

# Memo



Metro

600 NE Grand Ave.  
Portland, OR 97232-2736

Date: November 24, 2021  
To: Metro Council  
From: Ted Leybold  
Subject: I-205 Tolling amendment to the 2021-2024 MTIP

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The Oregon Department of Transportation has submitted a request to amend the 2021-24 Metropolitan Transportation Improvement Program (MTIP) to add a Preliminary Engineering (PE) project phase for the tolling of a portion of I-205 between Clackamas Highway (OR 213) and Stafford Road, hereby referred to as the I-205 Tolling Project.

The Council will be provided with a short briefing on this request by ODOT project staff and Metro MTIP staff at the December 14<sup>th</sup> work session in preparation to take action on the request at a Council meeting in January 2022.

The MTIP amendment request is being coordinated with and taken up at the same meetings with a similar request to amend the 2018 Regional Transportation Plan (RTP) to add this project. The RTP amendment action will occur prior to the MTIP amendment action as inclusion of the project in the RTP is a pre-requisite to its inclusion in the MTIP.

Attached is a draft of the public notice for the MTIP amendment request that provides additional detail on the amendment request, including project PE phase cost, funding and schedule. The public comment period of the MTIP request is scheduled to begin November 30<sup>th</sup>.

Additional MTIP amendment material may be presented at the work session briefing and staff will follow up on any questions Council members may have prior to your scheduled action on the amendment in January.

**Metro is in receipt of the 2021-26 MTIP January #1 2022 (FFY 2022) Formal Amendment for Resolution 21-52XX**

FOR THE PURPOSE OF AMENDING THE 2021-26 METROPOLITAN IMPROVEMENT PROGRAM (MTIP) TO ADD THE PRELIMINARY ENGINEERING PHASE FOR ODOT'S I-205 TOLLING PROJECT ALLOWING NEPA AND DESIGN ACTIVITIES TO BEGIN (JA22-06-JAN1)

**Public Notification Comment Opportunities for the January #1 2022 (FFY 2022) Formal MTIP Amendment for Resolution 21-52XX  
(ODOT New I-205 Tolling Project PE Phase)**

The public review period for this project amendment is **11/30/2021 and concludes on 1/6/2022, at 5:00 pm.**

Requests to submit comments or concerns about this amendment should be submitted to Summer Blackhorse, via email at [summer.blackhorse@oregonmetro.gov](mailto:summer.blackhorse@oregonmetro.gov). Subject to revisions to address comments received during the public comment period, the 2021-24 MTIP as revised by the proposed amendment will be the final program unless amended, and a final notice will not be posted

The Public Notification/Opportunity to Comment period represents the starting point to process and approve a formal MTIP amendment. For the I-205 Tolling PE Phase MTIP Amendment, the MTIP website contains the following materials for review:

1. An overview from Ted Leybold, Metro Resource Development Manager about the I-205 MTIP Amendment and relationship to the RTP Amendment also in progress.
2. The Notification Header and MTIP worksheet (referred to as Exhibit A) reflecting the changes to occur to the MTIP
3. Additional support references to help add clarity to the MTIP amendment.

These materials represent the beginning of the various support documents that will be included as part of the MTIP amendment.

The first Metro approval step will occur on Friday, January 7, 2021 at the Metro Transportation Policy Alternatives Committee (TPAC). TPAC members will receive their notification and overview of the I-205 Tolling PE phase project and be requested to provide an approval recommendation to the Metro Joint Policy advisory Committee on Transportation (JPACT) for the amendment. Additional support materials will be available for review as the MTIP amendment proceeds through the Metro approval process (e.g. at TPAC, JPACT, and Metro Council). The added materials will include a draft resolution for the amendment, the MTIP worksheet/Exhibit A to the Resolution, a detailed staff report about the amendment, and support material attachments to the staff report.

Updated materials concerning the MTIP amendment will be available for download off the Metro website as part of the agenda from the specific Metro Committee or Council meeting. The agenda and meeting packets are normally available for download at least few days ahead of the meeting.

Although the Public Notification/Opportunity to Comment is being set ahead (November 30, 2021 to December 6, 2021) of the Metro committee approval process, public comment can occur past the notification timeframe through TPAC, JPACT, or Metro Council. Public testimony can occur at the two Metro approval committees required for the formal amendment to complete: (1) Transportation Policy Alternatives Committee (TPAC), or (2) at the Joint Policy Advisory Committee on Transportation (JPACT). Public testimony can also occur at the Metro Council where the formal amendment receives final Metro approval. Please check the Metro website for the specific committee or Council meeting to see if the amendment is included on that month's agenda if you desire to provide testimony about the amendment.

**About MTIP Formal/Full Amendments:**

Formal MTIP amendments represent a significant change to a project from the original funding or scope of improvement activities. The various required process steps are intended to demonstrate that as a result of the required changes, no impact upon air conformity is present, plus fiscal constraint is still maintained, and/or the priorities, policies, and goals established in the approved Regional Transportation Plan (RTP) have not changed. Formal MTIP amendments normally fall into one or more of the following categories: (1) Significantly adds, revises, reduces, or changes the project scope of improvement activities. (2) Requires a significant change to the project limits limit (greater than 0.25 miles). (3) Involves a significant cost change (increase or decrease normally 20% or greater). (4) Adds or cancels a project from the MTIP.

2021-2026 Metropolitan Transportation Improvement Program  
Exhibit A to Resolution 21-52XX



Proposed January #1 2022 (FFY 2022) Formal Transition Amendment Bundle  
Amendment Type: **Formal/Full**  
Amendment #: **JA22-06-JAN1**  
Total Number of Projects: 1

Key Number & MTIP ID	Lead Agency	Project Name	Project Description	Amendment Action
Project #1 Key <b>22507</b>	ODOT	<b>I-205 Tolling Project PE Phase: OR213 – Stafford Rd</b>	Complete design & NEPA activities to toll all I-205 lanes near the Abernethy Bridge and Tualatin River Bridge, raise revenue to fund construction of the I-205 Improvements Project, and manage congestion from Oswego Hwy IC (OR 43) to west of Stafford Rd	<b><u>ADD NEW PROJECT:</u></b> The formal MTIP amendment adds only the PE phase for ODOT's I-205 Tolling Project the 2021-26 MTIP



**Metro**  
**20121-24 Metropolitan Transportation Improvement Program (MTIP)**  
**PROJECT AMENDMENT DETAIL WORKSHEET**

**Formal Amendment**  
**ADD NEW PROJECT**  
 Add the PE phase for the I-205  
 Tolling Project

<b>Lead Agency:</b> ODOT		Project Type:	Planning	<b>ODOT Key:</b> 22507	
<b>Project Name:</b> <b>I-205 Tolling Project PE Phase: OR213 – Stafford Rd</b>	1	ODOT Type		<b>MTIP ID:</b> New - TBD	
		Performance Meas:	No	<b>Status:</b> 2	
		Capacity Enhancing:	No	<b>Comp Date:</b> 9/30/2025	
		Conformity Exempt:	Yes	RTP ID:	12099
		On State Hwy Sys:	I-205	RFFA ID:	N/A
		Mile Post Begin:	9.50	RFFA Cycle:	N/A
		Mile Post End:	3.16	UPWP:	No
		Length:	6.34	UPWP Cycle:	No
		Flex Transfer to FTA	No	Transfer Code	N/A
		1st Year Program'd:	2022	Past Amend:	0
		Years Active:	0	OTC Approval:	Yes
		STIP Amend #: 21-24-1432		MTIP Amnd# JA22-06-JAN1	
		<b>Detailed Description:</b> On I-205 in Clackamas County from approximately MP 9.00 to MP 3.00, complete required Preliminary Engineering (NEPA and design activities) for possible later tolling implementation across all through lanes to manage congestion and to raise revenue to fund construction of the I-205 improvements projects from approximately OR213 to Stafford Rd			
<b>STIP Description:</b> Project design and environmental review for tolling on I-205 between Stafford Rd and OR 213.					

Last Amendment of Modification: None. This amendment reflects the initial programming for the project.

**PROJECT FUNDING DETAILS**

Fund Type	Fund Code	Year	Planning	Preliminary Engineering	Right of Way	Other (Utility Relocation)	Construction	Total
<b>Federal Funds</b>								
<b>ADVCON</b>	<b>ACPO</b>	<b>2022</b>		\$ 21,806,312				\$ 21,806,312
								\$ -
							<b>Federal Totals:</b>	\$ 21,806,312
<b>Federal Fund Obligations \$:</b>			\$ -					Federal Aid ID
<b>EA Number:</b>								
<b>Initial Obligation Date:</b>								
<b>EA End Date:</b>								
<b>Known Expenditures:</b>								
<b>State Funds</b>								
<b>State</b>	<b>Match</b>	<b>2022</b>		\$ 5,451,578				\$ 5,451,578
								\$ -
							<b>State Total:</b>	\$ 5,451,578
<b>Local Funds</b>								
								\$ -
								\$ -
								\$ -
							<b>Local Total</b>	\$ -
<b>Phase Totals Before Amend:</b>			\$ -	\$ -	\$ -	\$ -	\$ -	<del>\$ -</del>
<b>Phase Totals After Amend:</b>			\$ -	\$ 27,257,890	\$ -	\$ -	\$ -	\$ 27,257,890
Year of Expenditure Cost (PE Phase only):								PE Phase = \$23,534,759
Preliminary Full Project Cost Estimate:								Unknown currently
<b>Phase Change Amounts:</b>			\$ -	\$ 27,257,890	\$ -	\$ -	\$ -	\$ 27,257,890
<b>Phase Change Percent:</b>			0.00%	100.00%	0.00%	0.00%	0.00%	100.00%

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**Project Glossary Notes and Summary of Changes:**

- > Red font = prior amended funding or project details. Blue font = amended changes to funding or project details. Black font indicates no change has occurred.
- > The amendment adds the PE phase based on approved OTC funding
- > Main Support Materials: Submitted RTP Amendment materials
- > Status notes: Since only funding is being added for the project, the MTIP classifies the project as a planning project.

**Amendment Summary:**

The formal amendment to add the new PE phase project to the MTIP will start in January 2022 with the Metro Transportation Policy Alternatives Committee (TPAC). TPAC's January meeting is scheduled for January 7, 2022. Prior to the MTIP action, Metro is completing an amendment to add the PE phase to the constrained approved Regional Transportation Plan. Adding the PE to the MTIP is contingent upon approval of the RTP amendment.

Metro also must complete a 30-day public notification/opportunity to comment period when a new project is added to the MTIP. Early posting of the this MTIP amendment to initiate the public comment period is occurring to have the comment history available for review for TPAC, JPACT, and Metro Council. The 30-day comment period for the MTIP amendment will be open from November 30, 2021 to January 6, 2022. The MTIP amendment approval process will then commence with TPAC at their January 7, 2022 meeting. Approvals from JPACT and Metro Council are required. Upon Metro Council approval, the formal amendment will be sent to ODOT and Federal Highways Administration for their final review and approval as well. Please see the January TPAC agenda for the approval process steps, estimated approval dates, supplemental support materials, and a more detailed staff memo/report concerning the MTIP amendment.

Summary: The above MTIP reflects a starting point for possible PE phase programming. However, there are several details still to work out with ODOT. This includes:

- Project Name
- Project Description
- The PE phase programming amount and fund type codes that will be used.

The final version that proceeds to JPACT and Metro Council may be slightly different depending upon required programming adjustments

- > Will Performance Measurements Apply: No
- > Will a special RTP Goals Evaluation Assessment be completed? Yes, but limited.

**RTP References:**

- > RTP ID: 12099 (Draft ID)
- > RTP Description: (Draft) The Project would toll all lanes of I-205 on or near the Abernethy Bridge and Tualatin River Bridge. The Project's purpose is to raise revenue to fund construction of the I-205 Improvements Project and manage congestion between Stafford Road and Oregon Route 213 (OR213).
- > Exemption status: (PE phase only) Exempt project per 93 CFR 126, Table 2 - Other - .Planning and Technical Studies
- > UPWP amendment: No

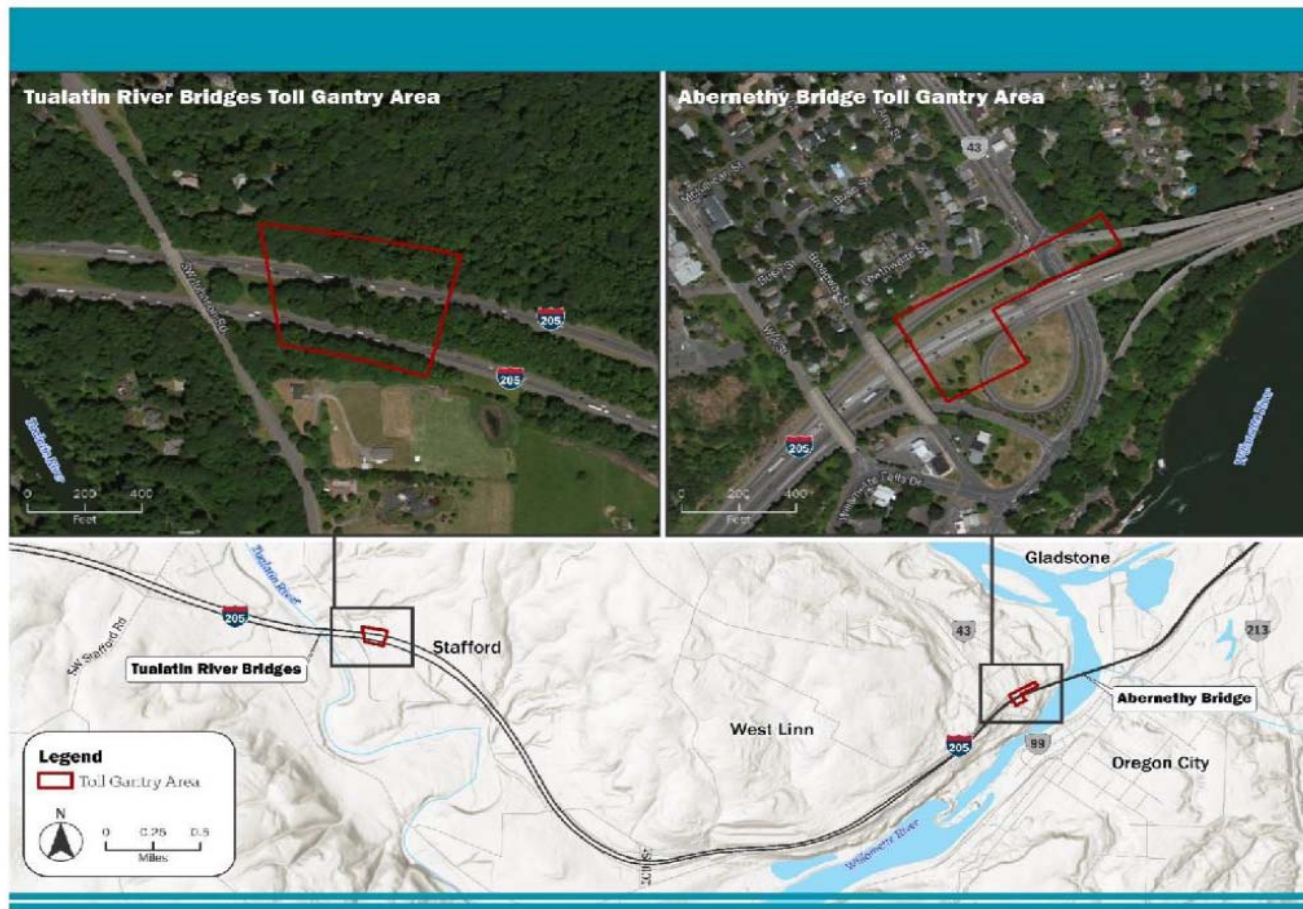
**Fund Codes:**

- > ADVCON = Federal Advance Construction also referred to as "AC funds". AC funds are used by ODOT as a placeholder until the actual federal fund type code is known.
- > State = General state funds provided by the lead agency as part of the required match to the federal funds.

**Other**

- > On NHS: Yes. I-205 is identified as part of the Eisenhower Interstate System on the National Highway System
- > Is the project located on the Metro Modeling Network? - Yes, Motor Vehicle Modeling network
- > Model category and type: I-5 is identified as a "Throughway" in the Motor Vehicle Network
- > TCM project: No
- > Is the route located in the Congestion Management Program (CMP): Yes

**Figure 8.13b I-205 Toll Project Map**



**I-205 Toll Project Regional Transportation Plan Amendment**

The purpose of the I-205 Toll Project is to use variable-rate tolls on the I-205 Tualatin River Bridges and Abernethy Bridge to raise revenue to complete the I-205 Improvements Project and manage congestion. The full text of the Purpose and Need Statement can be found [here](#).

Table 1 is a schedule of the major milestones for the I-205 Toll Project.

**Table 1. I-205 Toll Project Major NEPA Milestones**

Major NEPA Milestone	2021				2022			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
NEPA Regional Transportation Modeling & DTA Subarea Modeling (2045 & 2027)								
Traffic Analysis (data collection, baseline, no-build and build)								
Environmental Assessment Tech Reports								
Draft Environmental Assessment								
Environmental Assessment Public Comment Period								
Environmental Assessment Comment Response Matrix								
Preferred Alternative Regional Modeling and Traffic Analysis (as								
Revised Transportation Tech Report								
Prepare Final Environmental Assessment/FONSI								
Final Environmental Assessment/FONSI								