



January 3, 2008

To: Metropolitan Policy Committee

From: Byron Vanderpool

Subject: Item 5 e: RTP Follow Up

Action Recommended: None. Information Only.

Background:

During its discussion of adoption of the Regional Transportation Plan (RTP) at its November 8, 2007 meeting, MPC members asked MPO staff to bring back answers to several questions.

While there were a number of specific questions, they can be generalized into four broad areas:

1. What is the Public Involvement portion of the MPO budget and how is it being spent?
2. For the FY 2007-2031 RTP development/adoption process, what were the public outreach activities, and how can public outreach be improved in future?
3. Analyze the RTP's revenue estimates in light of recent statements by ODOT of decreased future funding.
4. How can the region improve coordination between the federal and local (state) planning processes?

Responses:

What is the Public Involvement portion of the MPO budget and how is it being spent?

As approved by MPC, the MPO's FY07 Unified Planning Work Program (UPWP) contains \$123,000 for public outreach activities by the MPO. This is the budget for all public outreach activities of the MPO, not just for development of the RTP. The FY07 amount is in line with previous budgets for this program area.

As of November 30, 2007, the MPO had expended \$73,607, roughly 60% of budget, on this activity. This would be the expected pattern as RTP, MTIP and Air Quality Conformity Determination outreach activities occurred in the first half of this fiscal year.

The general public involvement activities for the MPO this year have been:

ACTIVITY	APPROXIMATE PERCENTAGE OF EXPENDITURE
<p><u>Citizens Advisory Committee support:</u> Staff preparation and attendance at CAC meetings; meetings with CAC officers; develop, mail out, and post packet materials; report to MPC; conduct field tours and orientation for new members; conduct recruitment drives; maintain contact lists; translate and print materials in Spanish and in Braille; review bylaws; work with CAC freight subcommittee</p>	50%
<p><u>Plan- and product-oriented activities:</u> Design, develop and produce Citizen's Guide; prepare and publish newspaper advertisements and web notices for public involvement opportunities; send out announcements to interested parties email list; distribute draft documents to libraries; prepare for and staff open house for MTIP and RTP; prepare and post materials to web for draft MTIP, RTP and AQCD; print and distribute copies of plans; begin Title VI plan update</p>	25%
<p><u>Ongoing, routine outreach:</u> Respond to phone and email contacts; distribute media notices; prepare MPC and TPC packets for posting to web; update web pages; maintain up-to-date MTIP project list (as amended) on the web site;</p>	11%
<p><u>e-MPO Development:</u> Design and implement new web site including graphics design and software development; design, develop and input data for RTP web project database; design and develop MTIP project database for future inclusion on web</p>	14%

For the FY 2007-2031 RTP development/adoption process, what were the public outreach activities, and how can public outreach be improved in future?

Attachment 1 outlines the public outreach activities, comments received from the public, and staff information developed in response to comments during the FY07-31 RTP update process.

Attachment 2 outlines work by the CAC on the RTP process.

Public involvement for the MPO is guided by the Public Participation Plan (PPP) which was adopted by MPC in January 2007. As can be seen from the attachments, the public outreach process was extensive and multi-faceted. Large amounts of information concerning the planning process and plan content were made available to the public over a long period of time, and multiple venues for comment were provided.

If success of the public involvement process is to be judged solely by the number of people who made time to testify in public hearings or provide written input, then the process can be deemed deficient. This criticism has been made by members of the public.

To address this concern, the CAC was asked at its December 5 meeting to review the RTP public involvement process, the petition from the Goal 1 Coalition, and questions from the MPC, and consider an analysis of the process and how the process can be improved.

The CAC agreed that the MPO's Public Participation Plan had been followed. The general consensus of the Committee was that the public is most interested in having meaningful input at a point in the planning process which allows for changes to be made, for example, to projects on the project list. The CAC recognizes that this opportunity largely occurs during the local planning processes and during the environmental review for a project, not at the MPO's RTP level. The RTP project lists are generated from the local plans, thus projects have undergone public input during the adoption of the local plans. The CAC will continue its review of this issue and will make additional recommendations to the MPC at a future date.

In the past, members of the public have suggested that the MPC meet in the evenings to provide a better opportunity for the public to attend. It should be noted that the RTP/MTIP public workshop was held in the evening, as are monthly CAC meetings.

Scheduled to be deployed in early 2008, the e-MPO internet application will provide an additional tool for the public to use in corresponding with the MPO.

Analyze the RTP's revenue estimates in light of recent statements by ODOT of decreased future funding.

The revenue projections in the RTP are developed in accordance with federal SAFETEA-LU regulations and U.S. Department of Transportation guidance. The overarching guidance is that the projections of federal, state and MPO revenues must be developed in coordination with ODOT. To address this requirement, ODOT and the six Oregon MPOs have a long-standing staff group that meets periodically to review, update and produce the projections of federal, state and MPO revenues for use by ODOT and the MPOs. These projections take into account the latest available information at the federal, state and local levels, with the last major forecast update completed in the spring of 2006 in time for use by the MPOs in their then-upcoming SAFETEA-LU-required updates of their RTPs. (Minor updates to the projections occurred in the spring of 2007.)

Since at least one of the Oregon MPOs is still in the midst of their SAFETEA-LU RTP update, and ODOT and MPO staffs are awaiting new information from the federal government regarding budget and financial assumptions, no major update of the financial forecasts is scheduled for the immediate future. However, the staff group will conduct a review and update of the forecasts at the earliest appropriate time.

The Central Lane MPO's RTP provides a summary of the revenue estimate methodology in Part Two of Chapter 3. The section that discusses "Roadway System Revenues" indicates that the state highway trust fund revenue projection is based in part on assumptions of increases in the Oregon gas tax of 1.00¢ per gallon per year and in the biennial state vehicle registration fee of fifteen dollars every eight years. These assumptions were updated by the statewide staff revenue forecasting group during the 2004-2006 update of the revenue forecasts. They are modified from the 2001 and 2002 RTP assumption of a gas tax increase of 1.25¢ per year.

It is very important to note that the two assumptions above (increases in the state gas tax and vehicle registration fee) are considered placeholders in the forecasts. The underlying assumption is that the revenue will grow by an amount equivalent to the increase that would be generated by increases in the gas tax and the registration fee, whether via those exact revenue mechanisms, or other means. The assumptions are reasonable placeholders for estimating increases in ODOT revenue that may be available for modernization projects on the state system, whether actual revenue increases result from these two actions, or from other sources, such as legislative funding action (OTIA funding programs being one example). This view of the gas tax and registration fee assumptions has been in place since the development of draft revenue forecasts in 1997 for the update of the RTP adopted in 2001.

It should also be noted that, due to increasing vehicle fleet fuel efficiency, and thus lower fuel sales per vehicle mile traveled, an increase in the gas tax does not directly lead to a proportionate increase in revenue. Without any increase in the gas tax, gas tax revenues are eroding primarily from increases in fuel efficiency.

It is equally important to keep in mind that the RTP revenue forecasts are long-term, 24-year forecasts of funding *reasonably likely* to be available for the intended purpose. The RTP does not attempt to forecast annual revenues, nor is it intended that the revenue forecasts provide an annual average or other estimate of available funding for any short time frame within the 24-year horizon of the RTP. Especially for modernization funding on the ODOT system, the available revenue in any one funding period (such as a two-year STIP cycle) may vary significantly from period to period, influenced by any number of revenue or project factors (again, such as OTIA or other federal or state legislative funding programs). For example, funding for a \$100 million ODOT interchange project, built over the course of only several years, may represent a significant portion of the RTP's entire 24-year revenue forecast for ODOT modernization. The RTP revenue forecasts are intended to provide a big picture, long-term estimate of the revenue anticipated as reasonably likely to be available for the intended purpose.

At the current time, while some indicators may point to the potential for decreasing ODOT modernization funding in the future, other indicators give different outlooks. A primary example is the November 30, 2007 ODOT Region 2 letter from Jeff Scheick (included in the January, 2008 MPC packet as Attachment 1 to Item 5.b). That letter lays out four tasks for the Region 2 ACTs and Lane County related to at least three STIP funding cycles. Task 3 requests "consideration of a funding increase to support a \$140 million per year modernization program" [*emphasis added*]. Note that such a funding increase would result in approximately \$25 million per year more in Region 2 modernization funding for each of six STIP programming years. This could translate to approximately \$5 million dollars per year in additional ODOT modernization funding for projects in Lane County.

Tables 4 and 5 in Chapter 3 (pages 64/65) of the RTP provide a summary of the revenue and cost estimates for the entire RTP, by jurisdiction and purpose. Of the entire \$2.341 billion fiscally constrained RTP, approximately \$525 million is listed for roadway modernization projects over the entire 24-year RTP horizon, including \$292 million for ODOT roadway modernization and \$233 million for local city/county roadway modernization. As noted above, the vast majority of the \$292 million listed for ODOT modernization projects corresponds to only six individual projects totaling approximately \$283 million, including over one-third (\$100 million) for the I-5/Beltline project alone. The remainder of the RTP costs are allocated roughly to local and state roadway OM&P (~\$840 million), the bicycle/pedestrian system (~\$37 million), and Lane Transit District OM&P and modernization (~\$937 million).

The fiscally constrained \$292 million listed in the RTP for ODOT modernization represents only about 55 percent of the \$530 million in projected need for ODOT modernization on the state system within the MPO area over the 24-year RTP horizon. As per federal regulations, the RTP is fiscally constrained to the reasonably anticipated revenue forecasts developed jointly by ODOT and the MPOs. The remaining 45 percent of the identified ODOT need is included on the RTP's Illustrative project lists.

How can the region improve coordination between the federal and local (state) planning processes?

The MPO is governed by federal law and rule. The RTP must be updated at least every 4 years, and must be consistent with local transportation and land-use plans.

“Consistent” does not mean “identical.” For the RTP to be consistent with local plans, it must consider the best available local information, generally the most current plan and/or adopted assumptions. The RTP is required to address specific aspects of the regional transportation system within the MPO boundary, including such issues as air quality, congestion, safety and security, federal Title VI regulations, etc. Many of the elements of the RTP are not required elements of local (state) transportation plans. The Federal Highway Administration (FHWA) has stated on several occasions that Central Lane MPO’s RTP meets or exceeds all federal consistency requirements. FHWA has additionally stated that the local decisions reflected in the MPO’s plans and programs are not at question when FHWA reviews those products (as long as the decisions are not *inconsistent* with locally-adopted plans), but, rather, FHWA strives to ensure that the MPO’s process has considered, and is consistent with, locally-adopted plans and assumptions.

Local plans include TransPlan, the Coburg Transportation System Plan (TSP) and the ODOT State Highway Plan, as well as local comprehensive land use plans, capital improvement plans, coordinated population forecasts, etc.

Authority and responsibility for development and maintenance of these local plans rests with local jurisdictions including the Lane County Board of Commissioners, Eugene, Springfield and Coburg city councils, the LTD Board, and the Oregon Transportation Commission. The MPC and MPO have no authority with respect to these plans. All MPO partners are in agreement that local land use decisions should continue to be made at the local government level: thus, project lists for the RTP are almost entirely comprised of the project lists from the local Transportation System Plans wherein the integration of land use and transportation takes place. The MPO utilizes the local comprehensive land use plans and the coordinated population estimates to estimate the impact of future growth on the regional transportation system. The evaluation made during this particular update cycle indicated that the anticipated population and employment growth could be accommodated with the existing Eugene/Springfield UGB albeit toward the upper end of the residential densities specified as allowed in the MetroPlan. Given that this scenario was accepted by MPC and no UGB expansion was indicated, no new roadway projects were needed to serve areas currently outside of existing UGBs.

During the latter stages of development of the FY07-31 RTP, ODOT and the Department of Land Conservation and Development (DLCD) expressed concerns about the mismatch of planning horizons between the RTP (2031) and TransPlan (2015). DLCD was also concerned that review of the performance measures included in TransPlan had not been completed. These performance measures were adopted by

Eugene, Springfield and Lane County during the local adoption of TransPlan as the Eugene/Springfield/Lane County TSP, and accepted by the Land Conservation and Development Commission as alternatives to the standard TPR requirements of local TSPs.

Under the State's Transportation Planning Rule (TPR), adoption of an RTP by an MPO triggers the need for review of local transportation plans to either 1) make a finding of consistency with the RTP; or 2) amend the local plan to achieve consistency; or 3) develop an LCDC-approved work plan for updating the local plan. In general terms, one of these steps must be taken within 12 months of RTP adoption. With this RTP update, the need for reviewing consistency of the local plans was triggered by the removal of the West Eugene Parkway from the RTP project list (OAR 660-012-0016(3)(b)). Update of the planning period and modification of the population and employment forecast were made in accordance with the process laid down in the TPR and thus are "consistent with the requirements of this rule" (OAR 660-012-0016(5)).

Note there is no reciprocal federal requirement whereby an update of a local transportation plan triggers the requirement for an RTP update. MPOs may update the RTP at any time, but must update the RTP at least every four years. However, as described above, inclusion of a new significant roadway project in a local TSP would almost certainly result in the inclusion of that project in the RTP, either as an amendment to the RTP or through a broader update to the RTP. That is, the RTP will continue to mirror the local decisions made at the local level concerning land use and transportation integration.

The TPR also requires entities within an MPO to develop a Regional Transportation System Plan (RTSP.) To date, the Central Lane region has not adopted an RTSP. Considerable discussion is taking place to determine exactly what an RTSP is, what value it will provide in addition to local TSPs and the RTP, and what form it should take. Note that while some claim TransPlan is the region's RTSP, TransPlan was never adopted as such, and does not include all MPO members, most particularly Coburg.

To complicate the issue are the questions of the nexus of the requirements of HB 3337 with its requirement for establishment of separate UGBs for Eugene and Springfield; possible updates to TransPlan; the update of the Coburg TSP (in process); and timing of the next updates to local comprehensive plans including the Metro Plan.

To address these issues, joint meetings have been held between local land use and transportation planning staff, local legal council, MPO staff, and ODOT and DLCD representatives. Meetings were held on November 9 and November 29, with the next joint meeting scheduled for February 8, 2008. Meetings of local staff are also occurring on a more frequent basis including at the standing weekly meetings of the transportation and land use planning staff of Eugene, Springfield, Coburg, Lane County, ODOT, LTD and LCOG. These meetings have been held for many years on a weekly basis to discuss MPO issues including plan updates.

While much work remains to be done, to date there has been general agreement to develop a workplan which juxtaposes the federal planning process with the local planning processes. There is also agreement to conduct an evaluation of progress on the local plans by analyzing the LCDC-approved alternate performance measures as well as comparing the region's actual population growth against the Metro Plan's population projections to determine whether the 2015 date included in TransPlan is an accurate plan horizon. Regular updates of the group's progress will be shared with MPC.

Attachments:

1. Public Outreach/Information Activities for FY07-31 RTP Update
2. Citizens Advisory Committee Discussions and Actions Concerning RTP Update