



2023 Regional Transportation Plan Summaries of agency consultation – Spring 2023

During phase 4 of the 2023 Regional Transportation Plan (RTP), Metro conducted consultations with federal, state, regional and resource agencies and with tribal governments to understand areas of interest and concern related to the 2023 RTP project list and policies. These consultations were coordinated with consultation for the 2024-2027 Metropolitan Transportation Improvement Program (MTIP). The 2024-2027 MTIP and the 2023 RTP are seeking final adoption in summer and fall 2023, respectively.

Metro sent consultation invitations requesting formal consultation with agencies and tribal governments. Metro staff held three consultation meetings: one with Tribes on April 19, another with Tribes and natural resource agencies on April 20 and a third meeting with federal, state and regional agencies on April 28, 2023. Summaries of the consultation meetings with agencies are attached. Metro is working with Tribes to finalize consultation meeting summaries.



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Meeting summary

Meeting: Consultation with Tribes and Resource Agencies on the 2023 Regional Transportation Plan and 2024-27 Metropolitan Transportation Improvement Program

Date/time: Wednesday, April 20, 2023

Location: Virtual via Zoom

Agency representatives:

Susan Sturges, NEPA Reviewer, Transportation Sector Lead, U.S. Environmental Protection Agency (EPA)
Region 10, Policy and Environmental Review Branch

* This meeting also included a representative from a Tribe. The comments from the Tribe's staff are summarized in a separate document.

Metro staff in attendance:

Grace Cho, Senior Transportation Planner, MTIP

Molly Cooney-Mesker, Communications Specialist

Tom Kloster, Planning Manager, RTP

Katie McDonald, Tribal Liaison

Lake McTighe, Principal Planner, RTP

Shannon Stock, RTP Program Assistant

Welcome, purpose and introductions

Molly Cooney-Mesker and Katie McDonald outlined the purpose of consultation meeting, including sharing information and discussing and receiving feedback about the 2023 Regional Transportation Plan (RTP), the RTP draft environmental assessment in Appendix F and the 2024-27 Metropolitan Transportation Improvement Program (MTIP). Metro is at key phases in both the RTP and the MTIP.

Overview of RTP and MTIP updates ([Link to recording of the presentation](#))

Molly Cooney-Mesker gave an overview of the update of the 2023 Regional Transportation Plan (RTP) and the draft 2024-27 the Metropolitan Transportation Improvement Program (MTIP). The RTP is updated every five years and is the blueprint that guides investments in all forms of travel throughout the region and the movement of goods and services. The 2023 RTP process established an updated vision and goals to guide investments in the region's transportation system through 2045. The MTIP implements the RTP by tracking the anticipated spending of

Federal funding on regionally significant transportation projects over the next four federal fiscal years.

Overview of RTP Chapter 3 environmental policies and environmental assessment

Lake McTighe shared a PowerPoint presentation about the draft RTP policies that guide natural resource and environmental protection and introduced the draft environmental assessment.

Resource Agency comments

Susan Sturges, EPA, asked for clarification about what is required in the RTP environmental analysis and what is not. Metro staff noted that Metro is not required to provide a NEPA analysis for the RTP.

Susan Sturges, EPA, suggested adding a summary of the 2040 Growth Concept to Appendix F, or a link to additional information. She also suggested reviewing the land use section of the policy chapter (Chapter 3) for updates. She commented that some of the recommendations and suggestions seem outdated, such as the recommendation in the first table. Metro staff noted this could be done.

Next steps

Metro staff provided a timeline for additional comments on the RTP, MTIP and RTP Environmental Assessment.

- May 4, 2023 – Provide any additional questions or comments to Metro staff
- May 5, 2023 – Public comment period for 2024-27 MTIP closes. Metro to finalize and create adoption draft. Final deadline for submitting comments on the 2024-2027 MTIP is May 18.
- June or July 2023 – Staff will request JPACT approval Metro Council adoption of 2024-27 MTIP
- July 10 – August 25, 2023 – The Draft 2023 Regional Transportation will be available for public comment.
- Nov. 30, 2023 – Metro Council considers final action on the 2023 Regional Transportation Plan

Since this consultation meeting the EPA and the City Portland's Bureau of Environmental Services have submitted comments on the 2023 RTP Draft Environmental Assessment (Appendix F). The City of Portland was not able to attend the consultation meeting but received the invitation and materials. The substantive comments provided by these two agencies and Metro staff responses are attached.

The Tribes and agencies will receive revised versions of the 2023 RTP Draft Environmental Assessment during the public comment period for the 2023 RTP in July 2023.



Date: **May 5, 2023**

Topic: Additional comments submitted by resource agencies following the 2023 RTP and 2024-27 MTIP Consultation with Resource Agencies

Comments submitted by Susan Sturges, Transportation Lead, EPA:

Date: 5/4/23

- Appendix F, Section 1.2, Table 2. Recommend adding CWA Section 402 National Pollution Discharge Elimination System (NPDES) permit to Table 2.
 - Metro response: this will be added
- Appendix F, Section 3.2, page 36: Consider EPA's NEPAssist for additional datasets. NEPAssist is a web-based application that draws environmental data dynamically from EPA GIS databases and web services, providing immediate screening of environmental assessment indicators for a user-defined area of interest. Datasets include impaired streams and waterbodies; and Superfund, Brownfields, and hazardous waste (RCRA) sites. NEPAssist is available at <https://www.epa.gov/nepa/nepassist>.
 - Metro response: Reference will be added to Section 3.2, as well as 4.11 Resources for mitigation activities
- Appendix F, Section 4.5, page 45: Recommend including reference to Compensatory Mitigation for Losses of Aquatic Resources under CWA Section 404 (Final Rule). Available at <https://www.epa.gov/cwa-404/compensatory-mitigation-losses-aquatic-resources-under-cwa-section-404-final-rule>.
 - Metro response: This will be added.
- Appendix F, page 49: This appears to be a repeated paragraph from previous page.
 - Metro response: Repeated paragraph has been removed.

Comments submitted by City of Portland BES:

Date: 4/28/23

- Multiple grammatical corrections.
 - Metro response made all corrections.
- Appendix F, Introduction, page 2: Recommend refining for readability- “so that project costs can be accurately and to provide an accurate assessment of which projects and type of projects intersect with and could potentially water and fish, habitat quality and connectivity, floodplains, and tribal, historic, and cultural places or archeological resources.”
 - Metro response: Refinement will be made.
- Appendix F, Introduction, page 2: Question regarding wording - “permeability?”
 - Metro response: Will change to clarify that permeability is referring to fish and wildlife connectivity across/over/under roads.

- Appendix F, Section 1., page 6: Are both of these true for wolves or is there a missing species noted? - “(2) A small remnant run of the historical population migrates through the Columbia River. (2) The gray wolf is protected as endangered under the authority of the federal Endangered Species Act in Oregon west of Highways 395, 78, and 95.”
 - Metro response: Will review and make any necessary corrections.
- Appendix F, Section 2.3.1, page 16: For the table to stand alone, perhaps clarify that this is the % of capital projects only - “% of projects”
 - Metro response: Change will be made to the title of the tables.
- Appendix F, Section 3., page 33: Recommendation that it would make these analyses more clear and direct if the O&M projects were removed from the equation. These could be analyzed separately so the reader gets a better perspective of how the target projects fall among and against each other - “A total of 655 projects in the 2023 RTP financially constrained list of projects were included in the analysis, out of a total of 1,066 projects.”
 - Metro response: Will update to improve clarity.

Meeting summary



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Meeting: 2023 RTP and 2024-27 MTIP Consultation with State and Federal Agencies

Date/time: Thursday, April 27, 2023

Location: Virtual via Zoom

Agency representatives:

Ted Wenk, Oregon Bureau of Labor and Industries (BOLI)
Cody Meyer, Department of Land Conversation and Development (DLCD)
Kelly Reid, DLCD
Nathaniel Price, FEderal Highway Administration (FHWA)
Danielle Casey, Federal Transit Administration
Ali Mirzakhali, Department of Environmental Quality (DEQ)
Gerik Kransky, DEQ
Michael Orman, DEQ
Michael Freels, Oregon Department of Energy (ODOE)
Glen Bolen, Oregon Department of Transportation (ODOT), Region 1
Chris Ford, ODOT, Region 1
Erik Having, ODOT,
Dwight Brashear, SMART Transit
Kelsey Lewis, SMART Transit
Lynda David, Southwest Washington Regional Transportation Council (RTC)
Alan Lehto, TriMet
Tara O'Brien, TriMet

Metro staff in attendance:

Grace Cho, Senior Transportation Planner, MTIP
Molly Cooney-Mesker, Engagement Specialist
Kim Ellis, Principal Transportation Planner, RTP Project Manager
Tom Kloster, Planning Manager, RTP
Ted Leybold, Planning Manager, MTIP
Lake McTighe, Principal Transportation Planner, RTP
Shannon Stock, RTP Program Assistant

Welcome, purpose and introductions

Tom Kloster welcomed agency partners and outlined the purpose of consultation, including developing a shared understanding of the RTP and MTIP processes and receiving feedback on the 2023 Regional Transportation Plan (RTP) and 2024-27 Metropolitan Transportation Improvement Program (MTIP)

Overview of RTP and MTIP updates

Molly Cooney-Mesker provided an overview of the update of the 2023 RTP and the draft 2024-27 MTIP. The RTP is updated every five years and is the blueprint that guides investments in all forms of travel throughout the region and the movement of goods and services. The 2023 RTP process

established an updated vision and goals to guide investments in the region's transportation system through 2045. The MTIP implements the RTP by tracking anticipated spending of regionally significant transportation projects over the next four federal fiscal years.

2023 RTP update - Presentation

Kim Ellis shared a PowerPoint presentation that summarized the process for the 2023 RTP update, the draft policy framework and a summary of the draft project list. Kim also provided an overview of the draft findings from the high-level project assessment and system analysis results.

Summary of discussion topics

Ali Mirzakhilili, DEQ, asked a question regarding how many significant projects are in the draft 2024-27 MTIP.

Metro staff noted regionally significant projects that are included in the MTIP. Staff explained the MTIP has 130 projects, but at this time the 2024-27 MTIP does not include any of the major projects covered in the media frequently, such as I-5 Rose Quarter or Interstate Bridge. The greater Portland region completes its obligations for its last maintenance plan in 2017, and is no longer mandated to conduct an air quality conformity analysis. As a result, air quality conformity is not a focus of the 2024-27 MTIP evaluation work. However, Metro does conduct a performance evaluation of the MTIP investment profile. Around half of the projects in the MTIP are maintenance and preservation projects and generally the activity is located within an existing footprint. The remaining capital projects included in the MTIP are smaller scale projects that work towards serving community needs. These smaller projects, because of their scale, don't result in big changes in advancing the larger regional goals as shown by the performance evaluation.

Tara O'Brien, TriMet raised a question relating to "A Better Red" and how it is accounted for in the MTIP. Grace Cho responded with context relating to A Better Red, "noting because A Better Red has obligated its last funding payment from FTA and opening date in 2024, it is not necessary to include in the 2024-27 MTIP. But it was noted the performance improvements would have counted as part of the 2021-24 MTIP performance evaluation. The MTIP serves as a monitoring and implementation tool.

Chris Ford from ODOT Region 1 commented about the 2023 RTP update. He requested that Metro and ODOT work together on the language related to auxiliary lanes in the draft RTP policy chapter to ensure that there is one consistent policy that applies everywhere. He noted some conclusions are not in line with national best practices. He expressed support for aligning the RTP policies with the Climate-Friendly and Equitable Communities (CFEC) rules but noted it should not go beyond what was adopted in the rules. He also noted that some early RTP policy language related to pricing has been challenging. Erik Havig, ODOT Headquarters, noted the RTP policies on pricing and mobility are pretty close and that the Oregon Transportation Plan is supportive of all the RTP goal areas. He noted that while the basics are there, ODOT does have some concerns with the draft auxiliary lane language.

DEQ representative, Ali Mirzakhilili raised the draft RTP climate and resilience policies for discussion. He noted climate resilience and earthquake preparedness are two very different policy areas and asked whether there is an opportunity to split the two policy areas. He explained they are addressing two different things - one is natural occurrence the other is human-caused. In addition, having earthquake

preparedness as the focus of climate resilience is a limited view. Resilience should include the concept of reducing the impact of climate change on people and infrastructure. He further explained that it is difficult to see how connecting the two policy areas drives the investment.

Metro staff agreed that this is a challenge. Kim Ellis, Metro, replied that resilience in the RTP does include more than earthquake resilience and commented that reducing impacts of climate change on people, particularly marginalized communities has been a focus of discussions. She acknowledged Metro has more work to do to further develop the resilience policies to address that. She acknowledged the important policy work happening at the state level on this topic, and noted there has been limited time to have those conversations during this RTP process. As a result, the RTP will identify the need to address resilience as future work. Earthquake and emergency preparedness have been a focus, in part due to the Phase 1 of the Regional Emergency Transportation Routes project that Metro completed in partnership with the Regional Disaster Preparedness Organization in 2019. DEQ staff suggested the policies refer to “infrastructure hardening” instead of climate resilience. Metro staff commented that these were valuable suggestions and that feedback would be incorporated in future work.

Specific discussion questions:

Q: Does the draft RTP project list align with recent state policies and goals for climate, equity and pricing?

ODOT staff commented they were unaware of Appendix F, and asked when the appendix will be shared and if there is any relationship to NEPA work ODOT has done in the region.

Metro staff described the purpose of Appendix F, which is to document an environmental assessment of the RTP project list following what is directed in the Code of Federal Regulations (in particular [23 CFR 450.316\(b\)](#), [23 CFR 450.324\(g\)](#), and [23 CFR 450.324\(f\)\(10\)](#)). Metro staff further explained, the analysis used for the draft 2023 RTP project list follows the same methodology used in the 2018 RTP, and previous RTPs – but with more recent data, when available. Staff confirmed that this is not a NEPA level of analysis but more high-level to identify projects that may impact natural, historic or cultural resources. Metro staff noted that the assessment also includes a discussion of the types of potential mitigation strategies that can be used. Metro staff have consulted with Federal, State and other natural resource agencies, and Tribes on the methodology and data during the scoping phase for the RTP update and more recently on draft assessment. A revised draft Appendix F that addresses feedback received will be released for public review in July as part of the RTP public comment period.

Q: Are there other policymaking, planning, or statewide rulemaking that the RTP or MTIP should be aligning with?

Agency partners discussed incorporating changes from electric vehicles and the effects of telework trends on greenhouse gas emissions. DEQ staff requested more information about the research and analysis Metro staff and a consultant team recently completed in support of the RTP update. DEQ staff expressed the information could potentially inform the statewide Employee Commute Options (ECO) rulemaking underway. In particular, Oregon DEQ would like to understand the anticipated future impacts, based on Metro's climate modeling, of the state Employee Commute Options regulations requiring employers to provide alternatives to driving alone. Metro staff agreed to share this information at an upcoming technical meeting.

Kim Ellis, Metro, requested feedback about the Oregon Statewide Transportation Strategy (STS), particularly what state-led pricing actions should be assumed in the RTP climate analysis. She noted the memo in the meeting packet described the key questions and challenges. Brian Hurley, ODOT Climate Office, explained there is an “Adopted Plans” scenario Metro could use that reflects adopted state plans as of 2022. This does not include most of the STS pricing assumptions – but does have a modest assumption for pay-as-you-drive (PAYD) insurance that is somewhere between 0 and 100% by 2050. This assumption would be the minimum ODOT would like to see Metro include in the analysis. Questions about timing for VisionEval modeling and requested an opportunity to see that work.

Metro staff agreed it was timely to consult with ODOT, DLCD and DEQ on the climate analysis being conducted for the 2023 RTP to ensure the VisionEval model and technical assumptions align with state requirements for the analysis.

Q. Other feedback or comments you would like to share with Metro staff?

Chris Ford, ODOT, suggested a post RTP debrief on what went well/did not go well. One concern has been the amount of staff time taken to participate in the RTP update. He noted different staff lead each piece and organized the work and review of the work in different ways, making it difficult to know what to expect. Other agencies present showed interest in a post RTP debrief.

Tara O’Brien from TriMet commented future updates could do more to integrate land use and transit in the conversations.

Next steps

Metro staff outlined how they would be collecting and responding to feedback

- May 4, 2023 - Provide any additional questions or comments to Metro staff.
- May 5, 2023 - Public comment period for 2024-27 MTIP closes. Metro to finalize and create adoption draft.
- June 2023 – 2024-27 MTIP briefing to TPAC and JPACT
- July 2023 – Request JPACT approval Metro Council adoption of 2024-27 MTIP
- July 10 – August 25, 2023 – The Draft 2023 Regional Transportation will be available for public comment.