

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF WITHDRAWING ) RESOLUTION NO. 89-1094  
THE I-205 BUS LANE )  
 ) Introduced by Mike Ragsdale,  
 ) Chair, Joint Policy Advisory  
 ) Committee on Transportation

WHEREAS, The I-205 Freeway was constructed with a reserved right-of-way for a busway between SE Foster Road and the Glen Jackson Bridge; and

WHEREAS, Title 23, U.S.C., Section 103 (e)(4) as amended by the Surface Transportation Act of 1978 (Public Law 95-599) authorizes the withdrawal of segments from the Interstate highway system; and

WHEREAS, Section 142 of the 1987 Surface Transportation and Uniform Relocation Assistance Act permits the Secretary of Transportation to approve a substitute transit project on a portion of I-205 in Portland and Multnomah County, Oregon; and

WHEREAS, The Draft Environmental Impact Statement and Preferred Alternative Report which is approved by UMTA will determine whether a substitute busway or light rail project is the most cost-effective transit mode in the I-205 corridor; and

WHEREAS, The substitute transit project must be under contract for construction by September 30, 1989, or the Secretary of Transportation will immediately withdraw approval of the project; and

WHEREAS, The Metropolitan Service District's Joint Policy Advisory Committee on Transportation has recommended that an

I-205 light rail line be a priority for construction in the next 10 years; and

WHEREAS, The Westside and Milwaukie corridors have been identified as the next priorities for Urban Mass Transportation Administration Section 3 grant funds; and

WHEREAS, The Metropolitan Service District, as the government designated to perform regional transportation planning under the provisions of Section 134, 23 U.S.C. must concur in this request for withdrawal in order for the Governor of the State of Oregon to submit the request to the U.S. Department of Transportation; and

WHEREAS, The City of Portland, Multnomah County, and Clackamas County have supported this request by adoption of resolutions; and

WHEREAS, The Governor of the State of Oregon must specifically request the withdrawal to the United States Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Council of the Metropolitan Service District does hereby ask the Governor of the State of Oregon to request the United States Department of Transportation to withdraw the proposed I-205 bus lanes in Portland and Multnomah County from the federal Interstate highway system and to allow consideration of either LRT or a busway in the I-205 corridor.

2. That the Council of the Metropolitan Service District approves the initiation of an I-205 corridor Alternatives Analysis and Draft Environmental Impact Statement to define the

preferred project in the I-205 corridor for use of the buslane withdrawal funding under the provisions of 23 U.S.C. 103 (e) (4).

3. That the Alternatives Analysis/Draft Environmental Impact Statement will examine LRT, busway, TSM and no-build alternatives in the I-205 corridor from the Portland International Airport to the Clackamas Town Center vicinity.

4. That the prior commitment to the Westside LRT project and then the Milwaukie LRT project as the next priorities for LRT development (after the Banfield) using Urban Mass Transportation Administration Section 3 grant funds is reaffirmed.

5. That consideration be given to concurrent alternatives analyses in both the I-205 and Milwaukie corridors.

6. That consideration will be given to segment the construction of the I-205 transit project.

7. That UMTA Section 3 funds will not be sought for the I-205 project segment which is proposed for immediate construction (i.e., either Portland International Airport to Gateway or Gateway to Clackamas Town Center) following the completion of the Draft Environmental Impact Statement, subject to possible changes in UMTA requirements for use of Section 3 funds.

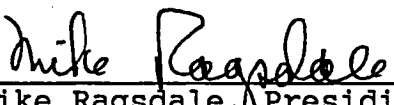
8. That further decisions will be required to identify the state, regional and public-private coventure funding needed to complete the I-205 project recommended for immediate implementation.

9. That these funding decisions will be based on the scope, cost, and timing of the Westside, I-205, and Milwaukie corridor

LRT projects to be included in the regional funding package.

10. That the Metropolitan Service District will cooperate with the City of Portland, Multnomah County, Clackamas County, the Port of Portland, the Oregon Department of Transportation, and Tri-Met to take full advantage of the new opportunities offered by this project.

ADOPTED by the Council of the Metropolitan Service District this 11th day of May, 1989.

  
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Mike Ragsdale, Presiding Officer

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INTERGOVERNMENTAL RELATIONS  
COMMITTEE REPORT

Agenda Item No. 4.2

Meeting Date May 11, 1989

RESOLUTION NO. 89-1094, FOR THE PURPOSE OF WITHDRAWING THE I-205  
BUS LANE

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Date: May 3, 1989

Presented By: Councilor Gardner

COMMITTEE RECOMMENDATION: At the May 3, 1989 Intergovernmental Relations Committee meeting, members present -- Councilors Bauer, DeJardin, Devlin and myself -- voted unanimously to recommend Council adoption of Resolution No. 89-1094. Councilor Collier was absent.

COMMITTEE DISCUSSION/ISSUES: Transportation Department Director Andy Cotugno presented Resolution No. 89-1094 which, as outlined in the attached staff report, calls on Governor Goldschmidt to request the U.S. Department of Transportation to withdraw the I-205 bus lane from the federal Interstate highway system and allow light rail transit as an eligible project. Currently the region has \$17 million in federal funds dedicated to the I-205 busway. This request would allow the region to use the \$17 million to pursue the most appropriate transit project in the I-205 corridor based on environmental impact and preferred alternative analyses. The U.S. Department of Transportation must grant the request by September 30, 1989 or the region will lose the ability to use the \$17 million for purposes other than the busway.

Staff reviewed each of the resolution's "Resolves" noting certain points:

- o Under federal statute, the region can only seek light rail funding for 1 corridor at a time;
- o The identified I-205 corridor terminal point -- Clackamas Town Center -- is very important because it clarifies that the \$17 million can be used to study the whole corridor;
- o Resolve number 6 indicates that the region will only build the portion of the I-205 corridor which it can afford.

The most significant issue of contention is how much funding the State and the Region will be willing to put into the I-205 corridor if additional Federal money is not forthcoming. It is unclear how much money can be generated from the proposed light rail station improvement areas. The I-205 corridor does not qualify for Urban Mass Transit (UMTA) Section 3 funds because none of the corridor segments meets UMTA's threshold efficiency requirements. Staff noted it was unlikely the withdrawal request will be denied because the criteria for evaluating the request are very general. The downside of the request is the \$17 million, upon withdrawal, will no longer receive any federal adjustment for inflation.

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STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 89-1094 FOR THE PURPOSE OF  
WITHDRAWING THE I-205 BUS LANE

Date: May 1, 1989

Presented by: Richard Brandman

PROPOSED ACTION

This resolution asks the Governor of Oregon, on behalf of local jurisdictions, to request that the U.S. Department of Transportation withdraw the I-205 bus lane from the federal Interstate highway system and allow light rail transit as an eligible substitute project.

TPAC adopted this resolution unanimously on April 28. The following changes were made to the resolution at the meeting:

1. The WHEREAS showing local support from Portland, Multnomah County, and Clackamas County was added.
2. Resolve No. 3 was amended to define the termini and show the "no build" as an alternative.
3. Resolve No. 5 regarding the relationship between the Milwaukie and I-205 corridors was added.
4. Resolve No. 6 was clarified to show that consideration will be given to segment the construction of the I-205 project.
5. Resolve No. 7 was amended to indicate that if UMTA changes their rules regarding the use of Section 3 funds, the region would not be bound to the pledge, required by UMTA, that Section 3 funds not be used in this corridor.
6. Resolve No. 9 was added to clarify the parameters of the funding decisions.

FACTUAL BACKGROUND AND ANALYSIS

The design of the I-205 freeway included the provision for a busway from Airport Way to Foster Road. At the time the freeway was constructed in the early 1980's, there was an expectation that this busway would eventually be constructed. Therefore, many provisions were made during the freeway construction to facilitate the eventual busway construction.

Since that time, a Phase I transitway alternatives analysis has been conducted in the I-205 corridor and has concluded that light rail is a promising mode and should be further evaluated. JPACT

has also designated the I-205 corridor as a 10-year priority for light rail. In addition, JPACT has requested that the I-205 project move into the Draft Environmental Impact Statement phase. The DEIS and its resultant Preferred Alternative report would determine which transit project the region intends to pursue in the I-205 corridor.

This resolution asks Governor Goldschmidt to formally request the U.S. Secretary of Transportation to grant approval to withdraw the federal designation of the I-205 bus lane and to substitute light rail transit as an eligible project. If the Secretary performs this action, the region will then have the ability following the DEIS process to pursue whichever transit mode (busway or LRT) is preferred.

The region is making this request at this time because there is a statutory deadline that the request be granted by the Department of Transportation by September 30, 1989. If the request is not granted, the region will lose the flexibility of using for light rail purposes the \$17 million of funds currently in the Interstate Cost Estimate for a busway.

#### EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 89-1094.

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