5-11-2006

Meeting Notes 2006-05-11

Joint Policy Advisory Committee on Transportation

A G E N D A

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232-2736
TEL 503-797-1916 | FAX 503-797-1930

METRO

MEETING: **JOINT POLICY ADVISORY COMMITTEE ON TRANSPORTATION**

DATE: **May 11, 2006**

TIME: **7:30 A.M.**

PLACE: **Council Chambers, Metro Regional Center**

7:30		**CALL TO ORDER AND DECLARATION OF A QUORUM**	**Rod Park, Vice Chair**
7:35		**INTRODUCTIONS**	**Rod Park, Vice Chair**
7:40		**CITIZEN COMMUNICATIONS**	
7:45		**CONSENT AGENDA**	**Rod Park, Vice Chair**
	*	Consideration of JPACT minutes for April 13, 2006	
	*	Resolution No. 06-3694, For the Purpose of Amending the 2006-09 Metropolitan Transportation Improvement Program to Add New Projects Receiving Funding From SAFETEA-LU and From an Award of The State Transportation Enhancements Discretionary Funds – APPROVAL REQUESTED	**Ted Leybold**
		ACTION ITEMS	
7:50	*	Resolution 06-3695, For the Purpose of Recommending Approval of the Draft 2006 Portland-Vancouver Ozone Maintenance Plan – APPROVAL REQUESTED	**Dick Pedersen & Mark Turpel**
8:05		**INFORMATION / DISCUSSION ITEMS**	
	*	2035 RTP Update: Draft Work Program – REVIEW & COMMENT	**Kim Ellis**
8:25	*	Region 1 Draft STIP: Public Comment Summary, Draft Schedule, Process and Evaluation Factors – INFORMATION & DISCUSSION	**Lainie Smith & Ted Leybold**
8:55	#	Connect Oregon Status Report – INFORMATION	**Bridget Wieghart**
		OTHER COMMITTEE BUSINESS	**Rod Park, Vice Chair**
9:00		**ADJOURN**	**Rod Park, Vice Chair**

* Material available electronically. Please call 503-797-1916 for a paper copy
** Material to be emailed at a later date.
# Material provided at meeting.
All material will be available at the meeting.

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1916 | FAX 503 797 1930

METRO

Joint Policy Advisory Committee on Transportation

M I N U T E S
April 13, 2006
7:30 a.m. – 9:00 a.m.
Council Chambers

MEMBERS PRESENT	AFFILIATION
Rex Burkholder, Chair	Metro Council
Rod Park, Vice Chair	Metro Council
Brian Newman	Metro Council
Sam Adams	City of Portland
Maria Rojo de Steffey	Multnomah County
Bill Kennemer	Clackamas County
Rob Drake	City of Beaverton, representing Cities of Washington County
Dick Pedersen	Oregon Department of Environmental Quality (DEQ)
Lynn Peterson	City of Lake Oswego, representing Cities of Clackamas County
Fred Hansen	TriMet
Jason Tell	Oregon Department of Transportation (ODOT - Region 1)
Royce Pollard	City of Vancouver
Roy Rogers	Washington County
Steve Stuart	Clark County
Paul Thalhofer	City of Troutdale, representing Cities of Multnomah County
Don Wagner	Washington State Department of Transportation (WSDOT)
Bill Wyatt	Port of Portland

ALTERNATES PRESENT	AFFILIATION
Susie Lahsene	Port of Portland
Dean Lookingbill	Southwest Washington Regional Transportation Council
Jay Waldron	Port of Portland

OTHER COUNCILORS PRESENT

Jef Dalin	City of Cornelius
John Hartsock	City of Damascus

GUESTS PRESENT	AFFILIATION
Kenny Asher	City of Milwaukie
Meeky Blizzard	Office of Rep. Blumenauer
Scott Bricker	Bicycle Transportation Alliance
Kathy Busse	Washington County

Roland Chlapowski	City of Portland
Olivia Clark	TriMet
Danielle Cowan	City of Wilsonville
Tom Markgraf	CRC
Dave Nordberg	DEQ
Ron Papsdorf	City of Gresham
John Rist	Clackamas County
Karen Schilling	Multnomah County
Phil Selinger	TriMet
Steve Siegel	Siegel Consulting
Lainie Smith	ODOT
Paul Smith	City of Portland
John Wiebke	City of Hillsboro

STAFF

Richard Brandman, Andy Cotugno, Kim Ellis, Tom Kloster, Kate Lyman, Ted Leybold, Jessica Martin, Robin McArthur, Kathryn Sofich,

I. CALL TO ORDER

Chair Rex Burkholder declared a quorum and called the meeting to order at 7:33 a.m.

II. INTRODUCTIONS

There were none.

III. CITIZEN COMMUNICATIONS

There were none.

IV COMMENTS FROM THE CHAIR

Chair Burkholder congratulated Mr. Jason Tell on his new position as ODOT Region 1 Manager.

V. CONSENT AGENDA

Consideration of minutes for the March 9, 2006 JPACT meeting

Resolution No. 06-3665, For the Purpose of Adopting the Policy Direction, Program Objectives, Procedures and Criteria For the Transportation Priorities 2008-11 Allocation Process and Metropolitan Transportation Improvement Program (MTIP)

Resolution No. 06-3685, For the Purpose of Amending the 2006-09 Metropolitan Transportation Improvement Program to Add a Preservation Project on Highway 213 Between I-205 and Conway Drive

Chair Burkholder asked the committee if any of the consent agenda items needed to be removed from the consent agenda for further discussion.

ACTION: Hearing no objections, Chair Burholder moved approval of the Consent Agenda as presented. The motion passed unanimously.

VI. ACTION ITEMS

Resolution No. 06-3668, For the Purpose of Approving the FY 2007 Unified Planning Work Program

Mr. Andy Cotugno appeared before the committee to present Resolution No. 06-3668, which would approve the FY 2007 Unified Planning Work Program (UPWP).

Mr. Cotugno briefed the committee on the purpose of the UPWP (included as part of this meeting record).

ACTION: Councilor Brian Newman moved, seconded by Mr. Fred Hansen, to approve Resolution No. 06-3668. The motion passed unanimously.

STIP Comment Letter

ODOT Region 1 has a draft proposal for the major portions of the 2008-11 State Transportation Improvement Implementation Program (STIP). The proposal was created to respond to screening and prioritization criteria of the Oregon Transportation Commission (OTC). The proposed program needs to be narrowed further to available funding. Region 1 is requesting comments on the proposal and direction on how to narrow the program to available funding by April 14th.

Mr. Cotugno briefed the committee on the comment timeline and noted that providing input on a draft list of eligible projects this early on in the STIP process is a new step for the committee. Mr. Hansen and Mayor Rob Drake voiced their support for this new approach.

A TPAC workshop was held March 20th to consider draft comments on the STIP proposal. Metro staff introduced a set of potential comments for consideration by workshop participants. TPAC then considered and recommended a revised letter for JPACT consideration at its March 31st meeting.

Mr. Ted Leybold directed the committee's attention to the draft letter and list of comments (included as part of this meeting record). He reviewed the letter and comments and the committee discussed.

Mr. Jason Tell stated that the letter, rather than being a priority statement, seemed to focus more on raising issues.

Mayor Drake concurred, but noted that because this region has such important issues, he interpreted the letter as a friendly reminder to ODOT of the issues this region faces.

The committee continued discussion of letter's purpose.

Commissioner Roy Rogers stated that the letter is indistinct, and he would prefer to send ODOT a letter solely thanking them for the opportunity to comment.

Commissioner Steve Stuart stated his dissatisfaction with adding to ODOT's 150% list and then developing a separate 100% list.

Councilor Lynn Peterson noted that projects on the 150% list are from ODOT's prospective and the letter states that there will be additional projects that the committee would like to add. Councilor

Peterson stated that she is not willing to prioritize the list as is, as it might not contain all of her priorities.

Commissioner Rogers agreed with Councilor Peterson, but noted that having two project lists in competition with one another doesn't make sense.

Commissioner Kennemer noted that this is just the first of many steps and the committee should make their partners aware of all the projects of interest, before beginning the refining process.

Mr. Hanson noted that he did not think of it as two separate lists, as unless there is a fundamental policy difference, he would expect ODOT to defer to the project list created by JPACT.

Commissioner Stuart stated his preference for sending either a prioritized list of projects or a letter stating the committee's principles.

After continued discussion, Chair Burkholder stated that the cover letter could be revised to include a paragraph that would state: *As JPACT works with ODOT to develop a recommendation, in addition to addressing the OTC's criteria for prioritizing projects and consider the candidate projects identified by ODOT to date, the committee also intends to address the principles and project issues specified in the comment list.* This revision would satisfy two issues: 1) making a public comment and; 2) alerting ODOT that there are key issues the committee is wrestling with.

MOTION: Councilor Newman moved to adopt the letter with the aforementioned changes. Councilor Peterson seconded the motion.

MOTION TO AMEND MAIN MOTION: Commissioner Sam Adams noted that while the region is the largest contributor of gas tax to the state, he feels there are inequities in what is given back. He moved to include a statement in the letter mentioning the need for a more proportionate gas tax distribution, which was seconded by Councilor Peterson.

VOTE ON MOTION TO AMEND MAIN MOTION: The motion unanimously passed.

MOTION TO AMEND #2: Commissioner Kennemer moved to remove comment #1, which was seconded by Commissioner Adams.

VOTE ON MOTION TO AMEND #2: The motion passed, with Commissioner Stuart and Councilor Newman opposing.

MOTION TO AMEND #3: Commissioner Kennemer moved to add language to Section D, stating that JPACT is interested in participating in further coordination between the OIPP process and the prioritization of corridor planning work for the I-205 corridor.

VOTE ON MOTION TO AMEND #3: The motion unanimously passed.

VOTE ON MAIN MOTION AS AMENDED: Chair Burkholder moved to approve the main motion as amended. With Commissioner Rogers and Commissioner Stuart voting no, and Mr. Tell abstaining from the vote, the motion passed.

VII. INFORMATION / DISCUSSION ITEMS

2035 Regional Transportation Plan (RTP) Update

Chair Burkholder announced plans for an upcoming RTP workshop. The workshop will take place on Thursday, April 20th at 8am at the Oregon Convention Center. The purpose of the workshop will be to gather input from participants on the design of the outreach effort and to talk about and come to an agreement of key issues. Stakeholder groups have also been invited to the workshop in order to foster a diverse and robust discussion.

MTIP Allocation Update re: I-205/LRT Commuter Rail / N. Macadam Streetcar

Mr. Cotugno updated the committee on a change in the use of MTIP funds for Commuter Rail, Portland Streetcar and I-205/Mall LRT Projects. He directed the committee's attention to a memo (included as part of this meeting record), which details the changes and impacts of those changes. He asked the committee if they felt comfortable with this as an informational item, or if they preferred it be brought back to them for action. After reviewing the changes and impacts, the committee felt it would not be necessary to revisit the issue at a future meeting as an action item.

VIII. ADJOURN

There being no further business, Chair Rex Burkholder adjourned the meeting at 8:57 a.m.

Respectfully submitted,

Jessica Martin
Recording Secretary

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE 2006-09 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM TO ADD NEW PROJECTS RECEIVING FUNDING FROM THE 2005 FEDERAL TRANSPORTATION AUTHORIZATION ACT AND FROM AN AWARD OF THE STATE TRANSPORTATION ENHANCEMENTS DISCRETIONARY FUND	))))))))	RESOLUTION NO. 06-3694 Introduced by Councilor Rex Burkholder

WHEREAS, the Metropolitan Transportation Improvement Program (MTIP) prioritizes projects from the Regional Transportation Plan to receive transportation related funding; and

WHEREAS, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council must approve the MTIP and any subsequent amendments to add new projects to the MTIP; and

WHEREAS, the JPACT and the Metro Council approved the 2006-09 MTIP on August 18, 2005; and

WHEREAS, various transportation agencies in the region were awarded funding in the 2005 Federal Transportation Authorization Act (Safe, Accountable, Flexible and Equitable Transportation Efficiency Act – a Legacy for Users or SAFETEA-LU); and

WHEREAS, the director of the Oregon Department of Transportation has nominated the restoration and temporary operations support of the Willamette Falls Locks in Clackamas County for funding from discretionary Transportation Enhancements funds; and

WHEREAS, the city of Gresham will be constructing two street projects: 190th Avenue between the Gresham city limits and Cheldelin Street and Geise Road between 182nd and 190th Avenues with local funds to be financed through the State Infrastructure Bank; and

WHEREAS, projects to be financed through the State Infrastructure Bank need to be included in the MTIP; and

WHEREAS, these projects have been assessed for impacts to regional air quality analysis and found to comply with the State Implementation Plan for air quality; and

WHEREAS, these projects have are consistent with the policies and objectives of the Regional Transportation Plan; and

WHEREAS, these projects are new transportation projects requiring amendment into the MTIP prior to these funds being made available to the projects; and

WHEREAS, new projects to be amended into the MTIP require approval by JPACT and the Metro Council; and

WHEREAS, the new projects to be added to the MTIP are listed in Exhibit A; now therefore

BE IT RESOLVED that the Metro Council hereby amends the 2006-09 Metropolitan Transportation Improvement Program to include the projects as described in Exhibit A.

ADOPTED by the Metro Council this 18th day of May 2006.

David Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney

Exhibit A
Resolution No. 06-3694

The Portland metropolitan area received several project funding earmarks through the SAFETEA High Priority Project and/or Transportation Improvements Program funding, an award of discretionary Transportation Enhancements funds, and locally funded projects in the City of Gresham. Programming of federal funds to these projects is outlined in tables below.

SAFETEA High Priority Project – Transportation Improvements Program earmarks

Barber Road: Kinsman to 110th	2006	2007	2008	2009
PE – Final Design	$1,480,000			
Right-of-Way		$740,000		
Construction			$740,000	$740,000

Columbia Corridor Rail	2006	2007	2008	2009
PE – Final Design	$4,400,000			
Construction		$2,200,000	$2,200,000	$2,200,000

I-205/Airport Way Interchange	2006	2007	2008	2009
PE – Final Design	$400,000	$200,000	$200,000	$200,000

Macadam Avenue and South Waterfront Access	2006	2007	2008	2009
PE – Final Design	$4,400,000			
Right-of-Way		$2,200,000		
Construction			$2,200,000	$2,200,000

Gresham Civic LRT Station and Plaza	2006	2007	2008	2009
PE – Final Design	$468,160			
Construction		$234,080	$234,080	$234,080

Lake Road: Hwy 224 to 21st Avenue	2006	2007	2008	2009
PE – Final Design	$1,600,000			
Right-of-Way		$800,000		
Construction			$800,000	$800,000

Tualatin River Wildlife Refuge Access	2006	2007	2008	2009
PE – Final Design	$317,440			
Right-of-Way		$158,720		
Construction			$158,720	$158,720

OR 10: Oleson/Scholls Ferry Rd. Intersection	2006	2007	2008	2009
PE – Final Design	$1,200,000	$600,000	$600,000	
Right-of-Way				$600,000

Portland Streetcar	2006	2007	2008	2009
Planning	$1,500,000	$1,500,000		

I-205/Highway 213 Interchange	2006	2007	2008	2009
Planning	$1,200,000	$600,000	$600,000	$600,000

Interchange Enhancements at I-84 and 257th Avenue	2006	2007	2008	2009
Planning	$400,000	$200,000	$200,000	$200,000

US 26: Cornelius Pass to 185th	2006	2007	2008	2009
Planning	$396,800	$198,400	$198,400	$198,400

Discretionary Transportation Enhancement Fund Project

Willamette Falls Locks	2006	2007	2008	2009
Construction - Operations	$324,300			

Local Programming – City of Gresham

These are local funds only, but need to be programmed in the MTIP to be eligible for financing through the State Infrastructure Bank.

190th Avenue: City Limits to Cheldelin	2006	2007	2008	2009
PE – Final Design	$375,000			
Right-of-Way	$1,065,000	$1,065,000		
Construction		$2,125,000		

Giese Road: 182nd to 190th	2006	2007	2008	2009
PE – Final Design	$330,000			
Right-of-Way		$260,000		
Construction		$1,920,000		

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 06-3694, FOR THE PURPOSE OF AMENDING THE 2006-09 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM TO ADD NEW PROJECTS RECEIVING FUNDING FROM THE 2005 FEDERAL TRANSPORTATION AUTHORIZATION ACT AND FROM AN AWARD OF THE STATE TRANSPORTATION ENHANCEMENTS DISCRETIONARY FUND

Date: May 18, 2006 Prepared by: Ted Leybold

BACKGROUND

The Joint Policy Advisory Committee on Transportation and the Metro Council must approve the amendment of new projects to the Metropolitan Transportation Improvement Program for the Metro Area.

The Federal Transportation Reauthorization Act (Safe, Accountable, Flexible, Equitable Transportation Efficiency Act – a Legacy for Users or SAFETEA-LU) designated several transportation projects in the Metro Area to receive transportation funding. Those projects included in Exhibit A to Resolution 06-3694 are proposed to be added to the 2006-09 Metropolitan Transportation Improvement Program (MTIP).

Clackamas County has also received a state administered Transportation Enhancement discretionary funding for a new project to repair and temporarily operate the Willamette Falls Locks. The purpose and administrative rules to this funding program are provided as Attachment 1 to this staff report. These funds are awarded by the director of the Oregon Department of Transportation. As they are federal funds for a new project within the Metro area, however, they must be programmed in the MTIP to be eligible for use by the recipient agency.

The city of Gresham is also proposing to program local funds to two street improvement projects, 190th Avenue and Giese Road, into the 2006-09 MTIP. Gresham intends to use financing opportunities through the Oregon State Infrastructure Bank that will be funded through local system development charges. To qualify to use the state infrastructure bank, the projects must be included in the MTIP. These projects are included in the Regional Transportation Plan.

Air quality conformity analysis and consultation was performed for these projects with state and federal partners April 20 through April 28, 2006. Adjustments to the analysis were made based on this consultation. Consultation was also completed with TPAC at its meeting on April 28, 2006. The air quality analysis is provided as Attachment 2 to this staff report.

ANALYSIS/INFORMATION

1. **Known Opposition** None known at this time.

2. **Legal Antecedents** Amends the 2006-09 Metropolitan Transportation Improvement Program as adopted by Metro Resolution No. 05-3606 on August 18, 2005 (FOR THE PURPOSE OF APPROVING THE 2006-09 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM FOR THE PORTLAND METROPOLITAN AREA).

3. Anticipated Effects Adoption of this resolution allows transportation agencies in the Metro Area to access federal funding for the transportation projects identified in Exhibit A of the resolution.

4. **Budget Impacts** None.

RECOMMENDED ACTION

Staff recommends the adoption of Resolution No. 06-3694.

DATE: April 13, 2006

TO: Oregon Transportation Commission

FROM: Matthew L. Garrett
Director

SUBJECT: Transportation Enhancement (TE) Discretionary Funding
Willamette Falls Locks: Rehabilitation and Interim Operations

Requested Action:
Approve an amendment to the 2006-2009 Statewide Transportation Improvement Program to add the Willamette Falls Locks: Rehabilitation and Interim Operations project. Funding of $318,300 in TE Discretionary funds to support seasonal operation costs at Willamette Falls Locks for a two-year period.

Background:
The Willamette Falls Locks, operated by the U.S. Army Corps of Engineers, connect the upper and lower sections of the Willamette River at Oregon City and West Linn, providing the only passage for boats around the 40-foot high Willamette Falls. The Corps' operating budget has been steadily decreasing in recent years, and the 2006 budget puts the locks in "caretaker" status, essentially closing the locks for all uses except the one-day Lock Fest event and rare emergencies. The locks are in imminent danger of being permanently closed unless local or state funding and operation can be arranged.

Continued operation of Willamette Falls Locks is designated an Oregon Solutions project by the Governor. State, federal, and private-sector partners have been meeting since October 2005 to plan for long-term operation and funding of the Locks. In the meantime, the locks are essentially closed, but a number of industrial and recreational users want to utilize the locks as early as June 2006.

To meet these short term needs, and provide time to develop the longer-term strategy, the Oregon Solutions partners (including the Corps of Engineers) are working to secure funds for interim operations in Fiscal Years 2006 and 2007. The request for TE funds is part of that effort.

The request is for "rehabilitation and operation" funds to allow seasonal operation of the historic Willamette Falls locks and canal for a two year interim period. $410,300 is needed to provide service five days a week for five months a year between May and October. The main costs are: lock operator salaries (not otherwise in the Army Corps of Engineers budget); essential training; materials, supplies and service costs; routine maintenance; and minor repairs critical for safe operation. There will also be public tours and other activities to educate the public about the historic nature of the locks. Over 25 percent of the cost will be paid by the partner agencies and through contributions from recreation and historic preservation interest groups, and the business community.

The proposed two-year term of this project underscores that this is interim funding. The Oregon Solutions partners are confident that during those two years, they can successfully arrange for continued operations and secure long-range funding.

Permanent closure of the locks would mean losing an important historical asset, the oldest continuously operating multi-lock system in America, and a legacy of Oregon's industrial development. It would divide the Willamette River just at a time when communities are focusing on the river in their community revitalization and economic development efforts.

Continuation of locks operations will create an opportunity to turn the locks into a cultural destination in themselves, and promote recreational and tourist commercial boat traffic from Portland to areas upriver from the falls. The Governor recently celebrated the opening and further plans for the Willamette River Water Trail.

Discussion:
September 10, 2004 was the application deadline for 2006-2008 TE funding through the competitive process. The first inquiry about the subject project was in October 2005. The application period now under way (February 1– June 30, 2006) is for projects going to contract in 2009 and later. This project cannot wait that long. It is important to ensure continued operation of Willamette Falls Locks on at least a seasonal basis to avoid irretrievable loss of an important transportation link and a significant historic resource.

The Transportation Enhancement program provides federal funds for projects that strengthen the cultural, aesthetic, or environmental value of our transportation system.

In April 2002, the Oregon Transportation Commission approved a TE Discretionary Account with funding at $2 million per year starting in 2006. This allows the Oregon Department of Transportation to apply TE funds to qualified projects as needs become known, separate from the statewide competitive process. Use of the Discretionary Account is guided by a general policy adopted by the OTC in November 2003, and detailed implementing procedures adopted by the TE Advisory Committee. Projects are subject to the same eligibility criteria and selection priorities used in the competitive process.

This project is eligible for TE funding under TE Activity #7: Rehabilitation and Operation of Historic Transportation Facilities. The request for funds is part of an Oregon Solutions team effort. Matching funds from more than ten public and private sector partners will cover about 30 percent of the overall cost. Short-term and long-range planning efforts have been under way since October 2005. If funding is approved, the locks will be open to commercial and personal river traffic on a regular schedule between May and September in 2006 and 2007, while long-range financing is secured. TE Discretionary Account funds needed for this project can be advanced from the Fiscal Year 2007 allocation for use in 2006 and 2007.

Attachments: 1. Focus Areas for the FY 2008-2011 Funding Cycle
2. Excerpts from "Implementing Procedures for the Discretionary Account"
Vicinity and Location Maps

Copies (w/attachments) to:

Doug Tindall	Joan Plank	Mike Marsh	Patrick Cooney
John Jackley	Marty Andersen	Pat Fisher	Jason Tell

Transportation Enhancement Program
Focus Areas for the FY 2008-2011 Funding Cycle

In January 2006 the Oregon Transportation Commission decided that the highest priority for Transportation Enhancement funding in Fiscal Years 2008 through 2011 will go to projects that fall into one or more of the following project types:

- Bicycle and pedestrian facilities
- Repair and operation of historic transportation buildings
- Landscaping and scenic preservation
- Control of highway-related water pollution
- Main streets and streetscape projects

Projects that address the following will also receive preference in the project selection process:

- Benefits a state highway or state-owned transportation facility.
- Benefits a rural/distressed community or a county facing a severe drop in road funds due to the loss of Secure Rural Schools and Community Self Determination Act of 2000
- Benefits a Special Transportation Area (STA).
- Supports or augments an upcoming pavement preservation project, mixed-use or compact development, or Governor's Economic Revitalization Team effort.
- Directly supports existing tourism and economic development efforts or that has tourism promotion or economic development as its primary focus.

Qualifying Transportation Enhancement Activities

1. Provision of facilities for pedestrians and bicyclists
2. Provision of safety and educational activities for pedestrians and bicyclists
3. Acquisition of scenic easements and scenic or historic sites (including historic battlefields).
4. Scenic or historic highway programs (including the provision of tourist and welcome center facilities)
5. Landscaping and other scenic beautification
6. Historic preservation
7. Rehabilitation and operation of historic transportation buildings, structures, or facilities (including historic railroad facilities and canals)
8. Preservation of abandoned railway corridors (including the conversion and use of the corridors for pedestrian or bicycle trails)
9. Inventory, control and removal of outdoor advertising
10. Archaeological planning and research
11. Environmental mitigation—to address (i) water pollution due to highway runoff; or (ii) reduce vehicle-caused wildlife mortality while maintaining habitat connectivity
12. Establishment of transportation museums

Excerpts from "**Implementing Procedures for the Discretionary Account**"

I. Purpose

The purpose of the TE Discretionary Account is to allow ODOT to apply TE funds directly to qualified projects as needs become known, separate from the competitive selection process. It provides a means for funding TE activities that have a desired delivery time less than the typical two to four years, and it allows ODOT to leverage TE funds with other funding when opportunities arise outside the defined TE application period.

Most TE funds are awarded through a statewide competitive process on a two-year cycle. The TE Discretionary Account allows for expedited consideration and funding of projects that cannot wait for the next selection cycle. These funds are not meant for projects that could have competed in the previous selection cycle, or that can likely be completed with other funds. They may be used only when other sources of financial support are unavailable or insufficient.

II. Intended Projects

TE Discretionary funds are primarily for start-up or "gap" funding on multi-agency projects, though stand-alone projects advanced by a single applicant can also qualify. Projects must be ready to proceed. Most will have design or development efforts already in progress. Projects that directly support tourism or economic development receive preferential consideration.

Prospective projects must meet the same eligibility and technical requirements as TE projects awarded through competitive selection. They must fit the existing "project selection criteria" and represent an effective use of funds for efforts that promote the intent of the TE program. Projects must also demonstrate:

- A clear sense of urgency, including a convincing reason why the project cannot wait for the next selection cycle, and why it was not submitted in the last cycle.
- Strong local support for advancing the project immediately.

VI. Application and Review Process (summary)

1. **Notice of Intent**
   Applicant submits a NOI to the TE Program Manager. The narrative must explain the elements of urgency, readiness, and local support that justify immediate action.

2. **Eligibility Determination**
   TE Program Manager determines if the proposal is eligible for TE funding.

3. **Urgency/Need Determination**
   TE Advisory Committee considers the project's urgency, readiness and local support to determine if TE Discretionary funds are appropriate. They then decide to endorse or oppose advancing it for technical review and scoring.

4. **Application and Supporting Documents**
   Applicant provides a complete application, with detail and supporting documents sufficient for technical review and scoring.

5. **Technical Review and Scoring**
   ODOT staff conducts a technical review, and with that information the TE Advisory Committee scores the proposal according to pre-established selection criteria.

6. **ODOT Director Review**
   TE Program Manager forwards the proposal to the ODOT Director. Director may endorse it as is, or return it to Committee or applicants for clarification and revisions.

7. **Request to OTC**
   ODOT Director submits the funding request for OTC approval.

8. **OTC Approval**
   OTC approves TE Discretionary funds and approves adding the project to the Statewide Transportation Improvement Program (STIP).

M E M O R A N D U M

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1700 | FAX 503 797 1794

METRO

DATE: April 19, 2006

TO: TPAC and Interested Parties

FROM: Ted Leybold, Mark Turpel

SUBJECT: Portland Metro area SAFETEA-LU High Priority Projects Conformity Consultation

* * * * * * *

As the Portland metropolitan area is in maintenance status for carbon monoxide (CO), an air quality conformity analysis and consultation is required prior to programming new projects into the Metropolitan Transportation Improvement Program. Following is the air quality analysis and draft conformity determination for High Priority Project funding authorized to transportation projects in the Portland metropolitan area air quality maintenance boundary through SAFETEA-LU legislation, for a project award of discretionary Transportation Enhancement funds, and a change in local funding scheduled for two city of Gresham projects.

Proposed Process

This memorandum outlines the proposed air quality methodology to be used to conform the proposed projects to the state implementation plan for air quality and is the basis for consultation with air quality staff and TPAC. The project air quality analysis and methodology includes an assessment of why the project conforms to the SIP. After consultation, these projects will proceed through the amendment process to be added to the TIP.

New MTIP Projects

Projects Needing Assessment as to Whether Air Quality Conformity Analysis is Needed and Consultation

The following projects will be new projects in the Portland area MTIP and not exempt from air quality conformity or a regional emissions analysis.

Barber Road: Kinsman to 110th: $3,700,000 for engineering, right-of-way and construction of a 3-lane arterial street in Wilsonville.

Air Quality Assessment: Funding of this project on the proposed programming schedule (right-of-way phase in 2009) is consistent with the 2005 MTIP Conformity analysis. The 2005 conformity analysis projected this facility would be constructed and operating in 2011-15 time frame, consistent with this earmark.

Columbia Corridor Rail: $11,000,000 to construct freight rail projects that relieve rail congestion.

Air Quality Assessment: The $11 million Columbia Corridor SAFETEA-LU earmark will be put towards two projects:
1. Leadbetter overcrossing (RTP #4087) - The project has already been through conformity and is expected to be constructed and operational by 2010. This project is already through PE and into ROW. These funds will help complete construction by 2009.
2. Ramsey Rail Yard (RTP #4082) - The project involves no on-road facilities and is not a travel demand model input. This type of project is not included in transportation conformity determinations, as only on-road transportation modes are analyzed.

Willamette Falls Locks: $$425,300 ($324,300 federal Transportation Enhancement) to rehabilitate and provide for temporary operation of the historic locks and canal for seasonal operation.

Air Quality Assessment: This type of project is not included in transportation conformity determinations, as only on-road transportation modes are analyzed.

I-205/Airport Way Interchange: $15,000,000 ($1,000,000 federal) for planning and project preliminary engineering and right-of-way work up to but not including acquisition. Other work includes an Interchange Area Management Plan (IAMP), environmental work, preliminary and final plans for construction, specifications and estimates for construction.

Air Quality Assessment: This project was included in the 2005 air quality conformity determination.

Macadam Avenue and South Waterfront Access: $11,000,000 to construct a new exit ramp from I-5 Northbound to N Macadam Avenue that will fly-over N. Macadam to land on the right lane to allow access to the South Waterfront area.

Air Quality Assessment: This project was included in the 2005 air quality conformity determination and the scheduled programming of earmark funds is consistent with the project being constructed and operating in the 20011-2015 time frame as assumed in the conformity analysis.

Gresham Civic LRT Station and Plaza: $1,170,400 to construct a light rail station with adjoining public plaza and station area development.

Air Quality Assessment: This station was included in the transit network, accounting for the light rail operation schedule. However, the transportation analysis zone (TAZ) surrounding the Gresham Civic Station was connected to the next light rail station. Metro travel forecasting staff has concluded that while connecting the TAZ to the Gresham Civic Station would slightly change the ridership and vehicle miles traveled, such a change would be very very small. Further, as there is no park and ride facility at this station, such a change would not significantly change the regional air quality emission total. Accordingly, staff recommend that this qualitative assessment suffice and no quantitative air quality analysis be done (This would entail re-running the travel model and rerunning the MOBILE6.2h, air quality model). The TAZ surrounding this station will be connected to this station in the next emissions analysis.

190th Avenue, City Limits to Cheldelin (RTP # 7036): Widen to five lanes with sidewalks and bike lanes. Project is in the RTP financially constrained system but local System Development Charge funds will finance construction of this facility by 2009 rather than the planned 2016-2025 time frame.

Air Quality Assessment: Although scheduled for construction in the 2026-2025 timeframe in the Regional Transportation Plan, this project was actually modeled as constructed by 2010 in the 2005 MTIP air quality conformity determination. Therefore, the project has been analyzed as meeting conformity.

Giese Road, 182nd to 190th (RTP #7040): Upgrade two-lane rural street to urban standards with sidewalks and bike lanes and turn pockets at intersections. Project is in the RTP financially constrained system but local System Development Charge funds will finance construction of this facility by 2009 rather than the planned 2016-2025 time frame.

Air Quality Assessment: Although scheduled for construction in the 2026-2025 timeframe in the Regional Transportation Plan, this project was actually modeled as constructed by 2010 in the 2005 MTIP air quality conformity determination. Therefore, the project has been analyzed as meeting conformity. Furthermore, the project is not viewed as regionally significant, even though a slight increase to the vehicle capacity of the facility is identified in the travel demand model.

Projects that are not regionally significant

Lake Road: Hwy 224 to SE 21st: $4,000,000 to reconstruct Lake Road and add sidewalks and pedestrian enhancements and bike lanes.

Air Quality Assessment: Funding of this project on the proposed schedule is consistent with the 2005 MTIP Conformity analysis. The existing conformity analysis projected this facility would be constructed and operating in 2011-15 time frame. Furthermore, as no new travel lanes will be added as part of this reconstruction project, the project is not regionally significant. There is no affect on motor vehicle capacity that could be measured by a regional model travel demand and emissions model effort. Therefore, the project is conformed to the State Transportation Plan for air quality.

Tualatin River Wildlife Refuge Access: $793,600 to construct transportation facilities at the Tualatin River Wildlife Refuge. The project will add a turn refuge on an existing road for access into and driveway access improvements to the parking area of the Tualatin Wildlife refuge.

Air Quality Assessment: This project is not regionally significant and will not result in any measurable results from the regional travel demand model or air quality emissions model. Therefore, the project is conformed to the State Transportation Plan for air quality.

Regional Emissions Analysis not required per Table 3

OR 10: Oleson/Scholls Ferry Rd Intersection: $3,000,000 for preliminary engineering and right-of-way to reconfigure the intersection of Beaverton-Hillsdale highway (OR 10), Oleson and Scholls Ferry Road. Oleson Road will be relocated approximately 600 feet to the east to improve motor vehicle safety and intersection operations. Project will also add bike lanes and sidewalks and improve bus transit stops at the intersection.

Air Quality Assessment: Project is exempt from Regional Emissions Analysis per Table 3. Project modifies the configuration of this signalized intersection. Funding schedule is consistent with the 2005 MTIP Conformity analysis of this facility being constructed and operating in 2011-15 time frame.

Exempt Projects per Table 2

Portland Streetcar: $3,000,000 for planning and project development work (environmental and preliminary design) for extensions to the Portland streetcar system. Potential extensions are east across the Broadway bridge to serve the Lloyd District, central eastside and OMSI and south through the South Waterfront district to Lake Oswego.

Air Quality Assessment: This work is exempt from air quality conformity determination per Table 2: Other; Specific activities which do not involve or lead directly to construction, such as planning and technical studies.

I-205/Highway 213 Interchange: $3,000,000 for to complete an interchange area management plan and conduct environmental work.

Air Quality Assessment: This work is exempt from air quality conformity determination per Table 2: Other; Specific activities which do not involve or lead directly to construction, such as planning and technical studies.

Interchange Enhancements at I-84 and 257th: $1,000,000 for planning and project development work to develop alignment design and preliminary environmental work for interchange and surrounding access roads.

Air Quality Assessment: This work is exempt from air quality conformity determination per Table 2: Other; Specific activities which do not involve or lead directly to construction, such as planning and technical studies.

US 26: Cornelius Pass to 185th: $992,000 for planning and project development work to develop feasibility of widening of highway and preliminary environmental work.

Air Quality Assessment: This work is exempt from air quality conformity determination per Table 2: Other; Specific activities which do not involve or lead directly to construction, such as planning and technical studies.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF RECOMMENDING APPROVAL BY THE OREGON ENVIRONMENTAL QUALITY COMMISSION OF THE DRAFT 2006 PORTLAND-VANCOUVER AQMA (OREGON PORTION) AND SALEM KEIZER AREA OZONE MAINTENANCE PLAN	))))))	RESOLUTION NO. 06-3695 Introduced by Michael Jordan, Chief Operating Officer, with the concurrence of Council President Bragdon

WHEREAS, in accordance with the Clean Air Act Amendments (CAAA) of 1990, the U.S Environmental Protection Agency (EPA) designated the Portland metropolitan region a marginal nonattainment area for the one-hour ozone standard; and

WHEREAS, because of the region's air quality designation, the CAAA required that an ozone maintenance plan be prepared for the region; and

WHEREAS, the Metro Council, after consultation and coordination with the Joint Policy Advisory Committee on Transportation (JPACT), approved Resolution No. 96-2260, For the Purpose of Recommending to the Environmental Quality Commission the Transportation Control Measures (TCM's), Contingencies, and Emissions Budgets to Be Included in the Portland Region's Ozone and Carbon Monoxide (CO) Maintenance Plans; and

WHEREAS, the Oregon Environmental Quality Commission (EQC) adopted the 1996 Ozone Maintenance Plan on July 12, 1996, and, in turn, the EPA approved said plan on May 19, 1997; and

WHEREAS, although the region has not violated the one-hour ozone standard since 1998, and has not violated the new eight-hour ozone standard, the CAAA and EPA rules require that the region update the 1997 Ozone Maintenance Plan to demonstrate continued maintenance of ozone standards through the year 2015; and

WHEREAS, the Oregon Department of Environmental Quality (DEQ) has prepared a memo to interested parties dated April 11, 2006 and the draft 2006 Portland-Vancouver AQMA (Oregon Portion) and Salem Keizer Area Ozone Maintenance Plan dated April 18, 2006 ("Draft 2006 Ozone Maintenance Plan"), attached hereto concurrently as Exhibits A and B; and

WHEREAS, the Draft 2006 Ozone Maintenance Plan includes continuation of Employee Commute Options program, Industrial Emission Management program and air quality contingency plans which help ensure coordination between the state and region with regard to integrating transportation, land use and air quality; and

WHEREAS, DEQ has, in accordance with state and federal requirements, asked for public comment on the Draft 2006 Ozone Maintenance Plan; and

WHEREAS, the Transportation Policy Advisory Committee (TPAC), JPACT and the Metro Council have reviewed and considered the Draft 2006 Ozone Maintenance Plan; now, therefore

BE IT RESOLVED that the Metro Council hereby recommends that the EQC approve the Portland metropolitan region's portion of the Draft 2006 Ozone Maintenance Plan.

ADOPTED by the Metro Council this _____ day of May 2006.

David Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney

Exhibit A to Metro Resolution No. 06-3695

State of Oregon
Department of Environmental Quality Memorandum

Date: April 11, 2006

To: Interested Persons

From: Marianne Fitzgerald, (503) 229-5946

Subject: Portland-Vancouver and Salem Ozone Maintenance Plan and Proposed Rule Revisions

Background

The Portland area has exceeded federal clean air standards for ground level ozone (commonly known as summertime smog) in the past. The Oregon Department of Environmental Quality (DEQ) and the Southwest Clean Air Agency (SWCAA) developed Ozone Maintenance Plans for the Portland-Vancouver Air Quality Maintenance Area (AQMA) in 1996 that included several strategies to reduce emissions of air pollutants. DEQ and SWCAA are now updating the plans to demonstrate how the AQMA will maintain air quality within the 8-hour ozone standard through 2015. DEQ is also updating the ozone maintenance plan for the Salem area.

Maintenance Plan Proposal

Air quality data and projections show that the region will maintain clean air with the current programs in place. DEQ proposes to make certain rule changes to update certain parts of the maintenance plans affecting Portland and Salem. Highlights of the proposals include the following:

- Retain existing rules and strategies in the current ozone maintenance plans;
- Revise rules for Employee Commute Options to reduce administrative burdens while maintaining alternative commute programs at larger employers;
- Update rules for Industrial Emission Management in the Portland area, to manage growth of major new and expanding industrial sources;
- Redesignate Salem from a nonattainment area to a maintenance area under state rules; and
- Update rules for New Source Review in the Salem area, to manage growth of major new and expanding industrial sources.
- Amend DEQ rules to reflect the new federal ozone air quality standard, from the old 1-hour standard (which EPA has revoked) to the current federal 8-hour standard of 0.08 ppm, three year average.

The purpose of this memo is to let interested people know about the proposed plan and rule changes. Here is the schedule:

Informational Meeting

Friday, April 21, 2006, 8:30 am
DEQ Headquarters, Room 3A
811 SW Sixth Avenue
Portland

Rules Advisory Committee Meeting

Thursday, May 4, 2006, 8:30 am
DEQ Headquarters, Room 3A
811 SW Sixth Avenue
Portland

Other key dates:

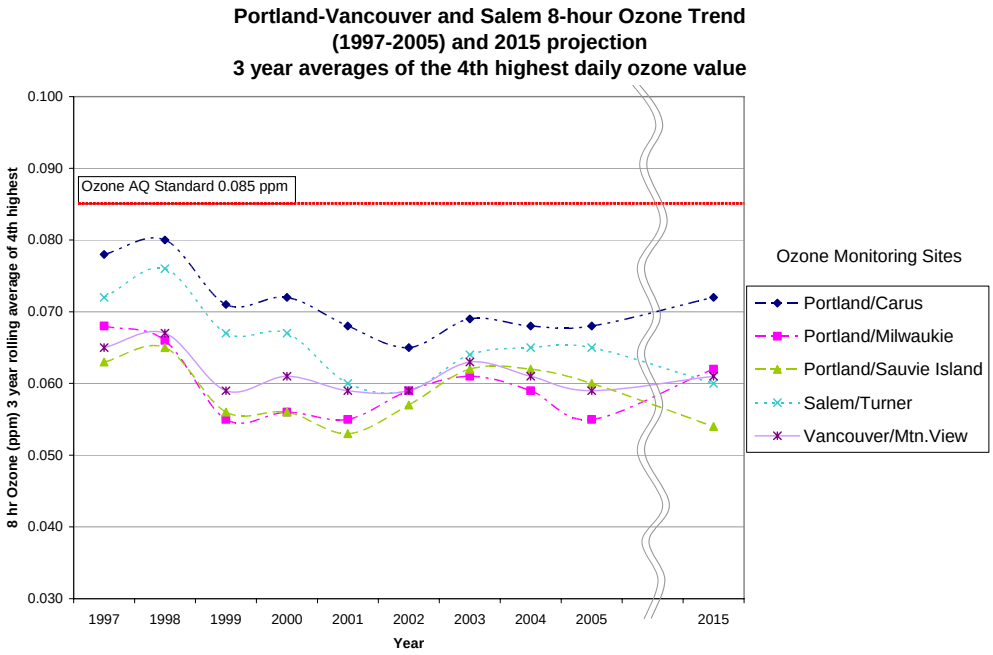
- Public Comment Period: June 1 to July 14, 2006
- Public Hearing: July 11, 2006 (Salem and Portland)
- EQC Adoption: December 14 or 15, 2006

Ozone Air Quality

Ozone air pollution is often called summertime smog. Pollutants known as volatile organic compounds (VOCs) and oxides of nitrogen (NO_x) combine with oxygen to form ground level ozone on hot, stagnant summer days. Ozone producing emissions come from a wide variety of sources. Exposure to high levels of ground-level ozone can damage lung tissue and can be especially harmful to older people, children and people with respiratory ailments such as asthma.

The U.S. Environmental Protection Agency (EPA) revised the ozone standard from a 1-hour average of 0.12 ppm to an 8-hour average of 0.08 ppm in July 1997. After a lengthy court battle, the courts upheld the 8-hour ozone standard in 2002. EPA adopted rules to implement the 8-hour ozone standard on April 30, 2004, and revoked the 1-hour standard effective June 15, 2005.

Figure 1



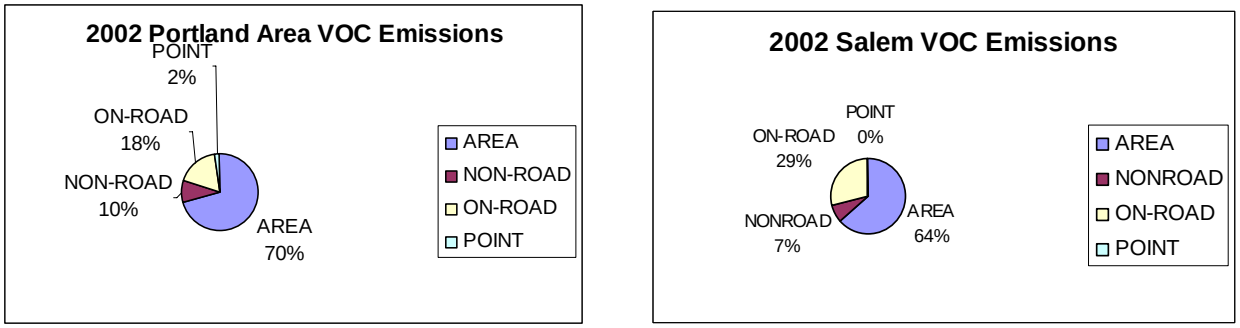
No violations of the 8-hour ozone standard have been recorded in Portland or Salem (see Figure 1). A violation is based on averaging the fourth highest daily 8-hour ozone values over a rolling three year period. There were exceedances of the 1-hour and 8-hour standards in 1996 and 1998 (based on the highest daily maximum 8-hour ozone value).

EPA designated the State of Oregon in “attainment” with the 8-hour ozone standard, effective June 15, 2004, based on air quality data from monitoring sites in the Portland-Vancouver, Salem, Eugene, and Medford areas. The federal Clean Air Act and EPA rules require DEQ to update the maintenance plan for Portland and Salem because they have violated the one-hour ozone standard in the past.

Where does the pollution come from?

The latest emissions estimates indicate that the largest contributors of VOC emissions are "area sources" which are primarily from households, small businesses and other small diffuse sources (see Figures 2 and 3). Area sources include household consumer products, paints and other surface coating, dry cleaners, printing operations, open burning and wildfires. Mobile sources, which include both on-road motor vehicles and non-road engines, also are a major source of VOC emissions as well as air toxics and greenhouse gases. On-road motor vehicle emissions are projected to decrease as federal engine and fuel standards phase in over the next ten years. Emissions from small engines, including lawnmowers, construction equipment and recreational watercraft, are projected to increase due to population increases in the region. Industrial (point) sources are a relatively small portion of the 2002 emission inventory.

Figure 2: VOC Emissions in Portland and Salem



Future Year Forecast

DEQ calculated 2015 air quality values using air quality dispersion modeling techniques. Modeling projections for 2015 ozone values are based on simulating meteorological conditions during a July 1998 episode that produced the highest ozone values in recent years. The model applies future year emission estimates to the meteorology and calculates ozone values. The 2015 maintenance projection predicts that the Portland-Vancouver AQMA and Salem-Keizer Area Transportation Study (SKATS) will remain in compliance with the 8-hour ozone standard (see Figure 1).

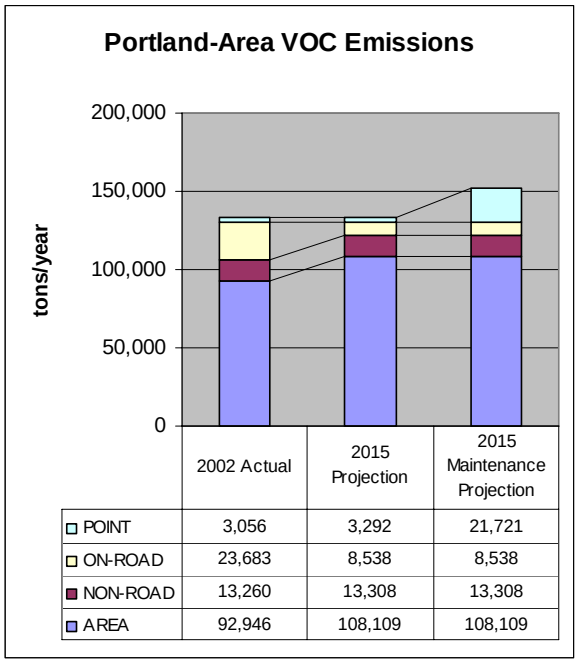
Figure 3 illustrates emission projections for 2015 in both Portland and Salem. These emission values are in tons per year and represent the annual emissions estimates. The Portland area includes Clackamas, Multnomah and Washington Counties. The Salem area includes Marion and Polk Counties.

- The "2002 actual" column represents the baseline year in the maintenance plan.
- The "2015 Projection" column represents the future year emissions using the actual emissions data that industrial sources reported to DEQ in 2002, forecast using employment projections through 2015. Growth factors and modeling techniques were also applied to other sources to calculate the 2015 emissions estimate. The "actual" emissions represent the most likely estimate of future year emissions.
- The "2015 Maintenance Projection" column represents future year emissions using the "allowable" plant site emission limits in industrial source air quality permits. The "allowable" emissions represent the most conservative estimate of industrial emissions

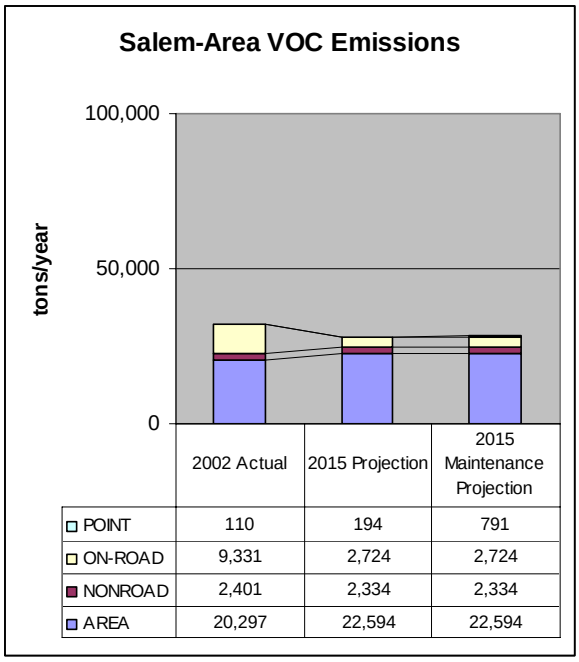
allowed under existing permits. The point source emissions estimate also includes the industrial emissions growth allowance described below.

The "2015 Maintenance Projection" is the emissions inventory used in the air quality dispersion model to determine whether the Portland-Vancouver AQMA and Salem SKATS would maintain compliance with the 8-hour ozone standard. The model predicts that both areas will remain within the 8-hour ozone standard in 2015 (see Figure 1).

Figure 3: VOC Emission Projections



	2002 Actual	2015 Projection	2015 Maintenance Projection
POINT	3,056	3,292	21,721
ON-ROAD	23,683	8,538	8,538
NON-ROAD	13,260	13,308	13,308
AREA	92,946	108,109	108,109



	2002 Actual	2015 Projection	2015 Maintenance Projection
POINT	110	194	791
ON-ROAD	9,331	2,724	2,724
NONROAD	2,401	2,334	2,334
AREA	20,297	22,594	22,594

Air Quality Maintenance Plans for Portland-Vancouver and Salem

DEQ is updating the Oregon portion of the Portland-Vancouver Ozone Maintenance Plan, and developing a Salem Ozone Maintenance Plan, to address federal Clean Air Act requirements and EPA rules. As discussed above, DEQ's air quality modeling analysis demonstrates that even though some sources are projected to increase emissions and other are projected to decrease emissions over the next ten years, the strategies in the plan ensure that ozone air quality will remain within the federal 8-hour ozone standard (see Figures 1 and 3).

Portland-Vancouver Ozone Maintenance Plan

The maintenance plan that was adopted for the Portland-Vancouver AQMA in 1996 contained several rules and programs that reduced VOC and NO_x emissions. These strategies would remain in place and work together to protect air quality as the population increases over the next ten years. These strategies also reduce emissions of air toxics and greenhouse gases that are emerging issues of concern.

The following strategies would remain in the Portland Ozone Maintenance Plan as they currently apply to sources in the Portland area:

- Motor Vehicle Inspection Program;
- Emission Standards for Industrial Sources of VOC;
- New Source Review Program for new and expanding major industrial facilities;
- Voluntary Parking Ratio Rules;
- Barge Loading Rules that control VOCs from gasoline delivery operations;
- Aerosol Paint Rules that lower VOC content from spray paints sold in the Portland area;
- Motor Vehicle Refinishing Rules that require low-emitting painting methods at autobody repair shops; and
- Public education and outreach that encourages people to voluntarily reduce emissions, such as not mowing lawns on Clean Air Action Days, and driving less during Air Pollution Advisories.

The following strategies would also remain in the Portland Ozone Maintenance Plan, but would be modified (see detail below):

- Employee Commute Options (ECO) Program; and
- Industrial Emission Management Program.

Stage II gasoline vapor recovery system requirements for gas stations in the Portland area would remain in effect until enough newer cars and trucks with on-board vapor recovery canister systems become widespread within the motor vehicle fleet.

Salem Ozone Maintenance Plan

The Portland-Vancouver and Salem SKATS Ozone Maintenance Plans are being updated together because Salem's ozone concentrations are impacted by emissions of VOC and NO_x in the Portland area. Salem is technically defined as a "rural" ozone nonattainment area, and a plan was developed in September, 1980 under EPA's rural ozone policy and approved by EPA in 1982. The Salem Ozone Maintenance Plan relies on three strategies:

- Controls on major existing industrial VOC sources under Reasonably Available Control Technology (RACT) rules;
- Controls on major new or expanding industrial VOC sources under Lowest Achievable Emission Rate (LAER) rules; and
- An approved control strategy for the major upwind urban area influencing ozone concentrations in Salem (Portland).

DEQ requested redesignation of Salem to a maintenance area in 1987, but the plan was returned by EPA without formal action. Salem's ozone monitor was temporarily discontinued from 1987 through 1994 due to low ozone air quality levels and agency budget cuts. Following the 1990 Clean Air Act Amendments, Salem was designated a "nonattainment" area with incomplete data. No violations of the 1-hour ozone standard have been recorded at the Salem/Turner monitoring site since 1996, and no violations of the 8-hour ozone standard have ever been recorded.

DEQ proposes to retain the strategies in the Salem Ozone Maintenance Plan, including the industrial source RACT rules, although two rules affecting the Salem area would be modified (see detail below):

- Redesignate Salem from a "nonattainment" area to a "maintenance" area under state rules; and
- Modify requirements for major new industrial sources from "Lowest Achievable Emission Rate" (LAER) to "Best Available Control Technology (BACT); all other new source review requirements would remain the same.

Proposed Revisions to Strategies and Rules

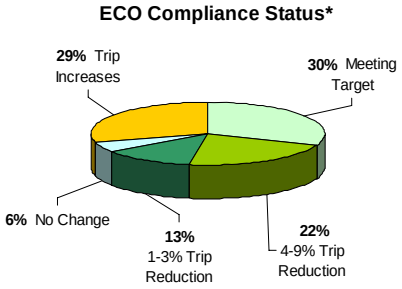
DEQ proposes to amend certain rules as part of the Portland-Vancouver and Salem Ozone Maintenance Plan. The proposed revisions are described below.

Employee Commute Options Program Rules

The Employee Commute Option rules affect employers in the Portland area with more than 50 employees reporting to a single work site. Affected employers must provide incentives for employee use of alternative commute options. The incentives must have the potential to reduce commute trips to the work site by 10% within three years of completing an initial employee survey. Annual surveys measure progress toward this goal.

Key program statistics:

- Number of employer work sites: 1212
- Estimated number of employees affected: 250,000
- Annual Vehicle Miles Traveled reduced: 35.4 million



*based on survey data as of August 2005. Not all employers are required to survey.

Annual survey data indicates that larger employers are more likely to comply with ECO and provide meaningful transportation options to their employees. Larger employers represent most of the employees in the region. Smaller companies make up the majority of employers who are behind with ECO compliance.

- Employers with more than 100 employees generate 92% of the total trip reduction.
- Employers with more than 100 employees make up 86% of the total ECO affected *employees*.
- Employers with more than 100 employees make up 53% of the total ECO affected *employers*.

DEQ is proposing changes that would more effectively focus limited DEQ staff resources on the larger employers, and update some provisions in the rules. The following are proposed changes to the ECO rules:

- Change the threshold for rule applicability from "more than 50" to "more than 100" employees.
- Change the survey requirement from annual to every two years.

- Require all employers to submit an approved plan, or demonstrate that they participate in an equivalent commute trip reduction program, such as EPA's Best Workplaces for Commuters program or TriMet's Passport program.
- Modify the survey requirements to allow an employer to submit follow-up survey results with less than 75% response rate. DEQ would assign single occupancy vehicle trips to the percentage of employees who did not respond up to the 75% rate.
- Eliminate the 2006 sunset date since the ozone maintenance plan does not sunset.
- Require employers that qualify for exemptions (e.g. through restricted parking ratios) to certify every two years that they continue to qualify for the exemption.

The Employee Commute Option Program has been effective in reducing the amount of vehicle miles traveled by single-occupancy-vehicles in the Portland area, thereby reducing air pollution and traffic congestion in the region. The ECO program has resulted in an estimated annual reduction of over 100 tons of VOCs and over 85 tons of NO_x. In addition to the benefits to ozone air quality, DEQ estimates that the ECO program is also effective in reducing over 44 million pounds per year of carbon dioxide (a greenhouse gas), as well as associated air toxics emissions (most notably benzene). DEQ's proposed rule changes would streamline the program and make it more effective in encouraging alternative commute trips among larger employers while providing relief to smaller employers.

Update to the Industrial Emission Management Rules

DEQ proposes to update the Portland-area Industrial Emissions Management Program to support economic development for major new or expanding sources that locate in the Portland area while assuring compliance with the ozone standard. Currently, major new or expanding sources that propose to increase emissions of more than 40 tons/year of VOC or NO_x must "offset" those emission increases. The 1996 Portland Ozone Maintenance Plan established a growth allowance that could be used to offset those emission increases while maintaining clean air. DEQ's modeling analysis shows that the growth allowance could be continued and still maintain air quality within the air quality standard (see Figure 1 and Figure 3).

DEQ proposes to modify the rules to:

- Re-establish the size of the growth allowance at 5000 tons of VOC and 5000 tons of NO_x; and
- Provide an opportunity to replenish the growth allowance, if needed, based on periodic emission inventory updates and an evaluation of ozone air quality monitoring data and trends.

Salem Redesignation and New Source Review

Salem is currently designated a "nonattainment" area under state rules, and major new and modified industrial sources that emit more than 40 tons/year of VOC or NOx are subject to the most stringent emission control technologies known as "Lowest Achievable Emission Rate" (LAER). Once redesignated as a "maintenance" area, state rules would continue to require sources emitting more than 40 tons/year of VOC or NOx to install emission control technology, but would lessen the level of control required from LAER to "Best Achievable Control Technology (BACT). If Salem were not redesignated as a "maintenance" area, but were redesignated a federal attainment area only, then BACT emission control technology would not be required until a new or expanding major industrial source became a Federal Major Source and emitted 100 tons/year or more of VOC or NOx for 28 source categories, or 250 tons/year or more of VOC or NOx for other sources. DEQ believes maintaining a lower maintenance area threshold of 40 tons/year for triggering BACT requirements will better protect future compliance with the ozone standard in the Salem area.

The main difference between LAER and BACT is the consideration of cost. LAER reflects the most stringent level of emission control achievable at the time of permitting, and it must be installed

Exhibit B to Metro Resolution
No. 06-3695

Discussion Draft

Portland-Vancouver AQMA
(Oregon Portion)
and
Salem Keizer Area
Ozone Maintenance Plan

Oregon Department of Environmental Quality
Air Quality Division
811 SW Sixth Avenue
Portland, OR 97204

April 18th
2006

For more information

If you have questions or would like a copy of the proposed rule revisions, please contact Marianne Fitzgerald at DEQ's Air Quality Division in Portland at (503) 229-5946, or fitzgerald.marianne@deq.state.or.us.

DISCUSSION DRAFT

Oregon State Implementation Plan
Section 4.50

Portland-Vancouver AQMA
(Oregon portion)
And
Salem-Keizer Area
8-hour Ozone Maintenance Plan

Table of Contents

DISCUSSION DRAFT

List of Tables

List of Figures

Appendices

DISCUSSION DRAFT

Executive Summary

The Portland area has exceeded federal clean air standards for ground level ozone (commonly known as summertime smog) as recently as 1998. In 1996, the Oregon Department of Environmental Quality (DEQ) and the Southwest Clean Air Agency (SWCAA) developed Ozone Maintenance Plans for the Portland-Vancouver Air Quality Maintenance Area (AQMA) that included several strategies to reduce air pollutants and ensure compliance with ozone standards. These strategies were successful in reducing smog forming emissions and no violations of the ozone standard have occurred in the Portland-Vancouver area since 1998.

In 1997, the U. S. Environmental Protection Agency (EPA) revised the ozone standard from a 1-hour average of 0.12 parts per million (ppm) to an 8-hour average of 0.08 ppm. This 2006 ozone maintenance plan is a revision to the 1996 maintenance plan for the Portland-Vancouver area, and ensures continued compliance with the new 8-hour ozone standard through at least 2015. The plan also includes an ozone maintenance plan for the Salem-Keizer Area Transportation Study (SKATS) area. Both the Portland-Vancouver and Salem areas are covered in the Departments ozone maintenance (modeling) analysis. An ozone maintenance plan update for the Vancouver portion of the Portland-Vancouver AQMA is being prepared by the Southwest Clean Air Agency in Vancouver, Washington.

This 2006 maintenance plan continues the same strategies adopted for the Portland-Vancouver AQMA in 1996 to reduce and manage Volatile Organic Compounds (VOC) and Nitrogen Oxide (NO_x) emissions. Air quality data and projections show that ozone levels can still occasionally approach or exceed the 8-hour ozone standard in the Portland-Vancouver area, but that with the existing strategies in place, the region will maintain compliance with the 8-hour ozone standard. The suite of strategies described below work together to protect air quality as growth and population pressures increase over the next ten years. This suite of strategies will also reduce emissions of air toxics and greenhouse gases that are important emerging issues of concern.

The following strategies will remain in the Portland-Vancouver Ozone Maintenance Plan as they currently apply to sources in the Portland area:

- Motor Vehicle Inspection Program;
- Emission Standards for Industrial Sources of VOC;
- New Source Review Program for new and expanding major industrial facilities;
- Voluntary Parking Ratio Rules;
- Barge Loading Rules that control VOCs from gasoline delivery operations;
- Aerosol Paint Rules that lower VOC content from spray paints sold in the Portland area;
- Motor Vehicle Refinishing Rules that require low-emitting painting methods at autobody repair shops; and
- Public education and outreach that encourages people to voluntarily reduce emissions, such as not mowing lawns and driving less on Clean Air Action Days (now called Air Pollution Advisories).

Strategies that have reduced VOC emissions in the Salem SKATS area will also remain in place, including emission standards for existing industrial source of VOC.

The 2006 maintenance plan includes updates to several programs:

- Revised rules for Employee Commute Options in the Portland Area to reduce administrative burdens while maintaining alternative commute programs at larger employers;
- Updated rules for Industrial Emission Management in the Portland area, to manage growth of new and expanding major industrial sources;
- Designate the Salem-Keizer Air Quality Area as an ozone maintenance area under state rules;
- Revised rules for New Source Review in the Salem area, to change emission control technology requirements for new and expanding major industrial sources; and
- Amended DEQ rules to reflect the new federal ozone air quality standard, from the old 1-hour standard (which EPA has revoked) to the current federal 8-hour standard of 0.08 ppm, three year rolling average.

4.50.1 Background

Ground level ozone, also known as smog, is an air pollutant formed in the atmosphere by a chemical reaction of volatile organic compounds (VOC) and oxides of nitrogen (NO_x). This reaction is most intense on hot summer days with poor ventilation. Ozone is a strong respiratory system irritant that aggravates respiratory illnesses, impairs athletic performance, and can cause permanent respiratory system damage. Ozone can be especially harmful to older people and children, and can damage crops and other materials. In the past, motor vehicles and industrial operations have been the major sources of ozone precursors. We now recognize that other sources such as household products, paints, construction equipment, watercraft and lawnmowers are major contributors to ozone formation.

Historically, the Portland-Vancouver and Salem-Keizer areas violated the national ambient air quality standard (NAAQS) for ground level ozone[1]. The Portland-Vancouver Air Quality Maintenance Area (AQMA) and the Salem-Keizer Area Transportation Study (SKATS) areas were designated nonattainment for ozone on March 3, 1978 under the 1977 Clean Air Act Amendments. Plans were subsequently developed to reduce ozone precursor emissions of VOC and NO_x, and bring the areas into compliance (attainment) with standards. Under the 1990 Clean Air Act Amendments, the Portland-Vancouver AQMA was designated a “marginal” ozone nonattainment area, and Salem-Keizer Transportation Area Study was designated “nonattainment/insufficient data”.

4.50.1.1 Portland-Vancouver AQMA

Over several decades, efforts to reduce smog forming emissions in the Portland area have included a combination of federal, state, and local emission control strategies, including a vehicle inspection and maintenance program for Portland-area motor vehicles (1975), industrial VOC controls (1978), and area source controls on gasoline station vapors (1991). The most recent ozone maintenance plan for Portland-Vancouver was adopted by the Oregon Environmental Quality Commission (EQC) on July 12, 1996 and approved by EPA on May 19, 1997 (62FR 27204). A violation of the 1-hour ozone standard did occur in 1998, before all

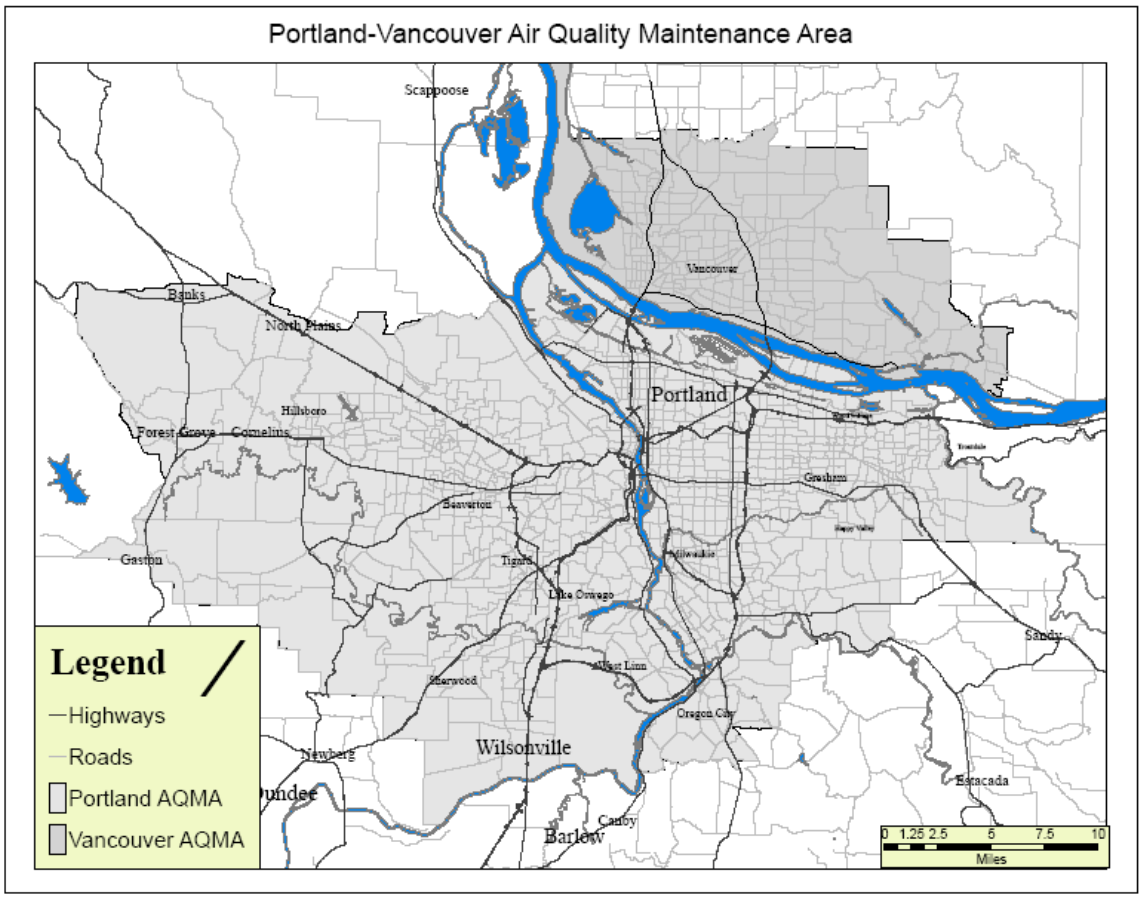
[1] Ozone monitoring sites were established in Oregon beginning in the early 1970s (see Appendix 1).

emission reduction measures had been fully implemented. However, since 1998, there have been no violations of the ozone standard.

In 1997, the U. S. Environmental Protection Agency (EPA) revised the ozone standard from a 1-hour average of 0.12 parts per million (ppm) to an 8-hour average of 0.08 ppm. After a lengthy court battle, the courts upheld the 8-hour ozone standard in 2002. EPA adopted rules to implement the 8-hour ozone standard on April 30, 2004, and revoked the 1-hour standard effective June 15, 2005. EPA designated the State of Oregon in "attainment" with the 8-hour ozone standard, effective June 15, 2004 (62FR 23858, April 30, 2004).

EPA's transition rules from the 1-hour to 8-hour ozone standards require DEQ to prepare this 2006 maintenance plan update for the Portland-Vancouver area to ensure continued compliance with the 8-hour ozone standard. Also, in accordance with EPA rules to implement the 8-hour ozone standard (62 FR 23951, April 30, 2004), Oregon hereby requests that EPA remove the obligation to do a second one-hour ozone maintenance plan.

Figure 1: Portland-Vancouver Interstate Air Quality Maintenance Area



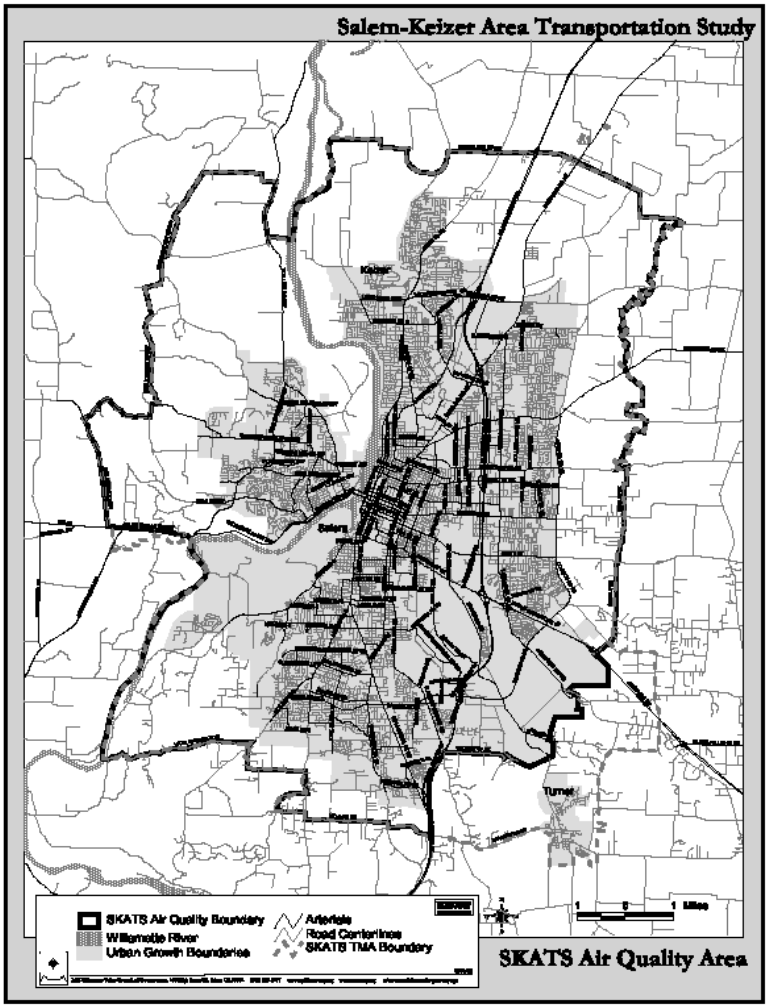
An analysis of meteorological and growth factors indicates that the number of days with elevated ozone levels should have risen over the past several years, but in fact has remained relatively stable (see Appendix 2). This stable ozone trend indicates that the ozone strategies

continue to work despite significant population growth in the metropolitan area and the occurrence if high temperature/air stagnation events that drive ozone formation. The suite of emission reduction strategies contained in Portland ozone plan will continue to be very successful in reducing smog forming emissions, and will continue to ensure compliance with ozone standards in to the future.

4.50.1.2: Salem-Keizer Area

The Salem area marginally violated the federal air quality standard for ozone in the 1970s and was designated an ozone nonattainment area on March 3, 1978 under the 1977 Clean Air Act Amendments. The Mid-Willamette Valley Council of Governments recommended the nonattainment area as the area within the Salem-Keizer Area Transportation Study boundary (SKATS). This includes portions of Marion and Polk County, including the cities of Salem and Keizer.

Figure 2: Salem-Keizer Area Transportation Study Air Quality Area



Salem's ozone concentrations appear to be influenced by emissions of ozone precursors in the Portland area. In 1979 the Salem area was defined under EPA guidelines as a "rural" ozone nonattainment area, and an Attainment Plan was adopted by the EQC in September, 1980 and approved by EPA on April 12, 1982. Salem's attainment plan under the rural ozone policy consists of three elements: 1) controls on major existing sources of volatile organic compounds under Reasonably Available Control Technology (RACT) rules, 2) controls on major new VOC sources under Lowest Achievable Emission Rate (LAER) rules, and 3) an approved maintenance plan for the Portland-Vancouver AQMA, which is the major urban area upwind of Salem.

DEQ had developed a maintenance plan and requested redesignation to attainment in 1987, but EPA returned the plan because EPA did not believe it contained sufficient emission inventory data and forecasts. Due to low ambient ozone levels and agency budget cuts, DEQ discontinued the Salem ozone monitor from 1987 through 1994 and was not able to complete the necessary planning work for redesignation. Under the 1990 Clean Air Act Amendments, SKATS was designated a nonattainment area with incomplete data. In 1995, DEQ reinstated the ozone monitor to support development of a maintenance plan for Salem, but was unable to secure staffing resources to complete the plan.

No violations of the federal 1-hour standard have been recorded at the Salem/Turner ozone monitoring site since 1996, and no violations of the 8-hour ozone standard have ever been recorded (see Figure 3 and Tables 1 and 2). Salem SKATS was designated in attainment with the 8-hour ozone NAAQS effective June 15, 2004 (62 FR 23858, April 30, 2004).

4.50.2 Ozone Trends and Compliance with Standards

Figure 3 shows the ozone trends measured at monitoring sites for the Portland, Vancouver, and Salem areas for the period 1997 through 2005. Table 1 shows the highest maximum 8-hour average ozone concentrations measured for 1998, 2003, 2004, and 2005. While these peak values are important in assessing public health risk, they are not used to determine official compliance with the federal ozone standard. Compliance with the standard is based on a statistical method that looks at the three year average of the 4th highest (maximum 8-hr avg.) ozone value each year. If the three-year average of the 4th highest values exceeds the standard, the area is in violation. Table 2 shows the rolling three-year average of 4th high values for 1998, 2003, 2004, and 2005. It is these ("design values") that are compared to the 0.08 ppm ozone standard to determine compliance. Under EPA's calculation convention, a value of 0.084 ppm would round down to 0.08 ppm (i.e. in compliance), while a value of 0.085 ppm or higher would be a violation.

Key ozone monitoring sites include the "Carus" site in Portland, "Mountain View" site in Vancouver, and the "Turner" site in Salem (see Appendix 1).

DISCUSSION DRAFT

Figure 3: Portland-Vancouver and Salem 8-Hour Ozone Values

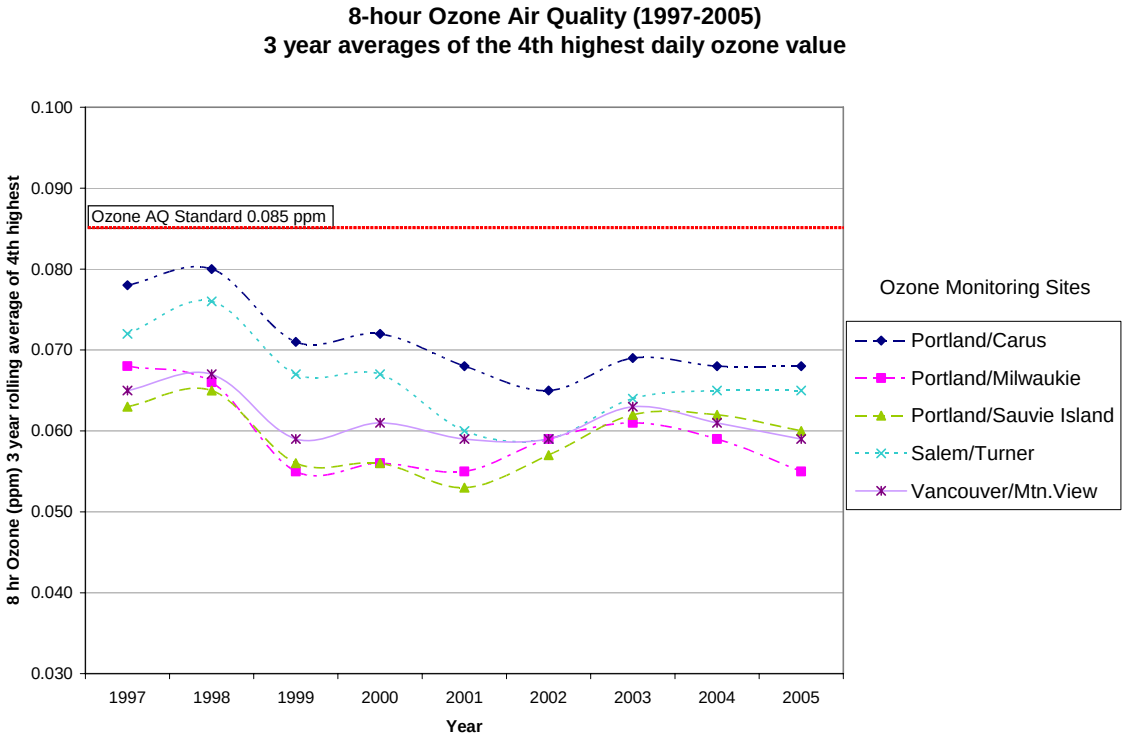


Table 1: 8-Hour Ozone Maximum Values

8-hour ozone standard = 0.08 ppm

Exceedance = 0.085 ppm maximum

Monitoring Site	1998 8-hour Maximum	2003 8-hour Maximum	2004 8-hour Maximum	2005 8-hour Maximum
Portland/Carus	0.116	0.084	0.084	0.079
Portland/Milwaukie	0.100	0.068	0.077	0.063
Portland/Sauvie Island	0.077	0.073	0.061	0.065
Vancouver/Mtn. View	0.078	0.076	0.065	0.076
Salem/Turner	0.098	0.080	0.068	0.080

Table 2: 8-Hour Ozone 4th High, Design Values
Design Value = 4th highest 8-hour average, averaged over three years
8-hour ozone standard = 0.08 ppm
Violation = 0.085 ppm design value

Monitoring Site	1998 Design Value	2003 Design Value[2]	2004 Design Value	2005 Design Value
Portland/Carus	0.080	0.070	0.068	0.068
Portland/Milwaukie	0.066	0.060	0.059	0.055
Portland/Sauvie Island	0.065	0.060	0.062	0.060
Vancouver/Mtn View	0.067	0.060	0.061	0.060
Salem/Turner	0.076	0.060	0.065	0.065

4.50.3 Attainment Inventory

DEQ developed an attainment emission inventory for the year 2002. The emission inventory reflects detailed estimates of emissions from all sources on an annual, countywide basis. Emissions are grouped in four major categories:

- Industrial (Point) Sources (sources with a DEQ air quality permit),
- On-Road Mobile Sources (e.g. motor vehicles and trucks),
- Non-Road Mobile Sources (e.g. lawnmowers, construction equipment and other small engines), and
- Area Sources (e.g. household products, print shops, degreasing and surface coating operations, pesticide application, open burning and wildfires).

The 2002 Consolidated Emissions Reporting Rule (CERR) emissions data submitted by DEQ and SWCAA to EPA's National Emission Inventory (NEI) was used as the basis for the 2002 attainment year inventory. This 2002 county-by-county annual inventory was developed following the currently accepted methodologies for the National Emission Inventory. Appendix 3 and Appendix 4 describe the emissions inventory calculations in more detail.

Table 3 contains the countywide estimates for the Portland-Vancouver AQMA, Oregon portion (Clackamas, Multnomah and Washington Counties) and Salem SKATS (Marion and Polk Counties) in tons/year. Countywide estimates, in tons/year, will be used to track future emission trends. The final Portland-Vancouver and Salem Ozone Maintenance Plan will include a typical summer-seasonal day emission inventory, adjusted for AQMA and SKATS boundaries, in accordance with EPA guidance.

Area source emissions were calculated following EPA guidance for the 2002 NEI. Area sources are the largest category of emission sources. Some of these sources of VOC emissions include

[2] 2003 Design Value was used to determine the attainment designation for Portland-Vancouver AQMA (January 22, 2004 letter from DEQ to EPA). Design value is calculated using the 4th highest ozone value at each monitoring site, averaged over 3 years.

painting, surface coating and degreasing operations; print shops; dry cleaners; and household consumer products. The annual area source emissions inventory in both Portland and Salem includes residential wood stoves, a significant emitter of VOC but not likely to be in use during ozone episode conditions with temperatures above 90 degrees. The summer-seasonal emissions inventory and ozone maintenance modeling demonstration reflect daily summertime conditions.

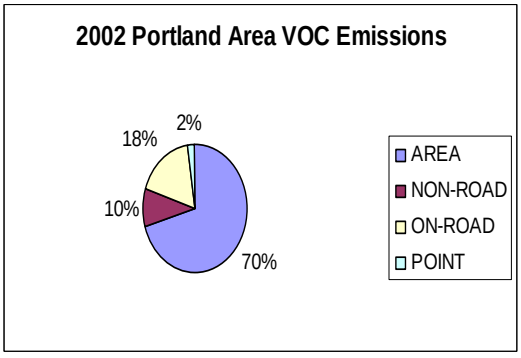
Table 3: Portland and Salem 2002 Annual Emissions (tons/year)

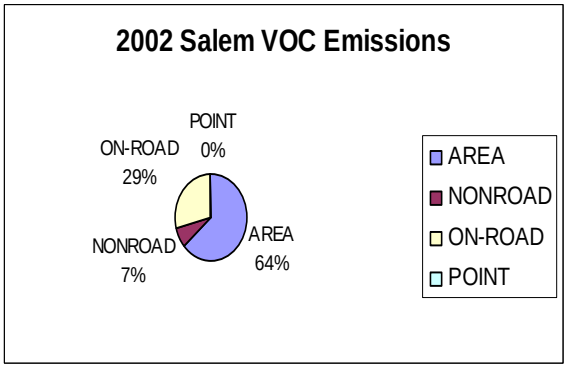
Portland-Area 2002 Emissions (Clackamas, Multnomah, Washington Counties)

Source Type	2002 VOC	2002 NO_x
AREA	92,946	5,808
NON-ROAD	13,260	17,347
ON-ROAD	23,683	36,786
POINT	3,056	2,522
Total	132,944	62,464

Salem-Area 2002 Emissions (Marion, Polk Counties)

Source Type	2002 VOC	2002 NO_x
AREA	20,297	1,646
NONROAD	2,401	3,159
ON-ROAD	9,331	11,276
POINT	110	290
Total	32,138	16,371





Non-road mobile source emissions were calculated using EPA's draft NONROAD2002 model and other methods following EPA guidance for the NEI. Non-road engines are also significant contributors to both VOC and NO_x during the summer ozone season, and sources include aircraft, locomotives and marine engines as well as lawn and garden equipment, construction equipment, boats and personal watercraft.

On-road mobile source emissions for the 2002 CERR were calculated using traffic data and growth forecasts from the Oregon Department of Transportation. Because of growing vehicle travel throughout the region, motor vehicles will continue to be significant emitters of VOCs and NO_x, although motor vehicle emission standards will reduce individual vehicle emissions over the next ten years.

Point source emissions for the 2002 Attainment Inventory are based on data submitted by permitted facilities and reflect actual 2002 emissions reported in annual permit reports to DEQ.

Within the Portland-Vancouver AQMA, industrial point sources that emit more than 10 tons/year of VOC, 40 tons/year of NO_x, or 100 tons/year of CO were inventoried. Outside of the Portland-Vancouver AQMA (including Salem), point sources that emit more than 40 tons/year of NO_x or 100 tons/year of VOC or CO were inventoried. Stack parameters, activity, and exact location were collected to provide the most comprehensive accounting possible.

Reserved for seasonally adjusted summer-season emissions inventory

Table 4: Portland and Salem 2002 VOC and NOx Summer-Season Daily Emissions

Reserved

4.50.4 Portland and Salem Control Strategies

4.50.4.1 Portland-Vancouver AQMA Ozone Maintenance Plan

The Portland-Vancouver AQMA Ozone Maintenance Plan (Oregon portion) includes federal, state and local emission control programs. All four major source categories of ozone precursor emissions (VOC and NO_x) are affected by rules that reduce emissions from these sources. Several of the strategies provide benefits beyond VOC and NO_x emission reductions, such as air toxics and greenhouse gas emission reductions, traffic congestion reduction, energy savings, and overall cost-savings for the transportation systems.

The existing Portland-Vancouver AQMA Ozone Maintenance Plan strategies will remain in place and work together to protect air quality as the population increases over the next ten years. These strategies have successfully reduced VOC and NO_x emissions and also reduce emissions of air toxics and greenhouse gases that are emerging issues of concern.

The following strategies will remain in the Portland Ozone Maintenance Plan as they currently apply to sources in the Portland area:

- Motor Vehicle Inspection Program;
- Emission Standards for VOC Point Sources (Reasonably Available Control Technology) for existing major industrial facilities;
- New Source Review Program for new and expanding major industrial facilities;
- Voluntary Parking Ratio Rules;
- Barge Loading Rules that control VOCs from gasoline delivery operations;
- Aerosol Paint Rules that lower VOC content from spray paints sold in the Portland area;
- Motor Vehicle Refinishing Rules that require low-emitting painting methods at autobody shops; and
- Public education and outreach that encourages people to voluntarily reduce emissions, such as not mowing lawns and driving less on Clean Air Action Days (now called Air Pollution Advisories).

The following strategies Portland-Vancouver Ozone Maintenance Plan strategies (Oregon portion), have been modified:

- Employee Commute Options Program: Program requirements now focus on larger employers (100 or more employees) and reduce the survey requirements from annual to every two years (see detail below),
- Industrial Emission Management Program: Updated industrial growth allowance for new and modified major industrial sources and create a public process to replenish the growth allowance (see detail below).

In June, 2005, the Environmental Quality Commission amended the Vehicle Inspection Program rules to replace the "enhanced" vehicle inspection test with the "basic" vehicle inspection test for vehicle model years 1981-1995. This change is reflected in the modeling projections and maintenance demonstration of this plan.

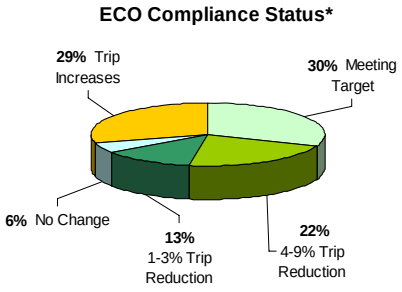
Stage II vapor recovery system requirements for gas stations will remain in effect until the motor vehicle fleet reflects widespread use of on-board canister systems. The Stage II rules will be revised at that time (prior to 2015). The eventual shift from Stage II vapor recovery to on-board canisters is reflected in the 2015 modeling projections and maintenance demonstration of this plan.

4.50.3.1.1 Changes to the Employee Commute Options Rule

The Employee Commute Options Program rules adopted in 1996 (OAR 340-242-0010 through 0290) require Portland-area employers with more than 50 employees to implement programs that would reduce single-occupancy commute travel by 10%. Affected employers must provide incentives for employee use of alternative commute options. The incentives must have the potential to reduce commute trips to the work site by 10% within three years of completing an initial employee survey. Annual surveys measure progress toward this goal.

Key program statistics:

- Number of employer work sites: 1212
- Estimated number of employees affected: 250,000
- Annual Vehicle Miles Traveled reduced: 35.4 million



*based on survey data as of August 2005. Not all employers are required to survey.

Annual survey data indicates that larger employers are more likely to comply with ECO and provide meaningful transportation options to their employees. Larger employers represent most of the employees in the region. Smaller companies make up the majority of employers who are behind with ECO compliance.

- Employers with more than 100 employees generate 92% of the total trip reduction.
- Employers with more than 100 employees make up 86% of the total ECO affected *employees*.
- Employers with more than 100 employees make up 53% of the total ECO affected *employers*.

DEQ has modified the ECO program to more effectively focus limited DEQ staff resources on larger employers that produce the most significant amount of emission reduction benefit, and to streamline reporting requirements. Program changes include:

- Changing the threshold for rule applicability from “more than 50” employees to “more than 100” employees;
- Changing survey requirements from annual to every two years;
- Requiring all employers to submit an approved plan, or demonstrate that they participate in an equivalent commute trip reduction program, such as EPA’s Best Workplaces for Commuters program or TriMet’s Passport program;
- Modifying survey requirements to allow an employer to submit follow-up survey results with less than 75% response rate. DEQ will assign single occupancy vehicle trips to the percentage of employees who did not respond up to the 75% rate;
- Eliminating the 2006 sunset date since the ozone maintenance plan does not sunset; and
- Requiring employers that qualify for exemptions (e.g. through restricted parking ratios) to certify every two years that they continue to qualify for the exemption.

The Employee Commute Option Program has been effective in reducing the amount of vehicle miles traveled by single-occupancy-vehicles in the Portland area, thereby reducing air pollution and traffic congestion in the region. The ECO program has resulted in an estimated annual reduction of over 100 tons of VOCs and over 85 tons of NO_x. In addition to the benefits to ozone air quality, DEQ estimates that the ECO program is also effective in reducing over 44 million pounds per year of carbon dioxide (a greenhouse gas), as well as associated air toxics emissions (most notably benzene). DEQ’s proposed rule changes would streamline the program and make it more effective in encouraging alternative commute trips among larger employers while providing relief to smaller employers. The program is one of many efforts in the Portland area to reduce single-occupancy vehicle trips and DEQ will continue to partner with regional alternative transportation programs in these efforts.

DEQ will continue to focus on larger employers (those with over 100 employees) who account for over 90% of the trip and emission reduction achieved by the EQO program.

Therefore, DEQ believes there will be no significant loss in emission reduction benefit from ECO by focusing the program on larger employers.

4.50.4.1.2 Industrial Emission Management Rules

The 1996 Portland-Vancouver Ozone Maintenance Plan included an industrial emissions growth allowance that could be used by new and expanding major industry in lieu of obtaining emission offsets. This 2006 maintenance plan update continues this approach to managing industrial emissions growth. The growth allowance program is described below.

Under the existing Industrial Emission Management Rules adopted in 1996 (OAR 340-242-0400 through 0440), new or expanding major industrial sources located in or near the Portland AQMA must "offset" emission increases of more than 40 tons/year of VOC and NO_x by obtaining an equivalent decrease from another facility. However, the offset requirement can be satisfied by obtaining an allocation from an emissions growth allowance set aside for this purpose. This 2006 maintenance plan update reestablishes the growth allowance for new and expanding major VOC and NO_x industrial sources, and retains the emission offset requirement as a safeguard. The growth allowance has been included in the modeled 2015 ozone maintenance demonstration.

Growth Allowance Program Elements

This plan reestablishes the industrial growth allowance at 5,000 tons for VOC and 5,000 tons for NO_x. The owner or operator of a proposed major source or major modification may apply to DEQ for an allocation of the growth allowance in lieu of providing an emission offset. As required in the existing rules, the growth allowance will be allocated on a first come first served basis, with one exception. Sources that previously reduced their allowable emissions through the voluntary Plant Site Emission Limit (PSEL) donation program will receive priority access to the growth allowance.

Consumption of the growth allowance will be monitored and tracked by the Department. If the growth allowance decreases to 1,000 tons per year or less, DEQ may increase the growth allowance by utilizing new federally enforceable emission reductions and shutdown credits that were not relied on in the maintenance demonstration. Any such increase to the growth allowance will be subject to public comment and review by EPA. Federally enforceable emission reductions include requirements adopted by EPA, requirements adopted by the EQC and approved by EPA as a revision to the Oregon State Implementation Plan, and requirements established by a federally enforceable permit condition. If the growth allowance is consumed, and cannot be reestablished, emission offsets for VOC and NO_x will be required for new and expanding major industry.

The Department may consider temporarily reducing the growth allowance if monitored ozone concentrations exceed the thresholds described in the contingency plan (Section 4.50.7.2.1). The Department must provide reasonable advance notice to affected industries if there is a possibility that the growth allowance could be reduced.

Growth Management System

The emissions growth allowance approach described above works together with several other elements in the maintenance plan, including the tracking of emission growth, ambient ozone monitoring, the emission offset backstop requirement, and the early warning and action elements in the contingency plan, to meet air quality management goals and protect compliance with standards. The Industrial Emissions Management Rules provide both flexibility for future economic opportunity and protection of the ozone NAAQS.

4.50.4.1.3 Transportation Conformity and Transportation Control Measures

Under EPA's 2004 ozone implementation rules (40 CFR 51.905), neither general conformity nor transportation conformity is required. This means that new transportation project plans will no longer need to demonstrate that they conform to clean air plans. However, DEQ and Metro (the Portland-area metropolitan planning organization) have agreed to informally track VOC, NO_x, air toxics and greenhouse gas emissions when Metro assesses conformity for the purposes of the Portland Carbon Monoxide Maintenance Plan as a voluntary program to assess impacts of transportation emissions on air quality over time. In addition, when Metro assesses VMT/Capita for purposes of the Portland Carbon Monoxide Maintenance Plan Contingency Plan, the information will also be used for the Portland-Vancouver AQMA Ozone Contingency Plan (see Section 4.50.7.2.2).

4.50.4.2 Salem SKATS Ozone Maintenance Plan

DEQ also proposes to retain existing strategies in the Salem-Keizer Area Transportation Study (SKATS) area Attainment Plan that was adopted in 1980, including Emission Standards for VOC Point Sources (RACT rules), with some updates:

- Designate Salem/SKATS a maintenance area under state rules;
- Modify control technology requirements for new and expanding major industrial sources from "Lowest Achievable Emission Rate" (LAER) to "Best Available Control Technology" (BACT); all other new source review requirements would remain the same.
- Adopt a contingency plan that includes a commitment to adopt measures to reduce emissions if the Salem area is at risk of violating or violates the ozone standard in the future.

Salem is currently an ozone "nonattainment" area under state rules, and major new and modified industrial sources that emit more than 40 tons/year of VOC or NO_x are required to install the most stringent level of emission control technology known as "Lowest Achievable Emission Rate" (LAER). Once designated a "maintenance" area under state rules, sources emitting more than 40 tons/year of VOC or NO_x will be required to install "Best Achievable Control Technology" (BACT).

The main difference between LAER and BACT is the consideration of cost. LAER reflects the most stringent level of emission control achievable at the time of permitting, and it must be installed regardless of cost. BACT can also provide an equivalent or very high level of control, but cost is allowed as a consideration when evaluating the feasibility and cost effectiveness of control options.

Under the Clean Air Act, Salem could be designated as a federal ozone attainment area. Under this designation, emission control technology (BACT) would only be required for Federal Major Sources (those sources in 28 categories emitting 100 tons/year or more of VOC or NO_x, or other sources emitting 250 tons/year or more). However, as an Oregon ozone maintenance area, BACT controls will be continue to be required for sources emitting 40 tons/year of VOC or NO_x. DEQ believes maintaining a lower maintenance area threshold of 40 tons/year for triggering BACT requirements will better protect future compliance with the ozone standard in the Salem area. All other requirements for new source review in Salem would remain the same, including the current exemption from the need to provide emission offsets or use a growth allowance.

Because Portland has the highest ozone levels in the region, new or expanding major industrial sources within 100 km of the Portland-Vancouver AQMA (which includes part of the Salem area) would continue to evaluate their impact on Portland's ozone air quality.

4.50.5 Maintenance Demonstration (Portland-Vancouver and Salem)

4.50.5.1 Ozone Modeling Study

DEQ and SWCAA teamed with Washington State University (WSU), the Washington Department of Ecology and EPA to study ozone formation using a computer dispersion model (see Appendix 4, "Historical and Future Ozone Simulations using the MM5/SMOKE/CMAQ System in the Portland/Vancouver Area", WSU, 12/31/05 final report). The purpose of the study was to develop a predictive tool to forecast future ozone concentrations based on emission projections and summer meteorology in which ozone formation occurs.

The modeling study simulated two historical high ozone episodes that occurred during the summer of 1997 and 1998. The study compared actual ozone levels measured (monitored) during the 1997 and 1998 events to model predicted ozone levels for the same period in order to test and validate model performance. The model performed within EPA guidelines for both episodes. The model performance testing verifies that the CMAQ model can predict future ozone concentrations for the region.

The modeling team selected the July 26-28, 1998 episode as the basis for future year projections because ozone levels were much higher in 1998 than in 1997, and meteorology reflected worst case conditions that contribute to ozone formation in the Portland area (high temperatures and low wind speeds, with predominant winds from the north). Methodology for developing the modeling emissions data is detailed in the WSU modeling report (Appendix 4).

4.50.5.2 Growth Projections

The 2015 emissions forecast used in the modeling study reflects 2002 emissions, increased by expected growth in various sectors. The 2002 emission inventory reflects the 2002 Consolidated Emissions Reporting Rule (CERR) emissions data submitted by DEQ and SWCAA to the National Emission Inventory (NEI) and documented in Appendix 3 and 4. Growth factors for various source sectors were derived from the 2002 "Economic Report to the Metro Council, 2000-2030 Regional Forecast for the Portland-Vancouver, Metropolitan Area" (see Appendix 5).

For the 2015 Maintenance Projection, the following growth assumptions were included in the forecast:

Area sources: Area source emissions were calculated following EPA guidance for the 2002 NEI. The 2015 emissions inventory assumes a linear, non-compounding population growth rate of 1.8% per year, and household growth rate of 2.0% per year (see Appendix 5). Table 5 summarizes population trends in Portland and Salem. The area source emission inventory was adjusted to reflect summertime conditions when used in the modeling analysis and maintenance demonstration.

Table 5: Portland and Salem Area Population Projections

	2000 Estimate	2003 Estimate	2005 Forecast	2010 Forecast	2015 Forecast
Oregon	3,436,750	3,541,500	3,618,200	3,843,900	4,095,708
Portland Area (Clackamas, Multnomah and Washington Counties)	1,451,650	1,503,900	1,540,055	1,646,124	1,759,470
Salem Area (Marion and Polk Counties)	349,000	359,900	368,347	395,973	427,781

Prepared by the Oregon Office of Economic Analysis, April 2004

Non-road mobile sources: EPA's draft NONROAD2004 model was used to estimate area source emissions for 2015. This model incorporates the latest assumptions and rules, including EPA's Tier 4 non-road diesel engine standards and non-road diesel fuel sulfur standards associated with the Tier 4 rule. Railroads, marine vessels and airports were estimated independently of the NONROAD model (see Appendix 4). Aircraft emissions for the four airports with the Portland AQMA were calculated using Port of Portland data (Aviation Demand Forecast Update for Portland International Airport, Port of Portland, November 4, 1999, and associated spreadsheets), which was also used in the 2002 NEI submittal.

On road mobile sources: 2015 emissions estimates used in the modeling analysis are based on two sources: travel demand forecast models run by Metro and the Southwest Regional Transportation Council for the Portland-Vancouver AQMA, and Department of Transportation data and projections for the modeling domain. For emissions tracking purposes, ODOT projections are included in the 2015 Maintenance Projection because they will be used in future CERR submittals.

Point sources: The 2015 Maintenance Projection for major industry (point sources) used in the modeling analysis reflects the legally allowable emission level currently permitted for existing sources plus an emissions growth allowance for new and expanding facilities (Tables 6 and 7 and Figures 4 and 5).

Point source emissions in the 2015 Projection and Figures 4 and 5 were calculated based on actual emissions data and forecast using employment projections in the "Economic Report to Metro Council, 2000-2030 Regional Forecast," Appendix A-5 (Appendix 5). For the 2015 projection, "actual" emissions were used because they most closely represent the emissions that will be emitted by the sources in the region in 2015.

The point source emission projections include a few sources that were permitted but not yet operational when the point source inventory was completed in 2004. The most significant change since that time is the withdrawal of a permit application for a large energy facility that was proposed for construction in Marion County (this facility is included in the projections for the Salem area).

Biogenics: The modeling analysis included biogenic emissions which are produced by life substances (e.g. terpenes from pine trees). The data will be included in the seasonally adjusted daily emissions inventory.

4.50.5.3 Forecast and Maintenance Inventory (2015)

The 2015 Maintenance Inventory reflects 2002 emission levels, increased by the various growth factors described in section 4.50.5.2. Again, for the major industry sector, the future forecast reflects a very conservative scenario of maximum allowable emissions plus a growth allowance. Tables 6 and 7 below show the 2015 Maintenance Projection that was used in the maintenance demonstration modeled by DEQ.

Both VOC and NO_x emissions are involved in the formation of ozone and the relative amounts of each (VOC/NO_X ratio) can influence the level of ozone formation. DEQ's modeling analysis shows of the two pollutants, VOC is the primary driver of ozone formation in the urban Portland and Salem areas. Both VOC and NO_x emission reduction strategies continue to be important to reducing ozone formation. Figures 4 and 5 below focus on VOC emissions; information regarding NOx emissions will be added for the final draft plan.

Figure 4 below shows graphically the 2002 estimate of actual VOC emissions, a 2015 projection reflecting modest employment increases, and the 2015 Maintenance Projection in which industry emissions have been conservatively increased to reflect legally allowable emissions and a growth allowance. Including maximum allowable emissions and the growth allowance, the major industry sector would account for approximately 14% of total 2015 Portland area VOC emissions. Actual emissions from industry in 2015 are expected to be much less than expressed in the worst-case maintenance scenario. Major industry currently accounts for about 2% of total VOC emissions in the Portland area. Under the 2015 maintenance forecast, the majority of VOC emissions (approximately 71% annually) come from the area source sector.

DISCUSSION DRAFT

Figure 5 shows expected growth in VOC emissions for the Salem area, including allowable emissions for existing industry. No industrial growth allowance is established for the Salem-Keizer area. Future growth in that area is expected to be accommodated through the New Source Review process. Including maximum allowable emissions, the major industry sector accounts for under 3% to total Salem area VOC emissions. The majority of VOC emissions (approximately 79% annually) come from the Area Source sector.

Table 6: Portland-Area VOC and NO_x Emissions and 2015 Maintenance Projection

Portland-Area 2015 VOC Emissions
(Clackamas, Multnomah, Washington Counties)

Source Type	2002 Actual	2015 Maintenance Projection	% Change
AREA	92,946	108,109	16.3%
NONROAD	13,260	13,308	0.4%
ON-ROAD	23,683	8,538	-63.9%
POINT	3,056	21,721	610.9%
Total	132,944	151,675	14.1%

Portland-Area 2015 NO_x Emissions
(Clackamas, Multnomah, Washington Counties)

Source Type	2002 Actual	2015 Maintenance Projection	% Change
AREA	5,808	5,822	0.2%
NONROAD	17,347	17,223	-0.7%
ON-ROAD	36,786	10,339	-71.9%
POINT	2,522	15,191	502.3%
Total	62,464	48,574	-22.2%

Table 7: Salem-Area VOC and NO_x Emissions

Salem-Area 2015 VOC Emissions
(Marion and Polk Counties)

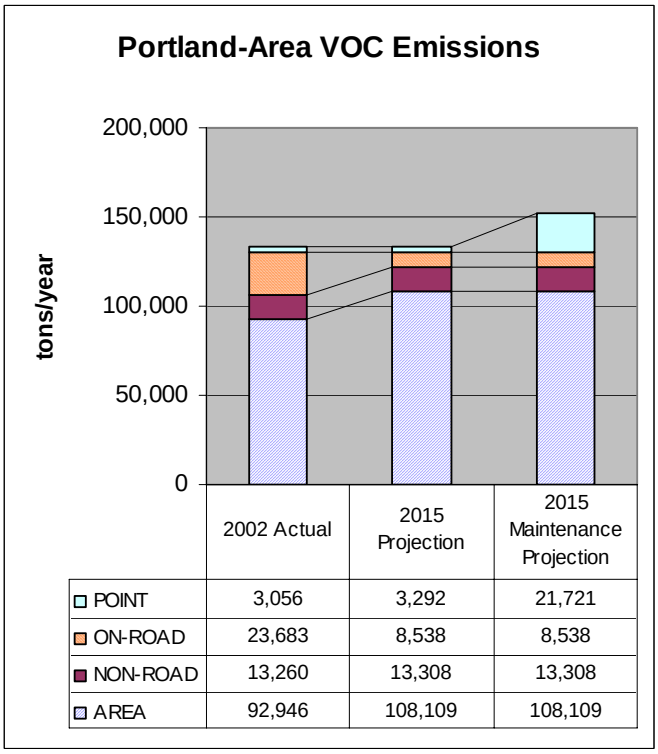
Source Type	2002 Actual	2015 Maintenance Projection	% Change
AREA	20,297	22,594	11.3%
NONROAD	2,401	2,334	-2.8%
ON-ROAD	9,331	2,724	-70.8%
POINT	110	791	621.9%
Total	32,138	28,443	-11.5%

Salem-Area 2015 NO_x Emissions
(Marion and Polk Counties)

Source Type	2002 Actual	2015 Maintenance Projection	% Change
AREA	1,646	1,581	-4.0%
NONROAD	3,159	3,062	-3.1%
ON-ROAD	11,276	3,326	-70.5%
POINT	290	782	169.7%
Total	16,371	8,751	-46.5%

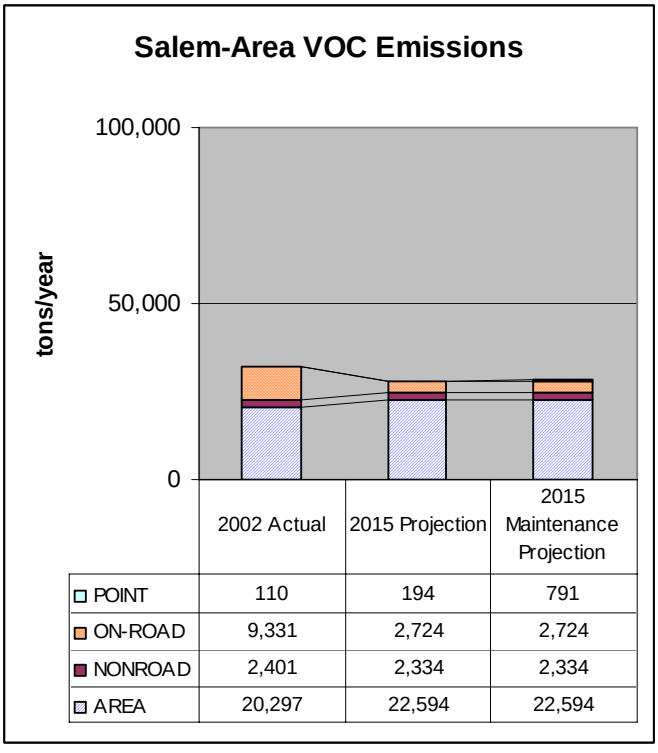
DISCUSSION DRAFT

Figure 4: Portland-Area VOC Emissions (t/yr) and 2015 Maintenance Projection



	2002 Actual	2015 Projection	2015 Maintenance Projection
POINT	3,056	3,292	21,721
ON-ROAD	23,683	8,538	8,538
NON-ROAD	13,260	13,308	13,308
AREA	92,946	108,109	108,109

Figure 5: Salem Area VOC Emissions (t/yr) and 2015 Maintenance Projection



	2002 Actual	2015 Projection	2015 Maintenance Projection
POINT	110	194	791
ON-ROAD	9,331	2,724	2,724
NONROAD	2,401	2,334	2,334
AREA	20,297	22,594	22,594

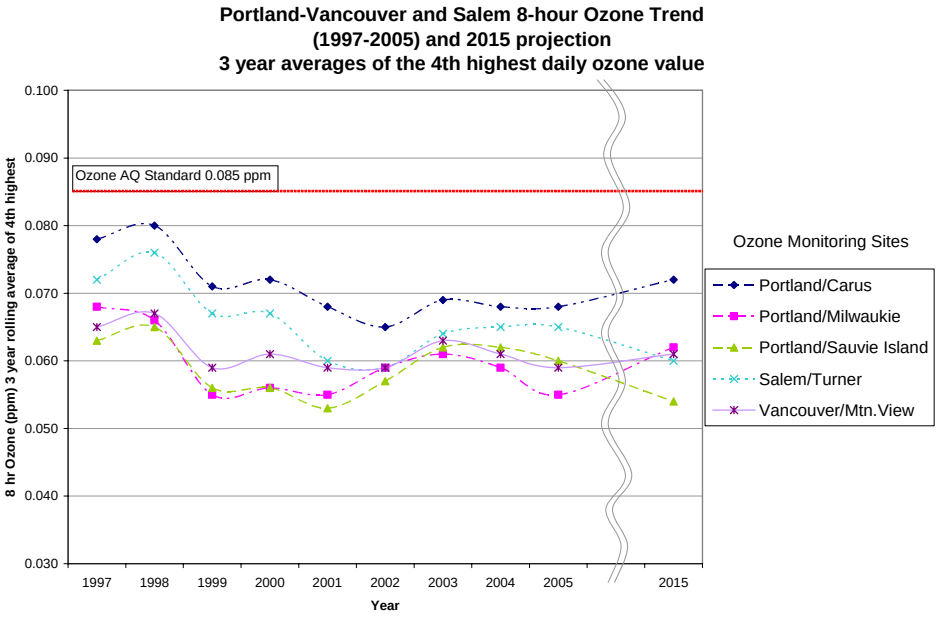
4.50.5.4 Maintenance Projection

The Department used the 2015 maintenance emission forecast and worst-case meteorology from the 1998 high ozone event in the CMAQ model to estimate future ozone concentrations for the Portland and Salem areas in 2015. Table 8 shows the predicted maximum 8-hour ozone concentrations predicted for the key Portland, Vancouver, and Salem monitoring sites. Table 8 also shows the 2015 predicted "Design Value", which is used to compare to the ozone standard for purposes of determining compliance. DEQ's modeling analysis also confirms that the existing monitoring network is capturing the areas of highest ozone concentrations.

The 8-hour NAAQS for ozone requires the fourth highest 8-hour daily maximum ozone concentration, averaged over three consecutive years, to be equal to or less than 0.08 ppm[3] . Compliance is demonstrated when the modeled estimates of future ozone concentrations are less than or equal to 0.084 ppm.

Figure 6 shows the ozone compliance trend for the Portland-Vancouver and Salem areas, including the 2015 maintenance forecast. Figure 6 and Table 8 show that the Portland-Vancouver and Salem-Keizer areas will remain in compliance with the 8-hour ozone standard. Table 8 also shows that peak ozone concentrations can exceed the standard, illustrating the need for continuing the suite of emission reduction strategies that limit ozone formation in the Portland and Salem areas.

Figure 6: Portland-Vancouver and Salem Ozone Maintenance Projection



[3] Because of rounding conventions in which non-significant figures are truncated, a modeling estimate of <0.085 ppm is equivalent to <= 0.08 ppm

Table 8: 2015 Maintenance Projection (ozone values)
8-hour ozone standard = 0.08 ppm
Exceedance = 0.085 ppm maximum

Monitoring Site	1998 Predicted Maximum	2015 Predicted Maximum	2015 Predicted Design Value*
Portland/Carus	98	94	72
Portland/Milwaukie	92	96	62
Portland/Sauvie Island	82	76	54
Vancouver/Mtn. View	83	81	61
Salem/Turner	88	75	60

*Predicted Design Value is calculated using the relative reduction factor as described in Appendix 5 and EPA 8-hour ozone modeling guidance.

Again, Figure 6 and Table 8 illustrate that the Portland-Vancouver AQMA and Salem SKATS will maintain compliance with the 8-hour ozone standard through 2015. The Carus monitoring site, downwind of Portland, has traditionally been the site with the highest ozone readings in the region. The model predicted that the Milwaukie site would produce a slightly higher maximum value under meteorological conditions similar to the 1998 episode, and the maximum value would exceed the standard. However, the 4th high compliance values show that the Carus site is expected to remain the highest and most important site for determining compliance with the ozone standard.

4.50.6 Air Quality Monitoring (Portland and Salem)

DEQ will continue to operate an ozone air quality monitoring network in accordance with 40 CFR 58 to verify maintenance of the 8-hour ozone standard in Portland and Salem (see Appendix 1). Any modification to the ambient air monitoring network, such as removal of duplicative or unnecessary monitors, will be accomplished through close consultation with EPA Region 10. Proposed network modifications would be accompanied by technical and statistical analysis sufficient to document a given monitor may be removed because it is unnecessary or duplicative in the case of network reductions, or to justify the value of investing in monitoring network enhancements. In accordance with 40CFR 58, the final network design will be subject to the approval of the Regional Administrator.

4.50. 7 Contingency Plan

The maintenance plan must include a process to quickly prevent or correct any measured violation of the 8-hour ozone standard. This process of investigation and (if needed) corrective action is called the “contingency plan”. Contingency plans typically have several stages of action depending on the severity of monitored ozone levels. Ambient ozone thresholds are established in the contingency plan as early-warning action levels. If monitored ozone levels exceed these action levels, the contingency provisions are triggered.

4.50.7.1 Request To Replace the Portland-Vancouver AQMA 1-Hour Contingency Plan With an 8-Hour Contingency Plan

EPA revoked the 1-hour ozone standard, effective June 15, 2005 (69 FR 23951, April 30, 2004). DEQ hereby requests that the 1-hour ozone contingency plan be removed from the Portland-Vancouver AQMA Ozone Maintenance Plan, and replaced with a contingency plan that addresses the 8-hour ozone standard as described below, in accordance with EPA rules implementing the 8-hour ozone standard (40 CFR 51.905).

4.50.7.2 Portland-Vancouver AQMA 8-hour Ozone Contingency Plan

This contingency plan includes two sets of contingency measures. The provisions specified under Part A of the Contingency Plan for the Portland-Vancouver AQMA are linked to ambient concentrations of ozone and would be triggered if measured ozone levels at any of the ozone monitoring sites (Mtn. View, Sauvie Island, Milwaukie, or Carus) exceed the early-warning thresholds below, or if a violation of the 8-hour ozone standards occurs. The provisions specified under Part B of the Contingency Plan are linked to increases in the average amount of vehicle use per person in the Portland metropolitan area, and would only affect the Oregon portion of the Portland-Vancouver AQMA.

4.50.7.2.1 Part A, Contingency Plan Based On Ambient Concentrations in Portland or Vancouver

PHASE 1: ELEVATED OZONE LEVELS
If the air quality index (AQI) is forecast to be within the “orange” range for ozone air quality (unhealthy for sensitive populations), or 8-hour daily maximum ozone values approach 0.100 ppm or greater, and meteorological conditions conducive to ozone formation are expected to persist, DEQ and SWCAA will issue an advisory to inform the public of air quality levels and voluntary actions they can take to limit exposure to unhealthy air pollution levels and reduce emissions.

PHASE 2: RISK OF VIOLATION
If monitored 8-hour ozone levels at any site within the Portland-Vancouver area registers an annual fourth high monitored value of 0.085 ppm or greater within *a single ozone season*, or 0.08 ppm or greater *averaged over two years*, DEQ and SWCAA will assess the likely emissions and meteorological events contributing to elevated ozone levels. DEQ may form a planning group to assist the Department in its review. The DEQ could recommend that no action be taken if it is determined that: (a) elevated ozone levels were caused by an event that is unlikely to occur again within the maintenance planning timeframe, or (b) high ozone levels were caused by an uncontrollable event, or (c) federal regulations that will reduce ozone precursor emissions are scheduled to be implemented within two years. If it is determined that the event was caused by conditions that could occur again, and that new federal, state or local emission reduction strategies will be not implemented and affective within two years, the Department will evaluate options for appropriate action, including the option for additional emission reduction strategies to prevent future exceedances or a violation of the 8-hour ozone standard.

PHASE 3: ACTUAL VIOLATION
If a violation of the 8-hour ozone standard occurs, DEQ and SWCAA will determine the emissions and meteorological events contributing to the violation. If the violation is not due to an uncontrollable event, DEQ will identify new strategies necessary to ensure compliance with the 8-hour ozone standard within 18 months of the conclusion of the ozone season that prompted the contingency plan, and revise the maintenance plan as needed to correct the violation. A revised maintenance plan would be submitted to EPA for approval.
Measures that would be considered for implementation include the following:

- Reinstatement of the Enhanced Inspection/Maintenance Test for certain model year vehicles (EPA requires that this be considered);
- Other measures as appropriate.

4.50.7.2.2 Part B, Contingency Plan Based on Significant Increase in Vehicle Miles Traveled in the Oregon portion of the Portland-Vancouver AQMA

EPA's 8-hour ozone implementation rule (69FR pages 23987-88, April 30, 2004) notes that although states cannot implement conformity for attainment areas as a matter of federal law, they could still work with their metropolitan planning organizations to develop a voluntary program to address motor vehicle emissions growth. Metro has agreed to informally track motor vehicle VOC and NO_x emissions at the same time as they are demonstrating conformity with the Portland Carbon Monoxide Maintenance Plan emissions budget. In addition, Metro has agreed to the following contingency measures for the Portland Carbon Monoxide Maintenance Plan. These transportation control measures are also appropriate as voluntary measures for addressing ozone precursor emissions within the Portland metropolitan area. However, transportation control measures cannot be adopted or enforced for the Portland-Vancouver AQMA Ozone Maintenance Plan (40 CFR 51.905).

PHASE 1: 5% VMT INCREASE
Metro will review and verify the local average vehicle miles traveled per capita (VMT/capita) for the Oregon portion of the Portland-Vancouver Air Quality Maintenance Area derived from the most recent estimates of population and daily vehicle miles traveled from federal and state sources.

If daily VMT/capita exceeds 20.5 daily VMT/capita (a 5 % increase above the 2002 rate) for two successive years, the Standing Committee [TPAC, as defined at OAR 340-252-0060(2)(b)(A)(iii)] shall be convened to:

a) determine whether there is a data problem with the trigger;

b) if there is not a data problem with the trigger, identify and analyze the effectiveness of those local actions that could reduce air pollutant emissions; and,

c) determine whether a recommendation should be made to JPACT to initiate local action to reduce VMT/capita until the 2002 level is once again attained.

PHASE 2: 10% VMT INCREASE

Metro will review and verify local VMT/capita values derived from the most recent estimates of population and daily vehicle miles traveled from federal and state sources.

If average daily VMT/capita exceeds 21.5 miles (a 10 percent increase above the 2002 rate) for the Oregon portion of the Portland-Vancouver Air Quality Maintenance Area for two successive years, the following measures will become required Transportation Control Measures for the region (as determined by the programming of funds for specified projects) under the Portland Carbon Monoxide Maintenance Plan and would be considered for inclusion in the 8-hour ozone maintenance plan:

a) Washington County Commuter Rail within six years after exceeding the 21.5 VMT/capita rate,

b) Interstate 205 Light Rail Transit (I-205 LRT) within six years after exceeding the 21.5 VMT/capita rate;

c) An increase of efforts for the Regional Travel Options Program sufficient to increase the number of employers reached by the program by at least 5 % per year the number of employers currently subject to the DEQ Employee Commute Options program. Alternatively, specific projects from the Regional Transportation Options program could be substituted.

d) An increase of funding of at least 5% per year greater than current funding for Transit Oriented Development projects.

e) Other programs or projects consistent with state and federal law as may be determined by the Metro Council after consultation with the Joint Policy Advisory Committee on Transportation.

4.50.7.3 Salem SKATS 8-Hour Ozone Contingency Plan

PHASE 1: ELEVATED OZONE LEVELS
If the air quality index (AQI) is forecast to be within the “orange” range for ozone air quality (unhealthy for sensitive populations), or 8-hour daily maximum ozone values reach 0.100 ppm or greater, and meteorological conditions conducive to ozone formation are expected to persist, DEQ will issue an advisory to inform the public of air quality levels and actions they can take to limit exposure to unhealthy air pollution levels and reduce emissions.

PHASE 2: RISK OF VIOLATION
If monitored 8-hour ozone levels at any site within the Salem/Turner area registers an annual fourth high monitored value of 0.085 ppm or greater *within a single ozone season*, or 0.08 ppm or greater *averaged over two years*, DEQ will assess the likely emissions and meteorological events contributing to elevated ozone levels DEQ may form a planning group to assist the Department in its review. The DEQ could

recommend that no action be taken if it is determined that: (a) elevated ozone levels were caused by an event that is unlikely to occur again within the maintenance planning timeframe, or (b) high ozone levels were caused by an uncontrollable event, or (c) federal regulations that will reduce ozone precursor emissions are scheduled to be implemented within two years. If it is determined that the event was caused by conditions that could occur again, and that new federal, state or local emission reduction strategies will be not implemented and affective within two years, the Department will evaluate options for appropriate action, including the option for additional emission reduction strategies to prevent future exceedances or a violation of the 8-hour ozone standard.

PHASE 3: ACTUAL VIOLATION
If a violation of the 8-hour ozone standard occurs, the Department will determine the probable emissions and meteorological events contributing to the violation. If the violation is not due to an uncontrollable event, DEQ will identify new strategies necessary to ensure compliance with the 8-hour ozone standard within 18 months of the conclusion of the ozone season that prompted the contingency plan, and revise the maintenance plan as needed to correct the violation. A revised maintenance plan would be submitted to EPA for approval.

4.50.8 Verification of Continued Attainment (Portland and Salem)

DEQ will continue to monitor ambient air quality ozone levels as described in the Contingency Plan. DEQ will update countywide emission inventories every three years beginning in 2005 as required by the Consolidated Emission and Reporting Rule (CERR) update of the National Emissions Inventory. If ambient ozone levels appear to be increasing, DEQ will compare CERR updates with the 2002 and 2015 emissions inventories and evaluate the assumptions used in the 2015 emissions projections to determine whether emissions are increasing at a rate not anticipated in the maintenance plan. The triggers in the Contingency Plan should prevent violations of the 8-hour standard in the Portland-Vancouver and Salem area.

Appendices

1. Ozone Monitoring Network (Vancouver-Portland-Salem regional area map and site description)
2. 1992 to 2005 Meteorological Factors Conducive to Ozone Formation in the Portland-Vancouver Area (ODEQ, draft, April 2006)
3. Emission Inventory
    a. Explanation of growth factors used in 2015 modeling projection, by source type, including assumptions included in the modeling projection
    b. AQMA and SKATS, 2002 (actuals) and 2015 (allowables + growth allowance), VOC Emissions, lb/seasonal day
    c. AQMA and SKATS, 2002 (actuals) and 2015 (allowables + growth allowance), NO_x Emissions, tons/year

   d. AQMA and SKATS, 2002 (actuals) and 2015 (allowables + growth allowance), NO_x Emissions, lb/seasonal day
   e. AQMA and SKATS, 2002 (actuals) and 2015 (allowables + growth allowance), CO Emissions, tons/year
   f. AQMA and SKATS, 2002 (actuals) and 2015 (allowables + growth allowance), CO Emissions, lb/seasonal day
4. Historical and Future Ozone Simulations Using the MM5/SMOKE/CMAQ System in the Portland-Vancouver Area (WSU, December 31, 2005)
5. Economic Report to the Metro Council, 2000-2030 Regional Forecast for the Portland-Vancouver Metropolitan Area (Metro's Data Resource Center, December 2002 final draft)
6. Maintenance Demonstration (detailed spreadsheet)

References

- "Maintenance Plan Guidance Document for Certain 8-hour Ozone Areas Under Section 110(a)(1) of the Clean Air Act" (memo dated May 20, 2005 from Lydia Wegman, EPA). The May 20, 2005 guidance applies to areas designated in attainment with the 8-hour ozone standard and preparing maintenance plans under Section 110(a)(1) of the Clean Air Act and 40 CFR 51.905(c) and (d).
- "Demonstrating Noninterference Under Section 110(l) of the Clean Air Act When Revising a State Implementation Plan" (draft EPA Guidance, 6/8/05)
- "1-Hour Ozone Maintenance Plans Containing Basic I/M Programs (memo dated May 12, 2004 from Tom Helms, EPA)
- April 30, 2004 Federal Register (69FR 23951), Final Rule to Implement the 8-Hour Ozone NAAQS-Phase 1
- July 8, 2005 Federal Register (70FR 39413), Notice of Final Rulemaking regarding Nonattainment Major New Source Review Implementation under 8-Hour Ozone NAAQS
- "Guidance on the Use of Models and Other Analyses in Attainment Demonstrations for the 8-hour Ozone NAAQS" (EPA-450/R-05-002, October, 2005)
- "Emission Inventory Guidance for Implementation of Ozone and Particulate Matter NAAQS and Regional Haze" (EPA-454/R-05-001, August 2005)
- "2002 Base Year Emission Inventory SIP Planning: 8-hr Ozone, PM 2.5 and Regional Haze Programs" (memo dated November 18, 2002 from Lydia Wegman, EPA)
- "Procedures for Processing Requests to Redesignate Areas to Attainment" (memo dated September 4, 1992 from John Calcagni, EPA)

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 06-3695, FOR THE PURPOSE OF RECOMMENDING APPROVAL BY THE OREGON ENVIRONMENTAL QUALITY COMMISSION OF THE DRAFT 2006 PORTLAND-VANCOUVER AQMA (OREGON PORTION) AND SALEM KEIZER AREA OZONE MAINTENANCE PLAN

Date: May 3, 2006 Prepared by: Mark Turpel

BACKGROUND

In the 1980's and 1990's, the Metro region had a problem with meeting federal ozone (smog) standards. There have been no ozone violations in the region since 1998. Today, the region is in attainment with both the 1-hour and 8-hour ozone standards. In addition, air quality conformity determinations (comparisons of future emissions from transportation with maximum transportation "budgets") for ozone are no longer required. However, an ozone maintenance plan update is still required by the federal Clean Air Act and U.S. Environmental Protection Agency rules.

Accordingly, the Oregon Department of Environmental Quality has prepared a draft 2006 Portland-Vancouver AQMA (Oregon Portion) and Salem Keizer Area Ozone Maintenance Plan dated April 18, 2006 ("Draft 2006 Ozone Maintenance Plan").

The Draft 2006 Ozone Maintenance Plan features of note to the region include continuing the Employee Commute Option (ECO) and Industrial Emissions Management Program. The ECO program is proposed to be refocused to address employers with more than 100 employees instead of employers with more than 50 employees and reporting every two years instead of annually. These changes to the Employee Commute Option have been reviewed by the Regional Travel Options (RTO) committee. The Draft 2006 Ozone Maintenance Plan also continues the Industrial Emissions Management Program, where a "cushion" is provided for expansion of existing businesses or new businesses. New growth allowances totals have been proposed and appear to be sufficient to provide for substantial growth.

As there is no longer any requirement for the region to model future ozone emissions from transportation sources, Metro and DEQ staff have discussed the worth of continuing this effort as a means of identifying potential problems early on. Such analysis is required for carbon monoxide and running the air quality emission model for ozone is easily done at the same time and with little extra effort. Metro and DEQ staff recommend that such ozone monitoring be done on a voluntary basis.

At the April 28, 2006 TPAC meeting, one of the proposed Transportation Control Measures (TCM) concerning monitoring Vehicle Miles Traveled (vmt) per capita was discussed. TPAC suggested that this measure remain substantially as proposed with triggers for reassessment should vmt per capita increase by the five percent trigger or more. However, they suggested that the additional nominal numbers representing the absolute vmt per capita be deleted so that adjustments in the geography of the area where vmt per capita is measured is not tied to older data based on a smaller urban area. (Previous data on vmt capita did not include the Damascus area as well as portions of Sherwood and Wilsonville.)

ANALYSIS/INFORMATION

1. **Known Opposition**

None

2. **Legal Antecedents**

Federal

Clean Air Act

SAFETEA-LU and predecessor transportation legislation

State

OAR 340, Division 200, State of Oregon Clean Air Act Implementation Plan
OAR 340, Division 202 Ambient Air Quality Standards and PSD Increments
OAR 340, Division 204 Designation of Air Quality Areas
OAR 340, Division 224 Major New Source Review
OAR 340, Division 225 Air Quality Analysis Requirements
OAR 340, Division 232 Emission Standards for VOC Point Sources
OAR 340, Division 242 Rules Applicable to the Portland Area - Employee Commute Options Program

Metro

Resolution No. 82-305, For the Purpose of Adopting the Ozone and Carbon Monoxide State Implementation Plans For the Oregon Portion of the Portland-Vancouver Air Quality Maintenance Area.

Resolution No. 85-610, For the Purpose of Endorsing the Revised Ozone Control Strategy For the Portland-Vancouver Interstate Air Quality Maintenance Area (AQMA).

Resolution No. 96-2260**,** For the Purpose of Recommending to the Environmental Quality Commission the Transportation Control Measures (TCM's), Contingencies, and Emissions Budgets to Be Included in the Portland Region's Ozone and Carbon Monoxide (CO) Maintenance Plans.

3. Anticipated Effects
Approval of the 2006 Ozone Maintenance Plan will ensure that federal regulations are met and air quality standards maintained.

4. **Budget Impacts**
The approval of the 2006 Ozone Maintenance Plan will result in fewer requirements for Metro.

RECOMMENDED ACTION

Staff recommends the adoption of Resolution No. 06-3695.

May 2, 2006

Regional Transportation Forum Summary

A summary of the April 20, 2006 forum discussion about the future of transportation in the Portland metropolitan region and the 2035 Regional Transportation Plan update.

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Auditor – Alexis Dow, CPA

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Metro
600 NE Grand Ave.
Portland, OR 97232-2736
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STAKEHOLDER FORUM SUMMARY

As part of the Metro Regional Transportation Plan (RTP) Update planning process, a stakeholder forum was held on April 20, 2006 to solicit feedback and generate discussion. This report serves as a summary of that meeting, including:

- An overview of the meeting **background and objectives**
- A description of the **meeting format**
- A summary of **key issues** that arose during the meeting

BACKGROUND AND OBJECTIVES

A variety of stakeholders from the Portland metropolitan area attended the April 20th Metro RTP forum. Participants included elected officials, city and county staff, and representatives from the business, environmental, and transportation community.

The objectives of the stakeholder forum were:

- Educate participants on the parameters of the RTP Update, including integration with the New Look process
- Gather input from stakeholders on recommended approaches and key issues to inform development of a work program and public participation plan
- Develop agreement on overall approach and objectives for the RTP Update
- Develop agreement on how key stakeholders and the general public will be engaged in the process.

MEETING FORMAT

The forum began with presentations by Metro Council President, David Bragdon, and Rex Burkholder, Deputy Council President and JPACT chair. Terry Moore of ECONorthwest Consulting then presented the specifics of the RTP planning process and discussed its integration with the New Look, a long range planning effort that is currently under way. Brian Scott of MIG, Inc. then briefed the participants on the proposed work program and participatory process envisioned for the RTP Update.

After the presentations, stakeholders broke into small groups to discuss the RTP update. The small group discussions began with brainstorming exercises intended to generate ideas and input on the work program and public involvement program. After the brainstorming sessions and discussion, each group reported back the results of their discussion and identified key issues affecting the work plan and public involvement components of the RTP update.

KEY ISSUES SUMMARY

During the report back session, key issues were identified in both the workplan discussion and the public participation discussion.

WORKPLAN DISCUSSION KEY ISSUES

- ***Outcomes-Based Planning***
  - Participants wanted a process that focused on achieving tangible, realistic outcomes that bring a high level of "bang for the buck."

- ***Fiscal Constraints***
  - Stakeholders relayed their clear understanding that transportation funding in the region would be under serious fiscal constraints due to a wide variety of factors including reductions in Federal contributions to local transportation funding, and a resistance to raising tax revenue at the State and local level.

- ***Sustainability***
  - Environmental sustainability should be a key consideration for the development of the RTP workplan.

- ***Equity***
  - Stakeholders wanted Metro to consideration economic and social equity as an important part of the RTP update.

- ***Coordination and Integration***
  - Stakeholders stressed the need for effective coordination and integration of efforts between agencies and jurisdictions (including Washington State and the upper Willamette Valley) as essential for the success of the RTP update. In addition, coordination and integration with the local and regional business community, environmental organizations, and other interest groups will be key for the success of the RTP update.

- ***Connection between land-use and transportation***
  - Participants stated that addressing the link between transportation choices and land use decisions should be an important aspect of the RTP update.

- ***Economic development/freight movement***
  - Transportation planning has a large impact on freight movement and overall economic development at both the local and regional level. This should be a key consideration for the update process.

PUBLIC OUTREACH DISCUSSION KEY ISSUES

- ***Coordinate with agencies and jurisdictions***
  - Several participants stated that Metro's past outreach efforts tended to bypass local jurisdictions, elected officials, and agencies. It was very strongly recommended that a concerted effort be made to effectively coordinate with local agencies and jurisdictions on the RTP update process.

- ***Education and Engagement***
  - Participants stated that the outreach effort was both an engagement effort and an education effort. Working to reach residents should involve both educational and outreach components so that the RTP update can benefit from informed input.

- ***Forge Partnerships***
  - Partnerships with a broad array of business, environmental, and transit advocacy groups would help the outreach effort be more effective.

- ***Multi-faceted outreach to the underrepresented***
  - A priority of the outreach effort should be to reach underrepresented groups such as non-English speakers and low-income communities.

CONCLUSIONS AND NEXT STEPS

During the key issues discussion and report back session, three issues emerged as most critical. First, participants were interested in an RTP that emphasizes realistic and tangible outcomes. Second, participants recognized that the RTP needed to take into account serious fiscal constraints facing the region. Finally, participants were very clear that effective coordination with jurisdictions and agencies would be necessary for the creation of an effective RTP. Integrating these critical issues into the workplan and public involvement effort will be key to ensuring the success of the RTP.

Next Steps:

- Work to integrate the RTP more effectively with the New Look effort
- Develop a workplan and public outreach effort based on the input received at the April 20 stakeholder forum
- Develop the RTP desired outcomes and evaluation criteria
- Develop RTP scenarios (specifics still to be determined)
- Integrate agency, jurisdictional, and public input to identify key regional transportation priorities
- Identify strategies for implementing regional priorities

Appendix A: Small Group Report Back Session Feedback

Workplan Feedback

- Take a hard look at costs & benefits
- Balance maintenance with capital investment
- Ensure balance between urban and rural (equity)
- Integrate environmental/sustainability goals into the planning (e.g. green streets)
- Tailor scenarios to reflect the possible energy shortage
- Make that land use and transportation connection
- Remember to consider freight mobility
- Revenues: (1) start with realistic revenue projection (2) It is ok to deviate from plans, but have a specific process of how to do that
- Make better connections (road and transit)
- Need to engage in community building
- Provide consistent information
- Be creative and equitable in funding solutions
- Provide values to products
- Orientation to scale and benefits of funding
- Outcomes: greater jurisdiction coordination (not only local other states too)
- Safety, can greatly influence our transportation system
- Mobility and access are interconnected
- Make sure it is a holistic process (funding and efficiency)
- Are we achieving our vision for the future?
- Look at current infrastructure options before we start new commitments
- Broader look at bi-state – make sure the planning process does not decouple the states
- Common standards and values
- Give people choices (e.g. tolls roads vs. gas tax) so they can respond more effectively
- Need to use scenario planning that shows possibilities of the future
- Need to ask these questions: Where are we now? What do we know, how do we know we are winning if we don't have a scorecard? Does the existing RTP meet objectives?
- Start with a no build option and then go on from there
- Clarify relationship between state and regional plans

- Overall balance of modes in RTP and matching funding with modal choices – be discrete and specific
- The existing framework does not adequately address business and freight
- Consider what are the tradeoffs to get the outcomes we want
- Need an improved way on how we make decisions
- Be realistic about our approach

Stakeholder Outreach Feedback

- Be sure to include special groups that were not captured in the past (e.g. developers, business communities, and individual jurisdictions)
- Communication across groups (interest and geographical) affects prioritizing. Once there is a balance we can agree and get better detail on strategic implementation
- Include local government – make them a strong partner
- Be careful there is no bias in polling
- Outreach to underrepresented people and youth
- Include web/tech based outreach tools and provide simulations
- Do not try to sell the pubic on our plan, ask them what they want and approach them in a very respectful way
- Question assumptions – the public is curious and intuitive
- Consider all costs of transportation and develop measurable outcomes
- Show relevance to lives of stakeholders
- Get past the hot button issues
- Focus on unlikely partnerships and public private partnership
- Work with Oregon and Washington transportation agencies
- Keep those who might disagree informed (gives them less ammunition)
- Outreach to elected officials (not just inside but also outside to include the northern Willamette valley)
- Iterative process involving education and engagement
- Tell people what strategy has been, how effective it has been, what's worked and not, and what are the future possibilities
- Outreach to local governments and civic groups and business community
- Engagement across disciplines
- Two-way conversation – input and engage people (big picture concepts)
- Be flexible and tailor events to fit the stakeholder groups/communities
- Make sure that everyone gets the same information and same context

- Offer choices – don't give stakeholders a blank slate
- Engage different groups (AAA, BTA etc.) by giving them a standard outline and let them run with it and inform their members

Appendix B: Small Group Participants

Light Green Group

- Nancy Kraushaar (Oregon City and TPAC member)
- Charles Becker (City of Gresham and MPAC member)
- Andy Cotugno (Metro)
- Jeanne Harrison (City of Portland)
- John Hartsock (City of Damascus and MPAC member)
- Ed Abrahamson (Multnomah County and TPAC member)
- Bob Cortright (DLCD)
- Roland Chlapowski (City of Portland)

Light Blue Group

- Kelly Sills (Policy Assistant Clark County Board of Commissioners)
- Corky Collier (Columbia Corridor Association)
- Kathy Busse (Washington County Transportation/Land Use Department)
- Richard Kidd (City of Forest Grove and MPAC member)
- Kate Warren (Metro Committee for Citizen Involvement)
- Chris Deffebach (Metro)
- Bridget Wieghart (Metro)

Dark Green Group

- Robert Liberty (Metro Council)
- Paul Thalhofer (City of Troutdale and JPACT member)
- Rob Drake (City of Beaverton, JPACT and MPAC member)
- Lenny Anderson (Swan Island TMA and RTO Subcommittee member)
- Gary Barth (Clackamas County Economic Development Commission)
- Meg Fernakees (Department of Land Conservation and Development and MTAC member)
- Arch Miller (Port of Vancouver)

Red Group

- David Bragdon (Metro Council President)
- Susie Lahsene (Port of Portland and JPACT alternate)
- Olivia Clark (TriMet)
- Matt Garrett (ODOT)
- Alice Norris (City of Oregon City and MPAC member)
- Scott Bricker (Bicycle Transportation alliance and TPAC citizen member)
- Jeff Stone (Oregon Association of Nurseries)

Yellow Group

- Brian Newman (Metro Council)
- Norm Andreen (Metro Committee for Citizen Involvement)
- Bill Kennemer (Clackamas County Commissioner and JPACT member)

- Jon Schlueter (Westside Economic Alliance)
- Anne Madden (Washington County Senior Program Educator)
- Jill Fuglister (Coalition for Livable Future)
- Dick Pedersen (Department of Environmental Quality and JPACT member)
- Don Wagner (WSDOT and JPACT member)

Orange Group

- Rod Park (Metro Council)
- Charlotte Lehan (City of Wilsonville and MPAC member)
- Chris Smith (MPAC citizen member)
- Lynn Peterson (City of Lake Oswego and JPACT member)
- Danielle Cowan (City of Wilsonville)
- Andy Back (Washington County and TPAC member)
- Marty Snell (Clark County and MTAC member)
- Lainie Smith (ODOT and MTAC member/TPAC alternate)
- Ginger Metcalf (Identity Clark County)
- Tom Miller (City of Portland)

Pink Group

- Marion Haynes (Portland Business Alliance)
- Sonia Manhas (Multnomah County Public Health)
- Margaret Middleton (City of Beaverton and TPAC alternate)
- Phil Selinger (TriMet and TPAC member)
- Tom Kloster (Metro)
- Bryan Snodgrass (City of Vancouver and MTAC alternate)
- Joan Plank (ODOT Chief of Staff)
- Satvinder Sandhu (FHWA)

Dark Blue Group

- Rex Burkholder (Metro Council and JPACT Chair)
- Steve Clark (Community Newspapers and Portland Business Alliance)
- David Cox (Federal Highway Administration)
- Dean Lookingbill (Clark County Regional Transportation Commission and JPACT member)
- Fred Hansen (TriMet)
- Kathryn Harrington (RTO Subcommittee Citizen Member)
- Vicki Dugger (Oregon Downtown Development Association)

Appendix C: Forum Participants

Metro
David Bragdon (Metro Council President)
Rex Burkholder (Metro Council District 5)
Rod Park (Metro Council District 1)
Brian Newman (Metro Council District 2)
Robert Liberty (Metro Council District 6)
Michael Jordan (Chief Operating Officer)
Andy Cotguno (Planning Director)
Chris Deffebach (Long-Range Planning Manager)
Tom Kloster (Regional Transportation Planning Manager)
Bridget Wieghart (Corridor Planning Manager)

Metro Committee for Citizen Involvement (MCCI)
Norm Andren (Metro Committee for Citizen Involvement)
Kate Warren (Metro Committee for Citizen Involvement)

JPACT Members *(not including Metro Councilors)*
Commissioner Sam Adams (City of Portland, JPACT and MPAC alternate)
Mayor Rob Drake (City of Beaverton, JPACT and MPAC)
Fred Hansen (TriMet, JPACT and MPAC alternate)
Commissioner Bill Kennemer (Clackamas County and JPACT)
Susie Lahsene (Port of Portland and JPACT alternate)
Dean Lookingbill (Transportation Director of RTC and JPACT alternate)
Dick Pedersen (Department of Environmental Quality and JPACT)
Councilor Lynn Peterson (City of Lake Oswego and Cities of Clackamas County – JPACT)
Mayor Paul Thalhofer, (City of Troutdale and Cities of Multnomah County – JPACT)
Don Wagner (Washington Department of Transportation and JPACT)

MPAC Members *(not including Metro Councilors)*
Mayor Richard Kidd (MPAC chair and City of Forest Grove)
Mayor Charles Becker (MPAC and City of Gresham)
Councilor John Hartsock (MPAC and City of Damascus)
Mayor Charlotte Lehan (MPAC and City of Wilsonville)
Mayor Alice Norris (MPAC and City of Oregon City)
Chris Smith (MPAC citizen member)

TPAC and TPAC Subcommittee Members
Ed Abrahamson (Multnomah County and TPAC alternate)
Lenny Anderson (Swan Island TMA and RTO Subcommittee member)
Frank Angelo (Westside Economic Alliance and TPAC citizen member)
Andy Back (Washington County and TPAC member)
Scott Bricker (Bicycle Transportation Alliance and TPAC Citizen member)
Kathryn Harrington (RTO Subcommittee citizen member)
Nancy Kraushaar (City of Oregon City and TPAC member)
Margaret Middleton (City of Beaverton and TPAC alternate)
Phil Selinger (TriMet and TPAC member)

Elaine Smith (ODOT Region 1 and TPAC member)
Paul Smith (City of Portland and TPAC member)

MTAC Members
Meg Fernekees (Department of Land Conservation and Development and MTAC member)
Marty Snell (Clark County Long-range Planning Manager and MTAC member)
Bryan Snodgrass (City of Vancouver and MTAC alternate)

Other Local, State and Regional Governmental Representatives
Kathy Busse (Washington County)
Bob Carley (City of Wood Village)
Roland Chlapowski (City of Portland)
Olivia Clark (TriMet)
Bob Cortright (Department of Land Conservation and Development)
Danielle Cowan (City of Wilsonville)
David Cox (FHWA Regional Administrator)
Vicky Dugger (Oregon Economic and Community Development Department)
Matt Garrett (ODOT Director)
Cam Gilmour (Clackamas County)
Jeanne Harrison (PDOT)
Anne Madden (Washington County Senior Program Educator)
Sonia Manhas (Multnomah County Community Health)
Arch Miller (Chair, Port of Vancouver)
Tom Miller (City of Portland)
Joan Plank (ODOT Chief of Staff)
Kelly Sills (Policy Assistant for Clark County Board of Commissioners)
Satvinder Sandhu (Federal Highway Administration and TPAC alternate)

Business Groups
Gary Barth (Vice President of Sterling Savings Bank and Clackamas County Economic Development Commission member)
Steve Clark (Portland Tribune and Portland Business Alliance)
Corky Collier (Columbia Corridor Association)
Marion Haynes (Portland Business Alliance)
Jonathan Schlueter (Executive Director of Westside Economic Alliance)
Jeff Stone (Oregon Association of Nurseries)

Community Groups
Jill Fuglister (Coalition for a Livable Future)
Ginger Metcalf (Executive Director Identity Clark County)

INVITED, BUT NOT ABLE TO ATTEND

Metro
Carl Hosticka (Metro Council District 3)
Susan McLain (Metro Council District 4)

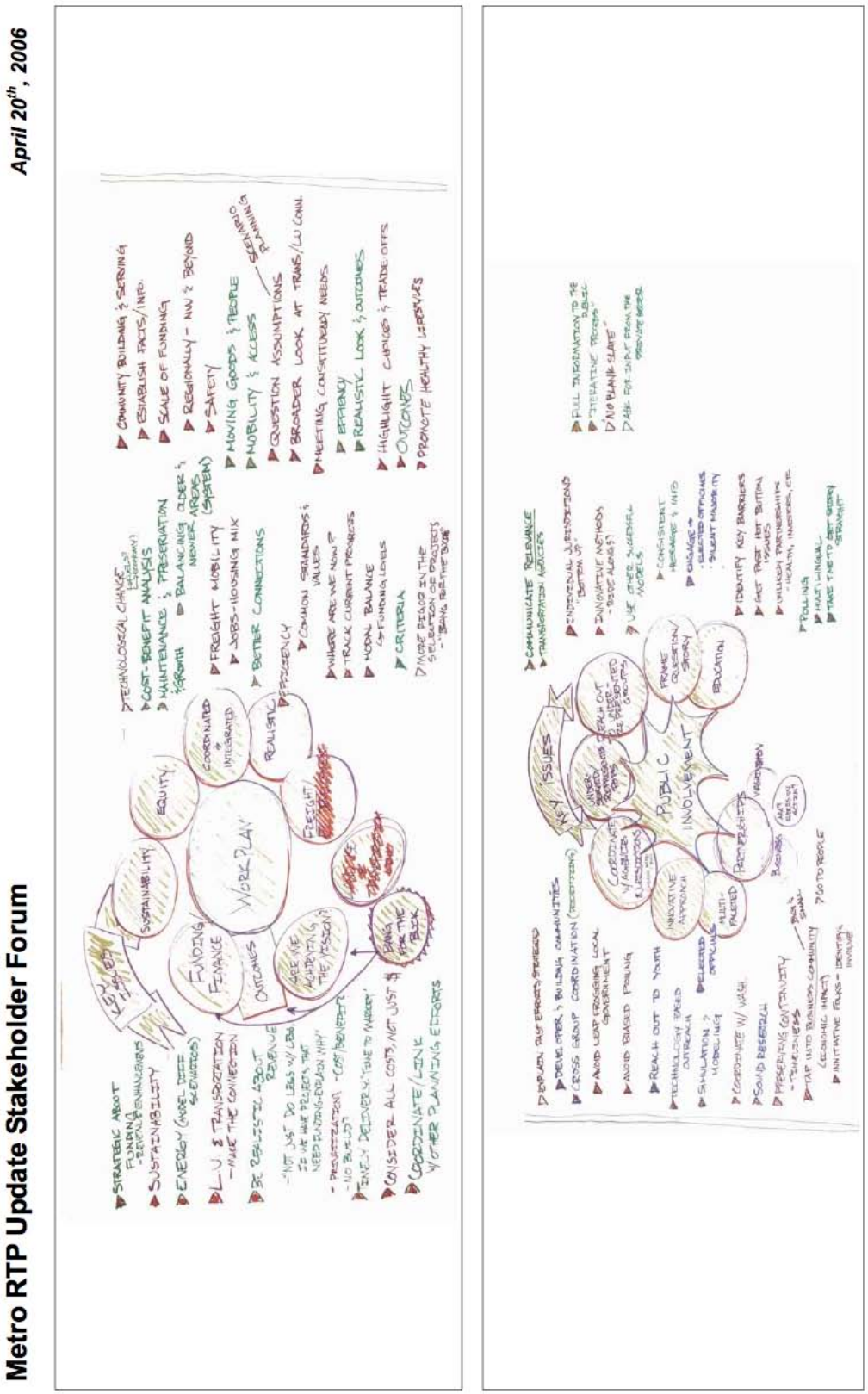
JPACT Members
Jason Tell (Oregon Department of Transportation Region 1)
Mayor Royce Pollard (City of Vancouver)
Commissioner Roy Rogers (Washington County)
Commissioner Maria Rojo de Steffey (Multnomah County)
Commissioner Steve Stuart (Clark County)
Bill Wyatt (Port of Portland)

MPAC Members
Jack Hoffman (Lake Oswego attorney)
Laura Hudson (City of Vancouver and MPAC alternate)
Mayor Tom Hughes (City of Hillsboro and MPAC)
Margaret Kirkpatrick (NW Natural and MPAC member)
Commissioner Steve Stuart (Clark County)

TPAC and TPAC Subcommittee Members
Lynda David (RTC and TPAC member)
Lee Johnson (TPAC Citizen member)
Dave Nordberg (DEQ and TPAC member)
Ron Papsdorf (City of Gresham and TPAC member)
John Rist (Clackamas County and TPAC member)
Karen Schilling (Multnomah County and TPAC member)

Other Local, State and Regional Governmental Representatives
Gail Achterman (Oregon Transportation Commission)
Dennis Derby (Land Conservation and Development Commission)
Pat Egan (Governor's Office)
Lynne Griffith (C-TRAN Executive Director)
Dave Hunt (State Representative District 40)
Bob McIntire (Clark County)
Chris Warner (Governor's Office)
Janice Wilson (Oregon Transportation Commission)

Appendix D: Small Group Report Out Wall Graphic



METRO
PEOPLE PLACES
OPEN SPACES

Schedule for Development of 2035 RTP Update
Work Program and Public Participation Plan

Date	Time/Location	Meeting	Purpose
March 7	2:15-3:15 p.m. Council Chambers	Council work session	Contractor facilitates discussion on RTP issues/principles/parameters
March 9	7:30-9 a.m. Council Chambers	JPACT	Contractor facilitates discussion on RTP issues/principles/parameters
March 15	9:30-noon Room 370 A/B	MTAC	Informational update
March 22	5-7 p.m. Council Chambers	MPAC	Informational update
March 31	9:30-noon Room 370 A/B	TPAC	RTP 101 - Informational update
April 6	2-4 p.m. Council Chambers	Council work session	New Look/RTP - Informational update
April 13	7:30-9 a.m. Council Chambers	JPACT	Informational update
April 19	9:30-noon Room 370A/B	MTAC	RTP 101 – informational update
April 20	8-11 a.m. OCC, room A106	RTP Forum	Contractor facilitates discussion of RTP issues and process with key stakeholders
May 9	2:15-3:15 p.m. Council Chambers	Council work session	Contractor facilitates discussion of draft work plan and PIP
May 10	5-7 p.m. Council Chambers	MPAC	Members debrief on RTP forum and discuss draft work plan and PIP
May 11	7:30-9 a.m. Council Chambers	JPACT	Contractor facilitates discussion of draft work plan and PIP
May 11	1:30-3 p.m. Room 270	RTO Subcommittee	Discuss draft work plan and PIP
May 15	2-4 p.m. Rom 370 A/B	Joint TPAC/MTAC workshop	Discuss draft work plan and PIP
May 17	9:30-noon Rom 370 A/B	MTAC	Discuss draft work plan /recommendation to MPAC
May 24	1-3 p.m. Council Chambers	Council work session	New Look • RTP 101 – informational update
May 24	5-7 p.m. Council Chambers	MPAC	Considers draft work plan and PIP/recommendation to JPACT and Council
May 26	9:30-noon Room 370 A/B	TPAC	Considers draft work plan and PIP/recommendation to JPACT
June 7	6- 8 p.m. Room 270	MCCI	Discuss draft PIP/recommendation to Council
June 6	2:15-3:15 p.m. Council Chambers	Council work session	Discuss draft work plan/PIP if needed
June 8	7:30-9 a.m. Council Chambers	JPACT	Considers draft work plan and PIP/recommendation to Council
June 15	2-4 p.m. Council Chambers	Council meeting	Considers draft work plan and PIP and Res. 06-0661

APRIL 2006

Getting There

Updating Metro's Regional Transportation Plan

A NEW LOOK AT REGIONAL CHOICES FOR TRANSPORTATION

METRO

PEOPLE PLACES
OPEN SPACES

Metro is updating its Regional Transportation Plan (as required by federal law), which will identify transportation investments slated for the next 20 years. This is the first major update to the Regional Transportation Plan since 2000, which was the first truly multi-modal plan, integrating land-use and transportation objectives.

THE PROCESS

The Regional Transportation Plan will be created, reviewed, and adopted in five phases:

1. **Scoping** (February – June 2006).
2. **Research and Policy Development** (June – December 2006).
3. **System Development and Analysis** (January – September 2007).
4. **Adoption Process** (September – November 2007).
5. **Post-Adoption Consultation with federal and state agencies** (Dec. 2007 – March 2008).

There are many federal, state, and regional requirements, but the Regional Transportation Plan is fundamentally about prioritizing transportation investments in the face of competition for limited funds.

The process will incorporate public opinion research, policy development and technical work in a discussion of:

- What **outcomes** do we want to achieve
- What **actions** are most likely to produce those outcomes
- What **obstacles** (especially financial) are likely to hinder these actions
- **Which** actions should be pursued

KEY OBJECTIVES

Three elements of the planning process are especially important:

- Integration and coordination with other regional planning efforts.
- Focus on relevant, understandable and accurate information, desired outcomes, and realistic financial assumptions.
- Effective stakeholder engagement.

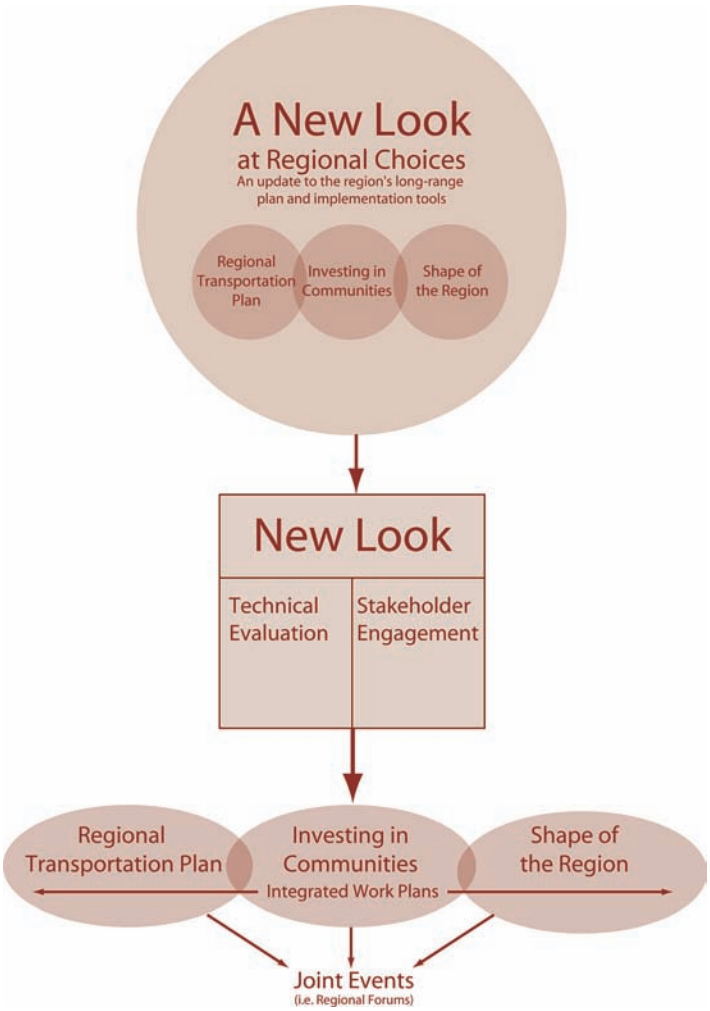
over

Updating Metro's Regional Transportation Plan

page 2

INTEGRATION AND COORDINATION

The update of Metro's Regional Transportation Plan is one component of the region's "New Look" at its 2040 Growth Concept. The New Look also includes the "shape of the region" (land use and transportation patterns) and "investing in communities" (implementation and financing strategies). Each component of the New Look includes technical evaluation as well as stakeholder engagement. The process seeks to integrate and coordinate these interrelated work plans as shown in the following diagram:



A new look at regional choices
re-evaluates regional transportation, land use, and investment strategies and implementation tools.

FOCUS ON OUTCOMES

The current Regional Transportation Plan includes projects that would cost more than twice the anticipated funding. To build a more realistic transportation plan within the region's financial constraints, the process has been designed to:

- Identify what matters most to residents and businesses,
- Measure what matters, and
- Facilitate choices about public policies and investments.

STAKEHOLDER ENGAGEMENT

Effective outreach engages the community. It helps civic leaders make informed decisions, builds capacity at the community level, and creates good citizens who enable effective policy. Metro's Regional Transportation Plan update will include a robust dialogue about values, priorities, and desired outcomes.

Key elements of effective public involvement efforts include:

- **Equity** — all voices are heard
- **Efficiency** — through early community buy-in
- **Quality** — reflecting community needs enhances project quality

For the Regional Transportation Plan update, the outreach plan includes:

1. Initial Outreach and Education
2. Coordination and Collaboration
3. Public Review and Comment on the draft Regional Transportation Plan

A complete description of the Regional Transportation Plan update process can be found at **www.metro-region.org/rtp**.

For more information or to be added to the 2035 RTP Update interested parties list, call Regional Transportation Planning at (503) 797-1839 or send e-mail to rtp@metro-region.org.

M E M O R A N D U M

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1700 | FAX 503 797 1794

METRO

DATE: May 4, 2006

TO: JPACT and Interested Parties

FROM: Ted Leybold: MTIP Manager
Lainie Smith: ODOT Planning and Development Manager

SUBJECT: Proposed STIP Modernization recommendation process

* * * * * * *

Process & Proposed Schedule

April 27 TPAC: Schedule defined, review/comment on prioritization criteria and evaluation materials.

May 11 JPACT: Briefing on schedule and technical materials.

May 26 TPAC: Technical evaluation of projects, brief on public comment report. Recommendation on 100% modernization list.

June 8 JPACT: Technical evaluation of projects, brief on public comment report. Action on 100% modernization list (if TPAC recommendation reached).

May 30 or June 12 TPAC: Special TPAC meeting if necessary for Recommendation on 100% modernization list.

June 22 JPACT: Special JPACT meeting if necessary on Action on 100% modernization list.

June 22 or 29 Metro Council: Adopt 100% modernization list recommendation.

The process used by ODOT in coming up with the 150% list of

modernization projects applied the OTC eligibility and prioritization criteria in the following manner:

1. Past commitments: ODOT planners started with a list of projects in the current STIP or planning work program, updated the cost estimates, added additional money as necessary, or funded a next logical phase to honor past commitments.

2. Consistency with acknowledged Transportation System Plan (OTC eligibility factor): ODOT staff submitted additional potential projects for each county based on the Constrained RTP project list and based on local priorities as identified at County Coordinating Committees and regional stakeholders. (Federal law requires modernization projects to be in the constrained RTP before being included in the STIP, because projects must comply with the air quality conformity analysis.)

3. Project Need: ODOT staff identified the RTP timeframe: looked at 2004-09 projects as highest priority, 2016-25 as lowest priority.

4. Available Funds: staff eliminated projects or project phases over $ 30 - 50 million due to insufficient funds in this STIP cycle.

5. Leverage: staff identified projects with federal earmarks and/or alternative funding sources (Bridge, Safety, Preservation, Planning) - if the earmark or alternative funding source was deemed sufficient, the project did not need to be on the list of Modernization projects. If the earmark or alternative funding source was insufficient, staff considered adding some Modernization funds to make them whole.

6. Freight: ODOT staff considered freight criteria including OFAC list of priority projects, and worked closely with ODOT Freight Mobility staff in providing project information to help OFAC refine their list.

7. Oregon Highway Plan support: focused on consistency with Major Improvements Policy, i.e. favored lesser improvements that defer the need for major improvements (OTC eligibility factor).

8. Project-readiness: staff assessed technical, legal, and political project readiness of remaining projects

9. Geographic distribution: considered equity between Metro vs. non-Metro jurisdictions and between counties within Metro.

Next, in order to arrive at a 100% list, ODOT and Metro staff will prepare a matrix applying the OTC prioritization criteria to the projects on the 150% list and to other projects proposed in comments submitted to ODOT during the recent comment period. In doing so, staff proposes to apply the criteria to projects in the Metro area in a manner that address both Oregon Transportation Commission and local prioritization criteria with a qualitative technical evaluation by ODOT and Metro staff.

Qualitative Technical Evaluation Criteria

Following is a set of evaluation factors consistent with these criteria that incorporates factors of regional and local concern.

A. Project Readiness:
• Has the proposed improvement been adequately defined through transportation systems planning, corridor planning, and/or environmental analysis?
• Is the proposed improvement consistent with the RTP and with the local Comprehensive Plan and Transportation System Plan, or is there a need for further planning?

B. Projects that best support the policies of the Oregon Highway Plan:
• Is the proposed improvement consistent with the Major Improvements Policy?
• Is it consistent with the Land Use and Transportation Policy, i.e. does it appropriately support priority 2040 land uses such as Mixed Use Centers and Industrial Areas?

C. Projects that support Freight Mobility:
• Is the project on the State and/or RTP Freight system?
• Is the Highway designated an NHS inter-modal connector?
• Does it remove barriers to the safe, reliable, and efficient movement of goods?
• Does it support multi-modal freight movement?

D. Projects that leverage other funds and public benefits:
• Is the local jurisdiction willing to contribute to the project by providing an overmatch or is there innovative financing that can be leveraged?
• Will the project leverage other publicly or privately funded infrastructure projects?
•Does the project offer opportunity for transfer of jurisdiction?
• Will the project benefit multiple modes of travel?
• Will the project aid in traded-sector job creation/retention?

E. Environmental
• Will the project require additional environmental documentation or is it based on a completed ROD or FONSI?

These questions will be assessed in a summary matrix answering each question with either yes/no/unknown or high/medium/low/unknown format and a brief description of why the project received that answer.

Metro and ODOT staff will also be coordinating our respective planning and project development programs for clarification on work plan scope and budgets through the 2008-11 time frame. Proposals for programming some 2008-11 Modernization funding to these activities under the Development-STIP may be generated as a result of this coordination. Any requests for Projects proposed for the development-STIP will be evaluated under the criteria established by the OTC for eligibility and prioritization of development-STIP work.

ODOT Planners have prepared Project Summary Reports that include an initial response for projects on the 150% list to the OTC prioritization criteria. Local jurisdictions are encouraged to submit information relative to these criteria to Ted Leybold and Lidwien Rahman via e-mail at leyboldt@metro.dst.or.us or by phone at 503-797-1759 by May 15, 2006, to help inform this initial assessment.

The technical evaluation and summary of public comments received on the 150% list will be presented to TPAC for comment as well as a draft recommendation of a prioritized Modernization program list. TPAC will be asked to recommend a prioritized list to JPACT for its consideration and referral to Metro Council. This list will then be recommended to ODOT Region 1 Manager for inclusion in the draft STIP.

For descriptions of the Region 1 STIP process including individual Modernization project descriptions and copies of the public comments received, please go to: http://www.oregon.gov/ODOT/HWY/REGION1/r1stip/

For more information on the statewide 2008-11 draft STIP development process, please go to http://www.oregon.gov/ODOT/HWY/STIP/0811DraftStip.shtml.