimize the existing system, attract future riders and ensure transit-supportive land uses are implemented to leverage the region's current and future transit investments.

In 2008 the Metro Council, with guidance from the Metro Policy Advisory Committee (MPAC), agreed that our planning efforts should start with defining the desired outcomes that the residents of this region have consistently expressed when asked. To that end, the Metro Council and our regional partners adopted six desired outcomes to guide regional planning for the future. The 2035 RTP establishes an outcomes-based planning and decision-making framework to ensure transportation decisions support the six desired outcomes.

The ability of this region to grow toward the 2040 Growth Concept vision hinges upon the ability to develop and sustain high capacity transit. However, the number of additional high capacity transit corridors that can be implemented in this region are limited by several factors, including:

- Local funding and community support.
- Competition with other regions for scarce federal funding.
- Institutional and financial capacity to develop, build and operate additional high capacity transit corridors.

Because this region cannot implement all of the desired high capacity transit corridors in the near term and we want to ensure we invest limited resources in the best way possible, it is necessary to prioritize which corridors are completed first. The High Capacity Transit System plan and system expansion policy provide a framework for the region to understand how transit can best deliver on the six outcomes for a successful region and the outcomes-based framework of the 2035 RTP.

WHAT OUTCOMES ARE WE TRYING TO ACCOMPLISH?

VIBRANT COMMUNITIES – People live, work and play in vibrant communities where their everyday needs are easily accessible.

ECONOMIC PROSPERITY – Current and future residents benefit from the region's sustained economic competitiveness and prosperity.

SAFE AND RELIABLE TRANSPORTATION – People have safe and reliable transportation choices that enhance their quality of life.

LEADERSHIP ON CLIMATE CHANGE – The region is a leader in minimizing contributions to global warming.

CLEAN AIR AND WATER – Current and future generations enjoy clean air, clean water and healthy ecosystems.

EQUITY – The benefits and burdens of growth and change are distributed equitably.

As adopted by the Metro Council and MPAC.

1.1 HIGH CAPACITY TRANSIT SYSTEM PLAN

As part of the RTP, the region undertook a comprehensive assessment of the existing and potential future high capacity transit network. In July 2009, the Metro Council adopted the Regional High

Capacity Transit (HCT) System Plan. The HCT Plan identifies corridors where new HCT is desired over the next 30 years. It prioritizes corridors for implementation, based on a set of evaluation criteria, and sets a framework to advance future corridors, consistent with the goals of the RTP and the region's 2040 Growth Concept. The HCT system plan provides the framework for transit investments to be implemented as part of a broad corridor strategy that includes supportive land use and transit-oriented development (TOD), comprehensive parking programs, access systems for pedestrians and cyclists, park and rides and feeder bus networks. It assigned near- and long-term regional HCT priorities one of four priority tiers:

- Near-term regional priority corridors: Corridors most viable for Federal Transit Administration (FTA) alternatives analysis in the next four years (2010-2014).
- Next phase regional priority corridors: Corridors where future HCT investment may be viable if recommended planning and policy actions are implemented.
- Developing regional priority corridors: Corridors where projected 2035 land use and commensurate ridership potential are not supportive of HCT implementation, but which have long-term potential based on political aspirations to create HCT supportive land uses.
- Regional vision corridors: Corridors where projected 2035 land use and commensurate ridership potential are not supportive of HCT implementation.

To help simplify future analyses, the *next phase regional priority corridors* and *developing regional priority corridors* have been consolidated into *Emerging Corridors*. The HCT System Plan corridors are shown in **Table 1** and on the map in **Attachment 2.**

Table 1 – HCT System Plan Corridors	
Tier	**Corridors[2]**
Near-term regional priority corridors	10 – Portland Central City to Gresham (in general Powell Boulevard corridor) 11 – SW Corridor (advanced toward implementation per Resolution 10-4118) 34 - Beaverton to Wilsonville (in general WES commuter rail corridor)[3]
Emerging Corridors (Next Phase and Developing Regional Priority Corridors)	8 - Clackamas Town Center to Oregon City Transit Center via I-205 9 - Milwaukie to Oregon City TC via McLoughlin Boulevard 12 - Hillsboro to Forest Grove 13 - Gresham to Troutdale extension 17 – Sunset Transit Center to Hillsboro 17D - Red Line extension to Tanasbourne 28 - Washington Square Transit Center to Clackamas Town Center (via I- 205) 29 - Washington Square Transit Center to Clackamas Town Center (via abandoned railroad) 32 - Hillsboro to Hillsdale
Regional vision corridors	13D - Troutdale to Damascus 16 - Clackamas TC to Damascus 38S - Tualatin to Sherwood

1.2 SYSTEM EXPANSION POLICY OVERVIEW

The System Expansion Policy (SEP) provides the framework to advance future regional HCT corridors by establishing performance measures and defining regional and local actions that will guide the selection and advancement of those projects. The SEP framework is designed to provide a transparent process to advance high capacity transit projects and the key objectives are to:

- Promote transit supportive land uses in future HCT corridors
- Promote local policies that increase value of future HCT investments (i.e., parking management, street design and connectivity, Transportation Demand Management, etc)
- Provide local jurisdictions with a fair and measurable process for developing future HCT corridors
- Provide Metro with a tool to allocate limited planning resources to the most supportive, prepared communities
- Ensure that transit serves cost-burdened households

[2] Corridors presented in each tier are sorted by numeric order only; corridor numbers refer to identifications used in the HCT System Plan technical evaluation processes.
[3] Corridor 34: WES frequency improvements to 15-minute all day service are included in the 2035 RTP list of projects. The project as included in the 2035 RTP represents this level of improvement phased in over time, not construction as light rail as evaluated in the HCT System Plan technical evaluation processes.

The SEP is designed to provide clear guidance to local jurisdictions and community partners in identified HCT corridors about the key elements that support high capacity transit system investments. It is designed to protect public investments and ensure limited resources are used to maximize adopted regional transportation and land use outcomes. The SEP is designed to provide:

- *Flexibility* (responsive to local aspirations) – no two communities or corridors in the region face the same set of land use and transportation planning conditions. Nor do any two communities have the same aspirations for future community form and land development. The SEP is flexible and allows communities and corridors an opportunity to promote transit development within the context of local priorities.
- *Local control* – the SEP process provides a framework for local jurisdictions in a corridor to initiate a corridor working group. While no jurisdiction is required to participate, those desiring HCT investments will need to work with local partners to establish a working group and to develop a corridor purpose and needs statement. The SEP creates a new level of transparency in decision making, which provides local jurisdictions a clearer path to project advancement that has been available in the past.
- *Corridor level cooperation* – since most HCT projects cross jurisdictional boundaries and since both HCT itself and HCT-supportive land uses potentially affect State facilities, the SEP requires cooperation between local jurisdictions, TriMet, ODOT and Metro by establishing a Corridor Working Group. By requiring local jurisdictions to work together to meet SEP targets, the policy helps guide local jurisdictions to set joint priorities and balance tradeoffs associated with meeting land use and financial targets. Through the Corridor Working Group, local jurisdictions can take the lead in identifying the extent of a future HCT corridor, identifying possible future stations areas, and revising zoning policies.
- *Simplicity* – the SEP is straightforward and uncomplicated to enable local jurisdictions to work through the process easily.

The SEP is not intended to dramatically increase administrative requirements; rather it provides a fair and flexible process for corridor advancement and prioritization.

1.3 USING THE TRANSIT SEP HANDBOOK

The purpose of this handbook is to provide local jurisdictions that are located within one of the 18 corridors included in the 2009 HCT System Plan (**Figure 1** and **Attachment 2**) a path to move their HCT corridor toward a regionally supported project development and funding process. The handbook is divided into four sections:

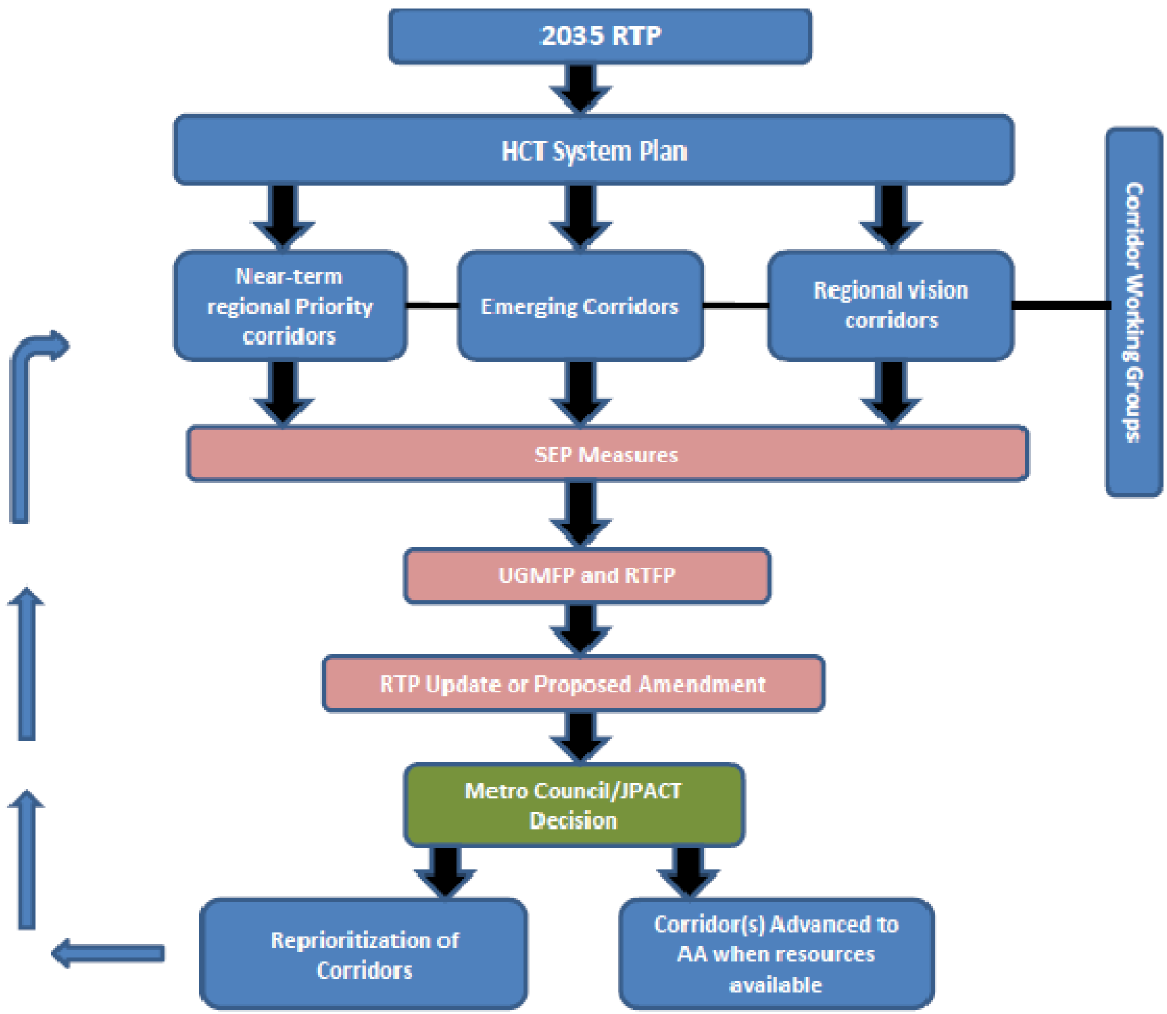
1. SEP Decision-making framework
2. Corridor Working Groups
3. Evaluating performance
4. Updating the 2035 RTP

The handbook also serves as a tool to educate local jurisdiction staff and policymakers about the investments needed to support transit.

1.3.1 SEP Decision-Making Framework

At the foundation of the SEP is a clear and transparent decision-making process for both local land use and transportation planning, and for future RTP amendments. As depicted in **Figure 1** below, the 2035 RTP serves as the umbrella for the HCT System plan and the SEP.

Figure 1 – SEP Decision-Making Framework



All of the HCT corridors will be evaluated using the measures in section 1.3.3 as well as requirements from the Urban Growth Management Functional Plan (UGMFP) and Regional Transportation Functional Plan (RTFP) applied to them as part of the SEP. Every four years as part of RTP updates, Metro will run the multiple account evaluation (MAE) technical analysis that was as part of the HCT System Plan for all of the HCT Corridors. The results of the analysis will be used to inform Metro Council and JPACT's decision on prioritizing and advancing corridors to the FTA alternatives analysis (AA) process based on available resources. Section 1.3.3 discussed the details of the MAE analysis.

Should additional resources for HCT investment become available between RTP updates, the MAE analysis will be conducted to inform potential RTP amendments. Section 1.3.4 details the process for local governments to propose amendments to the RTP. Corridors that are not selected for advancement will be reprioritized and will continue to work through the SEP for future RTP updates or amendments.

1.3.2 Corridor Working Groups

Corridor Working Groups (CWG) are the core organizational body that will be working to implement the SEP and develop HCT corridors. All local jurisdictions seeking to advance HCT priorities must utilize the following minimum requirements for CWGs:

Formation of a Corridor Working Group

1. All of the local jurisdictions in the HCT corridor as defined in the 2035 RTP and HCT System Plan must be invited to participate in the CWG. Participation of all local jurisdictions is not mandatory.
2. Assembled using the Mobility Corridors framework identified in Chapter 4 of the 2035 RTP. All of the HCT corridors are part of a larger Mobility Corridor and should coordinate with work underway as part of Metro's Congestion Management Process and any Mobility Corridor Refinement Plans.
3. Initiated by the local jurisdictions but must coordinate with staff from Metro, Tri Met and ODOT. This coordination includes, but is not limited to, inclusion on meeting notices and correspondence. The responsibility for organizing, staffing and coordinating CWGs rests with local jurisdictions. Once corridors are selected by Metro Council and JPACT for advancement for a regional investment, Metro will assume staffing and coordination responsibilities. The Southwest Corridor is the most recent example of when Metro will assume staffing responsibility for developing the HCT Corridor.

The following are minimum activities expected to be carried out by CWGs.

A) *Develop HCT Corridor Purpose & Needs Statement* – The CWG is responsible for developing a purpose and needs statement that establishes the purpose and need for the proposed high capacity transit investment (i.e., congestion mitigation, economic development, etc.). It assesses the role of the project in addressing other regional land use and transportation priorities and identifies opportunities for integration with other transportation system improvements in the corridor. It will need to reference how the HCT corridor investment would help the region address multiple desired outcomes.

B) *Develop an IGA or MOU* - This to get agreement on scope of work for the HCT-supportive corridor plan and the necessary state, regional and local actions needed to advance the HCT corridor. The IGA or MOU would be between the local jurisdictions participating in the CWG.

C) *Recognition from JPACT & Metro Council* – Once local jurisdictions have completed steps A and B of the CWG process, they will need to have their designated elected officials make a presentation to JPACT and Metro Council to discuss their aspirations to develop and advance their HCT Corridor as a regional priority. This will not require a formal resolution, but will allow the CWG to receive regional recognition and acknowledgement of local jurisdiction(s) intent to advance their HCT Corridor.

D) *Identification of High Capacity Transit Focus Areas*. Defining focus areas is important to conduct evaluation against the measures, but also helps local jurisdictions to begin planning for future areas that are highly supportive of a transit investment. It should be recognized that these "focus areas" do not represent a formal decision to site a HCT station, a decision that would be made at a later phase of planning. A basic principle should be to plan for one to two focus areas per mile on average along the corridor.

The CWG structure would carry forward as corridors move into the FTA alternatives analysis process.

1.3.3 Evaluating Corridor Performance

The 2035 RTP emphasizes measurable performance and linking investments in land use and transportation to support local community aspirations. Because of a combination of limiting factors, this region cannot implement all of the desired transit expansion in a short time. The SEP establishes a set of measures for evaluating performance. This analysis will assist in the prioritization of corridors for future high capacity transit expansion by Metro Council and JPACT.

There are two different kinds of performance measures to evaluate the performance of HCT Corridors. The first set of measures was developed as part of the HCT System Plan and will be used to evaluate HCT Corridors as part of each RTP update and with potential RTP amendments. The second set of measures focus more on existing conditions and are intended to help guide local jurisdiction planning and investment decisions to become more transit supportive in the future. The following provides details on both these sets of quantitative and qualitative performance measures.

HCT System Plan and the Multiple Account Evaluation (MAE) Analysis

For the Regional HCT System Plan, Metro and its agency and jurisdictional partners used a Multiple Account Evaluation (MAE) approach to evaluating project potential to deliver desired regional outcomes. Twenty-five evaluation criteria were developed to measure potential HCT corridor attainment across four outcome categories: Community, Environment, Economy and Deliverability. Intensive involvement by regional stakeholders, including local jurisdictions and agencies, was used to develop the evaluation framework and to guide the evaluation of corridors against the multiple criteria.

The MAE approach was adopted and refined from a standardized methodology employed in the United Kingdom for evaluation of major transportation projects. The approach was chosen for the HCT System Plan because of its ability to provide decision makers with data in a number of key areas, allowing them to assess the cost and benefits of proposed HCT investments. **Figure 2** shows how the MAE process aligns closely with the RTP policy framework.

Figure 2: 2035 RTP evaluation approach and deliverability

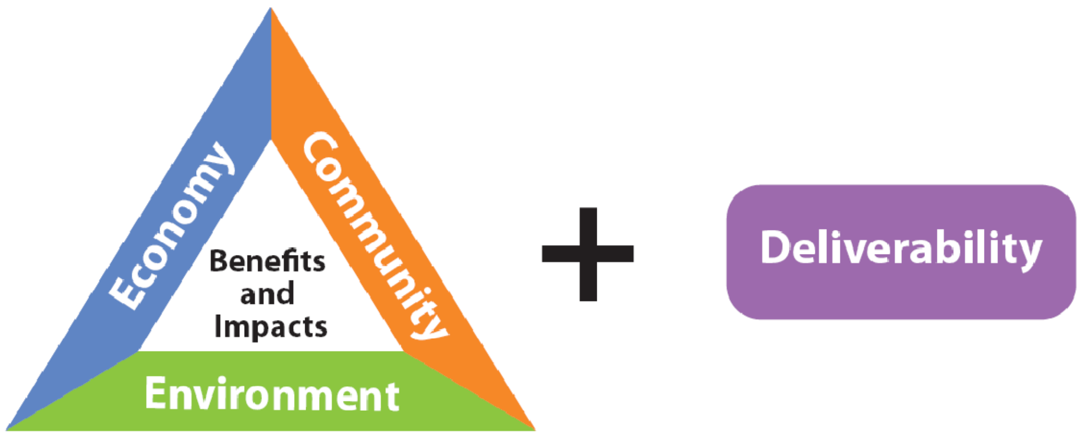


Figure 3 summarizes the specific criteria under each account: community, environment, economy and deliverability. More detailed description of all of these criteria are available as part of the HCT System Plan available on Metro's website[4].

[4] http://www.oregonmetro.gov/index.cfm/go/by.web/id=25038

Figure 3: Adopted evaluation accounts and criteria

Community	
C1	Supportiveness of Existing Land Uses
C2	Local Aspirations
C3	Placemaking and Urban Form
C4	Ridership Generators
C5	Support of regional 2040 Growth Concept
C6	Integration with Regional Transit System
C7	Integration with Other Road Uses*
C8	Congestion Avoidance Benefit Ⓜ
C9	Equity Benefit
C10	Health (Promotion of Physical Activity) Ⓜ
C11	Safety and Security (*discussed later in this report*)
C12	Housing + Transportation Affordability Benefit
C13	Transportation Efficiency or Travel Time Benefit to Individual User Ⓜ
C14	Transportation Efficiency or Travel Time Benefit to All Corridor Users Ⓜ
Environment	
EN1	Reduction in Emissions and Disturbance Ⓜ
EN2	Risk of Natural Resource Disturbance
EN3	Risk of 4(f) Resource Disturbance (*discussed later in this report*)
Economy	
EC1	Transportation Efficiency (Operator) Ⓜ
EC2	Transportation Efficiency (User) Ⓜ
EC3	Economic Competitiveness
EC4	Rebuilding/ Redevelopment Opportunity
Deliverability	
D1	Total Project Capital Cost (Exclusive & Non-Exclusive ROW Options)
D2	Capital Cost Per Mile (Exclusive & Non-Exclusive ROW Options)
D3	Operating & Maintenance Cost Ⓜ
D4	Ridership Ⓜ
D5	Funding Potential Ⓜ

Ⓜ Denotes criteria which are evaluated, at least in part, using Regional Travel Demand outputs

* Addressed through the Mobility Corridor work in Coordination with ODOT

The MAE measures listed in **Figure 3** will analyzed as part of each RTP update to inform JPACT and Metro Council HCT investment decisions. Additionally, if additional HCT resources become available in between RTP updates, these measures will be used to inform JPACT and Metro Council decisions on potential HCT-related RTP amendments.

2040 Context Tool

The MAE analysis conducted as part of the HCT plan was an expensive and resource-intensive process and is currently not easily replicable for evaluating corridor performance over time. As Metro staff started the process of creating this guidance, it was clear that a simpler method was needed to supplement the MAE measures to better inform local jurisdictions planning and investment decisions between RTP cycles. Building on the HCT plan analysis framework, Metro has been exploring new tools to measure *existing conditions* that contribute towards a transit supportive environment. Using Metro's Regional Land Information System (RLIS), Metro's Data Resource Center staff have developed an innovative GIS based analysis tool that measures specific aspects of the built and natural environment to help illustrate the character of a place.

Known as the 2040 Context Tool, the idea came about as Metro staff thought of new ways to engage policy makers, community groups, and others to better understand how to achieve their aspirations using objective measures to evaluate elements that can be controlled with policy. The 2040 Context Tool can be used to measure existing conditions, perform diagnostics on a given area and track change over time. Even more importantly, the RLIS Data used by the 2040 Context Tool is updated region-wide, on a quarterly basis by all subscribers, allowing for the best data to be used in any analysis.

Specifically, the 2040 Context Tool is a walk accessibility model where a one minute walk time is the spatial resolution of the data. This is a simple additive model where each location knows its distance from individual land use, transportation and environmental variables. Taken together, the model gives a quantitative measure of the characteristics of a place based on a defined outcome. This analysis was developed as part of the TOD Strategic Plan to help prioritize station areas for future TOD investment that can best leverage additional private investment to increase land use efficiency and increase transit ridership. **Table 2** below shows the2040 Context Tool measures.

Table 2 – SEP 2040 Context Tool Measures

Measure	Description (within distance of HCT Corridor)
Density of People	Current households and jobs per net acre within ½ mile
Density of ULI Businesses	Number of ULI Businesses within ½ mile
Transit Oriented Zoning	Assigning values to regional zoning classifications within ½ mile
Average Block Size	Density of acres of blocks within ½ mile
Sidewalk Coverage	Completeness of sidewalk infrastructure within ½ mile
Bicycle Facility Coverage	Access to bicycle infrastructure measured as distance to nearest existing bicycle facility within ½ mile
Transit Frequency	Transit frequency within ½ mile of corridor

Household and employment density is a primary determinant of transit ridership and have been combined as *density of people*.[5] As demonstrated in Metro's State of the Centers Report, there is a basic relationship between the number of people living and working in a district and the number of urban amenities. The Urban Living Infrastructure (ULI) amenities are a set of land use amenities that together comprise an active urban environment and are captured in *density of ULI businesses*. To measure the transit supportive land use that is currently adopted by local governments, Metro's TOD group developed a *transit-oriented zoning* measure. A summary of the methodology behind each quantitative measure and the 2040 Context Tool can be found in Attachment 3.

As part of the UGMFP and RTFP there are also a number of qualitative measures that will need to be considered as part of the development of HCT Corridors. A list of qualitative measures is provided in **Table 3**.

Table 3 – Qualitative SEP Measures

Measure	Description
Housing & Transportation Affordability	Demonstrating that potential transit investment will serve communities with high rate of cost burdened households
Parking Requirements	Implement parking requirements in corridor that meet or exceeds Title 4 of the RTFP.
Local Funding Mechanisms	Implement funding mechanisms in corridor communities that could help fund capital or operations to support transit investment and station area development, including urban renewal, tax increment financing, local improvement district, parking fees, or other proven funding mechanisms.
Equity	Improving options for serving low-income, minority, senior and disabled populations within corridor.

The measures in **Table 3** are of equal importance to the quantitative measures in **Table 2**. However, at this time, the region does not have a documented process for evaluating these measures. Work is currently underway to better define how to measure equity and affordability.

[5] Here in the Portland region, a 1995 study by Nelson\Nygaard Consulting Associates found that 93 percent of the variation of transit demand is explained by employment and housing density. These findings were the result of a regression analysis that controlled for 40 land use and socio-demographic variables. A study of 129 San Francisco Bay Area rail stations found that the commute mode split was 24.3 percent in neighborhoods with densities of 10 housing units per gross acre. This figure jumps to 43.4 percent and 66.6 percent, respectively, in station areas with densities of 20 and 40 housing units per gross acre.

Once this work is completed, the SEP guidance will need to be updated to reflect these changes. CWGs will need to document changes to each of these measures and work with Metro, ODOT, and TriMet to track changes over time.

The intent of this group of quantitative and qualitative measures is to ensure that a minimum level of density, pedestrian and bicycle connectivity, urban form, zoning and urban living infrastructure is in place or planned for proposed corridors/station areas. The measures from the 2040 Context Tool are to be used as a regional yardstick for a relative comparison of all of the HCT corridors. Local governments can use the results of each measure to prioritize different elements requiring local investment. Improving the 2040 Context Tool measures is likely to improve a corridor's MAE score because they are strongly linked with the MAE outcome categories of Community, Environment, and Economy.

1.3.4 RTP Updates and Initiating an RTP Amendment

The RTP establishes a comprehensive policy direction for the regional transportation system and recommends a balanced program of transportation investments to implement that policy direction. However, the recommended investments do not solve all transportation problems and are not intended to be the definitive capital improvement program on the local transportation system for the next 20 years.

Rather, the RTP identifies the projects, programs, refinement plans, and project development activities required to adequately meet regional transportation system needs during the planning period based on known available funding levels. The RTP is updated every four years to comply with federal and state regulations. As part of each RTP update all of the HCT corridors will be evaluated using the MAE performance measures. The analysis will be considered for potential action by Metro Council and JPACT as part of the RTP update.

If between RTP updates additional HCT resources become available or a CWG wishes to advance a HCT corridor it can request an RTP amendment. The CWG will need to draft a written application to Metro that demonstrates a set of actions adopted and work performed that would improve performance against both the MAE and 2040 Context Tool evaluation measures.

Metro staff would conduct a reevaluation of the HCT corridor using the MAE evaluation measures, as well as schedule consideration of the proposed amendment by resolution using the Metro advisory committee process. A Metro staff report would be prepared including a ridership forecast, land use forecast and input from TriMet. Metro Council and JPACT would then decide whether or not to take action and reprioritize and/or advance the corridor for alternatives analysis. Requests for RTP amendments and reevaluation using the SEP may be done no more than once a year or during an RTP update.

The following is excerpted from Chapter 6 of the 2035 RTP that was adopted in June 2010. This language can be found on pages 6-29 and 6-30 of the RTP.

6.7.3 High Capacity Transit System Expansion Policy (SEP) Guidebook

In June and July 2009, the Joint Policy Advisory Committee on Transportation and the Metro Council adopted the Regional High Capacity Transit (HCT) System Plan. The HCT Plan identifies corridors where new HCT is desired over the next 30 years. It prioritizes corridors for implementation, based on a set of evaluation criteria, and sets a system expansion policy (SEP) framework to advance future corridors by setting targets and defining regional and local actions, consistent with the goals of the Regional Transportation Plan (RTP) and the region's 2040 Growth Concept.

More work is needed to define how the SEP policy will be implemented. This work is underway and will be brought forward for future policy discussion by JPACT, MPAC and the Metro Council.

The SEP is intended to provide policy direction on the range of factors that should be considered when determining the next high capacity transit corridor to pursue, including:

- Community factors that center on local land use aspirations, transit-supportive land uses, building-orientation and block sizes, transportation infrastructure (e.g., sidewalks, bicycle facilities and street connectivity) parking and demand management policies, and design factors that will leverage HCT investments and increase ridership potential within a particular corridor. Generally, these factors are under the control of local governments and are implemented through local land use and transportation plans. If successfully implemented, these factors would bring a given HCT corridor and the communities connected by that corridor closer to the 2040 Growth Concept vision.
- Readiness factors such as political commitment, community support and partnerships needed to pursue the long and sometimes difficult process that even the most popular transportation investments must work through.
- Regional factors such as financial capacity and regional consensus on the appropriate next corridor.

To aid this decision-making, the HCT Plan focuses on technical factors. It will be updated with each RTP update, though the specific measures and methodologies are expected to evolve over time through a collaborative regional decision-making process. Potential HCT corridors can move closer to implementation, advancing from one tier to the next through a set of coordinated TriMet, Metro, ODOT and local jurisdiction actions that address the remaining factors.

More work is needed to define how the SEP policy will be implemented. This work is underway and will be brought forward for future policy discussion by JPACT, MPAC and the Metro Council. This section and the Regional Transportation Functional Plan will include guidance to help local jurisdictions, Metro and TriMet work together to achieve the community, readiness and regional factors listed above. This can include Memorandum of Understandings (MOUs) and eventually Intergovernmental Agreements (IGAs) that harness the synergy between community aspirations, the ability to develop high capacity transit to further those aspirations and other needed local, regional and state actions. It will also include specific targets to measure corridor readiness and contribution to regional goals.

The factors are complex and stem from the interactions of private individuals and businesses, local jurisdictions, and regional agencies. The intention of the guidance is that those jurisdictions which are achieving positive outcomes in these factors and/or have the aspiration to create the most improvement on these factors are simultaneously improving their own communities, creating more transit-friendly environments, and also may be able to pursue a near-term high capacity transit project along with the other jurisdictions in the corridor.

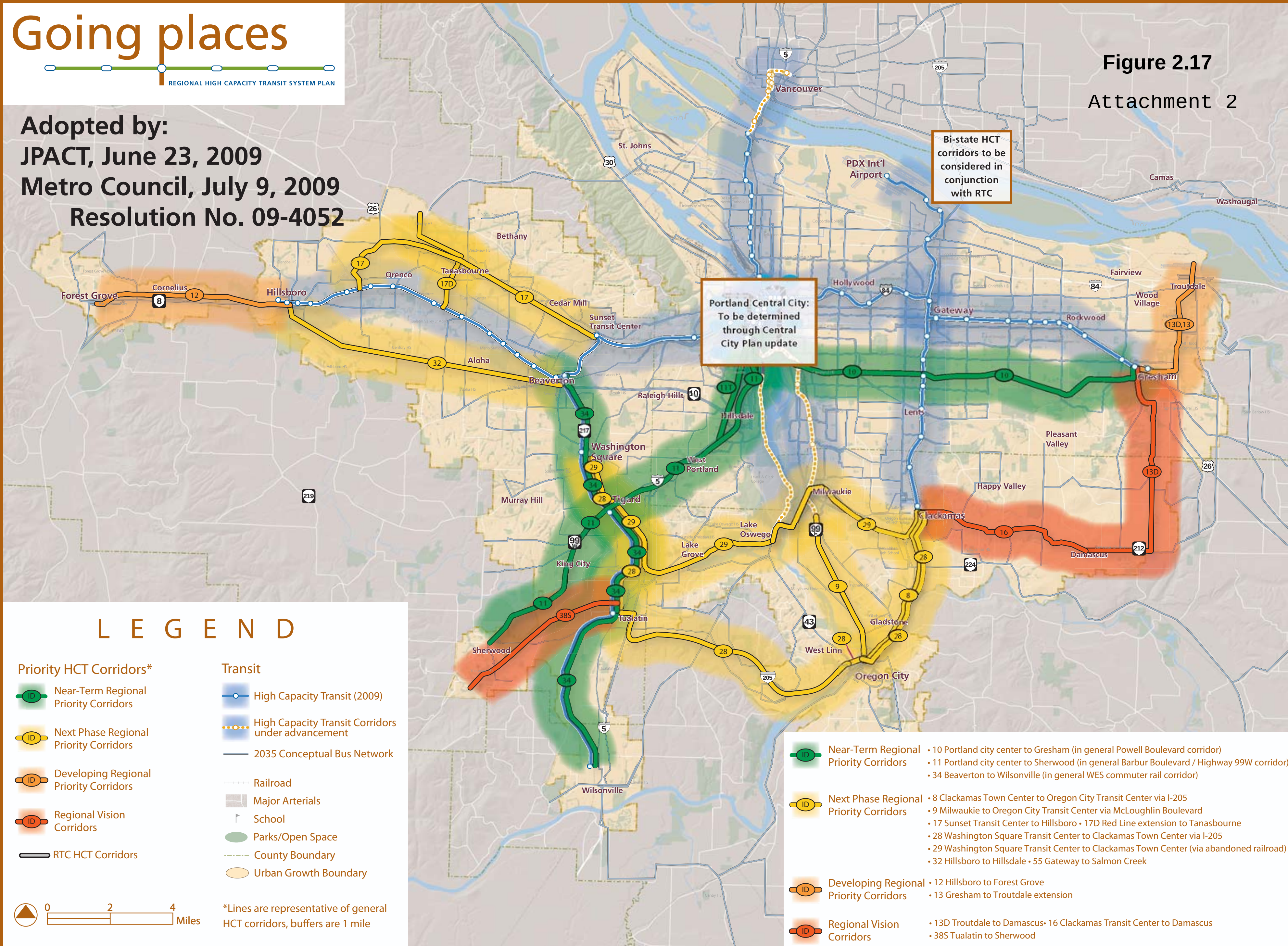
Going places

REGIONAL HIGH CAPACITY TRANSIT SYSTEM PLAN

Figure 2.17

Attachment 2

Adopted by:
JPACT, June 23, 2009
Metro Council, July 9, 2009
Resolution No. 09-4052



Sample user indicators

People per acre
A measure of the density of people within a ¼ mile distance. The indicator counts both residents and employees and is a measure of the relative activity of an area.

Urban Living Infrastructure
A measure of the density of certain types of urban amenities that contribute to the livability of an area.[1]

Access to Parks
A measure of the linear distance to parks as measured by a pedestrian network.

Transit Access
A measure of the density of transit within a ¼ mile. The indicator looks at the frequency of trip options at a given stop. This indicator provides a means of comparing trip options as well as frequency.

Bicycle Access
A measure of the relative "bikeability" of an area using the bike lane classifications in Metro's "Bike There!" map - based on the density of bike routes within one mile of a designated area.

Sidewalk Density
A measure of the density of sidewalks within ¼ mile of a location. The indicator provides a means of assessing the accessibility of safe walking paths.

Block Size
A measure of the block sizes within ¼ mile distance. Block size is an indication of the relative walkability of an area with smaller blocks being more walkable than larger blocks.

[1] Values defined by Johnson Gardner (2007), *An assessment of the marginal impact of urban amenities on residential pricing*

The Context Tool is a web-based visualization tool that maps various physical characteristics to describe the built environment that, in combination with each other, can illustrate the character of a place. This simple, but innovative tool can be used to help partners, community groups and others to provide a sense of scale for how an area performs compared to a goal or expected outcome; provide a foundation or baseline to evaluate change over time; and to diagnose current conditions. The Context Tool is an adaptive evaluation tool with numerous applications, such as identifying high performing or underserved areas and evaluating the effectiveness of various design and investment strategies relative to the user's objectives.

Users first select the indicators and geographies they need (see sample indicators at left). The Context Tool then calculates an average relative score for each indicator. By computing average values for each indicator, the Context Tool provides perspective on the relationship of existing conditions for a given geographic area. The averages range from 1 to 5, with 5 representing the highest performance level, as determined by the user.

A key feature of the Context Tool is that all maps are scaled to a unit of 264 feet, which is the approximate distance a person can walk in one minute. Each unit of the map displays the average value of an indicator for the surrounding area – usually within a five minute walk (¼ mile) In addition, this means users can visually compare local averages to regional averages for each of the indicators.

Three easy steps to running the Context Tool

1. **Determine what geography you want to analyze.** Users can choose from a series of default geographies (station areas, corridors, centers, census tracts and voter districts). Or, users can upload a unique geography if needed. Once the geographic unit is defined, a map will open displaying the entire region at the specified geography (e.g. all regional centers). The default map setting is a composite of all user defined indicators.
2. **Choose which of the indicators are relevant to your analysis.** Any combination of the defined indicators can be selected at any time.
3. **Adjust the value, or weight, of the indicators** that are most important to your analysis. Each indicator can be manually adjusted to represent various weighting or priority schemes depending on user needs. After adjusting the weights, the Context Tool can be re-run easily with a single click.

Analysis features

A number of features help to make analyses and comparisons quick and intuitive.

- The Context Tool provides the option to sort and zoom to specific features or geographic locations, such as a specific regional center.
- The Context Tool offers a variety of chart types so you can choose the most effective display of how your geography compares to the regional average (see sidebar).
- All maps, graphs and attribute tables can be exported and used to conduct additional analysis.

Indicator values generated by the Context Tool should not be treated as precise scores. Instead, they provide a sense of scale for quick comparisons across the region.

For additional details, contact Clint Chiavarini at clinton.chiavarini@oregonmetro.gov.

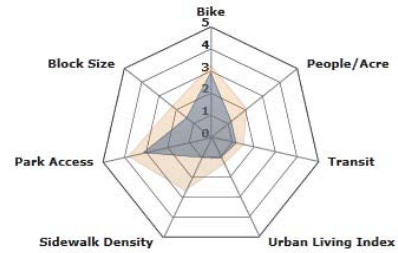
Chart illustrations

The charts below illustrate how the Context Tool provides a "sense of scale" snapshot of how a specific geography performs with respect to other indicators and geographies. (The beige or gray areas below represent regional averages.)

The charts can also be used to pinpoint areas that need more detailed analysis.

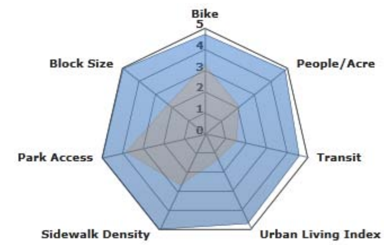
Examples

Low performing area



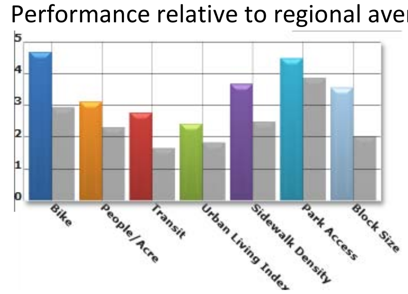
* Beige line area represents regional averages

High performing area



* Beige line area represents regional averages

Performance relative to regional averages



* Grey bars represent regional averages

Conception, design and workflow
Mark Bosworth
Clint Chiavarini

Application development
Ben Sainsbury

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 11-4265 FOR THE PURPOSE OF ADOPTING THE REGIONAL HIGH CAPACITY TRANSIT SYSTEM EXPANSION POLICY IMPLEMENTATION GUIDANCE.

Date: July 6, 2011 Prepared by: Josh Naramore 503-797-1825

BACKGROUND

The Regional High Capacity Transit (HCT) System Plan was developed as a component of the 2035 Regional Transportation Plan (RTP) and serves as the foundation for prioritizing future HCT investments. The Regional HCT System Plan identifies the best locations for major transit capital investments based on evaluation criteria derived from the 2035 RTP. These adopted evaluation criteria will provide the basis to inform MPAC, JPACT and Metro Council's regional decisions on HCT investments as part of future RTP updates.

The 2035 RTP adopted in June 2010 included an outline for developing a HCT system expansion policy (SEP). The SEP emphasizes fiscal responsibility by ensuring that limited resources for new HCT are spent where local jurisdictions have committed supportive land uses, high quality pedestrian and bicycle access, management of parking resources and demonstrated broad-based financial and political support. Chapter 6 of the RTP calls for developing regional guidance for the system expansion policy. With adoption of the 2035 RTP, Metro committed to developing guidance and bringing it forward for discussion to JPACT, MPAC and the Metro Council.

This resolution adopts the HCT SEP Implementation Guidance in Exhibit A and is the first post-adoption 2035 RTP implementation activity to be completed. It builds upon the SEP policy framework that was adopted as part of the 2035 RTP by:

1) Clearly articulating the decision-making process by which future HCT corridors will be advanced for regional investment;
2) Establishing minimum requirements for HCT corridor working groups to inform local jurisdictions as they work to advance their priorities for future HCT;
3) Defining quantitative and qualitative performance measures to guide local land use and transportation planning and investment decisions; and
4) Outlining the process for updating the 2035 RTP, including potential future RTP amendments, for future HCT investment decisions.

Following the SEP guidelines will enhance support for transit investments, but does not guarantee a regional investment in HCT. The ultimate decision rests with JPACT and the Metro Council, both as part of RTP updates, or with potential RTP amendments should additional HCT resources become available in the interim. The implementation guidance is intended to help local jurisdictions understand and implement recent regional policy and regulatory changes with adoption of the 2035 Regional Transportation Plan, Regional Transportation Functional Plan (RTFP), and amendments to the Urban Growth Management Functional Plan (UGMFP). It also provides new analytical tools to help inform local jurisdiction planning and investment decisions to become more transit-supportive.

Any changes to the HCT SEP implementation guidance will be addressed as part of each RTP update. With adoption of this resolution, changes to the HCT SEP implementation that arise between RTP updates will need to come before MPAC, JPACT and Metro Council.

TPAC recommended approval of this resolution to JPACT at its May 27 meeting. Similarly, MTAC recommended approval of this resolution at its June 1 meeting. Both TPAC and MTAC approved the guidebook with a few changes. The changes included adding language to clarify that participation of all local governments in a corridor working group is not mandatory, but all the jurisdictions must be invited to participate. The HCT SEP implementation guidance included in Exhibit A reflects both the TPAC and MTAC changes.

MPAC members raised concerns about the multiple account evaluation framework that was adopted as part of the HCT System Plan. Metro staff will work with local jurisdictions to address these concerns as part of the next RTP update. MPAC recommended Metro Council adoption of the HCT SEP implementation guidance at the June 8 meeting. It is scheduled for adoption at the July 14 JPACT and Metro Council meetings.

ANALYSIS/INFORMATION

1. **Known Opposition** – No known opposition
2. **Legal Antecedents** –

   Metro Council Ordinance No. 10-1241B FOR THE PURPOSE OF AMENDING THE 2035 REGIONAL TRANSPORTATION PLAN (FEDERAL COMPONENT) AND THE 2004 REGIONAL TRANSPORTATION PLAN TO COMPLY WITH FEDERAL AND STATE LAW; TO ADD THE REGIONAL TRANSPORTATION SYSTEM MANAGEMENT AND OPERATIONS ACTION PLAN, THE REGIONAL FREIGHT PLAN AND THE HIGH CAPACITY TRANSIT SYSTEM PLAN; TO AMEND THE REGIONAL TRANSPORTATION FUNCTIONAL PLAN AND ADD IT TO THE METRO CODE; TO AMEND THE REGIONAL FRAMEWORK PLAN; AND TO AMEND THE URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN, adopted by the Metro Council June 10, 2010.

   Metro Council Resolution No. 09-4052 FOR THE PURPOSE OF ACCEPTING THE REGIONAL HIGH CAPACITY TRANSIT SYSTEM TIERS AND CORRIDORS, SYSTEM EXPANSION POLICY FRAMEWORK AND POLICY AMENDMENTS, adopted by the Metro Council July 9, 2009.
3. **Anticipated Effects –** None Anticipated.
4. **Budget Impacts** – None Anticipated.

RECOMMENDED ACTION

Approve Resolution No. 11-4265 and adopt the High Capacity Transit System Expansion Policy Implementation Guidance.

Materials following this page were distributed at the meeting.

2011 JPACT Work Program
7/14/11

July 14, 2011 – Regular Meeting	**August 11, 2011 – Regular Meeting**
• State legislative recap – Information • HCT System Expansion Policy Guidance – Action	• Announce LUFO at August 11 Council Session • MTIP Amendment to Allocate TSMO Funds for Management
September 8, 2011 – Regular Meeting • Release of Draft Recommendation of RFFA for Public Comment o Vehicle Electrification RFF Allocation • Policy Discussion on Tier 1 Regional Flexible Fund Allocation – Discussion • TriMet's Pedestrian Network Analysis – Information	**October 13, 2011 – Regular Meeting** • Oregon state legislative agenda – Discussion • Federal legislative agenda – Discussion • Climate Smart Communities Scenarios Evaluation Briefing - Information
November 10, 2011 – Regular Meeting • Climate Smart Communities Scenarios Findings and Recommendations to be Submitted to 2012 Legislature – Discussion • Portland Air Toxics Solutions (PATS) project – Information **Hold: Joint JPACT/MPAC Meeting** Climate Smart Communities Scenarios Results and Preliminary Recommendations	**December 8, 2011 – Regular Meeting** • Climate Smart Communities Scenarios Findings and Recommendations to be Submitted to 2012 Legislature - Action • Oregon state legislative agenda – Adoption • Federal legislative agenda – Adoption • 2014-15 Regional Flexible Fund Allocation – Action

Parking Lot:

- Update and discussion on Electric Vehicles and ETEC charging station project
- Discussion of subcommittees for JPACT – equity, economy and climate change response
- RTP amendment for CRC.
- CRC LUFO.
- Regional Indicators briefing in mid 2011.
- 2012-15 MTIP/STIP Approval and Air Quality Conformity – Action (Feb. 2012)
- Portland to Lake Oswego Transit Project