

2021-2024 Metropolitan Transportation Improvement Program  
**Exhibit A to Resolution 23-5338**

May FFY 2023 Formal Transition Amendment Bundle Contents  
 Amendment Type: Formal/Full  
 Amendment #: MY23-09-MAY  
 Total Number of Projects: 6

Key Number & MTIP ID	Lead Agency	Project Name	Project Description	Amendment Action
(#1) ODOT Key # <b>23428</b> MTIP ID TBD New Project	ODOT	<b>I-84: (Multi-Use Path)            Jordan Rd Tunnel - Sandy            River Delta</b>	Design and construct multi-use path parallel to Jordan Road from the pedestrian tunnel to Sandy River Delta increasing pedestrian safety and bike access (CAA23, DEMO ID OR211)	<b><u>ADD NEW PROJECT:</u></b> The formal MTIP amendment adds the new approved Consolidated Appropriations Act of 2023, Congressional Directed Spending project, DEMO ID OR211, to the 2021-24 MTIP enabling PE to be obligated and initiated before the end of FFY 2023.
(#2) ODOT Key # <b>22647</b> MTIP ID TBD New Project	ODOT	<b>OR141 (SW Hall Blvd):            SW Spruce St - SW            Hemlock St</b>	The project will provide two enhanced pedestrian crossings along Hall to improve the visibility of pedestrians crossing the street and encouraging people to use these crossings to walk to parks and schools in the immediate area (CAA23, DEMO ID OR216)	<b><u>ADD NEW PROJECT:</u></b> The formal MTIP amendment adds the new approved Consolidated Appropriations Act of 2023, Congressional Directed Spending project, DEMO ID OR216, to the 2021-24 MTIP enabling PE to be obligated and initiated before the end of FFY 2023.

<p>(#3)          ODOT Key #  <b>TBD</b>          MTIP ID          TBD          New Project</p>	<p>TriMet</p>	<p><b>TriMet Merlo Bus Garage          Zero Emission Retrofit</b></p>	<p>This project includes sitework, garage and utility upgrades and installation of charging stations for articulated buses at Merlo Garage (ID# 2023-CMPJ-094 Earmark)</p>	<p><b><u>ADD NEW PROJECT:</u></b>          The formal MTIP amendment adds the new approved Consolidated Appropriations Act of 2023, Congressional Directed Spending project, ID# 2023-CMPJ-094, to the 2021-24 MTIP enabling PE to be obligated and initiated before the end of FFY 2023.</p>
<p>(#4)          ODOT Key #  <b>TBD</b>          MTIP ID          TBD          New Project</p>	<p>TriMet</p>	<p><b>TriMet 82nd Ave MAX          Station Improvement          Project</b></p>	<p>The project includes design, permitting, and construction for refurbishment of the light rail platform, existing shelters and lighting, and new safety upgrades at the 82nd Avenue MAX Station for added passenger safety (DEMO ID OR209, CAA2023)</p>	<p><b><u>ADD NEW PROJECT:</u></b>          The formal MTIP amendment adds the new approved Consolidated Appropriations Act of 2023, Congressional Directed Spending project, DEMO ID OR209, to the 2021-24 MTIP enabling PE to be obligated and initiated before the end of FFY 2023.</p>
<p>(#5)          ODOT Key #  <b>TBD</b>          MTIP ID          TBD          New Project</p>	<p>TriMet</p>	<p><b>TriMet Oregon City          Transit Center</b></p>	<p>This project includes acquisition of property, design and planning, sitework, construction and renovation of facilities at the Oregon City Transit Center for improved transit operations (ID# 2023-CMPJ-095)</p>	<p><b><u>ADD NEW PROJECT:</u></b>          The formal MTIP amendment adds the new approved Consolidated Appropriations Act of 2023, Congressional Directed Spending project, ID# 2023-CMPJ-095, to the 2021-24 MTIP enabling PE to be obligated and initiated before the end of FFY 2023.</p>

(#6) ODOT Key # <b>TBD</b> MTIP ID TBD New Project	TriMet	<b>Willamette Shore Line          Rail &amp; Trestle Repair</b>	The WSL improvements will upgrade the South Miles Street crossing, replace Jones trestle, conduct mitigation associated with geotech exploration and miscellaneous trestle & track improvements along with routine maintenance (ID# 2023-CMPJ-096)	<b><u>ADD NEW PROJECT:</u></b> The formal MTIP amendment adds the new approved Consolidated Appropriations Act of 2023, Congressional Directed Spending project, ID# 2023-CMPJ-096, to the 2021-24 MTIP enabling PE to be obligated and initiated before the end of FFY 2023.
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Proposed Amendment Review and Approval Steps:

- Tuesday, May 2, 2023: Post amendment & begin 30-day notification/comment period.
- Friday, May 5, 2023: TPAC meeting (Required Metro amendment notification)
- Thursday, May 18, 2023: JPACT meeting.
- Wednesday, May 31, 2023: End 30-day Public Comment period.
- Thursday, June 1, 2023: Final project amendment approvals from FHWA estimated.

**2021-2026 MTIP Formal Amendment - Exhibit A**

**May 2023 Formal Amendment for FFY 2023 - Amendment Number MY23-09-MAY**

Summary Reason for Change: Add new approved Congressional Directed Spending project to the 2021-24 MTIP



**Metro  
2021-26 Metropolitan Transportation Improvement Program (MTIP)  
PROJECT AMENDMENT DETAIL WORKSHEET**

**MTIP Formal Amendment  
ADD NEW PROJECT**  
Add the new Congressional Directed Spending project to the MTIP

<b>Lead Agency:</b> ODOT		Project Type:	Trail	<b>ODOT Key:</b>	<b>23428</b>
<b>Project Name:</b> <b>I-84: (Multi-Use Path) Jordan Rd Tunnel - Sandy River Delta</b>	<b>1</b>	Fiscal Constraint Cat:	Capital	<b>MTIP ID:</b>	<b>TBD</b>
		ODOT Type	Bike/Ped	<b>Status:</b>	<b>0</b>
<b>Project Status:</b> 1 = Pre-first phase obligation activities (IGA development, project scoping, scoping refinement, etc.).		Performance Goal:	N/A	<b>Comp Date:</b>	<b>12/31/2025</b>
		Capacity Enhancing:	No	RTP ID:	N/A
		Conformity Exempt:	Yes	RTP Approval:	12/6/2018
		On CMP:	N/A	Trans Model:	12/6/2018
		30 Day Notice Begin:	5/2/2023	TCM:	No
		30 Day Notice End:	5/31/2023	TSMO Award	No
		Funding Source	<b>CDS Earmark</b>	TSMO Cycle	N/A
		Funding Type:	HIPCDS23	RFFA ID:	N/A
		State Highway Route	I-84	RFFA Cycle:	N/A
		Mile Post Begin:	18.33	UPWP:	No
		Mile Post End:	18.51	UPWP Cycle:	N/A
		Length:	0.18	Past Amend:	0
		Flex Transfer to FTA	No	Council Appr:	Yes
		FTA Conversion Code:	N/A	Council Date:	6/1/2023
1st Year Program'd:	2023	OTC Approval:	No		
Years Active:	0	OTC Date	N/A		
<b>STIP Amend #: 21-24-3308</b>			<b>MTIP Amnd #: MY23-09-MAY</b>		

**Detailed Description:** In NE Multnomah County on Jordan Rd off I-84 at MP 18.33 to MP 18.51 at the Sandy River Delta, design and construct multi-use path parallel to Jordan Road from the pedestrian tunnel to Sandy River Delta increasing pedestrian safety and bike access (Consolidated Appropriations Act 2023 earmark, DEMO ID OR211)

**STIP Description:** Design and construct multi-use path parallel to Jordan Road from the pedestrian tunnel to Sandy River Delta increasing pedestrian safety and bike access

Last Amendment of Modification: None. This amendment represents the project's initial programming in the mTIP.

**PROJECT FUNDING DETAILS**

Fund Type	Fund Code	Year	Planning	Preliminary Engineering	Right of Way	Other (Utility Relocation)	Construction	Total
<b>Federal Funds</b>								
HIPCDS23	Y926	2023		\$ 233,200				\$ 233,200
HIPCDS23	Y926	2024			\$ 26,919			\$ 26,919
HIPCDS23	Y926	2024					\$ 2,071,881	\$ 2,071,881
Note:							<b>Federal Totals:</b>	<b>\$ 2,332,000</b>

<b>State Funds</b>								
HB2017	S070	2023		\$ 26,691				\$ 26,691
HB2017	S070	2024			\$ 3,081			\$ 3,081
HB2017	S070	2024					\$ 237,136	\$ 237,136
Note: HB2017 State funds are being used as the match to the federal earmark							<b>State Total:</b>	<b>\$ 266,908</b>

<b>Local Funds</b>								
								\$ -
							<b>Local Total</b>	<b>\$ -</b>
Phase Totals Before Amend:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Phase Totals After Amend:	\$ -	\$ 259,891	\$ 30,000	\$ -	\$ 2,309,017	\$ 2,598,908		\$ 2,598,908
							Total Project Cost Estimate (all phases):	\$ 2,598,908
							Year of Expenditure Cost Amount:	\$ 2,598,908

**Programming Summary Details**

Why project is short programmed: N/A - The project is not short programmed.

Phase Change Amount:	\$ -	\$ 259,891	\$ 30,000	\$ -	\$ 2,309,017	\$ 2,598,908
Phase Change Percent:	0%	100%	100%	0%	100%	100%
Revised Match Federal:	\$ -	\$ 26,691	\$ 3,081	\$ -	\$ 237,136	\$ 266,908
Revised Match Percent:	N/A	10.27%	10.27%	N/A	10.27%	10.27%

Phase Obligations and Expenditures Summary						
Item	Planning	PE	ROW	Other	Construction	Federal Aid ID
Total Funds Obligated:						
Federal Funds Obligated:						
Initial Obligation Date:						Other Notes Congressional Direct Spending Earmark ID - DEMO OR211
EA Number:						
EA Start Date:						
EA End Date:						
Known Expenditures:						

**MTIP Programming Consistency Check Details and Glossary**

**General Areas**

1	Phase funding fields: Red font = prior amended funding or project details. Blue font = amended changes to funding or project details. Black font indicates no change has occurred.
2	Amendment Purpose: The purpose of an MTIP amendment is normally to add a new project due to required federal review actions involving the MTIP and STIP, or complete required changes to the project (name description, or funding) to meet the project's next federal approval delivery step.
3	This amendment to the MTIP completes what action: The amendment adds the new approved Consolidated Appropriations Act of 2023, Congressional Directed Spending project, DEMO ID OR211, to the 2021-24 MTIP enabling PE to be obligated and initiated before the end of FFY 2023.
4	MTIP Programming Submitted Supporting Documentation: STIP Summary Report, STIP Impacts Worksheet, FLAP Project Summary including support letters, STIP OTC letter notifying of programming action, USDOT March 21, 2023 Allocation of Highway Infrastructure Programs Projects designated in Division L of the Consolidated Appropriations Act, 2023 Memo, and Sandy Rover Delta overview, and project location maps.

**Public Notification and Comment Process:**

5A	Was a 30 Public Notification/Opportunity to Comment Period Required? Yes
5B	What were the 30 day Public Notification/Opportunity to Comment Start and end dates? May 2, 2023 to May 31, 2023
5C	Was the Public Notification/Opportunity to Comment period completed consistent with the Metro Public Participation Plan? Yes
5D	Was the Public Notification/Opportunity to Comment period included on the Metro website allowing email submissions as comments? Yes
5E	Were there a significant amount of comments received requiring a comments log summary provided to Metro Communications Staff? Not expected. However, any significant comments received will be sent on to Metro's Communication staff for review plus evaluation, and response as needed.

6	Added clarifying notes: The project will need to also add the ROW and construction phases to FFY 2024 in the new 2024-27 MTIP. It will be included as part of the 202427 Transition Amendment bundle.
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### Fiscal Constraint Consistency Check Areas

1	Will Performance Measurements Apply? No. The multi-use trail has a recreational use component and is not part of the Metro Pedestrian or Bicycle networks
2A	Does the amendment include fiscal updates? Yes. The authorized funding originates as a Congressional Directed Spending earmark from the Consolidated Appropriations Act of 2023.
2B	What is the funding source for the project? Congressional authorized funds programmed under fund code Y926 with a related programmatic fund code of HIPCDS23
2C	Was the Proof-of Funding requirement satisfied and how? The USDOT March 21, 2023 Memo provide the earmark funding confirmation
2D	Was overall fiscal constraint demonstrated? Yes.

### RTP Consistency Check Areas

1A	RTP ID and Name: Not applicable. The project is considered a recreational trail and not part of the Metro Bicycle and Pedestrian commuter trail modeling networks.
1B	RTP Project Description: N/A. Since the project is not funded by Metro and is outside of the RTP commuter trail networks, it is not subject to the standard RTP consistency checks. The new multi-use trail will support recreational needs in the Sandy River Delta natural area.
2A	Is the project exempt per 40 CFR 93.126, Table 2 or 40 CFR 92.127, Table 3? Yes, per 40 CFR 93.126, Table 2
2B	What is the exception category per the regulation: Table 2 - Air Quality - Bicycle and Pedestrian Facilities
3A	Is the project considered capacity enhancing? No. The project is a multi-use pedestrian/bicycle trail exempt under 40 CFR 93.126, Table 2.
3B	If capacity enhancing, did the project complete required transportation demand modeling through the RTP Update or via an RTP amendment? N/A.
3C	Is Air Quality analysis required? No. The Metro MPA has obtained conformity attainment. Special air quality analysis requirements do not apply
3D	Is an Air Quality analysis approval date required? No.
4	What RTP Goal(s) does the project support? Goal #7 - Healthy People: Objective 7.1 Active Living – Improve public health by providing safe, comfortable and convenient transportation options that support active living and physical activity to meet daily needs and access services.
5	Does the project require a special performance assessment evaluation as part of the amendment? (applies to capacity enhancing projects, \$100 million or greater, and regionally significant). No. The project does not exceed \$100 million dollars in cost.

### UPWP Consistency Check Areas

1A	Does the MTIP action also require an UPWP amendment: No.
1B	Can the MTIP amendment proceed ahead of the UPWP amendment? N/A.

2	What UPWP category does the project fit under (e.g. Master Agreement, Metro Funded Regionally Significant, or Non-Metro Funded Regionally Significant)? N/A.
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**Other Review Areas**

1	Is the project location identified on the National Highway System (NHS), and what is its designation? Jordan Rd is located adjacent to I-84 which is designated on the NHS as part of the Eisenhower Interstate System
2A	Is the project location identified as part of one or more of Metro Modeling Networks, and which one(s)? No. Not applicable
2B	What is the Metro modeling designation? Not applicable
3	Is the project designated as a Transportation Control Measure (TCM)? No
4	Is the project location identified on a Congestion Management Plan route? Not applicable.

**Fund Type Codes References**

HIPCDS23	A federal programmatic fund code representing the approved earmarks from the Consolidated Appropriations Act of FFY 2023. The applicable fund code for these earmark is Y926. For this earmark, the federal share is set at 89.73% with a required match of 10.27%.
HB2017	State funds authorized from the Oregon approved HB2017 legislation authorized for various transportation system improvements. For this specific project, the State HB2017 funds are being used as the required match to the federal funds.

Phase	Fund Code	Description	ICA P	Percent of Phase	Total Amount	Federal Percent	Federal Amount	State Percent	State Amount	Local Percent	Local Amount
PE	S070	HB2017 Funding Package		10.27%	26,690.78	0.00%	0.00	100.00%	26,690.78	0.00%	0.00
	Y926	HIP - community project congressionally directed		89.73%	233,200.00	100.00%	233,200.00	0.00%	0.00	0.00%	0.00
	<b>PE Totals</b>				<b>100.00%</b>	<b>259,890.78</b>		<b>233,200.00</b>		<b>26,690.78</b>	
RW	S070	HB2017 Funding Package		10.27%	3,081.00	0.00%	0.00	100.00%	3,081.00	0.00%	0.00
	Y926	HIP - community project congressionally directed		89.73%	26,919.00	100.00%	26,919.00	0.00%	0.00	0.00%	0.00
	<b>RW Totals</b>				<b>100.00%</b>	<b>30,000.00</b>		<b>26,919.00</b>		<b>3,081.00</b>	
CN	S070	HB2017 Funding Package		10.27%	237,136.05	0.00%	0.00	100.00%	237,136.05	0.00%	0.00
	Y926	HIP - community project congressionally directed		89.73%	2,071,881.00	100.00%	2,071,881.00	0.00%	0.00	0.00%	0.00
	<b>CN Totals</b>				<b>100.00%</b>	<b>2,309,017.05</b>		<b>2,071,881.00</b>		<b>237,136.05</b>	
<b>Grand Totals</b>							<b>2,598,907.83</b>		<b>2,332,000.00</b>		<b>266,907.83</b>



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

# Memorandum

Subject: **ACTION:** Allocation of Highway Infrastructure Programs Projects designated in Division L of the Consolidated Appropriations Act, 2023 [CFDA No. 20.205]

Date: March 21, 2023

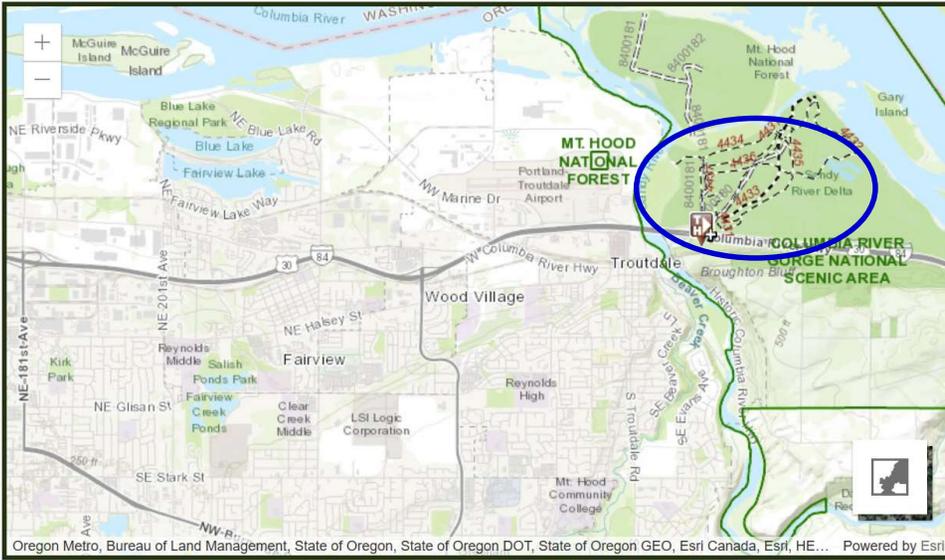
In Reply  
Refer to: HISM-40

From: Peter J. Stephanos /s/  
Director, Office of Stewardship, Oversight,  
and Management

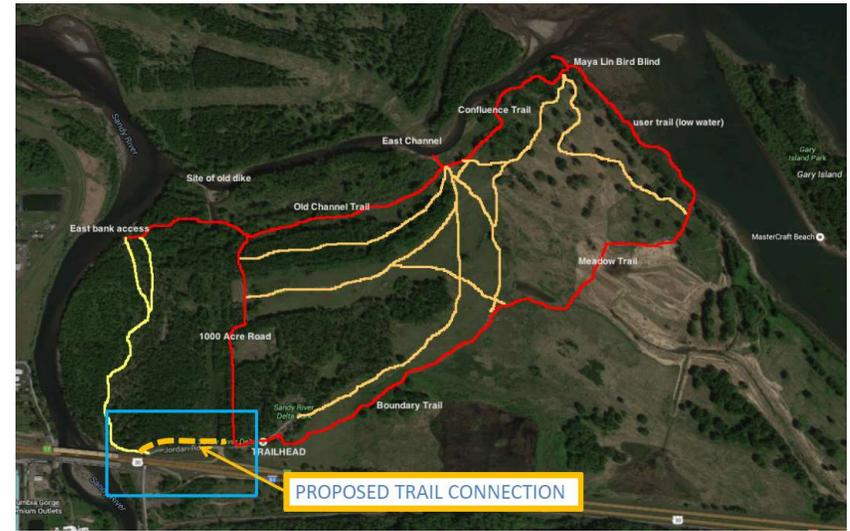
To: Brian R. Bezio  
Chief Financial Officer

**Consolidated Appropriations Act, 2023  
(Public Law 117-328) Division L, Title I, Highway Infrastructure Programs**

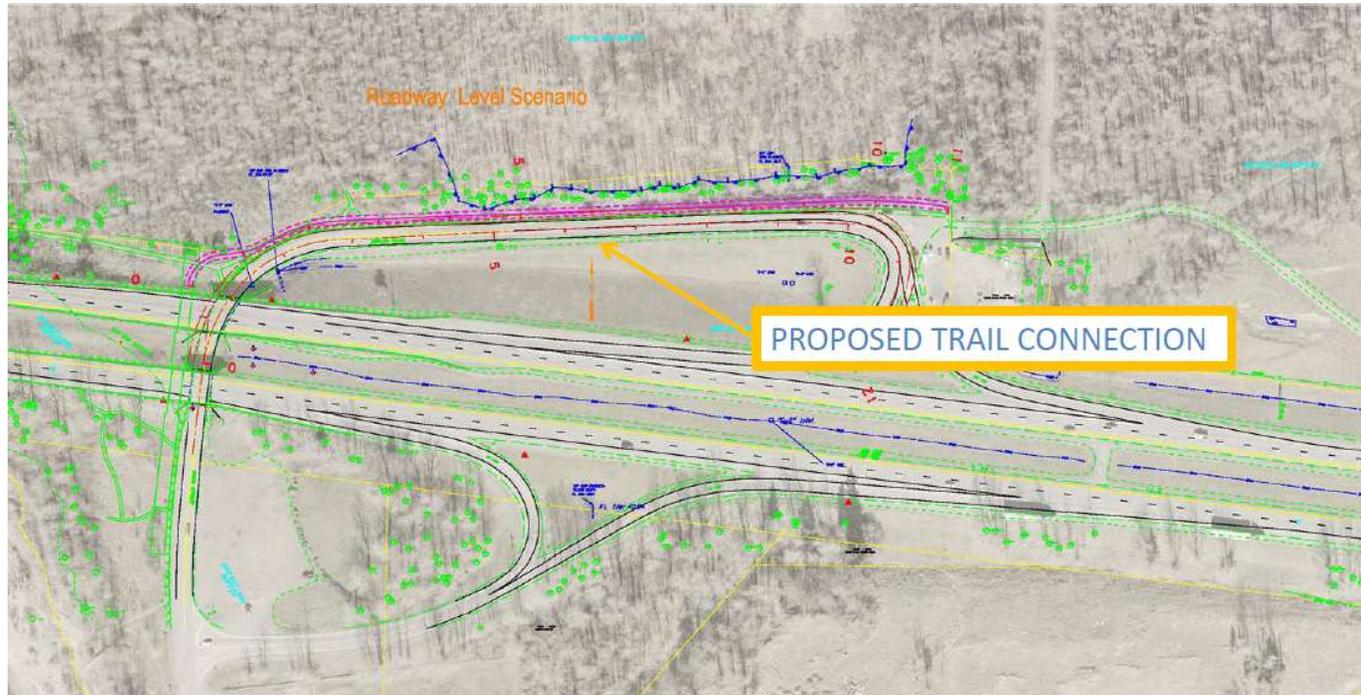
State	Demo ID	Project Description in Explanatory Statement Accompanying Pub. L. No. 117-328	Designated Amounts in Explanatory Statement Accompanying Pub. L. No. 117-328	Amount available under P.L. 117-328		Allocation of Y926 Funds This Memorandum	
				Project	State Total	Project	State Total
OR	OR204	Aloha Livable Community and Safe Access to Transit	962,000	962,000		962,000	
OR	OR205	Tonquin Employment Area Access Project	3,000,000	3,000,000		3,000,000	
OR	OR206	Burns Paiute Tribe—US Highway 20 Wildlife Connectivity Project <i>*See Note 1</i>	940,000	940,000		0	
OR	OR207	Construction of Arterial Road between Highway 11 and Highway 30	1,500,000	1,500,000		1,500,000	
OR	OR208	City of Carlton—West Main Street Revitalization	1,500,000	1,500,000		1,500,000	
OR	OR209	82nd Ave MAX Station Improvement Project — Portland, OR	3,000,000	3,000,000		3,000,000	
OR	OR210	NE Halsey Safety and Access to Transit Project — Portland, OR	1,000,000	1,000,000		1,000,000	
OR	OR211	Jordan Road to Sandy River Delta Multi-use Path, Columbia River Gorge National Scenic Area — Multnomah County, OR	2,332,000	2,332,000		2,332,000	
OR	OR212	181st Ave Safety Improvements Project — Gresham, OR	3,178,686	3,178,686		3,178,686	
OR	OR213	Earthquake Ready Burnside Bridge (EQRB) Design Phase — Multnomah County, OR	2,000,000	2,000,000		2,000,000	
OR	OR214	Main Avenue/OR 104 Pedestrian Route	1,360,000	1,360,000		1,360,000	
OR	OR215	Beaverton Downtown Loop	4,000,000	4,000,000		4,000,000	



Oregon Metro, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HE... Powered by Esri



PROPOSED TRAIL CONNECTION



PROPOSED TRAIL CONNECTION

**2021-2026 MTIP Formal Amendment - Exhibit A**

**May 2023 Formal Amendment for FFY 2023 - Amendment Number MY23-09-MAY**

Summary Reason for Change: Add new approved Congressional Directed Spending project to the 2021-24 MTIP



**Metro  
2021-26 Metropolitan Transportation Improvement Program (MTIP)  
PROJECT AMENDMENT DETAIL WORKSHEET**

**MTIP Formal Amendment  
ADD NEW PROJECT**  
Add the new Congressional Directed Spending project to the MTIP

<b>Lead Agency:</b> ODOT		Project Type:	Trail	<b>ODOT Key:</b>	<b>22647</b>
<b>Project Name:</b> <b>OR141 (SW Hall Blvd): SW Spruce St - SW Hemlock St</b>	<b>2</b>	Fiscal Constraint Cat:	Capital	<b>MTIP ID:</b>	<b>TBD</b>
		ODOT Type	Bike/Ped	<b>Status:</b>	<b>1</b>
<b>Project Status:</b> 1 = Pre-first phase obligation activities (IGA development, project scoping, scoping refinement, etc.).		Performance Goal:	N/A	<b>Comp Date:</b>	<b>12/31/2026</b>
		Capacity Enhancing:	No	RTP ID:	12095
		Conformity Exempt:	Yes	RTP Approval:	12/6/2018
		On CMP:	N/A	Trans Model:	12/6/2018
		30 Day Notice Begin:	5/2/2023	TCM:	No
		30 Day Notice End:	5/31/2023	TSMO Award	No
		Funding Source	<b>CDS Earmark</b>	TSMO Cycle	N/A
		Funding Type:	HIPCDS23	RFFA ID:	N/A
		State Highway Route	OR141	RFFA Cycle:	N/A
		Mile Post Begin:	3.84	UPWP:	No
Mile Post End:	4.41	UPWP Cycle:	N/A		
Length:	0.57	Past Amend:	0		
Flex Transfer to FTA	No	Council Appr:	Yes		
FTA Conversion Code:	N/A	Council Date:	6/1/2023		
1st Year Program'd:	2023	OTC Approval:	No		
Years Active:	0	OTC Date	N/A		
<b>STIP Amend #: 21-24-3308</b>			<b>MTIP Amnd #: MY23-09-MAY</b>		

**Detailed Description:** On OR141 in Washington County at SW Spruce St and SW Hemlock St, the signalized pedestrian crossings on Hall Blvd currently have significant distance between them. The project will provide 2 enhanced pedestrian crossings to increase the number of signals along Hall improving the visibility of pedestrians crossing the street and encouraging people to use these crossings to walk to parks and schools in the immediate area (Consolidated Appropriations Act 2023 earmark, DEMO ID OR216)

**STIP Description:** Signalized pedestrian crossings on Hall Blvd currently have significant distance between them. Project will provide 2 enhanced pedestrian crossings to increase the number of signals along Hall improving the visibility of pedestrians crossing the street and encouraging people to use these crossings to walk to parks and schools in the immediate area.

Last Amendment of Modification: None. This amendment represents the project's initial programming in the MTIP.

**PROJECT FUNDING DETAILS**

Fund Type	Fund Code	Year	Planning	Preliminary Engineering	Right of Way	Other (Utility Relocation)	Construction	Total
<b>Federal Funds</b>								
HIPCDS23	Y926	2023		\$ 942,165				\$ 942,165
HIPCDS23	Y926	2024			\$ 564,402			\$ 564,402
HIPCDS23	Y926	2024					\$ 1,693,433	\$ 1,693,433
Note:							<b>Federal Totals:</b>	<b>\$ 3,200,000</b>

<b>State Funds</b>								
HB2017	S070	2023		\$ 107,835				\$ 107,835
HB2017	S070	2024			\$ 64,598			\$ 64,598
HB2017	S070	2024					\$ 193,821	\$ 193,821
Note: HB2017 State funds are being used as the match to the federal earmark							<b>State Total:</b>	<b>\$ 366,254</b>

<b>Local Funds</b>								
								\$ -
							<b>Local Total</b>	<b>\$ -</b>
Phase Totals Before Amend:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Phase Totals After Amend:	\$ -	\$ 1,050,000	\$ 629,000	\$ -	\$ 1,887,254	\$ 3,566,254		
							Total Project Cost Estimate (all phases):	\$ 3,566,254
							Year of Expenditure Cost Amount:	\$ 3,566,254

**Programming Summary Details**

Why project is short programmed: N/A - The project is not short programmed.

Phase Change Amount:	\$ -	\$ 1,050,000	\$ 629,000	\$ -	\$ 1,887,254	\$ 3,566,254
Phase Change Percent:	0%	100%	100%	0%	100%	100%
Revised Match Federal:	\$ -	\$ 107,835	\$ 64,598	\$ -	\$ 193,821	\$ 366,254
Revised Match Percent:	N/A	10.27%	10.27%	N/A	10.27%	10.27%

Phase Obligations and Expenditures Summary						
Item	Planning	PE	ROW	Other	Construction	Federal Aid ID
Total Funds Obligated:						
Federal Funds Obligated:						
Initial Obligation Date:						Other Notes Congressional Direct Spending Earmark ID - DEMO OR216
EA Number:						
EA Start Date:						
EA End Date:						
Known Expenditures:						

**MTIP Programming Consistency Check Details and Glossary**

**General Areas**

1	Phase funding fields: Red font = prior amended funding or project details. Blue font = amended changes to funding or project details. Black font indicates no change has occurred.
2	Amendment Purpose: The purpose of an MTIP amendment is normally to add a new project due to required federal review actions involving the MTIP and STIP, or complete required changes to the project (name description, or funding) to meet the project's next federal approval delivery step.
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**Public Notification and Comment Process:**

5A	Was a 30 Public Notification/Opportunity to Comment Period Required? Yes
5B	What were the 30 day Public Notification/Opportunity to Comment Start and end dates? May 2, 2023 to May 31, 2023
5C	Was the Public Notification/Opportunity to Comment period completed consistent with the Metro Public Participation Plan? Yes
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5E	Were there a significant amount of comments received requiring a comments log summary provided to Metro Communications Staff? Not expected. However, any significant comments received will be sent on to Metro's Communication staff for review plus evaluation, and response as needed.

6	Added clarifying notes: The project will need to also add the ROW and construction phases to FFY 2024 in the new 2024-27 MTIP. It will be included as part of the 202427 Transition Amendment bundle.
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### Fiscal Constraint Consistency Check Areas

1	Will Performance Measurements Apply? Yes - Safety
2A	Does the amendment include fiscal updates? Yes. The authorized funding originates as a Congressional Directed Spending earmark from the Consolidated Appropriations Act of 2023.
2B	What is the funding source for the project? Congressional authorized funds programmed under fund code Y926 with a related programmatic fund code of HIPCDS23
2C	Was the Proof-of Funding requirement satisfied and how? The USDOT March 21, 2023 Memo provide the earmark funding confirmation
2D	Was overall fiscal constraint demonstrated? Yes.

### RTP Consistency Check Areas

1A	RTP ID: #12095 - Safety & Operations Projects
1B	RTP Project Description: Projects to improve safety or operational efficiencies such as pedestrian crossings of arterial roads, railroad crossing repairs, slide and rock fall protections, illumination, signals and signal operations systems, that do not add motor vehicle capacity.
2A	Is the project exempt per 40 CFR 93.126, Table 2 or 40 CFR 92.127, Table 3? Yes, per 40 CFR 93.126, Table 2
2B	What is the exception category per the regulation: Table 2 - Air Quality - Bicycle and Pedestrian Facilities
3A	Is the project considered capacity enhancing? No. The project is a multi-use pedestrian/bicycle trail exempt under 40 CFR 93.126, Table 2.
3B	If capacity enhancing, did the project complete required transportation demand modeling through the RTP Update or via an RTP amendment? N/A.
3C	Is Air Quality analysis required? No. The Metro MPA has obtained conformity attainment. Special air quality analysis requirements do not apply
3D	Is an Air Quality analysis approval date required? No.
4	What RTP Goal(s) does the project support? Goal #5 - Safety and Security Objective 5.1 Transportation Safety – Eliminate fatal and severe injury crashes for all modes of travel.
5	Does the project require a special performance assessment evaluation as part of the amendment? (applies to capacity enhancing projects, \$100 million or greater, and regionally significant). No. The project does not exceed \$100 million dollars in cost.

### UPWP Consistency Check Areas

1A	Does the MTIP action also require an UPWP amendment: No.
1B	Can the MTIP amendment proceed ahead of the UPWP amendment? N/A.

2	What UPWP category does the project fit under (e.g. Master Agreement, Metro Funded Regionally Significant, or Non-Metro Funded Regionally Significant)? N/A.
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**Other Review Areas**

1	Is the project location identified on the National Highway System (NHS), and what is its designation? No. OR141 is not identified as part of the NHS.
2A	Is the project location identified as part of one or more of Metro Modeling Networks, and which one(s)? Yes. See below in 2B
2B	<p>What is the Metro modeling designation? See below entries:</p> <ul style="list-style-type: none"> <li>- Motor Vehicle: Minor Arterial</li> <li>- Transit Network: Frequent Bus</li> <li>- Bicycle Network: Bicycle Parkway</li> <li>- Pedestrian Network: Pedestrian Parkway</li> </ul>
3	Is the project designated as a Transportation Control Measure (TCM)? No
4	Is the project location identified on a Congestion Management Plan route? No

**Fund Type Codes References**

HIPCDS23	A federal programmatic fund code representing the approved earmarks from the Consolidated Appropriations Act of FFY 2023. The applicable fund code for these earmark is Y926. For this earmark, the federal share is set at 89.73% with a required match of 10.27%.
HB2017	State funds authorized from the Oregon approved HB2017 legislation authorized for various transportation system improvements. For this specific project, the State HB2017 funds are being used as the required match to the federal funds.

Financial Plan -- Estimate / Actual Amounts									
Phase	Funding Resp	STIP	Year	Use Hist Savings	Total Est/Act Amt	Fed Est/Act Amt	State Est/Act Amt	Local Est/Act Amt	Comment
PE	DISCRETIONARY	2021-2024 STIP	2023		942,165.00	942,165.00	0.00	0.00	
	HB2017 Safety R1	2021-2024 STIP	2023		107,835.00	0.00	107,835.00	0.00	
	<b>PE Totals</b>				<b>1,050,000.00</b>	<b>942,165.00</b>	<b>107,835.00</b>	<b>0.00</b>	
RW	DISCRETIONARY	2021-2024 STIP	2024		564,401.70	564,401.70	0.00	0.00	
	HB2017 Safety R1	2021-2024 STIP	2024		64,598.30	0.00	64,598.30	0.00	
	<b>RW Totals</b>				<b>629,000.00</b>	<b>564,401.70</b>	<b>64,598.30</b>	<b>0.00</b>	
CN	DISCRETIONARY	2021-2024 STIP	2024		1,693,433.30	1,693,433.30	0.00	0.00	
	HB2017 Safety R1	2021-2024 STIP	2024		193,821.02	0.00	193,821.02	0.00	
	<b>CN Totals</b>				<b>1,887,254.32</b>	<b>1,693,433.30</b>	<b>193,821.02</b>	<b>0.00</b>	
OT	DISCRETIONARY	2021-2024 STIP	2024		0.00	0.00	0.00	0.00	
	<b>OT Totals</b>				<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	
<b>Grand Totals</b>					<b>3,566,254.32</b>	<b>3,200,000.00</b>	<b>366,254.32</b>	<b>0.00</b>	



# Memorandum

**Subject:** **ACTION:** Allocation of Highway Infrastructure Programs Projects designated in Division L of the Consolidated Appropriations Act, 2023 [CFDA No. 20.205]

Date: March 21, 2023

In Reply  
 Refer to: HISM-40

**From:** Peter J. Stephanos /s/  
 Director, Office of Stewardship, Oversight, and Management

**To:** Brian R. Bezio  
 Chief Financial Officer  
  
 Division Administrator

**Consolidated Appropriations Act, 2023**  
**(Public Law 117-328) Division L, Title I, Highway Infrastructure Programs**

State	Demo ID	Project Description in Explanatory Statement Accompanying Pub. L. No. 117-328	Designated Amounts in Explanatory Statement Accompanying Pub. L. No. 117-328	Amount available under P.L. 117-328		Allocation of Y926 Funds This Memorandum	
				Project	State Total	Project	State Total
OR	OR216	OR141: Hall Boulevard Pedestrian Safety Improvements at Hemlock & Spruce	3,200,000	3,200,000		3,200,000	
OR	OR217	OR-18/OR-99W Corridor Safety and Intersection Improvements	4,000,000	4,000,000		4,000,000	
OR	OR218	River Road—Santa Clara Pedestrian and Bicycle Bridge	6,000,000	6,000,000		6,000,000	
OR	OR219	Coos County Libby Lane Paving Project (MP 3.33 to MP 5.62)	608,000	608,000		608,000	
OR	OR220	US-101 Sidewalk Infill	2,800,000	2,800,000		2,800,000	
<b>Oregon</b>					<b>41,380,686</b>		<b>40,440,686</b>

**2021-2024 MTIP Formal Amendment - Exhibit A**

**May 2023 Formal Amendment for FFY 2023 - Amendment Number MY23-09-MAY**

Summary Reason for Change: The new Consolidated Appropriations Act of 2023 designated earmark is being added to the tip and STIP to allow TrAMS obligation/grant approval to occur before the end of FFY 2023



**Metro  
2021-24 Metropolitan Transportation Improvement Program (MTIP)  
PROJECT AMENDMENT DETAIL WORKSHEET**

**MTIP Formal Amendment  
ADD NEW PROJECT**  
Add the new approved earmark to the MTIP

<b>Lead Agency:</b> TriMet		Project Type:	Transit	<b>ODOT Key:</b>	<b>New - TBA</b>
<b>Project Name:</b> TriMet Merlo Bus Garage Zero Emission Retrofit	<b>3</b>	Fiscal Constraint Cat:	Capital	<b>MTIP ID:</b>	<b>New - TBA</b>
		ODOT Type	TBD	<b>Status:</b>	<b>T22</b>
<b>Project Status:</b> T22 = Programming actions in progress or programmed in current MTIP		Performance Meas:	Transit	<b>Comp Date:</b>	12/31/2027
		Capacity Enhancing:	No	RTP ID:	11338
		Conformity Exempt:	Yes	CMP:	No
		30 Day Notice Begin:	5/2/2023	TCM:	No
		30 Day Notice End:	5/31/2023	TSMO Award	No
		Funding Source	Congress	TSMO Cycle	N/A
		Funding Type:	Dec 22 AA	RFFA ID:	No
		State Highway Route	N/A	RFFA Cycle:	N/A
		Mile Post Begin:	NA	UPWP:	No
		Mile Post End:	N/A	UPWP Cycle:	N/A
<b>Short Description:</b> This project includes sitework, garage and utility upgrades and installation of charging stations for articulated buses at Merlo Garage (ID# 2023-CMPJ-094 Earmark)		Length:	N/A	Past Amend:	0
		Flex Transfer to FTA	No	Council Appr:	Yes
		FTA Conversion Code:	N/A	Council Date:	6/1/2023
		1st Year Program'd:	2023	OTC Approval:	No
		Years Active:	0	OTC Date	N/A
		<b>STIP Amend #:</b> TBD		<b>MTIP Amnd #:</b> MY23-09-MAY	

**Detailed Description:**  
 This project completes the first phase of a retrofit of TriMet’s Merlo bus garage maintenance building as part of broader strategy for expansion of zero emission, battery electric buses (BEBs). It also supports adding more service and future articulated (higher-capacity, 60 ft) buses on the westside of the Portland region, expands charging infrastructure and retrofitting of the maintenance facility as a first step to scaling up the Merlo garage for future charging, maintenance, and service deployment of articulated and BEBs. (approved earmark - Community Project Funding , Congressional Directed Spending December 2022 Appropriations Bill)

STIP Description: TBD

Last Amendment of Modification: None. Initial project programming in the MTIP.

**PROJECT FUNDING DETAILS**

Fund Type	Fund Code	Year	Planning	Preliminary Engineering	Right of Way	Construction	Other (Workforce)	Total
<b>Federal Funds</b>								
CPFCD22	Y926	2023		\$ 1,500,000				\$ 1,500,000
CPFCD22	Y926	2023				\$ 2,000,000		\$ 2,000,000
CPFCD22	Y926	2023					\$ 1,500,000	\$ 1,500,000
Programming phases in FFY 2023 to support TrAMS grant application							<b>Federal Totals:</b>	<b>\$ 5,000,000</b>
<b>State Funds</b>								
State STIF (TriMet)	Match	2023		\$ 375,000				\$ 375,000
State STIF (TriMet)	Match	2023				\$ 500,000		\$ 500,000
State STIF (TriMet)	Match	2023					\$ 375,000	\$ 375,000
							<b>State Total:</b>	<b>\$ 1,250,000</b>
<b>Local Funds</b>								
								\$ -
							<b>Local Total</b>	<b>\$ -</b>
Phase Totals Before Amend:	\$	-	\$	-	\$	-	\$	-
Phase Totals After Amend:	\$	-	\$ 1,875,000	\$	-	\$ 2,500,000	\$ 1,875,000	\$ 6,250,000
Total Project Cost Estimate (all phases):							\$	6,250,000
Year of Expenditure Cost Amount:							\$	6,250,000

**Programming Summary Details**

Why project is short programmed: N/A. The project is not short programmed.

Phase Change Amount:	\$ -	\$ 1,875,000	\$ -	\$ 2,500,000	\$ 1,875,000	\$ 6,250,000
Phase Change Percent:	0%	100%	0%	100%	100.0%	100.0%
Revised Match Federal:	\$ -	\$ 375,000	\$ -	\$ 500,000	\$ 375,000	\$ 1,250,000
Revised Match Percent:	N/A	20.0%	N/A	20.0%	20.0%	<b>20.0%</b>

**Phase Obligations and Expenditures Summary**

Item	Planning	PE	ROW	Construction	Other	
Total Funds Obligated:						Federal Aid ID
Federal Funds Obligated:						
Initial Obligation Date:						Other Notes Obligation will be through FTA's TrAMS grant application process
EA Number:						
EA Start Date:						
EA End Date:						
Known Expenditures:						

**MTIP Programming Consistency Check Details and Glossary**

**General Areas**

1	Phase funding fields: Red font = prior amended funding or project details. Blue font = amended changes to funding or project details. Black font indicates no change has occurred.
2	Amendment Purpose: The purpose of an MTIP amendment is normally to add a new project due to required federal review actions involving the MTIP and STIP, or complete required changes to the project (name description, or funding) to meet the project's next federal approval delivery step.
3	This amendment to the MTIP completes what action: The amendment adds the new project for TriMet to the MTIP with approved earmark for the Merlo Garage Renovation as approved in the December 2022 Appropriations Bill under the Community Project Funding/Congressional Directed Spending section.
4	MTIP Programming Submitted Supporting Documentation: Approved FFY 2022 Appropriations Bill, Congressional Directed Spending earmark list, December 20, 2022 Senate Congressional Record, Vol 168, Number 198, Book III, draft MTIP Worksheet, plus prior programming discussions between TriMet and FTA.

**Public Notification and Comment Process:**

5A	Was a 30 Public Notification/Opportunity to Comment Period Required? Yes
5B	What were the 30 day Public Notification/Opportunity to Comment Start and end dates? May 2, 2023 to June 1, 2023
5C	Was the Public Notification/Opportunity to Comment period completed consistent with the Metro Public Participation Plan? Yes
5D	Was the Public Notification/Opportunity to Comment period included on the Metro website allowing email submissions as comments? Yes

5E	Were there a significant amount of comments received requiring a comments log summary provided to Metro Communications Staff? Not anticipated. However, any significant comments received are sent on to Metro's Communication staff for review plus evaluation, and response as needed.
6	Added clarifying notes: The project title being added as stated for the earmark. The project is considered a capital improvement type project which requires individual phase programming reflecting the estimated required funding needed in each applicable phase. However, TriMet will obligate the entire award through the FTA TrAMS system all at the same time. This results in the phase programming being shown all in FFY 2023.

### Fiscal Constraint Consistency Check Areas

1	Will Performance Measurements Apply? Yes, transit
2A	Does the amendment include fiscal updates? Yes. The project includes a new Congressionally Directed Spending earmark for the project.
2B	What is the funding source for the project? December FFY 2022 Appropriations Bill. The earmark is identified in the Community Project Funding section as an approved Congressionally Directed Spending award.
2C	Was the Proof-of Funding requirement satisfied and how? The CDS award list has been included as proof-of-funding validation.
2D	Was overall fiscal constraint demonstrated? Yes.

### RTP Consistency Check Areas

1A	RTP ID and Name: ID# 11338 - Operating Capital: Equipment and Facilities Phase 2
1B	RTP Project Description: Equipment and facilities to support system replacement, refurbishment, and growth.
2A	Is the project exempt per 40 CFR 93.126, Table 2 or 40 CFR 92.127, Table 3? Yes, per 40 CFR 93.126, Table 2
2B	What is the exception category per the regulation: Table 2 - Mass Transit - Reconstruction or renovation of transit buildings and structures (e.g., rail or bus buildings, storage and maintenance facilities, stations, terminals, and ancillary structures).
3A	Is the project considered capacity enhancing? No. The project is a planning project. It is not capacity enhancing.
3B	If capacity enhancing, did the project complete required transportation demand modeling through the RTP Update or via an RTP amendment? No.
3C	Is Air Quality analysis required? No. The Metro MPA has obtained conformity attainment. Special air quality analysis requirements do not apply
3D	Is an Air Quality analysis approval date required? No. If the project is capacity enhancing, then transportation modeling analysis was completed as part of the RTP update. The RTP approval date 12/6/2018 can be considered the date for the completion of any required transportation demand modeling requirements for projects if they are capacity enhancing.
4	What RTP Goal(s) does the project support? Goal #10 - Fiscal Stewardship Objective 10.1 Infrastructure Condition – Plan, build and maintain regional transportation assets to maximize their useful life, minimize project construction and maintenance costs and eliminate maintenance backlogs
5	Does the project require a special performance assessment evaluation as part of the amendment? (applies to capacity enhancing projects, \$100 million or greater, and regionally significant). No. The project is not capacity enhancing nor does it exceed \$100 million dollars in cost.

## UPWP Consistency Check Areas

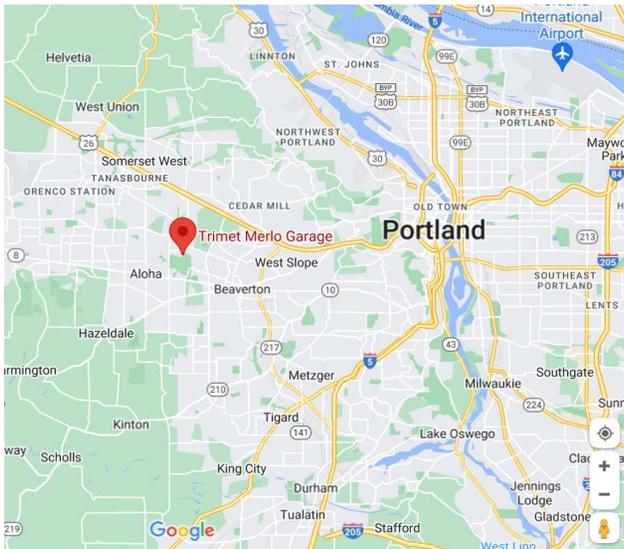
1A	Does the MTIP action also require an UPWP amendment: No. The project is not part of the approved UPWP.
1B	Can the MTIP amendment proceed ahead of the UPWP amendment? Yes.
2	What UPWP category does the project fit under (e.g. Master Agreement, Metro Funded Regionally Significant, or Non-Metro Funded Regionally Significant)? Not applicable

## Other Review Areas

1	Is the project location identified on the National Highway System (NHS), and what is its designation? No - Not applicable
2A	Is the project location identified as part of one or more of Metro Modeling Networks, and which one(s)? No - Not applicable
2B	What is the Metro modeling designation? Not applicable
3	Is the project designated as a Transportation Control Measure (TCM)? No
4	Is the project location identified on a Congestion Management Plan route? No

## Fund Type Codes References

CPFCD22	A programmatic fund type code used to identify federal earmarks approved within the December 2022 Appropriations Bill. CPFCD22 = Community Project Funding/Congressionally Directed Spending 2022 approval year. The Community Project Funding is the specific funding section within the appropriations bill that contains the transit approved earmarks. The federal share is 80% with a minimum match requirement of 20%.
Local	General Local funds committed by the lead agency that normally cover the minimum match requirement to the federal funds





United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 117<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 168

WASHINGTON, TUESDAY, DECEMBER 20, 2022

No. 198—Book III

## Senate

**EXPLANATORY STATEMENT SUBMITTED BY MR. LEAHY, CHAIR OF THE SENATE COMMITTEE ON APPROPRIATIONS, REGARDING H.R. 2617, CONSOLIDATED APPROPRIATIONS ACT, 2023**

The following is an explanation of the Consolidated Appropriations Act, 2023.

**DIVISION L—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2023**

**CONGRESSIONAL DIRECTIVES**

The joint explanatory statement accompanying this division is approved and indicates congressional intent. Unless otherwise noted, the language set forth in House Report 117-402 carries the same weight as language included in this joint explanatory statement and should be complied with unless specifically addressed to the contrary in

grammatical duplication identified by the annual Government Accountability Office (GAO) reports along with legal barriers preventing the agency's ability to further reduce duplication and legislative recommendations, if applicable.

**TRANSPARENCY REQUIREMENT**

The agreement directs the Secretary of Transportation to follow recommendations suggested by the GAO in the GAO-19-541 report and issue a department-wide directive to promote transparency and fairness by establishing uniform procedures to be followed by the DOT in reviewing and selecting discretionary grants. The Secretary shall report to the House and Senate Committees on Appropriations within 90 days of the enactment of this act.

The agreement directs the agencies in this act to state within the text, audio, or video used for new advertising purposes, including advertising/posting on the Internet, that the advertisements are printed, published, or produced and disseminated at U.S. taxpayer expense, with exemptions for certain non-

**FEDERALLY FUNDED RESEARCH**

The agreement urges the Departments funded under this division to affirmatively determine and make available on a publicly accessible website a justification that Federally funded research grants or agreements promote the progress of science in the United States or will advance a national security or economic interest.

**HUMAN TRAFFICKING**

The agreement encourages the DOT to continue efforts to combat human trafficking through the transportation leaders against human trafficking initiative and the blue lightning initiative. The agreement encourages prioritizing grants from the Federal Transit Administration's (FTA) 5307 program and the Federal Aviation Administration's (FAA) airport improvement program to transit providers and airport sponsors serving areas with high rates of human trafficking. In addition, the DOT should also encourage use of best practices and recommendations from the DOT advisory committee on human

**DEPARTMENT OF TRANSPORTATION—Continued**

[Community Project Funding/Congressionally Directed Spending]

Agency	Account	Project	Recipient	State	Amount	Requestor(s)		Origination
						House	Senate	
Department of Transportation	Transit Infrastructure Grants	Long Island Rail Road Hunterspoint Station Rehabilitation Project	Metropolitan Transportation Authority	NY	5,000,000	Maloney, Carolyn B.		H
Department of Transportation	Transit Infrastructure Grants	Long Island Rail Road (LIRR) Forest Hills Platform Extensions & Elevators Project	Metropolitan Transportation Authority	NY	7,000,000	Meng		H
Department of Transportation	Transit Infrastructure Grants	EZConnect One-Call Center	Stark Area Regional Transit Authority	OH	1,250,000		Brown	S
Department of Transportation	Transit Infrastructure Grants	Rickenbacker Area Mobility Center	Central Ohio Transit Authority	OH	3,000,000	Beatty	Brown	H
Department of Transportation	Transit Infrastructure Grants	Rail Car Replacement Program	Greater Cleveland Regional Transit Authority	OH	5,000,000	Brown (OH)	Brown	H
Department of Transportation	Transit Infrastructure Grants	Lawrence County Transit Multimodal Parking Facility Construction	Lawrence County Port Authority	OH	2,500,000	Johnson (OH)		H
Department of Transportation	Transit Infrastructure Grants	Willamette Shore Line Improvements Phase II — Portland	Tri-County Metropolitan Transportation District of Oregon	OR	2,000,000	Blumenauer		H
Department of Transportation	Transit Infrastructure Grants	Merlo Bus Garage Zero Emission Retrofit	Tri-County Metropolitan Transportation District of Oregon	OR	5,000,000	Bonamici		H
Department of Transportation	Transit Infrastructure Grants	Fleet Fall Protection & Crane Project	Lane Transit District	OR	800,000	DeFazio	Merkley, Wyden	H
Department of Transportation	Transit Infrastructure Grants	Benton Area Transit Fleet Replacement	Oregon Department of Transportation	OR	1,512,000	DeFazio	Merkley, Wyden	H

**2021-2024 MTIP Formal Amendment - Exhibit A**

**May 2023 Formal Amendment for FFY 2023 - Amendment Number MY23-09-MAY**

Summary Reason for Change: The new Consolidated Appropriations Act of 2023 designated earmark is being added to the tip and STIP to allow TrAMS obligation/grant approval to occur before the end of FFY 2023



**Metro  
2021-24 Metropolitan Transportation Improvement Program (MTIP)  
PROJECT AMENDMENT DETAIL WORKSHEET**

**MTIP Formal Amendment  
ADD NEW PROJECT**  
Add new approved earmark to the MTIP

<b>Lead Agency:</b> TriMet		Project Type:	Transit	<b>ODOT Key:</b>	<b>New - TBA</b>
<b>Project Name:</b> TriMet 82nd Ave MAX Station Improvement Project	<b>4</b>	Fiscal Constraint Cat:	Capital	<b>MTIP ID:</b>	<b>New - TBA</b>
		ODOT Type	TBD	<b>Status:</b>	T22
<b>Project Status:</b> T22 = Programming actions in progress or programmed in current MTIP		Performance Meas:	Transit	<b>Comp Date:</b>	12/31/2027
		Capacity Enhancing:	No	RTP ID:	11338
		Conformity Exempt:	Yes	CMP:	No
		30 Day Notice Begin:	5/2/2023	TCM:	No
		30 Day Notice End:	5/31/2023	TSMO Award	No
		Funding Source	Congress	TSMO Cycle	N/A
		Funding Type:	Dec 22 AA	RFFA ID:	No
		State Highway Route	N/A	RFFA Cycle:	N/A
		Mile Post Begin:	NA	UPWP:	No
		Mile Post End:	N/A	UPWP Cycle:	N/A
<b>Short Description:</b> The project includes design, permitting, and construction for refurbishment of the light rail platform, existing shelters and lighting, and new safety upgrades at the 82nd Avenue MAX Station for added passenger safety (DEMO ID OR209, CAA2023)		Length:	N/A	Past Amend:	0
		Flex Transfer to FTA	No	Council Appr:	Yes
		FTA Conversion Code:	N/A	Council Date:	6/1/2023
		1st Year Program'd:	2023	OTC Approval:	No
		Years Active:	0	OTC Date	N/A
		<b>STIP Amend #:</b> TBD		<b>MTIP Amnd #:</b> MY23-09-MAY	

**Detailed Description:** This project implements phase 1 of the rehabilitation recommended in TriMet’s Blue Line Station Rehabilitation (BLSR) project. This project will make critical station improvements to TriMet’s 82nd Ave. MAX Station to support ridership recovery, improve urban design and user experience, and improve safety and access to transit. These investments to update the light rail platform, refurbish the existing shelter and improve the safety and comfort for riders through Crime Prevention Through Environmental Design (CPTED) improvements and updated Design Criteria. (FY23 Community Project Funding/Congressionally Directed Spending, DEMO ID OR 209, CAA2023)

STIP Description: TBD

Last Amendment of Modification: None. Initial project programming in the MTIP.

**PROJECT FUNDING DETAILS**

Fund Type	Fund Code	Year	Planning	Preliminary Engineering	Right of Way	Construction	Other (Workforce)	Total
<b>Federal Funds</b>								
HIPCPC23	Y926	2023	\$ -	\$ 532,924	\$ -			\$ 532,924
HIPCPC23	Y926	2023				\$ 2,467,076		\$ 2,467,076
Programming phases in FFY 2023 to support TrAMS grant application.							<b>Federal Totals:</b>	\$ 3,000,000

<b>State Funds</b>								\$ -
							<b>State Total:</b>	\$ -

<b>Local Funds</b>								
Local	Match	2023	\$ -	\$ 133,231	\$ -			\$ 133,231
Other	OTH0	2023		\$ 185,509				\$ 185,509
Local	Match	2023				\$ 616,769		\$ 616,769
Other	OTH0	2023				\$ 858,793		\$ 858,793
							<b>Local Total</b>	\$ 1,794,302

Note: FTA allows deviation from phase minimum match requirements as long as the overall minimum match is met.

Phase Totals Before Amend:	\$ -	<del>\$ 851,664</del>	\$ -	<del>\$ 3,942,638</del>	\$ -	<del>\$ 4,794,302</del>
Phase Totals After Amend:	\$ -	\$ 851,664	\$ -	\$ 3,942,638	\$ -	\$ 4,794,302
Total Project Cost Estimate (all phases):						\$ 4,794,302
Year of Expenditure Cost Amount:						\$ 4,794,302

**Programming Summary Details**

Why project is short programmed: N/A. The project is not short programmed.

Phase Change Amount:	\$ -	\$ 851,664	\$ -	\$ 3,942,638	\$ -	\$ 4,794,302
Phase Change Percent:	0%	100%	0%	100%	0.0%	100.0%
Revised Match Federal:	\$ -	\$ 133,231	\$ -	\$ 616,769	\$ -	\$ 750,000
Revised Match Percent:	N/A	20.0%	N/A	20.0%	N/A	20.0%

Note: The total project match is \$1,794,302 which equals a total TriMet match of 37.4% to the project.

Phase Obligations and Expenditures Summary						
Item	Planning	PE	ROW	Construction	Other	
Total Funds Obligated:						Federal Aid ID
Federal Funds Obligated:						
Initial Obligation Date:						Other Notes
EA Number:						
EA Start Date:						
EA End Date:						
Known Expenditures:						

**MTIP Programming Consistency Check Details and Glossary**

**General Areas**

1	Phase funding fields: Red font = prior amended funding or project details. Blue font = amended changes to funding or project details. Black font indicates no change has occurred.
2	Amendment Purpose: The purpose of an MTIP amendment is normally to add a new project due to required federal review actions involving the MTIP and STIP, or complete required changes to the project (name description, or funding) to meet the project's next federal approval delivery step.
3	This amendment to the MTIP completes what action: The amendment adds the new project for TriMet to the MTIP with approved earmark for the 82nd Ave MAX Station Improvement project as approved in the Consolidated Appropriations Act of 2023 under the Community Project Funding/Congressional Directed Spending section. The DEMO identification for the earmark is OR209.
4	MTIP Programming Submitted Supporting Documentation: Approved Consolidated Appropriations Act of 2023 March 21,2023 Highway Infrastructure Allocation memo, draft MTIP Worksheet, plus prior programming discussions between TriMet and FTA.

**Public Notification and Comment Process:**

5A	Was a 30 Public Notification/Opportunity to Comment Period Required? Yes
5B	What were the 30 day Public Notification/Opportunity to Comment Start and end dates? May 2, 2023 to June 1, 2023
5C	Was the Public Notification/Opportunity to Comment period completed consistent with the Metro Public Participation Plan? Yes
5D	Was the Public Notification/Opportunity to Comment period included on the Metro website allowing email submissions as comments? Yes
5E	Were there a significant amount of comments received requiring a comments log summary provided to Metro Communications Staff? Not anticipated. However, any significant comments received are sent on to Metro's Communication staff for review plus evaluation, and response as needed.

6	Added clarifying notes: The project title being added as stated for the earmark. The project is considered a capital improvement type project which requires individual phase programming reflecting the estimated required funding needed in each applicable phase. However, TriMet will obligate the entire award through the FTA TrAMS system all at the same time. This results in the phase programming being shown all in FFY 2023.
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### Fiscal Constraint Consistency Check Areas

1	Will Performance Measurements Apply? Yes, transit
2A	Does the amendment include fiscal updates? Yes. The project includes a new Congressionally Directed Spending earmark for the project.
2B	What is the funding source for the project? December FFY 2022 Appropriations Bill. The earmark is identified in the Community Project Funding section as an approved Congressionally Directed Spending award.
2C	Was the Proof-of Funding requirement satisfied and how? The CDS award list has been included as proof-of-funding validation.
2D	Was overall fiscal constraint demonstrated? Yes.

### RTP Consistency Check Areas

1A	RTP ID and Name: ID# 11338 - Operating Capital: Equipment and Facilities Phase 2
1B	RTP Project Description: Equipment and facilities to support system replacement, refurbishment, and growth.
2A	Is the project exempt per 40 CFR 93.126, Table 2 or 40 CFR 92.127, Table 3? Yes, per 40 CFR 93.126, Table 2
2B	What is the exception category per the regulation: Table 2 - Mass Transit - Reconstruction or renovation of transit buildings and structures (e.g., rail or bus buildings, storage and maintenance facilities, stations, terminals, and ancillary structures).
3A	Is the project considered capacity enhancing? No. The project is a planning project. It is not capacity enhancing.
3B	If capacity enhancing, did the project complete required transportation demand modeling through the RTP Update or via an RTP amendment? No.
3C	Is Air Quality analysis required? No. The Metro MPA has obtained conformity attainment. Special air quality analysis requirements do not apply
3D	Is an Air Quality analysis approval date required? No. If the project is capacity enhancing, then transportation modeling analysis was completed as part of the RTP update. The RTP approval date 12/6/2018 can be considered the date for the completion of any required transportation demand modeling requirements for projects if they are capacity enhancing.
4	What RTP Goal(s) does the project support? Goal #10 - Fiscal Stewardship Objective 10.1 Infrastructure Condition – Plan, build and maintain regional transportation assets to maximize their useful life, minimize project construction and maintenance costs and eliminate maintenance backlogs
5	Does the project require a special performance assessment evaluation as part of the amendment? (applies to capacity enhancing projects, \$100 million or greater, and regionally significant). No. The project is not capacity enhancing nor does it exceed \$100 million dollars in cost.

### UPWP Consistency Check Areas

1A	Does the MTIP action also require an UPWP amendment: No. The project is not part of the approved UPWP.
1B	Can the MTIP amendment proceed ahead of the UPWP amendment? Yes.
2	What UPWP category does the project fit under (e.g. Master Agreement, Metro Funded Regionally Significant, or Non-Metro Funded Regionally Significant)? Not applicable

**Other Review Areas**

1	Is the project location identified on the National Highway System (NHS), and what is its designation? No - Not applicable
2A	Is the project location identified as part of one or more of Metro Modeling Networks, and which one(s)? No - Not applicable
2B	What is the Metro modeling designation? Not applicable
3	Is the project designated as a Transportation Control Measure (TCM)? No
4	Is the project location identified on a Congestion Management Plan route? No

**Fund Type Codes References**

HIPCPC23	A programmatic fund type code used to identify federal earmarks approved within the December 2022 Appropriations Bill and contained in the Consolidated Appropriations Act, 2023.
Local	General Local funds committed by the lead agency that normally cover the minimum match requirement to the federal funds
Other	Additional agency local funds contributing to the project phase above the minimum match requirement. Often referred to as "Overmatch" funds.



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 117<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 168

WASHINGTON, TUESDAY, DECEMBER 20, 2022

No. 198—Book III

## Senate

**EXPLANATORY STATEMENT SUBMITTED BY MR. LEAHY, CHAIR OF THE SENATE COMMITTEE ON APPROPRIATIONS, REGARDING H.R. 2617, CONSOLIDATED APPROPRIATIONS ACT, 2023**

The following is an explanation of the Consolidated Appropriations Act, 2023.

**DIVISION L—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2023**

**CONGRESSIONAL DIRECTIVES**

The joint explanatory statement accompanying this division is approved and indicates congressional intent. Unless otherwise noted, the language set forth in House Report 117-402 carries the same weight as language included in this joint explanatory statement and should be complied with unless specifically addressed to the contrary in

grammatical duplication identified by the annual Government Accountability Office [GAO] reports along with legal barriers preventing the agency's ability to further reduce duplication and legislative recommendations, if applicable.

**TRANSPARENCY REQUIREMENT**

The agreement directs the Secretary of Transportation to follow recommendations suggested by the GAO in the GAO-19-541 report and issue a department-wide directive to promote transparency and fairness by establishing uniform procedures to be followed by the DOT in reviewing and selecting discretionary grants. The Secretary shall report to the House and Senate Committees on Appropriations within 90 days of the enactment of this act.

The agreement directs the agencies in this act to state within the text, audio, or video used for new advertising purposes, including advertising/posting on the Internet, that the advertisements are printed, published, or produced and disseminated at U.S. taxpayer expense, with exemptions for safety or

**FEDERALLY FUNDED RESEARCH**

The agreement urges the Departments funded under this division to affirmatively determine and make available on a publicly accessible website a justification that Federally funded research grants or agreements promote the progress of science in the United States or will advance a national security or economic interest.

**HUMAN TRAFFICKING**

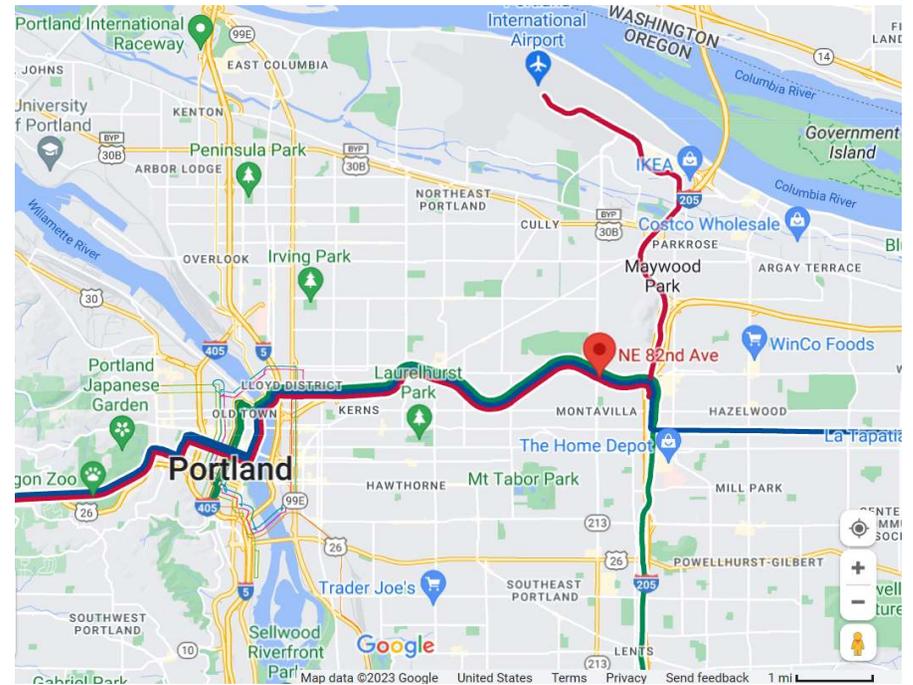
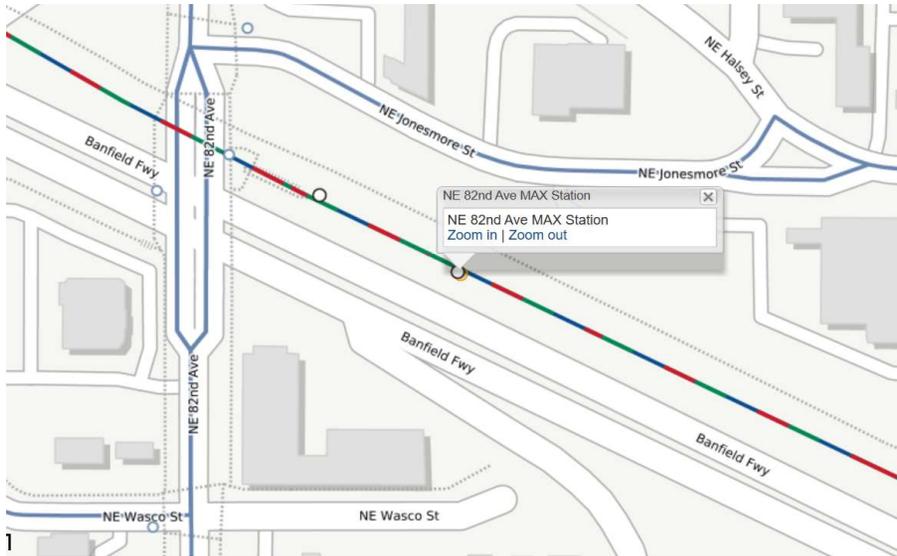
The agreement encourages the DOT to continue efforts to combat human trafficking through the transportation leaders against human trafficking initiative and the blue lightning initiative. The agreement encourages prioritizing grants from the Federal Transit Administration's [FTA] 5307 program and the Federal Aviation Administration's [FAA] airport improvement program to transit providers and airport sponsors serving areas with high rates of human trafficking. In addition, the DOT should also encourage use of best practices and recommendations from the DOT advisory committee on human

DEPARTMENT OF TRANSPORTATION—Continued  
 [Community Project Funding/Congressionally Directed Spending]

Agency	Account	Project	State	Amount	Requestor(s)		Origination
					House	Senate	
Department of Transportation	Highway Infrastructure Programs	Construction of Arterial Road between Highway 11 and Highway 30	OR	1,500,000		Merkley, Wyden	S
Department of Transportation	Highway Infrastructure Programs	City of Carlton—West Main Street Revitalization	OR	1,500,000		Merkley, Wyden	S
Department of Transportation	Highway Infrastructure Programs	82nd Ave MAX Station Improvement Project — Portland, OR	OR	3,000,000	Blumenauer		H
Department of Transportation	Highway Infrastructure Programs	NE Halsey Safety and Access to Transit Project — Portland, OR	OR	1,000,000	Blumenauer	Merkley, Wyden	H
Department of Transportation	Highway Infrastructure Programs	Jordan Road to Sandy River Delta Multi-use Path, Columbia River Gorge National Scenic Area — Multnomah County, OR	OR	2,332,000	Blumenauer	Merkley, Wyden	H
Department of Transportation	Highway Infrastructure Programs	181st Ave Safety Improvements Project — Gresham, OR	OR	3,178,686	Blumenauer	Merkley, Wyden	H
Department of Transportation	Highway Infrastructure Programs	Earthquake Ready Burnside Bridge (EQRB) Design Phase — Multnomah County, OR	OR	2,000,000	Blumenauer	Merkley, Wyden	H
Department of Transportation	Highway Infrastructure Programs	Main Avenue/OR 104 Pedestrian Route	OR	1,360,000	Bonamici		H
Department of Transportation	Highway Infrastructure Programs	Beaverton Downtown Loop	OR	4,000,000	Bonamici	Merkley, Wyden	H
Department of Transportation	Highway Infrastructure Programs	OR141: Hall Boulevard Pedestrian Safety Improvements at Hemlock & Spruce	OR	3,200,000	Bonamici	Merkley, Wyden	H
Department of Transportation	Highway Infrastructure Programs	OR-18/OR-99W Corridor Safety and Intersection Improvements	OR	4,000,000	Bonamici	Merkley, Wyden	H
Department of Transportation	Highway Infrastructure Programs	River Road—Santa Clara Pedestrian and Bicycle Bridge	OR	6,000,000	DeFazio		H

S9384

CONGRESSIONAL RECORD — SENATE



**2021-2024 MTIP Formal Amendment - Exhibit A**

**May 2023 Formal Amendment for FFY 2023 - Amendment Number MY23-09-MAY**

Summary Reason for Change: The new Consolidated Appropriations Act of 2023 designated earmark is being added to the tip and STIP to allow TrAMS obligation/grant approval to occur before the end of FFY 2023



**Metro  
2021-24 Metropolitan Transportation Improvement Program (MTIP)  
PROJECT AMENDMENT DETAIL WORKSHEET**

**MTIP Formal Amendment  
ADD NEW PROJECT**  
Add new approved earmark to the MTIP

<b>Lead Agency:</b> TriMet		Project Type:	Transit	<b>ODOT Key:</b>	<b>New - TBA</b>
<b>Project Name:</b> TriMet Oregon City Transit Center	<b>5</b>	Fiscal Constraint Cat:	Capital	<b>MTIP ID:</b>	<b>New - TBA</b>
		ODOT Type	TBD	<b>Status:</b>	T22
<b>Project Status:</b> T22 = Programming actions in progress or programmed in current MTIP		Performance Meas:	Transit	<b>Comp Date:</b>	12/31/2027
		Capacity Enhancing:	No	RTP ID:	11338
		Conformity Exempt:	Yes	CMP:	No
		30 Day Notice Begin:	5/2/2023	TCM:	No
		30 Day Notice End:	5/31/2023	TSMO Award	No
		Funding Source	Congress	TSMO Cycle	N/A
		Funding Type:	Dec 22 AA	RFFA ID:	No
		State Highway Route	N/A	RFFA Cycle:	N/A
		Mile Post Begin:	NA	UPWP:	No
		Mile Post End:	N/A	UPWP Cycle:	N/A
<b>Short Description:</b> This project includes acquisition of property, design and planning, sitework, construction and renovation of facilities at the Oregon City Transit Center for improved transit operations (ID# 2023-CMPJ-095)		Length:	N/A	Past Amend:	0
		Flex Transfer to FTA	No	Council Appr:	Yes
		FTA Conversion Code:	N/A	Council Date:	6/1/2023
		1st Year Program'd:	2023	OTC Approval:	No
		Years Active:	0	OTC Date	N/A
		<b>STIP Amend #:</b> TBD		<b>MTIP Amnd #:</b> MY23-09-MAY	

**Detailed Description:** The project will expand and retrofit the existing transit center to add bus layover facilities, improved amenities for bus operators to address the bus operator shortage, and make lighting and stop improvements to address transit rider needs. These improvements are necessary to expand bus service in Clackamas County. (FY23 Community Project Funding/Congressionally Directed Spending, CAA2023, Table 20, December 20, 2022)

STIP Description: TBD

Last Amendment of Modification: None. Initial project programming in the MTIP.

**PROJECT FUNDING DETAILS**

Fund Type	Fund Code	Year	Planning	Preliminary Engineering	Right of Way	Construction	Other (Workforce)	Total
<b>Federal Funds</b>								
CPFCD22	Y926	2023		\$ 387,568	\$ -			\$ 387,568
CPFCD22	Y926	2023			\$ 1,478,957			\$ 1,478,957
CPFCD22	Y926	2023				\$ 2,951,247		\$ 2,951,247
CPFCD22	Y926	2023					\$ 182,228	\$ 182,228
							<b>Federal Totals:</b>	<b>\$ 5,000,000</b>

Programming phases in FFY 2023 to support TrAMS grant application.

<b>State Funds</b>								
TriMet STIF	Match	2023		\$ 96,892				\$ 96,892
STIF Overmatch	OTH0	2023		\$ 170,530				\$ 170,530
TriMet STIF	Match	2023			\$ 369,739			\$ 369,739
STIF Overmatch	OTH0	2023			\$ 650,741			\$ 650,741
TriMet STIF	Match	2023				\$ 737,812		\$ 737,812
STIF Overmatch	OTH0	2023				\$ 1,298,548		\$ 1,298,548
TriMet STIF	Match	2023					\$ 45,557	\$ 45,557
STIF Overmatch	OTH0	2023					\$ 80,181	\$ 80,181
							<b>State Total:</b>	<b>\$ 3,450,000</b>

<b>Local Funds</b>								
								\$ -
							<b>Local Total</b>	<b>\$ -</b>

Phase Totals Before Amend:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Phase Totals After Amend:	\$ -	\$ 654,990	\$ 2,499,437	\$ 4,987,607	\$ 307,966	\$ 8,450,000	\$ 8,450,000
Total Project Cost Estimate (all phases):							\$ 8,450,000
Year of Expenditure Cost Amount:							\$ 8,450,000

**Programming Summary Details**

Why project is short programmed: N/A. The project is not short programmed.

Phase Change Amount:	\$ -	\$ 654,990	\$ 2,499,437	\$ 4,987,607	\$ 307,966	\$ 8,450,000
Phase Change Percent:	0%	100%	100%	100%	100.0%	100.0%
Revised Match Federal:	\$ -	\$ 96,892	\$ 369,739	\$ 737,812	\$ 45,557	\$ 1,250,000
Revised Match Percent:	N/A	20.0%	20.0%	20.0%	20.0%	20.0%

Note:

**Phase Obligations and Expenditures Summary**

Item	Planning	PE	ROW	Construction	Other	
Total Funds Obligated:						Federal Aid ID
Federal Funds Obligated:						
Initial Obligation Date:						Other Notes Fund obligation process will be through FTA TrAMS grant approval process
EA Number:						
EA Start Date:						
EA End Date:						
Known Expenditures:						

**MTIP Programming Consistency Check Details and Glossary**

**General Areas**

1	Phase funding fields: Red font = prior amended funding or project details. Blue font = amended changes to funding or project details. Black font indicates no change has occurred.
2	Amendment Purpose: The purpose of an MTIP amendment is normally to add a new project due to required federal review actions involving the MTIP and STIP, or complete required changes to the project (name description, or funding) to meet the project's next federal approval delivery step.
3	This amendment to the MTIP completes what action: The amendment adds the new project for TriMet to the MTIP with approved earmark for the Oregon Coty Transit Center redesign project as approved in the Consolidated Appropriations Act of 2023 under the Community Project Funding/Congressional Directed Spending section.
4	MTIP Programming Submitted Supporting Documentation: Approved Consolidated Appropriations Act of 2023 December 22,2022, December 22, 2022 Congressional Record, draft MTIP Worksheet, plus prior programming discussions between TriMet and FTA.

Public Notification and Comment Process:	
5A	Was a 30 Public Notification/Opportunity to Comment Period Required? Yes
5B	What were the 30 day Public Notification/Opportunity to Comment Start and end dates? May 2, 2023 to June 1, 2023
5C	Was the Public Notification/Opportunity to Comment period completed consistent with the Metro Public Participation Plan? Yes
5D	Was the Public Notification/Opportunity to Comment period included on the Metro website allowing email submissions as comments? Yes
5E	Were there a significant amount of comments received requiring a comments log summary provided to Metro Communications Staff? Not anticipated. However, any significant comments received are sent on to Metro's Communication staff for review plus evaluation, and response as needed.
6	Added clarifying notes: The project title being added as stated for the earmark. The project is considered a capital improvement type project which requires individual phase programming reflecting the estimated required funding needed in each applicable phase. However, TriMet will obligate the entire award through the FTA TrAMS system all at the same time. This results in the phase programming being shown all in FFY 2023.

Fiscal Constraint Consistency Check Areas	
1	Will Performance Measurements Apply? Yes, transit
2A	Does the amendment include fiscal updates? Yes. The project includes a new Congressionally Directed Spending earmark for the project.
2B	What is the funding source for the project? December FFY 2022 Appropriations Bill. The earmark is identified in the Community Project Funding section as an approved Congressionally Directed Spending award.
2C	Was the Proof-of Funding requirement satisfied and how? The CDS award list has been included as proof-of-funding validation.
2D	Was overall fiscal constraint demonstrated? Yes.

RTP Consistency Check Areas	
1A	RTP ID and Name: ID# 11338 - Operating Capital: Equipment and Facilities Phase 2
1B	RTP Project Description: Equipment and facilities to support system replacement, refurbishment, and growth.
2A	Is the project exempt per 40 CFR 93.126, Table 2 or 40 CFR 92.127, Table 3? Yes, per 40 CFR 93.126, Table 2
2B	What is the exception category per the regulation: Table 2 - Mass Transit - Reconstruction or renovation of transit buildings and structures (e.g., rail or bus buildings, storage and maintenance facilities, stations, terminals, and ancillary structures).
3A	Is the project considered capacity enhancing? No. The project is a planning project. It is not capacity enhancing.
3B	If capacity enhancing, did the project complete required transportation demand modeling through the RTP Update or via an RTP amendment? No.
3C	Is Air Quality analysis required? No. The Metro MPA has obtained conformity attainment. Special air quality analysis requirements do not apply
3D	Is an Air Quality analysis approval date required? No. If the project is capacity enhancing, then transportation modeling analysis was completed as part of the RTP update. The RTP approval date 12/6/2018 can be considered the date for the completion of any required transportation demand modeling requirements for projects if they are capacity enhancing.

4	What RTP Goal(s) does the project support? Goal #10 - Fiscal Stewardship Objective 10.1 Infrastructure Condition – Plan, build and maintain regional transportation assets to maximize their useful life, minimize project construction and maintenance costs and eliminate maintenance backlogs
5	Does the project require a special performance assessment evaluation as part of the amendment? (applies to capacity enhancing projects, \$100 million or greater, and regionally significant). No. The project is not capacity enhancing nor does it exceed \$100 million dollars in cost.

#### UPWP Consistency Check Areas

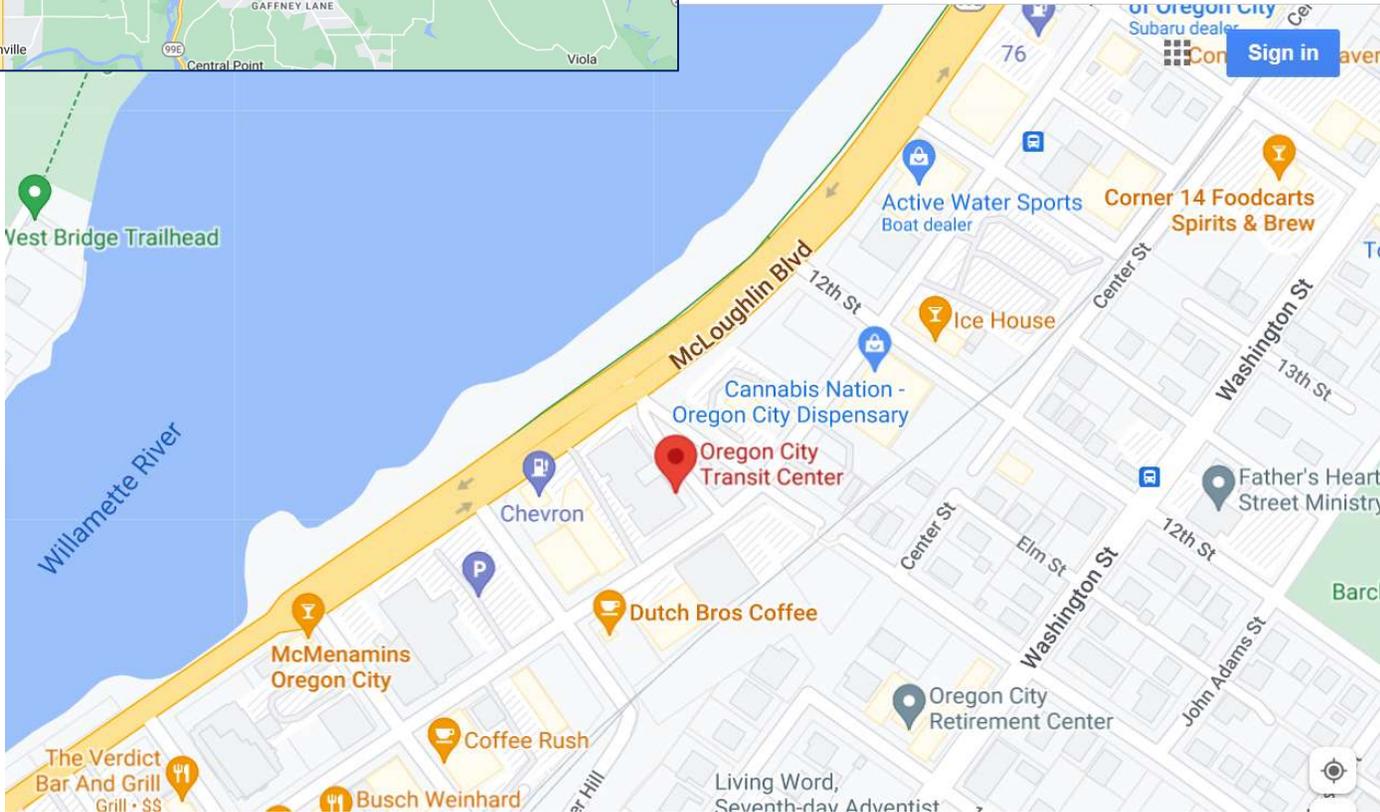
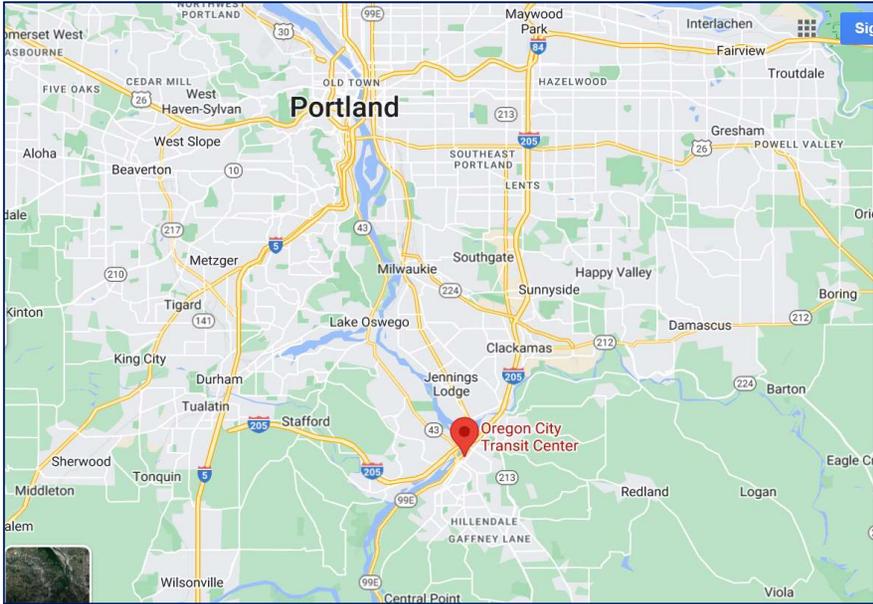
1A	Does the MTIP action also require an UPWP amendment: No. The project is not part of the approved UPWP.
1B	Can the MTIP amendment proceed ahead of the UPWP amendment? Yes.
2	What UPWP category does the project fit under (e.g. Master Agreement, Metro Funded Regionally Significant, or Non-Metro Funded Regionally Significant)? Not applicable

#### Other Review Areas

1	Is the project location identified on the National Highway System (NHS), and what is its designation? No - Not applicable
2A	Is the project location identified as part of one or more of Metro Modeling Networks, and which one(s)? No - Not applicable
2B	What is the Metro modeling designation? Not applicable
3	Is the project designated as a Transportation Control Measure (TCM)? No
4	Is the project location identified on a Congestion Management Plan route? No

#### Fund Type Codes References

CPFCD22	A programmatic fund type code used to identify federal earmarks approved within the December 2022 Appropriations Bill. CPFCD22 = Community Project Funding/Congressionally Directed Spending 2022 approval year. The Community Project Funding is the specific funding section within the appropriations bill that contains the transit approved earmarks. The federal share is 80% with a minimum match requirement of 20%.
Local	General Local funds committed by the lead agency that normally cover the minimum match requirement to the federal funds



FEDERAL TRANSIT ADMINISTRATION

TABLE 20

FY2023 Transit Infrastructure Grants-Community Project Funding/Congressionally Directed Spending

The amounts allocated in this notice are made available for the purposes, and in the amounts, specified in the explanatory statement accompanying the Consolidated Appropriations Act, 2023 ( Pub. L. 117-402, Dec. 30, 2022).

State	Recipient	Project ID	Project Description	Amount
OR	Tri-County Metropolitan Transportation District of Oregon	2023-CMPJ-094	Merlo Bus Garage Zero Emission Retrofit	\$5,000,000
OR	Tri-County Metropolitan Transportation District of Oregon	2023-CMPJ-095	Oregon City Transit Center	\$5,000,000
OR	Tri-County Metropolitan Transportation District of Oregon	2023-CMPJ-096	Willamette Shore line Improvements Phase II - Portland	\$2,000,000



United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 117<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 168

WASHINGTON, TUESDAY, DECEMBER 20, 2022

No. 198—Book III

## Senate

**EXPLANATORY STATEMENT SUBMITTED BY MR. LEAHY, CHAIR OF THE SENATE COMMITTEE ON APPROPRIATIONS, REGARDING H.R. 2617, CONSOLIDATED APPROPRIATIONS ACT, 2023**

The following is an explanation of the Consolidated Appropriations Act, 2023.

**DIVISION L—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2023**

**CONGRESSIONAL DIRECTIVES**

The joint explanatory statement accompanying this division is approved and indicates congressional intent. Unless otherwise noted, the language set forth in House Report 117-402 carries the same weight as language included in this joint explanatory statement and should be complied with unless specifically addressed to the contrary in

grammatical duplication identified by the annual Government Accountability Office (GAO) reports along with legal barriers preventing the agency's ability to further reduce duplication and legislative recommendations, if applicable.

**TRANSPARENCY REQUIREMENT**

The agreement directs the Secretary of Transportation to follow recommendations suggested by the GAO in the GAO-19-541 report and issue a department-wide directive to promote transparency and fairness by establishing uniform procedures to be followed by the DOT in reviewing and selecting discretionary grants. The Secretary shall report to the House and Senate Committees on Appropriations within 90 days of the enactment of this act.

The agreement directs the agencies in this act to state within the text, audio, or video used for new advertising purposes, including advertising/posting on the Internet, that the advertisements are printed, published, or produced and disseminated at U.S. taxpayer expense, with exceptions for certain non-

**FEDERALLY FUNDED RESEARCH**

The agreement urges the Departments funded under this division to affirmatively determine and make available on a publicly accessible website a justification that Federally funded research grants or agreements promote the progress of science in the United States or will advance a national security or economic interest.

**HUMAN TRAFFICKING**

The agreement encourages the DOT to continue efforts to combat human trafficking through the transportation leaders against human trafficking initiative and the blue lightning initiative. The agreement encourages prioritizing grants from the Federal Transit Administration's [FTA] 5307 program and the Federal Aviation Administration's [FAA] airport improvement program to transit providers and airport sponsors serving areas with high rates of human trafficking. In addition, the DOT should also encourage use of best practices and recommendations from the DOT advisory committee on human

Department of Transportation	Transit Infrastructure Grants	Oregon City Transit Center	Tri-County Metropolitan Transportation District of Oregon	OR	5,000,000	Schrader		H
Department of Transportation	Transit Infrastructure Grants	South Salem Mobility as a Service (MaaS) Transit Facility	Salem Area Mass Transit District	OR	2,560,000	Schrader	Merkley, Wyden	H
Department of Transportation	Transit Infrastructure Grants	Station Square Station Improvement Project	Port Authority of Allegheny County	PA	5,000,000	Doyle, Michael F.	Casey	H
Department of Transportation	Transit Infrastructure Grants	Bus Replacement	Amtran	PA	900,000	Joyce (PA)		H
Department of Transportation	Transit Infrastructure Grants	Bus Replacement	Cambria County Transit Authority (CamTran)	PA	2,284,000	Joyce (PA)		H
Department of Transportation	Transit Infrastructure Grants	RIPTA—Bus Replacement	Rhode Island Public Transit Authority	RI	2,500,000		Reed	S
Department of Transportation	Transit Infrastructure Grants	Intermodal Transit Hub at UT Dallas Station for DART Silver Line	Dallas Area Rapid Transit (DART)	TX	2,500,000	Allred		H
Department of Transportation	Transit Infrastructure Grants	Supervisory Control and Data Acquisition System Upgrade Project	Dallas Area Rapid Transit (DART)	TX	2,820,800	Allred		H
Department of Transportation	Transit Infrastructure Grants	Charging Infrastructure for the Transition to a Zero-Emissions Public Transportation Fleet	Capital Metropolitan Transportation Authority	TX	4,169,920	Doggett		H
Department of Transportation	Transit Infrastructure Grants	Westheimer BOOST Bus Stop Improvements	Metropolitan Transit Authority of Harris County (METRO)	TX	5,000,000	Fletcher		H
Department of Transportation	Transit Infrastructure Grants	Missouri City Park & Ride	Metropolitan Transit Authority of Harris County (METRO)	TX	5,000,000	Green (TX)		H
Department of Transportation	Transit Infrastructure Grants	East Dallas Bus & Maintenance Facility Renovation	Dallas Area Rapid Transit (DART)	TX	2,927,000	Johnson (TX)		H

**2021-2024 MTIP Formal Amendment - Exhibit A**

**May 2023 Formal Amendment for FFY 2023 - Amendment Number MY23-09-MAY**

Summary Reason for Change: The new Consolidated Appropriations Act of 2023 designated earmark is being added to the tip and STIP to allow TrAMS obligation/grant approval to occur before the end of FFY 2023



**Metro  
2021-24 Metropolitan Transportation Improvement Program (MTIP)  
PROJECT AMENDMENT DETAIL WORKSHEET**

**MTIP Formal Amendment  
ADD NEW PROJECT**  
Add new approved earmark to the MTIP

<b>Lead Agency:</b> TriMet		Project Type:	Transit	<b>ODOT Key:</b>	<b>New - TBA</b>
<b>Project Name:</b> <b>Willamette Shore Line Rail &amp; Trestle Repair</b>	<b>6</b>	Fiscal Constraint Cat:	Capital	<b>MTIP ID:</b>	<b>New - TBA</b>
		ODOT Type	TBD	<b>Status:</b>	T22
<b>Project Status:</b> T22 = Programming actions in progress or programmed in current MTIP		Performance Meas:	Transit	<b>Comp Date:</b>	12/31/2027
		Capacity Enhancing:	No	RTP ID:	11338
		Conformity Exempt:	Yes	CMP:	No
		30 Day Notice Begin:	5/2/2023	TCM:	No
		30 Day Notice End:	6/1/2023	TSMO Award	No
		Funding Source	Congress	TSMO Cycle	N/A
		Funding Type:	Dec 22 AA	RFFA ID:	No
		State Highway Route	N/A	RFFA Cycle:	N/A
		Mile Post Begin:	NA	UPWP:	No
		Mile Post End:	N/A	UPWP Cycle:	N/A
<b>Short Description:</b> <b>The WSL improvements will upgrade the South Miles Street crossing, replace Jones trestle, conduct mitigation associated with geotech exploration and miscellaneous trestle and track improvements along with routine maintenance (ID# 2023-CMPJ-096)</b>		Length:	N/A	Past Amend:	0
		Flex Transfer to FTA	No	Council Appr:	Yes
		FTA Conversion Code:	N/A	Council Date:	6/1/2023
		1st Year Program'd:	2023	OTC Approval:	No
		Years Active:	0	OTC Date	N/A
		<b>STIP Amend #:</b> TBD		<b>MTIP Amnd #:</b> MY23-09-MAY	

**Detailed Description:** The WSL is a 5.5 mile railroad corridor that supports continued rail operations from Lake Oswego to Portland South Waterfront by trolleys. The project consists of two phases. Phase II will upgrade the S Miles St. crossing, replace Jones trestle, conduct mitigation associated with geotech exploration, and miscellaneous trestle and track improvements and routine maintenance. (FY23 Community Project Funding/Congressionally Directed Spending, CAA2023, Table 20, December 20, 2022) (Follow-on earmark to Key 22666)

STIP Description: TBD

Last Amendment of Modification: None. Initial project programming in the MTIP.

**PROJECT FUNDING DETAILS**

Fund Type	Fund Code	Year	Planning	Preliminary Engineering	Right of Way	Construction	Other (Workforce)	Total
<b>Federal Funds</b>								
CPFCD22	Y926	2023		\$ 539,238				\$ 539,238
CPFCD22	Y926	2023				\$ 1,460,762		\$ 1,460,762
Programming phases in FFY 2023 to support TrAMS grant application.							<b>Federal Totals:</b>	<b>\$ 2,000,000</b>
<b>State Funds</b>								
								\$ -
							<b>State Total:</b>	<b>\$ -</b>
<b>Local Funds</b>								
Local	Match	2023	\$ -	\$ 134,810				\$ 134,810
Local	Match	2023				\$ 365,191		\$ 365,191
Note: Local funds are TriMet General Funds							<b>Local Total</b>	<b>\$ 500,001</b>
Phase Totals Before Amend:			\$ -	<del>\$</del>	\$ -	<del>\$</del>	\$ -	<del>\$</del>
Phase Totals After Amend:			\$ -	\$ 674,048	\$ -	\$ 1,825,953	\$ -	\$ 2,500,001
Total Project Cost Estimate (all phases):							\$	\$ 2,500,001
Year of Expenditure Cost Amount:							\$	\$ 2,500,001

**Programming Summary Details**

Why project is short programmed: N/A. The project is not short programmed.

Phase Change Amount:	\$ -	\$ 674,048	\$ -	\$ 1,825,953	\$ -	\$ 2,500,001
Phase Change Percent:	0%	100%	0%	100%	0.0%	100.0%
Revised Match Federal:	\$ -	\$ 134,810	\$ -	\$ 365,191	\$ -	\$ 500,001
Revised Match Percent:	N/A	20.0%	N/A	20.0%	N/A	20.0%

Note:

**Phase Obligations and Expenditures Summary**

Item	Planning	PE	ROW	Construction	Other	
Total Funds Obligated:						Federal Aid ID
Federal Funds Obligated:						
Initial Obligation Date:						Other Notes Fund obligation process will be through FTA TrAMS grant approval process
EA Number:						
EA Start Date:						
EA End Date:						
Known Expenditures:						

**MTIP Programming Consistency Check Details and Glossary**

**General Areas**

1	Phase funding fields: Red font = prior amended funding or project details. Blue font = amended changes to funding or project details. Black font indicates no change has occurred.
2	Amendment Purpose: The purpose of an MTIP amendment is normally to add a new project due to required federal review actions involving the MTIP and STIP, or complete required changes to the project (name description, or funding) to meet the project's next federal approval delivery step.
3	This amendment to the MTIP completes what action: The amendment adds the new project for TriMet to the MTIP with approved earmark for the Willamette Shore Line Improvements - Phase II earmark project as approved in the Consolidated Appropriations Act of 2023 under the Community Project Funding/Congressional Directed Spending section.
4	MTIP Programming Submitted Supporting Documentation: Approved Consolidated Appropriations Act of 2023 December 22,2022, December 22, 2022 Congressional Record, draft MTIP Worksheet, plus prior programming discussions between TriMet and FTA.

Public Notification and Comment Process:	
5A	Was a 30 Public Notification/Opportunity to Comment Period Required? Yes
5B	What were the 30 day Public Notification/Opportunity to Comment Start and end dates? May 2, 2023 to June 1, 2023
5C	Was the Public Notification/Opportunity to Comment period completed consistent with the Metro Public Participation Plan? Yes
5D	Was the Public Notification/Opportunity to Comment period included on the Metro website allowing email submissions as comments? Yes
5E	Were there a significant amount of comments received requiring a comments log summary provided to Metro Communications Staff? Not anticipated. However, any significant comments received are sent on to Metro's Communication staff for review plus evaluation, and response as needed.
6	Added clarifying notes: The project title being added as stated for the earmark. The project is considered a capital improvement type project which requires individual phase programming reflecting the estimated required funding needed in each applicable phase. However, TriMet will obligate the entire award through the FTA TrAMS system all at the same time. This results in the phase programming being shown all in FFY 2023.

Fiscal Constraint Consistency Check Areas	
1	Will Performance Measurements Apply? Yes, transit
2A	Does the amendment include fiscal updates? Yes. The project includes a new Congressionally Directed Spending earmark for the project.
2B	What is the funding source for the project? December FFY 2022 Appropriations Bill. The earmark is identified in the Community Project Funding section as an approved Congressionally Directed Spending award.
2C	Was the Proof-of Funding requirement satisfied and how? The CDS award list has been included as proof-of-funding validation.
2D	Was overall fiscal constraint demonstrated? Yes.

RTP Consistency Check Areas	
1A	RTP ID and Name: ID# 11338 - Operating Capital: Equipment and Facilities Phase 2
1B	RTP Project Description: Equipment and facilities to support system replacement, refurbishment, and growth.
2A	Is the project exempt per 40 CFR 93.126, Table 2 or 40 CFR 92.127, Table 3? Yes, per 40 CFR 93.126, Table 2
2B	What is the exception category per the regulation: Table 2 - Mass Transit - Reconstruction or renovation of transit buildings and structures (e.g., rail or bus buildings, storage and maintenance facilities, stations, terminals, and ancillary structures).
3A	Is the project considered capacity enhancing? No. The project is a planning project. It is not capacity enhancing.
3B	If capacity enhancing, did the project complete required transportation demand modeling through the RTP Update or via an RTP amendment? No.
3C	Is Air Quality analysis required? No. The Metro MPA has obtained conformity attainment. Special air quality analysis requirements do not apply
3D	Is an Air Quality analysis approval date required? No. If the project is capacity enhancing, then transportation modeling analysis was completed as part of the RTP update. The RTP approval date 12/6/2018 can be considered the date for the completion of any required transportation demand modeling requirements for projects if they are capacity enhancing.

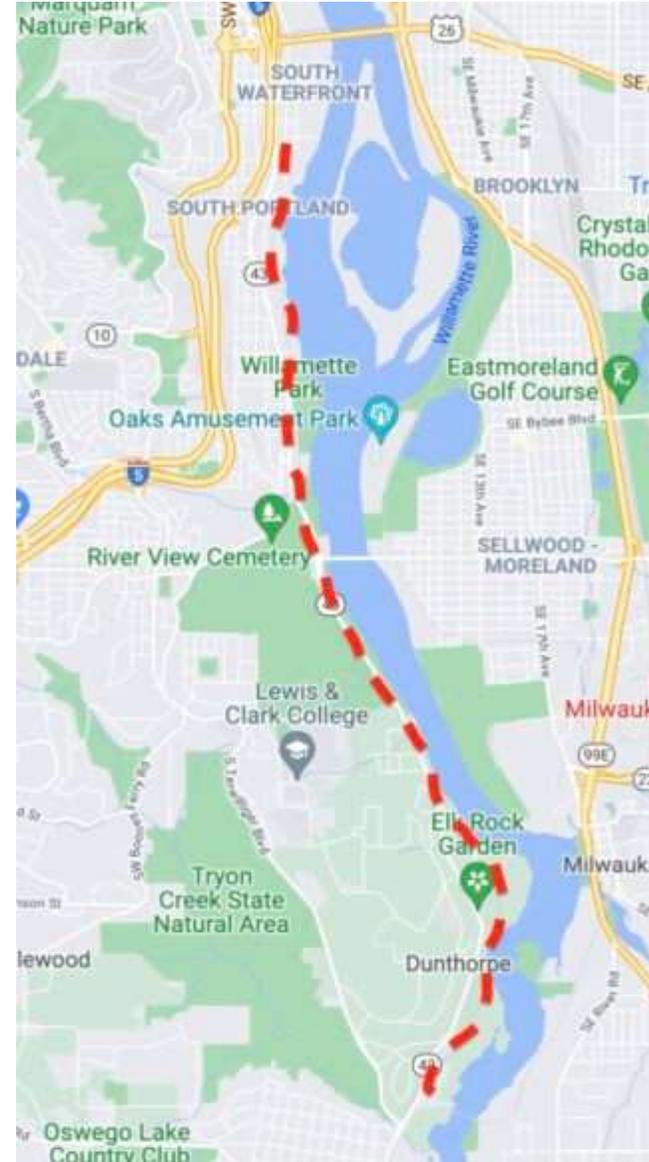
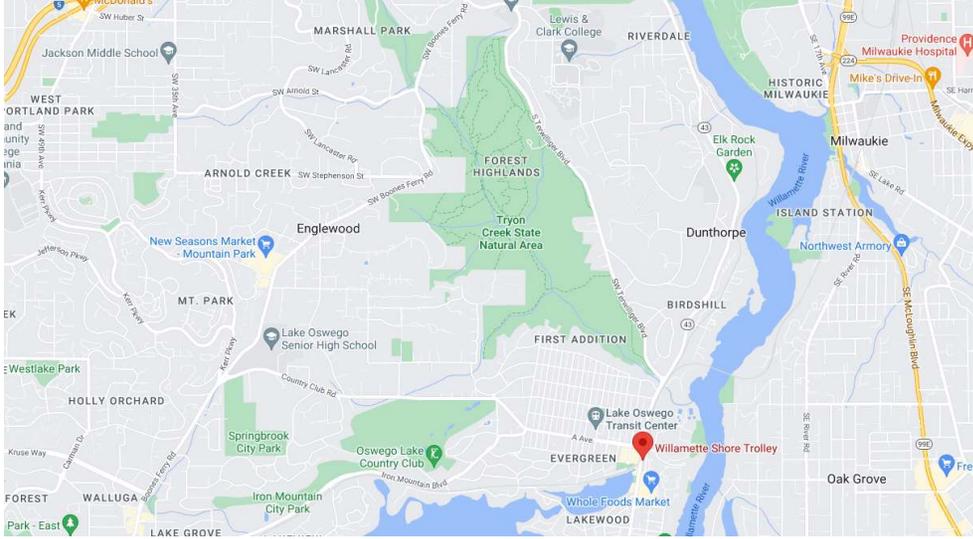
4	What RTP Goal(s) does the project support? Goal #10 - Fiscal Stewardship Objective 10.1 Infrastructure Condition – Plan, build and maintain regional transportation assets to maximize their useful life, minimize project construction and maintenance costs and eliminate maintenance backlogs
5	Does the project require a special performance assessment evaluation as part of the amendment? (applies to capacity enhancing projects, \$100 million or greater, and regionally significant). No. The project is not capacity enhancing nor does it exceed \$100 million dollars in cost.

UPWP Consistency Check Areas	
1A	Does the MTIP action also require an UPWP amendment: No. The project is not part of the approved UPWP.
1B	Can the MTIP amendment proceed ahead of the UPWP amendment? Yes.
2	What UPWP category does the project fit under (e.g. Master Agreement, Metro Funded Regionally Significant, or Non-Metro Funded Regionally Significant)? Not applicable

Other Review Areas	
1	Is the project location identified on the National Highway System (NHS), and what is its designation? No - Not applicable
2A	Is the project location identified as part of one or more of Metro Modeling Networks, and which one(s)? No - Not applicable
2B	What is the Metro modeling designation? Not applicable
3	Is the project designated as a Transportation Control Measure (TCM)? No
4	Is the project location identified on a Congestion Management Plan route? No

Fund Type Codes References	
CPFCD22	A programmatic fund type code used to identify federal earmarks approved within the December 2022 Appropriations Bill. CPFCD22 = Community Project Funding/Congressionally Directed Spending 2022 approval year. The Community Project Funding is the specific funding section within the appropriations bill that contains the transit approved earmarks. The federal share is 80% with a minimum match requirement of 20%.
Local	General Local funds committed by the lead agency that normally cover the minimum match requirement to the federal funds

FEDERAL TRANSIT ADMINISTRATION				
TABLE 20				
FY2023 Transit Infrastructure Grants-Community Project Funding/Congressionally Directed Spending				
<i>The amounts allocated in this notice are made available for the purposes, and in the amounts, specified in the explanatory statement accompanying the Consolidated Appropriations Act, 2023 (Pub. L. 117-402, Dec. 30, 2022).</i>				
State	Recipient	Project ID	Project Description	Amount
OR	Tri-County Metropolitan Transportation District of Oregon	2023-CMPJ-094	Merlo Bus Garage Zero Emission Retrofit	\$5,000,000
OR	Tri-County Metropolitan Transportation District of Oregon	2023-CMPJ-095	Oregon City Transit Center	\$5,000,000
OR	Tri-County Metropolitan Transportation District of Oregon	2023-CMPJ-096	Willamette Shore line Improvements Phase II - Portland	\$2,000,000





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ODOT Key: 22666 | MTIP ID: 71275

Willamette Shore Line Rail & Trestle Repair-Phase I (TriMet) - Cycle 2021-26

Current Programming

phase	year	fund type	federal amount	minimum local match	other amount	total	hold from mtip
Preliminary engineering	2022		\$599,976	\$0	\$120,024	\$720,000	<input type="checkbox"/>
	2019	5339(b) Bus & Bus Facilities	\$599,976	\$0	\$120,024	\$720,000	
Construction	2023		\$1,400,024	\$0	\$279,976	\$1,680,000	<input type="checkbox"/>
	2019	5339(b) Bus & Bus Facilities	\$1,400,024	\$0	\$279,976	\$1,680,000	
Totals >>			\$2,000,000	\$0	\$400,000	\$2,400,000	



United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 117<sup>th</sup> CONGRESS, SECOND SESSION

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WASHINGTON, TUESDAY, DECEMBER 20, 2022

No. 198—Book III

## Senate

EXPLANATORY STATEMENT SUBMITTED BY MR. LEAHY, CHAIR OF THE SENATE COMMITTEE ON APPROPRIATIONS, REGARDING H.R. 2617, CONSOLIDATED APPROPRIATIONS ACT, 2023

The following is an explanation of the Consolidated Appropriations Act, 2023.

**DIVISION I—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2023**

**CONGRESSIONAL DIRECTIVES**

The joint explanatory statement accompanying this division is approved and indicates congressional intent. Unless otherwise noted, the language set forth in House Report 117-402 carries the same weight as language included in this joint explanatory statement and should be compiled with un-

grammatic duplication identified by the annual Government Accountability Office (GAO) reports along with legal barriers preventing the agency's ability to further reduce duplication and legislative recommendations, if applicable.

**TRANSPARENCY REQUIREMENT**

The agreement directs the Secretary of Transportation to follow recommendations suggested by the GAO in the GAO-19-541 report and issue a department-wide directive to promote transparency and fairness by establishing uniform procedures to be followed by the DOT in reviewing and selecting discretionary grants. The Secretary shall report to the House and Senate Committees on Appropriations within 90 days of the enactment of this act.

The agreement directs the agencies in this act to state within the text, audio, or video used for new advertising purposes, including advertising/posting on the Internet, that the advertisements are printed, published, or produced and disseminated at U.S. taxpayer expense, with appropriate disclosure on any

**FEDERALLY FUNDED RESEARCH**

The agreement urges the Departments funded under this division to affirmatively determine and make available on a publicly accessible website a justification that Federally funded research grants or agreements promote the progress of science in the United States or will advance a national security or economic interest.

**HUMAN TRAFFICKING**

The agreement encourages the DOT to continue efforts to combat human trafficking through the transportation leaders against human trafficking initiative and the blue lightning initiative. The agreement encourages prioritizing grants from the Federal Transit Administration's [FTA] 5307 program and the Federal Aviation Administration's [FAA] airport improvement program to transit providers and airport sponsors serving areas with high rates of human trafficking. In addition, the DOT should also encourage use of best practices and recommendations from the DOT advisory committee on human

**DEPARTMENT OF TRANSPORTATION—Continued**  
 [Community Project Funding/Congressionally Directed Spending]

Agency	Account	Project	Recipient	State	Amount	Requestor(s)		Originaton
						House	Senate	
Department of Transportation	Transit Infrastructure Grants	Long Island Rail Road Hunterspoint Station Rehabilitation Project	Metropolitan Transportation Authority	NY	5,000,000	Maloney, Carolyn B.		H
Department of Transportation	Transit Infrastructure Grants	Long Island Rail Road (LIRR) Forest Hills Platform Extensions & Elevators Project	Metropolitan Transportation Authority	NY	7,000,000	Meng		H
Department of Transportation	Transit Infrastructure Grants	EZConnect One-Call Center	Stark Area Regional Transit Authority	OH	1,250,000		Brown	S
Department of Transportation	Transit Infrastructure Grants	Rickenbacker Area Mobility Center	Central Ohio Transit Authority	OH	3,000,000	Beatty	Brown	H
Department of Transportation	Transit Infrastructure Grants	Rail Car Replacement Program	Greater Cleveland Regional Transit Authority	OH	5,000,000	Brown (OH)	Brown	H
Department of Transportation	Transit Infrastructure Grants	Lawrence County Transit Multimodal Parking Facility Construction	Lawrence County Port Authority	OH	2,500,000	Johnson (OH)		H
Department of Transportation	Transit Infrastructure Grants	Willamette Shore Line Improvements Phase II — Portland	Tri-County Metropolitan Transportation District of Oregon	OR	2,000,000	Blumenauer		H
Department of Transportation	Transit Infrastructure Grants	Merlo Bus Garage Zero Emission Retrofit	Tri-County Metropolitan Transportation District of Oregon	OR	5,000,000	Bonamici		H
Department of Transportation	Transit Infrastructure Grants	Fleet Fall Protection & Crane Project	Lane Transit District	OR	800,000	DeFazio	Merkley, Wyden	H
Department of Transportation	Transit Infrastructure Grants	Benton Area Transit Fleet Replacement	Oregon Department of Transportation	OR	1,512,000	DeFazio	Merkley, Wyden	H

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