

Bend Metropolitan Planning Organization

2012-2015 Metropolitan Transportation Improvement Program

***Adopted by the Bend MPO Policy Board
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Prepared by:

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BMPO OVERVIEW

The primary function of the Bend Metropolitan Planning Organization (BMPO) is to conduct a continuing, cooperative and comprehensive transportation planning process that results in plans and programs that consider all transportation modes and support metropolitan community development and social goals. The BMPO was designated on December 18, 2002, by the Governor of Oregon. Local jurisdictions involved in the planning activities of the BMPO include the city of Bend and Deschutes County. In addition, the Oregon Department of Environmental Quality, Oregon Department of Transportation, Oregon Department of Land Conservation and Development, Federal Highway Administration, and Federal Transit Administration participate in the MPO process.

The BMPO organizational structure is designed so that it operates as an entity separate from the participating jurisdictions so that no single entity dominates the organization's decision-making processes. A Policy Board oversees the process of the BMPO. The Policy Board is comprised of three members of the Bend City Council, one member of the Deschutes County Board of County Commissioners, and the ODOT Region 4 manager. As future major transportation providers form, such as a Transit District, they will be added to the Policy Board. The intergovernmental agreement specifies that no decisions shall be made by the BMPO Policy Board without representation from all parties. The BMPO planning boundary is shown in Map 1.

Federal and state transportation planning responsibilities for the BMPO can generally be summarized as follows:

- Develop and maintain a Metropolitan Transportation Plan (MTP) and Metropolitan Transportation Improvement Program (MTIP) consistent with state and federal planning requirements.
- Review specific transportation and development proposals for consistency with the MTP.
- Coordinate transportation decisions among local jurisdictions, state agencies, and area transit operators.
- Develop an annual work program (known as the Unified Planning Work Program [UPWP]).
- Maintain the regional travel-demand model for the purposes of assessing, planning, and coordinating regional travel demand impacts. (NOTE: The BMPO currently contracts with ODOT's Transportation Planning Analysis Unit for modeling support services).

The BMPO entered into an intergovernmental/interagency agreement (IGA) with the city of Bend establishing the city of Bend as the administrative and fiscal agent for BMPO. This agreement is regularly reviewed and renewed as appropriate.

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INTRODUCTION

The BMPO Metropolitan Transportation Improvement Program (MTIP) identifies transportation projects in the BMPO study area that are scheduled in federal fiscal years 2012-2015. The period began on October 1, 2011, which is the beginning of the 2012 federal fiscal year, and ends September 30, 2015, which is the end of the 2015 federal fiscal year. The MTIP lists federally funded and locally funded projects anticipated by local agencies and the Oregon Department of Transportation (ODOT).

The MTIP contains a four-year listing of anticipated expenditures for locally funded projects drawn from the capital improvement programs of Bend and Deschutes County. It also lists projects from the ODOT Statewide Transportation Improvement Program (STIP). The MTIP lists projects for which application of specific federal funds will be made in the next three years. Projects in the MTIP must be consistent with the Metropolitan Transportation Plan (MTP).

By adopting the MTIP, the Policy Board has selected the projects identified in Table 3, *Program of FFY 2012-2015 Transportation Projects*, for implementation and funding as scheduled. No additional action by the Policy Board is required for funding—these projects. If additional funds become available or if a project experiences an unexpected delay, the Policy Board may select other projects from the first three years of the schedule to take advantage of the additional funds or to replace a delayed project.

FEDERAL REQUIREMENTS

Federal legislation requires that the Bend MPO in cooperation with the state and transit operators develop an MTIP that is updated and approved at least every four years by the Policy Board and the Governor. Copies of the MTIP are provided to the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). Specific requirements for the MTIP are outlined in various rules developed by FHWA and FTA. A brief description of these requirements is provided in this section.

Regulations developed to help guide the implementation of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) include several requirements:

Time Period (23 CFR 450.32(a))

The MTIP must cover a period of not less than four years. Beyond the four-year period, projects in outlying years are considered informational only.

Public Involvement and Comment (23 CFR 450.324(b))

There must be reasonable opportunity for public comment prior to approval and the MTIP must be made readily available including electronically accessible formats and means such as publication on the World Wide Web.

[Provide Public Participation Requirements as stated in 49 USC § 5307\(C\) for urbanized area formula grants](#)

Projects (23 CFR 450.324(f),(i))

The MTIP must include all federally funded projects (including pedestrian walkways, bicycle transportation facilities, and transportation enhancement projects) to be funded under Title 23 and the Federal Transit Act and regionally significant projects requiring an action by FHWA regardless of funding source. Projects in the MTIP must be consistent with the metropolitan transportation plan (MTP).

Financial Constraint

The MTIP must be consistent with funding that is expected to be available during the relevant period. The MTIP must be financially constrained by year and include a financial plan that demonstrates which projects can be implemented using current revenue sources and which projects are to be implemented using proposed revenue sources. Only projects for which funds are reasonably expected to be available can be included in the MTIP. As the amount of federal funds coming into the region may vary as the result of Congressional actions, the revenues anticipated in the MTIP represent the best estimates possible currently. Programmed projects may need to be delayed or phased over two or more years if less funding is received than originally forecast. The scheduling of projects listed may also change due to delays in funding, project changes, and other unforeseen circumstances.

MTIP and Statewide Transportation Improvement Program Relationship (23 CFR 450.324(a))

The Statewide Transportation Improvement Program (STIP) is a listing of transportation projects and programs that shows prioritization, funding, and scheduling of transportation projects and programs over four years. It includes projects on Oregon's interstate, federal, state, city, and county transportation systems. The STIP covers highway, passenger rail, public transit, bicycle and pedestrian projects, and includes projects in the National Parks, National Forests, and Indian tribal lands in Oregon.

The frequency and cycle for updating the MTIP must be compatible with Oregon's STIP development and approval process. The current MTIP expires when FHWA and FTA approval of the current STIP expires. After approval of the MTIP by the Policy Board and the Governor, the MTIP must be included without modification directly or by reference in the STIP. The portion of the STIP in the metropolitan planning area shall be developed by the Bend MPO in cooperation with ODOT STIP coordinators

MTIP DEVELOPMENT

Federal regulations require the MPO to plan a program of transportation investments for the urban area covering a period of at least three years. The 2012-2015 MTIP serves as the mechanism to focus and prioritize the short-term schedule and funding programming for the improvements identified in the long-term Metropolitan Transportation Plan (MTP). The MTIP and MTP for the Bend MPO are consistent, which is required by 23 CFR 450.234(f)(2). The MTIP provides the mechanism by which the implementation of the MTP is monitored, managed, and reviewed.

The MTIP is the formal programming mechanism which commits funds to specific transportation projects. MTIP funding levels indicate regional commitments to specific dollar amounts, not necessarily the completion of projects. Some projects may require phasing over multiple years. The MTIP must contain all the transportation projects which either: a) use federal funds; or b) use state and/or local funds and are deemed to be "regionally significant." In addition, the MTIP must describe the selected projects and identify the funding necessary to complete the improvements.

By adopting the MTIP, the BMPO Policy Board prioritizes and selects the projects for implementation and funding as scheduled. No additional action by the Policy Board is required for the funding of these projects up to the dollar amounts programmed in the MTIP. If additional funds become available or if a project experiences an unexpected delay, the Policy Board may select other projects from the MTIP to take advantage of the additional funds or to replace a delayed project.

Regionally Significant Projects

While the Bend MPO area has not been classified as non-attainment for any of the air quality criteria pollutants, the Oregon transportation air quality conformity rule¹ provides a good definition for regionally significant projects.

"Regionally significant project" means a transportation project that is on a facility which serves regional transportation needs, such as access to and from the area outside the region, major activity centers in the region, major planned developments such as new retail malls, sports complexes, etc., or transportation terminals, and would normally be included in the modeling of a metropolitan area's transportation network.

In the Bend metropolitan area, regionally significant facilities will include, at a minimum:

All state highways;

All arterial roadways; and

Any other facilities determined to be regionally significant by the Policy Board (in consultation with the Technical Advisory Committee).

[NOTE: It is the practice of the Bend MPO to include minor arterials and collectors in the travel model for the purpose of accurately modeling regional VMT and associated performance measures. The inclusion of collectors in the travel model, however, does not identify these facilities as regionally significant.]

MTIP Development

The Technical Advisory Committee (TAC), the staff group responsible for most of the technical details of MPO transportation planning, developed the draft MTIP. The TAC assembled the MTIP from the adopted capital improvement programs (CIPs) and other capital planning documents from the city of Bend and Deschutes County. It also includes projects from the ODOT STIP and projects from the overlapping years of the previous (FY10-13) MTIP.

The TAC recommends the MTIP to the Policy Board for review and adoption. The Policy Board, which is composed of elected or appointed officials from Bend, Deschutes County and ODOT, conducts a public hearing and adopts the MTIP. The Citizen Advisory Committee may also review and comment on the MTIP.

MTIP Amendments

Amendments to the MTIP should be submitted to MPO staff for review. Staff will work with the project sponsor, ODOT and United States Department of Transportation (USDOT) to determine if the proposed amendment is classified as a full amendment or an administrative amendment. Full

¹ Oregon Administrative Rule (OAR) 340-252-0030 (Transportation Air Quality Conformity Rule)

amendments require Policy Board adoption and a 20-day public notification process. Public notice shall contain the following language:

Copies are free of charge and, upon request, will be made available in CD, print, and accessible formats. Upon request, in advance of the meeting, through any of the means listed above, every effort will be made to prepare materials in other formats and in languages other than English, and to provide interpreters in American Sign Language and other languages. Assistive listening devices and large-print materials will be available at the meeting upon request.

The Central Oregon Intergovernmental Council (COIC), which is the FTA Section 5307(c) applicant, has consulted with the MPO and concurs that the public involvement process adopted by the MPO for the development of the TIP satisfies the public hearing requirements that pertain to the development of the Program of Projects for regular Section 5307, Urbanized Area Formula Program, grant applications, including the provision for public notice and the time established for public review and comment.

Changes to regionally significant projects may or may not necessitate a full MTIP amendment. The following definitions and processes should be used to determine what changes to project concept and scope are to be considered significant or not for purposes of a full MTIP amendment.

1. Adding or extending expressway auxiliary lanes or weaving lanes between interchanges is not considered a significant change in concept and scope since these lanes are not normally included in the travel model.
2. Adding or extending expressway auxiliary/weaving lanes from one interchange to a point beyond the next interchange is considered a significant change in concept and scope.
3. A change to a regionally significant project defined in the Metropolitan Transportation Plan that does not change how the project is defined in the travel model is not considered a significant change in concept and scope. These changes include but are not limited to lane or shoulder widening, changes to cross section (other than the number of through lanes), vertical or horizontal alignment changes, interchange reconfiguration, intersection signalization projects at individual intersections, addition of turn lanes, continuous or center turn lanes, and storage lanes.
4. A change to a regionally significant project defined in the Metropolitan Transportation Plan that does alter the number of through lanes, lane capacity, or speed classification as defined in the travel model is considered a significant change in concept and scope.
5. Advancing or delaying the planned implementation of a regionally significant project that does not result in a change in the transportation network described in the travel model for any horizon year (as defined in CFR 93.101) is not considered a significant change in concept and scope.
6. Advancing or delaying the planned implementation of a regionally significant project that does result in a change in the transportation network described in the travel model for any

horizon year (as defined in CFR 93.101) is considered a significant change in concept and scope.

7. Other regionally significant projects include the procurement of additional (not replacement) public transportation vehicles and the construction of new park and ride facilities.

Administrative amendments are posted for TAC. All administrative amendments shall be forwarded to the Policy Board for information purposes. The Policy Board may request further review of administrative amendments.

Table 1 provides a detailed description of how amendments are made to the MTIP.

TABLE 1: MTIP AMENDMENT PROCESS

Type of Change	Federal Action	Full Amend	Admin Amend	Database /Document Change
If it is NOT in the MTIP:				
1. Adding a state or federally funded (FHWA or FTA*) project, or a project that requires an action by FHWA or FTA (any funding source), to the MTIP	Approval if in first 3 years	✓		
2. Adding a regionally significant project to the MTIP (any funding source)	Approval if in first 3 years	✓		
3. Adding a federally funded project that is funded with discretionary funds	Notification		✓	
4. Adding a non-federally funded project that doesn't require FHWA or FTA action to the MTIP	Notification		✓	
If it is already in the MTIP:				
5. Deleting a state or federally funded project, or a project that requires an action by FHWA or FTA (any funding source), from the MTIP	Approval if in first 3 years	✓		
6. Major change in scope of a project with state or federal funds	Approval if in first 3 years	✓		
7. Adding or deleting a CN phase to an approved MTIP project.	Approval	✓		
8. Advancing a project or phase of a project from the fourth year to the first three years of the MTIP**	Approval	✓		
9. Advancing an approved project or phase of a project from year 2 or 3 into the current year of the MTIP	Notification		✓	
10. Slipping an approved project or phase of a project from the current year of the MTIP to a later year	No action			✓
11. Adding PE or ROW phase to an approved project in the first three years of the MTIP	Notification		✓	
12. Combining two or more approved projects into one project	Notification		✓	
13. Splitting one approved project into two or more projects	Notification		✓	
14. Minor technical corrections to make the MTIP consistent with prior approvals	Notification		✓	
15. Adding FHWA funds to an approved FTA-funded project	Notification		✓	
16. Increasing or decreasing the federal funds of an FTA-funded project, without affecting fiscal constraint of the MTIP	Notification		✓	
17. Increasing or decreasing the federal funds of an FHWA-funded project, without affecting fiscal constraint of the	No action			✓

MTIP				
18. Modifying or deleting local projects that are listed for information purposes only	No action			✓
19. Minor technical corrections to make the MTIP consistent with the prior approvals, such as typos or missing data.	Notification		✓	
20. Changing the name of a project due to change in scope, combining or splitting of projects, or to better conform to naming convention.	Notification		✓	

*Funds from 49 USC Chapter 53 or 23 USC, excluding State Planning & Research funds, Metropolitan Planning funds, and most Emergency Relief funds.

**The federally approved STIP contains years one to three; year four is informational only.

Public Involvement Process

BMPO staff consulted ODOT and local ~~agencies~~^{agencies to} to identify projects scheduled for the 2010-2013 period. Indirect public involvement opportunities were available through the ODOT STIP and City CIP processes. ODOT has a formal public process associated with development of the STIP and the City also has a public process associated with development of the CIP.

This MTIP was prepared as a coordinated and cooperative effort of the BMPO member jurisdictions. Development of the draft MTIP was included as an agenda item at meetings of the Citizen Advisory Committee (CAC), TAC, and Policy Board. E-mail notification of all BMPO Policy Board meetings is provided to local and regional media. E-mail notification of all Policy Board meetings is also provided to a list of local stakeholders and agency staff. Each Policy Board agenda includes formal time for visitor introductions and comment. Discussion at Policy Board, CAC, and TAC meetings is also open to everyone in attendance. In addition, all MPO committee agendas are posted on the MPO website.

Prior to its adoption by the Policy Board, the proposed MTIP undergoes a publicized 30-day public review and comment period.

Response to Public Comment

23 CFR § 450.316 requires explicit consideration and response to public comment received during the program development process. Public, staff, agency, and other interested party comments received prior to the adoption hearing are first reviewed by staff. Comments requiring minor revisions are addressed by staff. Such comments might include requests for additional information or clarification of information. Comments on policy issues or specific projects will be considered by the Policy Board at the public hearing. Comment received during the public hearing will be discussed at the public hearing. The Policy Board and staff will determine the most appropriate manner to respond to comments received. If significant changes to the proposed MTIP are recommended as a consequence, a revised final draft document will be resubmitted to the public for an additional review and comment period. A report on the disposition of comments is included in Appendix E.

MTIP PROJECTS (23 CFR 450.324(e))

Description of Project Listings

Individual projects vary enough that their descriptions are necessarily general. For street projects, all are assumed to be urban cross-sections with curb, gutter, underground drainage, and sidewalks, unless otherwise noted. When provisions for bicycles are anticipated, they are specifically mentioned.

Projects are grouped by agency responsible for carrying out the project.

Project name is prepared based on ODOT conventions, and is the name by which the project is known in the State Transportation Improvement Program (STIP).

Project description is the description provided by the project sponsor; due to STIP constraints, this description may be abbreviated when included in the STIP.

Key number is the project number, assigned by ODOT, by which the project is known in the STIP. A project which covers several years may have a different key number for each year.

Fiscal Year is the Federal fiscal year in which the funds for the indicated project phase or stage are expected to be obligated through a contractual or intergovernmental agreement.

Phase indicates the type of work undertaken in the year indicated. For projects other than transit, this is typically planning (Plan), preliminary engineering (PE), right of way acquisition (ROW), utility relocation (UR), or construction (Cons). Transit projects typically consist of operations support (Ops) and capital support (Cap).

Federal Cost and Source indicates the amount of federal funding that is programmed for this phase, and the type of federal funds (see below).

Federal Required Match Cost and Source indicates the amount of local money that must be programmed in order to match the federal funding. This is typically 10.27% or 20% of the total project cost, depending on the federal source.

Other Cost and Source indicates local funds that are programmed for the project phase in excess of any federal funds or local match to federal funds.

Total All Sources indicates the cost estimate of the project phase or stage regardless of fund source.

Costs are only estimates, although some are more refined than others.

Funding source refers to the agencies expected to participate in the project. In some cases, funding agreements have not yet been finalized so agencies listed will not necessarily participate in the project listed. A description of the various funding sources is provided in Appendix C. Meanings of the abbreviations used in MTIP tables are as follows:

For a project which began prior to FY10, phases that are either under contract, under construction or completed are included here for informational purposes. These phases are listed by the earlier year and are shown in italics.

Table 2 lists the abbreviations that are used to identify the funding sources for projects identified in the MTIP.

TABLE 2 - FUND SOURCE ABBREVIATIONS

<i>Federal Sources</i>	
ARRA	American Recovery and Reinvestment Act
HBRR	Highway Bridge Rehabilitation and Replacement
NHS	National Highway System
RTP	Recreational Trails Program
SPR	State Planning and Research
SRTS	Safe Routes to Schools
STP	Surface Transportation Program
TE	Transportation Enhancement
S5303	Transit: Planning, Research and Training
S5307	Transit: Urban Operations Support
S5309	Transit: Capital and Operating Assistance
S5310	Transit: Elderly and Disabled Services
S5316	Transit: Jobs Access Reverse Commute
ARRA	American Recovery and Reinvestment Act
<i>State Sources</i>	
Bike/Ped	Bicycle and Pedestrian Grants
HB 2001	Oregon House Bill 2001
JTA	Jobs and Transportation Act (aka HB 2001)
State Hwy Fund	State Highway Fund
STF	Special Transportation Fund (Transit)
STO	Special Transportation Operating Program (Transit)
TDM	Transportation Demand/Rideshare Program
<i>Local Sources</i>	
Bend	City of Bend (SDCs, General Fund, etc.)
Des Co	Deschutes County Roadway Fund

List of Projects

Table 3 lists the projects by agency, including federally funded projects. Projects in this table are consistent with Metropolitan Transportation Plan policy and include local projects that implement the MTP.

It should be noted that the costs included for some of the projects do not reflect the full costs associated with the listed projects. For example, the total estimated cost to improve the Murphy Road corridor is approximately \$25 million. This MTIP includes approximately \$65,000 for engineering and limited right-of-way acquisition for the identified corridor improvements.

Map 1 shows the locations of roadway projects in the BMPO area with programmed funding during the years 2012-2015

TABLE 3 – PROGRAMMED PROJECTS BY AGENCY

MAP 1 – 2012-2015 MTIP TRANSPORTATION PROJECTS

FINANCIAL CONSTRAINT

SAFETEA-LU requires development of a financial plan as part of the MTP and MTIP planning processes. The financial plan must demonstrate that the existing system of transportation facilities is being adequately operated and maintained. This financial plan must be developed in cooperation with the local jurisdictions and other affected agencies. The financial plan must demonstrate which projects can be implemented using current revenues and funding sources and which projects are to be implemented using proposed new revenue sources, while at the same time demonstrating that the existing system of transportation facilities is being adequately operated and maintained. Cost estimates and replacement schedule(s) must support this determination.

Table 4 provides a summary of the financial analysis and demonstrates that the MTIP is financially constrained. Revenues in the first two years are committed, as programmed in the capital improvement programs of the local and state jurisdictions.

TABLE 4: FY12-15 MTIP FINANCIAL CONSTRAINT ASSESSMENT

Description	FY12	FY13	FY14	FY15	Total Amount FY12 – FY15
Total Revenue	\$14,212,800	\$38,900,000	\$400,000	\$525,000	\$54,037,800
Total Expenditures*	\$14,212,800	\$38,900,000	\$400,000	\$525,000	\$54,037,800
Difference: Revenues minus Expenditures	\$0	\$0	\$0	\$0	\$0
*Total expenditures vary slightly from those shown in Table 3 due to rounding.					
Statement of Financial Constraint: Each project in the Bend MPO FY12-15 Metropolitan Transportation Improvement Program has an identified funding source or combination of sources reasonably expected to be available over the program period.					

Adequate Maintenance and Operation of Existing System

In order to produce a financial plan that demonstrates that the necessary resources are reasonably available to implement the MTIP, the financial plan must also demonstrate that the responsible operating agencies have the capacity to finance the operations, maintenance, and capital replacement activities required to preserve the existing system of transportation facilities. Although the BMPO has no direct operations or maintenance authority, its responsibilities related to the production of coordinated, comprehensive transportation plans for the urban area involve the cooperative development of a financial statement indicating the ability of the various operating jurisdictions to adequately maintain, operate, and provide for capital replacement of their respective facilities.

The Bend Area Transit system has submitted a financial statement that is included in the MTIP (see Appendix B). The Oregon Transportation Commission (OTC) has adopted a policy that preservation of the existing system is its first priority and has directed funds to that purpose statewide; the MTIP projects on the ODOT system reflect that commitment and ability. In addition, ODOT directed a significant percentage of the funding available through the American Recovery and Reinvestment Act (ARRA) to preservation projects. The local jurisdictions within the BMPO area (Deschutes County and the city of Bend) have expressed commitments to

established minimum levels of facility maintenance. This is generally defined as the level of maintenance required to stop further deterioration of the street pavement, bridges, and non-traffic control system components. Legal restrictions prevent some local funding (e.g. systems development charges) from being used on maintenance and preservation activities. Deschutes County focuses its discretionary roadway resources on maintenance and preservation activities. The City of Bend has a significant backlog of roadway preservation needs. The Bend MPO Policy Board has directed the discretionary federal Surface Transportation Program (STP) funds to street preservation in the City of Bend. In addition, the City also allocates a percentage of its funding (state shared revenues and local general fund) to maintenance and preservation activities. Over the past two years, MPO and City staff has investigated options for increasing local revenues for street preservation and maintenance. Deschutes County Board of Commissioners charged the County Administrator in creating the Road Study Committee to access short/long term funding options for the Road Department and to analyze Deschutes County Road Department operations to see if there are measures that can be taken to improve efficiency in the day to day operations. This group met for approximated 6 months in 2011 and provided. Additional efforts to identify local revenue sources will continue into the future.

Available and Committed Revenues and Funding Sources

Available funds include those funds derived from an existing source or funds historically dedicated to transportation. Federal funds generally available to the region (funds authorized and/or appropriated) on an annual basis are considered committed. Based on historical authorizations, federal funds distributed by formula can be extrapolated beyond the current authorization and be considered committed. Federal funds distributed on a discretionary basis are regarded as a new source and must be shown to be reasonably available.

In the case of state funds that are not dedicated to or historically used for transportation purposes, only those funds over which the Governor has control may be considered to be committed funds. In this case, approval of the MTIP by the Governor will be considered to be committed funds.

For local or private sources of funding involved in regionally significant projects, those not dedicated to or historically used for transportation purposes (including donations of property), a commitment in writing or letter of intent by the responsible official or body having control of the funds is needed to establish a commitment. If these commitments cannot be demonstrated, the state, local, or private funding source should be treated as a "new" funding source and must be demonstrated to be "reasonably available."

Reasonably Available Revenues and Funding Sources

These funds may not currently exist or may require some steps before a jurisdiction, agency, or private party can commit such revenues to transportation projects. The financial plan must identify strategies and a specific plan of action that describe the steps that will be taken to ensure the availability of such funding sources within the planning timeframe. The plan of action should provide information on the actions that will be taken to obtain the new funding, including how local match will be obtained. Where efforts are already underway to obtain a new revenue source, information such as the amount of support for the measure by the community should be included in the financial analysis used for the financially constrained MTIP. Appendix C describes the revenue sources that fund the projects contained within the MTIP.

Bend MPO Surface Transportation Program Funds

Under a cooperative process, ODOT distributes a portion of its Surface Transportation Program (STP) funds to cities, counties, and Oregon's small Metropolitan Planning Organizations. The

Bend MPO receives an annual allocation of federal STP funds. Prior to formation of the MPO, the STP funds were allocated directly to the city of Bend. With the creation of the MPO, project identification occurs through the MPO. Historically, the STP funds have been used for street preservation and maintenance in the city of Bend. To simplify access to these funds, the City enters into a fund-exchange agreement with ODOT. Through the exchange program, ODOT retains the federal funds and the City receives state roadway funds. These projects are not typically included in the MTIP. In the future, the funds may remain federal to allow a wider range of project options. If that occurs, the MTIP will be amended as necessary. Future allocations of Bend MPO STP funds will be distributed on a year-by-year basis.

ODOT Region 4 Transit Funding

ODOT Region 4 has supported transit for several years by allocating a portion of available STP funds to transit. Available funding amounts can fluctuate but the region tries to maintain an historical average. The funds are restricted to transit capital improvements. The application and selection process is managed by the ODOT Public Transit Section.

Transportation Demand Management Program

Funding is provided each year in the STIP for Transportation Demand Management (TDM) activities. In the STIP, the funding is listed as "Region 4 TDM Program."

Funding Flexibility

Under current federal legislation and Oregon constitutional restrictions, some flexibility exists in the use of transportation funds (Table 5). The possible applications, however, are relatively limited. For example, transit operations are eligible under only two categories of funds, and many fund sources are restricted to highway-related uses.

TABLE 5: FUNDING FLEXIBILITY MATRIX
General Guidelines for the Use of Transportation Funding

POTENTIAL USES	Transit			Roadway				
	Transit Operations	Capital Improvements	ADA/Elderly & Disabled	Maintenance & Operations	Roadway Capacity	Bicycle	Pedestrian	Rideshare/ TDM
FUNDING SOURCES								
Federal								
National Highway System (a)	no	no	no	yes	yes	yes	yes	no
STP	no	yes	yes	yes	yes	yes	yes	yes
BMPO STP	no	yes	yes	yes	yes	yes	yes	yes
STP Enhancement	no	yes	yes	no	no	yes	yes	no
FTA Section 5307	yes	yes	yes	no	no	no	no	no
FTA Section 5309	no	yes	yes	no	no	no	no	no
FTA Section 5310 (b)	no	no	yes	no	no	no	no	no
FTA Section 5316	yes	yes	no	no	no	no	no	no
State								
Gas Tax Revenues	no	no	no	yes	yes	yes	yes	(c)
Special Transportation Fund (STF) (d)	yes	yes	yes	no	no	no	no	No
Local								
Bend SDC (e)	no	no	no	no	yes	yes	yes	No
Gas Tax Revenue	no	no	no	yes	yes	yes	yes	Yes
Bend Urban Renewal	no	yes	no	no	yes	yes	yes	No

(a) Up to 50% of NHS funds can be transferred to STP funds.

(b) Limited to private, non-profit organizations or public bodies that coordinate transportation services for the elderly and disabled persons.

(c) Potential uses may include park-and-ride facilities only as part of eligible highway improvement projects.

(d) May be used for transit capital improvements and ADA/elderly & disabled operations; cannot be used for transit system operations.

(e) Limited to roadway capacity projects. Bicycle and pedestrian facility improvements may be included as part of roadway capacity projects.

OTHER PROJECTS

Not all transportation projects and programs need to be included in the 2012-2015 MTIP project list. Projects and programs that do not need to be listed include some planning projects, some state-funded transit projects, and some locally funded projects. To help further public knowledge about transportation funding in the Bend MPO area, a list of these projects is provided in Table 6. The table lists the projects by agency. Projects in this table are consistent with Metropolitan Transportation Plan policy and include local projects that implement portions of the MTP.

TABLE 6 – OTHER PROJECTS BY AGENCY

Appendix A: BMPO Resolution Adopting MTIP

Resolution Number 2011-11
For the Purpose of Adopting the 2012-2015 Metropolitan Transportation Improvement Program for the Bend Metropolitan Planning Organization

WHEREAS, the State of Oregon has designated representatives of the said areas, together with a representative of ODOT, as the Bend Metropolitan Planning Organization (BMPO) to carry out the Metropolitan Transportation Planning Process; and

WHEREAS, among the major requirements of the Metropolitan Transportation Planning Process is the development of a Metropolitan Transportation Improvement Program (MTIP) that enumerates priority transportation projects in the Bend Urbanized Area; and

WHEREAS, the BMPO has developed a FY2012-2015 Metropolitan Transportation Improvement Program in coordination with ODOT and the local transit agency in compliance with all applicable federal and state requirements; and

WHEREAS, the FY2012-2015 Metropolitan Transportation Improvement Program meets the federal requirement of financial constraint; and

WHEREAS, the public has been notified and afforded reasonable opportunities to review and comment on the content of the FY2012-2015 MTIP.

NOW, THEREFORE, BE IT RESOLVED, that the Policy Board of the Bend MPO approves and adopts the FY2012-2015 Metropolitan Transportation Improvement Program and directs staff to submit the document to ODOT for inclusion in the FY2012-2015 Statewide Transportation Improvement Program.

Adopted by the Bend Metropolitan Planning Organization the 17th day of November, 2011.

Yes:_____

No:_____

Authenticated by the Chair this 17th day of November, 2011

Mark Capell, Chair

Attest:

Tyler Deke, MPO Manager

Appendix B: Status of Projects from 2010-2013 MTIP

Appendix C: Bend Area Transit Statement of Financial Capacity

Appendix D: Transportation Project Funding Sources

The jurisdictions in the BMPO use a variety of federal, state, and local funding sources for implementing the transportation projects and programs outlined in this MTIP. A brief description of each of the fund sources, along with project programming information is provided below. A breakdown of funding sources by program year is provided in Table 3 of the MTIP.

FEDERAL FUNDING PROGRAMS

In August 2005, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) was signed into law. This legislation built upon the initiatives established in the two prior transportation legislation packages. Under these Acts, State and local governments were given more flexibility in determining transportation solutions, whether transit, highways, or multimodal projects.

Federal Aid Highway Funding Programs

SAFETEA-LU contains several major funding programs for roadway, safety, and multimodal projects, including the: National Highway System; Interstate Program; Surface Transportation Program; and Highway Bridge Rehabilitation and Replacement Program. Some of these major programs contain sub-programs including the Hazard Elimination Program and the Transportation Enhancement Program. SAFETEA-LU also contains several other smaller funding programs. A brief description of several federal aid highway funding programs is provided below. Many, but not all, of these programs are administered by the Federal Highway Administration.

NATIONAL HIGHWAY SYSTEM (NHS) FUNDS

The National Highway System is composed of 163,000 miles of rural and urban roads serving major population centers, international border crossings, intermodal transportation facilities, and major travel destinations. It includes the Interstate System, U.S. numbered highways, and other urban and rural principal arterials that provide motor vehicle access between the NHS and major intermodal transportation facilities, the defense strategic highway network, and strategic highway network connectors.

NHS funds are primarily used to fund upgrade and improvement projects on the Interstate system and U.S. numbered routes. The NHS became the new focus of the Federal Aid Program following the completion of the Interstate Highway System. Up to 50% of program funds may be transferred by the state to the more flexible Surface Transportation Program (STP), Interstate Maintenance Program, Highway Bridge Replacement and Rehabilitation Program, or Recreational Trails Program. Funds may be spent on transit projects if established criteria are met.

INTERSTATE SYSTEM/INTERSTATE MAINTENANCE (IM) PROGRAM

The 46,000 mile Dwight D. Eisenhower National System of Interstate and Defense Highways retains a separate identity within the National Highway System (NHS). Funds from this program are meant to ensure the continued maintenance and improvement of this system. These funds are distributed to states based on a set of established criteria.

A State may transfer up to 50% of its IM apportionment to its National Highway System, Surface Transportation, Congestion Mitigation and Air Quality Improvement, Highway Bridge Replacement and Rehabilitation, or Recreational Trails apportionment.

CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM (CMAQ)

The CMAQ program was created to deal with transportation related air pollution. States with areas that are designated as non-attainment for ozone, carbon monoxide (CO) or particulate matter (PM-10, PM-2.5) must use their CMAQ funds in those non-attainment areas. The funding must be used for projects which reduce transportation related emissions

SURFACE TRANSPORTATION PROGRAM (STP)

The STP is a flexible multi-modal block grant-type program. It provides funds for a broad range of transportation uses and may be used by States and localities for projects on any Federal-aid highway, including the NHS, bridge projects on any public road, transit capital projects, and intracity and intercity bus terminals and facilities. A percentage of the STP funds allocated to the state of Oregon are distributed to cities and counties on a formula basis by the Oregon Transportation Commission.

STP TRANSPORTATION ENHANCEMENT PROGRAM

Each state must set aside 10% of its yearly STP revenues for Transportation Enhancement Activities, which comprise a broad range of projects. Enhancement funds are allocated to local jurisdictions throughout the state on a competitive basis. Eligible transportation enhancement projects include pedestrian and bicycle facilities; preservation of abandoned railway corridors; landscaping and other scenic beautification; control and removal of outdoor advertising; acquisition of scenic easements and scenic or historic sites; scenic or historic highway programs; historic preservation; rehabilitation and operation of historic transportation buildings, structures, or facilities; archaeological planning and research; mitigation of water pollution due to highway runoff, improvements to reduce vehicle-caused wildlife mortality while maintaining habitat connectivity, and development of transportation museums.

STP SAFETY FUNDS

Each state must set aside 10 percent of its base STP funds for safety programs such as hazard elimination, high accident locations, and rail-highway crossings. Bicycle and pedestrian safety improvements and public transportation facilities improvements are also eligible for funding.

BEND METROPOLITAN PLANNING ORGANIZATION (BMPO) STP FUNDS

Under a cooperative process, ODOT distributes a portion of its STP funds to Metropolitan Planning Organizations (MPOs) in Oregon's urban areas. The Bend MPO receives approximately \$500,000 annually in federal STP funds. Prior to formation of the MPO, the STP funds were allocated directly to the city of Bend. With the creation of the MPO, STP funding has increased and project

identification now occurs through the MPO. Future allocations of Bend MPO STP funds will be distributed on a year-by-year basis.

HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP)

The HSIP is a core Federal-aid funding program. The intent of the program is to achieve a significant reduction in traffic fatalities and serious injuries on all public roads. Funds may be used for projects on any public road or publicly owned bicycle and pedestrian pathway or trail. Each State must have a Strategic Highway Safety Plan (SHSP) to be eligible to use up to 10 percent of its HSIP funds for other safety projects under 23 USC (including education, enforcement and emergency medical services). It must also certify that it has met its railway-highway crossing and infrastructure safety needs.

HIGHWAY BRIDGE PROGRAM (HBP)

The HBP provides funds to replace or maintain existing bridges; new bridges are not eligible for funding under this program. These funds are distributed according to the Bridge Management System (BMS). The BMS is an electronic data management tool used by ODOT to identify, prioritize and develop needed bridge improvements. BMS data is linked to other technical databases to identify bridges that meet twelve separate deficiency parameters. The Bridge Engineering Section, the region bridge inspector, and the appropriate district maintenance managers jointly review each region's list of bridges to confirm the most deficient bridges and agree on a relative prioritization. Available HBP funds are applied based on the prioritization. Not less than 15% or more than 35% of the State's HBP apportionment is to be spent on bridges off the federal-aid highway system (local bridges).

NATIONAL SCENIC BYWAYS PROGRAM

The National Scenic Byways Program provides for the planning, design, and development of All-American Roads (AAR), National Scenic Byways (NSB), and State Scenic Byways. To be designated, roads must have outstanding scenic, historic, cultural, natural, recreational, and archaeological qualities.

METROPOLITAN PLANNING

Metropolitan Planning funds are available for MPOs to carry out the metropolitan transportation planning process required by 23 U.S.C. 134, including development of metropolitan area transportation plans and transportation improvement programs. Under 23 U.S.C. 134, MPOs are responsible for developing, in cooperation with the State and affected transit operators, a long-range transportation plan and a metropolitan transportation improvement program (MTIP) for the area.

STATEWIDE PLANNING AND RESEARCH (SPR)

SPR funds may be used for engineering and economic surveys and investigations; the planning of future highway programs and local public transportation systems, and the planning of the financing of such programs and systems including metropolitan and statewide planning; development and implementation of management systems; studies of the economy, safety, and convenience of highway usage and the desirable regulation and equitable taxation thereof; research, development, and technology transfer

activities necessary in connection with the planning, design, construction, and maintenance of highways, public transportation, and intermodal transportation systems; and study, research, and training on engineering standards and construction materials for the above systems, including evaluation and accreditation of inspection and testing and the regulation and taxation of their use.

RECREATIONAL TRAILS PROGRAM

Recreational Trails Program funds may also be used to maintain and restore trails, develop trailside and trailhead facilities, acquire easements or land for trails, and to construct new trails.

TRANSPORTATION, COMMUNITY, AND SYSTEM PRESERVATION PROGRAM (TCSP)

The TCSP is intended to investigate and address the relationships between transportation and community and system preservation and identify private sector-based initiatives. Funds are intended to: improve the efficiency of the transportation system, reduce impacts of transportation on the environment, reduce the need for costly future investments in public infrastructure, provide efficient access to jobs, services, and centers of trade, and examine development patterns and identify strategies to encourage private sector development patterns which achieve the goals above.

HIGH PRIORITY PROJECTS PROGRAM (AKA EARMARKS)

The High Priority Projects Program provides designated funding for specific projects identified in SAFETEA-LU.

BRIDGE DISCRETIONARY PROGRAM

The Bridge Discretionary Program is a sub-set of the Highway Bridge Program (HBP). Funds set aside for the Bridge Discretionary Program may be obligated, at the discretion of the Secretary of Transportation, only for the replacement or rehabilitation of bridges. Discretionary bridge projects must be on a Federal-aid highway.

EMERGENCY RELIEF PROGRAM (ER)

The ER program assists State and local governments with the expense of repairing serious damage to Federal-aid and Federal Lands highways resulting from natural disasters or catastrophic failures. ER funds can be used only for emergency repairs to restore essential highway traffic, to minimize damage resulting from a natural disaster or catastrophic failure, or to protect the remaining facility and make permanent repairs.

FEDERAL LANDS HIGHWAY PROGRAM (FLH)

The FLH Program administers the funding programs for the following four categories of Federal Lands highways—Indian Reservation Roads (IRR), National Park Roads and Parkways, Public Lands Highways (discretionary and Forest Highways), and Refuge Roads (access roads to or within the National Wildlife Refuge System). The funds available through the various FLH administered programs can be used for transit facilities within public lands, national parks, and Indian reservations and can also be used as the State/local match for most types of Federal-aid highway funded projects.

PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE PROGRAM

The Projects of National and Regional Significance Program provides funding for high cost projects of national or regional importance. An eligible project is any surface transportation project eligible for assistance under 23 USC, including a freight railroad project eligible under that title, that has a total eligible cost greater than or equal to the lesser of (1) \$500,000,000 or (2) 75 percent of the amount of Federal highway funds apportioned to the State in which the project is located for the most recently completed fiscal year.

SAFE ROUTES TO SCHOOLS PROGRAM

The purpose of the Safe Routes to Schools Program is to enable and encourage children, including those with disabilities, to walk and bicycle to school; to make walking and bicycling to school safe and more appealing; and to facilitate the planning, development and implementation of projects that will improve safety, and reduce traffic, fuel consumption, and air pollution in the vicinity of schools.

For infrastructure related projects, eligible activities are the planning, design, and construction of projects that will substantially improve the ability of students to walk and bicycle to school. These include sidewalk improvements, traffic calming and speed reduction improvements, pedestrian and bicycle crossing improvements, on-street bicycle facilities, off-street bicycle and pedestrian facilities, secure bike parking, and traffic diversion improvements in the vicinity of schools.

Each State must set aside from its Safe Routes to School apportionment not less than 10 percent and not more than 30 percent of the funds for non-infrastructure-related activities to encourage walking and bicycling to school. These include public awareness campaigns and outreach to press and community leaders, traffic education and enforcement in the vicinity of schools, student sessions on bicycle and pedestrian safety, health, and environment, and training, volunteers, and managers of safe routes to school programs.

Federal Transit Administration (FTA) Funding

The Federal Transit Administration carries out the federal mandate to improve public transportation systems. It is the principal source of federal assistance to help urban areas (and, to some extent, non-urban areas) plan, develop, and improve comprehensive public transportation systems. The funding programs administered by the FTA include, but are not limited to, the following:

Section 5309 Bus and Bus Facilities Program

Section 5303 Metropolitan Planning

Section 5307 Urbanized Area Formula Program

Section 5310 Elderly/Disabilities

Section 5311 Rural and Small Urban Areas Formula Program

Section 5317 New Freedom Program

Section 5316 Job Access and Reverse Commute program (JARC)

A summary of these programs follows:

TRANSIT SECTION 5309 PROGRAM

Funds for the Section 5309 Discretionary and Formula Capital Program are split among New Fixed Guideway Systems, Rail Modernization, and Replacement Buses and Facilities.

Replacement Buses and Facilities capital funds are generally used for bus purchases and other related equipment. The basic matching ratio for capital projects is 80 percent federal, the same as for highway projects in the FHWA program. The matching ratio is 90 percent federal for the incremental costs of bus related equipment needed to meet the requirements for the Clean Air Act and Americans with Disabilities Act.

TRANSIT SECTION 5303 PROGRAM

Transit Section 5303 funds are part of the Transit Planning and Research Program. These funds are allocated among the following programs: Metropolitan Transit Planning, Rural Transportation Assistance Program, Statewide planning, research, and training, Transit Cooperative Research Program, and National Planning and Research Program. The Metropolitan planning funds are allocated to states under a formula apportionment on behalf of MPOs based on a state formula cooperatively developed with MPOs and approved by the U.S. Secretary of Transportation. Typically, the 5303 allocations are spent for transit planning and coordination within the region.

TRANSIT SECTION 5307 PROGRAM

The Section 5307 Formula Grant Program makes funds available on the basis of a statutory formula to all urbanized areas in the country. For capital projects, the match rate is 80% federal, 20% state or local. Capital funds are used for transit maintenance (e.g., replacing buses), as well as other projects. For operating assistance, the match rate is 50% federal, 50% state or local.

TRANSIT SECTION 5310 PROGRAM

The Section 5310 program provides funding for transportation services for the elderly and persons with disabilities. The funds may go to private, nonprofit organizations or to public bodies that coordinate service. Funds can continue to be used for capital costs or for capital costs of contracting for services. Section 5310 funds are awarded on an annual competitive basis.

TRANSIT SECTION 5311 PROGRAM

The Section 5311 program provides funding for transportation services for residents in non-urban areas. The funds may be used for both operations support and capital support. 5311 funds have a 50 percent match requirement.

TRANSIT SECTION 5316 PROGRAM

The goal of the Job Access and Reverse Commute program (JARC) is to improve access to transportation services to employment and employment related activities for

welfare recipients and eligible low-income individuals and to transport residents of urbanized areas and non-urbanized areas to suburban employment opportunities. Toward this goal, the Federal Transit Administration provides financial assistance for transportation services planned, designed, and carried out to meet the transportation needs of eligible low-income individuals, and of reverse commuters regardless of income. The program requires coordination of Federally-assisted programs and services in order to make the most efficient use of Federal resources.

TRANSIT SECTION 5317 PROGRAM

The New Freedom formula grant program aims to provide additional tools to overcome existing barriers facing Americans with disabilities seeking integration into the work force and full participation in society. Lack of adequate transportation is a primary barrier to work for individuals with disabilities. The 2000 Census showed that only 60 percent of people between the ages of 16 and 64 with disabilities are employed. The New Freedom formula grant program seeks to reduce barriers to transportation services and expand the transportation mobility options available to people with disabilities beyond the requirements of the Americans with Disabilities Act (ADA) of 1990.

Other Federal Funding Programs

Other federal funding programs are also available to fund transportation projects. A brief description of two programs is provided below.

SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000

This Act was reauthorized in October 2008. These funds are used to fund improvements to public schools, roads and stewardship projects. Deschutes County receives roadway funding through this program.

COMMUNITY DEVELOPMENT BLOCK GRANTS (CDBG)

Community Development Block Grants are administered by the Department of Housing and Urban Development and could potentially be used for transportation improvements in eligible areas.

STATE FUNDING PROGRAMS

OREGON HIGHWAY FUND

The major source of funding for transportation capital improvements and activities statewide is the Oregon Highway Fund. The Highway Fund derives its revenue through fuel taxes, licensing and registration fees, and weight-mile taxes assessed on freight carriers. Historically, revenues were divided as follows: 16% to cities, 24% to counties, and 60% to ODOT. HB 2001, approved during the 2009 legislative session, increased the gas tax by 6 cents. Revenue from the new taxes is to be divided as follows: 20% to cities, 30% to counties, and 50% to ODOT. In addition, new revenues were generated as part of the Oregon Transportation Investment Act (OTIA) – OTIA I, OTIA II, and OTIA III. Revenue sharing from these programs falls somewhere between the old formula and the HB 2001 formula. County shares of the Fund are based on the number of vehicle registrations, while the allocations to the cities are based on population. ORS 366.514

requires at least 1% of the Highway Fund received by ODOT, counties, and cities be spent on the development of footpaths and bikeways. ODOT administers its bicycle/pedestrian funds, handles bikeway planning, design, engineering and construction, and provides technical assistance and advice to local governments concerning bikeways.

SPECIAL PUBLIC WORKS FUND (SPWF)

The State of Oregon allocates a portion of state lottery revenues for economic development. The Oregon Economic Development Department provides grants and loans through the SPWF program to construct, improve and repair infrastructure in commercial/industrial areas to support local economic development and create new jobs. The SPWF provides a maximum grant of \$500,000 for projects that will help create or retain a minimum of 50 jobs. SPWF projects will be programmed as awards are made.

IMMEDIATE OPPORTUNITY FUND (IOF)

The Immediate Opportunity Fund is intended to support economic development in Oregon by providing road improvements where they will assure job development opportunities by influencing the location or retention of a firm or economic development. The fund may be used only when other sources of funding are unavailable or insufficient, and is restricted to job retention and committed job creation opportunities. To be eligible, a project must require an immediate commitment of road construction funds to address an actual transportation problem. The applicant must show that the location decision of a firm or development depends on those transportation improvements, and the jobs created by the development must be "primary" jobs such as manufacturing, distribution, or service jobs.

TRAFFIC CONTROL PROJECTS

The state maintains a policy of sharing installation, maintenance, and operational costs for traffic signals and luminaire units at intersections between state highways and city streets or county roads. Intersections involving a state highway and a city street (or county road), which are included on the statewide priority list are eligible to participate in the cost sharing policy. ODOT establishes a statewide priority list for traffic signal installations on the State Highway System. The priority system is based on warrants outlined in the Manual for Uniform Traffic Control Devices (MUTCD). Local agencies are responsible for coordinating the statewide signal priority list with local road requirements.

STATE SPECIAL TRANSPORTATION FUND (STF)

ODOT's Public Transit section administers a discretionary grant program derived from state cigarette tax revenues that provides supplementary support for elderly and disabled transportation. A competitive process has been established for awarding STF funds. STF funds are programmed on an annual basis.

LOCAL FUNDING PROGRAMS

SYSTEMS DEVELOPMENT CHARGES (SDCs)

Systems Development Charges are fees paid by land developers intended to reflect the increased capital costs incurred by a jurisdiction or utility as a result of a development. Development charges are calculated to include the costs of impacts on adjacent areas or services, such as parks and recreation use or traffic congestion. The SDC typically varies by the type of development (residential, commercial, industrial, etc.). Transportation SDCs are collected by the city of Bend.

FRANCHISE FEES

Cities may collect franchise fees from local utility companies that utilize public right-of-ways for the conveyance of their services. The city of Bend currently collects franchise fees from Pacific Power and Light, Central Electric Co-op, Cascade Natural Gas Company, Bend Cable Communications and Qwest. In the past, a percentage of the funds derived from the franchise fees were allocated for maintenance and street improvement needs. These revenues are now included in the general fund. The City Council has chosen to dedicate a percentage of the General Fund revenues to the street fund. Revenue from these sources dedicated to the transportation fund is anticipated to be used exclusively for transportation operations and maintenance.

DEVELOPER EXACTIONS

Prior to the establishment of transportation SDCs, the city of Bend used a different method of exacting transportation system improvements. Development financial requirements have continued since the adoption of the transportation SDCs where transportation impacts have exceeded possible development related fee collection, but these “contributions” have lessened considerably since the adoption of the transportation SDC. These exactions, typically for qualified transportation improvements, are eligible for SDC reimbursement. Additionally, developers are required, without reimbursement, to build the local streets serving their developments.

STREET UTILITY FEES

In many places, residents pay water and sewer utility fees. Street utility fees apply the same concepts to city streets. A fee is assessed to all businesses and households in the city for use of streets based on the amount of traffic typically generated by a particular use. The fees are typically used to pay for maintenance projects. Street utility fees are not currently collected within the BMPO area.

SPECIAL ASSESSMENTS/LOCAL IMPROVEMENT DISTRICTS (LIDS)

Special assessments are charges levied on property owners for neighborhood public facilities and services, with each property assessed a portion of total project cost. They are commonly used for such public works projects as street paving, drainage, parking facilities and sewer lines. The justification for such levies is that many of these public works activities provide services to or directly enhance the value of nearby land, thereby providing direct financial benefits to its owners. Local Improvement Districts are legal entities established by local government to levy special assessments designed to fund improvements that have local benefits. Through an LID, streets or other transportation

improvements are constructed and a fee is assessed to adjacent property owners. LIDs are have been used within the BMPO area.

LOCAL PARKING FEES

Parking fees are a common means of generating revenue for public parking maintenance and development. Most cities have some public parking and many charge nominal fees for use of public parking. Cities also generate revenues from parking citations. These fees are generally used for parking-related maintenance and improvements. Parking fees are collected on a limited basis in the BMPO area.

REVENUE BONDS

Revenue bonds are financed by user charges, such as service charges, tolls, admissions fees and rents. If revenues from user charges are not sufficient to meet the debt service payments, the bond issuer generally is not legally obligated to levy taxes to avoid default, unless they are also backed by the full faith and credit of the issuing governmental unit. In that case, they are called *Indirect General Obligation Bonds*. Revenue bonds can be secured by a local gas tax, street utility fee or other transportation-related stable revenue stream. Revenue bonds are not currently being used to finance transportation projects within the BMPO area.

GENERAL OBLIGATION BONDS

All taxpayers of the issuing governmental unit, which must pay the interest and principal on the debt as they come due, finance general Obligation (GO) bonds. *Municipal bonds* are GO bonds issued by a local governmental subdivision, such as a city, and are secured by the full faith and credit of the issuing municipality. Oregon law requires GO bonds to be authorized by popular vote. General obligation bonds are currently being used to finance transportation projects within the BMPO area. See the City of Bend website for details on the bond projects.

PROPERTY TAXES

Local property taxes are used to fund various transportation services, including roadway projects and Bend Area Transit services.

FAREBOX REVENUE

Portions of the Bend Area Transit operating funds are received from farebox revenues.

TRANSIENT ROOM TAX (TRT)

The City currently levies a tax on gross room receipts on Hotel/Motel rooms in the City. A percentage of the revenues could be used to help fund Bend Area Transit services.

LOCAL GAS TAX

A local gas tax is assessed at the pump and added to existing state and federal taxes. A local gas tax has not been implemented in the BMPO area.

VEHICLE REGISTRATION FEES

Counties can implement a local vehicle registration fee. The fee would be similar to the state vehicle registration fee. A portion of a county's fee could be allocated to local jurisdictions. Deschutes County does not currently have a vehicle registration fee.

URBAN RENEWAL FUNDING

Urban renewal, or tax increment financing, has been a financing tool that has been used by the city of Bend to improve certain areas of the community. Urban renewal areas have been established in NE Bend and in southern Bend. It is anticipated that a percentage of revenues generated from these districts will be dedicated to transportation improvements in the respective taxing areas.

PUBLIC/PRIVATE PARTNERSHIPS:

The City and an alliance of local developers and property owners (*The West Side Traffic Consortium*) negotiated an agreement that provides for the construction of several significant transportation improvements. These were/are funded through a combination of developer provided improvements and those provided through local improvement district financing. Agreements such as this may serve as a model for future similar such agreements when the cost and timing of various needed improvements exceed the financial ability of any one entity including the City.

SPECIAL ROAD DISTRICTS

Special road districts provide a means for funding specific improvements that benefit a specific group of property owners (comparable to a Local Improvement District). These districts require owner approval and a specific project definition. The residents forming the district agree to pay property taxes to support the special district. Special road districts exist throughout unincorporated Deschutes County. One special road district exists within the BMPO area. Road District Commissioners are appointed by the Deschutes County Board of Commissioners to operate the district.

LOCAL JURISDICTION FUNDING

DESCHUTES COUNTY

Deschutes County's primary source of transportation revenue is shared revenue from the Oregon Highway Fund. The County's revenues are grouped into one large fund known as the Road Fund for purposes of developing the road department budget and capital improvement program.

CITY OF BEND

The city of Bend receives transportation revenues from many sources including: Oregon gas tax and vehicle registration revenues; systems development charges; and franchise fees. These revenues are used for local projects and also provide the necessary match for federally funded projects.

BEND AREA TRANSIT

Bend Area Transit receives revenues from the city's general fund, the farebox, the Federal Transit Administration, and the Oregon Department of Transportation.

Appendix E: Transportation Planning Acronyms and Terms

ACT:	Area Commission on Transportation (see COACT)
ADA:	Americans with Disabilities Act
ADT:	Average Daily Traffic
CBD:	Central Business District
CFR:	Code of Federal Regulations
COACT:	Central Oregon Area Commission on Transportation
DLCD:	Department of Land Conservation and Development
EMME/2:	Computerized Transportation Modeling Software
FFO:	Federal Hwy Administration will conduct in-depth reviews of the methods & procedures used during development & construction of the selected transportation projects. To clearly identify the projects selected for Full Federal Oversight, it was proposed to add the letters "FFO" to the beginning of each project's name. The US97: Bend North Corridor Project was one of the projects in Region 4 identified for Full Federal Oversight (FFO) review.
FFY:	Federal Fiscal Year: from October 1 to September 31.
FHWA:	Federal Highway Administration
FTA:	Federal Transit Administration
FY:	Fiscal Year: (Oregon state fiscal year from July 1 to June 30)
GIS:	Geographic Information Systems
HPMS:	Highway Performance Monitoring System
ITS:	Intelligent Transportation Systems
LOS:	Level of Service, a measure of traffic congestion from A (free-flow) to F (grid-lock)
MOU:	Memorandum of Understanding
MPO:	Metropolitan Planning Organization, a planning body in an urbanized area over 50,000 population which has responsibility for developing transportation plans for that area
MTP:	Metropolitan Transportation Plan
MTIP:	Metropolitan Transportation Improvement Program (same as TIP)
NHS:	National Highway System
OAR:	Oregon Administrative Rules
ODFW:	Oregon Department of Fish and Wildlife
ODOT:	Oregon Department of Transportation
OHP:	Oregon Highway Plan
ORS:	Oregon Revised Statutes
OTC:	Oregon Transportation Commission, ODOT's governing body
OTP:	Oregon Transportation Plan
PL Funds:	Public Law 112, Federal Planning Funds

SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (2005)
SOV:	Single Occupancy Vehicle
STIP:	Statewide Transportation Improvement Program
STP:	Surface Transportation Program
TAC:	Technical Advisory Committee
TAZ:	Transportation Analysis Zone
TCM:	Traffic Control Measures
TDM:	Transportation Demand Management
TIP:	Transportation Improvement Program (same as MTIP)
TOD:	Transit Oriented Development
TPAU:	Transportation Planning Analysis Unit (ODOT)
TPR:	Transportation Planning Rule
TSM:	Transportation Systems Management
TSP:	Transportation System Plan
UGB:	Urban Growth Boundary
UPWP:	Unified Planning Work Program
US DOT:	U.S. Department of Transportation
VMR:	Vehicle Miles Reduced
VMT:	Vehicle Miles of Travel

Allocation - An administrative distribution of funds for programs that do not have statutory distribution formulas.

Appropriation - Legislation that allocates budgeted funds from general revenues to programs that have been previously authorized by other legislation. The amount of money appropriated may be less than the amount authorized.

Appropriations Act - Action of a legislative body that makes funds available for expenditure with specific limitations as to amount, purpose, and duration. In most cases, it permits money previously authorized to be obligated and payments made, but for the highway program operating under contract authority, the appropriations act specifies amounts of funds that Congress will make available for the fiscal year to liquidate obligations.

Apportionment - A term that refers to a statutorily prescribed division or assignment of funds. An apportionment is based on prescribed formulas in the law and consists of dividing authorized obligation authority for a specific program among the States. It also refers to the distribution of funds as prescribed by a statutory formula.

Authorization - Federal legislation that creates the policy and structure of a program including formulas and guidelines for awarding funds. Authorizing legislation may set an upper limit on program spending or may be open ended. General revenue funds to be spent under an authorization must be appropriated by separate legislation.

Capital Costs - Non-recurring or infrequently recurring cost of long-term assets, such as land, buildings, vehicles, and stations.

Federal-aid Highways - Those highways eligible for assistance under Title 23 of the United States Code, as amended, except those functionally classified as local or rural minor collectors.

Functional Classification - The grouping of streets and highways into classes, or systems according to the character of service that they are intended to provide, e.g., residential, collector, arterial, etc.

Key Number - Unique number assigned by ODOT to identify projects in the MTIP/STIP.

Maintenance - Activities that preserve the function of the existing transportation system.

Regionally Significant – From OAR 340-252-0030 (39) "Regionally significant project" means a transportation project, other than an exempt project, that is on a facility which serves regional transportation needs, such as access to and from the area outside the region, major activity centers in the region, major planned developments such as new retail malls, sports complexes, etc., or transportation terminals as well as most terminals themselves, and would normally be included in the modeling of a metropolitan area's transportation network.

In the Bend metropolitan area, regionally significant facilities will include, at a minimum:

- All state highways;
- All arterial roadways; and
- Any other facilities determined to be regionally significant by the Policy Board (in consultation with the Technical Advisory Committee).

3C - “Three C’s” = continuing, comprehensive, and cooperative - This term refers to the requirements set forth in the Federal Highway Act of 1962 that transportation projects in urbanized areas be based on a “continuing, comprehensive transportation planning process carried out cooperatively by states and local communities.” ISTEA’s planning requirements broadened the framework for such a process to include consideration of important social, environmental and energy goals, and to involve the public in the process at several key decision making points.

Appendix F: Summary of Comments and Responses

Appendix E lists comments received on the draft MTIP. The comments are listed by agency or stakeholder. BMPO response is listed in parentheses below each specific comment.

PUBLIC COMMENTS

-None

TECHNICAL ADVISORY COMMITTEE COMMENTS

- Minor reformatting changes throughout document to clarify and reorganize wording. (Minor changes done based on suggestions to reformatting and clarification)
- Suggestion to simplify primary function as stated in BMPO Overview (page 2). "Bend MPO's primary function is to ensure coordinated transportation planning with state and local jurisdictions. The BMPO's transportation plans and policies consider all modes and support metropolitan community development and social goals." (Included in comments and responses and open for discussion at Bend MPO Policy Board 11/17/11).
- Adequate Maintenance and Operation of Existing System (page 16). Add the Road Committee looking at funding gap for Deschutes County roads due to declining gas tax receipts, vehicle registrations, and weight-mile tax plus the end of federal funds designed to buffer loss of timber revenues. (Researching official name and contact of road committee for inclusion in MTIP.)

POLICY BOARD COMMENTS

-None

ODOT COMMENTS

-None

FHWA COMMENTS

-None

FTA COMMENTS

-None