

EXHIBIT A

August 12, 2003

Ms. Jerry Bohard
ODOT Planning Section
555 13th Street NE, Suite 2
Salem, OR 97301-4178

Subject: Lane County Comments on ODOT 2006-2009 STIP Criteria

Dear Ms. Bohard,

Thank you for the opportunity to comment on the draft eligibility criteria and prioritizing factors for the 2006-2009 STIP. We are very pleased to see the re-introduction of the Development section (D-STIP) into the STIP process. We believe that this is an important tool for the development of complex modernization projects. The focus of this letter is on the D-STIP and how D-STIP programming interacts with the subsequent step of construction funding in the C-STIP. Our comments will reference the page and line numbers in the draft criteria document.

Page 1, Eligibility Criteria: *D-STIP (Major Projects) Development work on major projects may be eligible if they: (last bullet) Have funding adequate to complete the identified milestone.*

Comment: We find this wording somewhat confusing. We understand the need to be able to fund D-STIP projects in meaningful segments, but the typical situation will likely be that funding is being requested during the STIP cycle and is not yet in place.

Pages 6, line 50 and Page 7, lines 1-2: *Local jurisdictions that pursue earmark funding for projects not submitted by ODOT are solely responsible for the required matching funds.*

Comment: We recommend that this language be softened so that joint funding of required match might be negotiated between local government and ODOT on a particular earmark project. We do understand that ODOT is not committed to match on these projects.

Page 7, lines 40-45: *All Class 1 and 3 projects will be in the D-STIP until a final Record of Decision (ROD) or Finding of No Significant Impact (FONSI) has been completed. The project could then be ready for inclusion in the CSTIP at the regular 2-year update.*

Comment: We are concerned that waiting until the environmental document is signed off before scheduling construction funds in the C-STIP is too late in the process. It seems necessary to somehow reasonably anticipate completion of the D-STIP phases and program construction funds, perhaps in the "out-years" of the STIP. Given the long time frames involved and the intense competition for construction funds, it seems likely that construction funding may be difficult to program in a timely fashion and the environmental work may go stale before construction can begin.

Page 7, lines 47-50 and Page 8, lines 1-3: *ODOT shall rely on affected cities and counties to make all plan amendments and zone changes necessary to achieve compliance with the statewide planning goals and compatibility with local comprehensive plans after completion of the draft EIS and before completion of the final EIS. Inclusion in the D-STIP does not guarantee funding for future D-STIP milestones or that a project will automatically move into the C-STIP. Funding may not be available to construct the final solution or the environmental document may identify the solution as a “No-Build.”*

Comment: It seems premature to change local comprehensive plans in advance of some commitment to construction of a project. Plan amendments to change comprehensive plans are cumbersome processes and should be done to advance projects to construction. If the “No-Build” is selected, then the comprehensive plan would have to change again. Besides the time and expense involved, there is a need for continuity and stability in local comprehensive plans. For this reason, plan amendments should be carefully considered and done as a final contingency for projects to move to construction.

Page 10, lines 39-50: *Where needed to achieve consistency with the above-noted OHP policy (Policy 1.G.1), the ACTS, MPOs, or regional or statewide advisory groups shall negotiate conditions for project approval with an applicant. These conditions, if not addressed as the project proceeded through the D-STIP if applicable, shall be attached to the application approved by the ACT, MPO, or regional or statewide advisory group, shall be as specific as possible given the stage of development of the project, and may include the following:*

- *Access management and interchange management plans,*
- *Highway segment designations,*
- *Needed local street improvements*
- *Traffic management plans,*
- *Land use plan designations,*
- *Other similar conditions.*

Comment: ACTs or regional advisory groups do not appear to have the authority to negotiate for ODOT on most of the items shown as examples of conditions placed on projects. It is not clear who the applicant would be and who would make the judgements about conditions necessary to meet the intent of Policy 1.G.1. If ODOT staff are going to make those judgements, or make recommendations to the OTC on the conditions, it seems more straightforward to set up a process where those conditions are set by the responsible parties.

Please contact Tom Stinchfield, Transportation Planning Engineer, at 541 682-6930 if you have questions concerning these comments.

Sincerely,

LANE COUNTY BOARD OF COMMISSIONERS

Peter Sorenson, Chair