

# Metro | Agenda

Meeting: Transportation Policy Alternatives Committee (TPAC)  
Date: Friday, Oct. 26, 2012  
Time: 9:30 a.m. to 12 p.m. (noon)  
Place: Metro, Council Chamber

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- |          |      |  |                                      |
|----------|------|--|--------------------------------------|
| 9:30 AM  | 1.   | <b>Call to Order and Declaration of a Quorum</b>   | <b>Elissa Gertler, Chair</b>         |
| 9:35 AM  | 2.   | <b>Comments from the Chair and Committee Members</b>   |                                      |
|          | *    | <ul style="list-style-type: none"><li>• Transportation Improvement Program Adjustments for July to September 2012</li></ul>  |                                      |
| 9:40AM   | 3.   | <b>Citizen Communications to TPAC Agenda Items</b>   |                                      |
| 9:45 AM  | 4. * | <b>Consideration of the TPAC Minutes for Sept. 28, 2012</b>  |                                      |
| 9:50AM   | 5. * | Population and Employment Forecast Distribution – <u>INFORMATION</u> <ul style="list-style-type: none"><li>• <u>Purpose</u>: TPAC members understand the coordination process for the 2035 Forecast Distribution to be adopted by Metro Council in November 2012, applications of the distribution for local plans, and the key takeaways.</li><li>• <u>Outcome</u>: Discussion of how to assist local governments and other public entities to use the information.</li></ul> | <b>Mike Hoglund<br/>Gerry Uba</b>    |
| 10:35 AM | 6. * | 2016-18 Regional Flexible Funds Allocation (RFFA) Policy Report Adoption – <u>RECOMMENDATION TO JPACT REQUESTED</u> <ul style="list-style-type: none"><li>• <u>Purpose</u>: Review 2016-18 RFFA Policy Report reflecting October 11 JPACT direction.</li><li>• <u>Outcome</u>: Recommendation to JPACT.</li></ul>  | <b>Josh Naramore<br/>Ted Leybold</b> |
| 11:35 AM | 7. * | Oregon Passenger Rail Update – <u>INFORMATION</u> <ul style="list-style-type: none"><li>• <u>Purpose</u>: Provide a briefing and seek TPAC input on the Purpose &amp; Need, scope and schedule for the Oregon Passenger Rail study.</li><li>• <u>Outcome</u>: Clear understanding and opportunity to provide input to the study process for TPAC members.</li></ul>  | <b>Scott Richman, DEA Inc.</b>       |

*Continued on back...*

11:55 AM      8.      **ADJOURN**

Elissa Gertler, Chair

- \*      Material available electronically.
- \*\*      Material will be distributed in advance of the meeting.
- #      Material will be distributed at the meeting.

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

## **2012 TPAC Work Program**

**10/18/12**

### **October 26, 2012 – Regular Meeting**

- Population & Employment Forecast Distribution– Information
- Proposed 2015-18 TIP process and schedule – Action
- Oregon Passenger Rail Update – Information

### **November 30, 2012 – Regular Meeting**

- Climate Smart Communities Scenarios – Discussion
- 2012-15 MTIP amendments to Transportation System Management and Operations (TSMO) fund – Action
- Regional Travel Options Recommendation and Grant Criteria – Discussion
- Active Transportation Plan Existing Conditions Findings/ Network Concepts – Information
- 2013-14 UPWP Framework – Discussion
- TriMet 2013 Transit Investment Program – Information

### **Parking Lot:**

- ODOT least cost planning tool (Mosaic)
- Metropolitan Planning Area boundary update
- Household travel survey



Date: October 18, 2012  
To: TPAC and Interested Parties  
From: Ted Leybold and Pamela Blackhorse  
Subject: TIP adjustments for July – September 2012

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Attached is the summary of Transportation Improvement Program amendments, programming adjustments and financial plan adjustments for the first quarter of Metro fiscal year 2012-13. These adjustments will be distributed to TPAC on a quarterly basis.

Please contact us if you have any questions.

## **2012-15 MTIP Programming Adjustments: First Quarter of FFY 2012-13**

The following FFY12-15 MTIP amendments, programming adjustments or financial plan adjustments were processed in the period July through September 2012.

### **2012 TriMet Preventive Maintenance (TOD & ODOT) (Key #17275)**

#### **TriMet Project**

Add \$1.5M (Fed) ODOT Statewide STP funds to Other Phase. Update footnote.

### **Tolbert St (Sunrise Corr): 82nd Dr - Industrial Way (Key #16844)**

#### **Clackamas County Project**

Swap STP funds with JTA funds from Key 15555 Sunrise. This project was included as part of the Sunrise Corridor EIS. Change Footnote.

### **SW Boones Ferry Rd: SW Norwood Rd - SW Day Rd (Key #17196)**

#### **Washington County Project**

Increase PE, RW and construction by moving OTIA funds from construction to PE and RW and adding Washington County funds to construction. Add footnote.

### **OR99W: Tualatin River Br - Sunset Blvd. (ODOT Key #17567)**

#### **ODOT Project**

Change project name and mile points. Advance CN to 2012. Remove RW and add funds to CN. Increase CN with Bridge funds using surplus funds from favorable bids and Bike/Ped funds from Key 16888. Change work types.

### **Veterans Transportation Community Initiative (Key #18002)**

#### **TriMet (Ride Connection)**

Add additional funds to this project in the STIP based on July 2, 2012 US DOT News Release awarding \$49,643 Section 5312 Veterans Transportation Community Living Initiative Program grant funds at 100% (no match required).

### **Crescent Connection: Cedar Hills Blvd - Denney Rd (Key # TBD)**

#### **City of Beaverton Project**

Add a new project funded by a Flex fund grant (\$1.2 million State STP) from the OTC on 3/21/12. Construction is locally funded in the amount of \$2.8 million. Metro Res. 12-4359 adopted 7/19/12 by Metro Council.

### **OR99E: CLACKAMAS RIVER BRIDGE-DUNES DR(OREGON CITY) (Key #17265)**

#### **Oregon City Project**

Increase PE by adding \$291,585 Urban STP funds from the Metro Financial Plan and reduce CN by moving an equivalent amount to the Metro FP. Add a \$16K ROW phase with Other local funds.

**FFO OR212/224: Sunrise Corridor (I-205-SE 122ND AVE) (ODOT Key #15555)**

**ODOT Project**

Change work description. Add R1 OTIA balance of funds to RW and \$846,191.05 HPP funds from Damascus Planning (Key 15375). Swap \$2M JTA funds with STP funds from Key 16844, Tolbert Rd (Part of Sunrise EIS). Move \$1,830,000 JTA funds to a child project on Lawnfield Road (new key). Federal funds shown in red at 100% because OTIA funds used as match.

**Corridor Upgrades (Key #18076)**

**ODOT Project**

Create an Other phase by moving State STP funds of (\$1, 139,571 fed, \$1,270,000 total) from CN.

**OR210:OR217-Cascade Ave & OR10:SW103rd/Western Ave (Key# 17703)**

**ODOT Project**

Combine Key 17706 OR10: SW 103rd /SW Western Ave into this project. (HSIP funds \$76,988 fed, \$85,800 total to PE) (HSIP funds \$384,557 fed, \$417,000 total to CN and also Bike/Ped of \$12,000 total to CN, no fed) Change the project name and description. Advance construction to 2014.

**US26: VMS 185 to Cornell/Sherwood/I-84 at 223<sup>rd</sup> (Key #17801)**

**ODOT Project**

Increase the JTA funds from the parent project, Key 14070 US26: NW 185th - Cornell, by adding another \$330,000 to cover the construction estimate on this project.

**Portland - Milwaukie LRT: Kellogg Lake Bridge MUP (Key # TBD)**

**TriMet Project**

Add a new project to the STIP as approved by the OTC on July 18, 2012. The funds will be flexed to TriMet as part of the construction of the Portland Milwaukie LRT. Matching and local funds provided by the City of Milwaukie. Add ODOT Region 1 STP from savings due to favorable bids. Metro Res. 12-4357 adopted 7/19/12.

**US26: SE 111th Ave -SE 176th Ave (Key #15051)**

**ODOT Project**

Change project name and mile points.

**SMART BUS PURCHASE/PREVENTIVE MAINTENANCE 2010 (Key #15633)**

**SMART Project**

Slip funds to 2012. Add the Key number to the 12-15 STIP.

**SMART BUS PURCHASE/PREVENTIVE MAINTENANCE 2011 (Key #15634)**

**SMART Project**

Slip funds to 2012. Add the Key number to the 12-15 STIP.

**FFO - I-84 EB to I-205 NB Auxiliary Lane (Key #16846)**

**ODOT Project**

Change project name and description. Add Region State STP funds (\$4,486,500 fed, \$5,000,000 total) to create a construction phase. OTC approval 7/18/12. Metro Res. No. 12-4358 adopted 7/19/12.

**I-5: I-405 - I-84 (Key #15462)**

**ODOT Project**

Change project name and description. Add highway name and milepoints. Create a PE phase by transferring funds (Equity Bonus \$509,977 fed, \$533,000 total) from the PL phase in addition to R1 funds (State STP - \$849,743 fed, \$947,000 total) from favorable bids.

**OR8:N10th Ave-N19th Ave (Baseline St) Cornelius (Key #15592)**

**City of Cornelius Project**

Slip construction to 2013, add worktype and change description. Add Rail Safety funds to increase PE \$30,000 (100% fed) and create an Other phase \$500,000 (100% fed). Funding from Keys #13889 & 15124.

**FFO - I-205 @ NE AIRPORT WAY INTERCHANGE (Key #14856)**

**ODOT Project**

Add \$2,691,900 State STP (region) funds from savings on favorable bids to the CON phase in 2012.

**OR8 & OR47: Pacific Ave & Quince St. Intersection (Key #18003)**

**City of Forest Grove Project**

Transfer Urban STP funds of \$157,028 fed, \$175,000 total from PE and create a Planning Phase in 2013.

**Ride Connection Operations and Resource Center (Key #18205)**

**TriMet Project**

Add this new project to the STIP based on July 23, 2012 DOT News Update awarding \$2,000,000 Section 5309 Bus Livability Program grant funds.

**TriMet Vehicle Replacements (Key #18204)**

**TriMet Project**

Add this new project to the STIP based on July 23, 2012 DOT News Update awarding \$5,000,000 Section 5309 State of Good Repair grant funds.

**EAST PORTLAND ACTIVE TRANSPORTATION TO TRANSIT (Key #18021)**

**City of Portland Project**

Add STP Flex funds awarded by the OTC in March 2012 to the PE phase (\$640K fed, \$713,251 total). Move Urban-STP funds to create a RW phase (\$50K fed, \$55,723 total) and increase construction (\$450K fed, \$501,504 total).

**I-84: NE Graham Dr & NE Swigert Way (Troutdale) (Key # 18227)**

**Port of Portland Project**

Create a child project of Key 17541 FFO I-84 at Marine Drive (Troutdale) with surplus funding (\$2 million JTA funds) from I-5 at I-205 (Key 16967) as detailed in Subsection 3(a) of SB 1543, to fund PE in 2012. For a more complete work description, see Exhibit A of the IGA.

**2013 Signal Upgrade (Key # 18077)**

**ODOT Project**

Change the project name.

**SE Lawnfield Road: SE 97th - SE98th (Key #18167)**

**Clackamas County Project**

Create a child project of Sunrise Corridor with PE funded by Clackamas County and RW funded by JTA funds from Key 15555 Sunrise Corridor.

**2013 TriMet Rail Prev Maint (Reg Transit Bond Pmt) (Key #17283)**

**TriMet Project**

Advance funding from FFY 2013 to FFY 2012 to utilize financial plan capacity.

**Hillsboro Bike and Ride (Orenco Station) 2011 (Key #17905)**

**Metro (not TriMet) Project**

Change name, change applicant from TriMet to Metro (City of Hillsboro will be the sub-recipient). Remove 'TriMet' from Project Name.

**I-205 SUP: Division Undercrossing & Wayfinding (Key #17046)**

**ODOT Project**

Increase CN (\$157,027 fed, \$ 175,000) and add a UR phase (\$31,406 fed, \$ 35,000 total) by adding State STP funds from favorable bids on other projects.

**OR217: Active Traffic Management (Key #16252)**

**ODOT Project**

Add Region 1 savings from favorable bids to increase PE (\$8,353 fed, \$9,308 total) and CN (\$7,163,591 fed, \$7,983,496 total). Also increase PE by moving Urban STP (\$373,000 fed, \$415,692 total) from Construction. Use R1 State funds to create an Other phase and add 1R Safety funds (\$2,332,709 fed, \$2,529,504 total) to Construction for a median barrier and paving.

**2014 & 2015 Signal Upgrades (Key #17697)**

**ODOT Project**

Advance PE to 2012.

**Corridor Upgrades (Key #18076)**

**ODOT Project**

Increase CN by transferring State STP funds from Key 13739 (\$224,000 fed, \$250,000 total).

**VMS Replacements (Key #18075)**

**ODOT Project**

Increase CN by transferring State STP funds (\$224,325 fed, \$250,000 total from Key 13739).

**NE 172nd Ave: Halsey St. - Glisan St. (Gresham) (Key #16064)**

**City of Gresham Project**

Change RW funding to Local Agency funds and move SRTS funds (\$5K - 100% fed) to construction. Slip CN to 2013.

**US 26(SW Kelly Ave): SW 1st Ave—Ross Island Bridge (Key #17991)**

**ODOT Project**

Change project name and milepoints. Increase PE (\$71,895 fed, \$ 80,000 total) and CN (\$15,946 fed, \$20,000) by adding R1 STP funds from savings on favorable bids on other projects. Add Bike/Ped and Other funds from PDC and TriMet.

**2009 Signal Upgrades (Key #13739)**

**ODOT Project**

Transfer (\$13,459, fed) \$15,000 total State STP funds to Key 18075 VMS Replacements.

**VMS Replacements (Key #18075)**

**ODOT Project**

Increase CN by transferring State STP funds from Key 13739 (\$13,459 fed, \$15,000 total).

**Main St Ph 2: Rail Corridor-Scoffins (Tigard) (Key #TBD)**

**City of Tigard Project**

Expand Main Street project (key #15600) to section from the railroad corridor to Scoffins Street utilizing remaining funds from the Walnut Street project (Key #17538) and local over match of \$876,510. Walnut Street will now be locally funded with MSTIP \$. This Phase II expansion will be programmed as a separate project in order to not risk delay to the construction of the segment between OR99W to the railroad corridor.

**UPGRADE GATE MECHANISMS AT 38 RR GRADE X'INGS (Key#18237)**

**ODOT Project**

Add a new project awarded FY 2012 Railway - Highway Crossing Hazard Elimination Discretionary Funds. Two of the 38 crossings between Portland and Eugene at Naito Parkway and Harmony Road are in the Portland MPO.

**NE/SE 50'S BIKEWAY: NE THOMPSON TO SE WOODSTOCK (Key #15589)**

**City of Portland Project**

Add Metro Financial Plan funds (\$15,703 fed, \$17,500 total) to create a RW phase for 2012 and reduce construction by exact amount by transferring funds to the Metro Financial Plan.

**OR99W: (N Denver Ave) at N Schmeer Rd Intersection (Key #15190)**

**ODOT Project**

Change project name and description. Reduce PE by moving federal funds to create a RW and Other phase.

**OR99E: MLK Viaduct: Division St-Grand Pl Jughandle (Key #18246)**

**ODOT Project**

Add a child project of Key 09350 OR99E: MLK/Grand Viaduct using State Bridge funds for 3 small contracts.

**FFO I-205: COLUMBIA SLOUGH & NE CLARK RD BRS (Key #17524)**

**ODOT Project**

Change the project name due to the project selected as an FFO.

**FFO - Sunrise Project - Industrial Way (Key #16602)**

**Project?**

Change the project name and slip RW to 2013.

**FFO I-5: Hood Ave-Nyberg Cr Seismic Retrofit 1 (Key #17983)**

**ODOT Project**

Change the project name due to the project selected as an FFO.

**FFO - OR99W: Tualatin River Bridge #01417S Rehab (Key #17521)**

**ODOT Project**

Change project name to add FFO.

**FFO- OR99W: I-5 NB Ramps (Key #16142)**

**ODOT Project**

Change project name and county to "Various".

**FFO US26: WILLAMETTE R (ROSS ISLAND BR) PHASE 1 (Key #17523)**

**ODOT Project**

Change the project name to add FFO

**FANNO CREEK (OLESON ROAD) BRIDGE (Key #17414)**

**Washington County Project**

Update project description. Increase PE, RW and Construction by adding Bridge savings from other projects and Washington County funds. Move L240 funds to Bridge Financial Plan.

**Rural ITS - 2014 & 2015 (Key #17681)**

**ODOT Project**

Change project name and remove project from the MPO.

**FFO US26 @ BROOKWOOD/HELVETIA (SHUTE RD) (key #16842)**

**ODOT Project**

Change the project name and add milepoints. Add JTA funds from Key 14070 as mandated by SB 1543, Subsection 3(b).

**Corridor Upgrades (Key #18076)**

**ODOT Project**

Create another phase by moving State STP funds of (\$1,139,571 fed, \$1,270,000 total) from CN.

**SW Rose Biggi: Hall Blvd - Crescent St (Beaverton) (Key #14400)**

**City of Beaverton Project**

Create CN phase using surplus RW funds and local agency funds.

**I-205 SUP: Division Undercrossing & Wayfinding (Key #17046)**

**ODOT Project**

Change the project name and work description.

**FFO - I-84: MLK Blvd to I-205 (Key #16267)**

**ODOT Project**

Advance construction to 2012. Increase CN by adding Bridge funds (State STP \$24,048 fed, \$26,800 total) from savings on good bids.

**FFO- I-84: Troutdale Interchange (Marine Drive) (Key #17541)**

**ODOT Project**

Change project name. Add milepoints. Add \$1 million JTA funds from Key 16967 I-5 at I-205 Interchange as detailed in Subsection 3(a) of SB 1543, and add \$448,650 State STP funds for CONST in 2013.

**US26: SE 122nd Ave - 168th Ave UIC Replacement (Key # TBD)**

**ODOT Project**

Create a child project of Key 15051 US26: SE 111th Ave - SE 176th Ave by transferring preservation funds to this project. Convert funds to State funds.

**US26: SE 111th Ave -SE 176th Ave (Key #15051)**

**ODOT Project**

Transfer \$350,000 Preservation funds to a new child project: US26: SE 122nd Ave - 168th Ave UIC Replacement

**FFO I-5: Hood Ave-Nyberg Cr Seismic Retrofit 2 (Key #17981)**

**ODOT Project**

Change the project name due to the project selected as an FFO.

**SE Lawnfield Road: SE 97th - SE98th (Key # New)**

**Clackamas County Project**

Create a child project of Sunrise Corridor with PE funded by Clackamas County and RW funded by JTA funds from Key 15555 Sunrise Corridor.

**Rural & Urban ITS - 2014 & 2015 (Key #17681)**

**ODOT Project**

Advance PE to 2012

**Tolbert St (Sunrise Corr): 82nd Dr - Industrial Way (FINAL) (Key #16844)**

**Clackamas County Project**

Swap STP funds with JTA funds from Key 15555 Sunrise. This project was included as part of the Sunrise Corridor EIS. Change Footnote. (07/10/2012 - 8/21/12)



TRANSPORTATION POLICY ALTERNATIVES COMMITTEE

September 28, 2012

Metro Regional Center, Council Chamber

MEMBERS PRESENT

Andy Back  
Karen Buehrig  
Elissa Gertler, Chair  
Carol Gossett  
Heidi Guenin  
Nancy Kraushaar  
Katherine Kelly  
Scott King  
Alan Lehto  
Margaret Middleton  
Dave Nordberg  
Satvinder Sandhu  
Paul Smith  
Charlie Stephens  
Rian Windsheimer

AFFILIATION

Washington County  
Clackamas County  
Metro  
Community Representative  
Community Representative  
City of Wilsonville Representing Cities of Clackamas Co.  
City of Gresham, Representing Cities of Multnomah Co.  
Port of Portland  
TriMet  
City of Beaverton, Representing Cities of Washington Co.  
Oregon Department of Environmental Quality  
Federal Highway Administration  
City of Portland  
Community Representative  
Oregon Department of Transportation

MEMBERS EXCUSED

David Eatwell  
John Hoefs  
Dean Lookingbill  
Karen Schilling  
Sharon Zimmerman

AFFILIATION

Community Representative  
C-TRAN  
Southwest Washington Regional Transportation Committee  
Multnomah County  
Washington State Department of Transportation

ALTERNATES PRESENT

Lynda David  
Joanna Valencia

AFFILIATION

Southwest Washington Regional Transportation Committee  
Multnomah County

STAFF: Ted Leybold, Daniel Kaempff, Tom Kloster, Robin McArthur, Lake McTighe, John Mermin, Josh Naramore, Kelsey Newell, Dylan Rivera, Marc Week.

**1. CALL TO ORDER AND DECLARATION OF A QUORUM**

Chair Elissa Gertler declared a quorum and called the meeting to order at 9:36 a.m.

**2. COMMENTS FROM THE CHAIR AND COMMITTEE MEMBER**

Chair Gertler noted that there was information in the meeting packet concerning Oregon passenger rail. Comments can be submitted until the end of October.

Chair Gertler reminded the committee that TPAC citizen member recruitment is currently underway. Current members are encouraged to reapply. Chair Gertler encouraged members to spread the word on the recruitment efforts.

Josh Naramore of Metro shared that Southwest Washington Regional Transportation and Metro are undergoing a certification by the Federal Highway administration and the Federal Transit Administration. The process happens every four years. The committee was encouraged to contact Mr. Naramore or Mr. Sandhu with any questions.

Mr. Rian Windsheimer provided an update to the changes in the STIP process. Mr. Windsheimer provided a list of the STIP project selection committee nominations. The OTC held an open house for applications for STIP projects which is now open.

### **3. CITIZEN COMMUNICATIONS TO TPAC ON NON-AGENDA ITEMS**

There was none.

### **4. CONSIDERATION OF THE TPAC MINUTES FOR AUGUST 29, 2012**

MOTION: Mr. Windsheimer moved, Ms. Katherine Kelly seconded, to approve the Transportation Policy Alternatives Committee (TPAC) minutes for August 28, 2012.

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

### **5. EXPANDED NATIONAL HIGHWAY SYSTEM (NHS) DESIGNATIONS FROM MAP-21**

Mr. Tom Kloster of Metro introduced the expansion of National Highway System (NHS) designations from MAP-21. Metro has submitted comments as well as several local jurisdictions. Mr. Sandhu explained the background of the Expansion of the NHS, where all principal arterials will now be a part of the Enhanced NHS. States, MPOs and Local jurisdictions were given the opportunity to submit changes to their arterial designations before the deadline of October 1<sup>st</sup>. There were a lot of request to downgrade arterials made and the FHWA will conduct a thoughtful process to decide if the requests are warranted. Mr. Sandhu stated that the designation should be based on the function of the arterial. The obvious requests would be granted but the less obvious request will go through a thoughtful process. One reason why the FHWA did not grant requests wholesale is that the enhanced NHS will have a considerable amount of funding. With the NHS explanation Oregon will add an additional 600 miles to the NHS. Mr. Kloster mentioned that ODOT is convening a working group to work on this issue. The issues is the funding source from the NHS and the design implications. ODOT would be looking design exemptions.

The committee discussed the following items:

- Members noted the short notice, 48 hours, to submit comments and the speed of changes.
- Members discussed what constitutes a principal arterial. Streets such as West Burnside was listed as a principal arterial which would be a concern for the City of Portland.
- Members expressed concern that design implications of the NHS that could be imposed on city streets that could affect safety features and transit lines.
- Members weighed the benefits and concerns with expansion of the NSH and advocated for a rational process.

## **6. IMPLEMENTING THE REGIONAL TRANSPORTATION SAFETY PLAN RECOMMENDATIONS**

Mr. Naramore introduced the implementation of the Regional Transportation Safety Plan (RTSP). Since fall 2009, responding to a Federal Highway Administration recommendation, Metro has been working with the Regional Safety Workgroup to better integrate safety into the transportation planning process. The Workgroup recently completed a RTSP, the first of its kind for this region with the goal to help the region meet the RTP target for reducing fatalities and serious injury crashes. Staff has been working with local partners and staff from other MPOs in other regions in drafting a proposal to effectively begin to reduce fatalities and severe injuries on the regional transportation system. Staff has been working with federal, state and local partners to identify potential resources to fund the safety pilot program. Recent changes to ODOT STIP process and 2015-18 MTIP process have accelerated the timeline for being able to apply for state and federal resources to support the Regional Safety pilot program. Metro staff will be engaging JPACT at their October 11 on implementation of the safety plan recommendations and TPAC will be asked to provide input on how to frame the JPACT discussion.

The committee discussed the following items:

- The committee discussed the intricacy and benefits of upgrading street lighting and programs/incentives to fund LED upgrades.
- Members recommended that new projects might have a portion of the project set aside for a safety piece as well as a soft side of safety such as education and enforcement.
- Members asked why there were six facilities singled out for improvements. Six facilities is a starting point, which would hopefully expand further.
- Members expressed concern that the \$5.183 million would not be enough money to implement the plan.
- Members expressed concern in starting the RTSP as a pilot program and suggested integrating safety into other programs.
- Members suggested that the RTSP be decided on until after the MTIP process.
- Members suggested providing options for implementation alternatives.

## **7. DIRECTION ON THE 2015-18 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM**

Mr. Ted Leybold of Metro Introduced the MTIP discussion. Metro staff received policy direction from the Joint Policy Advisory Committee on Transportation (JPACT) at the September 13 meeting on the development of the MTIP, allocation of the regional flexible funds and direction on coordinating with the STIP process. Mr. Naramore asked the committee to provide input and direction on how to frame the 2016-18 regional flexible fund allocation (RFFA) policy direction for the October 11 JPACT discussion. At the September 13 JPACT meeting, Metro staff presented three options for how to spend the \$37.78 million: Option 1, invest using the same 75-25 percent split the region did in 2010; Option 2, split the money by different percentages; Option 3, invest in those two categories and some new project categories. JPACT directed Metro staff to work with TPAC to further refine a policy direction around Option 3 to include the development of a Regional Economic Opportunity Fund. This fund would support projects that focus on economic opportunity, take a system wide approach, leverage private sector investments, implement corridor plans, and focus on access to industrial lands.

The committee discussed the following items:

- Some members expressed concern with the way the August TPAC meeting on the MTIP was characterized to JPACT on September 13. Some members wanted a discussion on which of the three options to support. Staff responded that JPACT gave direction for TPAC to specifically provide policy refinement around Option 3.
- Some members supported Option 1 while other members supported staff proposal for Option 3. The committee debated the benefits of each option but there was not a consensus.
- Members suggested changing the name of Regional Economic Opportunity Fund to something such as Regional Opportunity Fund.
- Mr. Windsheimer provided a list of ideas for the RFFA that include, Job creation/TIGER application/access to industrial lands, corridor safety improvements, jurisdictional transfers and implementation of regional plans. Some members were strongly opposed jurisdictional transfers.
- Members expressed concern for longer-term implications of flexible fund decisions especially after the economy heals.
- Members discussed what the options the committee could provide with Option 3. Metro Staff noted that it was too early to divide monetary figures.
- Members discussed job creation figures. Some members expressed concern that job creation figures are flawed while other members noted that examples of job creation success and leveraging investments.
- The committee discussed the need to give flexibility in the RFFA to fund multiple types of projects.

MOTION: Mr. Smith moved to recommend that JPACT adopt Option 1, to use the pre-described 75-25 percent split for the additional 2016-18 regional flexible fund allocations of the 2015-18 MTIP.

ACTION TAKEN: With no second, the motion failed

Metro Staff asked members for a show of hands for which of the three options they would support. Some members stated that they would need to consult with constituents before a vote. Other members had left the meeting at this time. No vote was convened.

Mr. Naramore stated that he would report to JPACT that TPAC considered Option 1 and Option 3 (with noted input on the Regional Economic Opportunity Fund) however; there was not a consensus of which of the two options TPAC committee members supported.

## 9. ADJOURN

Chair Gertler adjourned the meeting at 12:15 p.m.

Respectfully submitted,



Marcus Week  
Recording Secretary

## ATTACHMENTS TO THE PUBLIC RECORD FOR SEPTEMBER 28, 2012

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

<b>ITEM</b>	<b>DOCUMENT TYPE</b>	<b>DOC DATE</b>	<b>DOCUMENT DESCRIPTION</b>	<b>DOCUMENT No.</b>
<b>2</b>	Flyer	09/28/12	Comments on FTA/FHWA Certification	092812t-01
<b>2</b>	List	09/28/12	Nominations for the Region 1 2015-2018 STIP Project Selection Committee	092812t-02
<b>6</b>	Report	05/11/12	Regional Transportation Safety Plan	092812t-03
6	PPT	09/28/12	Regional Transportation Safety Plan - Implementing the Recommendations	092812t-04
7	Flyer	09/28/12	ODOT - MTIP programming Options for TPAC Consideration	092812t-05



## Metro | Memo

Date: Wednesday, October 16, 2012  
To: TPAC  
From: Mike Hoggund, Research Center Director  
Gerry Uba, Planning and Development Department  
Dennis Yee, Research Center  
Subject: Regional 2035 Forecast Distribution Coordination (Population and Employment Forecast at Local Level)

At your October 26, 2012 meeting, we will present the regional 2035 forecast distribution to the transportation analysis zone (TAZ) and local jurisdiction level. Metro staff updated MTAC on January 6, 2012, after completion of the first phase of this project. The first phase involved confirming regional land capacity [also called buildable land inventory (BLI) or supply capacity] through the analysis of local zoning information and redevelopment thresholds before using the BLI results in the TAZ growth distribution. The capacity review relied heavily on local government information and review and comment.

The second phase of the project was completed last month. This phase involved using Metro's land use (i.e., MetroScope) and transportation models to match regional demand (the seven-county forecast) with regional capacity at the TAZ geography. After extensive review and input from local governments, the final draft of the growth forecast distribution was presented to the Regional Planning Directors on September 19, 2012. The planning directors were receptive of the information. The growth distribution represents a joint coordinated forecast effort between Metro and local governments. The growth distribution an assessment of where households and employees will live and work in the future based on economic factors, expected trends and land development policy assumptions.

The forecast distribution is essential for local and regional planning. Local governments scheduled by the Oregon Department of Land Conservation and Development (DLCD) to update their comprehensive plans (through periodic review) are required to base their updates on a coordinated forecast. Counties are responsible for coordinating the forecast for areas outside of Metro area and will use the coordinated forecast as the basis for this distribution, as well. The distribution supports local transportation system plan (TSP) updates and various local planning activities.

At the regional level, Metro will use this distribution to inform the next Regional Transportation Plan (RTP) update. The distribution also supports transportation corridor planning. The distribution can support school districts in enrollment forecasting and facility planning, as well as support special districts in the region, such as water, sewer and fire districts, in updating their facility plans and emergency preparedness plans. TriMet could benefit from using the distribution in forecasting future ridership, mapping travel patterns, and plan for frequency of MAX and bus service and future routes.

The Oregon Department of Land Conservation and Development requested and Metro staff proposed to the Metro Council to adopt the distribution by ordinance, so that it can be acknowledged by DLCD as part of Metro's planning documents to support planning coordination. An ordinance and staff report has been drafted and scheduled for first reading later at the Metro Council meeting on October 18, 2012. Staff will present the 2035 forecast distribution to:

- MTAC on October 17<sup>th</sup>
- MPAC on October 24<sup>th</sup>
- TPAC on October 26<sup>th</sup>
- JPACT on November 8, 2012.

The Metro Council is scheduled to conduct second reading and public hearing, and vote on the ordinance on November 29, 2012.

After adoption of the 2035 forecast distribution, Metro staff will start more in-depth analysis of the data to determine the implications of the distributions to existing regional policies and investment decisions. In addition, the analysis of the forecast distribution and result of the proposed research (funding TBD) will be available for when the Metro Council kicks off the next growth management decision process.



BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING THE	)	
DISTRIBUTION OF THE POPULATION	)	Ordinance No. 12-1292
AND EMPLOYMENT GROWTH TO YEAR	)	
2035 TO TRAFFIC ANALYSIS ZONES IN	)	Introduced by Councilor Kathryn
THE REGION CONSISTENT WITH THE	)	Harrington
FORECAST ADOPTED BY ORDINANCE	)	
NO. 11-1264B IN FULFILLMENT OF	)	
METRO'S POPULATION COORDINATION	)	
RESPONSIBILITY UNDER ORS 195.036	)	

WHEREAS, ORS 195.025 designates Metro as the local government responsible for coordination of planning activities within the Metro district; and

WHEREAS, ORS 195.036 requires the designated local government responsible for coordination of planning activities in a region to establish and maintain a population forecast for the area within its boundary and to coordinate the forecast with the other local governments within the boundary; and

WHEREAS, the Metro Council adopted a population and employment forecast for the region by Ordinance No. 11-1264B ("For the Purpose of Expanding the Urban Growth Boundary to Provide Capacity for Housing and Employment to the year 2030 and Amending the Metro Code to Conform") on October 20, 2011; and

WHEREAS, the distribution to specific zones within the region of forecasted population and employment adopted by this ordinance reflects prior policy decisions made by the Metro Council to: (1) use land inside the UGB more efficiently in Ordinance No. 10-1244B, and (2) add land to the UGB in Ordinance No. 11-1264B; and

WHEREAS, Metro began the process of distribution of the forecasted population and employment in October 2010, by coordinating the distribution with the 25 cities and three counties portions of which lie within the Metro district; in the course of 24 months, Metro held 15 coordination meetings with local governments, by county; more than 25 meetings with individual cities and counties; and four meetings with the city of Vancouver and Clark County to share the results of preliminary distributions and to seek comments and suggestions to improve the accuracy of the distributions; and

WHEREAS, Metro staff made presentations to its advisory committees (MPAC, MTAC, TPAC and JPACT) regarding the distribution and coordination with local governments; and

WHEREAS, Metro incorporated many of the comments and suggestions to refine the distribution and published a final distribution on \_\_\_\_\_, 2012; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The distribution made to traffic analysis zones, described in Exhibits A and B to this Ordinance and in the Staff Report dated October 2, 2012, of the regional population and employment forecast adopted by the Council in Ordinance No. 11-1264B, is accepted and adopted as fulfillment of Metro's responsibilities regarding coordination of population forecasts under ORS 195.025 and 195.036 and is endorsed for use by the 25 cities and three counties as their own population and employment forecasts for their planning activities.
2. The Chief Operating Officer shall make the distribution of population and employment available to each city and county in the district.

ADOPTED by the Metro Council this \_\_\_\_ day of November, 2012.

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Tom Hughes, Council President

Approved as to form:

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Alison Kean Campbell, Metro Attorney

**EXHIBIT A (Ordinance No. 12-1292)**  
**2035 Reviewed Household Forecast Distribution by Jurisdiction**  
**MetroScope Gamma TAZ Forecast**

Final Draft 9/19/2012

Notes: Jurisdiction geographies are approximate, and based on TAZs. Urban Reserves are considered to be outside the UGB.

	2010 Reviewed HH			2035 Reviewed HH			2010-2035 Change		
	SF	MF	Total	SF	MF	Total	SF	MF	Total
<b>Inside UGB:</b>									
Beaverton	18,128	21,953	40,081	20,038	30,479	50,517	1,910	8,526	10,436
Cornelius	2,467	1,051	3,518	3,428	2,085	5,513	961	1,034	1,995
Damascus	3,322	205	3,527	11,700	217	11,916	8,378	12	8,389
Durham	350	8	358	410	26	436	60	18	78
Fairview	1,677	1,954	3,631	1,927	2,076	4,003	250	122	372
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Gladstone	2,831	1,356	4,187	3,097	1,779	4,876	266	423	689
Gresham	19,781	18,243	38,024	25,394	25,656	51,051	5,613	7,413	13,027
Happy Valley	4,162	273	4,435	9,898	512	10,410	5,736	239	5,975
Hillsboro	18,575	14,251	32,826	21,762	23,211	44,973	3,187	8,960	12,147
King City	572	383	955	590	379	969	18	-4	14
Lake Oswego	10,887	5,180	16,067	12,307	6,984	19,291	1,420	1,804	3,224
Milwaukie	5,934	2,307	8,241	7,166	2,574	9,740	1,232	267	1,499
Oregon City	8,463	3,511	11,974	12,186	4,861	17,047	3,723	1,350	5,073
Portland	143,801	104,915	248,716	165,636	204,068	369,704	21,835	99,153	120,988
Sherwood	4,971	1,505	6,476	5,553	1,716	7,269	582	211	793
Tigard	12,035	6,632	18,667	15,120	10,877	25,997	3,085	4,245	7,330
Troutdale	3,981	1,806	5,787	4,506	2,126	6,632	525	320	845
Tualatin	5,391	4,847	10,238	5,980	5,190	11,170	589	343	932
West Linn	7,670	2,582	10,252	9,237	2,751	11,988	1,567	169	1,736
Wilsonville	3,471	4,509	7,980	5,625	5,883	11,508	2,154	1,374	3,528
Wood Village	458	1,081	1,539	488	1,121	1,609	30	40	70
Uninc. Clackamas Co.	21,497	13,559	35,056	28,816	16,650	45,466	7,319	3,091	10,410
Uninc. Multnomah Co.	1,715	314	2,029	3,260	847	4,107	1,545	533	2,078
Uninc. Washington Co.	50,176	21,204	71,380	71,698	28,778	100,476	21,522	7,574	29,096
<b>Inside UGB Total</b>	<b>357,090</b>	<b>236,346</b>	<b>593,436</b>	<b>452,823</b>	<b>384,225</b>	<b>837,048</b>	<b>95,733</b>	<b>147,879</b>	<b>243,612</b>
<b>Outside UGB:</b>									
Clackamas County	40,749	4,202	44,951	60,792	5,600	66,392	20,043	1,398	21,441
Multnomah County	3,776	97	3,873	4,243	122	4,365	467	25	492
Washington County	11,259	101	11,360	27,369	5,401	32,770	16,110	5,300	21,410
Clark County	114,638	114,638	158,110	164,207	64,185	228,392	49,569	20,713	70,282
<b>Outside UGB Total</b>	<b>170,422</b>	<b>119,038</b>	<b>218,294</b>	<b>256,610</b>	<b>75,309</b>	<b>331,919</b>	<b>86,188</b>	<b>27,437</b>	<b>113,625</b>
<b>Four-County Total</b>	<b>527,512</b>	<b>284,218</b>	<b>811,730</b>	<b>709,433</b>	<b>459,534</b>	<b>1,168,967</b>	<b>181,921</b>	<b>175,316</b>	<b>357,237</b>

**EXHIBIT B (Ordinance No. 12-1292)**  
**2035 Reviewed Employment Forecast Distribution by Jurisdiction**  
**MetroScope Gamma TAZ Forecast**

Final Draft 9/19/2012

Notes: Jurisdiction geographies are approximate, and based on TAZs. Urban Reserves are considered to be outside the UGB.

	2010 Employment Geocode				2035 Jurisdiction Review				2010 - 2035 Change			
	Retail	Service	Other	Total	Retail	Service	Other	Total	Retail	Service	Other	Total
<b>Inside UGB:</b>												
Beaverton	11,041	19,261	21,539	51,841	14,254	33,282	27,822	75,358	3,213	14,021	6,283	23,517
Cornelius	693	711	1,680	3,084	1,611	1,880	4,440	7,931	918	1,169	2,760	4,847
Damascus	260	357	908	1,525	902	1,613	1,894	4,409	642	1,256	986	2,884
Durham	1	213	318	532	1	307	458	766	0	94	140	234
Fairview	236	497	1,878	2,611	558	3,293	3,724	7,575	322	2,796	1,846	4,964
Forest Grove	882	2,018	2,617	5,517	1,747	3,455	5,343	10,545	865	1,437	2,726	5,028
Gladstone	702	546	883	2,131	903	1,040	1,092	3,035	201	494	209	904
Gresham	7,353	8,871	16,408	32,632	12,334	20,154	26,079	58,567	4,981	11,283	9,671	25,935
Happy Valley	241	256	621	1,118	789	1,842	1,616	4,247	548	1,586	995	3,129
Hillsboro	9,584	14,449	34,227	58,260	12,152	25,518	55,733	93,403	2,568	11,069	21,506	35,143
King City	137	269	64	470	173	511	137	821	36	242	73	351
Lake Oswego	2,553	7,024	8,670	18,247	2,323	11,584	8,879	22,786	-230	4,560	209	4,539
Milwaukie	1,403	3,527	6,658	11,588	1,944	5,751	7,712	15,407	541	2,224	1,054	3,819
Oregon City	3,081	3,727	7,580	14,388	5,418	6,990	10,077	22,485	2,337	3,263	2,497	8,097
Portland	65,150	139,116	170,076	374,342	76,134	218,147	214,199	508,482	10,984	79,031	44,123	134,140
Sherwood	1,103	1,206	1,907	4,216	1,643	2,604	5,005	9,252	540	1,398	3,098	5,036
Tigard	9,072	11,901	16,196	37,169	10,764	23,818	19,650	54,232	1,692	11,917	3,454	17,063
Troutdale	1,272	493	2,361	4,126	2,039	2,357	5,615	10,011	767	1,864	3,254	5,885
Tualatin	4,372	6,140	12,460	22,972	5,066	8,868	21,305	35,239	694	2,728	8,845	12,267
West Linn	966	1,593	1,693	4,252	1,517	2,683	2,331	6,531	551	1,090	638	2,279
Wilsonville	2,480	4,839	9,754	17,073	3,536	9,733	14,150	27,419	1,056	4,894	4,396	10,346
Wood Village	1,261	242	531	2,034	1,783	1,158	1,489	4,430	522	916	958	2,396
Uninc. Clackamas Co.	11,506	13,302	20,344	45,152	15,519	26,628	25,775	67,922	4,013	13,326	5,431	22,770
Uninc. Multnomah Co.	109	377	396	882	749	1,658	2,367	4,774	640	1,281	1,971	3,892
Uninc. Washington Co.	5,929	13,844	17,097	36,870	8,659	23,012	31,142	62,813	2,730	9,168	14,045	25,943
<b>Inside UGB Total</b>	<b>141,387</b>	<b>254,779</b>	<b>356,866</b>	<b>753,032</b>	<b>182,518</b>	<b>437,886</b>	<b>498,034</b>	<b>1,118,440</b>	<b>41,131</b>	<b>183,107</b>	<b>141,168</b>	<b>365,408</b>
<b>Outside UGB:</b>												
Clackamas County	4,803	5,218	15,348	25,369	8,182	11,295	22,359	41,836	3,379	6,077	7,011	16,467
Multnomah County	361	479	1,513	2,353	384	876	1,945	3,205	23	397	432	852
Washington County	854	1,640	5,881	8,375	2,363	6,659	18,084	27,106	1,509	5,019	12,203	18,731
Clark County	25,375	42,061	59,831	127,267	40,864	80,963	100,193	222,020	15,489	38,902	40,362	94,753
<b>Outside UGB Total</b>	<b>31,393</b>	<b>49,398</b>	<b>82,573</b>	<b>163,364</b>	<b>51,793</b>	<b>99,793</b>	<b>142,581</b>	<b>294,167</b>	<b>20,400</b>	<b>50,395</b>	<b>60,008</b>	<b>130,803</b>
<b>Four-County Total</b>	<b>172,780</b>	<b>304,177</b>	<b>439,439</b>	<b>916,396</b>	<b>234,311</b>	<b>537,679</b>	<b>640,615</b>	<b>1,412,607</b>	<b>61,531</b>	<b>233,502</b>	<b>201,176</b>	<b>496,211</b>

## **STAFF REPORT (Revised)**

IN CONSIDERATION OF ORDINANCE NO. 12-1292, FOR THE PURPOSE OF ADOPTING THE DISTRIBUTION OF THE POPULATION AND EMPLOYMENT GROWTH TO YEAR 2035 TO TRAFFIC ANALYSIS ZONES IN THE REGION CONSISTENT WITH THE FORECAST ADOPTED BY ORDINANCE NO. 11-1264B IN FULFILLMENT OF METRO'S POPULATION COORDINATION RESPONSIBILITY UNDER ORS 195.036

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Date: October 9, 2012

Prepared by: Gerry Uba, x1737

### **BACKGROUND**

Oregon land use law (ORS 195.036; 195.025) requires Metro to coordinate its regional population forecasts with local governments inside the urban growth boundary for use in updating their comprehensive plans, land use regulations and other related policies. In 2009, Metro created a population and employment growth forecast for the seven-county region<sup>1</sup> for the next 50 years. One of the ways Metro coordinates the population and employment forecast is to conduct a localized distribution of the 2009 forecast after an urban growth boundary decision cycle is completed.

Metro has been preparing localized-level analyses every five years for over 20 years. The current distribution is the most advanced analysis yet. The experience gained from previous distributions has helped Metro and local governments to improve the methodology and the information that is produced. To accommodate various local and regional planning needs, the localized growth forecast distribution was produced for the years 2025, 2035 and 2040. Local government staff expressed interest in the 2035 distributions as more relevant for their 20-year growth planning.

The distribution information is essential for local and regional planning, such as updating local comprehensive plans (through periodic review), local transportation system plans, and the Regional Transportation Plan. The information is also used for corridor planning and special districts planning. Many cities in the region currently undergoing periodic review are coordinating their forecast with Metro as they are updating their comprehensive plans. Although there is no legal requirement for school districts and special districts to coordinate their forecast with Metro, the distribution information will be useful to school districts for enrolment forecasting and facility planning, and to special districts in the region, such as water, sewer and fire districts, in updating their facility plans and emergency preparedness plans. The information is also helpful to TriMet in forecasting future ridership and mapping travel patterns, enabling the agency to better plan for frequency of MAX and bus service and future routes.

#### Methodology of the growth forecast distribution

The growth forecast distribution is based on policy and investment decisions and assumptions that local elected leaders and the Metro Council have already adopted, including the seven-county forecast,

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<sup>1</sup> Clark, Clackamas, Columbia, Multnomah, Skamania, Washington, and Yamhill counties

existing zoning, adopted plans, the most recently adopted Regional Transportation Plan, and urban and rural reserves. The regional coordination of the forecast distribution is a two stage process.

The first stage of the coordination process involves Metro and local government staff working together to refine the buildable land inventory (BLI) methodology to ensure the accuracy of zoning and growth capacity assumptions. Attachment 1 contains names of local jurisdiction staff involved in the population and employment coordination. The methodology takes into account land that cannot be built on due to environmental constraints and right of way, as well as capacity from vacant buildable lands, new urban areas<sup>2</sup>, prospective urban growth boundary expansions into designated urban reserves, redevelopment and infill. As a result of this exercise, the region now has an updated 30-year capacity estimate that reflects the input and review from local government staff. This coordinated buildable land inventory reflects the increasing importance of redevelopment as a key part of the land supply in this region.

The geography used for this analysis is the Traffic Analysis Zone (TAZ). To provide more detail than the previous growth distribution, the number of TAZs used was increased from 2,013 to 2,162. The TAZ is the geographic unit that serves as the building block of Metro's primary forecasting tools (the travel demand model and MetroScope). By dividing the region into 2,162 TAZs, the accuracy of the travel demand model as well as all other aspects of transportation planning are improved. The TAZ-level data also assist land use planners in updating comprehensive plans and zoning, and conducting other types of land use analysis, including neighborhood level analysis.

In the second stage of the distribution coordination process, land use and transportation models are used to match demand (the seven-county forecast) with supply (the BLI). After extensive review of Metro's initial distributions with local governments' staff, the final product is the 2025, 2035 and 2040 distributions of forecast households and jobs to TAZs, cities and unincorporated areas in the region.

Further analyses of the distribution data reveal future trends that regional and local planners should bring to the attention of their decision makers.

#### Regional Planning Directors Involvement

The coordination of population and employment forecast was kicked off with a meeting of the Regional Planning Directors in October 2010, endorsing roles and responsibilities of local governments and Metro. The directors met again in July 2011 to review, discuss and reach agreement on the outcome of the first stage of the process – the BLI methodology, urban reserve urbanization assumptions, redevelopment assumptions, and the capacity of residential and employment land. The last meeting of directors was in September 2012 to review and comment specifically on the 2035 distribution of households and employment. Attachments 2 and 3 contain the 2035 forecast distribution by local jurisdiction.

#### Metro advisory committee involvement

The outcome of the first stage of the process (BLI methodology, urban reserve urbanization assumptions, redevelopment assumptions, and capacity of residential and employment land) was presented to the Metro Technical Advisory Committee (MTAC), and Transportation Policy Alternatives Committee (TPAC) in January 2012, and to the Metro Policy Advisory Committee (MPAC) in February 2012 for discussion and comment. The 2035 distribution of households and employment was presented

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<sup>2</sup> Areas added to the urban growth boundary that does not yet have urban zoning.

to TPAC in September 2012, and to MTAC, MPAC and the Joint Policy Advisory Committee on Transportation in October 2012.

#### Additional outreach

Staff updated the Oregon Land Conservation and Development Commission in June 2011 on how Metro is coordinating its regional forecast with the forecasts of local governments in the region, including other ways Metro coordinates with local governments -- urban growth report, capacity ordinance, and growth management decisions.

## **ANALYSIS/INFORMATION**

### **1. Known Opposition**

Washington County and the City of Beaverton provided written comments emphasizing the need for a better understanding of residential housing demand and preferences and redevelopment. In response, Metro staff has identified additional research possibilities. Depending on funding availability, this research could inform the next Urban Growth Report and forecast distribution.

### **2. Legal Antecedents**

The distribution of the growth forecast satisfies Metro's coordination obligations under ORS 195.025 and 195.036. As requested by DLCD, staff is proposing that the Metro Council adopt the forecast distribution by an ordinance that will be acknowledged by DLCD as part of Metro's planning documents in order to support future planning decisions by local governments that rely upon the population forecasts. State law requires cities and counties to adopt coordinated forecasts as part of their comprehensive plans.

### **3. Anticipated Effects**

Adoption of the distribution of population and employment forecast at a localized-level will encourage local governments to use distribution information to conform their land use and transportation plans to recent regional policies adopted by the Metro Council. The TAZ-level distributions would also inform the next Regional Transportation Plan. Delay of the adoption would delay some local government activities that would be accomplished with the forecast distribution information.

### **4. Budget Impacts**

The FY 2010/2011 and FY 2011/2012 budgets included resources for staff in the Research Center and the Planning and Development Department to work on this project. In the current FY 2012/2013 budget there are sufficient funds to package and post the forecast distribution in electronic platforms that will make the data accessible to local governments and school and special districts in the region.

**RECOMMENDED ACTION**

Staff recommends that the Metro Council accept and adopt the distribution of the 2009 population and employment forecast as fulfillment of Metro's responsibilities on population coordination with local governments in the region

**ATTACHMENTS**

1. Forecast Distribution Process Local Government and Agency Staff
2. 2035 Reviewed Household Forecast Distribution by Jurisdiction
3. 2035 Reviewed Employment Forecast Distribution by Jurisdiction
4. Regional 2035 Forecast Distribution: Executive Summary
5. Technical Documentation of the Project (i.e., The Technical Report)
6. Local Governments' Comments on the 2025 and 2035 Forecast Distributions and Metro Response

## Attachment 1

### 2035 FORECAST DISTRIBUTION PROCESS LOCAL GOVERNMENT AND AGENCY STAFF

Cities	Staff
City of Beaverton	Laura Kelly, Robert McCracken, Jeff Salvon, Steven Sparks, Doug Taylor
City of Cornelius	Dick Reynolds
City of Damascus	Steve Gaschler, John Morgan, Erika Palmer, Bob Short
City of Durham	
City of Fairview	Lindsey Nesbitt
City of Forest Grove	Jon Holan, Dan Riordan
City of Gladstone	Larry Conrad
City of Gresham	Erin Aigner, Jonathan Harker, Brian Martin, Ann Pytynia
City of Happy Valley	Jason Tuck, Michael Walter
City of Hillsboro	Colin Cooper, Doug Miller, Don Odermott, Pat Ribellia, Alwin Turiel
City of Johnson City	
City of King City	Keith Liden
City of Lake Oswego	Denny Egner, Erica Rooney, Sarah Selden
City of Maywood Park	
City of Milwaukie	Li Alligood, Kenny Asher, Katie Mangle
City of Oregon City	Tony Konkol, Christina Roberts-Gardner, Laura Terway
City of Portland	Tom Armstrong
City of Rivergrove	
City of Sherwood	Julia Hajduk, Michelle Miller
City of Tigard	Darren Wyss
City of Troutdale	Rich Faith, Elizabeth McCallum
City of Tualatin	Colin Cortes, Cindy Hahn, Aquilla Hurd-Ravich, Alice Rouyer
City of West Linn	Sara Javronok, Chris Kerr, John Sonnen
City of Wilsonville	Chris Neamtzu, Stephan Lashbrook, Daniel Pauly, Dan Stark
City of Wood Village	Bill Peterson
Counties	Staff
Clackamas County	Sarah Abbott, Larry Conrad, Martha Fritzie, Shari Gilevich, Clay Glasgow, Cindy Hagen, Scott Hoelscher, Diedre Landon, Mike McAllister, Simone Rede, Michael D. Walden
Multnomah County	Chuck Beasley
Washington County	Andy Back, Steve D. Kelley
Agencies	Staff
Oregon Employment Dept.	Lynn Wallis
Dept. of Land Conservation & Development	Anne Debbaut, Jennifer Donnelly, Darren Nichols, Lynn Wallis
Oregon Dept. of Transportation	Mai Chi, Kirsten Pennington, Lidwien Rahman, Lainie Smith
Port of Portland	John Boren, Tom Bouillion
Metro	Roger Alfred, Sonny Conder, Jim Cser, Chris Deffebach, Mike Hoglund, Robin McArthur, Cindy Pederson, Ted Reid, Maribeth Todd, Gerry Uba, John Williams, Dennis Yee
Neighboring Cities	
Canby	Bryan Brown, Matilda Deas
Sandy	Tracy Brown

**ATTACHMENT 2 (Staff Report to Ordinance No. 12-1292)**  
**2035 Reviewed Household Forecast Distribution by Jurisdiction**  
**MetroScope Gamma TAZ Forecast**

Final Draft 9/19/2012

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Gladstone	2,831	1,356	4,187	3,097	1,779	4,876	266	423	689
Gresham	19,781	18,243	38,024	25,394	25,656	51,051	5,613	7,413	13,027
Happy Valley	4,162	273	4,435	9,898	512	10,410	5,736	239	5,975
Hillsboro	18,575	14,251	32,826	21,762	23,211	44,973	3,187	8,960	12,147
King City	572	383	955	590	379	969	18	-4	14
Lake Oswego	10,887	5,180	16,067	12,307	6,984	19,291	1,420	1,804	3,224
Milwaukie	5,934	2,307	8,241	7,166	2,574	9,740	1,232	267	1,499
Oregon City	8,463	3,511	11,974	12,186	4,861	17,047	3,723	1,350	5,073
Portland	143,801	104,915	248,716	165,636	204,068	369,704	21,835	99,153	120,988
Sherwood	4,971	1,505	6,476	5,553	1,716	7,269	582	211	793
Tigard	12,035	6,632	18,667	15,120	10,877	25,997	3,085	4,245	7,330
Troutdale	3,981	1,806	5,787	4,506	2,126	6,632	525	320	845
Tualatin	5,391	4,847	10,238	5,980	5,190	11,170	589	343	932
West Linn	7,670	2,582	10,252	9,237	2,751	11,988	1,567	169	1,736
Wilsonville	3,471	4,509	7,980	5,625	5,883	11,508	2,154	1,374	3,528
Wood Village	458	1,081	1,539	488	1,121	1,609	30	40	70
Uninc. Clackamas Co.	21,497	13,559	35,056	28,816	16,650	45,466	7,319	3,091	10,410
Uninc. Multnomah Co.	1,715	314	2,029	3,260	847	4,107	1,545	533	2,078
Uninc. Washington Co.	50,176	21,204	71,380	71,698	28,778	100,476	21,522	7,574	29,096
<b>Inside UGB Total</b>	<b>357,090</b>	<b>236,346</b>	<b>593,436</b>	<b>452,823</b>	<b>384,225</b>	<b>837,048</b>	<b>95,733</b>	<b>147,879</b>	<b>243,612</b>
<b>Outside UGB:</b>									
Clackamas County	40,749	4,202	44,951	60,792	5,600	66,392	20,043	1,398	21,441
Multnomah County	3,776	97	3,873	4,243	122	4,365	467	25	492
Washington County	11,259	101	11,360	27,369	5,401	32,770	16,110	5,300	21,410
Clark County	114,638	114,638	158,110	164,207	64,185	228,392	49,569	20,713	70,282
<b>Outside UGB Total</b>	<b>170,422</b>	<b>119,038</b>	<b>218,294</b>	<b>256,610</b>	<b>75,309</b>	<b>331,919</b>	<b>86,188</b>	<b>27,437</b>	<b>113,625</b>
<b>Four-County Total</b>	<b>527,512</b>	<b>284,218</b>	<b>811,730</b>	<b>709,433</b>	<b>459,534</b>	<b>1,168,967</b>	<b>181,921</b>	<b>175,316</b>	<b>357,237</b>

**ATTACHMENT 3 (Staff Report for Ordinance No. 12-1292)**  
**2035 Reviewed Employment Forecast Distribution by Jurisdiction**  
**MetroScope Gamma TAZ Forecast**

Final Draft 9/19/2012

Notes: Jurisdiction geographies are approximate, and based on TAZs. Urban Reserves are considered to be outside the UGB.

	2010 Employment Geocode				2035 Jurisdiction Review				2010 - 2035 Change			
	Retail	Service	Other	Total	Retail	Service	Other	Total	Retail	Service	Other	Total
<b>Inside UGB:</b>												
Beaverton	11,041	19,261	21,539	51,841	14,254	33,282	27,822	75,358	3,213	14,021	6,283	23,517
Cornelius	693	711	1,680	3,084	1,611	1,880	4,440	7,931	918	1,169	2,760	4,847
Damascus	260	357	908	1,525	902	1,613	1,894	4,409	642	1,256	986	2,884
Durham	1	213	318	532	1	307	458	766	0	94	140	234
Fairview	236	497	1,878	2,611	558	3,293	3,724	7,575	322	2,796	1,846	4,964
Forest Grove	882	2,018	2,617	5,517	1,747	3,455	5,343	10,545	865	1,437	2,726	5,028
Gladstone	702	546	883	2,131	903	1,040	1,092	3,035	201	494	209	904
Gresham	7,353	8,871	16,408	32,632	12,334	20,154	26,079	58,567	4,981	11,283	9,671	25,935
Happy Valley	241	256	621	1,118	789	1,842	1,616	4,247	548	1,586	995	3,129
Hillsboro	9,584	14,449	34,227	58,260	12,152	25,518	55,733	93,403	2,568	11,069	21,506	35,143
King City	137	269	64	470	173	511	137	821	36	242	73	351
Lake Oswego	2,553	7,024	8,670	18,247	2,323	11,584	8,879	22,786	-230	4,560	209	4,539
Milwaukie	1,403	3,527	6,658	11,588	1,944	5,751	7,712	15,407	541	2,224	1,054	3,819
Oregon City	3,081	3,727	7,580	14,388	5,418	6,990	10,077	22,485	2,337	3,263	2,497	8,097
Portland	65,150	139,116	170,076	374,342	76,134	218,147	214,199	508,482	10,984	79,031	44,123	134,140
Sherwood	1,103	1,206	1,907	4,216	1,643	2,604	5,005	9,252	540	1,398	3,098	5,036
Tigard	9,072	11,901	16,196	37,169	10,764	23,818	19,650	54,232	1,692	11,917	3,454	17,063
Troutdale	1,272	493	2,361	4,126	2,039	2,357	5,615	10,011	767	1,864	3,254	5,885
Tualatin	4,372	6,140	12,460	22,972	5,066	8,868	21,305	35,239	694	2,728	8,845	12,267
West Linn	966	1,593	1,693	4,252	1,517	2,683	2,331	6,531	551	1,090	638	2,279
Wilsonville	2,480	4,839	9,754	17,073	3,536	9,733	14,150	27,419	1,056	4,894	4,396	10,346
Wood Village	1,261	242	531	2,034	1,783	1,158	1,489	4,430	522	916	958	2,396
Uninc. Clackamas Co.	11,506	13,302	20,344	45,152	15,519	26,628	25,775	67,922	4,013	13,326	5,431	22,770
Uninc. Multnomah Co.	109	377	396	882	749	1,658	2,367	4,774	640	1,281	1,971	3,892
Uninc. Washington Co.	5,929	13,844	17,097	36,870	8,659	23,012	31,142	62,813	2,730	9,168	14,045	25,943
<b>Inside UGB Total</b>	<b>141,387</b>	<b>254,779</b>	<b>356,866</b>	<b>753,032</b>	<b>182,518</b>	<b>437,886</b>	<b>498,034</b>	<b>1,118,440</b>	<b>41,131</b>	<b>183,107</b>	<b>141,168</b>	<b>365,408</b>
<b>Outside UGB:</b>												
Clackamas County	4,803	5,218	15,348	25,369	8,182	11,295	22,359	41,836	3,379	6,077	7,011	16,467
Multnomah County	361	479	1,513	2,353	384	876	1,945	3,205	23	397	432	852
Washington County	854	1,640	5,881	8,375	2,363	6,659	18,084	27,106	1,509	5,019	12,203	18,731
Clark County	25,375	42,061	59,831	127,267	40,864	80,963	100,193	222,020	15,489	38,902	40,362	94,753
<b>Outside UGB Total</b>	<b>31,393</b>	<b>49,398</b>	<b>82,573</b>	<b>163,364</b>	<b>51,793</b>	<b>99,793</b>	<b>142,581</b>	<b>294,167</b>	<b>20,400</b>	<b>50,395</b>	<b>60,008</b>	<b>130,803</b>
<b>Four-County Total</b>	<b>172,780</b>	<b>304,177</b>	<b>439,439</b>	<b>916,396</b>	<b>234,311</b>	<b>537,679</b>	<b>640,615</b>	<b>1,412,607</b>	<b>61,531</b>	<b>233,502</b>	<b>201,176</b>	<b>496,211</b>

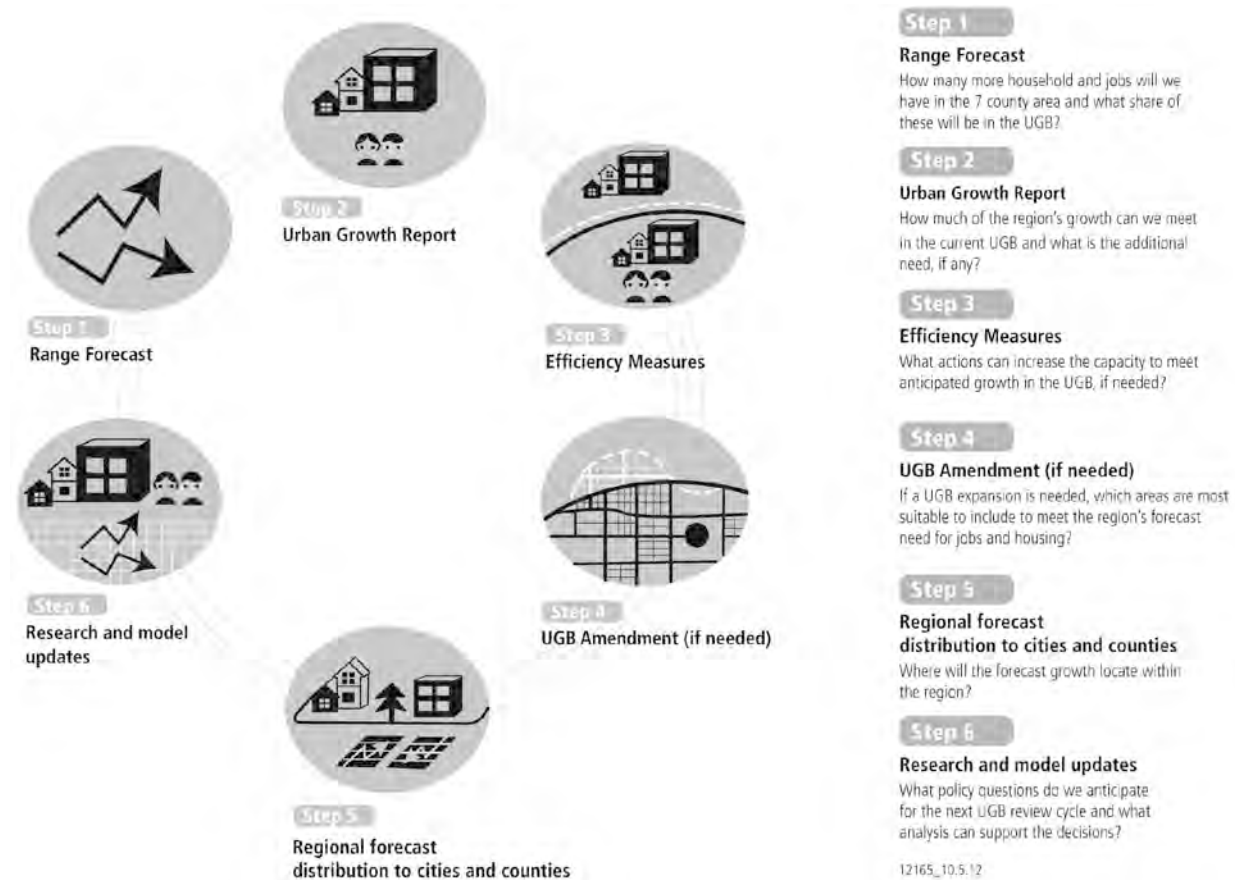
## REGIONAL 2035 FORECAST DISTRIBUTION: EXECUTIVE SUMMARY

### Purpose of this report

This Regional Growth Distribution report explains how Metro and local governments collaborated to forecast where population and employment forecast will be accommodated over the in 2035 based on current policies in zoning and adopted transportation plans, environmental regulations and development incentives. Planning for expected growth in population and jobs enable the region and local communities to make decisions that support good jobs, safe neighborhoods, protect farmland, and invest in public structures and services that enhance our quality of life.

Metro is required by Oregon law to forecast the population and employment growth that is expected for this region over the next 20 years. In 2009 Metro initiated its growth management decision process depicted in Figure 1. The first task in the process was the 2009 forecast of a range of 1.2 to 1.3 million households and 1.3 to 1.7 million jobs in the seven-county region (Clackamas, Clark, Columbia, Multnomah, Skamania, Yamhill, Washington) by 2030. Within the seven county total, Metro forecast the proportion expected to live and work within the Metro urban growth boundary (UGB).

**Figure 1: Growth Management and Population and Employment Coordination Process**



In 2010, the Metro Council adopted the capacity analysis which accounted for Regional Transportation Plan (RTP) investments and other actions that are likely to shape development patterns, and determined that some UGB expansion would likely be necessary. In 2011, the Metro Council made the urban growth boundary (UGB) decision based on investment policies and a point on the forecast range it picked.

The next step after the UGB decision, required by law, is the distribution of the forecast at smaller geographies to guide local and regional planning efforts as explained in this report. Oregon law (ORS 195.025; 195.036) requires Metro to coordinate a population forecast with local governments for planning purposes inside the UGB. Local governments that are scheduled to review and update their land use plans are expected by the Oregon Department of Land Conservation and Development to rely on the population and employment distribution information for their analysis. In addition to the state law, the Federal Clean Air Act requires Metro to use its forecast distributed at smaller geographies called traffic analysis zones (TAZ)<sup>1</sup> as the basis for its federally-required air quality conformity determination. This federal law requires Metro to show that the region will continue to meet the federal and state air quality regulations if the projects included in the RTP are built.

Metro has collaborated with local governments in the past to distribute the region's population and employment forecasts at the TAZ level. The last distribution, coordinated with local governments, was completed in 2006. The TAZ and city and county level distributions reflect adopted policies.

Metro Council adopted the household and employment forecast distributions by jurisdiction in November 2012 (Ordinance No. 12-1292) after the distributions were reviewed by Metro advisory committees – Metro Policy Advisory Committee, Joint Policy Advisory Committee on Transportation, Metro Technical Advisory Committee, Transportation Policy Alternatives Committee.



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<sup>1</sup> The TAZ is the standard unit containing data representing the building blocks of Metro's key forecasting tools

### How growth distribution information is used

Local governments and Metro rely on the population and employment forecast distribution to help build the future they want in the region and ensure that as jobs and population grow, they will be able to make wise investments that support economic development, safe neighborhoods and strong and vibrant communities, and minimize the burdens of growth.



The growth distribution information is useful for various entities:

Cities and Counties rely on the information to support their:

- Comprehensive plan update processes and address requirements for their periodic review of their land use plans
- Coordination of planning in areas outside Metro's jurisdictional boundary but within county boundaries.
- Planning of where to extend and upgrade pipes, roads and other essential public structures
- Identify needs necessary to update Transportation System Plan for consistency with the Regional Transportation Functional Plan and State Transportation Rule.

Schools and Special Districts can use the population and employment distribution for:

- Facility and financial planning
- Financial planning for facilities
- Parks planning
- Water and sewer system planning
- Sewer system planning
- Public school enrollment forecasting

Metro relies on the information to support:

- Updates to the Regional Transportation Plan
- Analysis of planning scenarios for the Climate Smart Communities Scenarios Project
- Transportation investments through the analysis of potential benefits of proposed projects within a half-mile radius of those projects

- Corridor planning such as the East Metro Connections Plan (EMCP) and Southwest Corridor Plan.



### How Metro and local governments coordinated on growth distribution

There are two key steps in the actual forecast distribution coordinated by Metro and local governments:

- Estimating regional land supply -- existing housing and employment capacity, including undeveloped land that is available for development, based on existing zoning)
- Distributing the regional household and employment growth forecast to the available land supply

*Land supply:* Current approach of calculating residential land supply across the region is the buildable land inventory (BLI). The calculation method varies from one local government to another. Metro and local planners coordinated to refine the regional BLI method. The BLI method relies on local zoning to estimate the capacity of residential and employment land (how many residential units and acres of employment land can be accommodated in any area). However, not all zoned capacity will get used everywhere. The capacity estimation takes into account environmental constraints, rights of way, and future UGB expansion into urban reserves.

Additional capacity is realized from the decisions and policies made by some cities to encourage redevelopment in certain areas through incentive programs, such as urban renewal, tax abatement, streetscape and infrastructure improvements, and other policies. The additional capacity is added on top of the capacity that is based on residential and employment land zoning.

*Distribution of the forecast:* At this step in the process, the goal is to match the demand (forecast population and employment) with the supply (capacity of residential and employment land). The demand of forecast population was based on household size, income brackets, and age of households. Factors used to match the demand with the supply include built space by zone, location of household and employment, tenure choice (own or rent), type of building, estimate of development density, prices and cost of land, travel activity levels by mode and road segment, travel times between TAZs by time of day, and cost perceived by travelers in getting from any TAZ to another.

## Summary of results

### *[Following is a Place Holder]*

Figure 2 show the growth in households, displayed in housing units, captured inside the Metro UGB and the number of housing units captured by communities outside the Metro UGB. The forecast distribution indicates 4% decrease in the total number of single-family units captured by local governments inside the UGB (from 68% in 2010 to 64% in 2035), and slight (1%) increase in the number of multi-family units captured by local governments inside the UGB (from 83% in 2010 to 84% in 2035).

The analysis of the forecast distribution data also depicts changes in the mix of single family and multi-family units in the jurisdiction inside the UGB. For example, the City of Portland the current mix of more single-family (58%) than multi-family (48%) in 2010 will change to more multi-family (55%) than single-family (45%) in 2035. The data show similar reversal of mix in the Cities of Beaverton and Hillsboro. In the City of Gresham, the mix of more single-family (52%) and multi-family (48%) in 2010 will be even in 2035 (50% single-family and 50% multi-family). The current (2010) mix of more multi-family than single-family units in the Cities of Fairview, Wilsonville and Wood Village will not change in 2035. The current (2010) mix of more single-family than multi-family units in the remaining cities and unincorporated areas will not change in 2035.

**Figure 2: Housing Units (for Household) Forecast**

Area	2010		2035		2010-2035 change	
	Single-Family	Multi-Family	Single-Family	Multi-Family	Single-Family	Multi-Family
Inside Metro UGB	357,090 (68%)	236,346 (83%)	452,823 (64%)	384,225 (84%)	95,733 (53%)	147,879 (84%)
Outside Metro UGB	170,422 (32%)	47,872 (17%)	256,610 (36%)	75,309 (16%)	86,188 (47%)	27,437 (16%)
Seven county PMSA	527,512 (100%)	284,218 (100%)	709,433 (100%)	459,534 (100%)	181,921 (100%)	175,316 (100%)

Figure 3 show the growth in jobs captured inside the Metro UGB and the number captured by communities outside the Metro UGB. The forecast distribution indicates a decrease in the total number of jobs units captured by local governments inside the UGB (from 82% in 2010 to 79% in 2035).

**Figure 3: Employment Forecast**

Area	2010	2035	2010-2035 change
Inside Metro UGB	753,032 (82%)	1,118,440 (79%)	365,408 (74%)
Outside Metro UGB	163,364 (18%)	294,167 (21%)	130,803 (26%)
Seven county PMSA	916,396 (100%)	1,412,607 (100%)	496,211 (100%)

Further analysis if the forecast distribution data reveal success in the 2040 Growth Concept objectives. For example, 37% growth in centers, 17% growth in corridors, strong redevelopment, and rise in residential density to 12.3 unit/acre. There are drawbacks depicted by the forecast distribution. For example, lower income households get squeezed on affordability, and steep rise in single family residential prices beyond 2035.

**Future improvement of land supply estimation approach**

Comments from local governments during the estimation of regional land supply acknowledged improvements in the residential capacity methodology so as to match households and land supply correctly in the long-term. The comments emphasized areas where the methodology could be further improved, such as residential location choice, including quality-of-life factors that influences a person's preference for single- or multi-family housing, and generational shift. The comments also emphasized the need to consider the difference between housing preference and living preference. In response, Metro has identified future research on:

- Residential choice study enhanced with market segmentation
- Redevelopment supply assumption refinement

It is anticipated that the research would further refine the residential capacity assumptions and methodology, provide valuable insight into how people weigh transportation and housing costs when deciding where to live, and illustrate differentiation of the full range of housing needs in the region. Implementation of the research is dependent on funding availability.

**Sharing the information**

[TO BE ADDED: FTP and Web addresses where interested persons can find the growth distribution information]

**DRAFT**

**Attachment 5 (Staff Report to Ordinance no. 12-1292)**

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# **Technical Documentation**

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## **Regional Growth Distribution**

**Population and Employment**

**2010-40 TAZ Growth Distribution “gamma scenario”**

**Metro**

Research Center and Planning and Development Department

October 2012

**Attachment 6 (Staff Report to Ordinance No 12-1292)**

# **Regional Forecast Distribution**

## **2025 MID-TERM AND 2035 LONG-TERM DISTRIBUTIONS Local Governments' Comments and Metro Response**

**Comments and responses – Feb. 9 to May 14, 2012**  
**Comments and responses – August 1 to August 31, 2012**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE ADOPTING POLICY	)	RESOLUTION NO. 12-4383
DIRECTION TO THE REGIONAL FLEXIBLE	)	
FUNDING ALLOCATION (RFFA) PROCESS	)	Introduced by Councilor Carlotta Collette
FOR FEDERAL FISCAL YEARS 2016-18	)	

WHEREAS, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council will be awarding regional flexible funds to transportation projects and programs in the region through the Regional Flexible Fund Allocation (RFFA) process; and

WHEREAS, these funding awards, as well as all other federal transportation spending in the region, will be programmed in the Metropolitan Transportation Improvement Program (MTIP); and

WHEREAS, JPACT and the Metro Council wish to provide policy direction on the objectives of the RFFA and programming of funds in the MTIP; now therefore,

BE IT RESOLVED that the Metro Council hereby adopts the recommendation of JPACT for policy direction to the RFFA process for federal fiscal years 2016-18 as described in Exhibit A attached hereto as to form.

ADOPTED by the Metro Council this \_\_\_\_ day of November 2012.

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Tom Hughes, Council President

Approved as to Form:

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Alison Kean-Campbell, Metro Attorney

[www.oregonmetro.gov](http://www.oregonmetro.gov)

# **2016-18 Regional Flexible Funds Allocation (RFFA) Policy Report**

November 2012



**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.

Stay in touch with news, stories and things to do.

**[www.oregonmetro.gov/](http://www.oregonmetro.gov/)**

### **Metro Council President**

Tom Hughes

### **Metro Councilors**

Shirley Craddick, District 1

Carlotta Collette, District 2

Carl Hosticka, District 3

Kathryn Harrington, District 4

Rex Burkholder, District 5

Barbara Roberts, District 6

### **Auditor**

Suzanne Flynn

**Metro is the federally mandated metropolitan planning organization** designated by the governor to develop an overall transportation plan and to allocate federal funds for the region.

The Joint Policy Advisory Committee on Transportation (JPACT) is a 17-member committee that provides a forum for elected officials and representatives of agencies involved in transportation to evaluate transportation needs in the region and to make recommendations to the Metro Council.

The established decision-making process assures a well-balanced regional transportation system and involves local elected officials directly in decisions that help the Metro Council develop regional transportation policies, including allocating federal transportation funds.

## **Metro respects civil rights**

Metro hereby gives public notice that it is the policy of the Metro Council to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, sex, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which Metro receives federal financial assistance. Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with Metro. Any such complaint must be in writing and filed with Metro's Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. For more information, or to obtain a Title VI Discrimination Complaint Form, see the web site at [www.oregonmetro.gov](http://www.oregonmetro.gov) or call (503) 797-1536."

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## 1.0 INTRODUCTION

Regional flexible funds are an element of the funds programmed within the Metropolitan Transportation Improvement Program (MTIP). The Metropolitan region is preparing to prioritize transportation projects and program activities to receive regional flexible funds available in the federal fiscal years 2016 through 2018. This report provides the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council's policy direction for the allocation of these funds.

These policies have evolved from previous MTIP processes. The policy evolved significantly in the previous two program processes: 2010-13 MTIP and the 2012-15 MTIP. Section 2.0, the Existing Policy Framework, describes the policy framework that has carried forward and provides the basis for the 2015-18 MTIP policy update.

The process for updating these policies first involved discussions by engaging agency technical staff at TPAC, JPACT, and Metro Council members to provide policy direction to allocate the estimated \$98 million available to region from 2016-18. Metro staff has used the TPAC and JPACT meeting discussions to produce this Policy Report.

The approach to allocating Regional Flexible Funds proposed in this report is intended to develop a collaborative method for supporting transportation investments that keep our neighborhoods safe, support sustainable economic growth, and make the most of the existing investments our region has already made in existing public structures.

The new three-step process builds upon the 2014-15 RFFA process for Step 1 regional programs and Step 2 Community Investment Funds for Active Transportation/Complete Streets and Green Economy/Freight Initiatives. It establishes a new Step 3 Regional Economic Opportunity Fund to fund regional priority projects identified by JPACT and the Metro Council.

## 2.0 EXISTING POLICY FRAMEWORK

### DESIRED OUTCOMES

The region has adopted a new Regional Transportation Plan (RTP) that includes policies for the development of the transportation system and the prioritization of transportation projects. Six outcomes form the framework for how to prioritize projects in our region. Those outcomes are:

- **Vibrant communities:** People live and work in vibrant communities where they can choose to walk for pleasure and to meet their everyday needs.
- **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.

These outcomes guided the development of the RTP performance targets for transportation investments. The ten performance targets are shown below in Table 1.

**Table 1: RTP Performance Targets**

Economy	Safety – Contribute to meeting goals identified in the 2010 Oregon Traffic Safety Performance Plan based on the Metro region's share of Vehicle Miles Traveled (VMT).
	Congestion – By 2035, reduce vehicle hours of delay per person by 10 percent compared to 2005.
	Freight reliability – By 2035, reduce vehicle hours of delay per truck by 10 percent compared to 2005.
Environment	Climate change – By 2035, reduce transportation-related carbon dioxide emissions by 40 percent below 1990 levels.
	Active transportation – By 2035, triple walking, biking and transit mode share compared to 2005.
	Basic infrastructure – By 2035, increase by 50 percent the number of essential destinations <sup>1</sup> accessible within 30 minutes by trails, bicycling and public transit or within 15 minutes by sidewalks for all residents compared to 2005.
	Clean air – By 2035, ensure zero percent population exposure to at-risk levels of air pollution.
	Travel – By 2035, reduce vehicle miles traveled per person by 10 percent compared to 2005.
Equity	Affordability – By 2035, reduce the share of households in the region spending more than 50 percent of income on housing and transportation combined compared to 2000.

## REGIONAL TRANSPORTATION FINANCE APPROACH

A framework was developed that summarizes a general regional direction on the how the transportation needs of the region are to be addressed by existing or potential funding sources at the JPACT retreat in May 2009. This approach is shown in Table 2 and provides a starting point for

refinement of policy direction for the various funding programs or sources that are addressed in the MTIP/STIP. The approach identifies funding mechanisms that agencies use and a regional strategy for sources to be pursued to address unmet needs of the different elements of transportation activities in the region. This framework was utilized in the development of the 2010-13 and 2012-15 Regional Flexible Fund allocation policies.

**Table 2: Regional Transportation Plan Finance Approach**

<b>Transportation Project/Activity Type</b>	<b>Existing Funding Sources</b>	<b>Strategy for Sources of Additional Funding</b>
Local/Arterial Street reconstruction/maintenance	<ul style="list-style-type: none"> <li>• State pass through</li> <li>• Street utility fees</li> <li>• Local portion of HBRR</li> <li>• OTIA</li> </ul>	<ul style="list-style-type: none"> <li>• Increases in state gas tax or VRF</li> <li>• New street utility fees or equivalent</li> </ul>
Active Transportation	<ul style="list-style-type: none"> <li>• <b>Regional Flexible Funds</b></li> <li>• Transportation Enhancement</li> </ul>	<ul style="list-style-type: none"> <li>• New federal program</li> <li>• State Urban Trail Fund</li> <li>• New local funds</li> </ul>
Highway preservation	<ul style="list-style-type: none"> <li>• Interstate Maintenance</li> <li>• State gas &amp; w/m</li> <li>• HBRR</li> <li>• OTIA</li> </ul>	<ul style="list-style-type: none"> <li>• Increases in state gas tax or VRF</li> </ul>
Transit Operations	<ul style="list-style-type: none"> <li>• Employer tax</li> <li>• Passenger fares</li> <li>• Section 5307</li> <li>• New Freedom</li> <li>• JARC</li> </ul>	<ul style="list-style-type: none"> <li>• Employer tax rate</li> <li>• New funding mechanism</li> <li>• Increase fares</li> </ul>
Arterial Expansion	<ul style="list-style-type: none"> <li>• Development (Frontage, Impact Fees, SDC's)</li> <li>• Urban Renewal</li> <li>• OTIA</li> </ul>	<ul style="list-style-type: none"> <li>• SDC rate increases</li> <li>• Regional VRF pass through or equivalent</li> </ul>

Transportation Project/Activity Type	Existing Funding Sources	Strategy for Sources of Additional Funding
Highway expansion	<ul style="list-style-type: none"> <li>• Modernization Program</li> <li>• OTIA</li> <li>• Fed/state earmarks</li> </ul>	<ul style="list-style-type: none"> <li>• More from existing sources</li> <li>• New federal Metropolitan mobility program</li> <li>• Pricing/tolling</li> <li>• Regional VRF or equivalent</li> </ul>
HCT expansion	<ul style="list-style-type: none"> <li>• Federal New Starts</li> <li>• State lottery</li> <li>• <b>Regional Flexible Funds</b></li> <li>• TriMet General Fund</li> <li>• Local contributions</li> </ul>	<ul style="list-style-type: none"> <li>• More from existing sources</li> </ul>
TSMO	<ul style="list-style-type: none"> <li>• State Operations</li> <li>• <b>Regional Flexible Funds</b></li> </ul>	<ul style="list-style-type: none"> <li>• State Modernization</li> <li>• Regional VRF or equivalent</li> </ul>
Land Use – TOD	<ul style="list-style-type: none"> <li>• <b>Regional Flexible Funds</b></li> </ul>	<ul style="list-style-type: none"> <li>• Strategy under development</li> </ul>

## RECURRING PROCESS AND ADMINISTRATIVE POLICIES

The following policies define how the allocation process should be conducted and what outcomes should be achieved with the overall allocation process.

1. Select projects from throughout the region, however, consistent with federal rules, there is no sub-allocation formula or commitment to a particular distribution of funds to any sub-area of the region.
2. Honor previous funding commitments made by JPACT and the Metro Council.
3. Address air quality requirements by ensuring air quality Transportation Control Measures (TCMs) for pedestrian and bicycle improvements are met and that an adequate pool of CMAQ-eligible projects are available for funding.
4. Achieve multiple transportation policy objectives.

5. Allow use of funding for project development and local match of large-scale projects (greater than \$10 million) that compete well in addressing policy objectives when there is a strong potential to leverage other sources of discretionary funding.
6. Encourage the application of projects that efficiently and cost-effectively make use of federal funds.
7. Recognize the difference in transportation infrastructure investment needs relative to an area's stage of development (developed, developing, undeveloped) consistent with RTP Table 3.2.
8. Identify project delivery performance issues that may impact ability to complete a project on time and on budget.
9. Ensure agencies have qualifications for leading federal aid transportation projects.
10. Identify opportunities for leveraging, coordinating, and collaboration.

### **3.0 STEP 1 – REGION WIDE PROGRAMS**

Regional programs have been defined over time by their regional scope, program administration, and policy coordination and a consistent allocation of regional flexible funds to support them. In previous cycles, the allocation of funding to these programs was completed in Step 1 of the process, prior to the allocation of funds to local projects.

Funding targets are set for the existing regional programs in this cycle based on their historical allocation levels plus a 3% inflationary increase to address program costs and purchasing power. The regional programs will be reviewed prior to the final funding decision scheduled for the fall of 2013. The review will provide the following information about each program:

- Program description – description of the program purpose and its major activities.
- Regional Funding Strategy Context – description of why the program is appropriate for regional flexible funding (see Table 2: RTP Finance Approach chart).
- Directly related RTP performance targets – description of how the program helps the region meet performance targets in the RTP.
- Program strategic plan or recent planning work completed to date – description of how the strategic plan helps set priorities for implementation.
- Program performance to date – description of specific accomplishments of the program.
- Additional opportunities – description of priorities or activities the program would pursue given additional resources.

### Regional Program Funding Targets

Transit Oriented Development	\$9.19 million
TSMO/ITS	\$4.64 million
Regional Travel Options	\$7.01 million
Regional MPO Planning (In-Lieu of Dues)	\$3.63 million
Corridor & Systems Planning	\$1.54 million
<b>TOTAL</b>	<b>\$26.01 million</b>

#### 4.0 STEP 2 – COMMUNITY INVESTMENT FUND PROJECT FOCUS AREAS

The project focus areas established by JPACT during the 2014-15 RFFA for Step 2 were Active Transportation/Complete Streets and Green Economy/Freight Initiatives. Funds for these projects targeted to a 75 / 25 percent split of Step 2 funding respectively. The 2016-18 RFFA cycle will continue to use the 2014-15 RFFA approach to investing in local projects by focusing funds in order to achieve greater regional impact.

JPACT and the Metro Council are continuing support for these project focus areas to create a more strategic approach to allocating funds, including:

- A topically or geographically focused impact rather than an array of disconnected projects
- Achieves appreciable impacts on implementing a regional scale strategy given funding amount available
- Addresses specific outcomes utilizing the Regional Transportation Plan Performance Targets
- Prioritizes catalytic investments (leveraging large benefits or new funding)
- Positions the region to take advantage of federal and state funding opportunities as they arise

A task force was created to advise JPACT and TPAC on project focus area needs, priorities and project prioritization factors and developed the following direction for the project focus areas as part of the 2014-15 RFFA.

### Project Focus Area Funding Targets

Green Economy/Freight Initiatives	\$8.7 million
Active Transportation/Complete Streets	\$26.07 million
<b>TOTAL</b>	<b>\$34.77 million</b>

## **GREEN ECONOMY & FREIGHT INITIATIVES**

### **Recommended approach for developing projects**

For this project focus area, the task force recommended an approach of allocating funds for two components: construction type projects and planning/strategy development type projects. Eligible project types and criteria that could be utilized to scope and prioritize potential projects are described below.

#### **Construction focus**

Capital improvements will focus on:

- System management, such as Intelligent Transportation Systems (ITS), on arterial freight routes. This could include upgrading traffic signal equipment and timing or provide travel information to inform freight trip decisions.
- Small capital projects (e.g. spot widening or installation of mountable curbs to accommodate large truck turning movements). Technical measures should be developed that assess the regional impacts of nominated projects such as improving access to regionally significant industrial land or safe movements to/on the regional freight network to ensure a regional interest is served by the project.

#### **Planning/strategy development focus**

Project development for specific arterial freight routes would evaluate key barriers to the development of a green economy and freight movement and recommend operations and design improvements to address the barrier.

Funds may also be set aside to develop regional strategies. These are areas that need further analysis and a policy development process to achieve a regional consensus on how to move forward on the issue.

## Recommended criteria for scoping and prioritization of projects

Relative priority	Criteria
Highest	Reduces freight vehicle delay
	Project increases freight access to:
	o Industrial lands
Highest	o Employment centers & local businesses
	o Rail facilities for regional shippers
Highest	Projects that help green the economy and offer economic opportunities for EJ/underserved communities
Higher	Improves safety by removing conflicts with active transportation and/or provides adequate mitigation for any potential conflicts
Higher	Reduces air toxics or particulate matter
Higher	Reduces impacts to EJ communities e.g., reduced noise, land use conflict, emissions
Higher	Increases freight reliability
Priority	May not get funding otherwise
Priority	Can leverage (or prepare for) future funds
Priority	Reduces need for highway expansion
Priority	Multi-modal component

<b>Table 3 – Green Economy &amp; Freight Initiatives</b>					
<b>Sub-regional cost targets, by weighted regional freight system (route miles) and Title 4 land (acres)</b>					
	<b>Region</b>	<b>City of Portland</b>	<b>Clackamas County</b>	<b>Multnomah County</b>	<b>Washington County</b>
Allocation % based on freight network miles and industrial land factors (1)	<b>100%</b>	<b>46%</b>	<b>15%</b>	<b>13%</b>	<b>28%</b>
Fund Target - 25% of available revenues (millions)	<b>\$8.200</b>	<b>\$3.772</b>	<b>\$1.23</b>	<b>\$1.066</b>	<b>\$2.296</b>
Potential allocation of unused regional strategy funds based on maximum of \$500,000	<b>\$.500</b>	<b>\$.230</b>	<b>\$.075</b>	<b>\$.065</b>	<b>\$.140</b>

(1) Average of Freight System and Land Use Factors as follows

Weighted Route Miles of Regional Freight System

- Local components of roadway (i.e., connectors only) –including proposed connectors (weighting factor of 67%, based on year 2000 percent tonnage moved by truck, per 2035 RTP)
- Main + branch rail lines (weighting factor of 33%)

- Straight Average of Acres of Title 4 Land
  - Industrial land (50%)
  - Regionally significant industrial land (50%).

### **Construction project cost minimum**

\$1 million or total sub-region target, whichever is less.

### **Project development cost minimum**

\$200,000 but appropriate to project scope (PE phase will be more expensive than planning level work). Scope and budget must be reviewed for feasibility with Metro and ODOT staff prior to final nomination.

### **Number of nominations**

Meet target and construction project cost minimums, and may nominate one project development phase. Project development may include anything from a planning level "alternatives analysis" to preliminary engineering.

## ACTIVE TRANSPORTATION & COMPLETE STREETS

### Recommended approach for developing projects

For this project focus area, the task force recommended an approach of selecting travel corridor/areas and identifying project elements that would address the most critical barriers to completing non-auto trips in the corridor/area or a concentrated portion of the corridor/area. Examples of barriers could be the lack of direct pedestrian or bicycle facilities to key destinations in the corridor, inability to safely cross streets to access destinations, or lack of access to transit stop improvements.

To implement this approach with available funding, the following parameters will be utilized:

- improvements will be concentrated geographically in a travel corridor/area or portion thereof,
- improvements will be limited to a few travel corridor/areas within the region,
- potentially merge portions of several planned projects and several project types (bicycle, trail, pedestrian, transit stops) into a unified corridor/area wide project,
- project development will be allowed as an eligible activity for funding to address project readiness issues or as part of a strategy to phase implementation of projects.

**Table 4 – Active Transportation and Complete Streets**

#### Sub-regional cost targets by percent population

	Region	City of Portland	Clackamas County	Multnomah County	Washington County
% of Population <sup>(1)</sup>	100%	39.25%	17.6%	9.89%	33.26%
Fund Target - 75% of available revenues (millions)	\$26.070	\$10.232	\$4.588	\$2.578	\$8.671

<sup>(1)</sup> 2010 population data.

### Construction project cost minimum

\$4 million total project cost or total sub-region target (less eligible project development nomination), whichever is less.

### Project development cost minimum

\$200,000 but appropriate to project scope (PE phase will be more expensive than planning level work). Scope and budget must be reviewed for feasibility with Metro and ODOT staff prior to final nomination.

### Number of nominations

Meet target and construction project cost minimums, and may nominate one project development phase. Project development may include anything from a planning level "alternatives analysis" to preliminary engineering.

### Recommended criteria for scoping and prioritization of projects

Relative priority	Criteria
	Improves access to and from priority destinations:
	o Mixed-use centers
	o Large employment areas (by # of jobs)
Highest	o Schools
	o Essential services for EJ/underserved communities
	Improves safety
Highest	o addresses site issue(s) documented in pedestrian/bike crash data
	o separates pedestrian/bike traffic from freight and/or vehicular conflicts
Highest	Serves underserved communities (to be further defined through analysis with help of EJ/underserved working group)
Higher	Improves safety by removing conflicts with freight and/or provides safety mitigation for any potential freight conflicts
Higher	Completes the "last mile"
Higher	Increase in use/ridership by providing a good user experience (refer to Active Transportation design criteria)
Higher	Serves high density or projected high growth areas
Priority	Includes outreach/education/engagement component
Priority	Can leverage funds
Priority	Reduces need for highway expansion

## 5.0 STEP 3 – REGIONAL ECONOMIC OPPORTUNITY FUND

After funding Step 1 and Step 2, there is a remaining \$34 million to allocate as part of the 2016-18 RFFA. At the September 13 JPACT meeting, Metro staff presented three options for how to spend the additional \$34 million: Option 1, invest using the same 75-25 percent split the region did in 2010; Option 2, split the money across region-wide programs and local project focus areas by different percentages; Option 3, invest in new project categories. JPACT directed Metro staff to work with TPAC to further refine a policy direction around Option 3 and that the proposal should prioritize investments that:

- Address economic opportunity and job creation
- Take a system wide approach
- Leverage private sector investments
- Consider corridor safety
- Reflect criteria from Transportation Investment Generating Economic Recovery (TIGER)
- Implement corridor planning work
- Improve access to industrial lands
- Consider the transportation needs of Environmental Justice and underserved communities

The Regional Economic Opportunity Fund (REOF) was created to respond to the JPACT direction. The fund is targeted at larger projects (\$5-\$10 million) that are difficult to fund at the local level and through the 2014-15 RFFA policy framework, and allowing for multi-agency projects.

### **Construction project cost minimum**

\$2.5 million.

### **Project development**

Project development is not the intent of the REOF, but is an eligible activity. Scope and budget must be reviewed for feasibility with Metro and ODOT staff prior to application submittal.

### **Number of nominations**

The following sub-areas and agencies are capped at submitting no more than two REOF applications that combined cannot exceed \$10 million:

- i.* Clackamas County and its cities
- ii.* East Multnomah County and its cities
- iii.* Washington County and its cities
- iv.* City of Portland
- v.* Port of Portland
- vi.* TriMet

## CRITERIA FOR SCOPING AND PRIORITIZING REOF PROJECTS

The project applications, technical evaluation and public comments will be presented to JPACT and the Metro Council for a regional decision on funding. All project applications will be evaluated by Metro staff based on the criteria listed below:

### Threshold Requirements

1. Project is eligible for federal funding.
2. Receipt (or reasonably anticipated receipt) of all environmental approvals necessary for the project to proceed to construction on the timeline specified.
3. Project included in state, metropolitan and local planning docs.
4. Local matching funds to support 10.27 percent or more of the costs for the project are identified and committed by FFY 2015.

<b>Relative priority</b>	<b>Criteria</b>
Primary Criteria	<b>Good Repair*</b> <ul style="list-style-type: none"><li>○ Improve condition of existing facilities/system.</li></ul>
Primary Criteria	<b>Economic Competitiveness*</b> <ul style="list-style-type: none"><li>○ Contribute to long-term productivity of US and Metro region economy.</li><li>○ Improves access to and from industrial lands</li></ul>
Primary Criteria	<b>Livability*</b> <ul style="list-style-type: none"><li>○ Further Partnership for Sustainable Communities principles.</li></ul>
Primary Criteria	<b>Environmental Sustainability*</b> <ul style="list-style-type: none"><li>○ Promote environmentally sustainable transportation system.</li></ul>
Primary Criteria	<b>Safety*</b> <ul style="list-style-type: none"><li>○ Improves multimodal safety on high crash arterials</li><li>○ Addresses site issue(s) documented in pedestrian/bike crash data</li><li>○ Addresses safety behavioral contributing factors of alcohol and drugs, speeding, aggressive and distracted driving</li></ul>
Primary Criteria	<b>Job Creation/Economic Stimulus*</b>

Relative priority	Criteria
	○ Creation or preservation of jobs.
Primary Criteria	Implements project(s) from a completed corridor plan.
Primary Criteria	Improves access to jobs and essential services for EJ/underserved communities.
Secondary Criteria	<b>Innovation*</b>
Secondary Criteria	<b>Partnership*</b>
Secondary Criteria	Can leverage private sector funds
Secondary Criteria	Takes a system wide approach

\*Denotes criteria derived from the TIGER process

TPAC will review and provide input on performance measures for the REOF. This will be part of a discussion of the 2016-18 RFFA project solicitation packet scheduled for the November 28 meeting.

## 6.0 STAKEHOLDER ENGAGEMENT AND DECISION PROCESS

### COMMUNITY INVESTMENT PROJECT FOCUS AREAS

For both Community Investment project focus areas, the process to define projects will begin with stakeholder outreach to the communities affected by the focus areas, including targeted outreach to environmental justice and underserved communities.

Stakeholders for the Green Economy/Freight Initiatives focus area include local agency freight, planning and capital development staff, and business & economic development groups. Stakeholder comments will be summarized and provided to a regional freight and business task force for their consideration in developing a recommendation of projects to receive funding consistent with the policy framework and funding target.

Stakeholders for the Active Transportation/Complete Streets focus area includes local bike, pedestrian, trail and transit staff, advocacy organizations, and other stakeholders working in the area of multimodal transportation.

Deadlines for both Community Investment project focus areas is **March 15**.

The agency proposals will be provided to JPACT for release for public comment in May 2013. After collecting and summarizing public comments on the proposals and allowing for adjustments based on the comments, Regional Coordinating Committees and the City of Portland will recommend priority projects at 100% of their funding targets, along with a description of how their process met

program directions. JPACT and the Metro Council will make a final decision on the allocation of funds to the regional programs and projects defined as a part of the project focus area process. These projects and programs will then be incorporated into the 2015-18 MTIP with all other federally funded and regionally significant projects.

### **REGIONAL ECONOMIC OPPORTUNITY FUND (REOF)**

For the REOF, each of the sub-areas, the Port of Portland and TriMet will have until **March 15** to submit applications. All of the applications will be technically evaluated by Metro staff using the above criteria. The projects will then be included as part of a comment period from May – early June 2012. The public comment period will include:

- 150 percent Region 1 STIP Enhance projects
- REOF project applications
- Green Economy/Freight Initiative projects
- Active Transportation/Complete Street projects

The REOF project applications, technical evaluation and public comments will be presented to JPACT and the Metro Council in July and August 2013. JPACT and the Metro Council will be tasked with making the final decision on REOF projects.

The draft 2015-18 MTIP, including the 2016-18 RFFA projects from Steps 1, 2 and 3 will be adopted by JPACT and the Metro Council in September 2013

The 2015-18 TIP schedule, including both STIP and RFFA decision points are included in **Attachment A**.



# 2015-18 TIP Schedule

## 2015-18 MTIP and STIP Development

### 2012

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#### Fall

September 13 – JPACT direction on joint MTIP/STIP calendar and preferred option for 2016-18 RFFA  
September 20 – STIP Enhance application process begins  
October 11 – JPACT refine preferred option for allocating 2016-18 regional flexible funds  
October 16 – OTC meeting with ACT chairs to discuss STIP process  
November 8 – JPACT action on policy direction for 2016-18 RFFA  
November 15 – Metro Council action on policy direction for 2016-18 RFFA  
November 27 – STIP enhance applications due to Region 1  
November 28 – TPAC review and discussion of 2016-18 RFFA project solicitation packet

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#### Winter

- Review of existing performance measurement data (part of federal Congestion Management Process)

December - Release 2016-18 RFFA solicitation packet

**December 6 – STIP project applications distributed to JPACT and Region 1 STIP Committee\***

### 2013

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#### Winter/Spring

-Review region-wide programs (TOD, RTO, TSMO, Corridor Development, TriMet & SMART 5307)  
-Review TriMet 5-year Transit Investment Plan

**February 14 – JPACT provides input on the 150 percent STIP projects to the Region 1 STIP Committee\***

March 15 – RFFA applications due for Active Transportation/Complete Streets and Green Economy/Freight Initiative projects. 150 percent list of Regional Economic Opportunity Fund projects due to Metro. Begin evaluation of all projects.

March 15 – Region 1 STIP Committee submit 150 percent recommendations to ODOT Region 1 (March – July – ODOT Region 1 scopes the 150 percent list of STIP projects)

March 21 – ODOT Region 1 provide the 150 percent STIP projects to TDD for distribution to OTC, OFAC and Joint TE-OBPAC Committee

April – conduct technical evaluations of projects by Metro staff for REOF projects and local agency staff for Community Investment projects.

**May – early June – Metro conduct joint public comment period on RFFA projects and ODOT Region 1 STIP 150 percent list\***

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## **Summer/Fall**

June 19 – OTC, OFAC and Joint TE-OBPAC Committee provide input on 150 percent list

July 22 – ODOT Region 1 provides STIP project scoping information to Area Managers and Region 1 STIP Committee chair. STIP Committee and Region 1 begin developing project recommendation lists.

June - August – Local prioritization of Community Investment projects. Regional prioritization of REOF projects.

***August 8 – JPACT provides input to the Region 1 STIP Committee on the STIP projects.\****

August 23 – TPAC recommendation to JPACT for adoption of 2016-18 RFFA projects and 2015-18 MTIP.

September 12 – JPACT and Metro Council adopt 2016-18 RFFA projects and 2015-18 MTIP.

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## **Fall/Winter**

Submit proposed MTIP to ODOT for inclusion in Draft STIP by Oct 1

Region STIP Coordinators upload project list into PCSX by Oct 31

October 4 – ODOT regions provide STIP project recommendations to TDD for compilation and OTC consideration.

October 7 – November 13 – OTC review of STIP project recommendations and allocation of discretionary 20 percent.

November/December – Draft STIP prepared for public review process

## **2014**

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### **Jan**

OTC & JPACT release STIP & MTIP for public review

### **March 1**

Public review of Draft TIPs complete

### **March - June**

JPACT/Council act on any adjustments based on public comments (March TPAC, April JPACT)

Air quality conformity analysis and determination process

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### **June – July**

Final STIP prepared and reviewed with ACTs, MPOs, other stakeholders

### **August**

OTC review and approve Final 2015-18 STIP

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### **September**

FHWA/FTA approval of STIP and air quality conformity of MTIP

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***\*Bold and italicized items are coordination points between the STIP and MTIP process.***

## **STAFF REPORT**

### **FOR THE PURPOSE OF ADOPTING THE POLICY DIRECTION TO THE REGIONAL FLEXIBLE FUNDING ALLOCATION (RFFA) PROCESS FOR FEDERAL FISCAL YEARS 2016-18**

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Date: October 15, 2012

Prepared by: Josh Naramore

## **BACKGROUND**

Regional flexible funds are an element of the funds programmed within the Metropolitan Transportation Improvement Program (MTIP). The Metropolitan region is preparing to prioritize transportation projects and program activities to receive regional flexible funds available in the federal fiscal years 2016 through 2018. This report provides the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council's policy direction for the allocation of these funds.

The process for updating these policies first involved discussions by engaging agency technical staff at TPAC, JPACT, and Metro Council members to provide policy direction to allocate the estimated \$98 million available to region from 2016-18. Metro staff has used the TPAC and JPACT meeting discussions to produce this Policy Report. The revised approach to allocating Regional Flexible Funds proposed in this report is intended to develop a more collaborative method for supporting transportation investments that keep our neighborhoods safe, support sustainable economic growth, and make the most of the existing investments our region has already made in existing public structures.

The new three step process builds upon the 2014-15 RFFA process for Step 1 regional programs and Step 2 Community Investment Funds for Active Transportation/Complete Streets and Green Economy/Freight Initiatives. It also established a Step 3 Regional Economic Opportunity Fund to fund regional priority projects identified by JPACT and the Metro Council.

Metro and ODOT update the MTIP/STIP every two years to schedule funding for the following four-year period. The 2016-18 RFFA process is a component of the four-year period of federal fiscal years 2015 through 2018. This update will therefore adjust, as necessary, funds already allocated to projects in fiscal years 2014 and 2015 in the current approved MTIP. It will also allocate funds to new projects in the last three years (2016 and 2018) of the new MTIP.

The regional flexible funds available for the 2016-18 allocation are composed of three types of federal transportation assistance, which come with differing restrictions. The most flexible funds are surface transportation program (STP) funds that may be used for virtually any transportation purpose, identified in the Financially Constrained RTP, short of building local residential streets. The second category of money is Congestion Mitigation/Air Quality (CMAQ) funds. CMAQ funds cannot be used to build new lanes for automobile travel. Also, projects that use CMAQ funds must demonstrate that some improvement of air quality will result from building or operating the project. The third category is Transportation Alternatives, new from MAP-21 that consolidated Transportation Enhancements, Safe Routes to Schools, and Recreational Trails funding.

In the previous two allocation processes, regional flexible funds have been allocated in two steps. The first step was to allocate funds to existing regional transportation programs: metropolitan transportation planning, transit oriented development, regional travel options, transportation system management & operations, and high capacity transit development and capital construction. Step two was an allocation to local agencies for a variety of transportation projects. The 2016-18 process will add a third step of allocating \$34 million to projects as part of a Regional Economic Opportunity Fund (REOF)

The policy report in Exhibit A responds to direction received from JPACT discussion at their September and October meetings. The policy direction outlined in report includes:

- STEP 1 - Support of funding for existing region wide programs. JPACT will review these programs prior to the final allocation of funding in the September 2013.
- STEP 2 - Continued support of two Community Investment project focus areas providing direction to local agencies to develop projects for allocating funds:
  - Active Transportation/Complete Streets
  - Green Economy/Freight Initiatives
  - Directions to develop the project proposals for these focus areas through a collaborative process involving impacted stakeholders.
- STEP 3 – Development of a new Regional Economic Opportunity Fund

<b>Available 2016-18 Regional Flexible Funds</b>	
<b>Step 1 – Region Wide Programs</b>	
• Transit Oriented Development	\$9.19 million
• TSMO/ITS	\$4.64 million
• Regional Travel Options	\$7.01 million
• Regional MPO Planning (In-Lieu of Dues)	\$3.63 million
• Corridor & Systems Planning	\$1.54 million
<b>Step 1 TOTAL</b>	<b>\$26.01 million</b>
<b>Step 2 – Community Investment Fund Projects</b>	
• Active Transportation/Complete Streets	\$26.07 million
• Green Economy/Freight Initiatives	\$8.7 million
<b>Step 2 TOTAL</b>	<b>\$34.77 million</b>
<b>Step 3 – Regional Economic Opportunity Fund</b>	<b>\$34.00 million</b>
<b>GRAND TOTAL</b>	<b>\$94.78 million</b>

## ANALYSIS/INFORMATION

1. **Known Opposition** None known at this time.
2. **Legal Antecedents** Updates the 2014-15 Regional Flexible Fund Allocation Policy Report, adopted by Metro Council Resolution 10-4160 on July 20, 2010 (FOR THE PURPOSE OF ADOPTING THE POLICY DIRECTION AND PROGRAM OBJECTIVES FOR THE 2014-15 REGIONAL FLEXIBLE FUNDING ALLOCATION PROCESS AND 2012-15 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM (MTIP)).
3. **Anticipated Effects** Adoption of this resolution will provide the policy direction, program objectives and procedures that will be used during the 2016-18 Regional Flexible Fund Allocation process to nominate, evaluate and select projects to receive federal transportation funds as described in Exhibit A of Resolution 12-4383.
4. **Budget Impacts** None.

## RECOMMENDED ACTION

Metro staff recommends the approval of Resolution No. 12-4383.



Date: October 18, 2012  
To: TPAC and Interested Parties  
From: Ted Leybold and Josh Naramore  
Subject: Updated RFFA Financial Forecast

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A portion of the increase in expected regional flexible funding being allocated during the 2016-18 funding cycle is due to a revamped funding program that emerged from the new federal authorization bill MAP-21. The bill consolidated the eligibility and funding streams of the old Transportation Enhancements and Safe Routes to Schools programs to create the Transportation Alternatives funding program. Furthermore, the bill provided that states distribute half of these funds by population with direct sub-allocation to large Metropolitan Planning Organization (MPO) areas.

ODOT financial staff utilized the bill language to forecast the amount of funding likely made available to the large MPOs for years 2013 through 2015. Metro staff then extended this forecast through the year 2018 to account for funds to be allocated in the Regional Flexible Fund Allocation process. Since that time, new information became available that is changing the forecast of available funds.

The Federal Highway Administration recently issued guidance on how to calculate the amount of Transportation Alternatives funds. The methodology removed funding for the Recreation Trail program from the total TA funds made available to Oregon prior to the TA funds being sub-allocated by formula to the MPOs and other fund recipients. This resulted in a reduction of approximately \$300,000 per year to Metro from 2013-2018. This will allow the existing Recreational Trail funding program administered by State Parks (in cooperation with ODOT) to remain intact.

Additionally, the ODOT had already awarded Transportation Enhancement funding for 2013 and portions of 2014 and Safe Routes to Schools funds for years 2013 through 2015. These funds are the predecessor funding programs to the new TA program. \$2.6 million of Transportation Enhancements and \$1.8 million of Safe Routes to Schools funding were awarded to projects located in the Metro region.

As half of the TA funds are to be distributed by population (and half retained for award by ODOT), ODOT has proposed that half the allocation to those projects come from the direct distribution to the Metro region. ODOT has also proposed that awards to the currently open statewide allocation process of TA and State Pedestrian/Bike funding utilizing 2014 and 2015 funds be awarded from state funding only, with no prejudice to project applications from MPO areas.

Table 1 shows the updated forecast of TA funding expected to be available for allocation of regional flexible funds. There is a reduction of approximately \$4 million forecasted to be available for allocation in the upcoming cycle.

Please contact us if you have any questions.

**Table 1 – Update Forecast of Expected Transportation Alternatives Funding 2013-18**

	2013	2014	2015	2016	2017	2018	Total: 2013-18
TA: old forecast	\$1,622,039	\$1,644,381	\$1,669,047	\$1,694,083	\$1,719,494	\$1,745,286	\$10,094,331
TA: new forecast	\$627,820	\$627,820	\$627,820	\$1,387,880	\$1,408,698	\$1,429,828	\$6,109,864
Difference	\$994,219	\$1,016,562	\$1,041,227	\$306,203	\$310,796	\$315,458	\$3,984,466



# **Oregon Passenger Rail**

**Eugene - Portland**

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**CHOOSING A PATH FORWARD**

## **Transportation Policy Alternatives Committee (TPAC)**

Scott Richman, David Evans and Associates, Inc.  
Deputy Consultant Team Project Manager  
October 26, 2012

## **PROJECT BACKGROUND**

- Project Overview
- Study Area
- Project Context
- Tier 1 EIS
- Study Schedule
- Decision-making



**Oregon Passenger Rail**  
**Eugene - Portland**  
**CHOOSING A PATH FORWARD**

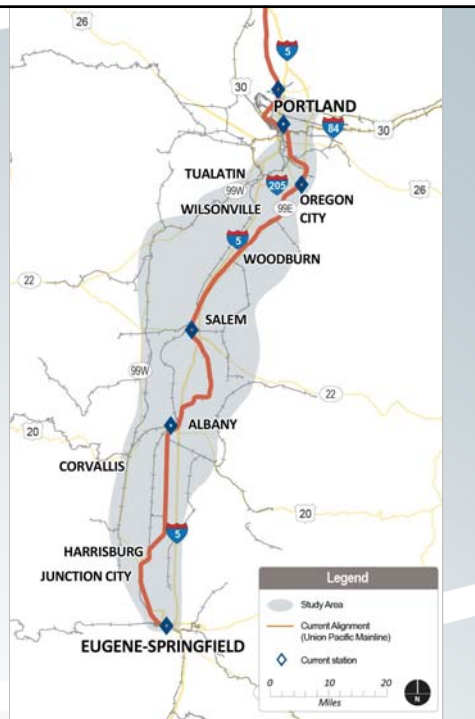
## Project Overview

- Lead Federal and State Agencies: Federal Railroad Administration (FRA) and Oregon Department of Transportation (ODOT)
- Studying options to improve passenger rail service between Eugene-Springfield urban area and Columbia River north of Portland metropolitan area
- Following National Environmental Policy Act (NEPA) - will make decisions on:
  - Rail service frequency and speeds
  - Route(s) to be used
  - Technology (vehicles and propulsion)
  - Communities where stations would be located



## Project Study Area

- Columbia River to the north
- Eugene-Springfield area to the south
- OR 99W to the west
- Cascade foothills to the east



## Project Context

- OPR is part of the Pacific Northwest Rail Corridor, extending from Eugene to Vancouver, BC
  - 466-mile-long corridor
  - Designated as a “regional” high speed rail corridor
  - Planning for top speeds of 90 to 125 miles per hour

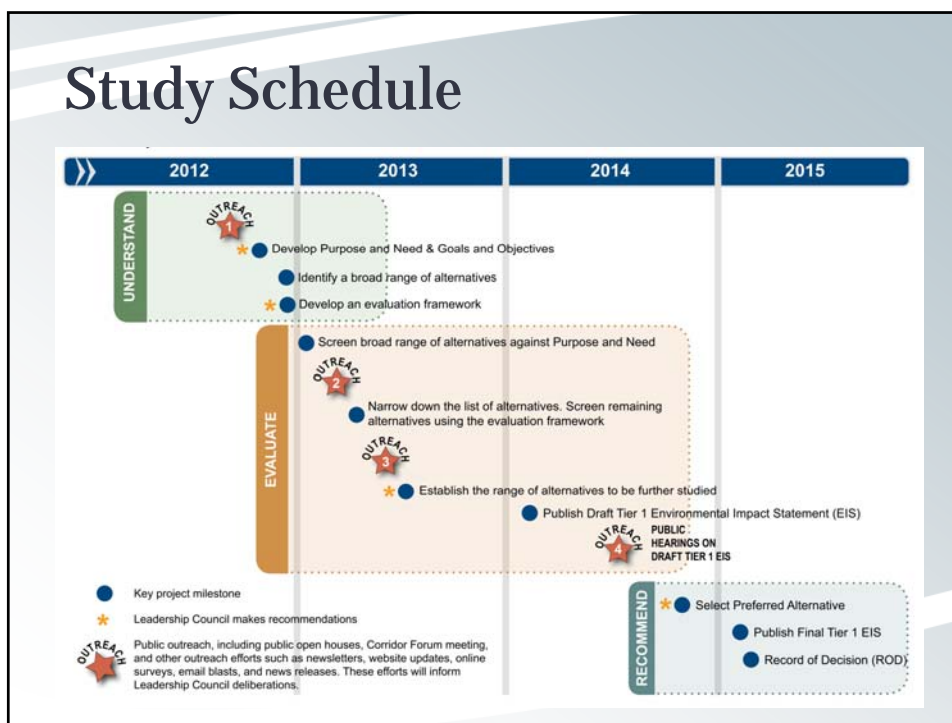


## Tier 1 EIS

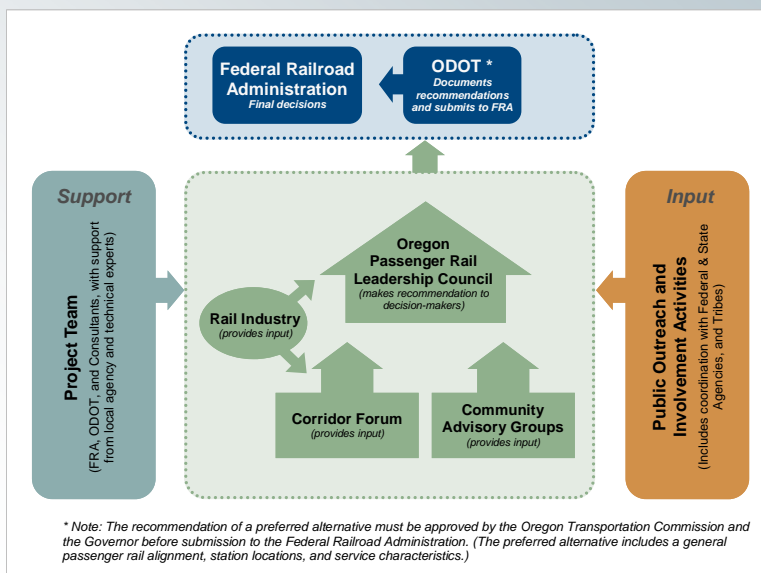
- Addresses:
  - Broad corridor-level transportation issues (rail alignment, service improvements, and communities with stations)
  - Broad and high-level environmental impacts
- Will conclude with a decision on a “Preferred Alternative”
- Additional environmental studies will be needed before any construction can begin



# Study Schedule



## How Will Decisions Be Made?



# DRAFT PURPOSE AND NEED



## Draft Project Purpose

- To provide more frequent, convenient, rapid, and reliable passenger rail service along the Oregon segment of the federally-designated Pacific Northwest Rail Corridor in a manner that will:
  - Provide an efficient, safe, and cost-effective alternative to highway, bus, and air travel
  - Protect freight-rail carrying capability
  - Support the implementation of regional high speed inter-city passenger rail in the Pacific Northwest Rail Corridor between the Eugene-Springfield metropolitan area and Vancouver, British Columbia
  - Promote economic development
  - Avoid or mitigate community and environmental impacts
  - Integrate with local and regional automobile, transit, bicycle, and pedestrian transportation networks



## Draft Project Need

- Increasing intercity and regional travel demands
- Limited rail system capacity and competing service needs
- Declining state and local roadway funding
- Congestion's effects on the economic vitality of the corridor
- Promoting transportation system safety and security
- Changing transportation demand resulting from demographic changes



## What Will Be Studied

- Corridor-level Transportation Issues
- High-level Environmental Impacts



## Corridor-level Transportation Issues

- Rail Routes (Alignments)
  - Existing passenger rail corridor from Eugene to Portland
  - Other alignments that have been suggested include:
    - Oregon Electric Railroad corridor (west of I-5)
    - An alignment that follows I-5
    - An alignment that includes a stop in Corvallis



## Corridor-level Transportation Issues

- Service Improvements
  - Train average and maximum train speeds
  - Train frequency/schedules
  - Train technology
- Communities with Stations



## High-level Environmental Impacts

Built Environment	Natural Environment
Transportation	Air Quality and Climate
Cultural Resources	Biological Resources
Environmental Justice	Energy
Hazardous Materials	Floodplains
Land Use	Geological Resources
Noise and Vibration	Water Resources
Safety and Security	Wetlands
Special Lands (Sections 4(f) and 6(f))	
Utilities	



## Environmental Data Collection

- The project team has initiated data collection to inform public and agency scoping and the evaluation criteria
- Some of the data collected to date are illustrated on the corridor-level map
- During the discussion section of this meeting, please identify any data that you would like the project team to consider



# EVALUATION OF ALTERNATIVES



## Evaluation of Alternatives

- Screening
  - All corridor concepts formulated during this phase (scoping) will be screened against distinguishing elements of the Purpose and Need statement
  - Corridor concepts that “pass” Purpose and Need screening will be developed into a broad range of alternatives
- Evaluation
  - Project Goals and Objectives will be developed based on input received during the scoping phase
  - The broad range of alternatives will be narrowed to a reasonable range using a set of evaluation measures that reflect the study’s Goals and Objectives, technical and economic feasibility, and Purpose and Need



## Evaluation of Alternatives

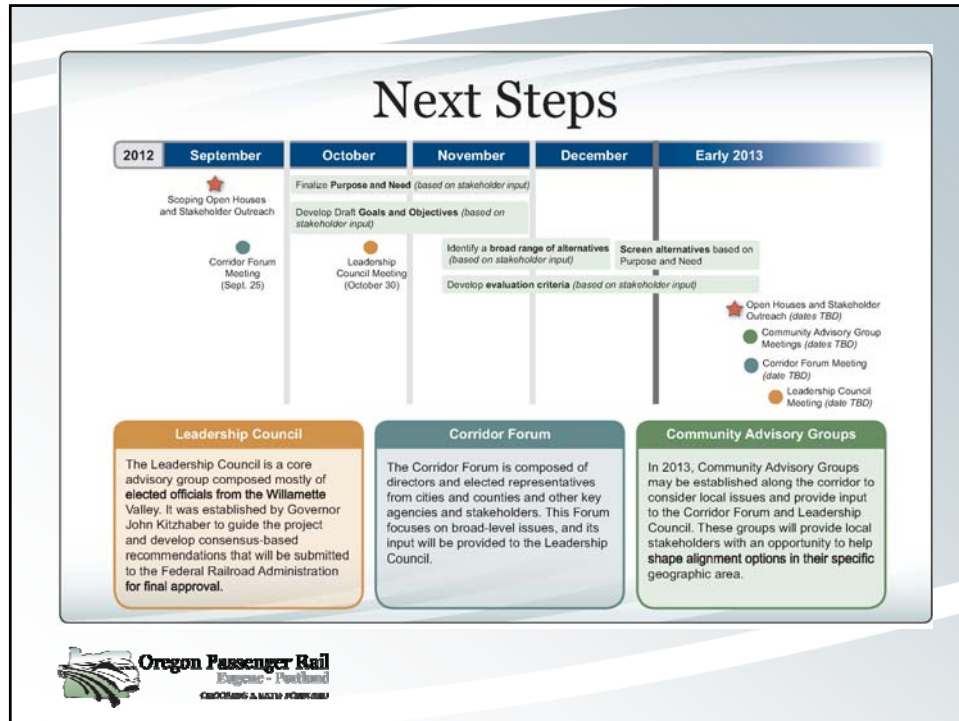
- Selection
  - A Draft Tier 1 EIS will be published for agency and public review and comment
  - The Leadership Council will recommend (to ODOT) and FRA will identify a Preferred Alternative (see decision-making process handout for more information)
  - A Final Tier 1 EIS will be published to address identification of the Preferred Alternative
  - A Tier 1 Record of Decision will be published to reflect selection of the Preferred Alternative



## NEXT STEPS AND FUTURE INVOLVEMENT

Next Steps  
How to Stay Engaged  
Comments





## How to Stay Engaged

- ODOT will:
  - Provide informational updates at MPOs and ACTs at key NEPA decision points
  - Develop and distribute regular project updates with opportunity for comment at key milestones
- Agencies can:
  - Visit [www.OregonPassengerRail.org](http://www.OregonPassengerRail.org) for regular project updates and to sign-up for the project mailing list
  - Request their own audience with the project team

# DISCUSSION



## For More Information Contact

David Knowles, CH2M Hill, Inc., Consultant Team Project Manager  
(503) 736-4325  
[david.knowles@ch2m.com](mailto:david.knowles@ch2m.com)

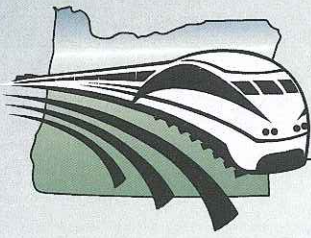
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Jim Cox, ODOT Major Projects, Agency Project Manager  
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Jyll Smith, ODOT Major Projects, Public Involvement  
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[jyll.e.smith@odot.state.or.us](mailto:jyll.e.smith@odot.state.or.us)



Materials following this page were distributed at the meeting.



# Oregon Passenger Rail Eugene - Portland



CHOOSING A PATH FORWARD

Fact Sheet - Fall/Winter 2012

## Studying options in the Willamette Valley

The Oregon Department of Transportation is studying ways to improve inter-city passenger rail service between the Portland urban area and the Eugene-Springfield urban area. Through an intensive public outreach effort in the summer and fall of 2012, we've heard from the community about what kinds of rail improvements they would like to see. ODOT is now using public comments and technical data to identify a number of "corridor concepts" for improved passenger rail service in the Willamette Valley. These concepts will consider:



**Routes:** Where should the passenger rail route go?



**Stations:** Where should passenger rail stop?

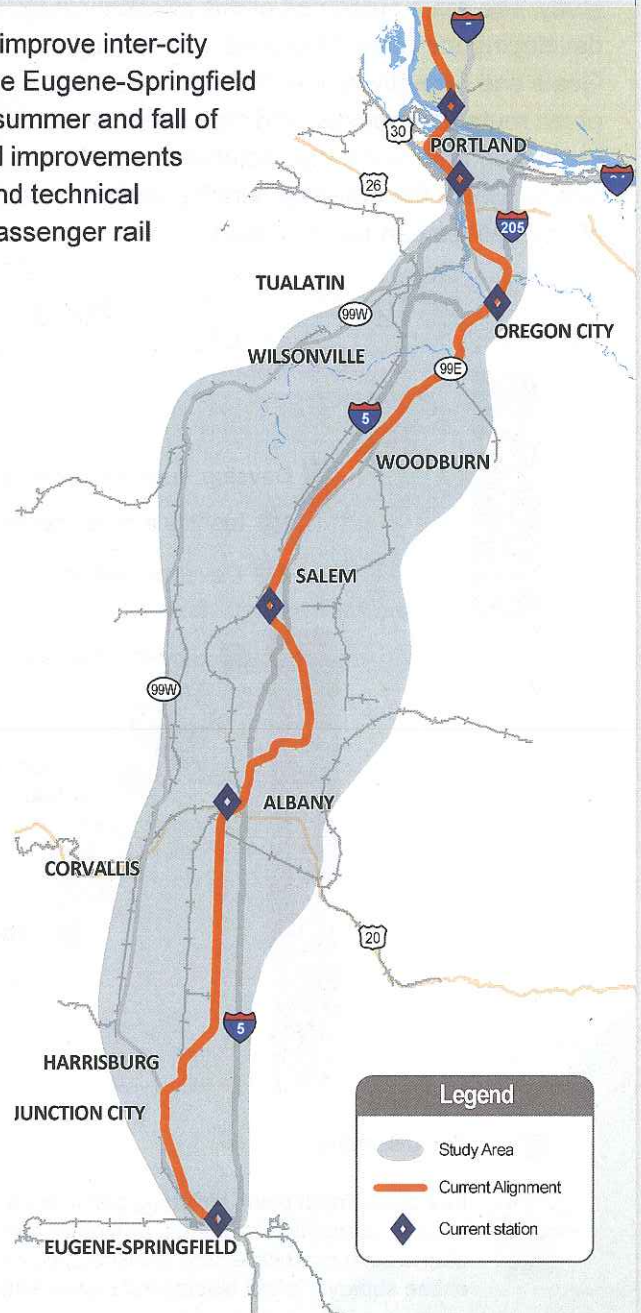
**We want your feedback.** While the official "scoping phase" ends October 31, you can always give us your comments:

- » Visit [www.OregonPassengerRail.org](http://www.OregonPassengerRail.org)
- » Email [info@oregonpassengerrail.org](mailto:info@oregonpassengerrail.org)
- » Call Jyll Smith, Stakeholder Engagement Strategist, (503) 986-3985

### Project Purpose

The purpose of this project is to provide more frequent, convenient, rapid, and reliable passenger rail service in a manner that will:

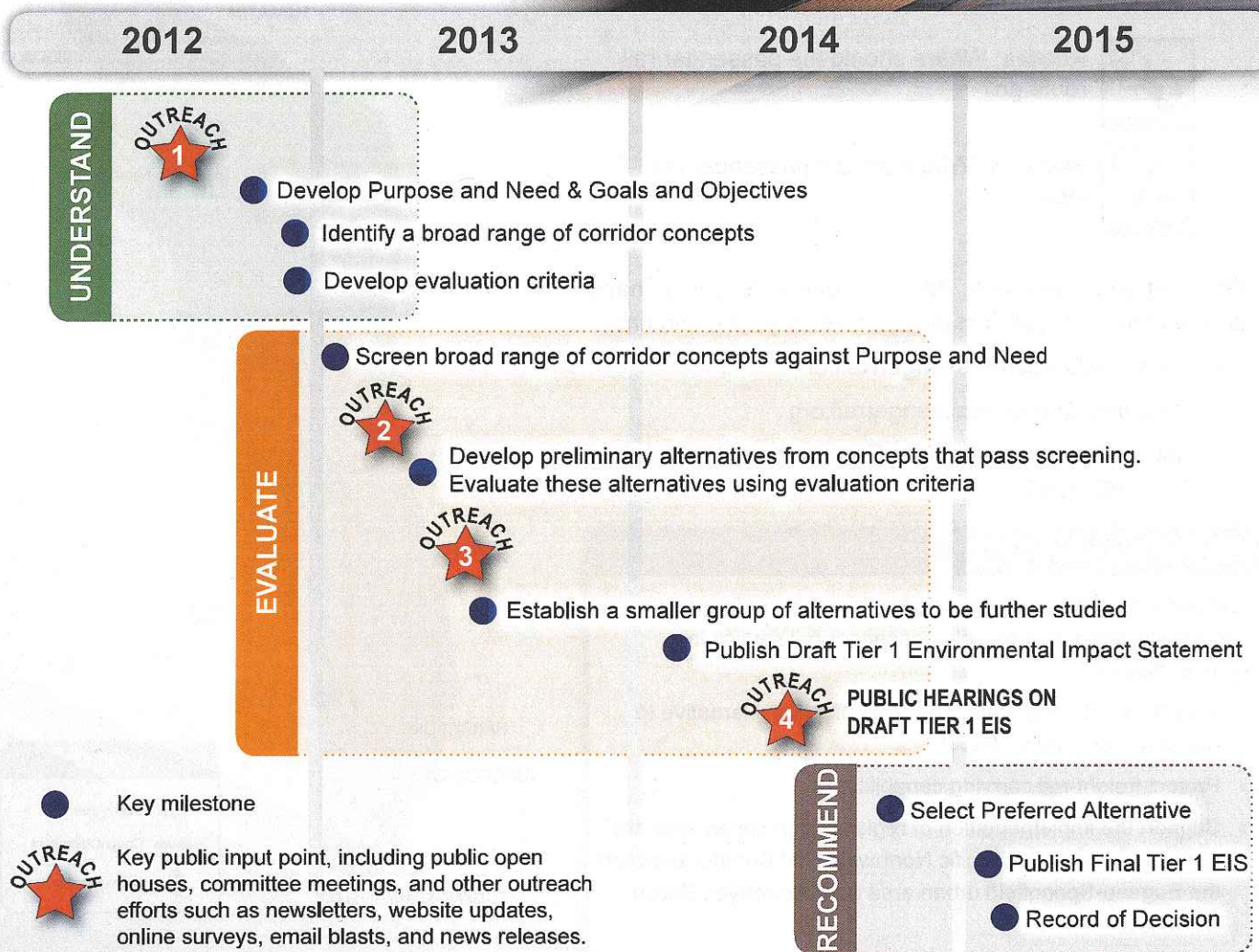
- » Provide an efficient, safe, and cost-effective alternative to highway, bus, and air travel;
- » Protect freight-rail carrying capability;
- » Support the implementation of regional high speed inter-city passenger rail in the Pacific Northwest Rail Corridor between the Eugene-Springfield urban area and Vancouver, British Columbia;
- » Promote economic development;
- » Avoid or mitigate community and environmental impacts; and
- » Integrate with local and regional automobile, transit, bicycle, and pedestrian transportation networks.



[www.OregonPassengerRail.org](http://www.OregonPassengerRail.org)

## Where we are now in this study: *Understand Phase*

The Oregon Passenger Rail study is divided into three general phases - *Understand*, *Evaluate*, and *Recommend*. Currently, we are in the *Understand* phase, known as Scoping under the National Environmental Policy Act (NEPA). Its purpose is to identify issues and ensure an appropriate range of alternatives will be considered through the study. The main outcomes of this phase include: developing the project Purpose and Need plus Goals and Objectives; identifying a broad range of rail route alternatives; and developing an evaluation framework that includes a set of criteria against which the potential benefits and impacts of alternatives can be compared.



### Accommodation Information for People with Disabilities

To obtain this information in an alternate format such as Braille, large print, electronic formats and audio cassette tape, please call Jyll Smith at (503) 986-3985 or statewide relay 7-1-1.



# Metro 2010 – 2035 Growth distribution



## Presentation to TPAC



Mike Hoglund  
October 26, 2012



## Background

- Helping us build the future we want
- Supporting good jobs and safe, healthy communities
- Based on existing work, informed by local information
- Required by Oregon law



## How the process works

- 20-year population and employment forecasts prepared and capacity of UGB analyzed (Urban Growth Report - 2009)
- Metro Council takes action to increase capacity of UGB to meet 20-year needs (2010 and 2011)
- Forecasts distributed at local level to help communities plan for desired futures and meet regional goals (2012)
- Analytical tools updated and forecasts applied to programs, projects, policy discussions (2013)

3

## What the information entails

- Numbers of single-family and multi-family housing units
- Distribution of different types of employment



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## How this supports ongoing efforts

- Local governments:
  - Comprehensive plan updates
  - Transportation system plan updates
  - Plan for extension and upgrade of pipes, roads, other essential public structures
  - Coordination planning in areas outside UGB
- Special districts and schools facility planning and enrollment forecasting

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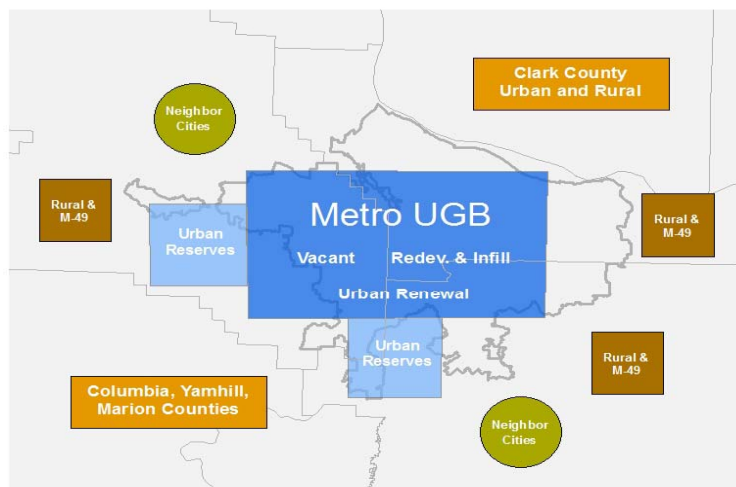
## How this supports ongoing efforts

- Climate Smart Communities
  - Informs Envision Tomorrow analysis work with local communities
- Corridor planning
  - Informs investments in transportation facilities and land use plans
- Regional Transportation Plan update (2014)
  - Helps refine and sharpen investment priorities
- The next Urban Growth Report (2014)
  - Sets the stage for the next 20-year forecast

6

## Supply assumptions

Estimated land supply /capacity estimates  
(buildable land inventory)



7

## Growth distribution: elements

Demand distribution: how does it work?



### Policy option inputs

Transport investment – Land use regulation – Regional growth rates



### Calculations

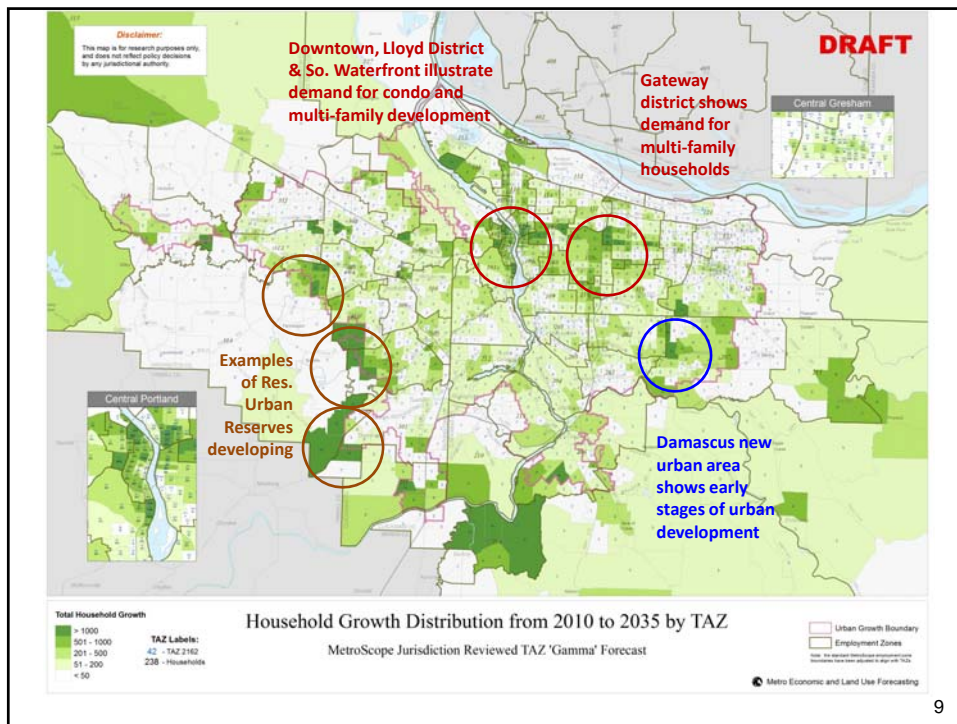
Travel, mode choice, supply of SF/ MF dwelling units, employment supply, travel times, real estate prices, household location by type, etc.



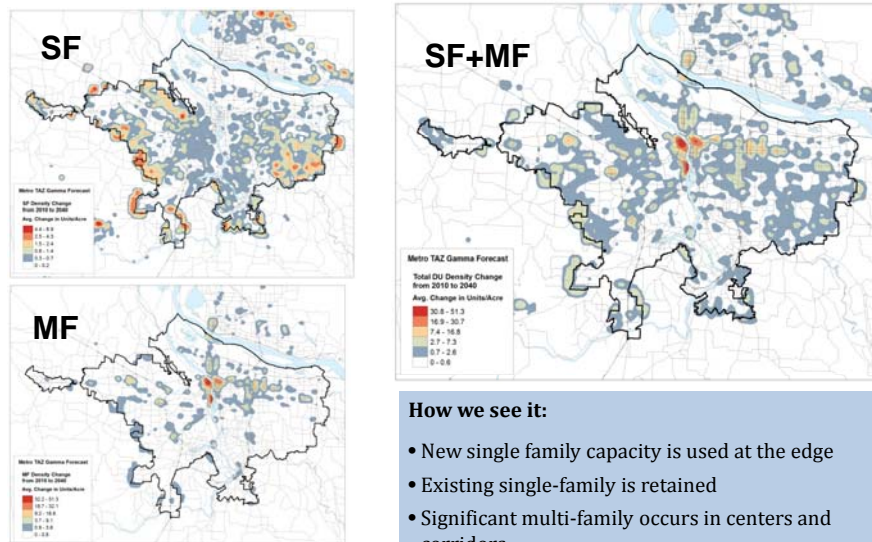
### Evaluation indicators

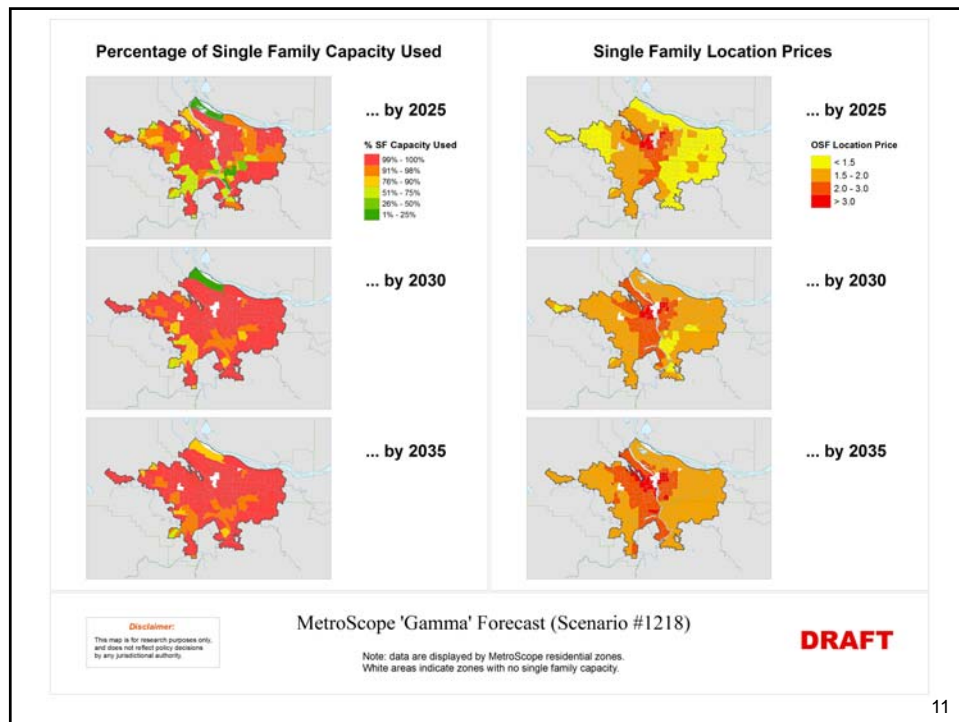
VMT, mode shares, congestion, housing costs by income, transportation costs by income, infrastructure costs, GHG emissions, **land consumption**, etc.

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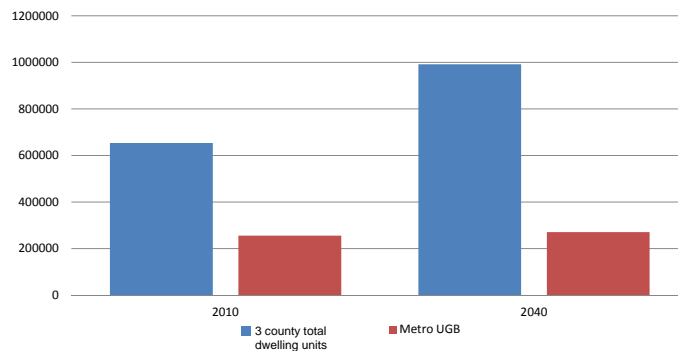
## Growth distribution: households





## Growth distribution and land consumption

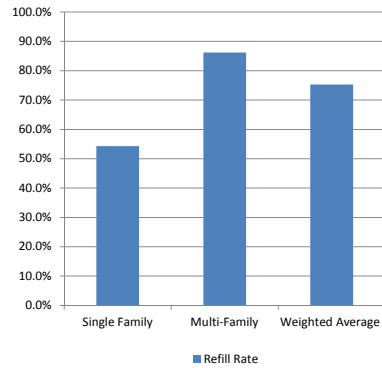
3 county dwelling units in 2010 and 2035 and UGB in acres 2010 and 2035



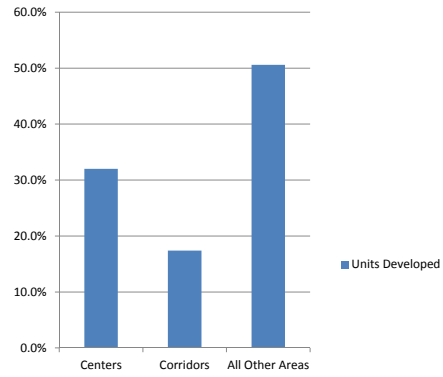
**= 40% more households in 10% more area**

## What about refill, centers and corridors?

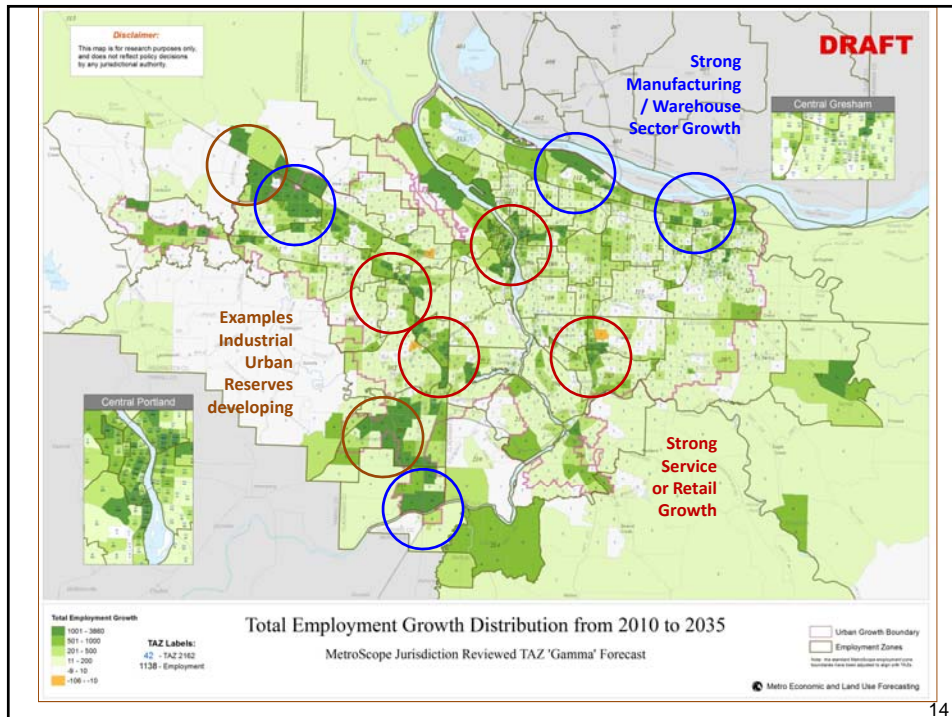
3/4 of housing growth occurs through redevelopment & infill (i.e. refill rate)



50% of units developed are in centers and corridors



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## Key technical takeaways

Forecast reflects 2040 program objectives

- 32% growth in centers and 17% growth in corridors
- Strong redevelopment and infill (75% refill rate)
- Future residential density rises to 12.3 units per acre
- Growth splits of 60% multi-family and 40% single-family (2010-2035)

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## Key technical takeaways

Monitoring needs:

- Single-family housing prices 2030 to 2035.
- Capture rate for single-family housing within UGB
- Commute patterns: distribution “tails” for long distance commuters begin to rise

40% increase in UGB population and 10% land absorption (2010-2035)

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## Proposed research

Proposed improvements to the forecast distribution process:

- Residential choice study enhanced with market segmentation
- Redevelopment supply assumption refinement



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## Conclusions

**Results:** The 2010 to 2035 Growth Distribution closely matches the 2040 Plan.

**Process:** The Growth Distribution process fully reflects local jurisdiction review and capacity for land use/comprehensive plan, redevelopment and infill capacity.

**Next:** This Growth Distribution identifies opportunities, challenges and research needs to better monitor growth over time and to enhance Metro's UGR & future Growth Distributions.

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## Where we go from here

- Metro Technical Advisory Committee: Wednesday, Oct. 17
- First reading of ordinance: Thursday, Oct. 18
- Metro Policy Advisory Committee: Wednesday, Oct. 24 (tentative)
- Transportation Policy Alternatives Committee: Friday, Oct. 26
- Joint Policy Advisory Committee on Transportation: Thursday, Nov. 8
- Metro Council vote: Thursday, Nov. 29

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## Questions

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Research Center Director  
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[mike.hoglund@oregonmetro.gov](mailto:mike.hoglund@oregonmetro.gov)

Gerry Uba  
Principal Regional Planner  
503-797-1737  
[gerry.uba@oregonmetro.gov](mailto:gerry.uba@oregonmetro.gov)

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## 2016-18 Regional Flexible Funds Allocation (RFFA)

October 26, 2012 TPAC  
Ted Leybold & Josh Naramore



### October JPACT Direction #1

- Continue policy direction from 2014-15 for 2016-18 RFFA
  - Region wide Programs - \$26 million
  - Active Transportation/Complete Streets - \$26 million
  - Green Economy/Freight Initiatives - \$8.7 million
  - Uses process and project criteria from 2014-15
- Unanimous vote for Option 3 for allocating additional 2016-18 funds

## October JPACT Direction #2

- Create Regional Economic Opportunity Fund
  - Project criteria developed using:
    - TIGER criteria
    - Community Investment Initiative recommendations
    - Greater Portland Export Plan
    - Regional Industrial Site Readiness Project



3

## October JPACT Direction #3

- Metro Staff Recommendation for Regional Economic Opportunity Fund:
  - \$5-10 million projects
  - Applications from coordinating committees, Portland, TriMet, & Port
  - Applications evaluated by Metro staff using TIGER criteria
  - Public comment on proposed projects
  - JPACT decision on projects

4

## October JPACT Direction #4

- JPACT action requested that REOF criteria include:
  - Equity & environmental justice
  - Implementing projects from corridor plans
  - Integrating recommendations from RTSP
  - Expedited process



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## Next Steps

- Recommendation to JPACT on RFFA policy report with criteria and process
- Project solicitation packet, process details and measures at Nov. 28 TPAC
- Additional stakeholder outreach on solicitation packet



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## TPAC Discussion...

1. The total of available funds for the REOF has been reduced from \$37 to \$34 million (Handout #1)
2. Based on JPACT direction, Metro staff is proposing to modify the TIGER criteria for the REOF (Handout #2)



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## ...TPAC Discussion

3. Increasing the project construction minimum for AT/CS projects from \$3 to \$4 million
4. Modifications to MTIP timeline for local and regional decision-making process



8



Date: October 25, 2012

To: TPAC members and interested parties

From: Ted Leybold, MTIP Manager and Josh Naramore, Senior Transportation Planner

Subject: Recommended Modified TIGER Criteria for 2016-18 RFFA Policy Report

Metro staff transmitted the 2016-18 Regional Flexible Funds Allocation (RFFA) Policy Report as part of the October 26 TPAC packet. For the new Regional Economic Opportunity Fund, the TIGER criteria have been proposed as a baseline to evaluate project applications. At the September 28 meeting TPAC will be asked to provide input on modifying the TIGER criteria to address the policy direction from JPACT. The following highlights the existing TIGER criteria and Metro staff recommendations for modifying them for the 2016-18 RFFA process.

### Existing TIGER Criteria

The Transportation Investment Generating Economic Recovery, or TIGER Discretionary Grant program was created by the USDOT to invest in road, rail, transit and port projects that promise to achieve critical national objectives. Each project is multi-modal, multi-jurisdictional or otherwise challenging to fund through existing programs. The TIGER criteria listed in Table 1 will be used to evaluate the projects solicited as part of the Regional Economic Opportunity Fund.

**Table 1 – Federal TIGER Criteria**

Relative priority	Criteria
Primary Criteria	<b>Good Repair:</b> Improve condition of existing facilities/system. 1. long-term improvement to good & worker access 2. increase efficiency through integration/use of all existing transportation infrastructure
Primary Criteria	<b>Economic Competitiveness:</b> Contribute to long-term productivity of US economy. 1. long term improvement to good & worker access 2. increase efficiency through integration/use of all existing transportation infrastructure
Primary Criteria	<b>Livability:</b> Further Partnership for Sustainable Communities principles. 1. reduce average cost of user mobility 2. improve existing trans choices (by enhancing modal connectivity, increasing number of accommodated modes and/or reducing congestion) on existing facilities.

<b>Relative priority</b>	<b>Criteria</b>
	3. improve accessibility of disadvantaged populations.  4. coordinated trans and land use planning - contribute significantly to broader travel mobility.
Primary Criteria	<b>Environmental Sustainability:</b> Promote environmentally sustainable transportation system.  1. Improve energy efficiency (including scale of use of new facilities/TSMO reducing auto trips)  2. environmental benefits or avoidance of adverse impacts
Primary Criteria	<b>Safety:</b> Improve safety of the transportation system.  1. Ability to reduce number, rate and consequences of crashes, injuries and fatalities.
Primary Criteria	<b>Job Creation/Economic Stimulus:</b> Creation or preservation of jobs.  1. # and type of jobs created or preserved (emphasize efforts to support opportunities for low-income & disadvantaged pops).  2. Project readiness (NEPA approvals, legislative approvals, in required planning documents, technical feasibility, and financial feasibility).
Secondary Criteria	<b>Innovation:</b> Use of innovative technology, system management and project delivery techniques  1. Use of innovative technology.  2. Use of innovative finance, contracting, project delivery, congestion management, safety management, asset management, O&M.
Secondary Criteria	<b>Partnership:</b> Jurisdiction and stakeholder collaboration, and disciplinary (non-transportation agency) integration  1. Jurisdiction & Stakeholder collaboration (involvement of non-Federal entities and non-Federal funds, use of TIGER to complete a finance package)  2. Disciplinary Integration (support by non-transportation public agencies: e.g. public housing, economic development, historic pres., energy, etc.).

### **Recommended TIGER Criteria Modifications to Reflect October JPACT Direction**

At the October 11 meeting, JPACT unanimously supported moving forward with Option 3 and creating a Regional Economic Opportunity Fund to allocate the remaining funds as part of the RFFA process. Additionally, the JPACT action directed Metro staff to modify the TIGER criteria to include equity and environmental justice, implementation of corridor plans, and integration of the Regional Transportation Safety Plan recommendations.

To incorporated the policy direction from JPACT, Metro staff is recommending modifying the TIGER criteria reflected in Table 2.

1. Incorporate CII, Greater Portland Export Initiative, Industrial Lands Access Study.
2. Address Corridor Safety,
3. Implement Corridor Plan work,
4. Address Environmental Justice and Underserved communities (including framework established with creation of Step 2 policy direction).
5. Use a system-wide approach
6. Private sector investments

**Table 2 – Proposed edits to TIGER Criteria and Topics to better address JPACT Policy Direction**

Relative priority	Criteria
Primary Criteria	<p><del>Good Repair: Improve condition of existing facilities/system.</del></p> <ol style="list-style-type: none"> <li>1. long-term improvement to good &amp; worker access</li> <li>2. increase efficiency through integration/use of all existing transportation infrastructure</li> </ol>
Primary Criteria	<p><b>Economic Competitiveness:</b> Contribute to long-term productivity of US and Metro region economy.</p> <ol style="list-style-type: none"> <li>1. Long-term improvement to good &amp; worker access (emphasis on traded-sector goods &amp; services access to markets)</li> <li>2. improved access to/from and market viability of industrial land</li> <li>3. increased efficiency through integration/use of all existing transportation infrastructure</li> </ol>
Primary Criteria	<p><b>Livability:</b> Further Partnership for Sustainable Communities principles.</p> <ol style="list-style-type: none"> <li>1. reduce average cost of user mobility</li> <li>2. improve existing trans choices (by enhancing modal connectivity, increasing number of accommodated modes and/or reducing congestion) on existing facilities.</li> <li>3. improve accessibility of disadvantaged populations.</li> <li>4. coordinated trans and land use planning - contribute significantly to broader travel mobility.</li> </ol>
Primary Criteria	<p><b>Environmental Sustainability:</b> Promote environmentally sustainable transportation system.</p> <ol style="list-style-type: none"> <li>1. Improve energy efficiency (including scale of use of new facilities/TSMO reducing auto trips)</li> <li>2. environmental benefits or avoidance of adverse impacts</li> </ol>
Primary Criteria	<p><b>Safety:</b> Improve safety of the transportation system.</p> <ol style="list-style-type: none"> <li>1. Improves multimodal safety on high crash arterials</li> <li>2. Addresses site issue(s) documented in pedestrian/bike crash data</li> <li>3. Addresses safety behavioral contributing factors of alcohol and drugs, speeding,</li> </ol>

Relative priority	Criteria
	<p><del>4. aggressive and distracted driving</del></p> <p><del>Ability to reduce number, rate and consequences of crashes, injuries and fatalities.</del></p>
Primary Criteria	<p><b>Job Creation/Economic Stimulus:</b> Creation or preservation of jobs.</p> <p>1. # and type of jobs created or preserved (emphasize efforts to support opportunities for low-income &amp; disadvantaged populations).</p> <p>2. Project readiness (NEPA approvals, legislative approvals, in required planning documents, technical feasibility, financial feasibility).</p>
Secondary Criteria	<p><b>Innovation:</b> Use of innovative technology, system management and project delivery techniques</p> <p>1. Use of innovative technology.</p> <p>2. Use of innovative finance, contracting, project delivery, congestion management, safety management, asset management, O&amp;M.</p>
Secondary Criteria	<p><b>Partnership:</b> Jurisdiction and stakeholder collaboration, and disciplinary (non-transportation agency) integration</p> <p>1. Multi-agency agreement to implement priority project from a completed corridor plan.</p> <p>2. Jurisdiction &amp; Stakeholder collaboration (involvement of non-Federal entities and non-Federal funds, use of TIGER to complete a finance package).</p> <p>3. Disciplinary Integration (support by non-transportation public agencies: e.g. public housing, economic development, historic pres., energy, etc.).</p>

Questions for TPAC Input:

1. State of Good Repair criteria for use with Regional Flexible Funds is not consistent with the RTP Finance Approach. Metro staff suggests this criteria be eliminated for use in the REOF technical evaluation. What is TPAC's recommendation?
2. Two existing TIGER topics, one in each of Livability and Job Creation/Economic Stimulus, address EJ/Underserved issues. Should these be consolidated into an EJ/Underserved Criteria or left and/or expanded across the existing criteria?
3. Job Creation – not sure the formula provided by TIGER for job creation is a distinguishing factor among projects within the region. What topic relative to job creation would be more relevant to the RFFA process?

**Application and Evaluation Method**

Last year, JPACT requested an evaluation to help prioritize the regional applications for TIGER IV at the federal level. Applicants described how their candidate projects addressed each of the Criteria topics. Metro staff then completed an evaluation for each criteria relative to how we perceived it would be scored at the national level (i.e., relative to the criteria description and national awards to prior TIGER applications). The RFFA technical evaluation process will be a direct comparison, rather than an estimation of how federal staff would evaluate the applications.

Some criteria topics were measured with specific methods that provided a clear quantitative score (Jobs created) that could then be evaluated for a relative criteria score. Most topics were a blend of qualitative description with some measureable elements. A description of why each project was scored within each criteria was provided, considering its performance relative to the criteria and the other projects. Equal weight was given to each of the primary criteria. A weighting of half was given to each secondary criteria.

The technical evaluation and public comment summary will be presented to JPACT for creation of a financially constrained list of projects. The list of projects will then be presented to the Metro Council for consideration of approval.

## RFFA Policy Report Table

### Criteria for Scoping and Prioritizing REOF Projects

**Table 1 – Federal TIGER Criteria**

Relative Priority	Criteria
Primary Criteria	<p><b>Good Repair:</b> Improve condition of existing facilities/system.</p> <ol style="list-style-type: none"> <li>1. Consistent with maintenance plans.</li> <li>2. Poor maintenance condition threatens efficiency, mobility or economic development?</li> <li>3. Appropriately capitalized and use of asset management?</li> <li>4. Long-term O&amp;M sustainably funded?</li> </ol>
Primary Criteria	<p><b>Economic Competitiveness:</b> Contribute to long-term productivity of US economy.</p> <ol style="list-style-type: none"> <li>1. Long-term improvement to good &amp; worker access.</li> <li>2. Increase efficiency through integration/use of all existing transportation infrastructure.</li> </ol>
Primary Criteria	<p><b>Livability:</b> Further Partnership for Sustainable Communities principles.</p> <ol style="list-style-type: none"> <li>1. Reduce average cost of user mobility</li> <li>2. Improve existing trans choices (by enhancing modal connectivity, increasing number of accommodated modes and/or reducing congestion) on existing facilities.</li> <li>3. Improve accessibility of disadvantaged populations.</li> <li>4. Coordinated trans and land use planning - contribute significantly to broader travel mobility.</li> </ol>
Primary Criteria	<p><b>Environmental Sustainability:</b> Promote environmentally sustainable transportation system.</p> <ol style="list-style-type: none"> <li>1. Improve energy efficiency (including scale of use of new facilities/TSMO reducing auto trips).</li> <li>2. Environmental benefits or avoidance of adverse impacts.</li> </ol>
Primary Criteria	<p><b>Safety:</b> Improve safety of the transportation system.</p> <ol style="list-style-type: none"> <li>1. Ability to reduce number, rate and consequences of crashes, injuries</li> </ol>

Articles 1, 2.1, 2.4, 2.4.2, 9.1, 9.3, 11.2, and 18.4 of the *Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994* (the Anti-Dumping Agreement); and Article XVI:4 of the WTO Agreement.

#### Public Comment: Requirements for Submissions

Interested persons are invited to submit written comments concerning the issues raised in this dispute. Persons may submit their comments electronically to [www.regulations.gov](http://www.regulations.gov) docket number USTR-2008-0044. If you are unable to provide submissions by [www.regulations.gov](http://www.regulations.gov), please contact Sandy McKinzy at (202) 395-9483 to arrange for an alternative method of transmission.

To submit comments via [www.regulations.gov](http://www.regulations.gov), enter docket number USTR-2008-0044 on the home page and click "go". The site will provide a search-results page listing all documents associated with this docket. Find a reference to this notice by selecting "Notice" under "Document Type" on the left side of the search-results page, and click on the link entitled "Send a Comment or Submission." (For further information on using the [www.regulations.gov](http://www.regulations.gov) Web site, please consult the resources provided on the website by clicking on "How to Use This Site" on the left side of the home page.)

The [www.regulations.gov](http://www.regulations.gov) site provides the option of providing comments by filling in a "General Comments" field, or by attaching a document. It is expected that most comments will be provided in an attached document. If a document is attached, it is sufficient to type "See attached" in the "General Comments" field.

A person requesting that information contained in a comment submitted by that person be treated as confidential business information must certify that such information is business confidential and would not customarily be released to the public by the submitter. Confidential business information must be clearly designated as such and the submission must be marked "BUSINESS CONFIDENTIAL" at the top and bottom of the cover page and each succeeding page. Any comment containing business confidential information must be submitted by fax to Sandy McKinzy at (202) 395-3640. A non-confidential summary of the confidential information must be submitted to [www.regulations.gov](http://www.regulations.gov). The non-confidential summary will be placed in

the docket and open to public inspection.

Information or advice contained in a comment submitted, other than business confidential information, may be determined by USTR to be confidential in accordance with section 135(g)(2) of the Trade Act of 1974 (19 U.S.C. 2155(g)(2)). If the submitter believes that information or advice may qualify as such, the submitter—

(1) Must clearly so designate the information or advice;

(2) Must clearly mark the material as "SUBMITTED IN CONFIDENCE" at the top and bottom of the cover page and each succeeding page; and

(3) Must provide a non-confidential summary of the information or advice.

Any comment containing confidential information must be submitted by fax. A non-confidential summary of the confidential information must be submitted to [www.regulations.gov](http://www.regulations.gov). The non-confidential summary will be placed in the docket and open to public inspection. USTR will maintain a docket on this dispute settlement proceeding, accessible to the public. The public file will include non-confidential comments received by USTR from the public with respect to the dispute; if a dispute settlement panel is convened or in the event of an appeal from such a panel, the U.S. submissions, any non-confidential submissions, or non-confidential summaries of submissions, received from other participants in the dispute; the report of the panel; and, if applicable, the report of the Appellate Body.

Comments will be placed in the docket and open to public inspection pursuant to 15 CFR 2006.13, except confidential business information exempt from public inspection in accordance with 15 CFR 2006.15 or information determined by USTR to be confidential in accordance with 19 U.S.C. 2155(g)(2). Comments may be viewed on the [www.regulations.gov](http://www.regulations.gov) Web site by entering docket number USTR-2008-0044 in the search field on the home page.

**Daniel Brinza,**

*Assistant United States Trade Representative for Monitoring and Enforcement.*

[FR Doc. E9-14256 Filed 6-16-09; 8:45 am]

**BILLING CODE 3190-W9-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary of Transportation

[Docket No. OST-2009-0115]

#### Notice of Funding Availability for Supplemental Discretionary Grants for Capital Investments in Surface Transportation Infrastructure Under the American Recovery and Reinvestment Act

**AGENCY:** Office of the Secretary of Transportation ("OST").

**ACTION:** Notice of Funding Availability.

**SUMMARY:** On May 18, 2009, the Department of Transportation published an interim notice announcing the availability of funding for TIGER Discretionary Grants (as defined below), project selection criteria, application requirements and the deadline for submitting applications. Because this is a new program, the interim notice also requested comments on the proposed selection criteria and guidance for awarding TIGER Discretionary Grants. The Department considered the comments that were submitted in accordance with the interim notice and has decided to publish this notice revising some elements of the interim notice. Each of the substantive revisions made in this notice are described below in "Supplemental Information." In the event that this solicitation does not result in the award and obligation of all available funds, the Department may decide to publish an additional solicitation.

**DATES:** Complete applications for TIGER Discretionary Grants must be submitted by September 15, 2009 (the "Application Deadline"). While applicants are encouraged to submit applications in advance of the Application Deadline, applications will not be evaluated, and awards will not be made, until after the Application Deadline. Due to the need to expedite the grant award process to meet the requirements and purposes of the Recovery Act (as defined below), the Department will evaluate all applications and announce the projects that have been selected to receive Grant Funds (as defined below) as soon as possible after the Application Deadline, but no later than February 17, 2010. In addition, in the event that this solicitation does not result in the award and obligation of all available funds, the Department may decide to publish an additional solicitation.

**ADDRESSES:** Applications must be submitted to the TIGER Discretionary

Grants program manager electronically via e-mail at [TIGERGrants@dot.gov](mailto:TIGERGrants@dot.gov). Applicants should receive a confirmation e-mail, but are advised to request a return receipt to confirm transmission. Only applications received via e-mail as provided above shall be deemed properly filed.

**FOR FURTHER INFORMATION:** For further information concerning this notice please contact the TIGER Discretionary Grants program manager via e-mail at [TIGERGrants@dot.gov](mailto:TIGERGrants@dot.gov). A TDD is available for individuals who are deaf or hard of hearing at 202-366-7687.

**SUPPLEMENTARY INFORMATION:** On May 18, 2009, the Department published an interim notice announcing funding availability, project selection criteria, application requirements and the deadline for submitting applications. Because this is a new program, the interim notice also requested comments on the proposed selection criteria and guidance for awarding TIGER Discretionary Grants. The Department considered the comments that were submitted in accordance with the interim notice and has decided to publish this notice revising some elements of the interim notice. Each of the substantive revisions made in this notice are described in the following paragraph. In the event that this solicitation does not result in the award and obligation of all available funds, the Department may decide to publish an additional solicitation.

This notice revises the interim notice published on May 18, 2009, as follows:

1. The notice is no longer an interim notice, and the Department is no longer considering comments on the proposed selection criteria and guidance for awarding TIGER Discretionary Grants. This notice is the operative notice of funding availability for the TIGER Discretionary Grants program.

2. This notice provides additional guidance at the end of Section II(B)(1)(a) (*Long-Term Outcomes*) regarding the required evaluation of expected project costs and benefits. This notice (i) provides a discount rate for discounting future benefits and costs to present values, (ii) identifies guidance on the value of time and statistical lives, (iii) provides sources of information on the social benefits of reducing crash costs, pollutant emissions and other externalities, and (iv) provides economic values for various benefits, including the cost of a metric ton of carbon emissions. This notice also revises this section to clarify that the required evaluation of expected project costs and benefits for any applicant seeking a TIGER Discretionary Grant in

excess of \$100 million should present a robust assessment of a project's net benefits, in addition to the project's benefit-cost ratio.

3. This notice revises the definition of "Eligible Applicants" to clarify that Metropolitan Planning Organizations (MPOs) are Eligible Applicants, and requests in Section II(B)(1)(b)(iv) (*Job Creation & Economic Stimulus*) that MPOs provide evidence that the owner of the project supports the application and will cooperate in carrying out the activities to be supported by the TIGER Discretionary Grant.

4. This notice includes a footnote in Section II(A)(1)(b) (*Job Creation & Economic Stimulus*) regarding the Department's application of the definition of "Economically Distressed Areas" from section 301 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3161) as a matter of policy. While "Economically Distressed Areas" are typically identified under the Act at the county level, for the purposes of this program the Department will consider municipalities or other similar political subdivisions of a State to be Economically Distressed Areas if an applicant can demonstrate that any such area otherwise meets the requirements for an "Economically Distressed Area" as defined in section 301 of the Public Works and Economic Development Act of 1965.

5. This notice includes a footnote in Section II(B)(1)(b)(iv) (*Job Creation & Economic Stimulus*) providing additional guidance about the requirements for a project's inclusion in State and local planning documents.

6. This notice revises Section III(B) (*Evaluation Process*) to clarify that the Department will consider whether a project has a negative effect on any of the selection criteria, and that any such effect may negatively impact the project's likelihood of being selected for a TIGER Discretionary Grant.

7. This notice revises Section II(B)(1)(a)(ii) (*Economic Competitiveness*) to clarify that the Economic Competitiveness criterion is targeting investments that facilitate net new private sector expansion, hiring, or growth, rather than those that result only in moving existing jobs or economic activity to different locations.

8. This notice revises the Section entitled "Dates" to clarify that while applications may be submitted prior to the Application Deadline, the Department will not evaluate applications or announce projects selected to receive TIGER Discretionary Grants until after the Application Deadline.

9. This notice revises Section VII (*Contents of Application*) to (i) request that applicants include certain information on the first page of their applications, and (ii) clarify that recipients of TIGER Discretionary Grants and their first-tier sub-awardees are required to have a DUNS number (<http://www.dnb.com>) and a current registration in the Central Contractor Registration (<http://www.ccr.gov>) prior to award of a TIGER Discretionary Grant.

10. This notice revises Section III(A) (*Ensuring Responsible Spending of Recovery Act Funds*) to include requirements guiding the Department's communications with registered lobbyists which were promulgated by the memorandum from the President of the United States dated March 20, 2009.

11. This notice revises the Section entitled "For Further Information" to clarify that the TDD number is provided for individuals who are deaf or hard of hearing.

12. In Section II(C)(1) (*Program-Specific Criteria*), this notice corrects the citation to the Code of Federal Regulations from "23 CFR 707" to "23 CFR 650.707."

13. In the first cell of the last row of the table in Section III(B) (*Evaluation Process*), this notice replaces the words "Project-Specific Criteria" with the words "Program-Specific Criteria."

14. Section X (*Certifications*) was amended to delete Section 1201(a) and Section 1607 Certification requirements because submissions of such Certifications are not direct requirements for potential grantees under the TIGER Discretionary Grants program.

These substantive changes to the interim notice published on May 18, 2009, have been included in this notice. All comments received prior to the June 1, 2009, deadline were received and considered by the Department.

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#### I. Background

On February 17, 2009, the President of the United States signed the American Recovery and Reinvestment

Act of 2009 (the "Recovery Act") to, among other purposes, (1) preserve and create jobs and promote economic recovery, (2) invest in transportation infrastructure that will provide long-term economic benefits, and (3) assist those most affected by the current economic downturn. The Recovery Act appropriated \$1.5 billion of discretionary grant funds to be awarded by the Department of Transportation for capital investments in surface transportation infrastructure. The Department is referring to these grants as "Grants for Transportation Investment Generating Economic Recovery" or "TIGER Discretionary Grants." This notice requests that applications for TIGER Discretionary Grants be submitted by September 15, 2009, from State and local governments, including U.S. territories, tribal governments, transit agencies, port authorities, metropolitan planning organizations (MPOs), other political subdivisions of State or local governments, and multi-State or multi-jurisdictional applicants ("Eligible Applicants"). The funds provided by TIGER Discretionary Grants ("Grant Funds") are available for obligation until September 30, 2011, and will be awarded on a competitive basis to projects that have a significant impact on the Nation, a metropolitan area, or a region.

Projects that are eligible for TIGER Discretionary Grants under the Recovery Act ("Eligible Projects") include, but are not limited to: (1) Highway or bridge projects eligible under title 23, United States Code, including interstate rehabilitation, improvements to the rural collector road system, the reconstruction of overpasses and interchanges, bridge replacements, seismic retrofit projects for bridges, and road realignments; (2) public transportation projects eligible under chapter 53 of title 49, United States Code, including investments in projects participating in the New Starts or Small Starts programs that will expedite the completion of those projects and their entry into revenue service; (3) passenger and freight rail transportation projects; and (4) port infrastructure investments, including projects that connect ports to other modes of transportation and improve the efficiency of freight movement. Federal wage rate requirements included in subchapter IV of chapter 31 of title 40, United States Code, apply to all projects receiving funds.

The Recovery Act specifies that grants funded under the program may be no less than \$20 million and no greater than \$300 million. However, the

Recovery Act gives the Department discretion to waive the \$20 million minimum grant size for the purpose of funding significant projects in smaller cities, regions, or States ("Smaller Projects"). The term "grant" in this provision of the Recovery Act does not include TIGER TIFIA Payments.

Pursuant to the Recovery Act, no more than 20 percent of the funds made available under this program may be awarded to projects in a single State. The Department must take measures to ensure an equitable geographic distribution of funds and an appropriate balance in addressing the needs of urban and rural communities. TIGER Discretionary Grants may be used for up to 100 percent of project costs, but priority must be given to projects for which Federal funding is required to complete an overall financing package that includes non-Federal sources of funds. Priority must also be given to projects that can be completed by February 17, 2012.

The Recovery Act allows for up to \$200 million of the \$1.5 billion to be used to pay the subsidy and administrative costs of the Transportation Infrastructure Finance and Innovation Act of 1998 ("TIFIA") program, a Federal credit assistance program, if it would further the purposes of the TIGER Discretionary Grants program. The Department is referring to these payments as "TIGER TIFIA Payments." The Department estimates that \$200 million of TIGER TIFIA Payments could support approximately \$2 billion in TIFIA credit assistance. Applicants for TIGER TIFIA Payments will be required to submit an application pursuant to this notice and a separate TIFIA loan application. Additional details are included below in Section VI (*TIGER TIFIA Payments*). Unless otherwise noted, or the context requires otherwise, references in this notice to TIGER Discretionary Grants includes TIGER TIFIA Payments.

On March 20, 2009, the President of the United States signed a memorandum for the heads of executive departments and agencies on ensuring responsible spending of Recovery Act funds. The memorandum directs all Federal agencies responsible for administering Recovery Act funds, including the Department, to develop transparent, merit-based selection criteria to guide the commitment, obligation and expenditure of the Recovery Act funds for which they are responsible, including TIGER Discretionary Grant funds.

The memorandum directs the Department to award all Recovery Act funds, including TIGER Discretionary

Grants, to projects with a demonstrated or potential ability to: "(i) deliver programmatic results; (ii) achieve economic stimulus by optimizing economic activity and the number of jobs created or saved in relation to the Federal dollars obligated; (iii) achieve long-term public benefits by, for example, investing in technological advances in science and health to increase economic efficiency and improve quality of life; investing in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits; fostering energy independence; or improving educational quality; and (iv) satisfy the Recovery Act's transparency and accountability objectives."

The memorandum also directs Department officials not to consider the views of a registered lobbyist concerning particular projects, applications, or applicants for funding under the Recovery Act unless such views are in writing and made publicly available. For additional guidance on the lobbying disclosure requirements of the memorandum, please see the Office of Management and Budget's Interim Guidance Regarding Communications with Registered Lobbyists about Recovery Act Funds (available at [http://www.whitehouse.gov/omb/assets/memoranda\\_fy2009/m-09-16.pdf](http://www.whitehouse.gov/omb/assets/memoranda_fy2009/m-09-16.pdf)) and any subsequent guidance issued by OMB.

The purpose of this notice is to solicit applications from Eligible Applicants interested in receiving funds under this program.

## II. Selection Criteria and Guidance on Application of Selection Criteria

This section specifies the criteria that the Department will use to evaluate applications. The criteria incorporate the limited statutory eligibility requirements for this program, which are specified in this notice as relevant. This section is split into three parts. Section A (*Selection Criteria*) specifies the criteria that the Department will use to rate projects. Additional guidance about how the Department will apply these criteria, including illustrative metrics and examples, is provided in Section B (*Additional Guidance on Selection Criteria*). Section C (*Program-Specific Criteria*) explains how the Department is going to use certain program-specific criteria to help differentiate between similar projects (for example, multiple bridge replacement projects, or multiple New Starts projects). The program-specific criteria will not be rated as the selection criteria are rated, but rather will be used

to assign priority among similar projects during the evaluation and selection process. As stated below in Section VII(F) (*Contents of Application, Selection Criteria*), applicants should address both the selection criteria and the program-specific criteria in their applications.

#### A. Selection Criteria

TIGER Discretionary Grants will be awarded based on the selection criteria as outlined below. There are two categories of selection criteria, "Primary Selection Criteria" and "Secondary Selection Criteria."

The Primary Selection Criteria include (1) Long-Term Outcomes and (2) Jobs Creation & Economic Stimulus. The Secondary Selection Criteria include (1) Innovation and (2) Partnership. The Primary Selection Criteria are intended to capture the primary objectives of the TIGER Discretionary Grants provision of the Recovery Act, which include near-term economic recovery and job creation, maximization of long-term economic benefits and impacts on the Nation, a region, or a metropolitan area, and assistance for those most affected by the current economic downturn. The Secondary Selection Criteria are intended to capture the benefits of new and/or innovative approaches to achieving programmatic objectives.

##### 1. Primary Selection Criteria

###### (a) Long-Term Outcomes.

The Department 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:

(i) *State of Good Repair*: Improving the condition of existing transportation facilities and systems, with particular emphasis on projects that minimize life-cycle costs.

(ii) *Economic Competitiveness*: Contributing to the economic competitiveness of the United States over the medium- to long-term.

(iii) *Livability*: Improving the quality of living and working environments and the experience for people in communities across the United States.

(iv) *Sustainability*: Improving energy efficiency, reducing dependence on oil, reducing greenhouse gas emissions and benefitting the environment.

(v) *Safety*: Improving the safety of U.S. transportation facilities and systems.

###### (b) *Job Creation & Economic Stimulus*.

Consistent with the purposes of the Recovery Act, the Department will give priority to projects that are expected to quickly create and preserve jobs and stimulate rapid increases in economic activity, particularly jobs and activity that benefit economically distressed areas as defined by section 301 of the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. 3161) ("Economically Distressed Areas").<sup>1</sup>

##### 2. Secondary Selection Criteria

###### (a) Innovation.

The Department will give priority to projects that use innovative strategies to pursue the long-term outcomes outlined above.

###### (b) Partnership.

The Department 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.

#### B. Additional Guidance on Selection Criteria

The following additional guidance explains how the Department will evaluate each of the selection criteria identified above in Section II(A) (*Selection Criteria*). Applicants are encouraged to demonstrate the responsiveness of a project to any and all of the selection criteria with the most relevant information that applicants can provide, regardless of whether such information has been specifically requested, or identified, in this notice. Any such information shall be considered part of the application, not supplemental, for purposes of the application size limits specified below in Section VII(A) (*Length of Application*).

##### 1. Primary Selection Criteria

###### (a) Long-Term Outcomes.

In order to measure a project's alignment with this criterion, the Department will assess the public benefits generated by the project, as measured by the extent to which a project produces one or more of the following outcomes.

(i) *State of Good Repair*: In order to determine whether the project will

<sup>1</sup> While Economically Distressed Areas are typically identified under the Act at the county level, for the purposes of this program the Department will consider municipalities or other similar political subdivisions of a State to be Economically Distressed Areas if an applicant can demonstrate that any such area otherwise meets the requirements of an Economically Distressed Area as defined in section 301 of the Public Works and Economic Development Act of 1965.

improve the condition of existing transportation facilities or systems, including whether life-cycle costs will be minimized, the Department will assess (i) whether the project is part of, or consistent with, relevant State, local or regional efforts to maintain transportation facilities or systems in a state of good repair, (ii) whether an important aim of the project is to rehabilitate, reconstruct or upgrade surface transportation projects that threaten future economic growth and stability due to their poor condition, (iii) whether the project is appropriately capitalized up front and uses asset management approaches that optimize its long-term cost structure, and (iv) the extent to which a sustainable source of revenue is available for long-term operations and maintenance of the project. The application should include any quantifiable metrics of the facility or system's current condition and performance and, to the extent possible, projected condition and performance, with an explanation of how the project will improve the facility or system's condition, performance and/or long-term cost structure.

(ii) *Economic Competitiveness*: In order to determine whether a project promotes the economic competitiveness of the United States, the Department will assess whether the project will measurably contribute over the long-term to growth in employment, production or other high value economic activity. For purposes of aligning a project with this outcome, applicants should provide evidence of the long-term economic benefits that are provided by the completed project, not the near-term economic benefits of construction that are captured in the Jobs Creation & Economic Stimulus criterion. In weighing long-term employment benefits, the quality of jobs supported will be considered as well as number of jobs and whether these jobs are expected to provide employment in Economically Distressed Areas. Priority consideration will be given to projects that: (i) Improve long-term efficiency, reliability or cost-competitiveness in the movement of workers or goods, or (ii) make improvements that allow for net new investments in expansion, hiring, or other growth of private sector production at specific locations, particularly Economically Distressed Areas. Applicants may propose other methods of demonstrating a project's contribution to the economic competitiveness of the country and such methods will be reviewed on a case by case basis.

Economic competitiveness may be demonstrated by the project's ability to

increase the efficiency and effectiveness of the transportation system through integration or better use of all existing transportation infrastructure (which may be evidenced by the project's involvement with or benefits to more than one mode and/or its compatibility with and preferably augmentation of the capacities of connecting modes and facilities), but only to the extent that these enhancements lead to the economic benefits that are identified in the preceding paragraph.

(iii) *Livability*: Livability investments are projects that not only deliver transportation benefits, but are also designed and planned in such a way that they have a positive impact on qualitative measures of community life. This element of long-term outcomes delivers benefits that are inherently difficult to measure. However, it is implicit to livability that its benefits are shared and therefore magnified by the number of potential users in the affected community. Therefore, descriptions of how projects enhance livability should include a description of the affected community and the scale of the project's impact. In order to determine whether a project improves the quality of the living and working environment of a community, the Department will qualitatively assess whether the project:

(1) Will significantly enhance user mobility through the creation of more convenient transportation options for travelers;

(2) will improve existing transportation choices by enhancing points of modal connectivity or by reducing congestion on existing modal assets;

(3) will improve accessibility and transport services for economically disadvantaged populations, non-drivers, senior citizens, and persons with disabilities, or to make goods, commodities, and services more readily available to these groups; and/or

(4) is the result of a planning process which coordinated transportation and land-use planning decisions and encouraged community participation in the process.

Livability improvements may include projects for new or improved biking and walking infrastructure. Particular attention will be paid to the degree to which such projects contribute significantly to broader traveler mobility through intermodal connections, or improved connections between residential and commercial areas.

(iv) *Sustainability*: In order to determine whether a project promotes a more environmentally sustainable transportation system, the Department will assess its ability to:

(1) Improve energy efficiency, reduce dependence on oil and/or reduce greenhouse gas emissions; applicants are encouraged to provide quantitative information regarding expected reductions in emissions of CO<sub>2</sub> or fuel consumption as a result of the project, or expected use of clean or alternative sources of energy; projects that demonstrate a projected decrease in the movement of people or goods by less energy-efficient vehicles or systems will be given priority under this factor; and

(2) Maintain, protect or enhance the environment, as evidenced by its avoidance of adverse environmental impacts (for example, adverse impacts related to air quality, wetlands, and endangered species) and/or by its environmental benefits (for example, improved air quality, wetlands creation or improved habitat connectivity).

Applicants are encouraged to provide quantitative information that validates the existence of substantial transportation-related costs related to energy consumption and adverse environmental effects and evidence of the extent to which the project will reduce or mitigate those costs.

(v) *Safety*.

In order to determine whether the project improves safety, the Department will assess the project's ability to reduce the number, rate and consequences of surface transportation-related crashes, and injuries and fatalities among drivers and/or non-drivers in the United States or in the affected metropolitan area or region, and/or its contribution to the elimination of highway/rail grade crossings, the protection of pipelines, or the prevention of unintended release of hazardous materials.

*Evaluation of Expected Project Costs and Benefits*: The Department believes that benefit-cost analysis ("BCA"), including the monetization and discounting of costs and benefits to a common unit of measurement in present-day dollars, is an important discipline. For BCA to yield useful results, full consideration of costs and benefits is necessary. These include traditionally quantified fuel and travel time savings as well as greenhouse gas emissions, water quality impacts, public health effects, and other costs and benefits that are more remotely connected to vehicle-miles or are harder to measure. In addition, BCA should attempt to capture the dynamic effects of transportation investments on land use and household budgets. The systematic process of comparing expected benefits and costs helps decision-makers organize information about, and evaluate trade-offs between, alternative transportation investments.

The Department has a responsibility under Executive Order 12893, Principles for Federal Infrastructure Investments, 59 FR 4233, to base infrastructure investments on systematic analysis of expected benefits and costs, including both quantitative and qualitative measures.

Therefore, applicants for TIGER Discretionary Grants are generally required to identify, quantify, and compare expected benefits and costs, subject to the following qualifications:

This requirement will be waived for applicants seeking waivers of the \$20 million minimum grant size requirement for Smaller Projects.

Any applicant seeking a TIGER Discretionary Grant of more than \$20 million but less than \$100 million must include in its application estimates of the project's expected benefits in the five long-term outcomes identified in this Section II(A)(1)(a). The lack of a useful analysis of expected project benefits may be ground for denying award of a TIGER Discretionary Grant to any such applicant.

Any applicant seeking a TIGER Discretionary Grant in excess of \$100 million must provide a well-developed analysis of expected benefits and costs, including a calculation of net benefits and a description of input data and methodological standards used for the analysis. The analysis should indicate the values that were assigned for qualitative measures, in addition to quantitative measures. Where information on costs and benefits, including consideration of externalities, is of sufficient quality and completeness to allow for a robust assessment of a project's net benefits and benefit-cost ratio, these analyses should be presented. Applicants should discount future benefits and costs to present values using a discount rate of 7 percent, following guidance provided by OMB in Circulars A-4 and A-94 (<http://www.whitehouse.gov/omb/circulars/>). Applicants may also provide an alternative analysis using a discount rate of 3 percent. Applicants should follow the Department's guidance on the values of time and statistical lives (<http://ostpxweb.dot.gov/policy/reports.htm>). Sources of information on the social benefits of reducing crash costs, pollutant emissions, and other externalities are discussed in Chapter VIII of the Final Regulatory Impact Analysis of the National Highway Traffic Safety Administration's rulemaking on Corporate Average Fuel Economy for MY 2011 Passenger Cars and Light Trucks (<http://www.nhtsa.dot.gov/portal/site/nhtsa/menuitem.d0b5a45b55>

bfbe582f57529cdba046a0/). The economic values of various benefits are summarized in Table VIII–5 on page VIII–60.

The estimate of \$33 per metric ton of carbon cited on page VIII–45 of NHTSA's analysis may be used as a placeholder to measure the global benefits of reducing U.S. CO<sub>2</sub> emissions. The Administration is currently developing interim guidance on the social cost of carbon that may result in a different determination of the appropriate assumption for per metric ton global benefits achieved by emissions reductions. Following this determination, the Department may adjust the level of economic benefits of anticipated emissions reductions for applications that cite such benefits. As such, applicants should clearly indicate how and to what degree calculations of benefits in their analyses are based on this assumed value of CO<sub>2</sub> emissions reduction.

The Department recognizes that some costs and benefits are more difficult to quantify or monetize than others. In presenting benefit-cost analyses, applicants may include qualitative discussion of the likely effects of better or more complete information on the net benefits presented and the reasons such information was not available for analysis. Where quality or completeness of data are not sufficient to allow a meaningful assessment of whether a project's net benefits are positive or negative, applicants should discuss the data limitations that lead to this conclusion and present a qualitative comparison of costs and benefits. Should the Department agree that quantitative measures of the values of significant costs and benefits are not available or not reliable, the Department will do its best to weight qualitative assessments of the costs and benefits provided by the applicant. However, in the event of an unreasonable absence of data and analysis or poor applicant effort to put forth a robust quantification of net benefits, the application is unlikely to receive further consideration. In general, the lack of a useful analysis comparing expected benefits and costs for any such project is ground for denying award of a TIGER Discretionary Grant.

In all cases, if it is clear to the Department that the total benefits of a project are not reasonably likely to outweigh the project's costs, the Department will not award a TIGER Discretionary Grant to the project. Consistent with the broader goals of the Recovery Act and the specific appropriation for the TIGER Discretionary Grants program, the

Department can consider some factors that do not readily lend themselves to quantification or monetization, including distributional and geographic equity.

*Evaluation of Project Performance:* The Department also encourages applicants with the requisite wherewithal to provide a plan for evaluating the success of the project (or a program of projects) and measuring short- and long-term performance, specifically with respect to the economic recovery measures and long-term outcomes specified in this notice.

*(b) Job Creation & Economic Stimulus.*

In order to measure a project's alignment with this criterion, the Department will assess whether the project promotes the short- or long-term creation or preservation of jobs and whether the project rapidly promotes new or expanded business opportunities during construction of the project or thereafter. Demonstration of a project's rapid economic impact is critical to a project's alignment with this criterion. Applicants are encouraged to provide information to assist the Department in making these assessments, including the total amount of funds that will be expended on construction and construction-related activities by all of the entities participating in the project and, to the extent measurable, the number and type of jobs to be created and/or preserved by the project during construction and thereafter. Applicants should also identify any business enterprises to be created or benefited by the project during its construction and once it becomes operational.

Consistent with the Recovery Act, the Updated Implementing Guidance for the American Recovery and Reinvestment Act of 2009 issued by the Office of Management and Budget ("OMB") on April 3, 2009 (the "OMB Guidance"), and Federal laws guaranteeing equal opportunity, applicants are encouraged to provide information to assist the Department in assessing (1) whether the project will promote the creation of job opportunities for low-income workers through the use of best practice hiring programs and utilization of apprenticeship (including pre-apprenticeship) programs; (2) whether the project will provide maximum practicable opportunities for small businesses and disadvantaged business enterprises, including veteran-owned small businesses and service disabled veteran-owned small businesses; (3) whether the project will make effective use of community-based organizations in connecting disadvantaged workers with economic opportunities; (4) whether the project will support entities

that have a sound track record on labor practices and compliance with Federal laws ensuring that American workers are safe and treated fairly; and (5) whether the project implements best practices, consistent with our nation's civil rights and equal opportunity laws, for ensuring that all individuals—regardless of race, gender, age, disability, and national origin—benefit from the Recovery Act.

To the extent possible, applicants should indicate whether the populations most likely to benefit from the creation or preservation of jobs or new or expanded business opportunities are from Economically Distressed Areas. In addition, to the extent possible, applicants should indicate whether the project's procurement plan is likely to create follow-on jobs and economic stimulus for manufacturers and suppliers that support the construction industry. A key consideration in assessing projects under this criterion will be how quickly jobs are created.

Consistent with Section 1602 of the Recovery Act (*Preference for Quick-Start Activities*), the Department will assess whether a project is ready to proceed rapidly upon receipt of a TIGER Discretionary Grant, as evidenced by:

(i) *Project Schedule:* A feasible and sufficiently detailed project schedule demonstrating that the project can begin construction quickly upon receipt of a TIGER Discretionary Grant and that the Grant Funds will be spent steadily and expeditiously once construction starts; the schedule should show how many direct, on-project jobs are expected to be created or sustained during each calendar quarter after the project is underway;

(ii) *Environmental Approvals:* Receipt (or reasonably anticipated receipt) of all environmental approvals necessary for the project to proceed to construction on the timeline specified in the project schedule, including satisfaction of all Federal, State and local requirements and completion of the National Environmental Policy Act process;

(iii) *Legislative Approvals:* Receipt of all necessary legislative approvals (for example, legislative authority to charge user fees or set toll rates), and evidence of support from State and local officials, including relevant governor(s) and/or mayors. Evidence of support from all relevant State and local officials is not required, however, the evidence should demonstrate that the project is broadly supported;

(iv) *State and Local Planning:* The inclusion of the project in the relevant State, metropolitan, and local planning documents, or a certification from the appropriate agency that the project will

be included in the relevant planning document prior to award of a TIGER Discretionary Grant;<sup>2</sup> any MPO that is applying for a TIGER Discretionary Grant should provide evidence that the owner of the project supports the application and will cooperate in carrying out the activities to be supported by the TIGER Discretionary Grant;

(v) *Technical Feasibility*: The technical feasibility of the project, including completion of substantial preliminary engineering work; and

(vi) *Financial Feasibility*: The viability and completeness of the project's financing package (assuming the availability of the requested TIGER Discretionary Grant funds), including evidence of stable and reliable financial commitments and contingency reserves, as appropriate, and evidence of the grant recipient's ability to manage grants.

The Department reserves the right to revoke any award of TIGER Discretionary Grant funds and to award such funds to another project to the extent that such funds are not timely expended and/or construction does not begin in accordance with the project schedule. Because projects have different schedules the Department will consider on a case-by-case basis how much time after award of a TIGER Discretionary Grant each project has before funds must be expended and construction started. This deadline will be specified for each TIGER Discretionary Grant in the project-specific grant agreements signed by the grant recipients and will be based on critical path items identified by applicants in response to items (i) through (vi) above. For example, if an applicant reasonably anticipates that National Environmental Policy Act

requirements will be completed and final documentation received within 30 to 60 days of award of a TIGER Discretionary Grant, this timeframe will be taken into account in evaluating the application, but also in establishing a deadline for expenditure of funds and commencement of construction. The Department's ability to obligate funds for TIGER Discretionary Grants expires on September 30, 2011.

In compliance with the Recovery Act, the Department will give priority to projects that are expected to be completed on or before February 17, 2012. For purposes of this solicitation, "completed" means that all of the TIGER Discretionary Grant funds awarded to the project have been obligated and expended and construction of the project is substantially complete.

The ability of the grant recipient to complete the project by this date must be clearly demonstrated in the project schedule. The Department will give priority to projects that utilize innovative contracting approaches that encourage accelerated project delivery. The Department will consider projects that are not expected to be completed by February 17, 2012, but these projects will not be rated as highly under this criterion.

## 2. Secondary Selection Criteria

### (a) *Innovation*.

In order to measure a project's alignment with this criterion, the Department will assess the extent to which the project uses innovative technology (including, for example, intelligent transportation systems, dynamic pricing, rail wayside or on-board energy recovery, smart cards, real-time dispatching, active traffic management, radio frequency identification (RFID), or others) to pursue one or more of the long-term outcomes outlined above and/or to significantly enhance the operational performance of the transportation system. The Department will also assess the extent to which the project incorporates innovations that demonstrate the value of new approaches to, among other things, transportation funding and finance, contracting, project delivery, congestion management, safety management, asset management, or long-term operations and maintenance. The applicant should clearly demonstrate that the innovation is designed to pursue one or more of the long-term outcomes outlined above and/or significantly enhance the transportation system.

### (b) *Partnership*.

(i) *Jurisdictional & Stakeholder Collaboration*: In order to measure a project's alignment with this criterion, the Department will assess the project's involvement of non-Federal entities and the use of non-Federal funds, including the scope of involvement and share of total funding. The Department will give priority to projects that receive financial commitments from, or otherwise involve, State and local governments, other public entities, or private or nonprofit entities, including projects that engage parties that are not traditionally involved in transportation projects, such as nonprofit community groups. Pursuant to the OMB Guidance, the Department will give priority to projects that make effective use of community-based organizations in connecting disadvantaged people with economic opportunities.

In compliance with the Recovery Act, the Department will give priority to projects for which a TIGER Discretionary Grant will help to complete an overall financing package. An applicant should clearly demonstrate the extent to which the project cannot be readily and efficiently completed without Federal assistance, and the extent to which other sources of Federal assistance are or are not readily available for the project, including other funds made available pursuant to the Recovery Act. The Department will assess the amount of private debt and equity to be invested in the project or the amount of co-investment from State, local or other non-profit sources.

The Department will also assess the extent to which the project demonstrates collaboration among neighboring or regional jurisdictions to achieve National, regional or metropolitan benefits. Multiple States or jurisdictions may submit a joint application and should identify a lead State or jurisdiction as the primary point of contact. Where multiple States are submitting a joint application, the application should demonstrate how the project costs are apportioned between the States to assist the Department in making the distributional determinations described below in Section III(C) (*Distribution of Funds*).

(ii) *Disciplinary Integration*: In order to demonstrate the value of partnerships across government agencies that serve the various public service missions forwarded by the Recovery Act and to promote collaboration on the objectives outlined in this notice, the Department will give priority to projects that are supported, financially or otherwise, by non-transportation public agencies that are pursuing similar objectives. For example, the Department will give

<sup>2</sup> All regionally significant projects requiring an action by the FHWA or the FTA must be in the metropolitan transportation plan, TIP and STIP. Further, in air quality non-attainment and maintenance areas, all regionally significant projects, regardless of the funding source, must be included in the conforming metropolitan transportation plan and TIP. To the extent a project is required to be on a metropolitan transportation plan, TIP and/or STIP it will not receive a TIGER Discretionary Grant until it is included in such plans. Projects that are not required to be in long range transportation plans, STIPs and TIPs will not need to be included in such plans in order to receive a TIGER Discretionary Grant. Freight and passenger rail projects are not required to be on the State Rail Plans called for in the Passenger Rail Investment and Improvement Act of 2008. This is consistent with the exemption for high speed and intercity passenger rail projects under the Recovery Act. However, applicants seeking funding for freight and passenger rail projects are encouraged to demonstrate that they have done sufficient planning to ensure that projects fit into a prioritized list of capital needs and are consistent with long-range goals.

priority to transportation projects that create more livable communities and are supported by relevant public housing agencies, or transportation projects that encourage energy efficiency or improve the environment and are supported by relevant public agencies with energy or environmental missions.

### C. Program-Specific Criteria

The Department will use certain program-specific criteria in the evaluation and selection process to help differentiate between similar projects. Similar projects are those that have similar characteristics and satisfy the eligibility requirements of existing programmatic structures (for example, two urban light rail projects eligible to participate in the New Starts program). To the extent two or more similar projects have similar ratings based on the selection criteria outlined in Section II(A) (*Selection Criteria*) the program-specific criteria will be used to assign priority among these projects.

Projects will not be given specific ratings of "highly recommended," "recommended" or "not recommended" for applicable program-specific criteria; rather, the Department will use the program-specific criteria to rank similar projects. To the extent otherwise similar projects can be differentiated based on the selection criteria, program-specific criteria will not be given any weight.

The program-specific criteria are not intended to limit the number of similar projects that can receive TIGER Discretionary Grants.

Program-specific criteria will only be applied to the types of projects identified below. Any other type of project will be differentiated from other similar projects solely based on the selection criteria outlined in Section II(A) (*Selection Criteria*). The Department will use the following program-specific criteria, where applicable, to assign priority among similar projects:

1. For bridge replacement projects, program-specific criteria are the following criteria found in 23 CFR 650.707: total daily truck and non-truck traffic, bridge sufficiency ratings, and bridges with load or geometric restrictions.

2. For transit projects, program-specific criteria are as follows: bus and rail fleet purchases that are within established FTA spare ratio policies, rehabilitation and replacement of assets that have exceeded the useful life span as identified in FTA policy, and/or the proposed project's rating under the New Starts and Small Starts program criteria, as applicable (a copy of the criteria used for this program is available at [http://www.fta.dot.gov/planning/newstarts/planning\\_environment\\_5615.html](http://www.fta.dot.gov/planning/newstarts/planning_environment_5615.html)).

3. For projects involving port infrastructure investments, program-specific criteria are, for both current state and post-project completion, the port or system's:

(a) Passenger and/or freight throughput, storage or processing capacity, including but not limited to, capacity movement (in tonnage, TEU (twenty-foot equivalent unit), barrels, etc.) across the dock, storage capacity on the terminal, and gate throughput;

(b) Demand for services or demand for capacity (in the case of post-project completion, projections or estimates);

(c) Efficiency (e.g. time savings, including vessel turnaround, gate and dwell times, and/or cost savings);

(d) Reliability and/or resiliency, including but not limited to, ability of the facility or system to recover from natural or man-made disasters and provide necessary services;

(e) National security or National interest aspects of items (a) through (d) above including but not limited to movement of Department of Defense assets and strategic location; and

(f) External factors that may influence or limit items (a) through (e) above (channel or berth maintenance or deepening and other navigation issues, road, rail or waterway factors that could represent bottlenecks and backups, etc.).

4. For TIGER TIFIA Payments, program-specific criteria are the eight statutory selection criteria used by the Department's TIFIA Joint Program Office to evaluate and select projects (these criteria have been assigned weights through regulation, as indicated below):

(a) The extent to which the project is nationally or regionally significant, in terms of generating economic benefits, supporting international commerce, or otherwise enhancing the national transportation system (20 percent);

(b) The extent to which the project helps maintain or protect the environment (20 percent);

(c) The extent to which TIFIA assistance would foster innovative public-private partnerships and attract private debt or equity investment (20 percent);

(d) The creditworthiness of the project, including a determination by the Secretary that any financing for the project has appropriate security features, such as a rate covenant, to ensure repayment (12.5 percent);

(e) The likelihood that TIFIA assistance would enable the project to proceed at an earlier date than the project would otherwise be able to proceed (12.5 percent);

(f) The extent to which the project uses new technologies, including Intelligent Transportation Systems (ITS), that enhance the efficiency of the project (5 percent);

(g) The amount of budget authority required to fund the Federal credit instrument made available (5 percent); and

(h) The extent to which TIFIA assistance would reduce the contribution of Federal grant assistance to the project (5 percent).

In addition, approval for TIFIA credit assistance requires the receipt of a preliminary rating opinion letter indicating that the project's senior debt obligations have the potential to attain an investment-grade rating. Complete details regarding the TIFIA selection process can be found in the program guide, which can be downloaded from <http://tifia.fhwa.dot.gov/>.

## III. Evaluation and Selection Process

### A. Ensuring Responsible Spending of Recovery Act Funds

On March 20, 2009, the President of the United States signed a memorandum for the heads of executive departments and agencies on ensuring responsible spending of Recovery Act funds. The memorandum directs all Federal agencies responsible for administering Recovery Act funds, including the Department, to develop transparent, merit-based selection criteria to guide the commitment, obligation and expenditure of the Recovery Act funds for which they are responsible, including TIGER Discretionary Grant funds.

In accordance with the memorandum, the criteria specified in this notice help ensure that TIGER Discretionary Grants will be awarded to projects with a demonstrated or potential ability to: "(i) Deliver programmatic results; (ii) achieve economic stimulus by optimizing economic activity and the number of jobs created or saved in relation to the Federal dollars obligated; (iii) achieve long-term public benefits by, for example, investing in technological advances in science and health to increase economic efficiency and improve quality of life; investing in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits; fostering energy independence; or improving educational quality; and (iv) satisfy the Recovery Act's transparency and accountability objectives."

In accordance with the memorandum, the Department will not award TIGER Discretionary Grants to any project that

is imprudent or does not further the job creation, economic recovery and other purposes of the Recovery Act. In addition, Department officials will not consider the views of a registered lobbyist concerning particular projects, applications, or applicants for funding under the Recovery Act unless such views are in writing and made publicly available. For additional guidance on the lobbying disclosure requirements of the President's Memorandum, please see the Office of Management and Budget's Interim Guidance Regarding Communications with Registered Lobbyists about Recovery Act Funds (available at [http://www.whitehouse.gov/omb/assets/memoranda\\_fy2009/m-09-16.pdf](http://www.whitehouse.gov/omb/assets/memoranda_fy2009/m-09-16.pdf)) and any subsequent guidance issued by OMB.

#### B. Evaluation Process

The Department will establish an evaluation team to review each application that is received by the Department prior to the Application Deadline. The evaluation team will be organized and led by the Office of the Secretary and will include members from each of the Cognizant Modal Administrations (as defined below). These representatives will include technical and professional staff with relevant experience and/or expertise. The evaluation team will be responsible for evaluating and rating all of the projects and making funding recommendations to the Secretary. The evaluation process will require team members to evaluate and rate applications individually before convening with other members to discuss ratings. The composition of the evaluation team will be finalized after the Application Deadline, based on the

number and nature of applications received.

The Department will not assign specific numerical scores to projects based on the selection criteria outlined above in Section II(A) (*Selection Criteria*). Rather, ratings of "highly recommended," "recommended," or "not recommended" will be assigned to projects for each of the selection criteria. The Department will award TIGER Discretionary Grants to projects that are "highly recommended" in one or more of the selection criteria, with projects that are "highly recommended" in multiple selection criteria being more likely to receive TIGER Discretionary Grants. In addition, the Department will consider whether a project has a negative effect on any of the selection criteria, and any such negative effect may reduce the likelihood that the project will receive a TIGER Discretionary Grant. To the extent the initial evaluation process does not sufficiently differentiate among highly rated projects, the Department will use a similar three-tiered rating process to re-assess the projects that were highly rated and identify those that should be most highly rated.

The Department will give more weight to the two Primary Selection Criteria (*Long-Term Outcomes* and *Jobs Creation & Economic Stimulus*) than to the two Secondary Selection Criteria (*Innovation and Partnership*). Projects that are unable to demonstrate a likelihood of significant long-term benefits in any of the five long-term outcomes identified in Section II(A)(1)(a) (*Long-Term Outcomes*) will not proceed in the evaluation process. A project need not be well aligned with each of the long-term outcomes in order to be successful in the long-term

outcomes criterion overall. However, to be successful in the long-term outcomes criterion a project must be "highly recommended" for at least one of the long-term outcomes or "recommended" for multiple long-term outcomes. Projects that are strongly aligned with multiple long-term outcomes will be the most successful in this criterion.

For the Jobs Creation & Economic Stimulus criterion, projects need not receive a rating of "highly recommended" in order to be recommended for funding, although a project that is not ready to proceed quickly, as evidenced by the items requested in Section II(B)(1)(b)(i)–(vi) (*Project Schedule, Environmental Approvals, Legislative Approvals, State and Local Planning, Technical Feasibility, and Financial Feasibility*), is less likely to be successful in this criterion.

The Department will give less weight to the two Secondary Selection Criteria (*Innovation and Partnership*) than to the two Primary Selection Criteria (*Long-Term Outcomes* and *Jobs Creation & Economic Stimulus*). The two Secondary Selection Criteria will be rated equally.

As noted above in Section II(C) (*Program-Specific Criteria*), the Program-Specific Criteria will not be given ratings and will only be used to the extent the Department needs to differentiate and assign priority among similar projects that have similar ratings based on the selection criteria outlined above in Section II(A) (*Selection Criteria*).

The following table summarizes the weighting of the selection criteria, as described in the preceding paragraphs:

Long-Term Outcomes .....	The Department will give more weight to this criterion than to either of the Secondary Selection Criteria. In addition, this criterion has a minimum threshold requirement. Projects that are unable to demonstrate a likelihood of significant long-term benefits in any of the five long-term outcomes identified in this criterion will not proceed in the evaluation process.
Jobs Creation & Economic Stimulus .....	The Department will give more weight to this criterion than to either of the Secondary Selection Criteria. This criterion will be considered after it is determined that a project demonstrates a likelihood of significant long-term benefits in at least one of the five long-term outcomes identified in the long-term outcomes criterion.
Innovation & Partnership .....	The Department will give less weight to these criteria than to the Primary Selection Criteria.
Program-Specific Criteria .....	The Department will only give weight to these criteria to the extent the Department needs to differentiate multiple similar projects that are rated similarly based on the Primary and Secondary Selection Criteria.

To be selected for a TIGER Discretionary Grant, a project must be an Eligible Project and the applicant must be an Eligible Applicant. The Department may consider one or more components of a large project to be an Eligible Project, but only to the extent

that the components themselves, not the project of which they are a part, are Eligible Projects and satisfy the selection criteria specified in this notice. For these projects, the benefits described in an application must be related to the components of the project

for which funding is requested, not the full project of which they are a part.

#### C. Distribution of Funds

As noted above in Section I (*Background*), the Recovery Act prohibits the award of more than 20

percent of the funds made available under this program to projects in any one State. The Recovery Act also requires that the Department take measures to ensure an equitable geographic distribution of funds and an appropriate balance in addressing the needs of urban and rural communities. The Department will apply an initial unconstrained competitive rating process based on the selection criteria and program-specific criteria identified above in Section II(A) (*Selection Criteria*) and Section II(C) (*Program-Specific Criteria*) to determine a preliminary list of projects recommended for TIGER Discretionary Grants. The Department will then analyze the preliminary list and determine whether the purely competitive ratings are consistent with distributional requirements of the Recovery Act. If necessary, the Department will adjust the list of recommended projects to satisfy the statutory distributional requirements while remaining as consistent as possible with the competitive ratings.

As noted above in Section II(B)(2)(b)(i) (*Jurisdictional & Stakeholder Collaboration*), applications submitted jointly by multiple States should include an allocation of project costs to assist the Department in making these determinations. In addition, the Department will use the subsidy and administrative cost estimate, not the principal amount of credit assistance, to determine any TIGER TIFIA Payment's effect on these distributional requirements.

#### *D. Transparency of Process*

In the interest of transparency, the Department will disclose as much of the information related to its evaluation process as is practical. The Department expects that the TIGER Discretionary Grants program may be reviewed and/or audited by Congress, the U.S. Government Accountability Office, the Department's Inspector General, or others, and has and will continue to take steps to document its decision making process.

#### **IV. Grant Administration**

The Department expects that each TIGER Discretionary Grant will be administered by the modal administration in the Department with the most experience and/or expertise in the relevant project area (the "Cognizant Modal Administration"), pursuant to a grant agreement between the TIGER Discretionary Grant recipient and the Cognizant Modal Administration. In accordance with the Recovery Act, the

Secretary has the discretion to delegate such responsibilities.

Applicable Federal laws, rules and regulations will apply to projects that receive TIGER Discretionary Grants, including all of the requirements included in the Recovery Act.

As noted above in Section II(B)(1)(b) (*Jobs Creation & Economic Stimulus*), how soon after award a project is expected to expend Grant Funds and start construction will be considered on a case-by-case basis and will be specified in the project-specific grant agreements. The Department reserves the right to revoke any award of TIGER Discretionary Grant funds and to award such funds to another project to the extent that such funds are not timely expended and/or construction does not begin in accordance with the project schedule. The Department's ability to obligate funds for TIGER Discretionary Grants expires on September 30, 2011.

#### **V. Waiver of Minimum Grant Size Requirement**

The Department has discretion under the Recovery Act to waive the \$20 million minimum grant size requirement for Smaller Projects. Applicants for TIGER Discretionary Grants of less than \$20 million for Smaller Projects are encouraged to apply and should address the same criteria as applicants for TIGER Discretionary Grants in excess of \$20 million. The term "grant" in this provision of the Recovery Act does not include TIGER TIFIA Payments.

#### **VI. TIGER TIFIA Payments**

Up to \$200 million of the \$1.5 billion available for TIGER Discretionary Grants may be used for TIGER TIFIA Payments. Given the average subsidy cost of the existing TIFIA portfolio, \$200 million in TIGER TIFIA Payments could support approximately \$2 billion in Federal credit assistance. Applicants seeking TIGER TIFIA Payments should apply in accordance with all of the criteria and guidance specified in this notice for TIGER Discretionary Grant applicants and will be evaluated concurrently with all other applications. Any applicant seeking a TIGER TIFIA Payment is required to comply with all of the TIFIA program's standard application and approval requirements, including submission of a Letter of Interest prior to submission of a TIFIA application (the TIFIA program guide can be downloaded from <http://tiffa.fhwa.dot.gov/>). The Letter of Interest must be submitted at least six weeks prior to the Application Deadline.

The Department does not expect applicants for TIGER TIFIA Payments to have received an instrument from TIFIA obligating Federal credit assistance for the project before the application is submitted; however, applicants should demonstrate that they are ready to proceed rapidly upon receipt of a TIGER TIFIA Payment in accordance with the guidance specified above in Section II(B)(1)(b) (*Job Creation & Economic Stimulus*). The Department's TIFIA Joint Program Office will assist the Department in determining a project's readiness to proceed rapidly upon receipt of a TIGER TIFIA Payment.

Applicants seeking TIGER TIFIA Payments may also apply for a TIGER Discretionary Grant for the same project and must indicate the type(s) of funding for which they are applying clearly on the face of their applications. An applicant for a TIGER TIFIA Payment must submit an application pursuant to this notice for a TIGER TIFIA Payment even if it does not wish to apply for a TIGER Discretionary Grant.

Unless otherwise expressly noted herein, any and all requirements that apply to TIGER Discretionary Grants pursuant to the Recovery Act, this notice, or otherwise, including all reporting and Recovery Act related requirements, apply to TIGER TIFIA Payments. TIFIA applicants that do not receive TIGER TIFIA Payments will not be required to comply with any of these requirements.

#### **VII. Contents of Application**

An applicant for a TIGER Discretionary Grant should include all of the information requested below in its application. The Department reserves the right to ask any applicant to supplement the data in its application, but expects applications to be complete upon submission. To the extent practical, the Department encourages applicants to provide data and evidence of project merits in a form that is publicly available or verifiable. For TIGER TIFIA Payments, these requirements apply only to the applications required under this notice; the standard TIFIA loan application requirements, including the standard \$30,000.00 application fee, are separately described in the Program Guide and Application Form found at <http://tiffa.fhwa.dot.gov/>.

##### *A. Length of Applications*

The narrative portion of an application should not exceed 25 pages in length. Documentation supporting the assertions made in the narrative portion may also be provided, but should be limited to relevant

information. If possible, Web site links to supporting documentation should be provided rather than copies of these materials. At the applicant's discretion, relevant materials provided previously to a Cognizant Modal Administration (as defined below) in support of a different DOT discretionary program (for example, New Starts or TIFIA) may be referenced and described as unchanged. To the extent referenced, this information need not be resubmitted for the TIGER Discretionary Grant application.

#### *B. Contact Information*

An application should include the name, phone number, e-mail address and organization address of the primary point of contact for the applicant. The Department will use this information to inform parties of the Department's decision regarding selection of projects, as well as to contact parties in the event that the Department needs additional information about an application.

#### *C. Project Description*

An application should include a detailed description of the proposed project and geospatial data for the project, including a map of the project's location and its connections to existing transportation infrastructure. An application should also include a description of how the project addresses the needs of an urban and/or rural area. An application should clearly describe the transportation challenges that the project aims to address, and how the project will address these challenges. This description should include relevant data such as, for example, passenger or freight volumes, congestion levels, infrastructure condition, or safety experience.

#### *D. Project Parties*

An application should include information about the grant recipient and other project parties.

#### *E. Grant Funds and Sources and Uses of Project Funds*

An application should include information about the amount of grant funding requested, sources and uses of all project funds, total project costs, percentage of project costs that would be paid for with TIGER Discretionary Grant funds, and the identity and percentage shares of all parties providing funds for the project (including Federal funds provided under other programs).

#### *F. Selection Criteria*

An application must include information required for the Department

to assess each of the criteria specified in Section II(A) (*Selection Criteria*), as such criteria are explained in Section II(B) (*Additional Guidance on Selection Criteria*), and each of the relevant criteria specified in Section II(C) (*Program-Specific Criteria*). Applicants are encouraged to demonstrate the responsiveness of a project to any and all of the selection criteria with the most relevant information that applicants can provide, regardless of whether such information has been specifically requested, or identified, in this notice. Any such information shall be considered part of the application, not supplemental, for purposes of the application size limits identified above in item A (*Length of Applications*). If an applicant is unsure whether any of the program-specific criteria apply to its project and should be addressed in its application the applicant should contact the Department pursuant to the procedures specified below in Section X (*Questions and Clarifications*). Information provided pursuant to this paragraph must be quantified, to the extent possible, to describe the project's impacts on the Nation, a metropolitan area, or a region. Information provided pursuant to this paragraph should include projections for both the build and no-build scenarios for the project for a point in time at least 20 years beyond the project's completion date or the lifespan of the project, whichever is closest to the present.

#### *G. Federal Wage Rate Requirement*

An application must include a certification, signed by the applicant, stating that it will comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code (Federal wage rate requirements), as required by the Recovery Act.

#### *H. National Environmental Policy Act Requirement*

An application must detail whether the project will significantly impact the natural, social and/or economic environment. If the NEPA process is completed, an applicant must indicate the date of, and provide a Web site link or other reference to, the final Categorical Exclusion, Finding of No Significant Impact or Record of Decision. If the NEPA process is underway but not complete, the application must detail where the project is in the process, indicate the anticipated date of completion and provide a Web site link or other reference to copies of any NEPA documents prepared.

#### *I. Environmentally Related Federal, State and Local Actions*

An application must indicate whether the proposed project is likely to require actions by other agencies (e.g., permits), indicate the status of such actions and provide a Web site link or other reference to materials submitted to the other agencies, and/or demonstrate compliance with other Federal, State and local regulations as applicable, including, but not limited to, Section 4(f) *Parklands, Recreation Areas, Refuges, & Historic Properties*; Section 106 *Historic and Culturally Significant Properties*; Clean Water Act *Wetlands and Water*; Executive Orders *Wetlands, Floodplains, Environmental Justice*; Clean Air Act *Air Quality (specifically note if the project is located in a nonattainment area)*; Endangered Species Act *Threatened and Endangered Biological Resources*; Magnuson-Stevens Fishery Conservation and Management Act *Essential Fish Habitat*; The Bald and Golden Eagle Protection Act; and/or any State and local requirements.

#### *J. Protection of Confidential Business Information*

All information submitted as part of or in support of an application shall use publicly available data or data that can be made public and methodologies that are accepted by industry practice and standards, to the extent possible. If the application includes information that the applicant considers to be a trade secret or confidential commercial or financial information, the applicant should do the following: (1) Note on the front cover that the submission "Contains Confidential Business Information (CBI);" (2) mark each affected page "CBI;" and (3) highlight or otherwise denote the CBI portions. The Department protects such information from disclosure to the extent allowed under applicable law. In the event the Department receives a Freedom of Information Act (FOIA) request for the information, the Department will follow the procedures described in its FOIA regulations at 49 CFR § 7.17. Only information that is ultimately determined to be confidential under that procedure will be exempt from disclosure under FOIA.

#### *K. First Page of Application*

The first page of an application should clearly identify (i) what type of project is the proposed project (highway, transit, rail, port or other), (ii) information about the location of the project, including State, city, county and congressional district, (iii) whether

the project is in an urban or rural area, and (iv) the amount in dollars of Grant Funds that the applicant is seeking.

Recipients of TIGER Discretionary Grants and their first-tier sub-awardees will be required to have a DUNS number (<http://www.dnb.com>) and a current registration in the Central Contractor Registration (<http://www.ccr.gov>). While these items do not need to be provided as part of the application, a TIGER Discretionary Grant will not be awarded if a recipient or first-tier sub-awardee does not have these items.

### VIII. Project Benefits

The Department expects to identify and report on the benefits of the projects that it funds with TIGER Discretionary Grants. To this end, the Department may request that recipients of TIGER Discretionary Grants cooperate in Departmental efforts to collect and report on information related to the benefits produced by the projects that receive TIGER Discretionary Grants.

In addition to the creation and preservation of jobs and other benefits that the Department is required to track and report pursuant to the Recovery Act, the benefits that the Department reports on may include the following: (1) Improved condition of existing transportation facilities and systems; (2) long-term growth in employment, production or other high-value economic activity; (3) improved livability of communities across the United States; (4) improved energy efficiency, reduced dependence on oil and reduced greenhouse gas emissions; (5) reduced adverse impacts of transportation on the natural environment; (6) reduced number, rate and consequences of surface transportation-related crashes, injuries and fatalities; (7) greater use of innovative technology and innovative approaches to transportation funding and project delivery; (8) greater collaboration with State and local governments, other public entities, private entities, nonprofit entities, or other non-traditional partners; or (9) greater integration of transportation decision making with decision making by other public agencies with similar public service objectives.

Because of the limited nature of this program, these benefits are likely to be reported on a project-by-project basis and trends across projects that were selected for TIGER Discretionary Grants may not be readily available. In addition, because many of these benefits are long-term outcomes, it may be years before the value of the investments can be quantified and fully reported. The

Department is considering the most appropriate way to collect and report information about these potential project benefits.

### IX. Reporting Requirements

#### A. Section 1201(c): Maintenance of Effort: Reporting Requirements

Pursuant to the Recovery Act, entities receiving TIGER Discretionary Grants will be required to report on grant activities on a routine basis. Section 1201(c) of the Recovery Act (*Maintenance of Effort: Reporting Requirements*), under General Provision—Department of Transportation—imposes an obligation on entities receiving TIGER Discretionary Grants, along with other Department grantees receiving funds from the Department's Covered Programs, to submit periodic reports to the agency from which funds were received. Section 1201(c)(2) requires that such reports include, for each Covered Program (which includes the TIGER Discretionary Grant program) the following information: the amount of Grant Funds appropriated, allocated, obligated, and outlayed under the appropriation; the number of projects put out to bid under the appropriation and the amount of Grant Funds associated with these contracts; the number of projects for which contracts have been awarded under the appropriation and the amount of Grant Funds associated with these contracts; the number of projects for which work has begun under these contracts and the associated amount of Grant Funds; the number of projects for which work has been completed and the associated amount of Grant Funds; the number of direct, on-project jobs created or sustained by the Grant Funds for projects under the appropriation and, to the extent possible, the estimated indirect jobs created or sustained in associated supplying industries, including the number of job-years created and total increase in employment since February 17, 2009; and the actual aggregate expenditures by each recipient from State sources for projects eligible for funding under the program between February 17, 2009, and September 30, 2010, compared to the level of such expenditures planned to occur during this period as of February 17, 2009.

According to the statute, grant recipients must submit the first of these reports not later than 90 days from February 17, 2009, and must submit updated reports not later than 180 days, 1 year, 2 years, and 3 years after that date. Due to the unique timeframe for

TIGER Discretionary Grant awards, TIGER Discretionary Grant recipients should submit the first of such reports on the first due date following the award of Grant Funds and on each subsequent due date thereafter.

#### B. Section 1512: Reports on Use of Funds

Section 1512 of the Recovery Act (*Reports on Use of Funds*) requires any entity that received TIGER Discretionary Grants to submit a report not later than 10 days after the end of each calendar quarter as a condition of receiving funding under the Recovery Act. Pursuant to the OMB Guidance (which is available at [http://www.whitehouse.gov/omb/assets/memoranda\\_fy2009/m09-15.pdf](http://www.whitehouse.gov/omb/assets/memoranda_fy2009/m09-15.pdf)), recipients must report to OMB beginning 10 days after the end of the first calendar quarter after funds are awarded. Recipients should refer to the OMB Guidance for more detailed instructions on such reports. OMB is currently developing a government-wide central reporting system. Detailed instructions for centrally reporting the required information will be made available at <http://www.FederalReporting.gov>.

#### C. Section 1609: Environmental Reporting

Section 1609(c) of the Recovery Act requires that Federal agencies report via the President (specifically, to the White House Council on Environmental Quality) every 90 days following enactment of the Recovery Act on the status of projects funded under the Recovery Act with respect to compliance with the National Environmental Policy Act.

To satisfy the purposes of the Recovery Act, grant recipients may be required to provide additional information in response to requests from OMB, the Congressional Budget Office, the Government Accountability Office, or the Department's Inspector General. The Department will inform grant recipients if and when such additional reports are required.

Further information about how grant recipients will be expected to comply with the reporting requirements of the Recovery Act will be provided in the individual grant agreements signed by recipients of TIGER Discretionary Grants.

### X. Certification Requirements

To the extent applicable, grantees must comply with the Certification requirements of the Recovery Act. These include the Certification requirement in Section 1511 (*Transparency and*

*Oversight*), requiring the Governor, mayor, or other chief executive, as appropriate, to certify that the infrastructure investment has received the full review and vetting required by law and accepting responsibility that the infrastructure investment is an appropriate use of taxpayer dollars. Certification under Section 1511 is a condition for award of TIGER Discretionary Grants to State or local agencies. On February 27, 2009, Secretary of Transportation Ray LaHood sent a letter to the Governors of each State providing guidance and a template for the Certifications required by the Recovery Act, a copy of which is available on the Department's Recovery Act Web site, at <http://www.dot.gov/recovery/>.

Pursuant to Section 1511, for funds made available to State or local governments for transportation infrastructure investments, including Grant Funds under the TIGER Discretionary Grants program, the Governor, mayor, or other chief executive, as appropriate, must certify that the infrastructure investment (1) received the full review and vetting required by law; and (2) that the chief executive accepts responsibility that it is an appropriate use of taxpayer dollars. This Certification must be executed and posted on a Web site and linked to Recovery.gov prior to the recipient of a TIGER Discretionary Grant receiving Grant Funds. If the potential project is a highway or transit project and it is included in the Statewide Transportation Improvement Program (STIP) with the specific information required by Section 1511 (a description of the investment, the estimated total cost, and the amount of ARRA funds to be used), it may be included in the Governor's Section 1511 Certification covering highway and transit projects in a State. One way for the Governor's Certification to satisfy the Section 1511 requirement, is for the Certification to state that the project is included in the STIP and therefore has completed the TIP/STIP planning process. In this case, the Governor's Certification must also provide a link to the public web posting of the STIP that includes (or will include) any highway and transit project designated to receive Recovery Act funding. If the project is not included in the STIP, a separate Certification for the potential TIGER Discretionary Grant project must be executed, attaching the relevant information or linking to a public Web site where the information may be obtained. This Certification must include a description of the investment, the estimated total cost, and

the amount of covered funds to be used, and must be posted online and linked to the Web site Recovery.gov. The Certification must also state that the projects have been properly reviewed and vetted and are an appropriate use of taxpayer dollars.

All Certifications, once executed, shall be submitted to the Secretary of Transportation, c/o Joel Szabat, Deputy Assistant Secretary for Transportation Policy, at [TigerTeam.Leads@dot.gov](mailto:TigerTeam.Leads@dot.gov). Certifications may be submitted via e-mail as electronic, scanned copies, with original signed versions to follow via U.S. mail. As required by the Recovery Act, Certifications under Section 1511 shall be immediately posted on a Web site and linked to the Web site Recovery.gov.

#### **XI. Questions and Clarifications**

Questions about this notice should be submitted to the TIGER Discretionary Grants program manager via e-mail at [TIGERGrants@dot.gov](mailto:TIGERGrants@dot.gov). The Department will regularly post answers to these questions and other important clarifications on the Department's Web site at <http://www.dot.gov/recovery/ost/>.

Issued On: June 12, 2009.

**Ray LaHood,**

*Secretary.*

[FR Doc. E9-14262 Filed 6-16-09; 8:45 am]

**BILLING CODE 4910-9X-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Railroad Administration**

**[Docket No. FRA-2009-0001-N-13]**

#### **Notice and Request for Comments**

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.), this notice announces that the Information Collection Requirements (ICRs) abstracted below have been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICRs describe the nature of the information collections and their expected burdens. The **Federal Register** notice with a 60-day comment period soliciting comments on the following collections of information was published on April 6, 2009 (74 FR 15588).

**DATES:** Comments must be submitted on or before July 17, 2009.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Brogan, Office of Safety, Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1200 New Jersey Ave., SE., Mail Stop 17, Washington, DC 20590 (telephone:

(202) 493-6292), or Ms. Nakia Jackson, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Ave., SE., Mail Stop 35, Washington, DC 20590 (telephone: (202) 493-6073). (These telephone numbers are not toll-free.)

**SUPPLEMENTARY INFORMATION:** The Paperwork Reduction Act of 1995 (PRA), Public Law 104-13, Section 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501-3520), and its implementing regulations, 5 CFR Part 1320, require Federal agencies to issue two notices seeking public comment on information collection activities before OMB may approve paperwork packages. 44 U.S.C. 3506, 3507; 5 CFR 1320.5, 1320.8(d)(1), 1320.12. On April 6, 2009, FRA published a 60-day notice in the **Federal Register** soliciting comment on ICRs that the agency was seeking OMB approval. 74 FR 15588. FRA received no comments after issuing this 60-day notice. Accordingly, DOT announces that these information collection activities have been re-evaluated and certified under 5 CFR 1320.5(a) and forwarded to OMB for review and approval pursuant to 5 CFR 1320.12(c).

Before OMB decides whether to approve these proposed collections of information, it must provide 30 days for public comment. 44 U.S.C. 3507(b); 5 CFR 1320.12(d). Federal law requires OMB to approve or disapprove paperwork packages between 30 and 60 days after the 30 day notice is published. 44 U.S.C. 3507(b)-(c); 5 CFR 1320.12(d); *see also* 60 FR 44978, 44983, Aug. 29, 1995. OMB believes that the 30 day notice informs the regulated community to file relevant comments and affords the agency adequate time to digest public comments before it renders a decision. 60 FR 44983, Aug. 29, 1995. Therefore, respondents should submit their respective comments to OMB within 30 days of publication to best ensure having their full effect. 5 CFR 1320.12(c); *see also* 60 FR 44983, Aug. 29, 1995.

The summaries below describe the nature of the information collection requirements (ICRs) and the expected burden. The current requirements are being submitted for clearance by OMB as required by the PRA.

*Title:* Stenciling Reporting Mark on Freight Cars.

*OMB Control Number:* 2130-0520.

*Type of Request:* Extension of a currently approved collection.

*Affected Public:* Railroads.

*Abstract:* Title 49, Section 215.301 of the Code of Federal Regulations, sets forth certain requirements that must be followed by railroad carriers and private