

M E M O R A N D U M

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1700 | FAX 503 797 1794



METRO

DATE: November 3, 2005
TO: JPACT and Interested Parties
FROM: Ted Leybold: Principal Transportation Planner
SUBJECT: Background on 2008-11 STIP Program Targets and 2006-11 agency funding allocations

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At their October 19 meeting, the Oregon Transportation Commission (OTC) received the ODOT staff recommendation on funding levels for each program area to be the basis for development of the 2008-2011 Statewide Transportation Improvement Program (STIP). In accordance with normal practice, this includes the addition of two years of funding to consider added projects. In addition, this STIP will reflect the increased funding levels provided by the SAFETEA-LU reauthorization bill, including increased funding from 2005 forward. The OTC is seeking comments and will take action on the funding targets at their December meeting. The purpose of this memo is to provide a description of their staff recommendation and suggested comments to consider submitting.

Background

- In total, for state fiscal years 2006-2011, the recommendation forecasts a funding level of **\$604.3 million**, including funds that are passed through to sub recipients. This pass through includes STP and CMAQ funds available to Metro to distribute, similar allocations to other MPOs and local governments and transit grants made available to transit districts throughout the state.
- In addition to funding increases to ODOT, there are also increased levels of Federal Transit Administration funding that will go directly to transit districts on both a formula and discretionary (i.e. New Starts) basis.
- Of the \$604.3 million increase, \$391.8 million is earmarked, either to specific projects or as the above referenced pass through allocations.

- As a result there is a net forecast of **\$212.5 million** in discretionary funds available for the OTC to distribute between state fiscal year 2006 and 2011.
- There is some flexibility in federal funds and other state funds dedicated to ODOT, allowing the OTC to consider funding program increases in both their highway and non-highway portfolios and within the highway program to fund increases across maintenance, preservation, bridge and modernization program categories.
- In addition, to these increased funds that will be allocated through the STIP process, there is also \$100 million of lottery bond funds through the "Connect Oregon" program that ODOT will be allocating to non-highway capital projects.

ODOT Staff Recommendation

- ODOT staff proposes to allocate the \$212.5 million of forecasted increase in discretionary funding as follows:
 - \$42.5 million for non-highway programs
 - \$97.8 million for highway modernization
 - \$72.2 million for increased highway preservation and maintenance
 - \$170 million total highway funding increase
- The \$170 million recommended increase for highway programs includes:
 - An increase in highway maintenance funds of approximately \$5 million per year tied directly to the increased cost of fuel on ODOT's operations.
 - An increase in highway pavement preservation funding to address a backlog of culvert failures
 - An increase in highway modernization funds of approximately \$24 million per year, roughly equivalent to the planned decrease in modernization funds that is scheduled for 2008 when retirement of OTIA 3 bonds are scheduled to begin (Starting in 2008, ODOT Modernization fund is scheduled to drop roughly in half as redirection to OTIA 3 bond retirement payments begin to retire the \$500 million OTIA 3 modernization program).
 - ODOT recommended the modernization funds be allocated through the regional equity formula. Commission members asked questions about whether funding to restore the transportation infrastructure program which has been cut \$1 million/year since 2002 should be restored. No review of the regional equity distribution formula was recommended by ODOT.
 - ODOT staff has not recommended targeting a portion of the funds for highway bridge replacement and repair even though on-going bridge funds are scheduled to be reduced from approximately \$80 million/year to \$50

million/year to retire OTIA 3 bridge replacement bonds. These bonds funded a portion of the \$1.3 billion OTIA 3 state and local bridge program. ODOT staff told the Commission that even with the bridge earmark, overall bridge conditions start falling in the out years.

- The \$42.5 million recommended increase for non-highway programs includes:
 - \$13.7 million for various ODOT building repair and replacement;
 - \$2.4 million for various DMV upgrades;
 - \$2.9 million for various motor carriers (trucking) programs;
 - \$14.5 million for various passenger rail improvements and safety warning devices; and
 - \$9 million for transit improvements and vehicle replacements.

Draft 2008-2011 STIP Development Timeline for JPACT and ODOT Region 1

- October 2005: Region 1 distributed and discussed ODOT Recommended Statewide Program Funding Allocations, 2008-2011 STIP Development Timeline, and Prioritization Factors for Modernization Program at October 13th JPACT and October 14th TMAC. Region 1 is on agenda to continue discussion at October 28th TPAC.
- November 2005: Region 1 available to continue discussion at November 10 JPACT, if needed. JPACT will adopt comments on the ODOT Recommended Statewide Program Funding Allocations and submit to ODOT.
- December 2005: Region 1 will provide information on other project lists being developed by ODOT (preservation, bridge, safety).
- January 2006: Region 1 will distribute Candidate Project List (a.k.a. 150% list) and Region 1 Funding Allocations to agency stakeholders and the public for comment.
- February 2006: **February 7— Joint Public Meeting** for review of STIP Candidate Project List and Oregon Transportation Plan.
- March 2006: JPACT will adopt comments on Candidate Project List and submit to ODOT. Region 1 will continue meetings with agency stakeholders.
- April 2006: **April 14th is the Deadline** for comments on the Candidate Project List. Region begins programming projects.
- July 2006: Region 1 will brief JPACT on Draft Recommended STIP project list (a.k.a. 100% list).
- August 2006: Region 1 will submit Draft Recommended STIP project list to Salem for printing.
- September 2006: ODOT will print Draft STIP document and distribute to agencies and the public.
- October 2006: ODOT will begin public comment period for the Statewide 2008-2011 Draft STIP.
- January 2007: Region 1 will brief JPACT on public comments received and submittal to Salem.
- February 2007: JPACT will submit comments to ODOT/OTC.



November 10, 2005

Oregon Transportation Commission
355 Capitol Street NE
Room 207
Salem, Oregon 97301

Dear Chair Foster and Commission Members:

Thank you for the opportunity to comment on the recommended 2008-11 STIP Targets and 2006-11 agency funding allocations. We wish to congratulate ODOT staff on the comprehensive look at both highway and non-highway state transportation needs.

JPACT wishes to emphasize that even with the increase in federal revenues expected to be available for transportation projects and programs in Oregon, there remains a substantial shortfall of funding to meet transportation needs in the Metro region and state. We support restoration of the Modernization program to pre-OTIA bond payout levels, resulting in approximately \$17 to \$18 million available annually for highway modernization projects in the Metro area. Unfortunately, the highway projects contained in our Regional Transportation Plan needed to meet state land use goals are now estimated to cost more than \$3 billion over the next 20 years.

We offer our comments in the spirit of our intention to support efforts to begin to address this shortfall in the 2007 Legislative session and through local efforts as well as potential public/private partnerships. We look forward to working with you in these endeavors.

Financial comments we would like to provide include the following.

1. The region supports the staff recommended allocation of funds to the Modernization program to pre-OTIA bond payment levels for distribution through the regional equity formula to the ODOT regions.
2. We support additional funds for protective right-of-way purchases. The staff recommendation reflects a modest \$1.3 million/year for protective right-of-way purchases. The Commission has identified five Projects of Statewide Significance in the Portland metro area, all of which could face substantially higher costs due to right-of-

way encroachment. A small increase in these funds would produce a substantial future cost savings.

Policy comments we would like to provide are:

1. ODOT staff did not suggest review of the regional equity split for sub-allocation of Modernization funds. We recommend the Commission request staff investigate the following changes to the regional equity split formula.
 - a. One of the six factors in determining the regional equity split is related to the percentage of Modernization needs as defined by costs of projects in the Oregon Transportation Plan. Project costs should be updated where ODOT has completed new project cost estimates and the percentage of need updated accordingly.
 - b. An additional factor that accounts for the differences in the economic impact of modernization expenditures should be added to the regional equity split formula. The ability of Modernization investments to create jobs, economic activity, and new tax revenues to the state is a critical policy objective that is not reflected in how modernization funds are distributed to the regions of the state. There are many possibilities for measurement of economic activity that could be used in the regional equity formula. We would be happy to work with you and other stakeholders to develop a measure to address this objective.

2. With the upcoming adoption of a new Oregon Transportation Plan, we feel it would be timely for an analysis of the allocation of funds across ODOT divisions and programs prior to the programming of funds for the 2009-13 STIP. The analysis should involve outside stakeholders and evaluate opportunities of how to best implement the policy directives of the updated plan.

Again, thank you for considering our comments and we look forward to working with you to address funding Oregon's needed transportation infrastructure.

Sincerely,

Rex Burkholder

Chair, Joint Policy Advisory Committee on Transportation

Other issues raised at TPAC

Note: All of these potential comments would require reallocation of funds from those recommended by ODOT staff. Addition of any of these comments should be explained in the context of JPACT support of the restoration of Modernization funds to pre-OTIA bonding levels or from other funding recommendations.

1. Consideration of a funding increase to transit districts equivalent to their increased fuel costs in the same manner as the recommended funding increase for ODOT maintenance to address its increased fuel costs.
2. Support for restoration of the Transportation Enhancement Program to the equivalent level as the other federal program categories (i.e. at the assumed 92% obligation limit).
3. Consideration of additional funds to supplement the new federal Safe Routes to Schools program. This is a new program that apportions federal funds to projects that improve safe access to schools and requires the hiring of a statewide program coordinator. One option other than Modernization funds would be to supplement the Safe Routes to Schools federal program funds through Safety Program funds. The commission could either directly dedicate a portion of Safety funds to the Safe Routes to Schools program funding or add prioritization criteria emphasizing Safe Routes to Schools projects to the Safety program. Safety program eligibility criteria allow investment in projects that appear to be complementary to Safe Routes to Schools program goals.
4. Consideration of additional funding to the local portion of the bridge program or an increase to the local bridge target percentage of the overall bridge program funds. The local portion of the bridge program will face steep reductions in funding levels beginning in 2008 due to the OTIA bond payments without additional funding allocations.
5. Consideration of dedicating funds to construction of toll facilities where tolls will not fully fund construction of a new facility.

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METRO

DRAFT

DATE: November 10, 2005
TO: JPACT Members and Interested Parties
FROM: Andy Cotugno, Planning Director
SUBJECT: FY '07 Appropriations Requests – Issues and Options

Staff is seeking policy guidance from JPACT on what to emphasize in the region's FY '07 Transportation Appropriations request. Issues surrounding this are as follows:

1. The Oregon delegation has raised concerns about the region's request for project earmarks being too long, asking the region to more aggressively set priorities.
2. Requests for earmarks for the past 3 years have been in the context of a 6-year reauthorization bill, which provides for much greater opportunity. This year's request is in the context of an annual appropriations bill providing a much smaller opportunity in the highway program categories.
3. The region must seek earmarks for the transit program categories. Conversely, most of the highway program funds are distributed through formulas and many of the highway discretionary funding categories have already been earmarked in the authorization bill.
4. While the region fared extremely well with earmarks in the authorization bill, many are partial amounts. In the criteria originally established, sponsoring jurisdictions were expected to demonstrate how they could complete a logical project with a partial earmark.
5. The FY '06 Appropriations Bill is still pending so the region does not know which earmark requests will be successful and which should be pursued again in FY '07.
6. JPACT has not established a policy direction for seeking earmarks, thereby producing requests from project sponsors that are of a very different character.

7. Projects not selected as priority for FY '07 appropriations earmark could be considered in future years or could be sought for funding through the MTIP, the STIP or through efforts to seek new funds through the legislature or ballot measure.

The purpose of this memo is to provide JPACT with several alternative approaches to developing the region's priority earmark request.

Recommendations

1. JPACT should establish a regional program for earmarking requests from the transit program. A candidate list is as follows:

| | |
|---|----------------|
| a. I-205/Mall LRT | \$40.0 million |
| b. Milwaukie DEIS | \$1.0 million |
| c. Wilsonville-Beaverton Commuter Rail | \$27.5 million |
| d. TriMet Bus Replacement | \$8.0 million |
| e. SMART Multimodal Facility | \$1.4 million |

2. JPACT should endorse earmarks from non-transportation appropriations bills that help further the regional transportation agenda. A candidate list is as follows:

| | |
|--|--|
| a. TriMet Communications System | \$12.0 million (Dept. of Homeland Security) |
| b. S. Waterfront Streetcar | \$1.0 million (HUD \$) |
| c. Port: Columbia River Channel Deepening | \$40.0 Million (Energy & Water Appropriations) |

3. JPACT should set highway earmarking priorities as follows:

- a. All earmark requests should be in the financially constrained portion of the RTP.
- b. Requests should be limited to a dollar amount and category that is appropriate. Based upon historical experience, this means requests should generally be no greater than \$5 million.
- c. Requests should be only for work that can be obligated within the timeframe of this bill, not simply requests to accumulate over multiple bills for a later date. Only ask for projects and project amounts sufficient to complete the next logical step or that have a finance plan to complete the phase (i.e. enough to complete PE, right-of-way acquisition or construction). Do not allow requests that are simply a partial payment toward one of these steps.
- d. Recognize that jurisdictions will seek earmarks outside the JPACT process but these are strictly the request of that jurisdiction and are not sanctioned as part of the regional program and any funding gap will be the responsibility of that jurisdiction, not the MTIP or STIP.
- e. JPACT should direct staff to produce a priority list based upon one or more of the following policy directions:

OPTION 1 – Emphasize taking projects that have already been initiated through recent earmarks through at least their next logical step. Do not allow new earmarks.

OPTION 2: Require each jurisdiction or group of jurisdictions represented at JPACT to select a single priority. The following jurisdictions would be expected to narrow their requests to a single priority each:

- ODOT
- Portland
- Multnomah County
- Washington County
- Clackamas County
- Cities of Multnomah
- Cities of Washington
- Cities of Clackamas
- Port of Portland
- Metro

OPTION 3: Limit priorities to those that emphasize economic development.

DRAFT Requests

| Project Map Number | Project Type/ Name | Reauthorization Request | | FY '06 | FY '07 | Congressional District |
|-----------------------------------|--|-------------------------|---|------------------------|------------------------|------------------------|
| | | Request | Request | Appropriations Request | Appropriations Request | |
| H-1 | I-5 Trade Corridor | | | \$5,000 | \$5,000 | 3 |
| H-1a | -I-5 Delta Park to Lombard Widening | \$32,800 | \$16,200 | | | 3 |
| H-1b | -Highway/Transit Columbia Crossing | \$15,000 | | | | 3 |
| H-1c | -Highway/Transit Columbia Crossing | \$35,000 | | | | 3 |
| H-2 | I-5/99W Connector | \$15,000 | \$18,248 | \$2,500 | \$2,500 | 1 |
| H-3 | Hwy 217:Tealatin Valley Highway to US 26 | \$26,900 | \$8,745 | | | 1 |
| H-4 | Sunrise Project: I-205 to Rock Creek | \$32,000 | \$19,000 (Including Demarcus Planning) | | | 3 |
| H-5 | Sunrise Project: Unit 2 | | | \$3,000 | | 3 |
| | Columbia Intermodal Corridor | | | | | |
| H-6a | -Ramsey Railroad Yard | \$11,000 | \$11,000 | | | 3 |
| H-6b | -Air Cargo Access Road | \$9,000 | | | | 3 |
| H-7 | I-205 Auxiliary Lane | | \$3,000 | \$3,000 | | 5 |
| H-8* | ITS Equipment (ODOT) | | | \$1,200 | | 1/3/5 |
| | SUB-TOTAL | \$176,700 | \$68,193 | \$14,700 | \$7,500 | |
| TRANSIT PROJECT PRIORITIES | | | | | | |
| T-1a | South/North LRT Project Segments | Reauthorize | | | | |
| | -Intestate MAX | Reauthorize | \$41,548 | \$18,120 | | 3 |
| T-1b | -South Corridor/I-205 | Reauthorize | Authorized for Construction | | \$40,000 | 3 |
| T-1c | -Milwaukie Light Rail DEIS | Reauthorize | | | \$1,000 | 3 |
| T-1d | -North: Expo to Clark County | Reauthorize | Authorized for PE | | | 3 |
| T-2 | Wilsonville-Beaverton Commuter Rail Proj. | Reauthorize | Authorized for Construction and Grandfathered | \$37,800 | \$27,500 | 1 |
| T-3* | TriMet Bus and Bus Related | | | \$8,000 | \$8,000 | |
| T-4a | SMART Bus - Wilsonville - Maintenance Facility | | \$0,209 | \$1,750 | \$1,744 | 5 |
| T-4b | SMART Bus - Wilsonville - Multimodal Facility | | | | \$1,400 | 5 |
| | Portland Streetcar | | \$3,000 Authorized for PE | | | |
| T-5a | -Segment 1: to Lloyd District | Authorize | | | | 3 |
| T-5b | -Segment 2: To Central Eastside District | Authorize | | | | 3 |
| T-5c | -Segment 3: To South Water front | Authorize | | \$2,000 (HUD Dollars) | \$1,000 (HUD Dollars) | 3 |
| T-5d | -Segment 4: To Lake Oswego | Authorize | | | | 5 |
| | SUB-TOTAL | \$42,900 | \$44,757 | \$67,670 | \$80,644 | |
| LOCAL PROJECT PRIORITIES | | | | | | |
| L-1 | Wilsonville: Boeckman Road -Urban Village | \$3,000 | \$0,800 | | | 5 |
| L-2 | Wilsonville: Barber Street Urban Village Connection | \$3,700 | \$3,700 | \$2,000 | | 5 |
| L-3 | Milwaukie: Lake Road | \$6,000 | \$4,000 | \$1,000 | \$0,800 | 3 |
| L-4 | Gresham: Gresham Civic Neighborhood LRT Station | \$2,700 | \$1,170 | | | 3 |
| L-5 | Gresham: Rockwood Town Center | \$2,000 | \$2,000 | | | 3 |
| L-6 | Gresham: Springwater-US 26 Access | | | \$5,000 | \$5,000 | 3 |
| L-7 | Gresham: Fairview Trail | | | \$1,000 | \$1,000 | 3 |
| L-8 | Oregon City: I-205/Hwy 213 Interchange | \$5,600 | \$2,300 | \$2,000 | \$1,000 | 5 |
| L-9 | Portland: I-5/North Macadam Access | \$15,000 | | \$15,000 | \$13,000 | 5 |
| L-10 | Portland: North Macadam Access | \$9,000 | \$1,000 | | | 5 |
| L-11 | Portland: Gateway 102nd | \$4,800 | \$4,200 | | | 3 |
| L-12 | Portland: East Burnside Corridor Street Improvements | \$5,000 | \$5,000 (Including Streetcar) | | \$4,700 | 3 |
| L-13 | Portland: I-5/I-405 Loop | | | \$4,000 | \$1,000 | 1 |
| L-14 | Portland: Going Street Bridge | | | \$2,000 | \$0,500 | 3 |
| L-15 | Multnomah Co.: Sellwood Bridge | \$25,000 | \$7,000 | \$4,000 | \$4,000 | 3/5 |
| L-16 | Washington Co.: Beaverton Hillsdale/Scholls | \$25,000 | \$3,000 | | | 1 |
| L-16* | Metro TOD Revolving Fund | \$10,000 | | | \$6,000 | 1/3/5 |
| L-17* | Metro Regional Trail Program - Next Phase | \$5,000 | \$5,000 | | | 1/3/5 |
| L-18* | Metro Regional Culvert Retrofit - Phase I | \$5,000 | | | | 1/3/5 |
| L-19 | Port/Trousdale: I-84/257th Interchange | | \$1,000 | \$2,000 | \$1,000 | 3 |
| L-20 | Clackamas County: Beaver Creek Road | | | | \$1,700 | 5 |
| L-21 | Wilsonville: Kinsman Rd. | | | | \$2,000 | 5 |
| L-22 | Hillsboro: Regional Center TOD | | | | \$2,800 | 1 |
| L-23 | Washington County: Century Blvd. Bridge | | | | \$5,500 | 1 |
| | SUB-TOTAL | \$126,800 | \$50,436 | \$38,000 | \$50,000 | |

| Project Map Number | Project Type/ Name | Reauthorization Request | FY '07 Appropriations Request | FY '07 Appropriations Request | Congressional District |
|--|---|-------------------------|-------------------------------|-------------------------------|------------------------|
| <i>Research</i> | | | | | |
| O-1 | Designate Portland State University as National University Transportation Research Center | \$2,500 | \$16,000 | \$1,000 | 1/3/5 |
| <i>Support for OTA Transit Request</i> | | | | | |
| O-2 | South Clackamas (Melalla) Transit District | | \$33,000 | \$0.160 | 5 |
| O-3 | City of Sandy Transit | \$1,200 | \$385,200 | \$1,200 | 5 |
| O-4 | City of Canby Transit Center | | \$125,400 | \$0.500 | 5 |
| <i>Support for Other Priorities</i> | | | | | |
| O-5 | I-5 Trade Corridor ¹ (WSDOT Share) | \$50,000 | \$14,220 | \$8,000 | |
| O-6* | Vancouver Area Smart Trek ² | | \$0.500 | \$1.500 | |
| O-7* | West Coast Coalition ³ | | \$0.500 | \$0.500 | |
| O-8 | Channel Deepening Project | | | \$40,000 | 1/3/5 |
| O-9 | Columbia River/RR Swing Span | | | Language Change | |
| | SUB-TOTAL | \$53,700 | \$32,014 | \$52,860 | \$0.000 |
| <i>Transportation (Other)</i> | | | | | |
| A-1* | I-5 and Statewide Bridges | | \$200,000 | | |
| A-2* | Domestically Produced Streetcar | | \$1,000 | | |
| A-3 | I-205 and Airport Way | | \$1,000 | \$1,000 | 3 |
| A-4 | Union Station | | \$83,600 | | |
| A-5 | US 26 Widening Study-Hwy 217 to Corvallis Pass | | \$0.992 | | 1 |
| A-6 | Hwy 99W-Tualatin Wildlife Refuge | | \$0.794 | | 5 |
| | SUB-TOTAL | | \$206.87 | | \$1.00 |
| | GRAND TOTAL | | | | |

*NOTE: These projects are not mapped to a specific geography

¹ Subject to creation of this category of funds

² Requester is Washington Congressional Delegation

DRAFT

November 10, 2006

Ms. Lorna Youngs
Acting Director, Oregon Department of Transportation
355 Capital St. NE, Room 135
Salem, OR 97301-3871

Dear Ms. Youngs:

The Joint Policy Advisory Committee on Transportation is pleased that the legislature passed the Connect Oregon program, which represents a significant public investment in marine, rail, transit and aviation transportation throughout the State. The project is on a fast track to ensure that the economic benefits envisioned by the program can be obtained as soon as possible. The Oregon Department of Transportation has proposed rules for the program with the goal of submitting project recommendations to the Oregon Transportation Commission in May 2006.

While we support the program overall there are several issues that should be further addressed in either the rules or application information:

- The rules should specify a time period for MPO review and comment on applications. Additionally, projects that fall under the jurisdiction of the MPO should be required to be in appropriate plans by the time of construction.
- One of the goals of the program is economic development. This is a critical element of the program. Attention should be given to how this is evaluated. The law calls for two criteria related to the economy. One is job creation and the other is benefit to Oregon businesses. It is important that the rules and/or application materials provide clear direction as to how these criteria will be evaluated. Applicants should be required to demonstrate a meaningful impact in terms of economic benefits.

Job creation from a typical transportation project is often hard to quantify. The public benefit could be economic development assistance to business through better or more frequent transit or freight service. This could be quantified through timesavings to shippers or commuters. Ideally the project should leverage concrete commitment to service improvement, such as another ship to the Port, another train per day available to ship goods or more frequent or faster transit service. Another example of benefit could be increased speeds for the existing passenger trains between Portland and Eugene or it could be agreement that increased railroad capacity will count toward a future added passenger train between Portland and Eugene. The concrete commitment to service improvement is critical in the case of projects that will be owned by a private company.

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- The rule or other materials should specify the amount and timing of available funding.
- The requirement that projects be ready for construction needs to be clarified. It is our understanding that these funds will be available starting in 2006, so the construction readiness criteria will limit the pool of eligible projects for consideration. This should be clearly laid out in the application materials.

We appreciate the opportunity to comment on the proposed Connect Oregon program rules. The region looks forward to working with ODOT to identify projects that best serve the interests of the State.

Sincerely,

Rex Burkholder
JPACT Chair

cc. Julie Rodwell, ODOT
Andy Cotugno, Metro



ConnectOregon – 10/07/05 Update

What is ConnectOregon?

ConnectOregon is a lottery bond-based, \$100 million legislative initiative to invest in air, rail, marine, and transit infrastructure to ensure Oregon's transportation system is strong, diverse, and efficient.

Who ultimately benefits from ConnectOregon projects?

All Oregonians will reap the benefits from enhancing Oregon's transportation infrastructure. Residents and businesses, as well as the environment, will benefit by having a more efficient, productive transportation system that improves Oregon's business environment, ultimately leading to more jobs and a more sound economy.

Will ConnectOregon benefit only urban areas?

No. Projects in all parts of the state will be considered for funding. Senate Bill 71 (SB 71) requires that at least 15 percent of the funds be allocated in each of the five regions (regions are geographic groupings of counties; see web site for map, <http://www.oregon.gov/ODOT/COMM/CO/index.shtml>). This means that 75 percent of funds will be distributed regionally.

What is an "emergency rule?"

An emergency rule is temporary, meaning it has an expiration date. It is usually replaced by a permanent rule.

Why is there a sunset date of 2012?

The sunset date of January 1, 2012 only applies to Section 7, regarding transportation projects built on Port of Portland property in Troutdale and not other sections.

What will ODOT's communication & outreach efforts accomplish?

ODOT intends to keep interested parties informed of opportunities provided by the legislation for participation as well as involvement in the decision-making process.

Who are some of the key stakeholders in ConnectOregon?

Key stakeholders include representatives and advisory groups from the eligible transportation modes, freight shippers and carriers, business organizations, municipalities, and the environmental community.

What communication channels will be used?

Informational meetings with interested parties are being held throughout the state. A *ConnectOregon* web site that contains background and current information is available through the ODOT web site. ODOT is also maintaining a list of individuals and groups who want to receive regular e-mail updates; information about how to get on the mailing list is on the *ConnectOregon* website.

How can I keep current on progress or changes in this program?

The *ConnectOregon* website (<http://www.oregon.gov/ODOT/COMM/CO/index.shtml>) will contain updates as well as other important information. You may also contact ODOT by email at connectoregon@odot.state.or.us and ask to be added to the electronic mailing list for *Connect Oregon*.

What criteria will be used to evaluate projects for *ConnectOregon* funds?

SB71 provides criteria that the Oregon Transportation Commission (OTC) shall consider in evaluating project applications:

- Whether the project reduces transportation costs for Oregon businesses;
- Whether it benefits or connects two or more modes;
- Whether it is a critical link in a statewide or regional transportation system;
- How much of the cost can be borne by applicants;
- Whether the project creates construction and permanent jobs in the state; and
- Whether the project is ready for construction.

Are projects that can be funded by fuel and motor vehicle tax revenues eligible for *ConnectOregon* funding?

No. Projects eligible for funding from the Oregon State Highway Fund, i.e. fuel taxes and motor vehicle taxes, are not eligible for *ConnectOregon* funding. However, funds from other state sources may be utilized. If a highway or public road element is essential to the complete functioning of the proposed project, applicants are encouraged to work with their ODOT Region, city or county to identify the necessary funding sources.

Can a publicly owned road be part of a *ConnectOregon* project?

Yes, but no *Connect Oregon* funds can be used for improvements that are otherwise eligible to be funded by fuel and motor vehicle tax revenues.

Can *ConnectOregon* funds replace existing and/or previously identified project funds?

No.

The bill says “Transportation Projects” are eligible for funding. Does that include all the modes and types of projects and facilities defined in the ORS?

No. Only rail, marine, aviation, and transit projects are eligible. Bicycle and pedestrian projects, for example, are excluded. Note that the bill refers to “transportation projects.” Operating costs are not eligible.

Are capital equipment purchases eligible projects?

Yes.

Will applications be considered for a combined government and private project?

Yes.

Will my project’s chances be increased if I break it into smaller projects?

If a project can be phased or broken into smaller pieces that still function effectively and provide a benefit to the transportation system, then yes—smaller, less expensive projects *may* be more competitive than larger, more expensive. If a project can be “phased” and turned into several different applications, each application should clearly state how it is related to the other applications so that Oregon Transportation Commission (OTC) can understand the relationship when it selects the projects.

May I submit multiple project applications?

Yes.

How will I fare if my project is not yet fully funded?

Documentation of how the entire project will be funded must be submitted with the application.

What process will be used to submit a project for ConnectOregon funding?

All project applications, including those for aviation projects, will be submitted to ODOT. Senate Bill 71 directs ODOT to adopt rules specifying the process to apply for loans and grants for projects. It is expected that applications will open in late November and close in mid-January. Interested parties should watch the ODOT web site and add their names to the ODOT e-mail list of updates and notification: <http://www.oregon.gov/ODOT/COMM/CO/index.shtml>. E-mail contact list – tell us at connectoregon@odot.state.or.us that you would like to be on our e-list.

Will ODOT and/or the Aviation Board perform an initial assessment on project applications?

Yes. ODOT will initially screen all projects for completeness, reasonableness, and financial viability.

Will ODOT assist applicants in the project submission process?

ODOT will not provide assistance to applicants since ODOT is administering the project selection process.

Should I obtain letters of support for my project?

Yes. Letters of support from community and business supporters as well as affected local governments or Area Commissions on Transportation will be helpful to the OTC as they make their decisions.

Are design costs eligible for project funding?

Yes. All costs directly related to completing a project are eligible, if the project meets the selection criteria.

How can I follow up on a project's application status after it has been submitted?

Information on all projects under consideration will be posted on the *ConnectOregon* website.

What process will be used to select a project for *ConnectOregon* funding?

The Oregon Transportation Commission (OTC) will solicit project recommendations from the Oregon Aviation Board, Oregon Freight Advisory Committee, and public transit and rail advisory committees. A public hearing is planned for May 2006 where any member of the public or interested party may provide comment on *ConnectOregon* projects to the OTC before the Commission makes its project selection decisions.

When will projects be selected?

ODOT anticipates that the OTC will approve a list of projects for funding in June 2006.

What if \$15 million worth of projects are not submitted for every region?

Given the need for transportation system improvements throughout the state, ODOT anticipates that each region will submit at least \$15 million in project requests.

Must projects be initiated by the designated advisory groups?

No, submission of eligible projects is open to any entity whose project fits program criteria.

How much time will the advisory boards and committees have to evaluate applications?

ODOT expects to post information on all project applications that are found to be complete and eligible on the *ConnectOregon* web site by early February 2006. The advisory organizations named in Senate Bill 71 will have approximately eight weeks to make project recommendations.

How will projects from different modes be fairly compared and evaluated?

The Oregon Transportation Commission will consider the projects that are in the best interest of the state's transportation system.

How will marine projects be selected?

Marine projects will be given the same consideration and go through the same process as other projects; all applications will be received by ODOT. There is no specific marine advisory committee listed in the bill, however, there are many groups and stakeholders (e.g., Area Commissions on Transportation) not named in Senate Bill 71, and ODOT encourages these various groups to discuss and consider potential projects. Since information on all applications will be publicly available on ODOT's web site, any stakeholder or group will have the same basic information as the four advisory groups named in Senate Bill 71. The Oregon Transportation Commission will select all projects.

How will Area Commissions on Transportation be involved in project review?

Senate Bill 71 did not define a role for Area Commissions. However, it would be ideal for Area Commissions and the Metropolitan Planning Organizations to work with potential applicants to identify projects that will be good candidates for *ConnectOregon* funding. The Area Commissions can play an important role in working with project applicants and interested parties in their regions to help shape regional priorities.

Who will administer *ConnectOregon* funds?

The Oregon Department of Aviation will oversee and administer funding for all aviation projects. ODOT will be responsible for administering all other projects and funds.

Will the entire \$100 million in project funding be available to applicants at once?

No, funding will be provided to project applicants on a reimbursement progress payment basis. Exact terms will be negotiated with each project applicant.

Who will determine if a project will be funded by a grant or loan?

Applicants should state their preference, but the Oregon Transportation Commission will ultimately decide.

Will project applications be accepted for a grant and loan combination?

Yes.

What if a project provides benefits to multiple regions?

Depending on the circumstances, the Oregon Transportation Commission may "credit" a project to multiple regions if appropriate for purposes of meeting the requirement that each region receives the minimum of 15% of funding. The project location will normally be attributed to the region where the physical improvements are located.

What is the matching funds requirement?

ConnectOregon legislation directs the OTC to consider how much of the project cost can be borne by the applicant. Grant recipients must provide at least 20 percent of project cost in matching funds.

Can Federal funds be utilized as matching funds?

Yes.

Will "in-kind" services or other non-monetary resources count as required matching funds?

No. Senate Bill 71 states that the minimum 20% matching funds must consist of money. Matches above the 20% level can be in-kind or from other non-monetary sources.

Will Federal NEPA requirements apply?

National Environmental Policy Act requirements will apply if it is required by the Federal agency involved in the project.

Can *ConnectOregon* funds be used in combination with a variety of other funding sources to complete a project?

Yes. The funds can be used in combination with federal, state, local, and private sources to finance the project.

Can estimated operational revenues for the built project be used as matching funds?

No, and the applicant will need to demonstrate that funds to operate the project or facility are available.

Is there a timeline in Senate Bill 71 that says when funds must be spent on awarded projects?

No. However, how soon a project can be constructed is one of the criteria that the Oregon Transportation Commission will use to evaluate projects for funding.

What are the loan term, interest rate, and payback schedule on project loans?

Loan terms and conditions will be negotiated as part of the underwriting process.

Are loan project applications required to include matching funds?

No.

Are there other unique requirements for loan applications?

Yes. Loan applications must meet reasonable credit underwriting standards, including evaluation of project feasibility and risk, repayment capacity, collateral, and the applicant's fiscal performance and operational capacity to manage the project.

Who will manage the physical construction of the selected projects?

The applicant is responsible for constructing its project, including obtaining all required permits and approvals.

How are unavoidable cost overruns to be handled?

Once a project has been selected, the applicant is responsible for completing the project as proposed for the funding provided. There is no provision for the applicant to receive additional funds if project costs are higher than estimated. The applicant will be responsible for making up any funding deficiency. If the project cannot be completed with the funds allotted, the OTC may cancel the project and award the funds to another project.

DRAFT
DIVISION 35
STANDARDS TO DETERMINE PROJECT ELIGIBILITY AND APPLICATION
PROCEDURES FOR GRANTS OR LOANS UNDER THE MULTIMODAL
TRANSPORTATION FUND PROGRAM

731-035-0010

Purpose

Chapter 816, Oregon Laws 2005, created the Multimodal Transportation Fund, allowing for the issuance of lottery bonds for the purpose of financing grants and loans to fund Transportation Projects that involve air, marine, rail or public transit. The purpose of Division 35 rules is to establish the Multimodal Transportation Fund Program.

Stat. Auth.: ORS 184.616, 184.619 and Ch. 816, OL 2005

Stats. Implemented: Ch. 816, OL 2005

731-035-0020

Definitions

For the purposes of Division 35 rules, the following terms have the following definitions, unless the context clearly indicates otherwise:

(1) "Agreement" means a legally binding contract between the Department (or Oregon Department of Aviation) and Recipient that contains the terms and conditions under which the Department is providing funds from the Multimodal Transportation Fund for an Approved Project.

(2) "Applicant" means a Person or Public Body that applies for funds from the Multimodal Transportation Fund.

(3) "Approved Project" means a Project that the Commission has selected to receive funding through either a grant or loan from the Multimodal Transportation Fund.

(4) "Aviation" is defined in ORS 836.005 (5).

(5) "Collateral" means real or personal property subject to a pledge, lien or security interest, and includes any property included in the definition of collateral in ORS 79.0102(1), and with respect to a Public Body, any real or personal property as defined in ORS 288.594.

(6) "Commission" means the Oregon Transportation Commission.

(7) "Department" means the Oregon Department of Transportation.

(8) "Director" means the Director of the Oregon Department of Transportation.

(9) "Freight Advisory Committee" means the committee created in ORS 366.212.

(10) "Person" has the meaning given in ORS 174.100(5), limited to those Persons that are registered with the Oregon Secretary of State to conduct business within the State of Oregon.

(11) "Program" means the Multimodal Transportation Fund Program established by Division 35 rules to administer the Multimodal Transportation Fund.

(12) "Program Funds" means the money appropriated by the Legislature to the Multimodal Transportation Fund. These funds may be used as either grants or loans to eligible projects.

(13) "Public Body" is defined in ORS 174.109.

(14) "Public Transit Advisory Committee" means a committee appointed by the Director and approved by the Commission to advise the Department on issues, policies and programs related to public transportation in Oregon.

(15) "Rail Advisory Committee" means a committee appointed by the Director and approved by the Commission to advise the Department on issues, policies and programs that affect rail freight and rail passenger facilities and services in Oregon.

(16) "Recipient" means an Applicant that enters into Agreement with the Department to receive funds from the Multimodal Transportation Fund.

(17) "State Aviation Board" means the board created in ORS 835.102.

(18) "Transportation Project" or "Project" is defined in ORS 367.010 (11). A Multimodal Transportation Program Project must involve one or more of the following modes of transportation: air, marine, rail or public transit. The term includes, but is not limited to, a project for capital infrastructure and other projects that facilitate the transportation of materials, animals or people.

Stat. Auth.: ORS 184.616, 184.619 and Ch. 816, OL 2005
Stats. Implemented: Ch. 816, OL 2005

731-035-0030

Application Submission Periods

(1) The Department will announce periods for submitting applications for funding from the Multimodal Transportation Fund.

(2) Project applications will be reviewed for compliance with the requirements in OAR 731-035-0040 and as prescribed in 731-035-0050.

(3) Applications not funded may be resubmitted during subsequent application submission periods announced by the Department.

Stat. Auth.: ORS 184.616, 184.619 and Ch. 816, OL 2005
Stats. Implemented: Ch. 816, OL 2005

731-035-0040

Application Requirements

Applicants interested in receiving funds from the Multimodal Transportation Fund must submit a written application to the Department. The application must be in a format prescribed by the Department and contain or be accompanied by such information as the Department may require.

Stat. Auth.: ORS 184.616, 184.619 and Ch. 816, OL 2005
Stats. Implemented: Ch. 816, OL 2005

731-035-0050

Application Review

(1) The Department will review applications received to determine whether the Applicant and the Project are eligible for Program Funds.

(2) Applicants that meet all of the following criteria are eligible:

(a) The Applicant is a Public Body or Person within the state of Oregon.

(b) The Applicant, if applicable, is current on all state and local taxes, fees and assessments.

(c) The Applicant has sufficient management and financial capacity to complete the Project including without limitation the ability to contribute 20 percent of the eligible Project cost.

(3) Projects that meet all of the following criteria are eligible:

(a) The project is a Transportation Project.

(b) The Project will assist in developing a multimodal transportation system that supports state and local government efforts to attract new industries to Oregon or that keeps and encourages expansion of existing industries.

(c) The Project may be funded with lottery bond proceeds under the Oregon Constitution and laws of the State of Oregon.

(d) The Project will not require or rely upon continuing subsidies from the Department.

(e) The Project is not a public road or other project that is eligible for funding from revenues described in section 3a, Article IX of the Oregon Constitution, i.e. the Highway Trust Fund.

(4) If an Applicant or Project is not eligible for Program Funds, the Department will, within 30 days of receipt of the application:

(a) Specify the additional information the Applicant must provide to establish eligibility, or

(b) Notify the Applicant that the application request is ineligible.

(5) The Department will make all eligible applications available for review, as applicable, to the State Aviation Board, the Freight Advisory Committee, the Public Transit Advisory Committee, the Rail Advisory Committee and any other transportation stakeholder and advocate entities identified by the Commission to provide recommendations.

Stat. Auth.: ORS 184.616, 184.619 and Ch. 816, OL 2005

Stats. Implemented: Ch. 816, OL 2005

731-035-0060

Project Selection

(1) The Commission will select Projects to be funded through either a grant or loan with moneys in the Multimodal Transportation Fund.

(2) Prior to selecting Projects to be funded with moneys in the Multimodal Transportation Fund, the Commission will solicit recommendations from:

(a) The State Aviation Board for Aviation Transportation Projects.

(b) The Freight Advisory Committee for freight Transportation Projects.

(c) The Public Transit Advisory Committee for public transit Transportation Projects.

(d) The Rail Advisory Committee for rail Transportation Projects.

(3) Prior to selecting Projects to be funded with moneys in the Multimodal Transportation Fund, the Commission may solicit recommendations from transportation stakeholder and advocate entities not otherwise specified in section (2) of this rule.

(4) The Commission will consider all of the following in its determination of eligible Projects to approve for receipt of funds from the Multimodal Transportation Fund:

(a) Whether a proposed Project reduces transportation costs for Oregon businesses.

(b) Whether a proposed Project benefits or connects two or more modes of transportation.

(c) Whether a proposed Project is a critical link in a statewide or regional transportation system that will measurably improve utilization and efficiency of the system.

(d) How much of the cost of a proposed Project can be borne by the Applicant for the grant or loan.

(e) Whether a Project creates construction or permanent jobs in the state.

(f) Whether a Project is ready for construction, or if the Project does not involve construction, whether the Project is at a comparable stage.

(g) Whether a Project leverages other investment and public benefits from the state, other government units, or private business.

(h) Whether the Applicant for a grant can meet the requirement to contribute 20 percent of the eligible Project costs.

Stat. Auth.: ORS 184.616, 184.619 and Ch. 816, OL 2005
Stats. Implemented: Ch. 816, OL 2005

731-035-0070

Grant and Loan Awards and Match

(1) At least 15 percent of the total net proceeds of the lottery bonds will be allocated to each of the five regions as specified in Chapter 816, Oregon Laws 2005. The regions consist of the following counties:

(a) Region one consists of Clackamas, Columbia, Hood River, Multnomah and Washington Counties;

(b) Region two consists of Benton, Clatsop, Lane, Lincoln, Linn, Marion, Polk, Tillamook and Yamhill Counties;

(c) Region three consists of Coos, Curry, Douglas, Jackson and Josephine Counties;

(d) Region four consists of Crook, Deschutes, Gilliam, Jefferson, Klamath, Lake, Sherman, Wasco and Wheeler Counties; and

(e) Region five consists of Baker, Grant, Harney, Malheur, Morrow, Umatilla, Union and Wallowa Counties.

(2) Applicants may use a combination of grant and loan funds to finance a Project.

(3) Grants and loans will be awarded only when there are sufficient funds available in the Multimodal Transportation Fund to cover the costs of the loans and grants.

(a) Grants:

(A) Awards must not exceed 80 percent of the total eligible Project costs.

(B) Applicant matching funds must be provided by the Applicant in the form of cash and cover at least 20 percent of the eligible Project costs.

(b) Loans:

(A) Loans may be for any portion of project costs, up to the full amount of the project.

(B) The Department will not charge fees for processing or administering a loan to a Recipient.

(C) Loans from the funds provided by Chapter 816, Oregon Laws 2005, may be interest free if repaid according to the terms and conditions of the Agreement between the Department and Recipient.

(D) Prior to entering into a loan Agreement, the Department will determine an application meets reasonable underwriting standards of credit-worthiness, including whether:

(i) The Project is feasible and a reasonable risk from practical and economic standpoints.

(ii) The loan has a reasonable prospect of repayment according to its terms.

(iii) The Applicant's fiscal, managerial and operational capacity is adequate to assure the successful completions and operation of the Project.

(iv) The Applicant will provide good and sufficient Collateral to mitigate risk to the Multimodal Transportation Fund.

731-035-0080

Project Administration

- (1) The Department will administer all non-aviation Projects.
- (2) The Department and an Applicant of an Approved Project will execute an Agreement prior to the disbursement of Program Funds for an Approved Project. The Agreement is effective on the date all required signatures are obtained or at such later date as specified in the Agreement.
- (3) The Agreement will contain provisions and requirements, including but not limited to:
 - (a) Documentation of the projected costs for an Approved Project must be submitted to the Department prior to the disbursement of Program Funds.
 - (b) Only Project costs incurred on or after the effective date of the Agreement are eligible for grant or loan funds.
 - (c) Disbursement of Program Funds for grants and loans will be paid on a reimbursement basis and will not exceed one disbursement per month.
 - (d) Upon request, a Recipient must provide the Department with a copy of documents, studies, reports and materials developed during the Project, including a written report on the activities or results of the Project and any other information that may be reasonably requested by the Department.
 - (e) Recipients must separately account for all moneys received from the Multimodal Transportation Fund in Project accounts in accordance with Generally Accepted Accounting Principles.
 - (f) Any Program Funds disbursed but not used for an Approved Project must be returned to the Department.
 - (g) Amendments to Agreements are required to change an Approved Project's cost, scope, objectives or timeframe.
 - (h) Recipients must covenant, represent and agree to use Project funds in a manner that will not adversely affect the tax-exempt status of any bonds issued pursuant to the authority of Chapter 816, Oregon Laws 2005.
- (4) The Department may invoke sanctions against a Recipient that fails to comply with the requirements governing the Program. The Department will not impose sanctions until the Recipient has been notified in writing of such failure to comply with the Program requirements as specified in Chapter 816, Oregon Laws 2005 and this Rule and has been given a reasonable time to respond and correct the deficiencies noted. The following circumstances may warrant sanctions:
 - (a) Work on the Approved Project has not been substantially initiated within six months of the effective date of the Agreement;
 - (b) State statutory requirements have not been met;
 - (c) There is a significant deviation from the terms and conditions of the Agreement; or
 - (d) The Department finds that significant corrective actions are necessary to protect the integrity of the Program Funds for the Approved Project, and those corrective actions are not, or will not be, made within a reasonable time.
- (5) The Department may impose one or more of the following sanctions:
 - (a) Revoke an existing award.

- (b) Withhold unexpended Program Funds.
 - (c) Require return of unexpended Program Funds or repayment of expended Program Funds.
 - (d) Bar the Applicant from applying for future assistance.
 - (e) Other remedies that may be incorporated into grant and loan Agreements.
- (6) The remedies set forth in this rule are cumulative, are not exclusive, and are in addition to any other rights and remedies provided by law or under the agreement.
- (7) The Director will consider protests of the funding and Project administration decisions for the Program. Only the Applicant or Recipient may protest. Protests must be submitted in writing to the Director within 30 days of the event or action that is being protested. The Director's decision is final. Jurisdiction for review of the Director's decision is in the circuit court for Marion County pursuant to ORS 183.484.
- (8) The Director may waive non-statutory requirements of this Program if it is demonstrated such a waiver would serve to further the goals and objectives of the Program.

Stat. Auth.: ORS 184.616, 184.619 and Ch. 816, OL 2005
Stats. Implemented: Ch. 816, OL 2005

M E M O R A N D U M

600 NORTHEAST GRAND AVENUE

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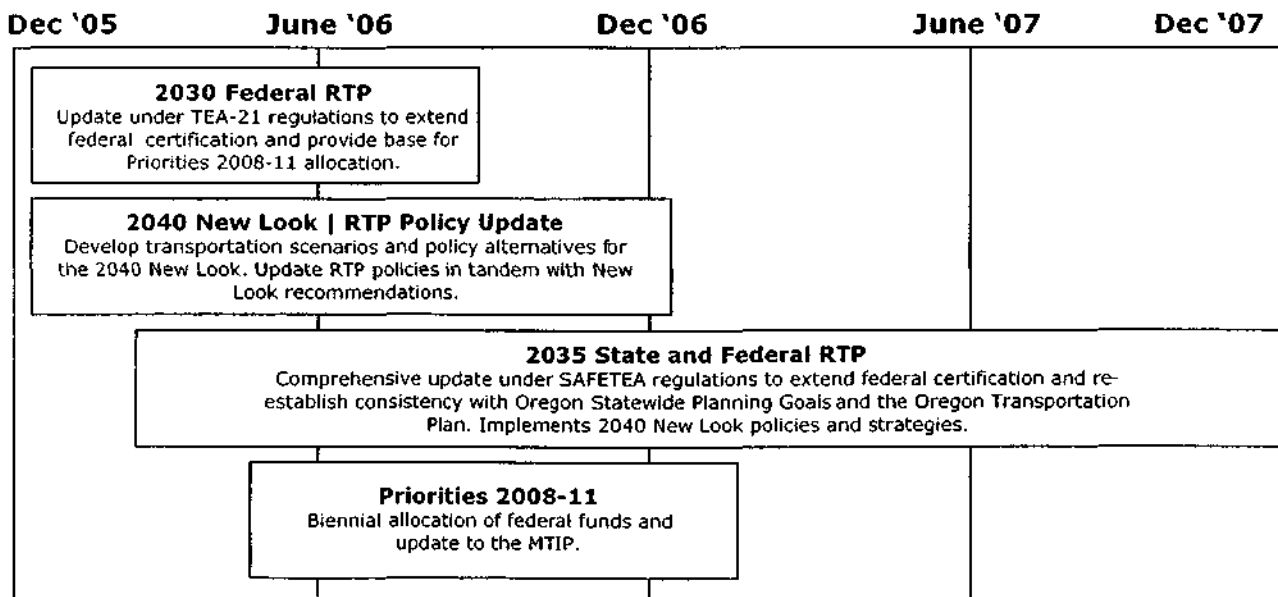


METRO

DATE: October 28, 2005
 TO: TPAC Members and Interested Parties
 FROM: Tom Kloster, Transportation Planning Manager
 SUBJECT: Regional Transportation Plan (RTP) Update

The Metro Council has initiated an update to the RTP that will be closely coordinated with the 2040 New Look, and culminate with a new 2035 RTP in December 2007. The update will address regional, state and federal planning requirements, and incorporate new policy direction stemming from the 2040 New Look. The update will occur in phases, as dictated by varying state and federal planning requirements. It will also incorporate a new approach to developing the federal financial constrained system using the "budgeting for outcomes" process described below.

In 2006, the update work program will include TEA-21 amendments to the existing RTP to ensure continued federal compliance and create a 2030 RTP. This phase will also include development of an updated RTP policy as the 2040 New Look growth scenarios are being developed and evaluated. In late 2006, the RTP update will move into the project development phase, with iterative rounds of network development and analysis used to define a program of transportation investments through 2035.



Priorities 2008-11 Update

There will also be an update to the Metropolitan Transportation Improvement Program (MTIP) during this period, beginning in Spring 2006 and concluding in early 2007. The MTIP update will be based on the 2030 RTP. The subsequent 2010-13 MTIP update will be based on the 2035 RTP, and incorporate SAFETEA regulations.

Budgeting for Outcomes

The RTP update will include expanded public outreach to reframe the discussion of public priorities and funding limitations that shape the development of the RTP. The goal is a more streamlined plan that better advances regional policies and public priorities, while adopting more realistic revenue assumptions that have traditionally been used in the RTP. The expanded outreach activities would be largely conducted by contractors in 2006. A detailed scope of the activities has been developed by Metro staff, and will be released for proposals in late 2005. This exercise will ultimately shape the federal financially constrained system in the 2035 RTP.

Federal Guidance under SAFETEA

The Federal Highway Administration has interpreted the new SAFETEA legislation provision for a 4-year planning cycle to apply only after an MPO has address the new SAFETEA planning requirements. Under this interpretation, Metro must update the RTP within the next year to prevent the current plan from lapsing. The RTP update work program therefore assumes a parallel track for a "housekeeping" update under the TEA-21 planning regulations in order to extend the window of federal certification as larger RTP issues are addressed in update.

Metro is also exploring the FHWA interpretation, and plans to request the agency to reconsider their position on the 4-year planning cycle, since all other aspects of the SAFETEA legislation are being implemented immediately.

Transportation Planning Rule and Oregon Highway Plan

The Land Conservation and Development Commission (LCDC) is in the process of completing a major overhaul of the Transportation Planning Rule that will affect many aspects of the RTP update. Most of the new administrative rules will be incorporated into the 2035 RTP, while Metro expect to recommend "friendly amendments" on some state regulations as part of the post-acknowledgement review of the updated RTP. The 2035 RTP will also address new state policies set forth in the Oregon Transportation Plan, which is scheduled to be completed in early 2006.



METRO

November 8, 2005

Dear JPACT Members,

At our October 27, 2005 meeting, the Metro Council adopted Resolution No. 05-3616A "for the Purpose of Updating the Work Program for Corridor Refinement Planning."

During the meeting, the Council had considerable discussion about the relationship of these corridor plans to our current effort to take a new look at the choices we face as the region plans for the future. This project will examine how we grow in the existing urban portions of the region; how to create great new communities in areas added to the urban growth boundary; and how to balance urban and agricultural needs and respect the concerns of neighboring communities as the region expands.

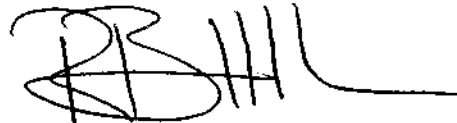
The Council anticipates that this regional analysis will become the foundation for several implementing decisions in the future, including UGB expansions and the Regional Transportation Plan. As you know, the RTP update will also be based upon realistic assumptions about available financial resources.

While the Metro Council understands the importance of building needed transportation improvements, we also believe that corridor studies should be conducted in the context of these broader efforts. By reviewing the conclusions of these studies upon completion of the updates of both the RTP and the region's long-range growth management plan, we can ensure that transportation projects are consistent with and reinforce any new policy direction on regional transportation or land use matters.

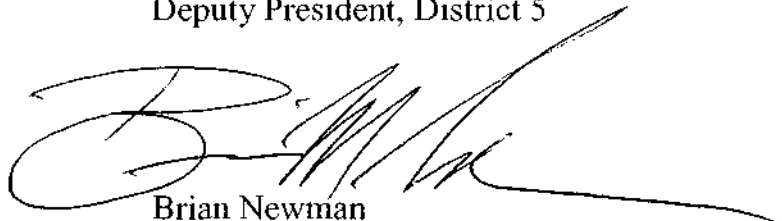
We look forward to any opportunity to discuss this with the committee at your November 10 meeting or another appropriate time.

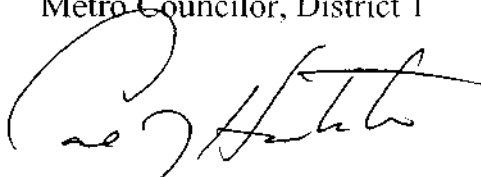
Sincerely,

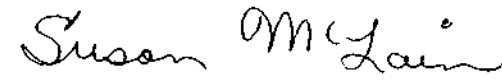

David Bragdon
Metro Council President

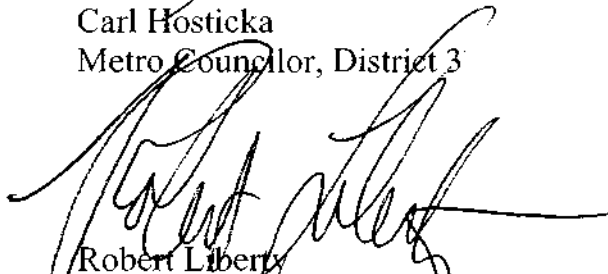

Rex Burkholder
Deputy President, District 5


Rod Park
Metro Councilor, District 1


Brian Newman
Metro Councilor, District 2


Carl Hosticka
Metro Councilor, District 3


Susan McLain
Metro Councilor, District 4


Robert Liberty
Metro Councilor, District 6

ADD ONE MILLION MORE

O → SW weekly
11-10-05

Planning | 25-year population projection shows the five-county area will need to reconsider land-use rules

By **DANA TIMS** and **STEVE MAYES**
THE OREGONIAN

Brian Newman is only partly kidding when he compares himself and other Metro Council members to Paul Revere. They're carrying a message, he says, that's nothing short of alarming.

Newman and his six Metro counterparts, armed with new long-term population and job projections, are fanning out across the region telling local officials, neighborhood groups and anyone else who will listen that more than 1 million new residents will be living in the five-county metro area within the next 25 years.

Unless significant changes are made in the way Oregon weighs critical land-use decisions, many of those people will settle along the southern edge of the urban growth boundary, creating city-sized populations along what is now a semirural swath stretching from Oregon City to the Stafford Triangle to Sherwood and beyond.

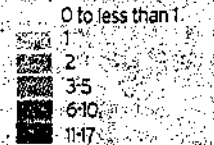
"I don't want to sugarcoat this," Newman said. "I want to hit people over the head with a 2-by-4 to show them how the region could grow."

Assuming Metro's numbers are accurate, areas not naturally suited to dense residential development will end up in precisely those straits. Worse, the new

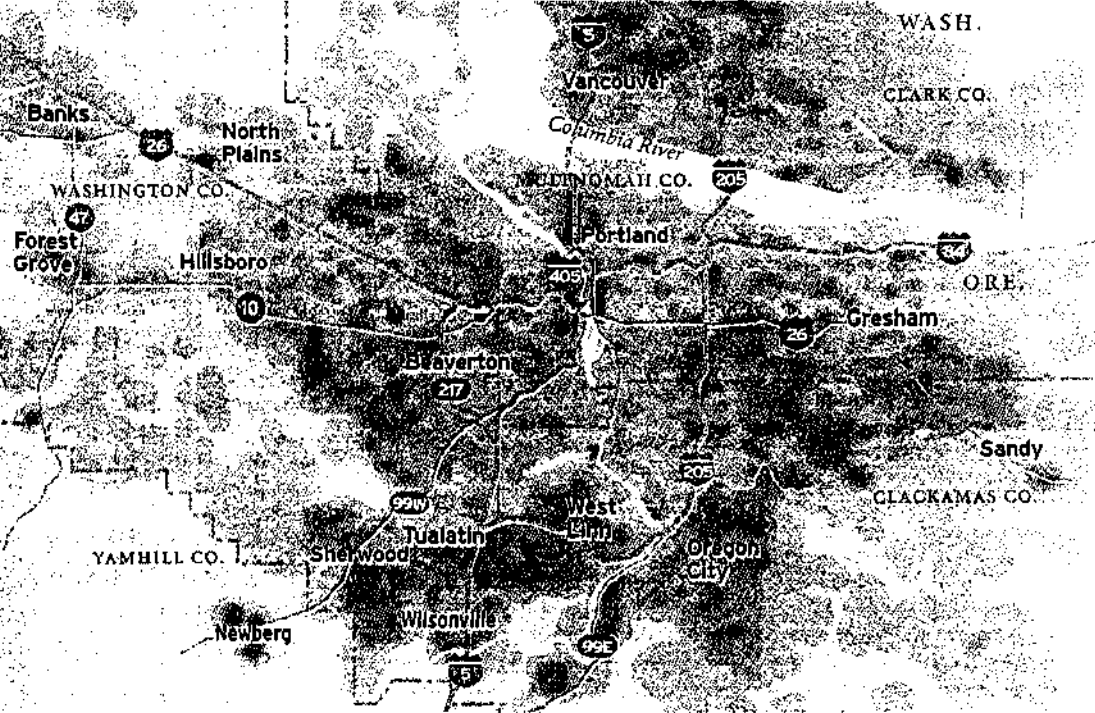
Metro reconsiders impact of growth on region's southern fringe

Much of the Portland region's new residential development — enough to accommodate more than 1 million additional people by 2030 — will occur in Clark County, Oregon City, the Stafford Basin and the Sherwood area. Metro officials are discussing alternatives that might divert more of that growth to Washington County.

Additional households per acre 2000-2030



Source: Metro



MICHAEL MODE/THE OREGONIAN

population centers will be far from the region's job base, which the same long-term projections say will continue to cluster far to the northwest, starting in Wilsonville and reaching into Washington County around Beaverton, Hillsboro and Forest Grove.

That means members of the public and elected officials are facing a critical

Pease see **POPULATION**, Page 8



"I don't want to sugarcoat this. I want to hit people over the head with a 2-by-4 to show them how the region could grow."

Brian Newman, Metro council member

YOU TELL US: Should more farm and forest land be opened to development? Why or why not? We'd like to publish your response. Call **503-221-8440** or e-mail us at southwest@news.oregonian.com. Please include your full name, daytime phone number and hometown.

Population:

Residents push to change rules to curb infill

Continued from Page 1

decision leading up to the 2007 legislative session.

One choice involves embracing the state's existing land-use system, which protects the best soils by making development of prime farm and forest land almost impossible. Areas where development could proceed, on soils labeled as "nonresource" lands, are clustered along the southern edge of the urban growth boundary.

Another option — favored by business interests and generally opposed by farm bureaus and key environmental groups — involves changing or tweaking Oregon's land-use system to allow residential development on farmland. In the Portland area, that would translate to the ability to build new houses on large, flat parcels much closer to western Washington County's jobs base.

Metro public meetings

Metro will have a series of public meetings over the next 12 months to explain these options, discuss the boundary expansion and build consensus. The agency will cast a wide net and invite fast-growing towns well outside the agency's orbit — Canby, Estacada and Sandy, for example — that already are seeing spillover from the Portland area's surging population.

"Ultimately, what we have to do is define what we want, then define what the problems are that are in our way," said Michael Jordan, Metro's chief operating officer.

Opening Washington County farmland for developing or giving Metro more control over boundary expansions would require changes, or at least significant challenges, to state law.

"We should have some glimmer of a notion of how those (laws) should be changed by the time the Legislature meets," Jordan said.

Where officials come down on the issue is, like development itself, all over the map.

Oregon City Mayor Alice Norris said it will take a strong argument to persuade her to give up valuable farm and forest land. "On the other hand, does it make sense for Oregon City to grow to twice its size? How big do we want to get?"

Bringing in Damascus

Norris and others are mindful that Metro's last significant expansion of the urban growth boundary — a decision that followed standard land-use planning strictures — included nearly 17,000 acres around Damascus.

Though satisfying state requirements to maintain a 20-year supply of buildable land, the expansion took place in a rurally tinged area lacking roads and related urban services. Nearly three years later, with time-consuming master planning still to be tackled, the acreage sits largely vacant, despite the housing boom that has boiled across almost every other part of the region.

The cost and complexity of planning a new city such as Damascus are daunting, said Bill Kennemer, a Clackamas County commissioner. More of the same, if replicated over the next 25 years in similarly undeveloped areas — requiring people to live on one side of

the region and drive to the other for work — would make a bad situation much worse, he said.

"We only need to look at Seattle's current gridlock to see our future," Kennemer said.

Part of any push to open some farm and forest land to development is coming from residents of existing neighborhoods, where a nonstop rush of infill projects is pushing density far higher than envisioned.

"A decade ago, we said we didn't want sprawl, so we enacted ordinances that have led to higher densities inside the urban growth boundary," said Lou Ogden, Tualatin's mayor. "Now, as we see what that's brought us, people are saying a little sprawl may not be so bad after all."

But opening the development door an inch or two might be difficult, he said. If growth is allowed on Washington County farmland, for instance, why shouldn't that also apply to equally controversial

areas south of the Willamette River?

"That's the devil incarnate when you talk about building south of the Willamette," Ogden said. "But you can't embrace this thesis without implying the corollary. It isn't all going to go out by Hillsboro."

"Hierarchy of lands"

Revisiting the "hierarchy of lands" rule that bars development on prime farmland is long overdue, said Jonathan Schlueter, executive director of the Westside Economic Alliance.

"Under the current model, more and more people will be waking up in new homes in Damascus and going to jobs in Hillsboro and later meeting friends for a show in downtown Portland," he said. "That's not a healthy vision for the future in the metro region."

Equally unhealthy is the prospect of destroying valuable and productive farm and forest land, said Bob Stacey, executive director of 1000 Friends of Oregon. What Metro should do instead, he said, is promote infill development within the urban growth boundary and establish urban reserves outside — "hard edges" permanently off limits to development.

In the view of Wilsonville Mayor Charlotte Lehan, however, that's precisely what the original urban growth boundary was supposed to do: serve as a buffer between development and precious resource lands. If it turns out that the boundary can be endlessly relaxed to accommodate incremental sprawl, maybe Oregon's entire experiment in land-use planning has been for naught, she said.

"Is there any farmland we are absolutely going to protect?" she said. "Or is all farmland just land waiting to be urbanized? Before we do anything else, we'd better start answering that question."

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METRO

JOINT POLICY ADVISORY COMMITTEE ON TRANSPORTATION

SIGN - IN SHEET

November 10, 2005

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| Vice Chair Rod Park | Metro Council | |
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| Mayor Rob Drake | City of Beaverton, representing Cities of Washington Co. | |
| <i>Mayor Tom Hughes</i> | <i>City of Hillsboro, representing Cities of Washington Co.</i> | |
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| <i>Mr. Jason Tell</i> | <i>ODOT - Region 1</i> | |
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| <i>Ms. Annette Liebe</i> | <i>Oregon Dept. of Environmental Quality (DEQ)</i> | |
| <i>Mr. Andy Ginsburg</i> | <i>Oregon Dept. of Environmental Quality (DEQ)</i> | |
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| <i>Mayor James Bernard</i> | <i>City of Milwaukie, representing Cities of Clackamas Co.</i> | |
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| Mr. Don Wagner | Washington State Dept. of Transportation (WSDOT) | |
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METRO

PEOPLE PLACES
OPEN SPACES

Metro sign-in sheet

Please be aware that all information submitted here will become public record, per state law, and will be made available to those who request it.

Event JPACT Location Metro Regional Center – Council Chambers

Date November 10, 2005 Time 7:30 a.m.

| NAME | AFFILIATION |
|---------------------|----------------|
| Bert Duenmig | ONSU |
| Tom Markgraf | CRC |
| Rob Foster | Forest Grove |
| DEREK DUBBINS | FOREST GROVE |
| LENNY ASH | MILWAUKEE |
| John Noble | JPACT |
| Clay Smith | TRAC |
| Tom Miller | Portland |
| Ron Pappas | Gresham |
| Randy Tucker | Metro |
| Jeff Dalin | City Cornelius |
| Robert Liberty | Metro |
| JAMES BERNARD | Milwaukee |
| Jim Meyer | Jayaman |
| Mirianne Fitzgerald | DEQ |
| Danielle Cowan | Wilsonville |
| Sharon Nassif | ETA |
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