## BEFORE THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ENDORSING THE ) RECOMMENDATIONS OF THE GOVERNOR'S ) TASK FORCE ON MOTOR VEHICLE EMIS- ) SIONS REDUCTION IN THE PORTLAND ) METROPOLITAN AREA ) RESOLUTION NO. 92-1718B

Introduced by Councilor Richard Devlin

WHEREAS, The Clean Air Act Amendments (CAAA) of 1990 designate the Portland metropolitan area as moderate nonattainment for Carbon Monoxide (CO) and marginal non-attainment for Ozone (HC); and

WHEREAS, The CAAA of 1990 requires the Portland metropolitan area to demonstrate attainment with Ozone by 1993 and Carbon Monoxide by 1995; and

WHEREAS, Failure to meet attainment will result in the Portland metropolitan area being designated a higher nonattainment category and subject to stricter federal air quality regulations; and

WHEREAS, In order to stay in attainment the Governor appointed a Task Force in March 1992 to examine vehicle emission reduction strategies in the Portland metropolitan area; and

WHEREAS, The Task Force determined that to stay in attainment through 2007 reductions of 36 percent in Hydrocarbons and 20 percent in Nitrous Oxide were needed; and

WHEREAS, To meet the emission reduction targets, the Task Force reviewed a number of market-based and regulatory emission reduction strategies and recommended seven strategies for the base strategy plan, two for the contingency strategy plan and four for the safety strategy as identified in Exhibit A; now, therefore, BE IT RESOLVED,

That the Council of the Metropolitan Service District:

 Endorses the Task Force recommendations for the base, contingent and safety factor strategies as contained in Exhibit
A.

2. Endorses using any revenues generated from the strategies for transportation emission reduction strategies including transit which may require referral of a constitutional amendment to the statewide voters.

3. Directs Metro staff through TPAC and JPACT to continue to review key issues and develop implementation strategies.

4. Directs Metro staff through TPAC and JPACT to participate in the development and review of legislation needed to implement Task Force recommendations as appropriate and necessary.

5. That in the event the base strategy is not fully implemented, further consideration should be given to parking fees in the contingency plan strategy.

ADOPTED by the Council of the Metropolitan Service District this 22nd day of December, 1992.

Jim/Gardner, Officer Presiding

RBL/GR:1mk 92-1718B.RES 12-23-92

# RECOMMENDATIONS OF THE STATE'S MOTOR VEHICLE EMISSIONS TASK FORCE (As adopted by TPAC on 11-24-92)

# Strategy to Maintain Compliance with federal Air Quality Standards in the Portland area through 2007

**Objective:** Maintain healthful air quality and remove Clean Air Act impediments to industrial growth while accommodating up to a 31% increase in population and associated 47% in vehicle miles travelled over the next 15 years.

Base Strategy		Date Implemented Emission Reduction (%VOC / % NO <sub>x</sub> )	
1.	California 1994 Emission Standards for sale of new gasoline powered lawn and garden equipment.	1994	6.1 / 0
2.	High Option (Enhanced) Vehicle Emission Inspection.	TBD**	17.5 / 9.0
3.	Expansion of Vehicle Inspection Boundaries from Metro to Tri-County area. (Subject to further examination of exact boundary.)	TBD**	1.0 / 0.5
4.	Require 1974 and later vehicle models to be permanently subject to Vehicle Inspection.	TBD**	2.4 / 0.8
5.	Phased in Vehicle Emission Fee <sup>***</sup> based on actual emissions and mileage driven. -Starting 1994 at \$50 average (\$5 to \$125 range). -Reaching a \$200 average (\$20 to \$500 range) by 2000.	1994 - 2000	5.0 / 5.5
6.	Pedestrian, Bike, Transit friendly Land Use for new construction.	1995 - 1996	5.2 / 4.4
7.	Mandatory Employer Trip Reduction Program (50 or more employees).	TBD	1.2 / 1.1
	TOTAL EMISSION REDUCTION **** (Need 35.6% VOC / 20.2% NO <sub>x</sub> by 2007)		37.1 / 20.6

NET COST/BENEFITS: \$119 million/year savings, 8% traffic reduction, 11% energy savings

# Safety Factor Strategy

1.	Adequately Funded Public Education Program (\$1/vehicle/year).	1994
2.	Continue and improve public request for voluntary reductions in emissions on bad ventilation days.	1993
3.	Incident Management Program (rapid removal of accidents to minimize congestion)	TBD**
4.	Emission Standards for new outboard motors if and when California or EPA adopts such standards.	

# **Contingency Plan Strategy**

In the event the base strategy is insufficient to maintain air quality standards, the following strategies will be considered for adoption (as appropriate other strategies can also be adopted):

1.	Reformulated gasoline (to be implemented no sooner than 2005).	20.6 / 5.6
2.	Congestion Pricing. (Regional full scale application, subject to further research)*****	8.6 / 7.8

- Established by the 1991 Oregon Legislature and appointed by the Governor.
- " TBD To Be Determined, but expected sometime in 1995-2000 period.
- Revenue dedicated to provide better private/public transit service, selective free transit, mitigation of fee impact on low income households, and other incentive measures to provide lower polluting and less costly transportation. Will need constitutional amendment.
- Total adjusted for strategy overlaps.

The Task Force also recommended immediate pursuit of a congestion pricing demonstration program.

### TRANSPORTATION AND PLANNING COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 92-1718, ENDORSING THE RECOMMENDATIONS OF THE GOVERNOR'S TASK FORCE ON MOTOR VEHICLE EMISSION REDUCTION

Date: December 23, 1992 Presented by: Councilor Buchanan

<u>Committee Recommendation:</u> At the December 14 meeting, the Transportation and Planning Committee voted unanimously to recommend Council adoption of Resolution No. 92-1718A. Voting in favor: Councilors McLain, Buchanan, Moore and Washington. Excused: Councilor Devlin.

<u>Committee Issues/Discussion:</u> Andy Cotugno, Planning Director, presented the staff report. The resolution endorses the exhibit which is the summary of the recommendation of the task force. These recommendations, particularly to adopt the "Base Strategy", are the best combination of activities that the Governors's Task Force on Motor Vehicle Emission Reduction believes will meet the standards of air quality control, and maintain those standards while allowing for growth within the region.

This is a policy action indicating Metro's opinion. Legislation will need to be approved by the legislature before implementation. If they do, we will eventually need to adopt a State Implementation Plan, probably within two years.

He also discussed the contingency plan that contains additional strategies that will require another decision.

The third task force recommendation references the entire Tri-County area, but there is understanding on the part of the task force that that area may need to be reduced at a later date. Also, within the contingency package, the individual components are not ranked; all were considered. Also, eventually a constitutional amendment to raise additional revenues is endorsed.

Councilor Washington asked for clarification about why in the task force recommendation number 8 congestion pricing was dropped from the base strategy. Was it because it was determined not to contribute to emission reduction? Mr. Cotugno indicated yes, but it was considered to be of importance to the task force.

Councilor Moore stated that parking fees and reduction of vehicle miles traveled (VMT) should be recognized within the report. She asked if it could be added. Councilor Gardner, who was a member of the task force, indicated that parking fees received support from about half of the members. The focus was on air quality and not land use. Councilor Moore disagreed that parking fees would not relate to emission control. Parking fees equal less cars which equal less emissions.

The committee asked staff for a method of including parking fees on the contingency list. Mr. Cotugno explained that this package does not focus on VMT reduction, rather emission reduction. If we do not attain the Clean Air Act standard after implementation of the Base Strategy, any of the contingency can be added.

Councilor McLain explained that she believed to be the best procedural method to fashion a change toward implementation of parking fees would be to lobby the legislature. These recommendations came from a legislatively instigated task force. This resolution only indicates our endorsement of their recommendations. We cannot change their action, but we can comment on it.

Mr. Cotugno suggested that the appropriate place to the recommendation of the committee to include parking fees, would be within the endorsing recommendation itself. He suggested another resolve: "That in the event the base strategy is not implemented, further consideration and a contingency plan strategy should be given to parking fees." The committee adopted the wording.

#### STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 92-1718 FOR THE PURPOSE OF ENDORSING THE RECOMMENDATIONS OF THE GOVERNOR'S TASK FORCE ON MOTOR VEHICLE EMISSIONS REDUCTION IN THE PORTLAND METROPOLITAN AREA.

Date: November 17, 1992 Presented by: Andrew Cotugno

#### PROPOSED\_ACTION

Endorsement of the seven Base Strategies for meeting the target emission reduction goals for Hydrocarbons (-36%) and Nitrogen Oxide (-20%) by the year 2007; endorsement of the two contingency plan strategies that would be implemented if any of the base strategies fail to meet their air quality goals; endorsement of the four safety factor strategies which would be included in the maintenance plan to insure the desired safety margin for vehicle emission reductions would be achieved; and endorsement of the use of revenues generated from strategy-related fees for transportation-related emission reduction programs, including transit.

The recommendation of the Transportation '93 Committee on these recommendations is included as Attachment A to this Staff Report. This committee is comprised of city, county, regional, transit, legislative, industry and other interest group representatives to recommend action by the '93 Legislature.

TPAC has reviewed this endorsement and recommends approval of Resolution No. 92-1718.

#### FACTUAL BACKGROUND AND ANALYSIS

#### Formation of Task Force

As a result of HB 2175 passed by the 1991 Oregon Legislature, the Governor appointed a Task Force on Motor Vehicle emission Reductions in the Portland metropolitan area on March 11, 1992 to develop a list of recommendations for the state lawmakers, the Department of Environmental Quality, and the Metropolitan Service District on how to reduce vehicle emissions over the next 20 years in order to ensure attainment of federal health-based air quality standards. These standards call for attainment in emissions in 1993 for ozone (HC) and 1995 for Carbon Monoxide (CO).

The Task Force met seven times between April 1992 and September 1992 to discuss the level of reductions needed in the Portland metropolitan area and the potential means for achieving the targets. A list of Task Force members are included in Attachment A.

## Base Regional Growth Projections/Decisions

In formulating its recommendations, the Task Force adopted the following growth parameters that were incorporated into the analysis of vehicle emission reduction strategies.

- The Task Force agreed to use a 2.2 percent annual growth rate in regional VMT. This rate is slightly higher than the 1.7 percent contained in Metro's Regional Model and reflects a consensus of the direction of the growth trend being experienced in the region. Metro concurred with the recommendation.
- The Task Force agreed on the historical 1 percent industrial growth rate per year for industrial expansion in the future to ensure that expected industrial growth would not need to provide costly emission offsets.
- Although individual vehicle emission reduction strategies were considered revenue neutral, several pricing strategies generated revenues that could be used to pay for transportation emission reduction incentive programs. These programs could include incentives to use alternate modes such as free or reduced price transit passes, improved transit service, subsidies for private shuttle services, employer vanpool programs, employee travel allowances, and improved bicycle access. The revenues could also be used to offset the impact of the emission-related fees on low-income persons.
- The Task Force agreed to evaluate a safety margin of 2.9 percent growth in VMT per year. This was done to address unknown problems such as global warming which can exacerbate ozone problems in the region.
- The Task Force also agreed that a 95 percent confidence limit should be allowed in the computation of the ozone emission reduction target to reflect normal weather fluctuations expected in a 10-20 year period.

### Task Force Recommendations

The Governor's Task Force finalized its recommendations at its September 22, 1992 meeting. Exhibit A to the Resolution shows each individual strategy selected for the base plan, contingency plan and safety margin including their potential for reducing vehicle emissions. The base strategy recommendations included: (1) California 1994 emission standards for lawn and garden equipment; (2) an enhanced inspection and maintenance program; (3) an expansion of the inspection boundary to the Tri-Country area; (4) a base inspection year of 1974; (5) a vehicle emission fee collected every two years at the time of registration; (6) transit-supportive land use; (7) mandatory employer tripreduction program; and (8) a congestion pricing demonstration project. Direct costs to the individual, in order to gain the air quality and ancillary benefits, include: the emission fee, which will be phased in and range from \$5.00 to \$125.00 in 1994 and from \$20.00 to \$500.00 in 2000; and the enhanced inspection/ maintenance program which will increase the cost per visit from the current \$10.00 to \$35.00 to \$50.00.

The recommendations form the foundation for the Portland area air quality maintenance plan required by the 1990 Clean Air Act. The recommendations are complementary with the Oregon Benchmarks for Air Quality and Transportation, the Oregon Transportation Plan, State Transportation Goal 12, and the Legislature's global warming goal. Upon adoption of the individual emission reduction strategies, Metro and DEQ will develop the full detailed Maintenance Plan for submission to EPA. If any of the recommended measures are dropped or only partially implemented, other measures must be incorporated to meet the established reduction targets for 2007 of 36 percent for Hydrocarbons and 20 percent for Nitrogen Oxides. The two contingency measures recommended by the Task Force are available for consideration but other measures could also be substituted. Since measures must be implemented for inclusion in the final Maintenance Plan, the option of including congestion pricing is not available without further research. At the time the Maintenance Plan is adopted, contingency measures must be included in the event the adopted measures fail to maintain the standard. No further legislative or administrative hurdles can hinder implementation of those contingencies if future air quality violations reappear.

#### Issues

The Governor's Task Force based their selection of strategies on attaining the agreed-upon goals for hydrocarbon and NOx reduction by 2007. The rigid legislative deadline did not allow the Task Force to complete a full discussion of specific issues related to each individual strategy. Of consequence, a number of issues including the assumptions used in modeling fee-based strategies, the collection and use of revenues, the impact of land use strategies on individual jurisdictions, the impact of fees on low-income people, and the type and location of a congestion pricing demonstration project need further review and discussion by TPAC and JPACT prior to regional implementation.

A number of forums to resolve these issues are in place or have been proposed. Metro, through a comprehensive Transportation Demand Management (TDM) study, will further analyze the technical merits of the travel-related recommendations; the congestion pricing proposal will be examined through FHWA's Grant Solicitation process, requiring regional consensus; and the use of revenues will be addressed by groups such as Transportation 93 and those involved in Road Finance issues. For example, the Transportation '93 group is recommending the Legislature refer a measure to amend the constitution to allow emission fee revenue to be used for non-highway reduction strategies, including transit. At the request of TPAC, a subcommittee was formed to look at the assumptions used to model the use of revenues for transit.

The strategies which generate revenue were modeled in two ways. First, they were modeled to estimate emission reductions from the fee itself, ignoring the use of the revenue. Second, they were modelled to estimate emission reductions from the use of the fee in incentive programs. Any specific incentive program would be selected to provide the most air quality benefit and would need to be identified through an extensive analysis considering the economic, ridership, and other effects on the region as a whole. This was beyond the scope of the Task Force. As such, the emission reductions from a "generic" incentive program were modeled.

The generic incentive program modeled was a program to subsidize alternate transportation to those affected by the fee. In order to allow for revenues to be modeled, it was assumed that free alternate transportation would be provided to existing users of transit who could be affected by the fee, and only additional excess revenue would be used for new rides. To estimate the increase in non-auto trips from the use of revenues, Tri-Met's projected cost per boarding ride for its 2010 Strategic Plan level of ridership was used along with a factor to account for the elasticity of demand for targeted free transit. This cost (\$5.83) was assumed to be sufficient to cover conventional Tri-Met transit service as well as other alternative incentive programs such as employer travel allowance subsidies, privately operated shuttle service and vanpool purchases if these types of programs are ultimately found to be desirable to include in an incentive program.

Final strategies as included in the maintenance plan will likely be a combination of TDM and transit strategies, which will include service improvements and may, or may not, include a reduced fare structure. In any event, the maintenance plan strategy will be required to meet the HC and NOx reduction targets.

### <u>Legislation</u>

Metro and DEQ are working to put together a specific legislative package for review and approval by JPACT as appropriate and necessary. JPACT review may occur prior to and/or during the 1993 legislative session.

It is known that the implementation of the base strategies and the contingent strategies will require legislation in order to implement. At a minimum, legislation is needed to: (1) revise DEQ's Vehicle Inspection Program; (2) authorize the use of vehicle emission fees; (3) fund public education; and (4) authorize implementation of a congestion pricing program.

#### Costs and Benefits

The cost and benefits of Task Force recommendations are summarized below:

Costs: \$421 million/year for lawn and garden equipment, and vehicle inspection and new vehicle emission fee.

Benefits: \$540 million /year which reflects the savings in fuel and other costs of reduced operation of motor vehicles caused by emission fees, employer trip reduction programs and land use changes.

Net Cost: \$119 million/year savings

Net Cost/ Ton for HC/NOx emission reduction: \$9302/ton savings

#### <u>Next Steps</u>

Metro plans to follow up with the necessary administrative actions to: (1) make modifications to the Regional Transportation Plan (RTP) to reflect Task Force recommendations on emissions and VMT reductions; (2) administer available federal ISTEA funds to help implement Task Force recommendations; (3) support the development of an incident management strategy; (4) pursue development of a congestion pricing strategy; (5) participate in the public education program; and (6) pursue implementation of the base and contingency strategies through JPACT, and DEQ.

#### EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 92-1718.

RL:1mk 92-1718.RES 11-18-92

ATTACHMENT A PAGE 1

# TRANSPORTATION '93 COMMITTEE CLEAN AIR SUBCOMMITTEE REPORT, AS AMENDED NOVEMBER 12, 1992

The following summarizes the findings and recommendations of the Clean Air Subcommittee for consideration by the Transportation '93 Committee.

# FINDINGS:

• 31.

- 1. The Clean Air Act, adopted by Congress in 1990, as well as Environmental Protection Agency's (EPA) interpretive guidance for this Act, impose significant restrictions on growth in communities not attaining compliance with federal air guality standards.
  - a. Nonattainment means the community either fails to meet national air quality standards for a specific pollutant or does not have an approved air quality maintenance plan in place.
  - b. Restrictions on growth generally impact industry. Among the many restrictions for new industrial sources of air pollutants in an nonattainment area is the requirement for obtaining emission offsets for planned new air emissions before construction can begin. The offset must, for most pollutants, be greater than the new emissions.
  - c. The new offset rule could prevent industrial and economic growth in these communities with industries emitting the specified pollutants.
  - d. Continuation of nonattainment could result in withholding of federal highway funds.
- 2. Oregon has several nonattainment areas for major air pollutants. Portland, Salem, Eugene/Springfield, Medford, Klamath Falls and Grants Pass are in nonattainment for carbon monoxide; Portland for ozone pollution; and, Eugene/Springfield, Medford, Klamath Falls, Grants Pass, Oakridge, Lakeview and La Grande for small particulate.
- 3. The Portland Metropolitan area will need to accommodate up to 31 percent increase in population and associated 47 percent in vehicle miles travelled during the next 15 years.
- 4. Automobiles and wood stoves are the primary source of air pollution, not industry. Notwithstanding this fact, the Federal Clean Air Act severely restricts industrial and economic growth in a community where air pollution exceeds or is likely to exceed federal air quality standards.

5. Oregon's nonattainment areas can avoid the limiting effects of offset requirements. An area having achieved national air quality standards can provide EPA with a maintenance plan for staying in compliance. Upon approval by EPA of such a plan for a community, the offset rules will no longer restrict industrial and economic growth.

# **RECOMMENDATIONS:**

A. Adopt the <u>Base Strategy</u> of the State's Motor Vehicle Emissions Task Force to maintain compliance with federal Air Quality Standards in the Portland Area through 2007.

(1) Total emission reduction needed by 2007 is 35.6 percent VOC and 20.2 percent NOx.

(2) Base strategy will provide total emission reduction of 37.1 percent VOC and 20.6 percent NOx.

- B. Environmental Quality Commission as soon as possible should file with Environmental Protection Agency a maintenance plan for compliance with federal Air Quality Standards.
- C. In the event the Task Force's base strategy fails to achieve expected results in the Portland area, or if other unexpected factors threaten compliance with air quality standards, a program will be implemented to require the use of reformulated fuels. Anticipated emission reduction is 20.6 percent VOC and 5.6 percent NOx.
- D. Continue statutory authority for the State's Motor Vehicle Emissions Task Force. This body needs to be available to evaluate the impact and determine appropriate policy as circumstances and technology impact the ability of the state to maintain and/or improve compliance with federal Air Quality Standards.
- E. Propose adoption of constitutional amendment dedicating for non-highway related transportation a source of revenue based on a survey of voter attitudes for such dedication.
- F. Supports public policy that promotes and encourages the use of clean transportation fuels. "Clean Transportation Fuels" means any fuel determined by the Department of Environmental Quality to be less polluting than conventional gasoline, including but not necessarily limited to reformulated gasoline, low sulphur diesel fuel, natural gas, liquified petroleum gas, methanol, ethanol, any fuel mixture containing at least 85 percent methanol or ethanol and electricity.
- G. Support the Portland area application for a congestion pricing pilot project.

ATTACHMENT A PAGE 3

# Motor Vehicle Task Force Members 4/23/91

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# BEFORE THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ENDORSING THE ) RECOMMENDATIONS OF THE GOVERNOR'S ) TASK FORCE ON MOTOR VEHICLE EMIS- ) SIONS REDUCTION IN THE PORTLAND ) METROPOLITAN AREA ) RESOLUTION NO. 92-1718A

Introduced by Councilor Richard Devlin

WHEREAS, The Clean Air Act Amendments (CAAA) of 1990 designate the Portland metropolitan area as moderate nonattainment for Carbon Monoxide (CO) and marginal non-attainment for Ozone (HC); and

WHEREAS, The CAAA of 1990 requires the Portland metropolitan area to demonstrate attainment with Ozone by 1993 and Carbon Monoxide by 1995; and

WHEREAS, Failure to meet attainment will result in the Portland metropolitan area being designated a higher nonattainment category and subject to stricter federal air quality regulations; and

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3. Directs Metro staff through TPAC and JPACT to continue to review key issues and develop implementation strategies.

4. Directs Metro staff through TPAC and JPACT to participate in the development and review of legislation needed to implement Task Force recommendations as appropriate and necessary.

5. That in the event the base strategy is not implemented, further consideration and a contingency plan strategy should be given to parking fees.

ADOPTED by the Council of the Metropolitan Service District this \_\_\_\_\_ day of \_\_\_\_, 1992.

# Jim Gardner, Presiding Officer

## BEFORE THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ENDORSING THE RECOMMENDATIONS OF THE GOVERNOR'S TASK FORCE ON MOTOR VEHICLE EMIS-SIONS REDUCTION IN THE PORTLAND METROPOLITAN AREA RESOLUTION NO. 92-1718

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# Jim Gardner, Presiding Officer

RBL:1mk 92-1718.RES 11-18-92