

STAFF REPORT (REVISED 5/10/17)

IN CONSIDERATION OF ORDINANCE NO. 17-1396, FOR THE PURPOSE OF AMENDING THE 2014 REGIONAL TRANSPORTATION PLAN TO INCLUDE THE LOCALLY PREFERRED ALTERNATIVE OF THE POWELL-DIVISION TRANSIT AND DEVELOPMENT PROJECT

Date: January 26, 2017

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BACKGROUND

Concurrently with this proposed ordinance, Metro Council is considering Resolution No. 17-4776, which would adopt the Powell-Division Transit and Development Project's Locally Preferred Alternative (LPA). See Attachment 1: The LPA for high capacity transit in the Powell-Division corridor is bus rapid transit with general station locations indicated on the attached map, operating between downtown Portland and downtown Gresham. The route will operate on the transit mall (5th and 6th avenues) in downtown Portland, cross the Willamette River, and run on Division Street from SE 8th Avenue in Portland to downtown Gresham. The LPA was recommended to the Council by the project's steering committee on November 7, 2016, and was subsequently adopted by the cities of Portland and Gresham, Multnomah County, and the TriMet Board, and supported by the Oregon Department of Transportation. More information on the LPA can be found in the documentation for Resolution No. 17-4776.

The proposed 2014 RTP amendment for this ordinance includes revisions to various sections of Chapter 5 – Implementation, in order to reflect the advancement of the Division Transit Project from downtown Portland to downtown Gresham, as well as recommending the Powell Boulevard corridor for study in a future corridor refinement plan to determine how to address unmet transit, safety, and mobility needs for all modes. Consideration of this corridor refinement plan would be part of the 2018 RTP update process. A corridor refinement plan for the Powell Boulevard corridor would not be prioritized as part of this 2014 RTP amendment, but would be considered within the planning and prioritization process for the 2018 Regional Transit Strategy and the 2018 RTP update.

The 2014 RTP, Section 5.3.1, indicates that a corridor refinement plan, as defined by the State of Oregon Transportation Planning Rule section 660-012-0020, includes:

- An MOU or IGA for refinement plan scope of work
- An analysis that considers land use, local aspirations, pedestrian, bike, management and operations, freight, highway, road, and transit solutions
- An evaluation of performance
- Development of alternative mobility standards, if necessary
- Determination of a mix and phasing of projects and/or land use changes needed to address function and needs
- Local and/or regional plan updates and MOU or IGA to implement refinement plan recommendations at state, regional, and local levels

- HCT system expansion targets policy MOU, if applicable

The purpose of the refinement planning process is to comprehensively consider land use, management, walking and biking solutions in addition to transit and roadway analysis. Refinement plans are meant to result in a wide range of strategies and projects to address unmet needs and to progress through project development and implementation at the local, regional and/or state levels.

The Powell Boulevard corridor has many needs which were not met as part of this project's Locally Preferred Alternative. These needs vary through different parts of the Powell Boulevard corridor; a corridor refinement plan would evaluate the corridor and tailor context-sensitive solutions to unmet needs, taking into account adopted land use plans, previous analysis, adopted outcomes, and community engagement conducted as part of the East Metro Connections Plan, Outer Powell Boulevard Conceptual Design Plan, the Outer Powell Safety Project, the Powell-Division Transit and Development Project, and other past projects.

Analysis in the early stages of the Powell-Division Transit and Development project found that inner Powell is one of the highest transit ridership sections in the TriMet bus system, particularly west of SE 136th Ave. Inner Powell also experiences heavy traffic congestion today and is predicted to get worse, particularly west of SE 50th Ave. Outer Powell east of 136th Ave, however, has lower transit ridership and has a different street character. West of I-205, Powell Boulevard is generally two lanes in each direction with a center turn lane or turn pockets and sidewalks. East of I-205 to Portland/Gresham city limits at approximately 174th Ave, Powell Boulevard is generally one lane in each direction with bike lanes on the shoulder, no curbs and missing sidewalks. Within Gresham, east of 174th Ave Powell Boulevard is generally one or two lanes in each direction with bike lanes, sidewalks, and marked midblock crossings near downtown Gresham.

Traffic volumes also vary throughout the corridor and are highest in inner Portland. In 2015 average daily traffic counts for Powell Boulevard show traffic volumes of 31,000-42,000 ADT between SE Milwaukie Avenue and SE Foster Road in inner Portland, 20,000-26,000 ADT between SE Foster Road and SE 82nd Avenue, 35,000 ADT near I-205, and dropping generally below 20,000 ADT between I-205 and the Gresham city boundary at SE 174th Ave. From SE 174th Ave to downtown Gresham, traffic volumes on Powell Boulevard generally range between 20,000-25,000 ADT. Additionally, Powell Boulevard within Gresham was not recommended as a regional transit link by the East Metro Connections Plan. Also, the City of Portland has designated Powell Boulevard as a high-crash corridor within its jurisdiction.

The text revisions to Chapter 5 of the 2014 RTP are summarized as follows:

- **Amend Table 5.1** (Mobility Corridors Recommended for Future Corridor Refinement Plans) to add Mobility Corridors #19 and #20 Portland City Center to Lents and Lents to Gresham
- **Add new Section 5.3.1.6** Powell-Division Corridor: Portland Central City to Lents Town Center and Lents Town Center to Gresham Regional Center
- **Amend text of Section 5.3.2** (Project Development) to add Division Transit Project (Mobility Corridors #19 and #20)

- **Amend text of Section 5.3.2.4** (Gresham/Fairview/Wood Village/Troutdale to Damascus (Mobility Corridor #24)) by updating subsection 3. Regional Mobility “Regional east-west transit link” to reflect the Division Transit Project and the need to complete a future corridor refinement plan for Powell Boulevard.
- **Add new section 5.3.2.5 (Division Transit Project)** (Mobility Corridors #19 and #20) describing the Division Transit Project and remaining steps to complete project development. Add new text “Recommended 2014 RTP system map changes” to document the need for Figures 3.1 (RTP Investments-North) and 3.2 (RTP Investments-East) to be updated as part of the 2018 RTP update to reflect the project changes made by this RTP amendment.
- Minor text corrections to reflect the updated Mobility Corridor numbers throughout Chapter 5

Map Revisions

Metro is currently in the middle of a major update to the Regional Transportation Plan (RTP) which includes development of a Regional Transit Strategy to reflect the current regional vision for transit. This comprehensive analysis is a better forum for updating the region’s transit network maps to reflect the LPA and other remaining transit needs identified in the Powell-Division Transit and Development Project planning process. Consequently, two maps (“Going Places: Regional High Capacity Transit System Map” first adopted by Metro Council July 9, 2009, and the “Figure 2.10 Regional Transit Network” adopted by Metro Council July 17, 2014) would be replaced by an updated transit network map that reflects the 2018 Regional Transit Update and development of the 2018 Regional Transit Strategy.

Currently, the Powell-Division Transit and Development Project alignment is shown in the 2014 RTP transit network map to run along inner SE Powell Boulevard from the Willamette River to SE 82nd Avenue, on SE 82nd Avenue from SE Powell Boulevard to SE Division Street, on outer SE Division Street from 82nd Avenue to the Gresham Transit Center, and on Division and Kane from Gresham Transit Center to Mount Hood Community College¹. As the alignment in the Locally Preferred Alternative has changed to run entirely along SE Division Street from the Willamette River to downtown Gresham, the proposed 2014 RTP amendment describes changes to Figure 3.1 (RTP Investments – North) and Figure 3.2 (RTP Investments – East), which would be updated as part of the 2018 RTP update process to modify the Powell-Division alignment to run entirely along SE Division Street from Downtown Portland to downtown Gresham. The map changes would also include a new project (#11745) as a future planning project to study how to address unmet transit, safety, and mobility needs for all modes in the Powell Boulevard corridor, which will be outside of the financially constrained list of projects. These maps would be updated as part of the 2018 RTP update to include multiple planning projects in addition to the Powell Corridor Refinement Plan.

Demonstration of compliance with the Federal Clean Air Act Amendments

The Regional Transportation Plan must be consistent with the Oregon State Implementation Plan (SIP) for air quality to maintain air quality standards in the Portland area. Metro prepared an air

¹ <http://gis.oregonmetro.gov/RTP/map.htm?l=Transit>

quality conformity determination for the 2014 Regional Transportation Plan that documents the plan's investments are in compliance with emissions budgets allocated by the SIP and, therefore, conforms with federal and state air quality regulations. The Powell-Division Transit and Development Project's transit project was included in the joint air quality conformity determination for the 2014 RTP and the 2015-2018 Metropolitan Transportation Improvement Program (MTIP) adopted in July 2014.

In 2016, the Locally Preferred Alternative for the Powell-Division Transit and Development Project was identified and adopted by the project steering committee, reflecting minor modifications from what had been originally assumed in the 2014 RTP air quality conformity analysis. An interagency consultation with federal, state, and regional partners in November 2016 determined the minor modifications from the original project to the locally preferred alternative for the Division Transit Project are insignificant for air quality analysis purposes and, therefore, this amendment does not result in any change in status to the 2014 RTP air quality conformity determination.

Demonstration of financial constraint

The Division Transit Project description must be updated to reflect the LPA and be described correctly in the 2014 RTP Project List, Appendix 1.1 of the 2014 RTP. To demonstrate fiscal constraint under federal law, the Division Transit Project's proposed budget of \$175 million must fit within the adopted financially constrained revenue forecast for the 2014 RTP. To fit within the financial constraint, TriMet identified amendments to other projects on the 2014 RTP financially constrained project list. All project amendments (additions and deletions) are exempt from the federally-required air quality conformity analysis.

The additional amendments needed to demonstrate fiscal constraint are: delete three projects (#11035, #11590, and #11593), modify the project cost for two other projects (#11230 and #10901), and remove five other projects from the financially constrained project list (#10985, #10989, #10997, #11592, and #11595) and add them to the list of additional investments the region would make if more funding were available – called the “state” system of investments. In addition, this amendment includes the addition of a new project (#11745) for the Powell Boulevard Corridor Refinement Plan. Consideration of this corridor refinement plan would be part of the 2018 RTP update process. These changes are included as Exhibit B to the RTP Amendment Ordinance No. 17-1396.

Demonstration of compliance with Title VI and regional public involvement requirements

Metro's 2013 Public Engagement Guide requires a 30-day public comment period for all major amendments to an RTP. Major amendments are defined as amendments that come from NEPA processes, corridor refinement plans or other studies and involve additions or deletions of projects...”. Staff determined that the amendment requested meets the definition of major amendments. Metro conducted a 45-day public comment period on the requested amendments from February 15, 2017 to 5 p.m. March 31, 2017. The comment period was advertised with a legal notice in the Asian Reporter and regional Pamplin Media newspapers and a newsfeed posted to Metro's News web site on February 15, 2017. Both the advertisement and the newsfeed directed the public to a web page that provided detailed information on the requested amendments.

Because of the limited scope of the amendments, and significant culturally specific public engagement already conducted for the Division Transit Project, staff determined that translation of the amendments and additional specific Title VI and environmental justice outreach were not required. The notice regarding the public comment period provided information in four languages: Spanish, Russian, Chinese and Vietnamese, directing people to multi-lingual information. A summary of public comments is included as Attachment #4 to the staff report.

ANALYSIS/INFORMATION

1. KNOWN OPPOSITION

The Powell-Division Project's Steering Committee used a consensus-based decision making process where green cards indicate support for the consensus statement, yellow cards indicate support for some elements of the consensus statement but with reservations or strong concerns, and red cards indicate that the steering committee member could not support the consensus statement unless certain conditions were met. Steering committee members voting red cards were required to provide recommendations or conditions that would need to change in order for them to consider changing their vote to a yellow card or green card.

This voting process took place as the project definition progressed to assess the level of support or opposition to the project through a series of votes taken throughout the LPA development process. Community groups made up over half of the steering committee. Concerns expressed throughout the process included items specific to the LPA such as station spacing and alignment as well as concerns outside of the LPA such as affordable housing.

Issues that garnered opposition were addressed when possible as the LPA development advanced. Two major examples are when the project terminus was shifted to the Gresham Transit Center (rather than Mount Hood Community College) and when the project moved from Powell Boulevard to Division Street from the Tilikum Crossing to 82nd Avenue.

To address the shift in terminus location, the project team and interested steering committee members met and developed a strategy to improve access to Mount Hood Community College through more frequent transit service on the Line 20-Burnside/Stark and other future proposed improvements. These commitments were memorialized in the MHCC Memorandum of Understanding, which was an attachment to the Gresham and Multnomah County LPA Ordinances. Some steering committee members expressed that their support for the LPA was contingent upon the adoption of the Memorandum of Understanding.

The other major point of opposition was when the project alignment moved from inner Powell Boulevard to inner Division Street from the Tilikum Crossing to 82nd Avenue to avoid major property impacts, allow a project to move forward in the near term, and achieve desired reliability and transit travel times. Metro, TriMet, the City of Portland, the City of Gresham, and Multnomah County project team members created a "Powell-Division Corridor Transportation and Development Strategy," which was shared with the steering committee. The strategy

outlined near-term transit investments that TriMet would explore and a commitment from Metro to advance Powell Boulevard for regional consideration within the High Capacity Transit planning and prioritizing process, and amend the Regional Transportation Plan to assert continued need for Powell Boulevard transit improvements (as well as the MHCC transit commitments). This document was shared and reviewed by the steering committee. It also was adopted as an attachment to the City of Portland's LPA Resolution. (See Attachment 2: Powell-Division Corridor Transportation and Development Strategy).

Powell Boulevard improvements require further study to determine the appropriate solutions for unmet needs. The corridor refinement plan project shall include an in-depth review of past analysis and community input of the East Metro Connections Plan, Outer Powell Boulevard Conceptual Design Plan, the Outer Powell Safety Project, the Powell-Division Transit and Development Project, and other past studies to identify unmet needs and potential solutions. A future corridor refinement effort would also be informed by the 2018 RTP and Regional Transit Strategy policy direction.

The Powell-Division Transit and Development Project's Steering Committee voted on final elements of the LPA on October 24th and November 7th, 2016 using the consensus-based decision making process described above. On the October 24th vote there were 11 green cards, two yellow cards and four red cards. Based on the subsequent outreach and discussions with concerned steering committee members, on November 7th three of the red card votes were amended to yellow cards. The final steering committee vote on the LPA statement was 11 green cards, five yellow cards and one red card. At the October 24, 2016 and November 7, 2016 steering committee meetings, committee members indicated a concern that identified commitments were not sufficient without being memorialized in writing as part of the City of Portland adoption of the LPA. A number of steering committee members qualified their votes of support for the Locally Preferred Alternative as contingent upon a commitment to further study Powell Boulevard to address any unmet safety and mobility needs moving forward among other concerns described below. Steering committee meeting minutes were documented as part of the public record for the Powell-Division Transit and Development Project.

The remaining red card vote in November was from the East Portland Action Plan (EPAP) steering committee member, whose organization was concerned that the project would not carry through on commitments, planned to replace the current bus service with the bus rapid transit project rather than keeping both services, that there should be new north-south transit routes implemented as soon as possible in east Portland, and that the project did not provide enough benefits for east Portland.

Commitments from partner agencies to address the remaining red card concerns were developed in collaboration with the community members on the steering committee and Metro, TriMet and the City of Portland. Comments and concerns fell primarily into seven categories: project benefits (including safety, mobility, speed, and reliability), station locations, affordable housing commitments in the corridor, small business support and local hiring as the project moves forward, future decision-making structure, reallocation of Line 4-Division service hours to the corridor, and continued commitment to Powell Boulevard. The actions to address these concerns

are memorialized in Attachment 3: Exhibit C of the City of Portland's Locally Preferred Alternative Resolution.

With the commitments made and memorialized in attachments to the LPA ordinances the project partner agencies (the City of Portland, the City of Gresham, and Multnomah County) all adopted the LPA unanimously.

2. Legal Antecedents

Federal

- National Environmental Policy Act
- Clean Air Act, as amended [42 U.S. C. 7401 and 23 U.S.C. 109(j)], as amended]
- U.S. EPA transportation conformity rules (40 CFR, parts 51 and 93)
- Fixing America's Surface Transportation Act (FAST Act)
- FTA Small Starts Process

State

- Statewide Planning Goals
- State Transportation Planning Rule
- Oregon Transportation Plan
- Oregon Highway Plan
- Oregon Public Transportation Plan
- Oregon Bicycle and Pedestrian Plan
- Oregon Administrative Rules for Transportation Conformity, (OAR Chapter 340, Division 252)
- 2013 Oregon Clean Air Act State Implementation Plan (SIP), amended in December 2013
- 2014 Portland Area Carbon Monoxide Maintenance Plan with substitute transportation control measures
- 2007 Portland Area Ozone Maintenance Plan

Metro

- Ordinance No. 10-1241B (For the Purpose of Amending the 2004 Regional Transportation Plan to Comply with State Law; To Add the Regional Transportation Systems Management and Operations Action Plan, the Regional Freight Plan and the High Capacity Transit System Plan; To Amend the Regional Transportation Functional Plan and Add it to the Metro Code; To Amend the Regional Framework Plan; And to Amend the Urban Growth Management Functional Plan), adopted on June 10, 2010.
- Resolution No. 10-4119, For the Purpose of Updating the Work Program for Corridor Refinement Planning through 2020 and Proceeding with the Next Two Corridor

Refinement Plans in the 2010-2013 Regional Transportation Plan Cycle, adopted on February 25, 2010.

- Resolution No. 12-4345, For the Purpose of Updating the Work Program for Corridor Refinement Planning and Designating the Powell-Division High Capacity Transit Corridor as the Next Regional Priority for Completion of Corridor Refinement and Commencement of Alternatives Analysis, adopted on May 17, 2012.
- Resolution No. 12-4362, For the Purpose of Endorsing the East Metro Corridor Refinement Plan, adopted on August 9, 2012.
- Resolution No. 13-4450, For the Purpose of Approving FY 2012-2013 Funding for Community Planning and Development Grants Funded with Construction Excise Tax, adopted on August 15, 2013.
- Resolution No. 14-4496, For the Purpose of Creating and Appointing Members of a Steering Committee for the Powell-Division Transit and Development Project, adopted on January 16, 2014.
- Resolution No. 14-4534 (For the Purpose of Approving the Joint Air Quality Conformity Determination for the 2014 Regional Transportation Plan and the 2015-2018 Metropolitan Transportation Improvement Program), adopted July 17, 2014.
- Ordinance No. 14-1340 (For the Purpose of Amending the 2035 Regional Transportation Plan to Comply With Federal and State Law; and to Amend the Regional Framework Plan), adopted July 17, 2014.
- Resolution No. 15-4634, For the Purpose of Endorsing the Powell-Division Transit and Development Project Transit Action Plan, adopted on September 24, 2015.
- Resolution No. 15-4640, For the Purpose of Approving Fiscal Year 2015-2016 Funding for Community Planning and Development Grants Funded with Construction Excise Tax, adopted on September 24, 2015.
- Resolution No. 15-4664, For the Purpose of Amending the Fiscal Year 2015-2016 Unified Planning Work Program (UPWP) to Include 2016 STP Funds for use on the Powell/Division Corridor Plan, adopted on November 19, 2015.

Local Jurisdictions

- The Gresham City Council unanimously adopted Resolution No. 3267, to accept the Powell-Division Transit & Development Project Locally Preferred Alternative, with an attached memorandum of understanding denoting that TriMet will seek to identify enhancements to the Gresham Transit Center and improve transit service to Mt. Hood Community College;

- The Portland City Council unanimously adopted Resolution No. 37254, to adopt the Locally Preferred Alternative for the Powell-Division Transit and Development Project and Conditions for Approval, including a request that Metro advance Powell Boulevard for regional consideration within the High Capacity Transit planning and prioritizing process, and amend the Regional Transportation Plan to assert continued need for Powell Boulevard transit improvements;
- The TriMet Board of Directors unanimously adopted Resolution 16-12-70, to recommend confirmation of the Locally Preferred Alternative for the Powell-Division Transit and Development Project;
- The Multnomah County Board of Commissioners unanimously adopted Resolution No. 2016-131, to adopt the Steering Committee's Powell-Division Transit and Development Project Locally Preferred Alternative with an attached memorandum of understanding denoting that TriMet will seek to identify enhancements to the Gresham Transit Center and improve transit service to Mt. Hood Community College.

3. Anticipated Effects

Approval of this ordinance would allow the Division Transit Project to move forward towards implementation and for the project partners to begin: 1) the environmental review process under the National Environmental Policy Act (NEPA), which may include preparation of an environmental impact statement, an environmental assessment or the most likely review, a Documented Categorical Exclusion (DCE); 2) completion of the details of the finance plan and final design; and 3) other actions to advance towards construction of the project.

With the timely completion of environmental review, the Concurrence (for a DCE) or Record of Decision (for an environmental assessment or environmental impact statements) and a Small Starts Grant Agreement with the Federal Transit Administration, construction could begin in late 2018 and operation could begin as early as 2021, initiating approximately 14 miles of new bus rapid transit service.

4. Budget Impacts

This action will result in no direct budget impacts. Metro staff work to complete the federal environmental review is currently funded through agreements with project partners.

RECOMMENDED ACTION

Adopt Ordinance No. 17-1396 For the Purpose of Amending the 2014 Regional Transportation Plan to Include the Locally Preferred Alternative of the Powell-Division Transit and Development Project.

RTP Staff Report Attachments

- Attachment 1: Powell-Division Steering Committee Locally Preferred Alternative Text and Map
- Attachment 2: Powell-Division Corridor Transportation and Development Strategy
- Attachment 3: Exhibit C of the City of Portland's Locally Preferred Alternative Resolution
- Attachment 4: Summary of Public Comments