

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE 2002-05 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM TO ADD FUNDING OF PRELIMINARY ENGINEERING OF THE HIGHWAY 217 WIDENING PROJECT.) RESOLUTION NO. 03-3398) Introduced by Councilor Rod Park; JPACT Chair

WHEREAS, projects selected to receive federal transportation funding must be included in the Metropolitan Transportation Improvement he Portland metropolitan area Metropolitan Transportation Improvement Program (MTIP), which reports on the programming of all federal transportation funds to be spent in the region, and

WHEREAS, the Oregon Department of Transportation has proposed beginning preliminary engineering for the widening of Highway 217 northbound to three lanes between the Tualatin Valley (State Highway 10) and Sunset (State Highway 26) highways this fiscal year, and

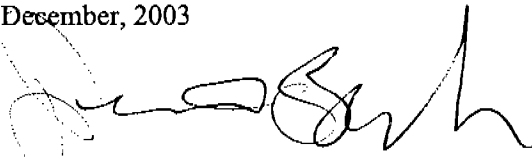
WHEREAS, this project is consistent with the 2000 Regional Transportation Plan and the Westside Environmental Impact Statement, and

WHEREAS, these proposed programming of these funds in the MTIP must be found in compliance with all relevant federal law and administrative rules, including a demonstration of compliance with the Oregon State implementation plan for air quality, and

WHEREAS, the attached as Exhibit A demonstrates compliance of this project with the Oregon State implementation plan for air quality; now therefore

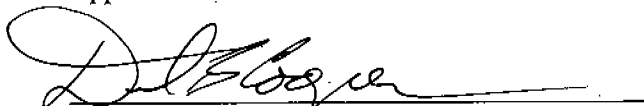
BE IT RESOLVED that the Metro Council amends the 2002-05 Metropolitan Transportation Improvement Program to include the Highway 217 widening project, subject to concurrence from the Federal Highway Administration on the demonstration of compliance with the Oregon State Implementation Plan for air quality.

ADOPTED by the Metro Council this 11th day of December, 2003

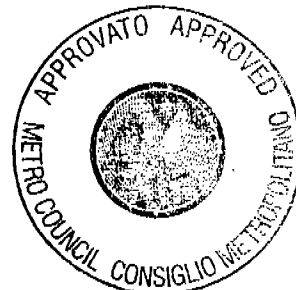


David Bragdon, Council President

Approved as to Form:



Daniel B. Cooper, Metro Attorney



**Exhibit A;
Metro Resolution No. 03-3398**

This exhibit serves as the Determination of Conformity to the Oregon State Implementation Plan for air quality for the 2002-05 Metropolitan Transportation Improvement Program as amended by Metro Resolution No. 03-3398.

Metro Resolution No. 03-3398 adds programming of \$1,676,000 of federal funding (\$1,867,826 total funding) for preliminary engineering (PE) of RTP Project Number 3001; Highway 217 between Tualatin Valley Highway and Highway 26 – widening to three lanes in north bound direction and interchange ramp work, in federal fiscal year 2004.

This is a non-exempt project for purposes of impact to air quality and therefore must demonstrate compliance with the Oregon State Improvement Plan for air quality prior to obligation of federal funds.

This project is adopted as a part of the 2000 Regional Transportation Plan financially constrained system for the Metro area, (as amended by Ordinance 02-946A). Within the financially constrained system, this project was programmed to be operating within the 2006 to 2010 time frame. Therefore, it was included as a built project in the 2010 network (and all subsequent networks) for conformity with air quality rules.

Quantitative conformity analysis of the 2000 Regional Transportation Plan, approved through Metro Resolution No. 00-2999, received joint Federal Highway Administration and Federal Transit Administration approval on January 26, 2001. The qualitative factors of the conformity determination demonstrating planning assumptions and modeling techniques are addressed in the 2000 RTP Air Quality Conformity Determination report. These issues have not significantly changed since adoption of the report. Therefore, no supplemental quantitative analysis of emissions effects of the funding allocation to this project is warranted.

As the amendment of the 2002-05 MTIP to include preliminary engineering for this project is consistent with the construction of this project within the 2006 to 2010 time frame as conformed within the regional transportation plan, and not prior to the 2005 air quality analysis year, also consistent with the plan, this amendment of the MTIP is in conformance with the Oregon State Implementation Plan for air quality.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 03-3398, FOR THE PURPOSE OF AMENDING THE 2002-05 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM TO ADD FUNDING OF PRELIMINARY ENGINEERING OF THE HIGHWAY 217 WIDENING PROJECT.

Date: November 24, 2003

Prepared by: Ted Leybold

BACKGROUND

The Metropolitan Transportation Improvement Program (MTIP) is a report that summarizes all programming of federal transportation funding in the Metro region and demonstrates that the use of these funds will comply with all relevant federal laws and administrative rules. To qualify to receive federal transportation funds, projects must be approved in the MTIP.

The Oregon Department of Transportation (ODOT) has proposed to begin preliminary engineering on the widening of Highway 217 northbound to three lanes between the Tualatin Valley (Oregon Highway 10) and Sunset (Oregon Highway 26) highways this federal fiscal year. While engineering of this project in this time frame is consistent with the Regional Transportation Plan and the project has completed necessary environmental analysis as a part of the Westside Environmental Impact Statement, it is not currently programmed in the MTIP.

ODOT proposed funding preliminary engineering of this project within its process to review and adopt the 2004-07 State Transportation Implementation Plan. This planning process has met all state and federal requirements for public involvement and has been adopted by the Oregon Transportation Commission. Metro has not yet completed its 2004-07 Metropolitan Transportation Improvement Program. ODOT is interested in beginning preliminary engineering of this project prior to when the US Department of Transportation may recognize the 2004-07 Metropolitan and State Implementation Plans as conforming with air quality regulations. To proceed prior to this federal action, it is necessary to amend the existing 2002-05 Metropolitan Transportation Improvement Program.

As the Highway 217 widening project will add capacity to the motor vehicle system, it must be found that construction of this project is in conformance with the federal Clean Air Act and specifically, the Oregon State implementation plan for air quality. The finding of conformance with the Oregon State implementation plan for air quality is attached as Exhibit A.

ANALYSIS/INFORMATION

1. **Known Opposition** None known at this time.
2. **Legal Antecedents** Several antecedents relate to this resolution. This amendment amends the 2002-05 Metropolitan Transportation Improvement Program, adopted by Metro Resolution No. 02-3178. This resolution programs transportation funds in accordance with the federal transportation authorizing legislation (currently known as the Transportation Equity Act for the 21st Century or

TEA-21) and the federal Clean Air Act. This resolution conforms with the Oregon State Implementation Plan for air quality. It is also consistent with the 2000 Regional Transportation Plan.

3. **Anticipated Effects** Adoption of this resolution is a necessary step to make the Highway 217 transportation project eligible to receive federal funds to reimburse project costs.
4. **Budget Impacts** Adoption of this resolution has no anticipated impacts to the Metro budget.

RECOMMENDED ACTION

Approve the resolution as recommended.