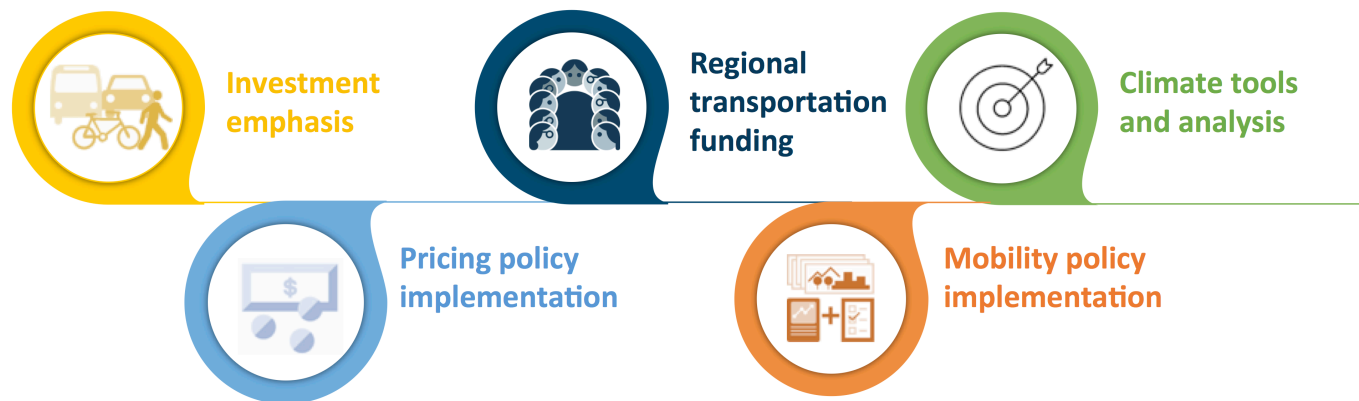


Exhibit C (Part 1) to Ordinance No. 23-1496 11/3/23 TPAC Recommendation to JPACT on Discussion Items

This document summarizes recommended actions to address key concerns raised during the final comment period for the 2023 Regional Transportation (RTP). The concerns and recommendations have been organized into five policy topics shown in Figure 1.

Figure 1. Key Policy Topics for Discussion and Recommendation



On October 25, the Metro Policy Advisory Committee (MPAC) recommended the Metro Council approve the actions listed in the tables that follow as part of making an overall recommendation to the Metro Council adopt the RTP by approving Ordinance No. 23-1496 and its exhibits. MPAC's recommendations will be brought forward to the Metro Council for consideration as the 2023 RTP is finalized for adoption in late November.

The Transportation Policy Alternatives Committee (TPAC) used the MPAC recommendations as the starting point for making a recommendation to the Joint Policy Advisory Committee on Transportation (JPACT). **On November 3, TPAC recommended that JPACT discuss and consider MPAC's recommendation on Policy Topic 2, Recommended Action 2 and to approve the other recommended actions listed in the tables that follow as part of making an overall TPAC recommendation to JPACT to adopt the RTP** by approving Ordinance No. 23-1496 and its exhibits. TPAC's recommendations will be brought forward for consideration by JPACT on November 16, 2023. JPACT's recommendation will be brought forward to the Metro Council for consideration as the 2023 RTP is finalized for adoption in late November.

Exhibit C (Part 1) to Ordinance No. 23-1496
11/3/23 TPAC Recommendation to JPACT on Discussion Items

TPAC recommended changes to MPAC's recommendation (10/25/23) are shown in purple ~~strikethrough~~ and underscore.

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11/3/23 TPAC Recommendation to JPACT on Discussion Items

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Policy Topic 1 – Investment Emphasis	
Key concerns	RECOMMENDED ACTIONS
<p>The emphasis of investments does not align with regional goals. There is too much investment in freeways relative to the following investments, which need more resources:</p> <ul style="list-style-type: none"> • transit service • completing gaps in active transportation network • addressing the safety needs of urban arterials reducing climate pollution 	<ol style="list-style-type: none"> 1. Ensure Accountability: Ensure project partners for the Interstate Bridge Replacement Program, I-5 Rose Quarter Project, Regional Mobility Pricing Project and the I-205 Toll Project are accountable to commitments and desired outcomes to address safety, climate and equity priorities for each project.¹ 2. Unbundle and identify ODOT safety projects: Recommend that ODOT unbundle and prioritize safety projects within RTP Project #12095 (\$349 million)(Safety & Operations Projects 2023-2030) to provide more specificity about the location and project details. This would increase transparency and align and leverage proposed local projects on state-owned arterials. It would also enable the projects to be included in the final 2023 RTP analysis. Specific recommendations include: <ol style="list-style-type: none"> a. Add individual 2024-27 STIP/MTIP projects to the 2023 RTP project list that have the RTP ID 12095 and a cost estimate of \$2 million or greater. ² b. Add a new project that reflects ODOT’s ongoing ADA Program investments in the region. c. Recommend ODOT continue to host and advertise ODOT presentations on the draft STIP list at TPAC and JPACT and provide opportunities for input on project selection. d. Recommend ODOT present on the 27-30 STIP program allocations and project selection processes and criteria for safety projects, including the ARTS program that includes safety projects on both the ODOT and local systems. 3. Report on safety investments in the region: Recommend that all transportation agencies provide regular reports to TPAC and JPACT on the location, type and amount of federally-funded safety investments made in the region. These updates would ideally be coordinated with each MTIP cycle and can be used to aid Metro in reporting and evaluating MTIP performance. 4. Improve the RTP project list development and review process in advance of the 2028 RTP: <ol style="list-style-type: none"> a. Update Chapter 8 in the 2023 RTP to identify post-RTP work in advance of the 2028 RTP Call for Projects. Specific recommendations include:

¹ JPACT and Metro Council discussions and actions on projects undergoing the NEPA process in the Portland area are listed in Attachment 1.

² The 2024-27 STIP and 2024-27 MTIP include 12 projects (\$66 million in investments) with a cost estimate of \$2 million or greater. These projects are listed in Attachment 2.



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Policy Topic 1 – Investment Emphasis	
Key concerns	RECOMMENDED ACTIONS
	<ul style="list-style-type: none"> <li style="margin-bottom: 10px;">i. Recommend Metro convene a group to review Metro’s existing metrics and tools for evaluating safety, climate, equity, mobility and economic development impacts of transportation decisions across the RTP, MTIP, RFFA and investment area programs to ensure metrics and tools reflect community and regional priorities <u>and advance our ability to manage the existing system in a way that rectifies past and present harms and reduces further burdens on marginalized communities</u>. This could lead to recommendations on new tools and/or process improvements that may be needed to better align investment priorities with RTP goals and funding opportunities. <li style="margin-bottom: 10px;">ii. Recommend Metro conduct a review of the 2023 RTP project list development process in advance of the 2028 RTP update. The intended outcome of this review is an improved project assessment process that better aligns project selection with community and regional priorities. An improved project assessment process would provide transparency and enable decision-makers to consider the benefits and impacts of multiple projects comprehensively when making investment decisions. <li style="margin-bottom: 10px;">iii. Recommend that Metro Council members and staff present to elected councils around the region to highlight the goals of the 2023 RTP and expectations around identification of investment priorities during the scoping phase for the 2028 RTP update. <li style="margin-bottom: 10px;">b. Post RTP adoption, recommend all agencies engage community members, community-based organizations, tribes, cities, counties, transportation providers, businesses and other interested parties in the process of identifying and prioritizing locations and projects to address safety, climate, equity and transit needs in advance of the 2028 RTP Call for Projects. As part of this work, consider new/innovative data and metrics to benchmark and measure performance on safety and equity. <p>5. Continue to improve coordination and support for small jurisdictions.</p> <ul style="list-style-type: none"> <li style="margin-bottom: 10px;">a. Following adoption of the 2023 RTP, develop strategies to support smaller jurisdictions to be more effective for funding opportunities. <li style="margin-bottom: 10px;">b. Prior to the 2028 RTP Call for Projects, consider strategies to improve coordination on submitting projects on state or multi-jurisdictional facilities.



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Policy Topic 2 – Pricing Policy Implementation	
Key concerns	RECOMMENDED ACTIONS
<ul style="list-style-type: none"> • Concern about whether future MTIP amendments to advance ODOT tolling program projects will be subject to the RTP pricing policies and actions. • Toll project analysis has been insufficient to understand the impacts of potential diversion from tolling on traffic and safety on the local system. These details are necessary to understand how tolling will interact with other projects in the RTP and to identify policies and projects to address diversion and safety. <ul style="list-style-type: none"> • It is unclear how much diversion from tolling will likely occur and how much diverted traffic is likely to be local travel that should use the local system versus longer distance travel that should be using throughways. • Concern about the potential for more fatal and serious injury crashes on urban arterials due to diversion of throughway travel on arterial streets that are already high injury corridors. This information is needed to identify potential mitigation projects. • Need to recognize that diversion is highly dependent on local conditions 	<ol style="list-style-type: none"> 1. Update Chapter 8 to identify work needed to address local and regional concerns prior to implementation of tolling projects: <ol style="list-style-type: none"> a. As established under Oregon Revised Statute Chapter 383, the Oregon Transportation Commission (OTC) is the state’s tolling authority and decision-maker on allocation of toll revenues <u>using an extensive public engagement process</u>. The use of toll revenues is subject to federal laws, the Oregon Constitution (Article IX, section 3a), state law, the Oregon Highway Plan, and OTC Policy. <ol style="list-style-type: none"> i. Tolling efforts for the IBR program will be developed in a bi-state process involving the legislatures, transportation commissions, and departments of transportation from both Oregon and Washington. The OTC and WSTC will jointly determine toll rates and toll policies for the IBR program. However, unlike in Oregon where the OTC determines how toll revenue is spent; in Washington, the Legislature, not the WSTC, has this authority. ii. ODOT has made a series of commitments to ensure that pricing projects contained in ODOT’s Urban Mobility Strategy align with the Pricing Policy in the 2023 RTP as documented in Appendix U. To ensure continuing accountability with those commitments, JPACT and Metro Council shall coordinate with regional partners (including ODOT) on a proposed toll revenue sharing approach to address safety and diversion impacts from tolling and work together to expand transportation options along priced corridors. JPACT and Metro Council shall provide testimony to the OTC in support of the collaboratively developed toll revenue sharing approach, and ODOT shall present the approach to the OTC for consideration prior to January 1, 2026. b. ODOT must bring the work of the Equity and Mobility Advisory Committee (EMAC) into the analysis, discussion and influencing decision-making about the revenue raising potential of tolling and/or pricing consistent with EMAC’s foundational statements accepted by the OTC. <u>ODOT shall seek opportunities to incorporate the equity framework of the EMAC where appropriate.</u> Due to the bi-state nature of the IBR program, the advisory committees established by ODOT for the Oregon Toll Program will not be the entities utilized for the IBR program. The IBR program will work with the OTC and WSTC to identify the process for incorporating public, advisory group, and partner agency input around toll rate-setting and policies. ODOT shall,



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Policy Topic 2 – Pricing Policy Implementation	
Key concerns	RECOMMENDED ACTIONS
<p>(e.g., I-205 in West Linn vs. in East Portland) and therefore must be addressed at the mobility corridor level.</p> <ul style="list-style-type: none"> • Concern that ODOT has not demonstrated how tolling projects in the RTP (e.g., I-205 Toll Project and Regional Mobility Pricing Project) will help meet state and regional climate and safety goals and per capita GHG and VMT reduction targets. 	<p>however, seek opportunities to incorporate the equity framework of the EMAC, where appropriate, into all pricing programs.</p> <ul style="list-style-type: none"> c. ODOT will evaluate, document and address diversion on local routes where diversion is identified as part of the ongoing NEPA analyses consistent with Federal requirements and the additional commitments made by ODOT referenced in Key Policy Topic 2 Recommended Action 1.a. Consistent with these commitments and to inform decision-making, ODOT shall provide participating agencies with technical information regarding anticipated short- and long-term safety and mobility impacts resulting from tolling, including but not limited to one set of maps for each RMPP Option based on select-link analysis that show the major routes in the region conveying vehicles to/from I-5/I-205, including identified mobility corridors. d. Consistent with the ongoing I-205 NEPA processes, ODOT will utilize the Metro Regional Travel Demand Model and other models that rely on state, regional and local data to evaluate tolling options for I-205. ODOT will conduct a separate analysis to determine if a managed lane concept on I-205 between OR 43 and Stafford Road is viable. This analysis will include an evaluation of using one or more managed lanes to address congestion, raise revenues for needed expansion, and minimize diversion. e. JPACT and Metro Council shall clarify expectation of ODOT to prepare findings that document how the RTP pricing policies and actions, and previous ODOT commitments with the Metro Council are addressed when requesting JPACT and the Metro Council consider future MTIP amendments for toll projects. f. Revise Page 8-68, Section 8.3.1.6 to add: <u>“As the I-205 Toll Project develops and future phases and cost adjustments are amended into the MTIP, reports shall be submitted documenting consistency on compliance with the Chapter 3 Pricing Policies.</u> g. Revise Page 8-70, Section 8.3.1.7 to add: <u>“As the I-5 & I-205 Regional Mobility Pricing Project develops and future phases and cost adjustments are amended into the MTIP, reports shall be submitted documenting consistency on compliance with the Chapter 3 Pricing Policies.”</u>

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Policy Topic 2 – Pricing Policy Implementation

Key concerns	RECOMMENDED ACTIONS
	<p>2. <u>Due to the technical complexity and political nature of the issue, JPACT should discuss and consider the MPAC recommendation: Amend the RTP Constrained Project List to split the I-5 and I-205: Regional Mobility Pricing Project (RTP #12304) into two phases</u>, retaining only the preliminary engineering (PE) phase in the RTP Constrained Project List and moving the construction-related phases (RW, UR, CN and OT) to the RTP Strategic Project List.</p> <p><u>TPAC members expressed concern with process and precedent with the proposed amendment and recognized the volume of outstanding community concerns with the RMPP. To ensure that JPACT has appropriate information on the subject, Metro and ODOT staff should provide as much relevant information as possible about timeline, cost and process change implications for this and other related tolling projects for the Nov 16th JPACT meeting.</u></p>

Exhibit C (Part 1) to Ordinance No. 23-1496
11/3/23 TPAC Recommendation to JPACT on Discussion Items

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Policy Topic 3 – Regional transportation funding

Key concerns	RECOMMENDED ACTIONS
<ul style="list-style-type: none"> • There is insufficient funding to meet the region’s currently identified needs and RTP goals; the gas tax continues to fall behind in the near-term; and is not viable in long-term, yet it is unclear whether new revenues such as congestion pricing, VMT/road user fee will fill this gap. • Regional consensus is on how to prioritize investments made with existing or new funding. • Existing funding streams tend to under-invest in transit and multimodal improvements. 	<ol style="list-style-type: none"> 1. Expand regional efforts on transportation funding: Update Chapter 8 and RTP adoption legislation to recommend preparing a JPACT work plan to focus on increasing and accelerating regional transportation investments. The work plan should address: <ol style="list-style-type: none"> a. developing state and federal funding legislative priorities position supported by JPACT and the Metro Council, such as the need to maintain the transportation system, invest more in transit and active transportation, address resiliency of bridges and the system, and create dedicated funding for active transportation, transit, Great Streets and Willamette River and other major bridges; b. dedicating resources and coordination to increase region’s competitiveness for emerging BIL federal funding opportunities; c. pursuing transportation funding, including new funding sources to replace the gas tax, in the 2025 legislative session and federal funding opportunities; d. dedicating staff time to assess whether new revenues such as congestion pricing, a VMT/road user fee and changes to user fees and taxes on gasoline sales and other aspects of travel can provide the necessary funding building on the equitable funding research conducted as part of the 2023 RTP update; and e. developing effective strategies to fund and implement transportation infrastructure in Urban Growth Boundary expansion areas and adjacent networks to meet urban multimodal standards and support complete communities consistent with the Regional Growth Concept. 2. Work to secure sustainable, long-term funding to meet the region’s demand for increased frequent and reliable transit service to meet climate and other goals: As part of the legislative priorities in recommendation #1, advocate for the 2025 Legislature to fund increased transit service and transit-supportive investments, including community-based services that complement regional service, at levels needed to meet the region’s state-mandated climate target.

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Policy Topic 4 – Climate Tools and Analysis

Key concerns

- RTP climate analysis and Climate Smart Strategy should better inform RTP investment priorities.
- Statewide Transportation Strategy (STS) assumptions need to be updated.
- Tools for climate analysis in the RTP, MTIP/RFFA and other investment decisions need to be improved.

RECOMMENDED ACTIONS

1. **Update RTP Climate Analysis and Findings:** Update the climate analysis to reflect the 2023 RTP, vehicle fleet mix and turnover rates today and report this information back to policymakers and in Chapter 7 and Appendix J, with recommendations to use the updated assumptions as the basis of future climate analysis.
2. **Update RTP climate assumptions in Chapter 7 and Appendix J to:**
 - a. Describe which state assumptions are required to be used in the RTP climate analysis and why.
 - b. Document state assumptions in more detail, including a table describing key state assumptions (e.g., vehicle fleet turnover rate, share of SUV/light truck vs. passenger vehicles, share of electric vehicles), as well as current trends with respect to these assumptions and discussions of state policies, programs or other actions the state is taking to support the state assumptions used in the RTP climate analysis.
 - c. Describe that the region will not meet its targets if the state assumptions used in the analysis are not met, along with the results of the RTP 23+AP scenario, which quantifies how much the region falls short of its targets if the Statewide Transportation Strategy (STS) assumptions are not included in the analysis.
 - d. Describe current trends in GHG emissions, both in the region and state, and nationally, based on DARTE and other inventory sources.
 - e. Use the updated assumptions as the basis of future climate analysis.
3. **Advocate for updates to Statewide Transportation Strategy (STS) assumptions:** Submit a letter to state agencies encouraging a review of and update to key state assumptions used to set the regional GHG targets, highlighting the need for an update to the STS Monitoring Report that compares the STS assumptions to recent trends and policy changes, and identifies actions needed to achieve STS assumptions that are not on track.
4. **Continue to improve climate analysis tools:** Update Chapter 8 and Appendix J to describe future efforts to continue to improve climate analysis tools and capabilities to inform policy and investment decisions that have climate impacts.



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Policy Topic 4 – Climate Tools and Analysis

Key concerns	RECOMMENDED ACTIONS
	<p>5. Take action to support Federal and State electrification efforts: Update Chapter 8 to identify actions for improved coordination and assessing the needs and gaps in local and regional actions to advance transportation electrification in the greater Portland region a way that complements existing state and federal policies and programs. Potential local and regional actions may include:</p> <ul style="list-style-type: none"> • setting a vision for what the electrified future looks like, describing roles and responsibilities in the private sector and at various governmental levels in helping to achieve that vision; • identifying gaps in current private/federal/state actions that local and regional agencies can fill and identifying potential implementation actions that address identified gaps and sources of implementation funding. This could include such actions as: best practices for ensuring EV charger availability at multi-family developments - starting with those funded by Metro via the TOD and Affordable Housing programs; • making shared EVs available (e.g., expanding car sharing and shared e-bikes/scooters, including via both site and citywide deployments); providing access to e-bikes (e.g., providing free trials at events, funding consumer rebates); • preparing EV-ready code amendments to ensure that it is easy and cheap to install EVs, especially at new multifamily development; • partnering with businesses to increase charger availability at retail and other common opportunity-charging destinations; and • siting and funding a limited number of high-profile public charging demonstration projects (e.g., Electric Avenue).

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Policy Topic 5 – Mobility Policy Implementation	
Key concerns	RECOMMENDED ACTIONS
<ul style="list-style-type: none"> • The regional mobility policy is a critical step toward investments that prioritize safety, mobility and equity. The current project list does not reflect the influence of that policy because it is new. • Remaining regional mobility policy work needs to be completed to support local, regional and state implementation through transportation system plans, RTP and the Oregon Highway Plan. 	<ol style="list-style-type: none"> 1. Update Chapter 8 to identify the remaining work needed to support implementation of the regional mobility policy and the process to complete the work: <ol style="list-style-type: none"> a. Describe the work that will be completed as part of the Regional Transportation Functional Plan update (2024-25) and in coordination with the statewide CFEC implementation program and Oregon Highway Plan update that is underway. b. Describe that local implementation of the regional mobility policy would follow adoption of updates to the Regional Transportation Functional Plan and Oregon Highway Plan. c. Describe the timeline and process to support local implementation of the mobility policy in transportation system plan and comprehensive plan amendments. d. Define future analysis needed to determine appropriate reliability metrics for signalized throughways and that this work will be completed in collaboration with affected jurisdictions and TPAC as part of the Regional Transportation Functional Plan update (2024-25) and in coordination with the update to the Oregon Highway Plan (2023-24). e. Clarify what land use decisions the regional mobility policy applies to in coordination with the statewide CFEC implementation program that is underway. f. Include a task to develop an approach for evaluating household-based VMT per capita to aid cities and counties when making land use decisions in the Portland area in coordination with the statewide CFEC implementation program that is underway. g. Include a task to finalize guidance for measuring system completeness for both transportation demand management (TDM) and transportation system management and operations (TSMO). h. Include a task to reconsider use of the VMT/employee measure. 2. Update Chapter 3 of the RTP to acknowledge that additional work remains that will inform implementation actions. <ol style="list-style-type: none"> a. Delete Section 3.2.5.2 (Mobility policy system planning actions) and Section 3.2.5.3 (Mobility policy plan amendments evaluation actions).

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11/3/23 TPAC Recommendation to JPACT on Discussion Items

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**Attachment 1 to
Part 1 to Exhibit C to Ordinance No. 23-1496**

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Key JPACT and Metro Council discussions and actions on ODOT projects in the greater Portland area undergoing the NEPA process

This document summarizes JPACT and Metro Council discussions and actions on ODOT projects undergoing the NEPA process in the Portland area. All of these projects are proposed for adoption in the 2023 Regional Transportation Plan. Attachments to this document reflect adopted commitments and expressed desired outcomes for each project.

I-5 Interstate Bridge Replacement Program (IBR)

- June 5, 2008 – Metro Council adopted Metro Council concerns and considerations to identify unresolved issues to be addressed as the CRC project moved forward (Res. No. 08-3938B)
- July 17, 2008 – Metro Council adopted Columbia River Crossing LPA (Res. No. 08-3960B)
- December 5, 2019 – Metro Council amended the 18-21 MTIP to add a new planning study of a replacement Interstate 5 bridge between Oregon and Washington (Res. No. 19-5046).
- December 2, 2021 – Metro Council amended the 21-24 MTIP to add a partially-funded Preliminary Engineering phase to IBR (Res No. 21-5217).
- January 6, 2022 - Metro Council adopted Metro Council's Values, Outcomes, and Actions for the I-5 Bridge Replacement Program, which provides direction to the IBRP participants regarding the values, outcomes, and actions expected by the Metro Council for the project (Res. 21-5206)
- July 14, 2022 – Metro Council adopted Metro Council conditions of approval for the modified IBR LPA (Res. No. 22-5278)
- July 14, 2022 – Metro Council endorsed modified IBR LPA (Res. No. 22-5273)

I-5/Rose Quarter (I5RQ)

- November 2, 2017 – Council approved an MTIP amendment package that added several projects funded through HB 2017 to the MTIP, including I5RQ (then known as the “I-5 Broadway/Weidler Interchange Improvements” project) (Res. No. 17-4844)
- February 5, 2019 – Council received informational presentation on the I5RQ project from ODOT and PBOT staff.
- March 29, 2020 – Metro Council President submitted a comment letter on the I5RQ Environmental Assessment on behalf of the Metro Council.
- April 2, 2020 – Metro Council approved an amendment to the 2021-24 MTIP that added additional funding for the Engineering and Right of Way phases of I5RQ (Res. No. 20-5088).
- April 7, 2020 – Metro Council discusses Metro Council's Values, Outcomes, and Actions for I5RQ, which were intended to guide all Metro decisions and review of future funding requests for the project. This document was sent to ODOT as part of a letter on April 10, 2020.
- January 12, 2021 – Metro Council received a staff presentation with an update on the implementation of Council's Values, Outcomes, and Actions for the I5RQ project.



- June 15, 2021 – Metro Council received a staff presentation on the different cover development scenarios that were being considered as part of the I5RQ project. Following this discussion, Metro Council President submitted a letter to the I5RQ Executive Steering Committee expressing support for cover designs that create more developable space.
- August 4, 2022 – Metro Council received an email progress update on I5RQ from the PDR Director focused on progress in developing and implementing the highway cover.

I-205 Toll Project and I-205 Improvement Project (NB/SB) Widening

- May 16, 2016 – Metro Council amended the 2015-16 MTIP to add a planning phase for I-205 improvements between Stafford Rd. and OR 99E (Res. No. 16-4705).
- July 29, 2021 – Metro Council amended the 21-24 MTIP to add a construction phase for I-205 improvements between OR 43 and OR 213 (Res. No. 21-5192).
- April 26, 2022 – Metro Council amended the 2018 RTP and 2018-21 MTIP to add I-205 Toll Project preliminary engineering phase and ODOT commitments as project moves forward in the NEPA process (Ord. No. 21-1467, Res. No. 22-5234)
- April 27, 2022 - I-205 Toll Project Regional Transportation Plan Amendment Letter of Agreement Clarifying Commitments between Metro and the Oregon Department of Transportation (signed by Director Strickler on 4/25/22 and Metro Council President Peterson on 4/27/22)

Regional Mobility Pricing Project

- No formal actions have been taken on RMPP.
- Draft Feb. 17, 2022 – Metro Council developed I-205 Tolling Project and RMPP Values, Outcomes and Actions to clarify the values, outcomes and actions wanted from a statewide congestion pricing program and the initial projects therein. This document was discussed at a Metro Council work session on 2/8/22 and revised based on Metro Council requests for JPACT discussion on 2/17/22 in advance of JPACT and Metro Council consideration of Ord. No. 21-1467.

<https://oregonmetro.legistar.com/View.ashx?M=E1&ID=926673&GUID=2CD0C577-3820-415C-BE12-FE7668015683>

/Attachments

1. IBR Modified Locally Preferred Alternative Recommendation (May 27, 2022)
2. Metro Council Conditions of Approval for IBR Modified Locally Preferred Alternative (Exhibit A-1 to Res. No. 22-5278)
3. I-5 Rose Quarter Metro Council Values and Outcomes (April 10, 2020)
4. I-205 Toll Project and Regional Mobility Pricing Project Metro Council Values, Outcomes and Actions for JPACT discussion (Feb. 17, 2022)
5. I-205 Toll Project Commitments for ODOT and Regional Partners (Exhibit B to Ord. 22-1467)
6. I-205 Toll Project Regional Transportation Plan Amendment Letter of Agreement (April 27, 2022)



MODIFIED LOCALLY PREFERRED ALTERNATIVE RECOMMENDATION

MAY 27, 2022

After regional support is reached on a Modified Locally Preferred Alternative for the Interstate Bridge Replacement (IBR) Program, the program commits to continuing work with the partner agencies and community to identify and refine program elements that have yet to be finalized. The **IBR Program** recommends the following components for the Modified LPA:

1. A replacement of the current I-5 Bridge with a seismically sound bridge.
2. A commitment to increase and implement attractive transit options across the Columbia River by supporting a variety of transit services that meet the needs of customers traveling between varied markets through:
 - i. Continuation of C-TRAN express bus service from markets north of the Bridge Influence Area (BIA) to the downtown Portland area utilizing new bus on shoulder facilities, where available, within the BIA.
 - ii. Continuation of C-TRAN's current and future Bus Rapid Transit lines as described in adopted regional plans and known as the Vine.
 - iii. New Light Rail Transit (LRT) service as the preferred mode for the dedicated High-Capacity Transit improvement within the BIA.
 - iv. An alignment of LRT that begins with a connection at the existing Expo Center LRT station in Portland, OR, extends north, with a new station at Hayden Island, continues across the Columbia River on a new I-5 bridge, and generally follows I-5 with an interim Minimum Operable Segment not extending north of E. Evergreen Boulevard, in Vancouver, WA. There will be multiple stations in the City of Vancouver to be decided by the Vancouver City Council in consultation with C-TRAN, the Port of Vancouver, and TriMet.
3. Active transportation and multimodal facilities that adhere to universal design principles to facilitate safety and comfort for all ages and abilities. Exceptional regional and bi-state multi-use trail facilities and transit connections will be created within the BIA. Opportunities will be identified to enhance active transportation facilities, with specific emphasis on local and cross-river connections between the region's Columbia River Renaissance Trail and the 40-mile Loop.
4. The construction of a seismically sound replacement crossing for the North Portland Harbor Bridge with three through lanes, northbound and southbound.
5. The construction of three through lanes northbound and southbound on I-5 throughout the BIA.

6. The inclusion of one auxiliary lane northbound and one southbound between Marine Drive in Portland and E. Mill Plain Boulevard in Vancouver to accommodate the safe movement of freight and other vehicles.
7. A partial interchange at Hayden Island, and a full interchange at Marine Drive, designed to minimize impacts on the Island's community; and improve freight, workforce traffic, and active transportation on Marine Drive.
8. A commitment to study improvements of other interchanges within the BIA.
9. Variable Rate Tolling will be used for funding, such as constructing the program, managing congestion, and improving multi-modal mobility within the BIA. The Program will study and recommend a low-income toll program, including exemptions and discounts, to the transportation commissions.
10. A commitment to establish a GHG reduction target relative to regional transportation impact, and to develop and evaluate design solutions that contribute to achieving program and state-wide climate goals.
11. A commitment to evaluate program design options according to their impact on equity priority areas with screening criteria such as air quality, land use, travel reliability, safety, and improved access to all transportation modes and active transportation facilities. The Program also commits to measurable and actionable equity outcomes and to the development of a robust set of programs and improvements that will be defined in Community Benefits Agreement.

RESOLUTION 22-5278
Exhibit A-1

**Metro Council Conditions of Approval for the Interstate Bridge Replacement Program Modified
Locally Preferred Alternative**

Metro Council recognizes that endorsement of a Locally Preferred Alternative (LPA) is one important focusing step that enables the project management team to proceed with further analysis of a reduced range of alternatives. Metro Council originally endorsed the LPA for the Columbia River Crossing on July 17, 2008 (Resolution 08-3960B). The project was restarted in 2019 as the Interstate Bridge Replacement Program (IBRP). Metro is a project partner under the National Environmental Policy Act (NEPA) and participated in the original Environmental Impact Statement (EIS) for the project. To achieve regulatory approvals, the project requires a Modified LPA and a Supplemental Environmental Impact Statement (SEIS).

Identifying a Modified LPA provides an important foundation for the project partners to move forward into the SEIS process. However; Metro Council is cognizant that many important issues are unresolved at the time of endorsement of a Modified LPA. A clear articulation of the conditions on which Metro Council's approval is given is required to ensure that these unresolved issues are appropriately addressed and resolved during the next phases of design, engineering, and financial planning, with participation by local communities and their elected representatives, and prior to construction.

While the Metro Council endorses the Modified LPA of the Interstate Bridge Replacement that includes light rail and tolling, as described in Resolution 22-5273, Metro Council simultaneously finds that the following conditions must be met in the upcoming refinement of design, engineering and financial planning.

A. CLIMATE

The IBR program must demonstrate how, with comprehensive variable-rate tolling intentionally designed to manage congestion and repay construction costs and with visionary improvements in transit and active transportation options, it achieves at least a proportionate contribution to the State of Oregon's greenhouse gas (GHG) goals that call for the state to reduce its GHG emissions (1) at least 45 percent below 1990 emissions levels by 2035; and (2) at least 80 percent below 1990 emissions levels by 2050. The construction of the bridge should use methods that provide the greatest level of sustainability possible.

- To create baselines, determine the hourly average vehicle miles traveled (VMT) across the bridge in 2022 by mode and use evidence-based methodologies to estimate the GHG by hour in the project area.
- Prepare an in-depth analysis of VMT in the BIA, taking into account tolling, induced automobile and truck demand, as well as the potential for modal shift resulting from improved transit speed, comfort, convenience, and affordability. The results of the analysis, which should include assumptions regarding tolling consistent with the Oregon Toll Program, must be made publically available.
- Implement a plan with current best practices to reduce GHG during the construction of the bridge, including the use of low-carbon materials and adherence to the Clean Air Construction Program requirements during the construction phase of the project.
- Implement and operate variable rate tolling, along with improvements to transit and active

transportation, in a manner that aims to reduce greenhouse gas emissions.

B. EQUITY AND COMMUNITY

The project should continue to apply the equity framework agreed upon by project partners and meaningfully engage equity priority communities throughout the IBRP to inform decision making and achieve equitable outcomes.

- Develop Community Benefits Agreement(s) with the communities to mitigate for any potential adverse impacts to human health and improve multimodal access for communities in or near the project area.
- Commit to robust community engagement throughout all stages of the project, including design, construction, and naming.
- Evaluate and implement equitable outcomes using the performance measures developed by the IBRP Equity Advisory Group (EAG) to measure benefits and impacts to equity priority communities in the SEIS.
- Under the purview of the EAG, implement contracting and workforce strategies that hire and train local minority-owned contractors and small businesses for both short-term and long-term jobs, both in construction and in bridge system operation and maintenance, using strategies that align with regional Construction Careers Pathways Program.
- Work with local health agencies to develop a health impact assessment.

C. TOLLING AND DEMAND MANAGEMENT

To meet Metro Council's climate, safety, mobility, equity and land use goals as identified in the 2018 Regional Transportation Plan and the 2040 Growth Concept, it is essential that variable rate tolling is implemented in conjunction with providing a range of transportation options with the goal of reducing VMT.

- Implement variable rate tolling as soon as legally and practically permissible, in coordination with the Oregon Toll Program (Regional Mobility Pricing Project) in order to manage congestion and prevent diversion impacts, particularly to the I-205 corridor.
- Develop a variable rate tolling program that advances equity and climate goals.
- Develop a low-income program to address potential financial impacts of tolling on low income persons.
- With implementation of tolling, provide and publicize a wide range of alternative transportation options including high capacity light rail transit with good connections to bus rapid transit and other bus lines, and improved bike and pedestrian facilities easily accessible to the project area; in addition, encourage other low-carbon modes of travel such as vanpooling.
- Conduct an investment grade analysis based on projected traffic volumes with tolling.

D. ACTIVE TRANSPORTATION

The project should commit to exceptional bike and pedestrian facilities on the replacement bridge, bridge approaches and throughout the bridge influence area that provide a desirable transportation option that accommodates current and attracts more active transportation users.

- Undertake additional design to provide high-quality, attractive, safe bike and pedestrian facilities across the bridges and connections to transit stops and neighborhoods throughout the bridge influence area.

- Design of active transportation facilities should adhere to ODOT’s Blueprint for Urban Design principles.
- Mitigate for bike and pedestrian access impacts caused by construction, ensuring safe routes and connections for those modes are maintained.

E. TRANSIT

Light rail must be included in the infrastructure package that goes to construction, acknowledging that the region may need to address future projected capacity limits of the light rail line. Transit ridership in the project area should be optimized to improve the transit network to meet the region’s needs today and into the future.

- In addition to light rail, the project partners will work together to develop and refine all transit options in or near the project area, including connections between light rail, bus rapid transit and bus service to meet the latent demand for transit service in and near the Bridge Influence Area. Particular attention will be paid to access for lower income and disadvantaged groups that rely on transit.
- Optimize bus routing and station locations on both sides of the river to provide excellent bus access to light rail, improve transit ridership and reduce vehicle miles travelled.
- Develop the high-capacity transit terminus in a manner that allows for future potential expansions.

F. BRIDGE DESIGN

The bridge size, type and aesthetics shall be right-sized to fit community needs and reflect regional and local community values and the historic and cultural importance of the Columbia River corridor.

- Limit the design of the bridge to a total of three through lanes and one auxiliary lane in each direction.
- Minimize the width of the shoulders to address needs for transit and emergency use only. Shoulders must not be restriped and/or used to expand travel capacity except during construction or maintenance or for Bus on Shoulder.
- In design, use outcome-based, practical design principles to minimize negative impacts to communities and mitigate for traffic noise on the bridge.
- Design an architecturally attractive bridge that reflects community values and the historical and cultural significance of the bridge within the given legal and engineering constraints.
- Engage the public to inform the aesthetics of the bridge, including artwork and other cultural elements.
- Allow for efficient movement of freight and commerce, especially to and from the Port of Portland and the Port of Vancouver.

G. FINANCING PLAN

After the LPA endorsement, Metro Council expects transparency and agency partnerships in the development of a financial plan that will support the project.

- The IBR project team will provide frequent updates on the IBR financial plan to Metro Council, including an updated Conceptual Financial Plan by the end of 2022, a Financial Plan by March 2023, and a revised cost estimate at 30% design. The Financial Plan shall include all improvements in the BIA, including local improvements.
- In a joint work session with JPACT and Metro Council, the Washington Department of Transportation will provide a presentation on the Cost Estimate Validation Process (CEVP) development,

independent review, assumptions, and use. The IBR project team will provide a presentation on the cost estimate for the project with an overview of risk.

- Develop a financial plan that indicates the level of federal, state and local sources of revenue.
- The financial plan should include assumptions about how funding from variable rate tolling will be used and implemented with the Oregon Toll Program, including an estimate of the duration of bond repayment. An analysis of the application of the Oregon Toll Program's Low Income Toll Study will be included.
- The financial plan must balance revenue generation and demand management, including project capital and operating costs, sources of revenue, and impact to the funds required for other potential expenditures in the region.
- The financial plan shall take into account the maintenance and operations needs of transit.

H. ENGAGEMENT

Continue a robust public engagement process for input to inform the SEIS. Continue to engage the Community Advisory Committee (CAG), EAG and Executive Steering Group (ESG), and demonstrate how committee feedback is incorporated into project efforts, timelines, and milestones. Consider a public bridge-naming process.

As a project partner, Metro Council expects to be involved in:

- 1) Development and completion of the SEIS and all NEPA-related activities.
- 2) Project design, including, but not limited to: examining ways to provide efficient solutions that meet safety, transportation, equity and climate goals, including consistency with Oregon and Washington's statutory reduction goals for GHG emissions.
- 3) Development of tolling policies, revenue allocation, and toll rate-setting for the IBRP
- 4) Development of the Community Benefit Agreement, and
- 5) Development of any public naming/designation process.



I-5 Rose Quarter Project: Values, Outcomes, and Actions

Metro Council's support for the I-5 Rose Quarter Project is contingent on a clear commitment from the Oregon Transportation Commission to the outcomes listed below. This document will guide all Metro decisions and review of future funding requests for the project.

Value: Advancing racial equity and committing to restorative justice

OUTCOMES

- Institutional leadership demonstrates an explicit commitment to restorative justice.
- A community-led visioning process elevates the voices of and benefits historically harmed and marginalized communities.
- Connectivity within neighborhoods and to job centers is increased, air quality and noise are improved, and active, safe, and usable spaces are created in the Albina community.
- Community stability and value are restored and pathways are paved for wealth generation in the Albina community in both the short and long-term.
- The wealth that was taken from the historic Albina community due to the construction of I-5 is recognized and the impacts of development of the Moda Center, Coliseum, and Convention Center are acknowledged.
- Disadvantaged Business Enterprise (DBE) opportunities are maximized at every phase of the construction project to gain jobs and address specific minority contracting needs in Portland.

ACTIONS REQUESTED

- Coordinate with the Albina Vision Community Investment plan (funded by a Metro grant) to take into account the land value created by this project and the urban design features described in the Albina Vision.
- Appoint a landscape design team to inform a community-led decision-making process on highway cover design.
- Set a new standard for State design and contracting practices for local minority-owned contractors and small businesses that incorporates prime-contractor development programs, workforce development opportunities, anti-displacement and restorative community building investment, and wealth creation and land ownership opportunities.
- Establish a committee to oversee implementation of the DBE contracting process.

Value: Increase multi-modal mobility and implement congestion pricing to reduce greenhouse gas emissions

OUTCOMES

- Congestion pricing is implemented as part of the project to both manage transportation demand and traffic, and generate revenue while maximizing limited transportation funding resources
- A more efficient transportation system is achieved that improves traffic flow of the highway and improves and increases multi-modal mobility in the project area.
- Economic growth is enhanced by capitalizing on opportunities for supporting goods movement reliability within the statewide network.



- A complete project that incorporates highway lid designs realizing the vision set forth by the Albina Trust, improving development opportunities in the community, and enhancing connectivity of the local street network, particularly for transit, bicycle, and pedestrian users.
- Air quality is improved and impacts to human health are minimized in the project area, particularly for communities of color disproportionately impacted by air toxins.

ACTIONS REQUESTED

- Synchronize the project timeline with the I-5 tolling program, so that any analysis of traffic and greenhouse gas emission benefits of the project also incorporates pricing strategies for managing traffic.
- Link the project with larger I-5 corridor planning efforts by taking into account the transportation needs of the entire corridor, as well as the potential impacts to people living along the entire I-5 corridor.
- Implement congestion pricing on this segment of I-5 as soon as possible and prior to completing the project.

Value: Engaging stakeholders through a transparent and inclusionary decision-making process

OUTCOMES

- People with diverse backgrounds and expertise are brought together in local community spaces through engagement that is creative, intentional, and fosters community building.
- Engagement efforts reach out to communities to foster a two-way dialogue that demonstrates how those conversations meaningfully inform decision making.
- The process is community-led and supported by a clearly defined governance structure that is responsive to information, feedback, and insight gained through engagement.
- All stages of the process reflect the shared power of the community and local, regional, and state government to influence project decisions and outcomes, ensuring there is consensus on the scope and that the project ultimately meets needs at every scale.
- Communication and collaboration with interagency partners is clear, consistent, and predictable, and there is demonstrated alignment regarding and accountability for project outcomes.

ACTIONS REQUESTED

Additional potential actions requested from ODOT toward furthering this outcome:

- Provide more detail about the roles and expected deliverables of the Community Advisory Committee (CAC) and Executive Steering Committee (ESC), as well as how committee feedback will be incorporated into project timelines and milestones.
- Clearly define how feedback mechanisms will function between the CAC, ESC, participating agencies, ODOT staff, and the Oregon Transportation Commission (OTC).
- Clearly describe to agency partners how the OTC's 11 actions will be incorporated into the project and have timelines synchronized in a way that ensures transparency and accountability.
- Develop a partner agency agreement (e.g., IGA, MOU) that outlines how collaboration will continue as part of a process that incorporates these outcomes, completes these identified actions, and commits to project principles and values.



Values, Outcomes and Actions (VOA): I-205 Tolling Project and Regional Mobility Pricing Project

Purpose: Clarify the values, outcomes and actions wanted from a statewide congestion pricing program and the initial projects therein.

Background: The Oregon Department of Transportation (ODOT) is developing a Toll Program and the first two congestion pricing projects proposed by ODOT are the Regional Mobility Pricing Project and I-205 Toll Project. Each of these projects are working towards federal approval or milestone decisions by 2024.

In terms of policy framework, the current Regional Transportation Plan (RTP) calls for the use of congestion pricing to manage demand and reduce greenhouse gases. In 2021, Metro Council and Joint Policy Advisory Committee on Transportation (JPACT) adopted the findings and recommendations of Metro's Regional Congestion Pricing Study based on two years of modeling, data analysis and input from an expert panel. Congestion pricing has been shown to address issues of mobility, greenhouse gas emissions, equity, and safety where it has been applied. The success of a project or program is largely based on how it is developed and implemented. JPACT and Metro Council directed Metro staff to incorporate the findings and recommendations from Metro's study into the 2023 RTP.

Metro appreciates the work by our ODOT partners to improve congestion in the Portland Metro region by implementing congestion pricing. In general, Metro Council supports the use of congestion pricing to manage traffic demand and reduce greenhouse gases. However, Metro believes that we need a stronger policy framework and more evaluation of the issues before moving forward. Our regional partners on the JPACT and MPAC committees have been clear that they want to see congestion pricing implemented on I-5 and I-205 as part of a larger long-term plan for system-wide congestion management.

For the purpose of this document, congestion pricing is defined as a strategy that charges drivers for driving on a particular roadway or for driving or parking in a particular area. There are various tools to implement congestion pricing, including tolling (where a road owner charges a fee to drive on a certain roadway, bridge, or corridor) and a road user charge, also referred to as a vehicle miles traveled fee (where drivers pay a fee for every mile they travel).

Below are Metro Council's Values, Outcomes and Actions desired for ODOT's tolling projects, which align with Metro's Regional Transportation Plan and the recommendations in Metro's Regional Congestion Pricing Study.

Value: Reduce Congestion and Manage Demand.

- **Outcome: Integrate the I-205 Tolling project with ODOT's Regional Mobility Pricing Project (RMPP) in terms of timing and approach to develop a comprehensive regional tolling and congestion pricing plan.** A system-wide approach is supported by the findings and recommendations from Metro's Regional Congestion Pricing Study and an Expert Panel Review, and is aligned with the ODOT's Office of Urban Mobility's strategy in the Portland Metro region. The implementation of the I-205 Tolling project should be in sync with ODOT's Regional Mobility

Discussed at Metro Council Work Session on 2/8/22.

Revised draft (2/11/22) based on Metro Council requests

For JPACT discussion on 2/17/22

Pricing Project. State decisions around congestion pricing costs, revenues, and reinvestment decisions should happen at a regional scale and follow regional priorities as pricing programs have benefits and impacts across the region.

Actions

- Integrate the I-205 Toll project into the Regional Mobility Pricing Project so that the system starts at approximately the same time across the region
- Use a consistent and standard approach to setting variable toll rates across the region; including a program for low-income users
- Apply tolling to all lanes of traffic
 - Use data and modeling to manage the system and the demand throughout the system
 - Use data and modeling to identify benefits, impacts, and mitigations at a local and regional level
- Share information on estimated revenues and proposed allocation of revenues, and work with regional partners to develop local oversight of revenue allocation.
- Local oversight over the revenues and an agreement with local jurisdictions on oversight of local projects.

Value: Address Traffic Safety on Local Streets.

- **Outcome: Prioritize safety on local streets by minimizing diversion from the Interstate to local roads.** Based on modeling data, there is a high likelihood that ODOT's I-205 Tolling Project and other ODOT tolling projects could cause substantial diversion from the Interstate system onto local streets owned by the counties and cities. ODOT needs to have a clear plan in place to manage traffic diversion, including coordination with transit agencies to provide robust transit options. In addition, State law HB 3055 makes clear that ODOT is to address safety issues on local streets and that tolling revenues could be used on a wide-range of multi-model projects to create a comprehensive approach to managing traffic diversion.

Actions

- Set aside funds to manage diversion on local streets. State law (HB 3055) allows ODOT to use the revenue from tolling for traffic safety and diversion, and explicitly on roadways that are parallel or adjacent to any interstate highway tolled by the State.
- Identify specific, local projects that will be funded with the tolling revenue along the I-205 corridor and along I-5 as part of the RMMP
- Create a Transit Action Plan for the "impact area" of the tolling projects, coordinating with TriMet and SMART, and identify the specific capital investments in transit that ODOT will make to increase access to transit in the tolling locations
- Use traffic data to continue identifying and mitigating diversion to local streets after tolling projects are implemented.
- Provide transparency in terms of the estimated revenue and proposed allocation of that revenue.

Discussed at Metro Council Work Session on 2/8/22.

Revised draft (2/11/22) based on Metro Council requests

For JPACT discussion on 2/17/22

Value: Reduce Greenhouse Gases.

- **Outcome: Create a pricing system that is truly responsive to travel demand to reduce greenhouse gases.** There is an opportunity to combine the RMPP with the I-205 Toll project to create an efficient, regional system. Congestion pricing has the potential to improve travel times and reduce greenhouse gas emissions, if done correctly and comprehensively. Ongoing monitoring of performance is necessary to adjust and optimize a region-wide program once implemented.

Actions

- Set up operations to manage the I-205 Tolling Program, the RMPP, and variable rate tolling on the I-5 Bridge Replacement project as one comprehensive, dynamic congestion pricing system.
- Measure and monitor vehicle miles travelled on the Interstate and local roadways, taking into account potential and observed diversion caused by tolling.
- Increase multi-modal options; fund with tolling revenue

Value: Address Equity and Reduce Impacts to Low-Income Drivers

- **Outcome: Equity and affordability should be built into the project from the outset.** A tolling project should build equity, safety, and affordability into the project definition so a holistic project that meets the need of the community is developed rather than adding “mitigations” later. Per the recommendation of ODOT’s Equity and Mobility Advisory Committee on Tolling, ODOT should use the tolling revenue to provide travel benefits to low-income users, pay for multi-modal needs in the project area, and minimize harm to Black, Indigenous and People of Color (BIPOC) communities.

Actions

- Use a co-creation process with local communities to make decisions on tolling project goals, toll rates, and revenue allocation.
- When setting up tolling rates, create a special program and/or discounts for low-income users of the transportation system that consider the costs of transportation to users compared to their relative incomes
- When allocating revenues, invest in low-income and BIPOC communities who are disproportionately impacted by the costs of the toll.
- Work with partners to provide toll-free transportation options such as transit
- Conduct modeling, data analysis, and mapping to understand where impacts and benefits are concentrated and use that information to inform where mitigations and discounts should be targeted; in addition, conduct analysis of cost burdens on users compared to travel-time benefits
- Set up a program to diversify the workforce for the toll operation, considering the Construction Career Pathways framework that has been adopted by Metro and other local agencies.

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Exhibit B to Ordinance No. 21-1467

I-205 Toll Project: Commitments for ODOT and Portland Regional Partners

The Project would toll all lanes of I-205 on or near the Abernethy Bridge and Tualatin River Bridge. The Project's purpose is to raise revenue to fund construction of the I-205 Improvements Project and manage congestion between Stafford Road and Oregon Route 213 (OR 213). The PE phase includes completion of environmental analysis under the National Environmental Policy Act (NEPA). The NEPA process for the I-205 Toll Project will analyze the benefits and impacts of tolling on I-205 between Stafford Road and Oregon Route 213 (OR 213), and describe mitigation commitments.

The Oregon Department of Transportation commits to addressing the following items during the NEPA process:

1. Elevating the role of local policymakers and stakeholders by creating a Regional Toll Policy Advisory Committee and clarifying the role for local decision-making.

The charter and by-laws for this committee will outline the process to be used to with impacted local jurisdictions to identify and prioritize projects, programs and services, monitor performance, and make recommendations to the OTC related to ongoing investment decisions. Toll projects and policies will continue to be developed in coordination with regional partners to build an equitable and successful transportation system, for the region and the state.

To accomplish this goal, we commit to the following:

- Supporting the creation of a Regional Toll Policy Advisory Committee (Toll PAC) provide recommendations on key policies and project-level decisions, which include:
 - Addressing impacts to people experiencing low incomes
 - Defining the corridor for net toll revenues
 - Financing plan, strategy, and partnerships needed to advance ODOT's Urban Mobility Strategy
 - Short- and long-term plan for mitigation and monitoring to address neighborhood health and safety impacts from tolling-based diversion
 - Comprehensive strategy for enhanced and increased transit and multimodal transportation options
 - How congestion management is defined and achieved through the RMPP environmental review analysis
- Clarifying the Metro Council and JPACT decision-making role in future toll program development.
- Supporting Equity and Mobility Advisory Committee (EMAC) through toll rate setting to continue their work in recommending equitable steps for ODOT and the OTC.

Timing: February 2022 through 2024.



Exhibit B to Ordinance No. 21-1467

2. Develop diversion impacts and mitigation plan in coordination with the region.

In addition to identifying the needed investments on local roads to address the impacts of diversion, strategies will be developed to address diversion including solutions to address near term impacts to the local roadway system that may have not been anticipated by the NEPA analysis. An accountability structure and diversion monitoring program shall be developed in conjunction with local partners through the Regional Toll Policy Committee.

ODOT is continuing to evaluate the potential for diversion as our planning work continues, and our consultant teams are actively working with Metro modelers and other experts from across the region to ensure we identify potential impacts, propose and adopt appropriate mitigation measures and timelines in our I-205 Toll Project Environmental Assessment (EA).

To provide clarity on the timing of diversion information and address concerns about the short- and long-term plans, we commit to the following:

- Supporting the creation of a Regional Toll Policy Advisory Committee (Toll PAC) provide recommendations on project-level decisions for mitigation, which includes:
 - Review short- and long-term plans for mitigating the impacts of rerouting through the I-205 Toll project and Regional Mobility Pricing Project (RMPP)
 - Development of the monitoring programs for once tolls are in place would consider the following factors:
 - Performance measures to track goals and diversion patterns
 - Accountability structure, especially for local governments and the commitments to equity
 - Plan to work with local communities to address impacts (e.g. needs for incident management support, manage traffic flows, technical support, and financial resources to defray indirect costs)
- The I-205 Toll Project will include the following:
 - Design to prioritize safety on local streets by minimizing diversion to local roads
 - Identify local projects as mitigation
 - Study impacts in 2027
 - Work with local governments and communities to gain input on the plan for, and prioritization of, mitigation investments deal with the impacts that communities, neighborhoods, and residents experience from diversion from a toll on I-205
 - Measure vehicle miles traveled (VMT) on I-205 and local roadways
 - Conduct modeling, data analysis, and mapping to understand impacts and benefits
 - Conduct analysis of cost impacts on users compared to travel-time benefits

Timing: Toll PAC begins in March 2022 and the draft I-205 Toll Project Environmental Analysis is published in June 2022.



Exhibit B to Ordinance No. 21-1467

3. Enhancing the connection between the Regional Mobility Pricing Project and I-205 Toll Project.

During the I-205 Tolling NEPA process, the cost, opportunities and impacts associated with tolling on I-205 and the RMPP will be identified and discussed with regional partners before design activities for the tolling program begin. In addition, Regional Toll Policies will be developed. This will inform the on-going development of a comprehensive regional tolling and congestion pricing plan that ensures that no one part of the system is tolled until the RMPP has been approved or ODOT has developed a plan the region supports.

We need regional commitment and partnership to both accelerate the schedule and fully develop the RMPP system. The I-205 Toll Project with the Regional Mobility Pricing Project (RMPP) should be connected in terms of approach to develop a comprehensive regional tolling and congestion pricing plan.

To accomplish this goal, we agree to the following:

- Every I-205 Toll Project policy decision is a regional toll policy decision.
- Policy decisions outlined on the OTC Roadmap will be vetted through the Toll PAC.
- Public policies for tolling and congestion pricing will be included in both the Oregon Highway Plan and Regional Transportation Plan update processes.
- Through the RMPP environmental analysis, we will work together to design a comprehensive system to manage congestion, address VMT, Greenhouse Gas Emissions (GHG), safety, diversion, and air quality goals, and response to travel demand.
- In late 2023, ODOT will be completing the environmental analysis for RMPP, the I-205 toll rate setting will started but not be finalized. At that time ODOT will solicit a recommendation from the Toll PAC and will need JPACT and Metro Council to adopt the updated RTP and MTIP amendment to proceed. This will be a key check in point with the region on how the I-205 Toll Project and RMPP are being developed as a comprehensive system.
- We plan to set up operations to manage the I-205 Toll Project, the Regional Mobility Pricing Program and variable rate tolling on the Interstate Bridge Replacement Project as one comprehensive, congestion pricing system.

Timing: Congestion pricing/toll policy updates to the Oregon Transportation Plan (OTP) and Regional Transportation Plan updates are planned to occur between early 2022 and mid-late 2022. The assumptions for RMPP environmental analysis are being set in late 2022. The OTP, RTP, and MTIP adoption is planned to occur in late 2023.



Exhibit B to Ordinance No. 21-1467

4. Centering equity in our process and outcomes.

Continue to use the Oregon Toll Program’s Equity Framework and support the recommendations from the Equity Mobility Advisory Committee (EMAC) to guide the I-205 Toll Project. In addition, the NEPA process should demonstrate how the pricing system is truly managing to travel demand to reduce greenhouse gases. The Low-Income Toll Report will inform the NEPA process. The NEPA process should also include income-based strategies and revenue projections.

To center equity in the process and outcomes of the I-205 Toll Project and Regional Mobility Pricing Project, and specifically address impacts to people experiencing low incomes, we commit to the following:

- Apply the Oregon Toll Program’s Equity Framework to the development of toll projects.
- Support the development of EMAC recommendations through toll rate setting on the RMPP.
- Pursue actions to support the EMAC/OTC Foundation Statements.
- Explore a program to diversify the workforce for the toll operation, considering the Construction Career Pathways framework that has been adopted by Metro and other local agencies.
- To understand impacts to low-income users of the transportation system, evaluate the costs of transportation to users compared to their relative incomes.
- Use a consistent and standard program for low-income users across the region.
- Consider how to address lower-income workers who will not be able to adjust their schedule.
- Include a plan for how to address cost-burdened low income drivers from day one.

Timing: See the EMAC 2022 Game Plan for recommendations and OTC Roadmap for timing of future recommendations. Our plan for how to address impacts to people experiencing low-incomes will be developed with feedback from Metro Council, JPACT, and a recommendation from Toll PAC by September 2022.



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5. Increasing regional transit and multimodal transportation options.

In coordination with a Transit Multimodal Work Group (TMWG), a Transit and Multimodal Corridor Strategy will be developed to identify and fund priority projects and programs and ensure that reliable, emissions-reducing, and a competitive range of transportation options are provided to advance climate, safety, and mobility goals, and prioritize benefits to Equity Framework¹ communities. The Transit and Multimodal Corridor Strategy will address how priority projects that are ineligible for State Tollway Account revenue or gas tax revenue will be funded, including funding for ongoing operations and capital cost of additional buses, stops, facilities and other transit improvements. The Transit and Multimodal Corridor Strategy will address how ODOT and regional partners will secure and distribute the necessary funding required to implement the Transit and Multimodal Corridor Strategy in coordination with local jurisdictions and transit providers.

Work in coordination with the Transit Multimodal Work Group (TMWG), composed of Portland regional transit and multimodal transportation service providers, to ensure that a reliable, emissions-reducing, and a competitive range of transportation options are provided to advance climate, safety, and mobility goals, and prioritize benefits to Equity Framework communities.

To accomplish this goal, we commit to the following:

- TMWG will help ODOT create a Transit and Multimodal Corridor Strategy for I-205 and I-5 that addresses “impact area” of the tolling projects.
- TMWG will provide a recommendation on how transit and multimodal transportation options are addressed in the toll project environmental analysis documents.
- ODOT will work with the TMWG on interoperability between transit and tolling services.

Timing: The draft I-205 Toll Project Environmental Analysis is planned for June 2022.

¹ As defined by the Oregon Toll Program’s [Equity Framework](#), people experiencing low-income or economic disadvantage; Black, Indigenous, and People of Color (BIPOC); older adults and children; persons who speak non-English languages, especially those with limited English proficiency; persons living with a disability; and other populations and communities historically excluded and underserved by transportation projects.



Exhibit B to Ordinance No. 21-1467

6. Providing the fiscal transparency needed to build trust and understanding.

Through involvement in the NEPA Level Traffic and Revenue Analysis report, local jurisdictions will receive information about the estimated revenues and proposed allocation of revenues, and the financial and toll rate assumptions. This process will inform the discussion and recommendations for revenue allocation before toll setting, and will provide transparency on the financial commitments to each component (equity/transit; local projects; and Urban Mobility Office capital projects).

All groups need to know what fiscal information is available today and when we will know more about the financing plans and revenue assumptions for the I-205 Toll Project, RMPP, and how they fit into the ODOT Urban Mobility Strategy.

To accomplish this goal, we commit to the following:

- Understanding that the schedule for implementing tolls on I-205 is directly linked to the construction schedule for the I-205 Improvements Project.
- Share information what we know today and the plan for when we will know more about estimated toll revenues and allocation.
- Share the I-205 Improvements Project funding plan, including the sources of anticipated revenue and the amount of money that each revenue source will contribute.
- Clarify the allowed uses of tolling dollars on I-205 (what elements of mitigation, transit, and equity can be funded with current tolling model and what cannot?).
- Clarify the financial plan, or timing when it will be available, behind the RMPP and how I-205 fits into the long-term plan for congestion pricing in the region. Also, the financial connections between I-205 improvements, I-205 toll rates, and RMPP.

Timing: The draft I-205 Toll Project Environmental Analysis, which includes a NEPA-level traffic and revenue analysis, will be available in June 2022. The RMPP will have high-level toll rate ranges and revenue estimates as a part of the Planning and Environmental Linkages process, which is being prepared for spring 2022.



April 25, 2022

Re: I-205 Toll Project Regional Transportation Plan Amendment Letter of Agreement Clarifying Commitments between Metro and the Oregon Department of Transportation

This letter outlines the commitments of the Oregon Department of Transportation (ODOT) as it works closely with Metro and regional partners to develop the I-205 Toll Project, which is currently being evaluated under the National Environmental Policy Act (NEPA) process. The I-205 Toll Project would add a variable rate toll on all lanes of Interstate 205 (I-205) between Stafford Road and Oregon Route 213 (OR 213), and the tolls would raise revenue to complete financing for the planned I-205 Improvements Project and manage congestion on this section of I-205.

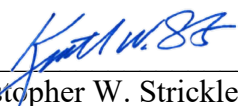
The commitments below reflect considerable input received over the past several months from regional partners, including Metro Council, Joint Policy Advisory Committee on Transportation (JPACT), Transportation Policy Alternatives Committee (TPAC), Metro Technical Advisory Committee (MTAC), and Metro Policy Advisory Committee (MPAC).

- **ODOT will submit the Regional Mobility Pricing Project into the federal Value Pricing Pilot Program (VPPP).** This program provides more flexibility and innovation to manage demand. While the I-205 Tolling project is not going through the VPPP process, it does include demand management and ODOT acknowledges that any tolling project in the region must include funding for diversion mitigation and integrate demand management.
- **Integration of I-205 Tolling with the Regional Mobility Pricing Project (RMPP).** As I-205 tolling proceeds in order to finance critical shared priorities, ODOT will design this project to align with the RMPP. Metro Council, JPACT and MPAC will create congestion pricing policies to include in the 2023 RTP. Concurrently, the Oregon Transportation Commission will be seeking public input on the Oregon Highway Plan (OHP) and Oregon Transportation Plan (OTP), which will incorporate statewide tolling policies. ODOT, Metro Council, JPACT, and MPAC will work collaboratively to align the RTP, OHP, and OTP documents. This will provide a comprehensive framework to incorporate the I-205 tolling project and the RMPP in the context of the larger regional and statewide transportation system. In addition to not starting collection of tolls on I-205 until after the RMPP application has been submitted to FHWA/USDOT under VPPP, ODOT and Metro will work to keep the RMPP application submittal on schedule and will

make reasonable effort to narrow this window even further when opportunities become available.

- **Center Equity in our Process and Outcomes.** ODOT will continue to use the Oregon Toll Program’s Equity Framework and support the recommendations from the Equity Mobility Advisory Committee (EMAC) to guide the I-205 Toll Project. Before a toll is assessed, the Project will establish and implement equitable income-based toll strategies as described in HB 3055 Section 162 (2021). A Low Income Toll Report will inform the NEPA process and be submitted to the Oregon legislature in Fall 2022.
- **Monitor diversion and fund projects that address diversion impacts.** As indicated in the amendments made to the 2018 Regional Transportation Plan, ODOT will fund projects to help manage local diversion impacts from the I-205 Tolling project.
- **Local input on the direction of tolling revenue.** While toll policies will be developed for statewide applicability, the only place that ODOT currently plans to toll is in the Portland region. Regional representatives must have a significant, majority voice in any advisory body consulted on tolling revenue allocation. ODOT commits to ensuring a strong local voice in decisions around the allocation of tolling revenue and when and how local projects that address diversion impacts are funded. ODOT will work collaboratively with Metro and JPACT to determine how the regional input is incorporated.
- **ODOT will terminate the collection of tolls upon retirement of bonds associated with the initial tolling of I-205 and costs associated with construction of the I-205 South Corridor Widening and Seismic Improvements Project, if the Regional Mobility Pricing Project, or other regional tolling project, is not implemented.** The Oregon Transportation Commission (OTC), as the tolling authority for state-owned roads in Oregon, will set a rate structure and determine the duration of tolling. However, local governments represented at JPACT, MPAC and the local coordinating committees have expressed their concern about isolated tolling for the I-205 South Corridor Widening and Seismic Improvements Project continuing in perpetuity if the Regional Mobility Pricing Project (RMPP), or other regional tolling project, does not come to fruition.

Given that the shared understanding of the congestion pricing projects can result in transportation, climate, equity and financial benefits, ODOT and Metro agree to support ongoing and timely development of the I-205 Toll Project, incorporating continued local input throughout the process.



 Kristopher W. Strickler 4/25/2022
 Director, Oregon Dept. of Transportation Date



 Lynn Peterson 4/27/2022
 President, Metro Council Date



**Attachment 2 to
Part 1 to Exhibit C to Ordinance No. 23-1496**

ODOT Projects Adopted in 2024-27 MTIP and 2024-27 STIP with RTP ID 12095

9/25/23

MTIP Investment Category	ODOT Key Number	RTP ID	Project Name	Description	Cost (2024-27 totals in year of expenditure dollars)
Roads and Bridges	22906	12095	Portland Metro and Surrounding Area Safety Construction	Construction funding for safety (ARTS) projects	\$5,821,350
TSMO	22421	12095	Cornelius Pass Hwy: US 26 to US30 ITS Improvements	On Cornelius Pass Hwy complete various safety and ITS improvements such as upgrade and install signing striping and signal equipment as well as install new ITS devices such as cameras and variable message signs for improved traveler safety.	\$4,673,000
Pedestrian	22431	12095	OR 141/OR217 Curb Ramps	At various location on OR 141 (Hall Blvd) and SW 72nd Ave in the Tigard area construct ADA compliant curbs and ramps.	\$7,518,278
TSMO	21606	12095	OR 224 at SE Monroe St	Full signal upgrade to replace the signal that is outdated and intersection modifications to increase safety for pedestrians and cyclists.	\$3,077,537
Pedestrian	22435	12095	OR 47/OR8/US30 Curb Ramps	Construct to American Disabilities Act (ADA) standards curbs and ramps at multiple locations along OR47 OR8 and US30 to reduce mobility barriers and make state highways more accessible to disabled persons.	\$8,854,171
Pedestrian	21608	12095	OR 8 at Armco Ave Main St and A&B Row	Full signal rebuild and sidewalk installations at the Main St intersection. Install flashing lights at the other intersections to increase safety at these locations.	\$4,516,645
Roads and Bridges	22827	12095	92nd Ave E Burnside St and N Basin Ave (Portland)	Signal and lighting upgrades with curb extensions to improve visibility and safety at the intersections of SE 92nd Ave at SE Division St E Burnside at 122nd and 148th Ave N Basin St at Emerson St.	\$3,656,000
	20304	12095	City of Portland Safety Project	Work may include intersection improvements upgrade to ADA; utility relocation; signal work; medians; traffic seperators; striping; signing; warnings and other safety improvements. (ARTS PGB)	\$5,821,350
TSMO	21607	12095	OR 213 at NE Glisan St and NE Davis St	Upgrade the signal at the Glisan St intersection and modify the Davis St intersection to increase safety.	\$4,052,477
Roads and Bridges	23112	12095	OR 213: 82nd Ave Improvements	Funding for upgrades to road elements using safety bike ped operations and preservation funds for improvements for all modes of travel.	\$13,400,000
Roads and Bridges	21629	12095	SE Division St: 148th Ave - 174th Ave (Portland)	Convert existing two-way left turn lane to a raised median to improve safety on this section.	\$2,113,472
Roads and Bridges	22826	12095	NE Cornell Rd at 17th Ave and 21st Ave	Restrict the 17th Ave intersection to right in right out only and Install a signal at the 21st Ave intersection. Install streetlights at both locations.	\$2,314,000
				Total in year-of-expenditure dollars	\$65,818,280

This list includes projects with a cost of \$2 million or greater in year-of-expenditure dollars.