

## Regional Framework for Highway Jurisdictional Transfer

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Department: Planning & Development

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Length: 30 minutes

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### ISSUE STATEMENT

In Oregon, and specifically in the Portland metropolitan region, ownership patterns of streets, roads and highways reflect historical patterns but do not necessarily reflect current transportation uses, land use and development patterns. This long-recognized issue creates challenges to maintaining and implementing capital improvements. These facilities are identified in the RTP as key multimodal travel corridors and are strongly correlated with high fatality and serious injury rates. In December 2018, the Metro Council adopted the 2018 Regional transportation Plan (RTP), which calls out the need for a Jurisdictional Transfer Assessment as near-term planning work needed to advance implementation of the Plan.

Metro's [Regional Framework for Highway Jurisdictional Transfer](#) is a partnership with ODOT to determine candidates for jurisdictional transfer. The goal of the project is to create a policy framework for decision-making for jurisdictional transfers in the Portland region and to use criteria to evaluate and prioritize corridors that are candidates for transfers.

### ACTION REQUESTED

No formal action requested at this work session. This meant to keep the Metro Council updated kick off a public comment period (9/15 – 10/22).

### IDENTIFIED POLICY OUTCOMES

The Metro Council has previously adopted the 2018 Regional Transportation Plan (RTP) and prioritized four outcomes for subsequent implementation:

- a. **Equity** – reduce disparities and barriers faced by communities of color and other historically marginalized communities
- b. **Safety** – reduce fatal and severe injury crashes, particularly focusing on the High Crash Corridor network
- c. **Climate Change** – expand transit and active transportation networks, and leverage emerging technology to meet Climate Smart Strategy goals
- d. **Congestion Relief (mobility)** – manage congestion and travel demand through low-cost, high value solutions

The Jurisdictional Transfer project was identified in the RTP as a necessary step to helping our region meet their equity, safety and multi-modal goals.

### **POLICY QUESTION(S)**

Does the project continue to be on track with the Council expectations as laid out in the RTP?

### **POLICY OPTIONS FOR COUNCIL TO CONSIDER**

The project will result in a framework for advancing jurisdictional transfer as a tool for the council to apply to decisions about funding. This is a framework for future decision-making about jurisdictional transfer. Metro Council may want to consider how this Jurisdictional Transfer framework can help support or influence transfers in the Portland region.

### **STAFF RECOMMENDATIONS**

No recommendations at this time. In December 2020, staff will share with TPAC, JPACT and Metro Council what was heard through public comments, and a recommendation for future regional action from the consulting team.

### **STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

The issue of “orphan highways” has been a problem with no solution in our region for over 20 years. Decades of de-investment in roadways that were once highways has led to the degradation of the roads, and a disregard for the communities who live along the candidates for jurisdictional transfer.

This issue became evident during the 2018 RTP process, wherein local jurisdictions submitted over \$800 M of projects on the constrained list for the RTP, and ODOT submitted none. In other words, it was clear that the local communities are willing to invest in these roadways because they function more like local roads, and less like state roads. After significant debate at JPACT in the summer of 2018, Metro and ODOT proposed a process for moving forward: the Jurisdictional Transfer Assessment Process (which later became the “Regional Framework for Highway Jurisdictional Transfer” project).

The project has multiple goals: 1) identify regional priorities for funding for transfers, 2) have an agreed-upon cost methodology, and 3) an understanding of best practices for these transfers. Once regional priorities are identified and costs are determined, the region will be better poised to discuss funding for jurisdictional transfer, whether it is a part of the Regional Investment Measure process or a state legislative conversation.

### **BACKGROUND**

The 2018 Regional Transportation Plan identifies the need and a process for completing several jurisdictional transfers in the Metro region for older, state-owned facilities that have lost their statewide function over time to urbanization and now function as urban arterial streets (e.g. 82<sup>nd</sup> Avenue in Portland). Most of these routes have been bypassed by modern, limited access freeways (e.g. I-205) that replace their statewide travel function. In

recognition of this transition, the state has adopted policies to promote the jurisdictional transfer of these older routes to city or county ownership.

Most of these roadways have a backlog of pavement maintenance as well as gaps or deficiencies in basic urban pedestrian and bicycle facilities. Funding for near or long-term investments has not been identified by the state or local jurisdictions. Furthermore, there is no agreement in the region on which roads are the highest priorities when it comes to what to transfer, when, and at what cost. For this reason, these transfers will take time to accomplish on a case-by-case basis.

The report provides a Policy Framework, Evaluation Methodologies, Findings, Needs and Deficiencies Assessment, and a Cost estimating Methodology. The report highlights the key takeaways and provides attachments including the full deliverables for these components as well as for an Inventory of candidate roadways, Equity Considerations and Roadway Classification change recommendations.

To share encourage public engagement during the comment period (9/15-10/22), staff will utilize the following tools:

- The project website: [www.oregonmetro.gov/jurisdictionaltransfer](http://www.oregonmetro.gov/jurisdictionaltransfer)
- Email notice to jurisdictions and interested parties,
- Online public comment questionnaire, office hours (by Zoom or email) to interact with commenters,
- Presentations to the County coordinating committees.

In December 2020, staff will share with TPAC, JPACT and Metro Council what was heard through public comments, and a recommendation for future regional action from the consulting team. Metro staff will be requesting action on a Resolution to accept the final report for inclusion in 2023 RTP Technical Appendix. *(The consultant recommendation will be advisory and not part of this action).*

## ATTACHMENTS

- Draft Final Report *(This will not be available from our consultants until 9/10 and will be uploaded to the project website at that time:*  
<https://www.oregonmetro.gov/jurisdictionaltransfer>)
- Is legislation required for Council action? ☒ Yes ☐ No
- If yes, is draft legislation attached? ☐ Yes ☒ No
- What other materials are you presenting today?  
PowerPoint presentation