

Memo



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Date: April 21, 2022
To: Metro Council and Interested Parties
From: Ken Lobeck, Funding Programs Lead
Subject: April 2022 MTIP Formal Amendment & Resolution 21-5256 Approval Request (Regular Bundle)

FORMAL AMENDMENT STAFF REPORT

FOR THE PURPOSE OF ADDING TO THE 2021-26 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM (MTIP) TWO PROJECTS, CONSISTING OF AN ODOT GRANT SUPPORTING THE METRO REGIONAL TRAVEL OPTIONS PROGRAM, AND THE PE PHASE FOR THE MULTNOMAH COUNTY EARTHQUAKE READY BURNSIDE BRIDGE PROJECT ENABLING FEDERAL REVIEWS AND FUND OBLIGATIONS TO THEN OCCUR (AP22-10-APR)

BACKGROUND

What This Is:

The April 2022 Formal Metropolitan Transportation Improvement Program (MTIP) Formal/Full Amendment regular bundle is contained in Resolution 22-5256 and being processed under MTIP Amendment AP22-10-APR. The bundle contains a total of two project amendments.

What is the requested action?

JPACT approved Resolution 22-5256 consisting of two new projects which are required to be added to the MTIP enabling federal reviews and fund obligations to then occur, and now recommends approval by Metro Council.

Proposed April 2022 Formal Amendment Bundle					
Amendment Type: Formal/Full					
Amendment #: AP22-09-APR					
Total Number of Projects: 2					
ODOT Key #	MTIP ID #	Lead Agency	Project Name	Project Description	Description of Changes
Project #1 Key 22583 New Project	TBD	Metro	Metro Transportation Options FFY22 - FFY24	Metro funding to promote and encourage the use of alternative transportation options during federal fiscal years 2022, 2023 and 2024.	ADD NEW PROJECT: Add ODOT's supplemental Travel Options grant as a stand-alone project to support Metro's Regional Travel Options (RTO) program

ODOT Key #	MTIP ID #	Lead Agency	Project Name	Project Description	Description of Changes
Project #2 Key TBD New Project	TBD	Multnomah County	Earthquake Ready Burnside Bridge: NE/SE Grand Ave – NW/SW 3rd Ave	Replace & construct a new Burnside Bridge to seismic standards covering the limits of NE/SE Grand Ave to NW/SW 3rd Ave and from the I-84/I-5 split south to SE Ash St with street & intersection upgrades within the project limits for increased public safety	<u>ADD NEW PROJECT:</u> The formal amendment adds the PE phase with \$123.3 million of local funds for the new Earthquake Ready Burnside Bridge replacement/reconstruction project. The MTIP Detailed description is updated to be more generic based on the multiple alternatives under review for the FEIS.

AMENDMENT BUNDLE SUMMARY:

The April 2022 Formal MTIP Amendment bundle involves adding two new projects to the MTIP. Here is a short summary of the amendment bundle:

- **Keys 22583:** Both Metro and ODOT support Regional Travel Options as a means to help provide alternatives to motor vehicle travel. The ODOT Transportation Options Program focuses on implementation of the Oregon Transportation Options Plan, including: managing demand across the transportation system; educating students and the public on travel options and how to safely use them; connecting veterans, low income populations, communities of color, and others with ways to get to and from work or school; supporting vanpooling; and more. As part of their program, ODOT is providing Metro with a Travel Options grant award of \$16,197 of federal funds for the FFY 2022-24 Transportation Options cycle. The new project is being added to the MTIP through this amendment.
- **Key New Project. Earthquake Ready Burnside Bridge:** The primary purpose of the Earthquake Ready Burnside Bridge (EQRB) Project (Project) is to create a seismically resilient Burnside Street lifeline crossing of the Willamette River that would remain fully operational and accessible for vehicles and other modes of transportation immediately following a major Cascadia Subduction Zone (CSZ) earthquake. Through this amendment, the PE phase for the project is being added to the MTIP.

A more detailed overview of both projects follows the acronym list

JPACT April 21, 2022 Meeting Summary:

The April 2022 Formal Amendment was included on the JPACT consent agenda. The consent agenda was passed without comment or discussion.

TPAC April 1, 2022 Meeting Summary:

Metro staff provided TPAC member their amendment notification and overview at their April 1, 2022 meeting. The April Formal Amendment contains two new projects to be added to the MTIP. First, ODOT has provided Metro with another three-year grant allocation totaling \$416,197 of federal funds for the Regional Travel Options (RTO) program and intended to support Rideshare program areas and Transportation Demand Management activities.

The second project proposes to add the PE phase for Multnomah County’s Earthquake Ready Burnside Bridge (EQRB). The MTIP programming is necessary now to satisfy FHWA’s NEPA-TIP Validation requirement. As part of the NEPA Environmental Assessment (EA) or Final

Environmental Impact statement, approval process to obtain the Record of Decision, a MTIP programming check occurs for comparison against how the project is described in the environmental document. The check occurs to ensure MTIP and the environmental document are consistent in the scope and description for the project.

The MTIP detailed description was developed based on the DEIS project alternative. The MTIP Detailed Description is a Metro internal project description field not seen in the public document that provides additional project scoping details based on how the project will complete transportation demand management modeling. However, with multiple alternatives under review, Multnomah County expressed their concern that the MTIP which is included on the MTIP worksheet as part of Exhibit A to the Resolution could create confusion and suggest a final alternative had been already selected when this was not the case. As a result, Multnomah County has submitted a formal comment to adjust the Detailed Description to be a little more generic. Metro staff review concurs with the request as final update will occur around October based on the final selected alternative.

After TPAC agenda mail-out, Multnomah County notified Metro they had obtained the proof-of funding for fiscal constraint demonstration verifying that out of the \$300 million of local funds committed to the project, \$123.3 million had been specifically committed for the PE phase which includes completion of NEPA and final design. Together, Multnomah County submitted a formal comment to Metro requesting programming adjustments occur to the PE phase funding and MTIP Detailed description. Metro staff have concurred with both requests. At TPAC, Ken Lobeck, Metro staff requested a programming adjustment to the Multnomah County's (EQRB) replacement and reconstruction project to increase the PE phase programming to \$123.3 million of local funds and adjust the MTIP Detailed Description to be the following:

“Replace and reconstruct existing Burnside Bridge to the best seismic resiliency standards plus various required street improvements for public safety which may result in decreasing through-lane capacity from 5 to 4 lanes”.

By adding the project PE phase now via a formal amendment to the MTIP, the project will be in the active MTIP as planning project by the end of June. No implementation phases are being added yet. By October, the final alternative should be known. Around October, staff will complete required administrative modifications to the project name, location, limits, and description to match up with the final expected alternative. The updates should be ready and present in the MTIP by the end of October. The FEIS ROD approval process I anticipated to occur during the November/December 2022 timeframe which will include the NEPA-TIP Validation check as part of the approval process.

EQRB Programming Next Steps:

Once the environmental document is approved, Multnomah County project staff will continue with final design. At the same time, project staff will be coordinating with Metro Regional Transportation Plan (RTP) staff to develop their funding plan and add the implementation phases (Utility Relocation and Construction) to the new RTP. Upon inclusion in the RTP, MTIP programming staff can move forward to add the Right-of-Way, Utility Relocation, and Construction phases to the MTIP. The project delivery schedule and new RTP development appears to synch up reasonably well for the project.



With their better understanding for the programming need, and the requested programming changes and the issues still facing the EQRB project prior to construction, TPAC moved forward and provided their approval recommendation to JPACT to add the PE phase for the Multnomah County's new EQRB project.

Below is a summary list of transportation acronyms used in the report:

- AC-STBG = "AC" = Federal Advance Construction programmatic fund type code used as placeholder. The "STBGS" tag represents the expected federal fund type code of State allocated Surface Transportation Block Grant funds that will become the final federal fund for the project.
- ADVCON = Generic Advance Construction fund type code where the future federal fund code is not yet known.
- ADA = Americans with Disabilities Act
- Cons or CN = Construction phase
- ConOps = Concept of Operations. Used to evaluate project needs for ITS projects
- CSZ = Cascadia Subduction Zone
- FFY = Federal Fiscal Year (e.g. October 1 through September 30)
- FHWA = Federal Highways Administration
- FMIS = FHWA's Financial Management Information System
- HB2017 = State funds from HB2017 allocated to ODOT
- IGA = Intergovernmental Agreement
- ITS = Intelligent Transportation System
- LAL = ODOT Local Agency Liaison staff member
- Local = Local funds committed by the lead agency for the project usually as part of the match
- LPA = Locally Preferred Alternative
- MP = Mile Post limit markers on the State Highway system
- ODOT = Oregon Department of Transportation
- OTC = Oregon Transportation Commission
- Other = Other local funds committed by the lead agency beyond the required match to the federal funds.
- PE = Preliminary Engineering
- RTO = Regional Travel Options
- RTP (Oregon Parks) = Recreational Trails Program
- RFFA (Step 1 or Step 2) = Refers to a particular funding portion to the Regional Flexible Funding Allocation program
- ROD = NEPA Record of Decision
- ROW/RW = Right of Way phase
- RRFB = Rectangular Rapid Flashing Beacon (RRFP)
- SFY = State Fiscal Year (July 1 through June 30 of each calendar year)
- State = General state funds used as the match requirement for federal funds committed to a project. Also may be committed as stand-alone funding (state only funds) for a project.

- STBG-U = Federal Surface Transportation Block Grant allocated to Metro and committed to eligible projects in the defined urban area.
- TDM = Transportation Demand Management
- TO = Travel Options
- UPWP = Metro Unified Planning Work Program

A detailed overview of each project amendment in the bundle begins on the next page.

Project 1		Metro Transportation Options FFY22 - FFY24 (New Project)																																																														
Lead Agency:	Metro																																																															
ODOT Key Number:	22583	MTIP ID Number:	TBD – New Project																																																													
Projects Description:	<p>Project Snapshot:</p> <ul style="list-style-type: none"> • Quick Amendment Summary: The amendment adds the new ODOT grant allocation supporting the Metro Regional Travel Options project to the 2021-26 MTIP • Metro UPWP Project: Yes and no The Metro RTO program is funded through a RFFA Step 1 allocation and is normally identified as part of the annual UPWP. The ODOT grant is a separate allocation and is treated as a discretionary grant. The ODOT allocation will proceed through the normal FHWA Financial Management Information System (FMIS) obligation process. The regular RTO UPWPA allocation will be flex transferred to FTA. The total RTO program funding to be obligated during FFY 2022 are in keys 20879 and the new 22583. 																																																															
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<ul style="list-style-type: none"> • Proposed improvements: Key 22583 and 20879 support the goals and strategies of the RTO program. The project’s goals are to promote and encourage the use of alternative transportation options during federal fiscal years 2022-24. The funding in Key 22583 will support Rideshare activities and Transportation Demand Management (TDM) activities. • Source: New project – ODOT funding source • Amendment Action: The amendment: <ul style="list-style-type: none"> ○ Adds the new Regional Travel Options project to the MTIP supporting Rideshare and TDM activities later TDM activities ○ Adds \$416,197 of federal funds using the Advance Construction fund type code in support of RTP activities. ○ Is needed to occur now as the funds need to obligate before the end of FFY 2022. • Additional Amendment Evaluation Required: No. The project does not add motor vehicle through lane capacity and is considered exempt for air quality and transportation modeling analysis. Additionally, the project cost does not exceed \$100 million. 																																																																

	<ul style="list-style-type: none"> • Funding: The funding for the project consists of an ODOT Grant allocation to Metro for \$16,197 of federal funds. Metro provides the local match. • FTA Conversion Code: Not applicable. No transit funds are involved. The federal funds will not be flex transferred to FTA. • Location, Limits and Mile Posts: <ul style="list-style-type: none"> ○ Location: Regional ○ Cross Street Limits: N/A ○ Overall Mile Post Limits: N/A • Current Status Code: 0 = No activity. Note: This is misleading as the RTO program is an ongoing program and considered fully implemented. The new ODOT funds have not been obligated. Therefore, no implementation activity for them has yet occurred. • Air Conformity/Capacity Status: Key 22583 is a non-capacity enhancing safety improvement project. It is exempt from air quality conformity and transportation demand modeling analysis per 40 CFR 93.126, Table 2 – Air Quality, under the logic of “Continuation of ride-sharing and van-pooling promotion activities at current levels”. • Regional Significance Status: The project is considered a regionally significant as it contains federal funds and address a key Metro goal of congestion reduction through alternate travel options. • Amendment ID and Approval Estimates: <ul style="list-style-type: none"> ○ STIP Amendment Number: 21-24-1944 ○ MTIP Amendment Number: AP22-10-APR ○ OTC approval required: No. However, a program manager funding confirmation letter is included as proof of funding and fiscal constraint demonstration. ○ Metro approval date: Tentatively scheduled for May 12, 2022.
<p>What is changing?</p>	<p><u>AMENDMENT ACTION: ADD NEW PROJECT:</u></p> <p>Key 22583 is a supplemental grant award from ODOT’s Travel Options (TO) program supporting Metro’s RTO program.</p> <p><u>ODOT TO Program Summary</u></p> <p>See additional details at: https://www.oregon.gov/odot/Programs/Pages/TO-Program.aspx</p> <p>The Transportation Options, or TO, program focuses on implementation of the Oregon Transportation Options Plan, including: managing demand across the transportation system; educating students and the public on travel options and how to safely use them; connecting veterans, low</p>

income populations, communities of color, and others with ways to get to and from work or school; supporting vanpooling; and more.

Examples of Transportation Option implementation activities include: Administration of federal grant funds and collaboration on transportation option program priorities with local transportation options partner programs. These programs are often housed within a local transit agency, city, county or Metropolitan Planning Organization.

Support congestion mitigation for major Oregon Department of Transportation construction projects, safety corridors, and congestion points. The TO Program supports ODOT Regional offices in providing outreach and education around specific issues or projects to reduce impacts and delays and/or promote safety.

Management of the statewide ride matching database, Get There, to help people connect with carpools, vanpools and other travel options. The ride matching database is an essential tool for local and regional partners, and provides information on fuel savings and reductions of vehicles miles traveled.

Management of an annual event, Get There Challenge, to help the public become familiar with their transportation options and support carpooling, vanpooling, biking, walking and transit. ODOT manages the annual event in collaboration with our local and regional partners.

What are Transportation Options?

Transportation Options programs connect people to transportation choices, allowing them to bike, walk, take transit, drive, share rides, and telecommute. TO programs do not address capital infrastructure or service investments – like sidewalks, bike lanes, and transit service. Rather, they provide information and resources to help people learn about their travel options for all types of trips. Transportation

Options is also sometimes referred to Transportation Demand Management. Investments in transportation options can provide numerous benefits to our existing transportation system as well as communities across Oregon. From cost savings to improved health, TO programs offer proven benefits to communities large and small.

Metro RTO Program

See additional program details at:

<https://www.oregonmetro.gov/regional-travel-options-strategic-plan>

The Regional Travel Options (RTO) program guides the region in creating safe, vibrant, and livable communities by supporting programs that increase walking, biking, ride sharing, telecommuting, and public transit use. The RTO program is a critical strategy for getting the most benefit and use from transportation infrastructure investments. Through grants, sponsorships, policy guidance, regional coordination, and technical

	<p>assistance, the Metro RTO program has been serving the region for over 20 years.</p> <p>In 2019, the funding will be given more focus with the intent of increasing partnerships and achieving greater performance, and a new regional Safe Routes to School (SRTS) program will be established.</p> <p>The Problem:</p> <p>The Portland metro region has grown and is continuing to grow, which results in increased auto trips and congestion. As demand on the transportation system increases, transit and carpool rates have declined,¹ while drive-alone rates have leveled off.² With more people moving to the region, decreased transit use and an unchanged drive-alone rate means that more cars are crowding roads. This hurts our economy, contributes to poor air quality and unhealthy lifestyles. It also disproportionately impacts people with lower incomes, older adults, youths and people with disabilities, and other historically-marginalized communities.</p> <p>The Regional Travel Options program includes:</p> <ul style="list-style-type: none"> • A coordinated education and outreach effort to efficiently use public dollars to reach key audiences • An employer outreach program to save employers and employees money • A regional Safe Routes to School effort that supports local education programs in schools to teach kids how to walk and bicycle to school safely • A regional rideshare program that makes carpooling safer and easier and helps people with limited transit access have options to get around • A grant program that funds partner efforts, such as The Street Trust's Bike Commute Challenge, TriMet's and TMA's work with employers, Ride Connection's RideWise travel training program for seniors and people with disabilities, and Portland Sunday Parkways, to name a few funding for bicycle racks, wayfinding signage and other tools that help people to walk and bicycle funding for pilot projects to test new ways to reach the public through technology or innovative engagement methods.
<p>Additional Details:</p>	<p>ODOT Allocation/Proof of Funding for Fiscal Demonstration</p> <p>Transportation Options Allocation Confirmation Letter</p> <p>From: Gabriela Garcia, Statewide Programs STIP Coordinator, ODOT Stephanie Millar, Transportation Options Program Manager, ODOT</p> <p>To: Dan Kaempff, (Daniel.Kaempff@oregonmetro.gov)</p> <p>The ODOT Transportation Options, or TO, program focuses on implementation of the Oregon Transportation Options Plan, including: Managing demand across the transportation system; educating the public on travel options and how to safely use them; connecting veterans, low income populations, communities of color, and others with ways to get to and from work or school; supporting vanpooling; and more.</p>

	<p>ODOT has provided Metro in the past with a three-year allocation supporting Metro Regional Transportation options activities. This is a confirmation that Metro will receive a TO allocation for the FFY 2022-24 cycle. Metro's TO total allocation is \$454,505.61 split as follows:</p> <ul style="list-style-type: none"> - Ride share portion: Federal 100% share of \$83,239.42 - Travel Demand Management portion: Federal share of \$332,957.69 at 89.73% with 10.27% required minimum match - Total federal allocation: \$416,197.11 - Minimum match requirement: \$38,108.50 - Total funds: \$454,405.61 <p>Federal Programming Year for Obligation: FFY 2022</p> <p>Program Fund type code: State STBG, Z240</p> <p>ODOT Key number: 22583</p> <p>The Region 1 STIP Coordinator has been notified to initiate STIP programming. Please advise your MTIP programmer to be on the lookout for the programming request. Please move forward to complete the MTIP programming as soon as possible.</p> <p>Please let us know if you have any questions.</p> <p>Thanks,</p> <p>Gabriela Garcia Stephanie Millar</p>																																																														
<p>Why a Formal amendment is required?</p>	<p>Although the ODOT funds originate from an existing revenue bucket in Key 21817, the funds are outside the MPA boundary. Therefore, adding the funds to the MTIP requires a new project to be added to the MTIP. Any new project being added to the MTIP requires a formal/full amendment.</p> <div data-bbox="532 1014 1360 1350" style="border: 1px solid black; padding: 5px;"> <p>Name: Regional TO Provider Rideshare/TDM FFY22, 23 & 24 Key: 21817</p> <p>Description: Promote & encourage the use of carpools, vanpools, transit, bicycling, walking & teleworking. Continues existing carpool matching, regional vanpool services and community outreach programs. Region: 6</p> <p>MPO: Non-MPO Work Type: OP-TDM</p> <p>Applicant: ODOT Status: NON-CONSTRUCTION PROJECT</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Location(s)-</th> <th>Length</th> <th>Route</th> <th>Highway</th> <th>ACT</th> <th>County(s)</th> </tr> </thead> <tbody> <tr> <td colspan="2"></td> <td></td> <td></td> <td></td> <td>STATEWIDE</td> <td>STATEWIDE</td> </tr> </tbody> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="8">Current Project Estimate</th> </tr> <tr> <th></th> <th>Planning</th> <th>Prelim. Engineering</th> <th>Right of Way</th> <th>Utility Relocation</th> <th>Construction</th> <th>Other</th> <th>Project Total</th> </tr> </thead> <tbody> <tr> <td>Year</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>2022</td> <td></td> </tr> <tr> <td>Total</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>\$1,232,634.00</td> <td>\$1,232,634.00</td> </tr> <tr> <td>Fund 1</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>ACPO \$1,106,042.49</td> <td></td> </tr> <tr> <td>Match</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>\$126,591.51</td> <td></td> </tr> </tbody> </table> <p>Footnote:</p> <p>Most Recent Approved Amendment</p> <p>Amendment No: 21-24-1635 Approval Date: 12/30/2021</p> <p>Requested Action: Reduce the project estimate by \$409,291, moving funds to new project key 22525.</p> </div>	Location(s)-		Length	Route	Highway	ACT	County(s)						STATEWIDE	STATEWIDE	Current Project Estimate									Planning	Prelim. Engineering	Right of Way	Utility Relocation	Construction	Other	Project Total	Year						2022		Total						\$1,232,634.00	\$1,232,634.00	Fund 1						ACPO \$1,106,042.49		Match						\$126,591.51	
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<p>Total Programmed Amount:</p>	<p>Key 22583 programming includes \$416,197 of federal funds plus \$38,109 of local match to a total of \$454,306</p>																																																														
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<p>Project 2</p>	<p>Earthquake Ready Burnside Bridge: NE/SE Grand Ave – NW/SW 3rd Ave (New Project)</p>		
<p>Lead Agency:</p>	<p>Multnomah County</p>		
<p>ODOT Key Number:</p>	<p>TBD – New Project</p>	<p>MTIP ID Number:</p>	<p>TBD</p>
<p>Projects Description:</p>	<p>Project Snapshot:</p> <ul style="list-style-type: none"> • Quick Amendment Summary: The amendment adds the PE phase for this project to the MTIP. Programming now is required to address the future NEPA-TIP validation requirement as part of the NEPA environmental document Record of Decision (ROD). 		

Added note: The project name and description follow the current name and description in the draft EIS. Continue work towards the final EIS may result in necessary adjustments to the project name and description. If they occur as part of the amendment, necessary will occur as part of the 30-day public comment period.

- Metro UPWP Project: No
- Proposed improvements:
The project as being added to the MTIP will complete NEPA and required design activities in support of the future bridge replacement. The full project will replace & construct a new Burnside Bridge to seismic standards covering the limits of NE/SE Grand Ave to NW/SW 3rd Ave and from the I-84/I-5 split south to SE Ash St with street & intersection upgrades within the project limits for increased public safety
- Source: New project.
- Amendment Action: The amendment adds the PE phase only for the project to the MTIP enabling a future consistency review to occur between the NEPA environmental document and the MTIP as part of the Final Environmental Impact Statement Record of Decision (ROD).
- Additional Amendment Evaluation Required: Not at this time. The project does exceed \$100 million but with only PE being programmed is still considered a planning project. Second, the draft proposed improvements do not appear to add capacity and may reduce through-lane capacity. However, will continue to evaluate the need for a special evaluation assessment when the implementation phases (ROW, UR, and Cons) are ready to be added to the MTIP.

Added note: Programming staff assume Multnomah County will be providing their construction phase project entry as part of the new RTP update. The current RTP contains entries and ROW phases

- Funding:
The total approved funding currently for the project is \$300 million. Multnomah County has directly approved \$23.5 million for project needs in FFY 2022 and now has confirmed a total of \$123,300,000 is available to complete the PE phase. A funding commitment letter from the Multnomah CFO has been included after the notes section for this amendment.

Capital Budget
fy2022 adopted budget

Burnside Bridge Fund (2515)

The Burnside Bridge is deemed to be a lifeline route for emergencies in Portland. As such, it is the Transportation Division's highest priority to ensure that the bridge meets seismic standards to withstand the anticipated magnitude 9.0 Cascadia Subduction Zone event that the Oregon Department of Geology and Mineral Industries has calculated as having a 27% chance of occurring before 2065. This bridge should remain fully operational to vehicles and river traffic following such an event. This Burnside Bridge Fund (2515) was created to track the revenues and expenses related to this effort. The National Environmental Policy Act (NEPA) Study will finish in FY 2022 and will determine the environmental impact of the various options of rebuilding or repairing the Burnside Bridge. Funding comes from the County's Vehicle Registration Fee. Additional information about the project can be found in the Budget Director's Message and the Department of Community Services program offer 90019.

Non-Routine Projects (2515)	FY 2022 Budget	Total Project Cost	Estimated Completion
Burnside Replacement Project	\$23,558,042	\$630-825 million	FY 2029

- **FTA Conversion Code:** Not applicable. There are no funds that will be flex transferred to FTA.
- **Location, Limits and Mile Posts:**
 - Location: In Portland across the Willamette River on the Burnside Bridge
 - Cross Street References: NE/SE Grand Ave to NW/SW 3rd Ave and from the I-84/I-5 split south to SE Ash St
 - Overall Mile Post Limits: N/A

Note: The limits are based on the DEIS alternative which could change and require updates to the project name and limits.

Figure 1.3-1. Project Area



- **Current Status Code:** 2 = Pre-design/project development activities (pre-NEPA) (ITS = ConOps.)
- **Air Conformity/Capacity Status:** Adding only the PE phase for the project allows it to be considered a planning project. At this point the project is exempt from air conformity and transportation demand modeling. As a planning project, the project is exempt under 40 CFR 93/126, Table 2, Other - Planning and technical studies.

- **Regional Significance Status:** The project is considered a regionally significant. Burnside St and Burnside Bridge are identified as a "Major Arterial" in the Motor Vehicle modeling network. They are identified as a "Frequent Bus" in the Transit modeling network. In the Bicycle and Pedestrian modeling networks, Burnside St/bridge is identified a "Bicycle Parkway" and "Pedestrian Parkway"
- **Amendment ID and Approval Estimates:**
 - STIP Amendment Number: TBD
 - MTIP Amendment Number: AP22-10-APR
 - OTC approval required: No.
 - Metro approval date: Tentatively scheduled for May 12, 2022.

What is changing?

AMENDMENT ACTION: ADD NEW PROJECT (PE PHASE ONLY):

The formal/full amendment adds the PE phase only to the current MTIP as described in support of the NEPA-TIP validation requirement. Multnomah County is currently using local funds to complete the PE phase. They anticipate federal funds once secured will be added later.



The project is currently working to obtain its FEIS with a ROD expected around the November/December 2022 timeframe.

The Draft EIS:

An EIS is required for projects that require federal action (permits, approvals or funding), and that would likely have significant environmental effects. Before an EIS is final, a draft EIS is first prepared and provided to the public and agencies for review and comment. The Draft EIS includes the following:

- Describes the project purpose and need, and the range of alternatives being studied.
- Studies the environmental impacts of the alternatives

- Identifies ways to minimize the impacts.
- Evaluates and demonstrates how the action will comply with other environmental regulations.
- Compares and contrasts the alternatives.
- Identifies the preferred alternative, if there is one.

The DEIS was published on February 5th, 2021 and available for public comment through March 24th, 2021. The formal DEIS comment period has concluded.

Supplemental Draft EIS:

If any meaningful changes are made to the project and Preferred Alternative following the DEIS comment period, the project team will study the impacts of those changes and document them in a Supplemental Draft EIS. The SDEIS is then published for another round of public review and comment.

In spring 2021, after the DEIS comment period, new cost and funding challenges were identified by the project team. With this new information, County leadership directed the project team to look at ways to reduce the project cost. Thus, the project team identified cost saving refinements to the Preferred Alternative. These changes and their associated positive and negative impacts are being documented in a Supplemental Draft EIS. This document will be published in spring 2022 for public review and comment.

Final EIS:

Following the comment periods on the Draft and Supplemental EIS, the agency prepares a Final EIS that:

- Provides responses to comments received on the Draft and Supplemental EIS
- Refines and updates the alternatives and analysis as appropriate

Record of Decision (ROD):

- Documents the federal lead agency decision regarding which alternative to advance beyond the NEPA phase
- Includes commitments to mitigation measures
- Demonstrates compliance with other federal environmental regulations
- Can be simultaneous with the Final EIS

After the ROD:

- Waiting period, during which legal challenges to the ROD may be filed
- After the waiting period, begin acquiring funding, permits and approvals, begin final design

Current draft detailed project descriptions for the MTIP under the DEIS is the following:

Short Draft Description:

Replace & construct a new Burnside Bridge to seismic standards covering the limits of NE/SE Grand Ave to NW/SW 3rd Ave and from the I-84/I-5 split south to SE Ash St with street & intersection upgrades within the project limits for increased public safety

Internal MTIP Draft Detailed Description:

The initial proposed MTIP Detailed description is being replaced with more generic version due to the multiple alternatives still under review. The initial draft description below is replaced with the new one also shown:

Replacement "Long Span" with a moveable span (Vertical or Bascule lift) for the best seismic resiliency standards, adjust lane capacity to be 2 EB through lanes, 1 EB dedicated bus lane and 2 WB through lanes, and with bicycle/pedestrian improvements covering limits of NE/SE Grand Ave to NW/SW 3rd Ave and from the I-84/I-5 split south to SE Ash St including street & intersection upgrades as required within the limits for increased public safety.

Replace and reconstruct existing Burnside Bridge to the best seismic resiliency standards plus various required street improvements for public safety which may result in decreasing through-lane capacity from 5 to 4 lanes.

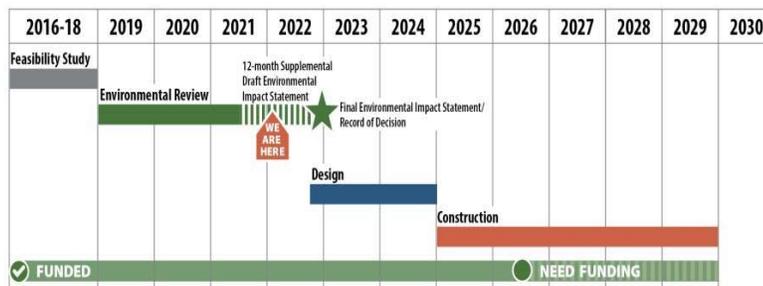
Final note: As stated previously, the NEPA process continues and a ROD is not expected until late CY 2022. Around the same, the final alternative major scope activities will be reviewed against the MTIP. Required changes with the project name and description will occur at that time to ensure the MTIP and STIP are consistent with the FEIS.

Additional project details can be found at:

<https://www.multco.us/earthquake-ready-burnside-bridge>

Additional Details:

Proposed Project Schedule



Why a Formal amendment is required?	Adding the PE phase for the new Earthquake Ready Burnside Bridge is considered a new project and requires a formal/full amendment to complete.
Total Programmed Amount:	The PE phase programming will be completed with local funds. Multnomah County's commitment to the PE phase totals \$123,300,000.
Added Notes:	3 Attachments: <ol style="list-style-type: none"> 1. Project Fact Sheet 2. Purposed and Need 3. Cost Estimate Summaries

DEPARTMENT OF COUNTY MANAGEMENT



April 12, 2022

Ken Lobeck
 Funding Programs Lead
 Metro Regional Center
 600 NE Grand Ave
 Portland, OR 97232

Ken,

Multnomah County is pleased to provide information that may assist with amending the Metro Regional Transportation Improvement Program with the Preliminary Engineering Phase of the Earthquake Ready Burnside Bridge Project (EQRB).

This memo confirms that Multnomah County has already committed approximately \$33.3M of local funds to the completion of the NEPA Phase for the project. The current estimate for the Design Phase, anticipated to start Fall/Winter 2022, is approximately \$90M.

In December 2019, the Board of County Commissioners voted to increase the annual Vehicle Registration Fee (VRF) from \$19 to \$37 beginning in January 2021. The proceeds from the VRF revenues are anticipated to generate approximately \$300M for the EQRB project over the next 20 years.

In FY22, the County adopted a \$23.5M budget for the EQRB project which is the first of multiple annual local allocations that will occur over the next several years to support EQRB activities.

While funds for the Design Phase are anticipated to be local and originate from the VRF revenues and bonding, the County will continue to pursue federal funds for the Project and would apply them to the Design Phase should they be secured.

Regards,

Eric Arellano
 Chief Financial Officer
 Department of County Management

Note: The Amendment Matrix located below is included as a reference for the rules and justifications governing Formal Amendments and Administrative Modifications to the MTIP that the MPOs and ODOT must follow.

METRO REQUIRED PROJECT AMENDMENT REVIEWS

In accordance with 23 CFR 450.316-328, Metro is responsible for reviewing and ensuring MTIP amendments comply with all federal programming requirements. Each project and their requested changes are evaluated against multiple MTIP programming review factors that originate from 23 CFR 450.316-328. The programming factors include:

- Verification as required to programmed in the MTIP:
 - Awarded federal funds and is considered a transportation project
 - Identified as a regionally significant project.
 - Identified on and impacts Metro transportation modeling networks.
 - Requires any sort of federal approvals which the MTIP is involved.

ODOT-FTA-FHWA Amendment Matrix	
Type of Change	
FULL AMENDMENTS	
1. Adding or cancelling a federally funded, and regionally significant project to the STIP and state funded projects which will potentially be federalized	
2. Major change in project scope. Major scope change includes: <ul style="list-style-type: none"> • Change in project termini - greater than .25 mile in any direction • Changes to the approved environmental footprint • Impacts to AQ conformity • Adding capacity per FHWA Standards • Adding or deleting worktype 	
3. Changes in Fiscal Constraint by the following criteria: <ul style="list-style-type: none"> • FHWA project cost increase/decrease: <ul style="list-style-type: none"> • Projects under \$500K – increase/decrease over 50% • Projects \$500K to \$1M – increase/decrease over 30% • Projects \$1M and over – increase/decrease over 20% • All FTA project changes – increase/decrease over 30% 	
4. Adding an emergency relief permanent repair project that involves substantial change in function and location.	
ADMINISTRATIVE/TECHNICAL ADJUSTMENTS	
1. Advancing or Slipping an approved project/phase within the current STIP (If slipping outside current STIP, see Full Amendments #2)	
2. Adding or deleting any phase (except CN) of an approved project below Full Amendment #3	
3. Combining two or more approved projects into one or splitting an approved project into two or more, or splitting part of an approved project to a new one.	
4. Splitting a new project out of an approved program-specific pool of funds (but not reserves for future projects) or adding funds to an existing project from a bucket or reserve if the project was selected through a specific process (i.e. ARTS, Local Bridge...)	
5. Minor technical corrections to make the printed STIP consistent with prior approvals, such as typos or missing data.	
6. Changing name of project due to change in scope, combining or splitting of projects, or to better conform to naming convention. (For major change in scope, see Full Amendments #2)	
7. Adding a temporary emergency repair and relief project that does not involve substantial change in function and location.	

- Passes fiscal constraint verification:
 - Project eligibility for the use of the funds
 - Proof and verification of funding commitment
 - Requires the MPO to establish a documented process proving MTIP programming does not exceed the allocated funding for each year of the four year MTIP and for all funds identified in the MTIP.
 - Passes the RTP consistency review: Identified in the current approved constrained RTP either as a stand- alone project or in an approved project grouping bucket
 - RTP project cost consistent with requested programming amount in the MTIP
 - If a capacity enhancing project – is identified in the approved Metro modeling network
- Satisfies RTP goals and strategies consistency: Meets one or more goals or strategies identified in the current RTP.
- If not directly identified in the RTP’s constrained project list, the project is verified to be part of the MPO’s annual Unified Planning Work Program (UPWP) if federally funded and a

regionally significant planning study that addresses RTP goals and strategies and/or will contribute or impact RTP performance measure targets.

- Determined the project is eligible to be added to the MTIP, or can be legally amended as required without violating provisions of 23 CFR450.300-338 either as a formal Amendment or administrative modification:
 - Does not violate supplemental directive guidance from FHWA/FTA’s approved Amendment Matrix.
 - Adheres to conditions and limitation for completing technical corrections, administrative modifications, or formal amendments in the MTIP.
 - Is eligible for special programming exceptions periodically negotiated with USDOT.
 - Programming determined to be reasonable of phase obligation timing and is consistent with project delivery schedule timing.
- Reviewed and initially assessed for Performance Measurement impacts.
- MPO responsibilities completion:
 - Completion of the required 30 day Public Notification period:
 - Project monitoring, fund obligations, and expenditure of allocated funds in a timely fashion.
 - Acting on behalf of USDOT to provide the required forum and complete necessary discussions of proposed transportation improvements/strategies throughout the MPO.

APPROVAL STEPS AND TIMING

Metro’s approval process for formal amendment includes multiple steps. The required approvals for the April 2022 Formal MTIP amendment (AP22-10-APR) will include the following:

<u>Action</u>	<u>Target Date</u>
• Initiate the required 30-day public notification process.....	March 29, 2022
• TPAC notification and approval recommendation.....	April 1, 2022
• JPACT approval and recommendation to Council.....	April 21, 2022
• Completion of public notification process.....	April 27, 2022
• Metro Council approval.....	May 12, 2022

Notes:

- * The above dates are estimates. JPACT and Council meeting dates could change.
- ** If any notable comments are received during the public comment period requiring follow-on discussions, they will be addressed by JPACT.

USDOT Approval Steps (The below time line is an estimation only):

<u>Action</u>	<u>Target Date</u>
• Final amendment package submission to ODOT & USDOT.....	May 19, 2022
• USDOT clarification and final amendment approval.....	Mid-June, 2022

ANALYSIS/INFORMATION

1. **Known Opposition:** None known at this time.
2. **Legal Antecedents:**
 - a. Amends the 2021-24 Metropolitan Transportation Improvement Program adopted by Metro Council Resolution 20-5110 on July 23, 2020 (FOR THE PURPOSE OF

ADOPTING THE 2021-2024 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM FOR THE PORTLAND METROPOLITAN AREA).

- b. Oregon Governor approval of the 2021-24 MTIP: July 23, 2020
- c. 2021-2024 Statewide Transportation Improvement Program (STIP) Approval and 2021 Federal Planning Finding: September 30, 2020
3. **Anticipated Effects:** Enables the projects to obligate and expend awarded federal funds, or obtain the next required federal approval step as part of the federal transportation delivery process.
4. **Metro Budget Impacts:** None to Metro

RECOMMENDED ACTION:

JPACT approved Resolution 22-5256 consisting of two new projects which are required to be added to the MTIP enabling federal reviews and fund obligations to then occur, and now recommends approval by Metro Council.

Three Attachments:

1. ERBB - Project Fact Sheet
2. ERBB - Purpose and Need
3. ERBB – Cost Estimate Summaries