


<p><b>Oregon Transportation Commission</b></p>  <p style="text-align: center;"><b>POLICY</b></p> <p style="text-align: center;">(Draft Date: 11/19/07)</p>	<p>NUMBER <b>TRANSPORTATION COMMISSION-99</b></p>	<p>SUPERSEDES <b>TRANSPORTATION COMMISSION-99</b></p>
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	<p>REFERENCE <b>OREGON TRANSPORTATION COMMISSION MINUTES</b> – Month day, 2007 <b>POLICY ON FORMATION AND OPERATION OF AREA COMMISSIONS ON TRANSPORTATION</b></p>	
<p>SUBJECT <b>Project Earmark Requests</b></p>	<p><b>STIP PROJECT ELIGIBILITY CRITERIA AND PRIORITIZATION FACTORS</b></p>	

**PURPOSE**

The Oregon Transportation Commission (OTC) establishes the following policy to increase the likelihood that congressional earmarks in the surface transportation reauthorization legislation will contribute to advancing or completing projects that have been identified as priorities by the OTC’s regional or statewide transportation advisory committees.

**POLICY**

The Oregon Transportation Commission intends to advance an official OTC Earmark Requests List, containing a limited number of earmark requests in the federal surface transportation reauthorization legislation for projects that are strategic investments in Oregon’s transportation system and have broad support. ODOT will provide or help provide matching funds and funds to make up any shortfalls for projects on the OTC list.

In developing the official OTC Earmark Requests List, the Commission will consider recommendations from Area Commissions on Transportation (ACTs) and other advisory bodies, statewide priorities, and available budget for providing required match and fully funding the project. The Commission may give preference to earmark requests that will complete the funding necessary to fully construct a project over requests that will fund only earlier phases, such as project development activities or right-of-way acquisition, or only beginning construction of a new project.

ODOT region staff and local government agencies are expected to work together through the Area Commission on Transportation (ACT) or similar body to identify and recommend appropriate projects that are high priorities for the area, have broad support, and meet the criteria laid out in this policy. The ACTs are to prepare the ACT Earmark Recommendation Lists and supporting documentation that demonstrates how each project meets the Earmark Project Requirements. The OTC

will review and consider projects on the ACT Earmark Recommendation Lists to prepare the official OTC Earmark Requests List. The OTC may also consider recommendations from its statewide advisory committees such as the Public Transportation Advisory Committee (PTAC) or the Oregon Freight Advisory Committee (OFAC). Projects that have the support of multiple parties including local governments, area and statewide transportation advisory committees, and the ODOT region will be preferred over ones that have less support.

### *Earmark Project Requirements*

The Commission establishes the following criteria for earmark requests:

- *Strategic Investment:* The project is a strategic investment to improve Oregon's transportation system, is included in an existing transportation plan document, and has been identified as a regional or state priority.
- *Meets STIP Criteria:* Projects recommended for earmark requests must meet the approved Statewide Transportation Improvement Program (STIP) criteria as set forth in the *STIP Project Eligibility Criteria and Prioritization Factors*.
- *Support:* The project has strong support, including support from local government agencies, area and/or statewide advisory bodies, the public, and the business community.
- *Readiness:* The project has been developed enough to identify potential environmental concerns and demonstrate that it has no known fatal flaws. Earmark funding received will be used to complete the project or a project phase, including accomplishing a project development milestone, and the work will begin during the timeframe of the transportation authorization legislation.
- *Funding:* Earmarks should provide the "last dollar" for a project or project phase to fill a shortfall after other funding has been allocated. The project may be structured in phases so that the earmark funds received will complete a segment of the project.

The OTC will only make requests for projects that meet these criteria. ACTs should only recommend projects that meet these criteria.

### *Local Agency Roles and Responsibilities*

A local agency that secures earmark funding for a project not on the official OTC Earmark Requests List takes on the role of the project's sponsor. The local agency must provide matching funds and cover any funding shortfalls for the project. Except for funding already allocated in the STIP, ODOT does not intend to allocate additional funds to provide matching funds or cover any shortfalls for earmarks received by other agencies for projects not on the official OTC list. This policy will apply when the local agency's earmark is for a project on the state system in addition to when the earmark is for a project on the local agency's system. A local agency that secures an earmark for a local agency project also is responsible for developing and delivering

the project according to all applicable federal and state requirements, with oversight and technical assistance from ODOT.

ODOT often enters into agreements with local governments for local contribution to projects. Local agency earmarks will not be counted toward local contributions to projects unless the local agency receives prior approval from the ODOT region. ODOT may allow this in certain situations, including financial hardship for the local government and projects for which a local agency is making other transportation system improvements or other significant infrastructure improvements as part of a larger development effort.