

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING A LAND)	
USE FINAL ORDER AMENDING THE LIGHT)	RESOLUTION NO. 99-2853A
RAIL ROUTE, LIGHT RAIL STATIONS AND)	
PARK-AND-RIDE LOTS, INCLUDING THEIR)	Introduced by:
LOCATIONS, FOR THAT PORTION OF THE)	
SOUTH/NORTH LIGHT RAIL PROJECT)	Ed Washington, LUFO Steering
EXTENDING FROM THE STEEL BRIDGE TO)	Committee Chair
THE EXPOSITION CENTER	

WHEREAS, The Oregon Legislature enacted Oregon Laws 1996, Chapter 12 (the Act) establishing procedures for siting the South/North Light Rail Project through adoption by the Metro Council of a Land Use Final Order (LUFO) following application by Tri-Met; and

WHEREAS, In accordance with Section 4 of the Act, the Oregon Land Conservation and Development Commission adopted the South/North Light Rail Project land use final order criteria on May 30, 1996 following a public hearing; and

WHEREAS, The Act requires that Tri-Met apply to the Metro Council for a LUFO or a LUFO amendment for the South/North Light Rail Project following its receipt of recommendations from the LUFO Steering Committee and the Oregon Department of Transportation (ODOT); and

WHEREAS, On July 23, 1998, following public notice and hearing and in accordance with all applicable procedures set out in the Act, the Metro Council adopted Resolution No. 98-2673 adopting a Land Use Final Order establishing the light rail route, stations, lots and maintenance facilities and the highway improvements for the South/North Light Rail Project, including their locations (the original LUFO); and

WHEREAS, On July 23, 1998, the Metro Council adopted Resolution No. 98-2674 that approved the South/North Locally Preferred Strategy (LPS) which is consistent with the original LUFO; and

WHEREAS, As of April, 1999, Metro staff had completed a Supplemental Draft Environmental Impact Statement identifying a new alternative for the South/North Light Rail Project for that portion of the Project located between approximately the Steel Bridge and the Exposition Center, including an Interstate Avenue alternative; and

WHEREAS, The Metro Council adopted Resolution No. 99-2806A that modified the Locally Preferred Strategy in June of 1999 to include the Full-Interstate Alignment Alternative following submittal of recommendations by Tri-Met staff and the City of Portland that the region select the Full-Interstate Alignment Alternative as the amended LPS, and defining the North Corridor as the first construction segment; and

WHEREAS, On September 13, 1999, the LUFO Steering Committee recommended to Tri-Met a LUFO amendment, amending the original LUFO, that establishes a light rail route, stations and park-and-ride lots along the Full-Interstate Alignment Alternative for that portion of the Project located between the Steel Bridge and the Exposition Center; and

WHEREAS, On September 13, 1999, in a letter to the Tri-Met Board from Kay Van Sickel, Oregon Department of Transportation (ODOT) Region 1 Manager, ODOT recommended to Tri-Met the same LUFO amendment as was recommended by the LUFO Steering Committee; and

WHEREAS, On September 24, 1999, following consideration of the recommendations from the LUFO Steering Committee and ODOT, and authorization by the Tri-Met Board, Tri-Met submitted to Metro its application for a LUFO amendment, amending the light rail route, stations and lots maintenance facility, including their locations, for that portion of the South/North Light Rail Project extending from the Steel Bridge to the Exposition Center; and

WHEREAS, The light rail route, stations and lots locations in Tri-Met's application are in the form of boundaries within which the light rail route, stations and lots shall be located, as provided for in Section 6(1)(a) of the Act; and

WHEREAS, Following receipt of Tri-Met's application, public notice of an October 28, 1999 public hearing to consider Tri-Met's application was published on October 8, 1999, in *The Oregonian*, which the Council finds to be a newspaper of general circulation within Metro's jurisdictional area, with the notice being published more than 14 days prior to the October 28, 1999 public hearing; and

WHEREAS, The above-identified notice contains all of the information required by Section 7(1)(b) of the Act to be included in the Council's published notice of this LUFO amendment proceeding; and

WHEREAS, The Council provided additional public notice of the October 28, 1999, public hearing by mailing a flyer to all properties within 100 feet of the proposed light rail alignment, providing notice on the project telephone "hot line", and provided notice and information on both Tri-Met and Metro's Web Sites; and

WHEREAS, Additional public notice of the October 28, 1999 hearing was mailed to Clackamas and Multnomah Counties; the Cities of Portland, Milwaukie, Gladstone and Oregon City; and the Oregon Department of Transportation; and

WHEREAS, The Metro Council finds and determines that the above-described published notice required by the Act, together with the mailed notice to persons who own property in close proximity to the proposed project improvements are, in its judgment, reasonably calculated to give notice to persons who may be substantially affected by its decision on Tri-Met's application; and

WHEREAS, On October 21, 1999, a copy of the staff report, identifying and addressing compliance with the applicable South/North land use criteria and also including a description of the proposed boundaries within which the light rail route, stations and lots are proposed to be located, was made available for public inspection; and

WHEREAS, On October 28, 1999, the Metro Council held a public hearing at which it accepted oral and written public testimony on Tri-Met's application for a LUFO amendment as described in these recitals; and

WHEREAS, At the October 28, 1999 hearing, the Council commenced the hearing by making a statement containing the information identified in Section 7(3) of the Act; and

WHEREAS, The Council has considered Tri-Met's application, the recommendations of the LUFO Steering Committee and ODOT, the staff report, and the testimony provided in support or in opposition to Tri-Met's application; and

WHEREAS, A variety of Metro policy documents include reference to the South/North Project such as the *Regional Transportation Plan (RTP)* and the *Regional Urban Growth Goals and Objectives (RUGGOs)*, that will need to be amended to be consistent with the Land Use Final Order amendment;

WHEREAS, the Metro Council has an interest in improving the linkage between the Expo Center and the regional light rail system, now, therefore,

BE IT RESOLVED:

1. That the Metro Council hereby adopts the Land Use Final Order amendment for the South/North Light Rail Project, attached hereto as Exhibit A and incorporated herein by this reference, amending the light rail route, stations and lots, including their locations, for that portion of the South/North Light Rail Project extending from the east end of the Steel Bridge northward to the Exposition Center. As indicated in Exhibit B, attached hereto and incorporated

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING A LAND)	
USE FINAL ORDER AMENDING THE LIGHT)	RESOLUTION NO. 99-2853A
RAIL ROUTE, LIGHT RAIL STATIONS AND)	
PARK-AND-RIDE LOTS, INCLUDING THEIR)	Introduced by:
LOCATIONS, FOR THAT PORTION OF THE)	
SOUTH/NORTH LIGHT RAIL PROJECT)	Ed Washington, LUFO Steering
EXTENDING FROM THE STEEL BRIDGE TO)	Committee Chair
THE EXPOSITION CENTER	

WHEREAS, The Oregon Legislature enacted Oregon Laws 1996, Chapter 12 (the Act) establishing procedures for siting the South/North Light Rail Project through adoption by the Metro Council of a Land Use Final Order (LUFO) following application by Tri-Met; and

WHEREAS, In accordance with Section 4 of the Act, the Oregon Land Conservation and Development Commission adopted the South/North Light Rail Project land use final order criteria on May 30, 1996 following a public hearing; and

WHEREAS, The Act requires that Tri-Met apply to the Metro Council for a LUFO or a LUFO amendment for the South/North Light Rail Project following its receipt of recommendations from the LUFO Steering Committee and the Oregon Department of Transportation (ODOT); and

WHEREAS, On July 23, 1998, following public notice and hearing and in accordance with all applicable procedures set out in the Act, the Metro Council adopted Resolution No. 98-2673 adopting a Land Use Final Order establishing the light rail route, stations, lots and maintenance facilities and the highway improvements for the South/North Light Rail Project, including their locations (the original LUFO); and

WHEREAS, On July 23, 1998, the Metro Council adopted Resolution No. 98-2674 that approved the South/North Locally Preferred Strategy (LPS) which is consistent with the original LUFO; and

WHEREAS, As of April, 1999, Metro staff had completed a Supplemental Draft Environmental Impact Statement identifying a new alternative for the South/North Light Rail Project for that portion of the Project located between approximately the Steel Bridge and the Exposition Center, including an Interstate Avenue alternative; and

WHEREAS, The Metro Council adopted Resolution No. 99-2806A that modified the Locally Preferred Strategy in June of 1999 to include the Full-Interstate Alignment Alternative following submittal of recommendations by Tri-Met staff and the City of Portland that the region select the Full-Interstate Alignment Alternative as the amended LPS, and defining the North Corridor as the first construction segment; and

WHEREAS, On September 13, 1999, the LUFO Steering Committee recommended to Tri-Met a LUFO amendment, amending the original LUFO, that establishes a light rail route, stations and park-and-ride lots along the Full-Interstate Alignment Alternative for that portion of the Project located between the Steel Bridge and the Exposition Center; and

WHEREAS, On September 13, 1999, in a letter to the Tri-Met Board from Kay Van Sickel, Oregon Department of Transportation (ODOT) Region 1 Manager, ODOT recommended to Tri-Met the same LUFO amendment as was recommended by the LUFO Steering Committee; and

WHEREAS, On September 24, 1999, following consideration of the recommendations from the LUFO Steering Committee and ODOT, and authorization by the Tri-Met Board, Tri-Met submitted to Metro its application for a LUFO amendment, amending the light rail route, stations and lots maintenance facility, including their locations, for that portion of the South/North Light Rail Project extending from the Steel Bridge to the Exposition Center; and

WHEREAS, The light rail route, stations and lots locations in Tri-Met's application are in the form of boundaries within which the light rail route, stations and lots shall be located, as provided for in Section 6(1)(a) of the Act; and

WHEREAS, Following receipt of Tri-Met's application, public notice of an October 28, 1999 public hearing to consider Tri-Met's application was published on October 8, 1999, in *The Oregonian*, which the Council finds to be a newspaper of general circulation within Metro's jurisdictional area, with the notice being published more than 14 days prior to the October 28, 1999 public hearing; and

WHEREAS, The above-identified notice contains all of the information required by Section 7(1)(b) of the Act to be included in the Council's published notice of this LUFO amendment proceeding; and

WHEREAS, The Council provided additional public notice of the October 28, 1999, public hearing by mailing a flyer to all properties within 100 feet of the proposed light rail alignment, providing notice on the project telephone "hot line", and provided notice and information on both Tri-Met and Metro's Web Sites; and

WHEREAS, Additional public notice of the October 28, 1999 hearing was mailed to Clackamas and Multnomah Counties; the Cities of Portland, Milwaukie, Gladstone and Oregon City; and the Oregon Department of Transportation; and

WHEREAS, The Metro Council finds and determines that the above-described published notice required by the Act, together with the mailed notice to persons who own property in close proximity to the proposed project improvements are, in its judgment, reasonably calculated to give notice to persons who may be substantially affected by its decision on Tri-Met's application; and

WHEREAS, On October 21, 1999, a copy of the staff report, identifying and addressing compliance with the applicable South/North land use criteria and also including a description of the proposed boundaries within which the light rail route, stations and lots are proposed to be located, was made available for public inspection; and

WHEREAS, On October 28, 1999, the Metro Council held a public hearing at which it accepted oral and written public testimony on Tri-Met's application for a LUFO amendment as described in these recitals; and

WHEREAS, At the October 28, 1999 hearing, the Council commenced the hearing by making a statement containing the information identified in Section 7(3) of the Act; and

WHEREAS, The Council has considered Tri-Met's application, the recommendations of the LUFO Steering Committee and ODOT, the staff report, and the testimony provided in support or in opposition to Tri-Met's application; and

WHEREAS, A variety of Metro policy documents include reference to the South/North Project such as the *Regional Transportation Plan (RTP)* and the *Regional Urban Growth Goals and Objectives (RUGGOs)*, that will need to be amended to be consistent with the Land Use Final Order amendment;

WHEREAS, the Metro Council has an interest in improving the linkage between the Expo Center and the regional light rail system, now, therefore,

BE IT RESOLVED:

1. That the Metro Council hereby adopts the Land Use Final Order amendment for the South/North Light Rail Project, attached hereto as Exhibit A and incorporated herein by this reference, amending the light rail route, stations and lots, including their locations, for that portion of the South/North Light Rail Project extending from the east end of the Steel Bridge northward to the Exposition Center. As indicated in Exhibit B, attached hereto and incorporated

herein by this reference, the South/North LUFO amendment hereby adopted by the Metro Council is identical to the LUFO amendment application submitted by Tri-Met.

2. That the Metro Council hereby adopts the Findings of Fact and Conclusions of Law in Support of the Land Use Final Order Amendment, attached hereto as Exhibit C and incorporated herein by this reference, as its written findings of fact demonstrating how the Metro Council's decisions in its adopted Land Use Final Order amendment comply with the applicable review criteria.

3. That the Metro Council hereby states its intent to prepare amendments to Metro's *Regional Transportation Plan* and the *Regional Urban Growth Goals and Objectives* and related documents to make such plans consistent with the LUFO amendment adopted by this Resolution.

4. That the Metro Council acknowledges Tri-Met has agreed to complete final design for an alternate station location at the Expo Center north entrance near Marine Drive.

ADOPTED by the Metro Council this ____ day of _____, 1999.

Rod Monroe, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

Attachments: Exhibit A – South/North Land Use Final Order Amendment
 Exhibit B – Tri-Met Application for South/North Land Use
 Final Order Amendment
 Exhibit C – Findings of Fact and Conclusions of Law in
 Support of the South/North Land Use Final Order
 Amendment

Exhibit A to Resolution No. 99-2853
South/North Land Use Final Order Amendment

**South/North
Land Use Final Order Amendment**

October 21, 1999

Land Use Final Order Amendment for the South/North Light Rail Project

1. Introduction

This document constitutes a Land Use Final Order (LUFO) for the South/North Light Rail Project (the Project) in accordance with Oregon Laws 1996, Chapter 12 (House Bill 3478). This LUFO amends the original LUFO for the Project adopted by the Metro Council on July 23, 1998 through the Council's adoption of Resolution No. 98-2673.

2. Requirements of House Bill 3478

Pursuant to House Bill 3478, upon application by Tri-Met and following a public hearing held on October 28, 1999, the Metro Council hereby adopts this LUFO amendment for the Project. This LUFO amendment amends the light rail route and the light rail stations and park-and-ride lots, including their locations, for that portion of the Project extending from the Steel Bridge to the Exposition Center (Expo Center).

3. Establishment of Light Rail Route, Stations and Park-and-Ride Lots, Including their Locations.

The Council adopts the light rail route, station and lot amendments identified below. These light rail facilities and improvements are identical to those for which Tri-Met requested Council approval. Additionally, the Council adopts the location boundaries for these light rail facilities and improvements as illustrated in the attached maps, which are the same as the boundary maps attached to Tri-Met's application.

The attached maps are printed from a common Geographic Information System data base. The maps illustrate the adopted boundaries at the one inch equals 400 foot scale continuously along the light rail alignment from south to north within the affected area. The boundaries shown on these maps represent the areas within which the light rail facilities may be located. The maps generally show the existing property lines and major buildings to provide orientation and clarity with respect to the project facility locations. The FEIS light rail route and station platform locations depicted on those maps are provided solely for visual reference purposes. The exact location of the light rail tracks and station platforms may fall anywhere within the light rail route and light rail station boundaries shown on the maps.

The approved amendments occur entirely within that portion of the Project between the Steel Bridge and the Expo Center in the City of Portland. In the original LUFO adopted for the Project, that portion of the Project was included within an area identified as the Eliot and North Portland segments of the Project. With the changes approved in this LUFO, the Council now deems it more appropriate to divide the affected area into three segments, identified as the Albina, Upper Interstate, and Expo Center segments.

3.1 Albina Segment

The Albina Segment extends along N Interstate Avenue from the east end of the Steel Bridge to the Kaiser Interstate Medical Office Center north of N Fremont Street.

The light rail alignment splits from the existing east-west alignment on the east side of the Steel Bridge in the vicinity of the Rose Quarter, where the alignment turns north into the center of N Interstate Avenue. A station is located in the median of N Interstate Avenue in the vicinity of the intersection of N Multnomah Street and N Interstate Avenue adjacent to the Rose Garden, approximately 200 yards west of the existing Rose Quarter Transit Center. North from the Rose Quarter, the tracks are aligned in the middle of N Interstate Avenue and pass underneath the Broadway Bridge. A center platform station is located in the vicinity of N Russell and N Knott Streets on N Interstate Avenue. From the intersection of N Greeley Avenue, the alignment proceeds north within the N Interstate Avenue right-of-way up to Overlook Park and the Edgar Kaiser Medical Center.

There are no maintenance facilities or highway improvements in this segment.

The boundaries within which the above-described light rail improvements may be located are as illustrated in Figures 1.1, 1.2 and 1.3 attached hereto.

3.2 Upper Interstate Segment

The Upper Interstate Segment extends from the Kaiser Interstate Medical Office Center north of N Fremont Street to N Denver Avenue in the vicinity of N Columbia Boulevard.

From the Overlook Station located in the vicinity of N Overlook Boulevard at the Edgar Kaiser Medical Facility, the light rail alignment extends northward to Kenton within the center of the existing 100-foot N Interstate Avenue right-of-way. Split-platform stations are located in the vicinity of the following major east/west streets: N Overlook Boulevard, N Going Street, N Killingsworth Street, N Portland Boulevard and N Lombard Street. The alignment continues towards Kenton Station in the vicinity of N Fenwick Avenue, N Denver Avenue, N McClellan Street and N Argyle Street. From Kenton Station, the light rail alignment continues northward on a reconstructed Denver Avenue viaduct over N Columbia Boulevard to the start of the Expo Center Segment.

There are no maintenance facilities or highway improvements in this segment.

The boundaries within which the above-described light rail improvements may be located are as illustrated in Figures 1.3, 1.4, 1.5 and 1.6 attached hereto.

3.3 Expo Center Segment

The Expo Center Segment extends from N Denver Avenue a short distance north of N Columbia Boulevard to the Expo Center.

From N Denver Avenue north of N Columbia Boulevard, the alignment continues northward, east of N Denver Avenue (Highway 99W), crossing over the Columbia Slough on a new bridge. The alignment crosses under Highway 99W through a tunnel to a station and park-and-ride lot in the vicinity of Portland International Raceway near N Victory Boulevard. From here the track continues near N Expo Road to a terminus station and park-and-ride lot at the Expo Center.

There are no maintenance facilities or highway improvements in this segment.

The boundaries within which the above-described light rail improvements may be located are as illustrated in Figures 1.7 and 1.8 attached hereto.



Figure 1.1
**Land Use
Final Order
Amendment
Boundary Maps**



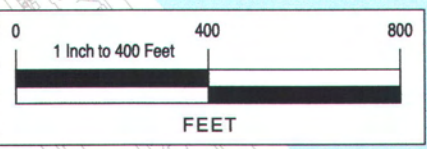
Light Rail Route

Light Rail Station

FEIS Station Platform

FEIS Light Rail Route/Options

Segment Break



August 1999

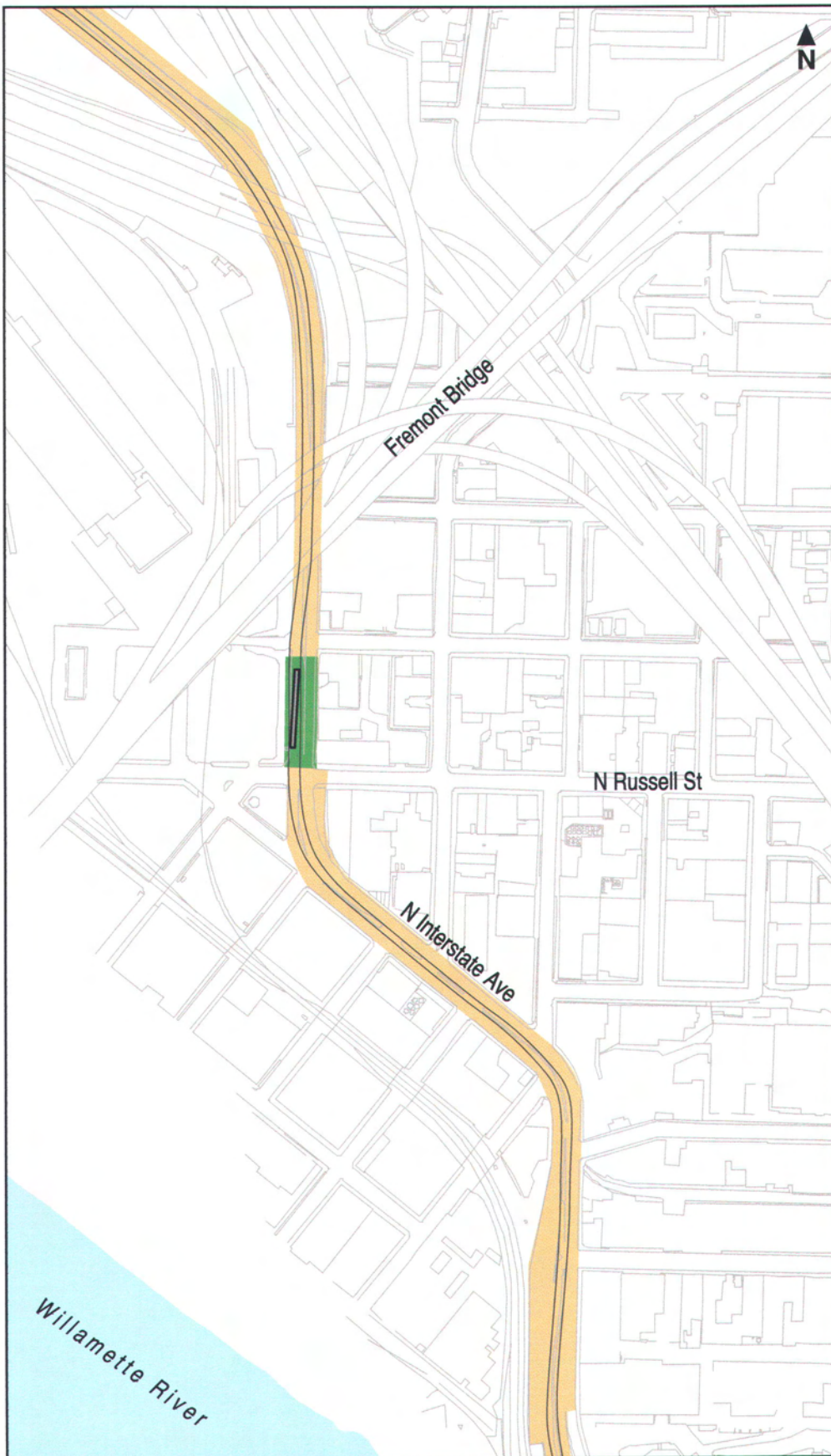





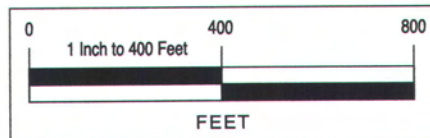


Figure 1.2
**Land Use Final Order
Amendment
Boundary Maps**

-  Light Rail Route
-  Light Rail Station
-  FEIS Station Platform
-  FEIS Light Rail Route/Options
-  Segment Break

August 1999



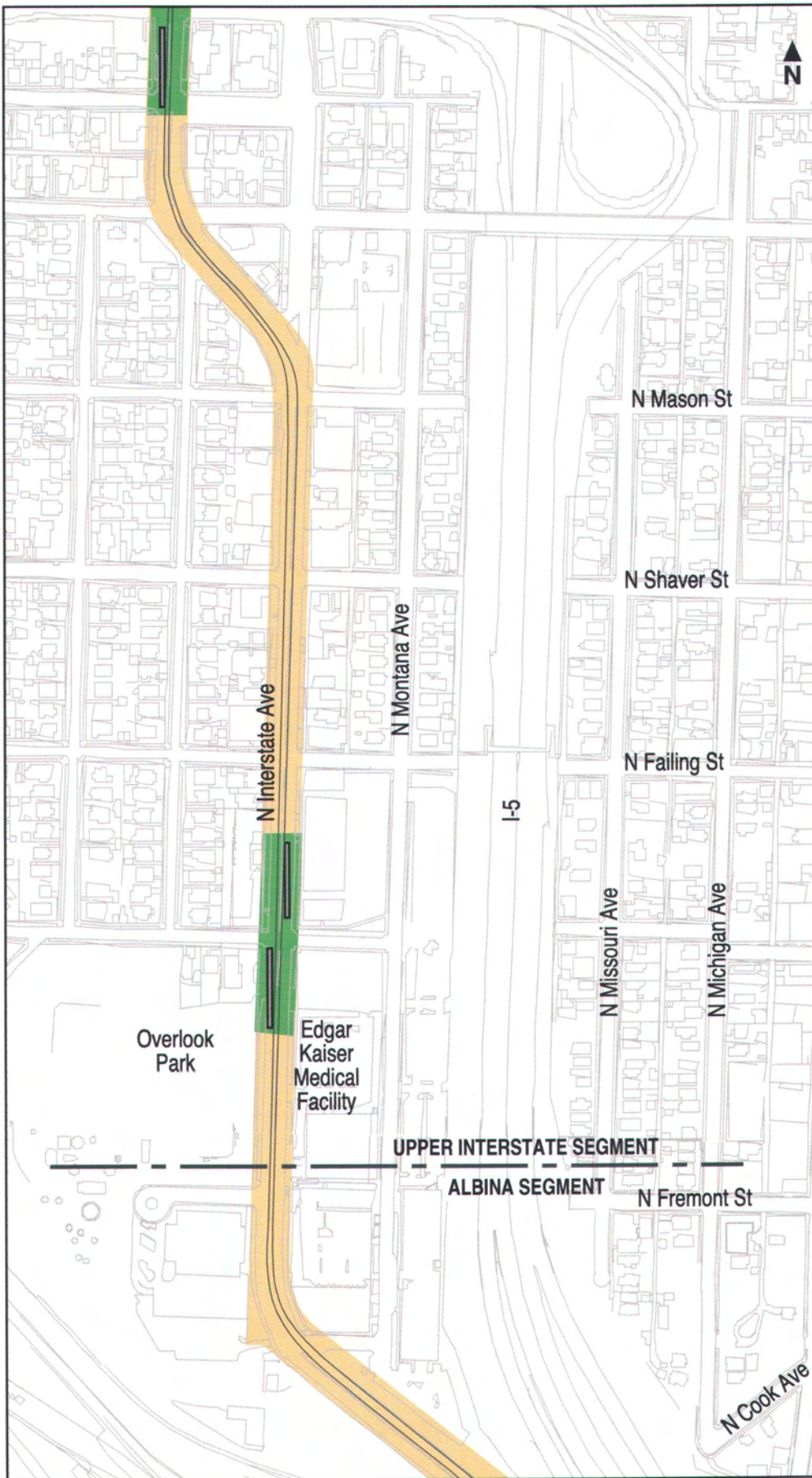







Figure 1.3
**Land Use Final Order
Amendment
Boundary Maps**

-  Light Rail Route
-  Light Rail Station
-  FEIS Station Platform
-  FEIS Light Rail Route/Options
-  Segment Break

August 1999

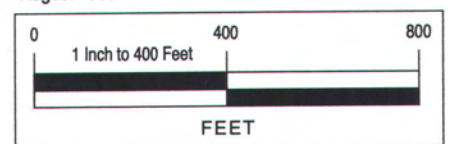
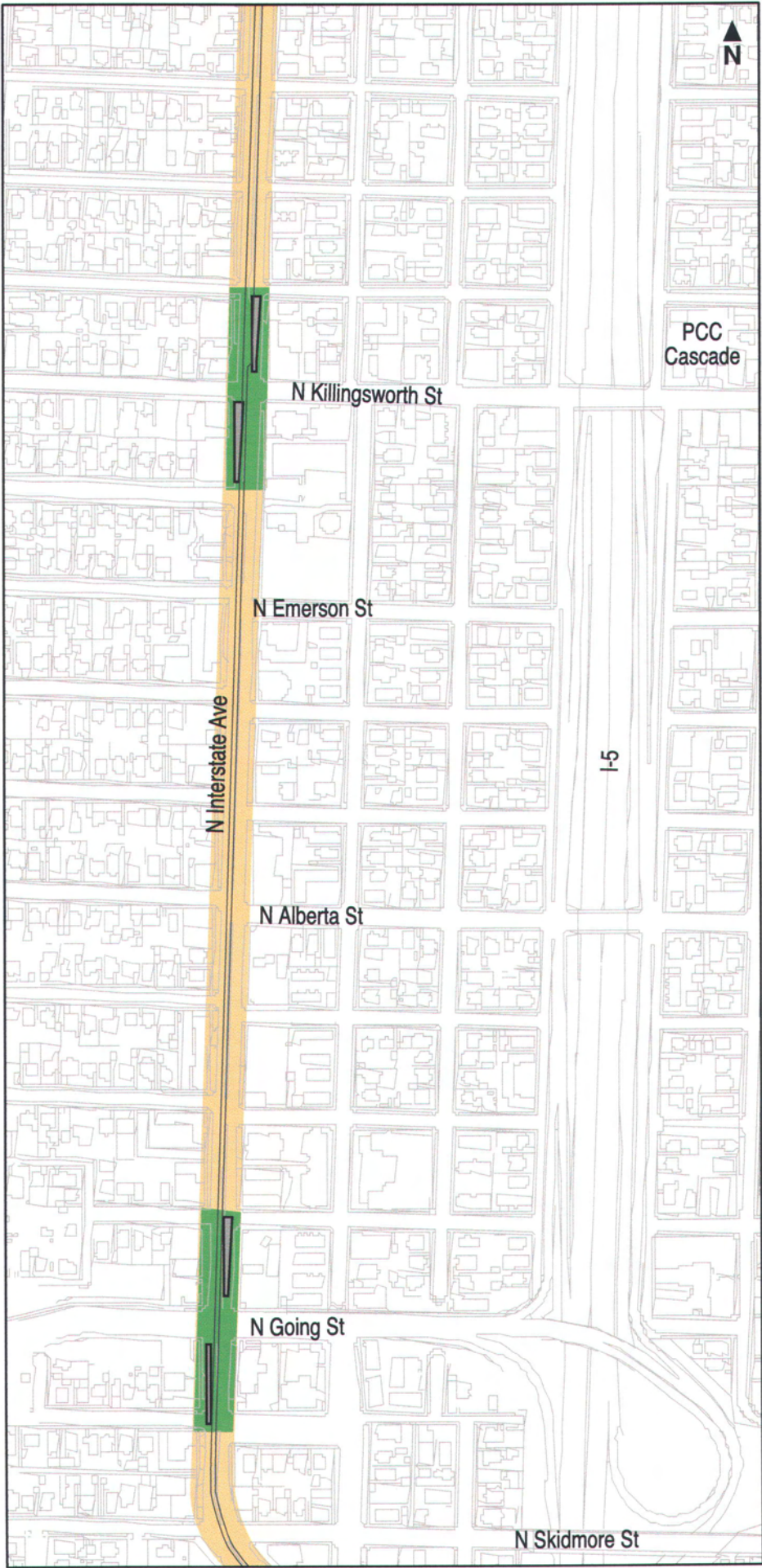





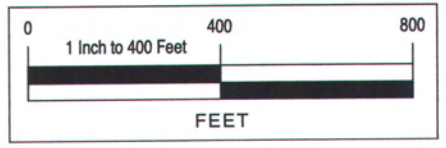




Figure 1.4
**Land Use Final Order
Amendment
Boundary Maps**



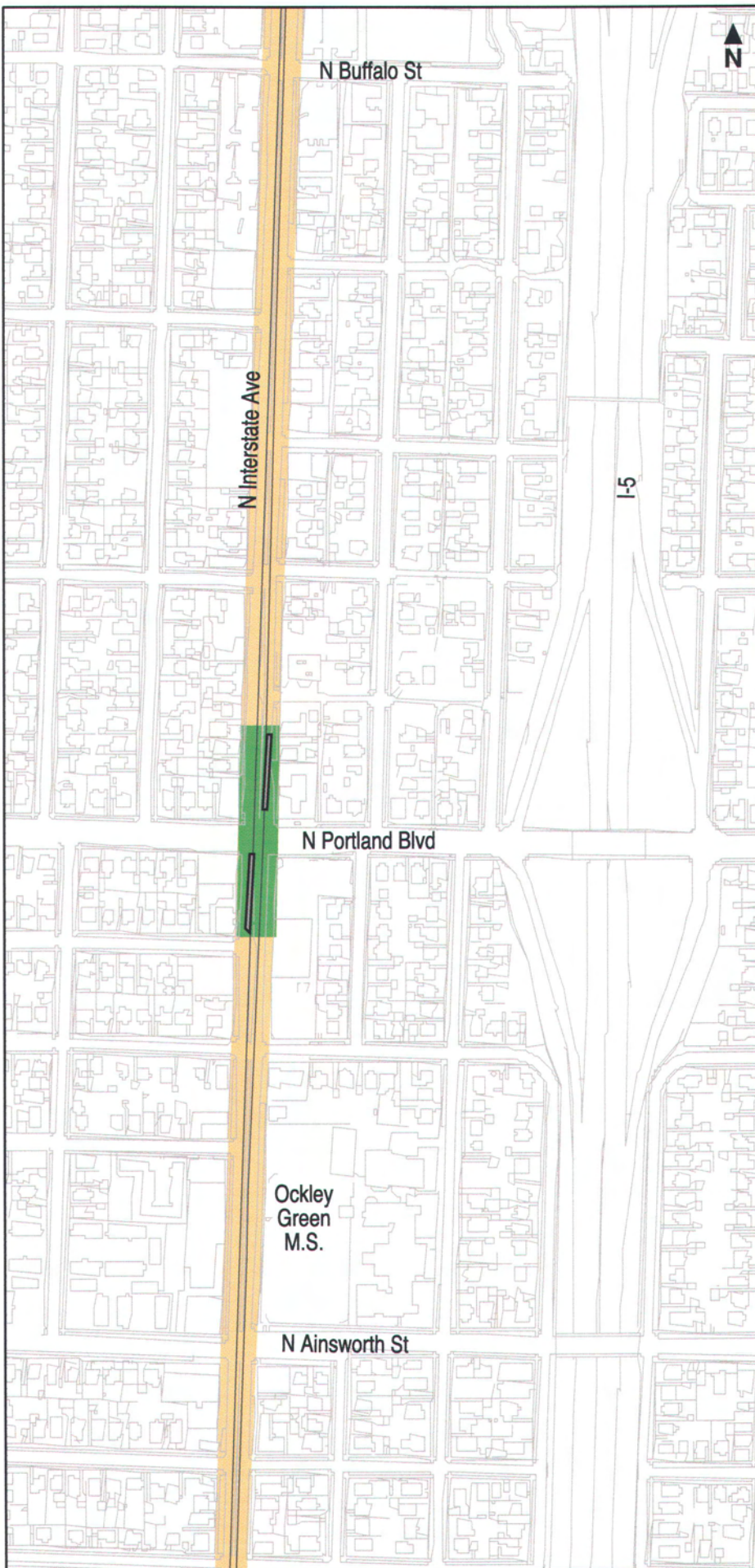
-  Light Rail Route
-  Light Rail Station
-  FEIS Station Platform
-  FEIS Light Rail Route/Options
-  Segment Break








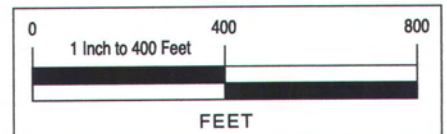
August 1999



Figure 1.5
**Land Use Final Order
 Amendment
 Boundary Maps**



-  Light Rail Route
-  Light Rail Station
-  FEIS Station Platform
-  FEIS Light Rail Route/Options
-  Segment Break



May 1998

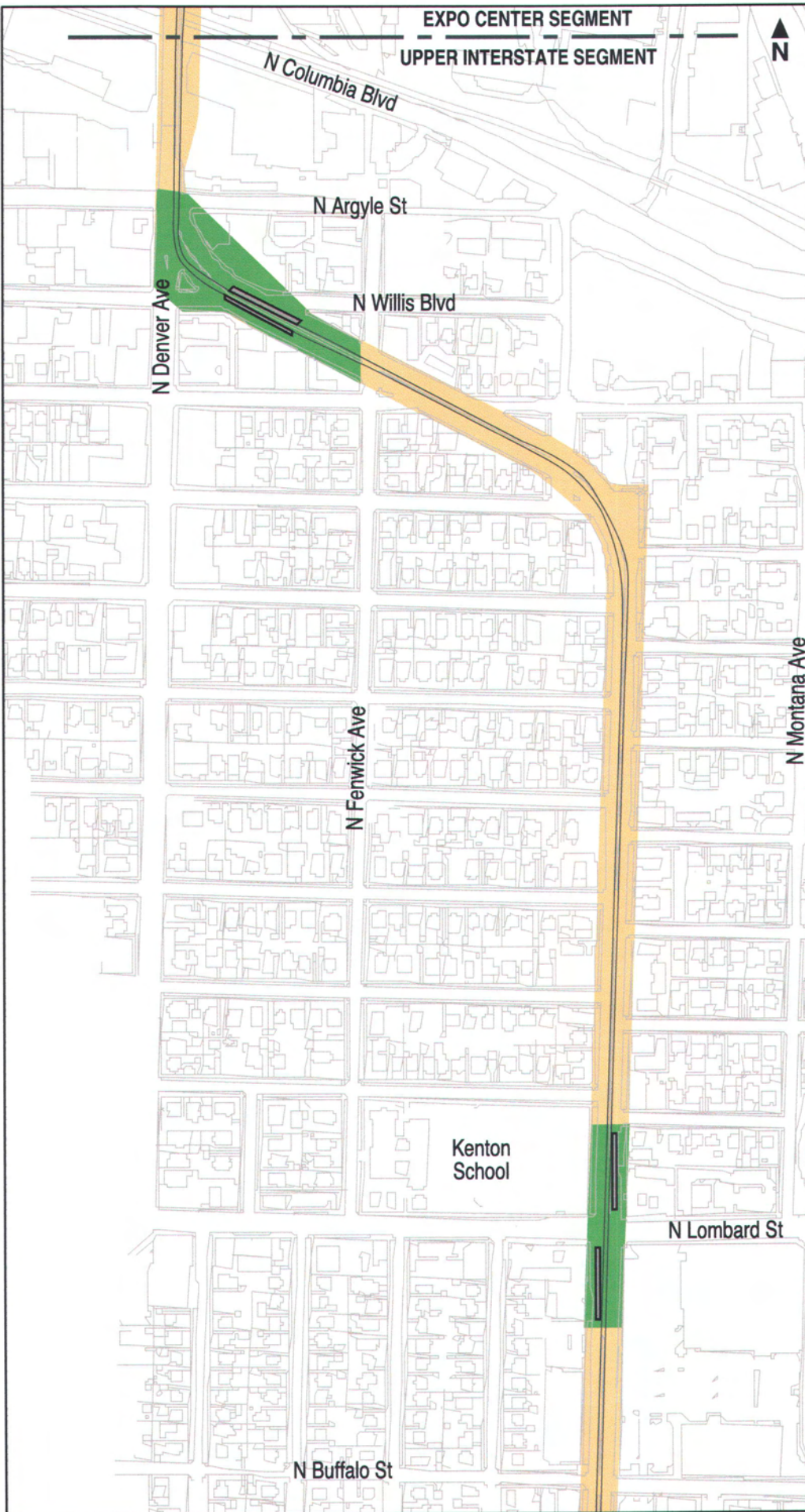







Figure 1.6
**Land Use Final Order
Amendment
Boundary Maps**

-  Light Rail Route
-  Light Rail Station
-  FEIS Station Platform
-  FEIS Light Rail Route/Options
-  Segment Break

August 1999

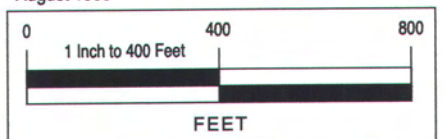
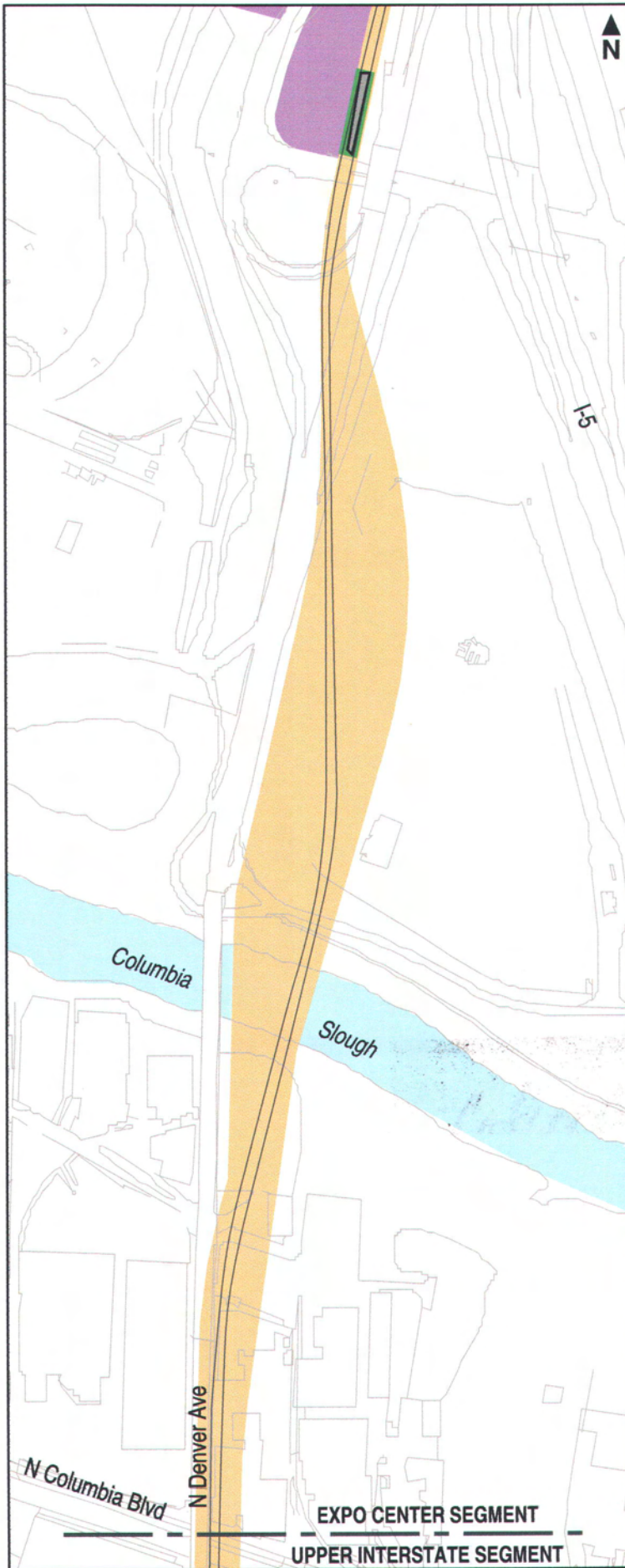






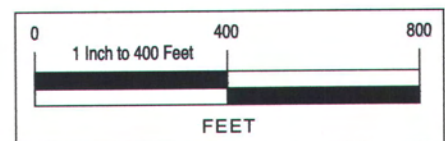




Figure 1.7
**Land Use Final Order
Amendment
Boundary Maps:
Steering Committee
Recommendation**



-  Light Rail Route
-  Light Rail Station
-  Park-and-Ride Lot
-  FEIS Station Platform
-  FEIS Light Rail Route/Options
-  Segment Break



September 1999

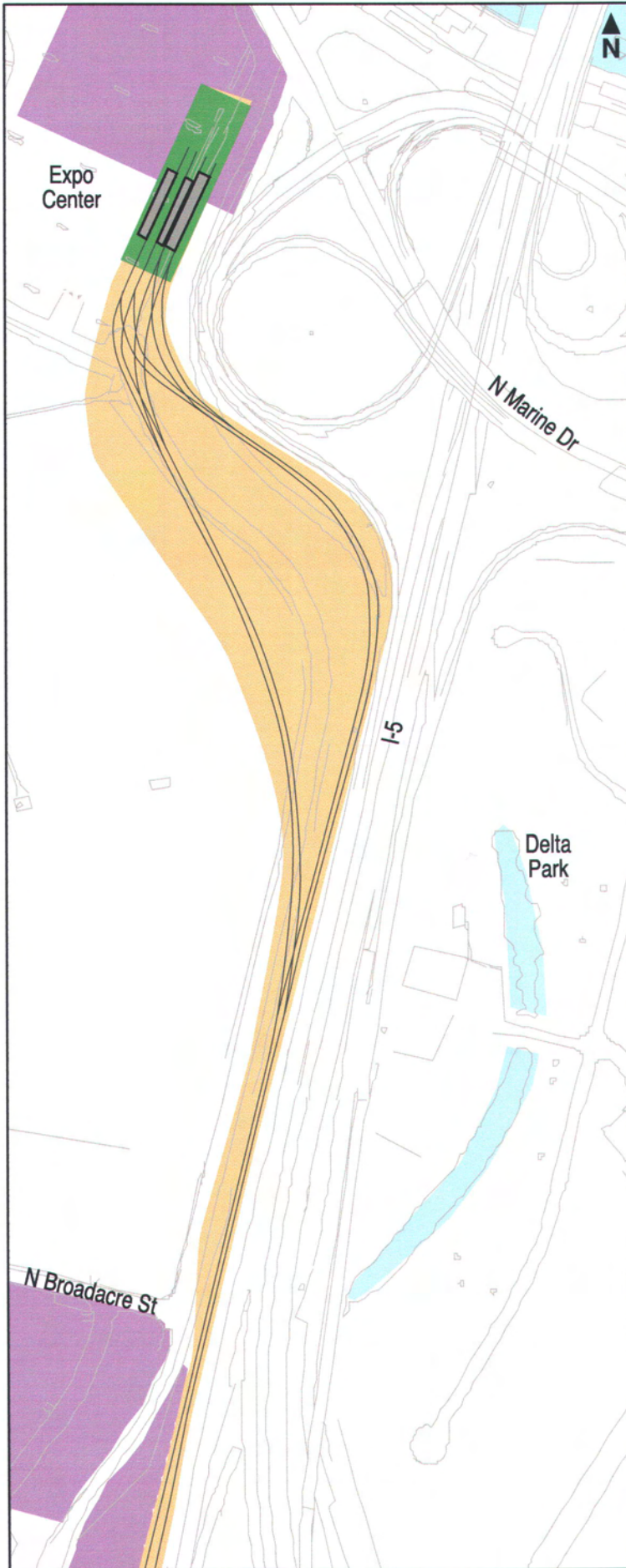






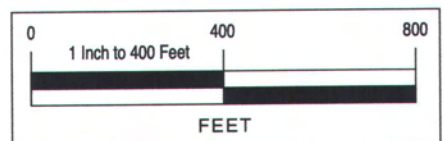


Figure 1.8
**Land Use Final Order
Amendment
Boundary Maps**

-  Light Rail Route
-  Light Rail Station
-  Park-and-Ride Lot
-  FEIS Station Platform
-  FEIS Light Rail Route/Options
-  Segment Break



August 1999

Exhibit B to Resolution No. 99-2853
South/North Land Use Final Order Amendment

**Tri-Met Application for South/North
Land Use Final Order Amendment**

September 24, 1999

Please note that copies of this document are available from the
Metro Transportation Department. To obtain a copy contact:

Jan Faraca
Metro Transportation Department
600 NE Grand Avenue
Portland, Oregon 97232

Telephone (503) 797-1756
Fax (503) 797-1929



TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON

CAPITAL PROJECTS & FACILITIES DIVISION
710 N.E. HOLLADAY STREET
PORTLAND, OREGON 97232

RECEIVED

EXHIBIT B

LS0552

SEP 24 1999
TIME: 9:19am Hand delivered
METRO SERVICE DISTRICT
OFFICE GENERAL COUNSEL

VIA PERSONAL DELIVERY

September 23, 1999

Mr. Rod Monroe
Presiding Officer
Metro Regional Center
600 NE Grand Avenue
Portland, OR 97232-2736

RE: LUFO South/North Application and Amendment

Dear Mr. Monroe:

Please find enclosed, Tri-Met's Application for an Amendment to the Land Use Final Order (LUFO) relating to the South/North Light Rail Project adopted by Metro in June of 1998.

This LUFO application is being submitted to Metro pursuant to the provisions of 1996 Oregon Laws, Chapter 12 (House Bill 3478), which directs Tri-Met to submit such an application to the Metro Council after Tri-Met has received recommendations from the LUFO Steering Committee and the Oregon Department of Transportation. I am pleased to report that Tri-Met has now received and considered both of those recommendations as is noted in the Application and its attachments.

It should be noted that this LUFO Application is consistent with the recommendations from the Steering Committee and ODOT, in both the facilities and improvements it proposes.

The enclosed LUFO Application will provide the basis for the findings to be made as part of Metro's

Mr. Rod Monroe
Metro Regional Center
September 23, 1999
Page 2

adoption of the subject Amendment to the Land Use Final Order. I am requesting that Metro schedule a public hearing and Council action on this application by the end of October, 1999.

Thank you for your cooperation and assistance on this very important component of our planned regional transportation system.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil McFarlane". The signature is written in a cursive, flowing style.

Neil McFarlane
Executive Director, Capital Projects and Facilities

/llc
enclosure

cc: Fred Hansen, Bob Stacey, Ron Higbee, Brian Playfair, Dean Phillips, Larry Shaw

Application for South/North Land Use Final Order Amendment

South/North Light Rail Project

September 23, 1999

A. Introduction.

This document constitutes Tri-Met's application to the Metro Council for approval of a Land Use Final Order (LUFO) amending the original South/North Light Rail Project LUFO that the Metro Council adopted on July 23, 1998. A LUFO is a written order or orders of the Metro Council deciding the light rail route, the light rail stations, park-and-ride lots and maintenance facilities, and the highway improvements for the South/North Project, including their locations.

On July 23, 1998, the Metro Council adopted Resolution No. 98-2673, adopting the original LUFO for the South/North Project. The original LUFO established the light rail route, stations, lots and maintenance facilities and the highway improvements, including their locations, for that portion of the South/North Project extending from Clackamas Town Center to the Columbia River.

This application seeks to amend the original LUFO with respect to that portion of the Project extending from the east end of the Steel Bridge northward to the Exposition Center ("Expo Center"); all within the jurisdictional boundaries of the City of Portland. This application would modify the light rail alignment; establish, relocate or expand light rail station boundaries along that alignment; and authorize park-and-ride lots near Portland International Raceway and the Expo Center along the light rail route.

B. Requirements of House Bill 3478.

Section 6(1) of House Bill 3478 authorizes the Metro Council, upon application by Tri-Met, to adopt land use final orders for the South North Project. The LUFO identifies the light rail route, stations, lots and maintenance facilities, and the highway improvements that comprise the South/North Project, and it further specifies the locations within which these facilities and improvements may be located. As explained in Section 6(1)(a) of the Act:

"The applied-for locations shall be in the form of boundaries within which the light rail route, stations, lots and maintenance facilities, and the highway improvements shall be located. These boundaries shall be sufficient to accommodate adjustments to the specific placements of the light rail route, stations, lots and maintenance facilities, and the highway improvements for which need commonly arises upon the development of more detailed environmental or engineering data following approval of a Full Funding Grant Agreement."

Section 6(2) of the Act addresses amendments to the original LUFO. As relevant to this proceeding, it provides that any siting of the light rail route or a station, lot or maintenance facility outside the boundaries previously established in a LUFO, or any new station, lot or maintenance facility, "shall require a land use final order amendment or a new land use final

order which shall be adopted in accordance with the process provided for in subsection (1) of this section."

Section 6(1) of House Bill 3478 directs Tri-Met to file its application with the Council following its receipt of recommendations from the Department of Transportation and the South/North LUFO Steering Committee established pursuant to Section 1(21) of the Act. On September 13, 1999, the South/North LUFO Steering Committee adopted its recommendations to Tri-Met on the light rail route, stations and park-and-ride lots for that portion of the South/North Project subject to this LUFO amendment application. Also on September 13, 1999, the Oregon Department of Transportation provided recommendations in the form of a letter to the Tri-Met Board of Directors from Kay Van Sickle, Region 1 Manager, endorsing the LUFO amendments recommended by the LUFO Steering Committee. Tri-Met has received and considered these recommendations from the South/North LUFO Steering Committee and ODOT, copies of which are attached to this application. Tri-Met's application is consistent with those recommendations.

House Bill 3478 further requires the Metro Council to demonstrate that its decisions comply with approval criteria established by the Land Conservation and Development Commission under Section 4 of the Act. These criteria are identified later in this application.

C. Requested Light Rail Improvements.

Tri-Met requests Metro Council adoption of a LUFO amending the July 23, 1998 LUFO to approve the light rail route and the stations and park-and-ride lots identified textually below and in the maps (Figures 1.1 through 1.8) attached to the Steering Committee recommendation, which illustrate the location "boundaries" as required by Section 6(1)(a) of HB 3478. Those maps are incorporated herein and made a part of this application.

All of the maps are printed from a common Geographic Information System data base. The maps illustrate the recommended boundaries at the one inch equals 400 foot scale continuously along the LRT alignment from south to north within the affected area.

The boundaries shown on these maps represent the areas within which the light rail facilities may be located. The maps generally show the existing property lines and major buildings to provide orientation and clarity with respect to the proposed project facility locations. The FEIS light rail route and station platform locations depicted on those maps are provided solely for visual reference purposes. The exact location of the light rail tracks and station platforms may fall anywhere within the light rail route and light rail station boundaries shown on the maps.

The applied-for amendments occur entirely within that portion of the South/North Project between the Steel Bridge and the Expo Center in the City of Portland. In the original LUFO, that portion was included within an area identified as the Eliot and North Portland segments of the Project. Based on the nature of the proposed amendments to the Project, and to better facilitate discussion of adverse impacts, Tri-Met, in coordination with Metro staff, deems it more appropriate now to divide this affected area into three segments: Albina, Upper Interstate, and Expo Center. The LUFO Steering Committee recommendation accepts, incorporates and recommends this new delineation of segments. For each of these segments, this application begins with a brief summary of the segment,

followed by identification of the applied-for light rail route, stations and park-and-ride lots. No maintenance facilities or highway improvements are requested in these segments.

The light rail route, and the light rail stations and park-and-ride lots for which Tri-Met seeks approval are as follows:

Albina Segment

The Albina Segment extends along N Interstate Avenue from the east end of the Steel Bridge to the Kaiser Interstate Medical Office Center north of N Fremont Street.

The LRT alignment splits from the existing east-west alignment on the east side of the Steel Bridge in the vicinity of the Rose Quarter, where the alignment turns north into the center of N Interstate Avenue. A station is located in the median of N Interstate Avenue in the vicinity of the intersection of N Multnomah Street and N Interstate Avenue adjacent to the Rose Garden, approximately 200 yards west of the existing Rose Quarter Transit Center. North from the Rose Quarter, the tracks are aligned in the middle of N Interstate Avenue and pass underneath the Broadway Bridge. A center platform station is located in the vicinity of N Russell and N Knott Streets on N Interstate Avenue. From the intersection of N Greeley Avenue, the alignment proceeds north within the N Interstate Avenue right-of-way up to Overlook Park and the Edgar Kaiser Medical Center.

There are no maintenance facilities or highway improvements proposed for this segment.

The proposed boundaries within which the above-described light rail improvements would be located are as illustrated in Figures 1.1, 1.2 and 1.3 attached to the LUFO Steering Committee recommendation.

Upper Interstate Segment

The Upper Interstate Segment extends from the Kaiser Interstate Medical Office Center north of N Fremont Street to N Denver Avenue in the vicinity of N Columbia Boulevard.

From the Overlook Station located in the vicinity of N Overlook Boulevard at the Edgar Kaiser Medical Facility, the LRT alignment extends northward to Kenton within the center of the existing 100-foot N Interstate Avenue right-of-way. Split-platform stations are located in the vicinity of the following major east/west streets: N Overlook Boulevard, N Going Street, N Killingsworth Street, N Portland Boulevard and N Lombard Street. The alignment continues towards Kenton Station in the vicinity of N Fenwick Avenue, N Denver Avenue, N McClellan Street and N Argyle Street. From Kenton Station, the LRT alignment continues northward on a reconstructed Denver Avenue viaduct over N Columbia Boulevard to the start of the Expo Center Segment.

There are no maintenance facilities or highway improvements proposed for this segment.

The proposed boundaries within which the above-described light rail improvements would be located are as illustrated in Figures 1.3, 1.4, 1.5 and 1.6 attached to the LUFO Steering Committee recommendation.

Expo Center Segment

The Expo Center Segment extends from N Denver Avenue a short distance north of N Columbia Boulevard to the Expo Center.

From N Denver Avenue north of N Columbia Boulevard, the alignment continues northward, east of N Denver Avenue (Highway 99W), crossing over the Columbia Slough on a new bridge. The alignment crosses under Highway 99W through a tunnel to a station and park-and-ride lot in the vicinity of Portland International Raceway near N Victory Boulevard. From here the track continues near N Expo Road to a terminus station and park-and-ride lot at the Expo Center.

There are no maintenance facilities or highway improvements proposed for this segment.

The proposed boundaries within which the above-described light rail improvements would be located are as illustrated in Figures 1.7 and 1.8 attached to the LUFO Steering Committee recommendation.

D. Applicable Land Use Criteria.

On May 30, 1996, pursuant to Section 4 of HB 3478, LCDC established the criteria to be used by the Council in making land use decisions establishing or amending the light rail route, stations, lots and maintenance facilities, and the highway improvements for the South/North Project, including their locations. The approved criteria include two procedural, six substantive, and two alignment-specific standards, set out below. In its LUFO, the Council must demonstrate compliance with these criteria.

Procedural Criteria

1. Coordinate with and provide an opportunity for Clackamas and Multnomah Counties, the cities of Gladstone, Milwaukie, Oregon City and Portland, the Tri-County Metropolitan Transportation District of Oregon and the Oregon Department of Transportation to submit testimony on the light rail route, light rail stations, park-and-ride lots and vehicle maintenance facilities, and the highway improvements, including their locations.
2. Hold a public hearing to provide an opportunity for the public to submit testimony on the light rail route, light rail stations, park-and-ride lots and vehicle maintenance facilities, and the highway improvements, including their locations.

Substantive Criteria

3. Identify adverse economic, social and traffic impacts on affected residential, commercial and industrial neighborhoods and mixed use centers. Identify measures to reduce those

impacts which could be imposed as conditions of approval during the National Environmental Policy Act (NEPA) process or, if reasonable and necessary, by affected local governments during the local permitting process.

- A. Provide for a light rail route and light rail stations, park-and-ride lots and vehicle maintenance facilities, including their locations, balancing (1) the need for light rail proximity and service to present or planned residential, employment and recreational areas that are capable of enhancing transit ridership; (2) the likely contribution of light rail proximity and service to the development of an efficient and compact urban form; and (3) the need to protect affected neighborhoods from the identified adverse impacts.
 - B. Provide for associated highway improvements, including their locations, balancing (1) the need to improve the highway system with (2) the need to protect affected neighborhoods from the identified adverse impacts.
4. Identify adverse noise impacts and identify measures to reduce noise impacts which could be imposed as conditions of approval during the NEPA process or, if reasonable and necessary, by affected local governments during the permitting process.
 5. Identify affected landslide areas, areas of severe erosion potential, areas subject to earthquake damage and lands within the 100-year floodplain. Demonstrate that adverse impacts to persons or property can be reduced or mitigated through design or construction techniques which could be imposed during the NEPA process or, if reasonable and necessary, by local governments during the permitting process.
 6. Identify adverse impacts on significant fish and wildlife, scenic and open space, riparian, wetland and park and recreational areas, including the Willamette River Greenway, that are protected in acknowledged local comprehensive plans. Where adverse impacts cannot practicably be avoided, encourage the conservation of natural resources by demonstrating that there are measures to reduce or mitigate impacts which could be imposed as conditions of approval during the NEPA process or, if reasonable and necessary, by local governments during the permitting process.
 7. Identify adverse impacts associated with stormwater runoff. Demonstrate that there are measures to provide adequate stormwater drainage retention or removal and protect water quality which could be imposed as conditions of approval during the NEPA process or, if reasonable and necessary, by local governments during the permitting process.
 8. Identify adverse impacts on significant historic and cultural resources protected in acknowledged comprehensive plans. Where adverse impacts cannot practicably be avoided, identify local, state or federal review processes that are available to address and to reduce adverse impacts to the affected resources.

Alignment-Specific Criteria

9. Consider a light rail route connecting the Clackamas Town Center area with the City of Milwaukie's Downtown. Consider an extension of the light rail route connecting the City of Oregon City and the City of Gladstone with the City of Milwaukie via the Interstate 205 corridor and/or the McLoughlin Boulevard corridor.
10. Consider a light rail route connecting Portland's Central City with the City of Milwaukie's Downtown via inner southeast Portland neighborhoods and, in the City of Milwaukie, the McLoughlin Boulevard corridor, and further connecting the Central City with north and inner northeast Portland neighborhoods via the Interstate 5/Interstate Avenue corridor.

Attachment A

South/North Land Use Final Order Amendment
LUFO Steering Committee Recommendation

September 13, 1999

South/North Land Use Final Order

LUFO Steering Committee Recommendation

L Introduction

This document constitutes the South/North Land Use Final Order (LUFO) Steering Committee's recommendation to Tri-Met regarding Tri-Met's application to the Metro Council for approval of an amendment to the original South/North Light Rail Project LUFO, which the Metro Council adopted on July 23, 1998. This recommendation is provided pursuant to Section 6(1) of House Bill 3478, which directs Tri-Met to apply to the Metro Council for a Land Use Final Order approving the light rail route, stations, lots and maintenance facilities, and the highway improvements for the Project, including their locations, "following receipt of recommendations from the Department of Transportation and the Steering Committee", and Section 6(2), which provides that amendments to the LUFO be adopted following the same process used to adopt the original LUFO.

In May, 1998, in accordance with Section 1(21) of Oregon House Bill 3478, the South/North Steering Committee was established through intergovernmental agreement between Metro, Tri-Met, ODOT, Clackamas County, Multnomah County, the City of Portland, and the City of Milwaukie. The City of Oregon City is an ex officio member of the Committee.

This recommendation from the LUFO Steering Committee addresses light rail route, station and park-and-ride lot amendments within only that portion of the South/North Project extending from the east end of the Steel Bridge northward to the Exposition Center (Expo Center), all within the jurisdictional boundaries of the City of Portland.

2. Requirements of House Bill 3478.

House Bill 3478 authorizes the Metro Council, upon application by Tri-Met and following recommendations from the Steering Committee and Department of Transportation, to adopt a Land Use Final Order for the South/North Project. A LUFO is a written order or orders of the Metro Council deciding the light rail route, the stations, lots and maintenance facilities, and the highway improvements for the South/North Project, including their locations. The LUFO identifies the light rail route, stations, lots, maintenance facilities and highway improvements that comprise the South/North project, and it further specifies the locations within which these facilities and improvements may be located. As explained in Section 6(1)(a) of House Bill 3478,

"The applied for locations shall be in the form of boundaries within which the light rail route, stations, lots and maintenance facilities, and the highway improvements shall be located. These boundaries shall be sufficient to accommodate adjustments to the specific placements of the light rail route, stations, lots and maintenance facilities, and the highway improvements for which need commonly arises upon the development of more detailed environmental or engineering data following approval of a Full Funding Grant Agreement."

3. Recommended Light Rail Improvements

The Steering Committee recommends that Tri-Met request and that the Metro Council adopt a LUFO amending the July 23, 1998 LUFO to approve the light rail route and the stations and park-and-ride lots identified textually below and in the attached maps, which illustrate the location "boundaries" as required by Section 6(1)(a) of HB 3478.

The recommended amendments occur entirely within that portion of the South/North Project between the Steel Bridge and the Expo Center in the City of Portland. In the original LUFO, that portion was included within what the Metro Council identified as the Eliot and North Portland segments of the Project. Based on the nature of the proposed amendments to the Project, and to facilitate discussion of impacts, the LUFO Steering Committee recommends that this affected area now be divided into three segments: Albina, Upper Interstate, and Expo Center. For each of these segments, the description of recommended amendments begins with a brief summary of the segment, followed by identification of the recommended light rail route, station and park-and-ride lot modifications. There are no recommendations for maintenance facilities or highway improvements in these segments.

3.1 Albina Segment

The Albina Segment extends along N Interstate Avenue from the east end of the Steel Bridge to the Kaiser Interstate Medical Office Center north of N Fremont Street.

The LRT alignment splits from the existing east-west alignment on the eastside of the Steel Bridge in the vicinity of the Rose Quarter, where the alignment turns north into the center of N Interstate Avenue. A station is located in the median of N Interstate Avenue in the vicinity of the intersection of N Multnomah Street and N Interstate Avenue adjacent to the Rose Garden, approximately 200 yards west of the existing Rose Quarter Transit Center. North from the Rose Quarter, the tracks are aligned in the middle of N Interstate Avenue and pass underneath the Broadway Bridge. A center platform station is located in the vicinity of N Russell and N Knott Streets on N Interstate Avenue. From the intersection of N Greeley Avenue, the alignment proceeds north within the N Interstate Avenue right-of-way up to Overlook Park and the Edgar Kaiser Medical Center.

There are no highway improvements proposed for this segment.

The proposed boundaries within which the above-described light rail improvements would be located are as illustrated in Figures 1.1, 1.2 and 1.3 attached to this recommendation.

3.2 Upper Interstate Segment

The Upper Interstate Segment extends from the Kaiser Interstate Medical Office Center north of N Fremont Street to N Denver Avenue a short distance north of N Columbia Boulevard.

From the Overlook Station located in the vicinity of N Overlook Boulevard north of the Edgar Kaiser Medical Facility, the LRT alignment extends northward to Kenton within the center of the

existing 100-foot N Interstate Avenue right-of-way. Split-platform stations are located in the vicinity of the following major east/west streets: N Going Street, N Killingsworth Street, N Portland Boulevard and N Lombard Street. The alignment continues towards N Denver Avenue with Kenton Station in the vicinity of N Fenwick Avenue, N Denver Avenue, N McClellan Street and N Argyle Street. From Kenton Station, the LRT alignment continues northward on a reconstructed Denver Avenue viaduct over N Columbia Boulevard to the start of the Expo Center Segment.

There are no highway improvements proposed for this segment.

The proposed boundaries within which the above-described light rail improvements would be located are as illustrated in Figures 1.3, 1.4, 1.5 and 1.6 attached to this recommendation.

3.3 Expo Center Segment

The Expo Center Segment extends from N Denver Avenue a short distance north of N Columbia Boulevard to the Expo Center.

From N Denver Avenue north of N Columbia Boulevard, the alignment continues northward, east of N Denver Avenue (Highway 99W), crossing over the Columbia Slough on a new bridge. The alignment crosses under Highway 99W through a tunnel to a station and potential park-and-ride lot in the vicinity of Portland International Raceway near N Victory Boulevard. From here the track continues near N Expo Road to a terminus station and potential park-and-ride lot at the Expo Center.

There are no highway improvements proposed for this segment.

The proposed boundaries within which the above-described light rail improvements would be located are as illustrated in Figures 1.7 and 1.8 attached to this recommendation.

Attachment A: Land Use Final Order Boundary Maps

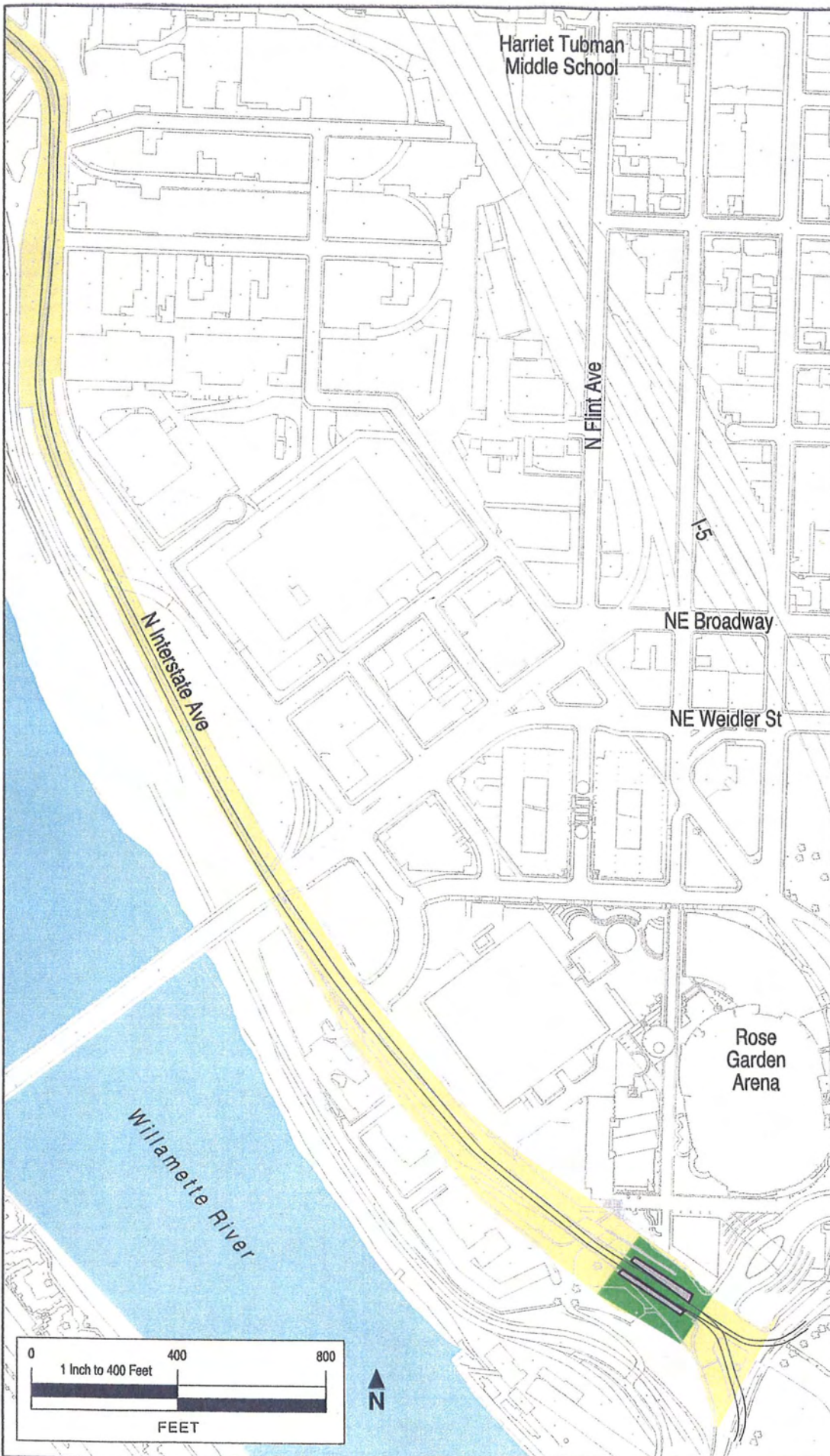
The attached maps were prepared to delineate the LUFO Steering Committee's recommended boundaries within which the light rail route, stations, and park-and-ride lots for the Albina, Upper Interstate and Expo Center Segments shall be located in accordance with provisions of HB 3478.

All of the maps (Figures 1.1 to 1.8) are printed from a common Geographic Information System data base. The maps illustrate the recommended boundaries and show the segment limits at a scale of one inch equals 400 feet continuously along the LRT Alignment from south to north.

The boundaries shown on these maps represent the areas where specific light rail facilities will be located. The maps generally show the existing property lines and major buildings to provide orientation and clarity with respect to the proposed project facility locations.



Figure 1.1
**Land Use
Final Order
Amendment
Boundary Maps:**
Steering Committee
Recommendation



Light Rail Route

Light Rail Station

FEIS Station Platform

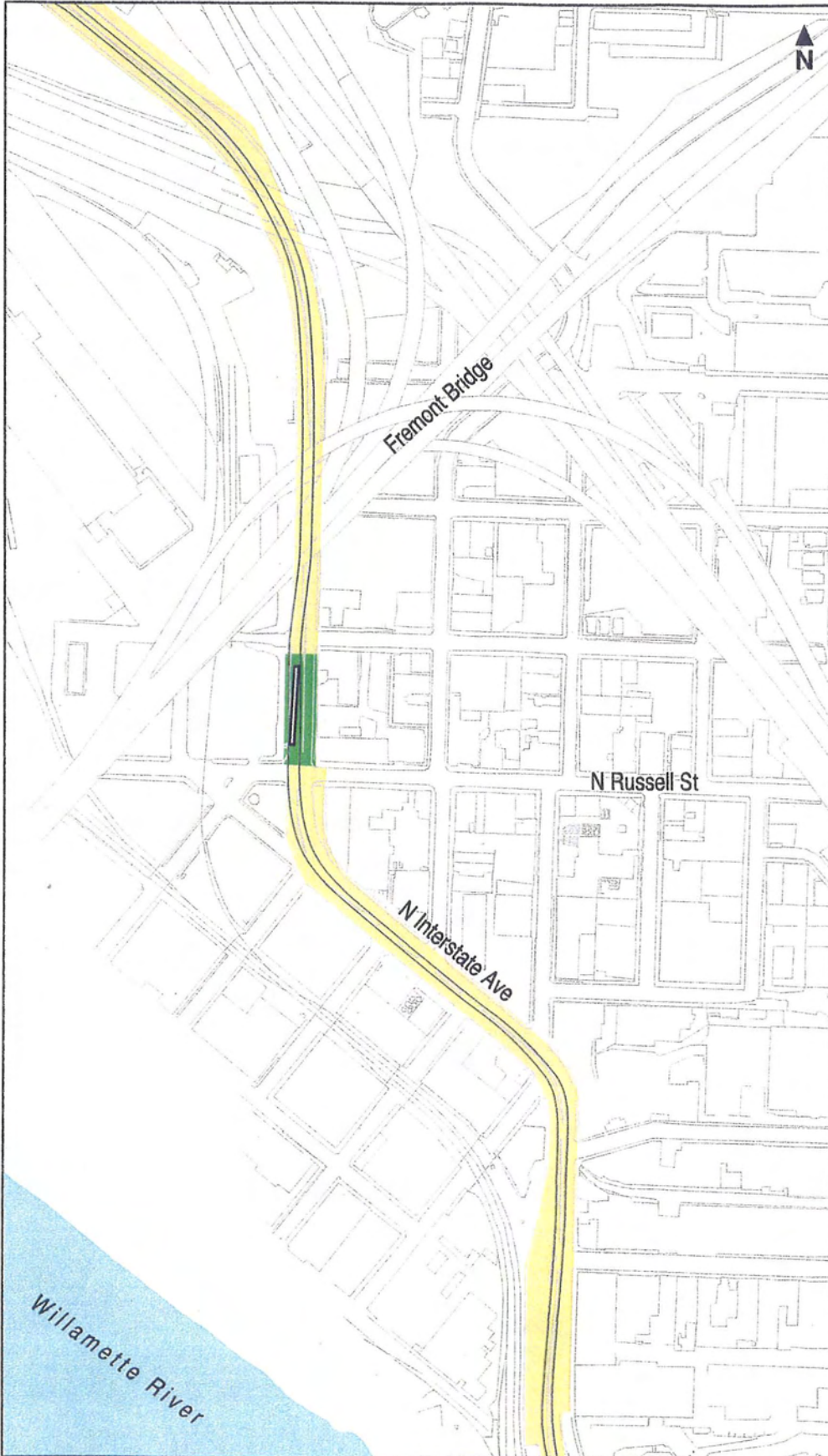
FEIS Light Rail Route/Options

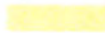


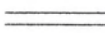

Segment Break

September 1999



Figure 1.2
**Land Use Final Order
Amendment
Boundary Maps:
Steering Committee
Recommendation**



-  Light Rail Route
-  Light Rail Station
-  FEIS Station Platform
-  FEIS Light Rail Route/Options
-  Segment Break

September 1999

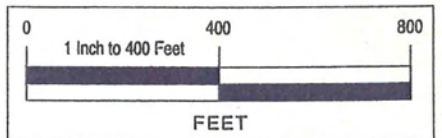
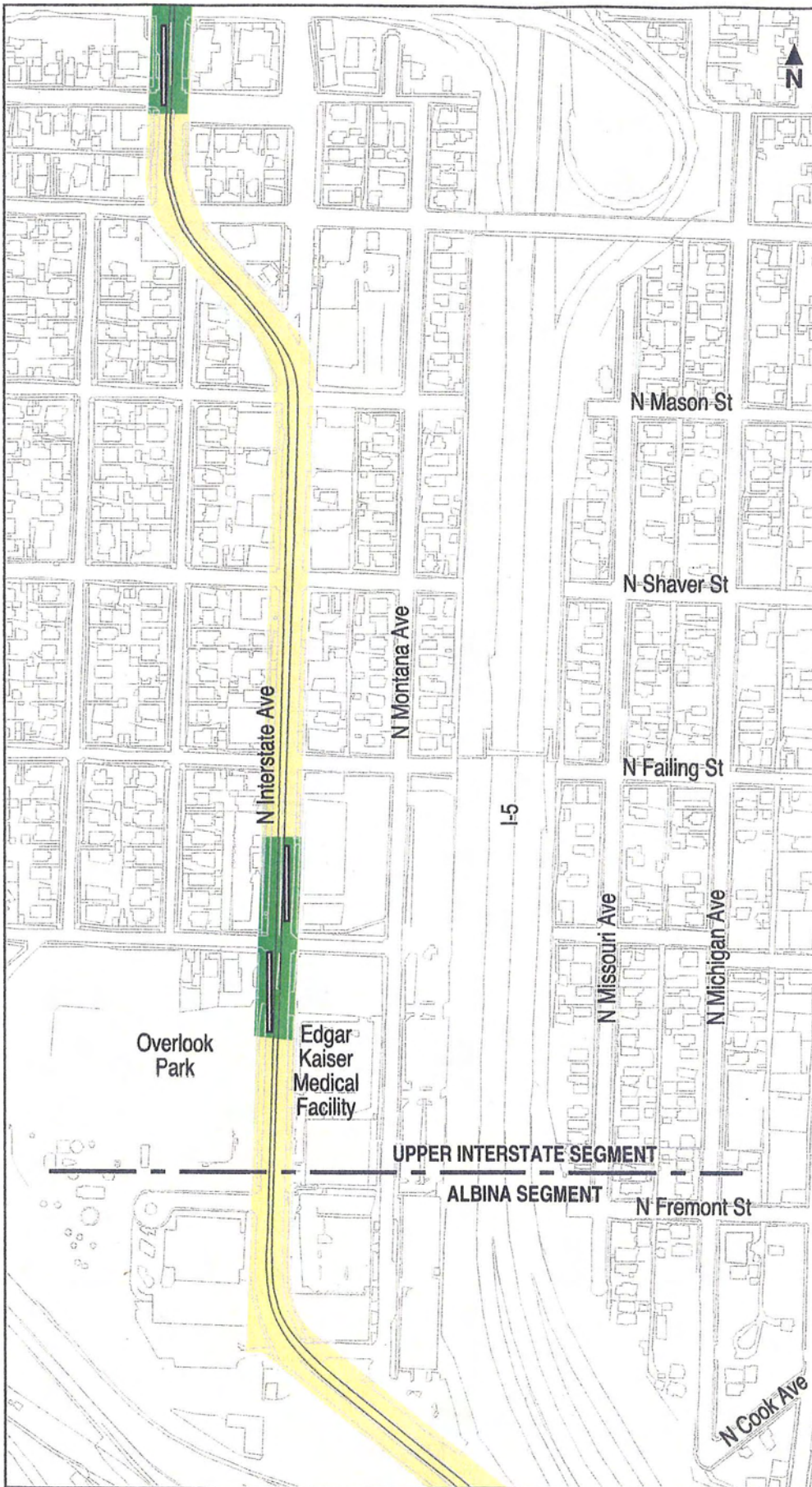



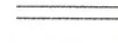





Figure 1.3
**Land Use Final Order
Amendment
Boundary Maps:
Steering Committee
Recommendation**



-  Light Rail Route
-  Light Rail Station
-  FEIS Station Platform
-  FEIS Light Rail Route/Options
-  Segment Break

September 1999

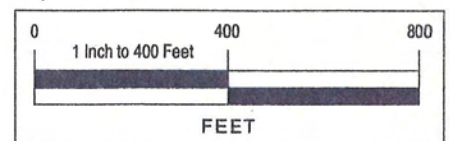
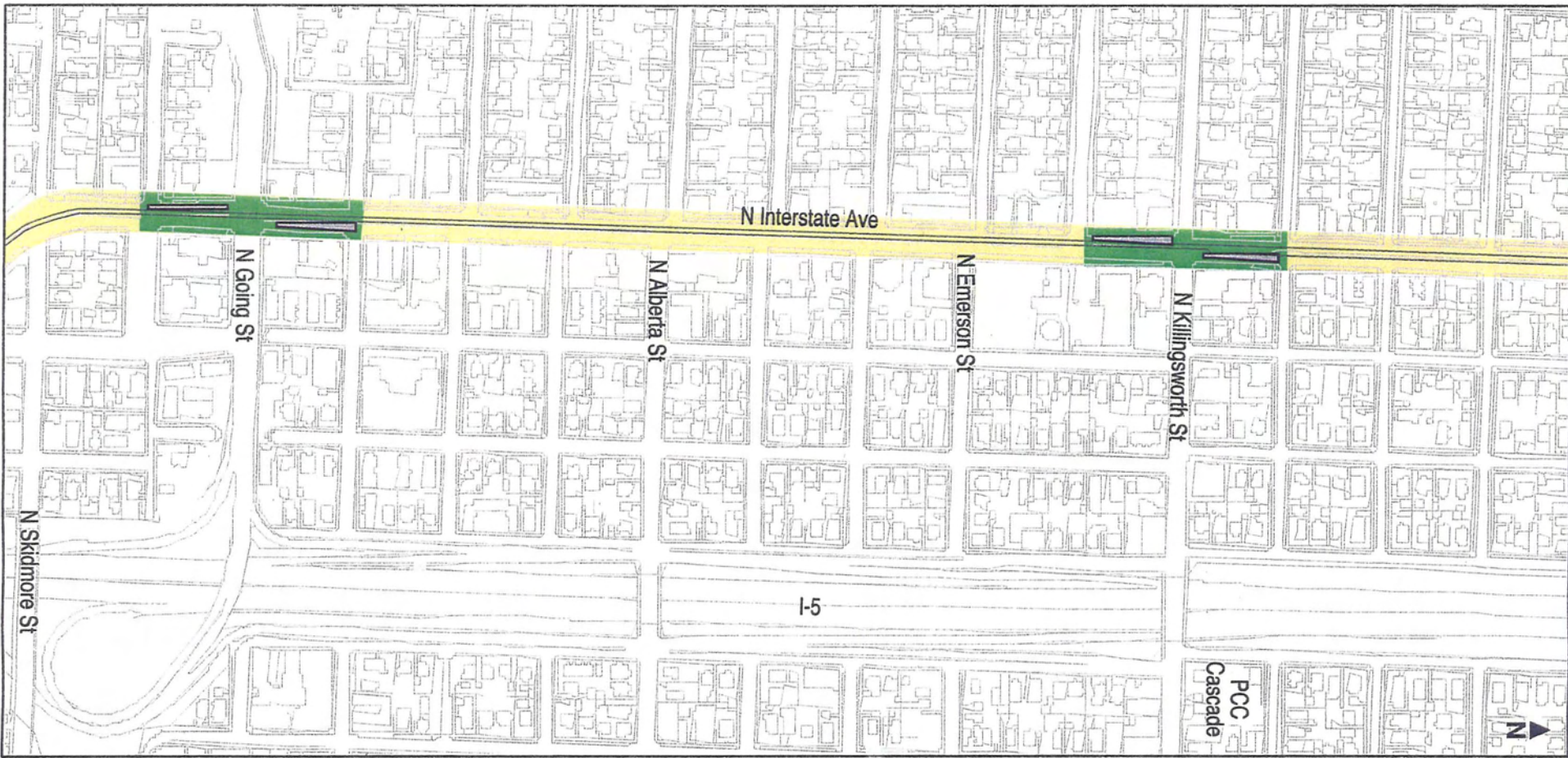





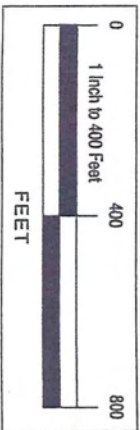




Figure 1.4
Land Use Final Order
Amendment
Boundary Maps:
Steering Committee
Recommendation



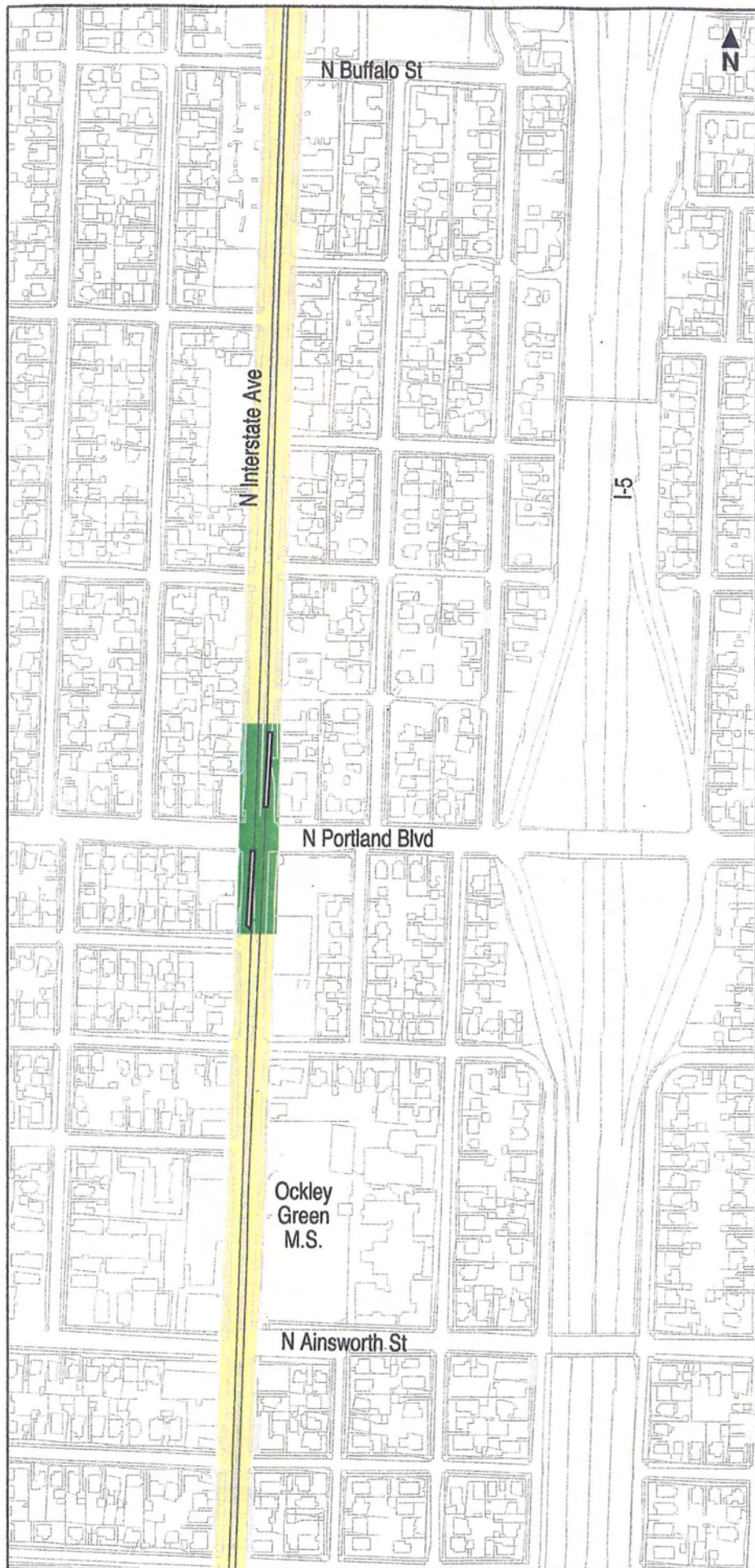
-  Light Rail Route
-  Light Rail Station
-  FEIS Station Platform
-  FEIS Light Rail Router/Options
-  Segment Break








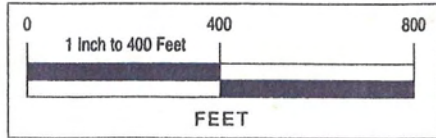
September 1999



Figure 1.5
**Land Use Final Order
Amendment
Boundary Maps:
Steering Committee
Recommendation**



-  Light Rail Route
-  Light Rail Station
-  FEIS Station Platform
-  FEIS Light Rail Route/Options
-  Segment Break



September 1999

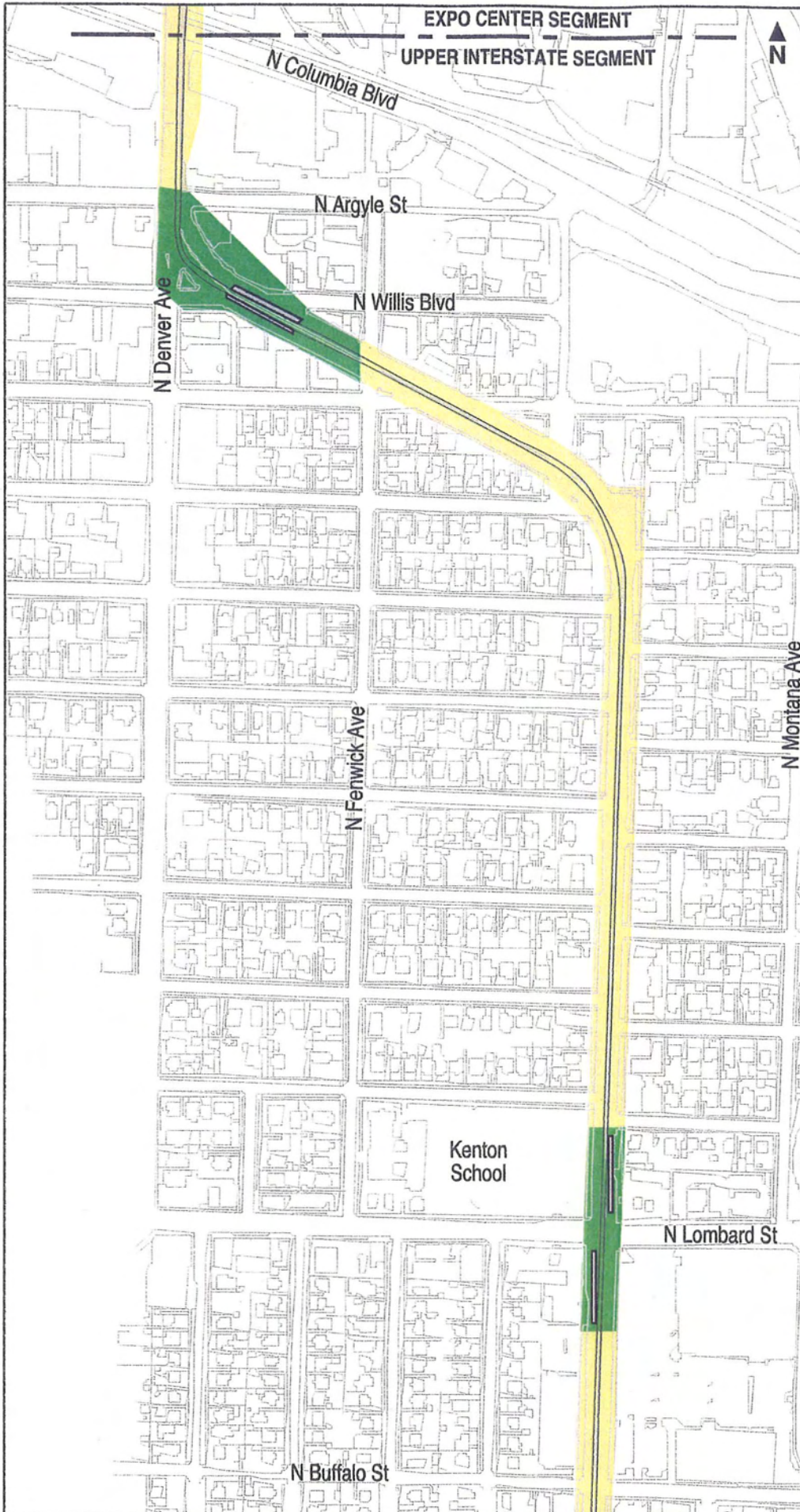







Figure 1.6
**Land Use Final Order
Amendment
Boundary Maps:
Steering Committee
Recommendation**

-  Light Rail Route
-  Light Rail Station
-  FEIS Station Platform
-  FEIS Light Rail Route/Options
-  Segment Break

September 1999

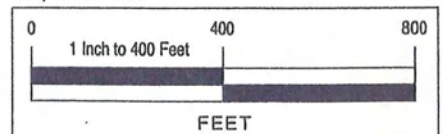
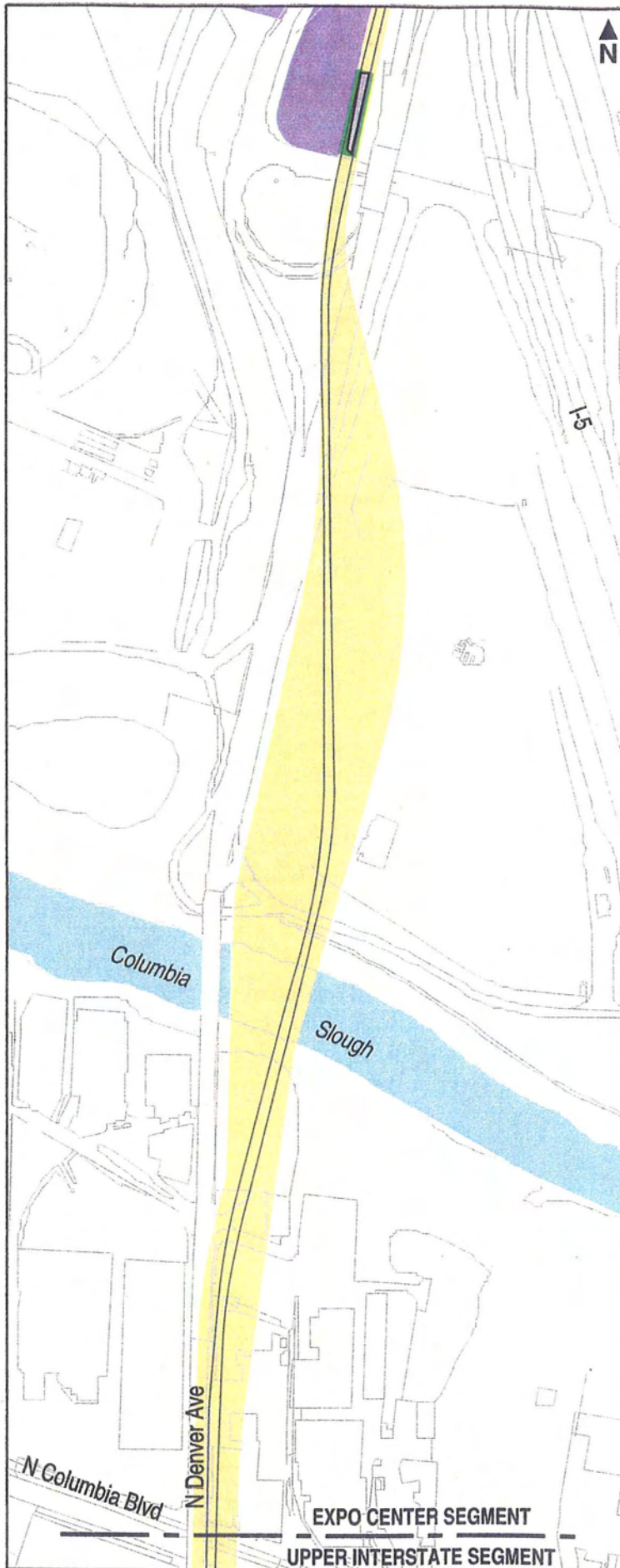




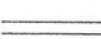

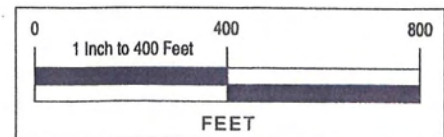


Figure 1.7
**Land Use Final Order
 Amendment
 Boundary Maps:
 Steering Committee
 Recommendation**



-  Light Rail Route
-  Light Rail Station
-  Park-and-Ride Lot
-  FEIS Station Platform
-  FEIS Light Rail Route/Options
-  Segment Break



September 1999

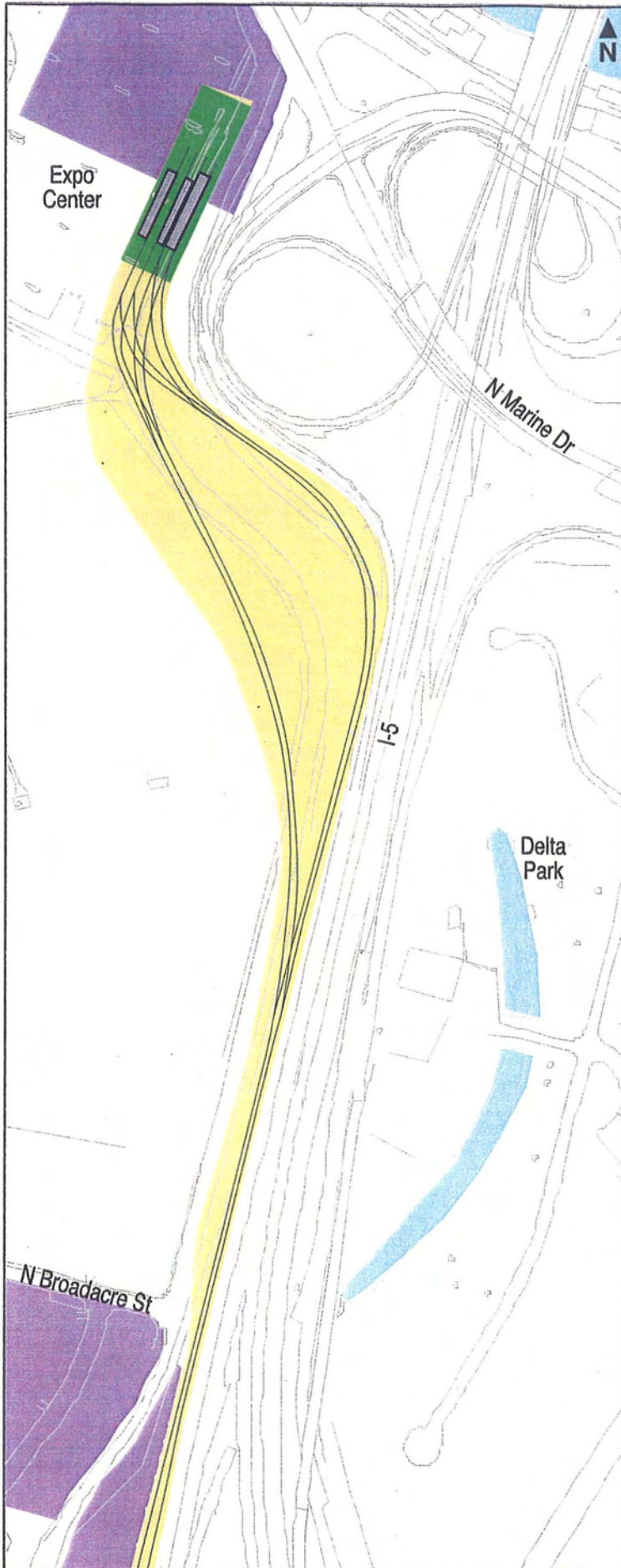






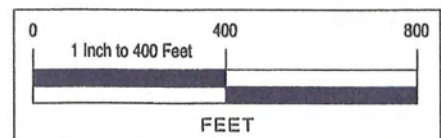


Figure 1.8
**Land Use Final Order
Amendment
Boundary Maps:
Steering Committee
Recommendation**

-  Light Rail Route
-  Light Rail Station
-  Park-and-Ride Lot
-  FEIS Station Platform
-  FEIS Light Rail Route/Options
-  Segment Break



September 1999

Attachment B

South/North Land Use Final Order Amendment
Oregon Department of Transportation Recommendation

September 13, 1999



Oregon

John A. Kitzhaber, M.D., Governor

Department of Transportation
Region 1
123 NW Flanders
Portland, OR 97209-4037
(503) 731-8200
FAX (503) 731-8259

September 13, 1999

FILE CODE:

Board of Directors
Tri-Met
4012 SE 17th Avenue
Portland, OR 97202

Subject: South/North Light Rail Land Use Final Order Amendment

Dear Board of Directors:

The Oregon Department of Transportation (ODOT) has been charged by the Oregon Legislative Assembly with preparing a recommendation on the Land Use Final Order (LUFO) for the South/North Light Rail Transit Project and any of its segments. Metro and Tri-Met have identified the North Interstate Alignment as the next possible segment. ODOT has participated from the outset with Tri-Met, Metro, and the local jurisdictions, in the planning and development of this project.

We believe the project team has done a commendable job in meeting both the intent and the specific requirements established by the Oregon Legislature concerning the conduct of this project. The proposed Land Use Final Order Amendment includes no improvements to state highways.

Therefore, on behalf of the Oregon Department of Transportation, I am recommending approval of the Locally Preferred Strategy and the Land Use Final Order application, as adopted by the Steering Committee. We at ODOT look forward to continuing our partnership with you in pursuing this project to its successful conclusion.

Sincerely,

Kay Van Sickel
Region 1 Manager

KVS:rd

Proposed Findings of Fact and Conclusions of Law

South/North LRT Land Use Final Order Amendment

Interstate MAX

10/19/99

1. Introduction

1.1 Nature of the Metro Council's Action

This action adopts a Land Use Final Order (LUFO) for the South/North Light Rail Project. The action is taken pursuant to Oregon Laws 1996 (Special Session), Chapter 12 (referred to herein as "House Bill 3478" or "the Act"), which directs the Metro Council (the "Council") to issue LUFOs establishing the light rail route, the light rail stations, park-and-ride lots and maintenance facilities, and the highway improvements for the South/North Project, including their locations (i.e. the boundaries within which these facilities and improvements may be located).

On July 23, 1998, the Metro Council adopted Resolution No. 98-2673, adopting a LUFO ("the original LUFO") for the South/North Project. The original LUFO established the light rail route, stations, lots and maintenance facilities and the highway improvements, including their locations, for the first phase of the South/North Project, *i.e.* that portion extending from Clackamas Town Center to the Columbia River¹ (hereinafter the "Project")².

This LUFO amends the original LUFO with respect to that portion of the Project extending from the Steel Bridge northward to the Exposition Center (Expo Center). It modifies the light rail alignment; establishes, relocates or expands light rail station boundaries along that alignment; and authorizes park-and-ride lots at Portland International Raceway (PIR) and the Expo Center along the light rail route.

1.2 Relationship of Council's Order to Requirements of the National Environmental Policy Act of 1969

Like the original LUFO, this action is taken solely to implement the provisions in HB 3478 authorizing the Council to make land use decisions on the light rail route, stations, lots and maintenance facilities and the highway improvements for the South/North Project, including their locations. This land use decision is not required by the National Environmental Policy Act of 1969 (NEPA) or other federal law.

1.3 Requirements of House Bill 3478

Section 6(1) of House Bill 3478 requires the Council to "establish the light rail route, stations, lots and maintenance facilities, and the highway improvements for the project or project extension, including their locations." Section 6(1)(a) further provides that the locations for each of these facilities and improvements:

¹The Council's jurisdiction is limited only to the Oregon portion of the South/North Project.

²Section 1(18) of HB 3478 defines the "Project" as that portion of the South/North Project set forth in the Phase I South North Corridor Project Locally Preferred Alternative Report. In lay terms, this is the segment extending westward from the Clackamas Town Center area to downtown Milwaukie and then northward through downtown Portland to northeast and north Portland. Section 1(19) of HB 3478 defines the "Project Extension" as that portion of the South/North Project set forth in the Phase 2 South North Corridor Project Locally Preferred Alternative Report. This would include the extension of light rail southward through Gladstone to Oregon City.

"shall be in the form of boundaries within which the light rail route, stations, lots and maintenance facilities, and the highway improvements shall be located. These boundaries shall be sufficient to accommodate adjustments to the specific placements of the light rail route, stations, lots and maintenance facilities, and the highway improvements for which need commonly arises upon the development of more detailed environmental or engineering data following approval of a Full Funding Grant Agreement."

Section 6(2) of the Act addresses amendments to the original LUFO. As relevant to this proceeding, it provides that any siting of the light rail route or a station, lot or maintenance facility outside the boundaries previously established in a LUFO, or any new station, lot or maintenance facility, "shall require a land use final order amendment or a new land use final order which shall be adopted in accordance with the process provided for in subsection (1) of this section."

Section 7 of HB 3478 requires the Council to apply land use criteria established by the Land Conservation and Development Commission ("LCDC") in making decisions in a land use final order on the light rail route, stations, lots and maintenance facilities, and the highway improvements, including their locations, and to prepare and adopt findings of fact and conclusions of law demonstrating compliance with those criteria. *These findings serve to demonstrate compliance with LCDC's criteria for the modifications selected in this LUFO amendment.*

Section 3(1) of HB 3478 provides that the procedures and requirements set out in the Act are the only land use procedures and requirements to which the Council's decisions on the light rail route, the stations, lots and maintenance facilities, and the highways improvements for the Project, including their locations, are subject. Consequently, these findings focus on the matters identified in HB 3478 as land use actions being taken at this time.

2. Amendments to the Light Rail Route, Stations, Lots and Maintenance Facilities for the Project, Including Their Locations

2.1 Introduction

In the original LUFO, the Council approved the light rail route, stations, lots and maintenance facilities, and highway improvements for the Project, including their locations. The Council's decision considered the entirety of Phase 1, from the Clackamas Town Center to the Columbia River.

The modifications adopted by this LUFO amendment involve only that portion of the Project extending from the Steel Bridge northward to the Expo Center. The remainder of the Project is unchanged. However, for an interim period prior to construction of the Downtown Portland Segment alignment, trains traveling between downtown Portland and the Expo Center will travel on the existing east-west MAX light rail alignment along SW First Avenue and SW Morrison and SW Yamhill Streets in downtown Portland. The result will be increased use of the capacity of the existing system. Increased use of existing downtown Portland light rail facilities will have some adverse traffic impacts. Those impacts are addressed in these LUFO findings. No other adverse impacts along the existing downtown Portland alignment are anticipated beyond those identified and addressed in the original Eastside MAX Final Environmental Impact Statement.

Except as otherwise noted in this document, these findings replace and supersede the segment-specific findings for the Eliot Segment and the North Portland Segment that the Council adopted in support of the original LUFO.¹ They also supplement the findings for the Downtown Portland Segment to address interim traffic impacts resulting from use of the existing light rail alignment through downtown to the SW 11th Avenue Turnaround.

Further, to the extent these findings create inconsistencies with other sections of the original LUFO findings [*see, e.g.*, Sections 2.1 and 6.1 (descriptions of Eliot and North Portland segments)], these findings control and supersede the earlier findings. To the extent these findings are not inconsistent with the findings supporting the original LUFO, the original LUFO findings remain valid, and they are incorporated herein by this reference in support of the amendments identified herein.

2.2 Selected South/North Amendments

The Council amends the original LUFO to select the light rail route, stations and lots that are summarized below. More detailed descriptions are provided on a segment by segment basis later in these findings. The Council finds that its selected light rail route, stations and lots, including their locations, are identical to those for which Tri-Met requested Metro Council approval in its "Application for South/North Land Use Final Order Amendment", which Tri-Met filed on September 24, 1999 and which the Council incorporates herein by this reference. The light rail route, stations and lots selected by this amendment are described textually and illustrated on maps in the Council's adopted LUFO.

¹ See original LUFO findings, Sections 6.4.7, 6.4.8 and 7.2

In the original LUFO, the areas affected by these amendments were located within what the Council referred to as the Eliot and North Portland segments of the Project. Based on the nature of the changes to the Project, and consistent with Tri-Met's application and the recommendation of the South/North LUFO Steering Committee, the Council now deems it appropriate to divide the area directly affected by the modifications into three segments: Albina, Upper Interstate, and Expo Center. These segments are described in more detail in Section 6 of these findings.

Albina Segment

- Interstate Avenue Alignment; 2 LRT stations
- Stations in vicinity of Rose Quarter and N Russell Street

Upper Interstate Segment

- Interstate Avenue Alignment; 6 LRT stations
- Stations in vicinity of Edgar Kaiser Medical Center. N Going Street, N Killingsworth Street, N Portland Boulevard, N Lombard Street, N. Denver Avenue

Expo Center Segment

- N Denver Avenue/N Expo Road Alignment; 2 LRT stations; 2 Park-and Ride Lots
- Stations in vicinity of Portland International Raceway and the Expo Center
- Park-and-Ride Lots in the vicinity of Portland International Raceway and the Expo Center

3. South/North Project Land Use Final Order Criteria

On May 30, 1996, pursuant to Section 4 of HB 3478, LCDC established the criteria to be used by the Metro Council in making land use decisions establishing or amending the light rail route, stations, lots and maintenance facilities, and the highway improvements for the Project or Project Extension, including their locations. The approved criteria include two procedural, six substantive, and two alignment-specific standards, set out as follows:

3.1 Procedural Criteria

1. Coordinate with and provide an opportunity for Clackamas and Multnomah Counties, the cities of Gladstone, Milwaukie, Oregon City and Portland, the Tri-County Metropolitan Transportation District of Oregon and the Oregon Department of Transportation to submit testimony on the light rail route, light rail stations, park-and-ride lots and vehicle maintenance facilities, and the highway improvements, including their locations.
2. Hold a public hearing to provide an opportunity for the public to submit testimony on the light rail route, light rail stations, park-and-ride lots and vehicle maintenance facilities, and the highway improvements, including their locations.

3.2 Substantive Criteria

3. Identify adverse economic, social and traffic impacts on affected residential, commercial and industrial neighborhoods and mixed use centers. Identify measures to reduce those impacts which could be imposed as conditions of approval during the National Environmental Policy Act (NEPA) process or, if reasonable and necessary, by affected local governments during the local permitting process.
 - A. Provide for a light rail route and light rail stations, park-and-ride lots and vehicle maintenance facilities, including their locations, balancing (1) the need for light rail proximity and service to present or planned residential, employment and recreational areas that are capable of enhancing transit ridership; (2) the likely contribution of light rail proximity and service to the development of an efficient and compact urban form; and (3) the need to protect affected neighborhoods from the identified adverse impacts.
 - B. Provide for associated highway improvements, including their locations, balancing (1) the need to improve the highway system with (2) the need to protect affected neighborhoods from the identified adverse impacts.
4. Identify adverse noise impacts and identify measures to reduce noise impacts which could be imposed as conditions of approval during the NEPA process or, if reasonable and necessary, by affected local governments during the permitting process.
5. Identify affected landslide areas, areas of severe erosion potential, areas subject to earthquake damage and lands within the 100-year floodplain. Demonstrate that adverse impacts to persons or property can be reduced or mitigated through design or construction techniques

which could be imposed during the NEPA process or, if reasonable and necessary, by local governments during the permitting process.

6. Identify adverse impacts on significant fish and wildlife, scenic and open space, riparian, wetland and park and recreational areas, including the Willamette River Greenway, that are protected in acknowledged local comprehensive plans. Where adverse impacts cannot practicably be avoided, encourage the conservation of natural resources by demonstrating that there are measures to reduce or mitigate impacts which could be imposed as conditions of approval during the NEPA process or, if reasonable and necessary, by local governments during the permitting process.
7. Identify adverse impacts associated with stormwater runoff. Demonstrate that there are measures to provide adequate stormwater drainage retention or removal and protect water quality which could be imposed as conditions of approval during the NEPA process or, if reasonable and necessary, by local governments during the permitting process.
8. Identify adverse impacts on significant historic and cultural resources protected in acknowledged comprehensive plans. Where adverse impacts cannot practicably be avoided, identify local, state or federal review processes that are available to address and to reduce adverse impacts to the affected resources.

3.3 Alignment-Specific Criteria

9. Consider a light rail route connecting the Clackamas Town Center area with the City of Milwaukie's Downtown. Consider an extension of the light rail route connecting the City of Oregon City and the City of Gladstone with the City of Milwaukie via the Interstate 205 corridor and/or the McLoughlin Boulevard corridor.
10. Consider a light rail route connecting Portland's Central City with the City of Milwaukie's Downtown via inner southeast Portland neighborhoods and, in the City of Milwaukie, the McLoughlin Boulevard corridor, and further connecting the Central City with north and inner northeast Portland neighborhoods via the Interstate 5/Interstate Avenue corridor.

Compliance with Criteria 1 and 2 is demonstrated in Section 5 of these findings. Compliance with Criteria 3 through 8 is demonstrated in Section 6 (long-term impacts) and Section 7 (short term construction impacts) of these findings. These amendments do not affect Criterion 9. Compliance with Criterion 10 is demonstrated in Section 8 of these findings. For all of the reasons set out in these findings, the Council finds and concludes that this LUFO amendment complies with the applicable LCDC criteria.

4. Implementation of a Land Use Final Order

4.1 Overview of Process for Selecting Mitigation Measures

LCDC Criteria 3 through 8 require the Council to identify (1) specified adverse impacts (*e.g.*, impacts to neighborhoods and natural resources) that would result as a consequence of its decisions, and (2) "measures" to reduce those impacts which potentially could be imposed as conditions of approval during the NEPA process or, if reasonable and necessary, by local governments during the local jurisdiction permitting processes. Consideration of appropriate measures is consistent with local comprehensive plan policies and land use regulations which recognize that development can have adverse impacts on persons and property and which seek to reduce those impacts to the extent reasonable and permitted by law.¹

The Council's decisions selecting the light rail route, stations, lots and maintenance facilities, and the highway improvements for the Project, including their locations, are not the final steps in the process culminating with completion of construction of the South/North Project. Subsequent to or (as here) concurrent with Council actions, Final Environmental Impact Statements (FEIS) are submitted to the Federal Transit Administration (FTA). As part of the FEIS process, mitigation plans are developed addressing mitigation of adverse impacts associated with the selected rail and highway improvements for the Project. In each case, following federal approval of the FEIS, issuance of a Record of Decision by FTA and the signing of a Full Funding Grant Agreement with FTA, the Final Design phase will begin. During Final Design, all necessary federal and state permits for project construction are obtained.

Also during Final Design, the siting of light rail and highway improvements is subject to local permitting processes. Section 8(1)(b) of House Bill 3478 directs all affected local governments and agencies to "issue the appropriate development approvals, permits, licenses and certificates necessary for the construction of the project or project extension consistent with a land use final order." Section 8(1)(b) further allows these affected local governments to attach approval conditions to their development approvals permits, licenses and certificates. However, any such conditions must be "reasonable and necessary" and "may not, by themselves or cumulatively, prevent implementation of a land use final order." Under Section 8(3) of HB 3478, unreasonable or unnecessary conditions would include 1) measures for which there are insufficient funds within the project budget to pay for those measures; 2) measures that would significantly delay the completion or otherwise prevent the timely implementation of the project; and 3) measures that would significantly negatively impact project operations. See also *Tri-Met v. City of Beaverton*, 132 Or App 253 (1995). A condition prevents implementation of a LUFO if its imposition would require Tri-Met to finance construction of the condition at the expense of improvements funded under the Full Funding Grant Agreement or to go beyond the available federal funds and local matching funds for the Project. The Council finds that these funds constitute the envelope of available funds for the Project.

¹Section 1(17) of HB 3478 defines "measures" to include "any mitigation measures, design features, or other amenities or improvements associated with the project or project extension."

In summary, Criterion 3 through 8 require the Council to identify measures which potentially "could be imposed" later on in the process as part of an approved mitigation plan under NEPA or through local permitting (if reasonable and necessary). However, the actual determination and imposition of appropriate measures occurs only through these latter federal or local processes, not through this Council action. The Council finds this approach to be reasonable and appropriate, particularly given that the LUFO is not based on final design plans. Through final design, many identified adverse impacts may be avoided, and appropriate mitigation can be better determined.

4.2 Effect of Land Use Final Order on Local Comprehensive Plans and Land Use Regulations

Section 8(1)(a) of HB 3478 requires the affected cities and counties and Metro to amend their comprehensive or functional plans, including their public facility and transportation system plans and land use regulations, to the extent necessary to make them consistent with a land use final order. Section 8(2) further provides that a LUFO "shall be fully effective upon adoption."

The legal effect of these provisions are (1) to immediately authorize, as permitted uses, the light rail route, stations, lots and maintenance facilities and the highway improvements, including their locations, as identified and approved in a land use final order, and (2) to require appropriate plan and land use regulation amendments so that local land use requirements are consistent with a land use final order.² However, as noted above, the uses approved in a land use final order remain subject to local imposition of reasonable and necessary approval conditions under Section 8(1)(b).

While approval of a LUFO identifies where rail and highway improvements may go and authorizes their development at these locations subject to reasonable and necessary conditions, it does not concurrently prevent other uses allowed by existing zoning. Stated another way, a LUFO is not a right-of-way preservation tool. It does not prevent development of economically feasible uses currently permitted under acknowledged plans and land use regulations. It merely adds to the list of uses permitted on the properties affected by the LUFO without eliminating other uses from that list.

Similarly, a LUFO does not require local zoning amendments to allow more intense scales of development. Instead, it requires amendments only as necessary to authorize the approved project elements and ancillary facilities or improvements that may be required to ensure the safe and proper functioning and operation of the light rail system, provide project access, improve traffic flow, circulation or safety in the project vicinity, or to mitigate adverse impacts resulting from the Project.

In summary, Council adoption of a LUFO has the immediate effect of permitting, on the affected properties, the light rail and highway facilities and improvements approved in the LUFO. It also identifies the affected locations for future public acquisition for rail or highway purposes. However, LUFO adoption in no way prevents or limits currently allowed uses on these properties during the interim period pending ultimate public acquisition, nor does it mandate the rezoning of areas nearby light rail stations to achieve regional growth management objectives.

²This may require amendments to authorize the ancillary facilities and improvements for the South/North Project.

5. Compliance with Procedural Criteria (1-2)

5.1 Criterion 1: Agency Coordination

"Coordinate with and provide an opportunity for Clackamas and Multnomah Counties, the cities of Gladstone, Milwaukie, Oregon City and Portland, the Tri-County Metropolitan Transportation District of Oregon and the Oregon Department of Transportation to submit testimony on the light rail route, light rail stations, park-and-ride lots and vehicle maintenance facilities, and the highway improvements, including their locations."

Criterion 1 ensures Metro coordination with the Tri-County Metropolitan Transportation District of Oregon (Tri-Met), the Oregon Department of Transportation (ODOT), and the six cities and counties that are directly affected by the Project or Project Extension. Criterion 1 further requires Metro to provide these jurisdictions and agencies an opportunity to submit testimony on the light rail and highway facilities and improvements for the Project or Project Extension, including their locations.

The light rail route, station and lot decisions that are the subject of this LUFO amendment fall entirely within the jurisdictional boundaries of the City of Portland. The Council finds that Portland planning, engineering, and other technical staff, as well as staff from Tri-Met, have been actively involved in the process resulting in these proposed amendments.

For those jurisdictions and agencies not directly affected by this amendment, the Council finds that coordination has occurred consistent with Criterion 1 through their participation on the LUFO Steering Committee and/or through notice and opportunity to provide comments and concerns to Tri-Met through the LUFO Steering Committee as part of its process for making recommendations to Tri-Met on a land use final order or a land use final order amendment. More specifically, the Council finds that Tri-Met mailed letters to ODOT and to elected officials of the cities of Portland, Milwaukie, Oregon City and Gladstone, the counties of Multnomah and Clackamas, and Metro, providing them with information regarding the proposed "North Interstate" amendments to the original LUFO and advising them of their opportunity to submit comments to the LUFO Steering Committee on the proposed amendments. The Council further finds that the LUFO Steering Committee, which includes members from Metro, Tri-Met, ODOT, Clackamas and Multnomah Counties, and the cities of Portland and Milwaukie, reviewed the proposed LUFO amendments and made recommendations to Tri-Met on those amendments as provided for in House Bill 3478.

In addition, the Council finds that notice of the Council's October 28, 1999 public hearing to consider this LUFO amendment was mailed directly to each of the local governments and agencies identified in Criterion 1, thus providing those local governments and agencies with the opportunity to submit testimony to the Council on the proposed LUFO amendments at that hearing.

In adopting these LUFO amendments, the Council carefully considered the recommendations of the Steering Committee and the comments of the affected jurisdictions and agencies. The Council's decision in this LUFO amendment proceeding is fully consistent with Tri-Met's application, which in turn is consistent with the recommendation of the LUFO Steering Committee.

For all of these reasons, the Council finds that Criterion 1 is satisfied.

5.2 Criterion 2: Citizen Participation

"Hold a public hearing to provide an opportunity for the public to submit testimony on the light rail route, light rail stations, park-and-ride lots and vehicle maintenance facilities, and the highway improvements, including their locations."

Criterion 2 ensures that the public has an opportunity to submit testimony and be heard in the process leading to the Council's selection of the light rail route, stations, lots and maintenance facilities, and the highway improvements for the Project, including their locations.

On October 28, 1999, consistent with Criterion 2, the Council held a public hearing and accepted public testimony on the proposed amendments to the original LUFO. This followed public notice, which Metro published in The Oregonian on October 8, 1999, which is more than 14 days prior to its hearing. The Council finds that this publication of notice in The Oregonian meets all requirements for notice set out in HB 3478.

In addition to the published notice, a postcard mailing announcing the hearing was mailed to people on Metro's South/North mailing list for the Interstate MAX amendments. This list includes owners of property within close proximity to the light rail alignment. Further, announcements of the public hearing were included on Tri-Met's website, on Metro's transportation hotline, and in a press release issued by Metro on October 13, 1999.

Further, the Council finds that there has been substantial community participation in the process leading to the selection of the proposed amendments. The Metro Council takes notice of, and incorporates by reference herein, the description of the public participation process for these LUFO amendments as set out at pages P-2 to P-3 of the *South/North Corridor Project Supplemental Draft Environmental Impact Statement* (April 1999).

In summary, the Council finds that the holding of the public hearing on October 28, 1999, satisfies the requirement of Criterion 2. It further determines and concludes that the notices provided through publication, mailings, recorded announcements and by other means were reasonably calculated to give notice to people who may be substantially affected by the Council's decision on Tri-Met's application.

6. Compliance with Substantive Criteria (3 - 8) Long-Term Impacts

6.1 Introduction

The original LUFO divided the Oregon portion of the South/North Project into nine segments extending from the Clackamas Regional Center Segment in the south to the Hayden Island Segment in the north. The modifications to the Project adopted through this LUFO amendment, which change only the portion of the Project located between the Steel Bridge and the Expo Center, involve just two of those original segments: Eliot and North Portland.

As approved in the original LUFO, the light rail alignment would have passed along N Flint Avenue and N Russell Street through the center of the Eliot neighborhood, connecting to I-5 before crossing over to N Interstate Avenue. With this amendment, often referred to as "Interstate MAX", the alignment now follows N Interstate Avenue all the way from the Rose Quarter to Kenton, passing through the Albina industrial district rather than the center of the Eliot neighborhood. With this change, the Council finds it more convenient and appropriate to divide the affected area into three segments – Albina, Upper Interstate, and Expo Center -- for purposes of addressing compliance with the applicable land use criteria. The Albina Segment extends northward from the Steel Bridge to approximately N Overlook Boulevard. The Upper Interstate Segment continues northward from approximately N Overlook Boulevard to approximately N Columbia Boulevard. The Expo Center Segment extends northward from approximately N Columbia Boulevard to the Expo Center.

Because significant changes have been made to the Project in these segments, the findings contained in this section replace and supersede the segment-specific findings set out in Sections 6.4.7 and 6.4.8 adopted in support of the original LUFO, except for the original findings in Section 6.4.8 justifying the Kenton and Expo Center Stations and their locations, which are hereby expressly retained. To the extent the findings contained herein conflict with the original findings for the Kenton and Expo Center Stations, including their locations, these new findings control. These findings also supplement the Downtown Portland Segment findings to address traffic impacts associated with increased use of the existing Eastside MAX light rail alignment in downtown Portland between the Steel Bridge and the SW 11th Avenue Turnaround. However, this amendment makes no changes to the existing light rail route or stations, including their locations, in downtown Portland.

6.2 Supporting Documentation

In addition to these findings of fact addressing the light rail route, station and lot amendments identified herein, the Metro Council believes, accepts, adopts and incorporates by reference herein the facts and conclusions set forth in the documents identified in Section 6.2 of the findings in support of the original LUFO to the extent they are relevant to these identified amendments, as well as the facts and conclusions set forth in the following documents:

South/North Corridor Project "Supplemental Draft Environmental Impact Statement" (April, 1999) ("*SDEIS*")

South/North Corridor Project "North Corridor Interstate MAX Final Environmental Impact Statement" (October 1999) ("*FEIS*"), including the supporting documents identified therein

South/North Corridor Project "North Corridor Interstate MAX Light Rail Project: Local Traffic Mitigation Plan" (October 1999)

Interstate MAX Draft Bus Service Concept Plan

South/North Corridor Project "North Corridor Interstate MAX Light Rail Project: Noise and Vibration Mitigation Plan" (October 1999)

South/North Corridor Project "North Corridor Interstate MAX Light Rail Project: Ecosystems Mitigation Plan" (October 1999)

Throughout these findings, references are made to information contained in various Results Reports prepared as supporting documents to the *South/North Corridor Project Draft Environmental Impact Statement*. Much of that the information contained in those reports remains accurate, relevant and applicable to these findings, and the Council continues to rely on that information as supporting evidence for its decisions herein. However, some of the information contained in those reports is out of date or is no longer accurate as a result of these amendments to the Project. Similarly, some information in the *SDEIS* is no longer accurate because of changes subsequently made to mitigate identified impacts. The Council finds that updated, corrected information is set out in the *North Corridor Interstate MAX Final Environmental Impact Statement (FEIS)* and its supporting documents. To the extent that information in the *FEIS* and its supporting documents conflicts with information contained in the *DEIS*, its supporting results reports, and the *SDEIS*, the Council disregards the earlier conflicting evidence, finds that the newer information controls, and relies on the newer evidence as the evidentiary support for its decisions in this LUFO amendment. When the facts contained in the earlier documents are relevant and not inconsistent with the facts in the *FEIS* and its supporting document, the Council continues to rely on them in support of its decisions herein.

6.3 General Impacts and Mitigation Measures Applicable to All Segments ("General Findings")

Section 6.3 of the findings in support of the original LUFO addresses a broad range of impacts relevant to LCDC Criteria 3-8 that are expected to occur throughout the South/North Corridor as opposed to one or a few discrete properties or places. The Council finds that the impacts addressed in Section 6.3 of the original LUFO findings are also likely to occur in the areas affected by this LUFO amendment, and that the analysis in Section 6.3 of the original LUFO findings applies to the light rail route, station and lot amendments identified herein as it did to the originally approved route and stations. Accordingly, the Council expressly adopts and incorporates herein by this reference those original findings.

Of course, the changes to the Project, particularly in its alignment, will render some of these earlier general findings no longer accurate or relevant. For example, the potential loss of parking near NE Flint Avenue identified in Section 6.3 of the original LUFO findings is no longer a

concern because, with this amendment, the light rail alignment no longer passes through that location. Similarly, all findings relating to a crossover from I-5 to Interstate Avenue no longer have relevance, and the finding that most residential displacements would occur in the Eliot and North Portland segments is no longer accurate. To the extent those earlier findings are now incorrect or irrelevant or conflict with the more specific findings set out below, the Council disregards them.

The general findings include discussions of measures potentially available to mitigate the broad range of identified adverse impacts. The Council finds that it is just as appropriate to consider these measures with respect to impacts resulting from the amended light rail route, stations and lots as it was for the impacts from the originally approved alignment and stations.

6.4 Segment-Specific Findings and Mitigation Measures

As noted above, the light rail route, station and park-and-ride lot modifications resulting from this LUFO amendment change only that portion of the Project located in the Eliot and North Portland Segments as identified in the original LUFO. No other segments identified in the original South/North LUFO are directly affected. However, the amendments will have interim traffic impacts on the Downtown Portland Segment by utilizing more of the existing capacity on the existing MAX light rail line between the Steel Bridge and the SW 11th Avenue Turnaround.

Accordingly, the findings contained in this section supplement the findings in Section 6.4.6.2 of the original LUFO findings and replace the findings in Sections 6.4.7 and 6.4.8 of the original LUFO findings (except for the findings addressing the Kenton and Expo Center stations in Section 6.4.8 of the original LUFO findings).

6.4.6 Downtown Portland Segment

6.4.6.2 Criterion 3: Neighborhood Impacts

The original LUFO established a "Full Mall" alignment (Irving Diagonal) and thirteen stations in the Downtown Segment, extending from SW Front Avenue at SW Harrison Street to the east end of the Steel Bridge. The supporting findings for the Downtown Portland Segment are found on pages 6-162 through 6-188 of the original LUFO Findings.

The "Full-Interstate Alignment Alternative" that is the subject of this LUFO amendment differs from the original LUFO in that, for an interim period pending future construction of the Full Mall alignment, it will not operate on the Full Mall alignment, but instead will utilize approximately 1.5 miles of existing track between the SW 11th Avenue downtown turnaround and the Rose Quarter Transit Center. The *FEIS* includes an expanded analysis of the traffic impacts of operating additional light rail trains on the existing tracks in the Downtown Segment, which the Council incorporates herein by reference.

Based on the additional analysis in the *FEIS*, the Council hereby adopts the following supplemental findings under Criterion 3 of the Downtown Portland Segment findings to address

the interim traffic impacts associated with the increased headways on the East/West MAX alignment in downtown Portland. The Council finds that the impacts are interim because the South/North Project provides for the ultimate relocation of these light rail operations onto the Full Mall alignment approved in the original LUFO.

The Council finds that the street system in Downtown Portland is characterized by one-way, multi-lane roadways with parallel parking and sidewalks on both sides of the street. South of W Burnside Street, roadway rights-of-way generally are 80 feet for north-south streets and 60 feet for east-west streets. Typically, north-south streets have three moving travel lanes, while east-west streets have two moving travel lanes. Streets north of W Burnside in both east-west and north-south directions typically have 60 foot rights-of-way and two travel lanes.

Because of the dense Downtown Portland street grid pattern resulting from 200-foot block lengths, the City of Portland has been able to reserve streets or portions of streets for transit or pedestrian use without reducing the capacity of the street system below its ability to serve traffic demands associated with adjacent land uses. Downtown intersections generally are controlled by traffic signals. Existing light rail trains on SW Morrison Street and SW Yamhill Street move through the downtown street grid with the existing traffic signal progression pattern. There is no light rail preemption on these streets. However, at locations where automobile turning movements would conflict with light rail trains, and along SW 1st Avenue where two-way LRT operations exist, LRT trains receive priority treatment at signals. The primary north-to-south automobile streets in downtown Portland are SW 3rd and SW 4th Avenues and SW Broadway Street. The primary east-to-west streets are SW Market, SW Clay, SW Alder, SW Washington, W Burnside, NW Everett and NW Glisan Streets. These streets generally connect to bridges across the Willamette River, except for SW Market Street and SW Clay Street which connect to Highway 26 on the west and I-5 on the east.

By the year 2001, with the opening of Airport MAX, the number of peak-direction trains running along the light rail alignment between the Rose Quarter and Downtown Portland during peak hours will increase from the current 10 to 15 trains. The average headway, in minutes, during peak hours in the peak direction will be four minutes. With the expected opening of South/North MAX service to the Expo Center in 2004, the number of peak-direction trains running between the Rose Quarter and Downtown Portland will increase to 21. This number will further increase to 23 by the year 2010, 24 by the year 2015, and 28 by the year 2020.

The Council finds that the existing cross mall alignment is capable of accommodating a maximum of 30 peak-direction trains per hour. Accordingly, the 28 trains anticipated by the year 2020 is within the capacity of the facility. At 30 trains per hour, forced flow would occur. Forced flow means that if a train is delayed and misses its green signal, it will be delayed until the next green, as will every train behind it. With three-minute headways (20 trains per hour) a signal-delayed train will seldom delay its follower.

While the existing east-west MAX alignment Downtown has the capacity to accommodate trains connecting Downtown to the Expo Center, the Council finds that the increase in train traffic through Downtown will create impacts relating to level of service and traffic queueing.

Currently, the downtown grid traffic signal system is coordinated to facilitate efficient traffic flow for designated traffic streets such as SW 4th Avenue and SW Broadway Street, and to facilitate traffic access to and from the Willamette River bridges. At intersections that provide for left turns across the tracks (SW Morrison Street at SW Broadway, SW Morrison Street at SW 11th Avenue, SW Yamhill Street at SW 4th Avenue and SW Yamhill Street at SW 10th Avenue), all auto movements are held until a train crosses the intersection.

Even with substantially increased train traffic by the year 2020, most downtown intersections will continue to operate at acceptable levels of service. The exceptions are SW Broadway at SW Morrison Street, and SW 4th Avenue at SW Yamhill Street. For the intersections of SW Broadway at SW Morrison Street and SW 4th Avenue at SW Yamhill Street, the forecast year 2020 level of service would degrade to LOS F with 28 trains per hour. Compared to the No-Build (20 trains per hour), there would be a small increase in traffic queue lengths and slightly more delay for auto traffic, due primarily to additional "all red" phases at these intersections.

Mitigation options to improve levels of service at these affected intersections are limited. One possible mitigation strategy would be to remove or limit on-street parking on the blocks approaching these intersections. This would eliminate parallel parking activity that can add to delay and reduce the overall level of service. However, such a measure may not be needed for many years. Traffic monitoring by Tri-Met and City of Portland staff following the opening of Airport MAX and this Project can determine when, if at all, such measures would be appropriate. Construction of the Full Mall alignment also would reduce the adverse impact.

With the increase in the number of peak-direction trains by the year 2020, the intersection of NW 1st Avenue at NW Everett Street, while operating at an acceptable LOS C, will experience longer traffic queues on NW Everett Street as a result of increased signal preemption. An additional impact identified near this intersection is the need to merge all eastbound automobile traffic on the Steel Bridge into the outside traffic lane, as the Steel Bridge center lanes would be used exclusively for transit. The exclusion of automobile traffic from the center lanes of the bridge would allow removal of the signals that currently hold both eastbound and westbound Steel Bridge automobile traffic whenever a light rail vehicle is approaching. On the west end of the bridge this would require eastbound traffic from NW Everett Street and southbound to eastbound traffic on NW Naito Parkway to merge in a very short distance with northbound to eastbound traffic from NW Naito Parkway. Total traffic volumes attempting this merge are expected to approach the traffic carrying capacity of the bridge with a single, directional travel lane. Adequate sight distance at the merge point is also an issue.

Mitigation for the difficult merge condition for eastbound traffic at the west end of the Steel Bridge could include the addition of a traffic signal at the northbound NW Naito Parkway ramp onto the Steel Bridge. This signal would be coordinated with the existing traffic signal controller at the intersection of NW 1st Avenue and NW Everett Street, displaying a flashing yellow operation to allow northbound traffic to merge with the southbound-to-eastbound traffic from NW Naito Parkway. Tri-Met and the City of Portland can explore the use of the latest generation of "smart" traffic signal software to maximize the operations of both light rail and automobile traffic through this intersection and bridge merge area. Tri-Met and the City also can monitor

eastbound traffic movement across the bridge to determine if traffic management measures such as signs, channelization and signals are warranted to direct through traffic to adjacent bridges with available capacity.

6.4.7 Albina Segment

6.4.7.1 Description of Light Rail and Highway Improvements

The Albina Segment of the South/North Project includes the following LRT-related facilities:

- An alignment that extends from the Steel Bridge to the Edgar Kaiser Medical Facility within the existing N Interstate Avenue right-of-way.
- Two light rail stations – one at the Rose Quarter and the second between N Russell and N Knott Streets on N Interstate Avenue.

See **Figures 1.1, 1.2 and 1.3** of the LUFO Amendment for LUFO boundaries for the Albina Segment

Light Rail Alignment

The Albina Segment extends along N Interstate Avenue from the east end of the Steel Bridge to the Kaiser Interstate Medical Office Center north of N. Fremont Street.

The LRT alignment splits from the existing east-west alignment on the east side of the Steel Bridge in the vicinity of the Rose Quarter, where the alignment turns north into the center of N Interstate Avenue. A station is located in the median of N. Interstate Avenue in the vicinity of the intersection of N Multnomah Street and N Interstate Avenue adjacent to the Rose Garden, approximately 200 yards west of the existing Rose Quarter Transit Center. North from the Rose Quarter, the tracks are aligned in the middle of N Interstate Avenue and pass underneath the Broadway Bridge. A center platform station is located in the vicinity of N Russell and N Knott Streets on N Interstate Avenue. From the intersection of N Greeley Avenue, the alignment proceeds north within the N Interstate Avenue right-of-way up to Overlook Park and the Edgar Kaiser Medical Center.

Light Rail Stations

Two stations are provided in the Albina Segment.

Rose Quarter Station. The South/North Project improvements will include a new station near the Rose Quarter. The Rose Quarter Station will provide direct transit access from the north to this major regional activity center, including the nearby Rose Garden Arena, the Memorial Coliseum and the Oregon Convention Center. The Rose Quarter Station will also provide close and convenient access to the Eastside and Airport MAX light rail lines via the existing light rail station platform located under I-5 and to bus connections at the Rose Quarter Transit Center.

Russell Station. A center platform station will be located between N Russell and N Knott Streets on N Interstate Avenue. This station will more directly serve the Albina Industrial District along N Interstate Avenue rather than the residential portion of the Eliot Neighborhood. However, N Russell Street provides an important east-west street connection to Emanuel Hospital and residential neighborhoods located to the east of I-5.

Park-and-Ride Lots

There are no park-and-ride lots located in the Albina Segment.

Operations & Maintenance Facilities

There are no operations and maintenance facilities located in the Albina Segment.

Highway Improvements

There are no highway improvements located in the Albina Segment.

6.4.7.2 Criterion 3: Neighborhood Impacts

“Identify adverse economic, social and traffic impacts on affected residential, commercial and industrial neighborhoods and mixed use centers. Identify measures to reduce those impacts which could be imposed as conditions of approval during the National Environmental Policy Act (NEPA) process or, if reasonable and necessary, by affected local governments during the local permitting process.”

- “A. Provide for a light rail route and light rail stations, park-and-ride lots and vehicle maintenance facilities, including their locations, balancing (1) the need for light rail proximity and service to present or planned residential, employment and recreational areas that are capable of enhancing transit ridership; (2) the likely contribution of light rail proximity and service to the development of an efficient and compact urban form; and (3) the need to protect affected neighborhoods from the identified adverse impacts.”**

- “B. Provide for associated highway improvements, including their locations, balancing (1) the need to improve the highway system with (2) the need to protect affected neighborhoods from the identified adverse impacts.”**

Description of Affected Neighborhoods in the Albina Segment

The Albina Segment connects north Portland with downtown Portland via N Interstate Avenue. The southern portion of the Albina Segment has undergone significant changes in the last decade, with the construction of the Oregon Convention Center and the Rose Garden Arena. These facilities, along with the Memorial Coliseum, have established the area as a major recreation, entertainment and tourism center for the region. The hotels, restaurants, offices and retail establishments located in the area support these uses. The east/west couplet of NE Broadway/Weidler forms a commercial corridor linking the entertainment facilities with the Lloyd Center area. Also located within the southern portion of the segment is the Portland Public School District Administration Building.

The central and northern portions of the Albina Segment include primarily industrial and transportation uses (rail yards, freeway bridges) along N Interstate Avenue, with residential and institutional uses concentrated to the east of I-5. The Emanuel Hospital Campus is a prominent institution located east of I-5 and north of N Russell Street. The northern portion of the LRT alignment in the Albina Segment will link with another prominent institution, the Edgar Kaiser Medical Facility. The Overlook Station near Kaiser, however, is included in the Upper Interstate Segment.

The LRT alignment in the Albina Segment crosses the western portions of the Lloyd and Eliot Neighborhoods and the southeast portion of the Overlook Neighborhood. A summary description of each neighborhood follows, based on information from the *Neighborhood Results Report* and the *FEIS*.

The *Lloyd Neighborhood* is bounded by the Willamette River on the west, NE 15th Avenue on the east, NE Broadway Street on the north and the Banfield Freeway (I-84) on the south. The street pattern is primarily a grid. Major streets in the neighborhood are one way, including: NE Broadway Street, which carries traffic over the Broadway Bridge and into downtown Portland; NE Weidler Street; NE Martin Luther King Boulevard; and NE Grand Avenue. The I-5 freeway runs through the western portion of the Lloyd Neighborhood. Access to the Steel Bridge, which crosses the Willamette River into Downtown, also is located in the neighborhood. The Lloyd Neighborhood is currently served by light rail along NE Holladay Street.

The Lloyd Neighborhood is a major regional employment center and is predominantly commercial in character. The neighborhood includes a mix of uses, such as event facilities, retail and office, and housing. A number of significant destination points are located in the western portion of the neighborhood, including the Memorial Coliseum, the Oregon Convention Center and the Rose Garden Arena. The Lloyd Shopping Center, a retail destination point, is located at the eastern edge of the neighborhood. Several large office buildings also are located in this neighborhood. There are also several hotels and restaurants located in the neighborhood which provide services to users of the entertainment facilities. A small number of residential uses are scattered throughout the neighborhood.

Because the Lloyd Neighborhood is predominantly commercial, it has a low population. The neighborhood contained an estimated 1990 US Census population of 498. Since then, however, over 500 new housing units have been built. According to the *DEIS*, the mobility-limited population is significantly higher at 30 percent than for the county (1.9 percent) and the region (2.8 percent), probably because the area includes a very high proportion of persons over 65 years of age. 98.4 percent of neighborhood residents rent their housing, more than double the rental rate of the county and the region.

The *Eliot Neighborhood* extends from the Willamette River on the west to NE 7th Avenue on the east and from NE Broadway Street on the south to NE Fremont Street on the north. The I-5 freeway runs through the Eliot Neighborhood. Major north/south streets in the neighborhood are N Interstate Avenue and NE Martin Luther King Jr. Boulevard. NE Fremont Street and NE Broadway Street are the main east/west streets.

The Eliot Neighborhood is comprised of a wide range of uses including retail, office, industrial, residential and institutional. The Portland Public School (PPS) District administration building is located in the southwest corner of the neighborhood. A large industrial area is located north of the PPS administration building between I-5 and the Willamette River. Emanuel Hospital occupies a large area in the northern portion of the neighborhood, east of the I-5 freeway.

Retail uses are located along NE Broadway Street, which forms the common boundary between the Lloyd and Eliot Neighborhoods. Commercial uses are also located along NE Martin Luther King Jr. Boulevard.

The majority of residential uses are single family. Most are located east of the I-5 freeway. Matt Dishman Community Center, which includes an indoor swimming pool and other recreational facilities, is located in the neighborhood, as is the Harriet Tubman Middle School.

The Eliot Neighborhood contained an estimated 1990 US Census population of 2,861. Approximately 56.5 percent of the neighborhood population is minority compared with 13 percent of Multnomah County and 8.6 percent for the region. The mobility-limited population is considerably higher at 7 percent than for either the county (1.9 percent) or the region (2.8 percent). The percentage of population over 65 years of age is somewhat lower for the neighborhood than for the county and the region. The proportion of households below the poverty level is significantly greater in the Eliot Neighborhood (39.7 percent) than in Multnomah County (13.1 percent) and the region as a whole (9.9 percent).

Median value of housing in the neighborhood is significantly less than either the county or region. In addition, a significantly larger proportion of residents rent their home (70.6 percent) than in the county (44.7 percent) or the region (38.7 percent).

The *Overlook Neighborhood* is bounded on the south by the Fremont Bridge, on the north by N Ainsworth Street and N Willamette Boulevard, on the east by I-5 and on the west by the Willamette River. N Going Street provides access to I-5 from the Overlook Neighborhood.

Other major streets include N Interstate Avenue, N Greeley Avenue, N Willamette Boulevard, N Killingsworth and N Ainsworth Streets.

The Overlook area includes a wide range of land uses, including residential, industrial, institutional, retail and office. Swan Island, an industrial park area, makes up the northwestern portion of the neighborhood and is a major employment center. The rail yards to the south of Swan Island are part of the Overlook Neighborhood. N Interstate Avenue is primarily a commercial strip with various retail and service uses. The Edgar Kaiser Medical Center is located between N Interstate Avenue and the I-5 freeway at the southern entryway to the Overlook Neighborhood. Overlook Park is located to the west of the Kaiser Medical Center. The residential portion of the neighborhood is located between N Willamette Boulevard/N Greeley Avenue and the I-5 freeway. The neighborhood is predominantly single family with some multi-family buildings.

The Overlook Neighborhood contained an estimated 1990 US Census population of 5,596. The percentage of population that is minority, over 65 years of age and below the poverty level is somewhat higher for the Overlook Neighborhood than comparable percentages for the county and the region. The median value of housing in the neighborhood is considerably less than either the county or the region.

Identify adverse economic, social and traffic impacts on affected neighborhoods. Identify measures to reduce those impacts.

Economic, social and traffic impacts specific to the Albina Segment are addressed in the following section. Economic, social and traffic impacts applicable to neighborhoods throughout the South/North Corridor, including the Albina Segment, are addressed in the original LUFO findings, incorporated herein by this reference, under the heading "General Impacts and Mitigation Measures Applicable to All Segments" (hereinafter "General Findings"). Economic, social and traffic impacts are also described, along with corresponding mitigation measures, in the *Land Use and Economic Impacts Results Report (Land Use Report)*, the *Social and Neighborhood Impacts Results Report (Neighborhood Report)*, the *Local and Systemwide Traffic Impacts Results Report (Traffic Report)*, the *Supplemental Draft Environmental Impact Statement (SDEIS)* and the *North Corridor Interstate MAX Final Environmental Impact Statement (FEIS)*.

Economic Impacts

Overall, the South/North Project will result in positive economic impacts in the Albina Segment because improved transit capacity will be provided to serve the Rose Quarter entertainment center (including the Rose Garden Arena and the Memorial Coliseum), the nearby Convention Center, and the Lower Albina Industrial District along lower Interstate Avenue. This segment will link north Portland neighborhoods with downtown Portland and with Eastside and Airport MAX at the Rose Quarter.

The location of the LRT alignment and stations within the existing right-of-way of N Interstate Avenue will avoid displacements and associated economic costs. The new stations at the Rose Quarter and Russell Street will provide some opportunities for intensification of land uses in the vicinity of the stations consistent with land use plans for the areas.

Displacements. There will be no displacements of businesses in the Albina Segment. By contrast, the LRT alignment in the original LUFO was expected to displace 5 commercial/retail businesses, 8 industrial businesses and 2 public (school-related) uses. The revised alignment avoids the economic impacts and costs associated with business displacements.

Loss of Parking/Access. There will be no loss of parking in the Albina Segment. On-street parking is not allowed along the segment of N Interstate Avenue extending from the Steel Bridge north to the Edgar Kaiser Medical Facility.

There will be some changes in access to existing uses along this segment of N Interstate Avenue. Several existing median breaks will be closed. Access will be maintained by new traffic signals at N Albina and N Knott. These signals will allow vehicles to make left turns or U-turns.

Tax Base. The LRT alignment and stations will be located within the existing right-of-way of N Interstate Avenue and consequently will have no adverse impact on the tax base due to the displacement of business/industrial uses from the tax rolls. The Council finds that the availability of light rail in the Albina Segment may spur development and enhance property values and the tax base on a long-term basis, particularly around the two new stations.

Freight Movement. The LRT improvements in the Albina Segment will not impact *water or rail freight movement*. Numerous rail lines and the Albina Yard of Union Pacific Railroad are located between N Interstate Avenue and the Willamette River. However, the LRT improvements in the Albina Segment will not cross the railroad main lines or spur tracks.

Regarding *truck freight movement*, Portland's Central City Transportation Management Plan (CCTMP) designates one truck district within the Albina Segment, located adjacent to Albina Yard, Union Pacific's current intermodal facility for the Portland region. The truck district is bounded by I-405 on the north, Interstate Avenue on the east, N Albina Avenue on the south, and the Willamette River on the west. The *FEIS* notes that heavy trucks typically comprise on the order of eight percent of the total traffic on key streets in the Albina Segment during the PM peak period. Access to the district is via N Interstate Avenue, which is designated in the CCTMP as a minor truck street. Other truck streets in the Albina Segment include N Larrabee Street, N Weidler Street, and N Broadway. The NE Martin Luther King, Jr. Boulevard/NE Grand Avenue couplet is designated as a major truck street. The Transportation Element of the *Portland Comprehensive Plan* designates N Kerby Avenue and N Russell Street as minor truck streets. Access to I-5, I-84, and I-405, all regional truck routes, is via the I-5 interchange at NE Broadway/NE Weidler Street, and via the I-405 ramps connecting to N Kerby Avenue.

The City of Portland's Albina Overcrossing Project will mitigate freight/traffic conditions in the Albina Segment. This project has funding (it is not a part of the South/North Project) and is

scheduled for construction in 2000. With implementation of the City of Portland's Albina Overcrossing Project, truck access into the Lower Albina Industrial District west of N Interstate Avenue will change. At-grade rail crossings at N Albina Avenue, N Lewis Avenue, N Clark Avenue and N Harding Avenue will be closed and direct access to industrial uses west of the freight rail line will be provided exclusively via the new overcrossing .

Northbound to eastbound truck access into the Lower Albina Industrial District will stay the same as it is now. Southbound left-turn access will be restricted at some existing locations, with left turn pockets provided at N Tillamook Street and N Russell Street.

Based on the information included in the *Traffic Report*, the *SDEIS* and the *FEIS*, the Council finds that the LRT improvements along N Interstate Avenue in the Albina Segment will result in only minor adverse impacts to truck freight movement and truck access to the Albina Yards. Additionally, the reduction in the traffic carrying capacity of N Interstate Avenue and the associated diversion of traffic will slightly improve the level of service at existing intersections along N Interstate Avenue relative to No-Build conditions.

Social Impacts

The Council finds that the LRT improvements in the Albina Segment have neutral social impacts on the affected neighborhoods. Light rail will provide improved transit access to the entertainment facilities and jobs in the Albina Industrial District. However, the improvements will not directly serve the residential areas of the Eliot Neighborhood, Emanuel Hospital, or the Broadway/Weidler corridor. The Overlook Neighborhood will have direct access to LRT transit with the Interstate Avenue alignment.

Displacements. The Interstate alignment in the Albina Segment avoids residential displacements and associated social impacts. By contrast, the LRT alignment in the original LUFO for the Eliot Segment would have displaced a total of 33 multi-family units, including one 26-unit apartment building near Holladay Park Hospital, a 5-plex on N Flint Street, and a duplex on N Kerby Street. Additionally, 4 single-family dwellings would have been displaced by the LRT alignment, including two along N Flint Avenue and 2 along N Kerby Avenue. Because there are no displacements with the new alignment and station locations in the Albina Segment, the Council finds that adverse social impacts to inner-northeast neighborhood quality have been avoided.

Access to Community Facilities. The Council finds that the South/North Project improvements in the Albina Segment will provide slightly better access for residents to community facilities, regional entertainment centers and regional employment centers than the No-Build Alternative. Affected neighborhoods within this segment have higher percentages of mobility-impaired, elderly, poor and minority residents than the region or the county.

Residents of the Overlook Neighborhood will have improved access to community facilities near the Expo Center, Portland International Raceway, the Rose Quarter, and in Downtown Portland, in addition to community facilities along N Interstate Avenue. However, LRT improvements in

the Albina Segment will not directly serve the residential portions of the Lloyd and Eliot Neighborhoods or community facilities such as Emanuel Hospital and the Dishman Community Center.

Some individuals have commented that they currently are provided with good bus service, and they are concerned that LRT will displace or reduce the existing level of service. In response, Tri-Met has made a commitment that there will be no net loss of bus service to N/NE Portland. Numerous east-west or cross-town bus routes cross N Interstate Avenue today at major intersections such as N Killingsworth Street, N Lombard Street and N Portland Boulevard. All connecting bus service to N Interstate Avenue will be retained or enhanced. The Interstate MAX Draft Bus Service Concept Plan proposes that all east-west service between N Russell Street and N Lombard Street be brought up to 15 minute service to enhance the connection to light rail. LRT stations and bus stops have been designed to allow convenient transfers between buses and light rail.

Barriers to Neighborhood Interaction. The Council finds that the LRT alignment in the Albina Segment will not result in barriers to neighborhood interaction. The I-5 freeway already functions as a significant barrier and boundary between neighborhoods. The LRT improvements within the right-of-way of N Interstate Avenue will serve areas dominated by large-scale entertainment and industrial uses which are distinct from the residential neighborhoods located to the east of I-5. The tie-and-ballast track treatment in this segment is consistent with the largely industrial character.

Safety and Security. The Council is sensitive to the importance of safety and security in neighborhoods affected by the South/North Project. The Council finds that, with appropriate design and implementation of systemwide transit security measures as described in the General Findings referenced above, safety and security will not be adversely affected by the LRT improvements in the Albina Segment. Because the alignment in this segment is located within the N Interstate Avenue right-of-way and is generally bounded by employment uses, station security is a sensitive issue, particularly during evening hours. The Council finds that the location of stations in the middle of the roadway maximizes safety by facilitating public views of stations by passing vehicles.

The Rose Quarter Station will be located at-grade, adjacent to busy public streets and active uses. The LRT improvements at the Rose Quarter will be subject to City of Portland review by the Design Commission. The Council understands that affected businesses, neighborhood associations, Tri-Met and the City of Portland Police Bureau will be involved in the review of the final design of the Rose Quarter Station to maximize safety and security.

The Russell Station will be located at-grade between N Russell Street and N Knott Street, near an active brew pub. Again, the Council expects that nearby employers, the Eliot Neighborhood Association, Tri-Met and the City of Portland Police Bureau will be involved in safety and security plans for the Russell Station.

The two stations are located in close proximity to signalized crossings of N Interstate Avenue to provide safe and convenient locations for pedestrians to cross the street and access the station platforms. In addition, flashing "Pedestrian Warning" signs will be installed at the station platform ends.

Visual/Aesthetic. The concentration of large regional facilities (Rose Garden Arena, Memorial Coliseum and the Convention Center) between the Steel Bridge and the Broadway Bridge dominates the visual character of the south end of the Albina Segment. Views of the Willamette River, bridges, Downtown and the West Hills are other key visual elements. Specific impacts on designated significant and protected scenic resources are addressed under Criterion 6, Natural Resource impacts.

The Eliot Neighborhood retains the visual character of an old central city area with long blocks of moderately scaled, older brick industrial and commercial buildings interspersed with vacant lots, some parks, schools and churches and busy commercial/industrial streets. This pattern breaks up as the topography slopes under the I-5 freeway down to the river, and commercial and residential blocks give way to larger scale blocks of loosely arranged industrial structures, vacant land, and parking and storage areas under the columns of I-5. The I-5 and I-405 freeways are the dominant visual features in the north end of the Albina Segment.

The LRT alignment and station at the Rose Quarter will result in slight modifications to existing roads. These include a short segment of new track connecting to the existing east/west LRT line at the Steel Bridge; lowering the street grade of N Interstate Avenue; and removing an existing overpass near the Rose Quarter Entertainment Complex. The Council finds that these changes will not result in significant visual impacts, primarily because of the scale of the existing environment and the dominance of the Rose Garden Arena and the bridge approaches.

Overall, the Council finds that the light rail improvements will have a minimal impact on the existing visual character of the Albina Segment, primarily because of the industrial nature of the adjacent land uses, the absence of displacements and the location of the alignment and stations within the N Interstate Avenue right-of-way. Some individuals have commented on the negative visual impact of the tie and ballast track treatment. However, the Council finds that the tie and ballast track will significantly reduce project costs and is consistent with the industrial character of the majority of the Albina Segment. A paved track will be used in the Upper Interstate Segment to support the planned "Main Street" character of that segment of N Interstate Avenue.

Traffic Impacts

Existing System. The Albina Segment extends from the east end of the Steel Bridge crossing of the Willamette River north to the Edgar Kaiser Medical Facility. Surface transportation facilities within the Albina Segment are under the jurisdiction of the City of Portland and ODOT.

I-5 is the major regional highway serving this portion of the corridor. Peak hour volumes in the north Portland portion of I-5 range from 5,500 (northbound – PM peak) to 6,500 vehicles (southbound – A.M. peak). Average northbound speeds during the PM peak hour in north

Portland operate at Level of Service F, exhibiting speeds as low as 24 miles per hour in certain sections.

Key north/south local streets in the Albina Segment are N Interstate Avenue, the N Vancouver/Williams Avenue couplet and NE Martin Luther King Jr. Boulevard. Primary east/west local streets are the N/NE Broadway/Weidler couplet, N/NE Russell Street, and N Fremont Street. Daily traffic volumes along N Interstate Avenue in this segment are approximately 12,400 north of N Tillamook Street. Key intersections along N Interstate Avenue within the segment operate at acceptable levels of service.

N Interstate Avenue was the primary north-south regional highway route through North Portland prior to the construction of I-5. At present, it is classified by the city as a major city traffic street, regional transitway, major city transit street, and major truck street. It is a city bikeway south of N Lombard Street and a city walkway for its entire length. The posted speed on N Interstate Avenue is 35 MPH. It generally has four lanes with curbs and sidewalks along most of its length. Striped bike lanes are provided along N Interstate Avenue for less than one block north and south of N Tillamook Street. A four-foot wide curbed median limits left-turn access to adjacent properties and some local service streets for the majority of the length of N Interstate Avenue through North Portland. Left turn lanes are provided at most intersections with collector or arterial streets. At other locations, the cross-streets are controlled by stop signs. At many of these stop sign-controlled intersections, the curbed median on N Interstate Avenue limits cross-street traffic to right-in, right-out maneuvers.

Local Traffic Impacts. The LRT improvements in the Albina Segment will be aligned in the middle of N Interstate Avenue. Between N Multnomah and N Larrabee Streets on N Interstate Avenue, two vehicular travel lanes will be provided for northbound traffic and one lane will be provided for southbound traffic. North of the Broadway Bridge, the LRT alignment, one general traffic lane and a bike lane in each direction will fit within the existing N Interstate Avenue right-of-way, which varies in width between 80 and 100 feet in this segment.

Truck access into the Lower Albina Industrial District will be provided at N Tillamook Street at the location of the City of Portland's Lower Albina Overpass Project. Turning lanes will be provided at N Tillamook Street, N Russell Street, N Knott Street and N Greeley Avenue. A traffic signal will be modified and turn lanes provided to allow access into Kaiser medical buildings on the east and west sides of N Interstate Avenue at the north end of the Albina Segment. The roadway along N Interstate Avenue within the Albina Segment has been designed to accommodate turning movements by trucks that are longer than the typical sized vehicles currently using the Lower Albina Industrial Area. Also, the design at the Lower Albina Overcrossing is being refined to accommodate these longer trucks at N Tillamook.

The major traffic issues in this segment include access to the Steel Bridge for buses, light rail and automobiles; access and egress for Rose Quarter events; truck access and circulation in the Lower Albina Industrial District; and traffic operations at key intersections.

Automobile access to the east end of the Steel Bridge is provided at the intersection of N Multnomah Street and N Interstate Avenue. Bus and east/west MAX light rail access to the bridge is provided at a separate ramp immediately south of N Multnomah Street. Light rail trains currently have a preempted signal crossing of N Interstate Avenue and continue through to the center lane of the Steel Bridge. Buses receive a green signal within the signal cycle following detection of a bus waiting at the ramp signal. South/North Interstate MAX LRT would include an additional light rail signal preemption at the intersection of N Multnomah Avenue and N Interstate Avenue.

In 2020, without Interstate MAX LRT, this intersection would operate at LOS D. With Interstate MAX LRT, an additional 14 preemption events would occur during the peak hour (8 trains in the peak direction and 6 in the off-peak direction). This would degrade intersection operation to LOS E. Preemption at this intersection currently includes an all red phase that provides adequate time for trains to clear the intersection and progress up the bridge ramp.

A trackway connection between the east/west MAX line and the South/North Interstate MAX line will be used only during non-peak periods to move trains between the Ruby Junction Operations and Maintenance Facility and the Interstate MAX line. This trackway connection is designed only as a non-revenue service track and no east-to-north service is planned. No traffic impacts were identified as a result of providing non-peak and non-revenue connections with this service track.

Another traffic issue is the ability to provide for adequate automobile access to and egress from the Rose Quarter parking structures prior to and following major events at the Rose Garden arena and Memorial Coliseum. Event access typically occurs after the evening peak hour (approximately 6:30 PM to 7:30 PM), and occurs over a longer period of time than event egress. With the provision of two northbound traffic lanes between N Multnomah Street and N Larrabee Street, and provision of a left-turn signal at N Dribble Drive and N Interstate Avenue, LRT would operate in a manner similar to the No-Build Alternative. The northbound through lane could be operated as a through-right lane to provide maximum efficiency for pre-event access.

Automobile egress out of the two parking structures located adjacent to N Broadway, which is bound for the Steel Bridge westbound, would likely be via westbound N Winning Way and westbound N Larrabee Avenue to southbound N Interstate Avenue. LRT along N Interstate Avenue would reduce the southbound capacity to a single lane, which would require eliminating one of the two existing left-turn lanes from westbound N Larrabee Avenue to N Interstate Avenue. This lane reduction would increase the time required to empty the two Broadway parking structures by approximately 20 to 40 minutes.

The Lower Albina Overcrossing Project has funding and should begin construction in 2000 to improve accessibility within the Lower Albina Industrial District. This overcrossing will connect to N Interstate Avenue at N Tillamook Street. The design of the light rail alignment has been coordinated with that project to ensure that adequate traffic circulation through and within the industrial area is provided. The 2020 level of service at the intersection of N Interstate Avenue with the Overcrossing would be an acceptable LOS C with light rail transit.

Table 3.3-4 of the *FEIS* summarizes the 2020 level-of-service analysis of five key intersections in the Albina Segment. Those five are the intersections of N Interstate Avenue with N Multnomah Street, N Larrabee Street, N Tillamook/Albina Overcrossing, N Russell Street and N Greeley Avenue. With the exception of N Multnomah Street at N Interstate Avenue, which would operate at LOS E, all intersections would operate at LOS D or better with light rail transit.

Station Impacts. The Council finds that the potential for transit-related park-and-ride activity in the Rose Quarter Station area will be low because of existing parking controls on off-street parking in the area plus the on-street parking meter program in the Lloyd District that the City recently implemented. Recent upgrades to pedestrian and bicycle facilities in the vicinity will provide good access to the Rose Quarter Station from nearby activity centers.

The proximity of the Russell Station to adjacent surface streets with uncontrolled on-street parking results in a moderate potential for station-related parking in areas within 600 feet of the station. This potential impact could be mitigated in a number of ways, including implementation of a permit parking program for portions of the Eliot neighborhood.

Mitigation Strategies. Conceptual engineering plans and the *FEIS* identify transportation related improvements to mitigate adverse traffic impacts in the Albina Segment, including but not limited to the following:

- Modify existing signals at N Interstate Avenue intersections with N Holladay Street, NE Multnomah Street, N Larrabee Avenue, N Russell Street, N Greeley Avenue and N Fremont Street
- Install new signals at N Interstate Avenue intersections with the Rose Quarter Parking garage access point, N Tillamook Street, N Albina Avenue, and N Knott Street
- Develop and implement "smart" signal software during final design to maximize operations of light rail, bus and automobile traffic through the N Multnomah Street at N Interstate Avenue intersection.
- Study the long-term function of a ring road surrounding the Rose Quarter, considering strategies such as grade-separation to maintain light rail signal preemption while maximizing efficient automobile movement.
- Evaluate traffic management strategies that might be implemented during the post-event traffic egress period at the Rose Quarter, such as opening the N Winning Way at N Vancouver Avenue intersection to all exiting traffic

The Council finds that the improvements identified above can mitigate most of the adverse traffic impacts of the South/North Project in the Albina Segment. Refinement of mitigation plans can be addressed in final design.

Provide for a light rail route and associated facilities, balancing the need for light rail proximity and service to areas that are capable of enhancing transit ridership; the likely contribution of light rail proximity and service to the development of an efficient and compact urban form; and the need to protect affected neighborhoods from the identified adverse impacts.

The *Region 2040 Growth Concept* designates most of the area within the Albina Segment as part of the Portland Central City, the major activity center of the region that serves as the employment and cultural hub for the metropolitan area. The *Growth Concept* anticipates that a significant increase in density will be required overall in the Portland Central City to maintain the Central City's 20 percent share of regional employment. The population and employment densities for the Central City are projected to increase from 150 people per acre to 250 people per acre by 2040. Improvements to the transit system network, including South/North LRT, will play an important role in achieving this goal. Concentration of density in an area well served by a multi-modal transportation system is a key component of the regional and local vision of an efficient and compact urban form.

Most of the Albina Segment is also within Portland's *Central City Plan* boundaries. The *Central City Plan*, first adopted in 1988, outlined a course of action for revitalizing downtown Portland by encouraging a high density mix of uses and promoting alternative transportation modes, including transit. The plan identifies the east side of the Steel Bridge near the Rose Garden Arena as an important gateway to the Central City. Portions of the Albina Segment are also within the boundaries of the *Albina Community Plan*, which envisions and supports light rail service to the area.

The location of the Oregon Convention Center, Rose Garden Arena and Memorial Coliseum at the south end of the Albina Segment have established the area as a major entertainment and tourism center for the region. Providing light rail proximity and service to this major entertainment activity center can enhance transit ridership, particularly with the link of east/west and south/north light rail service at the Rose Quarter. In the adopted *Central City Plan*, the area around the Rose Quarter is designated for the most intense development in the Albina Segment. The Rose Quarter area is separated from nearby neighborhoods by the major physical barrier of I-5 and surface streets connecting to the Steel Bridge and the Broadway Bridge. As a consequence, more intensive, efficient and compact urban development in the Rose Quarter area can take advantage of excellent transit accessibility while avoiding adverse impacts on neighborhoods.

The LRT station at Russell will provide transit proximity and service to jobs in the Albina Industrial District and support commercial uses. Based on the recent spurt of new development in the Lloyd District and along Martin Luther King Jr. Boulevard, the Council anticipates that the availability of LRT service may support additional development that is supportive of the Albina Industrial District in the vicinity of the Russell Station.

Provide for associated highway improvements, balancing the need to improve the highway system with the need to protect affected neighborhoods from the identified adverse impacts.

No highway improvements are proposed in the Albina Segment that have utility separate from the South/North Project. A range of improvements is proposed as mitigation for traffic impacts associated with the LRT facilities in this segment. These improvements are described in the discussion of traffic impacts for the Albina Segment.

6.4.7.3 Criterion 4: Noise Impacts

“Identify adverse noise impacts and identify measures to reduce noise impacts which could be imposed as conditions of approval during the NEPA process or, if reasonable and necessary, by affected local governments during the permitting process.”

Noise and vibration impacts specific to the Albina Segment are addressed in the following section. Noise and vibration impacts common to neighborhoods throughout the South/North Corridor, including the Albina Segment, are addressed in the General Findings portion of the original LUFO findings. The General Findings include an overview of noise and vibration, descriptions of different types of noise, and identification of potential noise mitigation by noise type. Noise and vibration impacts are identified, along with mitigation measures, in the *Noise and Vibration Impacts Results Report (Noise Report)*, *Noise and Vibration Mitigation Plan*, and in the *SDEIS* and *FEIS*.

Identification of Noise and Vibration Impacts in the Albina Segment

The Albina Segment encompasses the Rose Quarter District and includes an intense mix of land uses. Noise measurements from the Upper Interstate Segment were used to estimate existing noise in the Albina Segment. Because no noise sensitive uses (i.e., residential, motel, hospital) are located close to the alignment in this segment, the Council anticipates no noise impacts in this segment. The Council finds that single and multi-family dwellings in the Albina Segment are located east of I-5 between N Cook Street and N Fremont Street, away from the light rail alignment.

Some historic buildings are located near the alignment. The Council finds that noise impacts at historic resources are based on the current use of the buildings. All of the historic resources in the Albina Segment are used for commercial or industrial purposes, and the noise analysis using Federal Transit Administration noise and vibration criteria resulted in no impacts.

Mitigation Options for Noise and Vibration Impacts in the Albina Segment

Based on the information in the *SDEIS* and *FEIS*, the Council finds that there are no traffic noise, light rail noise, light rail wheel squeal or light rail vibration impacts associated with the LRT improvements in the Albina Segment. The alignment passes through a developed

commercial/entertainment and industrial district with high existing noise levels and no sensitive noise receptors. The Council agrees with the findings of the *SDEIS* and *FEIS* and concludes that no noise/vibration mitigation measures are required in the Albina Segment.

6.4.7.4 Criterion 5: Natural Hazards

“Identify affected landslide areas, areas of severe erosion potential, areas subject to earthquake damage and lands within the 100-year floodplain. Demonstrate that adverse impacts to persons or property can be reduced or mitigated through design or construction techniques which could be imposed during the NEPA process or, if reasonable and necessary, by local governments during the permitting process.”

Natural hazard impacts specific to the Albina Segment are addressed in the following section. Natural hazard impacts applicable to neighborhoods throughout the South/North Corridor, including the Albina Segment, are addressed in the General Findings portion of the original LUFO findings. Natural hazard impacts, and associated mitigation measures, also are described in the *Geology and Soils Impacts Results Report (Soils Report)*, the *Hydrology and Water Quality Impacts Results Report (Hydrology Report)*, and in the *SDEIS* and *FEIS*.

Identification of Natural Hazard Areas in the Albina Segment

The *SDEIS* and *FEIS* do not identify specific *landslide areas, areas of severe erosion potential, or lands within the 100-year floodplain* in the Albina Segment. The *Soils Report* states and the Council finds that fine-grained flood deposits underlie the Albina Segment. Most of the surface soil has been extensively modified by past construction. Because the LRT alignment and stations will be located within existing street right-of-way and at the existing street grade, no new significant geology or soils impacts are expected.

As described in the General Findings, the Northwest is a seismically active area and is subject to *earthquake damage*. Figure 4.1-10 of the *Soils Report* identifies a concealed fault that essentially parallels the east side of the Willamette River.

Mitigation Options for Natural Hazards in the Albina Segment

Based on the information contained in the *Soils Report*, the *Hydrology Report*, the *SDEIS* and the *FEIS*, the Council finds that no *landslide areas, areas of severe erosion potential or 100-year floodplains* are affected by the LRT improvements in the Albina Segment.

Potential mitigation measures to address geologic/soils conditions are provided in Section 6 of the *Soils Report*. Based on the facts in the *Soils Report*, the *SDEIS* and the *FEIS*, the Council finds that long-term impacts to geology and soils in the Albina Segment are minor. Mitigation to address potential for earthquake damage would consist of design of LRT improvements to meet Uniform Building Code seismic standards.

6.4.7.5 Criterion 6: Natural Resource Impacts

“Identify adverse impacts on significant fish and wildlife, scenic and open space, riparian, wetland and park and recreational areas, including the Willamette River Greenway, that are protected in acknowledged local comprehensive plans. Where adverse impacts cannot practicably be avoided, encourage the conservation of natural resources by demonstrating that there are measures to reduce or mitigate impacts which could be imposed as conditions of approval during the NEPA process or, if reasonable and necessary, by local governments during the permitting process.”

Natural resource impacts specific to the Albina Segment are addressed in the following section. Natural resource impacts applicable to neighborhoods throughout the South/North Corridor, including the Albina Segment, are addressed in the General Findings portion of the original LUFO findings. Natural resource impacts, along with associated mitigation measures, also are described in the *Ecosystem Impacts Results Report (Ecosystems Report)*, the *Parklands, Recreation Areas, Wildlife and Waterfowl Refuges 4f Impacts Results Report (4f Report)*, and in the *SDEIS* and *FEIS*.

Identification of Impacts to Significant, Protected Natural Resources in the Albina Segment

The Portland Comprehensive Plan includes policies and objectives to address conservation of a range of natural resources identified in Statewide Goal 5, including wetlands, riparian areas and water bodies, fish and wildlife habitat, scenic routes and viewpoints, and significant upland areas. The City has completed an inventory and analysis of natural resources sites, identified the significance of each site and provided varying levels of protection to specific sites through the application of Environmental Overlay Zones, Scenic Overlay Zones and Open Space Zones.

As described earlier, the Albina Segment extends from the Steel Bridge on the south to the Edgar Kaiser Medical Facility on the north within the N Interstate Avenue right-of-way. Because the Albina Segment is highly urbanized, few natural resources are present or impacted by the South/North Project. The north end of the Albina Segment extends to the edge of Overlook Park. Impacts to Overlook Park are discussed in the findings for the Upper Interstate Segment because a larger portion of the park is located within that segment.

Fish and Wildlife Habitat. The Albina Segment is highly urbanized. No natural habitat or significant vegetative cover occurs within this segment. Because of the lack of natural habitat within the Albina Segment, no threatened and endangered plant species were encountered, nor were any expected. Wildlife use of this segment is also expected to be negligible because of the lack of natural habitat.

Peregrine falcon are known to nest on the Fremont Bridge, approximately 0.75 mile northwest of the Steel Bridge LRT crossing. This species may occasionally fly over and forage the Albina Segment. This species occurrence in the project area is described in more detail in the *Biological Assessment for Bald Eagle and Peregrine Falcon for the South/North Transit Corridor Study*.

Because of the distance between the LRT alignment and the nest site, the *Ecosystems Report* concludes and the Council finds that construction and operation of South/North LRT is not expected to adversely affect nesting peregrine falcon.

No waterways are present in the Albina Segment. Therefore, no fishery resources are present.

Scenic and Open Space Areas. Visual/scenic resources identified as significant in the City's *Scenic Views, Sites and Drives Inventory, Scenic Resources Protection Plan* include views of downtown from Lillis Albina Park, a viewpoint toward the Willamette River and Downtown Portland from an overlook south of the Steel Bridge, and a gateway focal point at NE 3rd Avenue and NE Broadway Street. Additionally, all downtown bridges are identified as scenic resources, including the Steel Bridge, and the Willamette River is designated a scenic corridor. Landscaped areas adjacent to I-5 through North Portland are designated as "Open Space" on the Portland Comprehensive Plan. Scenic viewpoints are protected with application of Scenic Overlay Zones and height limitations.

The LRT alignment will be located within the existing right-of-way of N Interstate Avenue and will not interfere with significant visual/scenic resources described above. The overall design and visual appearance of the Steel Bridge will not be modified and views to and from the Willamette River will not be affected by LRT improvements in the Albina Segment.

Riparian Areas. There are no riparian areas within the Albina Segment.

Wetland Areas. The *SDEIS* and *FEIS* note that no wetlands were identified in the Albina Segment.

Park and Recreational Areas and Willamette River Greenway. The South/North LRT alignment will technically cross the Willamette River Greenway. However, the LRT will use existing improvements located on the existing Steel Bridge and will not represent a new encroachment into the Greenway. The Rose Quarter Station is located outside of the Greenway Boundary and the LRT improvements will not impact the long-term development of the Greenway Trail along the east side of the Willamette River.

Mitigation Options for Natural Resource Impacts in the Albina Segment

Based on the information in the results reports and in the *SDEIS* and *FEIS*, the Council finds that the South/North Project improvements in the Albina Segment will not impact significant fish and wildlife habitat, open space, riparian, wetland and park and recreational areas, including the Willamette River Greenway, that are protected in the City of Portland Comprehensive Plan.

The Council finds that the LRT alignment and station in the vicinity of the Rose Quarter will not be located in front of or interfere with the view from the overlook and viewpoint to the south of the Steel Bridge, and it concludes that no mitigation is required for natural resource impacts.

6.4.7.6 Criterion 7: Stormwater Runoff

“Identify adverse impacts associated with stormwater runoff. Demonstrate that there are measures to provide adequate stormwater drainage retention or removal and protect water quality which could be imposed as conditions of approval during the NEPA process or, if reasonable and necessary, by local governments during the permitting process.”

Stormwater runoff impacts specific to the Albina Segment are addressed in the following section. Stormwater runoff impacts and mitigation common to segments throughout the South/North Corridor, including the Albina Segment, are addressed in the General Findings portion of the original LUFO findings. Stormwater impacts and mitigation measures are also described in the *Water Quality and Hydrology Impacts Results Report (Hydrology Report)* and in the *SDEIS* and *FEIS*.

Identification of Stormwater Impacts in the Albina Segment

The LRT improvements in the Albina Segment include construction of an alignment and two stations within the existing right-of-way of N Interstate Avenue. There are no park-and-ride lots or operations and maintenance facilities proposed in this segment.

The alignment and stations within the Albina Segment are located in areas that are currently paved (street and/or sidewalk). As a result, the Council finds that the LRT improvements in the Albina Segment should not increase the rate or volume of stormwater runoff, either individually or collectively. Runoff generated along the alignment and at the stations will be directed to catch basins and storm drainage facilities in adjacent roadways. Drainage is currently conveyed to the Willamette River. No increase in pollutant loading is anticipated compared to that generated from existing streets and sidewalks in the Albina Segment.

Mitigation Options for Stormwater Impacts in the Albina Segment

The Council concurs with the findings of the *SDEIS* and *FEIS* and concludes that no specific stormwater mitigation measures are required in this segment. Standard erosion control and stormwater management techniques described in the General Findings are applicable in the Albina Segment and will be implemented by the Portland Bureau of Environmental Services through local permitting.

6.4.7.7 Criterion 8: Historic and Cultural Resources

“Identify adverse impacts on significant historic and cultural resources protected in acknowledged comprehensive plans. Where adverse impacts cannot practicably be avoided, identify local, state or federal review processes that are available to address and to reduce adverse impacts to the affected resources.”

Historic and cultural resource impacts specific to the Albina Segment are addressed in the following section. Historic and cultural resource impacts and mitigation common to segments throughout the South/North Corridor, including the Albina Segment, are addressed in the General Findings portion of the original LUFO findings. Historic and cultural resource impacts and mitigation measures are also described in the *Historic, Archeological and Cultural Resource Impacts Results Report (Historic Report)* and in the *SDEIS* and *FEIS*.

Identified Significant and Protected Historic and Cultural Resources in the Albina Segment

As part of the *SDEIS* and *FEIS*, potential historic and cultural resources were identified for the Albina Segment alignment along N Interstate Avenue between the Rose Quarter and the Edgar Kaiser Medical Facility. This involved a field review of the alignment corridor as well as a review of the following three documents:

- *Cornerstones of Community: Buildings of Portland's African American History (1997)*;
- *Historic Resources Inventory (Portland Bureau of Planning, 1988)*; and
- *Regional LRT System Plan/Bi-State Corridor Preliminary Impact Assessment (1985)*.

Four resources have been identified as potentially eligible for listing on, or currently on, the *National Register of Historic Places*. These historic resources are listed in the City of Portland's Historic Resources Inventory and include:

- Warehouse located at 2289 N Interstate Avenue (Inventory #4-443-02289) – potentially eligible
- Warehouse located at 2262 N Albina Avenue (Inventory #4-010-02262) – potentially eligible
- Smithson & McKay Brothers Building (Widmer Brewery) located at corner of N Russell/N Interstate – on the National Register List
- Retail/commercial building at 2648 N Interstate Avenue – potentially eligible

The three potentially eligible resources may be eligible for listing in the National Register of Historic Places under “Criteria C,” which means they are properties “that embody the distinctive characteristics of a type, period, or method of construction, or that represents the work of a master, or that possesses high artistic values, or that represents a significant distinguishable entity whose components may lack individual distinction.”

Early coordination with the State Historic Preservation Office (SHPO) has been initiated with respect to these resources potentially affected in the Albina Segment. Because the light rail improvements will be completely within the existing right-of-way of N Interstate Avenue, a preliminary evaluation of effect has determined that there would be “no effect” on these significant historic and cultural resources in the Albina Segment.

The City of Portland Historic Resource Protection Overlay Zone provides historic resource designations for individual resources and two different designations for districts.

A *Historic District* is an area with common historic values of significance to the City as a whole. Historic Districts are thoroughly documented and may also be listed by the US Department of the Interior on the National Register of Historic Places. Information supporting a specific district's designation is found in the City's Historic Resources Inventory and in the evaluation and ESEE analysis done in support of the district's creation.

A *Conservation District* is an area with common historic values significant to a neighborhood or sub-area within the City. Conservation Districts need not be as well documented as Historic Districts. Conservation Districts include areas that contribute to the preservation of significant features of Portland's development history. Information supporting a specific district's designation is found in the City's Historic Resources Inventory and in the evaluation and ESEE analysis done in support of the district's creation.

The City of Portland has established boundaries and implemented review procedures for the Russell Street Conservation District. Map 445-10 of the Portland Zoning Code (Title 33) indicates that the boundaries of the Conservation District extend from N Interstate Avenue on the west to N Albina Avenue on the east, generally extending from the south side of N Russell Street to the north side of N Knott Street. The LRT alignment and the Russell Station will be located in the center of N Interstate Avenue, and at the westerly edge of the boundary of the Russell Street Conservation District. As shown in the *FEIS*, the Russell Street Conservation District is potentially eligible for listing on the National Register. Because of its proximity to the Russell Street Station, there would be an effect, but no adverse effect, on the district. A Memorandum of Understanding between the SHPO, Tri-Met, and the Federal Transit Agency has been prepared that provides SHPO the opportunity to participate in the final design of the Russell Street Station.

Mitigation Options for Identified Historic and Cultural Resource Impacts in the Albina Segment

Based on the information in *SDEIS* and *FEIS*, the Council concludes that the LRT improvements in the Albina Segment will not have an adverse impact on historic and cultural resources, including the Russell Street Conservation District, that are identified as significant and protected in the City of Portland Comprehensive Plan. Potential mitigation for impacted buildings is described in the General Findings. Mitigation for the Russell Street Conservation District includes SHPO participation in the final design of the Russell Street Station.

6.4.8 Upper Interstate Segment

6.4.8.1 Description of Light Rail and Highway Improvements

The Upper Interstate Segment of the South/North Project includes the following LRT-related facilities:

- An alignment that extends from the Edgar Kaiser Medical Facility and Overlook Park on the south to the N Denver Avenue viaduct over N Columbia Boulevard on the north.

- Six light rail stations along N Interstate Avenue in the vicinity of N Overlook Boulevard, N Going Street, N Killingsworth Street, N Portland Boulevard, N Lombard Street and N Denver Avenue (Kenton).

See **Figures 1.3, 1.4, 1.5 and 1.6** of the LUFO Amendment for LUFO boundaries for the Upper Interstate Segment.

Light Rail Alignment

From the Overlook Station located in the vicinity of N Overlook Boulevard at the Edgar Kaiser Medical Facility, the LRT alignment extends northward to Kenton within the center of the existing N Interstate Avenue right-of-way. Split-platform stations are located in the vicinity of the following major east/west streets: N Overlook Boulevard, N Going Street, N Killingsworth Street, N Portland Boulevard and N Lombard Street. The alignment continues towards Kenton Station in the vicinity of N Fenwick Avenue, N Denver Avenue, N McClellan Street and N Argyle Street. From the Kenton Station, the LRT alignment continues northward on a reconstructed Denver Avenue viaduct over N Columbia Boulevard to the start of the Expo Center Segment.

Approximately seven "z" crossings with crosswalk warning signs will be provided at locations between stations in the Upper Interstate Segment to accommodate safe pedestrian access across the LRT alignment. Within the existing right-of-way, improvements in the Upper Interstate Segment will include sidewalks, bicycle lanes, one auto lane in each direction with left turn/U-turn lanes at signalized intersections, and two sets of light rail tracks. Existing on-street parking will generally be maintained in most areas along N Interstate Avenue except at intersections with either traffic signals or pedestrian crosswalks. The light rail trackway in the Upper Interstate Segment will be a paved section.

Light Rail Stations

Six stations are provided in the Upper Interstate Segment.

Overlook Station. This split platform station will be located on N Interstate Avenue in the vicinity of N Overlook Boulevard. The station will serve Edgar Kaiser Medical Facility employees, patients and visitors. The station will also provide transit access to Kaiser Town Hall, Overlook Park, and to the nearby Overlook Neighborhood. Additionally, the N Failing Street pedestrian overcrossing of I-5 provides a convenient link to the station from the Boise Neighborhood east of I-5.

Going Station. This split platform station will be located on N Interstate Avenue in the vicinity of N Going Street. This station will serve the Overlook Neighborhood and provide convenient transit access to commercial uses along N Interstate Avenue.

Killingsworth Station. This split platform station will be located on N Interstate Avenue in the vicinity of N Killingsworth Street. This station will directly serve the Overlook Neighborhood,

nearby commercial uses, and the Interstate Firehouse Cultural Center. The Killingsworth Station will indirectly serve the Humboldt Neighborhood, the PCC Cascade Campus and Jefferson High School via the existing overcrossing of I-5 at N Killingsworth Street.

Portland Boulevard Station. This split platform station will be located on N Interstate Avenue in the vicinity of N Portland Boulevard. This station will directly serve the Arbor Lodge Neighborhood and indirectly serve the Piedmont Neighborhood via the existing overcrossing of I-5. Ockley Green Middle School, commercial uses along N Interstate Avenue and the University of Portland are other uses in proximity to N Portland Boulevard.

Lombard Station. This split platform station will be located on N Interstate Avenue in the vicinity of N Lombard Street. This station will directly serve the Arbor Lodge and Kenton Neighborhoods and indirectly serve the Piedmont Neighborhood via the existing overcrossing of I-5. Fred Meyer, Kenton School, Kaiser medical offices and other commercial uses are located in close proximity to this station. N Lombard Street also serves as a direct connection to the St. Johns Community.

Kenton Station. The Kenton Station will be located on N Interstate Avenue in the vicinity of N Fenwick Avenue, N Denver Avenue, N McClellan Street and N Argyle Street. This station will serve residential, commercial and community uses in the historic Kenton District. The Kenton Business District functions as a commercial and community activity center for the neighborhood. The character of the Kenton Neighborhood is primarily residential with local commercial services to the south of N Columbia Boulevard; transitioning to industrial and public uses north of N Columbia Boulevard.

The Kenton Station is one of only two light rail stations addressed in this LUFO amendment whose location overlaps the station location identified in the original LUFO. Accordingly, rather than replacing and superseding the earlier boundary decision for the Kenton Station as set out in the original LUFO, this amendment modifies the boundary identified in Figure 3.21 of the original LUFO to expand the area wherein the Kenton Station may be located.

Park-and-Ride Lots

There are no park-and-ride lots located in the Upper Interstate Segment.

Operations and Maintenance Facilities

There are no operations and maintenance facilities located in the Upper Interstate Segment.

Highway Improvements

There are no highway improvements located in the Upper Interstate Segment.

6.4.8.2 Criterion 3: Neighborhood Impacts

“Identify adverse economic, social and traffic impacts on affected residential, commercial and industrial neighborhoods and mixed use centers. Identify measures to reduce those impacts which could be imposed as conditions of approval during the National Environmental Policy Act (NEPA) process or, if reasonable and necessary, by affected local governments during the local permitting process.”

- “A. Provide for a light rail route and light rail stations, park-and-ride lots and vehicle maintenance facilities, including their locations, balancing (1) the need for light rail proximity and service to present or planned residential, employment and recreational areas that are capable of enhancing transit ridership; (2) the likely contribution of light rail proximity and service to the development of an efficient and compact urban form; and (3) the need to protect affected neighborhoods from the identified adverse impacts.”**

- “B. Provide for associated highway improvements, including their locations, balancing (1) the need to improve the highway system with (2) the need to protect affected neighborhoods from the identified adverse impacts.”**

Description of Affected Neighborhoods in the Upper Interstate Segment

This segment directly affects three neighborhoods to the west of I-5: Overlook, Arbor Lodge and Kenton. Neighborhoods that lie east of I-5 (Boise, Humboldt and Piedmont) are less directly affected by the South/North Project but will have access to light rail via existing east/west overpasses over I-5. In general, mixed use development along N Interstate Avenue, including single and multi-family dwellings, commercial and business uses and light industrial development distinguish the Upper Interstate Segment. Mostly single family neighborhoods are located on either side of I-5. The Cascade Campus of Portland Community College lies east of I-5 in the vicinity of N Killingsworth Street.

A summary description of each directly affected neighborhood follows, based on information from the *Neighborhood Impacts Results Report* and in the *SDEIS* and *FEIS*.

The *Overlook Neighborhood* is bounded on the south by the Fremont Bridge, on the north by N Ainsworth Street and N Willamette Boulevard, on the east by I-5 and on the west by the Willamette River. N Going Street provides access to I-5 from the Overlook Neighborhood. Other major streets include N Interstate Avenue, N Greeley Avenue, N Willamette Boulevard, N Killingsworth and N Ainsworth Streets.

Overlook includes a wide range of land uses, including residential, industrial, institutional, retail and office. Swan Island, an industrial park area, makes up the northwestern portion of the

neighborhood and is a major employment center. The rail yards to the south of Swan Island are part of the Overlook Neighborhood. N Interstate Avenue is primarily a commercial strip with various retail and service uses. The Edgar Kaiser Medical Center is located between N Interstate Avenue and the I-5 freeway at the southern entryway to the Overlook Neighborhood. Overlook Park is located to the west of the Kaiser Medical Center. The residential portion of the neighborhood is located between N Willamette Boulevard/N Greeley Avenue and the I-5 freeway. The neighborhood is predominantly single family with some multi-family buildings.

The Overlook Neighborhood contained an estimated 1990 US Census population of 5,596. The percentage of population that is minority, over 65 years of age and below the poverty level is somewhat higher for the Overlook Neighborhood than comparable percentages for Multnomah County and the region. The median value of housing in the neighborhood is considerably less than either the county or region.

The *Arbor Lodge Neighborhood* is bounded by N Ainsworth Street on the south and N Lombard Street on the north, I-5 on the east and N Chautauqua and N Willamette Boulevards on the west. The major north/south street is N Interstate Avenue. The major east/west streets include N Portland Boulevard, N Lombard Street and N Ainsworth Street. Other east/west streets dead-end at the I-5 freeway.

The Arbor Lodge Neighborhood is predominantly residential in character, although some commercial uses are located along N Interstate Avenue. The majority of the residences in the neighborhood are single family. Mock's Crest is a single-family subdivision located in the western portion of the neighborhood. This subdivision was platted after World War II and is unique because of the deep front setbacks, unique street lighting and mature street trees.

Commercial uses are located along both sides of N Interstate Avenue. The largest retail use in the neighborhood is the Fred Meyer shopping center located at the southeast corner of the intersection of N Interstate Avenue and N Lombard Street.

The Arbor Lodge Neighborhood contained an estimated 1990 US Census population of 6,237. Approximately 13.6 percent of the population is minority compared with 13 percent for Multnomah County and 8.6 percent for the region. The mobility-limited population is slightly higher in the neighborhood compared to the county and the region. The percentage of population over 65 years of age is considerably higher, almost double county and region percentages.

The proportion of households below the poverty level is slightly lower in the neighborhood than in Multnomah County, but slightly higher than the region as a whole. Median value of housing in the neighborhood is considerably less than either the county or region. A lower proportion of Arbor Lodge residents rent their homes.

The *Kenton Neighborhood* is bounded in the south by N Lombard Street and on the north by the North Portland Harbor, on the east by I-5 and on the west by N Chautauqua Boulevard. The major north/south street in the neighborhood is N Interstate Avenue, which turns into N Denver Avenue. The major east/west streets are N Lombard Street and N Columbia Boulevard. These

streets cross over I-5 and provide a connection with the Piedmont Neighborhood. The remaining east/west streets dead-end at I-5.

The Kenton Neighborhood contains a wide range of uses including residential, commercial, industrial and recreational destination points. The character of the neighborhood is primarily residential. The residences are primarily single family with some multi-family units mixed in. The Kenton Neighborhood has a designated Historic Conservation District located on the west side of the northern end of N Interstate Avenue.

The Columbia Slough runs diagonally through the neighborhood and separates the industrial area from the northernmost portion of the neighborhood, which contains a number of destination points. West Delta Park, Portland International Raceway, Heron Lakes Golf Course and the Expo Center are located on the west side of I-5; and Portland Meadows Race Track, Portland Meadows Golf Course and East Delta Park are located to the east side of I-5.

The Kenton Neighborhood contained an estimated 1990 US Census population of 6,536. Approximately 23.1 percent of the population is minority compared with 13 percent for Multnomah County and 8.6 percent for the region. The mobility limited population and the population over 65 years of age is somewhat higher for the neighborhood than for the county and the region.

The proportion of households below the poverty level is greater in the neighborhood (19.8 percent) than in Multnomah County (13.1 percent) and the region as a whole (9.9 percent). Median value of housing in the neighborhood is considerably less than either the county or region. The proportion of residents that rent their home is slightly higher than in the region, but lower than the county.

As noted earlier, the Boise, Humboldt and Piedmont Neighborhoods all are located to the east side of I-5. Figures 3.3-2 and 3.3-3 of the *DEIS* illustrate that all three of these neighborhoods have household poverty rates and percentage of minority residents significantly higher than county and regional averages. Median home values in the neighborhoods are well below the county and regional medians.

Identify adverse economic, social and traffic impacts on affected neighborhoods. Identify measures to reduce those impacts.

Economic, social and traffic impacts specific to the Upper Interstate Segment are addressed in the following section. Economic, social and traffic impacts applicable to neighborhoods throughout the South/North Corridor, including the Upper Interstate Segment, are addressed in the original LUFO findings, incorporated herein by this reference, under the heading "General Impacts and Mitigation Measures Applicable to All Segments" (hereinafter "General Findings"). Economic, social and traffic impacts are also described, along with corresponding mitigation measures, in the *Land Use and Economic Impacts Results Report (Land Use Report)*, the *Social and Neighborhood Impacts Results Report (Neighborhood Report)*, the *Local and Systemwide Traffic Impacts Results Report (Traffic Report)*, and in the *SDEIS* and *FEIS*.

Economic Impacts

The Council finds that overall, the South/North Project will result in positive economic impacts in the Upper Interstate Segment because improved transit capacity will be available to support existing and planned development in North Portland neighborhoods. Compared to between 135 and 148 potential displacements with the *DEIS* build alternatives in North Portland, the Full Interstate Alignment will incur no or few displacements. Minimizing or eliminating displacements avoids significant adverse economic and social impacts on the affected neighborhoods. It also substantially reduces project cost. Further, the modified project design, including a paved track section, will allow the Upper Interstate Segment to become more of a “main street”, consistent with neighborhood and city visions for the area.

Displacements. Depending on the final project alignment within the identified boundaries, there will be no or few displacements of existing businesses in the Upper Interstate Segment. Should there be any displacements, they would occur in the vicinity of the Kenton Station. Established businesses will have the opportunity to remain and grow; and the availability of LRT transit may spur more intensive economic development in proximity to station areas.

In every instance where the South/North Project displaces an existing commercial or industrial use, that represents an adverse economic impact. Displacements affect employment, incomes, services and taxes, and the Metro Council is sympathetic to the significance of each displacement at the individual business and community level.

As described in the General Findings, any displaced commercial, industrial or public uses and property will be acquired at fair market value, and/or relocation benefits will be provided to business owners and tenants.

Loss of Parking/Access. The loss of parking, and the loss or change of access, can have adverse economic impacts on businesses and residents. Anticipated changes to *property access* in the Upper Interstate Segment are discussed in Section 5.10.3 of the *Traffic Report*.

The Council recognizes that the LRT improvements in the Upper Interstate Segment will result in some impacts to parking and access. Some existing frontage, including sidewalks and curbs, will be reconstructed in conjunction with the construction of the LRT trackway in the median of N Interstate Avenue. The reconstruction of N Interstate Avenue will result in some additional turn restrictions beyond those that already exist. U-turns would be accommodated at signalized intersections along N Interstate Avenue. While no formal truck loading zones along N Interstate Avenue would be removed with the LRT improvements, some parking areas used by delivery trucks would no longer be available for loading/unloading use.

The *FEIS* identifies 383 on-street parking spaces available along N Interstate Avenue between N Overlook Boulevard and N Argyle Street. Another 388 parking spaces are available on adjacent side streets within 100 feet of N Interstate Avenue. The *Traffic Report* found that the average occupancy of the existing on-street parking spaces in the N Interstate Avenue study area was

only 24.3 percent of available spaces. The average space-occupancy rate was lower along N Interstate Avenue itself (17 percent occupancy of available spaces) than on the adjacent side streets (32 percent occupancy).

The LRT improvements will displace approximately 139 spaces, or 18% of the available on street parking on or within one block of N Interstate Avenue. Of these, 112 spaces are located on N Interstate Avenue, and 27 along side streets. The displacements would occur fairly uniformly throughout the segment, with no area losing more than 25% of existing spaces.

Based on the information in the *Traffic Report* and the *FEIS*, the Council finds that the LRT improvements in the Upper Interstate Segment will result in modest impacts to property access and on-street parking. No existing uses will be displaced because of access modifications. Additionally, based on the information on on-street parking supply and demand included in the *Traffic Report* and *FEIS*, the Council finds that the future supply of on street parking, with the LRT improvements, clearly exceeds the current demand for parking.

Tax Base. The LRT improvements in the Upper Interstate Segment are not expected to have any long term adverse impacts on the tax base. No or few residential, commercial or industrial uses will be displaced from the tax rolls. Further, the Council finds that the availability of light rail and six LRT stations in the Upper Interstate Segment is expected to spur development and enhance property values and the tax base on a long-term basis, particularly around stations with vacant and underdeveloped land.

The reduction in automobile travel lanes from four to two along N Interstate Avenue may adversely impact some businesses, such as service stations, that are dependent on pass-through traffic because of the overall reduction in traffic volumes on N Interstate Avenue. Overall, however, the Council finds that the South/North Project will spur development and strengthen the economic viability of the area.

Freight Movement. The LRT improvements in the Upper Interstate Segment will not adversely affect *water freight movement* or *rail freight movement*. The LRT bridge over the Columbia Slough is located in the Expo Center Segment and impacts are discussed in the findings for that segment. UP's North Portland line, which runs east/west across North Portland, crosses the South/North Corridor in the vicinity of N Columbia Boulevard. This rail line provides UP with an alternative entry into the City of Portland for its transcontinental line, and services a number of industries. The LRT alignment will cross over N Columbia Boulevard and the reconstructed Denver Avenue Viaduct, resulting in no at-grade LRT/rail crossings in the Upper Interstate Segment.

Regarding *truck freight movement*, the City of Portland has designated two truck districts in the vicinity of the Upper Interstate Segment. At the southern end of the segment, the Albina Yard and Swan Island Industrial Area comprise a truck district bounded by I-405 on the south, N Greeley Avenue on the north and east, and the Willamette River on the west. Access to this district is via the Greeley ramps to and from I-5 at the I-5/I-405 interchange, via N Going Street and via N Interstate Avenue. The *Traffic Report* notes that the highest PM peak period truck

percentages were on N Going Street, where trucks comprised approximately 5 percent of the eastbound and over 25 percent of the westbound traffic (toward the Swan Island industrial area).

At the northern end of the segment, the Rivergate Industrial Area comprises a truck district bounded by the Willamette River on the west, the Columbia River and North Portland Harbor on the north, the City limits on the east, and N Columbia Boulevard on the south. The primary truck access to this district is via the N Lombard, Delta Park, and N Marine Drive interchanges on I-5 and via N Columbia Boulevard. Other designated truck streets include N Interstate Avenue, N Lombard Street from N Interstate east across I-5 to NE Martin Luther King Jr. Boulevard, and N Portland Boulevard from I-5 east to NE Martin Luther King Jr. Boulevard.

According to the *FEIS*, PM peak-hour truck volumes along N Interstate Avenue in the Upper Interstate Segment range from about 3 to 4 percent in the southern portion of the segment and from about 5 to 7 percent in the northern portions. The highest PM peak-hour truck percentages were on N Going Street, where trucks comprise about 5 percent of the eastbound and more than 25 percent of the westbound traffic.

While the intersection of N Interstate Avenue at N Going Street is forecast to perform at an LOS F with either LRT or the No Build Alternative, the intersection volume to capacity ratio is slightly better with LRT. The signal timing plan prepared as part of the Vissim traffic simulation was designed to give preference to the east/west movements through the intersection.

With the LRT improvements, the intersection of N Interstate Avenue at N Argyle Street and N Denver Avenue would be split into two separate intersections. These two new intersections would both perform with an improved level of service as compared to the No-Build Alternative. Freight access to and from N Columbia Boulevard via N Argyle Street would be similar to the No-Build Alternative.

Truck access off of the N Denver Avenue viaduct to businesses located between N Columbia Boulevard and the Columbia Slough will be modified. Currently, trucks can access sites both east and west of N Denver Avenue with unsignalized left turns. With the Project, this access will be signalized with left turn pockets provided. A crossing gate would protect the light rail alignment. A northbound right-turn lane also would be provided.

Based on the information in the *Traffic Report*, the *SDEIS* and the *FEIS*, the Council finds that the LRT improvements in the Upper Interstate Segment will not have an adverse impact on water or rail freight movement. Project impacts on truck freight movement via N Going Street into the Swan Island Industrial area can be evaluated for further design modifications as part of final design.

Social Impacts

The Council finds that the LRT improvements in the Upper Interstate Segment result in generally positive social impacts. Light rail will provide improved transit access to housing and jobs in the Upper Interstate Segment and will link the affected neighborhoods with regional employment

centers and other activity areas. North Portland neighborhoods have higher concentrations of minority, lower income and mobility limited residents that could see positive benefits from improved transit service and access. Modifications of the project design to avoid all residential displacements have significantly reduced adverse social impacts on North Portland neighborhoods.

Residential Displacements. There will be no residential displacements in the Upper Interstate Segment. By contrast, up to 109 potential displacements would have occurred with the alignments previously evaluated in the *DEIS* for this segment.

Access to Community Facilities. The Council finds that the South/North Project will provide improved transit access to community facilities and employment centers located in the Upper Interstate Segment, including the Edgar Kaiser Medical Facility, Portland Community College's Cascade Campus, Ockley Green and Kenton Schools, the Interstate Firehouse Cultural Facility, and neighborhood parks and churches. Additionally, residents of the affected neighborhoods to the west and east sides of I-5 will have improved transit accessibility to regional employment centers and recreational/educational destinations located along the East/West, South/North and Airport MAX lines.

Some individuals have commented that they currently are provided with good bus service, and they are concerned that LRT will displace or reduce the existing level of service. In response, Tri-Met has made a commitment that there will be no net loss of bus service to N/NE Portland. Numerous east-west or cross-town bus routes cross N Interstate Avenue today at major intersections such as N Killingsworth Street, N Lombard Street and N Portland Boulevard. All connecting bus service to N Interstate Avenue will be retained or enhanced. The Interstate MAX Draft Bus Service Concept Plan proposes that all east-west service between N Russell Street and N Lombard Street be brought up to 15 minute service to enhance the connection to light rail. LRT stations and bus stops have been designed to allow convenient transfers between buses and light rail. Also, there will be an ongoing public process during the final design and construction phases of the Project. During this time, more specific plans will be incorporated to meet the transit needs to the elderly if it is found that they have difficulty accessing the transit service. Options to meet those needs exist with Tri-Met today.

Barriers to Neighborhood Interaction. The Council finds that the LRT improvements in the Upper Interstate Segment will not result in significant barriers to neighborhood interaction. By locating the LRT stations near major east/west crossings over the freeway, the Council is maximizing the LRT coverage to neighborhoods east and west of the freeway

The LRT alignment in the Upper Interstate Segment will result in a number of changes to traffic operations. The number of auto travel lanes will be reduced, with a corresponding reduction in traffic volumes on N Interstate Avenue. Neighborhood cohesion could be impacted because of the change to local pedestrian travel patterns that would occur from limiting pedestrian access across N Interstate Avenue to approximately once every two blocks. However, the Council finds that the pedestrian crosswalks at signalized intersections and the signed "z" crosswalks between stations in this segment will provide for reasonable east-west pedestrian movements. In general,

the median LRT configuration will reduce barriers to neighborhood interaction and provide an improved environment for pedestrian crossings of N Interstate Avenue relative to existing conditions by reducing the width of the crossing and providing mid-street refuges for pedestrians.

The median LRT configuration will prohibit some existing left-turn movements onto or off of N Interstate Avenue. These will affect the Overlook triangle area and areas farther north along N Interstate Avenue. However, the Council finds that left turn movements and access to the local street network are provided with sufficient frequency and spacing as to render any adverse impacts minor and inconsequential.

Safety and Security. The Council is sensitive to the importance of safety and security in neighborhoods affected by the South/North Project. The Council recognizes that station security is a sensitive issue, particularly during evening hours. The Council finds that, with appropriate design and implementation of systemwide transit security measures as described in the General Findings, safety and security will not be adversely affected by the LRT improvements in the Upper Interstate Segment.

All of the six LRT stations in this segment will be located within the public right-of-way and in proximity to active street intersections and land uses such as the Kaiser medical center and Town Hall, the Interstate Fred Meyer and the Kenton business district. The Council finds that the location of the stations in the vicinity of the major east/west cross streets maximizes visibility and safety and security at active street intersections and also takes advantage of existing links between neighborhoods east and west of I-5.

Further, the Council finds that the reduced number of auto traffic lanes on N Interstate Avenue, widened sidewalks and signed pedestrian crosswalks between stations will enhance safety for pedestrians and provide a refuge from auto traffic at crossings.

School children will find N Interstate Avenue safer to cross with light rail than it is today with the wide expanse of travel lanes. There will be visible and audible signals in place that will notify children and other pedestrians of an approaching train. The pedestrian crosswalks at non-signalized marked "z" crossings will be designed to direct the focus of the pedestrian in the direction of an oncoming train and will also have the same visible and audible signals.

All emergency service providers have been involved in the redesign of N Interstate Avenue. Affected businesses, neighborhood associations, Tri-Met and the Portland Police Bureau will be involved in the review of the final design of the LRT stations in the Upper Interstate Segment to maximize safety and security. This review will include consideration of issues such as visibility, materials, lighting, pedestrian/bicycle/disabled access, landscaping, and telephones at platforms and potential security cameras. The decision to pave the trackway in the Upper Interstate Segment gives emergency service providers the option of using the trackway for emergency turnouts when necessary. Strategies to mitigate adverse safety and security impacts will be further evaluated during final design.

Visual/Aesthetic. The Upper Interstate Segment rises gradually from N Going Street to N Ainsworth Street, flattening out at approximately N Portland Boulevard. It then slopes gradually down to the Columbia River floodplain. Most structures along N Interstate are located close to the street adjacent to narrow sidewalks. The interior of the neighborhood consists of moderate-scale, one and two story older houses. Dominant visual features in the Upper Interstate Segment include the Paul Bunyan statue in Kenton; community open spaces such as Patton Square Park and the Interstate Firehouse Cultural Center, Ockley Green and Kenton Schools; and vintage houses interspersed along N Interstate Avenue.

The visual impacts of the LRT improvements in the Upper Interstate Segment are described in the *Visual Impacts Results Report*, the *SDEIS* and the *FEIS*. In general, the Council finds that the LRT improvements will result in minor visual impacts in this segment because all improvements will be located within the existing right-of-way, no buildings or significant large street trees will be displaced, and those other street trees that are removed will be replaced.

Many individuals commented during the *SDEIS* public comment period that the tie-and-ballast track treatment initially proposed for the Full Interstate Alternative would result in adverse visual impacts. In response, the design has been modified to include a paved track section for the Upper Interstate Segment to address these concerns and to support the planned "main street" character of the section of N Interstate Avenue extending from Kaiser to Kenton.

Traffic Impacts

Existing Street System. The Upper Interstate Segment extends from the Edgar Kaiser Medical Facility to north of Columbia Boulevard. The segment includes surface transportation facilities under the jurisdiction of ODOT and the City of Portland.

The surface street system in the Upper Interstate Segment is on a regular grid with east-west collector or arterial streets spaced at approximately one-half mile intervals. Interstate 5 cuts through the grid in a north-south direction, generally located three to four blocks east of N Interstate Avenue. Crossings of I-5 are generally limited to arterial or collector streets and are located one-quarter to one-half mile apart for motorized traffic.

Key north/south local streets in the Upper Interstate Segment are N Interstate Avenue, N Greeley Avenue, N Denver Avenue, N Vancouver Avenue and NE Martin Luther King Boulevard. Primary east/west streets in this segment include N Skidmore Street, N Going Street, N Alberta Street, N Killingsworth Street, N Ainsworth Street, N Lombard Street, N Portland Boulevard, and N Columbia Boulevard, all of which cross I-5.

I-5 experiences the highest daily traffic volumes of any highway or street within the Upper Interstate Segment. Traffic counts taken between 1993 and 1995 indicated daily volumes on I-5 ranging from 141,000 vehicles per day between the N Alberta Street and N Portland Boulevard interchanges to approximately 100,000 vehicles per day at Delta Park. On N Interstate Avenue, average daily traffic volumes during the same period ranged from 12,000 to 14,000 vehicles per day between N Going Street and N Argyle Street. Average daily traffic on key east-west streets

ranged from approximately 16,000 vehicles per day on N Portland Boulevard, to approximately 21,500 vehicles per day on N Lombard Street and N Columbia Boulevard, to 26,500 vehicles per day on N Going Street.

N Columbia Boulevard skirts the southern edge of the Columbia River lowlands that are the site of many industrial facilities. This area is designated by the City as a Truck District. As such, N Columbia Boulevard is one of the major routes designated to provide truck access between the regional arterial system and the industrial areas south of the Columbia Slough, as well as the St. Johns Bridge. N Columbia Boulevard has one interchange with I-5, which provides access to and from the south. N Columbia Boulevard is a four-lane facility with left turn lanes at key intersections.

Level of Service F conditions currently exist during the PM peak hour at the N Interstate Avenue intersections with N Going Street and N Lombard Street. At N Going Street, both northbound and eastbound approaches operate at LOS F, with lengthy queues observed during the PM peak hour. The N Interstate Avenue intersection with N Alberta Street has a northbound through-movement operating at LOS E. The intersection of N Interstate Avenue and N Killingsworth Street currently operates at LOS C.

Local Traffic Impacts. The LRT improvements in the Upper Interstate Segment will reduce roadway capacity on N Interstate Avenue from two through lanes in each direction to one through traffic lane in each direction.

The major traffic issues in this segment include neighborhood access, intersection level of service, and diversion of traffic onto parallel streets because of the reduced capacity of N Interstate Avenue.

The existing configuration of N Interstate Avenue in the Upper Interstate Segment includes a raised median that limits left-turn access. This raised median is a remnant from when N Interstate Avenue served as Highway 99W, the main north/south highway connection to the Interstate Bridge across the Columbia River.

There are currently 28 locations for making left turns along N Interstate Avenue. These locations are identified on Figure 3.3-1 of the *FEIS*. With the Project, the number of left-turn locations is reduced to 18. The design would provide turn pockets and signals at all left-turn locations, compared to a current mix of unsignalized turns, signalized turns without pockets and signalized turns with pockets. The ten streets currently with unsignalized left turn access that would lose their left turn access experience slightly reduced traffic volumes as a result. In turn, the streets retaining left turn access would experience slightly increased volumes. However, the changes in access and circulation patterns on these local streets would not be significant. The Council further finds that the changes would not preclude adequate emergency vehicle access to affected areas.

Traffic congestion in the travel corridor adjacent to I-5 through north Portland is highly dependent on the ability of I-5 to handle the projected traffic volumes. When I-5 is operating

poorly, through traffic spills over onto north Portland streets such as N Interstate Avenue, N Denver Avenue, N Vancouver Avenue and N Martin Luther King Boulevard. The 2020 traffic analysis prepared for the *FEIS* used a conservative approach that included no major capital improvements on I-5 in this corridor. This approach led to forecast traffic volumes on north Portland streets that are representative of a "worst case" scenario, including no new I-5 capacity improvements.

Traffic congestion impacts along N Interstate Avenue in the Upper Interstate Segment were analyzed using the Vissim traffic and transit simulation program and Highway Capacity Manual software to assess the performance of the major intersections. Generally, with the Project, intersections would perform at levels of service D or better. This includes the intersections of N Interstate Avenue at N Fremont Street, N Shaver Street, N Alberta Street, N Killingsworth Street, N Ainsworth Street, N Portland Boulevard, N Buffalo Street, N Fenwick Avenue and N Argyle/Denver Street. The intersection of N Interstate Avenue at N Going Street would perform at LOS "F" with or without the Project, while the intersection of N Interstate Avenue at N Lombard Street would perform at LOS "E" with or without the Project.

As a consequence of the traffic congestion analysis along N Interstate Avenue, detailed signal timing plans were developed that optimize intersection operations, and recommendations were prepared that identified the need for left-turn pockets and their lengths. At N Lombard Street and N Going Street, the signals were timed to favor east-west movement, while the remaining signals along N Interstate Avenue were timed to facilitate north/south traffic progression. Light rail will preempt all signals along N Interstate Avenue.

As a result of the decreased capacity on N Interstate Avenue, the parallel street system will experience increases in peak hour volumes. Overall, approximately 48 percent of the PM peak hour two-way traffic demand on N Interstate Avenue that would otherwise be present without the Project will be diverted either to transit, out of the corridor, or onto parallel streets. On N Greeley Avenue, 2020 PM two-way peak hour traffic volumes are projected to increase 9.7% to 790 trips. On N Denver Avenue, traffic volumes are forecast to increase 27.5% to 510 vehicles. On N Albina Street, east of I-5, PM peak hour traffic volumes are forecast to increase 18.6% to 510 vehicles per hour. In contrast, 2020 traffic volumes along N Interstate Avenue are forecast to decrease 47.8%, from 2050 vehicles per hour without the Project to 1070 per hour with the Project.

Station Impacts. No park-and-ride lots would be located in the Upper Interstate Segment. Based on the information in the *FEIS*, the Council finds that there is moderate potential for park-and-ride activity on adjacent property and neighborhood streets in the Upper Interstate Segment because there is free on-street parking available in the vicinity of most stations, and the corridor lies within a large travel shed with high attraction to the Portland Central City.

The potential for drop-off traffic will vary depending upon the location of the station in relation to I-5 ramps and/or its proximity to major cross streets. The Council finds that the potential for residential neighborhood traffic intrusion will generally be low due to the location of stations primarily along the arterial street system. Access to stations by bicyclists and pedestrians will be

good, with improved bicycle access along N Interstate Avenue with the construction of northbound and southbound bike lanes.

If monitoring of station area parking indicates problems, parking mitigation strategies could be implemented for on-street parking. Monitoring and control of off-street lots (such as Edgar Kaiser or Fred Meyer) may be appropriate. For example, private parking lot operators in the Lloyd District have restricted access to parking lots during the AM commute period (e.g. before 9:00 AM) to discourage park-and-ride activity in the vicinity of transit stations along the Eastside MAX.

The initial LUFO included an interim terminus at Kenton, with no park-and-ride facilities provided in North Portland. The Council finds that the extension of the interim terminus to the Expo Center, coupled with the shared use of a total of approximately 600 park-and-ride spaces split between the Portland International Raceway and the Expo Center stations, will reduce pressures for park-and-ride activity in Upper Interstate Segment neighborhoods.

Mitigation Strategies. By extending the terminus north from Kenton to the Expo Center, where park-and-ride capacity will be available, the potential for adverse on-street parking impacts in proximity to the six stations in the Upper Interstate Segment has been reduced. Additionally, the Council finds that options are available to reduce or mitigate adverse parking impacts if they occur. Such options include permit parking programs and monitoring and management of off-street lots to limit commuter parking.

Conceptual engineering plans and the *FEIS* identify transportation related improvements and other measures to mitigate adverse traffic impacts in the Upper Interstate Segment, including but not limited to the following:

- Reconstruct N Interstate Avenue from a four-lane basic section to a two-lane basic section with sidewalks, curbs and gutter, auto and bicycle lanes, turn and/or auxiliary lanes at intersections, and on street parking away from intersections and signals.
- Install six signed pedestrian "z" crossings approximately mid-way between the station platforms to provide safe pedestrian access across the LRT alignment between signalized intersections.
- Modify the signal operations to ensure adequate east-west green time for N Going Street and N Lombard Street
- Install new traffic signals at N Interstate Avenue intersections with N Overlook Boulevard, N Skidmore Street, N Willamette Boulevard, N Dekum Street, N Terry Street, N Interstate Place and N Fenwick Street.
- Lengthen left-turn pockets on N Interstate Avenue at N Going Street, N Portland Boulevard and N Lombard Street
- Revise the alignment design in the vicinity of N Denver Avenue and N Argyle Avenue to reduce auto/train crossings and include advance directional signing to alert traffic that northbound right turns from N Interstate Avenue at N Argyle Street would be prohibited.

- Add a northbound left turn signal and pocket at N Fenwick Avenue and close the small portion of N McClellan Street between N Fenwick Avenue and N Interstate Avenue
- Add left-turn pockets on N Killingsworth Street and N Alberta Street at their intersections with N Interstate Avenue
- Work with ODOT to develop long-term improvements to I-5 that will help reduce the spillover of through traffic onto local streets and collectors.
- Develop a traffic management plan for the area between N Greeley Avenue and NE Martin Luther King Boulevard to address issues that may emerge with the diversion of traffic from N Interstate Avenue onto other north/south roads.
- Work with the community to identify appropriate traffic volume thresholds on various streets and to develop a plan for traffic calming or diversion methods that could be considered to address impacts when these thresholds are reached.

The Council finds that the improvements identified above can mitigate the adverse traffic impacts of the South/North Project in the Upper Interstate Segment. Refinement of mitigation plans can be addressed during final design.

Provide for a light rail route and associated facilities, balancing the need for light rail proximity and service to areas that are capable of enhancing transit ridership; the likely contribution of light rail proximity and service to the development of an efficient and compact urban form; and the need to protect affected neighborhoods from the identified adverse impacts.

The *City of Portland Comprehensive Plan* and the *Albina Community Plan* envision an intensification of land uses in proximity to the South/North LRT station areas. The light rail route and associated facilities in the Upper Interstate Segment provide transit service to key activity centers that are capable of enhancing transit ridership, including the Edgar Kaiser Medical Facility, relatively dense North Portland neighborhoods, the Cascade Campus of PCC, retail/service nodes along N Interstate Avenue, and the Historic Kenton District.

LRT is an important tool in the region's ability to accomplish the goals of the Region 2040 Growth Concept. The availability of LRT will provide an alternative mode to travel on congested roadways such as I-5 and will help support higher densities and more compact and efficient development in the Upper Interstate Segment.

Light rail transit will also provide improved transit accessibility and service to residents of North Portland. A higher than average number of North Portland residents is dependent on transit for access to jobs and services. The existing residential neighborhoods provide the density and design features such as grid streets and mixed use development that are capable of enhancing transit ridership.

Because the LRT alignment and stations are located within the existing right-of-way of N Interstate Avenue and will reduce the traffic carrying capacity of N Interstate Avenue, the Council finds that it is not possible to completely avoid traffic impacts. However, the Full

Interstate Alignment avoids displacements and their associated economic and social costs. The alignment provides the opportunity to best balance moderate traffic impacts with providing LRT service that can be well integrated into the neighborhood and community and meet urban design and redevelopment objectives for the area. The project improvements in this segment, including the paved track section, wider sidewalks and new street trees, will help shift the character of this segment of N Interstate Avenue from a “major traffic street” to a “main street.”

Provide for associated highway improvements, balancing the need to improve the highway system with the need to protect affected neighborhoods from the identified adverse impacts.

No highway improvements are proposed in the Upper Interstate Segment that have utility separate from the South/North Project. A range of improvements is proposed as mitigation for traffic impacts associated with the LRT facilities in this segment. These improvements are described in the discussion of traffic impacts for the Upper Interstate Segment.

6.4.8.3 Criterion 4: Noise Impacts

“Identify adverse noise impacts and identify measures to reduce noise impacts which could be imposed as conditions of approval during the NEPA process or, if reasonable and necessary, by affected local governments during the permitting process.”

Noise and vibration impacts specific to the Upper Interstate Segment are addressed in the following section. Noise and vibration impacts common to neighborhoods throughout the South/North Corridor, including the Upper Interstate Segment, are addressed in the General Findings portion of the original LUFO findings. The General Findings include an overview of noise and vibration, descriptions of different types of noise, and identification of potential noise mitigation by noise type. Noise and vibration impacts are identified, along with mitigation measures, in the *Noise and Vibration Impacts Results Report (Noise Report)*, *Noise and Vibration Mitigation Plan*, and in the *SDEIS* and *FEIS*.

Identification of Noise and Vibration Impacts in the Upper Interstate Segment

As shown in Figure 4.5-4 of the *FEIS*, there were seven noise monitoring locations and one vibration monitoring location in the Upper Interstate Segment. Vibration monitoring for the segment was performed at the Kenton School at the intersection of N Interstate Avenue and N Lombard Street.

Table 4.5-4 of the *FEIS* summarizes the existing noise environment for the Upper Interstate Segment. The measured Ldn levels ranged from 68 to 73 dBA, with the higher levels at sites directly exposed to vehicular traffic on either N Interstate Avenue, I-5 or the major east-west arterials. Areas adjacent to N Interstate Avenue and N Going Street have high existing noise levels due to high traffic volumes and truck traffic in the area. The existing vibration

environment in the Upper Interstate Segment is also influenced by vehicle traffic, with measurements ranging from 42 to 46 VdB near the Kenton School.

Category 2 land uses (Noise Categories described in the General Findings) within the Upper Interstate Segment include single and multi-family dwelling units and hotels. Based on the ODOT noise impact standard of 65 dBA, many of the residential properties that are located on N Interstate Avenue currently exceed ODOT's impact criteria.

Category 3 land uses include Ockley Green Middle School, Kenton Elementary School, several churches along N Interstate Avenue, and the Firehouse Theater and Overlook Park on N Interstate Avenue.

Table 4.5-5 of the *FEIS* provides a general summary of the noise and vibration impacts associated with the Interstate Avenue Alignment. Based on the information in the *Noise and Vibration Mitigation Plan* and the *FEIS*, the Council finds that the LRT improvements will result in six LRT noise impacts and 14 LRT vibration impacts in the Upper Interstate Segment. Noise from vehicular traffic will result in 92 exceedances of ODOT highway noise standards.

Traffic Noise Impacts. LRT improvements in the Upper Interstate Segment will include a reconfiguration of N Interstate Avenue to a single lane of through traffic in each direction. Traffic projections for the year 2020 indicate that about 1,070 vehicles would use N Interstate Avenue during the PM peak hour with the Full Interstate Alignment, compared to 2,050 vehicles with the No Build Alternative.

Traffic on N Interstate Avenue would increase over existing conditions, resulting in 28 additional noise exceedances. This total would be 57 exceedances less than compared to the No-Build Alternative. The increase of one to two decibels would be barely perceptible to a person with average hearing. The Council finds that most of these homes are considered to have a traffic noise impact under existing conditions and the No-Build alternative. In addition, the Council finds that changes in the project design to avoid all displacements have resulted in a slight increase in the number of residences subject to traffic noise. This slight adverse noise impact must be balanced with the positive social and neighborhood benefits gained with avoiding the displacement of residential or commercial uses.

LRT Noise Impacts. As shown in Table 4.5-7 of the *FEIS*, three hotels and three single family houses were found to be potentially exposed to LRT noise levels exceeding the impact criteria. The impacts are associated with special trackwork (i.e. track turnouts or switches) necessary for efficient train operations. These impacts could be mitigated by using special track work that reduces the noise when a train wheel crosses over a track switch or by moving the locations of the switches to an area with fewer sensitive receptors.

LRT Vibration Impacts. As described in the *FEIS*, the LRT improvements will result in 14 vibration levels exceeding the impact criteria in the Upper Interstate Segment. All of the impacts could be mitigated with spring loaded frogs to reduce vibration produced by switches or by

moving these switches, using ballast mats to dampen vibration, rail-attached vibration absorbers, and a vibration-related vehicle and track maintenance program.

The Council finds that there would be no vibration impacts to the Polish American Citizens Club building or the St. Stanislaus Church. The St. Stanislaus Church and the Polish American Citizens Club building were considered impacted under the *DEIS* and the *SDEIS* designs due to the location of a track switch near the Overlook Station and directly in front of these resources. The *FEIS* design moves this switch and, as a result, no impacts to these facilities are projected and no mitigation required.

Mitigation Options for Noise and Vibration Impacts in the Upper Interstate Segment

Mitigation for traffic noise impacts typically includes noise barriers and street realignment. Neither of these methods is considered practical for traffic impacts in the Upper Interstate Segment. The Council finds that noise barriers would be ineffective with the gaps in the wall that would be required to access properties off of N Interstate Avenue. Further, noise walls would be incompatible with the urban character of the area.

The projected traffic noise increase along N Interstate Avenue would be less than three decibels in all but a few locations. Human hearing typically cannot perceive a change of less than three dBA in broadband noise such as traffic noise. The Council finds that no mitigation for traffic noise impacts is proposed at this time because:

- The traffic noise impacts occur under existing conditions. At 64 of the 92 impacted receivers, current noise levels exceed the ODOT traffic noise impact criteria;
- Future projected traffic noise levels are barely over State of Oregon guidelines;
- No practical and reasonable noise mitigation (i.e., noise walls) could be implemented where the impacts would occur; and
- The project will result in lower traffic noise impacts than would occur under the No-Build Alternative with projected 2020 traffic volumes.

Further, the Council finds that the slight increase in traffic noise impacts are more than off-set by the positive social and neighborhood impacts associated with avoiding displacements in the Upper Interstate Segment.

The Council finds that reasonable options are available to mitigate LRT noise, wheel squeal and vibration impacts as summarized above and in the *FEIS*. Effective mitigation measures will be explored in greater detail during final design.

6.4.8.4 Criterion 5: Natural Hazards

“Identify affected landslide areas, areas of severe erosion potential, areas subject to earthquake damage and lands within the 100-year floodplain. Demonstrate that adverse impacts to persons or property can be reduced or mitigated through design or construction techniques which could be imposed

during the NEPA process or, if reasonable and necessary, by local governments during the permitting process.”

Natural hazard impacts specific to the Upper Interstate Segment are addressed in the following section. Natural hazard impacts applicable to neighborhoods throughout the South/North Corridor, including the Upper Interstate Segment, are addressed in the General Findings portion of the original LUFO findings. Natural hazard impacts, and associated mitigation measures, also are described in the *Geology and Soils Impacts Results Report (Soils Report)*, the *Hydrology and Water Quality Impacts Results Report (Hydrology Report)* and in the *SDEIS* and *FEIS*.

Identification of Natural Hazard Areas in the Upper Interstate Segment

The *SDEIS* and *FEIS* do not identify specific *landslide areas*, *areas of severe erosion potential* or *lands within the 100-year floodplain* in the Upper Interstate Segment. The potential for major landslides within the South/North Corridor is very limited because the topography within the corridor is relatively gentle. Areas of severe erosion potential are generally associated with steep slopes and creek crossings and the Upper Interstate Segment does not include land with these features. Because the LRT alignment and stations will be located within existing street right-of-way and at the existing street grade, earthwork will be minimal and no significant geology or soils impacts are expected.

As described in the General Findings, the Northwest is a seismically active area and is subject to *earthquake damage*. Figure 4.1-11 of the *Soils Report* does not identify any concealed faults within the Upper Interstate Segment. However, a concealed fault is identified a short distance to the south of the Edgar Kaiser Medical Facility, approximately parallel to N Overlook Boulevard.

Based on the information contained in the *Soils Report* and the *Hydrology Report*, the Council finds that no *landslide areas* or *areas of severe erosion potential* or *100-year floodplains* are affected by the LRT improvements in the Upper Interstate Segment.

While historical evidence of seismic activity in Oregon is minimal, recent studies indicate that western Oregon may be subject to a greater risk from *earthquake hazards* than previously thought. Site geology has a significant impact on earthquake damage. Young unconsolidated silt, sand, and clay deposits are associated with enhanced earthquake damage through amplification of shaking, settlement, liquefaction, and landsliding.

Mitigation Options for Natural Hazards in the Upper Interstate Segment

Based on the facts in the *Soils Report*, the *SDEIS* and the *FEIS*, the Council finds that long-term impacts to geology and soils in the Upper Interstate Segment are minimal. Mitigation would consist of using standard engineering practices to construct stable slopes; design of the replacement Denver Avenue Viaduct to meet Uniform Building Code seismic standards; and techniques such as excavation and backfilling, special footing and foundation designs, and special construction techniques such as pilings to address shallow groundwater or organic soils.

6.4.8.5 Criterion 6: Natural Resource Impacts

“Identify adverse impacts on significant fish and wildlife, scenic and open space, riparian, wetland and park and recreational areas, including the Willamette River Greenway, that are protected in acknowledged local comprehensive plans. Where adverse impacts cannot practicably be avoided, encourage the conservation of natural resources by demonstrating that there are measures to reduce or mitigate impacts which could be imposed as conditions of approval during the NEPA process or, if reasonable and necessary, by local governments during the permitting process.”

Natural resource impacts specific to the Upper Interstate Segment are addressed in the following section. Natural resource impacts applicable to neighborhoods throughout the South/North Corridor, including the Upper Interstate Segment, are addressed in the General Findings portion of the original LUFO findings. Natural resource impacts, along with associated mitigation measures, also are described in the *Ecosystem Impacts Results Report (Ecosystems Report)*, the *Parklands, Recreation Areas, Wildlife and Waterfowl Refuges 4(f) Impacts Results Report (4(f) Report)* and in the *SDEIS* and *FEIS*.

Identification of Impacts to Significant, Protected Natural Resources in the Upper Interstate Segment

The Portland Comprehensive Plan includes policies and objectives to address conservation of a range of natural resources identified in Statewide Goal 5, including wetlands, riparian areas and water bodies, fish and wildlife habitat, scenic routes and viewpoints, and significant upland areas. The City has completed an inventory and analysis of natural resource sites, identified the significance of each site and provided varying levels of protection to specific sites through the application of Environmental Overlay Zones, Scenic Overlay Zones and Open Space Zones.

As described earlier, the Upper Interstate Segment is highly urbanized, and few natural resources are present or impacted by the South/North Project between the Edgar Kaiser Medical Facility and N Columbia Boulevard.

Fish and Wildlife Habitat. The Upper Interstate Segment is highly urbanized with residential, commercial, industrial and institutional uses. No natural habitat or significant vegetative cover occurs within this segment. Because of the lack of natural habitat within the Upper Interstate Segment, no threatened and endangered plant species were encountered, nor were any expected. Wildlife use of this segment is also expected to be negligible because of the lack of natural habitat.

No waterways are present in the Upper Interstate Segment; therefore, no fishery resources are present.

Scenic and Open Space Areas. Dominant visual features in the Upper Interstate Segment include those identified in the *Albina Community Plan*. They include the Paul Bunyan statue in

Kenton, community open spaces such as Patton Square Park and the Interstate Firehouse Cultural Center, Ockley Green and Kenton Schools, Overlook Park, and vintage houses interspersed along N Interstate Avenue. Visual/scenic resources in the Upper Interstate Segment that are identified as significant in the City's *Scenic Views, Sites and Drives Inventory, Scenic Resources Protection Plan* include views of downtown from Overlook Park.

The LRT alignment will be located northeast of Overlook Park and will not affect the scenic view corridor from the park toward the Willamette River and downtown Portland. Because the LRT alignment and stations will be located within the existing N Interstate Avenue right-of-way and there will be no displacements, community open space areas and features such as the Paul Bunyan statue will not be adversely affected by the project.

Riparian Areas. There are no riparian areas within the Upper Interstate Segment.

Wetland Areas. There are no wetland areas in the Upper Interstate Segment.

Park and Recreational Areas and Willamette River Greenway. The Upper Interstate Segment does not affect lands within the Willamette River Greenway.

Four park and recreational areas are located within the Upper Interstate Segment: 1) Overlook Park; 2) Patton Square Park; 3) Ockley Green Middle School; and 4) Kenton School.

Overlook Park is a 12-acre city/neighborhood park located at N Interstate Avenue and N Overlook Boulevard at the south end of this segment. The park's main attractions are its sports facilities, which include a basketball court, three fields for baseball and softball, a soccer fields and areas for horseshoes, shuffleboard and handball. The park is within walking distance of Overlook Neighborhood residents.

The LRT alignment will be located within the center of the N Interstate Avenue right-of-way abutting the eastern boundary of Overlook Park. The split platform Overlook Station will be located at the intersection of N Interstate Avenue and N Overlook Boulevard and will provide transit access to the park. The alignment and station will not physically touch the park and will be approximately 50 feet away from the park's property line. The *SDEIS* and *FEIS* note and the Council finds that Overlook Park will experience a slight increase in noise from existing conditions. The projected increase of one to two dBA would be considered barely perceptible to a person with normal hearing. Although Overlook Park could be considered impacted because of the slight increase of noise, due to the lack of passive or active uses in the area, the *SDEIS* and *FEIS* state, and the Council finds, that noise increase is not considered a use or constructive use of the park.

Existing mature street trees are located within the right-of-way that separates Overlook Park from N Interstate Avenue. The trees may need to be removed to accommodate the project improvements, including the wider sidewalks. The Council finds that existing trees and landscaping along the eastern boundary of the park will provide continued screening and buffering even with removal of the street trees.

Patton Square Park is located at N Interstate Avenue and N Emerson Street. Facilities at the 1.18-acre city/neighborhood park include a playground and the Interstate Firehouse Cultural Center (IFCC). Residents of the Overlook and Arbor Lodge Neighborhoods are within easy walking distance to the park. The IFCC holds numerous arts and entertainment activities such as lectures, exhibits and plays. Most of these activities occur during the evening, but a limited number of matinees are also provided.

For theater guests, the IFCC provides a small parking lot that can be entered from N Interstate Avenue. The park is accessible by foot or by car. On-street parking is available on N Emerson Street and N Maryland Avenue. Patton Park and the IFCC will have convenient access to LRT transit with the station at Killingsworth. The *4(f) Report* notes and the Council finds that there would not be a substantial impairment to the Patton Square Park as a result of the proximity impacts of LRT. With the existing signal at N Killingsworth Street and a new signal at N Willamette Boulevard, the Council finds that the LRT improvements will not have an adverse impact on Patton Square Park, and it finds that safe and convenient transit, vehicle and pedestrian access to Patton Park and the IFCC will be maintained.

Ockley Green School is located at N Interstate Avenue and N Montana Street. The Portland Park Bureau has a partnership with the Portland Public Schools relating to use of the approximately 1.72 acre playing field at the school. Residents of the Arbor Lodge Neighborhood are within close walking distance to the field. The school and playing field are located approximately mid-way between the Killingsworth and Portland Boulevard LRT stations. The playing field provides recreational opportunities for students and is used for organized baseball practices and games between March and August. During fall and winter, the gyms and soccer fields are also used. The *4(f) Report* notes that the LRT alignment will be approximately 30 feet away from the playing field. With the existing signal at N Ainsworth Street and a pedestrian signal at N Colfax Street, the Council finds that the LRT improvements will not have an adverse impact on the Ockley Green School playing field, and it finds that safe and convenient transit, vehicle and pedestrian access to the Ockley Green School and fields will be maintained.

Kenton School, which is located at 7528 N Fenwick Avenue, has a playing field of approximately 1.86 acres. The field is located at N Interstate Avenue and N Lombard Street; it contains a playground area, a sandbox and an open field that provides recreational opportunities for students. The field is within walking distance of Kenton Neighborhood residents. The field is used for baseball practices and games between March and August. The *4(f) Report* notes that the LRT alignment will be approximately 40 feet away from the playing field property line. With the signal and split platform station at N Lombard Street, the Council finds that the LRT improvements will not have an adverse impact on Kenton Elementary School and the playing field, and it finds that safe and convenient transit, vehicle and pedestrian access to the school and field will be maintained.

Mitigation Options for Natural Resource Impacts in the Upper Interstate Segment

Based on the information provided in the *Ecosystems Report*, the *4(f) Report*, the *SDEIS* and the *FEIS*, the Council concludes that the South/North Project improvements in the Upper Interstate Segment will not result in adverse impacts on the Willamette River Greenway or designated scenic and open space areas that are protected in the Portland Comprehensive Plan. The alignment and stations will be located within the existing N Interstate Avenue right-of-way and will avoid Overlook Park, Patton Square Park, and the playing fields at Ockley Green Middle School and Kenton Elementary School. LRT stations in the Upper Interstate Segment will provide good transit access to the park and recreational areas and signed pedestrian crosswalks will assure safe and convenient pedestrian access across the LRT alignment to the park and recreational areas between the signalized intersections. Because the Council finds no adverse impacts to natural resources, it concludes that no measures to reduce adverse impacts are necessary.

6.4.8.6 Criterion 7: Stormwater Runoff

“Identify adverse impacts associated with stormwater runoff. Demonstrate that there are measures to provide adequate stormwater drainage retention or removal and protect water quality which could be imposed as conditions of approval during the NEPA process or, if reasonable and necessary, by local governments during the permitting process.”

Stormwater runoff impacts specific to the Upper Interstate Segment are addressed in the following section. Stormwater runoff impacts and mitigation common to segments throughout the South/North Corridor, including the Upper Interstate Segment, are addressed in the General Findings portion of the original LUFO findings. Stormwater impacts and mitigation measures are also described in the *Water Quality and Hydrology Impacts Results Report (Hydrology Report)* and in the *SDEIS* and *FEIS*.

Identification of Stormwater Impacts in the Upper Interstate Segment

The LRT improvements in the Upper Interstate Segment include construction of a light rail alignment and six LRT stations. No park-and-ride lots or operations and maintenance facilities are located in the Upper Interstate Segment.

The majority of the stations in the Upper Interstate Segment will be located in areas that are currently paved (street and/or sidewalk). As a result, the *Hydrology Report* states and the Council finds that the LRT improvements are not expected to increase the rate or volume of stormwater runoff, either individually or collectively. Runoff generated along the alignment and at the stations will be directed to catch basins and storm drainage facilities in adjacent roadways. No treatment will be provided other than the treatment that now occurs within these existing drainage systems. Drainage is currently conveyed to the Willamette River or the Columbia Slough. No increase in pollutant loading would be anticipated compared to that generated from existing streets and sidewalks in the Upper Interstate Segment.

Mitigation Options for Stormwater Impacts in the Upper Interstate Segment

As shown in Table 5.3-8 of the *Hydrology Report*, no significant hydrologic, flooding, or water quality problems are expected from the LRT improvements in the Upper Interstate Segment. Standard erosion control and stormwater management techniques described in the General Findings are applicable in the Upper Interstate Segment and will be implemented by the Portland Bureau of Environmental Services through local permitting.

The Council finds that water quantity and quality impacts created by the construction and operation of the South/North Project in the Upper Interstate Segment can be substantially mitigated by complying with City of Portland erosion control and stormwater management regulations. These rules and regulations outline Best Management Practices (BMPs) to prevent or limit pollutants from entering surface waters through urban drainage systems.

Standard erosion control measures can be implemented in connection with all improvements in the Upper Interstate Segment. The Council recognizes that the Columbia Slough has been designated as a water quality limited stream and is subject to specific water quality standards. BMPs for water quality impacts typically include sediment and erosion controls, construction spill control measures, oil/water separators, biofiltration swales, and water quality/retention ponds. The Council finds that a range of measures is available and site-specific mitigation for stormwater quantity and quality impacts will be refined and selected during the final design and local permitting processes.

6.4.8.7 Criterion 8: Historic and Cultural Resources

“Identify adverse impacts on significant historic and cultural resources protected in acknowledged comprehensive plans. Where adverse impacts cannot practicably be avoided, identify local, state or federal review processes that are available to address and to reduce adverse impacts to the affected resources.”

Historic and cultural resource impacts specific to the Upper Interstate Segment are addressed in the following section. Historic and cultural resource impacts and mitigation common to segments throughout the South/North Corridor, including the Upper Interstate Segment, are addressed in the General Findings portion of the original LUFO findings. Historic and cultural resource impacts and mitigation measures are also described in the *Historic, Archeological and Cultural Resource Impacts Results Report (Historic Report)* and in the *SDEIS* and *FEIS*.

Identified Significant and Protected Historic and Cultural Resources in the Upper Interstate Segment

The Upper Interstate Segment includes one historic resource that is currently listed on the National Register (Site 148 - Fire Station at 5340 N Interstate Street). This resource is automatically considered significant and protected under the acknowledged Portland

Comprehensive Plan. Additionally, the Kenton Conservation District is located in the Upper Interstate Segment. The boundaries of the Kenton Conservation District are identified on Map 445-3 of the Portland Zoning Code. In general, the boundaries of the district extend from the north side of N Lombard Street on the south to the north side of N Willis Boulevard on the north, extending from the east side of N Delaware Avenue to the west side of N Interstate Avenue. Map 443-3 identifies the buildings that are designated as “Historic” and “Contributing” resources within the Kenton Conservation District.

As part of the *DEIS*, the following six historic resources were determined potentially eligible for the National Register, but are not currently designated as significant and protected under the City of Portland Comprehensive Plan:

- Nicolai Co. Office Ensemble (Site 133)
- Nicolai Co. Industrial Site Ensemble (Site 134)
- Kenton Stockyard School (Site 137)
- Polish American Citizens Building (Site 139)
- St. Stanislaus Church (Site 140)

With the refinement of the LRT alignment since the original LUFO and the proposed reconstruction of the Denver Avenue Viaduct, adverse impacts to the Nicolai Co. Office Ensemble (Site 133) and the Nicolai Co. Industrial Site Ensemble (Site 134) can be avoided.

The *Historic Report* states and the Council finds that the LRT alignment will have no effect on the Kenton Stockyard School (Site 137) or the firestation at 5340 N Interstate Avenue (Site 148).

There is also no effect on the Polish American Citizens Building (Site 139) or the St. Stanislaus Church (Site 140). There is no right-of-way take for these properties, but they will be located in close proximity to the LRT improvements. The LRT improvements will not cause vibration impacts to these structures.

Mitigation Options for Identified Historic and Cultural Resource Impacts in the Upper Interstate Segment

The *DEIS* and the *Historic Report* document that the South/North Project improvements will not require right-of-way or adversely affect any historic resources that are recognized as significant and protected under the City of Portland Comprehensive Plan. There are no impacts on the Fire House on N Interstate (National Register) or to any designated historic resources within the Kenton Conservation District.

The Council finds that the Portland Landmarks Commission will have an opportunity to review light rail improvements, including the Kenton Station, that are located within the Kenton Conservation District. However, the LRT improvements will not displace any buildings designated as “Historic” or “Contributing” resources within the Kenton Conservation District.

The Council recognizes that the Polish American Citizens Club building and the St. Stanislaus Church are not recognized as significant or protected by the City of Portland. However, because the buildings have been identified as eligible for the National Register, federal processes will apply through NEPA. The St. Stanislaus Church and the Polish American Citizens Club building were considered impacted under the *DEIS* and the *SDEIS* designs due to the location of a track switch near the Overlook Station and directly in front of these resources. The *FEIS* design moves this switch and, as a result, no impacts to these facilities are projected and no mitigation required.

The LRT alignment approved in the earlier LUFO would have resulted in displacement of the Nicolai Co. office and industrial site ensemble, which are potentially eligible for listing on the National Register. The Council finds that the refined LRT alignment, including the proposed reconstruction of the Denver Avenue viaduct over N Columbia Boulevard, avoids displacement and adverse impacts to these buildings.

6.4.8a Expo Center Segment

6.4.8a.1 Description of Light Rail and Highway Improvements

The Expo Center Segment of the South/North Project includes the following LRT-related facilities:

- An alignment that extends north from the Denver Avenue Viaduct over N Columbia Boulevard and the Columbia Slough to an interim terminus and station at the Expo Center on the north.
- Two light rail stations – one at the Portland International Raceway (PIR) and one at the Expo Center.
- Two park-and-ride facilities, one at PIR and one at the Expo Center, together providing approximately 600 spaces.

See **Figures 1.7 and 1.8** of the LUFO Amendment for LUFO boundaries for the Expo Center Segment.

Light Rail Alignment

From N Denver Avenue north of N Columbia Boulevard, the alignment continues northward, east of N Denver Avenue (Highway 99W), crossing over the Columbia Slough on a new bridge. The alignment crosses under Highway 99W through a tunnel to a station and park-and-ride lot in the vicinity of Portland International Raceway near N Victory Boulevard. From here the track continues near N Expo Road to a terminus station and park-and-ride lot at the Expo Center.

Light Rail Stations

Two stations are provided in the Expo Center Segment.

PIR Station. This station, located in the vicinity of Portland International Raceway (PIR), will serve the public and quasi-public destination points of PIR, Portland Meadows Racetrack and Delta Park. The station will provide light rail accessibility to support major events at these facilities.

Expo Center Station. This station will be located near and serve the Portland Metropolitan Exposition Center (Expo Center), another major event facility in the Expo Center Segment. The Expo Center serves as a venue for large-scale events such as boat and RV shows, garden shows, etc.

The Expo Center Station is one of only two light rail stations addressed in this LUFO amendment whose location overlaps the station location identified in the original LUFO. Accordingly, rather than replacing and superseding the earlier boundary decision for the Expo Center Station as set out in the original LUFO, this amendment modifies the boundary identified in Figure 3.23 of the original LUFO to expand the area wherein the Expo Center Station may be located.

Park-and-Ride Lots

Two park-and-ride lots are provided in the Expo Center Segment: The PIR park-and-ride and the Expo Center park-and-ride. Together, these two lots will provide approximately 600 parking spaces, with each lot providing approximately 300 spaces. For both lots, access is available from N. Victory Boulevard and N. Expo Road. The Expo Center park-and-ride lot can also be accessed from N Marine Drive via N Force Road, although the privately owned connection between N Expo Road and N Force Road is not always open.

Operations and Maintenance Facilities

There are no operations and maintenance facilities located in the Expo Center Segment.

Highway Improvements

There are no highway improvement located in the Expo Center Segment.

6.4.8a.2 Criterion 3: Neighborhood Impacts

“Identify adverse economic, social and traffic impacts on affected residential, commercial and industrial neighborhoods and mixed use centers. Identify measures to reduce those impacts which could be imposed as conditions of approval during the National Environmental Policy Act (NEPA) process or,

if reasonable and necessary, by affected local governments during the local permitting process.”

“A. Provide for a light rail route and light rail stations, park-and-ride lots and vehicle maintenance facilities, including their locations, balancing (1) the need for light rail proximity and service to present or planned residential, employment and recreational areas that are capable of enhancing transit ridership; (2) the likely contribution of light rail proximity and service to the development of an efficient and compact urban form; and (3) the need to protect affected neighborhoods from the identified adverse impacts.”

“B. Provide for associated highway improvements, including their locations, balancing (1) the need to improve the highway system with (2) the need to protect affected neighborhoods from the identified adverse impacts.”

Description of Affected Neighborhoods in the Expo Center Segment

This segment directly affects the Kenton Neighborhood and indirectly affects the Bridgeton Neighborhood. The Expo Center Segment is comprised primarily of regional recreational and entertainment facilities such as the Portland International Raceway, Delta Park and the Expo Center. Industrial uses are concentrated at the south end of the segment. Recent higher density residential development is focused in the Bridgeton Neighborhood to the east of I-5.

A summary description of each directly affected neighborhood follows, based on information from the *Neighborhood Impacts Results Report* and the *FEIS*.

The *Kenton Neighborhood* is bounded on the south by N Lombard Street and on the north by the North Portland Harbor, on the east by I-5 and on the west by N Chautauqua Boulevard. The major north/south street in the neighborhood is N Interstate Avenue, which turns into N Denver Avenue. The major east/west streets are N Lombard Street and N Columbia Boulevard. These streets cross I-5 and provide connections with the Piedmont Neighborhood. The remaining east/west streets dead-end at I-5.

The Kenton Neighborhood contains a wide range of uses including residential, commercial, industrial and recreational destination points. The character of the neighborhood is primarily residential. The residences are primarily single family with some multi-family units mixed in. The Kenton Neighborhood has a designated Historic Conservation District located on the west side of the northern end of N Interstate Avenue.

The Columbia Slough runs diagonally through the neighborhood and separates the industrial area from the northernmost portion of the neighborhood, which contains a number of destination points. West Delta Park, Portland International Raceway, Heron Lakes Golf Course and the

Expo Center are located on the west side of I-5; and Portland Meadows Race Track, Portland Meadows Golf Course and East Delta Park are located to the east side of I-5.

The Kenton Neighborhood contained an estimated 1990 US Census population of 6,536. Approximately 23.1 percent of the population is minority compared with 13 percent for Multnomah County and 8.6 percent for the region. The mobility limited population and the population over 65 years of age is somewhat higher for the neighborhood than for the county and the region.

The proportion of households below the poverty level is greater in the neighborhood (19.8 percent) than in Multnomah County (13.1 percent) and the region as a whole (9.9 percent). Median value of housing in the neighborhood is considerably less than either the county or region. The proportion of residents that rent their home is slightly higher than in the region, but lower than the county.

The *Bridgeton Neighborhood* is bounded on the south by N Marine Drive, on the north by the Columbia River, on the east by NE 5th Place and on the west by the I-5 freeway. The configuration of the neighborhood is long and narrow. Uses in the neighborhood include industrial and residential. Industrial uses are located in the western portion of the neighborhood adjacent to I-5. A large area within the central portion of the neighborhood along the North Portland Harbor is undergoing high-density residential development. Residential uses, including houseboat moorage's, are also located within the eastern portion of the neighborhood.

The Bridgeton Neighborhood contained an estimated 1990 US Census population of 140. Approximately 4.5 percent of the population are minority compared with 13 percent for Multnomah County and 8.6 percent for the region. The mobility limited population and the population over 65 years of age is somewhat less for the neighborhood than for the county and the region.

The proportion of households below the poverty level is similar in the neighborhood (9.1 percent) to the region as a whole (9.9 percent) and slightly lower than for the county (13.1 percent). Median value of housing in the neighborhood is slightly lower than the county and region. The proportion of residents that rent their home is similar to that in the region (38.7 percent) and lower than that in the county (44.7 percent).

Identify adverse economic, social and traffic impacts on affected neighborhoods. Identify measures to reduce those impacts.

Economic, social and traffic impacts specific to the Expo Center Segment are addressed in the following section. Economic, social and traffic impacts applicable to neighborhoods throughout the South/North Corridor, including the Expo Center Segment, are addressed in the original LUFO findings, incorporated herein by this reference, under the heading "General Impacts and Mitigation Measures Applicable to All Segments" (hereinafter "General Findings"). Economic, social and traffic impacts are also described, along with mitigation measures, in the *Land Use and Economic Impacts Results Report (Land Use Report)*, the *Social and Neighborhood Impacts*

Results Report (Neighborhood Report), the Local and Systemwide Traffic Impacts Results Report (Traffic Report) and in the SDEIS and FEIS.

Economic Impacts

Overall, the South/North Project will result in positive economic impacts in the Expo Center Segment because improved transit capacity will be provided to serve the major destinations of Portland International Raceway and the Expo Center. The location of the LRT alignment and stations will avoid displacements and associated economic costs. The stations at PIR and the Expo Center will provide some opportunities for intensification of land uses in the vicinity of the stations consistent with land use plans and master plans for the areas.

Displacements. There will be no displacements of businesses in the Expo Center Segment. The reconstruction of the Denver Avenue viaduct to accommodate light rail and the construction of a LRT bridge across the Columbia Slough have been refined since the original LUFO to avoid the economic impacts and costs associated with business displacements. However, construction of the LRT bridge across the Columbia Slough could temporarily displace some of the recycling and truck detailing businesses currently on the site on the south side of the slough.

Loss of Parking/Access. There will be no loss of private parking spaces or access in the Expo Center Segment. On-street parking is not allowed along the route of the alignment in this segment and there are few existing access points. The LRT alignment will cross N Schmeer Road at grade and crossing gates will be installed. Access will be maintained to the container storage site to the east of the alignment.

The Expo Center park-and-ride lot will use about 200 existing parking spaces that currently serve the Expo Center. Additionally, about 100 new parking spaces will be constructed. During weekdays these approximately 300 spaces would be used by Tri-Met and would be open for Expo Center visitors after the morning rush hour. On weekends, the Expo Center would use these spaces for visitors to the facility. The park-and-ride sites will provide an improved parking environment and add to the net parking available in the area.

Tax Base. The LRT alignment and stations will not displace existing business/industrial uses from the tax rolls. Moreover, much of the project will be located on land already in public ownership that was previously removed from the tax rolls. The Council also finds that the temporary construction easements needed in the Expo Center Segment avoid adverse tax base impacts associated with right-of-way acquisition.

Freight Movement. The LRT alignment in the Expo Center Segment will cross over the Columbia Slough immediately north of the Columbia Boulevard industrial area. There is no official channel within the Columbia Slough, nor has it been dredged in this area. Due to the shallow nature of the water, primary use of the waterway has been for recreational boating, and the Council finds that the LRT improvements will not adversely affect *water freight movement*. The LRT bridge over the Columbia Slough will meet the federally required vertical clearance of

30 feet Columbia River Datum and the required horizontal clearance of 80 feet, matching the main span of the existing N Denver Avenue Viaduct bridge approximately 150 feet downstream.

The LRT improvements in the Expo Center Segment will not impact *rail freight movement*. Union Pacific's (UP) North Portland line, which runs east/west across North Portland, crosses the South/North Corridor in the vicinity of N Columbia Boulevard. This rail line provides UP with an alternative entry into the City of Portland for its transcontinental line, and services a number of industries. The LRT alignment will cross over N Columbia Boulevard and the rail line on a structure, resulting in no at-grade LRT/rail crossings in the Expo Center Segment. Additionally, the LRT alignment will terminate at the Expo Center, south of N Marine Drive and associated rail lines into the Rivergate Industrial District.

Based on information in the *Traffic Report*, the *SDEIS* and the *FEIS*, the Council finds that adverse impacts to *truck freight movement* can be avoided or mitigated. Much of this segment is included within a designated truck district. The Rivergate Industrial Area comprises a truck district bounded by the Willamette River on the west, the Columbia River and North Portland Harbor on the north, the City limits on the east, and N Columbia Boulevard on the south. The primary truck access to this district is via the N Lombard, Delta Park, and N Marine Drive interchanges on I-5 and via N Columbia Boulevard.

At the south end of the Expo Center Segment, truck access off of the N Denver Avenue viaduct to businesses located between N Columbia Boulevard and the Columbia Slough will be modified. Currently, trucks can access sites both east and west of N Denver Avenue with unsignalized left turns. This access will be signalized and have left-turn pockets added on N Denver Avenue. A crossing gate will protect the light rail alignment, which will cross the easterly access road approximately 10 feet east of the N Denver Avenue viaduct. A northbound right-turn lane also will be provided. Truck access to these sites will be maintained and made safer.

At the north end of the Expo Center Segment, N Marine Drive functions as a major truck route between the Rivergate Industrial Area and I-5. During the PM peak hour, truck traffic makes up approximately 15-20 percent of total traffic volume. Table 3.2-1 of the *SDEIS* notes that the N Marine Drive on-ramps to I-5 currently operate at Level of Service C. By 2015, the ramps are projected to operate at LOS F due to heavy volumes queuing back from the freeway ramp meter. Under the *SDEIS* park-and-ride lot design, approximately 190 cars per hour would exit the park-and-ride lot at the Expo Center in the PM peak hour, primarily destined for I-5 northbound. However, the Council finds that the *SDEIS* assumed larger park-and-ride lot capacity at the Expo Center park-and-ride than is now assumed in the *FEIS*. Hence, potential impacts from vehicles exiting the park-and-ride lot on the northbound N Marine Drive ramp to I-5 are reduced.

Further, the Council finds that with Interstate MAX LRT, traffic exiting the Expo Center park-and-ride lot under the *FEIS* design will be directed southward toward the N Victory Boulevard interchange and will not have direct access onto N Marine Drive. An indirect route to N Marine Drive via the Expo Center access road and N Force Road will be available at times, but the access road will be subject to closure depending on the event needs at the Expo Center. Due to

the lack of direct access and the unreliability of the alternative route, the Council does not expect the Expo Center park-and-ride lot to have any significant traffic impacts on N Marine Drive.

Social Impacts

The Council finds that the LRT improvements in the Expo Center Segment will result in positive social impacts. Light rail will provide improved transit access to jobs and major events at the PIR and Expo Center facilities and nearby attractions such as Delta Park and Portland Meadows. Additionally, the stations will improve transit accessibility to the growing higher density residential uses in the Bridgeton Neighborhood.

Residential Displacements. There are no residential uses in the Expo Center Segment and there will be no displacements associated with the LRT improvements in this segment.

Access to Community Facilities. The Council finds that the South/North Project will provide improved transit access to regional facilities located in the Expo Center Segment, including direct access to the Portland International Raceway and the Expo Center, and indirect access to Delta Park (East and West) and Portland Meadows. Residents of the Kenton and Bridgeton Neighborhoods will have improved access to these facilities, as well as improved transit accessibility to regional employment centers and recreational/educational destinations located along East/West and South/North MAX lines.

Barriers to Neighborhood Interaction. The Council finds that the LRT improvements in the Expo Center Segment will not result in barriers to neighborhood interaction. The Expo Center Segment is already separated from residential portions of the Kenton and Bridgeton Neighborhoods by major features such as N Columbia Boulevard, the Columbia Slough and I-5.

The tie and ballast track treatment is compatible with the large-scale event destination, industrial and open space character of the Expo Center Segment. The LRT improvements will not introduce new barriers to neighborhood interaction.

Safety and Security. The Council is sensitive to the importance of safety and security in neighborhoods affected by the South/North Project. Because portions of the alignment in the Expo Center Segment parallel I-5, the Council recognizes that station security is a sensitive issue, particularly during evening hours. The Council finds that, with appropriate design and implementation of systemwide transit security measures as described in the General Findings, safety and security will not be adversely affected by the LRT improvements in the Expo Center Segment.

The PIR station and park-and-ride lot will be located at grade and visible from adjacent streets. The Expo Center station will be located to serve both the Expo Center buildings and the existing large parking area. Both of the stations in this segment will provide transit accessibility to major event activities. Final design of these stations will include consideration of safety and security issues such as visibility, multiple access points, lighting, landscaping, and pedestrian and bicycle connections to the event facilities.

The Council finds that affected neighborhood associations, representatives of PIR and the Expo Center, Tri-Met and the Portland Police Bureau will be involved in the review of the final design of the LRT stations in the Expo Center Segment to maximize safety and security. This review will include consideration of issues such as visibility, materials, lighting, pedestrian/bicycle/disabled access, landscaping, and telephones at platforms and potential security cameras. Strategies to mitigate adverse safety and security impacts will be further evaluated during the local permitting process.

Visual/Aesthetic. The topography of the Expo Center Segment is largely flat, modified Columbia River floodplain. Dominant visual features in the segment include the I-5 freeway, PIR, the Expo Center, large communication towers, regional open spaces (East and West Delta Park) and the Columbia Slough, and industrial uses near N Columbia Boulevard

The visual impacts of the LRT improvements in the Expo Center Segment are described in the *Visual Impacts Results Report*, the *SDEIS* and the *FEIS* and summarized below.

The construction of a LRT bridge over the Columbia Slough will introduce a new visual element in the Expo Center Segment. The new bridge will be located in close proximity to the existing Denver Avenue bridge over the slough and will be designed to accommodate construction of the 40-Mile Loop recreational trail along the north bank of the slough. The bridge will likely be concrete and will likely match the profile of the existing N Denver Avenue crossing. Some retaining walls would be located on the east side of N Denver Avenue north of N Schmeer Road.

North of the PIR station, the light rail route boundary has been drawn to provide for a combined LRT and Expo Road alignment along the existing Expo Road right-of-way to avoid impacting both a significant wooded wetland located east of the road and the "Radio Tower" wetland that the Port of Portland purchased as a wetland mitigation site. LRT would be located on the east side of the road and would have some retaining walls to avoid fill in wetlands and impacts to trees.

Another new visual element will include the tunnel under Highway 99W.

Overall, the Council finds that the light rail improvements will have a minimal impact on the existing visual character of the Expo Center Segment, primarily because of the nature of adjacent land uses, the absence of displacements and the link of the alignment and stations with existing roadways. Some individuals have commented on the negative visual impact of the tie and ballast track treatment. However, the Council finds that the tie and ballast track will significantly reduce project costs and is consistent with the non-residential character of the Expo Center Segment.

Traffic Impacts

Existing Street System. The Expo Center Segment extends from north of N Columbia Boulevard to the Expo Center. The segment includes surface transportation facilities under the

jurisdiction of ODOT and the City of Portland. The segment includes event traffic generators such as PIR and the Expo Center and is adjacent to Portland Meadows and East Delta Park.

I-5 is the dominant transportation facility in this segment. Within the Expo Center Segment, I-5 has interchanges with the surface street system at two locations: N Victory Boulevard and N Marine Drive. Between N Columbia Boulevard and the Delta Park interchange, I-5 has a four-lane basic section, creating a bottleneck in either direction during peak travel periods. North of the N Denver Avenue ramps to the N Marine Drive interchange, I-5 has a six-lane basic section.

I-5 experiences the highest daily traffic volumes of any highway or street within the Expo Center Segment. Traffic counts taken between 1993 and 1995 indicated daily volumes on I-5 of approximately 100,000 vehicles per day at Delta Park.

The portion of N Denver Avenue within the Expo Center Segment is classified by the City as a major city traffic street, regional transitway, and major truck street. This portion of N Denver Avenue is also known as Pacific Highway West. From Argyle Street north across the Columbia Slough, N Denver Avenue is on a viaduct structure that was originally constructed with four traffic lanes, but has since been re-striped with two lanes to meet current standards for lane widths, and to allow for a painted median and shoulder.

N Marine Drive is a major city traffic street and major city transit street running along the south shore of the Columbia River and North Portland Harbor. N Marine Drive is the primary access route to the northern portion of the Rivergate Industrial District and other industrial, commercial and residential areas east to Troutdale. Access to I-5 is provided by a "buttonhook" interchange with loop ramps, connecting to N Marine Drive at a single four-approach intersection to the west of I-5. Within the Expo Center Segment, N Marine Drive is generally configured as a four-lane facility with left turn lanes at signalized intersections.

The N Marine Drive intersection with the I-5 ramps operates at LOS C during the PM peak hour. Two traffic movements at the intersection are affected by congestion on I-5 during this period, when the northbound entrance ramp to I-5 is metered. At times, queues on the ramp back up to the vicinity of the intersection, constraining the amount of eastbound left turn and westbound right turn traffic that can turn onto the ramp from N Marine Drive. Trucks comprise 15 to 20 percent of the PM peak period traffic.

Local Traffic Impacts. The major traffic issues in the Expo Center Segment are PM peak hour traffic impacts associated with the approximately 300 park-and-ride spaces in the vicinity of both the PIR Station and the Expo Center Station, and traffic and pedestrian safety concerns associated with special event traffic access and egress.

Access to and egress from the park-and-ride lots at PIR will be primarily via the N Victory Boulevard interchange. The majority of trips using this facility would come from locations north of the interchange, such as Bridgeton, Hayden Island and Vancouver, Washington. The Expo Center park-and-ride lot would serve as an alternative site when the PIR sites are full or unavailable.

Direct automobile access to and egress from the Expo Center park-and-ride lot via N Marine Drive will be available only via the Expo Center access road and N Force Road. However, this route will be neither reliable nor attractive due to congestion at the N Marine Drive/I-5 interchange and because the Expo Center access road is a private road that is often closed. With no direct access to N Marine Drive and unreliable secondary access, the primary access and egress route to the Expo Center park-and-ride lot is via the N Victory Boulevard/I-5 interchange and N Expo Road.

With the use of approximately 600 total park-and-ride spaces at PIR and the Expo Center, approximately 240 automobiles would egress during the PM peak hour. There is adequate roadway capacity to handle this traffic eastbound on N Victory Boulevard. However, westbound-to-northbound traffic often contributes to queues that spill back from the ramp meter on the northbound I-5 on-ramp, and the park-and-ride traffic is expected to contribute to these queues.

During major spectator events at PIR, as well as major events at the Expo Center and Portland Meadows, there is significant traffic congestion accompanied by heavy pedestrian use of the walkways along N Victory Boulevard in the vicinity of the at-grade light rail crossing. Vehicles approaching the parking lots on the west side of I-5 often queue for considerable distances along N Victory Boulevard and onto I-5 directly in what will be the future LRT trackway. Under normal conditions, the LRT crossing will be protected by a gate. However, in event conditions, the traffic queues could be sufficiently long that vehicles could be stopped on the tracks with nowhere to go when the gates go down and a train arrives. In addition, pedestrian activity associated with events in the area can be somewhat haphazard, and pedestrians may not realize that a train is approaching, thus creating a potentially hazardous situation.

The reduction in travel lanes along N Interstate Avenue will reduce the capacity of that facility to accommodate automobile traffic. This could have the effect of reducing use of N Interstate Avenue as an alternative route to I-5 when I-5 is heavily congested. However, the availability of light rail will increase overall transit capacity along N Interstate Avenue.

Based on the information in the *Traffic Report*, the *SDEIS* and the *FEIS*, the Council finds that the LRT improvements in the Expo Center Segment will have minimal impact on the local street system. The alignment will be elevated over N Columbia Boulevard on a reconstructed viaduct and the alignment will cross under N Denver Avenue (Pacific Highway West) and under the southbound off-ramp from I-5 to Victory Boulevard to avoid impacts to the existing surface roads. The surface crossing of N Victory Boulevard will be gated but is not expected to adversely affect traffic flow.

Station Impacts. Because park-and-ride lots will be provided adjacent to the two stations in this segment, and those lots have easy access via N Victory Boulevard and N Expo Road, the Council finds that neighborhood parking or traffic intrusion impacts are avoided. The Council further finds that by extending the terminus from Kenton north to the Expo Center, and by providing

approximately 600 park and ride spaces in the Expo Center Segment, the potential for adverse parking impacts in the Kenton Neighborhood is reduced.

Mitigation Strategies. The Council finds that grade-separation of the LRT alignment via a tunnel from key local street segments avoids traffic impacts. Further, the provision of park-and-ride spaces in the Expo Center Segment reduces the potential for park-and-ride impacts in the Kenton Neighborhood.

Traffic management during major events in this area currently uses police officers to direct traffic at the N Victory Boulevard ramps to and from I-5. With LRT, additional uniformed personnel can be supplied to adequately manage both pedestrian and automobile traffic in the vicinity of the light rail at-grade crossing of N Victory Boulevard. These officers can ensure that no vehicles stop on the trackway at any time, and that pedestrians receive adequate warning of an arriving train.

Conceptual engineering plans and the *FEIS* identify transportation related improvements and other measures to mitigate adverse traffic impacts in the Expo Center Segment, including but not limited to the following:

- Installation of a new signal on N Denver Avenue on the south side of the Columbia Slough to accommodate safe turning movements
- Construction of a LRT only bridge across the Columbia Slough
- Construction of a LRT tunnel under Pacific Highway West and the southbound ramp from I-5 to Victory Boulevard
- Construction of a safe pedestrian link from the PIR station across N Expo Road to PIR and a potential park and ride area
- Evaluation of the operation of I-5 in north Portland and development of a long-term master plan for the corridor.
- Evaluate options to improve the queueing problems at the N Victory Boulevard northbound on-ramp to I-5, including possible widening of the northbound I-5 onramp to provide additional storage space for traffic queues and to reduce the on-street queueing impact of northbound-destined traffic leaving the park-and-ride lots.

The Council finds that the improvements identified above can mitigate the adverse traffic impacts of the Project in the Expo Center Segment. Refinement of mitigation plans can be addressed during final design.

Provide for a light rail route and associated facilities, balancing the need for light rail proximity and service to areas that are capable of enhancing transit ridership; the likely contribution of light rail proximity and service to the development of an efficient and compact urban form; and the need to protect affected neighborhoods from the identified adverse impacts.

The *City of Portland Comprehensive Plan* and the *Albina Community Plan* envision an intensification of land uses in proximity to the South/North LRT station areas. The light rail

route and associated facilities in the Expo Center Segment will provide transit service to key activity centers that are capable of enhancing transit ridership, including PIR and West Delta Park and the Expo Center.

By selecting the Full Interstate alignment, the Council recognizes the important role that LRT service and accessibility can provide to support more intensive development in neighborhoods such as Kenton, Arbor Lodge and Overlook along N Interstate Avenue. LRT is an important tool in the region's ability to accomplish the goals of the Region 2040 Growth Concept. The availability of LRT will provide an alternative mode to travel on congested roadways such as I-5 and will help support higher densities and more compact and efficient development in the North Portland neighborhoods.

Provide for associated highway improvements, balancing the need to improve the highway system with the need to protect affected neighborhoods from the identified adverse impacts.

No highway improvements are proposed in the Expo Center Segment that have utility separate from the South/North Project. A range of improvements is proposed as mitigation for traffic impacts associated with the LRT facilities in this segment. These improvements are described in the discussion of traffic impacts for the Expo Center Segment.

6.4.8a.3 Criterion 4: Noise Impacts

“Identify adverse noise impacts and identify measures to reduce noise impacts which could be imposed as conditions of approval during the NEPA process or, if reasonable and necessary, by affected local governments during the permitting process.”

Noise and vibration impacts specific to the Expo Center Segment are addressed in the following section. Noise and vibration impacts common to neighborhoods throughout the South/North Corridor, including the Expo Center Segment, are addressed in the General Findings portion of the original LUFO findings. The General Findings include an overview of noise and vibration, descriptions of different types of noise, and identification of potential noise mitigation by noise type. Noise and vibration impacts are identified, along with mitigation measures, in the *Noise and Vibration Impacts Results Report (Noise Report)*, *Noise and Vibration Mitigation Plan*, and in the *SDEIS* and *FEIS*.

Identification of Noise and Vibration Impacts in the Expo Center Segment

The existing noise and vibration environment in the Expo Center Segment is heavily influenced by high traffic volumes and truck traffic on I-5, N Columbia Boulevard, N Denver Avenue and N Marine Drive. Background noise from PIR and Portland International Airport also have a significant influence on the existing noise environment. There are no residential or other noise sensitive land uses adjacent to the LRT alignment or stations in the Expo Center Segment.

Mitigation Options for Noise and Vibration Impacts in the Expo Center Segment

Based on the information in the *SDEIS* and *FEIS*, the Council finds that there are no traffic noise, light rail noise, light rail wheel squeal or light rail vibration impacts associated with the LRT improvements in the Expo Center Segment. The alignment passes through an industrial, open space and event district (including Portland International Raceway) with high existing noise levels and no sensitive noise receptors. The Council agrees with the findings of the *SDEIS* and concludes that no noise/vibration mitigation measures are required in the Expo Center Segment.

6.4.8a.4 Criterion 5: Natural Hazards

“Identify affected landslide areas, areas of severe erosion potential, areas subject to earthquake damage and lands within the 100-year floodplain. Demonstrate that adverse impacts to persons or property can be reduced or mitigated through design or construction techniques which could be imposed during the NEPA process or, if reasonable and necessary, by local governments during the permitting process.”

Natural hazard impacts specific to the Expo Center Segment are addressed in the following section. Natural hazard impacts applicable to neighborhoods throughout the South/North Corridor, including the Expo Center Segment, are addressed in the General Findings portion of the original LUFO findings. Natural hazard impacts, and associated mitigation measures, also are described in the *Geology and Soils Impacts Results Report (Soils Report)*, and the *Hydrology and Water Quality Impacts Results Report (Hydrology Report)* and in the *SDEIS* and *FEIS*.

Identification of Natural Hazard Areas in the Expo Center Segment

The *DEIS* does not identify specific *landslide areas* or *areas of severe erosion potential* in the Expo Center Segment. The potential for major landslides within the South/North Corridor is very limited because the topography within the corridor is relatively gentle. Areas of severe erosion potential are generally associated with steep slopes and creek crossings. The *Soil Report* notes, and the Council finds, that slope instability and erosion are possible at the south end of the LRT bridge over the Columbia Slough.

The *Soils Report* indicates that the alignment and stations in the Expo Center Segment are located on recent alluvium. This expanse of alluvium includes many lakes, ponds and sloughs, and highly organic soils are likely to be encountered during construction. Seasonally high groundwater is also present in this area. Excessive settlement is possible in the segment. Control of surface water and groundwater could be a problem in excavations and low-lying areas.

As described in the General Findings, the Northwest is a seismically active area and is subject to *earthquake damage*. Figure 4.1-11 of the *Soils Report* does not identify any concealed faults within the Expo Center Segment.

The LRT alignment will cross the Columbia Slough *100-year floodplain* in the vicinity of the existing N Denver Avenue bridge. The Columbia Slough serves as a drainage canal for interior runoff from broad floodplain areas located south of the Columbia River. The Slough enters the Willamette River near its confluence with the Columbia River. Because the Slough is subject to backwater from the Willamette River, areas with significant industrial development along its banks are extremely flood prone. The drainage districts along the Columbia River have levees that can provide flood protection. Peninsula Drainage District No. 1 has structural levees that can provide protection from the 100-year flood event. Peninsula Drainage District No. 2 also provides 100-year flood protection, but the interior drainage system must store runoff when the Columbia and Willamette rivers are at flood stage. Multnomah Drainage District No. 1 and Sandy Drainage District have levees that are expected to withstand a 500-year flood event. Pumps are used at flood stage to evacuate water from interior areas to the Slough.

The *Hydrology Report* indicates that the LRT bridge over the Columbia Slough will be about 600 feet long and located east (upstream) of the existing Denver Avenue crossing. The FEMA 100-year floodplain is approximately 500 feet wide in this location.

The Columbia Slough crossing would require three piers within the regulatory 100-year floodplain. About 56 cubic yards of fill would be needed below the FEMA 100-year floodplain. Mitigation for this impact would likely occur on the south side of the Columbia Slough at the bridge.

South of the Expo Center, the Project will require about 2900 cubic yards of fill within the FEMA 100-year floodplain where N Expo Road is moved. This fill can be mitigated either on-site or within the Peninsula No. 1 Drainage District in combination with the wetland mitigation site.

Mitigation Options for Natural Hazard Impacts in the Expo Center Segment

Based on the information contained in the *Soils Report* and the *Hydrology Report*, the Council finds that no *landslide areas* or *areas of severe erosion potential* are affected by the LRT improvements in the Expo Center Segment.

The Council recognizes that shallow groundwater, soft zones and highly organic soil may be present in the Expo Center Segment. Additionally, the northerly portion of the segment is subject to *flooding conditions* in places. The Council finds that the 600-foot LRT bridge over the Columbia Slough has been designed to completely span the designated 100-year floodplain. During final design, the precise location and elevation of the Expo Center Station can be refined to ensure that it is protected from adverse flooding impacts. The Council further finds that all LRT improvements within the Expo Center Segment will be constructed above the 100-year floodplain elevation.

Potential mitigation measures to address geologic/soils conditions are provided in Section 6 of the *Soils Report*. During final design, a thorough geotechnical investigation of the alignment will provide the necessary information to anticipate and remediate less-than-ideal foundation

conditions. Cuts and fills can be designed for necessary stability. If groundwater is encountered, it can be controlled with drains. Soft foundation conditions, delineated by the exploration program, can be mitigated with proper designs.

In areas where settlement is anticipated, several options are available. If the extent of the unstable material is limited, the material can be removed and replaced with suitable fill materials. In areas where excavation is not practical, settlement can be accelerated by surcharging and installing wick drains, or the structures can be mechanically supported.

While historical evidence of seismic activity in Oregon is minimal, recent studies indicate that western Oregon may be subject to a greater risk from *earthquake hazards* than previously thought. Site geology has a significant impact on earthquake damage. Young unconsolidated silt, sand, and clay deposits are associated with enhanced earthquake damage through amplification of shaking, settlement, liquefaction, and landsliding.

Prior to construction, site-specific geotechnical engineering studies will be conducted to determine appropriate construction techniques to avert potential geological problems. Detailed engineering studies will include an evaluation of subsurface soil seismic response characteristics and will also identify appropriate mitigation measures required for areas of shallow groundwater or unusually wet soil conditions that may be present in the Expo Center Segment. Based on the facts in the *Soils Report*, the Council finds that long-term impacts to geology and soils in this segment are moderate. Mitigation would consist of using standard engineering practices to construct stable slopes; design of tunnels and bridges to meet Uniform Building Code seismic standards; and techniques such as excavation and backfilling, special footing and foundation designs, and special construction techniques such as pilings to address shallow groundwater, organic soils or unusually wet surface conditions.

6.4.8a.5 Criterion 6: Natural Resource Impacts

“Identify adverse impacts on significant fish and wildlife, scenic and open space, riparian, wetland and park and recreational areas, including the Willamette River Greenway, that are protected in acknowledged local comprehensive plans. Where adverse impacts cannot practicably be avoided, encourage the conservation of natural resources by demonstrating that there are measures to reduce or mitigate impacts which could be imposed as conditions of approval during the NEPA process or, if reasonable and necessary, by local governments during the permitting process.”

Natural resource impacts specific to the Expo Center Segment are addressed in the following section. Natural resource impacts applicable to neighborhoods throughout the South/North Corridor, including the Expo Center Segment, are addressed in the General Findings portion of the original LUFO findings. Natural resource impacts, along with associated mitigation measures, also are described in the *Ecosystem Impacts Results Report (Ecosystems Report)*, the *Parklands, Recreation Areas, Wildlife and Waterfowl Refuges 4(f) Impacts Results Report (4(f) Report)*, the *North Corridor Interstate MAX Light Rail Project Ecosystems Mitigation Plan*, the

North Corridor Interstate MAX Project Wetland Delineation and Determination Report, and in the SDEIS and FEIS.

Identification of Impacts to Significant, Protected Natural Resources in the Expo Center Segment

The Portland Comprehensive Plan includes policies and objectives to address conservation of a range of natural resources identified in Statewide Goal 5 – including wetlands, riparian areas and water bodies, fish and wildlife habitat, scenic routes and viewpoints, and significant upland areas. The City has completed an inventory and analysis of natural resource sites, identified the significance of each site and provided varying levels of protection to specific sites through the application of Environmental Overlay Zones, Scenic Overlay Zones and Open Space Zones.

The Expo Center Segment includes a remnant of a once large network of natural waterways and wetlands that occurred within the Columbia River floodplain. Natural resources in the Expo Center Segment include waterways, wetlands, open space and scenic areas and park and recreational areas.

Fish and Wildlife Habitat. The Expo Center Segment is within the Columbia Corridor Natural Resources Management Plan area, which encompasses a portion of the historic floodplain of the Columbia River between the Willamette and Sandy Rivers. Fish and wildlife habitats within this portion of the Columbia Corridor are generally smaller and more isolated than elsewhere in the Columbia Corridor and are surrounded by conflicting land uses and activities such as I-5 and the Expo Center. Despite these conditions, the area continues to provide habitat for wildlife that is able to tolerate the urban development and human activity in the area.

Within the alignment impact area, habitat along the Columbia Slough is highly degraded and consists primarily of reed canarygrass and Himalayan blackberry along with small, scattered stands of riparian trees. These small trees are likely used by migrating birds that use habitat along the slough and surrounding areas as a travel corridor. These trees may also have limited value as cover and foraging habitat for resident birds and small mammals. Nutria, muskrat, and waterfowl use the open water habitat in the Slough for foraging. The Columbia Slough is included within the City of Portland's Environmental Overlay zone for multiple resource values.

The Columbia Slough constitutes approximately 18 miles of slow-moving stream and dredged backwater areas paralleling the Columbia River in north Portland. The Slough includes upper and lower main channel segments and numerous side channels and lakes. Development since 1917 has required levee construction for protection from the Columbia and Willamette River floodwaters.

At the proposed LRT crossing east of the Denver Avenue crossing, the Columbia Slough is characterized as a slow-moving backwater stream with turbid water. Overstory vegetation is primarily Himalayan blackberry and canarygrass. Stream shading and instream cover habitat is limited. Bank slopes are less than 2 percent, and the substrate is primarily mud and fine sediments. The *Ecosystems Report* states that fish using the Columbia Slough include many of

the same species that occur in the Columbia and Willamette rivers. The Council finds that there are warm water fish such as bass and carp within the Columbia Slough. However, juvenile salmon are unlikely to swim up the Columbia Slough as far as the light rail crossing because water conditions are not favorable to salmonids.

The LRT bridge will span the Columbia Slough. The design provides for two piers in the water and a third pier within 60 feet of the south shore. The shadow cast by the structure will likely preclude vegetation from growing under the bridge. A small amount (about 0.08 acre) of degraded riparian vegetation will be lost along the Columbia Slough with the construction of the LRT bridge.

Two forested areas dominated by black cottonwood are located farther north along the alignment. One small forested area (0.25 acre) is located south of N Victory Boulevard. This area is isolated and has been degraded by illegal debris dumping. This forested area is likely used by migrating birds moving through the Columbia Corridor and by common resident birds and small mammals for nesting, foraging, roosting, and cover.

The forested area along N Expo Road extends from north of PIR to the Expo Center. This habitat, along with the emergent marsh to the west, is within the City of Portland's Environmental Overlay zone. The forested habitat has been degraded by illegal debris dumping, use as a transient camp, and very poor water quality. Its relatively small size (about 1.5 acre), shape and proximity to I-5 also decrease its value as wildlife habitat.

Despite the historic and ongoing impacts to this forested site, it does have value as foraging, cover, and nesting habitat for passerine birds and small mammals. The large trees provide ample nesting habitat. The site also forms the eastern edge of a relatively large tract of undeveloped land that extends from the Smith and Bybee lakes area to Interstate 5, and therefore has connectivity to adjacent habitat areas. A great blue heron rookery is located approximately one mile west of the forested habitat along N Expo Road.

As explained in the *DEIS*, a half-mile long narrow stand of deciduous forest between N Expo Road and I-5 would have been impacted (about 1.4 acres removed) by the LRT alignment as approved in the original LUFO. Small areas of forest (approximately 0.18 acre) and marsh (approximately 0.08 acre) on the west side of N Expo Road would also have been lost. The loss of about 1.5 to 1.6 acres of forested habitat along N Expo Road would have eliminated foraging, cover, and nesting habitat for passerine birds and small mammals and eliminated potential roost and nest sites for raptors, such as red-tailed hawk. The loss of this forested habitat also would have reduced the amount of habitat available to birds using the area as a travel corridor, and eliminated the vegetated buffer between I-5 and the undeveloped habitat west of N Expo Road.

To avoid impacts to the forested area, relocation of N Expo Road farther west was considered. This relocation would have impacted a different wetland area known as the "Radio Tower" site. The Port of Portland has purchased this site as a mitigation area for wetland fill on West Hayden Island.

As explained in the *FEIS*, the adopted alignment modifies the alignment in the original LUFO to significantly reduce adverse impacts to the forested area while minimizing impacts to the wetland area. The selected alignment reduces the width of N Expo Road and, for much of the area, allows both the road and LRT within the existing N Expo Road right-of-way. As a result, only approximately 33 trees will be impacted. The approved alignment also will impact approximately 0.76 acres of reed canarygrass in the vicinity of the Radio Tower site.

Scenic and Open Space Areas. Visual/scenic resources in the Expo Center Segment that are identified as significant in the City's *Scenic Views, Sites and Drives Inventory, Scenic Resources Protection Plan* include the Columbia Slough scenic corridor west of N Denver Avenue, and the N Marine Drive scenic drive from NE 185th Avenue to Kelley Point Park.

The LRT alignment will cross the Columbia Slough to the east of the Denver viaduct and will not interfere with views of the Slough to the west of N Denver Avenue. However, the view from the Columbia Slough of the new LRT bridge crossing the Slough will have a visual impact. Potential mitigation includes coordination with the City during final design. Finally, the northern edge of the alignment in this segment ends at the Expo Center Station. The LRT bridge over N Marine Drive (scenic drive) and the North Portland Harbor (scenic corridor) is addressed in the findings for the Hayden Island Segment that were adopted in support of the original LUFO.

The undeveloped, landscaped public right-of-way adjacent to I-5 is designated "Open Space" to recognize the open, landscaped character and not because of plans for active open space use. The City of Portland Open Space zone permits highway and utility improvements. Additionally, Portland City Code Title 17, Public Improvements and not Title 33, Planning and Zoning generally regulate transportation improvements within public right-of-ways such as I-5. The LRT alignment will parallel the west side of I-5 from N Victory Boulevard and the PIR to the Radio Tower Site. The area east of N Expo Road is zoned Open Space south of N Broadacre Drive and zoned General Commercial 2 north of Broadacre Drive. The Council finds that the portion of the alignment located within the right-of-way adjoining I-5 that are zoned Open Space can be landscaped to mitigate visual impacts and retain the open space character.

To mitigate adverse impacts on designated scenic resources and viewpoints, appropriate conditions can be imposed during final design or the local permitting process as provided in Section 8(1)(b) of HB 3478.

Riparian Areas. Riparian areas are described under the discussion of Fish and Wildlife Habitat.

Wetland Areas. Three wetland areas are located in the Expo Center Segment. One wetland is located south of N Victory Boulevard, between I-5 and N Denver Avenue (Wetland J). Further north, a forested wetland (Wetland K) is located between I-5 and N Expo Road, south of the Expo Center. Wetland K is included within the City of Portland Environmental Overlay (EC) zone. West of that wetland is the "Radio Tower" wetland mitigation site identified above.

Park and Recreational Areas and Willamette River Greenway. The Expo Center Segment does not affect lands within the Willamette River Greenway.

Two park and recreational areas are located within or adjacent to the Expo Center Segment: 1) West Delta Park; and 2) East Delta Park.

West Delta Park is a city/regional park of about 663 acres that is owned and operated by the City of Portland. Located north of Columbia Slough, south of N Marine Drive, east of N Portland Road and west of N Denver Avenue and N Force Road, the park's main attractions include a golf course and raceway. The LRT alignment will be located to the east of N Denver Avenue, approximately 120 feet away from the western edge of the N Denver Avenue right-of-way. The alignment does not physically touch West Delta Park and will not result in any Section 4(f) use or impairment of use of West Delta Park. The stations at PIR and the Expo Center will provide transit accessibility to major events at West Delta Park facilities.

East Delta Park is a companion city/regional park of about 94 acres located to the east side of I-5. East Delta Park is owned and maintained by the City of Portland. It includes numerous playing fields for football, soccer, baseball and softball. The South/North LRT alignment will be located on the west side of I-5, between the freeway and N Expo Road. Therefore, the alignment will not result in any Section 4(f) use or impact on East Delta Park.

The 40-Mile Loop Trail, when constructed through North Portland in the future, will connect numerous parks in the Portland metropolitan area, including those along the Columbia, Sandy and Willamette rivers. Although the Council finds that the 40-Mile Loop Trail is not an existing park, the Project has been designed to accommodate the future construction of the trail through inclusion of a pedestrian crossing at the location of the proposed trail adjacent to the south side of N Schmeer Road.

Mitigation Options for Natural Resource Impacts in the Expo Center Segment

Based on the information provided in the *Ecosystems Report*, the *4(f) Report* and the *FEIS*, the Council concludes that the South/North Project improvements in the Expo Center Segment will not result in adverse impacts on the Willamette River Greenway or designated scenic and open space areas that are protected in the Portland Comprehensive Plan. The LRT improvements will not impact West Delta Park or East Delta Park, but will direct transit access to the Portland International Raceway facilities.

The Council finds that the LRT bridge over the Columbia Slough will displace a small amount of riparian vegetation. The City of Portland's Bureau of Environmental Services (BES), in conjunction with the Corps of Engineers, is involved in a habitat restoration initiative along the Columbia Slough in the vicinity of the proposed LRT alignment. Mitigation for LRT impacts could potentially be implemented in a cooperative effort with the BES and the Corps. The Council finds that restoration efforts such as removal of exotic species and planting native trees and shrubs along the slough could mitigate project-related impacts to vegetation, wetlands, wildlife habitat, and fisheries.

The Council also finds that the redesign of the alignment predominantly within the existing N Expo Road right-of-way will, overall, avoid or minimize impacts to the forested wetland area near the Expo Center and to the Radio Tower wetland. Mitigation for unavoidable wetland impacts could include enhancement, restoration, and/or creation of wetland and upland habitat along the Columbia Slough.

6.4.8a.6 Criterion 7: Stormwater Runoff

“Identify adverse impacts associated with stormwater runoff. Demonstrate that there are measures to provide adequate stormwater drainage retention or removal and protect water quality which could be imposed as conditions of approval during the NEPA process or, if reasonable and necessary, by local governments during the permitting process.”

Stormwater runoff impacts specific to the Expo Center Segment are addressed in the following section. Stormwater runoff impacts and mitigation common to segments throughout the South/North Corridor, including the Expo Center Segment, are addressed in the General Findings portion of the original LUFO findings. Stormwater impacts and mitigation measures are also described in the *Water Quality and Hydrology Impacts Results Report (Hydrology Report)* and in the *SDEIS* and *FEIS*.

Identification of Stormwater Impacts in the Expo Center Segment

The LRT improvements in the Expo Center Segment include construction of a light rail alignment, two LRT stations and two park-and-ride lots. No operations and maintenance facilities are located in the Expo Center Segment. The park-and-ride lot at the Expo Center will involve a shared use of the existing parking lot. Approximately 0.4 acres of new impervious surface will be created. The PIR lot also will involve new impervious surface.

As described in the *Hydrology Report*, water quality in the Columbia Slough is poor, particularly during wet weather discharges from stormwater outfalls and combined sewer overflows (CSOs). DEQ has designated the slough as water quality limited. Currently, the City of Portland is working with other agencies to develop total maximum daily loads to improve water quality, eliminate combined sewer overflows, and implement other water quality improvement projects for the Columbia Slough.

The *Hydrology Report* states and the Council finds that the LRT improvements are not expected to increase the rate or volume of stormwater runoff, either individually or collectively. Runoff generated along the alignment, at the two stations and at the park-and-ride lots will be directed to catch basins and storm drainage facilities in adjacent roadways. No treatment will be provided other than the treatment that now occurs within these existing drainage systems. Drainage is currently conveyed to the Columbia Slough or North Portland Harbor. A stormwater quality pond can be developed to treat stormwater runoff from the additional 4.6 acres of impervious surface that would be created at the PIR park-and-ride lot.

The PIR Station will be developed on a site that currently has significant pervious surface and vegetation, while the Expo Center Station will be developed in an area considered impervious. Stormwater from these stations and the park-and-ride lots can be treated through a combination of mechanical devices and a stormwater quality pond. As a result, no significant increases in stormwater discharges are expected near the PIR or Expo Center stations.

Mitigation Options for Stormwater Impacts in the Expo Center Segment

As shown in Table 5.3-8 of the *Hydrology Report*, no significant hydrologic, flooding, or water quality problems are expected from the LRT improvements in the Expo Center Segment. Flooding impacts are expected to be minimal. The two piers are expected to place 56 cubic yards of fill in the 100-year floodplain. This fill would be mitigated by the removal of material to balance the fill within the 100-year floodplain. Standard erosion control and stormwater management techniques described in the General Findings are applicable in the Expo Center Segment and will be implemented by the Portland Bureau of Environmental Services through local permitting.

The Council finds that water quantity and quality impacts created by the construction and operation of the South/North Project in the Expo Center Segment can be substantially mitigated by complying with Corps of Engineers/Division of State Lands fill and removal regulations and City of Portland erosion control and stormwater management regulations. These rules and regulations outline Best Management Practices (BMPs) to prevent or limit pollutants from entering surface waters through urban drainage systems. BMPs for water quality impacts typically include sediment and erosion controls, construction spill control measures, oil/water separators, biofiltration swales, and water quality/retention ponds.

Standard erosion control measures can be implemented in connection with all improvements in the Expo Center Segment, and site-specific erosion controls will be provided at the Columbia Slough Crossing. The Council recognizes that the Slough has been designated as a water quality limited stream and is subject to specific water quality standards. The Council finds that a range of BMP measures is available and that site-specific mitigation for stormwater quantity and quality impacts will be refined and selected during final design and the local permitting process.

6.4.8a.7 Criterion 8: Historic and Cultural Resources

“Identify adverse impacts on significant historic and cultural resources protected in acknowledged comprehensive plans. Where adverse impacts cannot practicably be avoided, identify local, state or federal review processes that are available to address and to reduce adverse impacts to the affected resources.”

Historic and cultural resource impacts specific to the Expo Center Segment are addressed in the following section. Historic and cultural resource impacts and mitigation common to segments throughout the South/North Corridor, including the Expo Center Segment, are addressed in the

General Findings portion of the original LUFO findings. Historic and cultural resource impacts and mitigation measures are also described in the *Historic, Archeological and Cultural Resource Impacts Results Report (Historic Report)* and in the *SDEIS* and *FEIS*.

Identified Significant and Protected Historic and Cultural Resources in the Expo Center Segment

The *Historic Report*, the *DEIS*, the *SDEIS* and the *FEIS* indicate that no known historic or cultural resources have been identified in the Expo Center Segment.

7. Compliance with Substantive Criteria (3-8) Short Term Construction Impacts

Section 7 of the findings in support of the original LUFO addresses the broad range of short-term impacts relevant to LCDC criteria 3-8 that are expected to occur throughout the South/North corridor with construction of the South/North Project. Those findings include a discussion of general construction impacts and mitigation measures to address neighborhood impacts (Criterion 3), noise impacts (Criterion 4), natural hazards (Criterion 5), natural resource impacts (Criterion 6), stormwater runoff (Criterion 7), and historic and cultural resources (Criterion 8).

The only segment specific findings contained in the original LUFO construction impact findings are in Section 7.2 (Neighborhood Impacts). Because much of the segment-specific findings applicable to the Eliot and North Portland segments no longer relate to the Project as amended by this LUFO, the Council replaces the Eliot and North Portland segment findings in Section 7.2 with the segment-specific findings set out below for the Albina, Upper Interstate and Expo Center segments. In all other respects, the Council finds that the original LUFO construction impact findings are still relevant and accurate, and it incorporates those findings herein by this reference.

In addition to the factual findings and conclusions set out below, the Council adopts and incorporates by reference herein the facts and conclusions addressing construction impacts and mitigation that are set out in the *South/North Corridor Project "North Corridor Interstate MAX FEIS*.

Albina Segment

Impacts to existing traffic resulting from construction of the Full-Interstate Alignment will be experienced along N Interstate Avenue and at its major cross streets. Temporary lane closures and channelization will be required along N Interstate Avenue, and partial intersection closures at cross streets, to permit construction of the light rail trackway and reconstruction of the street, as well as modifications to existing intersections. Construction of track connections just east of the Steel Bridge may result in temporary impacts to East/West MAX operations.

Maintenance of pedestrian, auto, and bus circulation for events held at the Rose Garden Arena, Memorial Coliseum and the Oregon Convention Center is a significant concern during construction. However, the Council finds that the construction impacts associated with the LRT improvements in the Albina Segment will be much less adverse than impacts associated with the previously approved Eliot Segment alignment because the Full-Interstate Alignment avoids relocation of the Rose Quarter Transit Center during construction and avoids significant congestion and construction traffic impacts in the Broadway-Weidler corridor. The Full-Interstate Alignment also avoids construction impacts in the vicinity of Harriet Tubman Middle School and Emanuel Hospital.

Reconstruction of N Interstate Avenue through the Albina industrial area will result in short-term disruption of truck circulation and access. The *SDEIS* states, and the Council finds, that detour routes are available for traffic at most construction locations, and on-street parking loss would be minimal. Additionally, because existing land uses along N Interstate Avenue are largely industrial between the Rose Quarter and the Edgar Kaiser Medical Center, residential and commercial neighborhoods will not be adversely affected by construction traffic impacts.

Upper Interstate Segment

The Full-Interstate Alignment will avoid construction traffic impacts that would have been associated with the alignment adjacent to I-5 in the southerly portion of the segment under the originally approved LUFO. In particular, the Full-Interstate Alignment avoids the high volume of truck traffic associated with construction of retaining walls and embankments along I-5 and the tunnel under N Going Street.

However, disruption to traffic operations due to the construction of light rail in the center of N Interstate Avenue will be significant in the Upper Interstate Segment. Construction activity will span the entire right-of-way from one sidewalk to the other. Temporary lane closures and channelization will be required along N Interstate Avenue and partial intersection closures at cross streets to permit construction of the light rail trackway and reconstruction of the street, as well as modifications to existing intersections. Detour routes will be available but may involve some significant out-of-direction travel due to the limited number of streets crossing I-5. During peak travel periods, the reduction in capacity resulting from road detours and/or closures could increase delays to auto and truck traffic using the Going Street interchange to Swan Island.

Disruption to traffic operations in the Kenton District could be significant and may require local detours in the vicinity of the Kenton Station. These conditions may be further exacerbated by the relatively high numbers of construction related truck trips that may be generated by construction of major structures over N Columbia Boulevard and the Columbia Slough. Traffic intrusion into residential areas may occur near N Lombard Street and in the Kenton business district due to existing, high traffic volumes and anticipated congestion in these locations.

Expo Center Segment

Local industrial access could be disrupted with reconstruction of the N Denver Avenue viaduct, although access would be maintained to and from I-5 via the existing Columbia Slough bridge, Highway 99W and the Delta Park interchange on I-5. Short-term, off-peak full closures of N Columbia Boulevard would be required to set falsework and/or girders for the structure over this location.

Construction activity in the vicinity of the Portland International Raceway and the Expo Center may disrupt access to event parking areas, and construction staging areas could result in temporary loss of some event parking.

Mitigation Strategies for Construction Impacts to Traffic

As described in the original LUFO findings, short-term construction impacts will likely take the form of roadway closures, detours and/or lane reductions, increased truck traffic, pedestrian access restrictions and local access restrictions. The Council finds that short-term construction impacts are best mitigated by coordinating with local agencies, services, providers, businesses and residents on the construction plan to be prepared during final design.

Mitigation for construction impacts could include a variety of activities ranging from scheduling of construction activities to minimize conflicts during peak travel periods to using alternative construction techniques or equipment. In addition to the more general mitigation measures identified in the original LUFO findings, the Council finds that some of the options for mitigating

the short-term traffic impacts associated with light rail construction in the Albina, Upper Interstate and Expo Center Segments could include, but are not limited to, the following:

- Develop and maintain a program of coordination and outreach with affected business and community interests to oversee development and implementation of traffic detour and access management plans. The plans would help minimize disruption of pedestrian access and local access and circulation. Where appropriate, the plans would also support the maneuvering requirements of large trucks.
- Avoid construction during peak travel periods in the peak direction or in the vicinity of the Rose Quarter and Expo Center during evening events when traffic volumes are significantly higher.

Additional measures to mitigate short-term construction impacts are identified in the *FEIS*.

8. Compliance with Alignment-Specific Criteria (9-10)

8.1 Criterion 9: Clackamas County Alignment Connections

"Consider a light rail route connecting the Clackamas Town Center area with the City of Milwaukie's Downtown. Consider an extension of the light rail route connecting the City of Oregon City and the City of Gladstone with the City of Milwaukie via the Interstate 205 corridor and/or the McLoughlin Boulevard corridor."

Criterion 9 requires consideration of specific alignment connections within Clackamas County. Because the area affected by this LUFO amendment lies entirely within the City of Portland and Multnomah County, the Council finds that Criterion 9 is not applicable.

8.2 Criterion 10: Portland-Milwaukie Alignment Connections

"Consider a light rail route connecting Portland's Central City with the City of Milwaukie's Downtown via inner southeast Portland neighborhoods and, in the City of Milwaukie, the McLoughlin Boulevard corridor, and further connecting the Central City with north and inner northeast Portland neighborhoods via the Interstate 5/Interstate Avenue corridor."

Criterion 10 reflects local comprehensive plan policies addressing where the light rail route should be located. It considers the northern portion of the Project and is responsive to Portland and Milwaukie comprehensive plan policies addressing the location of the light rail route in Portland and between the Portland city limits and downtown Milwaukie.

Criterion 10 contains two separate requirements. First, it requires, consideration of a light rail route connecting Portland's Central City with the City of Milwaukie's downtown area via inner southeast Portland neighborhoods and, in the City of Milwaukie, the McLoughlin Boulevard corridor. Second, it requires consideration of a light rail route connecting Portland's Central City with north and inner northeast neighborhoods via the Interstate 5/Interstate Avenue corridor.

The Council finds that only the second requirement of Criterion 10 is relevant to this LUFO amendment. The Council further finds that the second requirement in Criterion 10 is met (1) through its initial consideration of the South/North *DEIS*, which included alternative alignments to connect Portland's Central City with north and inner northeast Portland neighborhoods via Interstate 5, Interstate Avenue, or a combination thereof; (2) through its receipt and consideration of public testimony regarding an alignment connecting downtown Portland with north and inner northeast Portland neighborhoods via the Interstate 5 and/or Interstate Avenue corridor; and (3) through its decision approving a light rail alignment so connecting Portland's Central City with north and inner northeast Portland neighbors via the Interstate Avenue corridor.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING A LAND)	
USE FINAL ORDER AMENDING THE LIGHT)	RESOLUTION NO. 99-2853
RAIL ROUTE, LIGHT RAIL STATIONS AND)	
PARK-AND-RIDE LOTS, INCLUDING THEIR)	Introduced by:
LOCATIONS, FOR THAT PORTION OF THE)	
SOUTH/NORTH LIGHT RAIL PROJECT)	Ed Washington, LUFO Steering
EXTENDING FROM THE STEEL BRIDGE TO)	Committee Chair
THE EXPOSITION CENTER	

WHEREAS, The Oregon Legislature enacted Oregon Laws 1996, Chapter 12 (the Act) establishing procedures for siting the South/North Light Rail Project through adoption by the Metro Council of a Land Use Final Order (LUFO) following application by Tri-Met; and

WHEREAS, In accordance with Section 4 of the Act, the Oregon Land Conservation and Development Commission adopted the South/North Light Rail Project land use final order criteria on May 30, 1996 following a public hearing; and

WHEREAS, The Act requires that Tri-Met apply to the Metro Council for a LUFO or a LUFO amendment for the South/North Light Rail Project following its receipt of recommendations from the LUFO Steering Committee and the Oregon Department of Transportation (ODOT); and

WHEREAS, On July 23, 1998, following public notice and hearing and in accordance with all applicable procedures set out in the Act, the Metro Council adopted Resolution No. 98-2673 adopting a Land Use Final Order establishing the light rail route, stations, lots and maintenance facilities and the highway improvements for the South/North Light Rail Project, including their locations (the original LUFO); and

WHEREAS, On July 23, 1998, the Metro Council adopted Resolution No. 98-2674 that approved the South/North Locally Preferred Strategy (LPS) which is consistent with the original LUFO; and

WHEREAS, As of April, 1999, Metro staff had completed a Supplemental Draft Environmental Impact Statement identifying a new alternative for the South/North Light Rail Project for that portion of the Project located between approximately the Steel Bridge and the Exposition Center, including an Interstate Avenue alternative; and

WHEREAS, The Metro Council adopted Resolution No. 99-2806A that modified the Locally Preferred Strategy in June of 1999 to include the Full-Interstate Alignment Alternative following submittal of recommendations by Tri-Met staff and the City of Portland that the region select the Full-Interstate Alignment Alternative as the amended LPS, and defining the North Corridor as the first construction segment; and

WHEREAS, On September 13, 1999, the LUFO Steering Committee recommended to Tri-Met a LUFO amendment, amending the original LUFO, that establishes a light rail route, stations and park-and-ride lots along the Full-Interstate Alignment Alternative for that portion of the Project located between the Steel Bridge and the Exposition Center; and

WHEREAS, On September 13, 1999, in a letter to the Tri-Met Board from Kay Van Sickel, Oregon Department of Transportation (ODOT) Region 1 Manager, ODOT recommended to Tri-Met the same LUFO amendment as was recommended by the LUFO Steering Committee; and

WHEREAS, On September 24, 1999, following consideration of the recommendations from the LUFO Steering Committee and ODOT, and authorization by the Tri-Met Board, Tri-Met submitted to Metro its application for a LUFO amendment, amending the light rail route,

stations and lots maintenance facility, including their locations, for that portion of the South/North Light Rail Project extending from the Steel Bridge to the Exposition Center; and

WHEREAS, The light rail route, stations and lots locations in Tri-Met's application are in the form of boundaries within which the light rail route, stations and lots shall be located, as provided for in Section 6(1)(a) of the Act; and

WHEREAS, Following receipt of Tri-Met's application, public notice of an October 28, 1999 public hearing to consider Tri-Met's application was published on October 8, 1999, in *The Oregonian*, which the Council finds to be a newspaper of general circulation within Metro's jurisdictional area, with the notice being published more than 14 days prior to the October 28, 1999 public hearing; and

WHEREAS, The above-identified notice contains all of the information required by Section 7(1)(b) of the Act to be included in the Council's published notice of this LUFO amendment proceeding; and

WHEREAS, The Council provided additional public notice of the October 28, 1999, public hearing by mailing a flyer to all properties within 100 feet of the proposed light rail alignment, providing notice on the project telephone "hot line", and provided notice and information on both Tri-Met and Metro's Web Sites; and

WHEREAS, Additional public notice of the October 28, 1999 hearing was mailed to Clackamas and Multnomah Counties; the Cities of Portland, Milwaukie, Gladstone and Oregon City; and the Oregon Department of Transportation; and

WHEREAS, The Metro Council finds and determines that the above-described published notice required by the Act, together with the mailed notice to persons who own property in close proximity to the proposed project improvements are, in its judgment, reasonably calculated to

give notice to persons who may be substantially affected by its decision on Tri-Met's application;
and

WHEREAS, On October 21, 1999, a copy of the staff report, identifying and addressing compliance with the applicable South/North land use criteria and also including a description of the proposed boundaries within which the light rail route, stations and lots are proposed to be located, was made available for public inspection; and

WHEREAS, On October 28, 1999, the Metro Council held a public hearing at which it accepted oral and written public testimony on Tri-Met's application for a LUFO amendment as described in these recitals; and

WHEREAS, At the October 28, 1999 hearing, the Council commenced the hearing by making a statement containing the information identified in Section 7(3) of the Act; and

WHEREAS, The Council has considered Tri-Met's application, the recommendations of the LUFO Steering Committee and ODOT, the staff report, and the testimony provided in support or in opposition to Tri-Met's application; and

WHEREAS, A variety of Metro policy documents include reference to the South/North Project such as the *Regional Transportation Plan (RTP)* and the *Regional Urban Growth Goals and Objectives (RUGGOs)*, that will need to be amended to be consistent with the Land Use Final Order amendment; now, therefore,

BE IT RESOLVED:

1. That the Metro Council hereby adopts the Land Use Final Order amendment for the South/North Light Rail Project, attached hereto as Exhibit A and incorporated herein by this reference, amending the light rail route, stations and lots, including their locations, for that portion of the South/North Light Rail Project extending from the east end of the Steel Bridge

northward to the Exposition Center. As indicated in Exhibit B, attached hereto and incorporated herein by this reference, the South/North LUFO amendment hereby adopted by the Metro Council is identical to the LUFO amendment application submitted by Tri-Met.

2. That the Metro Council hereby adopts the Findings of Fact and Conclusions of Law in Support of the Land Use Final Order Amendment, attached hereto as Exhibit C and incorporated herein by this reference, as its written findings of fact demonstrating how the Metro Council's decisions in its adopted Land Use Final Order amendment comply with the applicable review criteria.

3. That the Metro Council hereby states its intent to prepare amendments to Metro's *Regional Transportation Plan* and the *Regional Urban Growth Goals and Objectives* and related documents to make such plans consistent with the LUFO amendment adopted by this Resolution.

ADOPTED by the Metro Council this ____ day of _____, 1999.

Rod Monroe, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

Attachments: Exhibit A – South/North Land Use Final Order Amendment
Exhibit B – Tri-Met Application for South/North Land Use
Final Order Amendment
Exhibit C – Findings of Fact and Conclusions of Law in
Support of the South/North Land Use Final Order
Amendment

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 99-2853 FOR THE PURPOSE OF ADOPTING A LAND USE FINAL ORDER AMENDING THE LIGHT RAIL ROUTE, LIGHT RAIL STATIONS AND PARK-AND-RIDE LOTS, INCLUDING THEIR LOCATIONS, FOR THAT PORTION OF THE SOUTH/NORTH LIGHT RAIL PROJECT EXTENDING FROM THE STEEL BRIDGE TO THE EXPOSITION CENTER

Date: October 7, 1999

Presented by: Richard Brandman

NATURE OF PROPOSED ACTION

This resolution would: 1) adopt a Land Use Final Order (LUFO) amendment for the South/North Light Rail Project (Exhibit A) identical to the LUFO amendment application submitted by Tri-Met (Exhibit B); 2) adopt the findings of fact and conclusions of law in support of the LUFO (Exhibit C); demonstrating how the Metro Council's decisions in its adopted LUFO amendment comply with applicable review criteria; and 3) express the Metro Council's intent to amend the *Regional Transportation Plan* (RTP) and *Regional Urban Growth Goals and Objectives* (RUGGOs) and related documents to make the regional plans consistent with the LUFO amendment.

Tri-Met's application seeks to amend the light rail route and the light rail stations and park-and-ride lots for that portion of the South/North Light Rail Project extending from the Steel Bridge to the Exposition Center (Expo Center), all within the jurisdictional boundaries of the City of Portland. The requested LUFO would be an amendment to the original LUFO adopted by the Metro Council on July 23, 1998 through the Council's adoption of Resolution No. 98-2673. This amendment would make the LUFO consistent with the amended Locally Preferred Strategy (LPS) as adopted by the Metro Council in June 1999.

FACTUAL BACKGROUND

A. RELATIONSHIP OF ACTION TO NATIONAL ENVIRONMENTAL POLICY ACT OF 1969

Adoption of amendments to the South/North LUFO is a land use proceeding that is governed only by the standards and requirements in House Bill 3478 (Or Laws 1996, Chapter 12). The pertinent requirements of the Act are described below. LUFO adoption differs from selection of a Locally Preferred Strategy (LPS) pursuant to the requirements of the National Environmental Policy Act of 1969. Federal regulations govern the decision on the LPS, while adoption of a LUFO amendment is controlled by state law.

B. REQUIREMENTS OF HOUSE BILL 3478

Section 6(1) of House Bill 3478 authorizes the Metro Council, upon application by Tri-Met, to adopt land use final orders for the South North Project. The Act further requires the Council to

adopt written findings demonstrating how its decisions comply with approval criteria established by the Land Conservation and Development Commission (LCDC) under Section 4 of the Act.

A LUFO is a written order or orders of the Metro Council establishing the light rail route, stations, lots and maintenance facilities, and the highway improvements that comprise the South/North Project, and it further specifies the locations within which these facilities and improvements may be located. As explained in Section 6(1)(a) of the Act:

"Prior to publication of the public hearing notice described in Section 7(1) of this Act, and following receipt of recommendations from the Department of Transportation and the Steering Committee, Tri-Met shall apply to the council for a land use final order approving the light rail route, stations, lots and maintenance facilities, and the highway improvements, including their locations. The applied-for locations shall be in the form of boundaries within which the light rail route, stations, lots and maintenance facilities, and the highway improvements shall be located. These boundaries shall be sufficient to accommodate adjustments to the specific placements of the light rail route, stations, lots and maintenance facilities, and the highway improvements for which need commonly arises upon the development of more detailed environmental or engineering data following approval of a Full Funding Grant Agreement."

Section 7(7) of House Bill 3478 requires the Metro Council to demonstrate with written findings how its LUFO complies with the approval criteria established by LCDC. These criteria are the legal standards against which the Council must measure its decisions. Draft findings of fact demonstrating compliance with those criteria are attached to this staff report and incorporated herein by this reference. Should the Council choose to approve Tri-Met's application, those findings may require revision or supplementing prior to adoption to respond to public testimony.

Section 6(2) of the Act addresses amendments to the original LUFO. As relevant to this proceeding, it provides that any siting of the light rail route or a station, lot or maintenance facility outside the boundaries previously established in a LUFO, or any new station, lot or maintenance facility, "shall require a land use final order amendment or a new land use final order which shall be adopted in accordance with the process provided for in subsection (1) of this section."

Section 6(1)(b) of House Bill 3478 provides for the Council, following public hearing, either to 1) adopt a LUFO establishing the facilities and locations applied for by Tri-Met; or 2) continue the public hearing and refer the proposed facilities and locations back to Tri-Met for further review. Should the Council adopt a LUFO, it must provide notice of its decision as soon as reasonably possible following adoption. Should it refer the matter back to Tri-Met, then Tri-Met must consider amendments to its proposed project and forward a further application to the Council for hearing and adoption. At that time, the Council will retain the same decision options it had at the first hearing.

Section 3(1) of the Act provides that the procedures and requirements set out in House Bill 3478 are the only land use procedures and requirements to which the Council's decisions on the light rail

route, stations, lots and maintenance facilities, and the highway improvements for the Project, including their locations, are subject.

C. LUFO RECOMMENDATION AND TRI-MET APPLICATION

As noted, Section 6(1) of House Bill 3478 directs Tri-Met to file its application with the Council following its receipt of recommendations from the Department of Transportation and the South/North LUFO Steering Committee established pursuant to Section 1(21) of the Act. On September 13, 1999, the South/North LUFO Steering Committee adopted its recommendations to Tri-Met on the light rail route, stations and park-and-ride lots for that portion of the South/North Project subject to this LUFO amendment application (Attachment A of Exhibit B). Also on September 13, 1999, the Oregon Department of Transportation provided recommendations in the form of a letter to the Tri-Met Board of Directors from Kay Van Sickle, Region 1 Manager, endorsing the LUFO amendments recommended by the LUFO Steering Committee (Attachment B of Exhibit B). The light rail route, stations and lots contained in Tri-Met's application, including their locations, are the same as those recommended by the LUFO Steering Committee and ODOT. No maintenance facilities or highway improvements are proposed as part of Tri-Met's LUFO amendment application.

On September 22, 1999, the Tri-Met Board of Directors unanimously approved its LUFO amendment application to the Metro Council for the South/North Light Rail Project. Tri-Met submitted its application to Metro on September 24, 1999.

D. PROPOSED SOUTH/NORTH LAND USE FINAL ORDER AMENDMENT

The attached Land Use Final Order (Exhibit A) contains a segment-by-segment textual description of the amended portion of the South/North Project's light rail improvements. The LUFO also includes maps illustrating the boundaries within which the light rail route, stations and lots may go without need for an additional LUFO amendment. These maps are the same as those included in Tri-Met's application and recommended by the LUFO Steering Committee and ODOT.

All of the maps are printed from a common Geographic Information System data base. The maps illustrate the recommended boundaries at the one inch equals 400 foot scale continuously along the LRT alignment from south to north within the affected area.

The boundaries shown on these maps represent the areas within which the light rail facilities may be located. The maps generally show the existing property lines and major buildings to provide orientation and clarity with respect to the project facility locations. The FEIS light rail route and station platform locations depicted on those maps are provided solely for visual reference purposes. The exact location of the light rail tracks and station platforms may fall anywhere within the light rail route and light rail station boundaries shown on the maps.

E. APPLICABLE LAND USE CRITERIA AND FINDINGS

On May 30, 1996, in accordance with Section 4 of HB 3478, LCDC established the criteria to be used by the Council in making land use decisions establishing the light rail route, stations, lots and

maintenance facilities, and the highway improvements for the Project, including their locations. The approved criteria include two procedural, six substantive and two alignment-specific standards. In its LUFO findings, the Council must demonstrate compliance with these criteria.

Draft findings addressing the LCDC criteria are attached to the Metro Council resolution as Exhibit C.

F. NOTIFICATION OF PUBLIC HEARING

Notification of the LUFO Public Hearing was provided to the public through a variety of mechanisms as follows:

- Legal notice was published in *The Oregonian* on October 8, 1999;
- A postcard was mailed to all owners of property located within approximately 100 feet of the proposed project improvements; and
- Information was posted on both the Metro and Tri-Met Web Pages providing information about the proposed amendments to the LUFO and information was made available to the public on the project telephone "hot line."

STAFF RECOMMENDATION

Staff recommends approval of Resolution No. 99-2853, adopting a Land Use Final Order amendment for the South/North Project modifying the light rail route, stations and lots, including their locations, for that portion of the South/North Light Rail Project extended from the east end of the Steel Bridge northward to the Exposition Center as provided in Tri-Met's application.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 99-2853.