



December 12, 2003

Mr. Don Wagner
SW Regional Administrator
WSDOT
PO Box 1709
Vancouver, WA 98668-1709

SW Region 12-15-8003
Regional Administrator
Executive Secretary
Project Development
Plans & Design
Envr.
Utilities
Landscaping
P.E.
Transportation Planning Mgr.
Communications Mgr.
Operations Engineer
Traffic Operations
Administrative Operations
CapFac
TEF
Special Projects
M.S.
Construction Engineer
Construction Support Eng.
Construction Assistants
Materials Lab
P.E.
Program Manager
Proj. Cont. IT
Accounting
Personnel
Affirmative Action
Quality Consultant
Safety & Health
TransAid
Real Estate Services
File

Dear Mr. Wagner:

The RTC Board of Director's adoption of the Bi-State Coordination Committee Charter has marked a milestone in bi-state cooperation. As you know, the Charter is one of the key components of the I-5 Partnership Study recommendations. The Charter replaces the existing Bi-State Transportation Committee with the Bi-State Coordination Committee. The new Committee recognizes that the region is linked by economic development and land use objectives that drive a shared goal to preserve and add to the region's most critical transportation investments.

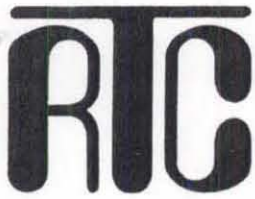
The purpose of this letter is to request your assistance in forwarding the Bi-State Coordination Committee Charter to WSDOT Headquarters for their endorsement. Enclosed for your information are copies of the RTC Board resolution and the Charter. Once all of the member agencies have adopted the Charter, the RTC Board and JPACT/Metro will establish the Bi-State Coordination Committee including bylaws and a 2004 work plan.

If you have any questions or need additional information, please call me at 397-2232 or contact Dean Lookingbill, RTC Director, at 397-6067, ext. 5208.


Sincerely,

Craig A. Pridemore
Clark County Commissioner and RTC Chair

Attachments



STAFF REPORT

TO: Southwest Washington Regional Transportation Council Board of Directors
FROM:  Dean Lookingbill, Transportation Director
DATE: October 28, 2003
SUBJECT: Bi-State Coordination Committee Charter, Resolution 11-03-30

BACKGROUND

As you may recall back in December of 2002, the Board endorsed the recommendations of the I-5 Trade and Transportation Partnership Study. The overall goal of this strategic planning effort was to determine the level of investment needed in the corridor for highways, transit, and heavy rail. In addition, the I-5 Partnership recommendations called for the determination of how to manage the transportation and land use system so that the investment would be maximized in terms of the benefits to the region (the land use accord). This recommendation addressed the need to set up a process to coordinate land use issues that would have an impact on the future investment of the I-5 Partnership transportation projects.

Since last December, the existing Bi-State Transportation Committee has been working on a process to establish a new Bi-State Coordination Committee. In order to accomplish this task, the Bi-State Transportation Committee (advisory to RTC and JPACT/Metro on transportation issues of bi-state significance) established a Steering Committee to take the lead in drafting what is now called a Charter for the establishment of a Bi-State Coordinating Committee. The Steering Committee participants included: Clark County Commissioner Craig Pridemore, Clark County Commissioner Betty Sue Morris, Vancouver Mayor Royce Pollard, Metro Councilor Rex Burkholder, Portland City Commissioner Jim Francesconi, and Multnomah County Commissioner Serena Cruz.

The Charter (attached) that creates the Bi-State Coordination Committee defines the committee as voluntary by jurisdictions within the cross-Columbia River area of the I-5 corridor between Clark County in Washington and Multnomah County in Oregon. It recognizes that the region is linked by economic development and land use objectives, which also drives a shared objective to preserve and add to critical transportation investments. While the existing Bi-State Transportation Committee has been constructive in addressing bi-state transportation issues within the corridor, the Charter expands the scope of the bi-state effort to include both transportation and land use. Review of land use and transportation issues of bi-state significance may prompt review of these topics in the context of economic development, environmental, and environmental justice issues. It also ensures that regionally significant aspects of transportation - highway, bridge, transit, freight rail, and transportation system and demand management - are considered.

The new Committee, the Bi-State Coordination Committee, replaces the Bi-State Transportation Committee and would serve as a forum to share information, coordinate review, and discuss implications of significant legislative land use and transportation issues which may have

environmental, economic development and environmental justice implications for actions taken within the corridor. The results of the Committee's deliberations are advisory to the Southwest Washington Regional Transportation Council (RTC), Metro's Joint Policy Advisory Committee on Transportation (JPACT), and Metro, on issues of bi-state transportation significance. On issues of bi-state land use and economic significance, the Committee advises the local and regional governments appropriate to the issue.

The Committee would hold no regulatory authority, and member jurisdictions retain their full existing authorities, but consider carefully and give weight to Committee recommendations. Membership on the Bi-State Coordination Committee would consist of elected officials from the jurisdictions within the corridor, as well as leadership from key agencies and organizations. The initial membership structure includes the following:

- Cities of Portland, OR and Vancouver, WA
- Clark and Multnomah Counties
- One smaller city each in Multnomah and Clark Counties
- Oregon Department of Transportation
- Washington State Department of Transportation
- Ports of Vancouver and Portland
- Tri-Met
- C-Tran
- Metro

The geographic scope of the Committee is focused on the area of the I-5 corridor bounded in the south by the Fremont Bridge on I-405, and in the north by 179th Street. Its scope to the west extends to include important freight transport and economic development activities, especially along the river. Consideration of the area east of the immediate corridor extends as far as I-205, as indicated by linkages and impacts to I-5 corridor investments and communities.

POLICY IMPLICATION

The Steering Committee signed off on the draft Charter to create the Bi-State Coordination Committee on October 20, 2003 and forwarded it to the Bi-State Transportation Committee for action. The Bi-State Transportation Committee met on October 23, 2003 and by resolution endorsed the creation of the Bi-State Coordination Committee. The Bi-State Transportation Committee further recommended that the RTC, JPACT, and Metro Council, formally endorse the creation of a Bi-State Coordination Committee and approve the Charter. The Bi-State Transportation Committee also recommended that RTC, JPACT, and the Metro Council authorize the release of the draft Charter for local government consideration. Upon receipt of local government resolutions in support of the Charter, the RTC, JPACT, and Metro Council would create the Bi-State Coordinating Committee, replacing The Bi-State Transportation Committee and develop bylaws and a work program for the new Committee.

BUDGET IMPLICATION

The primary staffing for the Bi-State Coordination Committee would be by RTC and Metro. Currently RTC's staff resource for the existing Bi-State Transportation Committee is one element within RTC's overall Program Management work element and is funded with a

combination of federal and state transportation planning funds along with local matching funds. Staff costs for the new Bi-State Coordination Committee could exceed the current level depending on its 2004 work program. The additional RTC funding sources if needed would need to be determined concurrently with the adoption of the 2004 work plan.

ACTION REQUESTED

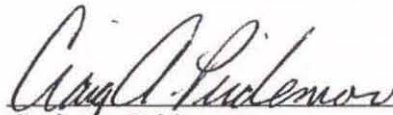
Adoption of Resolution 11-03-30 "Bi-State Coordination Committee Charter", that once supported by member local government and agency resolutions, would be established.

ADOPTED this 4th day of November 2003,

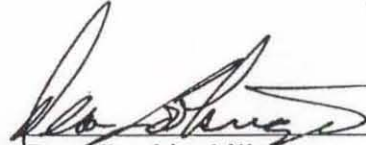
by the Southwest Washington Regional Transportation Council.

SOUTHWEST WASHINGTON
REGIONAL TRANSPORTATION COUNCIL

ATTEST:



Craig A. Pridemore
President of the Board



Dean Lookingbill
Transportation Director

Attachment

Draft Charter
Establishing Bi-State Coordination Committee

October 23, 2003 – As Revised and Adopted by the Bi-State Transportation Committee

Participation in the new committee will be accomplished through adoption of resolutions of intent to participate and observe the charter by local jurisdictions, and through letters of intent to participate and observe the charter by state or federal agencies. Operating details for the committee will be established by its membership in the form of bylaws and a work plan once the new committee has been established and convened.

Draft Committee Charter Text

To be included in resolutions or letters of intent to participate in identical form.

Purpose: This charter defines voluntary participation by jurisdictions within the cross-Columbia River area of the I-5 corridor between Clark County in Washington and Multnomah County in Oregon. This region is linked by economic development and land use objectives, which also drive a shared objective to preserve and add to critical transportation investments. The existing Bi-State Transportation Committee has been constructive in addressing bi-state transportation issues within the corridor. This charter expands the scope of the bi-state effort to include both transportation and land use. Review of land use and transportation issues of bi-state significance may prompt review of these topics in the context of economic development, environmental, and environmental justice issues. It also ensures that regionally significant aspects of transportation – highway, bridge, transit, freight rail, and transportation system and demand management – are considered.

The new Committee, the Bi-State Coordination Committee, replaces the Bi-State Transportation Committee. It serves as a forum to share information, coordinate review, and discuss implications of significant legislative land use and transportation issues which may have environmental, economic development and environmental justice implications for actions taken within the corridor. It encourages regional collaboration to facilitate decision making by individual jurisdictions on issues affecting the broader corridor. The results of the Committee's deliberations are advisory to the Southwest Washington Regional Transportation Council (RTC), Metro's Joint Policy Advisory Committee on Transportation (JPACT), and Metro, on issues of bi-state transportation significance. On issues of bi-state land use and economic significance, the Committee advises the local and regional governments appropriate to the issue.

The Committee holds no regulatory authority, but builds and sustains regional dialogue and works together on solving problems related to evolving linkages among transportation, land use, and economic development. Member jurisdictions retain their full existing authorities, but consider carefully and give weight to Committee recommendations. Jurisdictions also agree, according to their authorities, to create their own strategies and plans that contribute to managing land uses and economic development to protect transportation investments throughout the corridor.

Membership: The Bi-State Coordination Committee consists of elected officials from the jurisdictions within the corridor, as well as leadership from key agencies and organizations. The membership structure includes:

- Cities of Portland, OR and Vancouver, WA
- Clark and Multnomah Counties
- One smaller city each in Multnomah and Clark Counties
- Oregon Department of Transportation
- Washington State Department of Transportation
- Ports of Vancouver and Portland
- Tri-Met
- C-Tran
- Metro

The Committee may, as desired, create ex-officio (non-voting) memberships for state and federal agency representatives. Input from other interests in the corridor, such as communities, businesses, and civic and interest groups, is actively sought by the Committee to augment the perspectives of members. Such additional stakeholder involvement is to be obtained through encouraging public comment and input, and through project-level involvement and existing or new working groups or subcommittees, advisory to the Bi-State Coordination Committee. Member organizations provide leadership-level representatives, and participate actively and consistently in Committee meetings and activities. The Committee is primarily staffed by RTC and Metro professionals, calling on land use and economic development resources from each jurisdiction as needed. Meetings are noticed and open to the public, and the Committee meets regularly at intervals determined in its bylaws.

Geographic Scope: The Committee's focus is the area of the I-5 corridor bounded in the south by the Fremont Bridge on I-405, and in the north by 179th Street. Its scope to the west extends to include important freight transport and economic development activities, especially along the river. Consideration of the area east of the immediate corridor extends as far as I-205, as indicated by linkages and impacts to I-5 corridor investments and communities.

Agenda Setting: The Committee work plan will define issues to be addressed, including significant baseline policy issues for the region such as comprehensive and subarea plans and interchange management plans. Members bring, prior to adoption, significant management plans to the Committee for review. More specific projects and policy issues are nominated by each jurisdiction that desires Committee review, and the Committee establishes its agenda collaboratively. The committee does not address issues related to quasi-judicial applications for specific land use projects, once applications are submitted.

Decision-Making Process: Committee decisions on its recommendations are made by consensus, or if necessary a majority vote of its quorum membership, defined as 2/3 of total membership. Such decisions on Committee recommendations are advisory to JPACT/Metro, RTC, and local and regional agencies, and have no legal or regulatory authority. The Committee's process for introducing and agreeing on revisions to this charter, including changes to membership, is also by consensus or majority vote. All such revisions at the charter level are adopted by member jurisdictions and organizations by resolutions or letters of intent to change the charter.

Bi-State Transportation Committee

The Bi-State Committee is appointed by Metro's Joint Policy Advisory Committee on Transportation and the Southwest Washington Regional Transportation Council.

Clark County
Commissioner Craig Pridemore
CHAIR

Metro
Councilor Rex Burkholder
VICE CHAIR

Multnomah County
Commissioner Serena Cruz

City of Vancouver
Mayor Royce Pollard

City of Portland
Commissioner Jim Francesconi

City of Battle Ground
Eric Holmes, City Manager

City of Gresham
Councilor Larry Haverkamp

C-TRAN
Lynne Griffith, Executive
Director/CEO

Tri-Met
Fred Hansen, General Manager

Port of Vancouver
Larry Paulson, Executive Director

Port of Portland
Bill Wyatt, Executive Director

WSDOT
Don Wagner, SW Administrator

ODOT
Matthew Garrett, Reg. 1 Manager



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TO: Bi-State Transportation Committee members and alternates
FROM: Craig Pridemore, Chair, Rex Burkholder, Vice-Chair, Bi-State Transportation Committee
DATE: March 18, 2004
SUBJECT: I-5 Transportation and Trade Partnership - Columbia River Crossing Goals

As you know, work has begun on designing the appropriate methods for addressing transportation needs identified in the *I-5 Transportation and Trade Partnership Strategic Plan*. In particular, ODOT agreed to bring a scope of work back to JPACT and ODOT and WSDOT have provided the Bi-State Transportation Committee with some briefings about their work, although written documents or detailed information about their work have not been provided to date.

As this work effort is of great interest to members of the Bi-State Transportation Committee, it could foster good communication if the Committee determined those guidelines it would like to guide the project. Accordingly, the following guidelines are suggested for Committee discussion:

- **Scoping.** a comprehensive work plan should be jointly developed by ODOT and WSDOT, in cooperation with the two MPO's (Metro and RTC) and the two transit agencies (CTRAN and TriMet). The work plan should then be brought to the Bi-State Committee for discussion of, and recommendations about any policy issues of interest before next steps are initiated.
- **Balance.** As included in the *I-5 Transportation and Trade Partnership Strategic Plan*, highway and transit solutions should both be part of resolution of the problem. In addition, transportation management measures, including congestion pricing should be carefully and completely considered as part of a total solution package.
- **Geographic Extent/Transportation Package.** Actions taken along the I-5 corridor may affect the demands made on I-205, connecting highways such as Washington State Highway 14 and Interstate 84, and connecting arterials. Accordingly, transportation improvements should be considered in light of this larger system, recognizing that if smaller segments are viewed without this context, improvements may not appear to solve transportation challenges, but the total package of improvements will be coordinated and will provide better solutions to transportation challenges.
- **Decision-making.** Policy decisions concerning scope, purpose and need, modal balance, alignments, economic development opportunities, land use considerations, environmental justice factors and mitigation should be made after there is opportunity for public review and comment and after consideration of recommendations from the Bi-State Committee, RTC, and JPACT and the Metro Council. We believe that the attached resolution addresses these issues and should be considered by the Bi-State Transportation Committee.

We look forward to discuss of this matter at our March 25, 2004 meeting.

Thank you.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF COMMUNICATING)	RESOLUTION NO. 04- 3439
THE RECOMMENDATIONS OF THE METRO)	
REGION AND SOUTHWEST WASHINGTON)	Introduced by Councilor Rex Burkholder
CONCERNING DECISION-MAKING AND)	
IMPLEMENTATION OF THE I-5)	
TRANSPORTATION AND TRADE)	
PARTNERSHIP STRATEGIC PLAN,)	
INCLUDING THE I-5 COLUMBIA RIVER)	
CROSSING)	

WHEREAS, the Interstate 5 Freeway is a critical transportation facility connecting the Metro region and Southwest Washington region as well providing a vital link from the Bi-State area to the greater Pacific Northwest and West Coast of the United States; and

WHEREAS, the I-5 Transportation and Trade Partnership *Strategic Plan* was approved in 2002 by the Washington State Transportation Commission (WSTC) and the Oregon Transportation Commission (OTC) and adopted by the Metro Council, incorporating it in the Regional Transportation Plan; and,

WHEREAS, the *Strategic Plan* was developed in a collaborative process including citizens, business representatives, elected officials from southwest Washington and the Metro area, representatives of the Port of Vancouver and the Port of Portland, representatives of CTRAN and TriMet and representatives of the Washington Department of Transportation and the Oregon Department of Transportation; and

WHEREAS, the *Strategic Plan* included findings that: 1) doing nothing in the I-5 Corridor is unacceptable, and 2) there must be a multi-modal solution in the I-5 Corridor - there is no silver bullet, and 3) transportation funds are limited, paying for improvements in the I-5 Corridor will require new funds, and 4) the region must consider measures that promote transportation- efficient development; and

WHEREAS, the *Strategic Plan* recommended that: "To protect existing and new capacity and support economic development, RTC and Metro, along with other members of the current Bi-State Transportation Committee, should adopt and implement the Bi-State Coordination Accord."; and

WHEREAS, on October 23, 2003, the Bi-State Transportation Committee recommended approval of a Bi-State Coordination Committee Charter; and

WHEREAS, on various dates in November and December 2003 and January 2004 member agencies of the Bi-State Transportation Committee approved the Bi-State Coordination Charter; and

WHEREAS, On January 14, 2004 the OTC and the Washington State Transportation Department approved the Charter; and

WHEREAS, on August 14, 2003, the Metro Council adopted Metro Resolution No. 03-3360, For the Purpose of Amending the FY 2003-04 Unified Work Plan, this action adding \$3.5 million of Federal funds to the UWP for beginning implementation of recommendations from the *Strategic Plan* and the resolution further stated that "...a more detailed work plan that defines agencies roles and responsibilities

is still being developed and will be reviewed by TPAC, JPACT and the Metro Council prior to its implementation..."; and

WHEREAS, the Oregon Department of Transportation and the Washington Department of Transportation have begun work on the I-5 River Crossing Partnership project; now therefore

BE IT RESOLVED,

1. That a letter should be sent from the Southwest Washington Regional Transportation Council and Metro Council to the Oregon Transportation Commission and Washington State Transportation Commission containing a recommendation that the Bi-State Coordination Committee, after coordination with the RTC, Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council, serve as the appropriate forum and committee for formulating final recommendations concerning the I-5 Transportation and Trade Partnership *Strategic Plan* implementation, including the I-5 River Crossing Partnership project.

2. That upon completion of the *I-5 River Crossing Partnership*, it would need to be referred to the RTC and JPACT and Metro Council, for consideration of amendments to the Southwest Washington Regional Transportation Council's *Metropolitan Transportation Plan* and Metro's *Regional Transportation Plan*, respectively.

ADOPTED by the Metro Council this ____ day of _____, 2004.

David Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney

ADOPTED this _____ day of _____ 2004,

by the Southwest Washington Regional Transportation.

SOUTHWEST WASHINGTON
REGIONAL TRANSPORTATION COUNCIL

ATTEST:

Royce E. Pollard
Chair of the Board

Dean Lookingbill
Transportation Director



METRO

January 20, 2004

Mr. Aubrey Davis, Chair
Washington State Transportation Commission
Post Office Box 47308
Olympia, WA 98504-7308

Dear Chairman Davis

On behalf of the Joint Policy Advisory Committee on Transportation, I would like to convey interest in the Washington State Congestion Relief Study just begun by the Washington State Transportation Department. As we understand it, the Study will address congestion in southwest Washington and is intended to include analysis of all or portions of the Portland, Oregon metropolitan area. This could include assumptions about transportation investments in Oregon as well as analysis of the results.

As you know, the Portland metropolitan area and southwest Washington are linked by the Interstate system, including I-5 and I-205 as well as transit service between the two states provided by C-TRAN and TriMet. The I-5 Transportation and Trade Partnership Strategic Plan, endorsed by the Washington State Transportation Commission on May 22, 2003, called for addressing I-5 corridor transportation issues, including investments in roads, transit and transportation demand management in a bi-state manner.

We are concerned with several elements of the Congestion Relief Study including:

- **Policy Coordination.** There is a need for coordination with Oregon policy makers, if the Study is going to be completed for portions of the Portland Oregon metropolitan area. If assumptions about the geographic extent, level and type of transportation investments in Oregon are going to be made, these should be reviewed and commented on by Oregon policy makers and coordinated with southwest Washington. We suggest that the Bi-State Transportation Committee is constituted to do this work. In addition, we would hope that the Congestion Relief Study would be coordinated with the I-5/ Columbia River Crossing Project.
- **Land Use.** The pattern and rate of growth react to transportation investments and it is important to understand these interactions. Specifically, we are concerned that increases to highway capacity between Portland and Clark County, Washington will result in much greater trip generation due in large part to changes to land uses. The Study, as I understand it, will assume only a fixed land use pattern for each scenario, consistent with the Growth Management Act plan. Significant land use changes, as a result of highway capacity changes, will not be taken into consideration resulting in a conclusion on the size and cost of highway facilities being understated.

Mr. Aubrey Davis

January 20, 2004

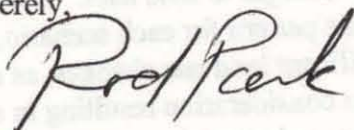
Page 2

- **Air Quality.** Metro has responsibility for maintaining the air quality of the Oregon portion of the greater metropolitan area. The air quality implications of major transportation improvements must also be considered in order to fully understand consequences.
- **Transportation Investments Influence on Trips.** Some have also expressed concern that major expansion of freeways will encourage more auto trips - "induced demand" in planner terms. Freeway and highway improvements could result in the creation of new trips or taking trips at or near peak periods resulting in congestion levels like those experienced today.
- **Previous Metro Analysis.** Metro looked at the consequences of major highway and freeway improvements in the region in 1997. We found that well-placed higher density results in less congestion as the number of trips, car ownership and vehicle miles traveled all are reduced. We would like to offer the results of this analysis for this study.
- **Benefit Cost Work Element.** We are very interested in this analysis and would like to further review and comment on the approach and methods used to complete this work.
- **Peer Review.** Peer Review of the Study will greatly increase the confidence in the Study results and is recommended.
- **Technical Participation.** There are many technical aspects of the study, including use of the Metro transportation model, Metro air quality model, land use modeling, etc. which, if utilized, would provide a more complete analysis. Any work done by Oregon jurisdictions would also likely benefit from participation and review by Washington State technical experts to ensure consistency with other aspects of the Study.
- **Incurred Costs.** Technical participation by Oregon staff was not anticipated by Oregon and is not currently a part of work plans or budgets for this fiscal year ending June 30, 2004, the scheduled Study end date. Accordingly, should significant Oregon staff time be expended, these costs would have to be addressed in some manner.

I would be happy to discuss any of these matters with you or if there are technical issues that should be addressed, Andy Cotugno, Metro's Planning Director may be contacted at 503-797-1763.

Thank you.

Sincerely,



Rod Park, Chair

Joint Policy Advisory Committee on Transportation

Mr. Aubrey Davis

January 20, 2004

Page 3

cc: Honorable State Senator Jim Horn
Don Wagner, WSDOT
Matt Garrett, ODOT
Michael Cummings, WSDOT
Dean Lookingbill, RTC
Chuck Green, Parsons Brinkerhoff

Bi-State Charter Approval Process

Next Steps

January 22, 2004

Forthcoming Actions

- Complete remaining agency approvals (two). (This assumes that all entities named in charter will act on the charter - with the exception of the "One smaller city each in Multnomah and Clark Counties")
- Determine representatives from a smaller city from Multnomah and Clark counties.
- Select a Chair and Vice Chair for the Bi-State Coordination Committee.
- Revise the "Intergovernmental Agreement Specifying the Roles and Responsibilities of a Joint JPACT and RTC Bi-State Transportation Committee". (This IGA is similar to bylaws and includes directions on voting, reporting, meeting locations, notices, administrative support, etc.)

IGA Process Options

- Staff recommendations could be brought directly to the Committee; or,
- Staff recommendations could be brought to the Bi-State Charter Steering Committee (this group is a subset of the full Bi-State Committee and includes elected representatives from Clark County, City of Vancouver, City of Portland, Multnomah County and Metro), which would then forward its recommendations to the Bi-State Coordination Committee.

Agency Action on Bi-State Coordination Committee Charter

January 22, 2004

Agency or Committee	Action Taken	Comments
Bi-State Transportation Committee	October 23, 2003	
Regional Transportation Council of SW Washington	November 4, 2003	
Metro Policy Advisory Committee (MPAC)	November 19, 2003	MPAC was presented the Charter at its November 12, 2003 meeting. It was scheduled to take action on November 19. However, due to inclement weather, there was not a quorum. However, MPAC members in attendance stated no opposition to the Charter.
Joint Policy Advisory Committee on Transportation (JPACT)	November 13, 2003	
Metro	November 20, 2003	
CTTRAN	December 3, 2003	
TriMet		Scheduled for the TriMet Board January 28, 2004
WSDOT	January 14, 2004	
ODOT	January 14, 2004	
City of Vancouver		In Progress
City of Portland	January 8, 2004	
Clark County	January 13, 2004	
Multnomah County	January 15, 2004	
Port of Vancouver		Presented at January 13 meeting, scheduled for action at the January 27, 2004 meeting
Port of Portland		In Progress

* * * * *

Bi-State Transportation Committee

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Clark County
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CHAIR

Metro
Councilor Rex Burkholder
VICE CHAIR

Multnomah County
Commissioner Serena Cruz

City of Vancouver
Mayor Royce Pollard

City of Portland
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Bi-State Transportation Committee Meeting

January 22, 2004

7:30 AM - 9:00 AM

PORT of VANCOUVER

3103 NW LOWER RIVER ROAD

AGENDA

(Note meeting location)

- 1. Welcome and Approval of Meeting Report* (5 min)**
Craig Pridemore, Clark County
- 2. Discussion of JPACT Congestion Relief Study Letter to WSDOT (15 min)**
Dean Lookingbill, RTC and Andy Cotugno, Metro
 - Update on Study Progress
 - Discussion of Policy Issues: Bi-State Coordination, Land Use, Air Quality, Study Results/Findings
- 3. Federal Transportation Priorities (20 min)**
Andy Cotugno, Metro
 - Summary/Analysis of Bills
 - Key Bi-State-Issues
 - '05 Appropriation Project List
- 4. I-5 Transportation and Trade Partnership Study Process *(35 min)**
Matt Garrett, ODOT and Dale Himes, WSDOT
 - Overview of Proposed Scope of Work
 - Discussion of Bi-State Role and Decision Making Process
- 5. Progress Update on Bi-State Charter Approval Process* (5 min)**
Mark Turpel, Metro
- 6. 2003 Bi-State Transportation Committee Annual Report (5 min)**
Mark Turpel, Metro
- 7. Public Comment (5 min)**
All

*Materials available at the meeting

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www.metro-region.org

MEMORANDUM

TO: Bi-State Transportation Committee
FROM:  Dean Lookingbill, RTC
Mark Turpel, Metro
DATE: January 15, 2004
SUBJECT: **JPACT Congestion Relief Study Letter to WSDOT**

Attached is a staff report to JPACT and letter from JPACT Chair Rod Parks to Aubrey Davis, Chair of the Washington State Transportation Commission in regard to the WSDOT Congestion Relief Study. The letter was in response to the December 18, 2003 Bi-State Transportation Committee presentation by Washington State Senator Jim Horn and WSDOT project manager, Michael Cummings.

While the letter will have been sent by the time of the Bi-State Transportation Committee meeting, it is still important to provide an opportunity for the Committee to discuss the policy issues raised. In addition RTC staff will update the Committee on the Study's progress.



METRO

TO: Rod Park, Chair, JPACT
FROM: Andy Cotugno, Planning Director
DATE: December 23, 2003
SUBJECT: WSDOT Congestion Relief Project

Background

The Washington State Legislature has provided about \$3.8 million for WSDOT to conduct a Congestion Relief Study. The question it seeks to answer is: What transportation investments will do the most to reduce congestion?

The geographic areas for which the analysis will be completed are the Puget Sound, Spokane and the Vancouver/Portland metropolitan areas. A copy of the draft scope of work is attached.

The project is on a short time line - completion is scheduled for July 2004. The project will include travel demand modeling and analysis of several alternatives including:

- 2020 no build;
- 2020 planned growth;
- unconstrained capacity (both transit and highway);
- bookends "with different modes emphasized and some mid-grounds..."

The analysis will compare major transportation investment alternatives - roads, transit, congestion pricing - to see what happens if most all transportation funds are spent on one approach - and which mode investment is most effective in reducing congestion. While the project is described as being an analysis only, it seems very likely that once it is complete, it may be used as a basis for Washington State transportation funding decisions. Investments in the southwest Washington area could have substantial implications for the Metro region transportation system and may be different from current transportation policies established in the RTP and MTIP.

The genesis of the WSDOT project seems to be an earlier project, *End Gridlock Now*, prepared for Bellevue Square owner Kemper Freeman, Jr. by Dr. William Eager of TDA, Inc. This study suggests that a 26% decrease in congestion in the Puget Sound area is possible and realistic. Dr. Eager has a Ph.D from University of California, Berkeley, and is a member of the Program Review Panel of Transportation Modeling Improvement Program (TMIP), USDOT's program to develop new travel modeling procedures. He is also author of a paper *Population Density and Reduced Road Congestion*.

Washington State Senator Jim Horn, Mercer Island, member of the Washington Transportation Committee and Puget Sound Regional Council, lead the effort to fund the Congestion Relief Study in order to address comments about the *End Gridlock Now* analysis.

The WSDOT region office in Vancouver and RTC are the primary staff coordinating the Vancouver/Portland aspects of the study. This project will include possible transportation projects and impacts in the Oregon portion of the metropolitan area. Accordingly, I believe that there are both policy and technical issues to address.

Consideration

I have attached a draft letter for JPACT consideration that is the result of discussion of the Study at the Bi-State Transportation Committee on December 18.

I would be happy to answer any questions that you may have about the Congestion Relief Study.

January 15, 2004

Mr. Aubrey Davis, Chair
Washington State Transportation Commission
Post Office Box 47308
Olympia, WA 98504-7308

Dear Chairman Davis

I would like to convey our interest in the Washington State Congestion Relief Study that has just begun by the Washington State Transportation Department. As we understand it, the Study will address congestion in southwest Washington and is intended to include analysis of all or portions of the Portland, Oregon metropolitan area. This could include assumptions about transportation investments in Oregon as well as analysis of the results.

As you know, the Portland metropolitan area and southwest Washington are linked by the Interstate system, including I-5 and I-205 as well as transit service between the two states provided by CTRAN and TriMet. The I-5 Transportation and Trade Partnership Strategic Plan, endorsed by the Washington State Transportation Commission on May 22, 2003, called for addressing I-5 corridor transportation issues, including investments in roads, transit and transportation demand management in a bi-state manner.

We are concerned with several elements of the Congestion Relief Study including:

- **Policy Coordination.** There is a need for coordination with Oregon policy makers, if the Study is going to be completed for portions of the Portland Oregon metropolitan area. If assumptions about the geographic extent, level and type of transportation investments in Oregon are going to be made, these should be reviewed and commented on by Oregon policy makers and should be coordinated with southwest Washington. We suggest that the Bi-State Transportation Committee is constituted to do this work. In addition, we would hope that the Congestion Relief Study would be coordinated with the I-5/Columbia River Crossing Project.
- **Land Use.** Land uses react to transportation investments and it is important to understand these interactions. Specifically, we are concerned that a complete picture will not be possible without understanding and estimating the land use development patterns that will likely result from the transportation investments.
- **Air Quality.** Metro has responsibility for maintaining the air quality of the Oregon portion of the greater metropolitan area. The air quality implications of major transportation improvements must also be considered in order to fully understand consequences.
- **Transportation Investments Influence on Trips.** Some have also expressed concern that one response to major expansion of freeways will lead to encouraging more auto trips

- "induced demand" in planner terms. Freeway and highway improvements could result in the creation of new trips or taking trips at or near peak periods resulting in congestion levels like those experienced today.

- **Previous Metro Analysis.** Metro looked at the consequences of major highway and freeway improvements in the region in 1997. We found that well placed higher density results in less congestion as the number of trips, car ownership and vehicle miles traveled all are reduced.
- **Benefit Cost Work Element.** We are very interested in this analysis and would like to further review and comment on the approach and methods used to complete this work.
- **Peer Review.** Providing for Peer Review of the Study will greatly increase the confidence in the Study results and is recommended.
- **Technical Participation.** There are many technical aspects of the study, including use of the Metro transportation model, Metro air quality model, land use modeling, etc. which, if utilized, would provide a complete analysis. Any work done by Oregon jurisdictions would also likely benefit from participation and review by Washington State technical experts to ensure consistency with other aspects of the Study.
- **Incurred Costs.** Technical participation by Oregon staff was not anticipated by Oregon and is not currently a part of work plans or budgets for this fiscal year ending June 30, 2004, the scheduled Study end date. Accordingly, should significant Oregon staff time be expended, these costs would have to be addressed in some manner.

I would be happy to discuss any of these matters with you or if there are technical issues that should be addressed, Andy Cotugno, Metro's Planning Director may be contacted at 503 797-1763.

Thank you.

Sincerely,

Rod Park, Chair
Joint Policy Advisory Committee on Transportation

c: Honorable State Senator Jim Horn
Don Wagner, WSDOT
Matt Garrett, ODOT
Michael Cummings, WSDOT
Dean Lookingbill, RTC
Chuck Green, Parsons Brinkerhoff

Bi-State Transportation Committee

The Bi-State Committee is appointed by Metro's Joint Policy Advisory Committee on Transportation and the Southwest Washington Regional Transportation Council.

Clark County
Commissioner Craig Pridemore
CHAIR

Metro
Councilor Rex Burkholder
VICE CHAIR

Multnomah County
Commissioner Serena Cruz

City of Vancouver
Mayor Royce Pollard

City of Portland
Commissioner Jim Francesconi

City of Battle Ground
Eric Holmes, City Manager

City of Gresham
Councilor Larry Haverkamp

C-TRAN
Lynne Griffith, Executive
Director/CEO

Tri-Met
Fred Hansen, General Manager

Port of Vancouver
Larry Paulson, Executive Director

Port of Portland
Bill Wyatt, Executive Director

WSDOT
Don Wagner, SW Administrator

ODOT
Matthew Garrett,
Region 1 Manager



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Fax 503-797-1797
TDD 503-797-1804

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MEMORANDUM

TO: Bi-State Transportation Committee

FROM:  Dean Lookingbill, RTC
Mark Turpel, Metro

DATE: January 15, 2004

SUBJECT: **FEDERAL TRANSPORTATION PRIORITIES**

Attached are five tables that outline a series of proposed federal transportation reauthorization bills. At this point it is still unknown as to which of these or which parts of these will formulate the final reauthorization bill. Nor is it known if the reauthorization will begin in the '05 or '06 federal fiscal year.

The attached tables include the following:







- TEA-LU: The House Transportation and Infrastructure Committee reauthorization bill, highway title
- SAFETEA: The Senate Environment and Public Works Committee reauthorization bill, highway title
- The Metropolitan Congestion Relief Act
- TEA-LU: The House Transportation and Infrastructure Committee reauthorization bill, transit title (not including the New Start and Small Start provisions)
- TEA-LU: The House Transportation and Infrastructure Committee reauthorization bill, New Start and Small Start provisions


Following a brief overview of the proposed reauthorization bills, Committee members will have time to discuss the key bi-state issues within the bills and the key bi-state projects within the '05 appropriation project list.




ATTACHMENT



TEA-LU (HR 3550)
HIGHWAY TITLE ONLY



The House Transportation Reauthorization bill is the product of two committees. The House Transportation and Infrastructure Committee released a bill (TEA-LU) covering the highway and transit title. Because TEA-LU increases funding beyond existing capacity, new revenues must be enacted by the House Ways and Means Committee.. Ways and Means has not yet produced a bill. So, the table below reviews only TEA-LU. Only changes to TEA-21 are addressed. The table uses the following symbols to rate the overall affect of a proposed change.

Very Good	Good	Neutral	Bad	Very Bad	Unclear
					



Rating	Program/Issue TEA-LU Section Sect. of 23 USC Amended	Summary of Issue/Explanation of Rating																																
EXISTING FUNDING PROGRAMS																																		
Authorization Levels and Apportionment Formulae <i>(only those programs most relevant to Portland shown)</i>																																		
	Interstate Maintenance Program SAFTEA §1101(a)(1) Amends 23 USC 119	<p>If revenue is enhanced, TEA-LU provides 36% higher Interstate Maintenance funding than TEA 21; 16% less IM funding than SAFETEA.</p> <table border="1"> <thead> <tr> <th align="left">Bill:</th> <th>Yr 1</th> <th>Yr 2</th> <th>Yr 3</th> <th>Yr 4</th> <th>Yr 5</th> <th>Yr 6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21</td> <td>\$3.43</td> <td>\$3.96</td> <td>\$4.00</td> <td>\$4.07</td> <td>\$4.14</td> <td>\$4.22</td> <td>\$23.81</td> </tr> <tr> <td>EPW Bill</td> <td>\$5.50</td> <td>\$6.30</td> <td>\$6.55</td> <td>\$6.55</td> <td>\$6.55</td> <td>\$6.55</td> <td>\$38.00</td> </tr> <tr> <td>House Bill</td> <td>\$4.50</td> <td>\$4.99</td> <td>\$5.36</td> <td>\$5.71</td> <td>\$5.87</td> <td>\$6.07</td> <td>\$32.50</td> </tr> </tbody> </table> <p>In FY2003, Oregon received 1.30% (\$57M) of the nationwide apportionment of Interstate Maintenance funds; the highest percentage share among all major road programs, except for High Priority Projects.</p>	Bill:	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5	Yr 6	TOTAL	TEA-21	\$3.43	\$3.96	\$4.00	\$4.07	\$4.14	\$4.22	\$23.81	EPW Bill	\$5.50	\$6.30	\$6.55	\$6.55	\$6.55	\$6.55	\$38.00	House Bill	\$4.50	\$4.99	\$5.36	\$5.71	\$5.87	\$6.07	\$32.50
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	<p>National Highway System Program TEA-LU §1101(a)(2) Amends 23 USC 103</p>	<p>If revenue is enhanced, TEA-LU provides 36% higher National Highway System funding than TEA 21; 15% less NHS funding than SAFETEA.</p> <table border="1"> <thead> <tr> <th>Bill:</th> <th>Year 1</th> <th>Year 2</th> <th>Year 3</th> <th>Year 4</th> <th>Year 5</th> <th>Year 6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21</td> <td>\$4.112</td> <td>\$4.749</td> <td>\$4.793</td> <td>\$4.888</td> <td>\$4.968</td> <td>\$5.061</td> <td>\$28.571</td> </tr> <tr> <td>EPW Bill</td> <td>\$6.650</td> <td>\$7.650</td> <td>\$7.950</td> <td>\$7.950</td> <td>\$7.950</td> <td>\$7.950</td> <td>\$46.100</td> </tr> <tr> <td>House Bill</td> <td>\$5.401</td> <td>\$5.986</td> <td>\$6.431</td> <td>\$6.854</td> <td>\$7.039</td> <td>\$7.287</td> <td>\$38.998</td> </tr> </tbody> </table> <p>In FY2003, Oregon received 1.24% (\$68M) of the nationwide apportionment of NHS funds.</p>	Bill:	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL	TEA-21	\$4.112	\$4.749	\$4.793	\$4.888	\$4.968	\$5.061	\$28.571	EPW Bill	\$6.650	\$7.650	\$7.950	\$7.950	\$7.950	\$7.950	\$46.100	House Bill	\$5.401	\$5.986	\$6.431	\$6.854	\$7.039	\$7.287	\$38.998
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	<p>Highway Bridge Program TEA-LU §1101(a)(3); §1112 Amends 23 USC 144</p>	<p>If revenue is enhanced, TEA-LU provides 37% higher Highway Bridge funding than TEA 21, and 14% less Highway Bridge funding than SAFETEA.</p> <table border="1"> <thead> <tr> <th>Bill:</th> <th>Year 1</th> <th>Year 2</th> <th>Year 3</th> <th>Year 4</th> <th>Year 5</th> <th>Year 6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21</td> <td>\$2.941</td> <td>\$3.395</td> <td>\$3.427</td> <td>\$3.495</td> <td>\$3.552</td> <td>\$3.619</td> <td>\$20.429</td> </tr> <tr> <td>Senate Bill</td> <td>\$4.700</td> <td>\$5.400</td> <td>\$5.600</td> <td>\$5.600</td> <td>\$5.600</td> <td>\$5.600</td> <td>\$32.500</td> </tr> <tr> <td>House Bill</td> <td>\$3.862</td> <td>\$4.280</td> <td>\$4.599</td> <td>\$4.901</td> <td>\$5.033</td> <td>\$5.211</td> <td>\$27.886</td> </tr> </tbody> </table> <p>In FY2003, Oregon received 1.22% (\$46M) of the nationwide apportionment of Bridge funds. TEA-LU makes few changes to Highway Bridge program. Restrictions on preventive maintenance are eased. Bridge Discretionary Program levels remains at \$100M per year, as in TEA-21. From 1998-2002 Oregon received <u>no</u> Bridge Discretionary funds; while \$462M was granted nationally.</p>	Bill:	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL	TEA-21	\$2.941	\$3.395	\$3.427	\$3.495	\$3.552	\$3.619	\$20.429	Senate Bill	\$4.700	\$5.400	\$5.600	\$5.600	\$5.600	\$5.600	\$32.500	House Bill	\$3.862	\$4.280	\$4.599	\$4.901	\$5.033	\$5.211	\$27.886
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	<p>Surface Transport. Program TEA-LU §1101(a)(5); §1202(c) Amends 23 USC 133</p>	<p>TEA-LU removes from the STP program the 10% set-aside requirement for safety projects (creating a separate, highly-funded safety program in lieu of the set-aside). Taken this adjustment into account, TEA-LU increases funds for non-safety, STP projects by 51%, <u>if revenue is enhanced</u>; a notably greater increase than for other funding programs.</p> <p style="text-align: center;">STP Funds Not Set Aside for Safety Projects Excludes funds Set Aside for Stormwater in SAFTEA</p> <table border="1"> <thead> <tr> <th>Bill:</th> <th>Year 1</th> <th>Year 2</th> <th>Year 3</th> <th>Year 4</th> <th>Year 5</th> <th>Year 6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21</td> <td>\$4.318</td> <td>\$4.986</td> <td>\$5.033</td> <td>\$5.133</td> <td>\$5.216</td> <td>\$5.315</td> <td>\$30.000</td> </tr> <tr> <td>Senate Bill</td> <td>\$6.811</td> <td>\$7.791</td> <td>\$8.085</td> <td>\$8.085</td> <td>\$8.085</td> <td>\$8.085</td> <td>\$46.942</td> </tr> <tr> <td>House Bill</td> <td>\$6.286</td> <td>\$6.954</td> <td>\$7.461</td> <td>\$7.942</td> <td>\$8.147</td> <td>\$8.446</td> <td>\$45.236</td> </tr> </tbody> </table> <p>TEA-LU adds to the list of STP-eligible projects incident response, technology deployment, emergency response, traveler information, etc. activities. The STP program is Oregon's largest federal road program. FY2003, Oregon received 1.26% (\$81M) of the nationwide apportionment of STP funds. The JPACT reauthorization agenda should prioritize increases to the STP program.</p>	Bill:	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL	TEA-21	\$4.318	\$4.986	\$5.033	\$5.133	\$5.216	\$5.315	\$30.000	Senate Bill	\$6.811	\$7.791	\$8.085	\$8.085	\$8.085	\$8.085	\$46.942	House Bill	\$6.286	\$6.954	\$7.461	\$7.942	\$8.147	\$8.446	\$45.236
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	<p>CMAQ Program TEA-LU §1101(a)(6); Amends 23 USC 104(b)(2); 149</p>	<p>Consistent with other existing funding sources, TEA-LU proposes to increase CMAQ funding by 59% compared to TEA-21.</p> <table border="1" data-bbox="777 365 1774 511"> <thead> <tr> <th>Bill:</th> <th>Year 1</th> <th>Year 2</th> <th>Year 3</th> <th>Year 4</th> <th>Year 5</th> <th>Year 6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21</td> <td>\$1.193</td> <td>\$1.345</td> <td>\$1.358</td> <td>\$1.385</td> <td>\$1.407</td> <td>\$1.434</td> <td>\$ 8.122</td> </tr> <tr> <td>Senate Bill</td> <td>\$1.900</td> <td>\$2.150</td> <td>\$2.225</td> <td>\$2.225</td> <td>\$2.225</td> <td>\$2.225</td> <td>\$12.950</td> </tr> <tr> <td>House Bill</td> <td>\$1.530</td> <td>\$1.696</td> <td>\$1.822</td> <td>\$1.942</td> <td>\$1.994</td> <td>\$2.065</td> <td>\$11.049</td> </tr> </tbody> </table> <p>CMAQ is the lowest of the major funding sources for Oregon, both as an absolute amount and in terms of its share of the nationwide apportionment, but is a critical source allocated through JPACT and the Metro Council. In FY2003, Oregon received 0.68% (\$10M) of the nationwide apportionment of CMAQ funds. It is also the most restrictive in terms of eligible projects. A recent EPA rule changed ozone standards; making Portland an "attainment area" rather than a "maintenance area." As a result, <u>Portland will get a lower share of CMAQ funds in the future.</u> Accordingly:</p> <p>(a) Allow Portland to retain its eligibility for ozone-related CMAQ funds by amending TEA-LU to add 23 USC 104(b)(2)(B)(viii) as follows: <u>"(viii) 1.0 if, at the time of apportionment, the area is not designated as a nonattainment or maintenance area under the 8-hour ozone standard but was designated as a nonattainment area or maintenance area under the 1-hour ozone standard."</u></p> <p>(b) Support the change of the apportionment factor from .8 to 1.0 for areas achieving a "Maintenance status."</p>	Bill:	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL	TEA-21	\$1.193	\$1.345	\$1.358	\$1.385	\$1.407	\$1.434	\$ 8.122	Senate Bill	\$1.900	\$2.150	\$2.225	\$2.225	\$2.225	\$2.225	\$12.950	House Bill	\$1.530	\$1.696	\$1.822	\$1.942	\$1.994	\$2.065	\$11.049																																																
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	<p>Transportation & Community & System Preservation Program TEA-LU §1113 Amends 23USC101 note 112 Stat 223</p>	<p>The total TCSP authorization under TEA-LU is roughly double TEA-21. No other changes are proposed.</p> <table border="1" data-bbox="871 990 1543 1128"> <thead> <tr> <th>Bill:</th> <th>Year 1</th> <th>Year 2</th> <th>Year 3</th> <th>Year 4</th> <th>Year 5</th> <th>Year 6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21</td> <td></td> <td>\$0.020</td> <td>\$0.025</td> <td>\$0.025</td> <td>\$0.025</td> <td>\$0.025</td> <td>\$0.120</td> </tr> <tr> <td>Senate Bill</td> <td>\$0.050</td> <td>\$0.050</td> <td>\$0.050</td> <td>\$0.050</td> <td>\$0.050</td> <td>\$0.050</td> <td>\$0.300</td> </tr> <tr> <td>House Bill</td> <td>\$0.030</td> <td>\$0.035</td> <td>\$0.040</td> <td>\$0.045</td> <td>\$0.050</td> <td>\$0.050</td> <td>\$0.250</td> </tr> </tbody> </table> <p>However, the authorization levels and selection criteria under TEA-21 had little to do with actual grants:</p> <table border="1" data-bbox="850 1201 1606 1421"> <thead> <tr> <th>TEA-21 ACTUAL</th> <th>1998</th> <th>1999</th> <th>2000</th> <th>2001</th> <th>2002</th> <th>2003</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>Discretionary Grant</td> <td></td> <td>\$0.013</td> <td>\$0.009</td> <td></td> <td></td> <td></td> <td>\$0.022</td> </tr> <tr> <td>Cong Earmark</td> <td></td> <td></td> <td>\$0.022</td> <td>\$0.047</td> <td>\$0.273</td> <td>\$0.089</td> <td>\$0.431</td> </tr> <tr> <td>Total</td> <td></td> <td>\$0.013</td> <td>\$0.031</td> <td>\$0.047</td> <td>\$0.273</td> <td>\$0.089</td> <td>\$0.453</td> </tr> <tr> <td>Oregon Grants</td> <td></td> <td>\$0.001</td> <td>\$0.001</td> <td>\$0.000</td> <td>\$ -</td> <td>\$0.001</td> <td>\$0.003</td> </tr> <tr> <td>Oregon Percent</td> <td></td> <td>8.46%</td> <td>1.81%</td> <td>0.80%</td> <td>0.00%</td> <td>1.43%</td> <td>0.73%</td> </tr> </tbody> </table> <p>Overall, Oregon/Portland has not done as well with TCSP as other programs.</p>	Bill:	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL	TEA-21		\$0.020	\$0.025	\$0.025	\$0.025	\$0.025	\$0.120	Senate Bill	\$0.050	\$0.050	\$0.050	\$0.050	\$0.050	\$0.050	\$0.300	House Bill	\$0.030	\$0.035	\$0.040	\$0.045	\$0.050	\$0.050	\$0.250	TEA-21 ACTUAL	1998	1999	2000	2001	2002	2003	TOTAL	Discretionary Grant		\$0.013	\$0.009				\$0.022	Cong Earmark			\$0.022	\$0.047	\$0.273	\$0.089	\$0.431	Total		\$0.013	\$0.031	\$0.047	\$0.273	\$0.089	\$0.453	Oregon Grants		\$0.001	\$0.001	\$0.000	\$ -	\$0.001	\$0.003	Oregon Percent		8.46%	1.81%	0.80%	0.00%	1.43%	0.73%
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Oregon Percent		8.46%	1.81%	0.80%	0.00%	1.43%	0.73%																																																																											






	<p>Multi-State Corridor TEA-LU §1101(a)(10); §1301 Border Planning, Operations, Tech. TEA-LU §1101(a)(11); §1302</p>	<p>“Corridor” funds are available to the I-5 Trade Corridor. Oregon is not eligible for “Border” funds. Under TEA-21, “Border” and “Corridor” funds were authorized as one program. About 80% of these funds were allocated to “Corridor” projects. TEA-LU establishes independent funding authorizations for both programs and increases funding by about eight-fold. TEA-LU’s split between Border and Corridor funds is consistent with past practice. A section has been reserved in TEA-LU for the operations of the program; <u>so it is yet not clear how the funds will be allocated.</u></p> <p style="text-align: center;">Borders and Corridors Programs <i>In TEA-21 Programs Combined, in SAFETE/TEA-LU Separate Programs</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Bill:</th> <th>Year 1</th> <th>Year 2</th> <th>Year 3</th> <th>Year 4</th> <th>Year 5</th> <th>Year 6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21; B&C.</td> <td>\$0.140</td> <td>\$0.140</td> <td>\$0.140</td> <td>\$0.140</td> <td>\$0.140</td> <td>\$0.140</td> <td>\$0.840</td> </tr> <tr> <td>Senate Bill: Corridors</td> <td>\$0.112</td> <td>\$0.135</td> <td>\$0.157</td> <td>\$0.180</td> <td>\$0.202</td> <td>\$0.225</td> <td>\$1.011</td> </tr> <tr> <td>Senate Bill: Borders</td> <td>\$0.112</td> <td>\$0.135</td> <td>\$0.157</td> <td>\$0.180</td> <td>\$0.202</td> <td>\$0.225</td> <td>\$1.011</td> </tr> <tr> <td>Senate Bill: B&C</td> <td>\$0.224</td> <td>\$0.270</td> <td>\$0.314</td> <td>\$0.360</td> <td>\$0.404</td> <td>\$0.450</td> <td>\$2.022</td> </tr> <tr> <td>House Bill: Corridors</td> <td>\$0.500</td> <td>\$0.900</td> <td>\$0.900</td> <td>\$0.900</td> <td>\$0.900</td> <td>\$0.900</td> <td>\$5.000</td> </tr> <tr> <td>House Bill: Borders</td> <td>\$0.200</td> <td>\$0.300</td> <td>\$0.325</td> <td>\$0.350</td> <td>\$0.400</td> <td>\$0.400</td> <td>\$1.975</td> </tr> <tr> <td>House Bill: B&C</td> <td>\$0.700</td> <td>\$1.200</td> <td>\$1.225</td> <td>\$1.250</td> <td>\$1.300</td> <td>\$1.300</td> <td>\$6.975</td> </tr> </tbody> </table> <p>Corridor funds were intended as a criteria-based discretionary program. However, actual funding under TEA-21 had little to do with the authorized funding levels or criteria. Over TEA-21, Oregon’s share has been about the same as for NHS funds, but more erratic</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Bill:</th> <th>1998</th> <th>1999</th> <th>2000</th> <th>2001</th> <th>2002</th> <th>2003</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>B&CFunds Allocated</td> <td></td> <td>\$123.60</td> <td>\$121.80</td> <td>\$123.08</td> <td>\$479.98</td> <td>\$255.00</td> <td>\$1,103.46</td> </tr> <tr> <td>Amount to Oregon</td> <td></td> <td>\$2.00</td> <td>\$0.00</td> <td>\$0.88</td> <td>\$4.86</td> <td>\$6.50</td> <td>\$14.23</td> </tr> <tr> <td>Percent to Oregon</td> <td></td> <td>1.62%</td> <td>0.00%</td> <td>0.71%</td> <td>1.01%</td> <td>2.55%</td> <td>1.29%</td> </tr> </tbody> </table> <p>Unlike other targeted programs, this program should be supported by JPACT, so long as Corridor funds are about 80% of total, because, with Washington’s help, this may be good funding source for I-5 PE/EIS work.</p>	Bill:	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL	TEA-21; B&C.	\$0.140	\$0.140	\$0.140	\$0.140	\$0.140	\$0.140	\$0.840	Senate Bill: Corridors	\$0.112	\$0.135	\$0.157	\$0.180	\$0.202	\$0.225	\$1.011	Senate Bill: Borders	\$0.112	\$0.135	\$0.157	\$0.180	\$0.202	\$0.225	\$1.011	Senate Bill: B&C	\$0.224	\$0.270	\$0.314	\$0.360	\$0.404	\$0.450	\$2.022	House Bill: Corridors	\$0.500	\$0.900	\$0.900	\$0.900	\$0.900	\$0.900	\$5.000	House Bill: Borders	\$0.200	\$0.300	\$0.325	\$0.350	\$0.400	\$0.400	\$1.975	House Bill: B&C	\$0.700	\$1.200	\$1.225	\$1.250	\$1.300	\$1.300	\$6.975	Bill:	1998	1999	2000	2001	2002	2003	TOTAL	B&CFunds Allocated		\$123.60	\$121.80	\$123.08	\$479.98	\$255.00	\$1,103.46	Amount to Oregon		\$2.00	\$0.00	\$0.88	\$4.86	\$6.50	\$14.23	Percent to Oregon		1.62%	0.00%	0.71%	1.01%	2.55%	1.29%
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	<p>Interstate Discretionary Projects TEA-LU §1111 Amends 23USC118(c)</p>	<p>In TEA-LU, <u>the \$100M per year Interstate Discretionary Program is eliminated.</u> Oregon has received little from the Interstate Discretionary Program. Of the \$560M allocated during TEA-21, Oregon received \$1.765M, or 0.3%. Elimination of discretionary program adds to formula apportionments, a benefit to Oregon.</p>																																																																																																

NEW FUNDING PROGRAMS
Authorization Levels and Apportionment Formulae
(only those programs most relevant to Portland shown)

	<p>Highway Safety Improvement Prog. TEA-LU §1101(6); §1401; Amends 23USC130; 23USC152</p>	<p>TEA-LU repeals the 10% (\$649M in FY03) safety set-aside in the STP program and replaces it with a new, formula program with a 90% federal share.</p> <table border="1" data-bbox="714 511 1711 657"> <thead> <tr> <th>Bill:</th> <th>Year 1</th> <th>Year 2</th> <th>Year 3</th> <th>Year 4</th> <th>Year 5</th> <th>Year 6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> </tr> <tr> <td>Senate Bill</td> <td>\$1.200</td> <td>\$1.300</td> <td>\$1.350</td> <td>\$1.350</td> <td>\$1.350</td> <td>\$1.350</td> <td>\$7.900</td> </tr> <tr> <td>House Bill</td> <td>\$1.000</td> <td>\$1.100</td> <td>\$1.200</td> <td>\$1.300</td> <td>\$1.400</td> <td>\$1.500</td> <td>\$7.500</td> </tr> </tbody> </table> <p>One-third of these amounts are allocated to states for the railroad crossing program in 23USC130. One-half of these funds are apportioned to states based on the STP formula and one-half based on the number of railroad crossings. Two-thirds of these amounts are allocated to states for the hazard elimination program in 23USC152 based on the STP formula.</p> <p>Project requirements do not appear onerous, but do not know how they comply with Oregon/Portland priorities. This new program is in addition to continuing the Nat'l Highway Traffic Safety Administration (HSTSA) and Motor Carrier Safety Assistance Program (MCSAP).</p> <p><u>Generally, JPACT should support increases in flexible programs, such as STP, and be wary of targeted or restrictive programs with new administrative requirements. However, this is mitigated somewhat in the Safety Program because it makes more flexible STP dollars available with the elimination of the 10% STP set-aside for safety projects.</u></p>	Bill:	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL	TEA-21	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Senate Bill	\$1.200	\$1.300	\$1.350	\$1.350	\$1.350	\$1.350	\$7.900	House Bill	\$1.000	\$1.100	\$1.200	\$1.300	\$1.400	\$1.500	\$7.500
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	<p>Safe Routes to Schools TEA-LU §1101(a)(23) §1118(b)</p>	<p>Creates a \$250M per year, six-year formula program for sidewalks, traffic calming, bicycle facilities, etc. in the vicinity of primary and middle schools. Apportionment to states based on school enrollment with a \$2M per year minimum apportionment (probably would be Oregon's share). 10%-30% of funds to be used for activities to encourage walking and bicycling to school, including public awareness campaigns, traffic education and enforcement in the vicinity of schools, student sessions on bicycle and pedestrian safety, etc</p>																																







?	<p>Projects of National and Regional Significance TEA-LU §1101(a)(12); §1304</p>	<p>Creates a “New Starts-like” discretionary program for “mega” road projects. Only projects costing the lesser of \$500M or 75% of the sponsoring state’s annual federal highway assistance program are eligible.</p> <table border="1"> <thead> <tr> <th>Bill:</th> <th>Year 1</th> <th>Year 2</th> <th>Year 3</th> <th>Year 4</th> <th>Year 5</th> <th>Year 6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>\$ -</td> </tr> <tr> <td>Senate Bill</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>\$ -</td> </tr> <tr> <td>House Bill</td> <td>\$2.900</td> <td>\$2.900</td> <td>\$2.900</td> <td>\$2.900</td> <td>\$3.000</td> <td>\$3.000</td> <td>\$17.600</td> </tr> </tbody> </table> <p>Criteria for competitive grants include: generate national benefits, reduce congestion, improve safety, leverage non-federal investment, etc. Projects would be evaluated and rated in manner similar to New Starts program. Projects funded through a Full Funding Grant Agreement. One can anticipate that this program will operate similarly as the New Starts program; highly competitive, congressionally earmarked, etc.</p> <p>On its merits, the I-5 Project would be eligible and competitive for “mega” project funds. Perhaps Sunrise Corridor would also be eligible. <u>However, the utility of this program depends on our ability to be competitive in a national process.</u> Oregon has done well with New Starts funds, but no other discretionary program. Without members that are Committee Chairs, in leadership positions or on Appropriations, <u>it may be unrealistic to count on concurrently securing FFGAs and appropriations for a New Starts project and a Mega project.</u></p> <p>If the amount of funds authorized for mega projects were made available through a formula program with an apportionment similar to NHS, Oregon would be allocated about \$220M over six years. A “bird in hand ...,” We should determine whether Oregon would be better served with funds in a formula program than in this mega project program. The exception may be I-5, where with help from State of Washington, the mega project program could be beneficial.</p>	Bill:	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL	TEA-21	NA	NA	NA	NA	NA	NA	\$ -	Senate Bill	NA	NA	NA	NA	NA	NA	\$ -	House Bill	\$2.900	\$2.900	\$2.900	\$2.900	\$3.000	\$3.000	\$17.600
	Bill:	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL																										
TEA-21	NA	NA	NA	NA	NA	NA	\$ -																											
Senate Bill	NA	NA	NA	NA	NA	NA	\$ -																											
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★	<p>High Priority Projects TEA-LU §1101(a)(17) Amends 23 USC 117</p>	<p>This program is a placeholder for “demo projects.” With good representation in the House T&I Committee, Oregon has done well with demo projects. Under TEA-21, Oregon received 1.85% of such funds; a share that is about 50% higher than for NHS funds. TEA-LU proposes to increase demo funding by 60% above TEA-21 levels.</p> <table border="1"> <thead> <tr> <th>Bill:</th> <th>Year 1</th> <th>Year 2</th> <th>Year 3</th> <th>Year 4</th> <th>Year 5</th> <th>Year 6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21</td> <td>\$1.030</td> <td>\$1.404</td> <td>\$1.685</td> <td>\$1.685</td> <td>\$1.778</td> <td>\$1.778</td> <td>\$ 9.360</td> </tr> <tr> <td>Senate Bill</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>\$ -</td> </tr> <tr> <td>House Bill</td> <td>\$1.953</td> <td>\$2.144</td> <td>\$2.355</td> <td>\$2.587</td> <td>\$2.841</td> <td>\$3.120</td> <td>\$15.000</td> </tr> </tbody> </table>	Bill:	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL	TEA-21	\$1.030	\$1.404	\$1.685	\$1.685	\$1.778	\$1.778	\$ 9.360	Senate Bill	NA	NA	NA	NA	NA	NA	\$ -	House Bill	\$1.953	\$2.144	\$2.355	\$2.587	\$2.841	\$3.120	\$15.000
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	<p>Freight Intermodal Connectors TEA-LU §1101(a)(18); §1303</p>	<p>New formula program with 80% federal share. Funds apportioned to states on basis of one third each of (i) the state's percent of the national total number of freight intermodal connectors, (ii) the state's percentage contribution to the Trust Fund and (iii) the NHS formula.</p> <table border="1" data-bbox="898 358 1570 492"> <thead> <tr> <th>Bill:</th> <th>Year 1</th> <th>Year 2</th> <th>Year 3</th> <th>Year 4</th> <th>Year 5</th> <th>Year 6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>\$ -</td> </tr> <tr> <td>Senate Bill</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>\$ -</td> </tr> <tr> <td>House Bill</td> <td>\$0.300</td> <td>\$0.400</td> <td>\$0.500</td> <td>\$0.600</td> <td>\$0.600</td> <td>\$0.600</td> <td>\$3.000</td> </tr> </tbody> </table> <p>Funds must be used for construction of publicly owned intermodal connectors and related operational improvements. Priority is to be given to NHS intermodal connectors. Funds can be used for other road projects if state certifies there are no intermodal connector needs. While program is a formula apportionment (which is generally better for Oregon), it is likely that formula produces lower share than NHS formula. <u>Generally, JPACT should support increases in flexible programs, such as STP, and be wary of targeted or restrictive programs with new administrative requirements</u></p>	Bill:	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL	TEA-21	NA	NA	NA	NA	NA	NA	\$ -	Senate Bill	NA	NA	NA	NA	NA	NA	\$ -	House Bill	\$0.300	\$0.400	\$0.500	\$0.600	\$0.600	\$0.600	\$3.000
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	<p>Dedicated Truck Lanes TEA-LU §1101(a)(22); §1305</p>	<p>TEA-LU includes authorized funding, but does not define the program (section reserved for this purpose).</p> <table border="1" data-bbox="898 800 1598 933"> <thead> <tr> <th>Bill:</th> <th>Year 1</th> <th>Year 2</th> <th>Year 3</th> <th>Year 4</th> <th>Year 5</th> <th>Year 6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>\$000</td> </tr> <tr> <td>Senate Bill</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>\$000</td> </tr> <tr> <td>House Bill</td> <td>\$0.25</td> <td>\$0.35</td> <td>\$0.35</td> <td>\$0.35</td> <td>\$0.35</td> <td>\$0.35</td> <td>\$2.00</td> </tr> </tbody> </table>	Bill:	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL	TEA-21	NA	NA	NA	NA	NA	NA	\$000	Senate Bill	NA	NA	NA	NA	NA	NA	\$000	House Bill	\$0.25	\$0.35	\$0.35	\$0.35	\$0.35	\$0.35	\$2.00
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	<p>Congestion Relief TEA-LU §1202</p>	<p>Requires that a portion of STP, NHS, CMAQ and Interstate Maintenance funds be dedicated for congestion relief activities. The portion to be dedicated is 10% of these funding categories times the percent of the state's population in urbanized areas with a population over 200,000. Each year 40% of the dedicated revenues must be allocated to congestion relief projects that can be implemented in one year, 35% to congestion relief projects that can be implemented in three years, and 25% to any congestion relief activity. This program is not a new funding source, but rather a limitation on flexibility and an additional administrative burden, and should be opposed.</p>																																
<p>OTHER PROGRAMS AND POLICIES <i>(Research not Addressed, Defer to PSU)</i></p>																																		
	<p>TIFIA TEA-LU §1303 Amends 23 USC181-189</p>	<p>Threshold for eligibility reduced to \$50M. \$150M per year for six years authorized to support program. The maximum annual credit amounts set at \$2.6B.</p>																																




	TSM TEA-LU §1202 Amends 23 USC 133, 23 USC 149	Expands list of eligible projects for STP and CMAQ funds to include transportation system management and operations activities.
	ITS TEA-LU §1205 Adds 23 USC 150	Requires States to obligate a portion of their annual NHS, Interstate Maintenance, STP and CMAQ funds on ITS projects. The portion of a state's federal funds that must be spend on ITS is \$500M times the percent of federal road funds that state receives compared to the national total. For Oregon, this means about \$6M per year. This program is not a new funding source, but rather a limitation on flexibility and an additional administrative burden, and should be opposed.
	Tolling	Nothing proposed.
	Public Private Partnerships TEA-LU §1503	Section reserved, proposal to be added later.
	Design Build Contracts TEA-LU §1501	Section reserved, proposal to be added later.



**SAFETEA (S. 1072) by EPW Committee
As Amended November 9, 2003**



The Senate's Transportation Reauthorization bill is the product of three committees. The Finance Committee is responsible for raising revenues that support the transit and highway titles. The Banking Committee proposes the transit title, and the Environment and Public Works (EPW) Committee proposes the highway title. At this time, neither the Finance Committee nor the Banking Committee has produced a draft bill. Thus, this review of the EPW bill addresses only highway provisions. Only changes to TEA-21 are reviewed in the table below. The table uses the following symbols to describe the overall affect of a proposed change.

Very Good	Good	Neutral	Bad	Very Bad	Unclear
					




Rating	Program/Issue SAFTEA Section Sect. of 23 USC Amended	Summary of Issue/Explanation of Rating																																
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	<p>Surface Transport. Program SAFETEA §1102(4); §1401(g)(2); §1620 Amends 23 USC 133(d)</p>	<p>Both SAFETEA and TEA-LU create a highly funded highway safety program and remove from the STP program the 10% set-aside requirement for safety projects. However, SAFETEA adds a 2% set aside for stormwater mitigation projects. Taken both of these adjustments into account, SAFETEA increases funds for non-safety, non-stormwater projects by 56%, <u>if revenue is enhanced</u>; a slightly lower increase than for other funding programs.</p> <table border="1"> <thead> <tr> <th rowspan="2">Bill:</th> <th colspan="6">STP Funds Not Set Aside for Safety Projects</th> <th rowspan="2">TOTAL</th> </tr> <tr> <th>Year 1</th> <th>Year 2</th> <th>Year 3</th> <th>Year 4</th> <th>Year 5</th> <th>Year 6</th> </tr> </thead> <tbody> <tr> <td>TEA-21</td> <td>\$4.318</td> <td>\$4.986</td> <td>\$5.033</td> <td>\$5.133</td> <td>\$5.216</td> <td>\$5.315</td> <td>\$30.000</td> </tr> <tr> <td>Senate Bill</td> <td>\$6.811</td> <td>\$7.791</td> <td>\$8.085</td> <td>\$8.085</td> <td>\$8.085</td> <td>\$8.085</td> <td>\$46.942</td> </tr> <tr> <td>House Bill</td> <td>\$6.286</td> <td>\$6.954</td> <td>\$7.461</td> <td>\$7.942</td> <td>\$8.147</td> <td>\$8.446</td> <td>\$45.236</td> </tr> </tbody> </table> <p>If the new or expanded safety programs are not funded, it is likely that the 10% STP set aside for safety projects will be continued or expanded.</p>	Bill:	STP Funds Not Set Aside for Safety Projects						TOTAL	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TEA-21	\$4.318	\$4.986	\$5.033	\$5.133	\$5.216	\$5.315	\$30.000	Senate Bill	\$6.811	\$7.791	\$8.085	\$8.085	\$8.085	\$8.085	\$46.942	House Bill	\$6.286	\$6.954	\$7.461	\$7.942	\$8.147	\$8.446	\$45.236
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	<p>CMAQ Program SAFETEA §1102(5); §1611 Amends 23 USC 104(b)(2); 149</p>	<p>Consistent with other existing funding sources, SAFETEA proposes to increase CMAQ funding by 59% compared to TEA-21.</p> <table border="1" data-bbox="772 298 1759 435"> <thead> <tr> <th>Bill:</th> <th>Year 1</th> <th>Year 2</th> <th>Year 3</th> <th>Year 4</th> <th>Year 5</th> <th>Year 6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21</td> <td>\$1.193</td> <td>\$1.345</td> <td>\$1.358</td> <td>\$1.385</td> <td>\$1.407</td> <td>\$1.434</td> <td>\$ 8.122</td> </tr> <tr> <td>Senate Bill</td> <td>\$1.900</td> <td>\$2.150</td> <td>\$2.225</td> <td>\$2.225</td> <td>\$2.225</td> <td>\$2.225</td> <td>\$12.950</td> </tr> <tr> <td>House Bill</td> <td>\$1.530</td> <td>\$1.696</td> <td>\$1.822</td> <td>\$1.942</td> <td>\$1.994</td> <td>\$2.065</td> <td>\$11.049</td> </tr> </tbody> </table> <p>However, several factors work to make the proposed increase in CMAQ funds unattractive for Portland. EPA recently issued a rule changing the ozone standards, which results reclassifying Portland as an “attainment area” rather than a “maintenance area.” This results in Portland losing its eligibility for ozone-related CMAQ funds. Also, SAFETEA incorporates an apportionment factor relating to “fine particulates.” This has the affect of spreading CMAQ funds to more areas, resulting in decreased CMAQ funds for “attainment” areas like Portland. Accordingly:</p> <p>(a) (b) Allow Portland to retain its eligibility for ozone-related CMAQ funds by amending §1611(2) of SAFETEA to include: <u>“(x) 1.0 if, at the time of apportionment, the area is not designated as a nonattainment or maintenance area under the 8-hour ozone standard but was designated as a nonattainment area or maintenance area under the 1-hour ozone standard.”</u></p> <p>(b) <i>Support the change in the apportionment factor from .8 to 1.0 for areas achieving “Maintenance” statys</i></p>	Bill:	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL	TEA-21	\$1.193	\$1.345	\$1.358	\$1.385	\$1.407	\$1.434	\$ 8.122	Senate Bill	\$1.900	\$2.150	\$2.225	\$2.225	\$2.225	\$2.225	\$12.950	House Bill	\$1.530	\$1.696	\$1.822	\$1.942	\$1.994	\$2.065	\$11.049
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	<p>Transportation & Community & System Preservation Pilot Prog SAFETEA §1814 Adds 23 USC 175</p>	<p>This is a revision to Sen. Wyden’s TCSP program. \$50M per year for six years is authorized for program, doubling the amount in TEA-21. Remains a competitive program (assuming it is not fully earmarked each year) for planning, development and implementation of community and system preservation projects such as TOD, impact mitigation and jobs access projects. Priority given to applicants have policies, such as UGBs, green corridors, etc. Funds must be allocated equitably to a diversity of populations and geographic regions.</p>																																

	<p>Multi-State Corridor SAFETEA §1101(10); §1810. Creates 23USC171</p> <p>Border Planning, Operations, Tech. SAFETEA §1101(11); §1811 Creates 23USC172</p>	<p>“Corridor” funds are a key discretionary source for PE/EIS work for the I-5 Trade Corridor. Oregon is not eligible for “Border” funds. Under TEA-21, “Border” and “Corridor” funds were authorized as one program. About 80% of the funds were allocated to “Corridor” projects. SAFETEA establishes independent funding authorizations for both programs, as does TEA-LU. SAFETEA also revises the eligibility requirements, but this may be of little consequence because funds have historically been earmarked by Congress. While SAFETEA increases Border & Corridor funds by 141%, it splits the funds evenly between the Border and Corridor programs. This has the affect of substantially increasing Border funds and only marginally increasing Corridor funds. The House Bill (TEA-LU) is illustrative of a Border-Corridor apportionment that is consistent with past practice. Also, many projects eligible for Border Program funds are also eligible for Corridor Program funds; allowing them to “double dip.”</p> <p style="text-align: center;">Borders and Corridors Programs <i>In TEA-21 Programs Combined, in SAFETEA/TEA-LU Separate Programs</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Bill:</th> <th>Year 1</th> <th>Year 2</th> <th>Year 3</th> <th>Year 4</th> <th>Year 5</th> <th>Year 6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21; B&C.</td> <td>\$0.140</td> <td>\$0.140</td> <td>\$0.140</td> <td>\$0.140</td> <td>\$0.140</td> <td>\$0.140</td> <td>\$0.840</td> </tr> <tr> <td>Senate Bill: Corridors</td> <td>\$0.112</td> <td>\$0.135</td> <td>\$0.157</td> <td>\$0.180</td> <td>\$0.202</td> <td>\$0.225</td> <td>\$1.011</td> </tr> <tr> <td>Senate Bill: Borders</td> <td>\$0.112</td> <td>\$0.135</td> <td>\$0.157</td> <td>\$0.180</td> <td>\$0.202</td> <td>\$0.225</td> <td>\$1.011</td> </tr> <tr> <td>Senate Bill: B&C</td> <td>\$0.224</td> <td>\$0.270</td> <td>\$0.314</td> <td>\$0.360</td> <td>\$0.404</td> <td>\$0.450</td> <td>\$2.022</td> </tr> <tr> <td>House Bill: Corridors</td> <td>\$0.500</td> <td>\$0.900</td> <td>\$0.900</td> <td>\$0.900</td> <td>\$0.900</td> <td>\$0.900</td> <td>\$5.000</td> </tr> <tr> <td>House Bill: Borders</td> <td>\$0.200</td> <td>\$0.300</td> <td>\$0.325</td> <td>\$0.350</td> <td>\$0.400</td> <td>\$0.400</td> <td>\$1.975</td> </tr> <tr> <td>House Bill: B&C</td> <td>\$0.700</td> <td>\$1.200</td> <td>\$1.225</td> <td>\$1.250</td> <td>\$1.300</td> <td>\$1.300</td> <td>\$6.975</td> </tr> </tbody> </table> <p>To resolve these issues:</p> <p>(a) Amend §1101(10) and §1101(11), to either (i) combine the separate authorities into one combined authority, as in TEA-21, or (ii) revise the relative funding levels between these programs to better reflect the size of the pool of eligible projects for these programs.</p> <p>(b) In §1811, make projects using Border Program funds ineligible for Corridor Program funding.</p>	Bill:	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL	TEA-21; B&C.	\$0.140	\$0.140	\$0.140	\$0.140	\$0.140	\$0.140	\$0.840	Senate Bill: Corridors	\$0.112	\$0.135	\$0.157	\$0.180	\$0.202	\$0.225	\$1.011	Senate Bill: Borders	\$0.112	\$0.135	\$0.157	\$0.180	\$0.202	\$0.225	\$1.011	Senate Bill: B&C	\$0.224	\$0.270	\$0.314	\$0.360	\$0.404	\$0.450	\$2.022	House Bill: Corridors	\$0.500	\$0.900	\$0.900	\$0.900	\$0.900	\$0.900	\$5.000	House Bill: Borders	\$0.200	\$0.300	\$0.325	\$0.350	\$0.400	\$0.400	\$1.975	House Bill: B&C	\$0.700	\$1.200	\$1.225	\$1.250	\$1.300	\$1.300	\$6.975
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	<p>Interstate Discretionary Projects SAFETEA §1805 Amends 23USC118(c)(1)</p>	<p>The set aside from the Interstate Maintenance Program for Interstate Discretionary Projects is raised to \$100M per year for six years (up from \$50M).</p>																																																																

NEW FUNDING PROGRAMS
Authorization Levels and Apportionment Formulae
(only those programs most relevant to Portland shown)







	<p>Highway Safety Improvement Prog. SAFETEA §1101(6); §1401; Replaces 23 USC 148</p>	<p>SAFETEA repeals the safety set-aside as part of the STP program and replaces it with a new, formula program with a 90% federal share. This new, highly funded safety program is in addition to safety programs continued under SAFETEA. Funds are formula allocated to states based on road mileage, VMT and amount of gas tax collections. Do not know how Oregon fares based on this formula.</p> <table border="1"> <thead> <tr> <th>Bill:</th> <th>Year 1</th> <th>Year 2</th> <th>Year 3</th> <th>Year 4</th> <th>Year 5</th> <th>Year 6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> </tr> <tr> <td>Senate Bill</td> <td>\$1.200</td> <td>\$1.300</td> <td>\$1.350</td> <td>\$1.350</td> <td>\$1.350</td> <td>\$1.350</td> <td>\$7.900</td> </tr> <tr> <td>House Bill</td> <td>\$1.000</td> <td>\$1.100</td> <td>\$1.200</td> <td>\$1.300</td> <td>\$1.400</td> <td>\$1.500</td> <td>\$7.500</td> </tr> </tbody> </table> <p>A pre-requisite for funding is a State Strategic Highway Safety Plan, prepared in compliance with statutory specifications. Eligible projects must be included in this plan and comply with statutory requirements. Project requirements do not appear onerous, but do not know how they comply with Oregon/Portland priorities. <u>Generally, JPACT should support increases in flexible programs, such as STP, and be wary of targeted or restrictive programs with new administrative requirements.</u></p>	Bill:	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL	TEA-21	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Senate Bill	\$1.200	\$1.300	\$1.350	\$1.350	\$1.350	\$1.350	\$7.900	House Bill	\$1.000	\$1.100	\$1.200	\$1.300	\$1.400	\$1.500	\$7.500
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	<p>Safe Routes to Schools SAFETEA §1405 Adds 23USC150</p>	<p>Creates a \$70M per year, six-year set-aside from Highway Safety Improvement Program (above) for sidewalks, traffic calming, bicycle facilities, etc. in the vicinity of schools.</p>																																
	<p>Infrastructure Performance and Maintenance Prog. SAFETEA §1101(13); §1201 Adds 23 USC 139</p>	<p>New program focused on highway preservation and operational improvements, only limited capacity enhancements are permitted. Funds must be obligated to projects within 180 days of appropriation or lost. Bill does not specify criteria or an apportionment formula.</p> <table border="1"> <thead> <tr> <th>Bill:</th> <th>Year 1</th> <th>Year 2</th> <th>Year 3</th> <th>Year 4</th> <th>Year 5</th> <th>Year 6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>\$ -</td> </tr> <tr> <td>Senate Bill</td> <td>\$2.500</td> <td>\$2.500</td> <td>\$2.000</td> <td>\$2.000</td> <td>\$2.000</td> <td>\$0.500</td> <td>\$11.500</td> </tr> <tr> <td>House Bill</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>\$ -</td> </tr> </tbody> </table> <p>Bill does not specify criteria or an apportionment formula; therefore do not know how much Oregon would receive. This appears to be a large program that is intended to phase-out. <u>Portland/Oregon objectives better met with more flexible and lasting highway programs.</u></p>	Bill:	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL	TEA-21	NA	NA	NA	NA	NA	NA	\$ -	Senate Bill	\$2.500	\$2.500	\$2.000	\$2.000	\$2.000	\$0.500	\$11.500	House Bill	NA	NA	NA	NA	NA	NA	\$ -
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House Bill	NA	NA	NA	NA	NA	NA	\$ -																											



	Freight Intermodal Connectors to NHS SAFETEA §1203(c) Amends 23USC103(b)	Of the NHS funds allocated to Oregon, the greater of (i) 2% or (ii) the percentage of NHS miles connecting to intermodal terminals of total NHS miles in the State must be set aside for intermodal freight connector projects. State can seek exemption from set aside each year, if State certifies intermodal connectors are in good condition and there are significant NHS needs. Set aside funds have only 10% local match requirement.
OTHER PROGRAMS AND POLICIES <i>(Research not Addressed, Defer to PSU)</i>		
	TIFIA SAFETEA §1303 Amends 23 USC181-189	Eligible projects expanded to include intermodal freight facilities, private rail facilities “providing public benefit,” etc. State and regional planning and programming requirements do not have to be met until contract to receive federal credit instrument is executed. Threshold for eligibility reduced to \$50M or 20% of federal highway assistance apportioned to State (down from \$50M or 50%). Maximum assistance under TIFIA limited by the amount of senior debt – makes clearer that TIFIA is not to be the primary borrowing. \$130M per year for six years authorized to support program.
	Freight SAFETEA §1203 Adds 23 USC 325	In addition to Freight-NHS connector program discussed above, SAFETEA includes several policies and programs related to freight. Intermodal connectors and transfer facilities are made eligible for STP funds. Requires creation of State Freight Transportation Coordinator and integration of freight issues into State and Regional Transportation Planning.
	Tolling HOV Lanes SAFETEA §1606 Amends 23 USC 102 Tolling Programs SAFETEA §1609(a)	Allows states to establish toll program to charge non-carpools to travel in HOV lanes. Criteria for eligibility for Interstate System Reconstruction and Rehabilitation Pilot program made more flexible. May have applicability for I-5 Trade Corridor. Variable Toll Pricing Program extended, with favorable provisions. May have applicability for I-5 Trade Corridor.
	MPO Funding SAFETEA §1102(b) Amends 23 USC 104(f)	Requires a 1.5% set aside of highway funds (after deduction for DOT administrative expenses) for metropolitan planning. TEA-21 had a “not to exceed 1%” requirement.
	Local Match SAFETEA §1301 Amends 23USC120(d)	Expands ability to increase federal share of highway funding above 90% (for interstates) and 80% (for other roads) based on percent of State land in national parks, national forests, tribal lands, etc. Authority already exists for some states. Do not know affect of change on Oregon.




	Transportation Funding Study SAFETEA §1305	Establishes 11-person <i>National Commission on Future Revenue Sources to Support the Highway Trust Fund</i> to study alternatives to replace or supplement the fuel tax as the principal source to support the Highway Trust Fund.
	RTP and TIP SAFETEA §1615 Amends 23 USC 134	Changes interval that MPO is required to update RTP from “ <i>periodically as determined by Secretary</i> ” (every 3 years) to five years. TIP program extended from every three years to every four years.
	Historic Site SAFETEA §1604 Amends 23 USC 103(c)	Section aimed at generally exempting the interstate system from being considered an historic site for purposes of 23 USC 138 or 49 USC 303. However, in doing so it states that a “ <i>portion of the Interstate System that possesses an independent feature of historic significance, such as a historic bridge ... that would qualify independently for Listing on the National Register of Historic Places shall be considered a historic site ...</i> ” This affects the ability to replace the I-5 Bridge to Vancouver.

Metropolitan Congestion Relief Act (HR 3611)

The table uses the following symbols to rate the overall affect of a proposed change.



Very Good	Good	Neutral	Bad	Very Bad	Unclear
					

Rating	Program/Issue HR 3611 Section Sec. of 23USC Amended	Summary of Issue/Explanation of Rating
EXISTING FUNDING PROGRAMS Authorization Levels and Apportionment Formulae		
	STP Program HR 3611 §2 Amends 23 USC 133	<p>Requires 100% of STP funds, rather than 62.5%, remaining after 10% set-aside for Safety and 10% set-aside for Enhancements to be allocated to MPOs; eliminating the State's STP program. This effectively increases the region's STP program by the 37.5% increment. This Bill does not address authorized funding levels, nor does it modify apportionment formula to the states.</p> <p>Bill raises policy question as to merits of cutting DOT's out of STP funds. While it would provide more MTIP funds, it makes ODOT less able to be a partner on projects. ODOT would no longer have a source of funds to contribute toward elderly & disabled transportation, bus replacement, high speed rail, LRT and TGM grants.</p>
	CMAQ Program HR 3611 §3 Amends 23 USC 149	<p>Requires States to formula allocate CMAQ funds (including minimum guarantee adjustments) and related obligation authority to MPO's. Certain limited CMAQ funds are exempt from this allocation. This Bill does not address authorized funding levels, nor does it modify apportionment formula to the states. This would make statutory current practice in Oregon.</p> <p>Funds would be allocated to MPOs based on the relative share of "nonattainment and maintenance populations." Since the Portland region is now an attainment region, it appears that no funds would be allocated to the region. This could be fixed by defining for purposes of this section "nonattainment" to include regions that were in nonattainment prior to the rules change.</p> <p>As a matter of practice, ODOT already does what is required by bill – so no real help to Portland region.</p>

	<p>NHS Program HR 3611 §3 Amends 23 USC 103</p>	<p>Requires a certain portion of NHS funds to be allocated to urbanized areas. As used in this section, it appears that funds must be spent in urbanized areas, but the State still would determine the projects (not MPOs). This Bill does not address authorized funding levels, nor does it modify apportionment formula to the states.</p> <p>The formula divides NHS funds between those spent in urbanized areas with a population greater than 200,000 and other areas of the state as follows: (A) 75% based on relative share of lane miles on the NHS system and (B) 25% based on relative VMT. The bill is fuzzy on what happens if there is more than one urbanized area with 200,000+ populations. It could be read to imply there is or is not a sub-allocation to the various large urbanized areas.</p> <p>This program does not serve regional needs. It puts Metro in middle of ODOT's preservation plans when Metro is primarily focused on Modernization. Moreover, when ODOT does Modernization, funds are sub-allocated.</p>
	<p>Minimum Guarantee HR 3611 §5 Amends 23 USC 105(c)(2)</p>	<p>Requires that minimum guarantee funds apportioned to the STP program must be allocated to urbanized areas, just like the core STP program.</p>
	<p>Metropolitan Planning Funds HR 3611 § 8 Amends 23 USC 104(f)(1)</p>	<p>Doubles the percentage of funds set aside for metropolitan planning compared to TEA-21. Instead of 1% of the total authorization of core highway programs, metropolitan planning is raised to 2 %.</p>

NEW FUNDING PROGRAMS


Authorization Levels and Apportionment Formulae

	<p>Metropolitan Congestion Relief Program HR 3611 §6 Adds 23 USC 165</p>	<p>Creates a new highway funding program where funds are allocated directly to certain MPOs. Eligible MPO's include MPOs in urbanized areas with a population greater than 1 million <u>and</u> that have a "Travel Time Index" (TTI) as determined by the Texas Transportation Institute. The Portland region as a TTI of 1.44 in 2001 (the latest data). Under my count, 32 areas would be eligible. Eligible projects include projects that are eligible under STP program <u>and</u> MPO demonstrates that it will improve congestion in its region.</p> <p>\$2 billion per year for six years is proposed to be authorized. Funds would be allocated to MPOs as follows: (A) 50% based on the percent that the MPO's TTI bears to the total of all TTIs for eligible areas (I calculate that this is 3.25% for Metro) and (B) 50% based on the MPO's relative share of passenger miles traveled (do not have data for this). Undoubtedly, this would be a favorable allocation to Portland compared to other federal highway programs.</p> <p>There are a few odd things in the bill. Firstly, it uses the Texas Transportation Institute's calculation of TTI, which Metro and ODOT have complained about, and puts too much authority in the Institute. Also, the way TTI is measured changes periodically, and bill would require Institute's periodic changes to change allocation. Also, definition of "passenger miles" includes VMT and transit ridership – it must intend something different than transit ridership.</p>
	<p>Operational Improvement Program HR 3611 §7 Creates 23 USC 168</p>	<p>Establishes a discretionary grant program for incident management projects, deployment of ITS projects, and transportation demand projects. Authorizes \$500M per year for six years for program.</p> <p>Portland/Oregon better served by increasing STP program funds by this amount and, if necessary, expanding list of eligible projects. On surface it appears that there would be no need to expand STP's eligible project list.</p>




TEA-LU (HR 3550)
TRANSIT TITLE ONLY
New Start and Small Start Programs Reviewed Separately

The House Transportation Reauthorization bill is the product of two committees. The House Transportation and Infrastructure Committee released a bill (TEA-LU) covering the highway and transit title. Because TEA-LU increases funding beyond existing capacity, new revenues must be enacted by the House Ways and Means Committee. Ways and Means has not yet produced a bill. So, the table below reviews only the transit elements of TEA-LU, except for the New Start and Small Start provisions that are reviewed separately. Only changes to TEA-21 are addressed. The table uses the following symbols to rate the overall affect of a proposed change.

Very Good	Good	Neutral	Bad	Very Bad	Unclear
					

Rating	Program/Issue TEA-LU Section Sect. of 49USC Amended	Summary of Issue/Explanation of Rating																																
EXISTING FUNDING PROGRAMS																																		
Authorization Levels and Apportionment Formulae <i>(only those programs most relevant to Portland shown)</i>																																		
	Urban Area Formula Grants TEA-LU §3008 Amends 49USC 5307	<p>TEA-LU provides an 87% increase in §5307 funds over TEA-21. Year 1 of TEA-LU only provides a 4% increase over Year 6 of TEA-21, but it includes a 13% per year increase each year thereafter.</p> <table style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: left;">Bill:</th> <th>Year 1</th> <th>Year 2</th> <th>Year 3</th> <th>Year 4</th> <th>Year 5</th> <th>Year 6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21</td> <td>\$2.30</td> <td>\$2.55</td> <td>\$2.78</td> <td>\$3.00</td> <td>\$3.23</td> <td>\$3.45</td> <td>\$17.31</td> </tr> <tr> <td>Senate Bill</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>\$ -</td> </tr> <tr> <td>House Bill</td> <td>\$3.60</td> <td>\$4.31</td> <td>\$4.87</td> <td>\$5.48</td> <td>\$6.06</td> <td>\$6.72</td> <td>\$31.03</td> </tr> </tbody> </table> <p>There are no other notable changes in the urban grant program. The Portland region receives about 0.8%-0.9% of the national appropriation of 5307 formula funds. Over its six years, the increased proposed by TEA-LU results in an additional \$120M for the Portland region compared to TEA-21.</p>	Bill:	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL	TEA-21	\$2.30	\$2.55	\$2.78	\$3.00	\$3.23	\$3.45	\$17.31	Senate Bill	NA	NA	NA	NA	NA	NA	\$ -	House Bill	\$3.60	\$4.31	\$4.87	\$5.48	\$6.06	\$6.72	\$31.03
Bill:	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL																											
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?	Jobs Access Reverse Commute (JARC) TEA-LU §3017 Adds 49USC5316	<p>TEA-LU increases JARC funds by 140% compared to TEA-21.</p> <table border="1"> <thead> <tr> <th>Bill:</th> <th>Year1</th> <th>Year2</th> <th>Year3</th> <th>Year4</th> <th>Year5</th> <th>Year6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21</td> <td></td> <td>\$005</td> <td>\$008</td> <td>\$010</td> <td>\$013</td> <td>\$015</td> <td>\$050</td> </tr> <tr> <td>Senate Bill</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> </tr> <tr> <td>House Bill</td> <td>\$0.175</td> <td>\$0.185</td> <td>\$0.195</td> <td>\$0.205</td> <td>\$0.215</td> <td>\$0.225</td> <td>\$1.200</td> </tr> </tbody> </table> <p>Under TEA-21, JARC was a discretionary grant program that ultimately became one of federal earmarks. TEA-LU proposes to make JARC a formula program. 60% of funds would be apportioned to transit operators in urban areas with >200,000 population based on relative share of low-income persons and welfare recipients. 20% would be apportioned to states and 20% to urban areas with less than 200,000 population based on same factors. Not enough information to know impact on Oregon.</p>	Bill:	Year1	Year2	Year3	Year4	Year5	Year6	TOTAL	TEA-21		\$005	\$008	\$010	\$013	\$015	\$050	Senate Bill	NA	NA	NA	NA	NA	NA	NA	House Bill	\$0.175	\$0.185	\$0.195	\$0.205	\$0.215	\$0.225	\$1.200
Bill:	Year1	Year2	Year3	Year4	Year5	Year6	TOTAL																											
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⚡	Clean Fuels Formula Grant Program TEA-LU §3009 Amends 49USC5308, 5338	<p>TEA-21 authorized specific amounts for Clean Fuels, but each year appropriators merged Clean Fuels authority into §5307 formula funds. TEA-LU increases authorization for Clean Fuel Program by 140%.</p> <table border="1"> <thead> <tr> <th>Bill:</th> <th>Year1</th> <th>Year2</th> <th>Year3</th> <th>Year4</th> <th>Year5</th> <th>Year6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21</td> <td></td> <td>\$005</td> <td>\$005</td> <td>\$005</td> <td>\$005</td> <td>\$005</td> <td>\$025</td> </tr> <tr> <td>Senate Bill</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>\$000</td> </tr> <tr> <td>House Bill</td> <td>\$0.10</td> <td>\$0.10</td> <td>\$0.10</td> <td>\$0.10</td> <td>\$0.10</td> <td>\$0.10</td> <td>\$0.60</td> </tr> </tbody> </table> <p>However, TriMet would no longer be eligible for formula apportionments under the program. A recent EPA rule changed ozone standards; making Portland an “attainment area” rather than a “maintenance area.” The apportionment formula for Clean Fuels is based on weight factors for non-attainment. My read is that as an attainment area, that weight factor would be zero. To continue TriMet’s eligibility, add the following to 49USC5308(d)(2)(A):</p> <p>: <u>“(vii) 1.0 if, at the time of apportionment, the area is not designated as a nonattainment or maintenance area under the 8-hour ozone standard but was designated as a nonattainment area or maintenance area under the 1-hour ozone standard.”</u></p>	Bill:	Year1	Year2	Year3	Year4	Year5	Year6	TOTAL	TEA-21		\$005	\$005	\$005	\$005	\$005	\$025	Senate Bill	NA	NA	NA	NA	NA	NA	\$000	House Bill	\$0.10	\$0.10	\$0.10	\$0.10	\$0.10	\$0.10	\$0.60
Bill:	Year1	Year2	Year3	Year4	Year5	Year6	TOTAL																											
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★	Elderly and Disabled Formula Funds TEA-LU §3011 49USC5310, 5338	<p>TEA-LU increases E&D Formula funds by 90% compared to TEA-21.</p> <table border="1"> <thead> <tr> <th>Bill:</th> <th>Year1</th> <th>Year2</th> <th>Year3</th> <th>Year4</th> <th>Year5</th> <th>Year6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21</td> <td>\$0.06</td> <td>\$0.07</td> <td>\$0.07</td> <td>\$0.08</td> <td>\$0.09</td> <td>\$0.09</td> <td>\$0.46</td> </tr> <tr> <td>Senate Bill</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> </tr> <tr> <td>House Bill</td> <td>\$0.10</td> <td>\$0.12</td> <td>\$0.14</td> <td>\$0.15</td> <td>\$0.17</td> <td>\$0.19</td> <td>\$0.87</td> </tr> </tbody> </table> <p>The program is changed to allow funds to be used for operating expenses, at a 50% match ratio. A requirement to certify coordination with non-profits is added. Also requires that projects be derived from a “locally developed coordinated public transit-human services transportation plan.” The State of Oregon received on average 1.36% of E&D Formula funds from 1999-2003.</p>	Bill:	Year1	Year2	Year3	Year4	Year5	Year6	TOTAL	TEA-21	\$0.06	\$0.07	\$0.07	\$0.08	\$0.09	\$0.09	\$0.46	Senate Bill	NA	NA	NA	NA	NA	NA	NA	House Bill	\$0.10	\$0.12	\$0.14	\$0.15	\$0.17	\$0.19	\$0.87
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
	<p>New Start Funds TEA-LU §3010 49USC5309, 5338</p>	<p>TEA-LU increases New Start funds for “major” projects by 87% compared to TEA-21, and that is on top of the “small start” funds.</p> <table border="1"> <thead> <tr> <th>Bill:</th> <th>Year 1</th> <th>Year 2</th> <th>Year 3</th> <th>Year 4</th> <th>Year 5</th> <th>Year 6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21</td> <td>\$0.800</td> <td>\$0.902</td> <td>\$0.980</td> <td>\$1.058</td> <td>\$1.136</td> <td>\$1.214</td> <td>\$6.090</td> </tr> <tr> <td>Senate Bill</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> </tr> <tr> <td>House Bill</td> <td>\$1.350</td> <td>\$1.596</td> <td>\$1.791</td> <td>\$2.002</td> <td>\$2.197</td> <td>\$2.426</td> <td>\$11.362</td> </tr> </tbody> </table> <p>Programmatic issues are discussed in a separate review.</p>	Bill:	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL	TEA-21	\$0.800	\$0.902	\$0.980	\$1.058	\$1.136	\$1.214	\$6.090	Senate Bill	NA	NA	NA	NA	NA	NA	NA	House Bill	\$1.350	\$1.596	\$1.791	\$2.002	\$2.197	\$2.426	\$11.362
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	<p>Bus Discretionary Funds TEA-LU §3010 49USC5309, 5338</p>	<p>TEA-LU increases Bus Discretionary funds by 87% compared to TEA-21. No other notable changes are proposed.</p> <table border="1"> <thead> <tr> <th>Bill:</th> <th>Year 1</th> <th>Year 2</th> <th>Year 3</th> <th>Year 4</th> <th>Year 5</th> <th>Year 6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21</td> <td>\$0.400</td> <td>\$0.451</td> <td>\$0.490</td> <td>\$0.529</td> <td>\$0.568</td> <td>\$0.607</td> <td>\$3.045</td> </tr> <tr> <td>Senate Bill</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> </tr> <tr> <td>House Bill</td> <td>\$0.675</td> <td>\$0.798</td> <td>\$0.896</td> <td>\$1.001</td> <td>\$1.099</td> <td>\$1.213</td> <td>\$5.681</td> </tr> </tbody> </table> <p>The State of Oregon received on average 1.36% of Bus Discretionary grants from 1999-2003; a high percentage compared to other federal transportation programs. The Portland region received 0.4%.</p>	Bill:	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL	TEA-21	\$0.400	\$0.451	\$0.490	\$0.529	\$0.568	\$0.607	\$3.045	Senate Bill	NA	NA	NA	NA	NA	NA	NA	House Bill	\$0.675	\$0.798	\$0.896	\$1.001	\$1.099	\$1.213	\$5.681
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	<p>Rail Modernization Funds TEA-LU §3010 49USC5309, 5338</p>	<p>TEA-LU increases Rail Mod funds by 87% compared to TEA-21. No other notable changes are proposed</p> <table border="1"> <thead> <tr> <th>Bill:</th> <th>Year 1</th> <th>Year 2</th> <th>Year 3</th> <th>Year 4</th> <th>Year 5</th> <th>Year 6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21</td> <td>\$0.800</td> <td>\$0.902</td> <td>\$0.980</td> <td>\$1.058</td> <td>\$1.136</td> <td>\$1.214</td> <td>\$6.090</td> </tr> <tr> <td>Senate Bill</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> </tr> <tr> <td>House Bill</td> <td>\$1.350</td> <td>\$1.596</td> <td>\$1.791</td> <td>\$2.002</td> <td>\$2.197</td> <td>\$2.426</td> <td>\$11.362</td> </tr> </tbody> </table> <p>Portland only receives about 0.37% of Rail Mod funds, although that percent will increase slightly as more rail lines reach Rail Mod eligibility. The way the apportionment formula works, Portland’s share of this program will continue to be small. Because Rail Mod funding levels are directly tied to New Start funding levels, JPACT must be supportive (or not opposed to) these funding levels, even though the Portland share is low.</p>	Bill:	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL	TEA-21	\$0.800	\$0.902	\$0.980	\$1.058	\$1.136	\$1.214	\$6.090	Senate Bill	NA	NA	NA	NA	NA	NA	NA	House Bill	\$1.350	\$1.596	\$1.791	\$2.002	\$2.197	\$2.426	\$11.362
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House Bill	\$1.350	\$1.596	\$1.791	\$2.002	\$2.197	\$2.426	\$11.362																											
<p>NEW FUNDING PROGRAMS Authorization Levels and Apportionment Formulae <i>(only those programs most relevant to Portland shown)</i></p>																																		







?	<p>New Freedom Program TEA-LU §3018 Creates 49USC5317</p>	<p>New formula program aimed at new public transportation alternatives for disabled persons beyond that required by the ADA. Funds available for capital projects at 80% share and operations at 50% share.</p> <table border="1" data-bbox="934 272 1543 406"> <thead> <tr> <th>Bill:</th> <th>Year1</th> <th>Year2</th> <th>Year3</th> <th>Year4</th> <th>Year5</th> <th>Year6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> </tr> <tr> <td>Senate Bill</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> </tr> <tr> <td>House Bill</td> <td>\$010</td> <td>\$012</td> <td>\$013</td> <td>\$015</td> <td>\$015</td> <td>\$018</td> <td>\$082</td> </tr> </tbody> </table> <p>60% of funds would be apportioned to transit operators in urban areas with >200,000 population based on relative share of disabled persons. 20% would be apportioned to states and 20% to urban areas with less than 200,000 population based on same factors. Not enough data to know impact on Oregon.</p>	Bill:	Year1	Year2	Year3	Year4	Year5	Year6	TOTAL	TEA-21	NA	NA	NA	NA	NA	NA	NA	Senate Bill	NA	NA	NA	NA	NA	NA	NA	House Bill	\$010	\$012	\$013	\$015	\$015	\$018	\$082
Bill:	Year1	Year2	Year3	Year4	Year5	Year6	TOTAL																											
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★	<p>Small Starts Funds TEA-LU § 49USC5309, 5338</p>	<p>New discretionary program for fixed guideway projects between \$25M-\$75M in federal assistance. Not clear where projects under \$25M fit.</p> <table border="1" data-bbox="934 621 1669 755"> <thead> <tr> <th>Bill:</th> <th>Year1</th> <th>Year2</th> <th>Year3</th> <th>Year4</th> <th>Year5</th> <th>Year6</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>TEA-21</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> </tr> <tr> <td>Senate Bill</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> </tr> <tr> <td>House Bill</td> <td>\$015</td> <td>\$018</td> <td>\$021</td> <td>\$024</td> <td>\$027</td> <td>\$030</td> <td>\$135</td> </tr> </tbody> </table> <p>Small Starts program mutually exclusive of funding for “major” projects. Small starts cannot access New Starts funds, and vice versa. Programmatic issues are discussed in a separate review.</p>	Bill:	Year1	Year2	Year3	Year4	Year5	Year6	TOTAL	TEA-21	NA	NA	NA	NA	NA	NA	NA	Senate Bill	NA	NA	NA	NA	NA	NA	NA	House Bill	\$015	\$018	\$021	\$024	\$027	\$030	\$135
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<p>OTHER PROGRAMS AND POLICIES <i>(Research not Addressed, Defer to PSU)</i></p>																																		
?	<p>Metropolitan/State Planning TEA-LU Title VI Amends 23USC134, 135 49USC5303-5305</p>	<p>Title reserved to establish Chapter 52, which integrates provisions for metropolitan and statewide planning for highways and transit. Provisions not yet included.</p>																																
?	<p>Planning Programs TEA-LU §3005 49USC5303-5305</p>	<p>Section on TIP deleted and replaced with combination of planning activities for States and MPOs. Establishes split of planning funds under 49USC5338(c) as 82.72% for MPOs and 17.28% for States. State and MPOs devise formula for allocating MPO funds within the State.</p>																																
?	<p>Contract Requirements TEA-LU §3025 Amends 49USC5325</p>	<p>Changes rules on competition. TEA-21 only required of non-competitive contract awards for capital projects or improvements that records be provided to DOT and Comptroller General. TEA-LU proposes that all procurements be done in “<i>full and open competition, as determined by the Secretary.</i>” Allows states with a formal state procedure for procuring A&E services that is in effect prior to TEA-LU to be exempt from TEA-LU requirements for A&E procurement. Allows design-build contracts. Changes some administrative requirements relating to indirect rates, establishes certain confidentiality.</p>																																

TEA - LU
New Start/Small Start Program Issues







*This analysis examines Section 3010 (Capital Investment Grants) of HR 3550 (Transportation Equity Act: A Legacy for Users), which primarily amends Section 5309 of the Transit Act, Section 3037, which authorizes fixed guideway projects for Final Design and Construction, and Section 3034, which authorizes funding for such capital grants. The **changes** proposed to the provisions of TEA-21 in TEA-LU are described in the table below. The table uses the following symbols to describe the overall affect of a proposed change.*

Very Good	Good	Neutral	Bad	Very Bad	Unclear
					?

SECTION 3010 OF H.R. 3550		
Rating	Section: Issue	Summary of Issue/Rating
	§5309(a)(1) General Authority	Loans of §5309 Funds no longer permitted, does not affect Portland region projects.
Major (>\$75M) Fixed Guideway Projects		
	§5309(c): Establish Category for Major Capital Investment Grants	\$75M threshold for full new starts evaluation process allows streetcar projects to proceed without onerous criteria.
	Deleted from TEA-21: Exemption from New Starts Criteria for Entirely Flexible Funded Projects	TEA-21 exempts from the New Starts review <i>“part of a project financed completely with amounts made available from the Highway Trust Fund (other than the Mass Transit Account).”</i> Thus, a MOS entirely funded with STP funds is exempt from New Starts criteria under TEA-21. Under TEA-LU such an MOS would be subject to New Starts review. This would affect a small streetcar project funded entirely with MTIP funds.
	§5309(c)(2)(B): Justification Criteria for Major Projects	The factors considered in FTA’s “comprehensive review” are expanded to include <i>“transit supportive policies”</i> and <i>“existing land use.”</i> While <i>“transit supportive policies”</i> helps Portland region, <i>“existing land use”</i> helps mega-cities like NY, Chicago, etc. and hurts Portland. A preferable factor is <i>“land use policies.”</i>

‘Small Starts’ (<\$75M) Program		
	§5309(d)(1): \$75M “Small Starts” Threshold	Overall, the small starts program much more supportive of streetcar projects than the major fixed guideway program. But some specifics, discussed below, are troublesome.
	§5309(d)(1): \$25M “Exempt” Threshold	TEA-LU does not proscribe any processes or criteria for “exempt projects” (i.e. <\$25M). Congress should set parameters for exempt projects rather than leave it entirely to FTA.
	§5309(d)(2) and (3): Alternatives Analysis Required	§5309(d)(2) and (3) require that the evaluation of small starts be based on the results of Alternatives Analysis (AA). AA requires consideration of non-streetcar project alternatives, probably including a baseline alternative for cost effectiveness rating. Unless narrowed by statute, this will lead to considerable FTA involvement and interference. Thus, amend §5309(d)(2)(A) as follows “(A) based on the result of planning and alternatives analysis <u>(as used in this subsection, alternatives analysis requires a comparison only to the no build alternative).</u> ”
	§5309(d)(4)(A) and (C): Project Justification Factors	While the justification of “major” projects must consider “operating efficiencies,” “environmental benefits,” “mobility” and “existing land use,” these factors are not considered in evaluating small start projects. This helps because small starts would not be competitive with regard to these factors. Paragraph C establishes “positive effect on local economic development” as a key criterion. This helps Portland streetcar projects.
	§5309(d)(4)(B): Cost Effectiveness	Grant approval requires consideration of “cost effectiveness at the time of the initiation of revenue service.” FTA is provided 120 days after bill passage to develop regulations on how cost effectiveness (CE) will be evaluated. If history is an indication, FTA will propose a CE that compares the small start project with a baseline alternative. This begins to drag the “streamlined” small starts process into the same issues that delay “major” projects. Also, CE is evaluated when operations start, rather than the normal 20-year basis; making “cost per rider” and “cost per new rider” measures worse for small starts than for “major” projects. Bill should define parameters for CE calculation, rather than leaving to FTA discretion, as follows: “B. determine cost effectiveness <u>based on the amount of development leveraged by the transit investment (compared to the no build alternative) at the time of the initiation of revenue service.</u> ”
	§5309(d)(5): Local Financial Commitment	The bill excludes for “small starts” certain financial evaluation factors required of “major” projects, such as “the extent to which ... local financial commitment exceeds the required non-Federal share ...,” and “local resources are available to operate the overall proposed public transportation system ... without ... a reduction in existing ... services ...” These are very helpful exclusions. However, their absence in the bill does not necessarily mean they will not be part of FTA’s ratings Congress should clarify that rating factors required in the bill of “major” projects but not “small starts” establish legislative intent to exclude such factors for “small start” ratings.

★	§5309(d)(7) and (8): Construction Grant Agreements	In lieu of Full Funding Grant Agreements (FFGA), “small starts” receive Construction Grant Agreements (CGA). The content of a FFGA and CGA appear similar. But a FFGA requires 60-day congressional review, and a CGA does not. FTA requires 60% Final Design completion before starting FFGA negotiations, and up to 1 year to complete the FFGA approval process. To avoid this aberrant delay, add to the end of §5309(d)(8) <i>“Construction Grant Agreements may be issued at the start of Final Design and cover the cost of Final Design and construction.”</i>
↑	§309(d)(10): Eligible Projects in Small Starts Program	Small starts include <i>“corridor-based public transportation bus capital projects if the majority of the project’s corridor right of way is ... for exclusive use by public transportation ... all or part of the day.”</i> This limits small start program funding for BRT projects to only those with substantial bus-only lanes.
Other New Start Provisions in Sec. 3010 of H.R. 3550		
⚡	§5309(e): Grandfather Provisions	Only projects with a FFGA or Letter of Intent (LOI) before enactment of the bill are exempt from the provisions for “major” projects and “small starts.” This is a serious problem for Commuter Rail, which will not have a FFGA in time. Commuter Rail will be subject to the small start provisions and await enactment of “small start” rules before proceeding – undoubtedly a year delay. Also, Commuter Rail will be re-evaluated based on “small start” factors; reopening discussions with FTA on the merits of the project. A non-bill fix is to obtain a LOI for Commuter Rail prior to bill enactment (recall an LOI requires 2-month congressional review). Alternatively, amend provision as follows: <i>“Subsections (c) and (d) do not apply to projects for which the Secretary has issued a letter of intent or entered into a full funding grant agreement before the date of enactment ... <u>Subsection (d) does not apply to projects for which the Secretary has approved Final Design before the date of enactment [of the bill]</u>”</i>
↑ ?	§5309(f)(4)(A): Limitations on Amounts that can be Obligated	Section is hard to decipher, but looks like the amount that can be contingently committed to projects is raised from 2-years worth of authorization under TEA-21 to 3-years under TEA-LU.
↔	§5309(f)(5): Notification of Congress	Eliminates House and Senate Appropriations Committees from notice of intent to issue a FFGA. Doubt that this stops Istook-like problems.
?	§5309(g)(2): Remainder of Net Project Cost	Do not know what this means.
↑ ?	§5309(g)(3): FTA Not Authorized to Require Local Match in excess of 20 percent	Sounds good, but hard to reconcile with other provisions. §5309(c)(3)(D)(iv) states that the amount of overmatch shall be considered in evaluating local financing. §5309(c)(4) states that the degree of local financial commitment is a basis for determining the rating of a project. §5309(g)(3) may mean that FTA cannot <u>automatically</u> rate projects Not Recommended because they have only 20% match, but can rate projects with >20% local match higher.

	§5309(g)(4): Project Cost can Include Previously Purchased Vehicles	Permits the cost of a project to include vehicles purchased for the project before FTA approved the project. Requires that no federal funds were used to purchase such vehicles. May be way to get reimbursement for 10 "option" LRVs. Do not know what last sentence in provision means.
	§5309(m)(1): Small Start Funds Allocated "Off-the-Top" of Capital Funds	Funding for small start program is carved out of capital funding program before the 40-40-20 split to new starts, rail mod and bus capital. This mitigates the hit on New Starts. This will be further addressed below in explanation of Section 3034 of HR 3550.
	§5309(m)(1)(B): Small Starts cannot access funds for "Major" New Starts	Provides that 40 percent of funds remaining after allocation to "small starts" are for "major new fixed guideway capital projects." §5309(c)(5) defines "major" as costing over \$75M. Thus, this category is not available for small starts; ensuring that "small starts" projects, such as FTA-favored BRT projects, cannot use-up funding for LRT projects.
	§5309(m)(4): New Start funds must be derived from General Fund	Puts full onus of General Fund appropriations on "major" fixed guideway projects. Rumor is that General Funds are guaranteed, but there is nothing apparent in bill that provides guarantee. Small starts do not appropriation risk because a specified amount of funds is annually allocated; and the full amount will come from Trust Fund if General Funds are not appropriated. Rail Mod and Bus/Bus-Related do not share in risk because they are funded with Trust Funds. Creates need for small constituency of congresspersons with LRT interests to secure large, annual general fund appropriations. Need to get New Starts on Trust Fund rather than General Fund, or, at least, spread General Fund risk to broader constituency. One option is to delete §5309(m)(4), which would cause appropriations risk to be spread among all capital investments (New Starts, small starts, Rail Mod and Bus/Bus-Related). A broader fix would be to change allocations in §5338 (see Section 3034 of HR 3550) to have General Fund applied to formula grants and allocate only Trust Funds to capital program.
SECTION 3034 OF H.R. 3550		
	§5338(b)(2)(C): Allocation to Small Starts is Only for Small Starts	States that "the Secretary shall make available for capital investment grants of less than \$75,000,000 under section 5309(d)." Ensures that "major" projects do not have access to small start funds.
SECTION 3037 and 3038 of H.R. 3550		
	§5309(m)(I)(B): Portland Projects Not Yet Authorized for Final Design and Construction	Other than IMAX, Portland projects are not yet authorized in bill. Must get Commuter Rail and I-205 LRT authorized in this section for Final Design and Construction. Also, need Portland Streetcar, and I-5 LRT authorized; although they can, if necessary, at first be authorized for alternatives analysis and preliminary engineering and later for Final Design and construction. Also, should think about earmarking bus/bus-related projects in Section 3038 of HR 3550.

Bi-State Transportation Committee

The Bi-State Committee is appointed by Metro's Joint Policy Advisory Committee on Transportation and the Southwest Washington Regional Transportation Council.

Clark County
Commissioner Craig Pridemore
CHAIR

Metro
Councilor Rex Burkholder
VICE CHAIR

Multnomah County
Commissioner Serena Cruz

City of Vancouver
Mayor Royce Pollard

City of Portland
Commissioner Jim Francesconi

City of Battle Ground
Eric Holmes, City Manager

City of Gresham
Councilor Larry Haverkamp

C-TRAN
Lynne Griffith, Executive
Director/CEO

Tri-Met
Fred Hansen, General Manager

Port of Vancouver
Larry Paulson, Executive Director

Port of Portland
Bill Wyatt, Executive Director

WSDOT
Don Wagner, SW Administrator

ODOT
Matthew Garrett, Reg. 1 Manager

December 31, 2003

The Honorable Rod Park, Chair, JPACT
600 NE Grand Avenue
Portland, OR 97232

Dear Chair Park

We are pleased to provide the attached Bi-State Transportation Committee Annual Report for 2003.

The Report provides a summary of the activities of the Bi-State Transportation Committee during the past year and a glimpse of tasks before the Committee in 2004.

We would be happy to discuss any aspect of this Report with you.

Sincerely,

Craig Pridemore, Chair

Rex Burkholder, Vice Chair



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c: Bi-State Transportation Committee members
Dean Lookingbill, RTC
Andy Cotugno, Metro

Bi-State Transportation Committee
2003 Annual Report
Summary

During 2003, the Bi-State Transportation Committee accomplished the following:

- Directed the design, review and approval of a new Bi-State Coordination Committee Charter;
- Coordinated Bi-State review of the I-5/Delta Park/Lombard Project;
- Reviewed and discussed:
 - Regional Economic Development Partners plans;
 - I-5 Rail Capacity Study;
 - Clark County Comprehensive Plan Update and EIS;
 - Bi-State Rail Forum;
 - Metro's RTP and MTIP;
 - Vancouver Rail Bridge;
 - Regional Travel Options Strategic Plan and a Bi-State TDM/TSM Forum;
 - Washington State Congestion Relief Study

With the adoption of the Bi-State Coordination Committee charter by other partners, the Bi-State Transportation Committee will be replaced with the Bi-State Coordination Committee - whose charge is to make recommendations about land use and transportation issues of bi-state significance to JPACT, the Metro Council and the Southwest Washington Regional Transportation Council. In addition, to the extent that economic development and/or environmental justice issues are directly related to bi-state land use or transportation issues, these will also be reviewed and recommendations may be made.

Issues upcoming in 2004 include implementation of the I-5 Trade and Transportation Partnership Strategic Plan, including the I-5/Columbia River crossing project, the I-5 Delta Park Project, a Rail Forum and a TDM/TSM forum. In addition, coordination with the Washington State Congestion Relief Study will be completed.

Bi-State Transportation Committee

Month-by-Month Action Summary

January 2003. Metro and RTC continue to work with ODOT in developing elements of the Bi-State Land Use Accord and an IGA. ODOT will hire a contractor to facilitate discussions among the Bi-State partners.

February 2003. Metro, RTC and ODOT presented an Intergovernmental Agreement (IGA) strategy to the Bi-State Transportation Committee. The proposed strategy included establishing a steering committee of elected officials to oversee the process, hiring a facilitation consultant to work with elected officials and staff and a schedule for IGA adoption.

The Bi-State Transportation Committee also discussed the Bi-State related federal reauthorization requests and heard an update on the Delta Park/Lombard project.

March 2003. Metro, RTC and ODOT staff worked on implementing this strategy. The proposed strategy includes establishing a steering committee of elected officials to oversee the IGA development process and hiring a facilitation consultant to work with elected officials and staff. The schedule calls for the Bi-State Transportation Committee to make recommendations for an IGA to JPACT and the RTC Board in the summer.

April 2003. The Bi-State Transportation Committee met on April 24th at Metro. Their agenda included updates on the I-5 Partnership Task Force recommendations, the I-5 Delta Park to Lombard project and a presentation about the Regional Economic Development Task Force's work. Following direction from the Bi-State Transportation Committee at their February meeting, the subcommittee of the Bi-State was formed for the purpose of steering the development of an Intergovernmental Agreement (IGA) for additional bi-state coordination. The IGA Steering Committee will continue to review the scope of work and the consultant selection for this effort.

June 2003. The selection of a consultant to facilitate an intergovernmental agreement for a land use accord among the jurisdictions in Southwest Washington and the Metro area was advanced. Nine proposals were received and reviewed and four of the candidates were interviewed. Interviews of the remaining five were scheduled and a meeting with the IGA Steering committee was set to review staff recommendations

July 2003. The selection of a consultant to facilitate an intergovernmental agreement for a land use accord among the jurisdictions in Southwest Washington and the Metro area was completed. Interviews of the remaining five candidates were conducted. After a staff consensus was determined, a presentation to the IGA Steering Committee was made and the Committee, after consideration of materials, discussion and questions to staff, approved the consultant selection. Pat Serie with EnviroIssues was selected to begin the work. Committee members gave further direction to staff as to how the consultant should initiate the work, including the interviews.

August 2003. ODOT contract approval was sought and completed to provide for beginning the work of a consultant to facilitate an intergovernmental agreement for a land use accord among the jurisdictions in Southwest Washington and the Metro area to expand the scope of the Bi-State Committee to include land use and economic development issues. Pat Serie with EnviroIssues, the selected consultant, began initial work further detailing the work scope and making initial contacts with local elected officials. Staff also reviewed and commented on a first draft of a survey questionnaire

September 2003. Work began by the selected consultant, EnviroIssues, interviewing members of the Intergovernmental Coordination Steering Committee in order to understand members interests with regard to transitioning the Bi-State Transportation Committee to a Bi-State Committee that coordinates transportation, land use and economic development issues of joint concern to southwest Washington and the Metro area. A summary of comments was prepared and the IGA Committee met and reviewed the work. Direction for preparation of the final summary and additional stakeholders to be interviewed were determined by the Committee.

September 2003. The Bi-State Transportation Committee meeting was held discussing two major items. Progress and remaining tasks for the I-5 Trade Partnership were reviewed and direction for next steps were discussed and determined. The IGA Steering Committee work products were also reviewed by the Bi-State Transportation Committee. The Committee also discussed future topics of interest to pursue and schedule

October 2003. The selected consultant, EnviroIssues, continued interviewing stakeholders in order to understand interests and concerns with regard to transitioning the Bi-State Transportation Committee to a committee that coordinates transportation, land use and economic development issues of joint concern to southwest Washington and the Metro area. A meeting with legal staffs from both sides of the river was held and a coordinated approach was conceived. A draft charter for the new committee was written and reviewed by staffs and a meeting of the Land Use Accord Steering Committee was held to review the draft document. The Steering Committee made a number of changes including highlighting the need to address environmental justice as well as land use, transportation and economic development. They also expressed interest in providing for ex-officio membership by key state agencies. At the October Bi-State meeting, the revised draft charter was reviewed. The Bi-State Committee concluded that the basic document was workable, although some revision was important in order to ensure that the primary task was to consider land use and transportation issues of bi-state significance and in doing so, to consider the economic development, environmental and environmental justice contexts. Some members also indicated a strong interest in ensuring bi-state coordination of economic development, and although there was general committee agreement about this, there was also concern about the appropriate process and role given other entities engaged in economic development efforts. A revised draft reflecting the land use and transportation focus with economic development, environmental and environmental justice context was distributed to the Bi-State

Committee. The draft charter was recommended by the Bi-State Transportation Committee at their October 23 meeting

Other items included in the October Bi-State Transportation Committee included a presentation and discussion of Metro's industrial land study. There was interest in examining Clark County's industrial land supply and policies and further discussing historically based assumptions about the amount of new jobs that were projected to be created on each side of the river. The Committee also heard presentations from the Port of Portland concerning freight rail issues and how the Rail Forum, envisioned by the I-5 Trade and Transportation Partnership, might be initiated. A related specific project, improvement of the Vancouver Rail bridge (the railroad bridge spanning the Columbia River parallel to and slightly down river from the I-5 motor vehicle bridge) was also discussed. Member agreed that the project, which has barge freight, rail freight, truck freight and auto congestion issues, currently had no one agency that had responsibility for the project. It was also established that planning for the I-5 Columbia River crossing could greatly influence the barge/rail issues stemming from the current rail bridge design. That is, the I-5 Columbia Crossing could make barge maneuvering much easier and rail bridge safety issues might be addressed. Alternatively, the I-5 crossing may not address barge/rail safety issues. Accordingly, it was concluded that additional information was needed in order to assess the best approach to addressing the problem.

Finally, Metro staff briefly reviewed the upcoming 2004 Regional Transportation Plan. It was noted that the RTP Preferred System retains the Metro light rail transit plan, including long-term extension of light rail to Vancouver and southwest Washington. However, it is proposed that the planned extension be removed from the financially constrained RTP. It was also noted that removal of this project was not thought to jeopardize future funding opportunities

November 2003. Review of a draft charter for a new Bi-State Coordination Committee was completed. On November 4, the Southwest Washington Regional Transportation Council, by unanimous vote, approved the draft charter and referred it to the City of Vancouver, Clark County, CTRAN and the State of Washington Department of Transportation. Completion of these reviews and actions are expected in the next three to four weeks.

On November 12, the Metro Policy Advisory Committee heard a presentation on the draft charter. On November 13, JPACT also was presented the draft charter and recommended approval of Metro Resolution No. 03-3388. Further, they recommended that the Bi-State Coordination Committee consider: 1) adding review of air and marine transportation issues of bi-state significance; and, 2) that agencies, such as ODOT and WSDOT, TriMet and CTRAN, affect and are affected by actions of the other signatory jurisdictions and should participate in the Bi-State Coordination Committee proceedings and the Bi-State Coordination Committee may offer recommendations to these agencies as well as local jurisdictions. These recommendations, along with any other work scope suggestions, would be considered by the Bi-State Coordination Committee during 2004 after the

Committee has had time to get into operation. Bi-State Coordination Committee recommendations would be then be brought back for consideration.

A Council Informal about the Bi-State Coordination Committee charter was held November 18 and MPAC discussed the charter on November 19. Although there was no quorum, MPAC members present agreed that there was a favorable consensus about the charter. On November 20 the Metro Council adopted the charter by resolution.

December 2003. During the December reporting period, the City of Portland, TriMet and Multnomah County have set hearing dates for charter adoption in early January. ODOT and the Port of Portland are also setting calendars for consideration of the charter. CTRAN has already adopted the charter and other southwest Washington agencies are establishing schedules for consideration.

On December 18, 2003 the Bi-State Transportation Committee met and the agenda included consideration of Regional Travel Options 5 Year Strategic Plan, an update of the Delta Park/Lombard project, and the WSDOT Lead Congestion Relief Study.

Recommendations for improved coordination between marketing efforts concerning the RTO study were made, as was interest in continuing coordination of RTO and TDM efforts on both sides of the river.

With regard to the Congestion Relief Study, Washington State Senator Horn provided a summary of the legislative intent with regard to the project and Michael Cummings, WSDOT, gave a technical presentation of the work scope. The Bi-State Transportation Committee asked that there be regular updates about the project. Metro staff is working with the project team to coordinate efforts.