Chapter 2: Plan Background

PACTS – Organizational Overview

Since 1975, PACTS has served as the *metropolitan planning organization* (MPO) for regional transportation planning for the Greater Portland urbanized area. MPOs are federally mandated, delineated urbanized areas with a core population of at least 50,000 people. The PACTS urbanized area has a population just under 200,000 residents. PACTS is comprised of municipal and state officials, representatives of regional planning and transit agencies, and interested citizens and businesses. PACTS performs a variety of functions.

The PACTS funding, study and model areas are depicted in the map on page 5.

PACTS Functions

1. **Provides a continuous, coordinated and comprehensive transportation planning process for the Greater Portland area.**
2. **Evaluates and approves proposed transportation improvement projects.**
3. **Recommends to the MaineDOT the use of federal funding for priority road improvements, for public transportation operating subsidies and capital improvements, for pedestrian and bicycle facilities and for other important transportation purposes in the PACTS area.**
4. **Performs and oversees transportation studies and policy analysis, and prepares a regional transportation plan.**
5. **Provides a forum for interagency cooperation and collaborative decision-making, public input, the exchange of ideas and the exploration of innovative transportation concepts.**
6. **Monitors compliance with national air quality goals.**

PACTS Members and Their Roles

PACTS members include the 15 communities (see page 2-2), seven public transportation providers, the Maine Department of Transportation (MaineDOT), the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the Maine Turnpike Authority, the Greater Portland Council of Governments (GPCOG), the Southern Maine Regional Planning Commission (SMRPC), the Regional Transportation Advisory Committee (RTAC), other public and private transportation organizations, and interested citizens.

The MaineDOT is the key participant in the PACTS planning and funding processes, and the two agencies share a close working relationship. MaineDOT provides policy analysis and technical assistance to PACTS committee members and staff, and provides matching funds for the PACTS operating budget. MaineDOT support is required to implement any PACTS funding proposal. In turn, PACTS provides MaineDOT with local expertise, public relations and public engagement assistance.

The 15 municipalities play a central role in transportation planning in the PACTS region. Most PACTS studies stem from a municipal request in response to public concerns. The municipalities eligible for funding are:

- Biddeford
- Cape Elizabeth
- Cumberland
- Falmouth
- Freeport
- Gorham
- North Yarmouth
- Old Orchard Beach
- Portland
- Saco
- Scarborough
- South Portland
- Westbrook
- Windham
- Yarmouth

Interested citizens and business representatives are appointed to the Planning, Technical and Transit Committees. The Federal Highway Administration and the Federal Transit Administration are non-voting members of each PACTS committee. Though not a member, the Maine Department of Environmental Protection has worked with PACTS on air quality conformity for a number of years.

The seven transit providers below appoint a representative to each of the PACTS committees:

- **Greater Portland Transit District (METRO)**
- **Northern New England Passenger Rail Authority (NNEPRA)**
- **ShuttleBus-ZOOM**
- **South Portland Bus Service (SPBS)**
- **Casco Bay Island Transit District (CBITD)**
- **Regional Transportation Program, Inc. (RTP)**
- **York County Community Action Corporation (YCCAC)**

The Greater Portland Council of Governments (GPCOG) and the Southern Maine Regional Planning Commission (SMRPC) provide staff support to PACTS. GPCOG and SMRPC are the federally designated transit-planning agencies for PACTS covering Cumberland and York Counties respectively. These agencies also provide regional land use and economic development planning services to their member municipalities and host transportation programs of regional and statewide significance, including GO MAINE and Maine Clean Communities.

GO MAINE Commuter Connections

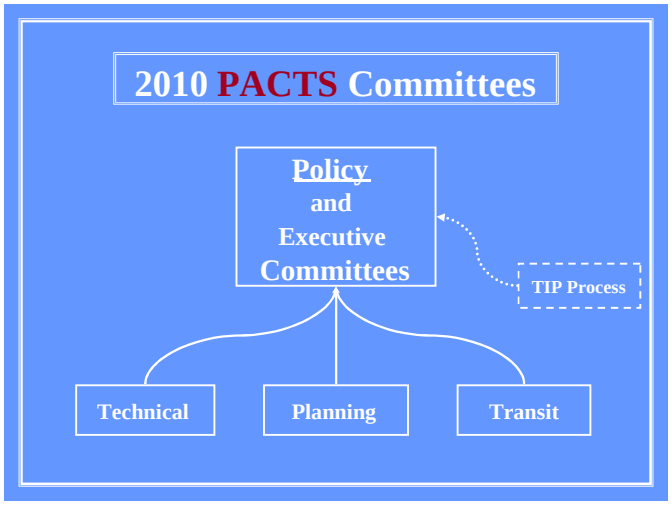
http://gomaine.org/

Maine Clean Communities= MC2

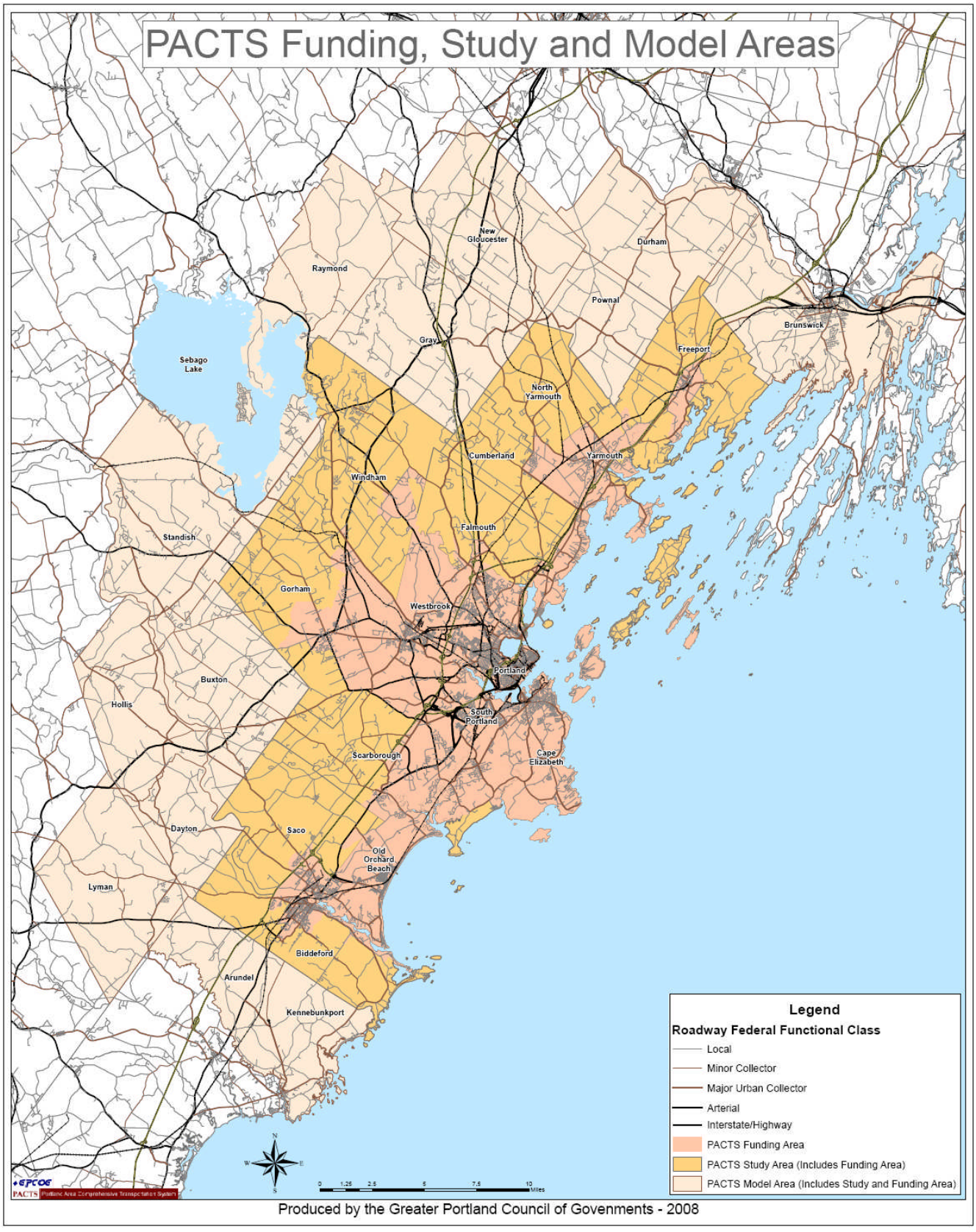
A Clean Cities Program Promoting Clean Fuel Vehicles, Energy Independence and Clean Air
Administered by the Greater Portland Council of Governments

http://www.gpcog.org/Transportation_and_Land_Use/Maine_Clean_Communities.php

PACTS has five standing committees: Executive, Policy, Planning, Technical and Transit Committees. The Executive Committee was established in 2009 to help make the work of the Policy Committee more efficient and manageable. The latter three advise the Policy Committee, which is the decision-making body of PACTS. Municipalities designate committee representatives and the municipality's population determines the number of designated representatives. Member agencies also designate representatives to each committee.



Joint committee meetings are a recent development within PACTS' committee work. They began with the Transit and Planning Committees meeting together in 2008 in an effort to begin a dialogue and an understanding of coordinating land use and transit planning. Shortly after, joint meetings began between the Technical and Planning Committees around multi-modal transportation needs and infrastructure. This dialogue has primarily focused on the Livable Communities issues surrounding roadway infrastructure - the notion and regional desire for more "Complete Street" infrastructure, with standards on how to appropriately accommodate additional transit, and bicycle/pedestrian modes on existing streets. These joint meetings have allowed sharing of more viewpoints and interests, identification of new priorities, and better consensus development.



Produced by the Greater Portland Council of Govenments - 2008

Destination Tomorrow – The 2010 Update Plan

For more than 25 years PACTS has worked with its membership, interested parties, the public, Maine Department of Transportation, Maine Turnpike Authority, and Federal agencies in the development of its regional long-range plan. In previous processes and again in the 2009-2010 process, the revision includes an evaluation of issues facing the region, and the needs of the regional transportation system for the upcoming 25-years.

The 2010 Regional Plan Update includes four major purposes identified in the previous plan which are still relevant. These are:

- A need for an increased regional approach
- Addressing the projected growth in travel demand
- Better coordination between land use policies and decisions
- A need for a tighter link between PACTS studies/plans and its funding decisions

Vision Statement

- **Provide efficient and cost-effective mobility for the region's citizens and goods; and promote/advance economic vitality/activity;**
- **Provide multi-modal access to, and throughout the entire PACTS region through a fully developed and well maintained transportation system;**
- **Promote public safety for all modes;**
- **Enhance environmental quality and quality of life;**
- **Actively complement land use decisions that promote compact development; preserve community character and retain open space; and**
- **Reflect the policies and values of the PACTS communities**

Having been tasked with identifying "major changes" since the 2006 Plan adoption, the Committee discussed and agreed that much had changed, or was projected to change. In addition the following were identified as additional purposes of the plan:

- Address increasingly inadequate Federal, State and local transportation funding
- Address societal shifts in:
  - aging population
  - energy
  - climate change
  - combined household housing and transportation costs
- Increased demand for transit options[1]

The current State and Federal regulatory context and public input helped to shape the purposes identified above.

[1] PACTS Transportation Priorities Survey, August 2008

Plan Purpose, the 2003 and 2006 *Destination Tomorrow* Plans' Legacies

The 2010 update is founded on the substantial efforts by PACTS members for the 2003 plan, and the expansion update completed in 2006. In 2002, after completion of extensive analysis based on the existing PACTS region, PACTS leaders were informed by the United State Census Bureau and the Federal Highway Administration (FHWA) that the PACTS region would be expanded as a result of the data from the 2000 Census. The expansion resulted in the addition of eight communities, effectively doubling the PACTS region to 15 communities. This doubling expansion required a significant update, resulting in the ***Destination Tomorrow 2006*** plan.

Federal Regulations require that PACTS' long-range plan encompass a 25-year timeframe. Additionally, since a portion of the PACTS region is within a "maintenance area" with respect to air quality conformity, an air quality conformity analysis of the plan is required.

In order to maintain compliance with the Federal Highway Administration and MaineDEP regulations, and to be consistent with MaineDOT's long-range plan, PACTS, in collaboration with the FHWA, the MaineDEP and the MaineDOT has developed this plan to extend its long-range transportation planning horizon to the Year 2035. PACTS' Policies and Strategies are consistent with Maine DOT's Goals and Objectives from its current statewide transportation plan, *Connecting Maine*:

- Address congestion and safety at key intersections
- Address mobility and congestion – Portland Western suburbs
- Increase the use of public transportation
- Provide passenger rail service and or transit from Portland to Brunswick
- Pursue Access Management, Transportation System Management (TSM), Transportation Demand Management (TDM) and techniques strategies.

The four major topics from the most recent plan that remain relevant are:

Regional Approach. The increasingly regional nature of travel requires that future transportation investments address long-term regional needs. The shifts in population shown in Figure 2 (forthcoming) are one measure of how we have moved out from the urban centers in Cumberland County during the past 20 and 50 years. As a society we have been moving and living further away from jobs and services. In aggregate, these choices have meant more and more driving trips often from remote locations to jobs and services. The result is more traffic and more wear and tear on formerly rural roads, as edge communities of PACTS have become suburban "bedroom" communities providing labor to the economic engine of Portland. New analysis performed for the Gorham East-West Corridor indicates that this spreading out will continue even with the projected resurgence of population gain in the region's urban centers between 2010 and 2035. This forecast in continued population spread is also reflected in Figure 2 (forthcoming).

In light of these regional development trends and travel patterns, the PACTS members concluded that a strengthened approach to setting regional priorities should be part of ***Destination Tomorrow***.

While PACTS has performed many multi-community corridor studies in the past and has used its established processes for setting regional funding priorities, its members believe there is a need to look at both the PACTS region and the surrounding towns as a single area for which to assess the needs of the "travel-shed" of greater Portland. While this is a major challenge for an advisory agency like PACTS, its members concluded that MaineDOT, municipalities, businesses and the region's residents would all benefit from such an enhanced regional priority-setting process.

In 2009 the MaineDOT and the Maine Turnpike Authority initiated a major regional transportation and land-use study in the western part of the PACTS region known as the *Gorham.*

East-West Corridor Feasibility Study. This effort represents the type of regional cooperation necessary to facilitate the kinds of solutions contemporary transportation problems require.

Growth in Travel Demand. Today, daily congestion associated with automobiles and trucks occurs on numerous roads in the PACTS area. Meanwhile more people are choosing to bike or walk and ride transit when available, safe and reliable. Within the PACTS communities of Gorham, Scarborough, South Portland and Westbrook, intersection capacity analysis indicates that seven intersections currently operate at congested levels of motor vehicle traffic during the afternoon commute home (the "p.m. peak-traffic-hour" in transportation engineering terms). Additionally over three miles of roadway are considered congested.[2] Most of the congestion is on the region's primary roads where significant delays are regularly experienced during both the morning and evening peak-travel hours. Forecasted increases in travel demand by the Year 2035 are anticipated to result in daily congestion of 23 intersections and over 14 miles of roadway, in these four communities alone.

Two indicators of increasing travel demand are Vehicle Miles Traveled (VMT) and Vehicle Hours Traveled (VHT). These two indicators are forecast to increase 18 percent and 33 percent, respectively, between 2010 and 2035. That means that without a reasonable alternative choice to driving alone, we will be driving further and at a slower rate.

In southern Maine, and throughout the country, there is consensus that historically there has been a significant disconnect between transportation and land use development policies, responsibilities and funding decisions. This disconnect occurs despite our understanding that: (1) how we travel is affected by where we choose to live, work and shop; (2) that these choices are, in turn, shaped to some degree by our transportation system; and (3) that these choices also shape, to some degree, the transportation system. This disconnect also exacerbates congestion problems and contributes to the development pattern of sprawl.

Linking Studies and Plans to PACTS Decision-making. The PACTS members want to use their studies and plans more effectively in the decisions they make. This will be a challenge due to the political nature of many decisions, the complexity and number of federal funding programs, the many parties, and turnover in parties, involved in the PACTS process, and the scarcity of funds relative to transportation needs. While a review of the linkage between past funding decisions made by PACTS members and the PACTS plans and studies showed an effective connection, members want to further strengthen these linkages.

[2] From PACTS Travel Demand Model analysis for the Gorham East-West Corridor Feasibility Study.

New Additional Purposes of the 2010 Plan

As mentioned, this update includes the identification and documentation of issues that were not previously identified or that require additional consideration and emphasis in drafting this updated plan. They include:

Increasingly Inadequate Federal, State and Local Transportation Funding
Identified in previous ***Destination Tomorrow*** plans, funding for regional transportation infrastructure is inadequate and unsustainable. In the fall of 2009, the Washington-based nonprofit group TRIP released a 42-page report, ***Falling Behind: The Condition and Funding of Maine's Roads, Highways & Bridges*** that confirms this continuing trend. The TRIP report identifies an estimated $6.5 billion need between 2009 and 2018 for the state's transportation infrastructure, with only $3.2 billion available under current funding levels, according to the Maine Department of Transportation.

In the PACTS region this funding gap has already resulted in some municipalities paying for road repair and preservation paving projects that are technically the responsibility of MaineDOT. The increasing shortfall of adequate funding will require new funding mechanisms, prioritized budgeting, or closed infrastructure. PACTS has developed various media on this problem, widely distributed to the public and the media, including the ***PACTS Area Collector Road Assessment*** report. In early 2010 PACTS developed its first informational video on the subject***, "Greater Portland's Transportation System: A Vital Resource Needs Our Help"***. Chapter 5 includes a discussion of the funding aspects of this plan.

As part of this update to ***Destination Tomorrow***, the PACTS members and staff developed an Action Plan for the Plan's short and long-term investment framework. In accordance with federal regulations, the framework was limited to *identified system needs*. The identified transportation needs significantly exceed the anticipated levels of available funding. This financial reality will present an ongoing challenge to PACTS members and staff.

Societal shifts:

Aging Population Maine's aging population continues to rapidly grow and by 2030 Maine will be second only to Florida as the state with the highest percentage of residents *age 65 and older*.[3] *Many of these elderly residents will require transportation other than their own personal automobile.*

Energy prices, specifically gasoline and heating oil, have increased rapidly in recent years in prices adjusted for inflation. The recent recession dampened its impact in the region, but the 2007-2008 price spike at over $4.00 a gallon is still relatively fresh in the minds of the driving public. PACTS conducted a poll during the summer of 2008 which showed that over 65% of respondents had made *different* transportation choices than driving alone as a result. The poll results also indicated area residents would like more public transportation options,

[3] According to U.S. Census State Population Projections 2000-2030

especially in the surrounding "suburbs" with morning and evening hours and safer bike connections. The real price of gasoline is likely to increase as the economy recovers.

Climate change and specifically its impacts are now better understood for the PACTS region. The MaineDOT has determined that climate change poses serious threats to transportation infrastructure – not just in coastal and low-lying areas, but in all areas affected by high-intensity storms producing major rain events which have washed out culverts and even whole sections of roads. This occurred in our region in Freeport in April of 2008. In 2007, the MaineDOT adopted ambitious climate change language after a federal mandate to reduce carbon emissions. Governor Baldacci initiated the state's "Carbon Challenge" program.

In Maine, the transportation sector contributes the largest source of greenhouse gas (GHG) emissions representing 40 percent[4] of total emissions. If we continue "business-as-usual," this percentage is projected to increase.

Housing Affordability has not historically been accounted for in transportation planning; however, innovative tools *linking* housing and transportation costs reveal the true cost of housing. Americans traditionally have considered housing affordable if it costs 30 percent or less of their income. The Housing + Transportation Affordability Index[5], in contrast, provides a more meaningful picture of the affordability of a certain location by measuring the transportation costs associated with place. Applying this analysis to the PACTS region reveals that the true cost of housing exceeds 45 percent of regional median income for all but the most urban areas of Portland, South Portland, and Westbrook. When fuel/energy prices increase, this would pose a difficult decision for residents who have chosen to commute long distances to their jobs to achieve housing affordability.

Residents of PACTS area desire more transit options

Over the past decade bus ridership in the PACTS region has been on the increase. The Portland METRO bus service exceeded 1.4 million riders in 2008, an increase of 8% over 2003 ridership. Meanwhile, bus ridership decreased nationally by four percent. During the first quarter of 2010 modest increases in ridership were reported among large bus systems such as Boston, MA with a 3.3 percent increase; while small bus systems such as Portland's METRO (with populations below 100,000) saw a dramatic increase (5.7 percent on average). Our demand response providers (Para transit) have also seen increases, maxing out capacity, while nationally they decreased in the first quarter of 2010 by 0.8 percent.[6]

Our transit providers acknowledge that the 2008 fuel price spike contributed to ridership increases, but ridership decreases have not occurred as a result of stabilized fuel prices. As recently as June of 2010, the Greater Portland METRO bus system realized a 3% increase over the period from a year ago. A PACTS' 2008 survey indicated that residents of PACTS municipalities -*including the suburban and rural areas*- desire more public transportation options.

[4] From the Greater Portland Regional Energy Use and Emissions Inventory, GPCOG 2010
[5] The Center for Neighborhood Technology: http://htaindex.cnt.org/
[6] To see the complete APTA ridership report go to:
http://www.apta.com/resources/statistics/Documents/Ridership/2010_q1_ridership_APTA.pdf

Additionally, the Amtrak DownEaster train operated by the Northern New England Passenger Rail Authority experienced an eight percent increase in ridership in recent years, with 474,000 riders during the fiscal year ended June 30, 2010. Expansion, presently underway, of the passenger rail service north from Portland to Freeport and on to Brunswick is projected to add another 36,000 passengers a year.

Plan Process and Public Outreach

As previously mentioned, in early 2009 a committee was formed with representatives from all PACTS Committees. Notice was put out to the public and interested parties that PACTS would be updating its long-range plan and that they were welcome to participate in the process. Some responses resulted in those members of the public being added to our subcommittee email list, and these people received every communication between staff and the subcommittee.

Key elements of the public process are listed below.

- The PACTS Transportation Priorities Survey of 2008.
- Publication and distribution of the "Crumbling Report" in 2009
- The PACTS video, ***Greater Portland's Transportation System: A Vital Resource Needs Our Help*** (2009)
- A public forum at the initiation of the process and when the draft plan was available.
- Regularly scheduled meetings of the PACTS Planning Committee and PACTS ***Destination Tomorrow*** Long Range Plan Update Subcommittee with regular updates to the PACTS Policy Committee. (All PACTS meetings are open to the public.)
- The continuous updating of the Plan website (www.pactsplan.org), documenting plan progress, significant products and seeking public input.
- Distribution of ***Destination Tomorrow*** update draft planning documents.
- E-mail updates to our interested parties list.
- Publication and distribution of the final ***Destination Tomorrow*** update Plans in 2010.

Appendix __ summarizes the public comments received. ***[To be compiled]***

State and Federal Regulatory Context

The Federal Highway and Transit Administrations require that eight planning factors be incorporated into the development and updating of regional transportation plans. These factors are reflected in the ***Destination Tomorrow*** Goals and Strategies.

FHWA/FTA Planning Factors

1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.
2. Increase the safety of the transportation system for motorized and non-motorized users.
3. Increase the security of the transportation system for motorized and non-motorized users.
4. Increase the accessibility and mobility of people and for freight.
5. Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns.
6. Enhance the integration and connectivity of the transportation system, across and between modes for people and freight.
7. Promote efficient system management and operation.
8. Emphasize the preservation of the existing transportation system.

Parts of southern Maine, including the PACTS region, are within a federally designated (Clean Air Act) "maintenance area" with respect to air quality. Federal regulations require that ***Destination Tomorrow*** meet certain air conformity standards. PACTS, MaineDOT and MaineDEP have collaborated on the Plan's air conformity analysis. The data inputs and results of the analysis will be available in a separate document as an addendum to this Plan. FHWA will not give final approval to the Plan until it passes the air conformity analysis. Appropriate measures will be taken in the unlikely event that ***Destination Tomorrow*** does not pass the air conformity analysis, and an amendment to the Plan will be issued.

The National Environmental Policy Act (1969) resulted in significant changes to transportation planning. In 1990 and 1991, seven other pieces of legislation were enacted that brought additional, major changes to how federal and state transportation funds are used. ***Destination Tomorrow*** has responded to the requirements of each of these eight laws including subsequent revisions and reauthorizations.

1. The National Environmental Policy Act

The 1969 National Environmental Policy Act (NEPA) is the basic national charter for the protection of the environment. The Act establishes policy, sets goals and provides a process for carrying out its requirements.

For the PACTS region, NEPA requires that all major projects that use federal funds:

- assess the project's environmental impacts;
- consider the project's environmental impacts in the decision-making process; and
- disclose the environmental impacts to the public.

There are three types of assessments required under the Act:

- Environmental Impact Statements (EIS) for projects with significant impacts.
- Environmental Assessments (EA) for projects with no significant impacts.
- Categorical Exclusions (CE) for "small" routine projects with insignificant environmental impacts.

The MaineDOT and PACTS work together closely on all major projects adhering to the NEPA requirements.

2. The 1990 and proposed 2010 Clean Air Act Amendments

In 1990, Congress passed additional amendments to the Clean Air Act (CAAA). The amendments set new target dates for attainment of air quality standards and required state and local governments, metropolitan planning agencies and businesses to develop an implementation plan to reduce the levels of emissions. The CAAA requires that this Plan, and the PACTS Transportation Improvement Program, help the region move toward reducing the production of mobile source ozone precursors.

Maine's three southernmost counties – including the PACTS region – have in recent times failed to meet the federal ambient air quality standard for ozone. In 2006 the Environmental Protection Agency (EPA) published a revised and final rule redesignating Maine's two ozone nonattainment areas to attainment and approving the maintenance plans for these areas. Consequently, all areas of the state currently meet the National Ambient Air Quality Standards (NAAQS) for all applicable pollutants. The Portland area is now categorized as an 8-hour ozone maintenance area.

A group of U.S. Senators introduced the Clean Air Act Amendments of 2010 that calls for a 90 percent cut in mercury emissions from coal-fired plants and tightened national limits on emissions of sulfur dioxide (SO_2) and nitrogen oxides (NO_X).

Co-sponsored by Senators Susan Collins and Olympia Snowe of Maine, the bill would require utilities to use scrubbers to cut SO_2 (sulfur dioxide) emissions by 80 percent, cut NO_X (nitrous oxide) emissions by 53 percent and to cut mercury emissions by at least 90 percent, no later than 2015.

The proposal also would establish nationwide trading systems for SO_2 and NO_X emissions to ensure reductions are cost-effective. The EPA would reduce mercury emissions using maximum available control technology.

EPA is also moving forward with enhanced National Air Ambient Quality Standards to reduce these pollutants. When these requirements are implemented, as many as 650 counties nationwide could be considered out of compliance and subject to stricter air quality standards. The proposed legislation would help communities meet air quality standards, so that manufacturers can get air permits to build new facilities.

Destination Tomorrow Policies and strategies *(see Chapter 4)* promote the conservation and efficient use of nonrenewable energy resources; the increased use of cleaner and zero-emission fuels; low or zero-emission vehicles; and support the development of improved technology, such as better catalytic converters to reduce or eliminate harmful vehicle emissions. However, continued growth in regional VMT, VHT and the resulting vehicle emissions could outstrip the gains from implementing these strategies.

3. The 1990 Americans with Disabilities Act

The 1990 Americans with Disabilities Act (ADA) set new accessibility standards for persons with disabilities. ADA's impacts on transportation have been significant, most notably the accessibility requirements for transit services, streets and sidewalks.

4. The Civil Rights Act of 1964 – Title VI - Environmental Justice

All MPOs who receive federal money to create and implement long range transportation plans are required to follow the Title VI regulations of the Civil Rights Act of 1964. The Act provides that no person in the United States shall, on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program receiving federal financial assistance. Related statutes have broadened the grounds to include age, low income, and disability. Title VI's three major principles are to:

- Provide a full and fair participation by traditionally underserved communities.
- Avoid, minimize or mitigate disproportional impact to traditionally underserved communities.
- Ensure that traditionally underserved communities share in the benefits of transportation improvements.

During the development of ***Destination Tomorrow,*** PACTS staff met extensively with partner transportation agencies, local governments, interest groups and individual citizens. PACTS reached out to the transit dependent and minority communities by holding public meetings at venues located on public transit routes. In addition, prior to beginning work on the Plan, a random telephone survey of 600 residents of Greater Portland was conducted.

5. Reauthorization of the Federal Transportation Funding Authorization

Every six years, Congress is suppose to pass legislation for transportation and infrastructure priorities authorizing the US Department of Transportation to fund the maintenance, enhancement, construction and operation of transportation assets and infrastructure throughout the country. This is fundamentally the funding of projects that shape our communities and enable local and state economies, underpinning the national economy.

That multi-billion dollar legislation expired on September 30, 2009 and the Congress has funded transportation under continuing resolutions ever since. As of the writing of this plan, a new bill had not been up for debate, but it was projected to be a bill in the $400-500 billion range.

Recent History on Federal Transportation Authorization bills:
The 1991 Intermodal Surface Transportation Efficiency Act (ISTEA); the 1997 Transportation Equity Act of the 21st Century (TEA-21); and the 2005 Safe, Accountable, Flexible and Efficient Transportation Equity Act - Legacy for Users (SAFETEA-LU)

ISTEA, passed by Congress in 1991, fostered at least as much change in transportation decision-making as the three laws described above. The added flexibility and increased resources promised in ISTEA (and subsequently TEA-21 and SAFETEA-LU) supported efforts in the Portland area and throughout Maine to work toward the objectives enumerated in Maine's Sensible Transportation Policy Act.

ISTEA, TEA-21 and SAFETEA-LU granted states more flexibility in matching transportation solutions to needs, made highway funds available to enhance the environment, promoted new technologies and removed some restrictions on the use of federal funds for toll roads. The Acts also shifted more Federal funds to the National Highway System. Key features of ISTEA/TEA-21/SAFETEA-LU included:

1. Funds traditionally dedicated for highways and bridges could now be used to support capital transit (and certain operating) projects under the Surface Transportation Program.
2. Increased levels of highway, bridge and transit funding to fix deteriorating infrastructure.

3. Set-asides with the Surface Transportation Program for safety construction activities, and for transportation enhancements encompassing a broad range of non-motorized transportation and environmental-related activities.
4. The Congestion Mitigation and Air Quality (CMAQ) program directs funds toward projects that improve air quality.
5. Providing start-up costs for traffic management and traffic control actions.

The increasingly regional nature of travel requires that future transportation investments address long-term regional needs. The shifts in population shown in Figure 2-2 (forthcoming) are one measure of how we have moved out from the urban centers in Cumberland County during the past 20 and 40 years – thereby creating longer driving distances and more traffic. Analysis shows that this spreading will continue even with the projected population gain in the region's urban centers between 2000 and 2025. The forecasted continuing population spread is also reflected in Figure 2-2 (forthcoming).

6. The Maine Sensible Transportation Policy Act

Passed in 1991 and updated in 2003 and 2007, this Act has become even more meaningful for transportation and land use planning. The Act requires coordinated land use and transportation planning in order to protect highway safety, mobility and to enhance economic opportunity, community livability, and environmental quality. The Law directs MaineDOT to develop incentives for communities that adopt and implement plans that reduce reliance on the state highway system. Before undertaking such projects MPOs may consider or recommend land-use strategies that:

- Preserve corridor capacity
- Manage corridor mobility
- Protect public investments in Maine's transportation system
- Reduce the costs of sprawl by promoting transportation-efficient land uses along transportation corridors

The Act requires a process for transportation planning, capital investment and project decisions that will:

1. Minimize harmful environmental impacts of transportation. Evaluate the full range of reasonable transportation alternatives for all significant highway construction or reconstruction projects.
2. Give preference to transportation system management, transportation demand management, and improvements to the existing system and other modes before increasing highway capacity through road building activities.

3. Repair and improve roads and bridges to provide a safe, efficient and adequate transportation network.
4. Reduce reliance on foreign oil.
5. Increase reliance on energy-efficient forms of transportation.
6. Meet the mobility needs of rural and urban residents and the unique needs of the elderly and disabled.
7. Be consistent with the purposes, goals and policies of the Comprehensive Planning and Land Use Regulation Act.
8. Incorporate a participation process for local government and the public.

The Act further requires that PACTS take the following actions:

1. Develop a long-range plan that responds to MaineDOT's planning rules.
2. Respond to the Act's goals in its selection of projects for the Transportation Improvement Program.
3. Administer the MaineDOT "significant highway project" analysis process.
4. Coordinate plans and programs with regional corridor planning efforts.
5. Provide opportunities for participation by local government and the public.

7. The Maine Transit Tax Increment Financing (TIF) Law

Led by a PACTS municipal planner in 2009, this change in the State's TIF law specifically added new language enabling municipalities to designate Transit TIF districts and corridors in which a portion of new development values may be used for transit capital and operating expenses. The Corridors are limited to one-quarter mile from a transit hub or 500 feet on either side of a transit corridor, either existing or planned. The municipality captures a portion of the new value created by the economic development adjacent to transit, or within planned hubs, and uses a portion of the funds to augment that service for further economic development and/or to use Transit TIF funds as an incentive for private development that is oriented to and supports transit. Developed in conjunction with high-value efficient land use designation, transit-based economic development or Transit Oriented Development (TOD) produces numerous environmental, fiscal, and social benefits, including but not limited to better air quality, conservation of open space, reduced road and parking infrastructure construction and maintenance costs, increased property values, promotes fitness and health from walking and biking; and improves access to jobs.

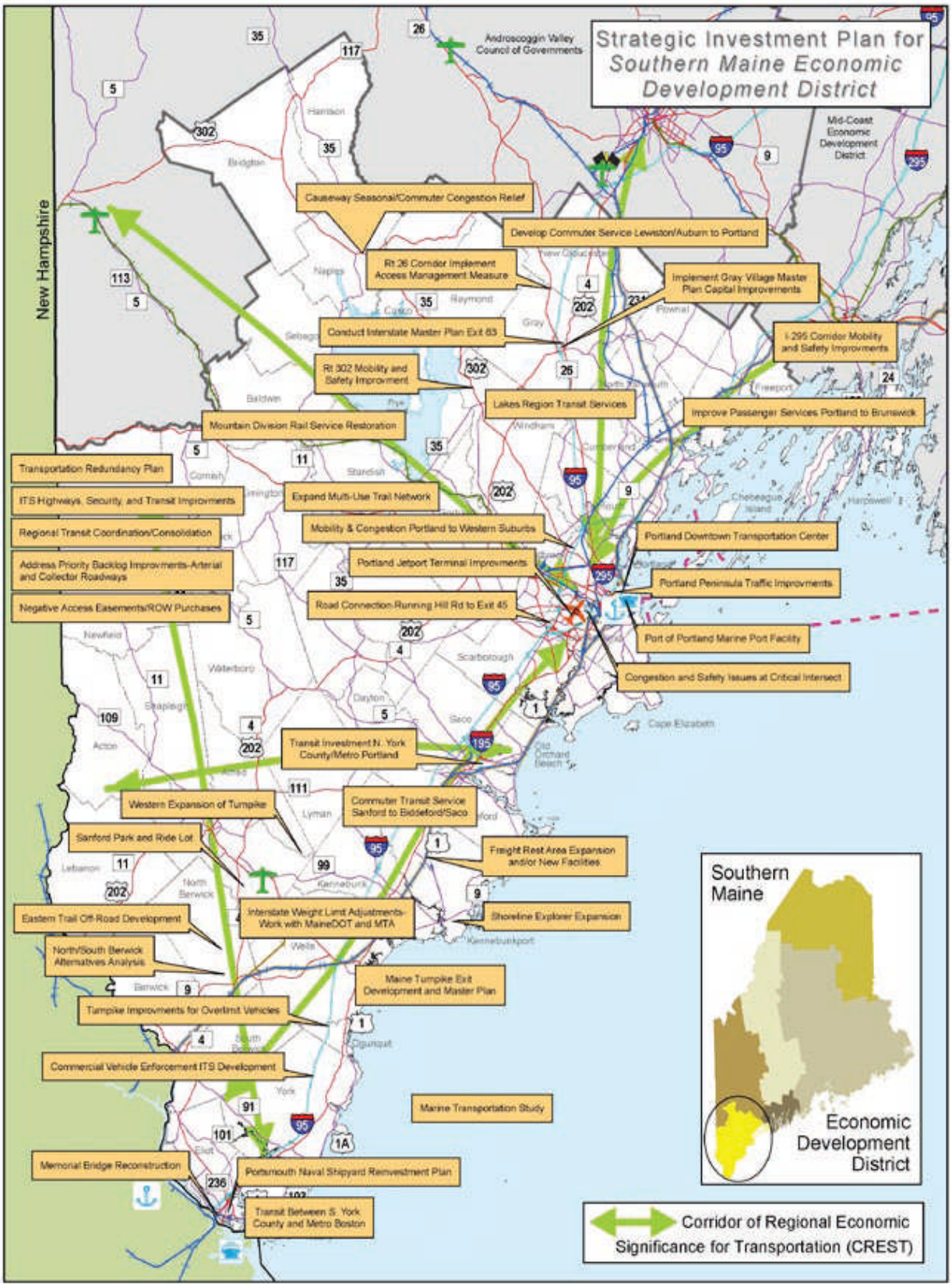
8. Corridors of Regional Economic Significance to Transportation or "CRESTS"

In order to develop a greater understanding of the relationship between transportation and economic and community development, the MaineDOT has engaged the states regional planning Councils (RPC) and PACTS and the state's other MPOs to evaluate transportation assets and

needs within each region of the state. The two RPCs in the PACTS region, the Greater Portland Council of Governments (GPCOG) and Southern Maine Regional Planning Commission (SMRPC) worked with the regional economic development districts to ascertain *Corridors of Regional Economic Significance to Transportation* or "CRESTs". The development of CRESTs included identification of key strategic investments for each corridor. The development of CRESTS is important to the long range plan and provides further support for coordinating transportation investments with land-use and economic development decision making. The transportation investments associated with the inter-regional and trans-regional CRESTs of the PACTS region have been reviewed for this update for incorporation and refinement.

For more information, see the section from Maine DOT's Statewide Long-Range Transportation Plan Connecting Maine, specifically Chapter 8 Regional Strategic Investment Plan, Southern Maine Economic Development District, which includes the PACTS urbanized area http://www.maine.gov/mdot/connectingmaine/documents/pdf/Chapter8_SouthernMaine.pdf

Southern Maine CRESTS and MaineDOT Strategic Investment Plan



For Appendix on Impacts of Climate Change:

From: Climate Change and Transportation in Maine

Impacts on Transportation

These anticipated changes in climate will impact Maine's transportation systems in a number of ways. Many of these projected impacts already occur today with noticeable frequency (Frumhoff et al., 2006); however, these events and consequences are expected to become more commonplace and more exacting in the near future. While no specific timetable can be set for when each impact will reach a tipping point in terms of directly affecting transportation operations to an extreme degree, all are expected to be prevalent by the end of this century.

- The current infrastructure will be subjected to longer periods of intense heat that may accelerate the degradation of structural integrity; e.g., increased rutting on pavement.

- Tourism-related traffic is likely to increase for two reasons: (1) the summer season in Maine will last longer; and (2) as temperatures rise in major cities and southern regions of the country, more people will seek to escape the oppressive heat by traveling to places with relatively more moderate climates, such as Maine's coastal areas.

- Management practices for snow and ice removal will need to adapt to shorter, milder and wetter winters as more precipitation falls as rain and less as snow.

- The number of road closures due to flooding and washouts will rise, as will the potential for extreme incidents of erosion at project sites as heavy rain events take place more frequently.

- Sea level rise will pose numerous threats, including: (1) inundation of low-lying coastal infrastructure; (2) increased beach and coastline erosion; and (3) higher tides in combination with severe storms will increase the cost and occurrence of natural disasters (e.g. Patriot's Day Storm 2007 which caused $31.5 million in damage to roads alone (Gallagher, 2008)).

- Potential barriers to predicted wildlife migration corridors (e.g. roads that fragment essential wildlife habitat; culverts that bar fish passage) may be subjected to more stringent environmental regulations as more species sensitive to climate change are listed as threatened or endangered.

- Current regulatory and permitting burdens in relation to species that are already listed as threatened or endangered species may increase as climate change places additional stress on those species as Maine becomes fringe habitat.